



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

SENATE—*Monday, January 4, 2016*

The 4th day of January being the day prescribed by House Joint Resolution 76 for the meeting of the 2d session of the 114th Congress, the Senate assembled in its Chamber at the Capitol and at 12 and 12 seconds p.m. was called to

order by the President pro tempore (Mr. HATCH).

ADJOURNMENT UNTIL MONDAY,
JANUARY 11, 2016, AT 2 P.M.

The PRESIDENT pro tempore. Under the previous order, the Senate stands

adjourned until 2 p.m. on Monday, January 11, 2016, pursuant to the provisions of H. Con. Res. 104.

Thereupon, the Senate, at 12 and 27 seconds p.m., adjourned until Monday, January 11, 2016, at 2 p.m.

HOUSE OF REPRESENTATIVES—Monday, January 4, 2016

This being the day fixed pursuant to the 20th Amendment to the Constitution by Public Law 114-108 for the meeting of the second session of the 114th Congress, the House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 4, 2016.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Harvey Sparks, Temple Hills Baptist Church, Temple Hills, Maryland, offered the following prayer:

Father, Your Word tells us that blessed is the man who does not walk in the counsel of the wicked nor stands in the way of sinners nor sits in the seat of scoffers; but his delight is in the law of the Lord, and on His law he meditates day and night.

Father, as we begin a new year that is full of both promise and hope, may we be a people who seek Your righteous wisdom. May we reject the sins of selfishness, greed, and pride. May we avoid apathy, ridicule, and division. This new year help us to seek Your truth and submit ourselves to Your law so that we might experience the rich blessings of Christ.

Regardless of what challenges the new year holds, let us not lose hope because Christ has defeated the grave. It is in His holy and precious name that we pray.

Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The Speaker pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2015 at 4:55 p.m.:

That the Senate passed with an amendment H.R. 4188.

That the Senate passed S. 1115.

That the Senate agreed to without amendment H. Con. Res. 104.

Appointment:
United States-China Economic and Security Review Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2015 at 5:19 p.m.:

That the Senate passed S. 1893.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, December 18, 2015:

H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore UPTON on Tuesday, December 22, 2015:

H.R. 1321, to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads;

S. 2425, to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to section 7(a) of House Resolution 566, no organizational or legislative business will be conducted on this day.

Messages requiring action will be laid before the House on a subsequent day.

Bills and resolutions introduced today will receive a number but will not be referred to committee or noted in the RECORD until a subsequent day. Executive communications, memorials, and petitions likewise will be referred and numbered on a subsequent day.

ENROLLED BILL SIGNED PRIOR TO SINE DIE ADJOURNMENT

Karen L. Haas, Clerk of the House, prior to sine die adjournment of the First Session of the 114th Congress, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker on December 18, 2015:

H.R. 2029. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

ENROLLED BILL SIGNED AFTER SINE DIE ADJOURNMENT

Karen L. Haas, Clerk of the House, after sine die adjournment of the First Session of the 114th Congress, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. UPTON, on December 22, 2015:

H.R. 1321. An act to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE ENROLLED BILL SIGNED
AFTER SINE DIE ADJOURNMENT

The Speaker pro tempore, Mr. UPTON, after sine die adjournment of the First Session of the 114th Congress, announced his signature to an enrolled bill of the Senate of the following title on December 22, 2015:

S. 2425. An act to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 7(c) of House Resolution 566, the House stands adjourned until 2 p.m. on Tuesday, January 5, 2016.

Thereupon (at 12 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, January 5, 2016, at 2 p.m.

EXTENSIONS OF REMARKS

HONORING JENNIFER STONE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 4, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor a constituent and long-time colleague, Jennifer Stone. Jennifer represents the best of our great State of New Mexico: she is a loving parent, a loyal friend to so many, a brilliant, hardworking and talented professional, and a dedicated member of her community. She is also my dear friend.

Jennifer was born in Los Alamos, New Mexico on November 1, 1965, to Peggy and Sid Pinkston. In 1985, she was the Grand Worthy Advisor of the State of New Mexico for the Order of Rainbow for Girls, an organization dedicated to empowering young women with leadership, public speaking, project management, teamwork and interpersonal communication skills.

Jennifer was always a brilliant student. In 1983, she graduated a year early from Los Alamos High School and then enrolled in the University of New Mexico where she met her future husband, Chip Stone, and subsequently graduated in 1988. While an undergraduate, Jennifer worked full time from 5 p.m. to 12 a.m. at the Rodey Law Firm, one of Albuquerque's oldest and most prestigious firms. Somehow, Jennifer found the energy to work until midnight, go home, do her homework, sleep a little, and then wake up fresh for another day while maintaining a full course load. After graduating, she attended the University of New Mexico School of Law, and on the first day of her third year, her son Jordan was born. During that third year of law school, in addition to being a new mother, Jennifer was also the Lead Articles Editor for the New Mexico Law Review from 1990–1991. In 1991, Jennifer graduated cum laude, Order of the Coif, and was the University's recipient of the Outstanding Clinical Law Student Award. Following graduation, her impressive legal career included being: an associate at the Rodey Law Firm (where she had previously clerked during the summers while she attended law school), an Assistant Attorney General for the State of New Mexico, in-house counsel for the Sun Healthcare Group, a partner at the Miller Law Firm, and General Counsel and Deputy Cabinet Secretary for the New Mexico Department of Health. She then returned to her beloved Rodey Law Firm, where she remains a partner and shareholder.

I met Jennifer through our children and their schools and our families have been close ever since. I even had the opportunity to work professionally with Jennifer when she was General Counsel and Deputy Cabinet Secretary for the New Mexico Department of Health while I was serving as the Secretary of the

Department. I already knew that Jennifer was a gifted legal writer and researcher, but she proved to be the best teammate I could have ever asked for. Jennifer managed all litigation brought against the Department and provided me with stellar advice and penetrating wisdom on how to better operate the Department. Her intellect, professionalism, and passion enabled us to help many New Mexicans.

Jennifer is listed in The Best Lawyers in America and Southwest Super Lawyers for her expertise and experience in healthcare law. In 2009, Jennifer was selected by New Mexico Business Weekly as one of New Mexico's "Best of the Bar." Jennifer has had an outstanding legal career and New Mexico is fortunate to have her.

Chip and Jennifer married on May 30, 1987, and have two wonderful children. Jordan, 25, lives and works in Denver, and Caitlin is a 22-year-old senior at the New Mexico Institute of Mining and Technology. On December 15, 2015, Caitlin gave birth to Jennifer and Chip's first grandchild, a beautiful girl named Catarina Elyse Martinez.

Jennifer has many hobbies. She took up knitting in middle school and became a world class knitter, making beautiful creations for friends and family. Jennifer and Chip traveled frequently to Grateful Dead concerts prior to Jerry Garcia's death in 1995, and have collected Grateful Dead and rock poster art for decades. In recent years, Jennifer and Chip have been devoted to indoor and outdoor rock climbing.

Jennifer has remained steadfast in her determination to bring good things to our community despite the burdens of living with ovarian cancer. Even while undergoing cancer treatments, Jennifer participated in the HERA Women's Cancer Foundation's Climb4Life in Boulder, Colorado, to raise funds for research to eliminate ovarian cancer. That year, Jennifer was the only participant who climbed outdoors in Boulder Canyon, despite active cancer treatment. This came as no surprise to me as she is one of the most determined and energetic people I know.

Jennifer is one of my oldest and dearest friends. It has been difficult to watch such a close friend, so loving a mother, such a skilled and hard-working colleague, and such a dedicated member of our community struggle with this terrible disease. I cherish our friendship and all of the wonderful contributions she has made to our state.

HONORING CLIFF KOROLL

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 4, 2016

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Cliff Koroll, a Chicago Blackhawks legend.

Cliff Koroll is a Canadian Ukrainian born in Canora, Saskatchewan, Canada. He played his youth hockey for the Saskatoon Wesleys and helped them win a Provincial Championship. Cliff continued his education with his childhood friend Keith Magnuson at the University of Denver. Both players were standouts and were key factors in winning the NCAA Championship for Denver University.

Both Cliff Koroll and Keith Magnuson signed with the Blackhawks in 1969. Cliff played 11 seasons in the NHL, all with the Chicago Blackhawks and became their Assistant Coach for six seasons. I believe Cliff to be one of the proudest players to wear the Blackhawks sweater.

Cliff is the current President of the Chicago Blackhawks Alumni Association, a group of retired Blackhawks players that give back to the Chicago community. Throughout the hard work and dedication of the late President, Keith Magnuson, and other key individuals, the Chicago Blackhawks Alumni Association has become a huge success, giving over one million dollars in college scholarships to the most deserving high school hockey players in Illinois. The group is also very supportive of the Ronald McDonald House.

Cliff has also been supportive to the Chicago Legal Clinic, which has a thirty-four year history of providing legal services to the poor and elderly in the Chicago area. While serving a host of legal needs, the Clinic focuses on vulnerable populations, such as immigrants, the disabled, victims of domestic violence, those facing foreclosure, children in the midst of divorce, consumers with serious debt issues, and those confronting urban environmental problems.

Cliff has been inducted into the Saskatchewan Sports Hall of Fame, Saskatoon Sports Hall of Fame, The Chicago Sports Hall of Fame, Illinois Amateur Hockey Hall of Fame, the University of Denver Hall of Fame, and the Ukrainian National Museum in Chicago. I ask my colleagues to join me in honoring and celebrating his work and accomplishments.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 5, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED
JANUARY 12

10 a.m.
Committee on Armed Services
To hold hearings to examine defense health care reform.
SD-G50
Committee on Health, Education, Labor, and Pensions
Business meeting to consider the nomination of Robert McKinnon Califf, of South Carolina, to be Commissioner of

Food and Drugs, Department of Health and Human Services.

JANUARY 20

2:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.
SR-232A

SD-430

HOUSE OF REPRESENTATIVES—Tuesday, January 5, 2016

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 5, 2016.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another year.

We give You thanks also for the first session of the 114th Congress, and Your sustaining us with Your presence, wisdom, patience, and love. We ask that the efforts of the first session might prove fruitful in the benefits redounding to our Nation and its people.

We ask as well Your forgiveness for the smallness of actions on some occasions and the inability to work together when so many were adversely affected. We know that this is not what You wish for us, not what the American people wish for our Nation, and not what the Members of this people's House have been elected for. Lord, have mercy.

We ask Your blessing now on each Member of Congress, that they might be their best selves in representing not only their constituents, but also the entire American citizenry. They have taken oaths to do so. Give them the strength and the wisdom to fulfill those oaths.

We thank You as well for this marvelous forum, where the important business of this Nation has been done in the past and will be done in the upcoming second session. May the work to be done be inspired by the wisdom of prophets and the love of saintly people.

May all that we do be done for Your greater honor and glory.

Amen.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 5, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Under clause 2(g) of rule II of the Rules of the U.S. House of Representatives, I herewith designate Mr. Robert Reeves, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 114th Congress or until modified by me. With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 2 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 6 o'clock and 30 minutes p.m.

CALL OF THE HOUSE

The SPEAKER. The Clerk will use the electronic system to ascertain the presence of a quorum.

Members will record their presence by electronic device.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 1]

ANSWERED "PRESENT"—397

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishke
Bera
Beyer

Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (TX)
Brat
Bridenstine

Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney

Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego

Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo

Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney
Carolyn
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarelli
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Reed	Sensenbrenner	Van Hollen
Reichert	Serrano	Vargas
Renacci	Sessions	Veasey
Ribble	Sewell (AL)	Vela
Rice (SC)	Sherman	Velázquez
Richmond	Shinkus	Visclosky
Rigell	Shuster	Walberg
Roby	Simpson	Walden
Roe (TN)	Sinema	Walker
Rogers (AL)	Sires	Walorski
Rogers (KY)	Slaughter	Walters, Mimi
Rokita	Smith (MO)	Walz
Rooney (FL)	Smith (NE)	Wasserman
Ros-Lehtinen	Smith (NJ)	Schultz
Roskam	Smith (TX)	Waters, Maxine
Ross	Smith (WA)	Watson Coleman
Rothfus	Stefanik	Weber (TX)
Rouzer	Stewart	Welch
Roybal-Allard	Stivers	Wenstrup
Royce	Swalwell (CA)	Westerman
Ruiz	Takal	Westmoreland
Ruppersberger	Takano	Williams
Ryan (WI)	Thompson (CA)	Wilson (FL)
Salmon	Thompson (MS)	Wilson (SC)
Sánchez, Linda	Thompson (PA)	Wittman
T.	Thornberry	Womack
Sanford	Tiberi	Woodall
Sarbanes	Tipton	Yarmuth
Scalise	Tonko	Yoder
Schakowsky	Torres	Yoho
Schiff	Trott	Young (AK)
Schrader	Tsongas	Young (IA)
Schweikert	Turner	Young (IN)
Scott (VA)	Upton	Zeldin
Scott, Austin	Valadao	Zinke

NOT VOTING—37

Bass	Kennedy	Rush
Becerra	Kind	Russell
Brady (PA)	King (IA)	Ryan (OH)
Cole	Labrador	Sanchez, Loretta
DeLauro	Larsen (WA)	Scott, David
Fincher	Lipinski	Speier
Fudge	Maloney, Sean	Stutzman
Grijalva	Marchant	Titus
Harris	Miller (MI)	Wagner
Higgins	Nugent	Webster (FL)
Hinojosa	Pingree	Whitfield
Issa	Rice (NY)	
Jackson Lee	Rohrabacher	

□ 1857

The SPEAKER. On this roll call, 397 Members have recorded their presence. A quorum is present.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the proceedings of January 4, 2016, and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR A COMMITTEE TO NOTIFY THE PRESIDENT OF THE ASSEMBLY OF THE HOUSE OF REPRESENTATIVES

Mr. MCCARTHY. Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 576

Resolved, That a committee of two Members be appointed by the Speaker to notify the President of the United States that a quorum of the House has assembled and that the House is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT, PURSUANT TO HOUSE RESOLUTION 576

The SPEAKER. Pursuant to House Resolution 576, the Chair appoints the following Members to the committee to notify the President of the United States that a quorum of the House has assembled and that the House is ready to receive any communication that he may be pleased to make:

the gentleman from California (Mr. MCCARTHY) and
the gentlewoman from California (Ms. PELOSI).

□ 1900

TO INFORM THE SENATE THAT A QUORUM OF THE HOUSE HAS ASSEMBLED

Mr. MCCARTHY. Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 577

Resolved, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE HOUR OF MEETING OF THE HOUSE

Mr. MCCARTHY. Mr. Speaker, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 578

Resolved, That unless otherwise ordered, the hour of daily meeting of the House shall be 2 p.m. on Mondays; noon on Tuesdays (or 2 p.m. if no legislative business was conducted on the preceding Monday); noon on Wednesdays and Thursdays; and 9 a.m. on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER MORNING-HOUR DEBATE

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that the order of

the House of January 6, 2015, providing for morning-hour debate be extended for the remainder of the 114th Congress, except that House Resolution 578 shall supplant House Resolution 9.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MOMENT OF SILENCE IN HONOR OF THE LATE SENATOR DALE BUMPERS

(Mr. HILL asked and was given permission to address the House for 1 minute.)

Mr. HILL. Mr. Speaker, today our Arkansas delegation rises to pay tribute to a dedicated public servant, an exceptional orator, and a distinguished son of Arkansas.

Former Arkansas Governor and four-term United States Senator Dale Leon Bumpers passed away on Friday, January 1, at the age of 90.

Hailing from the small town of Charleston, Arkansas, Senator Bumpers graduated from the University of Arkansas with a degree in political science and followed that with service in the United States Marine Corps during World War II.

After earning his law degree from Northwestern University, Bumpers and his wife, Betty, returned to their hometown of Charleston, where he practiced law. In the wake of the 1954 Supreme Court decision on *Brown v. Board of Education*, Bumpers advised the Charleston School Board to immediately desegregate its school system. Listed as his proudest achievement, the Charleston School District was the first school district in the former Confederacy to desegregate.

Nicknamed by The New York Times as the “giant killer,” Senator Bumpers emerged as a dark horse candidate to defeat long-time Governor Orval Faubus in 1970. In his two terms as Governor, he continued and expanded Governor Rockefeller’s era of expansive governmental reform.

In 1974, he defeated five-term U.S. Senator J. William Fulbright in the Democratic primary with 65 percent of the vote to win the Senate seat and serve for 24 years.

When I was a young Senate staffer, it was a pleasure to work with Senator Bumpers and my Second District predecessor, Congressman Ed Bethune, on the completion of the landmark Arkansas Wilderness Act of 1984.

Mr. Speaker, on Sunday, January 10, Dale Bumpers will be laid to rest.

Those of us in the delegation, as we prepare to make our final good-byes, would ask for a moment of silence to honor this Arkansas leader, public servant, and elder statesman.

BACKGROUND CHECKS FOR GUN OWNERSHIP

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, I rise in support of President Obama's announcement today to fight the growing epidemic of gun violence in America and make our families more secure and communities safer.

It is just common sense that background checks should be required before an individual is allowed to buy a firearm, yet Congress refuses to pass legislation to close loopholes that allow gun sales to proceed before background checks are completed.

Under the so-called Charleston loophole that contributed to the mass murder of nine of my constituents, sales can proceed after 3 days, even when the background check is not complete. That is just wrong. My bill, the Background Check Completion Act, will ensure that background checks are completed before sales take place.

I thank the President for his leadership today, and I call on my colleagues, many of whom seem to default to "no," no matter how reasonable the proposed legislation may be, when all else fails, employ common sense.

VISITING WITH CONSTITUENTS OF SOUTH CAROLINA'S SECOND CONGRESSIONAL DISTRICT

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday I traveled across the Second Congressional District of South Carolina, visiting communities in Columbia, West Columbia, Aiken, North Augusta, Barnwell, Orangeburg, and Lexington to present my 2016 legislative agenda. At each stop, I was grateful to share my priorities with constituents and answer questions from the media.

In this new legislative year, I will advance legislation to create jobs for American families and reduce harmful regulations that destroy jobs. We also must protect the economic future for our children and grandchildren by passing balanced budgets and reining in Washington's out-of-control spending, which is a crushing debt on future generations.

As chairman of the House Armed Services Subcommittee on Emerging Threats and Capabilities, I am also focusing on promoting peace through strength to support our troops and keep our families safe from Islamic extremists in the global war on terrorism. I will also strive to strengthen our Nation's cyber capabilities and protect our citizens against cyber attacks by enemies.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

IN MEMORY OF STAFF SERGEANT PETER TAUB

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise to honor Staff Sergeant Peter Taub, one of six victims of a suicide bombing attack in Afghanistan on December 21.

Peter was a remarkable young man. He was raised in Wyncote, Montgomery County, which I am proud to represent. He served 8 honorable years in the Air Force, assigned to the Office of Special Investigations, and stationed at the Ellsworth Air Force Base in South Dakota.

At just 30 years old, Peter was a devoted father, husband, and son, an exemplary soldier and public servant, an American hero.

I offer my sincere condolences to the family and friends Peter left behind and my greatest thanks for his service to our Nation. He gave us all the ultimate sacrifice.

My heart especially goes out to Peter's family: his 3-year-old daughter, Penelope; his wife, Christina, expecting another child; his mother, Arlene; his father, Joel; and his brother, Jonathan. No parent should be predeceased by a child, and no child should have to grow up without a parent.

These tragic losses are a reminder of the gravity of our foreign policy decisions and military engagement overseas. We must never take these responsibilities lightly. We must never forget the sacrifice that Staff Sergeant Peter Taub and his family have made to protect our freedoms.

May God bless Peter's family.

THE HAMMOND SENTENCE

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week a father and son reported to serve again an additional up to 4 years in Federal prison. Their crime? Setting preventative fires on their own property that accidentally spread to Federal lands.

The Hammonds, family farmers from Oregon, had already served time in Federal prison: Dwight 3 months, Steven a year. However, that wasn't good enough for U.S. Attorney Billy Williams, who used taxpayer dollars to appeal the Hammonds' original sentence and urged the Ninth Circuit to impose harsher penalties, over the judge's objection, who had recommended in his vision much less harsh penalties for the crime in question.

Mr. Speaker, the question isn't whether or not the Hammonds started these fires. They admit they did. The question is whether the U.S. attorney and his administration are prosecuting real criminals or pursuing a political agenda. Mr. Speaker, when a 74-year-old man and a 45-year-old father of three are forced to return to prison when they have already served time and paid hundreds of thousands of dollars in fines for a nonviolent, unintentional crime, the answer couldn't be more clear whether this is political or not.

RECOGNIZING CLIFF KOROLL

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, I rise to recognize Cliff Koroll, a Chicago Blackhawks legend.

After signing with the Blackhawks in 1969, Cliff enjoyed 11 seasons as their right winger, where he reached the 50-point mark during four different seasons. He also helped lead the Blackhawks to the Stanley Cup finals twice and later served six seasons as their assistant coach.

His talent led him to be inducted into multiple sports halls of fame, but his greatest accomplishment is leading the Chicago Blackhawks Alumni Association. This group of retired players continually gives back to the Chicago community and has given over \$1 million in scholarships to the most deserving high school players in Illinois.

Cliff is also a supporter of the Chicago Legal Clinic, which provides legal services for immigrants, the disabled, victims of domestic violence, consumers with serious debt issues, and more.

Today I urge my colleagues to join me in honoring and celebrating Cliff's work and accomplishments.

HONORING KEVIN KLINE AND THE SNOWDROP FOUNDATION

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, in the movie "Forrest Gump," Tom Hanks runs for over 3 years.

A good friend of mine is like Forrest Gump. His name is Kevin Kline. He is a DJ on the 93Q morning radio show. His partners, Erica Rico and Tim Tuttle, call him Kevin Gump or Forrest Kline. Why? Because for 55 hours over New Year's, Kevin and others ran, walked, or crawled to save kids with cancer.

With his wife, Trish, Kevin started the Snowdrop Foundation because cancer touched a 16-year-old, who lost her life, named Chelsey Campbell. Snowdrop has raised over \$1 million in

just 9 short years. They did this to ensure no child or parent hears those three awful words, "You have cancer."

All Texans are proud of Kevin and Trish and Snowdrop. To quote Kevin's idol: "That's all I have to say about that."

A CRITICAL STEP FORWARD

(Mr. GALLEG0 asked and was given permission to address the House for 1 minute.)

Mr. GALLEG0. Mr. Speaker, for too long, calls for Congress to pass commonsense gun control measures—heartfelt appeals from concerned Americans of all ages and ideologies, including gun owners—have fallen on deaf ears.

Despite the mounting death toll, the Republican leadership has refused to consider any new measures to address the devastating impact of gun violence in America.

We cannot continue to wait for Republicans to come to their senses. The price of delay for our children, for our families, and for our communities is simply too steep. That is why I applaud President Obama for putting American lives above partisan politics.

The President's executive actions will require more gun sellers to be licensed and to conduct background checks, narrowing the dangerous loopholes that allow guns to fall into the hands of criminals or the mentally ill.

The new rules will also make it easier for us to hold irresponsible dealers accountable and to track guns that are lost or stolen. This is a critical step forward, but it is not enough.

I call on my colleagues to join the President in taking real action to prevent gun tragedies and keep the American people safe.

□ 1915

PRESIDENT OBAMA'S EXECUTIVE OVERREACH ON GUNS

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, President Obama is up to it again with his pen and phone. This time he is undermining the Second Amendment rights of American citizens through executive order.

President Obama's disdain for gun owners has been clear from the beginning. This is another sad chapter in his Presidency. It is a shame the President would exploit the latest act of terrorism in this manner.

The murders of Americans in San Bernardino were due to a radical Islamic ideology, an ideology that this President will not even acknowledge, though these people have declared war upon us, and nothing this President is doing through his unilateral action

will address that. It will only serve to hurt law-abiding American citizens. President Obama is shooting at the wrong target.

We are a constitutional republic. The President cannot simply bypass Congress when his ill-advised initiatives are rejected. The President should join Congress in focusing on the growing threat of terrorism rather than making it easier to disarm law-abiding American citizens. We should do all in our power to stop this unconstitutional executive action and overreach.

MAKING AMERICA SAFER

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, it is an honor and a privilege to be a Member of this House and to be elected in a wonderful, beautiful economy in the greatest Nation on the Earth.

The year 2015 has expired. We have just begun this session in 2016. But the question, ladies and gentlemen, is: What are we going to do to serve the public? What are the things that we are going to focus on to make sure that our constituents are safer so that we continue to provide a democracy that is an example for other countries?

We have heard just in the first few minutes of these speeches about how we need to make America safer. Well, one way that we can do that is to do our job so that the executive of our country doesn't have to try to do whatever he can to extend his responsibilities because we are not doing enough.

There are too many moments of silence, ladies and gentlemen, where 9, 10, 20, 30, 40, or 50 Americans are killed through senseless violence, and we have done almost nothing about it as a Congress.

REVOKE PASSPORTS OF MEMBERS OF FOREIGN TERRORIST ORGANIZATIONS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, ISIS fighters hail from nations all over the world, including the United States. Americans who go to fight the jihadists overseas are able to freely travel back to the United States with their U.S. passports.

These homegrown jihadists are not coming back home to open up coffee shops. They are coming home to harm Americans. We have to stop them by keeping them from coming back at all. That is why the United States House passed the Foreign Terrorist Organization Passport Revocation Act, which I introduced.

The legislation is simple: revoke or deny passports of Benedict Arnold

Americans who have assisted designated foreign terrorist organizations. Not only will the bill help law enforcement locate these individuals, it will prevent them from entering the United States at all.

While my bill languishes down the hall in the Senate, Congress did pass a law allowing for the revocation of passports for Americans who are delinquent on their taxes. Mr. Speaker, what is a bigger threat to America and our national security? Tax offenders or terrorists?

Congress must get its priorities straight. It is time for the Senate to pass the House bill and revoke passports of members of foreign terrorist organizations who may or may not be tax cheats.

And that is just the way it is.

IRAQI JEWISH ARCHIVES

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, this morning I toured an exhibit at Florida International University's Jewish Museum of Florida, located in Miami Beach, which details the discovery and recovery of artifacts depicting Jewish life in Iraq over the centuries.

I was privileged to be joined by members of the Iraqi Jewish community, including Hillel Shohet and his brother, Maurice Shohet, who played key roles in ensuring that these artifacts remain with the Jewish community.

I was also proud to lead the effort here in Congress to keep the artifacts in the U.S. I led that effort along with my colleague, the gentleman from New York, STEVE ISRAEL, and other congressional colleagues.

These treasures, Mr. Speaker, were confiscated from the Jewish community by Saddam Hussein's intelligence service and were discarded until they were discovered in a flooded basement by our American servicemembers in the year 2003. They were then brought back to our National Archives where they were painstakingly recovered and preserved.

Mr. Speaker, this exhibit is an important piece of the Jewish community's collective memory and must continue to be preserved and shared for generations to come.

CONGRATULATING WALNUT HILLS HIGH SCHOOL MARCHING BAND

(Mr. CHABOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, this evening I rise to recognize the Walnut Hills High School Marching Band. They traveled to Paris last week to participate in La Grande Parade, which runs along the Champs-Élysées.

La Grande Parade is the showcase event in Paris on New Year's Day and attracts hundreds of thousands of spectators from all over the world. So it was a great opportunity to show the world just how talented our students in Cincinnati are. Only four bands from the United States—two high schools and two colleges—were selected to participate in this prestigious event.

It is fitting that Walnut Hills was one of those four bands, as the Marching Blue and Gold have been rated superior for 13 straight years by the Ohio Music Education Association.

Mr. Speaker, I want to congratulate the students, parents, teachers, and supporters of Walnut Hills High School, one of the best high schools in Cincinnati, on this well-deserved honor. I know the students in the band put in a lot of hard work for this once-in-a-lifetime opportunity. They have truly made our community proud.

Go Eagles.

E-FREE ACT

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise tonight to tell the story of Amanda Dykeman of Illinois, one of the tens of thousands of women permanently harmed by the sterilization device known as Essure.

After Amanda had the device implanted in 2010 at the age of 28, her hair began to fall out, she felt great fatigue, continuously fought urinary tract and kidney infections, and would suffer from severe abdominal and joint pain. She suffered with so much pain that she would contemplate suicide. Her symptoms subsided after a total hysterectomy in 2013, but, physically, she knows that the device left her permanently damaged.

I rise as a voice for the Essure Sisters, who number in the thousands, to tell this Chamber that their stories are real, their pain is real, and their fight is real.

Mr. Speaker, my bill, the E-Free Act, can halt this tragedy by removing this dangerous device from the market. I urge my colleagues to join in this fight because stories like Amanda's are too important to ignore.

HARNEY COUNTY, OREGON

The SPEAKER pro tempore (Mr. ABRAHAM). Under the Speaker's announced policy of January 6, 2015, the gentleman from Oregon (Mr. WALDEN) is recognized for 60 minutes as the designee of the majority leader.

Mr. WALDEN. Mr. Speaker, I am sure my colleagues are aware of the situation in Harney County, Oregon, where a group of armed protesters have overtaken a Federal facility in the Malheur National Wildlife Refuge.

This group is led largely by people who are not necessarily from Oregon, although they obviously have supporters from Oregon. They were originally there to protest the sentencing of Dwight and Steve Hammond.

I know the Hammonds. I have known them for probably close to 20 years. They are longtime, responsible ranchers in Harney County. They have been sentenced to prison not once, but now twice. I will get into that in a moment.

The point I want to make at the outset is for people in this Chamber to understand what drives people to do what is happening tonight in Harney County.

I have had the great honor and privilege to represent Harney County for a number of years. I have seen the impact of Federal policies from the Clinton administration to the Obama administration. I have seen what happens when overzealous bureaucrats and agencies go beyond the law and clamp down on people. I have seen what courts have done. I have seen the time for Congress to act and then it has not.

I want to put this area in perspective because I think it is really important to understand how big this region is. By size, my congressional district in Oregon is something like the seventh or eighth biggest in the Congress. If you overlaid it over the east coast, it would start in the Atlantic and end in Ohio.

The county where this occupation is taking place—Harney County—is over 10,000 square miles. There are 7,000 souls inhabiting it. If my math is right, that is one person for every 1.4 miles. One person for every 1.4 miles.

Just this one county is 10 times the size of Rhode Island. It is larger than the State of Maryland. And 72 percent of it is under the command and control of the Federal Government.

It is the public's land. That is true. But what people don't understand is the culture, the lifestyle, of the great American West and how much these ranchers care about the environment, about the future, about their children, about America, and how much they believe in the Constitution. Now we see the extent they will go to in order to defend what they view as their constitutional rights.

Now, I am not defending armed takeovers. I do not think that is appropriate. I think the time has come for those to consider that they have made their case in the public about what is happening in the West, and perhaps it is time for them to realize they have made their case and to go home.

But I want to talk about what happened with the Hammonds. I want to put in perspective what happens almost every year in my district. That is these enormous wildfires.

□ 1930

The Miller Homestead Wildfire in 2012 burned 160,000 acres, mostly in this

county, if not all; 250 square miles, a quarter of the size of the State of Rhode Island. That was just in 2012.

The Barry Point Fire that year, in Lake County, next door, burned 93,000 acres. Last summer alone, we burned 799,974 acres across Oregon; that is both forest and high desert. In 2012, 3.4 million acres burned in Oregon.

There was another fire in Malheur County. The Long Draw Fire, in 2012, burned 557,000 acres, five times the size of Rhode Island. So 93,000 acres, 557,000 acres, 160,000 acres, all burning.

The Hammonds are in prison tonight for setting a backfire that they admit to, that burned 139 acres, and they will sit in prison, time served and time going forward, 5 years, under a law that I would argue was never intended to mete out that kind of punishment, and I will get to that in a moment.

I have told you I worked with the Hammonds and many ranchers in Harney County. In the last years of the Clinton administration, despite their own agency's reviews and analysis, Bill Clinton threatened to create a giant monument on Steens Mountain.

When Secretary Babbitt, the Interior Secretary at the time, came before the House Resources Committee, of which I was a member, I said: Mr. Secretary, your own resource advisory committees in the area just reported that there was no need for additional protection on Steens Mountain, and yet, you and the President are threatening to create this national monument. Why do you waste the time of the citizens to go through a process to determine if additional protections are needed and then ignore what they came up with?

To Bruce Babbitt's credit, he agreed when I told him: I think you would be surprised about what the local ranchers and citizens of Harney County would be willing to do if you give them a chance. To his credit, he said: All right, I will give them that chance. And he did.

We went to work on legislation. It took a full year. I worked with the Hammonds. I worked with Stacy Davies, I worked with all kinds of folks, put a staffer on it full-time, multiple staffs, and we worked with the environmental community and others. And we created the Steens Mountain Cooperative Management and Protection Act, model legislation, never been done before, because I said: We don't have to live by past laws, we write laws.

So we wrote a new law to create a cooperative spirit of management in Harney County. The Hammonds were part of that discussion. We saved a running camp, Harlan Priority Runs. We protected inholder. We tried to do all the right things and create the kind of partnership and cooperation that the Federal Government and the citizens should have.

Fast forward on that particular law. Not long after that became law, and it

was heralded as this monumental law of great significance and new era in co-operation and spirit of cooperation, some of those involved on the other side and some of the agencies decided to reinterpret it. The first thing they tried to do is shut down this kids' running camp because they said: Well, too many, maybe more than 20, run down this canyon and back up, as they had for many, many years. They wanted to shut it down. So we had to fight them back and said: No, the law says historical standards.

Then the bureaucrats, because we said: You should have your historical access to your private property, if you are up on Steens Mountain, you should maintain that access like you have always had it. Do you know what the bureaucrats said? They began to solicit from the inholders in this area: How many times did you go up there last year? You see, they wanted to put a noose around the neck of those who were inside. That was a total violation of what we intended, and we had to back them off.

See, the bureaucracy wants to interpret the laws we write in ways they want, and in this case they were wrong, not once, but twice.

Then, a couple of years ago, I learned that, despite the fact we created the first cow-free wilderness in the United States under this law, and said clearly in this law that it would be the responsibility of the government to put up fencing to keep the cows out, as part of the agreement, the Bureau of Land Management said: No, we are not going to follow that law. And they told the ranchers they had to build the fence.

I networked with my Democrat colleague from Oregon, Mr. DEFAZIO, who was part of writing this law. I said: Peter, you remember that, right? He said: Yeah, I didn't like it, but that was the case. BLM still wouldn't listen. So we continued to push it and they argued back.

Well, it turns out there had been a second rancher who brought this to my attention who they were telling had to do the same thing, build a fence, when the government was supposed to under the law I wrote. The arrogance of the agency was such that they said: We don't agree with you.

Now, there aren't many times, Mr. Speaker, in this job when you can say I know what the intent of the law was, but in this case I could because I wrote the law, I knew the intent.

Oh, that wasn't good enough. No, no, no. No, no, no. The arrogance of these agency people was such that we had to go to the archives and drag out the boxes from 2000, 1999-2000, when we wrote this law, from the hearings that had all the records for the hearings and the floor discussions to talk about the intent. And our retired Member, George Miller, actually we used some of his information where he said the

government would provide the fencing. They were still reluctant to follow it. So I put language in the appropriations bill that restated the Federal law.

Do you understand how frustrated I am at this? Can you imagine how the people on the ground feel? Can you imagine? If you are not there, you can't. If you are not there, you can't.

You ridicule them. The Portland Oregonian is running a thing, what do you send? Meals for militia. Let's have fun with this.

This is not a laughing matter from any consequence. Nobody is going to win out of this thing.

This is a government that has gone too far for too long. Now, I am not condoning this takeover in any way. I want to make that clear. I don't think it is appropriate. There is a right to protest. I think they have gone too far. But I understand and hear their anger.

Right now, this administration, secretly, but not so much, is threatening, in the next county over, that looks a lot like this one, Malheur County, to force a monument of 2.5 million acres, we believe. I think this is outrageous. It flies in the face of the people and the way of life and the public access.

There is a company, Keen Shoes, that already has a big marketing campaign. This is about selling shoes, for God's sake.

I call on the President, if he wants to help reduce the tension that is out there, to walk away from this. And if he doesn't want to walk away and say, no, we are not going to do that, to help us bring down this level of frustration and anger, then at least be honest, or his Secretary of the Interior needs to be honest with us and tell us they are going to do it.

Either they are or they aren't. But all they are is being coy. That feeds into this. It feeds into the anger that I feel. It feeds into the anger out there.

So the President should say: I am not going to do a national monument. I am not going to add more fuel on this fire in the West.

We have fought other issues. More than half of my district is under Federal management, or lack thereof. They have come out with these proposals to close roads into the forests. They have ignored public input. They often claim to have all these open meetings and listen to the public, and then, in the case of Wallowa-Whitman, the forest supervisor who was eventually relieved because of this, I believe, completely ignored all the meetings, all the input, all the work of the counties and the local people, and said: Forget it, I am going my own direction.

There were 900 people that turned out at the National Guard Armory where they had a public hearing, standing room only and beyond, furious.

You see, how do you have faith in a government that doesn't ever listen to you? How do you have faith in a gov-

ernment that, when elected Representatives write a law, those charged with the responsibility of implementing it choose to go the other direction and not do so? That is what is breaking faith between the American people and their government, and that is what has to change.

The other thing that has to change, the law under which the Hammonds were sentenced. Now, they probably did some things that weren't legal. I have given you the size of the acreages that burned naturally. I haven't gotten into the discussion about how these fires are often fought and how the Federal Government frequently will go on private land and set a fire without permission to backburn. That happens all the time.

In fact, in the Barry Point Fire down in Lake County, they set fire on private timber land as a backburn while the owners of the property were putting out spot fires down in the canyon. I drove down there afterwards. They are darn lucky to have come out alive.

There was nobody sentenced under the terrorism act there. Oh, heck no. It is the government. They weren't sentenced. Nobody was charged. Oh, it just happened.

Now, fires are tough to fight. I have great respect for firefighters. There are always two sides on how these fires get fought. But I can tell you, a few years back in Harney County, because I went and held a meeting out there right as the fire was being put out, that the fire crews came in, went on private ground, lit a backfire on private ground, behind a fence line, that then burned out the farmer's fence, the rancher's fence, and burned all the way over and down into a canyon where there was a wetland, which would have been the natural break to stop the fire from the other side. You see, they never needed to burn that land.

These things happen in the course of fighting fire. It doesn't mean they are right. But rare is it that somebody ends up 5 years in prison.

Let me tell you what the senior judge said when he sentenced the Hammonds the first time, Judge Michael Hogan, senior Federal judge, highly respected in Oregon. He sentenced Dwight Hammond to 3 months and Steve to a year. There were different offenses here.

He said: "I am not going to apply the mandatory minimum because, to me, to do so, under the Eighth Amendment, would result in a sentence which is grossly disproportionate to the severity of the offenses here."

The Judge went on to say: "And with regard to the Antiterrorism and Effective Death Penalty Act of 1996, this sort of conduct would not have been conduct intended under the statute."

"When you ask, you know, what if you burn sagebrush in the suburbs of Los Angeles, and there are homes up the ravines, it might apply. Out in the

wilderness here, I don't think that is what the Congress intended.

"In addition, it just would not meet any idea I have of justice proportionality. It would be a sentence which would shock the conscience, to me."

Senior Judge Mike Hogan, when he did the original sentencing.

But, you see, under this 1996 law under which they were charged and convicted, it turns out he had no judicial leeway. He could not mete out a sentence that was proportionate to what the crime was.

So yesterday, Dwight and Steve went to prison again. Dwight will be 73 when he gets out. Steve will be about 50.

Meanwhile, in Harney County, on the ranch, Susie will continue to try and survive; 6,000-acre ranch, she needs grazing permits to make this happen. It would be a cruel and unjust act, by the way, if access to those grazing permits that allow that ranch to work were not extended. What possible good could come out of bankrupting a grandmother that was trying to keep a ranch together, while the husband sits in prison, her son sits in prison? What possible good?

They will serve their sentences. There is nothing, short of clemency that only the President can offer, that we can do. But we can change that law, and we should, so that nobody ever is locked in like that for a situation like this, where a senior judge, literally, on his final day on the bench, says this goes too far, it goes too far. They appealed that, by the way, and lost. But I believe that the judge was right.

We have to listen to the people. We have to understand why events like this are taking place in our communities. They are taking place in cities. We have witnessed that, and we try and get our heads around it.

There are more people from the cities, so there are more Members from the cities. There aren't many of us that represent these vast, wide-open, incredibly beautiful, harsh districts like the one I do.

The people there love the land. It was the ranchers who came up with the concept of the cooperative management. It was the ranchers who loved Steens Mountain that know that for them to survive they have to take care of the range.

□ 1945

They are good people. Their sons and daughters, by a higher proportion, fight in our wars and die, and I have been to their funerals. So to my friends across eastern Oregon, I will always fight for you. But we have to understand there is a time and a way. Hopefully the country through this understands we have a real problem in America: how we manage our lands and how we are losing them.

It is not like we haven't tried here, Mr. Speaker. Year after year we pass

bipartisan legislation to provide more active management on our forests so we don't lose them all to fire, and we are losing them all to fire. We are losing firefighters' lives, homes, and watersheds—great resources of the West. Teddy Roosevelt would role over in his grave. He created this wildlife refuge in 1908.

There were some bad actors there in the 1980s, by the way. They were very aggressive running the refuge, basically threatening eminent domain and other things that took ranches. It was bad. That lasted for at least a decade or more. It has gotten better though. It is not perfect. There is a much better relationship, and the refuge and the ranchers work closer together. In fact, during this fire in 2012, the refuge actually opened itself up to the ranchers for hay and feed because theirs was burned out because of this big fire. So there was a better spirit there.

But there are still these problems: the threat of waters of the U.S. shutting down stock ponds and irrigation canals and a way of life, the threat of fire every year that seems to not be battled right and just gets away, and no one is really held accountable; the continued restriction on the lives of the men and women who, for generations, have worked hard in a tough environment. It has just gone too far. It is hurtful.

I hope people understand how serious this is felt and how heartfelt this is by those who pay their taxes and try and live by the law and do the right things and how oppressed they feel by the government that they elect and the government they certainly don't elect, and how much they will always defend the flag and the country, and their sons and daughters would go to war, some will not come back—and they have not from this area.

There is a better solution here. The President needs to back off on the monument. The BLM needs to make sure Susie Hammond isn't pushed into bankruptcy and has her ranch taken by the government and added to those that have been. We need to be better at hearing people from all walks of life and all regions of our country and understanding this anger that is out there and what we can do to bring about correct change and peaceful resolution.

It is not too late. We can do this. It is a great country. We have the processes to do it right.

Mr. Speaker, I yield back the balance of my time.

CRIMINALIZATION BY REGULATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for the remainder of the hour as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I do appreciate the words of my friend from Oregon. These are difficult times, and it is even more difficult when unfairness comes from the United States Government with all its power, with all its resources, when it begins to pick on American citizens, when it uses its resources to snoop on Americans, especially when it uses resources to spy on Americans in order to help maintain power of the government over the people.

One of the problems with ObamaCare is it provides every American's medical records to the Federal Government—as if the Federal Government didn't have enough personal information. The Consumer Financial Protection Bureau is in the process of gathering people's credit card and debit card information supposedly to protect individuals. What we have seen in our Judiciary Committee as we have had hearings on the abuses by Federal Government bureaucrats is there seems to be this desire among different agencies and departments: They have no business having a SWAT team, but they want one. They want military power to go out and take people down whenever they get ready.

For many years, Congress has not done an appropriate job of keeping in check criminal laws. There are far too many criminal laws, the number of which we don't know exactly, but which allow a violation of a regulation to be a crime, which allows the full power of the Federal Government to go after individuals.

We heard the horror story about the fellow from the Northwest trying to create a better battery. He gets run off the road by three black Suburbans, hauled out of his little gas-efficient car, thrown down on his chest, boot in the back, handcuffs on, and no idea what he had done. He never even had a traffic ticket. It turns out that he hadn't violated any law necessarily, but he had mailed a package to Alaska that he knew needed to go by ground only, so he checked the box "ground only."

He didn't know that he needed a little sticker with an airplane with a line through it. So he didn't put that on. The result was he was run off the road, thrown to the ground, handcuffed, dragged to jail, then drug off because the Federal Government gets to pick their venue. And since they knew he didn't really know people in Alaska, and that is where the package was going, they dragged him to Alaska to prosecute there.

When he was finally acquitted—maybe it was jury nullification, they just thought it was too unfair—then the prosecutors, the power of the Federal Government and the vindictive people that control things, decided they couldn't let him get away with only having done months in jail; so,

having ransacked his home under a search warrant because he didn't put the little sticker on the package he mailed, they went back through all of the accounting of items found, the inventory, and found that there were some chemicals that are required not to be abandoned, and a regulation—again, a regulation some bureaucrats put in place, not Congress—that required those substances were never to be left for more than 14 days. Since the prosecutors had had him dragged off to Alaska and put in jail up there, he was involuntarily forced to leave the substances. They were properly stored, but they were successful in prosecuting him for abandoning the substances.

Or the retired gentleman down in Houston who wasn't able to testify before our committee because he had had a stroke while he was incarcerated because of the overaggressive prosecution by the Federal Government. He had a greenhouse and raised orchids. He sold to some local florists. He had gotten a package from South America. Apparently, it wasn't properly packaged according to some bureaucrat's regulations, and therefore he had his home raided and ransacked. His wife testified she called home and didn't recognize the voice of the person answering. She asked who it was. He said: Well, who is this? She said: I called my home to talk to my husband, and I have a right to know who you are.

Well, it was a Federal agent. He was handcuffed in his own kitchen because somebody sent him a package from South America that didn't meet some cubicle jockey's idea of what was properly sending a package. During the year and a half he was imprisoned, he had a stroke and couldn't communicate.

Or the poor guy that had lobster shipped to him. He was arrested, incarcerated, and charged with violating not American law, but American law that says, if you violate a foreign law, then you can be arrested in America, and they alleged that he violated a Caribbean island's laws. That country's attorney general said: No, we don't believe he violated our laws. Nonetheless, he was incarcerated.

The stories go on and on of abuse when a government becomes all powerful the way this one has come close to being. When Congress doesn't adequately rein it in, there doesn't seem to be a lot of hope for Americans across the country to be able to stand in the face of such an overwhelming power as our Federal Government.

So I appreciate my friend from Oregon talking about the situation with the Bureau of Land Management, Fish and Wildlife Service. It seems that there are people within the Interior Department that have an insatiable appetite for acquiring more and more and more land, and more and more and more private property taken away

from private individuals. It is getting out of control.

If any landowner dares to say, "I want to keep my own private property," then they can have a right to worry that the Federal Government will come after them, harass them, and make their lives miserable until they finally consent. It is why we should have removed the President's ability to just name land as a national monument, as President Clinton did, one of the world's largest deposits of coal in Utah, just put it off limits by calling it a national monument. It was never intended for those purposes. That is why we should have ended—well, actually, it had ended the program that allowed billions of dollars to be accumulated and spent buying more and more land for the government to control.

□ 2000

It is very difficult in my district. It is not like the Federal Government owns one big swath of land. It can surround private property and make the lives of private property owners miserable, make it unbearable, being a horrible neighbor. Even if the Federal Government doesn't own the private property, they can make usage of that property very unpleasant.

Is it any wonder right now in America that Donald Trump is leading in the Republican primary in so many of the polls? TED CRUZ is viewed as an outsider, though he is in the Senate, because he stood up against the establishment, the status quo. Americans are tired of the Federal Government being unaccountable and becoming so big that it is out of control.

Having prosecuted felony cases early in my career, having been a judge handling thousands of felony cases in Texas, I understand crime. I understand how it has to be stopped. But I also see when the Federal Government becomes a part of the problem instead of part of the solution.

When we had this horrendous shooting in San Bernardino, so many people killed at a Christmas party—or this administration preferred to call it a "holiday party"—where Christians and Jews get singled out, of course this administration won't prosecute a hate crime against a Christian or a Jew and then continue to warn us that they certainly will protect against any hate crime against a Muslim. Nonetheless, we find out there was a straw buyer who broke the gun laws to buy a weapon for the killers. We don't need a new gun law. The man violated the gun laws. And then we found out that actually this administration has been prosecuting fewer gun violations than the Bush administration, and in recent years continues to prosecute fewer and fewer gun violations.

If one were cynical—especially in view of the Washington adage that no matter how cynical you get in this

town, it is never enough to catch up—you might say: Wait a minute. This administration, for example, compared to the Bush administration—in '04, the Bush administration prosecuted nearly 9,000 gun violation cases brought by the ATF. This administration, in 2013, prosecuted around 5,000, and it has prosecuted fewer each year since. It is almost as if—and I know there wouldn't be an improper motive. The House rules tell us that. But it is almost as if you had an administration that is not prosecuting gun violations so they can turn around and demand more laws restricting law-abiding gun rights because, if they really wanted to stop gun violence, they would be prosecuting more aggressively.

When we think about the losses of lives, all the lives that could be saved if this administration would simply enforce the laws that exist, it is heart-breaking. You think about those families who lost a loved one because this administration didn't prosecute the gun violations that could have stopped those losses of lives. It is tragic that this administration will continue to clamor for more laws when the solution should lie first in enforcement of the laws we have before it clambers for more laws.

There is an article published January 5, 2016, saying: "Obama Announces Gun Control Actions, Expands Background Checks" on FOX News.

The article says: "The President, speaking at the White House, said background checks 'make a difference' and will be expanded so that they can cover purchases online, at gun shows and in other venues."

It quotes the President saying: "Anybody in the business of selling firearms must get a license and conduct background checks or be subject to criminal prosecutions."

Mr. Speaker, we have got to get President Obama some good help. The people around him certainly would not be dishonest enough to misrepresent to the President what the law is, but somebody is misrepresenting to the President what is true and what isn't because we know he would not be dishonest. He would certainly not intentionally misrepresent to the public when he says that you can just go online and buy a gun without a background check when that is not true.

If you are a criminal, I am sure it is true that that could be done. But for law-abiding individuals, the kind that don't go out and commit crimes, they followed the law. The law requires for gun dealers, whether it is a transaction over the Internet or not, there has to be a background check.

But somebody keeps feeding the President false information that he passes on to the United States citizenry. We have got to get the President some help so he can get the facts straight that he conveys to the American public.

I haven't bought a gun online, but talking to people that have, if you go online to buy a gun, there is going to be a background check. You cannot just have the gun mailed to you. You have to go to a gun store. They don't really appreciate having you buy a weapon online and then come to the store where they have brick and mortar invested in the local economy. They are the ones that have to make sure the law is complied with. But you can't just go online and buy a gun unless you are an outlaw already violating the law, in which case more laws won't make a difference. Only enforcement of existing laws would stop that kind of conduct.

There is an article from Paul Bedard, January 5: "Obama's New Gun Control Force 8X the Size of Pentagon's ISIS Commando Team." It points out: "According to a White House fact sheet, the President plans to deploy 200 more Bureau of Alcohol, Tobacco, Firearms and Explosives agents 'to help enforce our gun laws.'"

"He also plans to add at least 230 new FBI agents to pore over the backgrounds of gun buyers . . . In Iraq, by comparison, the White House is moving to install an estimated 50-200 Special Operations Forces to take down ISIS."

Here again, it is not enough to simply add FBI or ATF agents when this administration refuses to prosecute gun violations, gun law violations, even as aggressively as the Bush administration did. Of course, this administration seems to think the Bush administration was too lax on gun policy, but yet they won't even prosecute but a fraction of the cases that the Bush administration did.

It is also worth noting that, when this article compares to the actions in Iraq, having been to the command center there in northern Iraq myself, having talked to people on the ground there, having talked to people who have done surveys, done studies of what is going on there with ISIS, you find out this administration, yeah, they are sending planes up, but a majority of the ordinances aren't dropped. Apparently, according to one source, even though they see trucks carrying weapons to ISIS, they are not allowed to take the trucks out. If they see supplies going to ISIS, they are not allowed to stop them. They are not allowed to crater the road they are using. This administration has rules of engagement in place that don't allow the United States to actually defend ourselves against ISIS.

Is it any wonder that it was reported that the radical Islamist terrorists in the Middle East have no fear of this administration or of America because they see how ridiculous the restrictions are that we put on ourselves, our fighting people? They fear, more, Israel because Israel will take legitimate actions to win.

□ 2015

There is an article from AWR Hawkins, 5 January 2016, which reads, "A January 4 White House executive order fact sheet previews the executive gun controls Obama will announce Tuesday."

"The five most offensive aspects of those controls:

"One, the main policy would not have stopped any recent mass shootings," which would indicate—since that appears to be the fact, that nothing he has proposed would change the mass shootings—then, obviously, they are more concerned about either, A, putting on a show or, B, curtailing law-abiding citizens more than actually stopping the mass shootings.

"Two, 225 years of precedent destroyed without any legislative due process."

Some say, "Yes. But we already have background checks. So the President is not changing that." The law is very clear as to what a gun dealer is. He is somebody who is in the business of selling guns.

This administration is now saying, "Hey, if you sell one gun, that can mean being in the business," and that has never been the law. This President is unilaterally attempting to change the law so that, if an uncle wants to sell to his nephew, then this President would try to be a wedge there.

We are not going to prosecute nearly the gun violations like the Bush administration did, but, yes, we will come after that uncle and get between the uncle and the nephew. We are going to be as big an impediment to law-abiding citizens as possible in the way this administration is approaching this; whereas, we are turning a blind eye to so much of the criminal activity, which is the way it appears.

This article from TheBlaze, "Obama's Executive Action on Guns Changes Privacy Rules Between Doctor and Patient," talks about how it will push doctors to report patients they believe may have a problem with the proper use of guns. It is putting a wedge between doctors and patients.

Another article here is from Stephen Gutowski: "Obama Executive Order May Require Those Selling Even a Single Firearm to Become Licensed Dealers." That is not the law. This President is changing the law without there being the congressional passage of a law that he would sign.

Another article is from John Lott, dated January 5. Dr. Lott knows the gun laws and knows the gun facts. This is from the National Review. Dr. Lott points out, if you really want to fix things, don't charge gun buyers for the background checks. Fix the system so it stops falsely flagging the law-abiding people. This article also points out that 99 percent of the flags turn out to be improper flags.

Three, stop using background checks as de facto registration, which appears

to be what they are actually trying to do.

The article from Kelly Riddell, dated July 23, 2014, points out "Obama's Empty Tough Talk: Gun Prosecutions Plummet on His Watch," with the numbers and figures to back that up.

By failing to prosecute gun violations while pressing for more gun laws, it makes one wonder if that is kind of akin to our servicemembers who are in harm's way. For example, in Afghanistan, in the 7¼ years under Commander in Chief George W. Bush, I believe the number of precious American military lives lost was just over 500. Under Commander in Chief Obama, I believe it is at least three times that many or more than that.

What is different? The war is supposed to have basically gone away. We ended it, according to the President. Yet, under his command, people got killed in multiples when the war was supposedly over.

Our military members tell me it is the rules of engagement. We can't defend ourselves. We have a motorcyclist terrorist—a radical Jihadist—come blazing up toward a checkpoint, killing people. You realize, wow, we have a lieutenant that this administration, under Commander Obama, sent to Fort Leavenworth—to prison—for, apparently, giving the order to shoot an Afghan on a motorcycle because he was not slowing down as ordered, he was not yielding to the gunfire over his head. A good way to get Americans killed is to put them in prison if they try to defend themselves or those under their command.

So it just leaves you with the question: Who is this administration really trying to protect? Are we trying to protect our own military members who are in harm's way? It doesn't appear so. Not enforcing the laws against criminals for their gun violations and, instead, demanding more and more control over law-abiding citizens in their use of weapons.

Mr. Speaker, I know a lot of seniors who may not be able to tell you how much money is in their bank accounts; so, they have someone helping them with their bank accounts. But they can sure tell you when somebody is breaking into their homes and when they need a weapon.

We were taught in my 4 years in the Army that a gun is a great equalizer. So if you are 85 years old and somebody is breaking into your home—someone who is strong and powerful and can break your body over his knee—a gun is a great equalizer. But under this President, if you are not managing your own account, look out. This administration is going to leave you unprotected against those intruders.

It is time America started responding, Mr. Speaker. It is time this year that Americans made clear that we want an administration in America

that is more concerned about the law-abiding people than it is with taking away the rights of law-abiding Americans.

Mr. Speaker, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3762, RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

Mr. WOODALL (during the Special Order of Mr. GOHMERT) from the Committee on Rules, submitted a privileged report (Rept. No. 114-387) on the resolution (H. Res. 579) providing for consideration of the Senate amendment to the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 712, SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1155, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

Mr. WOODALL (during the Special Order of Mr. GOHMERT) from the Committee on Rules, submitted a privileged report (Rept. No. 114-388) on the resolution (H. Res. 580) providing for consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, and providing for consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Ms. PELOSI) for today on account of attending to family member's medical procedure.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1893. An act to reauthorize and improve programs related to mental health and substance use disorders; to the Committee on Energy and Commerce.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 6, 2016, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first, second, and fourth quarters of 2015, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, EMILY MURRY, EXPENDED BETWEEN MAR. 27 AND APR. 4, 2015*

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Emily Murry	3/28	4/4	Burma		2,079.00		15,666.10				17,745.10
											— 190.00
Committee total					2,079.00		15,666.10				17,555.10

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

* Amended.

EMILY MURRY, Dec. 18, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO HONG KONG, TIBET AND BEIJING, CHINA, EXPENDED BETWEEN NOV. 5 AND NOV. 14, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Nancy Pelosi	11/7	11/9	Hong Kong		757.42		(³)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. James McGovern	11/7	11/9	Hong Kong		757.42		(³)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Betty McCollum	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Tim Walz	11/7	11/9	Hong Kong		757.42		(³)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Joyce Beatty	11/7	11/9	Hong Kong		757.42		(³)				757.42
	11/9	11/13	China		829.20		³ 1553.74				2382.94
Hon. Alan Lowenthal	11/7	11/9	Hong Kong		757.42		(³)				757.42
	11/9	11/13	China		829.20		³ 527.74				1356.94
Hon. Ted Lieu	11/7	11/9	Hong Kong		757.42		(³)				757.42
	11/9	11/13	China		829.20		³ 527.74				1356.94
Wyndee Parker	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Kate Knudson Wolters	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Emily Berret	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Reva Price	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Jorge Aguilar	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94
Admiral Brian Monahan	11/7	11/9	Hong Kong		714.84		(³)				714.84
	11/9	11/13	China		829.20		³ 527.74				1356.94

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO HONG KONG, TIBET AND BEIJING, CHINA, EXPENDED BETWEEN NOV. 5 AND NOV. 14, 2015—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Committee total					20,328.00		11,990.62				32,318.62

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. NANCY PELOSI, Dec. 7, 2015.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3841. A letter from the President of the United States, transmitting Designation of Funding as an Emergency Requirement, in accordance with language in Title IX of Division K of the Consolidated Appropriations Act of 2016 (H. Doc. No. 114-87); to the Committee on Appropriations and ordered to be printed.

3842. A letter from the President of the United States, transmitting Designation of Funding for Overseas Contingency Operations/Global War on Terrorism, in accordance with Sec. 6 of the Consolidated Appropriations Act of 2016 (H. Doc. No. 114-88); to the Committee on Appropriations and ordered to be printed.

3843. A letter from the Acting Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rates for Interstate Inmate Calling Services [WC Docket No.: 12-375] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3844. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to Lithuania, Transmittal No. 16-11, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106-113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3845. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Australia, Transmittal No. 16-10, pursuant to 22 U.S.C. 2776(b)(1); Public Law 90-629, Sec. 36(b) (as amended by Public Law 106-113, Sec. 1000(a)(7)); (113 Stat. 536); to the Committee on Foreign Affairs.

3846. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3847. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c);

(91 Stat. 1627); to the Committee on Foreign Affairs.

3848. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3849. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's Semiannual Report to Congress for April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3850. A letter from the Vice President (Acting), Congressional and Public Affairs, Millennium Challenge Corporation, transmitting the Corporation's Agency Financial Report for FY 2015, including annual audited financial statements, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3851. A letter from the President and CEO, National Safety Council, transmitting the Council's Audit Report, pursuant to Aug. 13, 1953, ch. 429, Sec. 3; (67 Stat. 569); to the Committee on the Judiciary.

3852. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Vidalia, LA [Docket No.: FAA-2015-1389; Airspace Docket No.: 13-ASW-8] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3853. A letter from the Senior Regulations Analyst, PHMSA, Department of Transportation, transmitting the Department's interim final rule — Hazardous Materials: Carriage of Battery-Powered Electronic Smoking Devices in Passenger Baggage [Docket No.: PHMSA-2015-0165] (RIN: 2137-AF12) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3854. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Changes to Production Certificates and Approvals [Docket No.: FAA-2013-0933; Amtd. Nos.: 21-98, 45-29] (RIN: 2120-AK20) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3855. A letter from the Regulatory Ombudsman, FMCSA, Department of Transportation, transmitting the Department's Major final rule — Electronic Logging Devices and Hours of Service Supporting Documents

[Docket No.: FMCSA-2010-0167] (RIN: 2126-AB20) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3856. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; the Boeing Company Airplanes [Docket No.: FAA-2015-4209; Directorate Identifier 2015-NM-156-AD; Amendment 39-18302; AD 2015-21-09] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3857. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Technify Motors GmbH Reciprocating Engines [Docket No.: FAA-2015-1383; Directorate Identifier 2015-NE-15-AD; Amendment 39-18293; AD 2015-21-01] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3858. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Turbofan Engines [Docket No.: FAA-2015-0869; Directorate Identifier 2015-NE-11-AD; Amendment 39-18296; AD 2015-21-04] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3859. A letter from the National Adjutant, Chief Executive Officer, Disabled American Veterans, transmitting the reports and proceedings of the 2015 National Convention of the Disabled American Veterans, held in Denver, Colorado, August 8-11, 2015, pursuant to 36 U.S.C. 50308; Public Law 105-225, Sec. 50308; (112 Stat. 1345) (H. Doc. No. 114-89); to the Committee on Veterans' Affairs and ordered to be printed.

3860. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Prior Authorization Process for Certain Durable Medical Equipment, Prosthetics, Orthotics, and Supplies [CMS-6050-F] (RIN: 0938-AR85) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 2347. A bill to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes (Rept. 114-386, Pt. 1) Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 579. Resolution providing for consideration of the Senate amendment to the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016. (Rept. 114-387). Referred to the House Calendar.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 580. Resolution providing for consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, and providing for consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes (Rept. 114-388). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 2347 was referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COOK (for himself, Mrs. KIRKPATRICK, Mr. GOSAR, Mr. STEWART, and Mr. TIPTON):

H.R. 4313. A bill to establish a procedure for resolving claims to certain rights-of-way; to the Committee on Natural Resources.

By Mr. ZELDIN (for himself, Mr. KATKO, Ms. MCSALLY, Mr. LOUDERMILK, Mr. HURD of Texas, and Mr. RATCLIFFE):

H.R. 4314. A bill to require a plan to combat international travel by terrorists and foreign fighters, accelerate the transfer of certain border security systems to foreign partner governments, establish minimum international border security standards, authorize the suspension of foreign assistance to countries not making significant efforts to comply with such minimum standards, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Homeland Security, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself and Ms. BASS):

H.R. 4315. A bill to authorize funding to increase access to mental health care treatment to reduce gun violence; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

sions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself and Ms. KELLY of Illinois):

H.R. 4316. A bill to provide for the hiring of 200 additional Bureau of Alcohol, Tobacco, Firearms and Explosives agents and investigators to enforce gun laws; to the Committee on the Judiciary.

By Mr. HANNA (for himself and Mr. TAKAI):

H.R. 4317. A bill to amend the Small Business Act to establish a pilot program providing past performance ratings for other small business subcontractors, and for other purposes; to the Committee on Small Business.

By Ms. NORTON:

H.R. 4318. A bill to amend title 40, United States Code, to permit commercial filmmaking and photography on the United States Capitol grounds, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PERRY (for himself, Mr. GOSAR, Mr. CARTER of Georgia, Mr. LOUDERMILK, Mr. ZINKE, Mr. WESTMORELAND, Mr. GROTHMAN, Mr. PALAZZO, Mr. COLE, Mr. MASSIE, Mr. LUCAS, Mr. LAMALFA, Mr. HUELSKAMP, Mr. MILLER of Florida, and Mrs. LOVE):

H.R. 4319. A bill to eliminate the authority of the executive branch to further restrict the conduct of individuals in relation to firearms or ammunition; to the Committee on the Judiciary.

By Mr. QUIGLEY (for himself, Mr. MEHRAN, Mr. KING of New York, and Mr. PASCRELL):

H.R. 4320. A bill to provide for the reporting to State and local law enforcement authorities of cases in which the national instant criminal background check system indicates that a firearm has been sought to be acquired by a prohibited person, so that authorities may pursue criminal charges under State law, and to ensure that the Department of Justice reports to Congress on charges brought and prosecutions secured against prohibited persons who attempt to acquire a firearm; to the Committee on the Judiciary.

By Mr. GRIJALVA:

H. Res. 575. A resolution expressing disapproval of the occupation of Malheur National Wildlife Refuge by a group of armed individuals; to the Committee on Natural Resources.

By Mr. MCCARTHY:

H. Res. 576. A resolution providing for a committee to notify the President of the assembly of the House of Representatives; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 577. A resolution to inform the Senate that a quorum of the House has assembled; considered and agreed to.

By Mr. MCCARTHY:

H. Res. 578. A resolution providing for the hour of meeting of the House; considered and agreed to.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COOK:

H.R. 4313.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ZELDIN:

H.R. 4314.
Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 4315.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 4316.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

Mr. HANNA:

H.R. 4317.
Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Ms. NORTON:

H.R. 4318.
Congress has the power to enact this legislation pursuant to the following:
clause 18 of section 8 of article I of the Constitution.

By Mr. PERRY:

H.R. 4319.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. QUIGLEY:

H.R. 4320.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

[Submitted January 4, 2016]

H.R. 775: Mr. KEATING.
H.R. 1197: Mr. CRAMER.
H.R. 1218: Mr. RUIZ, Mr. SWALWELL of California, and Mr. VALADAO.
H.R. 2849: Mr. LANGEVIN.
H.R. 2911: Mr. ALLEN and Mr. COSTELLO of Pennsylvania.
H.R. 3384: Mr. TED LIEU of California and Ms. BASS.
H.R. 3539: Mrs. KIRKPATRICK.
H.R. 3738: Mr. ISSA.
H.R. 3846: Mr. POCAN, Ms. NORTON, and Mr. VEASEY.

[Submitted January 5, 2016]

H.R. 27: Ms. GRANGER.
H.R. 131: Mr. WESTMORELAND.
H.R. 244: Mr. CRAMER.
H.R. 271: Mr. JONES.
H.R. 546: Ms. CLARKE of New York.
H.R. 815: Mrs. WALORSKI.

H.R. 836: Mrs. WALORSKI.
 H.R. 842: Mr. COFFMAN and Ms. JACKSON LEE.
 H.R. 973: Mr. DONOVAN.
 H.R. 997: Mr. BRAT and Mr. MURPHY of Pennsylvania.
 H.R. 1002: Mr. DOLD, Mr. HIMES, and Mr. LIPINSKI.
 H.R. 1220: Mr. MEEKS.
 H.R. 1258: Ms. CLARKE of New York.
 H.R. 1283: Mr. TIPTON.
 H.R. 1336: Mr. MACARTHUR.
 H.R. 1401: Mr. STEWART.
 H.R. 1431: Mr. PITTS.
 H.R. 1432: Mr. PITTS.
 H.R. 1475: Ms. CLARKE of New York, Mr. FATTAH, and Mr. ROHRABACHER.
 H.R. 1552: Mr. HONDA.
 H.R. 1559: Mr. EMMER of Minnesota.
 H.R. 1655: Ms. PINGREE and Mr. AGUILAR.
 H.R. 1671: Mr. ROONEY of Florida.
 H.R. 1752: Mr. MOOLENAAR.
 H.R. 1769: Mrs. LAWRENCE and Mr. REED.
 H.R. 1781: Ms. JACKSON LEE.
 H.R. 1797: Mr. CLAWSON of Florida.
 H.R. 1818: Mr. MASSIE.
 H.R. 1854: Mr. CONYERS and Ms. JACKSON LEE.
 H.R. 1859: Miss RICE of New York.
 H.R. 2016: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 2058: Mr. EMMER of Minnesota and Mr. COLLINS of New York.
 H.R. 2066: Mr. FORTENBERRY.
 H.R. 2142: Mr. PERLMUTTER.
 H.R. 2156: Mr. LOEBSACK.
 H.R. 2170: Ms. JACKSON LEE.
 H.R. 2287: Mr. DUNCAN of South Carolina.
 H.R. 2296: Mr. CICILLINE.
 H.R. 2302: Ms. KAPTUR.
 H.R. 2328: Mr. EMMER of Minnesota.
 H.R. 2411: Mr. HASTINGS, Mr. PETERS, Mr. AGUILAR, Ms. JUDY CHU of California, Ms. CLARKE of New York, Ms. FUDGE, and Mr. LARSON of Connecticut.
 H.R. 2459: Mr. HONDA.
 H.R. 2521: Ms. SLAUGHTER.
 H.R. 2536: Ms. JACKSON LEE.
 H.R. 2602: Mrs. LAWRENCE.
 H.R. 2648: Ms. KAPTUR.
 H.R. 2660: Mr. PERLMUTTER.
 H.R. 2850: Mr. LARSEN of Washington.
 H.R. 2858: Ms. CLARKE of New York.
 H.R. 2880: Mr. AGUILAR and Mrs. BEATTY.
 H.R. 3046: Ms. WILSON of Florida and Mr. MCGOVERN.

H.R. 3061: Mr. CARTWRIGHT.
 H.R. 3099: Mr. MURPHY of Pennsylvania and Ms. FRANKEL of Florida.
 H.R. 3136: Mrs. WALORSKI.
 H.R. 3152: Mr. HUFFMAN.
 H.R. 3222: Mr. GOWDY and Mr. SMITH of Nebraska.
 H.R. 3225: Ms. CLARKE of New York.
 H.R. 3229: Ms. NORTON and Mr. RUIZ.
 H.R. 3235: Miss RICE of New York.
 H.R. 3250: Ms. CLARKE of New York.
 H.R. 3326: Mr. MESSER.
 H.R. 3339: Ms. NORTON.
 H.R. 3351: Mr. MCNERNEY.
 H.R. 3381: Mr. CRAMER, Mr. RYAN of Ohio, Mr. CUMMINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mrs. BROOKS of Indiana.
 H.R. 3406: Mr. POCAN.
 H.R. 3423: Mr. TED LIEU of California.
 H.R. 3516: Mr. COLLINS of Georgia.
 H.R. 3551: Mr. RANGEL.
 H.R. 3634: Mr. RANGEL.
 H.R. 3687: Mr. RIBBLE.
 H.R. 3694: Mr. COFFMAN.
 H.R. 3720: Ms. LOFGREN.
 H.R. 3722: Mr. FORTENBERRY and Mr. PITTEGER.
 H.R. 3742: Mr. TURNER.
 H.R. 3765: Mr. PETERS and Mr. EMMER of Minnesota.
 H.R. 3830: Mr. DANNY K. DAVIS of Illinois.
 H.R. 3841: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 3865: Ms. JACKSON LEE.
 H.R. 3870: Ms. GABBARD.
 H.R. 3917: Mr. BARR, Mr. TIPTON, and Mr. KLINE.
 H.R. 3926: Mr. TED LIEU of California and Mr. LOWENTHAL.
 H.R. 3940: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 3954: Mr. JONES.
 H.R. 3990: Mr. HONDA.
 H.R. 4017: Mr. HARRIS and Mr. AUSTIN SCOTT of Georgia.
 H.R. 4018: Ms. FRANKEL of Florida and Ms. SINEMA.
 H.R. 4041: Ms. LEE.
 H.R. 4062: Mr. BUCSHON.
 H.R. 4063: Mr. JONES.
 H.R. 4073: Mr. REICHERT.
 H.R. 4124: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 4137: Ms. KAPTUR, Ms. BROWN of Florida, Mr. CARNEY, and Mr. COHEN.

H.R. 4140: Mr. GIBSON.
 H.R. 4153: Mr. GALLEGO.
 H.R. 4171: Ms. CLARK of Massachusetts.
 H.R. 4185: Mrs. HARTZLER, Mrs. BROOKS of Indiana, and Mr. EMMER of Minnesota.
 H.R. 4199: Mr. MOONEY of West Virginia.
 H.R. 4238: Ms. FRANKEL of Florida.
 H.R. 4247: Ms. ROS-LEHTINEN.
 H.R. 4269: Mr. SEAN PATRICK MALONEY of New York.
 H.J. Res. 74: Mr. MILLER of Florida and Mr. SCHWEIKERT.
 H. Con. Res. 105: Mr. GOSAR, Mr. ROE of Tennessee, and Mr. MILLER of Florida.
 H. Res. 54: Mr. DONOVAN.
 H. Res. 207: Mrs. LAWRENCE and Mr. GRAVES of Louisiana.
 H. Res. 220: Ms. ESHOO.
 H. Res. 221: Ms. KELLY of Illinois.
 H. Res. 230: Ms. CLARKE of New York.
 H. Res. 289: Mr. CONYERS, Mr. LARSON of Connecticut, and Ms. ROYBAL-ALLARD.
 H. Res. 343: Mr. VEASEY, Mr. CICILLINE, Mr. RANGEL, Mr. AUSTIN SCOTT of Georgia, Mr. PALLONE, and Mr. DENT.
 H. Res. 394: Mr. MOULTON.
 H. Res. 440: Mr. BRAT.
 H. Res. 569: Mr. RUIZ, Mr. ISRAEL, Mr. MCGOVERN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MOULTON, Mr. SMITH of Washington, Mr. LOWENTHAL, Mr. MURPHY of Florida, Ms. SLAUGHTER, and Mr. HUFFMAN.
 H. Res. 571: Mr. FITZPATRICK, Mr. MEEHAN, Mr. LANCE, and Mr. MILLER of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GOODLATTE, or a designee, to H.R. 712, the “Sunshine for Regulatory Decrees and Settlement Act,” does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

CONGRATULATING PEGGY
SAMPSON

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to congratulate Peggy Sampson on her retirement after 37 years of working for the House. She has dedicated her life to public service. She started her career as a Capitol police officer. Later, she became the Republican supervisor of the House page program, a position she held for 25 years. In that time, she was beloved by the pages who worked for her. Today, there are hundreds of former pages all over the world who still keep in touch. I learned a lot from my mentors when I was starting out. I know the meaning they have in young people's lives. For hundreds of young people, Peggy was that mentor.

And for the dozens of people she worked with every day, she was a great friend. In 2011, she became a floor operations clerk and has been there ever since. Ask any of her colleagues, and they will tell you she was completely reliable. It did not matter if you were a high-ranking member of Congress or a fresh-faced intern, everyone could depend on her for everything you could think of: a piece of candy, band aids, Tylenol. And in a pinch, she could sew a mean button. In short, she was a delight to work with—very kind and generous. We will miss her dearly. And so, on behalf of the entire House, I want to thank Peggy Sampson for reminding us, through her work, of the joy of public service.

TRIBUTE TO STEIN ERIKSEN

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. CHAFFETZ. Mr. Speaker, I rise today to honor an Olympic gold medalist, pioneering athlete and legendary skiing ambassador who had an immeasurable impact on the sport and on the State of Utah. Stein Eriksen passed away December 27 at the age of 88 following a long and storied career.

For 35 years, Eriksen served as the Director of Skiing at Utah's famed Deer Valley Resort, where the renowned Stein Eriksen Lodge was named in his honor.

His ski career began in 1947 when the 19-year-old Norwegian athlete won the downhill and combination event at the Holmenkollen Kandahar event. At the 1952 Oslo Olympics in his hometown, Eriksen became the first skier from a non-Alpine country to win an Olympic gold medal in Alpine skiing. Most significantly, Eriksen was the first man to win three gold

medals in a single world championship in 1954.

Upon his retirement from competitive skiing in 1954, Eriksen continued to shape the sport as a ski instructor and promoter of a new style of skiing. His elegant technique and gymnastic movements were transformative for the skiing world, ushering in a new era of freestyle skiing. He was the first well-known skier to do a flip on skis and reportedly did a back flip every day until he reached his 80s.

Eriksen was honored with a Lifetime Achievement Award from the Utah Sports Commission in April, where he was lauded as one of the most influential athletes and businessmen in winter sports. Eriksen and his wife Francoise were the parents of 5 children.

Today, I ask all Members of Congress to join me as we honor the life and legacy of skiing pioneer Stein Eriksen, whose indelible impact on winter sports will be felt by many generations to come.

HONORING THE LIFE OF
SALVATORE "SAM" TRAFICANTI

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Salvatore "Sam" Traficanti. Born on August 11th, 1928, in Marane, province de L'Aquila, Abruzzi, Italy, Sam was the son of Panfilo and Incornada (Centofanti) Traficanti. At the age of eight years old, Sam, along with his mother, took the journey from Italy and came to Ellis Island. Upon moving to America Sam and his family settled in Struthers and then later moved to Poland, Ohio. Sam attended Struthers High School and enlisted in the U.S. Navy on May 14, 1946, to serve and defend our country aboard Aircraft Carrier, USS *Midway*. He earned the rank of third class petty officer and during World War II was an interpreter for American forces in Naples, Italy. While aboard the USS *Midway*, Sam served as an electrician and was a Motion Picture operator. Sam was awarded the World War II Victory Medal and the Good Conduct Medal for his service and then received an honorable discharge on March 24, 1948.

After his discharge from the service, Sam was employed at Youngstown Cartridge. He then owned and operated two city service gas stations in the Struthers area, along with founding one of the largest trucking companies within the industry, which was Traficanti Trucking for many years. As always, with his entrepreneurial spirit, Sam looked to continue to grow and became co-owner and partner of B & T Express Inc. which operates in over 48 states.

Sam leaves behind his wife of over 52 years, the former Barbara Ann Jenness, whom

he married on May 29, 1963; a son, Commissioner Anthony T. Traficanti; and a daughter, Jacqueline Ann Traficanti, both of Poland. Besides his parents, Sam was preceded in death by a brother, Tony Traficanti; and his uncles, Atillio (Joann), Serfino and Lorenzo Centofanti.

Sam lived the American Dream in every way imaginable. His entrepreneurial spirit and dedication to service not only strengthened Northeast Ohio, but the entire country. Sam will be missed, but I, along with the rest of our community, remain thankful for his many contributions.

HONORING THE LIFE AND DEDICATED SERVICE OF WILLIAM
EARL "GATOR" FARRINGTON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and service of my friend, Northwest Florida's beloved William Earl "Gator" Farrington. Throughout his long and distinguished life, Gator was a devoted family man, a patriotic veteran, committed community leader, successful small businessman, and a true friend. The entire Northwest Florida community mourns the passing of a truly remarkable man.

Earl Farrington was born on Tuesday, April 5th, 1927. He and his twin sister, Earline, were the youngest of three children born to James and Laura Farrington. During his formative years, Earl was spotted at the tender age of thirteen dragging from a lake a five-foot alligator he had shot. He was dubbed "Gator" on the spot and being somewhat of a comedian "Gator" has worn his nickname with great joviality, good cheer, and eternal optimism.

Gator graduated from Milton High School in 1944 and served in World War II and the Korean War in the U.S. Navy. After 30 years he retired from civil service at NAS Pensacola in 1984.

He was one of the founding members of Grace Bible Church of Milton and served on the board of directors of Gospel Projects, Inc. Gator is preceded in death by his wife of 52 years, Voncille (Hobbs) Farrington; his two sisters, Louise McLellan and Earline Tompkins; and his parents, James Farrington and Laura (Broxson) Farrington.

Gator loved serving his community with his family through his restaurant, Gator's Seafood in Milton, Florida, which he opened in 1975, with Voncille. The rustic building known as Gator's was constructed from juniper logs felled by Gator and his then 75-year-old father off their land, floated by the two across the lake, and cut into lumber by a small sawmill.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Gator's quickly became popular for its fresh seafood, family friendly environment, and impeccable service. The restaurant has become world famous for its fresh and perfectly prepared fried mullet, which many in Northwest Florida consider a delicacy. The summer months attracted large crowds to the restaurant on Friday and Saturday nights, not only for the fried mullet and catfish, crab claws, cheese grits, cole slaw and hush-puppies, but for the special brand of humor and entertainment Gator brought to each and every family that walked through the door.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the life and legacy of William Earl "Gator" Farrington. My wife Vicki and I extend our deepest prayers and condolences to his daughter, Lisa Jeffers; his son, William E. "Bill" Farrington, II; his four grandchildren, Jeffrey Bennett, Brandon Bennett, Zachary Farrington, and Abigail Farrington; two great-grandchildren, Allie Jae Bennett and Troy Bennett; and the entire Farrington family.

**COMMENDING THE UNIVERSITY OF
HOUSTON COUGARS VICTORY IN
THE 2015 CHICK-FIL-A PEACH
BOWL**

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise with great pride to commend the University of Houston's Cougars momentous 38-24 victory over the Florida State Seminoles in the 2015 Chick-fil-A Peach Bowl on December 31, 2015 at the GeorgiaDome in Atlanta, Georgia.

The Cougars were coached by Tom Herman and led by star quarterback, Greg Ward Jr., who dazzled a national television audience by running for two touchdowns and throwing for another touchdown.

Greg Ward Jr. also made history by becoming the first player in UH history to run and throw for 1,000 yards in a season.

Florida State trailed 21-3 at halftime, tried to rally with two fourth-quarter touchdowns but it was not enough to overcome the mighty Cougars defense, which held the Seminoles' star running back, Dalvin Cook, to just 33 yards and forced 5 turnovers.

The 38 points scored by the Cougar offense was the most points allowed this season by the mighty Seminole defense.

Mr. Speaker, the impressive victory in the Chick-fil-A Bowl is a wonderful capstone to a season for the ages and establishes the University of Houston as one of the Nation's great athletic and academic institutions.

**OUR UNCONSCIONABLE NATIONAL
DEBT**

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took of-

fice, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,922,179,009,420.89. We've added \$8,295,301,960,507.81 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

**NATIONAL COORDINATION OFFICE
FOR SPACE-BASED POSITIONING,
NAVIGATION, AND TIMING CELE-
BRATES 10 YEARS OF SERVICE**

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. LAMBORN. Mr. Speaker, I would like to recognize the National Coordination Office for Space-Based Positioning, Navigation, and Timing which recently celebrated its 10 year anniversary in November 2015.

The National Coordination Office, also known as the NCO, was established by a presidential directive under President George W. Bush. That directive provided guidance to government agencies on the management of the Global Positioning System (GPS) and other space-based Positioning, Navigation and Timing (PNT) systems. It also established the National Executive Committee (EXCOM) for Space-Based PNT, which is chaired jointly by the Deputy Secretaries of Defense and Transportation and includes their equivalents from the Departments of State, the Interior, Agriculture, Commerce, and Homeland Security, the Joint Chiefs of Staff, and the National Aeronautics and Space Administration.

The NCO is a cadre of senior advisors from the EXCOM member agencies and has become a linchpin for national GPS policy information. Earlier this year I worked with the NCO at a Space Power Caucus event on GPS. As chairman of the caucus, I presided over this event and was impressed by the educational information on how GPS works, how it affects our daily lives and critical infrastructure, and ongoing government efforts to maintain GPS as the "gold standard" for PNT around the world. The transparent operations of the NCO keep track of these vital efforts and inform the EXCOM agencies, Congress, and the public on Space-based PNT.

The NCO facilitates the implementation of EXCOM tasks and disseminates information about U.S. space-based PNT programs and policy through the official government GPS website at www.gps.gov.

The Department of Commerce and its Office of Space Commerce have hosted the NCO since 2005. This longstanding relationship was recently codified in law through the U.S. Commercial Space Launch Competitiveness Act, signed November 25, 2015.

In ten years, the NCO evolved from an idea into an essential organization with significant impact within the space-based PNT community. NCO efforts ensure the EXCOM is an effective body for assisting national leaders in implementing national Space-based PNT policy.

In closing Mr. Speaker, I would like to acknowledge this organization on this milestone,

and congratulate them on ten years of hard work and wish them continued success in the future.

HONORING MARY C. BLASI

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. DEUTCH. Mr. Speaker, I rise today to recognize Mary C. Blasi, who is being honored by the Wynmoor Democratic Club for her service to the community of Coconut Creek. Ms. Blasi has worked for the city of Coconut Creek for twenty years, becoming its first female City Manager in 2013.

Ms. Blasi is a graduate of Notre Dame University, and has a distinguished record of outstanding service to her community. After starting as the city of Coconut Creek's Director of Finance and Administrative Services in 1996, she served as Assistant City Manager in 2002 and became Deputy City Manager in 2008.

The Coconut Creek City Commission unanimously elected Ms. Blasi as City Manager in 2013. Since then, she has been responsible for the city's 110 million dollar budget, its 370 full time employees, and its continued day to day operations.

Throughout her career in public service, Mary C. Blasi has shown herself to be an outstanding leader in her community. I am pleased to join the Wynmoor Democratic Club in honoring Ms. Blasi for her ongoing commitment to excellence and distinguished service to our community.

IN MEMORY OF MARILYN COY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. WILSON of South Carolina. Mr. Speaker, on Christmas Day, South Carolina lost one of its most dynamic citizens with the death of Marilyn Coy. Marilyn was symbolic of a political revolution of people moving as transplants from the Midwest and Northeast to the South, developing a two party system with Republicans growing from nonexistence to achieving a super-majority. The following tribute was published in The State newspaper of Columbia on December 27, 2015:

Marilyn Sue Coy, wife of Calvin Coy, left this earth for Heaven while at home on Friday, December 25, 2015, on the day we celebrate our Lord's birthday, Christmas. She was 83. Viewing and family visitation will be on Tuesday, December 29, 2015, from 6 to 8 pm at Caughman-Harman Funeral Home—Chapin Chapel, 123 Columbia Ave, Chapin, SC 29036. Services will be held on Wednesday, December 30, 2015, at 11 am at Chapin United Methodist Church, 415 Lexington Ave, Chapin, SC 29036. Interment to follow at Fort Jackson National Cemetery, 4170 Percival Rd, Columbia, SC 29229.

Born in Lake Cicott, Indiana, on May 11, 1932, to the late Horace and Suzie Julian, Marilyn Coy was preceded by her son Mark, her sister Norma Franzen, and her grandson

Gabriel Coy. After 62 years of marriage, Marilyn leaves behind her husband Cal Coy, her daughter Laura Pike of Montauroux, France, and her son Bruce and wife Pamela Coy of Summerville, SC. She also leaves behind five grandchildren Jamie Pike, Alexia Pike and Caroline Pike of France, and Julian Coy and Carra and her husband Jesse Beam of South Carolina, and one great grandson, "baby Jack," son of Alexia Pike and Fabien Scrivo of France.

Marilyn was an active member of every community where she lived. Her outspoken personality and drive has had a positive impact on every life she touched from immediate family, to friends, organizations and even the state of South Carolina which she loved so dearly. Marilyn and her husband Cal moved to Irmo, South Carolina in 1969 and then to the Chapin community, living on Lake Murray since 1972. Long after moving to South Carolina, Marilyn learned that she was a direct descendant of the St. Julian's—French Huguenot settlers who came to the coast of South Carolina in the 1690's, first cousins to the Ravenels. A branch of the St. Julian family moved to Indiana, and dropped the prefix "St." from which Marilyn is directly descendant, her maiden name being "Julian." Although this fact was learned by Marilyn late in her life, it validated her immense love and connection to the state of South Carolina.

Among the many organizations that she freely gave her time and passions to, the following were some of her most cherished activities, in no particular chronology or preference. Marilyn absolutely loved being a Docent at the South Carolina Governor's mansion. She began doing this during the administration of the late Governor Carroll and Iris Campbell and continued this activity under many governors of both parties. Although inactive for several years, Marilyn remained on the Docent rolls until her passing. Marilyn was a member of Clemson University Extension's Town & Country Homemakers. She was a member and former president of the Evergreen Garden Club. She was a life member of the Eastern Star of Ohio, and a very proud member of the Daughters of the American Revolution. To say Marilyn was an avid reader is an understatement, devouring and collecting books of all sorts. She feasted on knowledge, always fresh with the news and sharp on history. From her early South Carolina years as a member of the Dutch Fork Republican Women's Club, many in the community knew Marilyn as a staunch political operative, with a passion and drive that helped many candidates reach their elected goals. As a testimony to this passion, Marilyn was a founding member of the Joe Wilson for State Senate Committee and a delegate to the State Republican convention for nearly 20 years.

Marilyn and her sharp wit thoroughly enjoyed an active social life as a member of the Chapin Hat Ladies, and as a charter member of the Carolinian Society where she cherished attending the annual ball. As a founding organizational member of the Chapin Community Theatre group, Marilyn also enjoyed nurturing and sharing her artistic talents with her paintings and by helping organize the Chapin Arts & Crafts Club. She loved to cook and to entertain, serving as host to many parties and events, including having her Bridge club at her home on many occasions. Whether for fun, or as a political forum for the candidates that she supported, Marilyn helped organize the first Chapin Labor Day Festival and Parade. Her family believes both reasons to be true. Marilyn was

a member of the American Legion Auxiliary at Chapin Post 193, and she loved being a member of the Chapin United Methodist Church and was so thankful for all the ministerial support the Church had extended during her lengthy illness.

Marilyn loved and supported her husband, family and friends fiercely and selflessly, as an encouraging force behind others, never taking the spotlight for herself. Her compassion for others and charitable sacrifices will never be forgotten, and her faith in Jesus Christ places her in the Glory of Heaven with those that went before her, and with those who will follow. For all of those who knew Marilyn, the birthday party for our Lord Jesus in Heaven must have been a little livelier with Marilyn arriving on the day that we celebrate His birth, Christmas. A gift for Heaven for eternity, and a remembrance of the gift that she was to all of us who knew her here on this earth.

In lieu of flowers, the family requests for donations to be made in her honor to the Chapin United Methodist Church building fund, or the American Legion post 193 building fund, or the charity of their choice.

MOURNING THE LOSS AND HONORING THE UNFORGETTABLE LIFE OF NATALIE COLE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Ms. JACKSON LEE. Mr. Speaker, it is with a deep sadness and a heavy heart that I rise today to pay tribute to Natalie Cole, a woman who touched the hearts of millions of Americans.

Natalie Cole passed away, December 31, 2015 in Los Angeles, California; she was only 65 years old.

Natalie Cole's musical career began in 1975 when her debut album, *Inseparable*, was released and she became an instant star in the music industry.

With hit songs such as "This Will Be (An Everlasting Love)," Natalie Cole exploded onto the music scene, earning the young starlet her first two Grammy Awards—for best new artist and best female R&B performance.

In 1976 not long after *Inseparable* was released Cole married producer Marvin Yancy, with whom she welcomed her son Robert Adam Yancy into the world.

Natalie Cole's career began to climb to new heights throughout the 1970's, releasing four gold and two platinum records.

In 1979, Natalie Cole was honored on the Hollywood walk of fame, with a star of her very own.

Although this strong woman struggled with her own personal demons, she was able to face and overcome them and in the mid-1980's was back on top of the musical charts with the megahit, "Pink Cadillac."

In 1991, Natalie Cole released her career-defining *Unforgettable . . . with Love*, which paid tribute to her beloved father, the legendary and inimitable Nat King Cole.

Unforgettable sold more than 7 million copies and garnered several honors, including the coveted Grammy for Album of the Year.

Natalie Cole continued to release many other popular albums, including *Snowfall* on

the *Sahara* and *The Magic of Christmas*, an album of holiday standards recorded with the London Symphony Orchestra.

Mr. Speaker, truer words were never spoken than when Natalie Cole's family said that "Natalie fought a fierce, courageous battle, dying how she lived . . . with dignity, strength and honor."

Natalie Cole leaves behind a legacy as one of the most celebrated recording artists in history.

I ask the House to observe a moment of silence in memory of Natalie Cole who will forever remain Unforgettable in the hearts of her legions of fans around the world.

HONORING LORI FLORES

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. VELA. Mr. Speaker, I rise today to recognize Dr. Lori Flores, a native of the Rio Grande Valley and a leading researcher in the fields of Latino and labor history.

Lori attended Yale University, and she was the first woman in her family to earn a college degree. At Yale, she realized her passion to study Mexican American history, ultimately leading her to earn a PhD from Stanford University. Lori's dissertation explored the political development of Mexican Americans and immigrants in California's Salinas Valley during the mid-1900s. Her research on the Latino civil rights movement culminated in the publication of a book which will be released this year.

Lori now teaches at the State University of New York at Stony Brook, where she nurtures the thinkers and dreamers of tomorrow. Dr. Flores has received numerous awards, and she continues to be a role model for young people in her community.

REITERATING THE NEED TO RESTORE THE VOTE IN 2016

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today I rise on the first Restoration Tuesday of the session to reiterate the ongoing and urgent need to protect the voting rights of all Americans. On behalf of the constituents we were sent here to represent, we must leave our inaction on voting rights behind in 2015! Now is the time to Restore the Vote!

It is completely unacceptable that this upcoming election in November will be our first presidential election in 50 years without the full protections of the Voting Rights Act of 1965. This Congress has had over two years to answer the Supreme Court's call to develop a modern day formula for preclearance. We should be embarrassed by our inaction. It is past time for this body to Restore the Vote!

Far too many of our constituents will face new barriers to voting this year. From African American communities in my home state of

Alabama, to Native American communities in Alaska, to Asian American communities in California and Latino communities in Texas, thousands of minority communities across America will be met with modern-day barriers to the ballot box due to our inaction. Any attempt to restrict a certain portion of our electorate is a threat to our democracy, whether that is through voter ID laws, the closure of driver's license offices, or the scaling back of early voting. While these don't appear as egregious as literacy tests and poll taxes, they represent modern-day attempts to achieve the same goal—to restrict the vote of a portion of the electorate. This is a very old strategy used by individuals in our democracy who wish to silence the voices of entire groups of people.

Because of the Voting Rights Act, approximately 3,000 discriminatory voting changes were blocked from occurring from 1965 to 2013. In 1970, when the law was expanded to abolish literacy tests and lower the voting age to 18, the impact was significant as 9 million new voters were added to the roles.

As caretakers of our democracy, it is our shared responsibility to restore the Voting Rights Act of 1965. I urge my colleagues to stand with me and renew our commitment towards voter equality. We must pass the Voting Rights Advancement Act and help ensure equal access to the ballot box for every American.

CENTRAL WASHINGTON STATE HIGH SCHOOL FOOTBALL CHAMPIONSHIPS

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. NEWHOUSE. Mr. Speaker, I rise today to offer congratulations to four high school teams that continue to establish Central Washington as the football powerhouse of Washington State.

On December 5, (13–1) the Prosser High School Mustangs rolled over the Tumwater Thunderbirds to claim the Washington State 2A High School Football Championship. Led by a stellar defense, the Mustangs amassed four interceptions for the third time in the playoffs. This is Prosser's fifth state football championship.

Not to be outdone, the (13–1) Okanogan High School Bulldogs pulled off an amazing, nail-bitter win that you usually only see in the movies. Rallying from a 27–14 third quarter deficit, the Bulldogs pulled off a late-fourth quarter touchdown to defeat the Napavine Tigers 36–34. This was Okanogan's second straight Washington State 2B High School Football Championship.

Central Washington teams proved very successful in other divisions as well. In a Knights versus Knights face-off, the Royal High School Knights defeated the Kings' High School Knights in the Washington State 1A High School Championship. The win secured Royal's perfect (14–0) season, their first championship since 2007, and the school's fifth title. Particularly commendable is Royal's defense, which allowed a mere four and a half

points average scored against the team throughout the season.

Finally, in another nerve-wracking finale, the (13–1) Almira Coulee Hartline High School Warriors edged out Lummi Nation Blackhawks 46–42 for the Washington State 1B High School Football title. Almira Coulee Hartline entered the fourth quarter down 42–38, but after recovering a Lummi fumble on the one yard line, the Warriors began a 99 yard drive that ended with a three yard touchdown with just a minute and a half left on the clock. This was also Almira Coulee Hartline's first title since 2007, and the school's third state championship.

Every one of these teams has proudly represented their school. These teams have demonstrated the level of skill, teamwork, and tenacity that will prepare them well for future seasons and for future success in life. Congratulations to Prosser, Okanogan, Royal, and Almira Coulee Hartline on a well-played football season.

A TRIBUTE TO PETER GOLD

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. MICA. Mr. Speaker, I rise today to pay tribute to Mr. Peter Gold—an exceptional young man and Good Samaritan who recently made a remarkably selfless and heroic decision to help another in need, putting his own safety at great risk.

While driving through New Orleans' Lower Garden District following his shift at a local hospital, Peter, a fourth year medical student at Tulane University, without regard for his own safety, rushed to the aid of a woman being attacked. Successfully foiling the crime, Peter was shot once in the abdomen before the perpetrator attempted to shoot him in the head twice with his gun jamming. A surveillance camera recorded the harrowing event. Its release, which millions have viewed, has been an inspiration, giving us hope as we face the realities of Edmund Burke's famous words, "The only thing necessary for the triumph of evil is for good men to do nothing."

Coming from a family with a rich history of service in the health care field, Peter chose to follow in the footsteps of his father and grandfather. Like those who have come before him and those who will succeed him, Peter exemplifies the commitment to service that drives so many toward the health care profession and that was on display in the early morning hours of November 20, 2015 as Peter intervened to stop an armed robbery and attempted kidnapping.

I am honored to share this story with you today because the Gold Family resides in our Seventh Congressional District. Peter grew up in Longwood, Florida and is a graduate of Central Florida's own Lake Brantley High School. He is an outstanding testament to our community's and our nation's youth.

Our former President John Quincy Adams said, "If your actions inspire others to dream more, learn more, do more and become more, you are a leader." Truly, Peter Gold has in-

spired others through his heroic actions. I ask my colleagues to join me in recognizing and thanking Peter for his courageous act for the benefit for another human being.

WCJC—SECOND TO NONE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Wharton County Junior College (WCJC) for being named the best community college in Texas.

WCJC first opened its doors in 1946 in the small town of Wharton, Texas. Over the last 70 years, WCJC has grown and now boasts a total of four campuses across the Houston area. Today, WCJC strives to empower its over 7,000 students with programs that prepare them to succeed in the workforce or transition to a four-year institution. From liberal arts to nursing to business degrees, WCJC is filling a critical education and workforce training role for our communities and employers. I'm grateful that WCJC provides our students with so many opportunities to learn and grow.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to WCJC for being named the best of the best. We can't wait to see what the next 70 years brings you.

HONORING WALTER HAZLITT FOR SERVICE TO HIS COUNTRY AND COMMUNITY

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to commemorate the service of Walter Hazlitt.

It takes a special type of person to lead a life serving both country and community; Mr. Hazlitt is an example of this type of person. Mr. Hazlitt served as a Sergeant for three years in the U.S. Marine Corps in the Marine theatre in China where he selflessly protected our country during World War II. Following his service in the Marines, Mr. Hazlitt continued to serve his country and community, working diligently and tirelessly as both a Suffolk County Legislator and as a member of the Stony Brook Fire Department for fifty-five years, where he served as Chief and continues to serve today as Commissioner. In addition to the aforementioned, Mr. Hazlitt served as a member on the Board of Trustees at Suffolk Community College, dedicating his time to ensure that local youth on Long Island achieved the best education possible.

Mr. Hazlitt currently resides in Stony Brook, NY and is married to Mrs. Elizabeth Hazlitt. His daughter, Elizabeth Emerson, has followed in her father's footsteps of public service by serving as a New York State Supreme Court Justice.

What Mr. Hazlitt has managed to accomplish during his lifetime and give back to the

country cannot be summarized in a few words; and it is my hope that many will follow in the footsteps of Mr. Hazlitt and give back to their country and community as graciously as he did. People like him are a rare breed and they help make our country and world a much safer and better place.

Today, I thank Walter for his years of dedication and service to our country and community, and wish him only the best in his future endeavors.

THE OCCASION OF MR. JONATHAN
H. GARDNER'S RETIREMENT

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. GRIJALVA. Mr. Speaker, I wish to recognize and congratulate Mr. Jonathan H. Gardner on the occasion of his retirement from his position as Director of the Southern Arizona Veterans Affairs Health Care System (SAVAHCS).

Mr. Gardner has dedicated over 36 years of serving our nation's heroes with distinction. Mr. Gardner's career with the Department of Veterans Affairs began as a Without Compensation (WOC) position, followed by progressive leadership assignments within the Department of Veterans Affairs (DVA) and the Veterans Health Administration (VHA) (i.e., VA Central Office (VACO), Network and facility). Mr. Gardner has a record of sustained extraordinary accomplishment that is recognized throughout DVA and acknowledged on a national level. As Director of SAVAHCs, his duties include the overall organization/operation of a highly affiliated, 283-bed, complexity level 1a, teaching medical facility with a budget of \$460 million and 2,600 employees. The SAVAHCs includes seven Community Clinics and a \$4.9 million research budget. SAVAHCs hosts various regional centers of excellence including: Southwest Blind Rehabilitation Center; Network 18 Polytrauma Network Site; Rehabilitation and Transitional Care Center; and a Psychosocial Rehabilitation and Recovery Center. SAVAHCs is also the principle teaching affiliate with the University of Arizona Colleges of Medicine, Nursing, and Pharmacy, and 36 other institutions of higher learning.

During his tenure, Mr. Gardner created an atmosphere of continuous improvement to ensure quality of care for Veteran patients. In recognition, the SAVAHCs received the 2012 Arizona Quality Alliance Pioneer Award for Quality, the 2012 Robert W. Carey Performance Excellence Trophy Award and the 2011 Secretary of Veterans Affairs Robert W. Carey Award for Performance Excellence in Healthcare Services, all based on the Malcolm Baldrige Award criteria. SAVAHCs was also awarded 2016 U.S. News and World Report listing of Best Hospitals for Achievement of the American Heart Association "Get with the Guidelines Gold Resuscitation Award," the 2015 U.S. News and World Report listing of Best Hospitals for Achievement of the American Heart Association "Get with the Guidelines Silver Resuscitation Award," and the 2015/2014 Silver Foundation Award Excel-

lence in Quality and Performance Award from the Office of Disability and Medical Assessment. His ORYX score from The Joint Commission was #1 in the VA nation-wide.

Mr. Gardner's final day was on January 4, 2016.

Mr. Speaker, it is my pleasure and honor to recognize the commitment and dedication to our Veterans and the Southern Arizona community that Mr. Gardner has demonstrated for well over 36 years.

THE NEED TO TAKE ACTION TO
ENSURE THAT ASSETS OF NA-
TIONAL BANKS IN CIS COUN-
TRIES ARE NOT USED TO BEN-
EFIT TERRORIST ORGANIZA-
TIONS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise today to inform the House of an ongoing problem in the former CIS countries involving the banking industry that requires the attention of the Congress and the Administration.

In the aftermath of 9/11 the United States took decisive action to implement stronger financial controls to disrupt, impede, and prevent the flow of funds to terrorists around the world.

But recent events indicate the need for sustained vigilance and additional action.

One example of this involves the countries of Moldova and Latvia, two members of the Commonwealth of Independent States (CIS) formed in 1991 upon the dissolution of the former Soviet Union in 1991.

In Moldova more than \$1 billion was stolen from the Moldovan national treasury and a large portion of that money appears to have ended up in three EU banks in Latvia: "ABLV, Latvijas Pasta Banka, and Privatbank."

Mr. Speaker, these banks appear to be financial institutions controlled by associates and friends of Russian President Vladimir Putin who have a demonstrated history of plundering the national treasuries of the former CIS countries.

I call upon the Administration and the Congress to investigate whether assets of the national banks of countries of the former Soviet Union are not being plundered and used, knowingly or unknowingly, to benefit terrorist organizations.

INTRODUCTION OF A BILL TO PER-
MIT COMMERCIAL FILMING AND
PHOTOGRAPHY ON THE
GROUNDS OF THE U.S. CAPITOL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Ms. NORTON. Mr. Speaker, today, I introduce a bill to permit commercial filming and photography on the grounds of the U.S. Capitol, east of Union Square, the only area where

such filming is currently authorized. This bill would permit commercial photography and filming outside of the Capitol and congressional office buildings by permit, so long as both the House and Senate are not in session. In today's world, where many societies are facing upheavals, our country should be the first to encourage commercial photography and filming of the Capitol, which symbolizes U.S. democracy at work. Hollywood and other commercial filmmakers should not have to go to other or fake capitol buildings for movies and films about the U.S. Capitol. The current policy permitting filming near the United States Botanic Garden shows that the Capitol police can handle filmmaking on Capitol grounds, especially when Congress is not in session. However, filming from that vantage point captures the least familiar view of the Capitol. At a time when the reputation of Congress is particularly low, filming of the Capitol, a building that represents American democracy, could bolster its image. Keeping filmmakers from standing in front of the Capitol is neither business-friendly nor true to the nation's democratic traditions. Encouraging commercial photography and filming at the Capitol would help spread the story of our national legislature around the world. The time is overdue to allow for commercial filming and photography of the exterior of the historic 19th century Capitol building.

There is no good reason why commercial filming and photography should be confined to Union Square. Specifically, my bill gives the Capitol Police the discretion, depending on the circumstances in and around the Capitol, to issue a permit authorizing commercial filming and photography under the same conditions as those in Union Square. Such areas might include, for example, Independence Avenue on the House side and Constitution Avenue on the Senate side. No policy or security reason exists to justify limiting commercial filming and photography of the Capitol complex to only one location, Union Square, particularly considering that permits are necessary. People are regularly seen on East Capitol Street (east of 2nd Street) taking pictures, where they get a full view of the Capitol building, demonstrating how arbitrary it is to limit commercial filming to Union Square.

Capitol Police would also have authority to charge a fee to cover any costs incurred by the Architect of the Capitol as a result of the issuance of the permit, to be deposited into the Capitol Trust Account. The Capitol Trust Account was established to accept proceeds from any fees collected for commercial filming permits for Union Square. Amounts in the Capitol Trust Account would be available without fiscal year limitation for such maintenance, improvements, and projects with respect to the Capitol grounds as the Architect of the Capitol considers appropriate, subject to the approval of the Committees on Appropriations of the House and Senate.

Views of the U.S. Capitol are among America's most iconic. Limiting commercial filming and photography of the Capitol, an important vehicle for telling the nation's story, does not serve the American people. Indeed, most of the world knows our country and reveres our system of government largely through commercial photography and films of the Capitol,

which symbolizes our democracy at work. Commercial films and photographs of the Capitol, the seat of our democracy, are perhaps the best modern vehicles for telling the nation's story and showcasing its democratic system of government. My bill would enable appropriate, permitted commercial filming and photography of the Capitol, and would create economic benefits for the nation, the city, and private business.

I urge support of this bill.

SOUPER BOWL CHAMPION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 5, 2016

Mr. OLSON. Mr. Speaker, I rise today to applaud Sophia George from Missouri City, Texas for being named to this year's Souper Bowl of Caring National Youth Advisory Board.

Sophia is one of only 13 students from around the country selected to serve on the Board. During January, leading up to the

NFL's Super Bowl, Sophia will serve as a spokesperson for Souper Bowl of Caring and organize charity drives in our Houston community throughout the year. By working with and leading her peers, Sophia will fill an important role ensuring that those in need are cared for. Our community is proud of Sophia's leadership and dedication to helping others.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Sophia for being selected to the National Youth Advisory Board. Thank you for serving Houston.

HOUSE OF REPRESENTATIVES—Wednesday, January 6, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COSTELLO of Pennsylvania).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 6, 2016.

I hereby appoint the Honorable RYAN A. COSTELLO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

RAIDS BY THE OBAMA ADMINISTRATION ON FAMILIES FROM CENTRAL AMERICA MUST STOP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, over the holidays, the Obama administration sent a very special Christmas greeting to immigrant families. They launched a series of home raids targeting Central American asylum seekers and immigrant families with children.

As its New Year's resolution, it is clear the Obama administration is embarking on a new enforcement initiative to deport Central Americans who entered the U.S. in 2014.

Last weekend, 121 children and adults were taken into custody, and most were sent to private family detention centers—a kind of privately run, for-profit family jail. They will probably be deported, just like the 2 million before them deported by President Obama.

How they are treated and whether they get meaningful due process remains a question mark. What is undeniable is that such raids strike max-

imum fear in immigrant communities. The government is saying they could be coming to your house, and they could be coming at any time.

Already, we are seeing signs of panic. We hear that children aren't going to school and parents aren't going to work out of fear. Not even a week into the new year, and 2016 has turned into one of fear and hiding.

But let us be clear: Deporting families will not solve the violence and corruption that push people from El Salvador, Guatemala, and Honduras to risk assault, rape, and murder to seek refuge in the United States. Deporting families will not weaken the gangs who terrorize and extort their own people in Central America. Deporting families will not solve America's immigration problem. Deporting families will not strengthen border security. Deporting families will not create legal channels that allow immigrants to come with visas instead of smugglers. Deporting families will not reduce the insatiable demand in the United States for the very drugs that fuel the gangs, the guns, the smuggling operations, and the ruthless violence in Central America.

The raids by the Obama administration on families from Central America must stop. They are a cruel reminder of a discredited policy.

We do not want to repeat the scenes from April 2000 when armed agents forcibly took Elian Gonzalez from his house in Miami. That vision of terror is seared into America's memory and should not be repeated.

But even the raid on the home of Elian Gonzalez was carried out after all peaceful means of negotiation were exhausted. Surely there is a better way to take action when people have exhausted all of their legal remedies than to send armed agents into neighborhoods, apartment complexes, and family homes.

Those who are being deported are the ones most likely to have no attorney, no understanding of the laws and the practices of immigration courts, and now could be vulnerable to attack and murder back in Central America.

The fact is that some of the people the U.S. Government has deported in the past years have ended up dead in days or weeks after their return. We have to make sure that same tragic fate does not wait for the individuals and families the government is currently rounding up.

Along with other Members of Congress, I am seeking answers from

Homeland Security Secretary Jeh Johnson as to why this policy is needed, why it was launched to instill fear in immigrant households over the Christmas holidays, and why family detention centers I have been trying to close are now filling up with new families awaiting deportation.

This is not the Democratic Party's solution to immigration questions, nor should it be America's. We expect heated calls for raids and deportation from the other side. We hear their calls for walls, bigger jails, and further restrictions on legal immigration. We will fight their efforts to erect religious or economic barriers to who can qualify for a chance to come to America.

Our party has rejected those calls with good reason. Americans want order and legality in immigration, not deportations and families forcefully split apart or exiled. We do not need to repeat that scene multiplied by hundreds or thousands of times across our Nation.

What we need to do is not easy, but it is the right thing to do. We need to take steps to solve the problems of gangs, weak and corrupt governments in Central America, and people who have no hope for a brighter future right here on our continent.

Serious aid is more than giving more money to the police departments of those countries. It is more than putting U.S. personnel in those countries to tell moms and dads, no, you can't seek refuge in the U.S. It is more than working with Mexico at its southern border. We need to give mothers and fathers and children a way to live in their own countries.

I have gone to the detention centers in Texas and met with the moms and the kids who were detained there when they came to the United States. One woman summed up their plight concisely by saying: LUIS, in Honduras, my family and I could live in poverty, but we could not live in peace.

Raids will not bring her peace. Raids will not bring us order. Raids will only bring misery.

TEACH ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to talk about a growing problem in the United States: Employers across our country have millions of job openings but are unable

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

to find workers with the skills needed to fill those jobs.

According to a recent study by CareerBuilder, nearly 50 percent of employers nationwide cannot find skilled workers to fill open positions. Many of these jobs are located in lucrative career fields like welding, emergency medical response, electrical engineering, robotics, and carpentry.

This gap between employers and our workers is holding our economy back; it is exacerbating our unemployment problem; it is hurting our communities; and it is placing unneeded pressure on our families.

The American economy needs qualified workers with the skills and drive necessary to fill these open jobs. I believe part of the answer to how we address this problem is career and technical education. Career and technical education, or CTE, is simply education that specializes in the skilled trades, applied sciences, information technology, and similar disciplines.

Career and technical education occurs in schools across America. In my home State of West Virginia, about 65,000 students each year participate in CTE courses. Those who do are much more likely to succeed. Over 80 percent of West Virginia participants meet industry-driven performance requirements for the technical skills they receive, and 95 percent go on to additional postsecondary education, the workforce, or the military.

I hear about CTE all the time as I travel across my district in West Virginia and visit schools and community colleges. I have seen the classrooms and the students whose eyes light up when they show off their work. I have spoken to the faculty and administrators who have committed their careers to training up a next generation workforce, and I know that just a little more support will make a huge difference.

While there is no silver bullet to our Nation's unemployment problem, additional investment in CTE is one way to help put people back to work and grow our economy.

The skills provided by CTE are some of the most highly sought-after skills in our economy today. But ironically enough, these are the hardest jobs to fill in the United States because of the lack of adequately trained individuals. According to a recent study by the Manufacturing Institute, over 2 million manufacturing jobs will go unfilled in the next decade because of the skills gap.

I believe we can help. That is why I joined with seven of my colleagues to introduce H.R. 4263, the TEACH Act, also known as the Technical Education and Career Help Act.

My bipartisan bill will invest in our CTE programs by providing new resources for the technical education teachers without authorizing any new

spending. My bill will authorize the Higher Education Act's teacher residency grant program to be used to help schools recruit and train high-quality CTE teachers. This is currently not allowed.

My bill will increase the quality of training that students receive by recruiting midcareer professionals in relevant technical fields. Having teachers with real work experience in the fields that they teach will ensure students receive the best training.

I would like to thank Congresswoman KATHERINE CLARK for cosponsoring this bipartisan bill with me, along with Representatives ROD BLUM, BRUCE POLIQUIN, TOM MACARTHUR, JIM LANGEVIN, PETE AGUILAR, and AMI BERA.

Our bill has been endorsed by a broad group of experts, including the Alliance for Excellent Education, the American Federation of Teachers, the Association for Career and Technical Education, and the Future Farmers of America.

My bill is an example that Republicans and Democrats can work together. My bill will help provide new hope to our communities by equipping hardworking West Virginians and all Americans with skills they can actually use.

We need to invest in career and technical education now or we will miss out on this important opportunity. I encourage my colleagues in the House to support the TEACH Act and consider the important difference it would make across our great country.

GUN VIOLENCE AND THE PATH FORWARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, traditionally we start the new year on a note of hope. Notwithstanding troubled headlines and difficulties home and abroad, the new year is an opportunity to consider the future afresh, to reflect on opportunities, past accomplishments, and new opportunities.

I appreciate President Obama beginning the new year with a continued focus on gun safety. His modest proposal was greeted with predictable opposition and scorn as some Republican politicians attempted to distort it all out of proportion and to change the subject to a nonissue: confiscation of the guns of law-abiding Americans when, in fact, virtually all responsible American gun owners support reasonable background checks to make it more difficult for people we all agree should not be armed to get guns.

It is interesting to speculate on what would have been the response in today's superheated, contentious political climate with the efforts of a gen-

eration ago to reduce the carnage on our highways from unnecessary auto deaths or the hundreds of thousands of people who became addicted to cigarettes and died of cancer and heart disease. There would have been screams of outrage about the nanny state and political correctness, that the government was going to take cigarettes away from people because it knew what was best for them. It was going to force people to pay unconscionable levels of tax that would fall on the poor, that a more aggressive auto engineering program was the government telling the private sector and the consumer what was best for them, that it would drive up the cost of automobiles, and that it would have law enforcement interfere with people having an innocent drink on a night on the town.

Most telling would have been the argument that this really wouldn't make any difference, that none of these steps would stop people from smoking or reckless driving on the roadways. People would still die.

Those excuses for inaction are demonstrably false a generation later. We have cut the rates of adult smoking in half and saved millions of lives. The carnage on our highways has been dramatically reduced and American families are safer.

It is important to have perspective going forward. Yes, there is no single solution to gun violence. But the fact remains that the United States is unique among developed countries, being unable to protect our families from unacceptable levels of death at the hands of the deranged or the careless.

There are things we can do to make a difference, and the public is willing to accept them. I begin this new year hopeful that we don't have to accept Capitol Hill as an island of denial, whether it is the threat from climate change or the potential to do something about gun violence to make our families safer.

Last year, there were times when we in Congress came together and produced some constructive results. At the State and local level, people are not waiting for our Republican colleagues to come to their senses to deal with carbon pollution or gun violence. They are taking action.

I am hopeful that we will be able to broaden the conversation about what, in fact, we can do: tone down the rhetoric and find steps on issues that are both contentious and even those where there is basically no disagreement but we simply haven't gotten around to taking action.

□ 1015

There are clear opportunities for us to broaden that agenda. We can avert a crisis in Gaza from a lack of water and adequate sanitation. We could pass Representative MURPHY's bipartisan

mental health bill. We could link food and farm policy with new awareness and research.

Let's not in 2016 have the opportunities for cooperation and progress drowned with political vitriol. Let's cooperate where we can, focus on solutions even where we can't, and set the stage for giving Americans what they deserve: a government not in denial, a Congress willing to cooperate and to face problems, large and small, so as to make progress rather than to revel in discord and hyperbole in order to win votes in contentious primaries. Let's focus on what we can get done and do it. We will feel better, and the American public will be better served.

RECOGNIZING HUMAN AND SEX TRAFFICKING AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise today to recognize January as Human and Sex Trafficking Awareness Month.

Mr. Speaker, let's call sex trafficking what it is. It is modern-day slavery that exploits our society's most vulnerable. Unfortunately, sex trafficking is the fastest growing business of any organized crime in the world. This isn't a faraway problem. In the United States, it is an estimated \$9.8 billion industry and, sadly, children aged 12 to 14 are the largest at risk for sex trafficking. This is absolutely disgusting.

Last year we passed important legislation aimed at stopping sex trafficking, but the fight is far from over. It is our collective obligation to do everything that we can to put a definitive end to this modern-day slavery, which is why we must come together as a country, we must come together as a Congress, to do everything we can to stop this disgusting crime.

MENTAL WELLNESS MONTH

Mr. DOLD. Mr. Speaker, I rise today to recognize Mental Wellness Month.

To this point, our government's approach to mental health has consisted of ineffective and disjointed policies. Too often, those in need of care end up either in jail or on the streets because adequate services are simply not available.

I am proud to be a cosponsor of the Helping Families in Mental Health Crisis Act, which would help the Nation's broken mental health system and care for those who are most in need.

This bipartisan bill would improve effectiveness and efficiency in Federal programs that help people, with a focus on early intervention and prevention programs in addition to suicide prevention. I want to thank my friend TIM MURPHY for his leadership on this bill.

I am glad that the administration this week recognized the importance of mental health programs in reducing gun violence, but we need a long-term

legislative fix if we are really going to make progress on solving the mental health crisis in our Nation.

That is why, in recognition of Mental Wellness Month, I call on my colleagues to pass this bipartisan bill and to stop playing partisan games with people's lives.

WAUKEGAN HIGH SCHOOL JUNIOR RESERVE OFFICER TRAINING CORPS

Mr. DOLD. Mr. Speaker, I rise today to recognize the Waukegan High School Junior Reserve Officer Training Corps, which is celebrating its 100th anniversary this week.

Waukegan's program is the oldest JROTC program in the Nation. It was created before the national JROTC program was instated in late 1916. Its initial purpose was to prepare high school young men for military service during World War I. This organization has come a long way over the past century, as half of the cadets of this 777-member corps are young women.

The Waukegan High School JROTC offers a curriculum not only of military training, but also of good leadership and citizenship skills. Students receive an education of flag and military structure, self-discipline and guidance on personal, financial, college, and career planning. Of the 777 cadets, 75 percent go on to postsecondary education and 10 percent serve in our military.

Congratulations to the Waukegan High School JROTC for this program and for leading and being a strong and positive representative for our Waukegan community.

PRESIDENT OBAMA'S GUN VIOLENCE EXECUTIVE ACTIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise today to applaud President Obama's executive actions taken this week to reduce gun violence in America. These policies will help keep guns out of the hands of criminals and dangerous individuals and will prevent gun trafficking, while also protecting the Second Amendment rights of responsible, law-abiding citizens.

With over 30 Americans killed by guns every single day, inaction is not an option. In my nearly 3 years in Congress, House Republican leadership has refused to do anything on gun violence, not one hearing, not a single vote.

In facing Congress' inertia, President Obama did what was necessary to address a threat to our long-term national security and economic stability. While we can't stop every criminal from committing every crime, we can take actions that will save lives, and President Obama's executive actions will do just that.

Under these commonsense changes, everyone who profits from the sale of firearms will be required to obtain a li-

cense. It shouldn't matter if you sell a gun in a store, online, or at a gun show. It is the sale of a dangerous weapon, and the seller should make sure the buyer is safe, responsible, and law-abiding.

It is a sobering fact that the majority of gun deaths in the United States is from suicide. Expanding Federal funding for mental health services and streamlining States' abilities to report data to the background check system are essential to keeping guns out of the hands of the dangerously mentally ill.

President Obama's executive actions make essential strides in advancing smart gun technology. If you can use a thumbprint to get into your iPhone, there is no reason that the same technology can't be invented so that guns won't fire without the right fingerprint. If a gun would only fire when it is held by the right owner, stolen guns would be inoperable, drastically decreasing firearm deaths.

Similarly, just like there are childproof caps on aspirin, there should be childproof guns. This will help protect children from accidentally discharging firearms. Smart gun technology is centuries old. Smith & Wesson invented the first childproof trigger over 150 years ago.

While President Obama's executive actions are crucial steps to reducing the senseless gun violence that is plaguing our Nation, they don't absolve Congress of its moral responsibility to act. There are gaps in existing gun laws that leave us all vulnerable to gun violence. These holes are ones that only Congress can plug.

I have two commonsense bills which will complement President Obama's executive actions and help bring a reduction in firearm mortality.

The first bill, H.R. 224, the Recognizing Gun Violence as a Public Health Emergency Act, would require the Surgeon General to submit an annual report to Congress on the public health impact of gun violence. The bill currently has 135 cosponsors, and I hope that this commonsense proposal can get an up-or-down vote this year.

For the past 20 years, the Centers for Disease Control and Prevention and the National Institutes of Health have been prevented from conducting research on firearms. This lack of data has limited academic research on guns, and it has prevented Congress from obtaining the data it needs to craft impactful legislation.

The second bill, H.R. 225, the Firearm Safety Act, would close the loophole which prevents the Consumer Product Safety Commission from creating rules regarding the safety of firearms.

Quite simply, if the Consumer Product Safety Commission can regulate teddy bears, bicycle helmets, and car seats, it should be able to regulate firearms. Simply improving safety lock quality and improving storage safety

will reduce accidents, misfires, and will prevent theft, saving thousands of lives.

These bills would give Congress the data it needs to pass meaningful and impactful gun violence prevention legislation, and they would ensure firearms are as safe and consumer friendly as possible, all without obstructing the Second Amendment rights of responsible gun owners.

Senseless gun violence has been plaguing our Nation for too long. It is simply unacceptable in the United States of America that gun violence is the leading cause of death for people under 24. It is time for us to come together to end the gun violence that is taking a generation of young Americans.

I applaud President Obama's leadership and his important actions to curb the violence that is plaguing our communities, actions he took because Congress has done nothing, not even calling up bipartisan bills with many cosponsors. Congress must now carry the torch and pass meaningful gun violence prevention legislation.

REPEAL AND REPLACE OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I have voted over 60 times to repeal or to replace all or portions of ObamaCare. I have voted numerous times to defund Planned Parenthood.

These issues have always been held up by the parliamentary rules in the Senate, which is the ability of a minority number of Senators to block bills from coming to the floor. But not now, not today. Under reconciliation procedures, a simple majority vote can move a bill out of the Senate Chamber.

So today we will vote to repeal and replace major pieces of ObamaCare that distort the market, raise prices, and deprive our citizens of choice. The bill today will eliminate the individual mandate and the employer mandate. The government's forcing of our citizens to buy a product that they do not want is un-American and costly. I say good riddance.

We were all aghast over the recordings that were released that highlighted Planned Parenthood's selling of baby body parts. As a Member who believes that individual, distinct life begins at conception, Planned Parenthood's lack of remorse or even of concern highlights its dark business. Today we send a bill to the President's desk to defund Planned Parenthood.

Many of my constituents have told me: We gave you the House majority in 2010. What have you done? We gave you the Senate majority in 2014. What have you done? Why can't you get something to the President's desk?

Today we do. We send a bill to the President's desk that repeals ObamaCare and defunds Planned Parenthood, and it is about time.

PROTECTING THE AMERICAN PEOPLE FROM GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, what the new year gives us is an opportunity to refresh, to regroup, to look forward to opportunities in this instance and in this august body to protect the American people.

So today I rise with a great deal of applause and enthusiasm, words that I think do not connote the presentation made by President Obama yesterday, for it is not often the American people can see the deepness of our hearts, the affection we have for them, and the concern that we have over loss of life.

The President did all of that. In his teary expressions, he pierced the hearts of Americans, and he should have pierced the hearts of the Members of Congress, Republicans and Democrats. There is no doubt that thousands are dying from gun violence. There is no doubt that people with guns kill. There is no doubt that more people get guns who should not have guns.

I am particularly excited by the President's thoughtful and collaborative work, along with that of Attorney General Lynch and a number of my colleagues, and of, certainly, the House Judiciary Committee, in particular our ranking member, JOHN CONYERS, those of us Democrats on the committee, and particularly those on the Crime Subcommittee, on which I have the privilege of serving as the ranking member.

We have worked together to have an agenda on criminal justice. The issues dealing with guns deal with criminal justice. Why should we run away from the wide and well-known proposition that there are people who are getting guns without their having had background checks?

Tragically, in my own community, an off-duty officer was attempting to sell guns in an open parking lot or in an open area in which he thought he would be protected. What ensued? A gun battle.

I don't know how those individuals purchasing those guns could have had background checks, but I would say that that is certainly not representative of the many in law enforcement with whom I have engaged who have already said that guns kill and that so many guns in America—more guns, we understand, than there are people—provide for a deadly mixture.

□ 1030

So I think it is important for the American people to know that the Federal Government has been working, un-

like some have said. In 2015, NCIS received more than 22.2 million background checks, an average of more than 63,000 per day. By law, a gun dealer can complete a sale to a customer if the background check comes back clean or has taken more than 3 days.

I think, in this instance, we need to look at the legislation of Mr. CLYBURN, who indicates you must have a background check. I also think we should look and work legislatively with the President. Why would we be against hiring 200-plus more ATF officers? Why would we be against putting more resources in mental health?

I am very proud that I have introduced H.R. 4316—this bill is the Gun Violence Reduction Resources Act—just last evening to add those 200-plus ATF officers. I ask my colleagues to join me. I introduced that with Congresswoman ROBIN KELLY.

I introduced, with Representative KAREN BASS and Congresswoman NAPOLITANO, H.R. 4315, the Mental Health Access and Gun Violence Act of 2016, to increase the resources necessary, yesterday.

Mr. Speaker, how many more need to die? Do we still need to have an amnesia check on Connecticut, San Bernardino, Columbine, or Oregon, and many places beyond? Guns must be restrained. The President's mission is correct—more data for secure technology, more NCIS data in order to run through those background checks appropriately.

Remember Charleston, South Carolina? Remember the message? He got the guns because 3 days had passed. And he killed nine people worshipping in a church.

So it is important, Mr. Speaker, that Congress owns up to its own responsibility, not one that says the Second Amendment is being undermined. It is not. You can never undermine our Constitution. It is a procedural structure that we are not engaged in. We are only trying to provide a guidepost to save lives of children and families. I am looking forward to working with the Judiciary Committee in the House and the Senate to look at constructive legislation.

Finally, Mr. Speaker, let me say that I am saddened that again we come on the floor with Planned Parenthood legislation that talks to the very heart of America, quality of health care, protecting women in terms of cervical cancer. This is a nonstarter. Vote against it. Protect American women. Protect families and children against gun violence.

Mr. Speaker, upon taking office, every Member of Congress makes a solemn pledge: to protect and defend the American people. This is the most important oath we take as elected officials—and, to honor this promise, we must do everything in our power to stem gun violence in our nation.

Yet, after another mass shooting and countless acts of gun violence in communities

across our country every day, House Republicans are still unwilling to act to stop gun violence and save lives in American communities.

The Democrats have been calling for an immediate vote on the bipartisan King-Thompson Public Safety and Second Amendment Rights Protection Act to strengthen the lifesaving background checks that keep guns out of the wrong hands.

This Congress has a moral obligation to do our part to end the gun violence epidemic. Now is the time for Republicans to join Democrats in protecting the lives of Americans by taking common sense steps to save lives.

The Administration is announcing two new executive actions that will help strengthen the federal background check system and keep guns out of the wrong hands. The Department of Justice (DOJ) is proposing a regulation to clarify who is prohibited from possessing a firearm under federal law for reasons related to mental health, and the Department of Health and Human Services (HHS) is issuing a proposed regulation to address barriers preventing states from submitting limited information on those persons to the federal background check system.

Too many Americans have been severely injured or lost their lives as a result of gun violence. While the vast majority of Americans who experience a mental illness are not violent, in some cases when persons with a mental illness do not receive the treatment they need, the result can be tragedies such as homicide or suicide.

The Administration takes a comprehensive approach to mental health issues by expanding coverage of mental health services so care is affordable, launching a national conversation on mental health to reduce stigma associated with having a mental illness and getting help, directing funds we have now to improve mental health facilities, and proposing more funds be used for efforts such as training additional mental health professionals.

At the same time, the Administration is committed to making sure that anyone who may pose a danger to themselves or others does not have access to a gun. The federal background check system is the most effective way to assure that such individuals are not able to purchase a firearm from a licensed gun dealer. To date, background checks have prevented over two million guns from falling into the wrong hands.

The Administration's two new executive actions will help ensure that better and more reliable information makes its way into the background check system. The Administration also continues to call on Congress to pass common-sense gun safety legislation and to expand funding to increase access to mental health services.

PROGRESS TO STRENGTHEN THE FEDERAL BACKGROUND CHECK SYSTEM

Over the past year, the Administration has taken several steps to strengthen the National Instant Criminal Background Check System (NICS), which is used to run background checks on those who buy guns from federally licensed gun dealers to make sure they are not prohibited by law from owning a firearm. For example:

The President directed federal agencies to make all relevant records, including criminal

history records and information related to persons prohibited from having guns for mental health reasons, available to the federal background check system. This effort is beginning to bear fruit. In the first nine months after the President's directive, federal agencies have made available to the NICS over 1.2 million additional records identifying persons prohibited from possessing firearms, nearly a 23 percent increase from the number of records federal agencies had made available by the end of January.

ANNIVERSARY OF THE TIONESTA DAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of the 75th anniversary of the Tionesta Dam, located in Pennsylvania's Fifth Congressional District, in Forest County.

This vital flood control project is estimated to have prevented more than \$570 million in flood damage over the past seven decades. The Tionesta Dam, located in Forest County, was officially dedicated on January 9, 1941, as a result of the Flood Control Act of 1936 and 1938. The dam itself is located on the Tionesta Creek just over one mile from the Allegheny River. It is key to flood protection along the Allegheny and upper Ohio Rivers.

Mr. Speaker, this dam is so important that during the 1972 Tropical Storm Agnes, which caused damage all across the Commonwealth of Pennsylvania, it is estimated to have prevented more than \$60 million in additional damages.

Today, the dam and the lake it created serves purposes beyond flood protection. Tionesta Lake and the area around it amount to more than 3,000 acres available for camping, hiking, fishing, and hunting. The lake itself is a hotspot for boating, water skiing, and other activities for families each summer.

Mr. Speaker, I want to commend the Army Corps of Engineers for their years of work at the Tionesta Dam, and I wish the Park Rangers and staff the best for the future.

SAVING TREES IN THE ALLEGHENY NATIONAL FOREST

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of efforts by the Allegheny National Forest, located in Pennsylvania's Fifth Congressional District, in addressing invasive insects which are threatening the forest's ash, beech, and hemlock trees.

Invasive species are a major concern for national forests across the United States, with the emerald ash borer decimating white ash, the wooly adelgid affecting Pennsylvania's State tree, which is the eastern hemlock, and

the beech bark beetle killing American beech trees.

In some areas in the Allegheny National Forest, steps are being taken to proactively manage and treat trees. Over the summer, I met with the local forest service and helped apply a wooly adelgid treatment to eastern hemlock trees. In other areas of the forest, the best approach is to harvest these trees while they still have value.

That is what is proposed across 4,000 acres in the forest, which includes high percentages of these tree species. The harvesting project itself will spread across the forest's four counties, adding up to a total scope of more than 100,000 acres.

I appreciate the approach of the Allegheny National Forest's personnel, their hard work, their dedication, and their continuation to advocate for such proactive management practices.

Now, I will continue to do what I can in the House and as chairman of the House Agriculture Subcommittee for Conservation and Forestry to help our national forests address these invasive species, which threaten both the health of the forest and the timber resources which helped build this Nation.

REVEREND CHRIS HADGIGEORGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today to pay tribute to an exceptional American and extraordinary human being who led with quiet strength, the Reverend Chris Hadgigeorge of Toledo, Ohio, who was laid to rest this week.

Father Hadgigeorge served the Toledo community so wisely and so generously for over a half a century, anchoring his service at Holy Trinity Greek Orthodox Cathedral, which he helped to elevate from a church to a cathedral during his service. He was 91. What an incredible life.

Surviving are his beautiful wife, Presvytera Ann Hadgigeorge, who he married in 1948; daughters Pattie Senerius and Angie Bohland; son, William; sister, Presvytera Zafra Bartz; six grandchildren, and two great-granddaughters. He worshipped them all.

He was born in Youngstown, Ohio, to immigrants from the Greek island of Samos. When he was growing up, he served as an altar boy. When the family went visiting with friends, children asked what he would like to play and he said: "I would like to play church." So Father Chris would be the priest. As he said in a Blade interview back in 1998, he would marry his brother to one of the girls, and he would have a bag of marbles that he would use as his censer.

Father Hadgigeorge attended Holy Cross, a school of Greek orthodox theology in New England, and was ordained in 1948. He served as pastor in a

broad range of communities, including Indianapolis and Detroit, before arriving in Toledo. How lucky we have been.

He served as pastor starting in 1960 and pastor emeritus after 1991, and he has been a leader for more than half of the North Toledo landmark church's existence. As I mentioned, it is now a cathedral due to his efforts.

He had such an influence beyond the congregation he so dutifully served. The pastor recognized the changing needs, not only of the congregation, but of the community, as he saw his own congregation transition from U.S.-born members whose forebears arrived decades ago to more recent Greek and Cypriot immigrants. As his son said: "I always called him a peacemaker."

He served as a board member of the Toledo Council of Churches and was active in the International Institute, building goodwill with every step and every word he uttered. He raised his article of faith far beyond the congregants of his own cathedral.

He planted his congregations's commitment in the heart of Toledo and maintained it there at a time when it was really needed, before the community had transitioned to the new century when it was struggling. He led his community to oversee renovations to the church building as it was elevated to a cathedral, including the construction of a beautiful educational center and the purchase of surrounding property, while supporting the parish leaders' decisions to stay put and not move, not suburbanize. He felt that that congregation should control its own destiny and to grow where it was planted.

Father Chris was enthusiastic when the parishioners decided to throw a festival in 1971. The Holy Trinity's Greek festival has become an annual affair in our region, bringing people back to the city and being so much a part of the revitalization of Toledo long before it was popular. He was a true leader. He was such a leader for us.

"There are many generations who knew Father Chris," said the Reverend Larry Legakis, who became Holy Trinity's pastor in July 2014. Reverend Legakis said: "For some of the people in their eighties, they remember working side by side" with Father Hadgigeorge. "Some see him as a father and a grandfather. And he was with us for so long, others see him as a great-grandfather." Personally, this Congresswoman sees him as a friend.

Our community is forever indebted to him, and the Greek American community he shepherded is an essential building block of the city of Toledo. We would be so much less without having their faith-filled commitment.

May his family draw strength from his beautiful life and from the lessons that he taught us and from the city that he loved and the cathedral to which he gave his life. May his family be blessed and may he rest in peace.

I would like to place in the RECORD as well the obituary that was printed in the Toledo Blade this week.

[From The Blade, Jan. 3, 2016]

THE REV. CHRIS HADGIGEORGE (1924-2015): ORTHODOX PRIEST UNIFIED GREEK COMMUNITY, PARISH

(By Mark Zaborney, Blade Staff Writer)

The Rev. Chris Hadgigeorge, a leader of what is now Holy Trinity Greek Orthodox Cathedral, as pastor and pastor emeritus, for more than half the North Toledo landmark's existence, died Thursday in his Sylvania Township home. He was 91.

He died in his sleep, his son William said. The cause was not immediately known. He had surgery recently to replace a heart valve and put in a pacemaker, but he did not appear ill and took part in liturgies at Holy Trinity for much of December.

The Holy Trinity community was organized in June, 1915, and has worshiped at its distinctive home on Superior Street north of downtown since 1919. Father Chris arrived as pastor in 1960.

"There are many generations who knew Father Chris," said the Rev. Larry Legakis, who became Holy Trinity pastor in July, 2014. "For some of the people in their 80s, they remember working side by side. Some see him as a father and a grandfather, and he was with us for so long, others see him as a great-grandfather."

Holy Trinity was consecrated as a cathedral in 1966, "because of his leadership," said George Sarantou, a former parish council president.

Father Chris oversaw renovations to the building and the educational center and the purchase of surrounding property while supporting parish leaders' decision to stay put.

"He felt we should control our own destiny," said Mr. Sarantou, Toledo finance director and a former member of the city council. "He was a good solid leader who understood what our needs should be. He got the job done with his quiet but effective leadership. He knew how to motivate people."

Father Chris was enthusiastic when the parish threw a festival in 1971, and Holy Trinity's Greek festival has become an annual affair.

"He loved the city and the community. It was home," his son said.

The pastor recognized the changing needs of the congregation, from the U.S.-born members whose forebears arrived decades ago to more recent Greek and Cypriot immigrants.

"He was a great unifier in the Greek community. He could work with all groups, young and old," Mr. Sarantou said.

His son said: "I always called him a peacemaker."

"I'm speaking as a son now," William Hadgigeorge said. "He would never lecture me about God's way. It was always the right way; do the right thing, even when others aren't looking."

Father Chris retired as Holy Trinity pastor in 1991. Afterward, he was interim pastor of a Springfield, Ohio, church for several months but stayed in Toledo.

He was named a protopresbyter in the church by Archbishop Iakovos in 1973, and received the patriarchal cross from Patriarch Bartholomew in 2006.

Father Chris was born Aug. 3, 1924, in Youngstown, to Paraskevi and William Hadgigeorge, immigrants from the Greek island of Samos. He was an altar boy growing up and sang in the choir. When the family went visiting and friends' children asked

what he'd like to play, "I'd say, 'Let's play church,'" Father Chris told The Blade in 1998. "And I would be the priest. I would marry my brother to one of the girls. I would have a bag of marbles that I used as my censer."

He was a 1942 graduate of Youngstown's East High School. He went to Holy Cross, a school of Greek Orthodox theology in New England and was ordained in 1948. He was a pastor in Indianapolis and Detroit before arriving in Toledo.

He'd been a board member of the Toledo Council of Churches and was active in the International Institute.

Surviving are his wife, Presvytera Ann Hadgigeorge, whom he married March 7, 1948; daughters, Pattie Senerius and Angie Bohland; son, William; sister, Presvytera Zafera Bartz; six grandchildren, and two great-granddaughters.

Visitation will be from 1-9 p.m. Monday in Holy Trinity Greek Orthodox Cathedral, with Trisagion prayers at 7 p.m. A vesperal liturgy at 9 a.m. Tuesday will be followed by funeral services at 11 a.m. in the cathedral. Arrangements are by the Ansberg-West Funeral Home.

The family suggests tributes to Holy Trinity's memorial fund.

SECOND AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, with the recent announcement of new policies to restrict firearms, President Obama has yet again used executive overreach to force his agenda on the American people. Congress has already rejected these policies in a bipartisan fashion, and this action is another example of the President overstepping his constitutional authority to circumvent the people's voices in Congress. The administration's assault on Americans' constitutional rights must stop.

Time and time again, our courts have defended the Second Amendment, and Congress has voted repeatedly to reject new restrictions on our constitutional rights. For more than 200 years, the Second Amendment has been protected and championed by Americans, the courts, and Congress. We must stand together to defend and protect our constitutional rights. As a staunch supporter of the Second Amendment, I am outraged by President Obama's actions and will fight to stop this executive order.

In my home State of West Virginia, using guns for sport and hunting is a way of life. We respect firearms and are taught at an early age how to use them. In many families, fathers and mothers teach their children how to hunt and, when they are old enough, they receive their own gun as an important coming-of-age tradition. West Virginians are not alone. Families across this country have these same traditions and sports.

As West Virginians, we know that law-abiding citizens are not the problem and our country was not founded

on the principles of taking away rights from the people. Our rights cannot and should not be taken away. This administration is determined to attack our way of life, our traditions, and our constitutional rights. I wish I could say this is a surprise, but time and time again, this President has used executive actions and regulations to eliminate policies and rights he disagrees with.

□ 1045

Sadly, we have seen this far too often with the Environmental Protection Agency, the EPA, which has aggressively—aggressively—used regulations and rules to destroy our coal-mining communities, in particular, in my State of West Virginia.

I have fought to stop the EPA and will fight to stop President Obama's executive actions on gun control. As a member of the House Committee on Appropriations, I will use the power of the purse to eliminate funding for these new actions. As a Member of Congress, I am dedicated to working for our State and doing what is right for the people of West Virginia. I will continue to support our constitutional rights, including the Second Amendment, and push back on the administration's overreach into our lives, businesses, and communities.

REMEMBERING OUR FRIEND RICHARD SMITH

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. FARR) for 5 minutes.

Mr. FARR. Mr. Speaker, I rise to honor a good friend, Richard Smith.

Mr. DENHAM. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from California.

Mr. DENHAM. I thank the gentleman from California (Mr. FARR), my good friend, as we both recognize an amazing life of a good friend and acknowledge and honor the life of this personal friend and beloved community leader, Rich Smith.

He was a loving husband, father, and grandfather, who passed away peacefully in the comforts of his home, surrounded by his family, on December 27, 2015.

Born on December 19, 1946, Rich was raised in Walnut Creek, California. Growing up, Rich's family was involved in 4-H, and agriculture had always played a major role in his life. Rich continued down this path by obtaining a bachelor of science degree in agriculture and management from the University of California, Davis in 1968.

Originally, Rich was interested in the technical aspects of agriculture. He worked in a lab performing analysis on soil, water, and plant nutrition. Never did Rich believe he would be the owner of a successful wine company, but in

1987, this became a reality when he and his new bride, Claudia, purchased the vineyard known as Paraiso Vineyards.

Today Paraiso Vineyards is owned and operated by the Smith family and is located in the Santa Lucia Highlands in Monterey County. The family business consists of almost 3,000 acres of vineyards and continues to evolve in all aspects. Rich leaves behind a tremendous legacy that can be celebrated and appreciated by everyone who visits this magnificent vineyard.

Rich had a generous spirit and provided lasting contributions to the community. He was a local hero to the Salinas Valley, and he demonstrated time and again a desire to share his resources and talents with others.

I was one of those whom he shared his talents with as he encouraged, supported, and advised me to run for political office. Rich's motto always was: Treat people the way that you want to be treated. All that were lucky enough to spend time with him found that he truly lived by these words. Rich will forever be remembered for his kindness, generosity, leadership, and love.

On kindness and generosity, he and Claudia were kind enough and generous enough to host, 23 years ago, then my fiancée, now my wife, Sonia, and our wedding at the beautiful Paraiso Springs.

On leadership and love, as I was in the State senate, Rich provided leadership for not only the State of California, but the Salinas Valley, the wine industry, creating a wine mecca, pioneering Monterey County to be a leader in wine production as well as a new tourism corridor.

His love for family and his community was unmatched. He is a friend that is going to be forever missed. Not only was he a leader, a very kind man, a very generous man, but he had a tremendous sense of humor. I will never forget soon after our marriage, his daughter, Sonia's best friend, was being married at Paraiso Springs as well, and a funny episode happened where Sonia passed out in the middle of the wedding. Rich seized the moment to rib me a little bit and my new mother-in-law. He made it clear that he thought that Sonia may be pregnant on that day. It was a funny gesture that, as a young man, made me a little nervous at the time, but he will always be a friend and sorely missed.

Mr. FARR. Mr. Speaker, we both got to know Rich through politics. It is amazing that he was a person who supported us both: Jeff being a Republican, myself being a Democrat; Jeff being in the State legislature, I being in the State legislature.

I got to know him when I was a county supervisor in Monterey County. Rich was always the go-to guy to really do sort of the technical issues that you drill down deep on a lot of controversial agricultural issues. His ideas

were always based on good science, good farming practices, always sort of the idea of conservation in the best sense of the word.

He also was participatory in my daughter's wedding because the wines we served at that wedding were from Rich's vineyards. In fact, I brought a bottle of his wine today here on the floor to show the world that this man did some great things. His wines were served also at many, many charitable events that they did at their vineyards.

He and Claudia were kind of leaders. Claudia was very interested in getting the whole ecotourism, agritourism involved to get people out into seeing how agriculture is really produced, and wine visits are obviously a good way of attracting people, but the knowledge of it.

We are going to really miss him. He was a great person, and I am glad that we are able to create a national park right across from his vineyard so he can always stare at it.

Got bless Richard Smith and the great wines he made.

DEFUNDING PLANNED PARENTHOOD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise today in support of life and in firm opposition to Planned Parenthood's unconscionable activities.

But as I begin my remarks, I want to be very clear about one thing. The vote that the House will take today is a victory for women's health while also serving as a cry to end the monstrous actions of an organization that continually attacks our most vulnerable unborn children.

There are more than 13,500 publicly supported alternatives for women's health care in the country and 588 in Missouri—alternatives that treat women without performing abortions, alternatives that will have more access to Federal money for women's health care. This means that in Missouri alone, there are 45 health clinics for every Planned Parenthood clinic in the State. So, please, please don't be distracted by political rhetoric.

We are strengthening our support for women's health, and we are stripping Federal taxpayer dollars from an organization that performs more than 327,000 abortions a year.

While I have long fought to stop this atrocious practice, I was especially shocked this summer by videos of Planned Parenthood's cold indifference and barbaric murder of the society's most vulnerable members.

It is our duty as lawmakers, as citizens of a great nation, as friends, as neighbors, as family members to protect those who cannot protect themselves. It is a tragic shame to watch

employees of Planned Parenthood so willing to sell the body parts of unborn babies.

These are truly some of the most horrifying and heartbreaking videos I have ever seen, even throughout all my work in combating sex trafficking, sexual assault, and abuse.

The United States is a nation that seeks to protect the least among us in numerous ways, from medical research assistance for the needy to elderly care. It is time that we do the same for our precious unborn children.

Mr. Speaker, today is an historic day when we will finally stop taxpayer dollars from funding Planned Parenthood's abortions. Surely, no Member of Congress can, in good conscience, claim that we should fund these heinous activities with your hard-earned dollars.

After seeing these horrible videos, I was compelled to take action. I joined Congressman SEAN DUFFY and Congressman CHRIS SMITH in sending a letter to Chairmen UPTON and GOODLATTE, requesting an immediate investigation into Planned Parenthood's actions. I would like to thank House leadership and the committee chairmen for granting our request and for the work that they have done on their committees already.

Planned Parenthood has shamelessly tried to defend the indefensible before these committees. They have shown no remorse for the actions described in these videos, apologizing only for the tone of them. In response, they have effectively dared Congress to act. And today we do.

Today Congress says enough is enough. Today we pass legislation that will give the President a very stark choice: continue paying for acts that are so disturbing, so horrifying, and so disgusting that they require congressional investigation, or simply respect life and respect the taxpayers' hard-earned dollars.

Mr. Speaker, the heart of my team's mission statement, which currently hangs in my office, reads: To confront injustice and serve as a voice for the most vulnerable in our society.

Defunding Planned Parenthood is the right thing to do. Today I will give voice to the voiceless. I will proudly cast my vote for life, for these innocent angels. I will continue to fight for the day when abortion is not only illegal, but is unthinkable.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 56 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another day.

At the beginning of this new day, we are grateful as individuals and as a Nation for all the blessings we have been given.

We ask Your blessing upon the Members of this people's House as they reconvene for the second session. May they anticipate the opportunities and difficulties that are before them and before so many Americans with steadfast determination to work together toward solutions that will benefit their countrymen.

Grant that they be worthy of the responsibilities they have been given by their constituents and truly be the people You have called them to be. May the walls of disagreement that have divided this assembly be put aside and replaced by a spirit of respect and dignity.

May Your Spirit, O God, be in all of our hearts and minds and encourage us to do the works of justice and peace now and always.

May all that we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

HONORING PEGGY SAMPSON

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I honor and congratulate Peggy Sampson, a long-time member of our congressional community, who retired after more than 37 years of outstanding public service.

Throughout her exemplary service, Peggy demonstrated strong commitment and dedication to the House of Representatives and to our great country.

Peggy arrived on Capitol Hill in 1978 as part of our proud U.S. Capitol Police. After 8 years, she was appointed as the Republican Page Supervisor. Since 2011, Peggy has been helping Members and staff as the House Floor Operations Clerk.

Mr. Speaker, I ask my colleagues to join me in expressing our deep gratitude to Peggy on her many positive contributions to the institution we are so humbled to serve.

Peggy, I wish you all the best in your much-deserved retirement, and I look forward to your continued friendship. Godspeed, my friend.

GUN SAFETY

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, yesterday the President of the United States announced another series of actions that his administration is taking to curb our Nation's gun violence epidemic, for they are important steps, and I commend the President and Vice President for their continued focus on this ongoing crisis. As the President said yesterday, Congress still needs to act.

In my 15 years as a Member of the House, Congress time and again has failed to answer the cries of Americans who have lost their loved ones, particularly our children, to the scourge of gun violence.

Congress has failed to respond to the pleas of Americans who have been disabled by stray bullets. Congress has failed to acknowledge the vast majority of Americans—Republicans and

Democrats, gun owners and non gun owners—who believe that every gun purchased should be accompanied by a background check. With each failure, we are closer to a day when tragedies like those of San Bernardino and Sandy Hook will become what they never should be: commonplace.

Mr. Speaker, I urge my colleagues to find the courage to take action. It is long past overdue.

PRESIDENT'S EXECUTIVE ACTIONS RESTRICT SECOND AMENDMENT RIGHTS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, as citizens of the United States, we are afforded basic rights and privileges under the Constitution. One of these fundamental rights is the Second Amendment, and its guarantee to keep and bear arms is clear.

Yesterday, in yet another attempt to erode our basic liberties, President Obama announced plans to undermine the will of Congress and challenge the Second Amendment rights of all Americans.

Just like his unilateral actions on immigration, this proposal is an overreach of the President's constitutionally granted executive authority. Congressional refusal to pass bad policy does not transfer legislative authority to the President, and I will fight against this attempt to diminish our constitutional rights.

Guns are one of many tools that people use to commit horrific crimes, but the problem of evil cannot be legislated away. It is important that any legislative response, whether it is at the Federal, State, or local level, ensures that the constitutional rights of all citizens are protected.

GUNS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, last year more than 13,000 Americans lost their lives because of a gun. More than 3,300 children were killed or injured. As the President said yesterday, the question of whether we address gun violence is really a question about who we are and what kind of country we want to live in.

Do we want to be a country in which we have a mass shooting nearly every single day of the year? Do we want to be a country in which children in a school have to practice hiding silently under their desks or in a closet in order to avoid an active shooter? Do we want to be a country in which the National Rifle Association buys influence and drowns out the voices of concerned citizens? Do we want to be a country in

which all Congress does after a mass shooting is hold another moment of silence instead of addressing the problem?

That is the country we live in today, a country in which gun violence threatens lives every day, a country in which we are growing accustomed to atrocities that just don't happen as often in other developed countries.

Mr. Speaker, we can do better. The President has done his job. Now it is time for Congress to do its job.

Let's pass universal background checks. Let's do more to keep guns from criminals and from those with serious mental illness, such that possessing a gun would pose a threat to themselves or others. Let's get military-style assault weapons out of our communities. Let's do better.

PROTECTING AMERICANS' SECOND AMENDMENT RIGHT TO BEAR ARMS

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. ROGERS of Alabama. Mr. Speaker, President Obama has announced plans to use an executive order to implement new gun control measures. This plan is a complete overreach into the lives of the American people.

Unfortunately, this President has spent his entire time in office expanding the size of our Federal Government and infringing on our constitutional rights. This disappointing news is just another example of his blatant disregard for the United States Constitution.

As a gun owner myself, I will continue to fight to protect our Second Amendment rights. I remain completely opposed to any action that puts any level of new restrictions on our Second Amendment right to bear arms.

PLANNED PARENTHOOD

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, we have barely started 2016 and here we are, about to take our 62nd vote to dismantle the Affordable Care Act and facing the 11th attack on women's health care in the 114th Congress. Defunding Planned Parenthood and dismantling the ACA will rob hard-working Americans of affordable family planning, and it will strip life-saving cancer screenings away from millions of women across the country.

As Congress, we haven't taken 62 votes to improve women's health and access to healthcare programs for women and seniors. The 114th Congress hasn't declared war on the appalling lack of healthcare, nutrition, and mental health programs.

But here we are again, wasting valuable tax dollars in order to rehash the

ideology of a loud few, one that hurts women and our most vulnerable of constituents. This is just a sad and shameful day.

Congress, this must stop.

ROYER-GREAVES SCHOOL FOR BLIND

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize the work of Viola Wiskoski, a resident of Paoli, Pennsylvania, which is in the Sixth Congressional District of Pennsylvania.

Recently, Viola retired from the Royer-Greaves School for Blind after 70 years of dedicated service as the school's secretary. The Royer-Greaves School for Blind has been a staple in the Paoli community since 1941, and for nearly a century it has provided quality care and assistance to individuals who are visually impaired.

Viola coined her work as an "experience of a lifetime," particularly the privilege of having worked directly with Dr. Royer-Greaves.

For 70 years, Viola ensured that the school operated smoothly, enabling it to work toward its mission of "providing a supportive education and training environment for students with multiple disabilities to help them reach their full potential and enjoy an enhanced quality of life."

In 2009, her service to the school and community was honored with accolades, including the Jessie Royer-Greaves award.

Mr. Speaker, I congratulate and thank Viola for her dedicated service to the Royer-Greaves School for Blind. Her achievements have left a meaningful impact on the school, its students, and the community. She is a great and caring American. We wish her the best in health and happiness in retirement.

GUN VIOLENCE AND OBAMA'S EXECUTIVE ACTIONS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I have stood here many times in the last few years with the same message to my colleagues: Let's take action on gun violence and save some lives.

I have named horrible statistics on gun death, like young people in the United States are more likely to be killed by a gun than in a car accident.

I have told stories about people who have suffered incredible loss, like Vicky Lindsey from Compton, who lost her son to gun violence and founded Project Cry No More.

I have cited polls showing bipartisan support from voters for sensible reforms; but year after year, Congress

has refused to act, despite its knowing how easy it is for criminals and dangerous people to buy these deadly weapons.

This week there was a bright spot. President Obama has taken executive action to increase the number of background checks on gun sales, a move which we know will help to keep guns out of dangerous hands.

I thank the President, but our work to prevent gun deaths cannot end there. Congress must finish the job by instituting universal background checks, banning assault weapons, and closing the dangerous loophole that allows a gun dealer to sell a gun if the FBI has not completed the background check within 3 days. We have to act. There is no excuse not to.

□ 1215

HONORING THE LIFE OF LINDA OSMUNDSON

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to remember a survivor, a leader, and a compassionate woman who dedicated her life to making the Pinellas County community and the State of Florida safer. Mr. Speaker, I rise today to honor the life of Linda Osmundson, who passed away this Monday at the age of 66.

A longtime activist against domestic violence and a survivor herself, Linda was best known as the director of Community Action Stops Abuse, or CASA, in St. Petersburg, Florida. Linda served as head of CASA for 26 years before retiring this past summer. Before that, she guided programs in both Gainesville and West Palm Beach. Under Linda's leadership, CASA grew from a staff of 7 working out of a small home to over 80 employees with a 100-bed facility.

Linda started a first-of-its-kind substance abuse program for victims. In addition, she worked with law enforcement, who are now properly trained on dealing with domestic violence. She co-founded a program to secure pardons for victims of domestic violence convicted for defending themselves. For that, she earned the Governor's Peace at Home Award.

Mr. Speaker, Linda Osmundson leaves a legacy that will not be forgotten. She was a quiet hero in our community, and her life's work undeniably saved thousands of lives and made Florida a safer place. For that, we are grateful.

ATTACKS ON WOMEN'S HEALTH CARE AND TAKING AWAY HEALTH INSURANCE

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, well, it may be a new year, but the Republicans are celebrating with the same old extreme attacks on women's health care and trying to take away health insurance from hardworking American families.

It is a shame that the House Republican leadership has chosen to spend the first week of 2016 attacking Planned Parenthood and dismantling those important benefits to 22 million Americans.

The bill that we will vote on today will defund Planned Parenthood and the important family planning services that they provide, including lifesaving cancer screenings for millions of women across this country. This bill would dismantle affordable health care for millions of more workers, for families, for students.

Instead of wasting time on a radical bill which, quite frankly, some on the other side have acknowledged will not become law, we ought to be focusing on the questions that the American people sent us here to work on—on getting our economy moving, putting Americans back to work, and rebuilding our infrastructure. That is the challenge that we face, and we ought not politicize women's health care in order to pander to the extreme voices on the right.

FAILED POLICIES, EMPTY RHETORIC

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on December 23, the Augusta Chronicle published an editorial with significant insight:

"President Obama finally has a counterterrorism strategy: Photo-ops and speeches. After dawdling for several years in the fight against ISIS, his advisers must realize that Mr. Obama is losing not only the war on terror, but the domestic audience as well.

"This administration is a story of one failure after another. The President calls ISIS the JV team of terror. He says ISIS is contained, the day before the Paris attacks. The morning of the San Bernardino terror attack, he says: 'Our homeland has never been more protected by more effective intelligence and law enforcement professionals at every level than they are now.'"

The editorial continues: "American lives are on the line, and this President won't identify the enemy or secure our borders and communities. And his plan of attack? Photo-ops and speeches and unvetted refugees."

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

Thank you, Peggy Sampson, for your dedicated service.

SUPPORTING PRESIDENTIAL ACTIONS TO REDUCE GUN VIOLENCE

(Ms. ESTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESTY. Mr. Speaker, I rise in support of the President's actions to address our Nation's epidemic of gun violence.

Yesterday at the White House, I joined with families from Newtown, Connecticut, which I am proud to represent, and with families from across this great country as the President outlined four steps within the current law to improve gun violence prevention.

First, strengthening background checks. If you are in the business of selling firearms, whether at a gun show or online, your customers should have to go through a background check.

Second, improving enforcement of the background check system so that it works better and faster.

Third, expanding access to mental health treatment and to tear down barriers to implementing existing law.

And, fourth, directing lifesaving new research into innovative technologies to make guns safer.

These are small but meaningful steps to address a public health crisis about which this House has been astoundingly silent. It is time for this House to honor the victims of gun violence, not with moments of silence, but with days of action. We can and we must do better to save American lives.

100TH PENNSYLVANIA FARM SHOW

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a member of the House Agriculture Committee, I am proud to rise in recognition of the 100th Pennsylvania Farm Show, which starts this weekend in the Commonwealth's State capital of Harrisburg.

Agriculture is so important to our Nation's economy, and the same is true in Pennsylvania, where it is our largest industry. The farm show is the largest indoor agricultural exposition in the Nation, with nearly 6,000 animals and 10,000 competitive exhibits from across the State.

The event itself started in 1917 with several events held across Harrisburg. By 1931, attendance had risen to 131,000. Today, the figure stands at an estimated 400,000.

This weekend, I will visit the farm show with Agriculture Committee Chairman MICHAEL CONAWAY and several other House colleagues. We will take part in a listening session to order to hear from farmers and others involved in agriculture regarding Federal policies.

I am looking forward to showing all those who make the trip to Harrisburg why the farm show brings visitors back year after year.

REMEMBERING COMMISSIONER EL FRANCO LEE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, this past week in Harris County, Texas, we lost a giant of a man in the name of Commissioner El Franco Lee, who served the Harris County Commissioners Court and the people he loved for 30 years.

One could never describe Commissioner Lee as a typical politician. As he walked through his district, I truly believe his giant footsteps touched everyone and everyone's heart. He was a lover of seniors and created opportunities for them to enjoy their life and swim in a fantastic pool at the Hester House. More importantly, he cuddled and nurtured and created the Lyndon Baines Johnson Hospital that has served so many from all over the county and State. The Baylor Teen Clinic called him a guardian angel, providing healthcare services for vulnerable teens.

And, yes, he believed in something called the Olympics, not around the world, but right in Harris County; 10,000 children during the summer would have the opportunity to test their athletic prowess. And he was an athlete as well.

He was a friend of Mickey Leland and Craig Washington. More importantly, his beautiful family, wife, and children lived in his beloved community, Fifth Ward. He was a friend of the community.

He did so much as a county commissioner. He left behind wonderful parks and the opportunity for trails. He was a man in our community who knew about flooding. He was a strong, strong proponent of making sure that the infrastructure in Precinct 1 was the kind that would give a better quality of life.

Mr. Speaker, as I close on this wonderful public servant, let me say may he rest in peace, working until his tragic death, and offering to the people who were left behind our praise for him. May he rest in peace.

Thank you, Commissioner El Franco Lee, for being the giant of a man who reached low and touched all, loved us all, and brought us to a day in Harris County where we can be so proud of all that you have done.

IF TODAY WERE PRESIDENT OBAMA'S LAST NATIONAL SECURITY BRIEFING

(Mr. TROTT asked and was given permission to address the House for 1 minute.)

Mr. TROTT. Mr. Speaker, over the holidays, I had the opportunity to read "Killing Reagan," another interesting book by Bill O'Reilly. In the book, he talks about the President's last warning. He had cleaned out the Oval Office, and he left a note in the desk for his successor. Then Colin Powell came in to deliver his last national security briefing. He simply said to the President: All is quiet in the world today.

Can you imagine if today were President Obama's last national security briefing? The gentleman or gentlewoman would say: Sir, we have a lot of problems in China, in North Korea, in Ukraine, in Yemen, in Syria, in Iraq, in Iran, in Afghanistan, in Saudi Arabia, and in North Korea. The Taliban is on the rise. ISIS is not contained. Israel is still mad at us. There has been recent terror activity in Munich, Paris, and Belgium. Sir, because of your leadership, all is quiet today in Greenland.

PLANNED PARENTHOOD

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise in strong opposition to the Senate amended Budget Reconciliation Act, a bill with several extreme provisions, including the repeal of the core of the Affordable Care Act for the 62nd time and the revoking of Federal funding for Planned Parenthood for the 11th time in this Congress.

It is a new year, but instead of bringing legislation to the floor that helps and makes Americans healthier, safer, and more secure, we are repeating the same old partisan fights.

Last year, many of my colleagues took advantage of a political stunt by an antichoice group that released falsified videos to damage the credibility of Planned Parenthood. There were congressional hearings, State-level investigations, and even a select committee formed to investigate the organization. The inquiries have resulted in no evidence of wrongdoing and have been a waste of taxpayers' money.

There are 2.7 million women in America who rely on Planned Parenthood for their basic healthcare services that they otherwise cannot afford and cannot access. There is no replacement for Planned Parenthood in many parts of the country, so taking away its Federal funds needlessly risks the health of millions of American women.

The CBO estimates that dismantling the Affordable Care Act will cause 22 million Americans to lose their health care. I strongly urge my colleagues to vote "no" on H.R. 3762.

Thank you, Peggy Sampson, for your dedicated service.

PROMOTING CHARITABLE GIVING

(Mr. PAULSEN asked and was given permission to address the House for 1 minute.)

Mr. PAULSEN. Mr. Speaker, one of our country's most treasured values is helping others who are less fortunate. We see it all the time in communities around the Nation, with Americans raising money for a worthy cause, donating food, or volunteering their time to help their neighbors.

It is important that our Tax Code reflect these exact same values. It was gratifying last month to see Congress come together passing a new law that will promote charitable giving. One of the charitable provisions in the new law was a bill that I authored. It makes permanent a provision to allow a rollover donation from an individual's IRA to go to an approved charitable foundation.

In addition, the new law will encourage the donation of food to food banks from local businesses as well as promote environmental conservation through the granting of land easements.

Mr. Speaker, there are many Americans who want to give back and help others, and it is important that our Tax Code reflect these same values and doesn't punish them for wanting to do so. Each of these provisions help make that possible.

IN MEMORY OF WALTER MC CREARY

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today in honor of the memory of Mr. Walter McCreary, a former but longtime community leader and resident of Ohio's Third Congressional District.

Mr. McCreary was a member of the famous Tuskegee Airmen. He flew almost 100 combat missions over Europe in his red-tailed P-51 fighter plane during World War II. In 1944, he was shot down and spent 9 months as a POW. After the war, he was assigned to Lockbourne Army Airfield, now known as Rickenbacker Air National Guard Base in Columbus, Ohio.

In 2007, the Tuskegee Airmen were awarded the Congressional Gold Medal. Their exemplary combat record and honorable service are rightfully credited as the driving force for the full integration of our armed services.

Walter McCreary lived his life with courage, bravery, and honor. I extend my condolences to his family, and honor the legacy of both him and his fellow Tuskegee Airmen.

Mr. Speaker, I am also here today to stand up for families, for women, and for preserving access to women's health care.

□ 1230

SUPPORT TODAY'S RECONCILIATION BILL

(Mr. BISHOP of Michigan asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise in support of today's reconciliation bill.

While it is true we have voted to repeal ObamaCare before, there is a reason why we continue to do so. We are actually listening to our constituents. Every one of us has heard ObamaCare horror stories, including freshmen like me who have been here just for a year.

I continue to be inundated by grave concerns raised by families and businesses in my district. One individual wrote to me and summed it up this way: "Mr. BISHOP, the Affordable Care Act is anything but." He explained that his family of four went from an overall \$5,000 deductible to having the same deductible per family member in addition to having his premium doubled. "Where is the affordability?" he asked.

Another small-business owner from the small town of Fowlerville in my district called the other month to say that her rates for her family had more than doubled in just the past 2 years.

I could go on, but we know the story all too well. Simply put, Mr. Speaker, the President's healthcare law is crushing our families and local communities. I urge my colleagues to heed their concerns and support this reconciliation package.

OPPOSING CUTS TO PLANNED PARENTHOOD

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today in strong opposition to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. It really does just the opposite.

Not only does this bill represent Republicans' 62nd attempt to repeal the Affordable Care Act, but it is yet another ideological attack on women's health care. It would defund Planned Parenthood for 1 year, preventing millions of women from accessing critical healthcare services, such as cancer and STI screenings and contraceptive care.

In 2013 alone, Planned Parenthood provided healthcare services to more than 800,000 Californians and provided more than 93,000 pap tests and 97,000 breast screening exams.

Although Planned Parenthood centers make up only 10 percent of all publicly funded family planning centers, they serve, mind you, 36 percent of clients who obtain care from the family planning center network.

Denying access to healthcare providers such as Planned Parenthood will harm the communities that need these services the most, including low-income women and women of color.

Enough is enough. Mr. Speaker, this afternoon will mark the 11th vote to

attack women's health care this Congress. It is past time for Republicans to end their attacks on Planned Parenthood and recognize that they are really harming women by denying them these badly needed healthcare services.

I hope my colleagues will vote "no" on H.R. 3762 and really begin to look at what they are doing in terms of the freedom of women to make their own decisions and to really access the vital healthcare services that they need.

Again, this reconciliation act does nothing to reconcile healthcare services, which women desperately need in our country.

HOUSING UNDOCUMENTED CHILDREN

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Mr. Speaker, I was informed last week that the Department of Health and Human Services is considering temporarily housing unoccupied minor children at military bases throughout the United States. Six bases are under consideration to house up to 5,000 of these undocumented children. One of the bases under consideration is Grand Forks Air Force Base in North Dakota.

Mr. Speaker, I cannot stress strongly enough my opposition to this plan. The reasons are numerous, but let me emphasize two of the most obvious: military bases are not appropriate for housing unaccompanied children, and unaccompanied children are not appropriate residents of a military base.

The last Congress clearly expressed our opposition to housing unoccupied minors at military installations through the passage of H.R. 5230. Additionally, funding sufficient to meet the needs at the southern border was provided just a few weeks ago in the passage of the fiscal year 2016 omnibus spending bill.

Mr. Speaker, it is neither compassionate to the children, nor in the country's best interests for national defense, to house these children at Grand Forks or any other military installation. I urge the administration to find a more appropriate solution to the crisis at our southern border.

POLITICAL THEATER

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, we closed the last year of Congress with some very productive work on both sides of the aisle: we passed a transportation bill; we reformed No Child Left Behind; we passed the tax extenders bill; and we passed an omnibus bill. I thank Speaker RYAN and the Republicans for working in a bipartisan fashion.

But we are back here in 2016, and as President Reagan would say: There they go again.

Yes, they are trying to repeal the ACA for the 62nd time, and for the 11th time to try to defund Planned Parenthood. These bills are not going to become law. The President will veto them.

It puts us back in a situation where this House isn't being used for America's priorities of putting people back to work, dealing with the crisis in the Middle East and maybe having an AUMF passed, and dealing with criminal justice reform and passing a bill.

The idea, as I understand it, is to pass the bill; the President will veto it; it won't become law; and have the first veto override on the day that the March for Life is here in Washington. This is being done for political theater, to appeal to the March for Life people, and not for what America needs: to put people back to work and protect our people from terrorism in the Middle East.

I wish we would get back to the way we finished up 2015.

THE RIGHT TO BEAR ARMS IS NOT UP FOR DEBATE

(Mr. CARTER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Texas. Mr. Speaker, I rise today as a voice of warning for all Americans.

This administration's recent executive orders designed to further restrict Americans' Second Amendment rights is a dangerous move. Make no mistake, this administration will not be satisfied until all Americans no longer have the right to possess firearms.

This latest round of executive orders serves only to harass and intimidate law-abiding citizens. Nothing the President has proposed would have stopped a single tragedy. Americans have as much right to the protection of their homes and their families with firearms as the President does while sitting in the Oval Office.

As a firearm owner myself, from a family of firearm owners, and a defender of the Second Amendment, I want to remind the administration that the right to bear arms was settled in 1791. It is not up for debate.

PREVENTING GUN VIOLENCE IN AMERICA

(Mr. LEWIS asked and was given permission to address the House for 1 minute.)

Mr. LEWIS. Mr. Speaker, yesterday Lucy McBath from metro Atlanta stood behind the President when he announced his actions to reduce gun violence.

In 2012, her son, Jordan Davis, was killed simply for playing loud music. I could see the pain of her loss and the anguish on her face. It broke my heart.

Jordan Davis is one of the 100,000 Americans killed in the last decade who are no longer with us due to gun violence.

It is our duty to do all we can to protect all Americans. Every year mothers and fathers, brothers and sisters, families and friends beg their government to act. Mr. Speaker, are we deaf to their cries? Are we blind to their suffering?

President Obama is listening, and he is leading. A leader must be a headlight and not a taillight.

Members of this House, we are not leading. His proposal is common sense and constitutional.

Now, as Members, we must do our part. We must do what is right and what is just. It is long overdue.

PRESIDENT OBAMA'S FIREARMS PROPOSAL

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, time and again this President has noted that we can't change the law without action from Congress. Despite his claimed familiarity with the separation of powers, this week we see the President again trying to go around Congress to enact already-known antigun policies that have already been considered and rejected in the Senate.

The President's plan ignores what any honest observer already knows: limiting the rights of law-abiding Americans doesn't deter criminals and terrorists from breaking our laws.

Forcing Americans to jump through more hoops and spend more money to exercise their Second Amendment rights will, at best, have zero effect on public safety and, at worst, embolden those who already disregard our laws.

Finally, let's look at what the President's proposal boils down to. More Americans would have to pay more to the Federal Government in fees to exercise their constitutional rights. Enforcement of current laws could have a much better effect on that, yet we see very few red flags that are put up by people trying to legally purchase guns that are already felons. More investigations would be held and more people prosecuted if those laws were enforced, yet our attorneys general at the State level and Federal level don't follow up on those red flags.

We have plenty of laws on the books that are not enforced. We don't need more. We certainly don't need executive orders that the President is illegally putting across behind closed doors, which has been emblematic of what the entire Obama administration has been doing for the last several years to our constitutional rights.

REHASHING OLD, TOXIC ATTACKS

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, here we are, the very first day back for the House of Representatives in 2016, and already the House Republicans are rehashing old, toxic attacks on women's access to health care and on working families.

Here in 2016 we were hoping to see a House of Representatives that would look forward, forward to reducing the cost of health care for all Americans and to helping pass the bill that would require pay equity for women. Instead, under the guise of this reconciliation bill, a technical term that is coming before the body this week, this Republican bill would defund Planned Parenthood, strip away affordable family planning and lifesaving cancer screenings for millions of American women across the country. It would dismantle the Affordable Care Act. In fact, it is the 62nd vote from this body to repeal that act.

The nonpartisan Congressional Budget Office has estimated that the Republican bill before this body this week would take healthcare coverage away from 22 million Americans next year alone. That is not right for the country, it is not right for women, and it is not right for this body. Let's move forward with a pro-woman agenda, a pro-healthcare agenda, rather than the same toxic bills that they have tried and failed to pass over 62 times.

IT IS TIME TO REPEAL AND REPLACE OBAMACARE

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, in 2010, Congress silenced the voices of a majority of hardworking Americans and ran roughshod over the House minority and jammed a bill through Congress that would put a wet blanket of mandates, regulations, taxes, and penalties on patients, doctors, hospitals, and small businesses, driving up the cost of insurance and health care for most Americans. Longer lines, less access, less innovation, and higher costs have been the hallmark of this bloated bureaucratic nightmare.

Today the House will give voice to those who had this law and its expense thrust upon them. It is time to repeal and replace ObamaCare and move forward in a bipartisan fashion, passing legislation that will put patients back in control of their healthcare decisions, focus on competition and quality of care, reform our tort litigation system, and invest in innovation and research at the NIH, curing diseases, and reducing healthcare costs.

The House will also defund organizations that engage in the horrific and

sad process of dissecting and harvesting aborted baby organs and reinvest that money in organizations that are truly focused on women's health care.

Mr. Speaker, by placing this bill on the President's desk, we have given voice to the defenseless, and we have focused on a better future of health care for every American.

PROVIDING FOR CONSIDERATION OF H.R. 712, SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1155, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 580 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 580

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-37. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the

House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1245

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on House Resolution 580, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this structured rule forward on behalf of the Rules Committee.

This rule provides for consideration of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2016, or the SCRUB Act. This is a bipartisan measure that provides a fair and reasonable way to find and repeal outdated and inefficient regulations that are still on the books.

It doesn't target any particular type of regulation or industry, but it prioritizes older, expensive rules that are ripe for improvement or may no longer be necessary.

The needs of our economy, small businesses, and American families aren't the same today as they were 15 or 20 years ago. Thus, we should ensure that the rules governing the way we live and work reflect what is best for our country today, not what agencies thought best decades ago.

I thank my colleague from Missouri for introducing this bipartisan solution and his staff for their hard work on this measure.

If you put a piece of paper in the hand of every single person who lives in my hometown of Gainesville, Georgia, it still wouldn't equal the number of pages in the 2015 Federal Register. In fact, it comes in at a record-setting 82,036 pages. That means there were over 82,000 pages of new rules and regulations proposed just last year.

The Code of Federal Regulations is 235 volumes long, containing 175,000 pages of Federal regulations. Knowing this, it should come as no surprise that Federal regulations impose an estimated burden of \$1.86 trillion. That is roughly \$15,000 per U.S. household and is higher than combined individual and corporate Federal income taxes.

It is difficult to imagine a scenario where there is nothing in those thousands upon thousands of pages that can't be improved, streamlined, or retired. Unfortunately, American businesses and families bear the burden of compliance, even when a regulation is outdated, ineffective, or just plain unnecessary. The SCRUB Act is a commonsense step toward reducing unnecessary costs for families and businesses, leading to more economic growth and job creation.

If you walked into a grocery store and found hundreds of expired and moldy food on the shelves, you would be shocked. You would be even more horrified if you were forced to purchase and eat them.

In the same way, my constituents in northeast Georgia and men and women all across this Nation are appalled that we don't have an existing process in place to clear duplicative, unnecessary, or ineffective regulations off the pages of the Code of Federal Regulations.

Also, Mr. Speaker, this rule provides for consideration of H.R. 712, the Sun-

shine for Regulatory Decrees and Settlements Act of 2015. This legislative package contains the text of H.R. 712 in title I; H.R. 1759, the ALERT Act, in title II; and H.R. 690, Providing Accountability Through Transparency Act of 2015, in title III. Each of these measures were considered and marked up by the Judiciary Committee and are brought to the floor as reported by the committee.

America's small businesses and job creators need relief from the flood of new regulations and red tape from Washington. Small business owners often cite government regulations as the single most important problem they face today.

A heavy contributor to the burden of new regulation is the use of consent decrees and settlement agreements to bind Federal agencies to issue new rules. Regulators often cooperate with pro-regulatory organizations to advance their mutual agendas in this way.

The device agencies use is simple. An organization that wants new regulations alleges that an agency has violated a duty to declare new rules. The agency and the plaintiff work out a deal under the cover of litigation. The deal puts the agency under judicially backed deadlines to issue the rules.

These deadlines often give the public little opportunity to comment on proposed rules and the White House limited ability to review them. Deals can even require agencies to propose specific regulatory language negotiated by the agency and its regulation-friendly plaintiff.

Those who will be regulated by the new deal typically do not know about these deals until the plaintiffs' complaints and the proposed decrees or settlements are filed in court. By then, it is too late. Frankly, it is just also unfair.

Regulated businesses and individuals are unlikely to be able to intervene in the litigation. The court usually approves the deals before regulated parties have an opportunity to affect whether new regulatory costs will be imposed upon them. These regulated parties could be families, small businesses, farmers, ranchers, or even local governments.

I introduced H.R. 712 to restore transparency, public participation, and judicial review protections to shine a light on one of the worst regulatory abuses in our system today: these "sue and settle" agreements.

The Sunshine for Regulatory Consent Decrees and Settlements Act of 2015 puts an end to the abuse of this practice and ensures that those to be regulated have a fair opportunity to participate in the resolution of litigation that affects them.

The bill respects the basic rights of plaintiffs and defendants to manage litigation between them. As a result,

the bill offers an effective and balanced remedy.

We must ensure more transparency and scrutiny of consent decrees and settlement agreements that require new regulations. These commonsense reforms are needed to help control the tide of excessive and costly rules.

It is time we get rid of the welcome mat outside the door of regulatory agencies for these suits, under which they can more easily issue expensive and controversial new regulations—policies that oftentimes could never pass Congress—claiming that “The court made me do it,” again bypassing our constitutional system. It is not a good idea.

H.R. 712 addresses the weaknesses in the current system while preserving consent decrees as an important mechanism for settling legal disputes. It accomplishes this by increasing participation of affected regulated entities and coregulators in the negotiation in the consideration of decrees and settlements.

The ability of citizens to hold government accountable is an important part of administrative law, but it must be appropriately carried out with transparency and full public participation.

Importantly, H.R. 712 puts an end to a practice that uses taxpayer dollars to allow special interests to abuse the system and force regulators to put out even more regulations.

Title II of H.R. 712, the ALERT Act, continues our work to relieve the regulatory burden on American families by requiring agencies to publicly provide information on planned regulations, estimated compliance costs, and other updates so that those impacted by the new regulations have the information they need to make financial decisions and plan for the future.

Title III of H.R. 712, the Providing Accountability Through Transparency Act, is another good governing measure that demonstrates this body’s commitment to making life better for all Americans. It requires agencies to publish a brief summary of each proposed regulation online and in plain language.

Agencies do not have the right to conduct their business behind closed doors and hide behind an overly complex regulatory system.

Every regulation impacts every American directly or indirectly, and agencies should be held accountable for the regulations they produce and how they communicate the new requirements to those who will be forced to abide by them.

Mr. Speaker, the Rules Committee met yesterday evening on these measures and heard testimony from the chairman and ranking member of the Judiciary Subcommittee on Regulatory Reform, the chairman of Oversight and Government Reform, and the

Government Operations Subcommittee ranking member.

This combined rule makes every amendment submitted to the Rules Committee in order. Seven amendments to H.R. 712 will be debated on the House floor, and 11 amendments to H.R. 1155 will be considered.

For H.R. 712, the rule provides 1 hour of general debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

For H.R. 1155, this rule provides for 1 hour of general debate equally divided among and controlled by the chairs and ranking minority members of the Committee on the Judiciary and Committee on Oversight and Government Reform.

This rule and the underlying legislation represents regular order at its finest. I am proud to see the leadership of Chairman SESSIONS and Speaker RYAN are reflected in this robust and open process.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Georgia for yielding me the customary 30 minutes.

Over the holidays, like all Members of this body, I was back home and excited about coming back in January to legislate and move the country forward. I was hoping we could tackle some of the big issues of the day: balance a Federal budget; pass immigration reform and secure our borders; and, finally, deal with the contentious issue of what kind of authorization of military force we want to give to the Commander in Chief.

These are all important issues I was thinking about and reading about and hoping we would deal with when we got back here. Instead, here we are, our first day back in session. And I point out that most Americans, of course, had to go back to work a couple of days ago. We had a few days more to presumably think about what we wanted to do.

And here it is, another attempt to strip health care from over 22 million American families that rely on the healthcare insurance they have today that this reconciliation bill would take away and another attempt to defund Planned Parenthood and strip family planning and cancer screenings away from millions of women across the country, something that ultimately would add to healthcare costs, not to mention the human toll of not diagnosing cancers early, adding to the healthcare costs of this country by having to deal with far too many catastrophic events for what would have been preventable conditions, had they only been identified earlier through ac-

cess to cancer screenings and family planning services at Planned Parenthood and other locations.

□ 1300

This bill that will be brought under one of the rules that is coming forward today would repeal or dismantle the Affordable Care Act for the 62nd time.

Again, I was hoping 2016 we would start something new. Instead, I am seeing the same kind of bill that Republicans have brought forward in 2011; they brought it forward in 2012; they brought it forward in 2013; they brought it forward in 2014; they brought it forward in 2015; and here we are, not only bringing it forward in 2016, but doing it as one of the very first bills in the very first week that this Congress is back.

Look, I rise in opposition to the rule and both of those underlying bills, H.R. 1155, which is called the Searching for and Cutting Regulations that are Unnecessarily Burdensome, or SCRUB Act, and H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act. These bills will make the American people less safe, potentially removing important safety and health regulations that are already in place for a reason.

The gentleman from Georgia says, and I agree, there certainly could be unnecessary regulations on the books. Let’s tackle those in a laser-like fashion.

And if the Chief Executive won’t do it, then let’s do it through a legislative approach that targets the authority for a specific set of rules that this body agrees are not necessary or are counterproductive, as we have done in a number of instances, and go after it, rather than somehow saying that, for every rule that is added arbitrarily, another rule needs to be eliminated, there is some presumed magic to the amount of words in rules.

The gentleman cited, I think it was 86,000 pages. There is no ideal amount of rules. The least amount of rules and regs that can get the job of keeping the American people safe done is the best, but you never know what that is going to be, and maybe we should strip away 10,000 pages of that, and maybe we need another thousand pages for some new technology and new device that could hurt people if there is not the right safety regulations.

We need an adaptive administrative structure to allow our health and safety agencies to do their job so that when people buy a consumer product at the store, they have confidence it is not going to kill them.

As a father of a 4-year-old and a 1-year-old, when I buy a toy and get holiday presents for our kids, I want to make sure that those products don’t have lead or contaminants in them, make sure that my child won’t be severely damaged or hurt by the failure

of our health and safety agencies to make sure that those products are safe.

That is common sense. I think that is what the American people want out of our health and safety regulators, and these bills would impede their ability to do that.

Thirteen of the 16 Democrats who sat on the Judiciary Committee offered dissenting views on H.R. 712, which read, in part: "This ill-conceived bill imposes numerous new procedural burdens on agencies and courts, intended to dissuade them from using consent decrees and settlement agreements to resolve enforcement actions filed to address agency noncompliance with the law."

Effectively, what that means is this bill would reduce the cost of non-compliance with our regulations and laws. These burdens include the unworkable requirements that agencies solicit public comments on all proposed consent decrees and settlement agreements, and they respond to every single public comment before submitting them to the court.

Now, again, that is an administrative burden that makes it impossible for our eight health and safety agencies to do their job. You might get 100,000 comments on a particular consent decree or settlement agreement, if somebody is ramping up what we call kind of the astroturf side of trying to get people to write in about a particular topic. And to say, somehow, that every single one of those comments has to be responded to before submitting to the court is basically, not just a policy that would slow down this process, but would deter agencies from ever engaging in settlement agreements and consent decrees because it would be so prohibitive, from a staff perspective, they would effectively be unable to do their job.

Like all antiregulatory proposals that have been brought forth in this Congress, H.R. 712 is another solution in search of a problem. Those in favor of the bill have failed to provide evidence to support their claim that agencies are somehow conspiring with plaintiffs to enter into consent decrees and settlement agreements.

But even if you agree with that claim, this bill wouldn't solve it. All it would do is impose burdensome procedural requirements on agencies and courts that hamstring and prevent the use of consent decrees and settlements which, oftentimes, are a more efficient way for both plaintiffs and defendants to get to a reasonable outcome than interminable processes and legal bills that go on for years and years.

The other bill to be considered under this rule is another example of a bill that would make the American people less safe. It is called the SCRUB Act, which is also a dangerous solution in search of a problem.

Now, every branch of the government already conducts effective oversight

through retrospective review of agency rules. And again, if there are rules that this body disagrees with, we should go after them, go after the authority that this body has chosen to give the agency to make health and safety regulations that keep the American people safe.

Each branch of government already conducts oversight and overlooking this array of options that would provide the necessary scalpel for smart regulatory cuts. This is, instead, a meat-cleaver approach that can eliminate health and safety regulations, both good and ill-informed.

Rather than creating jobs, growing the economy or making Americans safer, this procedure would burden agencies with additional red tape and waste valuable agency resources and taxpayer dollars at the expense of the health and safety of the American people.

As my colleagues have alluded to, H.R. 1155's sole purpose is to actually obstruct the safety and regulatory process by burying agencies in endless red tape and extra costs. It would create legal ambiguity that could lead to increased cost for businesses, for local communities that rely on certainty to plan for the future, as well as uncertainty for consumers and American families who don't know that the products or services that they are buying are safe for them or their children.

Now, in principle, it is hard to argue against the notion that agencies should periodically assess whether rules they have implemented should be improved or repealed, and I agree with that concept. That is not in dispute. That is not what this bill is about.

Rather than streamlining rule-making, or eliminating unnecessary rules, which we all want to do, through a thoughtful, retrospective review process, even if it is required periodically, this bill, instead, would result in years of delays for new and necessary health and safety rules by requiring a new rulemaking process for any rule that is eliminated.

The SCRUB Act would also establish a regulatory review commission to identify duplicative, redundant, or potentially obsolete regulations. Now, not only would the very creation of this commission be at the cost of taxpayers, as would its limitless resources, hours of staff work that the bill mandates, but the authorizing language of the commission binds it to consider only the costs to affected industries, while ignoring the cost to the general public.

So, if an industry, if this commission existed, and they were looking at a regulation around dumping of toxic materials or toys that could hurt kids, the only charge under this statute of that commission would be what are the costs of compliance of this to industry, not what are the savings to American families who won't have to worry

about their kid being hospitalized because of a choking hazard for a 3-year-old, or increased cancer rate for a product that contains lead or a carcinogenic agent. They can't look at that side of the equation.

Rather than to do a thorough cost-benefit analysis, this kangaroo commission would rather superficially look at the cost to companies of making sure that their products are not dangerous to the American people. That is the wrong way to go about this.

Simply put, the SCRUB Act is a solution in search of a problem. There are many tools available to each branch of government to conduct effective oversight and make smart regulatory cuts. I think it is a fine criticism of any administration that they haven't done enough in that regard, and they should. And this body should encourage any President to move forward with cutting unnecessary regulations that cost businesses money and don't threaten the public health and safety.

But agencies must adhere to the robust requirements of the Administrative Procedure Act already, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act of 1995, the Paperwork Reduction Act, and the Congressional Review Act, and if some of those can be consolidated, along with new ideas to cut red tape and regulation, you will find strong bipartisan support for that concept.

But that is not what this bill does. This bill ties up the ability of our agencies that this Congress has authorized to help keep the American people and American families safe with additional red tape and regulations. It creates a biased commission that, rather than looking at the costs and benefits of health and safety requirements, only looks at the costs.

Moreover, final regulations are subject to review by Federal courts already, who are a final backstop to ensure that agencies have not violated the authority that this body has given them, and that they have satisfied all the applicable statutes, and whether agencies have continued input from relevant stakeholders. We have set that process up.

Now, if we have a thoughtful way to improve that process, around encouraging more stakeholder involvement, looking at the authority that we have given each agency in certain areas, by all means, let's discuss those kinds of bills, rather than short-circuiting the very process that Congress has put in place to help reduce unnecessary regulations.

In many cases, Congress not only mandates that agencies issue a rule, they are doing the work that we have required them to do, but we also prescribe the process already by which they must do so.

This bill, if it passes, will continue to waste the government's time, and we

are wasting more by even considering this today, as well as this reconciliation bill that would take healthcare coverage away from 22 million Americans.

You would think, Mr. Speaker, that if Republicans were bringing forward a bill to remove healthcare insurance from 22 million Americans, you would think that they would have a plan for those 22 million Americans, but they do not. They simply strip them of their existing health care.

Twenty-two million Americans will not be able to see their doctor that they have been seeing for years, know that they can go to the hospital if they need it, or have any adequate health insurance under this reconciliation bill.

It defunds Planned Parenthood. It strips affordable planning and lifesaving cancer screenings away from millions of women across the country, precisely at the time that those cancer screenings would be more necessary than ever, if the SCRUB Act passed, which would hamstring our own Federal agencies in their ability to prevent carcinogenic agents from being in consumer products and food products that American people consume.

So, again, through these set of bills, the Republicans are saying: We are going to not do the job that we have told our agencies to do in keeping the American people safe; and, at the same time, the results of that lack of safety—more hospital visits, more disease, more sickness, more children choking, more sick kids—we are going to make sure that a lot more of them don't have health care when they need it because of the health and safety regulations that we have removed through tying them up in red tape for years after years.

That is not what the American people want. That is not what my constituents want.

I strongly encourage my colleagues to oppose the rule and the bill, and I reserve the balance of my time.

Mr. COLLINS of Georgia. I yield myself such time as I may consume.

Mr. Speaker, as has already been said just a little bit earlier on this floor, here we go again. I guess the straw harvest was good this fall because, like my colleague, I was hoping that there would be some stuff changed. Undoubtedly, it is not, because the straw harvest was good, and it is now time to put up straw men when we talk about regulatory reform, and we are back at it again.

I want to comment in just a moment on regular order and the fact that stuff has been talked about.

We have two separate rules today. This is a rule that deals with the regulatory issues and regulatory reforms, two bills, and we have a rule that is going to come up here in just a little bit that deals with repealing

ObamaCare and dealing with the heinous issues of Planned Parenthood. That is a separate bill.

I would want to talk about something else too, instead of the regulatory issues that are here, because they do matter, they do create jobs.

As we look at this, the one thing that always comes across, Mr. Speaker, as we think about this, is a very clear choice, especially from constituents all over the country, in my district, in particular, when I think about this.

One of the main arguments against this is that it will burden the government, so it is bad? The problem is, the government right now, through regulatory process, is burdening small business, is burdening families who simply want to be able to get up, go to work, do their job, and be free of unnecessary burdensome regulations.

Again, we want to talk about throwing up the straw man that the Republicans are out here poisoning the air, bad paint, terrible ideas, killing kids. That is not what we are talking about.

Again, the harvest is ripe; the straw is being developed. And instead of talking about getting rid of regulatory process, we are going to talk about, oh, we are taking away safety.

There is no Republican on this side of the aisle that I have ever heard stand from this place, or from anywhere else, and say: I want dirty water. Give me choking air. Give me paint that is bad. Give me products that are terrible. That is not what is ever said. And when that argument is brought up, it simply cheapens and demeans the process.

Mr. Speaker, one of the things that was just said was that we don't want to have public comments, that you have to answer to public comments, that a government agency would have to answer to public comment. In fact, one of the issues is H.R. 712 actually addresses this because these sue and settlement agreements can take place without the affected party even being in the room or even know it is happening.

Tell me where that is fair. Show me where two people can go in a room and decide what is best for me in a business environment. Show where that is fair. It is not fair and you can't argue that it is.

Public comment to the government is expected, and public comment should be respected before these regulations or these consent decrees are put out.

□ 1315

We all have various roles. The executive branch has their role, and there are places where they meet. And we are appreciative of the work that is done. What is being talked about in these bills is, let's make it more efficient and let's make it better because what we have in Washington is, I would rather see this body take up the policy argument, this body discuss the billions of

dollars in costs that are being implemented on businesses, and not the agencies who have no answerability to the public. So when we look at this, these are just the small things. We want to talk about what is actually coming to the floor.

I have the privilege of sharing the Rules Committee with my friend from Washington State, who is going to speak. I yield such time as he may consume to the gentleman from Washington State (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, I thank my colleague from Georgia, a fellow member of the Rules Committee, for yielding me time to speak on this important topic. I am very pleased to be able to contribute to this conversation.

Mr. Speaker, as you probably know, I am a farmer. I can tell you that growing crops, cultivating crops, can teach you a lot about a responsible regulatory process. That may sound like a strange statement, but let me just say I primarily grow hops and grapes, two crops that require a trellis system. Neither of these crops would be successfully grown without a good, strong trellis system that gives them structure, direction, and support. However, on the flip side, if the trellises aren't constructed properly, if they are not maintained and kept in good working order, the crop growth would be affected. It would be stunted, and production in the end would suffer.

Our regulatory process is very similar, Mr. Speaker. Congress passes laws intended to provide a progrowth structure for our economy. Regulatory agencies build out and fill in the details based on the directions from us, from Congress. However, sometimes agencies provide regulations that can significantly harm people and harm businesses and the jobs they are supposed to be supporting. Many times these regulations exceed or are in contravention to the discretion or authority provided by Congress. Many times it seems as if the regulators write these regulations for the sake of regulations with little regard for the consequences to those that are forced to comply.

Mr. Speaker, I rise today in strong support of this rule and the underlying legislation, as these bills will provide Congress and the American public with new tools to ensure that regulations truly have the public's best interest in mind and do not hinder economic expansion and growth.

For example, H.R. 712 will prevent what are called the sue and settle tactics that are used to circumvent the normal rulemaking process. It has been well documented that, on numerous regulations, the administration has intentionally dragged its feet and failed to propose a regulation in a timely fashion. So what happens then, they can be sued and ultimately settle on

the terms decided solely by the court, by the administration, and by the plaintiff.

This tactic has removed the cost-benefit analysis required for many economically significant regulations. But more importantly, it has eliminated stakeholder engagement in the regulatory process as well as the public's right to comment on dozens of regulations with compliance costs totalling in the hundreds of millions to the billions of dollars.

This legislation also includes other commonsense measures, such as requiring agencies to post on the Internet in plain language 100-word summaries detailing what a regulation does. Few individuals or small businesses have either the time or the fleets of lawyers needed to pore over hundreds of pages of regulations and be expected to comment or comply.

I was also proud to cosponsor H.R. 1155, which this rule also provides for consideration. It is estimated that the current Federal code spans more than 175,000 pages. This important legislation will enact a commission to review the regulatory code and make recommendations on which regulations are necessary, which are overlapping, and which are duplicative or obsolete. Wouldn't it be a refreshing change, Mr. Speaker, if, for once, Washington, D.C., could actually cut red tape instead of creating new barriers to economic growth?

Too often regulations have begun to have costs that far outweigh their benefits, seriously harming those they were intended to regulate, help, and protect. Regulations resulting from sue and settle are often impossible to comply with, and the public is removed from the rulemaking process. We can and we must do better. These commonsense reforms in H.R. 712 and H.R. 1155 will help reverse the trend of regulations stunting growth and stalling production and restore the progrowth-oriented structure and direction that Congress has intended.

Again, I thank the gentleman for yielding to me.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Georgia mentioned that sometimes affected parties aren't in the room during consent decree or settlement discussions. That is a far cry from having to respond to potentially hundreds of thousands or millions of public comments one on one.

So, again, if there is a problem that they are trying to solve, let's look at who is in the room and who the affected parties are in making sure they are part of the process, not preventing any meaningful effort for consent decree or settlement from even going forward by putting a completely impossible requirement to fulfill, given the staff that they have, of having to reply to every public comment when we all

know that public comments can be artificially ginned up through an Astroturf process to deliberately bog down a process that otherwise could more expeditiously settle a dispute than years and years of legal fees on both sides.

I yield 2½ minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) to further discuss today's effort to strip away health care from 22 million American families and to remove the ability of hundreds of thousands of American women to have access to cancer screenings across our country.

Mrs. WATSON COLEMAN. I thank the gentleman for yielding time to me.

Mr. Speaker, it is a brand-new year, but you wouldn't know it if you look at what we will be voting on this week.

Across the investigations of three separate committees in this body, eight States, and four Federal court cases, not a single shred of evidence has been found indicating that Planned Parenthood has broken any laws. In fact, the Oversight and Government Reform chairman, JASON CHAFFETZ, has admitted that he found no evidence that Planned Parenthood did anything wrong.

My colleagues on the other side of the aisle continue to ignore the facts here. Planned Parenthood is a healthcare organization serving 3 million Americans each year. In the course of their lifetime, one in five Americans will receive care from Planned Parenthood. Despite arguments to the contrary, there are simply not enough health centers to fill the gap.

If we defund Planned Parenthood, we will be denying care to millions of families. We will be taking away options from underserved communities across the country—rural, urban, and otherwise. We will be saying to women, once again, that how and when they get health care is not their choice; it is the choice of a body overwhelmingly run by men.

When I got to Congress last January, I thought I would be voting on legislation that would improve the lives of my constituents, Mr. Speaker, giving them better wages, jobs, stronger education, and an economy that started at a level playing field. Instead, I have been on the floor more times than I want to count urging my colleagues on the other side to give up the attacks on women's health.

It is a new year, Mr. Speaker. We have a new Speaker. Enough is enough. I urge my colleagues to vote against this rule and the underlying bill.

I thank the gentleman for giving me this opportunity.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), a member of the Oversight and Government Reform Committee and my good friend.

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in support of this rule and the bills that this rule brings to the floor, and I thank the gentleman from Georgia for yielding me this time. I primarily want to talk for a couple moments, though, about health care.

In the mid 1990s, I went to a reception, and the doctor who delivered me came and brought my records. I asked him how much he charged back then. He said he charged \$60 for 9 months of care and the delivery, if they could afford it.

I recently read an article by a woman who wrote that you have to be over 50 now to remember a time when health care was affordable. And it used to be affordable, Mr. Speaker, for almost everybody. But then the Federal Government got into it.

Several years ago, I asked the administrator of a hospital in Knoxville how much medical costs would go down if you could get the government out of health care. His estimate was that it would come down 50 percent overnight and another 50 percent over the next 6 months so that costs would then be only about 25 percent of what they are now.

When the Federal Government got so heavily into health care, costs just exploded. A few people in companies got filthy rich, but almost everyone else got screwed. Now only a few billionaires can afford the costs of a major illness.

We need to make health care affordable again. We can't do that by making it even more bureaucratic than it already is.

The bill this rule brings to the floor is an attempt to give patients more control over their healthcare dollars and give the Federal Government less control and to stop making a very few rich off of the system because they know how to work the system. It is an effort to help bring down some of these ridiculous and exorbitant costs.

We can't get the government out of health care entirely. But thank goodness we don't pay for other necessities, like food, clothing, and housing, like we do for medical care. Thank goodness there is still primarily a free market for other necessities. If we paid for food the same way we pay for medical care, we would see crazy prices for steaks and other types of food. Or if we paid for cars the same way we paid for medical care, most people wouldn't have even been able to afford a Yugo.

We need to move in a new direction, a less bureaucratic direction, and a more affordable direction. This bill is an important first step in that better direction.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, last year, newly elected Speaker RYAN made a New Year's resolution that the House

would once again consider serious legislation for the benefit of the American people. Yesterday was the very first day of our legislative session, and the bill we are considering is not a serious proposal. Yes, we are voting on repealing the Affordable Care Act for the 62nd time this Congress and attacking women's health for the 11th time, and we are, in fact, going to have the 5th vote on the defunding Planned Parenthood.

Now, we know that Speaker RYAN is a committed athlete. In fact, his favorite workout is the P90X. It is based on repetition. An exercise repeating the same action over and over again can lead to success. I am sure we all admire Speaker RYAN's commitment to a healthy lifestyle. Normally, doing additional reps builds muscle mass, but the one muscle Republicans aren't exercising is their brain. Repeating the same, tired repeal and defund bill does not lead to more healthy laws. It just makes the American people tired and sore at the waste of taxpayer money.

American women are scratching their heads thinking: Why does the Republican leadership hate us so much? Why is it they want to take away our rights? Why is it they want to take away the very services that actually protect life? Planned Parenthood protects life by providing more than 900,000 cancer screenings a year, and millions more receive services through Planned Parenthood. Why are Republicans trying to deny us from accessing this very vital health care?

It is time for the Republicans to stop shoving these unhealthy, wasteful bills down our throats. Put down the political equivalent of a giant plate of nachos and exercise the hard job of governing.

Mr. Speaker, I urge my colleagues to vote against this flabby rule.

Mr. COLLINS of Georgia. Mr. Speaker, I just want to remind those who are here that the rule's focus here is dealing with helping regulatory reform burden. I do appreciate the opportunity of Republicans too to take the burden off of individuals.

Mr. Speaker, I reserve the balance of my time.

□ 1330

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE) to further discuss the Republican efforts in our very first week back to take health care away from 22 million Americans and remove resources that women have in place to engage in lifesaving cancer screenings and other affordable family planning services.

Ms. DELBENE. Mr. Speaker, I rise in strong opposition to this bill.

I wish I could say I am surprised that House leaders are kicking off 2016 the same way they spent 2015—attacking women's health—but I am not. For

anyone who has forgotten, let me refresh your memory.

Last year, the House voted 10 times to attack women's health. That included voting to restrict reproductive health care in private insurance, enact a sweeping 20-week abortion ban, and allow employers to discriminate against workers for using birth control.

Now we are voting to defund Planned Parenthood for the fifth time, even though three House committees tried and failed to uncover any evidence of wrongdoing. What is worse, today's vote takes place before the Republicans' taxpayer-funded select committee to investigate Planned Parenthood has even held its first meeting. It is shameful. Americans expect us to focus on facts, not ideology. So far, there are no facts to justify defunding a healthcare provider that 2.7 million Americans rely on.

Here is what we do know: Planned Parenthood provides nearly 900,000 cancer screenings each year; 78 percent of Planned Parenthood patients are low-income; and the services provided by Planned Parenthood help prevent more than 500,000 unintended pregnancies every year.

With each passing week, it becomes clear this Chamber isn't interested in the facts. It is only interested in pushing an extreme ideological agenda designed to take away women's constitutional right to choose.

I urge my colleagues to vote "no."

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Here we are, week one of 2016 and we have a multifaceted Republican attack on women's health. On the one hand, we are removing the abilities of our safety agencies from making sure that products that are sold are safe. Whether that is shampoo or soap or makeup or a toy for your child, we rely on our health and safety regulators to make sure that nothing that can hurt the American people is put forward. Oftentimes, when there is some kind of litigation around that, we have a process that allows that to be settled to keep dangerous products off the marketplace.

In setting up this commission that would only be able to look at the cost of regulation rather than savings from a health and safety regulation, you are deliberately putting in place a process that will lead to additional costs going forward because it doesn't look at both sides of the equation.

I would be supportive, as would many Democrats, of a thoughtful approach to a red tape reduction commission, to a regulatory reform commission. What should it look like? It needs to have both industry at the table, as well as consumer health advocates, as well as thoughtful leaders to make up the bal-

ance of that committee to side with either side based on the merits. Importantly, their charge needs to be to look at the costs and benefits measured through economic measurements that the staff will be charged with doing, the costs and benefits of reforms, to find out and eliminate regulations that cost more than they benefit and to make sure that we improve and enhance regulations where we can have more savings and more benefit to the American people at a lower cost.

It is all about health and protecting the American people and economic efficiency, and the commission can accomplish that. But not the dangerous attack on women's health through this commission in this bill, coupled the very same week with defunding Planned Parenthood, taking low-cost cancer screenings away from hundreds of thousands of Americans, telling 22 million American families you no longer have health insurance, sending a cancellation notice in the first week of the year to 22 million American families that you can't go see the doctor, you can't go to the hospital or you are going to be bankrupt. That is not the kind of progress the American people want.

Thankfully, Mr. Speaker, guess what. Neither of these bills are going to become law. President Obama stated he will veto these bills. These bills that hamper the ability of our agencies to protect the health of the American people, these bills that defund Planned Parenthood, this reconciliation, they will be vetoed.

Therefore, the first week back, while the Republicans are trying to cancel healthcare insurance for 22 million American families, while they are trying to prevent low-income women from having access to cancer screenings, while they are trying to remove the ability of our health and safety agencies to keep our American people safe, they will not succeed. They are wasting time. Therefore, these bills come at a serious opportunity cost to the American people.

The American people want us to use their time and their money to address real problems: to fix our broken immigration system and restore order and security to our border, and to help the millions of Americans suffering under an unlivable minimum wage by increasing it. They want us to tackle reforming our archaic Tax Code by getting rid of special interest tax loopholes and giving the American people lower tax rates in return, rather than allowing Americans to avoid taxes by putting assets in overseas shell corporations.

When I was back in my district over the holidays, I didn't have a single constituent say that they wanted to remove or go after the process of creating health and safety regulations. They wanted to hear what we are going

to do to create an environment that allows the private sector to create jobs. For that to occur, the American people need to have confidence that the products and services they buy are not going to injure or kill them.

But instead, what is on the docket so far? Bills that would actually increase red tape and disable agencies from generating meaningful rulemaking by burying them in having to do mandatory responses, not just to the affected parties, but to every member of the public that wants to comment on a particular settlement or consent decree; and it hands out special interest goodies through the regulatory review process by a commission that would fully be under control of those who have a vested interest in preventing even the most commonsense health and safety regulations.

This may be a new year, but it looks like we are playing the same political games.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would close a glaring loophole in our gun laws allowing suspected terrorists to legally buy firearms.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, this bill that we would like to bring forward, if we can defeat the previous question, would help keep the American people safe. The bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

On this day, today, Mr. Speaker, there are Americans that can't legally fly because we don't trust them to be in the cabin of an aircraft and are on the no-fly list, but they can quietly assemble an arsenal of deadly weapons fully legally. In what world does that make sense? With the increased risk of terrorist threats, with the occurrences in France, and with what happened in San Bernardino, how can we possibly stand by and say we don't trust somebody because of what we know about them through law enforcement and through the authorized practices that this body has set in place to investigate terrorism? We know enough about them to know that they shouldn't be on an airplane; but if they want to quietly assemble an arsenal of dozens of deadly weapons, that is fine, why not let them do it?

We can fix that. By simply defeating the previous question, we can bring forward that bill. I am confident it would have overwhelming support. We can

pass it. It is a bipartisan bill. Rather than strip health care from 22 million Americans, rather than risk the health of American families by removing the health and safety processes that we want to put in place to make sure that products and services are safe, rather than defunding Planned Parenthood and preventing hundreds of thousands of American women from having low-cost access to cancer screenings and reproductive health services, instead, let's make sure that those who represent a terrorist threat to our Nation are not able to quietly assemble deadly arsenals to commit terrorist acts.

I urge my colleagues to vote "no" and defeat the previous question. Vote "no" on the rule.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself the balance of my time.

As this debate has come forward, I want to just point out, as a member of the Rules Committee talking about rules bringing forth the process for which debate will happen, I want to commend Chairman SESSIONS and the Rules staff and also leadership—the chairman has done a great job of leadership under Speaker RYAN and others—who have brought forth two rules today. I know in the last, probably, about an hour, that has become a little conflated, but this rule deals with regulatory burden. This rule deals with the issue of jobs and job creation.

I, like my friend from Colorado, have had many conversations with many folks in my district, and, yes, it does come around to job creation. One of the ways that you can do that, and one of the ways that we are looking to be able to do this, is to free them up.

According to research that came out from the American Action Forum, the savings from these bills that we are talking about under this rule can save a total of \$48 billion annually and save 1.5 billion paperwork hours. If you want to make—and I have run small businesses, just as others in here have. If you want to make your employees more effective, have better contact with customers, come up with new ideas, and do creation, then let them do their jobs and not have to be burdened with government intrusion. This is a savings here.

Now, again, it has been stated over and over again, and we are at the point now we are not going to be able to overcome this, so here is the way. Mr. Speaker, just understand these are the parameters in which we speak.

When Republicans want to stand up, this Republican majority wants to stand up for business owners and families who get up every day taking care of their families, who go to work, find jobs, get good employment. When we bring up ways that, unfortunately, as the other side characterized it, burdens government, then we are portrayed as

wanting to ruin the environment, kill the babies, kill the toys, whatever it is that they want to come up with. This is just a false narrative that needs to cease.

The regulatory nation that we have become, apart from the constitutional process that is set forth by Members elected from their districts to come forward and put forth ideas, give those to the executive branch to carry out, not make up new laws or to enter into consent agreements without the litigant standing party available, is wrong. It is not about anything but fairness. It is about cleaning up government. It is about limiting government. It is about keeping our airways safe. It is about having clean water. It is about having clean air. It is about doing the things that government should be doing in a limited process, not simply a jobs program inside the beltway.

When you have regulators who regulate banks who have never worked in a bank and never gave a loan, that is not right. When you have folks who never get outside of a cubicle but yet are able to, without input many times, decide how farmers who have worked their land for many years are to react, that is not right. This rule today lets us go toward a forward step of doing just that. You see, it is about real people. It is not about bureaucracies.

It is about real people, like Mr. Puckett from Columbus, Mississippi. He has been creating jobs for over 100 years in his family. He has a family-owned brick company. Mr. Puckett attributes the success of his business to hardworking employees and loyal employees. Unfortunately, when I met Mr. Puckett, the conversation was not so optimistic. He testified in the Judiciary Committee in 2014 because his company had just lost 50 jobs as a result of two regulations crafted behind closed doors.

In a nation of over 300 million, 50 jobs may not seem like a lot, but in the town of Columbus, Mississippi, it is the difference between 50 families having food on the table or going hungry. Every State, every congressional district has their Mr. Pucketts. No business has been untouched by the toll of costly and overly burdensome regulations.

This probably, Mr. Speaker, is one of the greatest times to be here and to speak about this because the choice is clear. And you can try to conflate it and talk about other things, but this rule deals with these bills that deal with real jobs, such as Mr. Puckett. It deals with the real priorities of the Republican majority, saying we want to put people back to work, we want to make business more efficient, and we want to have rules and regulations that are smart, sensible, and safe. To say otherwise is not fair for the American people. In fact, it is just a coverup

for a society or a governing philosophy that says: Bureaucracy knows best; government knows best; let us just continue to grow.

□ 1345

In fact, it was said earlier today that we have all of these executive orders and all of these other rules that are designed to help streamline regulatory burdens. If that is what they are supposed to be doing, then they are failing because all we do is keep growing and adding costs everywhere we go.

I can also understand my friend's concern about the government having to answer public comments because I guess the EPA didn't want to have to answer to itself when the EPA broke the law with the social media push for the water rules that the GAO just nailed them on.

You can't have it both ways, Mr. Speaker. You can't not want to answer to the American public and then, when you want to influence your own regulatory agenda, send out false narratives and break the law. This is not DOUG COLLINS' opinion or anybody else's. As reported in *The New York Times*, it is the GAO's.

I understand that is why the system is broken, and that is why the system needs to be fixed. That is why the vote is a "yes" on this rule, on bipartisan legislation, by the way, and on legislation that has been bipartisan. This is what we are talking about in this rule.

Make no mistake, Mr. Speaker. When Members come to the floor for this rule, they are voting for a government that becomes more efficient, they are voting for a government that is responsive to those who are being affected, they are voting for those who are responsible for actually being able to do what they are being gifted to do in their communities. That is what this rule does, Mr. Speaker.

In just a few moments, my friend from Georgia will talk about getting this country back in shape and will talk about some other bills we are offering today to free up the American people.

But in this rule, the question is: Are we standing for the Mr. Pucketts of the world, the individuals and the businesses of the world, or, as has been said on the floor today, are we more concerned about burdening a government agency?

I think I know what the answer of the American people is: Government, do what you are supposed to do. Do it within a limited form. Let us be the generation of wealth and income in this country. Let us be the capitalist system that we have brought this country into.

When we do that, then we are doing what we are supposed to be doing. That is what this Republican majority is fighting for. That is what this rule is. I would ask that everyone vote for this rule.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 580 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate

vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION
OF SENATE AMENDMENT TO H.R.
3762, RESTORING AMERICANS'
HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for

fiscal year 2016, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on the Budget or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

SEC. 2. Section 3(b)(1) of House Resolution 5 is amended by striking “the first session of”.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 579 provides for the consideration of the Senate-amended version of H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

Mr. Speaker, you will recall that, on October 23 of last year, the House passed our reconciliation bill, which went through the process, which went through regular order. The Senate amended that bill in December. It is now back in the House for further consideration.

This rule today also provides an extension of deposition authority. Mr. Speaker, for staff members who serve the Committees on Energy and Commerce; Financial Services; Science, Space, and Technology; and Ways and Means.

Mr. Speaker, this is a great way to start 2016. There is a new sheriff in town, as you know, who has a commitment to regular order, and the process we have today is regular order at its finest.

We are here today on a reconciliation provision that came from the United States Senate. It came from the United States Senate because it was first passed by the United States House because, for the first time in over a decade, we had a conferenced budget agreement coming to balance, to govern these United States of America.

Mr. Speaker, for 5 years, I have been in this institution. For 5 years, I have

served on the Budget Committee. For 5 years, I have served on the Rules Committee. Never before has this House considered a reconciliation measure that will, with its passage today, go to the President's desk tomorrow.

Mr. Speaker, I do not care where you are on the policy. This is an issue of repealing the President's healthcare bill and the damaging impact it has had on my constituents across the district. I doubt seriously there is a Member in this body who has not made up his or her mind on where he or she is on this issue.

I will try to persuade no one on the merits today. What I will do, Mr. Speaker, is tell you that, when you get the process right, you have an opportunity to get the policy right, too.

This bill eliminates the penalty for noncompliance with the individual mandate, that individual mandate that changed the nature of the relationship between the governed and the governing. This bill would eliminate the penalty for noncompliance with the employer mandate.

It would eliminate the controversial reinsurance program. It would repeal the IRS' ability to provide insurance premium tax credits and cost-sharing subsidies. It would repeal the costly Medicare expansion. It would increase our investment in community health centers. All told, this bill would save the American people \$500 billion.

I am not so naive as to believe that this bill is going to be the end of the story today, Mr. Speaker. But I celebrate the fact that, with the passage of this rule, we will have an opportunity to vote and an opportunity to act in ways that we have not year, upon year, upon year. I do not believe our mandate in this House is to agree. I think our mandate in this House is to decide, and we cannot decide with a process that is broken. We must have a process that is open, as this process has been.

Mr. Speaker, the President raised the American consciousness as it relates to the discussion of health care in this country. He persuaded the American people that preexisting conditions have no place in the American body politic. I believe he was right on that. I don't believe that will ever change.

He persuaded the American people that insurance policies shouldn't have lifetime caps, that when you are facing your deepest and your worst fears in your family—when those have come true—that you ought not get bad news from your insurance company on that same day. I agree with him on that. I don't think we will ever change that.

Yet, Mr. Speaker, there are folks in my district who had policies that they counted on but that were canceled. There are businesses in my district that had a commitment to take care of their employees, but they have now been priced out of the market. There are folks who wanted to exercise their choices and not the President's choice.

If you go to the most recent Ras-mussen polls, the American people prioritized lowering costs over universal coverage. I am committed to providing health care to those who cannot afford it, but I am committed to lowering costs for those who can.

The free market is the mechanism that we will use to lower costs. With this repeal today, we have an opportunity to begin that discussion in earnest for the first time in 5 years.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

Hon. FRED UPTON,
Chair, Committee on Energy and Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: As you know, your committee's authority to conduct staff depositions pursuant to section 3(b) of H. Res. 5 (114th Congress) expires at the end of the legislative session. I am currently considering whether to recommend to the Committee on Rules an extension of that authority for the remainder of the 114th Congress.

In order to ensure that the Rules Committee has all of the information necessary to fully consider whether to grant an extension of this authority, I would appreciate it if you could provide responses to the following items no later than 5 p.m. on December 8, 2015:

1. How many depositions has your committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during this legislative session?

2. Was having this authority helpful in obtaining voluntary interviews of one or more individuals in the course of your committee's oversight or in obtaining cooperation with document requests? How many times would you estimate that this authority resulted in voluntary interviews compliance with investigative requests that might not have been possible otherwise?

3. Please provide your rationale, including any relevant examples, for why the Rules Committee should extend this authority for your committee for the remainder of the Congress.

Thank you for your assistance in providing this information so the Committee on Rules can fully consider an extension of this authority. Should you or your staff have any questions, please feel free to contact either myself or the Rules Committee's staff director, Hugh Halpern.

Sincerely,

PETE SESSIONS.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 9, 2015.

Hon. PETE SESSIONS,
Chairman, Committee on Rules,
Washington, DC.

DEAR CHAIRMAN SESSIONS: Thank you for the opportunity to discuss our interest in the authority provided by Section 3(b) of H. Res. 5, providing staff deposition authority to the Energy and Commerce Committee, among other committees of the House.

We have appreciated your support of our efforts to conduct thoughtful and effective oversight of the laws passed by Congress. As you well know, such oversight activities are an integral part of our Article 1 responsibilities. This is especially true at a time when the policy objectives of the Executive branch

have regularly led it to exceed clear statutory direction, and its representatives are regularly recalcitrant in providing us with explanations for those actions.

My goal has been, wherever possible, to work cooperatively with the subjects of our oversight work to accomplish the committee's objectives. The Congress's oversight tools are overwhelmingly powerful, and in order to maintain public trust in our stewardship of those tools, I have felt that it is important for us to use the use of our authority in a way that is prudent and proportional.

But there are clearly times when the legitimate Congressional oversight prerogative requires the threat of compulsion. This is why we believe the authority provided to the committee in H. Res. 5 has been valuable to the committee's oversight objectives. While the committee has not yet been required to conduct depositions under this new authority, we believe the availability of this authority has facilitated our efforts to obtain significant voluntary cooperation in several important investigations. For example, in the matter related to videotapes showing procurement of donated fetal tissue, Planned Parenthood Federation of America and a number of its affiliates, as well as several tissue procurement organizations, have voluntarily provided thousands of pages of relevant documents. In a matter related to allegations of contamination at a National Institutes of Health drug manufacturing facility, the committee has received detailed information concerning the impact of such contamination on hundreds of patients in experimental drug trials. And, in the recent matter related to "defeat devices" installed by Volkswagen in thousands of its diesel-engine cars, the committee has begun to receive detailed information regarding internal corporate deliberations and interactions with Federal and state regulators. In each of these cases, we believe these significant voluntary productions of documents and information are due in large part to an understanding that the committee has the authority to compel such information, including now through compulsory depositions.

We also believe that the authority to compel staff depositions will be an especially important tool in investigations of the executive branch. In an ongoing matter regarding the Administration's justification for subsidies paid under a provision of the Affordable Care Act (ACA), senior executive branch representatives have repeatedly ignored requests by our committee and the Ways and Means committee for relevant information. The committees recently wrote to Secretaries Burwell and Lew requesting interviews with specific senior executive branch officials. I expect that these requests will almost certainly involve invocation of authority provided by Section 3(b) of H. Res. 5. Similarly, as the committee continues its oversight of other aspects of the ACA, including the failure of state exchanges and cooperatives, it is becoming aware of serious issues of waste and negligent program administration. As the current Administration enters its eighth and final year, and works feverishly to implement its policy objectives, I expect there will be other areas where we will need every oversight tool available, including staff deposition authority, to ensure that the Administration is faithfully executing the laws enacted by Congress, and holding itself accountable for the prudent and efficient expenditure of taxpayers' dollars.

Thank you again for your work to provide us with the tools to do effective oversight

and ensuring that these tools continue to be available.

Sincerely,

FRED UPTON,
Chairman.

—
COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

Hon. JEB HENSARLING,
Chair, Committee on Financial Services,
Washington, DC.

DEAR MR. CHAIRMAN: As you know, your committee's authority to conduct staff depositions pursuant to section 3(b) of H. Res. 5 (114th Congress) expires at the end of the legislative session. I am currently considering whether to recommend to the Committee on Rules an extension of that authority for the remainder of the 114th Congress.

In order to ensure that the Rules Committee has all of the information necessary to fully consider whether to grant an extension of this authority, I would appreciate it if you could provide responses to the following items no later than 5 p.m. on December 8, 2015:

1. How many depositions has your committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during this legislative session?

2. Was having this authority helpful in obtaining voluntary interviews of one or more individuals in the course of your committee's oversight or in obtaining cooperation with document requests? How many times would you estimate that this authority resulted in voluntary interviews compliance with investigative requests that might not have been possible otherwise?

3. Please provide your rationale, including any relevant examples, for why the Rules Committee should extend this authority for your committee for the remainder of the Congress.

Thank you for your assistance in providing this information so the Committee on Rules can fully consider an extension of this authority. Should you or your staff have any questions, please feel free to contact either myself or the Rules Committee's staff director, Hugh Halpern.

Sincerely,

PETE SESSIONS.

—
HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, December 9, 2015.

Hon. PETE SESSIONS,
Chairman, House Committee on Rules,
Washington, DC.

DEAR CHAIRMAN SESSIONS: This is to request that the Committee on Rules extend the authority of the Committee on Financial Services (Committee) to conduct staff depositions pursuant to section 3(b) of H. Res. 5 which expires at the end of the present legislative session. Your letter of December 2, 2015, asks the Committee to provide the Committee on Rules with the following three categories of information in support of the Committee's request to extend deposition authority:

1. The number of depositions the Committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during the present legislative session;

2. Whether having deposition authority was helpful in obtaining voluntary interviews of individuals in the course of the Committee's oversight or in obtaining cooperation with document requests, and the estimated number of times that this author-

ity resulted in voluntary interview compliance with investigative requests that might not have been possible otherwise; and

3. A rationale, including any relevant examples, for why the Committee on Rules should extend this authority to the Committee for the remainder of the Congress.

The Committee has conducted no depositions pursuant to the authority granted by section 3(b) of H. Res. 5. However, having deposition authority was and continues to be an invaluable tool in securing interviews and compliance with document requests. In the course of a single investigation, Committee staff conducted sixteen informal interviews of officials at three different agencies. As part of the same investigation, the Committee also sent interrogatories to a former government official and received a sworn written response in lieu of an interview. These interviews and interrogatories elicited crucial information that will be included in a Committee staff report that is expected to be released in early 2016.

The Committee's deposition authority has been a useful tool in securing agency compliance with the Committee's subpoenas and information requests. During the First Session of the 114th Congress the Committee sent four subpoenas duces tecum to four federal agencies. Three of these agencies ignored the Committee's subpoena until the Committee threatened to conduct transcribed interviews or depositions with agency officials responsible for delaying the production of the subpoenaed records, and the fourth will be sent a similar request for depositions or transcribed interviews in the near future.

Deposition authority continues to be critical to the Committee's oversight of an Administration that has been markedly indifferent to the Committee's subpoenas and voluntary information requests. The Committee also anticipates that it will be necessary to use its deposition authority in the near future as part of its oversight of independent federal agencies under its jurisdiction. The Committee will likely continue to face obstruction from this Administration concerning future information requests and, accordingly, will need to utilize its deposition authority to effectuate full and prompt compliance with respect to these future requests.

Lastly, the Committee's deposition authority should be modestly expanded to cover individuals who have recently left the federal government in order to prevent agency officials from sidestepping congressional investigations by resigning from their government positions. Under the Committee's current deposition authority, agency officials involved in wrongdoing or otherwise under investigation can effectively avoid the Committee's efforts to interview or depose them by resigning from their government posts. If key officials should leave their positions before being deposed or interviewed, those officials involved in possible wrongdoing in connection with their government employment could strategically avoid being held accountable by Congress and, as a result, several of the Committee's investigations may be significantly hampered by such departures.

Several federal employees previously under investigation by the Committee have already left government service and it is likely that other officials will follow suit, particularly because the Administration's last year will coincide with the Second Session of this Congress. Accordingly, expanding the Committee's deposition authority to include former agency officials provided that (1) such officials served in the federal government within two years of being served with

a deposition subpoena and (2) the purpose of the deposition relates to their government employment, would greatly strengthen the Committee's ability to conduct effective oversight of the Administration's last year, as it would allow the Committee to investigate and conduct effective oversight of officials who have recently left or might otherwise choose to leave their positions as the Administration winds down.

Should you need additional information, please have your staff contact the Committee's Chief Oversight Counsel, Uttam Dhillon. Thank you for your consideration.

Sincerely,

JEB HENSARLING,
Chairman.

—
COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

Hon. KEVIN BRADY,
Chair, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: As you know, your committee's authority to conduct staff depositions pursuant to section 3(b) of H. Res. 5 (114th Congress) expires at the end of the legislative session. I am currently considering whether to recommend to the Committee on Rules an extension of that authority for the remainder of the 114th Congress.

In order to ensure that the Rules Committee has all of the information necessary to fully consider whether to grant an extension of this authority, I would appreciate it if you could provide responses to the following items no later than 5 p.m. on December 8, 2015:

1. How many depositions has your committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during this legislative session?

2. Was having this authority helpful in obtaining voluntary interviews of one or more individuals in the course of your committee's oversight or in obtaining cooperation with document requests? How many times would you estimate that this authority resulted in voluntary interviews compliance with investigative requests that might not have been possible otherwise?

3. Please provide your rationale, including any relevant examples, for why the Rules Committee should extend this authority for your committee for the remainder of the Congress.

Thank you for your assistance in providing this information so the Committee on Rules can fully consider an extension of this authority. Should you or your staff have any questions, please feel free to contact either myself or the Rules Committee's staff director, Hugh Halpern.

Sincerely,

PETE SESSIONS.

—
COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 7, 2015.

Hon. PETE SESSIONS,
Chairman, House Committee on Rules,
Washington, DC.

DEAR CHAIRMAN SESSIONS: Thank you for your letter concerning the Committee on Ways and Means' authority to conduct staff depositions pursuant to section 3(b) of H. Res. 5. Staff deposition authority is a powerful tool that has been extremely effective in gaining access to information that the Administration has been reluctant to provide. Reauthorization of this authority is essential for the Committee to exercise its oversight responsibility and ensure that the Ad-

ministration is held accountable to the American people. Over the past year, this authority has been a valuable tool that has enhanced our oversight of the Administration and regulated entities.

The Committee has not yet needed to exercise compulsory process to depose individuals, as the deposition authority has been a successful means of encouraging voluntary compliance with the Committee's requests. It may become necessary in the near future to exercise staff deposition authority to obtain information from an Administration that is increasingly obstructing the Committee's oversight work. I appreciate your interest in how this authority has aided our oversight work, and I have provided answers to your questions below.

1. How many depositions has your committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during this legislative session?

Response: The Ways and Means Committee has not needed to compel depositions in 2015, largely because the threat of using this authority has been successful in urging voluntary cooperation with the Committee's oversight. However, the Committee is in the process of requesting interviews with eight Administration officials in the course of its investigation of the Administration's decision to pay Cost Sharing Reduction subsidies, despite the fact that Congress did not appropriate funds for that purpose. The Committee has notified the Administration that if these eight officials are not produced for interviews willingly, the Committee will use compulsory process. More information on this investigation is provided in response to Question 3.

2. Was having this authority helpful in obtaining voluntary interviews of one or more individuals in the course of your committee's oversight in obtaining cooperation with document requests? How many times would you estimate that this authority resulted in voluntary interviews compliance with investigative requests that might not have been possible otherwise?

Response: Staff deposition authority was effective in facilitating voluntary interviews in the course of the Committee's oversight work. We estimate that the Committee has gained access to two Administration officials in the course of two separate investigations into the Administration's funding of the Cost Sharing Reduction program and the IRS's obstruction of tax exempt applications by conservative organizations. In the course of the Committee's Cost Sharing Reduction investigation the Committee also sought and obtained document productions from nine insurance companies and a national insurance trade organization. Several of those companies were reluctant to produce documents, and oral reference to the Committee's authority to subpoena documents and depose the companies' employees encouraged voluntary compliance with our requests. More information about each of these successes is provided below.

3. Please provide your rationale, including any relevant examples, for why the Rules Committee should extend this authority for your committee for the remainder of the Congress.

Response: Staff deposition authority has been a key factor in several investigations conducted by the Oversight Subcommittee. Three examples illustrate this fact:

During the course of the Committee's investigation on the Internal Revenue Service (IRS) unfairly targeting conservative organizations applying for tax-exempt status, the

Administration was reluctant to cooperate with requests to produce certain witnesses for interviews. One such witness was Hannah Stott-Bumsted, who served as legal counsel to the U.S. Department of the Treasury. During the course of the investigation, staff discovered that the Administration knew that some of Lois Lerner's e-mails were missing months before the IRS informed the Committee. From our interviews, Committee staff knew that an IRS employee, Catherine Duval, likely told her friend, Stott-Bumsted, that the e-mails were missing and that Stott-Bumsted then informed others in the Administration. The Committee requested an interview with Stott-Bumsted to confirm this information, but the Treasury Department dragged out the request for months. When staff suggested that the Committee would depose Stott-Bumsted if Treasury would not produce her voluntarily for an interview, Treasury agreed to produce her.

The Ways and Means Committee, along with the Energy and Commerce Committee, is investigating the Administration's decision to fund several programs established by the President's health care law, including Cost Sharing Reduction subsidies and the Basic Health Program, through an appropriation reserved specifically for tax refunds. The Committees believe that the method the Administration has used to fund the Cost Sharing Reduction program and the Basic Health Program may violate the Anti-Deficiency Act and Article I, Sec. 9, Clause 7 of the U.S. Constitution establishing Congress's appropriation authority. The Treasury Department and the Department of Health and Human Services (HHS) have refused to produce documents in response to the Committees' inquiries. The Committees are in the process of requesting interviews of Treasury and HHS employees. The Committees already have interviewed a senior HHS official regarding the Basic Health Program, and staff believes it was unlikely that the Administration would have produced that official for an informal interview if the Committees did not have deposition authority. As the Administration continues to ignore Congress's requests for information, deposition authority will be a crucial tool in order to proceed with these investigations.

While investigating the Administration's funding of the Cost Sharing Reduction program, the Committee determined that insurance companies might possess relevant information. The Committee sought information and documents from nine insurance companies and the trade organization America's Health Insurance Plans. Although some companies complied willingly with the request, others were reluctant to search for or produce documents. During negotiations with those companies, the Committee was able to persuade those companies to produce documents by threatening to issue subpoenas and depose employees. Fearing the reputational and financial consequences of receiving a publicized subpoena or deposition notification, the companies complied with the Committee's requests.

Thank you for your attention to this important matter, and for giving the Committee the opportunity to highlight the value of deposition authority in its oversight work. If you have any additional questions about the Committee's use of staff deposition authority, please do not hesitate to contact Tegan Gelfand with the Ways and Means Committee staff.

Sincerely,

KEVIN BRADY,
Chairman, Committee on Ways and Means.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

Hon. LAMAR SMITH,
Chair, Committee on Science, Space, and Technology,
Washington, DC.

DEAR MR. CHAIRMAN: As you know, your committee's authority to conduct staff depositions pursuant to section 3(b) of H. Res. 5 (114th Congress) expires at the end of the legislative session. I am currently considering whether to recommend to the Committee on Rules an extension of that authority for the remainder of the 114th Congress.

In order to ensure that the Rules Committee has all of the information necessary to fully consider whether to grant an extension of this authority, I would appreciate it if you could provide responses to the following items no later than 5 p.m. on December 8, 2015:

1. How many depositions has your committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during this legislative session?

2. Was having this authority helpful in obtaining voluntary interviews of one or more individuals in the course of your committee's oversight or in obtaining cooperation with document requests? How many times would you estimate that this authority resulted in voluntary interviews compliance with investigative requests that might not have been possible otherwise?

3. Please provide your rationale, including any relevant examples, for why the Rules Committee should extend this authority for your committee for the remainder of the Congress.

Thank you for your assistance in providing this information so the Committee on Rules can fully consider an extension of this authority. Should you or your staff have any questions, please feel free to contact either myself or the Rules Committee's staff director, Hugh Halpern.

Sincerely,

PETE SESSIONS.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, December 8, 2015.

Hon. PETE SESSIONS,
Chairman, Committee on Rules,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SESSIONS: On December 3, 2015, I received your letter regarding the Committee on Science, Space, and Technology's authority to conduct staff depositions pursuant to section 3(b) of H. Res. 5 (114th Congress). As you indicated, the Committee's deposition authority expires at the end of this session. I appreciate the opportunity to highlight the many positive results the Committee has obtained utilizing its deposition authority. I believe the following responses to questions posed in your letter reaffirms that deposition authority is a necessary tool for conducting robust oversight of the executive branch and limiting the overreaches of the Administration in its final year.

1. How many depositions has your committee conducted pursuant to the authority granted by section 3(b) of H. Res. 5 (114th Congress) during this legislative session?

On September 17, 2015, the Committee conducted a deposition of National Weather Service (NWS) contract specialist Mark Miller, who facilitated an inappropriate contract that cost taxpayers nearly half a million dollars. In 2009, then-National Weather Service Deputy Chief Financial Officer Peter

Jiron prepared to retire from the NWS. Mr. Jiron's supervisor, then-Chief Financial Officer Robert Byrd, suggested Mr. Jiron return to the NWS post-retirement as a consultant. One month before officially retiring from the NWS, Mr. Jiron negotiated the terms of his consultancy, drafted and edited the associated Statement of Work, drafted terms and conditions of his contract with NWS as a consultant, and eventually signed the consulting agreement. The contract Mr. Jiron drafted for himself increased his salary and provided for housing at the expense of American taxpayers. This contract is a violation of federal laws and regulations because Mr. Jiron used his influential position at NWS to obtain the consulting position.

According to a report by the Department of Commerce Office of Inspector General, Mr. Miller had no concerns with Mr. Jiron becoming a consultant immediately after his retirement from the agency and had heard of other employees doing the same thing. Mr. Miller's statement raises questions about whether this type of contract misconduct occurs regularly. Indeed, the OIG found the "lack of understanding about applicable laws and regulations on the part of multiple NOAA officials" so concerning that the OIG is "taking steps to ascertain whether this matter is indicative of more systemic 'revolving door' contracting problems within the agency. Unfortunately, several former senior officials refused to speak to the Committee voluntarily. After the Department of Commerce failed to adequately respond to multiple letters from the Committee requesting information, the Committee determined the best course of action was to interview Mark Miller because of his role facilitating Mr. Jiron's contract.

Because Mr. Miller is not a senior official at NWS and there is no evidence indicating he intentionally committed wrongdoing, the Committee requested to speak with him in a private setting. Through his attorney, Mr. Miller refused to voluntarily speak with Committee staff. Consequently, the Committee issued a subpoena compelling Mr. Miller's testimony in a deposition. During the deposition, Mr. Miller invoked his 5th Amendment right. While Mr. Miller did not speak on the record, the deposition made it possible for the Committee to pursue immunity for Mr. Miller. Majority staff is currently in discussions with Minority staff about moving forward with immunity for Mr. Miller. This is significant because the Committee not only has the opportunity to learn what happened during the creation of Mr. Jiron's contract, but also gives the Committee an opportunity to determine whether it is a common occurrence for departing NWS officials to draft their own consulting contracts and whether legislation is necessary to remedy the issue. Given Mr. Miller's knowledge of the agency's contracting methods, he is in a unique position to provide information regarding whether such incidents are a systemic problem. The Committee is continuing to move forward with this issue in large part because of deposition authority, including the ability to recall Mr. Miller to continue his deposition.

2. Was having this authority helpful in obtaining voluntary interviews of one or more individuals in the course of your committee's oversight or in obtaining cooperation with document requests? How many times would you estimate that this authority resulted in voluntary interviews compliance with investigative requests that might not have been possible otherwise?

Yes, during this session there are numerous instances of the Committee obtaining

documents and voluntary interviews because of its deposition authority. In fact, as the following examples show, many key interviews and documents would likely not have been obtained without the Committee's ability to compel on-the-record interviews in a private setting.

NWS: CONTRACTING MISMANAGEMENT

Earth Resources Technology (ERT), the consulting firm who employed former National Weather Service (NWS) Deputy Chief Financial Officer Peter Jiron after he drafted his own post-retirement contract, was reluctant to speak with Committee staff. The company is a women-owned small business that apparently did not intentionally facilitate the inappropriate contract. Appearing at a public hearing would likely have been embarrassing for the company's CEO, Dr. Jingli Yang. As a result, after reviewing the Committee's rules regarding compulsory process for depositions, Dr. Yang's representative agreed to make her available voluntarily.

During the Committee's questioning of Dr. Yang, she acknowledged flaws in the contracting system that allowed Mr. Jiron's contract to move forward. For instance, there was not a safeguard in place to ensure that new ERT contractors were not current government employees. ERT relied on each new contractor to receive permission from ethics officials at individual agencies, but did not keep track internally. As a result of the Committee's questioning, ERT is implementing a plan to include additional steps in its contracting process when hiring new contractors, including paperwork to ensure contractors are not currently government employees. Additionally, ERT provided e-mails to the Committee regarding the facilitation of Mr. Jiron's consulting contract.

Furthermore, during the Committee's investigation of contracting misconduct at NWS, the agency initially refused to provide documents or make agency officials available to the Committee. After the Committee considered the use of compulsory process for agency officials to appear for interviews, the agency agreed to provide several key officials voluntarily, including Laura Furgione, the Deputy Assistant Administrator of NWS. Moreover, after the Committee requested to speak with additional NWS employees, the agency voluntarily began producing documents and information. Among the documents produced were e-mails between Mr. Jiron and Mr. Byrd, the former Chief Financial Officer at NWS, discussing Mr. Jiron's improper consulting contract.

NOAA: QUESTIONABLE CLIMATE STUDY

This past summer, National Oceanic and Atmospheric Administration (NOAA) released a study refuting the long-established findings that warming of the earth experienced a hiatus during much of that past two decades. This study has large implications because it changes historical temperature data to show increased warming and is therefore used to justify costly regulations and further action on climate change. Shortly after publication of the study, the Committee began investigating the circumstances surrounding its release, sending a letter to NOAA requesting documents and information related to the publication of the study. After NOAA's unwillingness to produce communications related to the study, the Committee issued a subpoena in October 2013. The Committee continues to investigate the publication of this study, especially in light of whistleblower allegations that divulged potential political interference

with the scientific process and that NOAA scientists were uncomfortable with the study's methodology and conclusions. While NOAA has still not produced all requested and subpoenaed communications, NOAA agreed to make the authors of the study available voluntarily for questioning by Committee staff.

Additionally, following the Committee's subpoena in October 2013 to NOAA for communications related to the study refuting a hiatus in the rise of earth's temperature, NOAA officials refused to comply with the subpoena. Shortly thereafter, the Committee informed NOAA of its need to interview agency officials who had a significant role in the agency's publication and release of the study. Following conversations with NOAA officials informing the agency of the Committee's ability to compel testimony, NOAA has agreed to arrange for the requested individuals to meet voluntarily with Committee staff.

NIST: MANUFACTURING ILLEGAL DRUGS

On July 18, 2015, National Institute of Standards (NIST) Police Officer Christopher Bartley caused an explosion on the NIST campus while attempting to manufacture the illegal drug methamphetamine. The Committee sent a letter requesting documents and information on July 22, 2015. NIST officials initially insisted that the matter was being managed by the Department of Commerce Officer of Inspector General and law enforcement officials. After considering the use of compulsory process to obtain interviews with agency staff regarding NIST's unresponsiveness, NIST agreed to voluntarily make Willie Mays, the Director of NIST, available to Committee staff.

During questioning by Committee staff, Director May acknowledged for the first time the existence of building records revealing the names of each individual NIST employee that entered the building where the explosion occurred. After obtaining the building records, Committee staff was able to track the movements of Mr. Bartley and who he interacted with leading up to the explosion. Despite telling Committee staff that four officers are on duty at all times at NIST, the building records reveal that only two officers were on duty during the explosion. The Committee continues to investigate misconduct and mismanagement at NIST Police Services.

EPA: PEBBLE MINE

During the course of the Committee's ongoing investigation into EPA's actions to limit the Pebble Mine in Bristol Bay, Alaska, the Committee learned information concerning an EPA regional administrator's involvement in spearheading the EPA's actions to stop construction of the mine. When the Committee spoke with EPA officials, explaining the Committee's need to interview the regional administrator and explaining the Committee's ability to compel testimony, the EPA responded that it would make the regional administrator available to the Committee voluntarily to answer questions from Committee staff and for testimony at a congressional hearing.

EPA: REGULATORY OVERREACH

During the Committee's ongoing oversight of the EPA's regulatory and policy agenda, the Committee sent letters on three separate matters in May of this year, requesting documents concerning the agency's coordination with outside environmental groups, proposed Waters of the United States rule, and the agency's efforts to solicit public comments on EPA regulations during the notice

and comment period for proposed rulemakings. In the face of the agency's continued slow rolling of its response to each of the three letters, Committee staff spoke with agency officials, explaining the Committee's authority to compel testimony from agency officials directly relevant to each of the three inquiries. Following the Committee's conversations with the EPA explaining its authority, the agency began producing documents responsive to the Committee's requests. Additionally, the EPA agreed to make an agency official directly relevant to the Committee's inquiries available voluntarily for a briefing.

In September 2015, the Committee wrote to the EPA concerning its plans to issue a proposed rule for ozone National Ambient Air Quality Standards and requesting interviews with two agency officials relevant to the Committee's inquiry. During follow-up conversations with the EPA concerning the Committee's request for interviews and following significant push back from the EPA to making the individuals available, Committee staff explained the Committee's authority to compel testimony. Following these discussions, the Committee expects that the EPA will voluntarily provide a briefing on the matter with individuals relevant to the Committee's inquiry.

3. Please provide your rationale, including any relevant examples, for why the Rules Committee should extend this authority for your committee for the remainder of the Congress.

As evidenced by the many examples discussed in this letter, the Committee's deposition authority has been a critical tool used to further the Committee's oversight. The Committee's authority to compel testimony has proven to be a key resource in obtaining compliance from Executive Branch departments and agencies with outstanding document and information requests, as well as with obtaining access to government officials essential to the Committee's inquiries for questioning by Committee staff.

As the Obama Administration comes to an end in the next year, the administration is working vigorously to finalize more expansive regulations than ever to fulfill its environmental agenda. Because of the administration's tireless efforts, it is even more imperative for the Committee to conduct robust oversight of the administration's environmental initiatives by exercising oversight of agencies directly within the Committee's jurisdictional authority, including NOAA, NIST, and the EPA.

Further, a recent article in the Washington Post outlining a few of the Committee's oversight initiatives this year acknowledged that the Committee has taken on an "aggressive role in oversight." The Committee's ability to compel testimony has proven to be a central component of the Committee's ability to advance its investigations, while also enhancing Congress' role as an institution to serve as a check on the administration's policies.

Thank you for the opportunity to share the Committee's experience utilizing deposition authority. If you have any questions, please do not hesitate to contact me or my staff about this matter.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia (Mr. WOODALL) for yielding me the customary 30 minutes.

Mr. Speaker, as we begin the second session of the 114th Congress, there is a long list of important issues that we could be talking about today.

We could be talking about ways to support job creation, to grow the economy, to improve gun safety, to strengthen national security, to pass an immigration reform bill, and many other important priorities.

Instead, we are talking about H.R. 3762, the latest attempt by House Republicans to defund Planned Parenthood and to repeal the Affordable Care Act.

As our economy continues to recover, we should be focused on expanding opportunity and helping more Americans get ahead. Instead, we are starting the new year by debating a bill that, if it ever became law, would put the health care of 22 million Americans in jeopardy and would further restrict women's access to vital healthcare services.

This is yet another blatant political move by Republicans to appeal to and to appease their right-wing base. Republican leaders have said it themselves. Senate Republican Whip JOHN CORNYN called this a "political exercise." He said, "I think we all recognize the President isn't likely to sign this bill so it's not going to become a law." Then, why on earth are we wasting the American people's time with this terrible bill?

This month we have heard that Speaker RYAN "will push to turn the House into a platform for ambitious Republican policy ideas." The 62nd vote to repeal or to undermine the Affordable Care Act. The 11th vote to attack women's health. Really? That is the platform for ambitious Republican policy ideas? I think the American people should sue Republicans for malpractice.

When Speaker RYAN took the gavel last fall, there was so much talk about a new chapter and fresh ideas. Instead, we are starting 2016 with more of the stale and politically motivated bills we have become accustomed to in this Republican-controlled Congress. We are constantly being told by Republicans that they have better ideas and that they have a better approach to health care. Really? Where is it?

I would remind my Republican friends that, in 2011, you passed a bill that actually tasked you to come up with an alternative to the Affordable Care Act. You came up with nothing. Just last year you passed another bill to come up with an alternative, and, once again, you came up with nothing.

Now here we are again with a bill that repeals the Affordable Care Act and that tasks the Republicans to come up with an alternative. I am curious. Where is your alternative? Maybe it is in your notes. Is it hidden in some secret room in the Capitol? Maybe Donald Trump has it. Perhaps we should alert the Capitol Police. Better

yet, maybe we could call the FBI to locate the Republican plan on health care.

I remind my friends that you are in charge. You run this place. You can bring whatever you want to this House floor. Maybe you should bring a bloodhound to the House floor to try to find your alternative healthcare plan.

Governing is something that my friends on the Republican side are not very good at. They are very good about saying no to everything, but they can't say yes to anything. The Republican plan on health care is, essentially, a sound bite. Their prescription is "take two tax breaks and call me in the morning."

Not only have the Republicans done nothing to expand health care for the American people—and, again, they are in charge—but they have actually consistently tried to undermine health access for millions of Americans, to take health care away from people in this country.

□ 1400

If the Republicans had it their way and actually repealed the Affordable Care Act, millions of young people under the age of 26 would be thrown off their parents' health plans, being a woman would once again be a pre-existing condition, and much more of the progress made by the ACA would be rolled back.

Mr. Speaker, contrary to what we often hear from Republicans, the Affordable Care Act is not killing the economy. I know facts get in the way of their arguments, but the fact is that America has seen a record 69 straight months of job growth and all signs point to this historic growth continuing.

In September 2012, when unemployment was at 8.1 percent, the Republican presidential nominee, Mitt Romney, claimed that the unemployment rate would stay at 8 percent if President Obama were reelected President. Well, President Obama was reelected President, and Mitt Romney was wrong. What actually happened? The unemployment rate has steadily dropped each year and is now at a 7-year low of 5 percent, with employers adding about 210,000 jobs a month through last November as more Americans get back to work.

One of the frequent Republican claims that we have heard is that businesses would shift to part-time workers to avoid the Affordable Care Act's requirement to provide healthcare coverage to full-time employees. A new study released this week shows that the ACA resulted in little change in the number of hours worked, including the first 6 months of 2015 when the employer mandate first took effect for larger companies.

As Politico noted, this study "pokes a major hole in a beloved conservative

talking point—that ObamaCare will force employers to cut employees' hours." The truth is that researchers found no major changes in the probability of people working fewer hours in 2013, 2014, or 2015.

We have also heard Republicans' claim that the ACA's expansion of Medicaid would decrease employment among low-income workers, but another study released this week showed no major changes in the way low-income workers fit into the labor market during the first 15 months of Medicaid expansion under ACA. Contrary to conservative talking points, the new coverage didn't push low-income adults to switch jobs, move from full-time to part-time work, or rush to find new jobs.

In fact, the expansion of Medicaid under the Affordable Care Act has made a tremendous difference in increasing access to health care for America's most vulnerable families. Since October of 2013, more than 12.3 million Americans have been able to get coverage thanks to the expansion of Medicaid. As a result of marketplace coverage and Medicaid expansion, hospital uncompensated care costs were reduced by an estimated \$7.4 billion in 2014, resulting in huge savings for consumers across this country.

That is the difference between us. Democrats believe health care is a right and my Republican friends believe it is a privilege.

To make matters worse, the bill before us today would also defund Planned Parenthood, which would put millions of low-income women—and men, I would add—at risk of losing access to critical health services. The fact is that one in five women has relied on a Planned Parenthood health center for care in her lifetime, and Planned Parenthood serves 2.7 million patients each year.

Additionally, Planned Parenthood clinics often serve as one of the few affordable care options available for many women and men. Cutting off access to the critical health services Planned Parenthood provides to some of our most vulnerable citizens is simply wrong. It is unconscionable. Sixty-three percent of voters, including 72 percent of independents, agree. This whole effort to defund Planned Parenthood fits the Republican pattern of targeting poor people, and, quite frankly, Mr. Speaker, it is outrageous.

While our Nation's community health centers do incredible work, the Republican claim that community health centers by themselves could suddenly pick up all the slack if Planned Parenthood is defunded is just not true, and my Republican friends know that. The idea that our community health centers could overnight suddenly step up and step in and cover millions of new patients is absurd. In fact, in 21 percent of the counties with

a Planned Parenthood health center, Planned Parenthood is the only safety net family planning provider.

Finally, let me just also voice my strong objection to the provision in this rule which extends for another year the unrestricted authority for four House committees to conduct staff depositions at any time, on any subject, for any reason. Some committees have barely used this authority in the past year, and, when they have, it has often been abused with the threat of subpoena held over people's heads.

The power to compel American citizens to provide testimony under oath should be rarely used and specifically authorized. Quite frankly, Mr. Speaker, I think the American people are tired of the partisan witch hunts that we have grown accustomed to under this Republican leadership in this House.

We are starting the new year, not by working in a bipartisan way to do the people's business. Unfortunately, we are starting the new year debating the same old same old bills that put politics ahead of people. Mr. Speaker, that is truly sad.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. RATCLIFFE).

Mr. RATCLIFFE. Mr. Speaker, ObamaCare is intrusive, it is expensive, and it is full of broken promises. Its biggest failure is the simple fact that it makes life more difficult for hardworking Americans. In my district, I have heard countless horror stories from parents, from seniors, from business owners, all of which underscore that there is simply nothing affordable about the perversely named Affordable Care Act.

There is the story of Morris from Rowlett, Texas, who is the sole breadwinner for his family. Now, the least expensive plan that Morris could find on healthcare.gov costs him \$854 per month, plus a \$12,700 deductible. ObamaCare is preventing Morris from investing in things that really matter, like his son's college education.

Take Heather from Pottsboro, who on a \$700-per-month income simply can't afford the \$287 per month that ObamaCare costs her. With health problems of her own, ObamaCare is preventing Heather from taking care of her 13-year-old daughter and a father with multiple sclerosis.

Then there is Bryan, a small-business owner in my district who has seen a 50 percent increase in his monthly healthcare payments and deductible under ObamaCare. On top of that, Bryan can't grow his business beyond 50 employees because he can't afford to comply with the employer mandate or face its penalties.

Mr. Speaker, these are just a few of the stories that demonstrate the very real problems that ObamaCare is creating for hardworking Americans and

why a better name for this law would be the Unaffordable Care Act. It is why I stand in support today of a reconciliation bill that will dismantle ObamaCare and defund Planned Parenthood for the next year.

I promised my constituents that I would do more than just vote to repeal ObamaCare, that I would help send a bill to the Oval Office that actually will get rid of this terrible law. Today, I am keeping that promise.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise in opposition to this rule and the reconciliation bill, just another budget measure being used as a vehicle to defund Planned Parenthood.

This is the 11th Republican attack on women's health in this Congress, including four prior votes to defund Planned Parenthood. While House Republicans have already passed 10 antiwomen health measures and are now voting on their 11th, they have not passed a single measure that helps women get the reproductive health care that they need.

So here we are—Happy New Year and with a new House Speaker—facing the same old story: Republican attacks on women's access to health care in the very first week. The news this morning reported Republicans are saying this bill will show the American people the difference between the political parties in this election year. For me, that is a shameful admission. The difference is clear: My Republican colleagues remain willing to play partisan politics at the expense of women's health care. The women of America are watching, and they don't like what they see.

Last fall, House Republicans threatened to shut down the government if must-pass omnibus legislation did not defund Planned Parenthood. Now, that effort was stopped, but only by promises to include a defunding provision in this budget reconciliation bill and by the creation of a select panel to investigate Planned Parenthood.

Never mind the fact that three House committees have already investigated Planned Parenthood following the release of selectively edited videos manufactured by an antiabortion group and that none of these committees found any evidence of wrongdoing.

Apparently, uninterested in the facts, Republicans have continued to make inflammatory and baseless claims. They also push forward on their new select investigative panel, meaning even more taxpayer dollars will be spent targeting the Nation's reproductive healthcare providers instead of improving America's access to critical healthcare services.

Having established this select panel, House Republicans have now refused to wait for the panel to hold even its first meeting before voting, once again, to

defund Planned Parenthood. In this atmosphere, it is hard to imagine that any investigation will be fair and objective. Members have already declared the organization guilty as charged, and there is no reason to believe that they will be more openminded with regard to others who provide safe and legal reproductive healthcare services in this Nation.

Facts matter. The truth matters. Despite our objection to the creation of the select panel, as its ranking member, I will work to ensure that the investigation is as fair and transparent and as objective as possible.

The SPEAKER pro tempore (Mr. POE of Texas). The time of the gentlewoman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Illinois.

Ms. SCHAKOWSKY. The relentless attacks on Planned Parenthood and other healthcare providers must stop and they will stop. Planned Parenthood serves almost 3 million American women, and there is no evidence of wrongdoing by Planned Parenthood to possibly justify the defunding of the Nation's leading provider of reproductive health care whose work helps to avoid thousands and thousands of abortions because they provide planned parenthood.

We should stop this latest effort to defund Planned Parenthood—and we will because this bill is going nowhere—and instead take affirmative steps to improve women's access to health care in this great Nation. Enough is enough.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX), the vice chairwoman of the Rules Committee.

Ms. FOXX. Mr. Speaker, this rule and the underlying motion to concur with the Senate amendment to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act, mark a significant achievement for Americans who value life and economic liberty.

After years of work and dozens of votes in the face of acerbic rhetoric hurled at us from across the aisle, this House will send to the President's desk legislation to remove the heavy hand of the Federal Government from Americans' health care and end the stream of taxpayer dollars that flows to an organization that brutally kills precious unborn lives.

When the so-called Affordable Care Act was passed in 2010, Republicans warned that the law would cause significant increases in the cost of health care and health insurance, reduce full-time jobs and work-hours available, and strain the safety net until it breaks.

The American people were sold a bill of goods that has proven to be only a list of empty promises. Most of us recall clearly these assurances: that we

could keep our insurance plans, that we could keep our doctors, and that our out-of-pocket costs would go down.

Mr. Speaker, the letters, emails, and telephone calls from my constituents tell me clearly that the Affordable Care Act has proven to be anything but affordable for North Carolinians, and the law has limited access to care and wasted billions of taxpayer dollars. It is time to undo this harmful law.

Also included in the Senate amendment is a provision first passed by this House to stop the flow of Federal mandatory funds to Planned Parenthood. While Planned Parenthood does not receive direct Federal funding for abortions, these actions are warranted, as a recent report from the Government Accountability Office shows that the organization receives an average of 500 million taxpayer dollars each year for other lines of business.

Money is fungible and the Federal funds that Planned Parenthood receives ultimately subsidize their abortion services. Fortunately, there are many more options for women's health care than the discredited abortion provider, Planned Parenthood.

While Planned Parenthood has only approximately 665 clinics, federally qualified health centers, FQHCs, and rural health centers, RHCs, have more than 13,000 publicly supported locations providing alternatives for women's health care. This means there are 20 federally funded comprehensive care clinics for every one Planned Parenthood. This bill does not change the availability of funds for women's health. It simply establishes a safeguard so that the Nation's largest abortion chain is not the one providing such services.

When Federal taxpayers have legitimate concerns that their hard-earned dollars are flowing to organizations that sanction the dismemberment of unborn children and that our system of law has loopholes allowing these atrocities to continue, we, as their elected representatives, are responsible for ensuring these concerns are heard and responded to.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. WOODALL. Mr. Speaker, I yield an additional 15 seconds to the gentlewoman from North Carolina.

Ms. FOXX. Mr. Speaker, our freedom rests on the cornerstone right we all have to life, and I fear we have lost sight of that.

I urge my colleagues to support the rule and the underlying motion to protect innocent lives and restore our liberty.

□ 1415

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, I thank my colleague and join in strong opposition to this rule that will bring forward

dangerous legislation that harms women, seniors, and families across America.

In our first week back in this session, it is appalling that the Republicans believe defunding Planned Parenthood, rolling back women's access to health screenings, or raising prescription drug prices for seniors is a top priority.

This latest attempt to defund Planned Parenthood and repeal the ACA is nothing short of an attack on women and low-income Americans. Seventy-five percent of Planned Parenthood patients are low-income and often have nowhere else to go. Eliminating funding will have devastating consequences on the health of young women and men, Latinas, and LGBT Americans.

This isn't just dangerous public policy. It is completely out of touch with the vast majority of Americans.

When I meet with my constituents across Phoenix, I hear families worried about affording college, students struggling to pay their tuition and the amount of debt they have, and hard-working Americans who can't afford the skyrocketing costs of prescription drugs. But I also hear relief: relief that came from the ACA, relief from young women who no longer have to pay for copays for birth control when they go to the pharmacy, relief that their annual exams no longer come with cost sharing, relief from seniors whose prescription drug costs are lower because we got rid of the Medicare doughnut hole, relief from parents that their child with chronic disease can't be denied insurance coverage—all thanks to the Affordable Care Act.

Women and all Americans deserve better than playing the same politics over their bodies and their health care. I urge my colleagues to defeat this dangerous rule and oppose the reconciliation package on behalf of millions of families who can't afford to lose care once again.

Mr. WOODALL. Mr. Speaker, it is my great pleasure to yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), a strong member of the Committee on Rules.

Mr. BYRNE. Mr. Speaker, I thank my Committee on Rules colleague for yielding, and I rise today in support of this rule and the underlying legislation.

This is a monumental vote. For the first time since Republicans took control of this House in 2011, we are in a position to send a bill to the President's desk that would dismantle ObamaCare and eliminate Federal funding for Planned Parenthood, who we know sold body parts from aborted babies. This piece of legislation is about listening to the American people and working to advance their concerns right here in the people's House.

ObamaCare is fundamentally broken. It is not making health care more af-

fordable. In fact, it is doing just the opposite. As The New York Times pointed out just the other day, many Americans find it cheaper to pay the tax penalty and remain uninsured instead of signing up for a healthcare plan they simply cannot afford. That is exactly the opposite of how this law was supposed to work.

My colleagues on the other side say that Republicans want to take away people's health care. Let me tell you what took away people's health care: this law did.

I hear stories every time I go to the grocery store or hold a townhall meeting from people who had a healthcare plan that they liked, a plan they could afford, a plan that worked for them. Now, the President said over and over again, "If you like your healthcare plan, you can keep it." That was not true.

The people of the United States suffer today because they lost their healthcare plans or they simply can't afford the cost and the new healthcare plan that has been forced on them. If you want to talk about taking away people's health care from someone, that is what this law did. That is what the President of the United States did and what he continues to do with this law.

We need to move past this government-mandated healthcare plan and instead empower the American people and their doctors. The people don't want the Federal Government to tell them what type of health insurance they need or what doctors they should see. That is simply not the role of the Federal Government. We should get rid of this awful law and, instead, move forward with healthcare reform that puts the interests of the patient first, not the interests of the Federal Government.

Let's pass this bill and send it to the President's desk, and then he gets to make a choice. He can stand with the American people or he can stand against the American people. If he chooses to veto this bill, then the American people will have seen a clear choice between two different Americas: an America where the government knows best or an America where the people, the hardworking people who have made our country great, where the people are empowered.

Let's make the President decide. Let's hold him accountable. Let's do the work of our constituents, and let's pass this bill on behalf of every American who lost their healthcare plan or saw their healthcare costs increase. Let's do this for them.

Mr. MCGOVERN. Mr. Speaker, the gentleman from Alabama says this is a monumental vote. Let me get this straight. A bill that is going to the White House that will get the fastest veto that we have ever seen ever happen in this country is somehow a mon-

umental vote? I would suggest to my Republican colleagues, if they think this is a monumental vote, they have low standards.

This is a political sound bite. This is a waste of taxpayer money. This is just a waste of everybody's time. We ought to be talking about how to strengthen this economy, about how to get more people health care, not these political sound bites that really waste precious resources here in the Congress and, by the way, cost taxpayers money. All this wasted debate here, all this wasted time is costing taxpayers money.

Let's find ways to make the Affordable Care Act even better. Let's find ways to make sure that 100 percent of the people in this country have the health care that they need, not be debating a sound bite, by the way, that, if it ever passed, would throw 22 million people off of health care. How can you go back to your districts and be proud of that?

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I thank the gentleman from Massachusetts for the time.

Here we go again. Congress reconvenes and the majority is starting out the new year doing the same old thing. We come back from the holidays, a time for family, for reflection, and we begin this new year with a vote to cripple the health care of our families. The vote today would defund Planned Parenthood, and it would repeal essential pieces of the Affordable Care Act.

Mr. Speaker, I really don't know how else to put this except to say that the Affordable Care Act works. It actually works for the people that I represent, for Californians, and for Americans, especially those who never had health care before.

Not only has this law been affirmed constitutionally by our Supreme Court, it has survived countless votes to dismantle it in this Chamber and the other. But thanks to the Affordable Care Act, the folks in my district have seen massive improvement in their community. From 2012 to 2014, more than 60,000 people at home in my area now have health insurance, and they never had it before.

This is just about partisan politics today. You are right, Mr. MCGOVERN, it is just about partisan politics. Instead of focusing on the issues that are important to our families—immigration reform, addressing climate change, creating jobs—no, here we go back again.

Mr. Speaker, let's cut the partisan politics. Let's do what families need. Let's vote against this.

Mr. WOODALL. Mr. Speaker, it is my great pleasure to yield 2 minutes to a new Member from the great State of Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise in support of the rule

and the underlying bill, and I commend the months of hard work from my colleagues to put together this historic piece of legislation. I likewise thank the gentleman for yielding.

Mr. Speaker, the other side of the aisle acts as though words are meaningless. The truth is the President promised the American people that, if they liked their insurance, they could keep it. He promised. He promised also that this would be more affordable health care.

The reality, Mr. Speaker, is none of those promises were true. In fact, now we have millions of Americans who have lost their insurance because of this bill. We have millions of Americans now who are in a situation having to decide between drastically increasing health insurance costs that they have to pay or facing penalties and consequences for not participating.

Mr. Speaker, the President also promised that this healthcare law, ObamaCare, would boost the economy. In fact, it has discouraged businesses from hiring more than 50 people and from having more than 30 hours a week for their workers to work.

The President also told the American people that ObamaCare would not increase the deficit. As has already been mentioned here today, that is absolutely wrong. The CBO has clearly identified how the cost is going to increase tremendously.

This reconciliation package remedies the harm and the devastation of the broken promises of this President. It repeals the very foundation of ObamaCare and places a 1-year moratorium on funding Planned Parenthood.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, this is Alice in Wonderland. First the verdict, then the trial. The Republicans have declared the verdict against Planned Parenthood before ever holding the trial. With no shred of evidence aside from a series of blatantly manipulated videos, without a single House committee finding any wrongdoing, without the select committee ostensibly set up to look at Planned Parenthood holding a single meeting, they have decided in this bill to cut off all Federal funding, including Medicaid reimbursement, for one organization.

The legislation we are voting on today targets one organization and cuts it off from all Federal funding, including reimbursement for Medicaid services provided, for no justifiable legislative reason beyond punishment for offering a constitutionally protected medical procedure.

This smacks of a clearly unconstitutional bill of attainder. The prohibition on bills of attainder exists to prevent

just this kind of targeted attack on a single group. You cannot use legislation to punish a single organization without any evidence or fair legislative process simply because you don't like it.

While the legislation never mentions the words "Planned Parenthood," we have heard and will hear here today Planned Parenthood's name over and over again from my colleagues on the other side of the aisle during this debate. No one can say this bill is not aimed directly at one organization.

Of course, if the Republicans in Congress had any evidence that Planned Parenthood broke the law, they would have taken it to the Attorney General or the FBI, but they didn't. If they had any faith in the extremists who made these accusations against Planned Parenthood, they would have brought them before Congress to testify, but they didn't. The truth is this attack on Planned Parenthood is knowingly based on a whole series of lies.

The longer the Republicans keep up this pretense in order to stoke the flames with their inflammatory rhetoric, the longer they put patients and providers at risk of unstable people committing murder, as we have seen at abortion clinics. Bulletproof glass and safe rooms should not be necessary for women to access basic health care like cancer screenings or contraception, but if this farcical attack on Planned Parenthood doesn't stop, that would be the norm for women around the country. You want a breast exam, you want contraception, you put your life at risk.

Do not be fooled by claims that this funding will go to other healthcare providers and Planned Parenthood's patients will follow it. It is simply not true. More than half of Planned Parenthood's patients rely on Medicaid. Most States do not have enough providers, particularly specialists like OB/GYNs, taking Medicaid patients to absorb Planned Parenthood's patients.

By voting to defund Planned Parenthood today, you are leaving 2.7 million women, men, and families with no access to health care. Enough is enough. It is time for my Republican colleagues to accept what they know is true. Planned Parenthood has done nothing more than provide compassionate, comprehensive care for millions of Americans in a safe, legal manner.

Stop the rhetoric. Stop the lies. Don't deprive people of abortion services, of healthcare services, of contraception services, of breast exams. Vote "no" on this rule, vote "no" on the underlying bill, and don't violate the Constitution with a bill of attainder.

□ 1430

Mr. WOODALL. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I rise today to urge my colleagues to support this rule and final passage of H.R. 3762.

Since I was first sworn in to the House, my top priority has been to repeal this disastrous healthcare law we call ObamaCare. Finally, today we have an opportunity to send to the President's desk legislation that repeals ObamaCare.

Today we are going to end the individual mandate, stop the employer mandate, and repeal dozens of taxes and provisions that prevent people from actually getting affordable health coverage. I have always said we should incentivize health savings accounts, not tax them, and this bill repeals the tax on HSAs.

It is obvious that ObamaCare has done nothing to reduce healthcare costs. I hear from many of the local business owners and constituents in my district every day about their struggle to comply with the law, let alone provide health coverage for their employees and their families.

Manufacturers, construction companies, and retail store owners are facing dramatic increases to their administrative and healthcare costs. This leaves them in the dangerous position of ObamaCare driving them out of business by making those decisions.

Since signing it into law, the President has delayed or repealed parts of ObamaCare for political reasons. This was a bad law to begin with because it is fundamentally unworkable and unaffordable. It is time to repeal it once and for all.

I urge my colleagues to support this rule and support the passage of this bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would just say that this debate is astonishing to me. What is so controversial on the Republican side is that millions and millions more Americans have health care. I heard someone over there say that fewer people have health care. They can't produce any validators to support that statement. CBO and a whole bunch of other validators have actually said more people have health care.

If they get their way, 22 million people will lose their health care. That is what this is about. This is about whether or not people in this country deserve health care or whether or not they don't, whether or not you think health care is a right or whether, as my Republican friends say, it is a privilege. We think it is a right.

I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, I thank the gentleman from Massachusetts for his leadership, and I thank him for yielding.

Well, Mr. Speaker, here we go again and again and again. Once more, politicians are invading the bedrooms of the American women.

I stand with Planned Parenthood. We will not go back.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of the Senate amendment to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. This bill guts ObamaCare, eliminating many of the penalties and programs that have been implemented over the last several years by this administration.

Americans have been saddled with the burden of a healthcare insurance system that restricts what doctor they can see, what services they can receive, and has even limited them to who they can have as their pharmacist.

If the President signs this bill into law, we can return the power of our healthcare system back to the American people. Americans should be in charge of their healthcare system, not Washington, D.C.

With this bill, Congress will eliminate the individual mandate, the employer mandate, and repeal all future appropriated funds to the Prevention and Public Health Fund that has supported the failing ObamaCare law for the last several years.

It repeals the medical device tax, the excise tax on high-cost health insurance plans, and the \$2,500 limit on flexible spending accounts. It also repeals ObamaCare's Medicaid expansion eligibility pathway, which has left many States suffering with budget problems, and it restricts Federal funding to Planned Parenthood and its affiliated clinics for a period of 1 year, with appropriate funds being redirected to Community Health Centers to better serve women and their health.

This bill returns to the American people a system that is driven by the market, not by artificial formulas and percentages created by Washington bureaucrats.

As a pharmacist and former owner of three independent pharmacies, I can assure you the only way to lower costs and create an opportunity for everyone to participate is by allowing the free market to work as it was meant to.

I urge my colleagues to support this rule and this bill so that we can eliminate this burdensome healthcare plan and bring greater opportunities for Americans to receive affordable health care.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, House Republicans have unveiled their new ideas for moving America forward, which include trying to repeal or undermine for the 62nd time the Affordable Care Act and for the 11th time attacking women's health care, both of which are guaranteed to be vetoed by President Obama.

So one definition of insanity is doing the same thing over and over again, ex-

pecting a different result. There will be no different result today.

The Affordable Care Act will remain the law of the land, and Planned Parenthood will not be defunded. The Republicans know this. Because if the Affordable Care Act were actually to be repealed, over 22 million Americans would lose their health coverage, including 3.5 million Californians, and the Republicans have no plan for how they will fix this immediate healthcare crisis. In addition, millions more will lose healthcare access if Planned Parenthood were to be defunded.

If you want to look at hyperpartisan bills that waste time, squander taxpayer resources, and are going nowhere, look at the GOP agenda. If you want ideas that will move America forward, such as investing in education, reducing carbon pollution, and creating jobs, look at the Democratic agenda. At least we are not insane.

Mr. WOODALL. Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. I thank my friend from Georgia for yielding.

For months now, Americans have—in horror—watched gruesome undercover videos detailing Planned Parenthood's barbaric practice of harvesting little baby body parts for profit. In one heartbreaking story, a whistleblower described how Planned Parenthood carved up the face of a baby boy whose heart was still beating and then harvested his intact brain.

As a father of four beautiful children by adoption, I listened to this gut-wrenching recollection only to think about millions of destroyed lives that won't be given the chance at life my kids received.

It is time to stop funneling millions of taxpayer funds to this abortion giant that prides itself in snuffing out the lives of innocent babies and then profiting off their little victims.

I urge my colleagues to join me in support of H.R. 3762.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would just respond to the gentleman that the overwhelming majority of the American people actually support Planned Parenthood. That is in spite of all the attacks and all the accusations that have no basis and that have been hurled at them by my Republican friends.

I just want to remind my colleagues that Planned Parenthood provides a number of services to patients, such as family planning counseling and contraception. They provide pregnancy tests and Pap tests. They provide lifesaving breast exams.

This is an organization that provides for the health and well-being of millions of people in this country, mostly poor women. Maybe that makes it easier for my friends on the other side to attack this program and this organiza-

tion—because they primarily provide help to poor women—but that is what Planned Parenthood is about.

And so this is an important organization, a good organization. That is why a majority of Americans support it. My friends are on the wrong side of public opinion on this.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. I thank the gentleman from Georgia for yielding.

Mr. Speaker, taxpayer money should not be used for abortions, period. Taxpayer money should not be used to support abortion providers, period.

As Americans, we are proud to support life, liberty, and the pursuit of happiness. Yet, in the last fiscal year, \$554 million of taxpayer money went to support Planned Parenthood. In the same year, it was responsible for the death of 323,999 innocent babies, even dismembering and selling baby parts. These lost children are a deep scar on our Nation.

My colleagues on the other side of the aisle have countered that Planned Parenthood does more than provide abortions. Well, let's take a look at the facts. According to Planned Parenthood's own 2014–2015 annual report, cancer screenings are down 27 percent, family planning and contraceptive services are down 18 percent, and STD prevention and treatments are down 6 percent. Planned Parenthood's services declined in the same year that they received a nearly 5 percent increase in Federal funding.

Mr. Speaker, we are accountable for American taxpayer dollars. H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act, defunds Planned Parenthood and shifts those same taxpayer dollars to the much larger network of community health clinics that do not provide abortions. This legislation will increase access to healthcare services for women while upholding and strengthening the value of life.

H.R. 3762 also defunds the unmitigated disaster known as ObamaCare. President Obama said you can keep your health plan. Well, we found out millions can't. President Obama called this affordable. Well, it's not. Premiums have gone up.

Americans deserve the freedom to choose the health plan that is right for them, not the one selected by President Obama.

Please join me in supporting H.R. 3762 to protect taxpayer dollars from being spent on abortions while increasing access to healthcare services for women, as we also defund ObamaCare and its legislation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I just have to correct the record. The gentleman said that taxpayer money

should not be spent on abortions. It can't be. That is the law. I don't know what he is talking about.

I also should point out to the gentleman that more than 90 percent of what Planned Parenthood does is preventative care.

So I get it. It is the political rhetoric that people get carried away with. But let's at least try to stick to facts at least a little bit. Let's also understand—so my colleague has no confusion here—that the law here is that no taxpayer money can be spent for abortions. So let's clear that up.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise, obviously, to support the rule, but I also rise in strong support of the Restoring Americans' Healthcare Freedom Reconciliation Act, a crucial piece of legislation with bicameral support.

This bill continues our efforts to protect patients, families, taxpayers, and communities across the Nation. It will lift the burdens of the President's healthcare law and give back the power over healthcare decisions to individual patients and families.

This bill gives us the opportunity to take crucial steps toward a more patient-centered healthcare system. It gives us the opportunity to reduce our Nation's deficit by repealing the majority of the burdensome healthcare taxes and ending harsh penalties.

This legislation also gives us the opportunity to save lives. In light of Planned Parenthood's unethical and potentially illegal activity, I firmly believe our taxpayers should not be forced to pay for such organizations. We must protect the rights of taxpayers and, more importantly, the rights of the unborn.

□ 1445

As I have said before, I remain dedicated to giving a voice to our most fragile Americans who cannot speak for themselves. I am proud this legislation helps us protect those who need protection most.

I urge my colleagues to support this good bill.

Mr. MCGOVERN. Mr. Speaker, let's be clear. Other than a verbal assault against Planned Parenthood and a verbal assault against the Affordable Care Act, this bill will do nothing. It is going to be vetoed really quickly. Maybe it is red meat for the political base, but if that satisfies your political base, great. I would say they are a cheap date if this is what it takes to satisfy them.

But we ought to be dealing with some serious issues here, and I am going to urge my colleagues to defeat the previous question. If we do, I will offer an amendment to the rule to bring up bi-

partisan legislation that would close a glaring loophole in our gun laws allowing suspected terrorists to legally buy firearms.

The bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list. I don't know why that is so controversial, but some of my friends find that to be a controversial issue.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I rise in support of this measure for many different reasons, but let me just touch on three.

One, Gordon Sullivan was former Chief of Staff of the United States Army, and he once observed that hope was not a method.

Irregardless of the good intentions behind the Affordable Care Act, I think that, from an actuarial standpoint, if you really look at it, you would have to say that hope was, indeed, part of the method.

I say that because if you look at the number of young people that were anticipated to sign up, already 7.5 million folks have said: No, I am not signing up. I would rather take the penalty than sign up. And what that creates is a big liability for the taxpayer.

Two, I would make the point that there have been real implications for the small-business person. We have a company back home in Charleston by the name of East Bay Deli. The owner came to me just a number of weeks ago and said: Look, I was going to open up a couple of more shops but, given the cost that I have seen with the Affordable Care Act for my small business, I am not going to do that. Ninety employees that won't have jobs as a consequence.

Finally, our healthcare system has been predicated on a doctor-patient relationship. That Hippocratic Oath, that direct tie between doctor and patient, is part and parcel to the whole system. Yet the Affordable Care Act, again, in the whole, begins to undermine that.

So for many different reasons, those three among them, I rise in support of this measure.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I am almost embarrassed to get up here and discuss this legislation and believe that its sponsors really think that it is

going to become law. That is what the reputation of the Congress is supposed to be all about.

But even when it is such an important decision, we like to talk about things that we are doing as a matter of life and death, but we don't really mean it. It is just a political expression.

But when you are talking about health care and realize that this is the only industrialized country left that has not seen fit to believe that health care is a matter of right, it goes beyond politics when we pass a bill so that people throughout the United States will be able to enjoy health care, that we don't find one Member of the opposition party joining in that legislation.

It is beyond belief that people can complain that not enough young people are signing up, or that employers are skeptical, or that there are people who lack confidence in this bill, when the majority party in this Congress has condemned this bill with such utter contempt that, for over 50 times, they would come and attempt to repeal it, and then expect that everybody should have confidence in it.

Why are we doing this? How can any party dislike, hate, or disagree with the President so much that they would spend millions of dollars of the taxpayers' money to attack a national healthcare-providing bill and not have the least idea as to whether or not, first of all, they know it is not going to become law, but not enough common sense and decency to provide an alternative.

We all know that 7 years ago, when President Obama was first elected, that the leaders of the Republican Party said that their first job would be to get rid of President Obama.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 20 seconds.

Mr. RANGEL. I thank the gentleman.

I close by saying, everybody here knows this will never become law. It is a political statement. As a politician, there is nothing wrong with political statements. But to have one that is so wrapped up with hypocrisy and hatred is very awkward for us to continue in this body and believe that anything we attempt to do to send to the President would have anyone believing that we are doing it because it is the right thing to do.

Mr. WOODALL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of the rule for the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

This important legislation would repeal the employer and individual mandates, the ObamaCare slush fund, and

the numerous harmful taxes on everything from medical devices to health insurers to the insurance plans themselves.

Mr. Speaker, ObamaCare is an unpopular, failed law. Polls have shown it, elections have demonstrated it, and rising premiums have proven it.

I wasn't in this body when this law passed. I was watching in horror with the rest of the American people as the legislative process was railroaded to push it through.

But let's consider the contrast today to what we have before us, a bill that both the House and the Senate came together to guide through the normal legislative process.

Let's start 2016 the right way and make President Obama own this law in a way that he has not had to do yet. Let's continue to work here in Congress toward a commonsense plan to replace this damaging law.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, a picture is always worth a thousand words, and this is a picture of words. It is very clear that the Affordable Care Act has been a lifesaver for many Americans. And this budget reconciliation act is obviously misdirected, wrong directed, and the 62nd time this body has tried to gut ObamaCare.

Thank you, Mr. President, for vetoing it, no matter whether it came from the Senate or the House.

We worked, without ceasing, to get a bill that would cover millions of Americans. It was a deliberative process, and everyone had a right to vote.

The Republicans refused to vote for good health care, and here we are, 13 million Americans benefitted from \$1.1 billion in rebates for health insurance; 105 million Americans, including 71 million Americans in private plans and 34 million in Medicare.

Last August, millions of women began receiving free coverage for comprehensive women's care; 17 million children with preexisting conditions have insurance; 6.6 million young people have insurance; 6.3 million seniors.

And, of course, they want to attack Planned Parenthood, which provides vulnerable women with health care.

I don't know what they view the budget reconciliation act, but I call it the Anti-New Year's Celebration. Now that we have a new year, we have this horrible bill. Vote against it, and vote for a thousand words right here.

Mr. Speaker, I rise in opposition to the rule for H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

I oppose the rule for H.R. 2762 for three reasons: 1. The rule only allows one hour of debate equally divided between the supporters and opponents of the rule; 2. This is not an open rule that would allow for amendments that could have been offered improve the bill;

and 3. The President has communicated to the House that he will veto this bill if it is not amended.

The House needs more time to debate this bill because it could mean a return to the days when nearly 20% of Americans had seriously deficient healthcare coverage or none at all.

Unfortunately this rule for the underlying bill is the latest GOP attempt to end the Affordable Care Act guarantee of access to health insurance for millions of Americans and not an attempt to improve the lives of working men and women or their families.

The nonpartisan Congressional Budget Office estimates that H.R. 3762, would result in 22 million Americans losing their health coverage after 2017.

The impact of the bill should it become law is significant and should have more than an hour of debate prior to a vote.

The worse thing about this bill is that the authors are well aware of the public reaction should it become law, and this is why it would not go into effect during 2016, but 2017 after the general election and would remove health coverage for those who are the most vulnerable such as those who have coverage under the Medicaid expansion.

I also object that this is a closed rule that does not allow amendments that could provide support for bipartisan efforts to improve the bill.

Instead of attempting to repeal and undermine this law, we should use our time to work together to make improvements where necessary such as ending the so called "Cadillac Tax" and making sure that health insurance is focused on providing the care prescribed by doctors and not health insurance plans.

Finally, I oppose the rule and the underlying bill because the Administration has made it clear that this bill will be vetoed if presented for signature by the President.

The House has important work it should be doing such as voting on legislation to create new infrastructure to support the 21st century need for universal high-speed broadband access and; closing the gap in STEM employment opportunities and skills that has over 1 million positions that are going unfilled; and strengthening gun safety by increasing the number of agents at the ATF to ensure that all gun dealers are following the law; and promoting greater access to mental health services.

Instead we continue to waste time on fighting the Affordable Care Law in ways that would hurt Americans who need affordable, assessable and available healthcare we could be engaged in productive legislative work.

Mr. Speaker, I ask that my colleagues reject this bad rule and the flawed underlying legislation.

Mr. WOODALL. Mr. Speaker, I would inquire of my friend from Massachusetts if he has any further speakers remaining.

Mr. MCGOVERN. Right now, just me.

Mr. WOODALL. I am going to ask the good doctor to close us today. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I have great affection for my friends on the other side of the

aisle, but I don't understand their obsession with trying to repeal the Affordable Care Act or their obsession with trying to defund Planned Parenthood. I mean, if they get their way on the Affordable Care Act, they would throw 22 million people out of their health insurance plans; 22 million people would lose their coverage.

Young people who are 26 years old and under would lose their healthcare benefits. Right now they can stay on their family's healthcare plans up to 26. They would lose that.

It used to be that if you are a woman it would be considered a preexisting condition and your insurance rates would be higher. The Affordable Care Act prevents that.

The doughnut hole in the prescription drug plan, the cost to senior citizens, is closing. Ultimately, we will eliminate that doughnut hole because of the Affordable Care Act. That is all good.

Medicare's solvency has been expanded because of this. Millions more people have health insurance as a result. That is a good thing. But they want to take it away.

On Planned Parenthood, I mean, most of what they do is provide preventative care to women. They want to take that away. It is cruel. It is a cruel thing to do.

I can't believe that there isn't bipartisan consensus in this place that health care is something that people need and we ought to make sure they have access to it.

My friends have been in charge of this Congress for a long time. They can't even offer an alternative. They can tell us what they are against, but they can't tell us what they are for. They have done nothing to help expand the ability of people to get health insurance in this country. All they do is come to the floor and talk about repealing bills that will make it more difficult for people.

I can't understand how you get up every morning and go to work and that is your mission, to make it more difficult for people in this country, to throw 22 million people off the health insurance rolls, to make it more difficult for vulnerable women to get preventative care at Planned Parenthood.

That is the mission. That is how we are beginning this new year. And it really is sad, and it is really disheartening, I think, for a lot of us who came here to try to make a difference in people's lives, to try to help improve the quality of life for people.

I urge my colleagues to vote "no" on this terrible, terrible bill.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentleman from Lewisville, Texas (Mr. BURGESS), a good doctor who doesn't just talk about health care, but who does get up every morning to provide that health care to Americans.

Mr. BURGESS. I thank the gentleman for yielding.

Mr. Speaker, since this bill passed the House in March of 2010, probably half of the Congress has changed. So for the benefit of people who were not here in March of 2010, who did not see this debate in its full-throated entirety in 2010, I want to just revisit a couple of the salient pieces that led up to the passage of the Patient Protection and Affordable Care Act.

People may ask themselves, why doesn't this law enjoy more popularity? In fact, the night it was passed, as reported on CNN, the American people were opposed to the passage of this law by about 52 percent. That number is essentially unchanged almost 6 years later.

And what was the promise of the Affordable Care Act? Well, let me remind people. And don't take my word for it. This is in the inestimable words of Jonathan Gruber, an economics professor from MIT who published a graphic novel about the Affordable Care Act.

Yay. Hooray. Everyone will be able to afford insurance. You won't have to worry about going broke if you get sick. We will start to bring the cost of health care under control, and we will do this all while reducing the Federal deficit.

Why wasn't it more popular when it was passed?

Well, Mr. Speaker, here we are, about 2 weeks after Christmas Eve, and it was Christmas Eve of 2009 when this bill passed the Senate.

And I would remind people in this body, it was not a House bill that passed the Senate. Well, I take that back. It was a House bill. It was H.R. 3590. That was a bill dealing with veterans' housing that had passed this House July of 2009 and had nothing to do with health care.

But because this bill, this law, was a massive piece of tax policy, it had to originate in the House. Except it didn't, but the bill number originated in the House.

So the bill that was passed by the Senate on Christmas Eve in 2009, with a big snowstorm bearing down on Washington, D.C., every Senator wanting to get out of town and get home to their district, the bill that was passed read as follows: "Strike all after the enacting clause and insert—"

That means it took out all the housing language and put in all the healthcare language and, more importantly, all of the tax policy.

□ 1500

That bill passed the Senate with 60 votes. Of course at that time, Democrats held a 60-vote majority in the Senate, and it allegedly was to come back to a conference committee with the House except that the Senate lost a Democratic Senator in that timeframe. HARRY REID told the then-Speaker of the House, NANCY PELOSI, that he no

longer had 60 votes and there was simply nothing more he could do. It was up to the Speaker of the House to pass the Senate bill with no changes because he could not bring it back before the Senate because he no longer had 60 votes.

So the next 3 months, literally, were consumed with arm-twisting, knee-capping, and trying to convince people to vote for something that was against their fundamental best interest. So is it a surprise that it did not enjoy popular support on the day it was passed and it has not achieved popular support even with all the giveaways and even with all the Federal money pumped into it since that time?

The reason, Mr. Speaker, is very simple. At the heart of this—at the heart of this—is a very coercive—really, it is unique in Federal policy. The Federal Government tells you what you have to do. You have to buy a healthcare policy. Then they seek to regulate it under the Commerce Clause.

It was the most convoluted logic anyone had ever seen. But it was coercive, and that coerciveness led to the corrosiveness that has underlain the Affordable Care Act ever since.

No wonder people look at this. It was conceived—it was conceived—in a falsehood and then delivered to the American people under a false promise. Indeed, it has harmed—as we have heard over and over again from people that it has harmed—individuals in individual districts across this country.

Mr. Speaker, I stand today in support of the rule and in support of the reconciliation bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 579 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

Strike all after the resolved clause and insert:

That immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the

House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools

for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 579 will be followed by 5-minute votes on adoption of House Resolution 579, if ordered; ordering the previous question on House Resolution 580; and adoption of House Resolution 580, if ordered.

The vote was taken by electronic device, and there were—yeas 239, nays 175, not voting 19, as follows:

[Roll No. 2]

YEAS—239

Abraham	Duncan (SC)	Joyce
Aderholt	Duncan (TN)	Katko
Allen	Ellmers (NC)	Kelly (MS)
Amash	Emmer (MN)	Kelly (PA)
Amodei	Farenthold	King (NY)
Babin	Fincher	Kinzing (IL)
Barletta	Fitzpatrick	Kline
Barr	Fleischmann	Knight
Barton	Fleming	Labrador
Benishkek	Flores	LaHood
Bilirakis	Forbes	LaMalfa
Bishop (MI)	Fortenberry	Lamborn
Bishop (UT)	Fox	Lance
Black	Franks (AZ)	Latta
Blackburn	Frelinghuysen	LoBiondo
Blum	Garrett	Long
Bost	Gibbs	Loudermilk
Boustany	Gibson	Love
Brady (TX)	Gohmert	Lucas
Brat	Goodlatte	Luetkemeyer
Bridenstine	Gosar	Lummis
Brooks (AL)	Gowdy	MacArthur
Brooks (IN)	Granger	Marchant
Buchanan	Graves (GA)	Marino
Buck	Graves (LA)	Massie
Bucshon	Graves (MO)	McCarthy
Burgess	Griffith	McCaul
Calvert	Grothman	McClintock
Carter (GA)	Guinta	McHenry
Carter (TX)	Guthrie	McKinley
Chabot	Hanna	McMorris
Chaffetz	Hardy	Rodgers
Clawson (FL)	Harper	McSally
Coffman	Harris	Meadows
Cole	Hartzler	Meehan
Collins (GA)	Heck (NV)	Messer
Collins (NY)	Hensarling	Mica
Comstock	Herrera Beutler	Miller (FL)
Conaway	Hice, Jody B.	Moolenaar
Cook	Hill	Mooney (WV)
Costello (PA)	Holding	Mullin
Cramer	Hudson	Mulvaney
Crawford	Huelskamp	Murphy (PA)
Crenshaw	Huizenga (MI)	Neugebauer
Culberson	Hultgren	Newhouse
Curbelo (FL)	Hunter	Noem
Davis, Rodney	Hurd (TX)	Nunes
Denham	Hurt (VA)	Olson
Dent	Jenkins (KS)	Palazzo
DeSantis	Jenkins (WV)	Palmer
DesJarlais	Johnson (OH)	Paulsen
Diaz-Balart	Johnson, Sam	Pearce
Dold	Jolly	Perry
Donovan	Jones	Peterson
Duffy	Jordan	Pittenger

Pitts	Russell
Poe (TX)	Salmon
Poliquin	Sanford
Pompeo	Scalise
Posey	Schweikert
Price, Tom	Scott, Austin
Ratcliffe	Sensenbrenner
Reed	Sessions
Reichert	Shimkus
Renacci	Shuster
Ribble	Simpson
Rice (SC)	Smith (MO)
Roby	Smith (NE)
Roe (TN)	Smith (NJ)
Rogers (AL)	Smith (TX)
Rogers (KY)	Stefanik
Rohrabacher	Stewart
Rokita	Stivers
Rooney (FL)	Stutzman
Ros-Lehtinen	Thompson (PA)
Roskam	Thornberry
Ross	Tiberi
Rothfus	Tipton
Rouzer	Trott
Royce	Turner

NAYS—175

Adams	Poster	Nadler
Aguilar	Frankel (FL)	Napolitano
Ashford	Fudge	Neal
Bass	Gabbard	Nolan
Beatty	Gallego	Norcross
Becerra	Garamendi	O'Rourke
Bera	Graham	Pallone
Beyer	Grayson	Pascrell
Bishop (GA)	Green, Al	Pelosi
Blumenauer	Green, Gene	Perlmutter
Bonamici	Grijalva	Peters
Boyle, Brendan F.	Gutiérrez	Pingree
Brady (PA)	Hahn	Pocan
Brown (FL)	Hastings	Polis
Brownley (CA)	Heck (WA)	Price (NC)
Bustos	Higgins	Quigley
Butterfield	Himes	Rangel
Capps	Honda	Rice (NY)
Capuano	Hoyer	Richmond
Cárdenas	Israel	Roybal-Allard
Carney	Jackson Lee	Ruiz
Carson (IN)	Jeffries	Ruppersberger
Cartwright	Johnson (GA)	Sánchez, Linda T.
Castor (FL)	Kaptur	Sanchez, Loretta
Castro (TX)	Keating	Sarbanes
Chu, Judy	Kelly (IL)	Schakowsky
Cicilline	Kildee	Schiff
Clark (MA)	Kilmer	Schrader
Clarke (NY)	Kirkpatrick	Scott (VA)
Clay	Kuster	Scott, David
Clyburn	Langevin	Serrano
Cohen	Larsen (WA)	Sewell (AL)
Connolly	Larson (CT)	Sherman
Conyers	Lawrence	Sinema
Cooper	Lee	Sires
Costa	Levin	Slaughter
Courtney	Lewis	Smith (WA)
Crowley	Lieu, Ted	Speier
Cuellar	Lipinski	Swalwell (CA)
Cummings	Loebbeck	Takano
Davis (CA)	Loftgren	Thompson (CA)
Davis, Danny	Lowenthal	Thompson (MS)
DeFazio	Lowe	Tonko
DeGette	Lujan Grisham	Torres
Delaney	(NM)	Tsongas
DeBene	Luján, Ben Ray	Van Hollen
DeSaulnier	(NM)	Vargas
Deutch	Lynch	Veasey
Dingell	Maloney,	Vela
Doggett	Carolyn	Velázquez
Doyle, Michael F.	Maloney, Sean	Visclosky
Duckworth	Matsui	Walz
Edwards	McCollum	Wasserman
Ellison	McDermott	Schultz
Engel	McGovern	Waters, Maxine
Eshoo	McNerney	Watson Coleman
Esty	Meeke	Welch
Farr	Meng	Wilson (FL)
Fattah	Moore	Yarmuth
	Moulton	
	Murphy (FL)	

NOT VOTING—19

Byrne	Issa	Miller (MI)
Cleaver	Johnson, E. B.	Nugent
DeLauro	Kennedy	Payne
Hinojosa	Kind	
Huffman	King (IA)	

Rigell	Ryan (OH)	Titus
Rush	Takai	Webster (FL)

□ 1530

Mrs. NAPOLITANO, Messrs. FARR and BEYER changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 1644, SUPPORTING TRANSPARENT REGULATORY AND ENVIRONMENTAL ACTIONS IN MINING ACT

Mr. SESSIONS. Mr. Speaker, yesterday the Rules Committee issued a Dear Colleague outlining the amendment process for H.R. 1644, the STREAM Act. An amendment deadline has been set for Monday, January 11, 2016, at 10 a.m. Amendments should be drafted to the text of the bill as reported by the Committee on Natural Resources and as posted on the Rules Committee's Web site. Please feel free to contact either me or the Rules Committee's staff with any questions a Member or staff may have.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 177, not voting 19, as follows:

[Roll No. 3]

AYES—237

Abraham	Chabot	Fincher
Aderholt	Chaffetz	Fitzpatrick
Allen	Clawson (FL)	Fleischmann
Amash	Coffman	Fleming
Amodei	Cole	Flores
Babin	Collins (GA)	Forbes
Barletta	Collins (NY)	Fortenberry
Barr	Comstock	Fox
Barton	Conaway	Franks (AZ)
Benishkek	Cook	Frelinghuysen
Bilirakis	Costello (PA)	Garrett
Bishop (MI)	Cramer	Gibbs
Bishop (UT)	Crawford	Gibson
Black	Crenshaw	Gohmert
Blackburn	Culberson	Goodlatte
Blum	Curbelo (FL)	Gosar
Bost	Davis, Rodney	Gowdy
Boustany	Denham	Granger
Brady (TX)	Dent	Graves (GA)
Bridenstine	DeSantis	Graves (LA)
Brooks (AL)	DesJarlais	Graves (MO)
Brooks (IN)	Diaz-Balart	Griffith
Buchanan	Dold	Grothman
Buck	Donovan	Guinta
Bucshon	Duffy	Guthrie
Burgess	Duncan (SC)	Hanna
Byrne	Duncan (TN)	Hardy
Calvert	Ellmers (NC)	Harper
Carter (GA)	Emmer (MN)	Harris
Carter (TX)	Farenthold	Hartzler

Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley

NOES—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny

McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon

Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Pallone
Pascarell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Sánchez, Linda T.

Brat
Cleaver
DeLauro
Hinojosa
Issa
Johnson, E. B.
Kennedy

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

NOT VOTING—19

Kind
King (IA)
Miller (MI)
Nugent
Payne
Rigell
Rooney (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1540

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRAT. Mr. Speaker, on rollcall No. 3, I was unavoidably detained. Had I been present, I would have voted “yes.”

PROVIDING FOR CONSIDERATION OF H.R. 712, SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1155, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 580) providing for consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, and providing for consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 176, not voting 16, as follows:

Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)

[Roll No. 4]

YEAS—241

Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen

NAYS—176

Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield

Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Ciilline	Hoyer	Pelosi	Barletta	Hanna	Pittenger	Delaney	Kuster	Polis
Clark (MA)	Huffman	Perlmutter	Barr	Hardy	Pitts	DelBene	Langevin	Price (NC)
Clarke (NY)	Israel	Peters	Barton	Harper	Poe (TX)	DeSaulnier	Larsen (WA)	Quigley
Clay	Jackson Lee	Pingree	Benishak	Harris	Poliquin	Deutch	Larson (CT)	Rangel
Clyburn	Jeffries	Pocan	Bilirakis	Hartzler	Pompeo	Dingell	Lawrence	Rice (NY)
Cohen	Johnson (GA)	Polis	Bishop (MI)	Heck (NV)	Posey	Doggett	Lee	Richmond
Connolly	Kaptur	Price (NC)	Bishop (UT)	Hensarling	Price, Tom	Doyle, Michael	Levin	Roybal-Allard
Conyers	Keating	Quigley	Black	Herrera Beutler	Ratcliffe	F.	Lewis	Ruiz
Cooper	Kelly (IL)	Rangel	Blackburn	Hice, Jody B.	Reed	Duckworth	Lieu, Ted	Ruppersberger
Costa	Kildee	Rice (NY)	Blum	Hill	Reichert	Edwards	Lipinski	Sánchez, Linda
Courtney	Kilmer	Richmond	Bost	Holding	Renacci	Ellison	Loeb sack	T.
Crowley	Kirkpatrick	Roybal-Allard	Boustany	Hudson	Ribble	Engel	Lofgren	Sanchez, Loretta
Cuellar	Kuster	Ruiz	Brady (TX)	Huelskamp	Rice (SC)	Eshoo	Lowenthal	Sarbanes
Cummings	Langevin	Ruppersberger	Brat	Huizenga (MI)	Rigell	Esty	Lowey	Schakowsky
Davis (CA)	Larsen (WA)	Sánchez, Linda	Bridenstine	Hultgren	Roby	Farr	Lujan Grisham	Schiff
Davis, Danny	Larson (CT)	T.	Brooks (AL)	Hunter	Roe (TN)	Fattah	(NM)	Schrader
DeFazio	Lawrence	Sanchez, Loretta	Brooks (IN)	Hurd (TX)	Rogers (AL)	Foster	Luján, Ben Ray	Scott (VA)
DeGette	Lee	Sarbanes	Buchanan	Hurt (VA)	Rogers (KY)	Frankel (FL)	(NM)	Scott, David
Delaney	Levin	Schakowsky	Buck	Jenkins (KS)	Rohrabacher	Fudge	Lynch	Serrano
DelBene	Lewis	Schiff	Bucshon	Jenkins (WV)	Rokita	Gabbard	Maloney,	Sewell (AL)
DeSaulnier	Lieu, Ted	Schrader	Burgess	Johnson (OH)	Rooney (FL)	Gallego	Carolyn	Sherman
Deutch	Lipinski	Scott (VA)	Byrne	Johnson, Sam	Ros-Lehtinen	Garamendi	Maloney, Sean	Sires
Dingell	Loeb sack	Scott, David	Calvert	Jolly	Roskam	Graham	Matsui	Slaughter
Doggett	Lofgren	Serrano	Carter (GA)	Jones	Ross	Grayson	McCollum	Smith (WA)
Doyle, Michael	Lowenthal	Sewell (AL)	Carter (TX)	Jordan	Rothfus	Green, Al	McDermott	Speier
F.	Lowey	Sherman	Chabot	Joyce	Rouzer	Green, Gene	McGovern	Swalwell (CA)
Duckworth	Lujan Grisham	Sinema	Chaffetz	Katko	Royce	Grijalva	McNerney	Takano
Edwards	(NM)	Sires	Clawson (FL)	Kelly (MS)	Russell	Gutiérrez	Meeks	Thompson (CA)
Ellison	Luján, Ben Ray	Slaughter	Coffman	Kelly (PA)	Salmon	Hahn	Meng	Thompson (MS)
Engel	(NM)	Smith (WA)	Cole	King (NY)	Sanford	Hastings	Moore	Tonko
Eshoo	Lynch	Speier	Collins (GA)	Kinzing (IL)	Scalise	Heck (WA)	Moulton	Torres
Esty	Maloney,	Swalwell (CA)	Collins (NY)	Kline	Schweikert	Higgins	Murphy (FL)	Tsongas
Farr	Carolyn	Takano	Conaway	Knight	Scott, Austin	Himes	Nadler	Van Hollen
Fattah	Maloney, Sean	Thompson (CA)	Cook	Labrador	Sensenbrenner	Honda	Napolitano	Vargas
Foster	Matsui	Thompson (MS)	Costello (PA)	LaHood	Sessions	Hoyer	Neal	Veasey
Frankel (FL)	McCollum	Tonko	Cramer	LaMalfa	Shimkus	Huffman	Nolan	Vela
Fudge	McDermott	Torres	Crawford	Lamborn	Shuster	Israel	Norcross	Velázquez
Gabbard	McGovern	Tsongas	Crenshaw	Lance	Simpson	Jackson Lee	O'Rourke	Visclosky
Gallego	McNerney	Van Hollen	Culberson	Latta	Sinema	Jeffries	Pallone	Walz
Garamendi	Meeks	Vargas	Curbelo (FL)	LoBiondo	Smith (MO)	Johnson (GA)	Pascrell	Wasserman
Graham	Meng	Veasey	Davis, Rodney	Long	Smith (NE)	Kaptur	Pelosi	Schultz
Grayson	Moore	Vela	Denham	Loudermilk	Smith (NJ)	Keating	Perlmutter	Waters, Maxine
Green, Al	Moulton	Velázquez	Dent	Love	Smith (TX)	Kelly (IL)	Peters	Peters
Green, Gene	Murphy (FL)	Visclosky	DeSantis	Lucas	Stefanik	Kildee	Peterson	Welch
Grijalva	Nadler	Walz	DesJarlais	Luetkemeyer	Stewart	Kilmer	Pingree	Wilson (FL)
Gutiérrez	Napolitano	Wasserman	Diaz-Balart	Lummis	Stivers	Kirkpatrick	Pocan	Yarmuth
Hahn	Neal	Schultz	Dold	MacArthur	Stutzman			
Hastings	Nolan	Waters, Maxine	Donovan	Marchant	Thompson (PA)			
Heck (WA)	Norcross	Watson Coleman	Duffy	Marino	Thornberry			
Higgins	O'Rourke	Welch	Duncan (SC)	Massie	Tiberi			
Himes	Pallone	Wilson (FL)	Duncan (TN)	McCarthy	Tipton			
Honda	Pascrell	Yarmuth	Ellmers (NC)	McCaull	Trott			
			Emmer (MN)	McClintock	Turner			
			Farenthold	McHenry	Upton			
			Fincher	McKinley	Valadao			
			Fitzpatrick	McMorris	Wagner			
			Fleischmann	Rodgers	Walberg			
			Fleming	McSally	Walden			
			Flores	Meadows	Walker			
			Forbes	Meehan	Walorski			
			Fortenberry	Messer	Walters, Mimi			
			Fox	Mica	Weber (TX)			
			Franks (AZ)	Miller (FL)	Wenstrup			
			Garrett	Moolenaar	Westerman			
			Gibbs	Mooney (WV)	Westmoreland			
			Gibson	Mullin	Whitfield			
			Gohmert	Mulvaney	Williams			
			Goodlatte	Murphy (PA)	Wilson (SC)			
			Gosar	Neugebauer	Wittman			
			Gowdy	Newhouse	Womack			
			Granger	Noem	Woodall			
			Graves (GA)	Nunes	Yoder			
			Graves (LA)	Olson	Yoho			
			Graves (MO)	Palazzo	Young (AK)			
			Griffith	Palmer	Young (IA)			
			Grothman	Paulsen	Young (IN)			
			Guinta	Pearce	Zeldin			
			Guthrie	Perry	Zinke			

NOT VOTING—16

Cleaver	Kind	Ryan (OH)
DeLauro	King (IA)	Takai
Hinojosa	Miller (MI)	Titus
Issa	Nugent	Webster (FL)
Johnson, E. B.	Payne	
Kennedy	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1548

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 176, not voting 18, as follows:

[Roll No. 5]

AYES—239

Abraham	Allen	Amodei
Aderholt	Amash	Babin

Adams	Brownley (CA)	Clay
Aguilar	Bustos	Clyburn
Ashford	Butterfield	Cohen
Bass	Capps	Connolly
Beatty	Capuano	Conyers
Becerra	Cárdenas	Cooper
Bera	Carney	Costa
Beyer	Carson (IN)	Courtney
Bishop (GA)	Cartwright	Crowley
Blumenauer	Castor (FL)	Cuellar
Bonamici	Castro (TX)	Cummings
Boyle, Brendan	Chu, Judy	Davis (CA)
F.	Ciilline	Davis, Danny
Brady (PA)	Clark (MA)	DeFazio
Brown (FL)	Clarke (NY)	DeGette

NOES—176

Clay	Johnson, E. B.	Payne
Clyburn	Kennedy	Rush
Cohen	Kind	Ryan (OH)
Connolly	King (IA)	Takai
Conyers	Miller (MI)	Titus
Cooper	Nugent	Webster (FL)

NOT VOTING—18

Cleaver	Johnson, E. B.	Payne
Comstock	Kennedy	Rush
DeLauro	Kind	Ryan (OH)
Frelinghuysen	King (IA)	Takai
Hinojosa	Miller (MI)	Titus
Issa	Nugent	Webster (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1557

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. COMSTOCK. Mr. Speaker, on rollcall No. 5, my vote did not register. Had I been present, I would have voted "yes."

RESTORING AMERICANS' HEALTH-CARE FREEDOM RECONCILIATION ACT OF 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, pursuant to House Resolution 579, I call up the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HULTGREN). The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

TITLE I—HEALTH, EDUCATION, LABOR, AND PENSIONS

SEC. 101. THE PREVENTION AND PUBLIC HEALTH FUND.

(a) *IN GENERAL.*—Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (2), by striking “2017” and inserting “2015”; and

(2) by striking paragraphs (3) through (5).

(b) *RESCISSION OF UNOBLIGATED FUNDS.*—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 102. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after “Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(E)) is amended” the following: “by striking ‘\$3,600,000,000’ and inserting ‘\$3,835,000,000’ and”.

SEC. 103. TERRITORIES.

Section 1323(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18043(c)) is amended by adding at the end the following:

“(3) *NO FORCE AND EFFECT.*—Effective January 1, 2018, this subsection shall have no force or effect.”.

SEC. 104. REINSURANCE, RISK CORRIDOR, AND RISK ADJUSTMENT PROGRAMS.

(a) *TRANSITIONAL REINSURANCE PROGRAM FOR INDIVIDUAL MARKET.*—Section 1341 of the Patient Protection and Affordable Care Act (42 U.S.C. 18061) is amended by adding at the end the following:

“(e) *NO FORCE AND EFFECT.*—Effective January 1, 2016, the Secretary shall not collect fees and shall not make payments under this section.”.

SEC. 105. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) *IN GENERAL.*—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, \$750,000,000 for each of fiscal years 2016 and 2017, to the Secretary of Health and Human Services (referred to in this section as the “Secretary”) to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) *USE OF FUNDS.*—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by federally certified opioid treatment

programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

TITLE II—FINANCE

SEC. 201. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) *NONAPPLICABILITY OF LIMITATION.*—This subparagraph shall not apply to taxable years ending after December 31, 2015, and before January 1, 2018.”.

SEC. 202. PREMIUM TAX CREDIT AND COST-SHARING SUBSIDIES.

(a) *REPEAL OF PREMIUM TAX CREDIT.*—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(b) *REPEAL OF COST-SHARING SUBSIDY.*—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(c) *REPEAL OF ELIGIBILITY DETERMINATIONS.*—The following sections of the Patient Protection and Affordable Care Act are repealed:

(1) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(2) Section 1412.

(d) *PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.*—

(1) *IN GENERAL.*—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) *TERMINATION.*—No disclosure may be made under this paragraph after December 31, 2017.”.

(e) *EFFECTIVE DATES.*—

(1) *PREMIUM TAX CREDIT.*—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(2) *COST SHARING-SUBSIDIES AND ELIGIBILITY DETERMINATIONS.*—The repeals in subsection (b) and (c) shall take effect on December 31, 2017.

(3) *PROTECTING AMERICANS BY RESCINDING DISCLOSURE AUTHORITY.*—The amendments made by subsection (d) shall take effect on December 31, 2017.

SEC. 203. SMALL BUSINESS TAX CREDIT.

(a) *IN GENERAL.*—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) *SHALL NOT APPLY.*—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2017.”.

(b) *EFFECTIVE DATE.*—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2017.

SEC. 204. INDIVIDUAL MANDATE.

(a) *IN GENERAL.*—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B) by striking clauses (ii) and (iii) and inserting the following:

“(ii) Zero percent for taxable years beginning after 2014.”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”,

(B) by striking “and \$325 for 2015” in subparagraph (B), and

(C) by striking subparagraph (D).

(b) *EFFECTIVE DATE.*—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 205. EMPLOYER MANDATE.

(a) *IN GENERAL.*—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2014)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2014)” after “\$3,000”.

(b) *EFFECTIVE DATE.*—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 206. FEDERAL PAYMENTS TO STATES.

(a) *IN GENERAL.*—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) *DEFINITIONS.*—In this section:

(1) *PROHIBITED ENTITY.*—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$350,000,000.

(2) *DIRECT SPENDING.*—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 207. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1108(g)(5), by striking “2019” and inserting “2017”;

(2) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting “and ending December 31, 2017,” after “January 1, 2014,”;

(B) in subsection (a)(47)(B), by inserting “and provided that any such election shall cease to be effective on January 1, 2018, and no such election shall be made after that date” before the semicolon at the end; and

(C) in subsection (l)(2)(C), by inserting “and ending December 31, 2017,” after “January 1, 2014.”;

(3) in each of sections 1902(gg)(2) and 2105(d)(3)(A), by striking “September 30, 2019” and inserting “September 30, 2017”;

(4) in section 1905—

(A) in the first sentence of subsection (b), by inserting “(50 percent on or after January 1, 2018)” after “55 percent”;

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (B) and all that follows through “thereafter”; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by striking “each year thereafter” and inserting “through 2017”; and

(ii) in subparagraph (B)(ii), by striking the semicolon at the end of subclause (IV) and all that follows through “100 percent”;

(5) in section 1915(k)(2), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2018”;

(6) in section 1920(e), by adding at the end the following: “This subsection shall not apply after December 31, 2017.”;

(7) in section 1937(b)(5), by adding at the end the following: “This paragraph shall not apply after December 31, 2017.”; and

(8) in section 1943(a), by inserting “and before January 1, 2018,” after “January 1, 2014.”.

SEC. 208. REPEAL OF DSH ALLOTMENT REDUCTIONS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended by striking paragraphs (7) and (8).

SEC. 209. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 49801.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

SEC. 210. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAS.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAS.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2015.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2015.

SEC. 211. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2015.

SEC. 212. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 213. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2016.”.

SEC. 214. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales in calendar quarters beginning after December 31, 2015.

SEC. 215. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2013, and ending before January 1, 2016.”.

SEC. 216. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 217. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 218. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b)).”.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2015.

SEC. 219. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed on or after December 31, 2015.

SEC. 220. REPEAL OF NET INVESTMENT TAX.

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 221. REMUNERATION.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2015.”.

SEC. 222. ECONOMIC SUBSTANCE DOCTRINE.

(a) IN GENERAL.—Subsection (o) of section 7701 of the Internal Revenue Code of 1986 is repealed.

(b) PENALTY FOR UNDERPAYMENTS.—Paragraph (6) of section 6662(b) of the Internal Revenue Code of 1986 is repealed.

(c) INCREASED PENALTY FOR NONDISCLOSED TRANSACTIONS.—Subsection (i) of section 6662 of the Internal Revenue Code of 1986 is repealed.

(d) REASONABLE CAUSE EXCEPTION FOR UNDERPAYMENTS.—Paragraph (2) of section 6664(c) of the Internal Revenue Code of 1986 is repealed.

(e) REASONABLE CAUSE EXCEPTION FOR NONDISCLOSED TRANSACTIONS.—Paragraph (2) of section 6664(d) of the Internal Revenue Code of 1986 is repealed.

(f) ERRONEOUS CLAIM FOR REFUND OR CREDIT.—Subsection (c) of section 6676 of the Internal Revenue Code of 1986 is repealed.

(g) EFFECTIVE DATE.—The repeals made by this section shall apply to transactions entered into, and to underpayments, understatements, or refunds and credits attributable to transactions entered into, after December 31, 2015.

SEC. 223. BUDGETARY SAVINGS FOR EXTENDING MEDICARE SOLVENCY.

As a result of policies contained in this Act, the Secretary of the Treasury shall transfer to the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) \$379,300,000,000 (which represents the full amount of on-budget savings during the period of fiscal years 2016 through 2025) for extending Medicare solvency, to remain available until expended.

MOTION OFFERED BY MR. TOM PRICE OF GEORGIA

Mr. TOM PRICE of Georgia. Mr. Speaker, I have a motion at the desk. The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Price of Georgia moves that the House concur in the Senate amendment to H.R. 3762.

□ 1600

The SPEAKER pro tempore. Pursuant to House Resolution 579, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

The gentleman from Georgia (Mr. TOM PRICE) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. TOM PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative

days in which to revise and extend their remarks and insert extraneous material on H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

This is a big day. For the first time—for the first time—since the law was enacted, Congress is one vote away from sending a broad repeal of ObamaCare to the President's desk. This marks a significant step in the fight for patient-centered health care for all Americans. It will lay the foundation for how Congress can begin to roll back the disastrous policies that are destroying the sacred doctor-patient relationship.

The legislation before us today is critical to our larger effort to rid America's healthcare system from undue Washington interference and bureaucratic dictates and pave the way for real, positive, patient-centered health reform that puts patients and families and doctors in charge of healthcare decisions.

This bill repeals the most corrosive components of ObamaCare. It eliminates nearly a trillion dollars in onerous ObamaCare taxes and eliminates the individual and employer mandate penalties, key pillars of the ObamaCare scheme.

Under ObamaCare, millions of Americans have been added to a Medicaid system that fails to provide its beneficiaries with adequate access to physicians and other providers. We end that.

Expanding Medicaid is not the answer. Reforming Medicaid so that States have greater flexibility to care for those in need is the answer.

This legislation also repeals the premium subsidies and tax credits which have failed to control and, in fact, have increased health coverage costs. The current law has made healthcare coverage less affordable and less accessible for millions of Americans.

All of this would be done on a timeline to allow for a new, positive solution that will make the purchase of health insurance financially feasible for all Americans and do so in a way that gives individuals, families, and employers the power to choose the type of coverage that they want for themselves, not that Washington forces them to buy.

H.R. 3762 also halts Federal funding for abortion providers that are prohibited under this legislation. It increases—increases, Mr. Speaker—the funding for community healthcare centers to help direct more resources to women's direct care. Taken together, the Congressional Budget Office estimates that this bill would reduce the

deficit by \$516 billion over the next decade.

Seven separate committees and the full House and Senate have contributed to this effort. The entire reconciliation would not have been possible had the House and Senate not first agreed to a budget resolution conference agreement. The budget gave Congress the authority to pursue the reconciliation process and, through that, the opportunity to put this repeal of ObamaCare on the President's desk.

Ultimately, however, the American people are less interested in process and procedure. They want results, and they want to know who is fighting to improve their way of life, who is working to provide relief to the biggest challenges facing individuals and families and job creators today.

No matter how you slice it, ObamaCare is harming the American people. Premiums and deductibles and other out-of-pocket costs are going up, not down, as the President had promised. Millions of Americans have been kicked off the coverage that they had. That is less access and fewer choices at a higher cost. That is exactly the opposite direction we need to be going, and the American people know it.

We all want a healthcare system that is affordable and accessible and responsive to our individual needs, full of choices and innovative treatment options and of the highest quality. That is not too much to ask, Mr. Speaker. It is certainly achievable, but only if we pursue patient-centered solutions that are focused on embracing those principles in health care that we all hold dear.

I look forward to this debate and the opportunity to share with the American people how we solve this challenge, the challenge in America's healthcare system, by putting them in charge of their healthcare decisions, not Washington.

I encourage my colleagues to support this resolution, this measure. Let's take this final step in reconciliation to send an ObamaCare repeal bill to the President's desk.

Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

This is a sad and shameful way to begin the new year 2016 here in the United States Congress.

This bill is entitled Restoring Americans' Healthcare Freedom Reconciliation Act, the freedom of health insurance companies to once again deny health care to people based on pre-existing conditions.

It may be a new year, Mr. Speaker, but here we go again. We are in this Congress, on the floor of this House for the 62nd time with this effort to dismantle the Affordable Care Act and, to add insult to injury, to deny millions

of women access to healthcare choices by targeting Planned Parenthood.

While the calendar has changed, the Tea Party Republican agenda remains the same. Despite all the pressing issues we face in this country at home and abroad, the only thing and the first thing our Republican colleagues decide to bring to the floor of the House as the most pressing business to start 2016 is to take away access to affordable care from 22 million Americans and deny access to affordable care for millions of American women.

That 22 million figure, Mr. Speaker, that is not my figure. That is the non-partisan Congressional Budget Office that has looked at this legislation and concluded that, as a result of this bill, 22 million Americans will lose access to their affordable health insurance. It will be the freedom to be uninsured, the freedom to not have any opportunity to have coverage when your family has healthcare needs.

Mr. Speaker, if you look at this chart, you can see that the Affordable Care Act has already made a dramatic difference in bringing down the number of uninsured in the United States of America, yet here we are in a new year, and the first act of this Republican Congress will be to turn back the clock and change that figure.

I really hope, Mr. Speaker, that our colleagues will begin to focus on more important issues in the days ahead. Everybody knows that this will take about a nanosecond for the President of the United States to veto because the President of the United States is not going to allow 22 million Americans to lose their access to affordable health insurance, and the President is not going to allow millions of Americans and millions of American women to lose access to reproductive choice and a range of healthcare options here in the United States.

It is disturbing, shameful, and sad that this is the way we are starting the new year. I hope we get on to more important business, Mr. Speaker.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), the chairman of the Committee on Ways and Means, who was a leader of one of the multiple committees involved in this.

Mr. BRADY of Texas. Mr. Speaker, I am pleased to speak today in support of the Restoring Americans' Healthcare Freedom Reconciliation Act.

Under the leadership of Committee on the Budget chairman, Dr. PRICE, and our Speaker, PAUL RYAN, we will soon deliver an ObamaCare dismantle bill to the President's desk.

By passing this legislation:

We will fulfill our promise to use every possible tool to stop the President's expensive healthcare law;

We will eliminate the unpopular mandates of the backbone of the Affordable Care Act;

We will protect Americans from tax penalties for failing to purchase an expensive Washington-approved product that just so many people at home can't afford;

We will end the tax penalties facing America's job creators who don't offer health insurance that meets Washington bureaucrats' very expensive tastes;

We will deliver real relief from a dozen Democrat tax increases that drive American jobs overseas and punish American workers;

We will protect taxpayer dollars by repealing an ObamaCare slush fund and ensuring that your taxpayer subsidies don't go to people who aren't eligible for them, and if they do, they are returned to the Treasury;

We will—and this is important to me—demonstrate our strong commitment to women's health. Instead of funding Planned Parenthood and its gruesome practices, we will fund high-quality community health centers, and we will help ensure more women have access to quality health care.

We are here today with a bill that cuts taxes, spending, and the deficit because this Congress did its job.

In closing, while our Democrat friends often accuse us of relentlessly and tirelessly pursuing the repeal of the President's healthcare law, the reason is we are fighting for our families and our patients and our local businesses who have been harmed by it.

Yes, the President will surely veto the bill, even though this bill has strong popular support. My belief is that exercising your constitutional right and power to legislate is never wasted if you are fighting for principles your constituents believe in.

Give the American people a clear moral choice. Let the President explain why his healthcare law is raising costs on so many American families and businesses. Let him stand on the wrong side of history by defending unethical medical practices that, frankly, many Americans find abhorrent.

Mr. VAN HOLLEN. Mr. Speaker, it seems to me expanding access to affordable health care for 22 million Americans who didn't have it is being on the right side of history.

I am now pleased to yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE), a distinguished member of the panel which, I am sorry to say, was set up as part of a witch hunt against Planned Parenthood, but I am glad she is there.

Ms. DEGETTE. Mr. Speaker, the House Republican leadership has a funny way of wishing the working families of America Happy New Year. Under this bill, the first substantive legislation of 2016, women and their families will be hit with a one-two punch to their access to health care.

First, with the latest attempt to repeal the ACA, House Republicans

would remove the tax credits that help millions of Americans afford quality health insurance. When families lose that insurance, women would also lose their free annual wellness exams they get from their providers under the ACA.

Just to pile on, at the same time millions of women would lose their free wellness exams, this bill would inhibit their ability to get affordable well-woman and family-planning services from Planned Parenthood. More than 3 million American women and men get essential health care from Planned Parenthood every year, and even more would need to if the ACA were repealed.

In many parts of the country, Planned Parenthood is the only provider that offers access to reproductive health services within hundreds of miles. There are no health clinics that would take over that gap. Eliminating Federal funding to the organization would limit women's access to cancer screenings, breast exams, and so much more, and all because of an unfounded vendetta against Planned Parenthood.

Happy New Year, women and families of America.

Mr. TOM PRICE of Georgia. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the Committee on Education and the Workforce.

Mr. KLINE. Mr. Speaker, I thank Chairman PRICE for yielding.

I rise today in strong, strong support of the Restoring Americans' Healthcare Freedom Reconciliation Act.

We have all heard the stories and the statistics, seen the charts. ObamaCare is wreaking havoc on our country, on small-business owners, on working families, and even on students. It is a flawed law that has led to higher costs for consumers, fewer full-time jobs for workers, and less access to trusted healthcare providers for patients.

That is why we in Congress have been relentless in our efforts to put an end to ObamaCare and its harmful consequences. It is why we have worked to protect hardworking Americans who are still paying the price for the President's government takeover of health care, and it is why we are here today.

The bill before us will eliminate key provisions in the President's healthcare law that are hurting families, small businesses, and schools. Under this proposal, the tax penalty levied against individuals who fail to purchase government-approved health insurance will be gone. The tax penalty levied against small businesses and schools that fail to provide costly, government-approved health insurance will be gone. The onerous and arbitrary limits on personal health savings accounts and flexible spending accounts will be gone. The punitive tax on medical innovation will be gone.

These and other provisions in the bill will dismantle a fatally flawed law as well as reduce Federal spending and rein in our Nation's deficits by roughly half a trillion dollars. These are priorities the American people sent us to Washington to address, and we owe it to the men and women we represent to do just that.

We have a responsibility to support this bill and to send it to the President's desk. I believe the President has a responsibility to sign it. If he does, it wouldn't be the first time the President has helped roll back his own healthcare law. In fact, on more than 15 separate occasions, the President has signed legislation repealing provisions in the law, not to mention the dozens of changes to the law his administration has carried out unilaterally.

The legislation is an opportunity for the President to work with us to move the country in a better direction and show the American people that their priorities are our priorities.

It is also an opportunity to demonstrate once again we are serious about reducing the size and cost of the Federal Government, serious about dismantling a healthcare law that is doing more harm than good, and serious about paving the way to real reform that expands access to affordable coverage. That is why I urge my colleagues to support this bill.

In closing, I want to thank Chairman TOM PRICE and all of our colleagues who serve on the House Committee on the Budget as well as those who serve on the Committees on Ways and Means, Energy and Commerce, and Education and the Workforce. Their hard work has made it possible to send this important legislation to the President's desk. I am grateful for their efforts. Let's get on with it.

□ 1615

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the ranking member on the Select Investigative Panel on Planned Parenthood. She will be there looking after the interests of American women, I am pleased to say.

Ms. SCHAKOWSKY. Mr. Speaker, it is a committee where I serve as the ranking Democratic member. We call it the Select Committee to Attack Women's Health.

Now, that select committee was formed last fall after hearings were held and at which the Republicans accused in inflammatory language that somehow Planned Parenthood had violated the law.

So these three committees that have already investigated Planned Parenthood have found absolutely nothing wrong with their activities. Yet, a select committee was appointed.

The kind of language that was used is exactly the language that the murderer

at a Planned Parenthood clinic in Colorado used. This kind of inflammatory language is used on one of the number one health providers for poor women in this country, and it is being attacked unnecessarily.

Now, I serve as the ranking member on that select committee. We will do everything we can to not only defend Planned Parenthood, but to stop these relentless attacks on women's health care in this country. It is shameful. Enough is enough.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, we have a bill to restore America's healthcare freedom—yes, we do—one that will finally get to the President's desk.

This legislation seeks to protect folks in Michigan and all across the country from the rising costs, fewer choices, lost coverage, and countless broken promises that have defined the President's healthcare law.

Importantly, it would also give Congress time to enact better solutions focused on growing patient choice and improving patient care, lowering costs, providing States like Michigan greater flexibility, and promoting bottom-up 21st-century healthcare innovations.

The current healthcare law relies on outdated programs of the past and forces a one-size-fits-all approach on our States that is unresponsive to patient needs. Folks in Michigan deserve better. The American people deserve better. And you know what? We can do better.

I helped coauthor one commonsense plan to replace the health law. It is the Patient CARE Act. It is a pragmatic solution—in fact, the only bicameral proposal that has been offered—that repeals the law and replaces it with patient-focused reforms that reduce healthcare costs and increase access to affordable, high-quality care.

We empower the American people to make the best healthcare choices for themselves and their families. It allows Governors the flexibility to best provide for their citizens, all while driving down costs and improving quality.

Under the proposal, no one can be denied coverage based on a preexisting condition. This proposal has other consumer protections as well. Insurance companies would be prohibited from imposing lifetime limits on a consumer. Dependents up to age 26 would be able to stay on their parents' plan, and guaranteed renewability would ensure that sick patients would be able to renew their coverage.

We also provide a refundable tax credit for the most vulnerable consumers to buy health coverage or healthcare services of their own choosing, not expensive insurance that Washington would force them to buy or face a penalty.

Michiganders covered under Medicaid today would also benefit. The reforms in the Patient CARE Act would make the Medicaid program more sustainable for taxpayers, and better management tools will make the program more efficient, fair, and accountable for everyone who depends on it.

This plan and the countless solutions offered by my Republican colleagues in Congress shines a spotlight on a better vision for health care, one focused on patients, families, doctors, and insurance.

This health law may have been enacted only a few years ago, but its government-centered premise is not a new one. These obsolete ideas have failed people time and time again. The public deserves a fresh, forward-looking approach that embraces 21st-century innovation.

So we have got a solution to restore America's healthcare freedom, to put ObamaCare in the rearview mirror and replace it with better healthcare solutions like the Patient CARE Act. It is time to put patients first. Let them make the choices, not the government.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

With all due respect to Mr. UPTON and putting aside the merits of this bill, this is the 62nd time we are voting to repeal the Affordable Care Act.

We have never seen a vote in this House on any kind of so-called substitute to the Affordable Care Act. Our Republican colleagues have been full of talk, and we haven't seen any action.

I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE), a member of the Budget Committee.

Ms. MOORE. Mr. Speaker, I must tell you how disappointed I am that we are not starting the new year here with fresh, new, bipartisan initiatives to create jobs and to move our economy forward.

I just feel like this is for auld lang syne. This is our 62nd vote to repeal or undermine the Affordable Care Act. And, Mr. Speaker, I expect you to break out in a few verses of "Auld Lang Syne" anytime now.

Is it for auld lang syne that 22 million Americans might actually lose their health insurance if the President would somehow sign this into law?

Is it for auld lang syne that the Republicans and you, Mr. Speaker, are proposing that we attack women's health once again and take away the primary care physician for poor women, 4 out of 10 who say is their only source of health care?

Is it for auld lang syne that Planned Parenthood visitors—men and women—who have incomes of 150 percent or below the Federal poverty level will lose their health insurance?

Is it for auld lang syne that the 62nd repeal vote is taking place so that half of the health centers are in rural or medically underserved areas?

Let's get to work, Mr. Speaker, on fresh, new ideas and not auld lang syne.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROKITA), the vice chairman of the Budget Committee.

Mr. ROKITA. Mr. Speaker, I thank Chairman PRICE for his leadership. I am very proud of the work that the committee has done to get us to this point—one vote away from this bill getting to the President's desk—because then the President will finally have a chance to right one of the wrongs which bears his name and to stop the horrific and unethical medical practices occurring at Planned Parenthood.

This reconciliation bill repeals a number of onerous taxes created by the Affordable Care Act. Taxes have slowed the economic recovery, which means ObamaCare literally keeps people in my district, whom I care deeply about, from getting jobs.

This bill represents the economic development bill the last speaker spoke of. And ObamaCare increases health insurance costs for most Americans. So instead of spending more on their families over Christmas, people in Indiana and all over this country paid more to insurance companies instead, all because of ObamaCare.

This repeal bill will save Americans \$516 billion over the next 10 years, money they can spend as they see fit instead of how Washington Democrats dictated at the end of 2009. These are important steps to returning our healthcare system to us, where decisions are made by Americans and their doctors, not the Federal Government.

Mr. Speaker, in districts such as mine, many of the plans sold on the ObamaCare government exchange are classified as small or extra small, meaning that, in many cases, less than 10 percent of the doctors in the area are accessible to these families. This means that many Indiana families have had to give up their doctor and, in some cases, travel an hour or more just to get basic medical attention.

Timothy Gerking of Danville, Indiana, has seen his insurance costs for a family of three increase from \$400 a month in 2012 to over \$1,200 a month in 2016, along with higher deductibles and copays. How is he supposed to save for college for his kids? How is he supposed to plan for retirement if he is paying \$14,000 a year in premiums?

This is all despite the President's promise that "if you like your healthcare plan, you can keep it." That was an outright lie to the American people then, and ObamaCare is still one of the most insidious laws ever produced today.

The President now has a chance to correct the wrong that he and the Democrats have done to millions of

Americans. I hope that opportunity is taken by him when it gets to his desk.

Mr. VAN HOLLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), a friend and colleague and the Democratic whip, who understands that providing health care to 22 million Americans who didn't have it is a good thing.

Mr. HOYER. The ranking member took the words right out of my mouth. There are 22 million Americans covered now that weren't covered before.

Mr. Speaker, The Wall Street Journal reported on Monday, "House Speaker Paul Ryan, starting this month, will push to turn the Chamber into a platform for ambitious Republican policy ideas."

My friend, Mr. UPTON, talked about policy ideas, but Mr. VAN HOLLEN correctly observed they are not on this floor. You haven't brought them to this floor. All you have brought is a negative. Bring a positive. That, presumably, is what your Speaker ought to be talking about.

Many have been wondering what new, ambitious ideas Republicans would put forward to kick off this new session of the 114th Congress. Well, today we have the answer, the 62nd effort to repeal the Affordable Care Act, which everybody knows is not going anywhere.

We have seen this fresh, new idea before. It is coupled with a vote to defund Planned Parenthood, which will deny millions of Americans access to affordable health care.

So not only by repealing the Affordable Care Act will we deny health care to people, but by doing what they are doing to Planned Parenthood, millions of people will not have access to the health care they are relying on.

What we have before us is not anything new. In fact, it is a repeal of health reform that goes even further than the Republicans brought to the House floor in October, this time also ending tax credits and subsidies that enable those with modest incomes to afford health insurance and repealing the expansion of Medicaid.

The reason there is not another bill on the floor is because people would then see how draconian the policies are. These are components of the Affordable Care Act that have enabled millions of previously uninsured Americans to gain coverage since 2010.

Senate Republicans took a bad bill and made it worse. I am disappointed that Speaker RYAN would bring it to the floor as his first major act of this new session of Congress.

This reconciliation bill would cause an estimated 22 million Americans, as the ranking member has pointed out, to lose their health care, would increase premiums by approximately 20 percent, would provide employers with much uncertainty, and worsen the outlook for deficits over the long term.

Only in the first 10-year window do you have a savings. The CBO says, if

you go to the second 10 years, this bill is a loser and exacerbates the deficit.

I urge my colleagues to join me in opposing this 62nd vote to repeal or undermine America's access to affordable, quality health care.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. ROE), a fellow physician who is the chair of the Health, Employment, Labor, and Pensions Subcommittee of the Committee on Education and the Workforce.

Mr. ROE of Tennessee. I thank Dr. PRICE for the work his committee has done.

I practiced medicine in rural Tennessee for 30 years. I didn't talk about health care. I actually provided it for patients. It was a major reason that I ran for Congress.

The premise of the Affordable Care Act was to increase access and decrease costs. Everybody in this building agrees on that. What we got was a 2,500-page bill that few people read that defined what you bought and then fined you when you didn't buy it, even if you couldn't afford it. That is what has actually happened.

Healthcare decisions should be made between families, patients, and their doctors, not by big insurance companies and certainly not by Federal bureaucrats.

So what is happening to middle class working people in this country today? Their out-of-pockets and copays have skyrocketed. In the hospital that I worked in, 60 percent of the uncollectible debt is now owed by people with insurance. That is because they cannot afford the out-of-pockets and copays.

□ 1630

We Republicans have had many ideas. Dr. PRICE has a bill. I coauthored a bill with the Republican Study Committee to replace this, and I will suggest, Mr. Speaker, that you will see that on this floor to be debated if we are successful in doing this.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. POCAN), a distinguished member of the Budget Committee.

Mr. POCAN. Mr. Speaker, we were told just a couple of months ago on the floor of this Congress that there is a new day in Congress. Well, it doesn't feel like a new day. It feels a lot like Groundhog Day.

I feel like Bill Murray from that early 1990s movie. I wake up, I shower, I get on a plane, I come to Washington, I plan on voting how to create jobs or help lift people's wages. Instead, I am voting on taking away health care from 22 million people.

The next week, I wake up, I shower, I get on a plane, I fly to Washington. What do I do? I vote on taking away health insurance for 22 million people.

Sixty-two times this body has voted to repeal health care. But we have also

now made a new one of a dozen times we have now devoted to defund Planned Parenthood which, with this body's Speaker, in my home State of Wisconsin, means 62,000 women last year would not have gotten access to health insurance.

It is no wonder that with bad, recycled ideas like that, the public has such disdain for Congress. It is not a new day in Congress. It is just Groundhog Day.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentlewoman from Tennessee (Mrs. BLACK), a fellow healthcare professional, who is a member of both the Budget Committee and the Ways and Means Committee.

Mrs. BLACK. Mr. Speaker, I hold in my hand Planned Parenthood's annual report, and in these pages, you will find the true war on women.

By their own numbers, taxpayer funding for this organization is up, while preventative healthcare services are down and abortions continue to stand at over 320,000 a year.

I am proud to support today's reconciliation bill to defund Planned Parenthood and to redirect those dollars to true preventative healthcare services for women, because Americans, and women, in particular, deserve better than this.

We may not be able to change the President's heart on this issue—goodness knows we have tried—but we can put him on record. If this President truly thinks that my constituents' tax dollars should fund this scandal-ridden abortion giant, that is on his conscience, but he should at least be forced to put a pen on paper and explain the belief to the American people.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), the ranking member of the Ways and Means Committee.

Mr. LEVIN. Mr. Speaker, this bill is reckless and has zero chance of becoming law. But most significantly, it is heartless. What it says from Republicans here to millions, an Unhappy New Year. You could take healthcare insurance away from 22 million people. To them, these 22 million, from Republicans, an Unhappy New Year.

It will repeal funding for Medicaid expansion in 30 States and the District of Columbia, leaving 14 million low-income Americans without health care. To those 14 million Americans, from House Republicans, an Unhappy New Year.

It would eliminate the tax credits for low-income families and individuals, a key part of what makes ACA affordable. It would eliminate the individual and employer mandates, undermining the patient protections and access measures that helped dramatically reduce the rate of uninsured in this country.

The Republicans are also using this bill to continue their ideological obsession with depriving women access to affordable family planning services and lifesaving cancer screenings by defunding Planned Parenthood.

This bill deserves not only the veto that is coming, but a “no” vote on the floor of this House.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY), a fellow physician and member of the Ways and Means Committee.

Mr. BOUSTANY. I thank Chairman PRICE for yielding time.

Mr. Speaker, this is an important day in the House of Representatives because the House is preparing to send a package directly to the President. There will be no Senate filibuster. We have gotten around that issue. This bill goes to the President directly, and he can either sign it or veto it. But this bill repeals the very foundation of ObamaCare, and it stops Planned Parenthood funding. It is as simple as that.

This package is also important to me because I have a provision in there that I authored that repeals this employer mandate. This has been a really bad piece of legislation that was in place, this employer mandate, because it has forced small businesses to limit hiring or to resort to part-time employees. This is just a terrible thing, at a time when unemployment has been high and people are looking for work.

This bill will help undermine and get rid of the foundation of ObamaCare which, I know as a physician, has accelerated the negative trends in health care, of which there are many. I can't get into all of them now, but that is not the affordable, patient-centered health care that the American people deserve.

We can do much better. We will do much better. This is the first step.

Let's put this on the President's desk. Let's call his hand, and let's either force him to veto this, which we will try to override it, or sign it.

Mr. VAN HOLLEN. Mr. Speaker, I don't think that the President is going to mull over this decision for very long. He is going to veto this because the President doesn't want to deny 22 million Americans access to affordable care, which is exactly what the non-partisan Congressional Budget Office tells us is what this will do, and he doesn't want to deny access to health care to millions of women and families.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the distinguished ranking member on the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, here we are again. It is a new year and a new session of Congress, but House Republicans are yet again up to their old partisan tricks.

Today, House Republicans have chosen to spend the first week of 2016 attacking women's health with a radical GOP reconciliation bill which would defund Planned Parenthood and strip away affordable family planning services and lifesaving care for millions of women across the country.

Overall, this is the 11th time the House majority has voted to attack women's health in this Congress, including 4 prior votes to defund Planned Parenthood. Meanwhile, it is also the 62nd repeal vote of the Affordable Care Act.

Mr. Speaker, this reconciliation bill is futile. It is political. It is unfortunate. We have a lot of work to do to help working families in this country, and today's bill reverses great progress in healthcare coverage and access and increases the deficit.

In fact, CBO estimates that this extreme legislation would increase the uninsured by about 22 million Americans after 2017. We also know that, if defunded, Planned Parenthood's 2.7 million patients would be left without care, resulting in dangerous consequences.

Just look at what is happening in States that have already implemented this radical agenda. In Indiana, such policies led to an HIV epidemic, and in Texas, it left tens of thousands of women without access to contraceptive care and increased incidences of life-threatening at-home abortions.

We can't allow the rest of the country to go down this dangerous path, all because of the ideological and political whims of politicians.

Mr. Speaker, I can go on and on about the consequences of this bill, but driven by an extreme agenda, Republican policies are harmful, and they have to be rejected. I urge a “no” vote.

Mr. TOM PRICE of Georgia. Mr. Speaker, may I inquire as to the time remaining on each side, please?

The SPEAKER pro tempore. The gentleman from Georgia has 13 minutes remaining. The gentleman from Maryland has 16½ minutes remaining.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mrs. BLACKBURN), who has been a champion for patient-centered health care and is the vice chairman of the Energy and Commerce Committee.

Mrs. BLACKBURN. Mr. Speaker, the lie of the year for 2013 was that dubious phrase, “If you like your health care, you can keep it.” We know that the deception has become obvious. And what we do know is that 7 million Americans lost their employer-sponsored health insurance because of the ObamaCare bill.

We also know how harmful this has been to seniors; \$700 billion was raided, raided from Medicare, the Medicare trust fund, by the way.

What we know from our constituents is that when they go to the exchanges

and shop, they end up with a product that—we are even hearing from the insurance companies. There is one of them that says they never should have been there and they are probably going to pull out next year and the product is too expensive to afford and too expensive to use. Premiums are up by double digits in a single year. Out-of-pocket costs are soaring.

This is why having an ObamaCare insurance card does not give you access to affordable health care. It does not give you access to affordable health care. It is, indeed, unaffordable.

We know the injury will continue to hardworking Americans. That is why we stand united today in supporting the reconciliation bill and the repeal of ObamaCare.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. McDERMOTT), a member of the Budget Committee and the Ways and Means Committee.

Mr. McDERMOTT. Mr. Speaker, here we are again, the same fraudulent bill being brought out here again.

The gentleman from Michigan says that they have a plan. They have a plan. We have been waiting 5 years for you to bring that plan to the floor and let us have a vote on it.

There is no plan that you are willing to bring to the floor because you do not care about the American people and their health security. Taking it away from 22 million people and assaulting women with this bill is simply clear evidence that you do not care what happens.

Now, you may think this is good election year politics. But back in the States, the Republicans—even the Governor of Kentucky, a Republican, has decided, you know, I don't want to take it away from people who are on Medicaid.

We tried this in Washington. We already know that if you leave in place the requirement that insurance companies give insurance to people, no matter what their healthcare state is, you are going to sink the individual market. We lost it in the State of Washington, and you are sentencing the whole country to that. Besides, you have said you want the repeal vote to be on the 22nd. You know it is going nowhere.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican majority whip.

Mr. SCALISE. Mr. Speaker, I want to thank the chairman of the Budget Committee for the good, hard work that his committee did for bringing this bill to the floor.

Ultimately, Mr. Speaker, this is something that we have been talking about doing for a long time, but now we have the opportunity to have a vote on the House floor that will send a bill to President Obama's desk that actually guts ObamaCare and defunds Planned Parenthood.

This is something very important to people all across the country. But this is something that allows us through the reconciliation process, which is a rare opportunity.

There have been a lot of really good bills that this House has passed to address problems, whether it is getting the economy back on track, whether it is pushing back on so many of the radical agenda items, through regulatory actions, through executive actions that this President has done to try to circumvent the Constitution and Congress, and they go over to the Senate, and Senate Democrats filibuster the bill. And because of their archaic rules that require 60 votes just to bring a bill up, so many of those bills don't even come up for debate, Mr. Speaker.

So the budget process of reconciliation gives us one opportunity a year, if we are able to come together and agree on a budget, which this House and Senate did. We came to agreement, in fact, on a budget that gets to balance in the 10-year window for the first time since 2002. And it also gives us that one opportunity to move a bill through, not just the House, but through the Senate with a majority vote, rather than 60 votes.

Why that is so important, Mr. Speaker, is it allows us to finally put on President Obama's desk this important question. This President needs to be confronted with this, and he will now be confronted with the question about addressing his failed healthcare law that has denied health care to millions of people, that has resulted in double-digit increases for so many others. In my home State of Louisiana, we are seeing over 20 percent increases because of this failed law.

And then also, to defund Planned Parenthood. That bill will now go to his desk with this important vote.

□ 1645

It is a historic vote. I would encourage the President to sign this bill. It would be an important landmark moment in his Presidency. If he vetoes it, it shows the country just what is at stake if you have a President that is willing to do this for the American people.

I urge a "yes" vote, and I look forward to this vote.

Mr. VAN HOLLEN. Mr. Speaker, yes, that would be important to show that we have a President that doesn't want to eliminate affordable health care for 22 million Americans.

Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR), a distinguished member of the Budget Committee.

Ms. CASTOR of Florida. Mr. Speaker, Democrats in Congress begin the new year with a renewed commitment to working families across this great country and a commitment to standing up to the special interests that hold so

much sway here in Washington, D.C. In contrast, House Republicans begin the new year with the first vote that is a vote against women, a vote against women's health, and a vote to target Planned Parenthood all rolled into one.

Now, women across this country will not forget the coordinated smear campaign against Planned Parenthood last year that was based upon false, manufactured videos full of distortions and misinformation.

We will not forget how Republicans in Congress acted in concert with the shady group and used the controversy to eliminate family planning support and vital cancer screenings for women across the country. It is especially troubling that my GOP colleagues begin the year targeting folks who really need the help the most: working families, young women, and women of color.

While Republicans choose to start the year this way, what I hear from women, parents, moms, and dads at home is that they want greater economic security and greater personal security. That is what Congress should be focused on in 2016, not an attack on women's health.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from the great State of Michigan (Mr. MOOLENAAR), a productive member of the Budget Committee.

Mr. MOOLENAAR. Mr. Speaker, today we will vote to repeal the President's healthcare law. It is a law that the American people have opposed from the very beginning when it was passed without bipartisan support. The American people opposed it even when the President promised that they could keep their coverage and their doctor. They also opposed it when that promise was broken. They opposed it when the law taxed their health insurance and the medical devices that help them live longer, healthier lives.

Today the American people still oppose the President's healthcare law because it makes them pay higher premiums for policies with deductibles that are too expensive. That is why today, 6 years after it was passed, we are voting to send a repeal of this law to the President's desk. This repeal will save the government \$500 billion over the next 10 years and empower people to make their own healthcare choices.

Mr. VAN HOLLEN. Mr. Speaker, I hope everyone listens carefully when our colleagues say that it will save money over the next 10 years, because the Congressional Budget Office says this will actually lose the taxpayer money over the longer term. We all hope to live and have our children live in the longer term.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), a distinguished member of the Budget Committee and Ways and Means Committee.

Mr. PASCRELL. Mr. Ranking Member, through the Chair, this is nonreconciliation if I have ever seen it.

The Affordable Care Act pulling back from Medicaid expansion, do you know what that means? Have you examined what that will do? It will take away essential tax credits that the law provides to help the middle class and middle class families purchase health insurance.

Here we are repealing the ACA for the umpteenth time. In addition to cutting off funding for Planned Parenthood, the new version of the bill which came back from the Senate would also prohibit Medicaid from paying for services at Planned Parenthood. Because Federal law strictly prohibits Federal Medicaid dollars from being used to pay for abortions, regardless of how you try to get that message out and convey this nonfact, that is not the fact. This addition would specifically prohibit payments to Planned Parenthood for healthcare services like preventive health exams.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. PASCRELL. Mr. Speaker, I contend that that is un-American. Read my lips. Cancer screenings. I contend that that is un-American. And you have nothing in your budget, and you have nothing in your so-called plan—which dematerialized before it materialized—that would take care of these folks.

And the subject of birth control, since you like to talk about it all the time, that, to me, is un-American. That, to me, reduces freedom in the greatest country on the planet.

So what will we come up with? In a bill that came before us without regular order—you tout all the time that we need regular order, we have got to go through the process and get the bill in front of us—this did not go through the process. This committee that you had was a joke. You know it and I know it.

So what a spirit of reconciliation, what a horror—what a horror—being projected on the American people. It is too bad. It is not a good way to start the new year, and I am not hopeful for the future.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a productive member of the Energy and Commerce Committee.

Mr. LANCE. Thank you, Chairman PRICE, for your tremendous leadership on this and many other issues.

Mr. Speaker, I rise today in support of the Restoring Americans' Healthcare Freedom Reconciliation Act, the

first ObamaCare repeal bill that Congress sends to the President's desk since the law's enactment in 2010.

This bill effectively repeals mandates and taxes at the very heart of the law and saves taxpayers nearly half a trillion dollars over the next decade, according to the nonpartisan Congressional Budget Office.

Our action here in the House today is an important step toward replacing ObamaCare with patient-centric solutions that lower healthcare costs, protect jobs, and allow Americans to keep their doctors and their health care if they like them.

To be clear, there is more work that needs to be done to make full repeal and replacement a reality, but our congressional efforts today provide important momentum to help make that a reality in 2017 with a new President.

I urge all my colleagues to support H.R. 3762.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished ranking member of the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

The House is yet to take another vote in 60 seconds to demonstrate its relentless fixation on systematically destroying the Affordable Care Act. More specifically, we must vote on a budget reconciliation package that, if enacted, will take away healthcare access for millions of Americans.

This isn't a new exercise. In addition to the 61 unproductive votes, futile lawsuits have been brought in courts, and meritless attacks have been mounted with the goal of destroying the progress we have made. And we have made progress improving a system that didn't work for American families before the Affordable Care Act.

Since the enactment of the law: over 17 million uninsured Americans have gained insurance; young people can stay on their parents' policies until age 26; healthcare costs are growing more slowly today than in past decades; annual checkups are not subject to deductibles; an insurance company can't charge you more for just being a woman; we are in the process of closing the prescription drug doughnut hole; and if you want to change jobs or start a business or start a family, you have healthcare options even if you have a preexisting condition.

That is the progress we have made. Despite that progress, the legislation before us turns the clock back on all of that progress. I urge my colleagues to oppose the bill.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader of the House of Representatives.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I appreciate the work that the chairman has done. I know he is chairman of the Budget Committee, but before he stood on this floor, he was a doctor. He is still a doctor today, and I know the passion that he brings to bring the right type of reform for a medical system that actually works in this country. That is why today is so important not just to him, but to all of us.

We have worked hard—I would say relentlessly—to make that day happen. Yes, we fought to delay, defund, and actually repeal ObamaCare. This law is a failure. We know it, and I know all of you on the other side of the aisle know it as well. Twelve co-ops have failed. State exchanges are failing. No matter where you stood on this issue, you went home and you heard from your constituents.

Now, if you voted for it, you are going to have to answer to the President's promises, because he just didn't promise a few in this room. He promised all Americans. Do you remember what he said? He said: "If you like your healthcare plan, you'll be able to keep your health care plan, period." He also said, Mr. Speaker: "If you like your doctor, you will be able to keep your doctor, period." Mr. Speaker, he also said ObamaCare would "lower premiums by up to \$2,500 for a typical family per year."

Those are direct quotes—it is just that not one of them came to fruition.

Now, I know what I will hear on the other side of the aisle, and they probably won't mention this, but on this floor, Republicans and Democrats joined together to dismantle the employer and individual mandates. In a bipartisan fashion, we delayed the medical device tax. In a bipartisan fashion—a lot delivered from the other side—we delayed the Cadillac tax, cut funding to the healthcare rationing board, and stopped the taxpayer bailout of insurance companies.

Many of our attempts have been successful in undoing key parts of this law. But today, for the very first time, we send a bill repealing ObamaCare to the President's desk.

Also, after watching the horrific videos of Planned Parenthood employees casually discussing the sale of infants' organs, we knew something had to be done. Something had to be done to make sure taxpayers were not forced to support organizations that engage in such inhumane practices. Today we send a bill to the President's desk that ends taxpayer funding for abortion coverage and abortion providers like Planned Parenthood.

No matter where you go in this country, no matter whom you talk to, no matter what party they belong to, they know things are wrong in this country. People are hurting under ObamaCare, human life is being disregarded, and now Congress will put it to the President and hold him accountable for the

terrible policies this administration has pursued.

Mr. Speaker, I don't have any delusions. For the sake of the American people and too many unborn children, I hope the President signs this bill. But the President has made his position very clear. No matter how wrong he is, he will veto any bill that repeals ObamaCare or defunds Planned Parenthood. If he does, we will vote to override.

I, and I know many of my colleagues, have worked with colleagues on the other side of the aisle trying to persuade them to join with us. We asked them to join us and stand with the American people against ObamaCare and against taxpayer funding of the abortion industry. But no matter how the override vote ends up, what we are doing today is still important. When a Republican President takes office next year, Mr. Speaker, we can use reconciliation again. We won't have to worry about a veto from the White House, and we can overcome any attempts by the Democrats to filibuster and obstruct.

You see, from the foundation of this bill and from the work of many colleagues in the medical community and doctors that serve as Members of Congress, we will create a patient-centered healthcare system that gives power to the people, not to bureaucrats in Washington.

So, Mr. Speaker, that is why today is important, because with this bill we can do it—this year or the next, but we will.

Mr. VAN HOLLEN. Mr. Speaker, I listened carefully to the Republican leader, Mr. MCCARTHY, who said that they have worked hard and relentlessly to make this day happen—a day that would eliminate affordable health care to 22 million Americans.

□ 1700

I want to make sure all of our colleagues understand that this is not a fact coming from the Democrats. There is the saying that you are entitled to your own opinion, but you are not entitled to your own facts.

That is a fact that came from the nonpartisan Congressional Budget Office. In fact, they were responding to a letter from Mr. PRICE, the chairman of the Budget Committee. The letter reads:

Dear Mr. Chairman, At your request, CBO and the staff of the joint committee have estimated the budgetary effects of this bill.

It goes on to say:

And analyzed the bill.

It is their conclusion on page 9 of the letter to the chairman:

Enacting H.R. 3762 would increase the number of people without health insurance coverage. Relative to current law projections—

That means relevant to the current law with the Affordable Care Act in place.

would reduce by about 22 million people in most years after 2017.

That is a fact. That is signed by the director of CBO, Keith Hall, who, as everybody in this body knows, was selected on a bipartisan basis by the chairman of the House Budget Committee and the chairman of the Senate Budget Committee, both Republicans. That is a fact.

It is a sad state of affairs when we are “celebrating” the fact that they “worked relentlessly” to get to the point to eliminate affordable care to 22 million Americans.

I yield 1 minute to the gentleman from New York (Mr. RANGEL), somebody who understands the importance of affordable health care and is also a distinguished member of the Ways and Means Committee.

Mr. RANGEL. Mr. Speaker, let me thank the gentleman for his statement in pointing out that this is not really a legislative issue. This is a Republican partisan issue where people have waited for years for this moment to destroy a bill to put 22 million people out of reach of medical care.

They are striking over \$1 trillion from the bill. They are being critical of the bill. They didn't say their moment in the Sun was to provide a better bill. No. They say, if you go back home, you are going to hear complaints.

Well, President Obama went back home to the American people and was campaigning for ObamaCare and they reelected him. Now we are saying that these 22 million people—do you think they are not going to get health care?

You bet your sweet life on this country they are going to get care, not the quality care that ObamaCare would provide for them, but they will be going to emergency rooms. They will get more sick. They will end up in the hospitals. It will cost us much more than the so-called trillion dollars we have.

Well, thank God we do have a government where the President can say no. Thank God we also have a Constitution that says you don't have enough votes to override what is constitutionally and morally the right thing to do.

Mr. TOM PRICE of Georgia. Mr. Speaker, may I inquire once again the time remaining on each side?

The SPEAKER pro tempore. The gentleman from Georgia has 7 minutes remaining. The gentleman from Maryland has 8 minutes remaining.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. STUTZMAN), a wonderful member of the Budget Committee.

Mr. STUTZMAN. Mr. Speaker, the gentleman just mentioned that this is a partisan issue. This was a partisan issue back in 2009 when it was passed. This was forced through against the will of the American people. That is why you have seen over the past sev-

eral elections that the American people want a repeal of ObamaCare and that we start over with patient-centered free-market health care.

The fact is that I was at a Cracker Barrel a couple of weeks ago. I was talking to the waitress. The waitress approached me and she said: You know, ObamaCare was supposed to help me. She said: My premiums have gone up. They have doubled. My out-of-pocket expenses have gone from \$500 to \$5,000. She said: ObamaCare is not helping me.

This is a story that we have heard time and time again. ObamaCare hasn't helped the American people. It has put a greater burden on the American people. Doctors are supposed to provide health care, not ObamaCare, not the Federal Government. This should be a relationship between the American people and the doctor that they choose, the doctor that they were promised that they could keep.

Mr. Speaker, I believe that this reconciliation package is the right thing at the right time for our country. We need to start over. We need to fix our healthcare system rather than prolonging and continuing to enforce a Big Government agenda on the American people.

I ask the Members of this House to support this legislation.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI), a distinguished member of the Education and the Workforce Committee.

Ms. BONAMICI. Mr. Speaker, I rise in opposition to this legislation which would push health coverage beyond the reach of millions of Americans.

The Congressional Budget Office predicts that enacting this legislation could result in roughly 22 million more people living without health insurance. These people are single parents struggling to cover basic necessities, young adults trying to launch their careers and start families, and hardworking couples for whom the cost of insurance won't fit in the monthly budget.

Without affordable health coverage, these Americans will be living with perpetual fear, fear that they will need to choose between paying for housing or food and getting treatment, and fear that any medical emergency could lead them into bankruptcy.

To make things worse, this bill defunds Planned Parenthood, which would undermine access to reproductive health services and preventive care for women. That is not only wrong, it is counterproductive.

It is unfortunate that, at the start of a new year, we are debating a regressive proposal that would make the lives of some of our most vulnerable friends and neighbors even less secure.

I hope my colleagues on both sides of the aisle will acknowledge that this bill is irresponsible and join me in voting “no.”

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN), a fellow Georgian and a freshman Member of the House of Representatives.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for his great work on this important legislation.

Today I rise in support of H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. This legislation will dismantle ObamaCare and defund Planned Parenthood.

This bill guts ObamaCare's individual and employer mandates and repeals the costly Cadillac and medical device taxes. It protects society's most innocent—the unborn—and also provides additional funding for community health centers so that women can continue to have access to the quality care they deserve.

We need to expand patient choice. We need to give the American people choice. We need to make health care more affordable by offering patient-centered and cost-effective reforms. Most of all, we need to give a voice to the voiceless.

This is a historic moment. After passing the House today, the bill will go straight to the President's desk and President Obama will be forced to vote on repealing ObamaCare and defunding Planned Parenthood for the first time. He will have to choose between dismantling a costly and disastrous law and preventing disregard for human life or protecting his own political legacy.

Colleagues in the House, please join me and vote in favor of the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER), a member of the Energy and Commerce Committee.

Mr. SCHRADER. Mr. Speaker, after drafting and passing a trillion-dollar deficit-busting tax and budget bill last month, my Republican colleagues now want to get some of that money back on the backs of middle- and low-income Americans.

These are the very people that have been struggling to recover from the Great Recession. These families and small businesses that are having trouble staying afloat would now lose access to affordable health care. It is irresponsible.

I don't get it. The Affordable Care Act gives millions a hand up, not a handout, in order to afford affordable health care. Families are put in the driver's seat in the health insurance market and are seeing good results.

This is something we have been doing in Oregon for some time. Market-based principles and personal responsibility is actually the heart of the ACA.

Mr. Speaker, I don't understand why we would want to create greater uncertainty for small businesses, trying to

do the right thing by their employees, by eliminating the small business tax credit, like my Republican colleagues want to do today.

Rather than waste time on distractions like this, we should be coming together to build certainty around the basic American right of a shared-responsibility healthcare system.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER), a diligent and productive member of the Budget Committee.

Mrs. HARTZLER. Mr. Speaker, ObamaCare is hurting people by reducing choices, increasing costs, and making it harder for people to access quality, affordable healthcare. That is why I am proud to stand here today to support a bill that dismantles key provisions of ObamaCare and paves the way for better healthcare solutions.

The Restoring Americans' Healthcare Freedom Reconciliation Act stops the government from forcing its citizens to buy expensive healthcare plans they don't want or need. It saves Americans money by eliminating many of the ObamaCare taxes.

Additionally, this bill stops taxpayer funding for abortion providers such as Planned Parenthood. This one abortion provider receives over half a billion taxpayer dollars a year even though it has been involved in the harvesting and selling of baby body parts.

It is time to stop all tax dollars flowing to abortionists and redirect it to healthcare providers who care for women without taking innocent life.

Congress is listening to the people's calls. Now it will be up to the President to decide, does he support the people and women's health or does he support Washington mandates and tax dollars going to Planned Parenthood.

I urge the President to do the right thing and sign this into law.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Judiciary and Homeland Security Committees.

Ms. JACKSON LEE. Mr. Speaker, I thank the manager, the gentleman from Maryland (Mr. VAN HOLLEN), for his leadership. I also thank my good friends on the other side of the aisle.

Mr. Speaker, I now understand what the issue is. We are talking apples and oranges. My friends on the other side of the aisle don't care about the fact that, in 2013, 18 percent of Americans were uninsured; in the State of Texas, 28 percent; California, 23 percent; and Georgia, 22 percent.

Now we have found that we are at a point where we have lowered that amount and we have lowered the uninsured rate in this country to 11.9 percent. Those are vulnerable Americans and women and families.

We also don't seem to understand that, when our constituents come to us

and talk about premiums, all we need to do is do the constituency service and kind of assure them and show them the direction into the marketplace because, in shopping around, you can lower your premium.

But the real issue is whether or not we care about making sure that those with preexisting conditions can actually get health insurance, that those in Medicare can actually protect the Medicare system and make it insolvent in 2030 instead of 2017.

The other question is: Does this bill even have a plan? Is there an alternative healthcare plan that the Republicans have put in the budget reconciliation? No, they have not.

Then they want to take away Planned Parenthood. This is not about disliking Planned Parenthood. It is telling women that they do not have a choice to choose their own doctors. That is what they are doing when they defund Planned Parenthood.

Mr. Speaker, it is apples and oranges. They are talking one thing. I am talking about saving lives and helping Americans keep their health insurance.

Mr. Speaker, I rise in opposition to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

In 1949, Harry Truman became the first sitting President to propose universal healthcare for all Americans as part of the "Fair Deal."

On March 23, 2010, President Obama aided by a Democratic Congress delivered on this promise.

Before the enactment of the Affordable Care Act, 50 million people in the United States had no health insurance coverage, with many losing insurance as a result of the recent recession.

This is the 62nd vote by the GOP since its enactment to end the Affordable Care Act law.

In 2013, key provisions of the Affordable Care Act began to take effect and have significantly improved the lives of millions of Americans.

In 2013, the states with the highest percentage of uninsured were: Texas with 28.8 percent; Louisiana with 24 percent; Nevada with 23.3 percent; California with 23.2 percent; Florida with 22.8 percent; Georgia with 22.5 percent; Arkansas with 21.9 percent; Mississippi with 21.7 percent; and Oklahoma with 21.4 percent.

In 2013, when Gallup first began tracking health insurance coverage just before the Affordable Care Act went into effect, the number of persons not insured has declined by 5.2 points.

Gallup reported that the percentage of uninsured Americans increased from nearly 14 percent in 2008 to over 17 percent in 2011, and peaked at 18.0 percent in 2013.

According to Gallup the uninsured rate among U.S. adults declined to 11.9 percent for the first quarter of 2015, but this fact has not deterred efforts by the GOP of the House to end this important lifesaving law.

Mr. Speaker, this steady decline in the number of Americans without health insurance means that today only about 10 percent of our citizens do not have coverage.

Many of those most in need of the healthcare coverage provided by the Affordable Care Act live in the Districts of many members on both sides of this argument. Texas, my own state, leads the list of states with the highest percentages of uninsured residents.

The highest concentrations of the uninsured are the poor and unemployed.

The uninsured rate among Americans has dropped sharply since the implementation of the Affordable Care Act, which provides: access to healthcare to the poor through expansion of Medicaid; prevents health insurance companies from denying healthcare coverage based on pre-existing conditions; stops health insurance companies from discriminating against women by charging them higher rates for coverage, and extends the time children can remain on their parents' health insurance to age 26.

The Affordable Care Act provides to states at no cost options for residents to enroll in healthcare programs through Medicaid.

Unfortunately, some states like my state of Texas have rejected this important component of the Affordable Care Act for those in the state in most need of healthcare.

Instead of focusing on protecting and caring for the health of our constituents, we are allowing partisan games to interfere with serving the best interest of our Districts.

At the end of healthcare insurance enrollment for 2015, more than 8.5 million consumers signed-up for health coverage through the HealthCare.gov platform or had their coverage automatically renewed.

Of the about 6 million Marketplace consumers whose coverage was renewed, about 3.6 million actively renewed and 2.4 million consumers automatically renewed their health insurance coverage.

The 2015 health insurance enrollment period had 29 percent new participants and 71 percent return participants.

In my state of Texas 1,096,868 individual plans were selected by visitors to the HealthCare.gov platform.

In 2015, unfortunately Texas remains the state with the highest health uninsured rate among the 50 states, with 25.7 percent or over 4.2 million residents without health insurance.

Instead of focusing on the issues that the American people want addressed, we are having the same discussion to repeal the Affordable Care Act in the efforts of my colleagues to repeal, obstruct and undermine this law.

What is even more frustrating is that while there is so much energy in trying to repeal the Affordable Care Act, there has been no plan or suggestions posed on how to replace it.

I want to once again highlight the benefits of the Affordable Care Act so we can once and for all end the attempts to try and repeal this law that benefits so many Americans.

Because of the Affordable Care Act, Americans are seeing lower costs, better coverage, and patient protections that Republicans want to repeal:

The average premium for employer-provided family health coverage went up 3 percent in 2014, continuing the trend of lower annual increase, which means that over the 5 years the healthcare law has been in place it has saved

employers over \$1,800 dollars in premiums for employee family health insurance coverage.

Medicare spending growth per beneficiary was approximately flat in fiscal year 2014, a significant contributor to extending the solvency of the program.

The Medicare Trustee now projects because of the Affordable Care Act that the Medicare Trust Fund will be solvent until 2030 instead of 2017.

Health insurance consumers have saved 9 billion since 2011 because Obamacare requires insurance companies to spend 80 cents on every premium dollar on consumer healthcare and empowers States to review and negotiate premium increases.

129 million Americans, including 17 million children, are no longer at risk of losing health insurance coverage because of their health.

76 million Americans with private coverage are eligible for expanded preventative services coverage, which includes 30 million women and 18 million children.

Since the Affordable Care Act went into effect insurers have paid customers over \$1.9 billion in rebates because they did not spend 80 cents on each dollar of premium on healthcare.

Nationwide, nearly 11.7 million consumers selected a plan or were automatically enrolled in Marketplace coverage.

In 2014, of the 5 million uninsured Texans: 874,000 are eligible for Medicaid/CHIP; 1,046,000 are in the coverage gap; 1,756,000 are eligible for tax credits; 1,264,000 are ineligible because of their income or access to employer benefits.

In 2014, access to affordable healthcare for the self-employed or those who decide to purchase their own coverage became easier because of Affordable Insurance Exchanges.

In Texas, 1,205,174 consumers selected or were automatically re-enrolled in quality, affordable health insurance coverage through the Marketplace as of February 2015.

The Federal Marketplace Signups and Tax Credits in Texas meant that: 85 percent of Texas consumers who were signed up qualified for an average tax credit of \$239 per month through the Marketplace. 68 percent of Texas Marketplace enrollees obtained coverage for \$100 or less after any applicable tax credits in 2015, and 92 percent had the option of doing so.

In Texas, consumers could choose from 15 issuers in the Marketplace in 2015—up from 12 in 2014.

Texas consumers could choose from an average of 31 health plans in their county for 2015 coverage—up from 25 in 2014.

468,797 consumers in Texas under the age of 35 are signed up for Marketplace coverage (39 percent of plan selections in the state); and

348,593 consumers 18 to 34 years of age (29 percent of all plan selections) are signed up for Marketplace coverage.

Texas has received \$1,000,000 in grants for research, planning, information technology development, and implementation of its Marketplace.

Open enrollment for 2016 coverage runs from November 1, 2015 to January 31, 2016.

There are now one stop marketplaces where consumers can do what Federal em-

ployees have done for decades—purchase insurance at reasonable rates from an insurer of their choice.

There are also opportunities for small employers to form pools to use their collective bargaining potential to find the best deals for employee health plans.

This Congress has work that needs to be done, and it has work that should be taken up to increase financial security for workers, their families and communities as the economy continues to recover, and not play partisan political games.

I urge my Colleagues to put partisan politics aside and join me in voting no on the passage of this bill.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH), a champion of the pro-life community.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the chairman for his great work on this bill.

Subsidized by over \$500 million taxpayer dollars each year, Planned Parenthood dismembers or chemically poisons a baby to death every 2 minutes, killing over 7 million innocent children since 1973.

Planned Parenthood is Child Abuse, Incorporated. Now undercover videos have exposed in numbing candor several high-level Planned Parenthood leaders gleefully talking about procuring children's internal organs for a price, all while altering gruesome dismemberment procedures to preserve intact livers, hearts, and lungs from freshly killed babies.

Far too many politicians, Mr. Speaker, including our Nobel Peace Prize-winning President and much of the media, continue to ignore, trivialize, and even defend these gross human rights abuses.

So know this: We will not be deterred in exposing this Planned Parenthood scandal no matter how aggressive and misleading the cover-up.

End taxpayer funding to those who commit these cruel and inhumane acts in this subsidy for Planned Parenthood.

Mr. Speaker, I rise today in strong support of the Restoring Americans' Healthcare Freedom Reconciliation Act and urge all of my colleagues to vote to dismantle Obamacare by repealing the most damaging aspects of this egregiously flawed law.

The legislation before us today will send a strong message on behalf of the millions of Americans who lost or were forced to switch their healthcare coverage and/or doctors, as well as those facing additional charges, higher copayments, and larger annual fees as a result of Obamacare.

I have supported, and the House has passed, legislation to repeal Obamacare in its entirety many times but today's vote is different. Through the reconciliation process, which allows for expedited consideration and a simple majority vote in the Senate, today's bill will be placed on the President's desk. The President will have to decide if he stands on the side of the American people or continues

the misguided policies squeezing middle class families.

In particular, the bill repeals the individual mandate—where American are coerced into purchasing expensive insurance packages many do not want or need, and many cannot afford.

Unfortunately for the millions who cannot afford to purchase Obamacare insurance, the penalties are expensive too.

According to a Kaiser Family Foundation report issued last month, this year the penalty for noncompliance will spike 47%, up from \$661 in 2015 to a whopping \$969.

The report also states that for 7.1 million uninsured Americans, the penalty is still cheaper than the least expensive insurance option available to them through Obamacare. Since the law did little to address affordability and the increasing cost of obtaining coverage, the federal government—the IRS, no less—will now take money out of the pockets and pocketbooks of Americans, further penalizing the uninsured.

The President and Obamacare supporters promised otherwise, but health insurance still remains out of reach for many Americans. Additionally, those who had quality affordable coverage that they were comfortable with have seen unwelcome changes that they likely would not have had to face—but for Obamacare.

The Restoring Americans' Healthcare Freedom Reconciliation Act will also—fully and permanently—repeal two misguided tax increases harming businesses, innovation and middle-class Americans: the excise tax on employer-sponsored health insurance, aka “the Cadillac tax,” and the medical device tax.

This legislation moves us a step forward in the process of repealing Obamacare's mandates, tax hikes and slush funds and begins undoing the damage inflicted on individuals, businesses, our economy and our national debt. But we can do more to address these inadequacies of our healthcare system and provide alternative reforms and solutions.

We have the ability to ensure that all Americans have access to affordable, high-quality health care. I am a longtime supporter of a number of positive reforms that can replace Obamacare including: reforming the private health insurance market so patients and their doctors are in charge of medical decisions; encouraging healthy behaviors; incentivizing innovation; ensuring insurance portability and the availability of high-risk pools; reforming Medicare to be a model of efficiency; modernizing the tax code to make health insurance more affordable; and strengthening the health care safety net so no one is left out.

Finally, the bill before the House today defunds Planned Parenthood. Subsidized by over \$500 million taxpayers' dollars each year, Planned Parenthood dismembers or chemically poisons a baby to death every two minutes—killing over 7 million innocent children since 1973.

Planned Parenthood is “Child Abuse Inc.”

Now, undercover videos have exposed in numbing candor, several high level Planned Parenthood leaders gleefully talking about procuring children's internal organs for a price all while altering gruesome dismemberment procedures to preserve “intact” livers, hearts and lungs from freshly killed babies.

Far too many politicians including our Nobel Peace Prize winning President and much of the media continue to ignore, trivialize—even defend—these gross human rights abuses.

So know this: we will not be deterred in exposing this Planned Parenthood scandal, no matter how aggressive and misleading the cover-up.

End taxpayer funding to those who commit these cruel and inhumane acts.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, we ended the 2015 Congress working together with a tax extender package that I voted for that gave relief to the medical device folks in an omnibus bill.

But we are back, and there you go again trying to repeal the Affordable Care Act, taking health care away from people and taking Planned Parenthood, which gives people who are poor and live in areas where there is not other healthcare opportunities—taking away from them the opportunity for preventive health care.

□ 1715

The last time this was tried in Tennessee, there was a 1,400 percent cut in women getting preventative care. That is just not right. We just came through Hanukkah and Christmas, and we ought to think a little bit about what Hanukkah and Christmas were about and what Moses and Jesus would be about. I think they would be about saving lives and about giving everybody an opportunity to live, not patient-centric health care, but people living and getting health care like every other civilized, industrialized country in the world provides for its people.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), a conscientious member of the Committee on the Budget.

Mr. WESTERMAN. I thank the chairman for his leadership.

Mr. Speaker, today is a good day for America because we will finally send this bill to the President's desk.

The "Unaffordable Care Act" is bad for the American people because it is contributing to the bankruptcy of our country while doing little to provide Americans with better health care.

Mr. Speaker, I have constituents who used to have health insurance but who no longer do because their premiums are too high. Now they have no insurance, and the only thing to show for it is a fine from the IRS. Medicaid expansion is a blueprint for single-payer, government-run health care. As an engineer, I can assure you that, if you start with a bad blueprint, you will get bad results.

Instead of expanding Medicaid for able-bodied, working-age adults, the administration should work with us to fix the broken traditional Medicaid program, which is intended for those

who most need it: the elderly, the disabled, and children. In 2014, there were 38.2 million nondisabled Americans between the ages of 18 and 64 who were not working at all. More than they need Medicaid expansion, they need pro-growth economic policies that will foster good jobs so they can simply work and provide for themselves and their families.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL) of the Committee on Ways and Means.

Mr. NEAL. Mr. Speaker, 62 times we have now voted to repeal the Affordable Care Act. Let me contrast what we are about to do in the next few minutes with the manner in which Democrats handled the Medicare part D prescription drug benefit. We voted against it. We opposed it. We became the majority, and we improved it. That is the reality of legislating. We closed the doughnut hole. We took a very difficult piece of legislation—largely resisted on their side as well—and became the majority and asked: How can we singularly improve this legislation so that it has broad appeal for the American people? Today, people take it for granted. They just accept the idea that the prescription drug bill works for all members of the American family. Instead, this is the 62nd time of repealing this for the purpose of political messaging, with no alternative ever provided—not once.

I hope the media members will use the contrast that I have just outlined about the prescription drug legislation in Medicare part D with what the Republicans are doing, once again today, with no hope other than that of trying to win political points in messaging.

Mr. TOM PRICE of Georgia. Mr. Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from Georgia has 2 minutes remaining, and the gentleman from Maryland has 3 minutes remaining.

Mr. TOM PRICE of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I inquire of the gentleman from Georgia if he has any further speakers.

Mr. TOM PRICE of Georgia. Mr. Speaker, I have no further requests for time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself the balance of my time.

We finished the debate, really, where we began, which is, on this first day back of 2016, we are really revisiting the battles of the past, as the gentleman from Massachusetts (Mr. NEAL) and others have said.

We heard from the Republican leader, Mr. MCCARTHY, that they had worked hard for this day. We know from the nonpartisan Director of the Congressional Budget Office that, apparently, what our Republican colleagues worked

so hard to do was to take affordable health care away from 22 million Americans. At the same time, we have heard all sorts of misinformation and distortions on this floor about Planned Parenthood, which is an organization that provides women and their families with health care, that provides cancer screenings, and that provides family planning.

On national television, when asked whether there was any evidence that Planned Parenthood had broken any law, even Republican Chairman CHAFFETZ of the Committee on Oversight and Government Reform, who investigated Planned Parenthood, said: "No, I'm not suggesting that they broke the law." In fact, that was the finding of other committees here. Yet, our Republican colleagues have now set up a witch hunt, special committee to go after Planned Parenthood. Ironically, they claim to be doing an investigation, but here on the floor, they have, obviously, already reached a conclusion and have decided to defund an organization that helps provide health care to American women and families.

So, rolled into one bill, you have something that would deny access to health care to 22 million Americans and, at the same time, deny important health services to millions of American women and their families.

When our Republican colleagues pose this question and say that the President is going to be faced with a tough choice, I can assure them it is not a tough choice for the President, because it is not a tough choice when it comes to whether or not we take affordable health care away from 22 million Americans. That should be an easy choice for all of us. We are not going to do it. It also shouldn't be a tough choice as to whether or not we defund Planned Parenthood and the services they provide to American women and families. That is not going to be a tough choice for the President.

The Republican leader was absolutely right when he talked about the consequences of the 2016 elections, because we are fortunate that, today, we have a President who will not sign that bill but who will, instead, veto that bill. Our colleagues are absolutely right. If you had a different President, including, as far as I know, all of them on the Republican side, they would be signing this bill. So this is an important statement of what our Republican colleagues think is the top priority on the first day of 2016, which is to get rid of affordable health care for 22 million Americans.

Let's talk about that with the American public because I believe that the American public wants to do what the gentleman from Massachusetts (Mr. NEAL) said: Where we find problems and where we need to make adjustments, we should do it, but we shouldn't turn back the clock and deny

affordable health care to tens of millions of Americans.

Mr. Speaker, I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself the balance of my time.

It seems, whenever we have a serious issue to talk about on the floor, the distortions and the utter false statements come out, and that is a shame because the American people deserve better.

ObamaCare is harming real people, not just from an economic standpoint across this great land but from a healthcare standpoint. As a physician, I can tell you that I hear about it daily from my colleagues. We hear from the other side of folks who tout the numbers of increase and of folks who have gained insurance. The fact of the matter is, of the folks who have gained insurance and of those who had insurance, many of them now have coverage, but they don't have care. If you earn \$30,000, \$40,000, or \$50,000 and if your deductible is now \$5,000 or \$10,000 or \$12,000, you may have coverage, but you don't have care. In fact, individuals are denying themselves treatment right now because they can't afford the deductibles because of this law. That is the real world out there. That is the harm that this law is doing.

We heard over and over and over that we want to remove healthcare coverage from 22 million people. That is utter nonsense, Mr. Speaker. It is absolutely not true. In fact, my friend from Maryland quoted the CBO report, and he quoted it accurately, but he skipped over—kind of glossed over—the part that said that this would be relative to current law projections. That is right. We want to repeal this law, and we want to replace it with positive, commonsense, patient-centered solutions that put patients and families and doctors in charge of health care, not Washington, D.C., solutions that respect the principles of health care: accessibility for everybody, affordability for everybody, choices, and higher quality care—the things that ObamaCare has destroyed. That is why the majority of the American people don't like this law and oppose this law. It is because it destroys the principles of health care that the American people hold dear.

Mr. Speaker, this is the first step and the next step in the process of repealing ObamaCare and of making certain that we move forward with positive, patient-centered solutions in which patients and families and doctors are making medical decisions and not the Federal Government.

I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to H.R. 3762, the Senate-Passed GOP Reconciliation Bill, appropriately

dubbed the "Taking Health Coverage Away from Millions of Americans and Attacking Women's Health Care Act."

This measure marks the 62nd House vote to repeal or undermine the Affordable Care Act.

It is the 11th time the House has voted this Congress to attack women's health care.

Make no mistake: champions of these damaging, reactionary policies are putting politics over people and undermining the fundamental notion that health care is not a privilege, but a right.

It is unfortunate that, instead of using this time to advance legislation that improves our health care system, we are again engaging in another futile attempt to cut off funding for Planned Parenthood and put women's health at risk, disinvest in public health and chronic disease prevention, and roll back coverage gains, consumer protections, and reforms advanced by the Affordable Care Act.

This Reconciliation measure flies in face of patient access and good governance.

The Congressional Budget Office estimates that this damaging legislation will lead to an estimated 22 million Americans losing their health insurance after 2017.

Among its many nefarious provisions, H.R. 3762 is designed to halt Medicaid expansion.

This would devastate millions of hard-working adults and their families across the country, particularly those in high need communities.

H.R. 3762 would eliminate Planned Parenthood's ability to receive reimbursement for all health care services provided under Medicaid.

Health centers like Planned Parenthood are the bedrock of our health care safety net.

Medicaid patients deserve to choose their health care provider and should not have their choice limited by politically motivated agendas.

Texas is a case study in what happens when Planned Parenthood is attacked and access is rolled back.

In short, this measure takes away affordable health care coverage and puts politics ahead of common sense.

Our constituents deserve better.

I strongly urge my colleagues to oppose H.R. 3762 and get back to work on behalf of the American people.

Mr. BLUMENAUER. Mr. Speaker, today, I will vote against H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015, which would repeal the Affordable Care Act (ACA) and defund Planned Parenthood. Republicans eyeing election year points are waging yet another political battle with President Obama, without regards to current health coverage and protections for millions of families and businesses and limiting health care access for millions of women.

The ACA is here and will remain throughout the tenure of President Obama as a key accomplishment of his administration. Despite dire predictions, the results of the ACA are remarkable. Our nation's uninsured rate is the lowest it's been in decades; more than 19 million Americans today have health coverage because of the ACA. Up to 129 million Americans who have pre-existing conditions no longer have to worry about being denied coverage or charged higher premiums because of their health status. Additionally, thanks to the

ACA, health care prices have been rising at the slowest pace in nearly 50 years.

No one pretends the ACA is perfect; I've long claimed it is in need of refinement. Congress needs to work together to improve the ACA and pass legislation that continues to make health care more affordable for Americans. It's unacceptable that we leave behind some of our most vulnerable individuals because many Republican governors refuse to expand Medicaid and extend coverage to those most in need.

The obsessive targeting of Planned Parenthood funding is another reason I will vote against H.R. 3762. The amazing Planned Parenthood staff and volunteers in my community provide critical reproductive health services to more than 70,000 Oregon women annually. This legislation is yet another concerted assault against the provision of essential service to women, especially women of color and low-income status.

This legislative merry-go-round must stop. We must instead focus on solutions that instead build on the promise of healthcare reform; not just to save money, but to improve the lives of Americans of all ages.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to express my strong disappointment in House Republicans for starting off the New Year with the same failed policies from 2015. The bill before us today, the so-called Restoring Americans' Healthcare Freedom Reconciliation Act, is simply more of the same. We've been here 61 times before, making today the 62nd vote to repeal or undermine the Affordable Care Act. Enough is enough.

Ultimately, we are wasting time on a bill destined for a veto and have many reasons to celebrate its imminent failure. This bill is designed to take health insurance from 22 million uninsured Americans. It would cut the subsidies provided to low and middle income Americans living with diabetes and other diseases that allow them to purchase private health insurance.

It would also eliminate the Prevention and Public Health Fund (PPHF), which provides investments in public health efforts to prevent and detect diseases like diabetes and cancer. In the first 6 years of the Fund's inception, \$5.25 billion in resources have been sent to states, tribal, and community organizations to support community-based prevention. The Fund should be strengthened, not eliminated.

This bill is also designed to repeal the ACA's Medicaid Expansion. As representative of a state that has opted not to expand its Medicaid program, I know full well the consequences of non-expansion. The 139,000 working Alabamians who fall in the so-called coverage gap make too much to qualify for Medicaid and too little to qualify for subsidies. My states' decision not to expand this critical program is having a devastating—almost fatal—impact on rural health clinics and hospitals across my district. This provision to repeal Medicaid Expansion would have a devastating impact on the 30 states that have expanded their Medicaid program under the Affordable Care Act, including 14 states with Republican governors.

The bill is also designed to take away family planning, wellness exams, and life-saving cancer screenings from millions of American

women. The issue of access to reproductive care is very personal to my constituents as some women have to drive two counties to deliver a baby. For women in Sumter County, that's as far as Tuscaloosa, which is an hour away. We shouldn't be in the business of restricting access to family planning and reproductive care in our communities that are already struggling from high teen pregnancy, infant mortality, and STD rates.

While I am pleased to see an effort to repeal the burdensome Cadillac tax and the medical device tax, I cannot support this dangerous bill in its entirety. I will continue to work with my colleagues to repeal the Cadillac and medical device taxes through other legislative vehicles.

Before passage of the ACA, we were spending more money per patient than any country in the world. Under the law, health care prices have grown at the slowest rate in 50 years. This is economic progress that all Americans benefit from. While the Affordable Care Act is not perfect, there are millions of Americans who now have access to quality healthcare and are leading healthier lives because of it.

My constituents and the nurses and doctors who care for them deserve better. They deserve a Congress that works together to fix what's wrong with our health care system rather than rolling back the progress made by the Affordable Care Act. In 2016, we should be a Congress that finds solutions that benefits all Americans. Health care should not be a privilege.

Ms. NORTON. Mr. Speaker, it's ironic that during our first sessions of the new year today, the House gets down to business with fake business—defunding Planned Parenthood and the 62nd vote to repeal Obamacare. Never mind the inevitable veto by a Democratic President—the Republican Governor of Kentucky, Matt Beven has already vetoed his own campaign promise to repeal the Medicaid expansion. A Washington Post editorial commended Bevin for “good sense.” It's also sound policy and good politics to claim federal funds that your constituents have paid for to improve the health care of half a million low-income Kentuckians.

Defunding Planned Parenthood, or federally funded health care for the 60 percent of their Medicaid patients who depend on Planned Parenthood, would have the same effect as defunding the Medicaid expansion in Kentucky. Both would take away from the neediest living in underserved communities for spiteful political reasons.

Republicans began 2016 with more of the same, by targeting medical care for the poor. Americans deserve better than the same old foolishness in the new year.

Mr. COLE. Mr. Speaker, I rise today to share my strong support for the Senate Amendment to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. Mr. Speaker, this legislation caps a long march by House Republicans to repeal President Obama's job-killing health care legislation, the so-called Patient Protection and Affordable Care Act (PPACA). But you don't have to just take my word for it. Since its enactment, PPACA has never been popular with a majority of the American people. The Kaiser

Family Foundation has maintained a monthly tracking poll of the law's popularity and only once in the last five years was its favorability as high as 50%. House Republicans recognized this and voted over 60 times to repeal or modify provisions of PPACA. Because of this, eighteen different provisions of PPACA have been considered and passed by both the House and the Senate and have been signed into law by the President.

The Senate Amendment to H.R. 3762 does three important things: it repeals the individual mandate, eliminates the employer mandates, eliminates the taxes on prescription drugs and medical devices, and it places a moratorium on taxpayer funding to abortion providers. These provisions are estimated to repeal more than \$1.2 trillion in tax hikes on hardworking families, and reduces spending by nearly \$1.5 trillion, over the next 10 years. As a member of the Budget Committee, I am proud to have played a role in shaping this reconciliation bill to repeal a law that a majority of Americans have never wanted, a law that has taken away coverage that people liked and replaced it with inferior coverage which costs even more.

In addition to this, Mr. Speaker, the Senate Amendment to H.R. 3762 includes a moratorium on taxpayer funding to abortion providers, like Planned Parenthood, and redirects those funds to community health centers. Like you, Mr. Speaker, I am opposed to abortion and have been a consistent proponent of laws and policies that respect life and protect the unborn. I am pleased this legislation provides for a moratorium of funding to Planned Parenthood.

Broadly, I do not believe that taxpayers should fund Planned Parenthood. I am a cosponsor of H.R. 217, the Title X Abortion Provider Prohibition Act, which would prohibit family planning assistance to an entity unless it certifies that it will not provide funds to another entity that performs abortions except in the cases of rape, incest, or the life of the mother. I have also cosponsored H.R. 3134, the Defund Planned Parenthood Act of 2015, which would prevent any funds from going to Planned Parenthood until it is certified that they do not perform abortions and supported this legislation when it passed the House, by a vote of 241–187, on September 18, 2015. In addition, I voted in favor of H.R. 3495, the Women's Public Health and Safety Act, which gives states the flexibility to exclude abortion providers, like Planned Parenthood, from their Medicaid programs. I do not believe it is appropriate to use public funds to pay for abortions and am pleased to see this further limitation as a part of the Senate Amendment to H.R. 3762.

Finally, Mr. Speaker, I want to take a few moments to respond to some of my colleagues' remarks that seemed to imply that funding for Planned Parenthood was included in the omnibus. Approximately 90 percent of Planned Parenthood's federal funding comes from Medicaid reimbursements, which is mandatory or entitlement spending, and not included in the omnibus at all. The other 10 percent of Planned Parenthood's federal money comes primarily from the Title X Family Planning Program in the form of competitive grants. This amounts to around \$60 million in any given year that Planned Parenthood must

compete for. Obviously, with this Administration, it seems likely that Planned Parenthood will receive funds; however, electing a pro-life President who will also select like-minded appointees and cabinet members is the long-term solution. Ultimately, even with a government shutdown, Planned Parenthood would still receive the vast amount of the funding it currently receives.

As the Chairman of the Appropriations subcommittee responsible for funding the Department of Health and Human Services, I removed all funding for Title X programs that fund organizations conducting abortions, such as Planned Parenthood as part of the House version of this legislation. Unfortunately, we were not able to maintain that funding prohibition or the Abortion Non-Discrimination Act in the final version of the bill. For some to suggest, as they have, that more could have been done to stop this horrifying practice in the omnibus, is simply untrue.

I am opposed to abortion and have been a consistent proponent of laws and policies that respect life and protect the unborn. Since becoming a Member of Congress, I have made protection of life one of my highest priorities. As stewards of the laws of this country, protecting the most vulnerable, including the unborn, should be one of Congress' highest priorities. I have a 100 percent pro-life voting record and intend to continue building on that record.

In closing, Mr. Speaker, this legislation demonstrates what the American people have known for a long time: that Obamacare is deeply unpopular in both Washington and back at home. Forcing the President to veto this legislation demonstrates that the support is here in Washington for a full repeal. If a Republican President would be elected in 2016, I am sure this albatross around the neck of the American people would be no more.

I encourage all of my colleagues to listen to the voices of the American people and vote yes on repeal of Obamacare and a temporary moratorium on federal funding for Planned Parenthood.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 579, the previous question is ordered.

The question is on the motion by the gentleman from Georgia (Mr. TOM PRICE).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TOM PRICE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 181, not voting 13, as follows:

[Roll No. 6]

YEAS—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moonenar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson

Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)

Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield

Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy

Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Honda

Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Katko
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Pelosi

Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Cleaver
DeLauro
Hinojosa
Issa
Johnson, E. B.

Kennedy
Kind
King (IA)
Miller (MI)
Nugent

Payne
Rush
Titus

□ 1754

Ms. KUSTER changed her vote from “yea” to “nay.”

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1927, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2015

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114-389) on the resolution (H. Res. 581) providing for consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation, which was referred to the House Calendar and ordered to be printed.

SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1155.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 580 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1155.

The Chair appoints the gentleman from New York (Mr. COLLINS) to preside over the Committee of the Whole.

□ 1758

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. COLLINS of New York in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Virginia (Mr. GOODLATTE), the gentleman from Michigan (Mr. CONYERS), the gentleman from Utah (Mr. CHAFFETZ), and the gentleman from Maryland (Mr. CUMMINGS) each will control 15 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

As we begin 2016, we face the same difficulty we have faced since the beginning of the Obama administration.

Because the administration and the entrenched Washington regulatory bureaucracy insist on piling burden upon burden on the backs of workers, Main Street families, and small-business owners, America is still struggling to create enough new jobs and economic growth to produce the prosperity we need.

□ 1800

To turn this problem around, we must not only stem the tide of unnecessarily costly new regulations; we must also get rid of the deadwood in the accumulated, existing regulations that impose almost \$2 trillion in annual costs on our economy.

How can America's job creators create enough new jobs while Washington regulations divert so many of their resources in other directions? The SCRUB Act addresses this problem head-on with new, innovative ways to clear away the clutter of outdated and unnecessarily burdensome regulations.

For years, there has been a bipartisan consensus that this is an important task that must be performed. But, as with so many things, the hard part has always been the details. Different approaches have been tried by different Presidential administrations, and some solutions have been offered by Congress. But, to date, no sufficiently meaningful results have been produced.

In many ways, this is because past approaches never fully aligned the incentives and tools of all the relevant actors—regulatory agencies, regulated entities, the President, the Congress, and others—to identify and cut the regulations that can and should be cut.

On their own, regulators have little incentive to shine a spotlight on their errors or on regulations that are no longer needed. Regulated entities, meanwhile, may fear retaliation by regulators if they suggest ways to trim the regulators' authority. And the sheer volume of the Code of Federal Regulations, which now contains roughly 175,000 pages of regulations, presents a daunting task for any Congress or President to address.

The SCRUB Act represents a real step forward in our attempts to eliminate obsolete and unnecessarily burdensome Federal regulations without compromising needed regulatory objectives. By establishing an expert commission with the resources and authority to assess independently where and how regulations are outdated and unnecessarily burdensome, it overcomes the disincentives for agencies and even regulated entities to identify problem regulations.

In addition, by providing a legislative method to immediately repeal the most problematic regulations, the SCRUB Act assures that we will take care of the biggest problems quickly. Further, by instituting regulatory CutGo measures for the remaining reg-

ulations the commission identifies for repeal—when Congress approves the repeal—the bill assures that the rest of the work of cutting regulations will finally happen.

I urge my colleagues to support the SCRUB Act.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Members, my colleagues, I rise, I am sorry to say, in strong opposition to H.R. 1155, the so-called SCRUB Act, because it threatens to drown agencies in additional layers of red tape and makes it nearly impossible to establish any new rule, no matter how pressing, or to issue any guidance on existing rules.

Under this bill, an agency must treat every regulation the same, regardless of the urgency of the situation or the subject matter of the regulation. H.R. 1155 achieves this result in several respects.

First, the bill would establish a regulatory CutGo process, forcing agencies to prioritize between existing protections and responding to new threats to our health and safety. This draconian, one-size-fits-all retrospective review process would obligate an agency to determine the costs of a new regulation and eliminate an existing regulation in order to pay for it.

Next, the SCRUB Act is a dangerous solution in search of a problem. In principle, retrospective review of existing regulations is certainly not a bad idea. It is hard to argue against the notion that agencies should periodically assess whether the rules they promulgated are as good as they can be or whether they are even necessary in light of changed circumstances.

However, each agency already conducts oversight through retrospective review of agency rules, narrowing the delegations of authority to agencies, controlling agency appropriations, and conducting oversight of agency activity.

And finally, we must acknowledge that the real intent of this legislation is to hobble the ability of the agencies to regulate.

Proponents of this legislation rely on unsubstantiated rhetoric that regulations inhibit economic development. Supporters of so-called regulatory "reform" measures like the SCRUB Act claim that regulation imposes such costs on businesses that it stifles economic growth and job creation.

In support of this contention, they repeatedly cite a widely debunked study by economists Mark and Nicole Crain that claims Federal regulation imposes an annual cost of \$1.75 trillion on business. The Crain study, however, has been extensively criticized for exaggerating the costs of Federal rule-making on small businesses.

In recognition of these concerns, the Coalition for Sensible Safeguards, an alliance of more than 150 consumer,

labor, research, faith, and other public interest groups, strongly oppose this legislation. In addition, the White House has released a Statement of Administration Policy that threatens to veto this legislation.

Accordingly, I sincerely urge my colleagues to join with me in opposing H.R. 1155.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. SMITH), the sponsor of the bill.

Mr. SMITH of Missouri. Mr. Chairman, 175,268. That is the number of pages of Federal regulations on the books that are breaking down the backs of small businesses, farmers, and families across our entire country.

Some of the folks across the aisle may say that there aren't any unnecessary regulations, there aren't regulations that cause an undue burden on families, there may not be any that are outdated. Let me give you a list of a couple that I came across just in the last couple of years.

I spoke to some dairy farmers in my congressional district. Not too long ago, according to the EPA, if they stored more than 1,320 gallons of milk, they had to prepare the same kind of hazardous spill requirement that these large oil companies do with oil spills.

Just a few years ago, we had the Department of Labor try to say whether my nephews or anyone's kids or grandkids could perform common chores on the family farm.

We also had the EPA trying to implement ambient air quality standards that are so unrealistic that literally the Mark Twain National Forest in southeast Missouri would be considered in some areas a nonattainment zone. And I can tell you right now that I would rather breathe the oxygen in southeast Missouri than in any of the big coastal cities on the East or the West side.

We have also seen this administration act with the stroke of a pen to try and implement rules that could not be passed by legislation in Congress, such as cap-and-trade when the Democrats controlled the House in 2010. Now the President is trying to implement those environmental policies, which would ultimately double and triple the utility rates of people on fixed incomes in southeast Missouri.

We had an issue where the National Park Service implemented a rule saying that a local Baptist church in south-central Missouri could not perform their water baptism service along the Current River, an act that they had been doing for decades. This was a rule that came up.

Mr. Chairman, as I have stated, there are multiple rules—and I could go on and on—that are unnecessary, outdated, and causing an undue burden on

businesses. This is the opportunity where citizens across the country can come before this commission and request rules to be seen and to be looked at that would actually make government smaller, more efficient, and accountable.

I am asking this body to help support the SCRUB Act so we can reform government regulation at the Federal level like we have done at the State level when I was there.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to H.R. 1155, the SCRUB Act, a one-way ratchet with the sole aim of prioritizing costs over benefits through the reckless elimination of rules without consideration of their benefit.

This legislation would shift the costs of rules from corporations to consumers, while posing substantial burdens and delays to agencies, thereby undermining public health and safety.

Title II of H.R. 1155 prohibits agencies from issuing a single new rule until the agency first offsets the cost of the new rule by repealing an existing rule specified by the commission. These regulatory CutGo provisions would apply to every new agency rule, no matter how important or pressing, for every regulatory agency.

For instance, any expert regulatory agency seeking to promulgate a new rule to safeguard vehicles from ignition switch failures, to keeping our water clean from chemical contamination, or to protect our hospitals in the event of an outbreak of an infectious disease would first have to eliminate an existing rule, which would trigger a new rulemaking process altogether to rescind that rule, causing years in delays.

Furthermore, title II lacks any mechanism for agencies to issue emergency rules that protect the public and environment from imminent harm. These procedures are dangerous and would tie the hands of agencies responding to public health crises requiring timely regulatory responses.

Additionally, agencies are unable to simply rescind rules. Instead, the APA requires that agencies follow the same notice and comment procedures to eliminate a rule as would be required to issue the same rule in the first place.

Thus, under the bill's requirements, prior to promulgating a new rule, agencies would likely need to prepare two sets of proposals: one for a new rule and one for eliminating an existing rule required by the commission through regulatory CutGo. This process may take anywhere from a few months to several years, especially when the underlying rule involves complex issues.

Lastly, the SCRUB Act is a dangerous solution in search of a problem.

Each branch of government already conducts effective oversight through retrospective review of agency rules, narrowing the delegations of authority to agencies controlling agency appropriations and conducting oversight of agency activity.

Congress also has the specific authority under the Congressional Review Act to disapprove any rule that an agency proposes.

□ 1815

Rather than meaningfully streamlining the rulemaking process, regulatory CutGo would ossify the regulatory system by causing years of delay in the rulemaking process, creating additional layers and burdens in the regulatory system.

In total, the SCRUB Act would essentially function as a choke hold on Federal agency rulemaking; therefore, we should change the name of the SCRUB Act to the "Scrooge Act." It delays any new action by an agency and drains agency resources and taxpayer dollars in a time of widespread budget austerity.

Lastly, I would comment that imposing the same regulatory burden on a dairy farmer as is imposed on an oil producer or an oil company sounds to me like the oil companies have been having a great day with the rules around here of late if they have got to do what we require a dairy farmer to do.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Chairman, here in Washington, it is often difficult to see the true breadth and effect of the nearly \$2 trillion regulatory burden imposed by Federal regulations, but in my Pennsylvania district, you see these burdens in everyday life.

Across the spectrum of businesses, the struggle with regulatory compliance is an ever-present drag on creating jobs, economic growth, and innovation. I hear the same stories from small, family-owned restaurants, to mechanics, shop owners, and even landscapers. Due to decades of regulation from Washington, they are forced to focus as much time or more on compliance instead of running their businesses. These are real costs in dollars that are lost to needless and, in many cases, outdated red tape.

The SCRUB Act will start the process of unraveling years of convoluted, sometimes contradictory, regulations and eliminating the costs that come with them. It is a bill that will modernize our Code of Federal Regulations for the 21st Century by eliminating regulations from the last one. Just as important, it is a bill that will lessen the amount of money spent by our gov-

ernment in enforcing regulations that are no longer needed.

I am proud to cosponsor this piece of legislation, and I urge all my colleagues to support it.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. PETERS).

Mr. PETERS. I thank the gentleman for yielding.

Mr. Chairman, the Harvard Business School's United States Competitiveness Project has outlined eight actions it recommends that Congress take to make America the most economically competitive place in the world to do business, not just to increase corporate profits, but to increase wages for working people across America.

Among those eight steps, which include immigration reform, responsible Federal budgeting, tax reform, and investing in infrastructure and research, is simplifying Federal regulation. The idea is not to lower standards but to regulate more intelligently, keeping in mind costs and benefits, and focusing on outcomes rather than compliance methods.

I am in lockstep agreement with the Harvard Business School and with House Republican leadership and with many of my Democratic colleagues on the objective of simplifying and streamlining Federal regulation. But what frustrates me today is that the House Republican leadership's so-called SCRUB Act has no chance of passage, and they know it. Because it requires costs to be arbitrarily cut, with no policy goal, and makes it hard to do even good rulemaking in the future, it has virtually no support among Democrats, including, most notably, the President of the United States, who would have to sign the bill for it to become law.

If we want to be serious about regulatory reform, we should bring up a bill that has bipartisan support, will pass this Chamber, and has a chance at the President's approval as well.

The amendment that will be offered later by the gentleman from Florida (Mr. MURPHY), my colleague, that I cosponsored, is based on the Regulatory Improvement Act of 2015. The bill is strongly bipartisan, counting new Democrats, moderate Republicans, and even Freedom Caucus members among its cosponsors.

It would empower, like the SCRUB Act, an independent, bipartisan commission to sift through the regulatory accumulation of the past decades to recommend changes and eliminations and to present those recommendations to Congress for an up-or-down vote.

Now, we have heard the Republican leadership say that Congress, in 2016, will be about drawing contrasts. Apparently, that means that, rather than seeking to work together in areas on which we agree, we will have a series of these message bills, like the SCRUB

Act, that are more about making a political point than making policy. So we will talk about the SCRUB Act instead of passing the Regulatory Improvement Act; and therefore, we will not provide the economy and our workers the regulatory relief that we all want to provide them and we agreed that they need. And that, drawing contrasts to win elections instead of working on solutions for our constituents in areas in which Republicans and Democrats agree, is what people hate about Congress.

I urge my colleagues to support the bipartisan approach.

Mr. BISHOP of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I rise this evening in support of H.R. 1155, the SCRUB Act, and would like to thank my colleague from Missouri (Mr. SMITH) for his leadership in this matter.

Mr. Chairman, this legislation is aimed at decreasing the regulatory burden facing our Nation's small businesses. Small businesses account for 7 out of every 10 new jobs created in America today—7 out of 10.

Unfortunately, overly burdensome regulations particularly impact small businesses. Oppressive Federal regulations are holding our small businesses back from growing and creating more jobs, and we all know we need more jobs created in this country.

As chairman of the Committee on Small Business in the House, I hear from small-business folks every week from all over the country who are struggling under the weight of excessive regulations.

In the West End of Cincinnati, for example, the Wegman Company is finding it next to impossible to comply with ObamaCare and SBA loan requirements. They say that reducing unnecessary regulatory burdens would allow them to focus their energy and time and resources on growing and expanding their business and creating the jobs that are sorely needed in Cincinnati.

The SCRUB Act will create a bipartisan, blue-ribbon commission to closely examine the mountain of costly existing Federal regulations and target those that ought to be repealed. In particular, the commission will prioritize reviews of major rules, some that are more than 15 years old and that impose disproportionately high costs on America's small businesses.

H.R. 1155 will provide a commonsense way to identify and repeal outdated regulations that unnecessarily and disproportionately burden small businesses. I urge my colleagues to support the SCRUB Act.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

Mr. Chairman, I have certain sympathy to what my friend from California talked about. There are areas of being able to move forward to be able to fine-tune the regulatory system. The problem with the approach that is taken here—it has no chance of being enacted into law and includes sort of a mindless approach in a formula basis that has no reality basis going forward.

We have used government regulation to be able to fine-tune legislation. Can it be done better? I have no doubt.

One of the things I feel very strongly about, it is not a case of having a mindless formula, having a group of unelected bureaucrats. I find that my friends on the other side of the aisle had spasms of angst and fury about unelected bureaucrats advising Congress dealing with the Affordable Care Act to try and help maintain targets for Medicare savings, but they have referred to unelected bureaucrats in this regard.

One of the things that I think is important is that we not implement a theory here that would engage us in more rulemaking, more expenses. This would effectively dramatically increase the amount of time and energy, reducing the flexibility to be able to move forward.

It would be much more productive if we were focusing on the principle of performance-based regulation. Establish what it is that we are trying to do; provide the actors and actresses in the private sector and in government with achievable benchmarks to guide the behavior that we are trying to achieve.

The CHAIR. The time of the gentleman has expired.

Mr. JOHNSON of Georgia. I yield the gentleman an additional 15 seconds.

Mr. BLUMENAUER. A performance-based regulatory system would have less overall regulation, give people a target to shoot for that wouldn't have to be as contentious, and actually be able to get the job done. This would be a much more productive approach rather than legislation that isn't going to go anywhere and, frankly, shouldn't go anywhere.

Mr. BISHOP of Michigan. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman for yielding.

Mr. Chairman, the fourth branch of government is the bureaucrats. We don't know who most of them are, but they are everywhere. And what they do is, with a certain group of bureaucrats, they regulate. Congress has allowed them to do that, by law, and they make all kinds of rules about everything.

Usually they will take a law, and then they will regulate or form rules about that law; and because of that, we have about 175,000 pages of regulation. Come a long ways since the Ten Commandments—10 words, basically. Now they have got 175,000 pages of regula-

tions, rules by Federal bureaucrats on American businesses and American individuals.

Do we really need 175,000 rules? Maybe a few thousand less would be better.

The SCRUB Act tries to organize all of these rules because a lot of them are important. A lot of them are good, and a lot of them are bad. A lot of them are dumb, and a whole lot of them are very expensive to Americans.

Now, let's just use one example. The Lacey Act was written in about 1900, and the Lacey Act says, if a crime is committed in another country regarding importing into the U.S., it is a crime in the U.S. if it is a crime in another country.

So Abner Schoenwetter was charged with a crime under the interpretation of the Lacey Act because he had the audacity to import into the United States the Caribbean spiny lobster from Honduras that were too small, and he shipped them in paper boxes, cardboard boxes, instead of plastic boxes.

Now, never mind that the Honduran Government did not enforce this law. In fact, the Honduran Government said, in a brief to the U.S. Government from the Attorney General of Honduras: Don't prosecute him. We don't enforce this law.

But no, he is prosecuted under the interpretation of the Lacey Act for bringing in those little bitty lobsters and bringing them in paper rather than in plastic. So you know the result? He got 8 years in prison for this.

Are you kidding me? I mean, I am a former judge. Do we really need to be spending America's money and time on prosecuting people for using paper instead of plastic? And that is what happened to him.

So the SCRUB Act will go through and try to regulate the regulators and regulate the regulations.

And that is just the way it is.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is clear that the driver of the SCRUB Act is not the dairy farmer, but it is the oil company and those as rich and powerful as those are.

So, in summary, H.R. 1155 is yet another antiregulatory bill on the big corporation wish list, saddling American taxpayers with a \$30 million check for a bill that wouldn't create one job beyond the membership of the commission itself.

This bill has serious flaws, and I would urge my colleagues to reject it. Vote "no" on H.R. 1155.

I yield back the balance of my time.

Mr. BISHOP of Michigan. Mr. Chairman, I yield myself the balance of my time.

During this debate, my friends from the other side of the aisle have raised

several false alarms about the alleged harms of this bill.

□ 1830

The alarm bells that should be ringing for all Americans, however, is the alarm bell about the damage the dead weight of Washington regulation is piling on American jobs and wages.

All rhetoric aside, the question that needs to be asked is, at the turn of this new year, where do American jobs and wages stand? The Investor's Business Daily reports that we have just concluded 8 years of zero real wage growth for American workers and families. That means zero wage growth for the entire Obama administration—0.0.

What about jobs? Ninety-four million Americans above the age of 16 are out of the workforce—completely out of the workforce. Labor force participation has fallen sharply for working-age Americans. And we would have created about 6 million more jobs if the so-called Obama recovery had just been as good and as strong as the average recovery since World War II. The Obama recovery, instead, is the worst recovery from recession in a postwar era. The near \$2 trillion of annual regulatory costs crushing our economy's ability to create new jobs and higher wages is a critical part of this problem.

Mr. Chair, I urge all of my colleagues to join me in supporting this bill to help deliver new jobs and better wages to America's workers and families.

Mr. Chair, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to first start by thanking the leadership of JASON SMITH in bringing this bill before us.

I rise in support of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, also known as the SCRUB Act, which we have been talking about.

The bill addresses an important issue facing American taxpayers: ever-growing regulation. Each year the Federal agencies add regulation after regulation piling up into an already complex and crowded regulatory system. The Code of Federal Regulation now exceeds 175,000 pages, and every year the Federal Government promulgates thousands of new regulations. It is hard to keep up with all the regulation time and time again.

In just the fall of 2015, the semi-annual Unified Regulatory Agenda contained 2,000 more regulations, including 144 regulations expected to cost over \$100 million each. This ever-growing stack of regulations has considerable impacts on the economy.

I want to be clear. This happens no matter what the administration is—Democrat, Republican, Bush, Obama, it doesn't matter. It is a natural tendency of the executive branch to want

to do what Congress is supposed to do, and there are just things that get implemented that need to be scrubbed out of the system so we can get to some sanity and some reasonableness, so that people can understand what their government is expecting of them.

I think there is room and there is place for regulation, but it is a limited one. It needs to be well understood, and it is reasonable to search, cut, find, and get rid of these burdensome regulations.

Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my dear friend, the distinguished ranking member of the Oversight and Government Reform Committee, the gentleman from Maryland (Mr. CUMMINGS).

I must say, the previous speaker representing the majority on the Judiciary Committee reminded me of the meaning of the word *chutzpah*. To complain about job growth when your party hands a new, Democratic President the deepest and worst recession since the Great Depression; when you leave the country with 10.2 percent unemployment, and that President and these Democrats in this Congress reversed all that. Unemployment is less than half of that, 5 percent. We have had 64 consecutive months of positive—net positive—private-sector job growth, the longest stretch in American history. And you want to say it could have been better if we hadn't had so much regulation? What an extraordinary narrative—and a false one and a dangerous one.

The name of this bill is the SCRUB Act. The best thing we can do with this bill is to scrub it from the floor of the House of Representatives. It is dangerous because it will lift protections on public health and public safety.

You don't like regulation. Some regulation is burdensome, and certainly we ought to have regular reviews to make sure we reduce or eliminate those. We already do. Agencies are already required to do so under the executive orders signed by this President.

In fact, those efforts are yielding results. The Administrative Conference of the United States reports that agencies have identified "tens of billions of dollars of cost savings and tens of millions of hours of reduced paperwork and reporting requirements through modification of existing regulations" because of those reviews already in place. The Department of Labor, for example, modified its chemical hazard labeling requirement, reducing costs to industry by \$2.5 billion over the last 5 years.

I am particularly troubled by the bill's creation of a CutGo scheme which seems deceptively appealing. That is a plan in which agencies would be re-

quired to eliminate an existing regulation before they could possibly promulgate a new one. That forces agencies into an arbitrary and untenable position of having to choose between preserving existing public health and safety protections or moving to protect against new threats. The bill provides no safe harbor exceptions for any rules, no matter how important, potentially jeopardizing the very public health and safety mission of Federal agencies.

Of course, Mr. Chairman, the real intent behind this bill and another the House will consider tomorrow is not about improving regulatory processes but to create delays ad infinitum to grind the regulatory process to an absolute halt for the benefit of certain corporate interests in America at the public's expense. In addition to not giving the administration any credit for its herculean efforts to streamline current regulations, my colleagues on the other side of the aisle conveniently fail to mention any of the health or safety benefits of regulation. OMB estimates the annual net—net—benefit of major rules issued during this administration is approximately \$215 billion. But that is an inconvenient fact. That is a difficult thing to talk about, that there actually could be benefits to public health by cleaner air and cleaner water.

Further, my colleagues have provided no evidence that regulation somehow serves as the hobnail boot on the neck of the economy, as they would have us believe. I mentioned it is quite the opposite in terms of unemployment, in terms of job growth, and in terms of GDP growth.

Mr. Chairman, it is this legislation that is unnecessary and burdensome and, I suggest, a threat to public health and safety. We ought to scrub it from the calendar. Short of that, I certainly urge my colleagues to oppose it, as I will.

Mr. CHAFFETZ. Mr. Chairman, The Washington Times cited the Federal Register. In 1 year alone, there were 81,611 pages of new regulations. I think it is time that we go back and look at those.

I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES) for his passion on this topic.

Mr. GRAVES of Louisiana. I thank the gentleman for yielding.

Mr. Chairman, since 2008, the term of the current administration, for the first time since records have been kept, we have a net reduction in small businesses, according to the National Federation of Independent Business.

I am going to say that again. We have, for the first time in recorded history, a net reduction in small businesses in this country.

There is a study that was done in 2012 by the National Association of Manufacturers. It says for small manufacturers—for small manufacturers—the

cost per employee of complying with regulations is \$35,000. There is another study that was done for the SBA that determined that \$15,000 per family—per household—is the cost of complying with regulations in the United States. This is absolutely a burden on our families. It is a burden on our economy.

Now, at the same time, the administration is out there talking about the promotion of free trade agreements around the country. Explain to me how we are going to be able to compete on a level playing field with these other countries if we are tying the American workers' hands behind their backs and throwing them out there on the field?

Mr. Chairman, I am not sure what bill is being described here by some of the previous speakers. This bill sets up a bipartisan commission. You heard numerous examples of regulations that are outdated that might have made a ton of sense in the 1940s and the 1950s. It is 2016. We need to take a fresh look at this.

A study was done that determined that this bill could result in the reduction or a cost savings of \$48 billion annually by taking a fresh look at regulations. Government is not going to save this country. Government didn't make this country the greatest country in the world. It was competition, it was innovation, and it was hard work by the American workforce.

Take this regulatory burden off of our workforce, Mr. Chairman, and let's put these people back to work.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this legislation. The SCRUB Act would establish a \$30 million commission to duplicate work agencies are already supposed to be doing. The bill would entrust this commission with extraordinary powers that could be subject to abuse. This bill is opposed by Citizens for Sensible Safeguards, a coalition of more than 150 consumer, labor, and good government groups. In addition, the administration announced last night that if this bill were presented to the President, his advisers would recommend that he veto it.

President Obama has already issued two executive orders to eliminate unnecessary regulations. On January 18, 2011, President Obama issued Executive Order No. 13563, requiring each agency to implement plans for reviewing its existing rules. It requires each agency to "periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed."

In addition, President Obama issued Executive Order No. 13610 on May 10, 2012, requiring agencies to report twice a year to the Office of Information and Regulatory Affairs on the status of their retrospective review efforts.

In November 2014, the Administrative Conference of the United States issued a report highlighting the impact of these mandated reviews. The report concluded: "Implementing President Obama's executive orders on retrospective review of regulations, agencies identified tens of billions of dollars of cost savings and tens of millions of hours of reduced paperwork and reporting requirements through modifications of existing regulations."

Congress also has the authority and the responsibility to conduct oversight to review existing agency rules and to recommend or mandate reforms. Yet this bill attempts to reduce bureaucracy by creating a new commission that would cost taxpayers \$30 million—let me say that again—\$30 million to do what agencies and Congress are already doing.

One of the most troubling aspects of this bill is the broad authority it would give to the commission. The commission would have virtually unlimited authority to subpoena witnesses or documents. Specifically, section 101(c) of this bill states: "The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to the duties of the Commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States."

□ 1845

Most agency inspectors general do not have such broad authority to compel witness testimony, yet this unelected commission would have this authority. The commission would have jurisdiction over every existing regulation.

This means that it could compel an individual to testify on any subject. A schoolteacher could be compelled to testify about education rules or a senior citizen could be compelled to testify about Medicare or Social Security rules.

Three prominent law professors with the Center for Progressive Reform sent a letter opposing this bill last month. The letter said:

"H.R. 1155 would create a convoluted, complex, and potentially very expensive new bureaucracy to review existing agency rules and make recommendations for the repeal or weakening of those rules with little meaningful oversight, transparency, or public accountability to ensure that these recommendations do not subvert the public interest."

This may be a well-intended bill, but it could have dangerous consequences. I urge Members to oppose it.

Mr. Chairman, I include in the RECORD a Statement of Administration Policy, dated January 5, 2016.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1155—SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

(Rep. Smith, R-MO, Jan. 5, 2016)

The Administration is committed to ensuring that regulations are smart and effective, and tailored to further statutory goals in the most cost-effective and efficient manner. The retrospective review of regulations has been an ongoing priority of this Administration. Starting in 2011, the President institutionalized the retrospective review of regulations in Executive Orders 13563 and 13610, requiring agencies to report twice a year on the status of their efforts. H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act, would make the process of retrospective regulatory review less productive. Further, the bill also would create needless regulatory and legal uncertainty; increase costs for businesses and State, local and tribal governments; and impede common-sense protections for the American public. Accordingly, the Administration strongly opposes House passage of H.R. 1155 in its current form.

Although outside input and perspective on what rules may be ripe for potential reform or repeal is crucial, retrospective review is most effective when led by the agencies. The bill's creation of a stand-alone commission to review the entire Code of Federal Regulations is likely to produce a haphazard list of rules that, under the procedures in the bill, must be repealed if approved by a joint resolution. There appears to be no mechanism for making thoughtful and modest modifications to rules to improve their implementation and enforcement, which is often the best course of action for making regulations work better. Moreover, the bill's "cut-go" approach is problematic: it would interfere with the ability of agencies to issue regulations that are essential for the protection of public health, safety, and the environment.

The Administration recognizes that the applicability of "cut-go" in H.R. 1155 is narrower than in other bills being considered in the Congress. Nonetheless, it is essential that agencies have the flexibility to promptly issue new, vital rules. This ability should not be constrained by a Commission's recommendation, or Congressional approval of a list of repealable rules. While retrospective review is an Administration priority and an essential tool to relieve unnecessary regulatory burden, it is important that retrospective review efforts not unnecessarily constrain an agency's ability to provide a timely response to critical public health or safety issues, or constrain its ability to implement new statutory provisions.

For these reasons, the Administration strongly opposes H.R. 1155 in its current form. If the President were presented with the current version of H.R. 1155, his senior advisors would recommend that he veto the bill.

Mr. CUMMINGS. I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. BLUM). I appreciate his passion on this issue.

Mr. BLUM. Mr. Chairman, I thank the chairman.

I rise today in support of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act.

While the full title is a mouthful, I can assure you that the idea behind

this bill is simple and clear: removing obsolete and burdensome regulations so our economy can grow.

This legislation creates a commission to identify outdated rules, streamlines and updates our regulatory system, and enforces executive agencies to repeal unnecessary regulations to offset the cost of new ones.

As a career small business person, I know firsthand what it is like to operate and grow a business under the burden of excessive regulation. I have met a payroll every week for the last 20 years.

I would propose to you, Mr. Chairman, if more of my Democratic colleagues had signed the fronts of paychecks, this Federal Government would produce fewer regulations on businesses today.

According to a report by the Competitive Enterprise Institute, the cost to the economy of regulations is a staggering \$2 trillion a year. And we wonder, Mr. Chairman, why manufacturers choose to move their operations outside the United States.

Instead of hiring more workers, raising wages and benefits, and investing in technology, many businesses are forced instead to divert investments toward complying with evermore government regulations. This has to change.

As I travel in my district, I am often asked how do we reignite the economy. The answer, Mr. Chairman, is relatively simple. We have the finest entrepreneurs and the finest small-business people in the entire world here in the United States.

Simply get out of our way, get off of our backs with excessive regulations, get out of our back pockets with excessive fees and taxes, and we will grow our businesses, will hire more employees, and we will create opportunities for our citizens to live their versions of the American Dream.

I thank the gentleman from Missouri (Mr. SMITH) for putting this proposal forward. I urge my colleagues to support this commonsense measure so our businesses can be free from outdated regulations that no longer make sense for America.

Mr. CUMMINGS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Chairman, I appreciate the gentleman yielding.

I rise in support of H.R. 1155. I think, if all of us are honest in this House, every one of us, certainly myself included, I would be the first to say I hear on a regular basis from the people of Georgia of how they are literally being strangled economically because of the overburdened Federal regulations that are upon them.

It is an issue that we must absolutely address. It is an issue that we have dealt with time and again in the Oversight and Government Reform Committee. Now we have an opportunity to do something about it. That is why I support H.R. 1155.

The SCRUB Act, in essence, will establish a blue-ribbon commission to identify outdated and unnecessary regulations that are placing a burden on our businesses and individuals. This commission will be comprised of experts from the private sector, academia, as well as government agencies.

I hope we have heard what has already been said here today. There are 175,000 pages of regulations amounting to some \$2 trillion a year of burdens upon our economy, upon businesses, and upon individuals in this country. It amounts to, as was stated previously, some \$15,000 per household if it were spread out.

How can we tolerate this any longer? We can't. That is the bottom line. The commission that will be established here will help go through all of these 175,000 pages of regulations and help end a culture of suffocation and regulation.

Mr. Chairman, I am proud to have supported the SCRUB Act in the Committee on Oversight and Government Reform in the past, and I am pleased to do so again today.

I urge my colleagues to support H.R. 1155.

Mr. CUMMINGS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I would like to make my counterpart aware that I have one additional speaker and then I am prepared to close.

At this time, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Chairman, I thank the chairman.

I rise today as an original cosponsor of the SCRUB Act that relieves the burdensome impact of unnecessary Federal regulation on Americans.

This legislation establishes a systematic process to reduce regulatory costs. It comes at a time when the President continues to limit Americans' economic freedom by issuing new decrees from Washington.

According to the Competitive Enterprise Institute, the Obama administration issued a staggering 82,036 pages of proposed rules just in 2015, eclipsing its own 2010 record. In 2015, that equaled a total of 3,408 rules and regulations.

The weight of Federal regulations is a millstone around the necks of entrepreneurs and small businesses struggling to survive amid economic uncertainty. The SCRUB Act provides a means to cut unnecessary regulations and help the economy recover. It incorporates elements of my own bill, the Regulatory Review and Sunset Act.

Like my bill, the SCRUB Act requires the review of existing regulations to identify those in need of repeal. Under the review process, it prioritizes those regulations with a major economic impact and that impose a disproportionate economic burden on small businesses.

It requires recommendations on regulatory repeal to be presented to Congress for approval. If Congress gives the okay, repeal must happen.

Republicans and Democrats alike support eliminating the costs of unnecessary and obsolete regulations to help economic recovery. The SCRUB Act provides a meaningful, bipartisan mechanism to achieve this goal.

Again, I want to thank the chairman. I urge passage.

Mr. CUMMINGS. Mr. Chairman, I yield myself the balance of my time.

In closing, Mr. Chairman, the Members on the other side of the aisle talk about the costs of regulations. I think we always have to keep in mind there is a reason for regulations.

Sadly, in many instances, there have been abuses where public health safety is concerned. We have to make sure that we draw that balance. I think President Obama has done a lot in that regard and has probably done more than many of his predecessors.

It is important to remember that these regulations have enormous benefits. In October, the Office of Information and Regulatory Affairs reported that the net benefits of major rules issued during the Obama administration, from 2009 to 2014, is some \$215 billion. Agencies have also reduced the cost of regulations by streamlining existing rules.

In 2014, the Administrative Conference of the United States reported that more than 90 percent of agency retrospective reviews resulted in amendments to the Code of Federal Regulations. For example, the Department of Labor modified the chemical hazard labeling requirements, which saved manufacturers around \$2.5 billion over 5 years.

We do not need to waste \$30 million on a new commission to review rules when agencies are already performing this function without additional taxpayer funding.

I urge all Members to vote against this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself the balance of my time.

I urge passage of this bill. I want to congratulate our colleague, Congressman JASON SMITH, for his good, diligent work on this. A lot of Members have had a deep-seated interest in this. There has been, I think, a good discussion about this.

In general, I think what we are proposing is very fair and it is very balanced. We are asking for a bipartisan

group of people to go back and review things. I think it would be naive at best to think that things that were added as regulations in the 1940s or the 1950s are automatically—automatically—by default necessary today.

Sometimes you have to go back and look. And we are asking to do this in a bipartisan way. That is not a heavy lift. It is not unreasonable. It is very balanced in its approach. I think it is the right thing to do.

Is there a proper role of regulation? Of course. It doesn't mean that everything needs to be regulated. I worry about the men and women, the young entrepreneurs, that are trying to get things done because they run into hurdles they never knew were there. We handcuff people. There are unintended consequences. The economy is different today than it was in the 1930s or the 1940s.

It is reasonable to go back and try to scrub out some of these regulations and do so in a bipartisan way, but, yet, there is opposition to that. Nevertheless, I think we put together a good bill. I urge Members to vote for it.

I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and is considered read.

The text of the bill is as follows:

H.R. 1155

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015” or as the “SCRUB Act of 2015”.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—RETROSPECTIVE REGULATORY REVIEW COMMISSION

Sec. 101. In general.

TITLE II—REGULATORY CUT-GO

Sec. 201. Cut-go procedures.

Sec. 202. Applicability.

Sec. 203. OIRA certification of cost calculations.

TITLE III—RETROSPECTIVE REVIEW OF NEW RULES

Sec. 301. Plan for future review.

TITLE IV—JUDICIAL REVIEW

Sec. 401. Judicial review.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Definitions.

Sec. 502. Effective date.

TITLE I—RETROSPECTIVE REGULATORY REVIEW COMMISSION

SEC. 101. IN GENERAL.

(a) ESTABLISHMENT.—There is established a commission, to be known as the “Retrospective Regulatory Review Commission”, that shall review rules and sets of rules in accordance with specified criteria to determine if a rule or set of rules should be repealed to eliminate or reduce the costs of regulation to the economy. The Commission shall terminate on the date that is 5 years and 180

days after the date of enactment of this Act or 5 years after the date by which all Commission members’ terms have commenced, whichever is later.

(b) MEMBERSHIP.—

(1) NUMBER.—The Commission shall be composed of 9 members who shall be appointed by the President and confirmed by the Senate. Each member shall be appointed not later than 180 days after the date of enactment of this Act.

(2) TERM.—The term of each member shall commence upon the member’s confirmation by the Senate and shall extend to the date that is 5 years and 180 days after the date of enactment of this Act or that is 5 years after the date by which all members have been confirmed by the Senate, whichever is later.

(3) APPOINTMENT.—The members of the Commission shall be appointed as follows:

(A) CHAIR.—The President shall appoint as the Chair of the Commission an individual with expertise and experience in rulemaking, such as past Administrators of the Office of Information and Regulatory Affairs, past chairmen of the Administrative Conference of the United States, and other individuals with similar expertise and experience in rulemaking affairs and the administration of regulatory reviews.

(B) CANDIDATE LIST OF MEMBERS.—The Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate shall each present to the President a list of candidates to be members of the Commission. Such candidates shall be individuals learned in rulemaking affairs and, preferably, administration of regulatory reviews. The President shall appoint 2 members of the Commission from each list provided under this subparagraph, subject to the provisions of subparagraph (C).

(C) RESUBMISSION OF CANDIDATE.—The President may request from the presenter of the list under subparagraph (B) a new list of one or more candidates if the President—

(i) determines that any candidate on the list presented pursuant to subparagraph (B) does not meet the qualifications specified in such subparagraph to be a member of the Commission; and

(ii) certifies that determination to the congressional officials specified in subparagraph (B).

(c) POWERS AND AUTHORITIES OF THE COMMISSION.—

(1) MEETINGS.—The Commission may meet when, where, and as often as the Commission determines appropriate, except that the Commission shall hold public meetings not less than twice each year. All meetings of the Commission shall be open to the public.

(2) HEARINGS.—In addition to meetings held under paragraph (1), the Commission may hold hearings to consider issues of fact or law relevant to the Commission’s work. Any hearing held by the Commission shall be open to the public.

(3) ACCESS TO INFORMATION.—The Commission may secure directly from any agency information and documents necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that agency shall furnish that information or document to the Commission as soon as possible, but not later than two weeks after the date on which the request was made.

(4) SUBPOENAS.—

(A) IN GENERAL.—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the produc-

tion of any evidence relating to the duties of the Commission. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States.

(B) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under subparagraph (A), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(C) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(D) SERVICE OF PROCESS.—All process of any court to which application is made under subparagraph (B) may be served in the judicial district in which the person required to be served resides or may be found.

(d) PAY AND TRAVEL EXPENSES.—

(1) PAY.—

(A) MEMBERS.—Each member, other than the Chair of the Commission, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) CHAIR.—The Chair shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(e) DIRECTOR OF STAFF.—

(1) IN GENERAL.—The Commission shall appoint a Director.

(2) PAY.—The Director shall be paid at the rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(f) STAFF.—

(1) IN GENERAL.—Subject to paragraph (2), the Director, with the approval of the Commission, may appoint, fix the pay of, and terminate additional personnel.

(2) LIMITATIONS ON APPOINTMENT.—The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-15 of the General Schedule.

(3) AGENCY ASSISTANCE.—Following consultation with and upon request of the Chair of the Commission, the head of any agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(4) GAO AND OIRA ASSISTANCE.—The Comptroller General of the United States and the Administrator of the Office of Information and Regulatory Affairs shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(5) ASSISTANCE FROM OTHER PARTIES.—Congress, the States, municipalities, federally recognized Indian tribes, and local governments may provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(g) OTHER AUTHORITY.—

(1) EXPERTS AND CONSULTANTS.—The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) PROPERTY.—The Commission may lease space and acquire personal property to the extent funds are available.

(h) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The Commission shall conduct a review of the Code of Federal Regulations to identify rules and sets of rules that collectively implement a regulatory program that should be repealed to lower the cost of regulation to the economy. The Commission shall give priority in the review to rules or sets of rules that are major rules or include major rules, have been in effect more than 15 years, impose paperwork burdens that could be reduced substantially without significantly diminishing regulatory effectiveness, impose disproportionately high costs on entities that qualify as small entities within the meaning of section 601(6) of title 5, United States Code, or could be strengthened in their effectiveness while reducing regulatory costs. The Commission shall have as a goal of the Commission to achieve a reduction of at least 15 percent in the cumulative costs of Federal regulation with a minimal reduction in the overall effectiveness of such regulation.

(2) NATURE OF REVIEW.—To identify which rules and sets of rules should be repealed to lower the cost of regulation to the economy, the Commission shall apply the following criteria:

(A) Whether the original purpose of the rule or set of rules was achieved, and the rule or set of rules could be repealed without significant recurrence of adverse effects or conduct that the rule or set of rules was intended to prevent or reduce.

(B) Whether the implementation, compliance, administration, enforcement or other costs of the rule or set of rules to the economy are not justified by the benefits to society within the United States produced by the expenditure of those costs.

(C) Whether the rule or set of rules has been rendered unnecessary or obsolete, taking into consideration the length of time since the rule was made and the degree to which technology, economic conditions, market practices, or other relevant factors have changed in the subject area affected by the rule or set of rules.

(D) Whether the rule or set of rules is ineffective at achieving the purposes of the rule or set of rules.

(E) Whether the rule or set of rules overlaps, duplicates, or conflicts with other Federal rules, and to the extent feasible, with State and local governmental rules.

(F) Whether the rule or set of rules has excessive compliance costs or is otherwise excessively burdensome, as compared to alternatives that—

(i) specify performance objectives rather than conduct or manners of compliance;

(ii) establish economic incentives to encourage desired behavior;

(iii) provide information upon which choices can be made by the public;

(iv) incorporate other innovative alternatives rather than agency actions that specify conduct or manners of compliance; or

(v) could in other ways substantially lower costs without significantly undermining effectiveness.

(G) Whether the rule or set of rules inhibits innovation in or growth of the United States economy, such as by impeding the introduction or use of safer or equally safe technology that is newer or more efficient than technology required by or permissible under the rule or set of rules.

(H) Whether or not the rule or set of rules harms competition within the United States economy or the international economic competitiveness of enterprises or entities based in the United States.

(I) Such other criteria as the Commission devises to identify rules and sets of rules that can be repealed to eliminate or reduce unnecessarily burdensome costs to the United States economy.

(3) METHODOLOGY FOR REVIEW.—The Commission shall establish a methodology for conducting the review (including an overall review and discrete reviews of portions of the Code of Federal Regulations), identifying rules and sets of rules, and classifying rules under this subsection and publish the terms of the methodology in the Federal Register and on the website of the Commission. The Commission may propose and seek public comment on the methodology before the methodology is established.

(4) CLASSIFICATION OF RULES AND SETS OF RULES.—

(A) IN GENERAL.—After completion of any review of rules or sets of rules under paragraph (2), the Commission shall classify each rule or set of rules identified in the review to qualify for recommended repeal as either a rule or set of rules—

(i) on which immediate action to repeal is recommended; or

(ii) that should be eligible for repeal under regulatory cut-go procedures under title II.

(B) DECISIONS BY MAJORITY.—Each decision by the Commission to identify a rule or set of rules for classification under this paragraph, and each decision whether to classify the rule or set of rules under clause (i) or (ii) of subparagraph (A), shall be made by a simple majority vote of the Commission. No such vote shall take place until after all members of the Commission have been confirmed by the Senate.

(5) INITIATION OF REVIEW BY OTHER PERSONS.—

(A) IN GENERAL.—The Commission may also conduct a review under paragraph (2) of, and, if appropriate, classify under paragraph (4), any rule or set of rules that is submitted for review to the Commission by—

(i) the President;

(ii) a Member of Congress;

(iii) any officer or employee of a Federal, State, local or tribal government, or regional governmental body; or

(iv) any member of the public.

(B) FORM OF SUBMISSION.—A submission to the Commission under this paragraph shall—

(i) identify the specific rule or set of rules submitted for review;

(ii) provide a statement of evidence to demonstrate that the rule or set of rules qualifies to be identified for repeal under the criteria listed in paragraph (2); and

(iii) such other information as the submitter believes may be helpful to the Commission's review, including a statement of the submitter's interest in the matter.

(C) PUBLIC AVAILABILITY.—The Commission shall make each submission received under this paragraph available on the website of the Commission as soon as possible, but not later than 1 week after the date on which the submission was received.

(i) NOTICES AND REPORTS OF THE COMMISSION.—

(1) NOTICES OF AND REPORTS ON ACTIVITIES.—The Commission shall publish, in the Federal Register and on the website of the Commission—

(A) notices in advance of all public meetings, hearings, and classifications under subsection (h) informing the public of the basis, purpose, and procedures for the meeting, hearing, or classification; and

(B) reports after the conclusion of any public meeting, hearing, or classification under subsection (h) summarizing in detail the basis, purpose, and substance of the meeting, hearing, or classification.

(2) ANNUAL REPORTS TO CONGRESS.—Each year, beginning on the date that is one year after the date on which all Commission members have been confirmed by the Senate, the Commission shall submit a report simultaneously to each House of Congress detailing the activities of the Commission for the previous year, and listing all rules and sets of rules classified under subsection (h) during that year. For each rule or set of rules so listed, the Commission shall—

(A) identify the agency that made the rule or set of rules;

(B) identify the annual cost of the rule or set of rules to the United States economy and the basis upon which the Commission identified that cost;

(C) identify whether the rule or set of rules was classified under clause (i) or clause (ii) of subsection (h)(4)(A);

(D) identify the criteria under subsection (h)(2) that caused the classification of the rule or set of rules and the basis upon which the Commission determined that those criteria were met;

(E) for each rule or set of rules listed under the criteria set forth in subparagraphs (B), (D), (F), (G), or (H) of subsection (h)(2), or other criteria established by the Commission under subparagraph (I) of such subsection under which the Commission evaluated alternatives to the rule or set of rules that could lead to lower regulatory costs, identify alternatives to the rule or set of rules that the Commission recommends the agency consider as replacements for the rule or set of rules and the basis on which the Commission rests the recommendations, and, in identifying such alternatives, emphasize alternatives that will achieve regulatory effectiveness at the lowest cost and with the lowest adverse impacts on jobs;

(F) for each rule or set of rules listed under the criteria set forth in subsection (h)(2)(E), the other Federal, State, or local governmental rules that the Commission found the rule or set of rules to overlap, duplicate, or conflict with, and the basis for the findings of the Commission; and

(G) in the case of each set of rules so listed, analyze whether Congress should also consider repeal of the statutory authority implemented by the set of rules.

(3) FINAL REPORT.—Not later than the date on which the Commission members' appointments expire, the Commission shall submit a final report simultaneously to each House of Congress summarizing all activities and recommendations of the Commission, including

a list of all rules or sets of rules the Commission classified under clause (i) of subsection (h)(4)(A) for immediate action to repeal, a separate list of all rules or sets of rules the Commission classified under clause (ii) of subsection (h)(4)(A) for repeal, and with regard to each rule or set of rules listed on either list, the information described in subparagraphs (A) through (F) of subsection (h)(2). This report may be included in the final annual report of the Commission under paragraph (2) and may include the Commission's recommendation whether the Commission should be reauthorized by Congress.

(j) **REPEAL OF REGULATIONS; CONGRESSIONAL CONSIDERATION OF COMMISSION REPORTS.**—

(1) **IN GENERAL.**—Subject to paragraph (2)—

(A) the head of each agency with authority to repeal a rule or set of rules classified by the Commission under subsection (h)(4)(A)(i) for immediate action to repeal and newly listed as such in an annual or final report of the Commission under paragraph (2) or (3) of subsection (i) shall repeal the rule or set of rules as recommended by the Commission within 60 days after the enactment of a joint resolution under paragraph (2) for approval of the recommendations of the Commission in the report; and

(B) the head of each agency with authority to repeal a rule or set of rules classified by the Commission under subsection (h)(4)(A)(ii) for repeal and newly listed as such in an annual or final report of the Commission under paragraph (2) or (3) of subsection (i) shall repeal the rule or set of rules as recommended by the Commission pursuant to section 201, following the enactment of a joint resolution under paragraph (2) for approval of the recommendations of the Commission in the report.

(2) **CONGRESSIONAL APPROVAL.**—

(A) **IN GENERAL.**—No head of an agency described in paragraph (1) shall be required by this Act to carry out a repeal listed by the Commission in a report transmitted to Congress under paragraph (2) or (3) of subsection (i) until a joint resolution is enacted, in accordance with the provisions of subparagraph (B), approving such recommendations of the Commission for repeal.

(B) **TERMS OF THE RESOLUTION.**—For purposes of paragraph (A), the term “joint resolution” means only a joint resolution which is introduced after the date on which the Commission transmits to the Congress under paragraph (2) or (3) of subsection (i) the report containing the recommendations to which the resolution pertains, and—

(i) which does not have a preamble;

(ii) the matter after the resolving clause of which is only as follows: “That Congress approves the recommendations for repeal of the Retrospective Regulatory Review Commission as submitted by the Commission on _____”, the blank space being filled in with the appropriate date; and

(iii) the title of which is as follows: “Approving recommendations for repeal of the Retrospective Regulatory Review Commission.”.

(3) **REISSUANCE OF RULES.**—

(A) **NO SUBSTANTIALLY SIMILAR RULE TO BE REISSUED.**—A rule that is repealed under paragraph (1) or section 201 may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted after the date of the joint resolution approving the Commission's recommendation to repeal the original rule.

(B) **AGENCY TO ENSURE AVOIDANCE OF SIMILAR DEFECTS.**—An agency, in making any

new rule to implement statutory authority previously implemented by a rule repealed under paragraph (1) or section 201, shall ensure that the new rule does not result in the same adverse effects of the repealed rule that caused the Commission to recommend to Congress the latter's repeal and will not result in new adverse effects of the kind described in the criteria specified in or under subsection (h).

(k) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated such sums as may be necessary to the Commission to carry out this Act, not to exceed \$30,000,000.

(2) **AVAILABILITY.**—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until the earlier of the date that such sums are expended or the date of the termination of the Commission.

(l) **WEBSITE.**—

(1) **IN GENERAL.**—The Commission shall establish a public website that—

(A) uses current information technology to make records available on the website;

(B) provides information in a standard data format; and

(C) receives and publishes public comments.

(2) **PUBLISHING OF INFORMATION.**—Any information required to be made available on the website established pursuant to this Act shall be published in a timely manner and shall be accessible by the public on the website at no cost.

(3) **RECORD OF PUBLIC MEETINGS AND HEARINGS.**—All records of public meetings and hearings shall be published on the website as soon as possible, but not later than 1 week after the date on which such public meeting or hearing occurred.

(4) **PUBLIC COMMENTS.**—The Commission shall publish on the website all public comments and submissions.

(5) **NOTICES.**—The Commission shall publish on the website notices of all public meetings and hearings at least one week before the date on which such public meeting or hearing occurs.

(m) **APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.**—

(1) **IN GENERAL.**—Except as otherwise provided in this Act, the Commission shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(2) **ADVISORY COMMITTEE MANAGEMENT OFFICER.**—The Commission shall not be subject to the control of any Advisory Committee Management Officer designated under section 8(b)(1) of the Federal Advisory Committee Act (5 U.S.C. App.).

(3) **SUBCOMMITTEE.**—Any subcommittee of the Commission shall be treated as the Commission for purposes of the Federal Advisory Committee Act (5 U.S.C. App.).

(4) **CHARTER.**—The enactment of the SCRUB Act of 2015 shall be considered to meet the requirements of the Commission under section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

TITLE II—REGULATORY CUT-GO

SEC. 201. CUT-GO PROCEDURES.

(a) **IN GENERAL.**—Except as provided in section 101(j)(2)(A) or section 202, an agency, when the agency makes a new rule, shall repeal rules or sets of rules of that agency classified by the Commission under section 101(h)(4)(A)(ii), such that the annual costs of the new rule to the United States economy is offset by such repeals, in an amount equal to or greater than the cost of the new rule, based on the regulatory cost reductions of repeal identified by the Commission.

(b) **ALTERNATIVE PROCEDURE.**—An agency may, alternatively, repeal rules or sets of rules of that agency classified by the Commission under section 101(h)(4)(A)(ii) prior to the time specified in subsection (a). If the agency so repeals such a rule or set of rules and thereby reduces the annual, inflation-adjusted cost of the rule or set of rules to the United States economy, the agency may thereafter apply the reduction in regulatory costs, based on the regulatory cost reductions of repeal identified by the Commission, to meet, in whole or in part, the regulatory cost reduction required under subsection (a) of this section to be made at the time the agency promulgates a new rule.

(c) **ACHIEVEMENT OF FULL NET COST REDUCTIONS.**—

(1) **IN GENERAL.**—Subject to the provisions of paragraph (2), an agency may offset the costs of a new rule or set of rules by repealing a rule or set of rules listed by the Commission under section 101(h)(4)(A)(ii) that implement the same statutory authority as the new rule or set of rules.

(2) **LIMITATION.**—When using the authority provided in paragraph (1), the agency must achieve a net reduction in costs imposed by the agency's body of rules (including the new rule or set of rules) that is equal to or greater than the cost of the new rule or set of rules to be promulgated, including, whenever necessary, by repealing additional rules of the agency listed by the Commission under section 101(h)(4)(A)(ii).

SEC. 202. APPLICABILITY.

An agency shall no longer be subject to the requirements of sections 201 and 203 beginning on the date that there is no rule or set of rules of the agency classified by the Commission under section 101(h)(4)(A)(ii) that has not been repealed such that all regulatory cost reductions identified by the Commission to be achievable through repeal have been achieved.

SEC. 203. OIRA CERTIFICATION OF COST CALCULATIONS.

The Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget shall review and certify the accuracy of agency determinations of the costs of new rules under section 201. The certification shall be included in the administrative record of the relevant rulemaking by the agency promulgating the rule, and the Administrator shall transmit a copy of the certification to Congress when it transmits the certification to the agency.

TITLE III—RETROSPECTIVE REVIEW OF NEW RULES

SEC. 301. PLAN FOR FUTURE REVIEW.

When an agency makes a rule, the agency shall include in the final issuance of such rule a plan for the review of such rule by not later than 10 years after the date such rule is made. Such a review, in the case of a major rule, shall be substantially similar to the review by the Commission under section 101(h). In the case of a rule other than a major rule, the agency's plan for review shall include other procedures and standards to enable the agency to determine whether to repeal or amend the rule to eliminate unnecessary regulatory costs to the economy. Whenever feasible, the agency shall include a proposed plan for review of a proposed rule in its notice of proposed rulemaking and shall receive public comment on the plan.

TITLE IV—JUDICIAL REVIEW

SEC. 401. JUDICIAL REVIEW.

(a) **IMMEDIATE REPEALS.**—Agency compliance with section 101(j) of this Act shall be subject to judicial review under chapter 7 of title 5, United States Code.

(b) CUT-GO PROCEDURES.—Agency compliance with title II of this Act shall be subject to judicial review under chapter 7 of title 5, United States Code.

(c) PLANS FOR FUTURE REVIEW.—Agency compliance with section 301 shall be subject to judicial review under chapter 7 of title 5, United States Code.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given such term in section 551 of title 5, United States Code.

(2) COMMISSION.—The term “Commission” means the Retrospective Regulatory Review Commission established under section 101.

(3) MAJOR RULE.—The term “major rule” means any rule that the Administrator of the Office of Information and Regulatory Affairs determines is likely to impose—

(A) an annual cost on the economy of \$100,000,000 or more, adjusted annually for inflation;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, local, or tribal government agencies, or geographic regions;

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

(D) significant impacts on multiple sectors of the economy.

(4) RULE.—The term “rule” has the meaning given that term in section 551 of title 5, United States Code.

(5) SET OF RULES.—The term “set of rules” means a set of rules that collectively implements a regulatory authority of an agency.

SEC. 502. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect beginning on the date of the enactment of this Act.

The CHAIR. No amendment to the bill shall be in order except those printed in part B of House Report 114-388. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. FOXX

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-388.

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, line 13, insert after “paperwork burdens” the following “or unfunded mandates”.

Page 11, line 12, insert after “enforcement” the following: “, imposition of unfunded mandates.”.

Page 12, line 9, insert after “excessive compliance costs” the following: “, imposes unfunded mandates.”.

Page 25, insert after line 4 the following:

(n) DEFINITION.—In this section, the term “unfunded mandate” has the meaning given

the term “Federal mandate” in section 421(6) of the Congressional Budget Act of 1974 (2 U.S.C. 658(6)).

The CHAIR. Pursuant to House Resolution 580, the gentlewoman from North Carolina (Ms. Foxx) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, this amendment is relatively simple in that it adds consideration of unfunded mandates to the Commission’s review of existing rules.

Each year, Washington imposes thousands of rules and regulations. Rather than following the rules themselves and asking for funds for new programs, regulators pass the cost along to others by requiring the private sector, as well as State and local governments, to pay for new Federal initiatives through compliance costs.

□ 1900

These costly mandates make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets safe and parks clean.

My amendment asks the commission to consider in its review whether unfunded mandates imposed in existing regulations are economically defensible and the least burdensome policy option available.

Federal agencies often advance Federal Government initiatives without using Federal taxpayer dollars by imposing regulations on local governments or the private sector. This simple amendment ensures that costs passed to State and local governments or to the private sector are both necessary and minimal.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

This amendment does nothing to address the fundamental flaws in the underlying legislation. This amendment would simply add unfunded mandates as another basis for the commission to prioritize the review of certain rules. The underlying legislation contains no exceptions for rules, no matter how important.

The commission the bill creates could recommend the repeal of rules such as the ones the Bureau of Alcohol, Tobacco, Firearms and Explosives finalized this week that strengthen background check requirements for buying firearms. Such important public safety rules could be jeopardized by this bill.

I oppose the underlying bill, and I oppose this amendment, which does not improve the bill.

Mr. Chairman, I reserve the balance of my time.

Ms. FOXX. Mr. Chairman, I yield 90 seconds to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. I thank the gentlewoman for yielding and for offering this important amendment.

Mr. Chairman, this amendment will ensure that costly, unfunded mandates are given full consideration by the commission established by this underlying bill.

Over the past 10 years, unelected bureaucrats in Washington have issued over 36,000 new regulations. Think about that. Over the past 10 years, unelected bureaucrats have issued over 36,000 new regulations. That is a lot. Each of these shift the costs and burdens of this administration’s Big Government agenda onto the backs of everyday working people, small businesses, and local governments.

These unfunded mandates cost jobs, hurt working Americans, and place ankle weights on the U.S. economy. It is past time to slow down this runaway train. I urge my colleagues to support the Foxx amendment and the underlying bill.

Mr. CUMMINGS. Mr. Chairman, in closing, I oppose this amendment.

I yield back the balance of my time.

Ms. FOXX. Mr. Chairman, in response to my colleague from Maryland, let me say that unfunded mandates take many forms that may not be included when regulatory costs are counted. That is why strong, bipartisan majorities in the House and Senate passed the Unfunded Mandates Reform Act in 1995.

Similarly, my amendment ensures that costs passed from Federal agencies to State and local governments and private businesses are properly counted and considered. If mandates under review are economically defensible and represent the best policy option available, then the commission will not recommend they be repealed.

The issue of unfunded mandates is frequently overlooked in the debates about reforming our regulatory system and carrying out Federal policies. It is all too easy for Washington bureaucrats to write off concerns expressed by a handful of local governments or of a small subset of private businesses, but these decisions have real costs and real effects on the individuals, families, and communities we each represent.

While my amendment is a small change, it ensures that costs passed down to businesses and to State and local governments are truly the best means to achieve desired policy ends; so I thank my colleagues for their consideration and ask for their support.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. Foxx).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SCHWEIKERT

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-388.

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, insert after line 12 the following: (I) Whether or not the rule or set of rules limits or prevents an agency from applying new or emerging technologies to improve efficiency and effectiveness of government.

Page 13, line 13, strike "(I)" and insert "(J)".

Page 17, line 24, strike "(G), or (H)" and insert "(G), (H), or (I)".

The CHAIR. Pursuant to House Resolution 580, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, this is one of those occasions in which we walk up to the mike, and we always say it is a simple amendment. This one really is a simple amendment. Many of us here, particularly myself, have a fixation on information and technology as a dramatically more efficient, safe, and healthy way to regulate. So, if you are going to have a commission looking at agencies, looking at the levels of regulations, looking at the mechanics out there, can it also take a look and make sure it has adopted the most technically appropriate and efficient technology for that regulation?

A couple of years ago, when sitting on the Committee on Science, Space, and Technology, a division of the EPA and these businesses came in, and they brought in stacks of paper that they had to fill out and fax in. Okay. It is absurd in today's world, but that is the way the regs they were up against were written. If you are going to have a commission looking at what is wrong out there, at what can be made more efficient, and at what is inappropriately burdensome, let's also take a look and ask: What can actually be made less burdensome through the use of technology?

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment establishes additional criteria for the commission's one-sided review of all Federal regulations, authorizing it to identify rules for repeal that may limit or prohibit agencies from adopting technology to improve efficiency and effectiveness in order to lower regulatory costs.

Although this criteria, itself, may be unobjectionable on its face, it does nothing to change the commission's

cost-only, deregulatory, and dangerous mandate under title I of H.R. 1155. Furthermore, rather than allowing agencies to modify or improve existing rules to accommodate for technological changes, this amendment would only create a basis for eliminating rules.

For instance, this amendment would authorize the commission to identify for elimination a rule protecting workers against discrimination, regardless of the rule's benefits, if the costs associated with the rule could be mitigated by adopting new technologies to improve efficiency. In other words, no matter how important and beneficial a rule prohibiting discrimination may be, it could be eliminated if the commission determines that it somehow encumbers agency efficiency. That is laughable.

As the administration notes in its Statement of Administration Policy, which threatens to veto this bill should it reach the President's desk, this bill lacks any "mechanism for making thoughtful and modest modifications to rules to improve their implementation and enforcement," which is often the best course of action before we scuttle a rule or as we try to make the regulation work. Accordingly, I must oppose this amendment.

I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, may I quickly inquire as to the time remaining.

The CHAIR. The gentleman from Arizona has 3½ minutes remaining.

Mr. SCHWEIKERT. Mr. Chairman, let's try something that is, actually, fairly novel around here because, in this particular case, this is just a few words. Let's actually read it: "Whether or not the rule or set of rules limits or prevents an agency from applying new or emerging technologies to improve efficiency and effectiveness of government."

Oh, come on. How do you oppose that? I understand you may not like the bill, itself, but as an amendment, if we are really trying to push our government into this century of utilization of information and technology, you would at least like this amendment.

Look, this is simple. This is actually something we should be weaving in and out of what we do here in order to try to drive the use of technology and information to make us more efficient and more respectful of our taxpayers. As to the quality of information, how do you even know that the way a regulation is being done is actually being done in the most efficient, technologically sound, and rational way? I believe the simple language here helps drive the commission to actually reflect that.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. WALBERG

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114-388.

Mr. WALBERG. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, insert after line 12 the following: (I) Whether the rule or set of rules harms wage growth, including wage growth for minimum wage and part-time workers.

Page 13, line 13, strike "(I)" and insert "(J)".

The CHAIR. Pursuant to House Resolution 580, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, I rise to offer an amendment that will give us greater insight into the impact of Federal regulations on the wages of American workers.

We already know from countless studies that the accumulation of regulations increases the cost of goods, which reduces the buying power of families and individuals to purchase the items they need and want. An area that we need to study more, though, is what impact regulations have on the wages of most Americans. Given the negative impacts of regulations on prices, it is reasonable to conclude that regulations could be a major contributing factor to flattening wages, especially—and I say this clearly—for lower income individuals.

According to the U.S. Census, the median wage in the U.S. is the same today as it was in 2007. That is 8 years of no income gain for families and workers in Michigan and across the country. The University of California's economists have also found that, since 2009, the average income of the top 1 percent grew by 11.2 percent in real terms while the bottom 99 percent saw their incomes decrease by 0.4 percent. During that same time, there have been over \$100 billion in new regulatory costs, according to the Mercatus Center.

Many employers I speak to would rather hire more workers or give their current staffs a raise. Instead, they are forced to spend limited resources on making sense of the thousands of pages of new regulations that are coming out of Washington. Employers are spending more on compliance than ever before, leaving little left in their budgets to increase the take-home pay of employees.

Some of my colleagues here in Congress believe that more bureaucratic red tape and mandates from the Federal Government will actually increase wages and reduce inequality. While these regulations may sound good in

theory—some of them—the hard truth is that, over time, they limit economic growth and career advancement opportunities. Most alarming is that these negative economic impacts affect lower wage workers the very most—immobilizing them from finding work, from rising in their careers, and from increasing their wages.

□ 1915

Fortunately, the SCRUB Act is an innovative approach; and I commend its sponsor, Representative JASON SMITH, for his work.

My amendment, Mr. Chairman, will enhance this important bill by instructing the commission to review the impact of regulation on wages as part of their retrospective review.

I encourage all my colleagues to support my amendment and the bill so we can unleash individuals and industry from regulatory burdens and create an environment where wages and economy can grow for everyone.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, I rise today to point out some serious concerns about the amendment offered by the gentleman from Michigan, which would direct the commission to examine the role that regulations have on wage stagnation and income inequality by examining the negative impact regulations have on wages.

It is my belief that this amendment is based on the false premise that all regulations have some negative impact on workers and their wages. It should be clear that this one-sentence amendment does not encompass the full story about the critical impact that workplace regulations can have on improving the health, safety, and income of workers.

For example, the rules and regulations that have been offered and put into effect by the Department of Labor under this administration have improved worker safety, increased workplace opportunity, and increased wages. The benefits are indisputable and far outweigh the costs. For example, the home care workers rule would extend overtime and minimum wage protection to 2 million home care workers. The proposed overtime rule would extend overtime pay protections for more than 5 million American workers who currently would be putting in dozens of overtime hours for no extra pay at all.

Now, Mr. Chairman, I am pleased to note that the description of this amendment shows an apparent concern for the problems that working families face, and the gentleman from Michigan has talked very extensively about it:

wage stagnation and income inequality. If that is what we are going to address, there are ways of addressing it.

For example, we could bring to the floor for a vote the Raise the Wage Act, which would increase the minimum wage to \$12 an hour by 2020 and would give over 30 million Americans a raise.

We could support the Department of Labor's proposed rule that increases the overtime salary threshold, which would update the overtime rule to ensure that 5 million more Americans would be eligible to earn overtime for hours worked over 40 hours a week. Since the 1970s, worker output has increased by 74 percent, while the hourly compensation of the typical worker has only increased 9 percent. Workers simply aren't receiving a fair share of the wealth they create, and the overtime rule would help address this disparity.

We could cosponsor the WAGE Act that would protect hardworking Americans' fundamental right to join together and bargain for better wages. To date, 67 House Democrats support the Workplace Action for a Growing Economy, the WAGE Act, legislation that would strengthen protections for workers who want to raise wages and improve workplace conditions.

Mr. Chairman, I urge my colleagues to support these alternatives, but to oppose this amendment.

I yield back the balance of my time.

Mr. WALBERG. Mr. Chairman, I appreciate the concerns expressed by the ranking member of the House Education and the Workforce Committee, my friend from Virginia. I appreciate the fact he sits in on all of our Workforce Protections Subcommittee hearings that I have the privilege of chairing.

We have looked at regulatory changes that the gentleman speaks to. He, as well as the rest of my colleagues on that subcommittee, have heard very clear testimony that while they are based on wonderful desires, we all want safe workplaces, we all want people making better pay, having better benefits, living wages. Yet, all of those come with costs, and, in fact, basically every one of those regulatory ideas would cost jobs and job security. I have seen that very clearly with several of those in the great State of Michigan as they have been implemented.

Mr. Chairman, we should have commonsense, effective regulations that truly punish bad actors, but regulations cannot come at the overwhelming costs we are seeing now with anemic growth and stagnant wages. Sadly, we don't know how much wages have truly been hit by these regulations, which is why my amendment is needed.

I ask for support for this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR (Mr. MOOLENAAR). It is now in order to consider amendment No. 4 printed in part B of House Report 114-388.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in support of my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 25, strike line 5, and all that follows through page 27, line 13.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, my amendment would strike title II of H.R. 1155, which would require agencies to undertake a regulatory CutGo process to repeal rules identified by the commission with little to no consideration of the rules' benefits prior to issuing the new rule.

These regulatory CutGo provisions would apply to every new agency rule, no matter how important or pressing, for every regulatory agency. Alarmingly, title II would also require agencies to undertake a notice and comment process for all rules eliminated through CutGo because, as I noted earlier, agencies are unable to simply rescind the rules. Thus, this bill would substantially delay or even prevent new regulations through this burdensome and time-consuming requirement.

As several of my colleagues' amendments demonstrate, the bill's regulatory CutGo procedures are unsafe, dangerous, and would tie the hands of agencies responding to public health crises requiring timely regulatory responses. In fact, this bill lacks any mechanism for consideration of public policy and safety, which would leave no option for agencies to issue emergency rules to protect the public and environment from imminent harm.

The bill's proponents claim that title I of H.R. 1155 would allow the commission to consider whether the costs of the bill are not justified by the benefit to society. As Professor Levin testified during the subcommittee's consideration of a previous version of this bill, the catchall language of subsection (h)(2)(I) would allow the commission to recommend the repeal of "any rule promulgated by any agency if it deems the rule's requirements to be unnecessarily burdensome." In short, the commission would be completely free to disregard any benefit of the regulation by proceeding under this language or the bill's other advisory language.

Furthermore, H.R. 1155 is silent on what methodology the commission

must follow, requiring only that it must have one, which leaves the window wide open for absolutely no consideration of the benefits of regulation.

While consideration of the cost of regulations is sometimes important, there is overwhelming consensus that the benefits of regulation vastly exceed the costs. In both the Republican and Democratic administrations, the benefits of our regulatory system of regulatory protections have made our country safer, stronger, healthier, and cleaner.

The nonpartisan Government Accountability Office has observed that these benefits “include, among other things, ensuring that workplaces, air travel, foods, and drugs are safe; that the Nation’s air, water, and land are not polluted; and that the appropriate amount of taxes is collected.”

The GAO reported in 2007 that while “the costs of these regulations are estimated to be in the hundreds of billions of dollars, the benefits estimates are even higher.” In 2012, the Office of Management and Budget likewise concluded that even by conservative estimates, the benefits of major regulations exceeded the costs on a 2-to-1 basis over the past decade. Between fiscal years 1999 and 2009, the benefits of regulations produced a net benefit of \$73 billion, vastly exceeding the regulations’ costs.

This evidence overwhelmingly refutes the bald assertion that regulatory costs are burdensome, eliminate jobs, or harm our economic competitiveness.

I urge my colleagues to support my amendment, to oppose this misguided bill.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

Title II of the bill contains one of the bill’s most important innovations, a CutGo process for the repeal of regulations Congress approves for repeal.

This process is modeled on the CutGo process pioneered in Congress itself to control Federal spending. By allowing regulatory repeals to occur on a CutGo basis, the bill both stabilizes total Federal regulatory costs and avoids forcing all repeals to occur immediately. This creates the opportunity for regulatory agencies applying their expertise and working with the entities they regulate to administer a smoother process of regulatory repeal with ample opportunities to prioritize the order of repeals and cooperatively consider any needed replacement regulations.

The CutGo process also avoids one of the major flaws of the regulatory

lookback process applied under executive order by the Obama administration. Although the process has resulted in some cost reductions under individual regulations, the net result of the process has been an alarming increase in total costs imposed by all Federal regulations. That is a giant step backwards, and it is a result the SCRUB Act’s CutGo provisions will emphatically prevent.

I would like to say for the record, a report by the National Association of Manufacturers states that the total cost of Federal regulation in 2012 was \$2.028 trillion. The annual cost burden for an average U.S. firm is \$233,000, or 21 percent of the average payroll. With that kind of number, no wonder we have the problems that we have. Listen to this figure: A small manufacturer with fewer than 50 employees will pay an estimated close to \$35,000 per employee per year to comply with Federal regulations.

I urge my colleagues to oppose the amendment.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

I simply want to say that I concur with the gentleman from Pennsylvania who has studied this and spent a considerable amount of time with this.

We would urge a “no” vote on this amendment. This amendment removes title II of the bill, which is one of the bill’s truly most important provisions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1930

AMENDMENT NO. 5 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114-388.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title IV.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

My amendment, which is cosponsored by the Subcommittee on Government Operations’ Ranking Member GERRY CONNOLLY, would strike title IV of this bill.

Title IV provides for judicial review of agency compliance with certain requirements of the bill, including regulatory CutGo procedures.

The agency rulemaking process already provides interested parties with ample opportunity for participation.

When an industry or special interest does not like the result of the rulemaking process, this bill gives them another bite at the apple.

Judicial review provides opponents of rules with the opportunity to delay regulations by tying them up in court. No rules would be exempt.

Corporate and special interests with deep pockets could use judicial review to delay critical regulations that would protect public health, safety, and the environment.

Let me give you an example. In August of last year, the EPA finalized its Clean Power Plan rules. According to EPA, by 2030, the plan will cut carbon pollution from the power sector by nearly a third, yielding substantial health benefits to Americans.

EPA estimates that, because of these regulations, Americans will avoid 90,000 asthma attacks and save 3,600 lives.

These important rules were developed with industry and public input. EPA states that it received 4.3 million public comments and held hundreds of meetings with stakeholders. The final rules reflect this vigorous process.

However, if the SCRUB Act were enacted, industry or special interests could use the judicial review provisions to stall important rules like the Clean Power Plan.

The judicial review provisions of this bill are yet another attempt by the House Republicans to erect a roadblock for important public health and safety protections.

This amendment removes this flawed provision from the underlying bill.

I urge my colleagues to adopt this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chair, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Chairman, I respectfully rise in opposition to the amendment.

The amendment strikes the bill’s title providing for judicial review of agency compliance with requirements for repeal of existing rules and publication of plans for decennial review of newly promulgated rules.

These provisions must be retained, not stricken. They are critical to ensure that recalcitrant agencies abide by Congress' approvals of rules for repeal and actually do plan for effective, decennial cost-reduction reviews for newly promulgated regulations.

We know that, without provision for judicial review, retrospective review of agency regulations can lead to nothing but increases in the overall cost of regulation.

Just look at the results of the Obama administration's retrospective review under Executive Order 13563, which precluded judicial review.

I urge my colleagues to oppose the amendment.

Mr. CHAFFETZ. Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

I again concur with the gentleman from Pennsylvania (Mr. MARINO). This amendment strikes the applicability of judicial review of agency compliance with this legislation. That is why I am urging a "no" vote on this amendment.

The legislation will begin a much-needed review of our Nation's regulatory structure and hopefully identify many outdated regulations. This amendment gets in the way of that. I think it would slow this process down. It gets rid of something that, again, makes it an alteration that I think has been well debated and well discussed.

I urge the passage of the overall bill, but I stand in opposition to this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 114-388.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 28, line 22, insert before the period the following: " , except that the term does not include an independent establishment as defined in section 104 of such title".

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

My amendment, cosponsored by Subcommittee on Government Operations'

Ranking Member GERRY CONNOLLY, would exempt independent agencies from the requirements of this bill.

Independent agencies serve an important role in protecting the American people from a range of threats, including the collapse of our financial markets and health and safety risks.

Agencies such as the Consumer Financial Protection Bureau, the Securities and Exchange Commission, and the Consumer Product Safety Commission are designed to independently regulate the industries they cover.

These agencies are not required to obtain approval for their rules from the Office of Information and Regulatory Affairs, as other executive branch agencies must do. The reason independent agencies are treated differently is to protect them from political interference in their rulemaking.

The SCRUB Act would jeopardize the independence of these agencies by subjecting their rules to oversight by the Office of Information and Regulatory Affairs.

Section 203 of the SCRUB Act would require OIRA to review and certify the cost estimate for every new rule promulgated by an independent agency. This bill would also require independent agencies to comply with the bill's regulatory CutGo requirements.

For example, the Consumer Product Safety Commission has a proposed rule that would establish safety standards for infant high chairs. How would the Commission choose which unsafe product to stop regulating in order to protect the approximately 10,000 children injured each year by unsafe high chairs?

The Commission recently wrote a rule creating the strongest crib safety standards in the developed world. Would they have to repeal that rule? Under our amendment, independent agencies would not have to make this choice.

Bank regulators are already subject to the Economic Growth and Regulatory Paperwork Reduction Act of 1996, which requires them to review all existing banking regulations and "eliminate unnecessary regulations."

The bank regulators are already required by law to remove all outdated, unnecessary, and overly burdensome regulations. They cannot save up outdated regulations for the purpose of promulgating new rules under the SCRUB Act, like other agencies.

This bill would handcuff our bank regulators and make financial crises and the recessions that follow that much more likely.

I urge my colleagues to support this amendment to keep the independent agencies truly independent.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. I yield myself such time as I may consume.

Mr. Chairman, we are not proposing to hurt or kill babies, and we are not proposing to put handcuffs on certain regulators in the financial institutions.

What we are asking for is to simply have a bipartisan group of people—bipartisan—look at regulations that may be outdated and scrub them. I think that is a reasonable expectation. That is not asking too much.

It doesn't mean that every regulation is going to go away. There are some good regulations, but there are a lot of bad ones and there are a lot that are outdated. Things come into this institution, whether they come in through laws or they come from the executive branch. They never go away. A lot of them are unnecessary.

The bill creates a bipartisan, impartial commission to conduct a comprehensive review of the Federal regulations system. The commission will identify out-of-date and expensive regulations.

Independent agencies function very similarly, if not the same, as executive agencies, and the regulations impose significant costs on the economy. Unfortunately, independent agencies often impose major regulations without reporting any quantitative information on benefits and costs, which makes it even more important that those regulations be reviewed.

Mr. Chairman, there is no need to distinguish independent and executive agencies in requiring the Federal agencies to clean up out-of-date and unnecessary regulations.

A regulation identified as unnecessary remains unnecessary regardless of whether it came from an independent agency or an executive branch agency. It doesn't matter. It should be reviewed or be eligible to be reviewed. We think that is reasonable, and that is why we would urge a "no" vote on this particular amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 114-388.

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, line 21, insert after "Code" the following: " , except for a special rule".

Page 29, insert after line 24 the following:

(6) SPECIAL RULE.—The term "special rule" means a rule made by the Secretary of Veterans Affairs.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, I yield myself such time as I may consume.

My amendment to H.R. 1155 would exempt rules and regulations made by the Department of Veterans Affairs from the burdensome provisions of this legislation.

The rules that are promulgated by the Department of Veterans Affairs serve the nearly 21.9 million veterans who have served our country, more than 9 million of whom are enrolled in the VA health system.

These are the rules that will improve the VA, and these improvements are urgently needed to repair a system that is poorly equipped to handle the increasing numbers of veterans returning from overseas. These are the rules that will ensure that those who have served our country have access to critical and quality health care.

However, in its current form, the SCRUB Act would delay or even block the implementation of these rules. For example, it would delay rules designed to provide care to the 2.6 million veterans who were potentially exposed to Agent Orange during the Vietnam war.

To help these veterans, the VA issued a final interim rule in June of 2015 that would expand the class of veterans presumed to be eligible for treatment. The new regulation would include those who worked with C-123 aircraft known to have been sprayed with this herbicide during the war.

But under the terms of this legislation, the VA would be required to go through additional hurdles to meet the procedural requirements of this legislation with absolutely no additional benefits. If this rule comes with any cost to the economy, the VA must repeal a rule of equal or greater cost. All of this means delays for our veterans who deserve better.

In effect, the SCRUB Act asks the VA to choose between classes of ailing veterans. It would delay treatment and create a zero-sum game in which our veterans ultimately lose. This is completely wrong. It would delay essential reforms to improve the system, address existing flaws, and better serve our veterans.

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The problems that have plagued the system have been well-documented both in congressional hearings and in the press.

Since the year 2000, at least 22 government reports have looked into patient wait times at VA facilities. One of these reports found that more than 57,000 of our veterans have waited longer than 90 days for health care. The audit found that staff were instructed to misrepresent data in 76 percent of VA facilities.

The VA is in need of immediate attention and reform, and we are doing a disservice to our veterans by delaying these reforms and the rules that are necessary to accomplish these reforms.

The SCRUB Act is based upon the faulty idea that it is more important to cut regulations than it is to move forward to improve care for our veterans.

While my amendment will not cure all that ails this legislation, it will address one of the most glaring flaws and preserve the ability of the VA to effectively serve our veterans by ensuring that these reforms move forward without delay.

So I ask my colleagues to support my amendment.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, this amendment indicates a fundamental misunderstanding of the purpose and the function of the bill. The SCRUB Act merely clears the underbrush of outdated and unnecessary regulations.

There is no reason to exclude any specific agency from retrospective review. A regulation identified as unnecessary remains unnecessary, regardless of its subject matter or agency that originally issued it.

I am sure that there are regulations that were issued in the 1920s, 1930s, or 1940s—pick your decade—that were well-intended, but the world has changed, and I think it is time that we actually go and review this.

In the case of this amendment, it could disadvantage veterans who are likely to bear the burden of unnecessary regulations. So with all the laws and all the regulations, guess what. The Veterans Administration isn't getting it done.

So let's clear the underbrush of regulations. Let's work in a bipartisan way to fix the Veterans Administration. But it is not unreasonable to ask for a bipartisan group of people to go in and look at this and study this and make these types of recommendations. I think that is reasonable, it is balanced, and it is not going to harm veterans. In fact, I think it is actually going to help veterans. I think it is going to help an administration and a bureaucracy that

is so bloated, once things get in, they never come out. That is what we are trying to change, and that is why I think this amendment is unnecessary and counterproductive, and I urge a "no" vote.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, I yield myself such time as I may consume.

Just to respond briefly, we have heard a lot about clearing the underbrush and about scrubbing the regulations. But the reality is, if this legislation passes, there will be certain implications; and it will, in fact, require the VA, who is in the midst of major reform, to not move forward on its regulations that are intended to improve the lives of our veterans until they find another regulation to repeal that someone has determined is of equal cost.

So the reality is that it will delay implementation of these improvements. We can describe it as clearing the underbrush and scrubbing, but what it will mean for America's veterans in many instances is that they will be denied the quality care that they deserve and that they have earned in the defense of our country.

I urge my colleagues to support this amendment that will carve out the Department of Veterans Affairs, the agency charged with honoring the service of our veterans, and ensure that the improvements that are underway and that we are all demanding will not be delayed because of the SCRUB Act.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, there is nothing in the SCRUB Act that is going to slow it down. It is not an excuse for the administration to do what they have been trying to do for the last 7 years and have absolutely, totally failed to do.

How many times are we going to get constituents coming into our own offices complaining about the VA? I guarantee that if you go across this country and ask the people that work in your offices what are the number one, two, and three complaints and problems that they have, I guarantee you in the top three it is going to be veterans.

We are not taking care of the veterans that we need to take care of. We are not going to be introducing a bill that is going to harm our ability to fix that problem. But you are naive, at best, if anybody thinks that all the regulations in place right now are just perfect, because that is, in essence, what they are arguing: it is perfect. We don't need to get rid of anything. We just need more, more, more regulations.

Take a bipartisan group of people, let them look at it, study it, and spend the time necessary in a bipartisan way. That is reasonable. That is why we should vote "no" on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CICILLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 8 OFFERED BY MS. DELBENE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 114-388.

Ms. DELBENE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, line 21, insert after "Code" the following: ", except for a special rule".

Page 29, insert after line 24 the following: (6) SPECIAL RULE.—The term "special rule" means a rule made by an agency in response to an emergency.

The Acting CHAIR. Pursuant to House Resolution 580, the gentlewoman from Washington (Ms. DELBENE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Ms. DELBENE. Mr. Chair, I yield myself such time as I may consume.

Like the mountain of antiregulation bills we have considered in the past, the SCRUB Act is in no way a serious effort to make targeted improvements to the rulemaking process.

Touted by its supporters as a job creation measure, this irresponsible bill takes a sledgehammer approach to reform. Particularly egregious is this legislation's complete failure to provide an exemption for emergency situations. My amendment would correct this very serious mistake.

In March 2014, the Oso landslide, a horrific natural disaster that took the lives of 43 people in my district, required every available resource to be deployed without delays. And given the many crises the country faced last year alone, from wildfires to terrorist threats, I am alarmed that we are considering a bill today that would get in the way of an agency trying to do its job at critical moments like these. The idea that an agency responding to an emergency would be forced to weigh what existing regulations to get rid of before they can take new action, while lives are at risk, cannot be what this body intends.

Bills like this are not jobs packages. They are pandering to a few select corporate special interests that put the lives and well-being of every American at risk.

I urge my colleagues to vote "yes" on my amendment and to ensure, the next time our country faces an emergency, the citizens of this country can rest assured knowing that the Federal agencies they expect to provide services in times of crises will not have their hands tied by this irresponsible legislation.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, I have the greatest respect for our Members here. But to suggest that what we are doing is throwing a sledgehammer and that it is pandering, come on. This is a serious effort to suggest, in a bipartisan way, to go back and review things.

Now, in the case that was brought up earlier in this debate, there may have been an emergency to deal with something in, say, the State of Washington. And I hope that was dealt with very successfully. But 70 years from now, it is probably not applicable. And I guarantee you, there are regulations and things that are happening by the tens of thousands, by the way, on a regular basis that are no longer needed.

All we are asking for is an opportunity to put together a bipartisan group to go review these. That is what JASON SMITH has been passionate about. That is what he is fighting for. That is what is reasonable. That is why we are here today. But to suggest that it is because of pandering or any other negative word, our heart is sincere in that we actually do think that these regulations cause problems.

You have got to have bureaucrats who understand all these regulations. It is not just the taxpayers—who we work for—but it is also the bureaucrats who are supposed to try to sort all of this out and have manual after manual after manual to bind people to the point where they have a difficult time doing their very jobs that they are supposed to be doing.

So should we review things that were put forward on an emergency basis? Yes, I am not saying that has to be done 3 months afterwards. But we are going to be able to have a long look back, and you shouldn't exempt out veterans and, in this case, you shouldn't exempt out somebody who is just trying to go back and look at something that may originally become a very legitimate emergency. Why would we not look at that?

It is just this attitude and this approach that says everything is perfect. Essentially, what the Democrats are arguing is that all of the regulations are perfect. No need for any changes. No reason to get rid of anything.

What we are saying is, in a bipartisan way, let's go back, let's review these, and let's come up with a way to cut out

that underbrush. Let's try to find the ones that are no longer needed and streamline what we are trying to do in our government. It will be better for the employees. It will be better for the taxpayers. It will be better for America because we will actually understand what the rules and regulations are.

I reserve the balance of my time.

Ms. DELBENE. Mr. Chair, I think that my colleague, Mr. CHAFFETZ, would agree with my amendment because this bill requires that before agencies can issue a new rule, they get rid of an old one, and there is no exception for emergencies. It seems like a very reasonable approach to make sure that, again, in a time of crisis, agencies are able to respond right away.

This is an important amendment. It is a very reasonable amendment. It addresses a serious flaw in the bill. I ask again for my colleagues to vote "yes" on this amendment.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I would just remind our colleagues that the cutting doesn't apply until the commission reports back. So until they have had a chance to go in and look and review, then there is an opportunity to cut out this underbrush. And I think I have made my point. I urge a "no" vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. DELBENE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. DELBENE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 114-388.

Mr. CICILLINE. Mr. Chairman, I rise as the designee of the gentlewoman from Texas (Ms. JACKSON LEE) to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, line 21, insert after "Code" the following: ", except for a special rule".

Page 29, insert after line 24 the following:

(6) SPECIAL RULE.—The term "special rule" means a rule made by the Secretary of Homeland Security.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering this amendment on behalf of myself and my colleague on the Judiciary Committee, Congresswoman SHEILA JACKSON LEE.

Let me begin by expressing my appreciation to Chairman SESSIONS and Ranking Member SLAUGHTER for their leadership and for making the Jackson Lee amendment in order.

Thank you for the opportunity to explain this amendment to H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, referred to as the SCRUB Act.

This amendment would exempt any rule issued by the Department of Homeland Security from the onerous mandates of this legislation. If enacted, the SCRUB Act would establish a retrospective regulatory review commission to identify existing Federal regulations that can be repealed to reduce unnecessary regulatory costs to the U.S. economy.

This bill purports to reduce bureaucracy by establishing a new regulatory review commission charged with identifying duplicative, redundant, or so-called obsolete regulations to repeal. I am offering this amendment because I am concerned about the procedural process by which the SCRUB Act attempts to accomplish this worthy goal and the real and potential dangers this legislation presents to our public health and safety.

If passed without this amendment, this legislation could really undermine and jeopardize public health and safety. In particular, this bill undermines the ability of agencies to act in times of imminent need to protect citizens.

The SCRUB Act would prohibit any regulatory agency from issuing any new rule or informal statement, including nonlegislative and procedural rules, even in the case of an emergency or imminent harm to public health, until the agency first offsets the costs of the new rule or guidance by eliminating an existing rule identified by the commission. This regulatory CutGo process would force agencies to prioritize between existing protections and responding to new threats to the health and well-being of our people and the safety of our homeland.

Such a sweeping requirement would endanger the lives of Americans by creating unnecessary delays in the Federal rulemaking process and creating additional burdens and implementation problems that will only divert critical agency resources and diminish agencies' ability to protect and inform the public in times of imminent danger and need.

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For instance, if an agency needed to respond to an imminent hazard to the public or environment, it would have to either rescind an existing rule that is identified by the commission's arbi-

trary and cost-centric process or choose not to act.

This amendment is a simple solution to that problem, and it will protect the health and well-being of all Americans. It would ensure that the Department of Homeland Security is not unnecessarily burdened with regulatory mandates that would jeopardize its ability to carry out its mission to prevent terrorism, enhance security, manage our borders, administer immigration laws, secure cyberspace, and ensure disaster resilience.

The Department of Homeland Security is the first line of defense in protecting the Nation and leading recovery efforts from all hazards and threats, which includes everything from weapons of mass destruction to natural disasters.

You may recall the Nation's first documented case of Ebola last year in Dallas, Texas. It was an unforeseen and singular event that required DHS to develop new procedures and rules governing travel to the United States by individuals who had recently visited countries suffering through the Ebola outbreak.

The Department of Homeland Security was also recently tasked with adjusting its efforts to secure the southern border when a wave of unaccompanied minors entered the country without notice.

We do not need to be reminded of the heightened state of security that we are now in and the increasing demand upon our government agencies tasked with keeping our borders and citizens safe.

The overall mission of the Department of Homeland Security is too critical and its function so essential that it would be irresponsible to impede the agency in the performance of its duties, as this bill would do.

Now is not the time to undermine or slow the ability of the Department of Homeland Security to address growing threats and active acts of terrorism. The Department of Homeland Security must remain focused on the crucial mission of securing the homeland. This amendment will help them achieve that goal.

I urge my colleagues to support the Jackson Lee amendment.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, the amendment indicates a fundamental, I think, misunderstanding of the purpose and the functionality of the bill.

The SCRUB Act is intended to cut out unnecessary regulations. So the first question you really have to ask yourself is, are there unnecessary regulations?

I would remind Members that on May 26, 2011, the Homeland Security Depart-

ment, which really hadn't been in place for a very long, as it is a new agency, started an initiative to cut out unnecessary regulations.

The President, three times, has asked to cut out unnecessary regulations. So we are formalizing that process a little bit more so that it is true for every department and agency, and we are doing so in a bipartisan way.

So what are we afraid of? What are we afraid of?

We are trying to say things need to be reviewed, and they need to go look. And if they are perfect—I doubt it. I really doubt it. But they are going to have this opportunity, in a bipartisan way, to allow the commission to go do its work, make recommendations, look at these things that are just there by the tens of thousands.

The world has changed. It has dramatically changed. And we ought to be reviewing this on a regular basis, and that is what the SCRUB Act does.

That is why I think, again, creating another carve-out for somebody is unnecessary and counterproductive and ill-advised. That is why I would urge a "no" vote on this amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, that may well be the purpose of this bill, and I don't think anyone would disagree with reviewing regulations and making recommendations. That may be the purpose of the bill, but that is not what the bill does.

What the bill does—and we have to understand the implications, and I will repeat it—it prohibits any regulatory agency from issuing any new rule or informal statement, including nonlegislative and procedure rules, even in the case of an emergency or imminent harm to the public, until the agency first offsets the cost of the new rule or guidance by eliminating an existing rule identified by the commission.

So it is not that anyone is suggesting everything is perfect and a review isn't necessary, but it is the procedure that the bill sets forth which will become law that requires agencies to delay doing anything until they find something to undo.

In the context of the requirements and the responsibilities of the Department of Homeland Security, this has potentially life-threatening implications. So it is not that anyone is suggesting everything is perfect and a review isn't necessary.

But the bill does much more than that. It says to agencies like the Department of Homeland Security, you may not act, even if it is necessary to protect the public, until you repeal or rescind a corresponding amount of regulation. That is a danger. It is what this bill will do.

This amendment relieves that and provides an exemption so that, at least on issues of defending the homeland, we do not delay implementation of the rules.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I appreciate the gentleman's passion for this issue. All we are asking for, in a bipartisan way—and I sound like a broken record up here—is to review these regulations, go back over an indefinite amount of time to look way back, back, and go look at what these rules and regulations that have been put out there.

Remember, we are supposed to be implementing it by law. There are times when regulations and rules—certainly in emergency situations, it has to be dealt with. But they can go back and look at these. It is not going to slow down our dealing with an emergency.

What we are going to do, and I think we are going to find, is that it is actually going to clean up the process in the system.

It is like—I am trying to think of a good example of this—but they keep throwing things into the garage, and there is so much clutter you can't even get in the garage.

And I just think they are living on a different planet if we think that all these regulations are perfect; nothing needs to be cleared out; we don't want to take any time; we want just the administration to do it; we don't want the other party to be involved.

Republicans are suggesting to do this in a bipartisan way. I think that is reasonable. I think that is what the American people want.

But Democrats don't want us to do that. They don't want a bipartisan group of people looking at rules and regulations in the executive branch. I don't think that is fair. I don't think that is balanced.

What we are offering, I think, is an opportunity to do that. They are allowed to go through, this commission goes through this process. The department and agency can identify a list of things that need to be cleaned out of that garage.

I think that is a reasonable way to go and why, again, nobody should be excluded. I think it is a healthy part of the process.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CICILLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. POCAN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114-388.

Mr. POCAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, line 21, insert after "Code" the following: ", except for a special rule".

Page 29, insert after line 24 the following:

(6) SPECIAL RULE.—The term "special rule" means a rule pertaining to consumer safety made by the Commissioner of Food and Drugs, including any rule made under the FDA Food Safety Modernization Act.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Wisconsin (Mr. POCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. POCAN. Mr. Chairman, I yield myself as much time as I may consume.

I rise today in support of this amendment to protect food safety standards for consumers.

In 2010, Congress updated our food safety protections for the 21st century by passing the Food Safety and Modernization Act, greatly expanding these consumer protections through the Food and Drug Administration.

Today it is critical that we maintain this progress and protect the implementation of this law from the obstructionist policies included in the SCRUB Act. It is especially important that we allow the FDA to carry out this effort unimpeded because our food safety standards are facing attacks from many other directions.

A recent decision from the World Trade Organization repealed our country-of-origin labeling standards on beef and pork, undermining consumers' right to know where their groceries are coming from.

Meanwhile, the United States is considering entering the Trans-Pacific Partnership, a massive multinational trade agreement that may allow food into our grocery stores and restaurants that may not even meet basic safety standards. The TPP weakens our ability to inspect these dangerous foods before they end up on our dinner plates.

We know that seafood imported from countries like Vietnam and Malaysia are often contaminated with dangerous antibiotics and foodborne pathogens. Between 2002 and 2010, 44 percent of catfish and related species from China, Vietnam, Thailand, Indonesia, and Cambodia tested positive for antibiotics banned in the United States. Further, in 2013, 100 percent of the Vietnamese catfish farms used antibiotics not approved in the United States.

Meanwhile, large amounts of shrimp imported to the United States also contain dangerous bacteria. Last year, harmful bacteria were found in 83 percent of the shrimp from Bangladesh, 74 percent of the shrimp from India, and 58 percent of the shrimp from Vietnam.

For these reasons, the number of dirty seafood shipments from Vietnam

and Malaysia rejected by the FDA increased 224 percent in the first 2 months of 2015 alone. We must amend this legislation to preserve the FDA's ability to protect our food.

It is not too much to ask that families are assured basic food safety standards and protections are met. Please support this amendment, which will allow the FDA to continue doing its job by protecting consumers and making sure our food is safe to eat.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. The SCRUB Act is not going to take away the entire FDA. Our food, and the people that work at the FDA, the food safety is an important part of the function that they hold.

But I would appreciate anybody to have us understand—we actually, through the staff, read this report from George Mason University. In February of 2014 they wrote a really good report, "The Consequences of Regulatory Accumulation and a Proposed Solution." I just want to highlight one of the examples of something that is still on the books. The Food and Drug Administration has been creating rules since its inception in 1906.

There is still a regulation on the FDA's books that governs the width of strings in canned string beans. That is still on the books. You are breaking the law if you go past this regulation.

This is the kind of stuff that should be out of there because, you know what, there is some entrepreneur, there is some business that has the liability now hanging over their head. In 1906, somehow, somebody thought that was a good rule, but it is not anymore. It is unnecessary. It is burdensome. It is still on the books.

Let's have a bipartisan group of people look at this and go find the width of string beans and get rid of that regulation. What is wrong with that? That is what the SCRUB Act does. That is what JASON SMITH is talking about.

There are other examples. It was just, I believe, according to The Wall Street Journal, the EPA had saccharine, was treated as a dangerous chemical. But the FDA said it was safe for people to consume. And it wasn't until just last month that the EPA said: All right, it is not a dangerous, hazardous chemical. And the FDA prevailed. But there are conflicts.

Again, a commission looking at this, with professionals, staff, people who are looking at these types of things are going to go find these regulations and try to go weed them out. It will streamline what we are doing. It is good for the economy. It is good for the country. It makes common sense, and we are trying to do so in a bipartisan way.

So the FDA, they do good work. But we are talking about a lot of other regulations and rules that were put forth that are no longer necessary and need to be eliminated.

I reserve the balance of my time.

Mr. POCAN. Mr. Chairman, first let me say I am not going to impugn anyone's motives why it was introduced. My problems are with the implementation of the law.

If you would like to, with my office, sign a letter to repeal the 1906 string bean width regulation, I am with you. We can do that, and that is a common-sense way to get things done.

You mentioned things from the twenties and thirties and forties that might be there. But let's put it another way. You are saying every time a new regulation is necessary, you have to find an old regulation, which is overly simplistic, ultimately impractical and, I think, ultimately dangerous, especially when it comes to issues like food safety and veterans and other areas. So it is the impracticality.

You are telling a consumer, if they have old things in their refrigerator that are outdated, when you buy your new milk, you take out your old milk, but you don't clean out your refrigerator. That is a ridiculous notion.

□ 2015

Only in Washington would we come up with a law as ridiculous as saying that you take one for one rather than just cleaning out old items. So I just have a problem with the bill itself. I am not impugning anyone's motives for introducing it. I just think it is a silly way of accomplishing what you want to accomplish.

I don't disagree with the gentleman, and I don't think many of us disagree that there are regulations that should be gotten rid of. But there is a way to do it that would make sense, that the public would understand, and that wouldn't be just the brainchild of the Beltway inside Washington which, unfortunately, is what the SCRUB Act is.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, here is the problem.

The Federal bureaucracy continues to grow and expand to the point where we have millions of people who wake up every day. A lot of them are regulators. They can't justify their existence unless they regulate something.

There is no incentive to get rid of those regulations. There is every incentive to add regulations because that is what they get paid to do. We want to just have a bipartisan group of people who can go and weed out all of this unnecessary underbrush, as I keep calling it, to streamline the system.

It should be done by every agency. It is going to take time to go through it. I hope we are saying that we recognize that there is this problem because we

can keep coming up with examples and going through and saying, "Hey, we will pass"—do you know how expensive it is to introduce and pass a piece of legislation and try to get it over to the Senate?

We are trying to create a commission in a bipartisan way to have people dive in and look at these regulations. That is what we are asking for. That is why I urge a "no" vote on this amendment and a "yes" vote on the underlying bill introduced by Mr. JASON SMITH.

Mr. Chairman, I reserve the balance of my time.

Mr. POCAN. Mr. Chairman, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. POCAN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. POCAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. MURPHY OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 114-388.

Mr. MURPHY of Florida. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Regulatory Improvement Act of 2015".

SEC. 2. DEFINITIONS.

In this Act—

(1) the term "Commission" means the Regulatory Improvement Commission established under section 3;

(2) the term "commission bill" means a bill consisting of the proposed legislative language of the Commission recommended under section 4(h)(2)(C); and

(3) the term "covered regulation" means a regulation that has been finalized not later than 10 years before the date on which the Commission is established.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established in the legislative branch a commission to be known as the "Regulatory Improvement Commission".

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 9 members, of whom—

(A) 1 member shall be appointed by the President, and shall serve as the Chairperson of the Commission;

(B) 2 members shall be appointed by the majority leader of the Senate;

(C) 2 members shall be appointed by the minority leader of the Senate;

(D) 2 members shall be appointed by the Speaker of the House of Representatives; and

(E) 2 members shall be appointed by the minority leader of the House of Representatives.

(2) DATE.—The appointment of the members of the Commission shall be made not later than 60 days after the date of enactment of this Act.

(3) QUALIFICATIONS.—

(A) CHAIR.—The Chair of the Commission shall be an individual with expertise and experience in rulemaking, such as past Administrators of the Office of Information and Regulatory Affairs, past chairmen of the Administrative Conference of the United States, and other individuals with similar expertise and experience in rulemaking affairs and the administration of regulatory reviews.

(B) MEMBERS.—Members appointed to the Commission shall be prominent citizens of the United States with national recognition and a significant depth of experience and responsibilities in matters relating to government service, regulatory policy, economics, Federal agency management, public administration, and law.

(4) LIMITATION.—Not more than 5 members appointed to the Commission may be from the same political party.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) MEETINGS.—The Commission shall meet at the call of the Chairman.

(f) OPEN TO THE PUBLIC.—Each meeting of the Commission shall be open to the public, unless a member objects.

(g) QUORUM.—Five members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(h) NONAPPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 4. DUTIES OF THE COMMISSION.

(a) PURPOSE.—The purpose of the Commission is to evaluate and provide recommendations for modification, consolidation, or repeal of covered regulations with the aim of reducing compliance costs, all while protecting public health and safety, encouraging growth and innovation, and improving competitiveness.

(b) REQUIREMENTS.—In carrying out subsection (a), the Commission shall—

(1) give priority in its analysis of covered regulations to those that—

(A) impose disproportionately high costs on a small entity (as defined in section 601 of title 5, United States Code);

(B) impose substantial paperwork burdens; or

(C) could be strengthened in their effectiveness while reducing regulatory costs;

(2) solicit and review comments from the public on the covered regulations described in this section; and

(3) develop a set of covered regulations to modify, consolidate, or repeal to be submitted to Congress for an up-or-down vote.

(c) PUBLIC COMMENTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the initial meeting of the Commission, the Commission shall initiate a process to solicit and collect written recommendations from the general public, interested parties, Federal agencies, and other

relevant entities regarding which covered regulations should be examined.

(2) **SUBMISSION OF PUBLIC COMMENTS.**—The Commission shall ensure that the process initiated under paragraph (1) allows for recommendations to be submitted to the Commission through the website of the Commission or by mail.

(3) **LENGTH OF PUBLIC COMMENT PERIOD.**—The period for the submission of recommendations under this subsection shall end 120 days after the date on which the process is initiated under paragraph (1).

(4) **PUBLICATION.**—At the end of the period for the submission of recommendations under this subsection, all submitted recommendations shall be published in the Federal Register and on the website of the Commission.

(d) **COMMISSION OUTREACH.**—

(1) **IN GENERAL.**—During the public comment period described in subsection (c), the Commission shall conduct public outreach and convene focus groups to better inform the Commissioners of the public's interest and possible contributions to the work of the Commission.

(2) **FOCUS GROUPS.**—The focus groups required under paragraph (1) shall include individuals affiliated with the Office of Information and Regulatory Affairs, the Administrative Conference of the United States, the offices within Federal agencies responsible for small business affairs and regulatory compliance, and, at the discretion of the Commission, other relevant stakeholders from within or outside the regulatory entities.

(e) **COMMISSION REVIEW OF PUBLIC COMMENTS.**—Not later than 45 days after the date on which the period for the submission of recommendations ends under subsection (c), the Commission shall convene to review submitted recommendations and to identify covered regulations to modify, consolidate, or eliminate.

(f) **EXAMINATION OF REGULATIONS.**—

(1) **PROCESS FOR EXAMINATION.**—In examining covered regulations under this section, the Commission shall determine the effectiveness of individual covered regulations, by using multiple resources, including quantitative metrics, testimony from industry and agency experts, and research from the staff of the Commission.

(2) **DEADLINE.**—Not later than 1 year after the date on which the Commission convenes under subsection (e), the Commission shall complete a substantial examination of covered regulations.

(g) **INITIAL REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date on which the Commission convenes under subsection (e), the Commission shall publish, and make available to the public for comment, a report, which shall include—

(A) the findings and conclusions of the Commission for the improvement of covered regulations examined by the Commission; and

(B) a list of recommendations for changes to the covered regulations examined by the Commission, which may include recommendations for modification, consolidation, or repeal of such covered regulations.

(2) **REQUIREMENT.**—The report required under paragraph (1) shall be approved by not fewer than 5 members of the Commission.

(3) **AVAILABILITY OF REPORT.**—The Commission shall make the report required under paragraph (1) available through the website of the Commission and in printed form.

(4) **PUBLIC COMMENT PERIOD.**—During the 90-day period beginning on the date on which the report required under paragraph (1) is published, the Commission shall—

(A) solicit comments from the public on such report, using the same process established under subsection (c); and

(B) publish any comments received under subparagraph (A) in the Federal Register and the website of the Commission.

(5) **CONSULTATION.**—

(A) **IN GENERAL.**—Not later than 90 days after the date on which the report required under paragraph (1) is published, the Commission shall complete a consultation with the chairman and ranking member of the committees of jurisdiction in the House of Representatives and Senate regarding the contents of the report.

(B) **REQUIREMENTS.**—The consultation required under subparagraph (A) shall provide—

(i) the opportunity for the chair and ranking member of the committees of jurisdiction to provide substantive feedback or recommendations related to the regulatory changes contained in the report required under paragraph (1); and

(ii) the opportunity for the chair and ranking member of the committees of jurisdiction to provide recommendations for alternative means of achieving a reduction in regulatory costs while maintaining the same level of benefits to society.

(h) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date on which the 90-day period described in subsection (g)(4) ends, the Commission shall—

(A) review any comments received under subsection (g)(4);

(B) incorporate any relevant comments received under subsection (g)(4) into the report required under subsection (g)(1); and

(C) submit the revised report to Congress.

(2) **CONTENTS.**—The revised report required to be submitted to Congress under paragraph (1) shall include—

(A) the findings and conclusions of the Commission for the improvement of covered regulations examined by the Commission;

(B) a list of recommendations for changes to the covered regulations examined by the Commission, which may include recommendations for modification, consolidation, or repeal of such covered regulations; and

(C) recommended legislative language to implement the recommendations in subparagraph (B).

(i) **NOTICE TO REGULATORY AGENCIES.**—

(1) **ENACTMENT OF COMMISSION BILL.**—If the commission bill is enacted into law before the first date on which Congress adjourns sine die after such bill is introduced, the President shall—

(A) not later than 7 days after the date on which the commission bill is enacted into law—

(i) provide notice to the affected regulatory agencies; and

(ii) publish notice of enactment in the Federal Register and online;

(B) require affected regulatory agencies to implement the commission bill not later than 180 days after the date on which the commission bill is enacted into law.

(2) **FAILURE TO ENACT COMMISSION BILL.**—If the commission bill is not enacted into law before the first date on which Congress adjourns sine die after such bill is introduced, the President shall provide notice of such failure to enact the commission bill in the Federal Register.

SEC. 5. POWERS OF THE COMMISSION.

(a) **HEARINGS.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive

such evidence as the Commission considers advisable to carry out this Act.

(b) **INFORMATION FROM FEDERAL AGENCIES.**—

(1) **IN GENERAL.**—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purpose of this Act. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by the Commission, or any member designated by a majority of the Commission.

(2) **RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.**—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(c) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

(e) **SPACE FOR USE OF COMMISSION.**—Not later than 60 days after the date of enactment of this Act, the Administrator of General Services shall support on a reimbursable basis the operations of the Commission, including the identification of suitable space to house the Commission. If the Administrator is not able to make such suitable space available within the 60-day period, the Commission shall lease space to the extent that funds are available.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) **COMPENSATION OF MEMBERS.**—Each member of the Commission shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(b) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) **STAFF.**—

(1) **IN GENERAL.**—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) **COMPENSATION.**—The Chairman of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other

personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) **AGENCY ASSISTANCE.**—Following consultation with and upon the request of the Chairman of the Commission, the head of any agency may detail an employee of the agency to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) **GAO AND OIRA ASSISTANCE.**—The Comptroller General of the United States and the Administrator of the Office of Information and Regulatory Affairs shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(d) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) **CONTRACTING AUTHORITY.**—The Commission may acquire administrative supplies and equipment for Commission use to the extent funds are available.

(f) **ADMINISTRATIVE SUPPORT.**—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 4.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated such sums as may be necessary to the Commission to carry out this Act.

(b) **AVAILABILITY.**—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until expended.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Florida (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Mr. Chairman, I rise in support of the substitute amendment to provide a bipartisan approach to this regulatory reform discussion.

As a CPA and a small-business owner myself, I have seen firsthand the burden that unnecessary regulations can have on businesses, particularly small businesses.

My substitute amendment would establish a regulatory improvement commission consisting of experts appointed by the President and congressional leaders of both parties to evaluate and provide recommendations for the modification, consolidation, or repeal of regulations that are unnecessarily burdensome.

The commission would have an aim toward reducing compliance costs, en-

couraging growth and innovation, and improving competitiveness, all while protecting public health and safety.

After opportunities for input and consultation from experts, industry stakeholders, and the general public, the commission would submit a report to Congress containing proposed legislation to implement its adjusted changes. If Congress chooses to act and the President chooses to sign the report, agencies would have 180 days to implement.

My amendment is based on the Regulatory Improvement Act of 2015, which I was proud to introduce with the gentleman from South Carolina (Mr. MULVANEY) along with 14 cosponsors, 7 Democrats and 7 Republicans.

Our bipartisan proposal rejects the partisan approach before us today in favor of a true, bipartisan compromise that all Members should be able to get behind.

My constituents sent me to Congress with the expectation that I would be willing to work with anyone with a good idea. It shouldn't matter what party you have behind your name.

Traveling up and down my district, I hear the same thing from all of my constituents, whether they are Republican, Democrat, Tea Party alike. They get that there can be a cost to protecting the environment. But in my district on the Treasure Coast and Palm Beaches, they also know that having clean water is probably worth it.

They also get that there can be a cost to protecting their workers and workplace safety. But many of them have had the same workers for many, many years, if not decades, and they know that the safety of their employees is also probably worth it.

So what frustrates, I think, those constituents the most and those business owners the most is the unnecessary red tape and the excessive costs for the hoops that they have to jump through that don't make the air any cleaner and don't make the projects any safer. They expect Washington to work to fix that problem. That is why I have offered this amendment today.

I know that some on the left are going to say that this goes too far and some on the right think it doesn't go far enough. But I also know that, in a divided government, the partisan bill before us will do nothing to help relieve the regulatory burden on the small businesses in my district and across this country.

Riddled with poison pills, the SCRUB Act is a messaging bill, trying to send a message about one side allegedly not caring enough about jobs and the other side doesn't care enough about clean water or public safety.

But that is not the message that the small businesses care about and the small businesses in my district want to hear. They want results. They want so-

lutions to this. Their message shouldn't be that Congress doesn't care.

So while I hoped that we would be able to pick up where we left off on this bill in the last Congress and find some areas where we can come together to solve problems for the American people, I understand that there are concerns with the amendment, and I do intend to withdraw it.

Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I would just like to say how much I appreciate the gentleman from Florida's bipartisan work on this issue.

I look forward to working with the gentleman on this issue as well as other issues of joint concern, like criminal justice reform and the restoration of the Voting Rights Act.

Mr. MURPHY of Florida. I thank the gentleman.

Mr. Chairman, I look forward to working together and to working with our friends on the other side of the aisle, getting back to getting things done for the American people.

Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

Mr. CHAFFETZ. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BABIN) having assumed the chair, Mr. MOOLENAAR, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, had come to no resolution thereon.

OBAMACARE

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, the Affordable Care Act came with a lot of promises. Remember the President's words in 2009, "If you like the plan you have, you can keep it. If you like the doctor you have, you can keep your doctor, too. The only change you'll see are falling costs as our reforms take hold."

This, Mr. Speaker, was false advertising. While some may have gained coverage under the ACA, far too many others were harmed by the law. Millions of Americans lost their plans or saw their premiums and out-of-pocket

costs skyrocket, like the mom in my district who now has to pay \$400 for her daughter's lifesaving peanut allergy medication when it used to cost her \$10. That is not what was promised.

We need to empower all patients with more choice while also offering solutions for the uninsured and those with preexisting conditions. And there is a way. For decades, Republicans have proposed patient-centered, market-based answers to our health insurance challenges.

Today's historic vote, which is a victory over HARRY REID's 5 years of obstruction, gets us a step closer to real reform. I urge the President to sign today's bill.

FACES OF ADDICTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Hampshire (Ms. KUSTER) is recognized for half the time remaining before 10 p.m. as the designee of the minority leader.

Ms. KUSTER. Mr. Speaker, this evening I rise as the co-chair of the Bipartisan Task Force to Combat the Heroin Epidemic to call upon my colleagues to refocus our efforts on bringing an end to the opioid epidemic that continues to threaten communities all across New Hampshire and across this country.

The opioid epidemic has grown to historic proportions. Our medical providers are struggling to keep up with the flow of overdoses entering our clinics and to secure treatment for those who need it.

Our law enforcement, as first responders, have taken on the burden of responding to more and more potentially dangerous situations when a call for help comes in, and these calls are becoming more and more frequent. Statistics now show that more Americans die from drug overdoses than do in car crashes in this country.

In my home State of New Hampshire, the opioid epidemic continues to grow. In 2015 alone, the total number of drug deaths in the Granite State exceeded 400, more than one per day, far surpassing the current record of fatalities set just last year at 324.

There is no doubt that these numbers are staggering. But behind each and every one of these numbers is a daughter or a son, a mother or a father, a community leader or a neighbor whose life was precious and whose death has inflicted terrible pain on loved ones.

For every life lost, there are also many more individuals and families whose lives have been forever changed by opioid misuse. We must never forget or overlook what each number represents.

As the epidemic has continued to infiltrate communities across New Hampshire and New England, experts

and advocates have risen to challenge opioid abuse in a number of important ways and sometimes from unexpected places.

My dear friend Kriss and I have known each other for years now, and she has taken it upon herself to be a champion of this issue. Through her unique position as a premier cosmetologist in the State and the make-up artist of choice for many of the Presidential candidates that pass through New Hampshire during primary season, Kriss has forced a conversation about the need to end the opioid epidemic onto the national stage.

Kriss has emerged as a leader on the issue back home, and she and her husband, Mark, continue to display remarkable courage and strength as she shares the story of her stepdaughter, Amber, who is with me here today in this Chamber, who lost her life to a heroin overdose.

Kriss' hope is that her experience might help and enact real change. So with Kriss' and Mark's blessing tonight, it is my honor to share Amber's story with you.

As Kriss puts it, Amber was the girl who helped everyone else. But, tragically, she could not help herself once she took that first drug at the young age of 15.

As Amber's stepmother, Kriss came into her life when she turned 17. At that point, Amber had already passed through the gateway drugs of over-the-counter Benadryl, marijuana, alcohol, and prescription opiates that were available on the streets.

□ 2030

She suffered from untreated bipolar disorder, but she did not have access to the appropriate medication and, like so many others, was left uncomfortable in her own skin, self-prescribing medication to find relief.

In Kriss' words, Amber was a girl hard to catch. She chose "life on the run."

When she found herself living on the streets, she would help others by giving them the coat off her back, panhandling to buy food, or helping others as they detoxed from heroin while homeless.

By age 20, she took her first hit of heroin and became spellbound by it. It made choices for her. She had the opportunity to have a loving home, an education, and parents that could support her recovery, but her addiction led her to a life of homelessness on the streets of Manchester, New Hampshire.

After four incarcerations in the last 2 years of her life for heroin possession and prostitution, she was a victim of trafficking on the streets of Manchester to maintain her high.

When incarcerated and craving treatment, a bed finally became available for Amber at a wonderful treatment

center in New Hampshire, but, meanwhile, the prison would not let her out. The prison itself offered no recovery. When she was released, the bed was no longer available. Amber even had to lie to the emergency room to get help by saying, "I want to kill myself."

She detoxed in that hospital, but no recovery aftercare was available. Kriss and her husband, Mark, brought Amber home, and on the third night, she fled home leaving them a note that said, "I have to go back to my people."

The last time that Kriss and Mark saw her was Easter Sunday. She was high, vacant, and the drug had consumed her soul. Three days later she was found in an alley dead of a heroin overdose. She was 22 years old.

Her death would be easy to blame on institutional failure to ensure that those in need can access resources or on a general lack of empathy for individuals crippled by addiction. Kriss and Mark have made a conscious effort to use Amber's life, her death, and her ongoing vibrant spirit to wake up the hearts and minds of those who have the power to change fate.

Tonight, I share Amber's heart-wrenching story in the hopes that we can all recognize opioid abuse is not a disease singular to a certain socioeconomic group or race or region. It can take hold of anyone.

Amber's parents have been incredibly brave to share her story and to come to Washington to push for reform. We need to erase the stigma from substance abuse disorder, and we need to be far more honest and productive considering the effect on daughters or sons, mothers or fathers.

That is why tonight we called our colleagues together for this Special Order so that we can speak from both sides of the aisle and share the lives of friends and loved ones. It is my intention that by honoring those we have lost and by acknowledging the complexities of opioid abuse and the human lives that are behind these fatalities, we can come together to convey the urgency behind bringing an end to the opioid epidemic.

I yield to the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I am proud to join bipartisan Members, Republicans and Democrats from around the country, to talk about heroin use, an increasingly deadly public health crisis. I welcome Kriss and Mark from New Hampshire, who are here today to honor the life of Mark's daughter.

A special thank-you to Congresswoman ANN KUSTER, my fellow Granite Stater and partner on our Bipartisan Task Force to Combat the Heroin Epidemic. We formed this task force last year to bring attention to opiate addiction and overdose spreading nationwide. Now over 40 House Members have joined our task force and this cause.

We aim to inform not just members of the public, but the Nation about the tragedies and the challenges that face our families, our communities, our States, our loved ones, and our friends. We are here not just to combat this epidemic, but bring solutions not just to this body, but to every area of the Nation.

Congresswoman KUSTER and I have held a roundtable with addiction and law enforcement experts in Concord, New Hampshire, our home State. We held a subsequent policy briefing in Washington, D.C., featuring officials from the Drug Enforcement Agency, Centers for Disease Control, and other Federal agencies.

They are providing a fuller picture of the scope of the problem, which in New Hampshire has claimed 400 lives in 2015. To put that figure in perspective, 1 out of every 3,000 people have died of a heroin overdose just last year. The CDC reports that, nationally, overdose deaths have tripled over the last 10 years. These numbers, unfortunately, are likely to rise.

But numbers don't tell the whole story. To truly illustrate the dangers of heroin use, we need to hear from fathers like Doug Griffin of Newton in New Hampshire's First Congressional District. At a forum yesterday in Manchester, New Hampshire, where I proudly served as mayor, he told the audience about his daughter Courtney, who fell victim to heroin at just 20 years young.

Doug remembers his daughter as an exuberant young girl who had a great sense of humor and a passion for life until a mix of prescription pills, fentanyl, and street heroin ensnared Courtney—like millions of other Americans—in a fatal web of addiction. Before the drugs overcame her, she played music and she loved s'mores.

She wanted to be a marine and trained for it. But just 3 years later, Courtney was lost on the streets, in and out of rehab facilities. She no longer had the will to live. Because Courtney's situation was so dire, because it seemed like they had so few options, Doug said he and his family hid the truth from the outside world. Bravely, Doug is now telling everyone he knows about the warning signs of heroin addiction and deficiencies in our public response.

Tonight is about telling the truth in order to build momentum towards better solutions. It is about putting political disagreements aside, because the heroin epidemic crosses party lines. It crosses every congressional district in the United States.

The truth is addiction strikes every demographic and every geographic region. There are too many stories like Courtney's. However, we also have a wealth of ideas to combat this problem. Congresswoman KUSTER and I formed the Bipartisan Task Force to gather

those stories and ideas and assemble them into effective legislation.

We introduced the STOP ABUSE Act as the first order of business to coordinate law enforcement and public health agencies at the Federal, State, and local levels. The bill targets high-intensity drug trafficking areas for special attention. Newton, New Hampshire, where Doug Griffin's daughter died of an overdose, lies on such a route just north of the Massachusetts border.

The STOP ABUSE Act creates a stronger prescription pill monitoring program. In fact, it was overprescribed legal opiates that hooked Courtney in the first place. Personally, I have introduced legislation to increase access to lifesaving overdose medication.

The STOP ABUSE Act includes treatment and prevention grants to localities overwhelmed by the scale of addiction, as my colleagues gathered here tonight will continue to tell you. They have their own stories and their own ideas to share. I am grateful for their partnership and leadership as we work together to combat heroin abuse in the United States.

Ms. KUSTER. Thank you, Mr. GUINTA.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. First, Mr. Speaker, I want to call attention to the efforts that have been made by Congresswoman KUSTER and Congressman GUINTA. When Congresswoman KUSTER approached me on this issue, I was all too happy to join in. I think that the perseverance that she has offered in the early days on this is, I think, a challenge for all of us across New England, because what has happened across New England now is gripping in terms of the attention that this issue has drawn.

But I want to call attention specifically to a very important case in which there is an individual whom I had a chance to witness his testimony. At the same time, I intend to quote liberally from the Springfield Republican, which is the paper of record for western Massachusetts.

I want to call attention tonight to a former Ludlow, Massachusetts, police lieutenant, Thomas Foye. Lieutenant Foye had a strong upbringing with supportive parents, a college education, a good marriage, three children, and a long career as a lieutenant in the Ludlow Police Department.

The 50-year-old was a longtime head of the detective bureau and even served on an FBI task force. He arrested many drug addicts and responded frequently to overdoses. He was at the scene of many drug-related suicides. He warned schoolchildren about the dangers of drugs. He was even an official who had been elected to the Ludlow School Committee.

That was, however, until he got addicted to OxyContin pills following

shoulder surgery. Two surgeries and more pain medication prescriptions later, Lieutenant Foye found himself admitting that he was addicted.

After trying to quit on his own multiple times and suffering sickening withdrawals, he turned to his doctor for help. The same doctor who had originally prescribed him OxyContin now prescribed him more pills to both wean him off the painkillers and to put an end to his sickness.

When none of that worked, Foye admits that he broke the law and began to acquire pills illegally, taking them straight from his police department's own evidence room. When he was arrested in his office at the Ludlow Police Department in 2013, he was charged with tampering with substances, two counts of possession of a class B substance—cocaine and OxyContin—and two counts of larceny of a drug. Subsequently, he was sentenced to 2 years in jail.

He said that it was not fear, dread, or panic that he felt when the investigation finally came to a head; rather, he felt relief. He now would be able to get help.

He talks about the police officer who stayed with him in the detox facility following his arrest. "Some day I want to be that guy," he said. "There needs to be some dignity in drug addiction treatment."

Lieutenant Foye was lucky in the sense that he survived his addiction and is telling his story to help others. Those who have not survived, including eight people this weekend in my congressional district in a very small geographic area, died from a lethal string of heroin that was identified as the Hollywood brand.

The Opioid Overdose Reduction Act of 2015 would exempt from civil liability emergency administration of opioid overdose-reversing drugs, like naloxone, by people who prescribe or are prescribed them. Senator MARKEY has offered the same legislation down the hallway in the United States Senate.

When an opioid overdose occurs, administration of an opioid-reversal drug is necessary to prevent death, but it must occur within a certain window of time before the chance of survival is lost. This is a time of quick action, not deliberations or a potential lawsuit.

Every day, 120 people die as a result of drug overdoses fueled by prescription painkillers, and another 6,748 are treated in emergency rooms for the misuse or abuse of illegal drugs. According to The Washington Post, "overdosing is now the leading cause of accidental death in the United States, accounting for more deaths than traffic fatalities or gun homicides and suicides. Fatal overdoses from opiate medications such as oxycodone, hydrocodone, and methadone have quadrupled since 1999, accounting for an estimated 16,651 deaths in 2010."

It is time to bring a face to those affected by addiction and stop the epidemic in communities across this country.

I want to close as I started with a note of congratulations to Ms. KUSTER and to Mr. GUINTA for calling attention to what is really happening across New England now. We need to be mindful of the lives that are being destroyed and the families that are succumbing to this torture over long, long periods of time trying to treat those who are addicted and to make sure they get adequate help.

Ms. KUSTER. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman from New Hampshire (Mr. GUINTA) and the gentlewoman from New Hampshire (Ms. KUSTER) for organizing this Special Order this evening, and also for the participation with the Bipartisan Task Force to Combat the Heroin Epidemic; and to also recognize the individuals from New Hampshire, Kriss and Mark, who came down, and for the bravery in sharing the story of Amber and how it is important for all of us to be reflecting on this very serious crisis that we have.

Many of our communities have been hit hard by the opioid abuse epidemic. Like other regions of the country, this brutal epidemic is affecting western Pennsylvania, destroying lives, breaking up families, and claiming far too many of our loved ones.

Vonda Probst from Friedens, Pennsylvania, knows firsthand the devastating reality of losing a loved one to drugs. Nearly 2 years have passed since Ms. Probst lost her son, Jared Carter, to a heroin overdose. Jared enjoyed motorcycle riding, four-wheeling, fixing old cars, and just being outdoors. He would have turned 30 this last summer.

□ 2045

There are far too many stories like Jared's in Pennsylvania and throughout our Nation, lives full of potential and value that are cut short by drug abuse.

According to the National Institute on Drug Abuse, last year alone there were well over 10,000 heroin overdose deaths. This number reflects a six-fold increase in the number of heroin deaths since 2001.

In my State of Pennsylvania alone, drug overdose deaths have increased by 470 percent over the past two decades, and heroin and opioids are increasingly to blame. These drugs have been responsible for the loss of nearly 3,000 lives in our State in just the last 5 years.

Parts of the 12th District have been especially hard hit as heroin use is the leading cause of accidental deaths. In fact, in 2012, there were a record 261

drug overdose deaths in Allegheny County, which is more than Allegheny County's traffic fatalities and homicides put together and is 30 percent higher than the State average. In Cambria County, the drug overdose death rate is nearly double the State average.

These statistics are horrifying, but behind the numbers are people and tragedy. Every heroin-related death cuts short a valuable human life that should have ended with a much brighter and a much later chapter. Every American who dies from a drug overdose is a person who had dignity and potential. Without adequate assistance, however, each one did not have hope.

It is time to turn a new page in order to proactively defeat this deadly epidemic with renewed dedication. As a member of the Bipartisan Task Force to Combat the Heroin Epidemic, I am strongly committed to ending this scourge.

We need to find new ways to combat this crisis and to continue learning from our community-based organizations on how they are providing help on the front lines. I have worked with local leaders in my district, such as Reverend Sylvia King, the pastor and founder of Johnstown's Christ Centered Community Church, which provides drug recovery services and counseling. I have also worked with local law enforcement and other treatment groups to make sure the necessary resources are available to help those in need.

Here in Congress we also need to be looking at legislative responses to help address this issue. In the past, I have supported increased funding for the Byrne Memorial Justice Assistance Grant Program, which provides resources and support for heroin victims through prevention and education programs as well as drug treatment and enforcement.

I am also a cosponsor of legislation that has been introduced by Representatives SUSAN BROOKS and JOE KENNEDY—the Heroin and Prescription Opioid Abuse Prevention, Education, and Enforcement Act—to reauthorize the Prescription Drug Monitoring Programs that are so critical to local law enforcement efforts, to increase access to the life-saving opioid reversal drug Naloxone, and to raise public provider and patient awareness of opioid drugs and their link to heroin.

We must remember heroin's victims, such as Jared Carter and so many other like him, who have lost their lives. Let's galvanize the support necessary to stop these tragedies. We must be mindful in that people, as they watch this discussion this evening, may know somebody who is hurting right now, somebody in need. It may be somebody, himself, who is watching.

Get help. Reach out. Don't do this alone.

I thank the gentleman from New Hampshire, and I thank the gentlewoman from New Hampshire for organizing this Special Order. I look forward to continuing to work back home and here in D.C. to address this crisis.

Mr. GUINTA. I thank the gentleman from Pennsylvania for sharing that heartfelt story as well as the challenges that your community is facing.

Ms. KUSTER. Mr. Speaker, I yield to the gentlewoman from Illinois (Mrs. BUSTOS).

Mrs. BUSTOS. I thank the gentlewoman from New Hampshire for yielding time on this critically important issue.

I also thank the gentlewoman and Congressman GUINTA for pulling this Special Order together and for their hard work on the Bipartisan Task Force to address this heroin epidemic.

Mr. Speaker, as the heroin epidemic sweeps the Nation, too many families and communities are mourning the deaths of loved ones who have been lost over the years due to heroin addiction and addiction to painkillers. One of the lives we lost not too long ago was in a town called Rockford, Illinois, which is in the heart of my congressional district.

The gentleman's name was Chris Boseman. He was 32 years old when he died in the summer of 2014. He was a kind, tender-hearted son and brother. He had a back injury that led to his addiction to pain medication.

When he could no longer get relief from that pain medication, he began to buy different kinds of pain relief on the street. As the costs would add up, his dealer told him about something called heroin and that he could get this for \$10.

After his first overdose, Chris tried hard to fight his addiction. He had a couple of relapses, but it appeared that he had been successful in overcoming this addiction.

He enrolled at Rock Valley College, a community college, where he studied construction management. He was 1 year away from graduating. No one knew that he was still fighting this battle because he was ashamed of it. One night he was home alone—he was just over 1 year clean—when he relapsed again and died.

The sad thing is that Chris' story is all too common. In fact, I lost a member of my own family to the heroin epidemic when my brother-in-law's son died after overdosing on heroin in the summer of 2013.

He was not the kind of kid one would think would be taking something like heroin. His dad had no idea. His family had no idea. He was a college football player. He was a musician. He was an avid weight lifter and was just a red-headed kid who was fun to be around.

Yet, when he injured his back and his knee and felt that he needed more than just aspirin and a little physical therapy to overcome this pain, he got on

painkillers. As we are telling these stories this evening, this eventually led to his trying heroin as a way to relieve his pain. It was probably, they thought, the third time that he took heroin. He ingested what would be considered pure heroin, and he died.

I am here to say that we can no longer sit on the sidelines while folks in our communities and our family members are suffering and are dying, when parents are burying their children, and when the men and women who are struggling with this addiction are crying out for help.

We also know that heroin use is increasing among young people, especially in my home State of Illinois, with a nearly 50 percent increase in the use of heroin just in the last several years.

In Winnebago County, which is where Rockford is, which I was talking about earlier, there were 51 heroin-related deaths in 2013 alone. In Peoria, which is also in the heart of my congressional district, emergency responders see at least one heroin overdose every single day.

Perhaps the most troubling is not just this rapid increase in the usage or in the rising number of overdoses, but in our inability to treat those who need it the most. While heroin use is increasing rapidly in every region of my home State, there has been a dramatic decrease in the availability of treatment. In fact, Illinois ranked worst—last in the Nation—in the overall decline in treatment capacity.

While we are at the height of this heroin epidemic, last year our Governor proposed a budget that would cut our already inadequate State-funded treatment programs by 60 percent.

To make matters worse, the ongoing budget crisis in Illinois has gutted the funding for treatment programs like one in my district of Rockford. It is called Remedies Renewing Lives. That is why next week, when the President gives his State of the Union, my guest will be a guy named Gary Halbach, who is the president of Remedies.

It is so he can witness the State of the Union and so he can talk about the important work that he and his colleagues at Remedies are doing every single day. Under the pressure of tremendous budgetary shortfalls, Gary and his team have been on the front lines in providing treatment to heroin addicts and support for victims of domestic violence.

We will not end the heroin epidemic if the programs that have been proven to help continue to be undermined and significantly underfunded. We cannot turn a blind eye to the families and to the communities that have been affected by the heroin epidemic. They deserve better. They deserve solutions.

Ms. KUSTER. For the record, this concept of bringing the faces of addiction to the floor of the House was the

idea of the gentlewoman from Illinois. I thank her for that.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I appreciate the opportunity to speak tonight. As I stepped to the podium, I noticed two of the values that America has etched into or has carved into the Speaker's rostrum, "liberty" and then, to my left, "peace."

They are two values that we hold dear; yet, they are two values that are lost to people when they come under the cruel, cruel domination of heroin and other opiates. So it is good for us to talk about this tonight but, more importantly, for us to do something about it.

I thank Congressman GUINTA, Congresswoman KUSTER, and my colleagues who are participating in this Special Order, which highlights the ongoing epidemic of heroin and prescription drug abuse.

Mr. Speaker, I rise today as a member of the Bipartisan Task Force to Combat the Heroin Epidemic in order to discuss a growing public health crisis in the United States and, more personally, to discuss a crisis occurring in my home district, the Michigan Seventh.

You see, we can talk statistics over and over again, but, really, this is all about lives: friends, family, neighbors, people who are highly respected, and people whom we wouldn't know. Yet, they are impacted. The tragic stories of prescription drug abuse and fatal overdoses hit close to home in far too many Michigan communities.

Through September of this year, Washtenaw County, the home of the University of Michigan, suffered 41 opioid overdose deaths.

Local law enforcement officials in Monroe County—the gateway to Michigan from Ohio—believe the number of heroin overdose deaths in 2015 will top those in 2014.

In Jackson County, which is in the center of the State, the total number of drug overdoses has nearly tripled in the last 5 years. In 2015, 131 overdoses were reported.

These are troubling statistics, but, again, they are about lives, people. Behind these numbers are real individuals and families who have been affected by this tragic epidemic.

On May 17, 2010, Andrew Hirst died of a heroin overdose at the age of 24. For his father, Mike Hirst, a respected businessperson in Jackson, Michigan, this tragic loss has led him to dedicate himself to stopping heroin overdoses in the Jackson area by sharing the experience of his son's death and the life of his family.

For the past 5 years, Mike has counseled addicts, supported families, and mentored at-risk youths away from heroin and opiate drugs through his foundation, Andy's Angels. In addition,

he has led educational efforts to inform people of the link between prescription opioid use and heroin addiction.

He has also teamed up with local police agencies to investigate heroin dealers in order to eliminate access points for this deadly drug. In recognizing his tireless efforts, the Jackson Citizen Patriot newspaper recently named Mike Hirst their Citizen of the Year.

Fortunately, Mike is not alone in this fight. Across Michigan's Seventh District, communities are ramping up education and prevention efforts as well as enforcement strategies. For example, Monroe County recently held its third annual Prescription Drug Abuse and Heroin Summit.

Jackson County held its second drug summit in December, and the County Prosecutor's Office plans to host a series of additional meetings in 2016. I applaud them for that.

Local efforts to raise awareness and to fight this growing epidemic are also underway in Branch, Eaton, Hillsdale, Lenawee, and Washtenaw Counties. Fighting against heroin and opioid abuse will take the work of citizens, treatment providers, law enforcement, and elected officials at every level, including each of us.

In Congress, we must continue to pursue legislative solutions to improve the coordination between Federal agencies and the States and to equip our first responders on the front lines.

Just as importantly, Mr. Speaker, we can promote awareness in our communities and support those who have been affected by this crisis.

Tonight's speeches aim to raise the profile of this issue, to increase education, and to honor people like Mike Hirst who are fighting to save others from the dangers of drug overdoses and to bring liberty and peace back to people's lives.

Mr. GUINTA. I thank the gentleman from Michigan for outlining, through the lens of liberty and peace, the challenge that Andrew Hirst and his father, Mike, have endured. My heart is with them and with your constituents.

I also want to thank you for your hard work on the Bipartisan Task Force. I look forward to your continuing leadership in Michigan and here in Washington, D.C.

Ms. KUSTER. Mr. Speaker, may I inquire as to the remaining time?

The SPEAKER pro tempore. The gentlewoman from New Hampshire has 13 minutes remaining.

□ 2100

Ms. KUSTER. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentlewoman and the gentleman from New Hampshire, our colleagues who have made available this Special Order this evening through the auspices of the Bipartisan Task Force to Combat the Heroin Epidemic.

As co-chair of a similar panel, the bipartisan caucus that addresses the disease of addiction, it is important, I believe, to share information and encourage response out there from the general public to drive the policy process here in Washington.

According to SAMHSA's National Survey on Drug Use and Health, the use of heroin has almost tripled in the past 8 years, going from 161,000 in 2007 to some 435,000 in 2014. Much of what is fueling this epidemic has been the proliferation of stronger and stronger prescription drug painkillers. Many individuals first get addicted to these prescription drugs and then turn to heroin as a cheaper alternative.

One in 15 people who take prescription pain relievers for a nonmedical use will try heroin within 10 years. These statistics are sobering and require a degree of response, an ultimate response, with great emergency.

I have seen these issues firsthand in my district, and all of my colleagues are acknowledging here that it is beyond the Northeast. It is penetrating our Nation.

While there has been increased congressional interest in these crises, not enough is being done to effectively end the epidemic. First, we need to increase funding for the Substance Abuse Prevention and Treatment Block Grant. This funding stream represents the cornerstone of our States' response, their substance abuse prevention, their treatment and recovery systems.

Unfortunately, funding has not kept up with inflation over the past decade and adjusted for inflation, so we are actually funding the block grant program at a level that is some 25 percent less than we were in 2006. Contrasted to the stats that I shared on the growth of this epidemic, it is simple. It is immoral that we are not doing more.

In addition, we need to make certain that we are increasing access to effective, evidence-based treatments. One way we could do this is to raise the DATA 2000 caps that limit the number of patients that a doctor can treat with buprenorphine, which is a medication-assisted treatment for opioid abuse.

There are many doctors who have months-long, if not years-long, waiting lists of patients seeking help with their addictions, yet they cannot get in the door for treatment due to this arbitrary cap.

I was proud to join with my colleague from upstate New York, Representative HIGGINS, in introducing the TREAT Act to address the issue of prescriber caps, and I hope to continue to work with interested Members on both sides of the aisle to address the issue of access to treatment.

Again, I thank my colleagues for bringing attention to this critical epidemic here this evening. Let's get the people's business done.

Ms. KUSTER. Mr. Speaker, I yield to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman for her work on this.

Tonight, I want to share the story of a young man from my district, James Brendan Bye. His mother, Barbara, a good friend of mine, shared her story with me and asked that I share it tonight with this Congress and with the country.

Brendan was born on August 3, 1989, followed by his sister, Megan Elizabeth. Their father left early on, leaving Barbara as a single working parent. Another sibling, Preston, blessed them in 1999.

Brendan was a wonderful kid, a respectful young man, an honor student. His love of playing sports was never realized because of asthma.

In his senior year of high school, things changed. He became paralyzed with fear, couldn't go to school, dropped out, and spent a year looking for help. He met friends that turned out to be bad influences, made experimental choices. His mother was aware of this sudden change and saw the signs of anxiety and depression.

Brendan, though, got his GED, started a job at 18, grateful for work in a city with high unemployment.

He struggled through his early twenties. His mother did everything in her power to help him. As a single mom, she worked and raised a family of three on one paycheck, often finding herself needing to look for help, including Medicaid.

For Brendan, because his symptoms of mental illness were not so easily recognizable, help was harder to get. He was not properly diagnosed or treated. His treatment plan did not work. It was not successful. As he sunk further into depression, prescription drugs led to illegal drug use. He self-medicated.

His mother, Barbara, did not share her home life with others. For her, it was an element of confusion and shame which became the norm. Unfortunately, in their community of Grand Blanc, heroin was readily available. Like many other communities, lots of kids from all backgrounds were using and dying from heroin.

Brendan first overdosed when he was 24. He was saved by his grandfather, Al, who helped him get into rehab. He was able to get ongoing treatment at Sacred Heart in Flint, where he had a great counselor who helped him. Things were looking up.

Last year, Barbara was happy. All three of her kids were employed for the first time. Their future looked bright. Heroin, it seemed, was out of Brendan's life.

He started taking medication prescribed by a doctor to reverse the effects of heroin, volunteered at a food bank, loved nature, loved his pets, loved his brother and sister. His rela-

tionships flourished, especially with his Aunt Amy, Aunt Carla, and his cousins. As Barbara told me, "he was a beautiful person inside and out."

At the end of August this last year, things changed again. He was taken off prescription medication, and a short time later his mother and sister found him collapsed in his bedroom. Brendan, at the age of 26, on September 8 of last year, died.

For Brendan, he is now in heaven. His struggles with mental illness and addiction are gone. For his family and friends, they continue to grieve.

Barbara has become an advocate. She wants to make sure we honor Brendan and his life by making sure that those who need health care can get health care, those who need mental health services can get mental health services. Her message, and really Brendan's message, is that we have to do more as a society and as a nation to deal with this incredible problem. It is the way we honor those that we have lost. It is the way we honor Brendan.

Ms. KUSTER. Mr. Speaker, I ask unanimous consent if I could have an extra 5 minutes. I have three more speakers on our side of the aisle and one more Member would like to include Mr. DAVIS as a speaker.

The SPEAKER pro tempore (Mr. BISHOP of Michigan). The Chair cannot entertain that request for additional time.

PARLIAMENTARY INQUIRY

Mr. CICILLINE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentlewoman from New Hampshire yield for that purpose?

Ms. KUSTER. Yes.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. CICILLINE. Mr. Speaker, I believe the Chair can entertain requests for unanimous consent at any time.

The SPEAKER pro tempore. The Chair cannot entertain a unanimous consent request to extend a Special Order speech.

Ms. KUSTER. So as not to lose any of our precious time, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my colleague. This is a very important issue that is affecting central Illinois that I am blessed enough to represent right here in this great institution.

As a Member of Congress, I have witnessed firsthand what heroin and opioids can do to communities like my hometown of Taylorville, Illinois. In my hometown of 12,000 people, I never would have thought, growing up in the 1980s, that a drug like heroin would cause such a scourge.

As a matter of fact, it is interesting to hear many of my colleagues talk about what is happening in their communities. Not too long ago, in that

hometown of 12,000 people, our local newspaper had a coroner's jury report that I believe I remember mentioned four deaths in one coroner's jury report related to heroin and opioid overdoses. This is something in my community I never thought I would witness, and it is also something in my community that demands action.

I am so proud to sponsor the STOP ABUSE Act with my colleagues here tonight. What they are talking about and what everybody who has stood in front of this sign tonight has talked about is the importance of addressing opioid abuse. This bill is something that, because of small towns like my hometown, we are here to address. It has become a Federal issue.

I want to end by talking about a friend of mine, a gentleman that I grew up with, his family. He actually used to run our county health department at the time he was arrested for heroin use. Who would have thought that in a town of 12,000 people the director of the county health department would be addicted to heroin?

It doesn't matter what your socioeconomic status is, it doesn't matter what your job is, and it doesn't matter where you were born or who you were born to; you, too, can become addicted to heroin. That is why we have demanded action tonight. That is why I am thankful to be here. That is why I am thankful to be able to help each and every one of my colleagues in a bipartisan way to address this problem. Mr. Speaker, we are going to do something about this issue.

Ms. KUSTER. Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank Congresswoman KUSTER for her leadership in bringing us together this evening. Congressman GUINTA has really done the Nation a huge service.

I rise tonight to speak for the mothers and fathers, brothers and sisters, children and friends who have buried a loved one because of heroin. Nationwide, there has been a fourfold increase in death from opiates over the last decade, and every year nearly 17,000 people die from prescription opiate overdoses. Over 8,000 die from heroin overdoses, and more than 400,000 seek treatment in emergency rooms. In Ohio alone, heroin kills an average of 23 people every week, more than 1,100 persons per year.

Heroin and opiate abuse is not a criminal justice issue alone. This Nation must recognize this addiction as the overwhelming, powerful, chemical dependence condition it is. Concurrently, too, it is often a mental health and medical crisis as well.

They tell us the annual financial cost for our society now is over \$33 billion a year, and that is based on 1996 figures. The gravest cost is in lives lost and grief felt by those loved ones whom the overdose victims leave behind.

I think of the family of my own district staffer, Theresa Morris, who lost her beloved cousin, Angelique "Angel" Kidd, this past July to heroin. Angel grew up in a working class family, got married young, had two children, and went to work in food service. One night on her way home, she was in a terrible car accident and was given opioid pain medicine to help her with her discomfort.

As she regained strength, she found it difficult to live with chronic pain and turned to other prescription medication and eventually to illegal substances in order to cope. She and her husband eventually divorced, and she became somewhat depressed.

As her addiction grew, the price of her prescriptions rose. She turned to the cheaper substitute: heroin. She eventually lost her job due to poor performance and began withdrawing and even stealing from her family and got into trouble. It was a horrible descent.

She died on Friday, July 24, 2015, this past year of combined drug toxicity. She was 41 years old. She was a mother, a daughter, a sister, a niece, a cousin, and a grandmother. There was no obituary in the paper, no public visitation, just a quiet service attended by those who loved her. The sorrow in her family simply can't be repeated.

I know that the time has expired, but we must simply treat the chemical dependence that these terrible opioids cause in the American people, and we must call to task pharmaceutical companies like Purdue Pharma, Cephalon, Janssen, Endo International, and Actavis, because with over \$11 billion of profits from these opioid pills alone, they can surely afford to help the American people.

Mrs. BEATTY. Mr. Speaker, I would like to thank my colleagues Congresswoman ANN KUSTER and Congressman FRANK GUINTA for leading this important Special Order Hour on opioid and heroin abuse and dependence.

Today's theme, "Faces of Addiction," gives us a unique opportunity to the powerful addicting qualities of heroin and opioids, which have serious implications for every family impacted by its abuse.

Some of you may have seen the 60 Minutes segment, "Heroin in the Heartland," which filmed in parts of my district.

Let me share the story of Robbie, whose struggle stands out to me.

Robbie was prescribed opioids—Oxycodone and Oxycontin, among others—for a chronic pain condition.

Although he said he never intended to abuse these medications, Robbie became an addict, taking painkillers for 25 years as his doctors kept prescribing higher and higher doses to manage his pain.

Robbie eventually stopped caring about anything except opioids and finding his next dose of medication.

His marriage fell apart.

He became estranged from friends.

He gained 90 pounds and developed diabetes, heart disease, and arthritis.

He lost his will to live and contemplated suicide.

Ultimately, it was a pharmacist who put a stop to Robbie's opioid use by refusing to fill his prescription.

This abrupt end to the drugs led Robbie to connect to a new doctor, an addiction specialist.

Robbie is not alone in his struggle with opioid dependence and abuse.

According to the American Society of Addiction Medicine, over 100 Americans died from drug overdose deaths each day in 2013.

46 Americans die each day from prescription opioid overdoses, which is two deaths per hour or 17,000 deaths annually.

In Ohio, according to the Ohio Department of Health, from 2000 to 2012, Ohio's death rate due to unintentional drug poisonings increased 366 percent, and this increase in deaths has been driven largely by prescription drug overdoses.

On average, approximately five people die each day in Ohio due to drug overdose.

As these statistics illustrate, much work remains to be done toward resolving the problems of opioid abuse nationally as well as in my home state.

We need an honest effort to integrate prevention, treatment, and enforcement.

Ohio is adding a weapon to its arsenal in fighting drug abuse by providing doctors and pharmacists with a one-click link to the state opiate tracking system.

Ohio will become the first state to integrate its database, the Ohio Automated Rx Reporting System (OARRS), with electronic medical records already maintained by doctors and pharmacists.

This database linkup is one of the latest tools utilized by state officials to combat the epidemic of overdose deaths.

The opioid epidemic has been particularly devastating to our fight to end infant mortality in central Ohio.

When a pregnant mother abuses drugs, her unborn baby isn't just an innocent bystander. The drugs can affect that child to the degree that the baby will likely suffer withdraw after birth.

As of 2013, about 12 in every 1,000 babies born in Franklin County faced that uphill battle.

Those numbers grow year after year and experts say heroin is fueling the increase.

That is why at the federal level, I co-sponsored and voted in favor of the Protecting Our Infants Act of 2015, which was signed into law November 25, 2015.

This new law will help prevent and treat babies exposed to opioids in utero.

It will also support efforts to collect and disseminate strategies and best practices to prevent and treat maternal opioid use and abuse.

Finding solutions to this epidemic will require all of us to work together at the Federal, State, and local levels.

Drug abuse certainly isn't a partisan issue and many Members of Congress are actively engaged on the matter.

I look forward to continuing to work with my colleagues to address this epidemic.

Mr. TURNER. Mr. Speaker, as a member of the Bipartisan Task Force to Combat the Heroin Epidemic, I would like to thank our co-chairs for arranging this special order to discuss the faces of heroin and opiate addiction.

The faces of heroin and opiate addiction are getting younger. In my home State of Ohio and across the country, we have seen a dramatic increase in the number of infants born with opiates in their system and needing for Neonatal Abstinence Syndrome, or NAS. Tragically, these children are born addicted to drugs and have no voice or awareness as to why they are suffering.

The symptoms of withdrawal begin almost immediately. They may suffer from low birth weight, difficulty feeding or breathing, seizures, dehydration, tremors, and excessive or continuous high-pitched crying. Hospital personnel may spend ten hours in a single day to holding and rocking these newborns in an effort to console them, but over 80 percent of children with NAS still require medication to treat their withdrawal.

The toll that the heroin epidemic takes on these children can go beyond the terrible physical symptoms and complications, and the effects can be lasting ones. The faces of heroin addiction are young and they are fighting an incredibly difficult and painful battle without ever choosing to suffer. Through no action of their own, these children are victims of the heroin epidemic.

Parents who do not successfully treat their addiction have overdosed and died, leaving these children without their mothers and fathers. We must work to ensure that children are not born addicted and not left without a parent.

I would encourage all of my colleagues to do as I have, and go out into your communities and meet with your local hospitals, doctors, and healthcare professionals to see how they are dealing with the growing number of heroin and opiate addicted newborns. I have held multiple forums to better understand how we can begin to prevent addiction beginning at birth.

The faces of the heroin epidemic are not limited in age or gender. We know now that it can be anyone: a child born unknowingly addicted or a parent who does not know where to turn for help. We must remain committed to combating the heroin epidemic and the devastating effects it has on these children and families.

The SPEAKER pro tempore. The time of the gentlewoman from New Hampshire has expired.

Ms. KUSTER. Mr. Speaker, do I have any time remaining, as I have two more speakers just for 1 minute each?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. KUSTER. It is regrettable. This is such an important topic for the country.

The SPEAKER pro tempore. The Chair could entertain requests for 1-minute speeches at this time.

□ 2115

(By unanimous consent, Mr. CICILLINE was allowed to speak out of order.)

FACES OF ADDICTION

Mr. CICILLINE. Mr. Speaker, addiction has many faces, and one of those is my friend from Rhode Island, Tom Coderre, who was elected to the State

senate at the age of 25 and also oversaw 40 employees as the director of a local nonprofit.

Already a heavy drinker, Tom soon started using cocaine as a way to cope with the stress of his responsibilities, and when he realized that drugs were taking hold of his life, he tried to quit on his own but was never able to maintain sobriety for more than a month or two.

Eventually, he checked himself into an inpatient treatment at Butler Hospital. There he was able to get help and support and to maintain his sobriety and get his life back on track.

Today, more than 10 years sober, Tom works as the chief of staff for the Substance Abuse and Mental Health Services Administration. His victory over addiction is an inspiration for all who are struggling today.

It is a reminder for those of us in Congress that we need to do more to provide resources and support for those who need it most. We need a comprehensive approach from the Federal Government that focuses on ensuring that those struggling with addiction get the support and treatment they need. That is particularly important in the area of opiate and heroin abuse.

In 2012, of the 23.1 million Americans who needed treatment for drugs or alcohol, only 2.5 million received it through a specialty facility.

There are millions of Americans who are in need of treatment. We have a responsibility to do all that we can. Heroin use has grown tremendously over the last decade, particularly in New England. It is an epidemic that cuts across all demographic boundaries—Black and White, rich and poor, young and old—and we need to do something about it.

REQUEST FOR ONE-MINUTE SPEECH

Ms. CLARK of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

Mr. STUTZMAN. Mr. Speaker, how much time will we have for our Special Order on the Republican side?

The SPEAKER pro tempore. Recognition will stop at 10 p.m.

Mr. STUTZMAN. Mr. Speaker, I object to the 1-minute speech then.

The SPEAKER pro tempore. Objection is heard.

Ms. KUSTER. We have taken our 45 minutes, this is the 45th. We just have one 1-minute. This is a very important topic for the country.

Mr. STUTZMAN. I understand, but we are already at 9:17, and I have quite a few Members here to talk about the issue we have come to the floor to discuss.

The SPEAKER pro tempore. Objection is heard.

GENERAL LEAVE

Ms. KUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Hampshire?

There was no objection.

GUN CONTROL AND AMERICANS' SECOND AMENDMENT RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Indiana (Mr. STUTZMAN) is recognized until 10 p.m. as the designee of the majority leader.

GENERAL LEAVE

Mr. STUTZMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. STUTZMAN. Mr. Speaker, I rise today along with quite a few Members to address the issue of gun control and Americans' Second Amendment rights.

Mr. Speaker, I have the honor of representing the Third District of Indiana. In the Hoosier State, we cherish our constitutional right to bear arms. For many years I also had the honor of serving in the Indiana General Assembly, where I was proud to coauthor and get signed into law the lifetime concealed carry permit so that Hoosiers could protect themselves, their families, and their homes.

Starting in 2013, in response to the push for radical gun control legislation from Senate Democrats, we founded the Republican Study Committee's Second Amendment Initiative here in Congress, which serves as a platform for House Republicans to share the most important facts about gun control and the Second Amendment.

Tonight I will be joined on the House floor by many members of the Second Amendment Initiative and other proud Members who steadfastly defend Americans' gun rights.

Mr. Speaker, we come to the House floor tonight to set the record straight. Yesterday President Obama announced his intentions to unilaterally pursue executive actions on gun control.

Like times past, I wholeheartedly oppose the manner in which the President has chosen to pursue changes to current law. In fact, when reports surfaced this past fall that the President was considering executive actions on guns, I led over 30 of my House colleagues in sending a letter to the White

House requesting information on what exactly he planned to do and why.

My colleagues and I had a number of very simple questions. First, if the President is planning on closing the supposed gun show loophole, did the Vice President and his gun control commission recommend this policy for inclusion among the 23 executive actions announced by the White House in January of 2013? If so, why was it excluded from the announcement?

Second, is the White House relying on any new data that was not available when those 2013 actions were announced?

Third, does the White House have any evidence private sellers' transaction volumes and propensity for illegal sales are positively correlated?

Fourth, does the White House believe this new policy would have prevented any of the recent year's major shootings?

Finally, does the White House expect criminals to voluntarily comply with these new rules?

The White House still has not responded to our letter. Tomorrow, the President plans to hold a Q&A town-hall televised on CNN regarding guns in America.

Mr. Speaker, I fear after this event, Americans will continue to be left with more questions than answers, like, first and foremost, why does President Obama insist on infringing on Congress' lawmaking authority?

The reason we don't have any answers to the questions about this new gun control policy is because it was crafted in back rooms, out of view of the public, instead of in Congress, where we would have held hearings, committees would have reviewed the policy, and our constituents would have had the opportunity to comment on it.

Mr. Speaker, in the event Congress would have held a hearing on this issue, we probably would have uncovered the glaring reality that there is no gun show loophole. If you were one of the 55,277 federally licensed gun dealers in America in fiscal year 2014, you would have been required, by law, to run background checks on individuals, no matter if you sold a gun at your place of business or at a gun show.

Congress would probably also have come across the Department of Justice's study of inmates from 2001 that found that less than 1 percent of inmates, when interviewed, actually bought their crime gun at a gun show. In contrast to this, almost 40 percent reported acquiring their guns illegally, such as by theft.

Members of Congress would have also found interesting a December 10 Fact Checker's column in *The Washington Post* which reported as true the fact that none of the past year's and month's tragic mass shootings would have been prevented by newly proposed gun laws.

Due to the President's insistence on going it alone and pursuing actions that challenge the Constitution, today we introduced H.R. 4321, the Separation of Powers Restoration and Second Amendment Protection Act. Joined by over 60 colleagues in the House, this bill would render any executive action that violates the Second Amendment or infringes on Congress' article I responsibilities as having no force or effect, and to prohibit funds for such actions and established standing for Congress, State, and local governments, and for aggrieved persons to challenge such actions in District Court. This legislation is the House companion bill to Senator RAND PAUL's bill S. 2434.

Mr. Speaker, it is time the White House cut out the distractions. Stop blaming gun owners and start taking threats to Americans' safety seriously. Instead of continuing to blame Congress for not enacting new laws, perhaps the President should look to laws already on the books.

Reports suggest that some Federal prosecutors are choosing not to prosecute straw purchasers as a matter of policy. These are the individuals that purchase guns and illegally give or sell them to individuals they know could not pass a background check. For example, in 2012, the U.S. attorney for Chicago announced a transition to focusing on interstate trafficking and other violations instead of these illegal straw purchases.

On top of this solution, the President could also look to Congress for ideas. For example, States have been expanding concealed carry reciprocity to the point that Federal laws ought to catch up. I have a bill, H.R. 923, the Constitutional Concealed Carry Reciprocity Act, which would do just that.

Mr. Speaker, in the coming months, I look forward to working with House Republican leadership on bold strategies to actually make America safer.

At this time, I yield to the distinguished gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. I thank my friend from Indiana for doing so. It has been a pleasure working with him on this and many other issues.

I have to tell you, my heart breaks for those families who have been impacted by violent crimes. These tragedies, however, do not give President Obama the authority to circumvent the Constitution.

Just yesterday, the President announced unilateral actions to undermine the Second Amendment without input from Congress, making good on his vow from an October 2015 speech of his willingness to politicize tragedies to advance his gun control agenda.

The President needs to enforce the laws currently on the books. Criminals who abuse firearms or obtain them illegally should be prosecuted to the fullest extent, and that isn't always the case currently.

I wish President Obama understood what a majority of Americans already know, and especially those of us who have purchased weapons and purchased guns. Those who abuse firearms or obtain them illegally should be prosecuted. However, purchasing a legal gun is not quick or easy.

They also know limiting the rights of law-abiding citizens will not solve this problem. Instead of pursuing his political agenda, the President should join the bipartisan effort to fix our Nation's broken mental health system.

I am a proud cosponsor of Representative TIM MURPHY's Helping Families in Mental Health Crisis Act. This legislation would overhaul our Nation's inadequate and outdated mental health system so people who need treatment can receive it. Simply throwing more money at this issue without these reforms is like giving the VA more money without demanding better care for our veterans.

According to ABC News, 63 percent of Americans see mass shootings as a reflection of problems identifying and treating people with mental illness and mental health problems rather than adding more restrictive gun laws.

Also, according to *The New York Times*, not exactly a conservative newspaper, 77 percent of those asked said that they thought that better access to mental health treatment and screening would reduce gun violence.

The American people are correct. These people who have been polled on this are absolutely correct. Responsible gun ownership is not the problem. The House must remain vigilant to protect the American people from an ever-encroaching Obama administration that is more interested in creating a political issue than a solution.

As a responsible gun owner myself, I am committed to being an advocate for Second Amendment rights, the constitutional legislation that will actually help prevent gun violence across America, and those who have been impacted by its violence.

Mr. STUTZMAN. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, first and foremost, I want to voice my strongest opposition to the Obama administration's continued assaults on our Second Amendment rights.

After seeing his gun control agenda fail in the Democrat-controlled Senate, President Obama is once again trying to go around the will of the American people and unilaterally take action through executive fiat.

This latest effort to unconstitutionally restrict one of our most fundamental rights has nothing to do with safety and security and has everything to do with government control. This is neither what the American people want nor deserve.

In fact, the executive action the President announced yesterday would

not have prevented the recent tragedies our Nation has experienced, including the San Bernardino attack. Instead, it would trample the rights of law-abiding citizens. It could actually have a chilling effect on people seeking help for mental illness.

Nobody wants to see guns in the hands of someone who is dangerous because of mental incapacity, but we really need to look at the consequences of this type of action. It is just common sense. If folks believe that they could potentially lose their rights for simply seeking mental health, it is going to be a deterrent to folks actually seeking that help.

Let me give you an example. In our country, we have an absolute tragedy of veteran suicide. If one veteran who returns home from the conflict doesn't seek help for issues that may have arisen from that service, then shame on the President for this action. If they are afraid that if they go seek help, that one day they could lose their gun rights the rest of their life, what a deterrent effect that might have on a population that desperately needs help.

□ 2130

We will never regulate people's actions by regulating their freedoms. If that were the case, then the streets of Chicago would be some of the safest streets in America, because they have some of our strictest gun control laws.

Rather than infringing on our Second Amendment and governing by executive fiat, this administration should work with Congress on commonsense reforms that would actually reduce gun violence, like confronting our mental health crisis and preventing criminals and terrorists from actually entering our country in the first place.

Mr. Speaker, like many of my constituents back home in North Carolina, I am a responsible, law-abiding gun owner who cherishes our Second Amendment freedom. This right to keep and bear arms is a freedom by which we protect all of our other freedoms as a fundamental first freedom. For that reason, I encourage my colleagues in the House to stand with me against the President's proposed executive actions.

I want to thank the gentleman from Indiana for organizing this tonight and bringing us together for this very important discussion.

Mr. STUTZMAN. I yield to the gentleman from Texas (Mr. RATCLIFFE).

Mr. RATCLIFFE. Mr. Speaker, the President's plan to once again bypass Congress and unilaterally implement gun control measures represents yet another, sadly, all too familiar assault on our Constitution. This time, the President is doubling down with a two-for-one special by proposing executive orders which violate our Second Amendment rights, while at the same time abusing the separation of powers

written in our Constitution. In the process, the President claims that the overwhelming majority of Americans, including gun owners, support his executive actions.

Mr. Speaker, I can assure him that when it comes to the Texans that I represent, the President is dead wrong. This isn't the first time I have had to fight the President's radical agenda on gun control—and just like before, I won't back down.

So today, I stand in support and as a cosponsor of the Separation of Powers and Second Amendment Protection Act, a critical bill that we now, unfortunately, need to put a stop to any action by this President to weaken our Second Amendment rights.

I refuse to let this President use these unconstitutional executive orders as a way to distract the American people from his epic foreign policy failures, to turn our focus away from his failure to keep Americans safe not from the Second Amendment, but from ISIS-inspired terrorists in our own homeland. San Bernardino was not, as the President called it, "an act of violence." It was terrorism.

Mr. STUTZMAN. I yield to the gentleman from Florida (Mr. YOHIO).

Mr. YOHIO. Mr. Speaker, I thank my colleague, Mr. STUTZMAN, for putting this important Special Order together.

Yesterday, President Obama moved unilaterally, via executive order, in a misguided attempt to curb gun violence in America. He stated he had to take unilateral action because the Congress refused to support his initiatives. That is true, somewhat, but not because this Nation wishes to curb gun violence that has fallen upon innocent victims of America—victims like Kathryn Stienle.

This young lady was murdered in San Francisco by a person here illegally—a person that had been deported over four times and should have been deported once again, but instead was allowed to stay in this country illegally because of this President's policies and the policies promoted by sanctuary cities like San Francisco.

Obviously, I cannot speak for her family, but I would venture to say her family would have had a very different holiday this year than the one they experienced had the justice system not failed them and the man who murdered her had been deported. She would be here today if the President and his administration had chosen to simply enforce the laws on the books.

President Obama's executive order will not curb this kind of violence. Only the enforcement of the laws will. And, Mr. President, you know this.

Please abide by article II, section 3 of our Constitution: The executive shall faithfully execute the laws of the land.

Now, I agree with the President that we should appropriate more money to mental health, as has been talked

about here tonight. The lack of resources for those seeking mental health in this country is abysmal. Thirty years ago, this Nation had over 500,000 hospital bed facilities for mental health care. Today, there are less than 50,000. This is inexcusable.

I also agree with the President that we should increase the number of ATF inspectors to process background checks more quickly and more efficiently. We can work this out through the legislative process—the way it should be done—and not through, again, executive fiat.

With all due respect, Mr. President, your phone and pen are not a substitute for the other two branches of government.

Aside from sidestepping Congress again, your other initiatives encroach on Americans' personal liberties and freedoms. Take, for example, your plan to revoke gun ownership from folks whose oversight of their finances are turned over to someone else—specifically, those receiving disability through the Social Security Administration or the Department of Veterans Affairs.

For reasons beyond their control, sometimes additional help is needed in managing one's finances. Sometimes they do it voluntarily. This does not mean they are incapable of making sound, moral decisions, and certainly does not mean their Second Amendment rights can and should be infringed upon.

As an aside, I want to highlight how this President's administration allowed for Syrian rebels to receive military grade weapons and they supplied Mexican drug cartels with weapons through the failed Fast and Furious program administered under Attorney General Eric Holder at the time. All of this has been done irresponsibly and without conducting background checks.

This administration's gun policies have killed innocent people. Customs and Border Security Agent Brian Terry was a victim of this. Yet this President's solution to gun violence is to restrict law-abiding American citizens from one of our most basic rights of American freedom and liberty. It simply does not make sense.

The Second Amendment of our Constitution is very clear and concise. Allow me to read it: "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

This amendment was not added in the early years of our Nation's founding for hunting or sporting purposes, but for personal protection to fend off an overbearing, tyrannical government. It is very clear and has consistently been upheld by the Supreme Court.

Mr. President, I understand and sympathize with your frustrations, but

please uphold the Constitution and come to Congress. Let's work together on those areas where we agree upon to curb gun violence. And let's preserve the Second Amendment. Let's all respect and revere the Constitution for all Americans.

Mr. STUTZMAN. I thank the gentleman from Florida.

I yield to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. I thank my colleague and good friend from Indiana for organizing this Special Order, and I am very pleased to be here this evening to help defend our Second Amendment, which is the amendment giving teeth to all our other amendments and rights.

The Second Amendment is one of the most fundamental principles of our Republic. And yet the Obama administration and the Democratic Party as a whole have now been engaged for years in an attempt to undermine the rights of law-abiding American citizens to keep and bear arms.

President Obama, as has already been discussed this evening, has come before the American people just yesterday announcing his attempt to yet again infringe upon the rights of law-abiding American citizens by unilaterally instituting new restrictions on firearm sales.

The President's blatant disregard for the constitutional role of Congress to write the laws of the land is absolutely astounding to me. This latest move is just yet a larger part of executive abuse that has been going on for quite some time and an overreach.

In 2013, Congress rejected legislation that would have expanded background checks. I fully believe that that would have the same result today. And yet because it was not in accord with the wishes of the President, he now claims that Congress has relinquished its responsibility. Therefore, he somehow has the right to create laws as he sees fit. Well, he is wrong.

As well as being unconstitutional, this moral imperative that the President claims to have regarding gun controls is not even statistically or logically on sound ground. In fact, the President has pointed directly to a string of domestic terror attacks as the reason for his executive action. And yet we all know that his unconstitutional executive order would not have prevented any of these terror attacks.

So the real issue here is that this gun grab by the President is a smokescreen to hide from his own failed policies and his refusal to deal with terrorism and to eliminate it. And it is time for the truth to be told and for us to stand in opposition against this continued assault on the Second Amendment.

Personally, my defense of the Second Amendment is firm and unwavering. I will never support any measure that infringes upon the rights of law-abiding

American citizens to purchase, use, and keep firearms and ammunition. I believe that any law that restricts these rights is unconstitutional and should be steadfastly opposed.

So, Mr. Speaker, I appreciate the time to share this tonight. And I am just reminded of Thomas Jefferson's statement: "No freeman shall ever be debarred the use of arms."

This is an issue upon which our liberties rest.

Mr. STUTZMAN. I thank the gentleman for the reminder from one of our Founding Fathers, and I appreciate your service to the citizens in Georgia.

I yield to another Member from the great State of Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. I thank my colleague from Indiana for reserving this time and for giving me a few minutes to speak on this very important and critical issue.

Mr. Speaker, as I am standing here, I see the word "liberty" engraved at the base of the rostrum. One of the great principles of this Nation is one of the principles of which our Founding Fathers sought to take on in the field of battle the most powerful military force in the history of the world for an idea, a principle of liberty.

One of the great influencers on our Founding Fathers was Charles Montesquieu, an 18th century philosopher and judge. He said that when the legislative and the executive power is vested in one person or one body, there can be no liberty.

Many of my colleagues that stood here before I came this evening have testified to the role that the President has taken upon himself to become both the legislator and the executive in this matter. In fact, in his statement on the White House Web site, he said that he was going to have to take action, even though some of the gaps in our gun laws could only be fixed by legislative action by Congress. But because Congress failed to act, he is going to have to take action.

Clearly, he is admitting to stepping into the constitutional role of this body and the body on the other side of this building. When that happens, there can be no liberty.

Now, the President has said he must take this action because Congress has failed to act. No, Congress did act. But Congress did not act in the way that he wanted us to. And because we didn't act in the way that he specifically wanted, now he has to take action. And the action he says that he must take is to make America safe.

Many have talked about the constitutional issues. Clearly, he is taking an unconstitutional approach in this decision that he has made and in this action. But I want to highlight the ultimate hypocrisy of his statement that his actions are to make America safe.

This body has taken actions which he has ignored that would truly make

America safe. Back in February, as a member of the Committee on Homeland Security, I traveled to our open and porous southern border, and I traveled side-by-side with Border Patrol agents, the Coast Guard, and local law enforcement who have committed their time and their lives. It is their mission to secure that border. We saw that the border is controlled by illegal cartels that smuggle human traffic. They smuggle narcotics and they smuggle drugs across the border into this country.

Now, if guns just arbitrarily kill people, then maybe the action the President is taking would have some effect. But I have been around guns all my life and I have yet to have a gun jump up and just arbitrarily start shooting anyone. Guns don't kill people. People kill people.

□ 2145

Bad people that use guns come into this country, and often those guns are smuggled in through the southern border.

Now, as a result of being on the border, we realized that the only way to secure that border is we have to have a combination of physical barriers, of technology, but, most importantly, boots on the ground.

We have talked about building fences and building walls. Well, I had one Border Patrol agent say that those are really ineffective unless you have boots on the ground. You build a 12-foot wall. The cartels buy 13-foot ladders.

The cartels use high technology. They use engineers to build tunnels. They use aircraft to drop contraband on our side of the border and smuggle people, many people who are intent to do ill to people in this Nation, as we saw in San Francisco earlier this year.

But the President has basically ignored Congress' call to secure the border. Instead of putting more Border Patrol agents on the border to secure the border, he wants to bring 200 more ATF agents to investigate American citizens.

Just a few weeks ago, we dealt with the threat of ISIS and al Qaeda that says they are going to exploit our refugee resettlement program to get operatives into this Nation to conduct terrorist attacks against this Nation.

This Congress, out of this body, passed a bill to pause that program until we could fully vet every person. The President decided he would ignore the call of Congress, and he pursued on with the refugee program.

As a member of the Homeland Security Committee, I was able to question the Secretary of Homeland Security and the Director of the FBI, saying: If we do bring these refugees in, how are you going to monitor them?

The FBI said: We don't have the resources to monitor 10,000 new refugees coming into this Nation.

But, yet, in his executive order, the President wants to hire 230 administrators, administrative personnel, to conduct background checks instead of providing us with more FBI agents to investigate terrorist activities. You tell me who is wanting to make America safe.

He also has proposed \$500 million toward mental health care and eventually tie mental health assessments to background checks. I applaud that.

But, at the same time, we have thousands of soldiers coming back from war areas suffering from PTSD that this administration and the Veterans Administration has ultimately abandoned.

Finally, he wants to use taxpayer dollars and resources to research and test smart gun technology. Well, maybe that is a technology in the future that could be applicable.

But, yet, the TSA has postponed time and time again putting in new scanning technology that is desperately needed at our airports to stop contraband and banned items from getting through to our Nation's airlines and into our transportation system. Once again, that has been postponed.

Mr. Speaker, I say that the President and his call that he wants to make America safer is making America more dangerous because he continues to ignore what the will of the people is.

What this Congress is calling for is that we need to close our borders, we need to put more FBI agents investigating terrorist activities, we need to take care of our war veterans, we need to stop the influx of refugees that we know are going to be exploited by our enemies, and we also need to invest in technologies to make our transportation safe and secure.

Mr. STUTZMAN. I thank the gentleman from Georgia and appreciate his comments tremendously. I think he made some very good points.

Mr. Speaker, I yield to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. I appreciate this opportunity to certainly stand in support of our Second Amendment.

This is an issue that has obviously been around for some time. With the recent very violent events that have stricken various communities around our country, I think that the way the President has chosen to respond is ineffective. I think it is inappropriate, certainly an overreach by the President himself.

I believe that, as the President has chosen to operate without going to Congress or even attempting to work with Congress on many issues, but especially this one, it is disappointing.

We already have laws on the books that need enforcing. Those laws that we have I think can be effective.

Certainly, I don't think anyone will say that someone can just automatically go buy a gun without any effort whatsoever.

But, disappointingly, none of the President's recent unilateral actions targeting law-abiding citizens and restricting gun ownership would have prevented the tragedies that the President himself has referenced.

I would like to highlight one area of the executive order which falls under the jurisdiction of the committee on which I serve, the Ways and Means Committee, which is the President's proposal to have Social Security beneficiaries with representative payees included in the National Instant Criminal Background Check System.

Now, let me say that the mismanagement of one's finances alone should not mean that an individual would lose their Second Amendment rights. I am concerned not only that this targets law-abiding citizens, but that it would also discourage some beneficiaries from seeking needed assistance for fear of losing their constitutional rights. Many similar views have been shared here earlier this evening.

Also, when the Los Angeles Times first reported consideration of the representative payee issue last summer, I joined the majority of the Ways and Means Committee members in writing to the President opposing this proposal.

Despite the administration's unwillingness so far to change its stance on representative payees, I remain hopeful we can scale back these orders.

Early last year, when the Bureau of Alcohol, Tobacco, Firearms and Explosives proposed banning M855 ammunition, I was one of the 238 House Members who wrote the former ATF Director opposing the proposal, as did more than 80,000 Americans. Now, in response to massive public and congressional opposition, the ATF actually withdrew the proposal.

President Obama has repeatedly disregarded our legislative branch and the American people. The President's job is to respect all constitutional rights, not just the ones he chooses. His executive order sets an incredibly dangerous precedent.

I will continue to stand against this overreach and protect Nebraskans' and, quite frankly, all Americans' constitutional right to bear arms.

I thank the gentleman from Indiana for yielding me the time.

Mr. STUTZMAN. I thank the gentleman.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Indiana has 8 minutes remaining.

Mr. STUTZMAN. Mr. Speaker, I yield to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, I would also like to thank the gentleman from Indiana for leading this Special Order tonight.

Mr. Speaker, the Second Amendment is crystal clear. It ensures that the

right of the people to keep and bear arms shall not be infringed. The founders rebelled against the largest empire in the world. They knew it was crucial to guarantee individuals the right to protect their life, liberty and property. That is the entire point of the Second Amendment.

Unfortunately, we have a President more obsessed with the politics of gun control than living by the oath he twice took to preserve, protect and defend the Constitution of the United States.

The President should work with Congress to solve the problems facing this country, not try to take on the legislative duties of Congress.

Americans have a history of confronting those who wish to take away their rights, and they have said: "No. You can't do that."

The best way to fight against the gross overreach by the Federal Government is for citizens to exercise their Second Amendment rights.

The good news is the people of this country, the responsible people who will exercise their constitutional rights and follow the law, are already doing this. They are flocking to purchase guns and ammunition despite President Obama's best efforts.

Since President Obama was sworn into office, 106 million background checks for gun purchases have been conducted by Federal or State authorities. Only 96 million were conducted in the previous 11 years. Gun makers have doubled their manufacturing output since 2009 as well.

Meanwhile, according to the ATF, the number of privately owned firearms in the U.S. has increased from about 250 million twenty years ago to roughly 350 million today.

President Obama's obsession with killing the Second Amendment has unintentionally become the catalyst for gun ownership in America. The firearms industry's \$43 billion nationwide economic impact has more than doubled since 2009 and is also one of the few bright spots in the Obama economic record.

But there is more good news in all of this. Despite the White House's misleading rhetoric, violent crime rates are consistently down over the last 20 years. According to the FBI's Uniform Crime Report, the number of violent crimes has decreased 35.5 percent over the last 20 years.

There are more guns than people in the United States; yet, the violent crime rate continues to tumble because a criminal knows a well-armed gun owner is a direct threat to a criminal's safety.

And despite President Obama's obsession with undermining the Second Amendment, Federal weapons convictions have dropped 35 percent compared to 2005.

The Obama Department of Justice should focus on enforcing current Federal weapons laws instead of issuing

ideological edicts from the executive branch.

Once again, I would like to thank my colleague from Indiana, Mr. STUTZMAN, for his leadership on this issue.

Mr. STUTZMAN. Mr. Speaker, I yield to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, the President's executive orders relating to gun control are a major distraction from the real national security issues.

Frankly, I think dealing with ISIS and confronting Iran over their violations of this administration's agreement with them and securing our borders are of greater importance than pushing gun control measures that will do little to protect us.

Apparently, this administration is more concerned about 4 million senior citizens on Social Security owning a gun than they are about a nuclear-armed Iran or terrorists crossing our unsecured borders.

The fact that millions of Americans have purchased firearms over the weeks following the shootings in San Bernardino is indicative that they have lost confidence in this administration's ability to protect them. They are literally taking personal responsibility for their own safety. It could be argued that these Americans are creating their own homeland security.

Pushing executive orders for more gun control that exceed the President's constitutional authority will not only do little to improve our national security, it will do little to increase the public's confidence in this administration's policies for protecting our homeland.

Mr. Speaker, I urge my colleagues on both sides of the aisle to oppose this latest abuse and overreach of executive authority and reassert the lawmaking authority of Congress.

I urge all my colleagues in the House to focus our attention on defeating ISIS, on restraining Iran, and on securing our borders in order to protect American citizens right here in our homeland.

Mr. Speaker, I commend the gentleman from Indiana for leading this Special Order for this critical discussion.

Mr. STUTZMAN. Mr. Speaker, if I could inquire as to the balance of my time.

The SPEAKER pro tempore. The gentleman from Indiana has 2 minutes remaining.

Mr. STUTZMAN. Mr. Speaker, I appreciate each Member coming down tonight to talk about this. This is a very important issue. I am hearing from my constituents back in northeast Indiana every day on the concern that they have about the President's actions.

I would like to share just a statistic, that we know that national crime rates, violent crime and gun crime, have both dropped over the last 2½ dec-

ades. I think that is a positive sign that we should all be encouraged about and that we continue to work together to make sure that violent crime and gun crime is eliminated in this country.

In 2013, the national crime rate was about half of what it was at its height in 1991. Violent crime had fallen by 51 percent since 1991 and property crime by 43 percent.

In 2013, the violent crime rate was the lowest since 1970. Compared with 1993, the peak of U.S. gun homicides, the firearm homicide rate was 49 percent lower in 2010 and there were fewer deaths, even though the Nation's population grew.

The victimization rate for other violent crimes with a firearm, assault, robberies, and sex crimes, was 75 percent lower in 2011 than in 1993.

Violent, nonfatal crime victimization overall, with or without a firearm, also is down markedly, 72 percent over the past two decades.

As one of the former Members mentioned, if you look at the city of Chicago, which has some of the strictest gun laws in the country, it has a huge problem with gun violence in that city.

I would like to just read, in closing, again, what I think is really important for all of us, the Second Amendment: "A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

I ask that all of us, as Members of this great body, continue to remember that the Second Amendment is there to protect liberty and freedom.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today and the balance of the week.

Mr. PAYNE (at the request of Ms. PELOSI) for today.

Mr. RUSH (at the request of Ms. PELOSI) for today on account of attending to family member's medical procedure.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2016 BUDGET RESOLUTION

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, January 6, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates of the Fiscal Year 2016 Concurrent Resolution on the Budget, S. Con. Res. 11. These

revisions are designated for Public Law 114-74, the Bipartisan Budget Act of 2015, and the Senate amendment to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

The revisions designated for Public Law 114-74, the Bipartisan Budget Act of 2015, are made pursuant to section 1002 of Public Law 114-113, the Consolidated Appropriations Act, 2016. Section 1002 of Public Law 114-113 allows for the Chairman of the Committee on the Budget to adjust the applicable levels of the budget resolution to achieve consistency with the Bipartisan Budget Act of 2015.

The revisions designated for the Senate amendment to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015, are made pursuant to section 4502 of S. Con. Res. 11 and are consistent with section 2002(b)(3) of S. Con. Res. 11. Section 4502 of S. Con. Res. 11 permits the Chairman of the Committee on the Budget to adjust the applicable levels of the budget resolution for a measure that promotes real health care reform. Section 2002(b)(3) of S. Con. Res. 11 permits adjustments for a reconciliation measure that is deficit neutral. These revisions will facilitate the consideration of the Senate amendment to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 11, as adjusted, and will be used for budget enforcement purposes. Pursuant to section 3403 of S. Con. Res. 11, these revisions to the allocations and aggregates shall apply only while the Senate amendment to H.R. 3762 is under consideration or upon its enactment. Corresponding tables are attached.

Sincerely,

TOM PRICE, M.D.,
Chairman,
Committee on the Budget.

TABLE 1—BUDGET AGGREGATES
(On-budget amounts, in millions of dollars)

	Fiscal Year	
	2016	2016–2025
Current Aggregates:		
Budget Authority	3,113,623	(1)
Outlays	3,162,793	(1)
Revenues	2,698,104	32,298,936
Adjustment to achieve consistency with the Bipartisan Budget Act of 2015:		
Budget Authority	38,012	(1)
Outlays	2,286	(1)
Revenues	269	26,588
Adjustment for SA to HR 3762, Restoring Americans' Healthcare Freedom Act of 2016:		
Budget Authority	0	(1)
Outlays	0	(1)
Revenues	–52,700	–793,300
Revised Aggregates:		
Budget Authority	3,151,635	(1)
Outlays	3,165,079	(1)
Revenues	2,645,673	31,532,224

¹ Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

TABLE 2—ALLOCATION OF SPENDING AUTHORITY TO
HOUSE COMMITTEE ON APPROPRIATIONS
(In millions of dollars)

	2016
Base Discretionary Action:	
BA	1,066,582
OT	1,170,357
Global War on Terrorism:	
BA	73,693
OT	32,079
Program Integrity:	
BA	1,523
OT	1,311
Disaster Relief Spending:	
BA	7,143

TABLE 2—ALLOCATION OF SPENDING AUTHORITY TO
HOUSE COMMITTEE ON APPROPRIATIONS—Continued
(In millions of dollars)

	2016
OT	388
Total Discretionary Action:	
BA	1,148,941
OT	1,204,135
Current Law Mandatory:	
BA	960,295
OT	952,912

ADJOURNMENT

Mr. STUTZMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 7, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3861. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31040; Amdt. No.: 3663] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3862. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31037; Amdt. No.: 3661] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3863. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31038; Amdt. No.: 3662] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3864. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31041; Amdt. No.: 3664] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3865. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Missouri towns: Chillicothe,

MO; Cuba, MO; Farmington, MO; Lamar, MO; Mountain View, MO; Nevada, MO; and Poplar Bluff, MO [Docket No.: FAA-2015-0842; Airspace Docket No.: 15-ACE-2] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3866. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Louisiana towns: Jonesboro, LA and Winnfield, LA [Docket No.: FAA-2015-0843; Airspace Docket No.: 15-ASW-5] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3867. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Vancouver, WA [Docket No.: FAA-2015-3322; Airspace Docket No.: 15-ANM-16] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3868. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2015-3940; Directorate Identifier 2015-SW-065-AD; Amendment 39-18300; AD 2015-19-51] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3869. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Sikorsky-Manufactured Transport and Restricted Category Helicopters [Docket No.: FAA-2008-0442; Directorate Identifier 2007-SW-24-AD; Amendment 39-18291; AD 2015-20-12] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3870. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-1985; Directorate Identifier 2014-NM-214-AD; Amendment 39-18294; AD 2015-21-02] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3871. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Vincennes, IN [Docket No.: FAA-2015-2049; Airspace Docket No.: 15-AGL-12] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3872. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Revocation of Class E Airspace; Columbus, Ohio State University Airport, OH, and Amendment of Class E Airspace; Columbus OH [Docket No.: FAA-2015-1649; Airspace

Docket No.: 15-AGL-6] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3873. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0498; Directorate Identifier 2014-NM-152-AD; Amendment 39-18305; AD 2015-22-01] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3874. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-5819; Directorate Identifier 2015-NM-166-AD; Amendment 39-18336; AD 2015-24-04] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3875. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes [Docket No.: FAA-2015-3642; Directorate Identifier 2015-CE-028-AD; Amendment 39-18335; AD 2015-24-03] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3876. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-5806; Directorate Identifier 2015-SW-083-AD; Amendment 39-18331; AD 2015-22-53] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3877. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tomah, WI [Docket No.: FAA-2015-1387; Airspace Docket No.: 15-AGL-4] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3878. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Hart/Shelby, MI [Docket No.: FAA-2015-1835; Airspace Docket No.: 14-AGL-7] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 581. Resolution providing for consideration of the bill (H.R. 1927)

to amend title 28, United States Code, to improve fairness in class action litigation (Rept. 114-389). Referred to the House Calendar.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 451. A bill to ensure the functionality and security of new Federal websites that collect personally identifiable information, and for other purposes; with an amendment (Rept. 114-390). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STUTZMAN (for himself, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. CARTER of Georgia, Mr. CULBERSON, Mr. GOSAR, Mr. GUINTA, Mr. HUELSKAMP, Mr. FLORES, Mr. LOUDERMILK, Mr. FINCHER, Mr. JODY B. HICE of Georgia, Mr. LAMALFA, Mr. RATCLIFFE, Mr. SCHWEIKERT, Mr. ZINKE, Mr. BRIDENSTINE, Mr. FRANKS of Arizona, Mr. JOYCE, Mr. TOM PRICE of Georgia, Mr. BROOKS of Alabama, Mr. BYRNE, Mr. CONAWAY, Mr. JOHNSON of Ohio, Mr. GROTHMAN, Mr. NEWHOUSE, Mr. COLE, Mr. BURGESS, Mr. PALAZZO, Mr. PALMER, Mr. MILLER of Florida, Mr. WESTERMAN, Mr. ROUZER, Mr. ROGERS of Alabama, Mr. SESSIONS, Mr. MULLIN, Mr. WALKER, Mr. BABIN, Mrs. BLACKBURN, Mr. POE of Texas, Mr. ADERHOLT, Mr. WEBER of Texas, Mr. SHIMKUS, Mr. DUNCAN of Tennessee, Mr. GRAVES of Missouri, Mrs. LUMMIS, Mr. BUCHSON, Mr. LUCAS, Mr. BARTON, Mrs. WALORSKI, Mr. COLLINS of New York, Mr. HARPER, Mr. HULTGREN, Mr. GIBBS, Mr. ROONEY of Florida, Mr. LAMBORN, Mr. CHABOT, Mr. WALBERG, Mr. LABRADOR, Mr. WILSON of South Carolina, Mr. BENISHEK, Mr. ABRAHAM, and Mr. LATTA):

H.R. 4321. A bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes; to the Committee on the Judiciary.

By Mr. KNIGHT (for himself and Ms. JUDY CHU of California):

H.R. 4322. A bill to clarify the prohibition on affiliation under the Mentor-Protege Program of the Department of Defense, to amend the Small Business Act to improve cooperation between the mentor-protege programs of the Small Business Administration and the Department of Defense, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 4323. A bill to direct the Secretary of the Interior to promulgate regulations for the safe and environmentally responsible reopening of abandoned mines, and for other purposes; to the Committee on Natural Resources.

By Mr. JEFFRIES (for himself and Mr. COLLINS of Georgia):

H.R. 4324. A bill to prevent certain monitoring and interception by Federal authorities of Federal prisoner communications that are subject to attorney-client privilege; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ:

H.R. 4325. A bill to amend the Small Business Act to modify the anticipated value of certain contracts reserved exclusively for small business concerns; to the Committee on Small Business.

By Ms. ADAMS (for herself and Mr. HARDY):

H.R. 4326. A bill to amend the Small Business Act to expand the duties of the Office of Small and Disadvantaged Business Utilization, and for other purposes; to the Committee on Small Business.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4327. A bill to require the Governor of each State that receives a grant under the Edward Byrne Memorial Justice Assistance Grant Program to certify to the Attorney General that under the laws of that State there is no statute of limitations for any offense under the laws of that State related to sexual assault, and for other purposes; to the Committee on the Judiciary.

By Mr. BRIDENSTINE:

H.R. 4328. A bill to prohibit the consideration in the House of Representatives or Senate of the text of any legislation which has not been published online at least 72 hours prior to its consideration, and for other purposes; to the Committee on Rules.

By Ms. JUDY CHU of California (for herself and Mr. KELLY of Mississippi):

H.R. 4329. A bill to amend the Small Business Act to modify determinations of the total value of contract awards; to the Committee on Small Business.

By Ms. CLARKE of New York (for herself and Mr. CURBELO of Florida):

H.R. 4330. A bill to amend the Small Business Act to add reporting requirements for certain small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. HARDY (for himself and Ms. ADAMS):

H.R. 4331. A bill to amend the Small Business Act to ensure small business concerns receive assistance with post-award compliance with the requirements of a contract or subcontract, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Mississippi:

H.R. 4332. A bill to amend the Small Business Act to clarify the duties of procurement center representatives with respect to reviewing solicitations for a contract or task order contract; to the Committee on Small Business.

By Mr. KENNEDY (for himself, Mr. DEUTCH, Ms. GABBARD, Mr. VARGAS, Mr. DELANEY, Mr. WILSON of South Carolina, and Mr. BRIDENSTINE):

H.R. 4333. A bill to authorize expedited consideration of sanctions in the event that the Government of Iran commits acts of terror or uses ballistic missile technology in violation of international law; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 4334. A bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016; to the Committee on Veterans' Affairs.

By Mrs. LOVE (for herself, Mr. MULVANEY, Mr. STEWART, Mr. MASSIE, Mr. RATCLIFFE, Mr. JORDAN, Mr. PEARCE, Mr. WALKER, Mr. BRAT, Mr. LABRADOR, Mr. BLUM, and Mr. YODER):

H.R. 4335. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on the Judiciary.

By Ms. MCSALLY (for herself, Mrs. DAVIS of California, Mr. RANGEL, Mr. JONES, Mr. STEWART, Mrs. RADEWAGEN, Mr. WILLIAMS, Mrs. BLACK, Mr. ABRAHAM, Mr. MCCLINTOCK, Mr. CURBELO of Florida, Ms. GABBARD, Mr. HUIZENGA of Michigan, Mr. RUPPERSBERGER, Mrs. WAGNER, Mr. PEARCE, Mr. ASHFORD, Ms. STEFANIK, Mrs. WALORSKI, Mr. MCCAUL, Mr. KATKO, Mr. DONOVAN, Mr. MACARTHUR, Mr. GIBSON, and Ms. ROS-LEHTINEN):

H.R. 4336. A bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG (for herself and Mr. HANNA):

H.R. 4337. A bill to amend the Small Business Act to require the Administrator of the Small Business Administration to provide information on regulatory changes and regulatory compliance training materials to certain entities; to the Committee on Small Business.

By Ms. NORTON:

H.R. 4338. A bill to provide that the authority to grant clemency for offenses against the District of Columbia shall be exercised in accordance with law enacted by the District of Columbia; to the Committee on Oversight and Government Reform.

By Ms. MAXINE WATERS of California (for herself and Ms. VELÁZQUEZ):

H.R. 4339. A bill to amend the Small Business Act to clarify the responsibilities of Business Opportunity Specialists, and for other purposes; to the Committee on Small Business.

MEMORIALS

Under clause 3 of rule XII,

166. The SPEAKER presented a memorial of the General Assembly of the State of Indiana, relative to House Enrolled Concurrent Resolution No. 58, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. STUTZMAN:

H.R. 4321.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1:

"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article I, Section 8:

"The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

Amendment II to the U.S. Constitution:

"A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

By Mr. KNIGHT:

H.R. 4322.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause I of Section 8 Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. GRIJALVA:

H.R. 4323.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. JEFFRIES:

H.R. 4324.

Congress has the power to enact this legislation pursuant to the following:

US Const. Art. I, Sec. 8, Cl. 18 ("Congress shall have the power . . . To make all Laws which shall be necessary and proper for carrying into Execution . . . all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.").

By Ms. VELÁZQUEZ:

H.R. 4325.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. ADAMS:

H.R. 4326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4327.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. BRIDENSTINE:

H.R. 4328.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1—All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article 1, Section 5, clause 2—Each House may determine the Rules of its Proceedings . . .

Article 1, Section 8, clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof

By Ms. JUDY CHU of California:

H.R. 4329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. CLARKE of New York:

H.R. 4330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HARDY:

H.R. 4331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. KELLY of Mississippi:

H.R. 4332.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. KENNEDY:

H.R. 4333.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. TED LIEU of California:

H.R. 4334.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 of the U.S. Constitution

By Mrs. LOVE:

H.R. 4335.

Congress has the power to enact this legislation pursuant to the following:

(a) Section 8, Clause 1 of Article I of the Constitution; and

(b) Section 8, Clause 3 of Article I of the Constitution.

By Ms. MCSALLY:

H.R. 4336.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 12—"The Congress shall have Power To . . . raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years . . ."

Article 1, Section 8, Clause 14—"The Congress shall have Power To . . . make Rules for the Government and Regulation of the land and naval Forces. . . ."

By Ms. MENG:

H.R. 4337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. NORTON:

H.R. 4338.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. MAXINE WATERS of California:

H.R. 4339.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 228: Mr. KING of New York.
H.R. 429: Ms. MOORE.
H.R. 452: Mr. LOBIONDO.
H.R. 563: Mr. TAKAI and Mr. CLAWSON of Florida.
H.R. 663: Ms. KUSTER.
H.R. 676: Mr. RYAN of Ohio.
H.R. 814: Mr. FITZPATRICK and Mr. DIAZ-BALART.
H.R. 842: Ms. ESHOO.
H.R. 887: Mr. TOM PRICE of Georgia.
H.R. 940: Mr. THOMPSON of Pennsylvania.
H.R. 1057: Mr. COSTA and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1076: Mr. LOWENTHAL.
H.R. 1089: Mrs. CAROLYN B. MALONEY of New York.
H.R. 1178: Mr. HECK of Nevada.
H.R. 1180: Mr. WESTMORELAND.
H.R. 1288: Ms. SLAUGHTER, Mr. LOUDERMILK, Mrs. BUSTOS, and Mr. HUFFMAN.
H.R. 1292: Mr. MASSIE.
H.R. 1306: Ms. CLARKE of New York.
H.R. 1309: Mr. TURNER.
H.R. 1333: Mr. CULBERSON.
H.R. 1342: Mr. HONDA, Ms. GRAHAM, Mr. GALLEGOS, and Mr. LARSEN of Washington.
H.R. 1399: Mr. LAMBORN.
H.R. 1407: Mr. PETERS and Ms. KUSTER.
H.R. 1413: Mr. WESTMORELAND.
H.R. 1475: Ms. BROWNLEY of California and Mr. GRAYSON.

H.R. 1484: Mr. HECK of Nevada.
 H.R. 1559: Mr. TURNER.
 H.R. 1610: Mr. KLINE, Mr. CARTWRIGHT, Mrs. COMSTOCK, and Mr. VELA.
 H.R. 1632: Mr. GALLEGO.
 H.R. 1684: Mr. HANNA.
 H.R. 1688: Ms. KELLY of Illinois.
 H.R. 1706: Mr. CICILLINE.
 H.R. 1748: Mrs. COMSTOCK and Ms. MATSUI.
 H.R. 1761: Mr. TED LIEU of California.
 H.R. 1784: Ms. CLARKE of New York.
 H.R. 1797: Mr. SHERMAN.
 H.R. 1818: Mr. TAKAI and Mr. BUCSHON.
 H.R. 1901: Mr. KLINE.
 H.R. 2096: Mrs. BEATTY and Mr. ROKITA.
 H.R. 2123: Mr. CALVERT, Mr. SEAN PATRICK MALONEY of New York, and Mr. YOUNG of Iowa.
 H.R. 2216: Mr. PERLMUTTER.
 H.R. 2302: Mr. ELLISON, Mr. LEWIS, and Mr. O'ROURKE.
 H.R. 2366: Mr. MCGOVERN and Mr. HECK of Nevada.
 H.R. 2380: Ms. JACKSON LEE, Ms. LEE, and Mr. LARSON of Connecticut.
 H.R. 2400: Mr. ROKITA and Mr. COSTELLO of Pennsylvania.
 H.R. 2460: Mr. TONKO, Mr. RANGEL, Mr. KATKO, and Mr. HANNA.
 H.R. 2612: Mr. CONYERS, Mrs. LAWRENCE, Ms. SPEIER, and Ms. LEE.
 H.R. 2646: Mr. YOUNG of Indiana, Mr. TIP-TON, and Mr. PERRY.
 H.R. 2689: Mr. AGUILAR.
 H.R. 2715: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 2726: Mr. AGUILAR.
 H.R. 2730: Ms. SLAUGHTER.
 H.R. 2759: Mr. DOGGETT.
 H.R. 2805: Mr. ROTHFUS.
 H.R. 2817: Mr. WESTERMAN.
 H.R. 2956: Mr. FLEMING.
 H.R. 2994: Mr. LOWENTHAL.
 H.R. 3034: Ms. SLAUGHTER.
 H.R. 3084: Mr. RODNEY DAVIS of Illinois.
 H.R. 3136: Mrs. HARTZLER.
 H.R. 3248: Mr. YOUNG of Indiana.
 H.R. 3299: Mr. COLLINS of New York and Mr. LANCE.
 H.R. 3323: Mr. BRIDENSTINE.
 H.R. 3355: Ms. PINGREE.
 H.R. 3356: Mr. DOLD.
 H.R. 3381: Mr. SEAN PATRICK MALONEY of New York, Mr. GUTIÉRREZ, Mr. SERRANO, and Mr. CÁRDENAS.
 H.R. 3455: Ms. JACKSON LEE, Mr. LARSON of Connecticut, and Ms. LEE.
 H.R. 3516: Mr. HARPER, Mr. KELLY of Mississippi, Mr. ROONEY of Florida, Mr. POSEY, Mr. WILSON of South Carolina, Mr. STUTZMAN, Mr. ADERHOLT, and Mr. ROKITA.
 H.R. 3565: Mr. AGUILAR, Ms. JUDY CHU of California, and Mr. TED LIEU of California.
 H.R. 3662: Mrs. WALORSKI, Mr. PERRY, Mr. MEADOWS, Mr. ZINKE, Mr. GOSAR, Mr. SESSIONS, Mr. WOMACK, Mr. LUCAS, Mr. GOOD-

LATTE, Mr. BARLETTA, Ms. MCSALLY, Mrs. MCMORRIS RODGERS, Ms. STEFANIK, Mr. POSEY, Mr. LANCE, Mr. JOHNSON of Ohio, Mr. LAMALFA, Mr. ROSKAM, Mrs. BLACKBURN, Mr. CRAMER, Mr. DOLD, Mr. CHAFFETZ, Mr. CARTER of Georgia, Mr. COOK, and Mr. BYRNE.
 H.R. 3691: Ms. KELLY of Illinois.
 H.R. 3710: Mr. GOSAR.
 H.R. 3719: Mr. RODNEY DAVIS of Illinois.
 H.R. 3722: Mr. WILLIAMS and Mr. WEBER of Texas.
 H.R. 3723: Ms. LOFGREN.
 H.R. 3742: Ms. PINGREE and Mr. ASHFORD.
 H.R. 3779: Mr. RANGEL, Mrs. KIRKPATRICK, Ms. JACKSON LEE, Mr. LAMALFA, Ms. JENKINS of Kansas, Mr. HASTINGS, and Mr. COLLINS of New York.
 H.R. 3799: Mr. ROKITA, Mr. SESSIONS, Mr. WILLIAMS, and Mr. EMMER of Minnesota.
 H.R. 3808: Mr. FINCHER and Mr. FOSTER.
 H.R. 3860: Mr. CRAWFORD.
 H.R. 3879: Mr. MCGOVERN.
 H.R. 3892: Mr. JOHNSON of Ohio and Mr. TROTT.
 H.R. 3926: Mr. O'ROURKE.
 H.R. 3970: Mr. RANGEL, Ms. CLARKE of New York, and Mr. SEAN PATRICK MALONEY of New York.
 H.R. 3986: Ms. SEWELL of Alabama.
 H.R. 3990: Mr. SERRANO.
 H.R. 4007: Mr. WESTMORELAND.
 H.R. 4016: Mr. KLINE.
 H.R. 4019: Mr. HONDA.
 H.R. 4062: Mr. YOUNG of Indiana.
 H.R. 4076: Ms. KAPTUR.
 H.R. 4087: Mr. TAKANO, Mr. RANGEL, and Ms. FRANKEL of Florida.
 H.R. 4113: Ms. MENG, Ms. JUDY CHU of California, Mr. MCGOVERN, and Ms. DELAURO.
 H.R. 4132: Mr. CRAMER and Mr. GROTHMAN.
 H.R. 4156: Mr. AGUILAR.
 H.R. 4162: Mr. HIGGINS, Mrs. CAPPS, and Mr. CÁRDENAS.
 H.R. 4185: Mr. MULVANEY.
 H.R. 4186: Mrs. BLACK and Mr. CARTER of Georgia.
 H.R. 4197: Mr. ROKITA and Mr. TOM PRICE of Georgia.
 H.R. 4213: Ms. NORTON, Ms. JACKSON LEE, and Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 4219: Mr. FITZPATRICK and Mr. ROHR-ABACHER.
 H.R. 4223: Ms. MENG.
 H.R. 4247: Mr. COSTELLO of Pennsylvania and Mr. CUELLAR.
 H.R. 4257: Mr. COSTELLO of Pennsylvania, Mr. NEWHOUSE, Mrs. WALORSKI, and RODNEY DAVIS of Illinois.
 H.R. 4258: Mr. PITTENGER.
 H.R. 4264: Ms. SLAUGHTER.
 H.R. 4273: Mrs. CAPPS and Ms. CLARKE of New York.
 H.R. 4276: Mr. BEYER and Ms. ESHOO.
 H.R. 4298: Mr. KLINE.
 H.R. 4315: Mrs. NAPOLITANO, Mr. MEEKS, and Mr. RICHMOND.

H.R. 4316: Mrs. NAPOLITANO, Mr. MEEKS, and Mr. RICHMOND.
 H.R. 4319: Mr. WEBER of Texas, Mr. ROUZER, Mr. BROOKS of Alabama, Mr. JODY B. HICE of Georgia, Mr. LAMBORN, Mr. LABRADOR, Mr. BRIDENSTINE, and Mr. BENISHEK.
 H. Con. Res. 66: Ms. VELÁZQUEZ.
 H. Con. Res. 75: Mr. WEBER of Texas, Mrs. BLACK, and Mr. HIMES.
 H. Con. Res. 100: Mr. YODER, Mr. GUINTA, and Mr. BOST.
 H. Con. Res. 105: Mr. JENKINS of West Virginia, Mr. MOONEY of West Virginia, and Mr. BARTON.
 H. Res. 14: Mr. MULVANEY.
 H. Res. 32: Mr. PETERS.
 H. Res. 265: Ms. FRANKEL of Florida.
 H. Res. 374: Mr. CONNOLLY, Mr. BRADY of Pennsylvania, and Mr. LOWENTHAL.
 H. Res. 467: Mr. LOWENTHAL and Mr. SIRES.
 H. Res. 470: Ms. KELLY of Illinois.
 H. Res. 548: Ms. JUDY CHU of California and Mr. DESAULNIER.
 H. Res. 549: Mr. SIRES.
 H. Res. 551: Ms. WASSERMAN SCHULTZ, Mr. NADLER, Mr. ROSKAM, Ms. JENKINS of Kansas, Mr. SIRES, Mr. BILIRAKIS, Mr. MURPHY of Florida, Mr. HASTINGS, Ms. MENG, Mr. WEBER of Texas, Ms. ESTY, and Mr. KLINE.
 H. Res. 569: Ms. KUSTER, Ms. ESHOO, Mr. LARSEN of Washington, Mrs. LAWRENCE, Mr. SCOTT of Virginia, Mr. JEFFRIES, and Mr. TED LIEU of California.
 H. Res. 571: Mr. WEBER of Texas.
 H. Res. 575: Mr. NADLER, Mr. HUFFMAN, Mr. BEYER, Mr. BLUMENAUER, Ms. MATSUI, Mr. LOWENTHAL, Ms. TSONGAS, and Ms. LEE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative COHEN, or a designee, to H.R. 1927, the Fairness in Class Action Litigation Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

40. The SPEAKER presented a petition of Attorneys General of West Virginia and Texas, relative to the 2015 United Nations Climate Change Conference in Paris; which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

TRIBUTE TO THE LEGISLATIVE
COUNSEL**HON. PAUL D. RYAN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to thank our legislative counsel for all their help over the past few weeks, starting with Sandra Strokoff and Ed Grossman.

I also want to thank all the senior and assistant counsels for their hard work: Tom Cassidy, Ryan Greenlaw, and Justin Gross on appropriations; Henry Christrup, Wade Ballou, and Scott Probst on taxes; Paul Callen, Marshall Barksdale, and Veena Srinivasa on housing and financial services; Hallet Brazelton, Megan Chasnoff, and Susan Fleishman on the 9/11 VCF and immigration; Jessica Shapiro, Warren Burke, Ed Grossman, Jesse Cross, and Michelle Vanek on the WTC health program; Tom Cassidy and Bob Weinhausen on budget; Justin Gross and Lucy Goss on Social Security; Hank Savage and Lisa Daly on Oceans, coastal security, and land and water conservation; and Tony Sciascia, Hadley Ross, and Mat Eckstein on intelligence and cybersecurity.

Then there are the drafters who worked nights and weekends to produce all the other major legislation: Curt Haensel, Rosemary Gallagher, Tom Dillon, Karen Anderson, Tim Brown, Kakuti Lin, Sally Walker, Brady Young, and Chris Osborne on the highway bill; Sherry Chriss, Greg Kostka, Hadley Ross, Tony Sciascia, and Mark Synnes on the defense bill; Susan Fleishman, Anna Shpak, and Brendan Gallagher on the education bill; and Sandy Strokoff, Mark Synnes, and Mat Eckstein on trade and customs bills. Thanks also to Doug Bellis, Jean Harmann, Jim Grossman, Noah Wofsy, and Alison Hartwich for their work drafting other legislation.

Finally, I want to thank all the office's support staff: Nancy McNeillie, Debby Birch, Kelly Meryweather, Elonda Rich, Tomas Contreras, Miekl Joyner, Ashley Anderson, Joe Birch, Angelina Patton, Craig Sterkx, Tom Meryweather, Matthew Loggie, Willie Blount, Peter Szewc, and David Topper, and GPO detailees Mel Gilbert, Theresa Harris, Toni King, and Preble Marmion.

ANNOUNCEMENT OF THE 2016 CON-
GRESS-BUNDESTAG/BUNDESRAT
EXCHANGE**HON. PAUL D. RYAN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, since 1983, the U.S. Congress and the German

Bundestag and Bundesrat have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and interact on issues of mutual interest.

A staff delegation from the U.S. Congress will be selected to visit Germany for ten days from Friday, May 27–Sunday, June 5, 2016. During this ten day exchange, the delegation will attend meetings with Bundestag/Bundesrat Members, Bundestag and Bundesrat party staff members, and representatives of numerous political, business, academic, and media agencies.

A comparable delegation of German staff members will visit the United States for ten days from Saturday, April 16–Sunday, April 24, 2016. They will attend similar meetings here in Washington.

The Congress-Bundestag/Bundesrat Exchange is highly regarded in Germany and the United States, and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries. This exchange is funded by the U.S. Department of State's Bureau of Educational and Cultural Affairs.

The U.S. delegation should consist of experienced and accomplished Hill staff who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag reciprocates by sending senior staff professionals to the United States.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite U.S. delegation should exhibit a range of expertise in issues of mutual concern to the United States and Germany such as, but not limited to, trade, security, the environment, economic development, health care, and other social policy issues. This year's delegation should be familiar with transatlantic relations within the context of recent world events.

Please note that the U.S. participants are expected to plan and implement the meetings and program for the Bundestag/Bundesrat staff members when they visit the United States.

Participants are selected by a committee composed of personnel from the Bureau of Educational and Cultural Affairs of the Department of State and past participants of the exchange.

Members of the House and Senate who would like a member of their staff to apply for participation in this year's program should direct them to submit a résumé and cover letter in which they state their qualifications, the contributions they can make to a successful program and some assurances of their ability to participate during the time stated.

Applications should be sent to the Office of Interparliamentary Affairs, HC-4, the Capitol, by 5 p.m. on Friday, February 26, 2016.

RECOGNIZING NORTHWEST INDI-
ANA'S NEWLY NATURALIZED
CITIZENS**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who will take their oath of citizenship on Friday, January 8, 2016. This memorable occasion, which will be presided over by Magistrate Judge Paul R. Cherry, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On January 8, 2016, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Husamuldeen Abdulhadi Abdulameer, Alaa Husamuldeen Abdulhadi, Cynthia Chinonso Chijioke, Andrea Conces, Carlos Delgado Rubalcava, Alberto Lopez, Nada Mandic, Albino Akon Ibrahim Akon, Shireen Ahmed Amouri, Claudia Boyd, Maria Kisselle Aguilar Corey, Alfredo Salomon Esper Cure, Juan Camilo Esper Rios, Natalia Esper Rios, Nidia Esperanza Esper, Angelica Garcia, Ken Guo, Lucas Yang Hong, Asha Thomas Mathew, Miguel Meza, Juan Mora, Emmanuel Nicholas Kwame Opuni, Ernesto Honorio Ortega, Jaime Roman, Mido Chunru Song, Antonio Tapia, Rezan Tecle, Jessie Tom, Guadalupe Carmen Trevino, and Rose Ntaki White.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on January 8, 2016. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

HONORING THE LIFE OF DANTE J. ZAMBRINI

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the memory of Dante J. Zambrini, former superintendent of Canfield Schools and interim vice president of Eastern Gateway Community College.

Dante was born April 12, 1954, in Youngstown, Ohio. He was the son of Joseph A. and Ann (Peters) Zambrini. The son of an immigrant father, Dante was very proud of his Italian heritage and spoke fluent Italian.

A graduate of Ursuline High School, he later earned his Bachelor's and Master's Degrees in Education and Administration from Youngstown State University, and devoted his life to education in our Valley. He served as superintendent of Canfield Schools, retiring in 2012, and then assumed the position of interim vice president of Eastern Gateway Community College.

Dante is remembered as a wonderful man who always put his students' needs before his own. In every position he served during his career, he was respected by all and served as a fine example of educational excellence.

Professionally, he was a member of the Buckeye Association of School Administrators, Mahoning County Association of Elementary School Administrators, Association of Supervision and Curriculum Development, and served as the director of the Associated Schools Employees Credit Union and Phi Delta Kappa.

Always active in the community, Mr. Zambrini was a member of the Rotary Club of Canfield where he served as president from 2010 to 2011, vice president from 2009 to 2010, and was a three-time recipient of the Rotary International Paul Harris Fellow Recognition.

He was a member of the Canfield Historical Society, where he served two terms as a director, Friends of Riverside Gardens, Canfield Community Club, lifetime member of the Youngstown State University Alumni Association, served as a trustee of the James and Coralie Centofanti Foundation and served on the Canfield steering committee for the new Canfield Library.

Dante is survived by his cousins, Dominic (Georgette) Peters, Thomas (Lucy) Peters, Eugene (Diane) Marra, Frank (Karen) Marra, James Peters, Donna (Walt) Chmielewski, Norma (Gerald) Vrabel, Patty (Thomas) Halas, Jean (Gerald) Vrabel, Debbie Rose, Annie

Marra, Michael (Stacey) Durkin, Tim (Jill) Durkin and others including Polly Marsh; and his neighbor and dear friend, Joyce (Loran) Brooks, whom he considered a second mother.

There is no doubt that the fabric of the Mahoning Valley community was strengthened by Dante's lifelong work in education, and his steady commitment to community service. His influence will be missed, but I join with the rest of Northeast Ohio in grateful thanks for his many years of contributions to our community.

RECOGNIZING SIMMONS COLLEGE ON BECOMING OUR NATION'S 107TH HBCU

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. YARMUTH. Mr. Speaker, today I rise to honor and congratulate Simmons College of Kentucky on officially becoming recognized as our nation's 107th Historically Black College and University. One hundred and fifty years ago, members of twelve Black Baptist Churches met in Louisville to discuss the need for a school that would allow Black students to pursue a college degree. After years of planning and consideration, they decided that this school should be located at the corner of 8th and Kentucky in Louisville, where they purchased four acres of land and continued working to make their dream a reality. Originally founded as the Kentucky Normal Theological Institute, it was under the leadership of Dr. W.J. Simmons that the school became a full university, growing in both size and opportunity, and would eventually be renamed in his honor.

Today, Simmons College continues to make a positive impact in our city and throughout Kentucky. The faith that inspired this institution to persevere throughout the years is now stronger than ever, and the hundreds of students who are currently enrolled are continuing the school's proud tradition as the birthplace of Black higher education in Louisville. As the school's motto so accurately states, Simmons College has been "dedicated to educational excellence since 1879," and I extend my most sincere congratulations to their President, Dr. Kevin W. Cosby, his students, and the entire Simmons community. Go Simmons Nation.

IN HONOR OF DOLORES EATON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the life, legacy, and work of Dolores Eaton; who was a well known resident of Harlem. Dolores was not only a beloved Mother and Grandmother but she was also an artist, activist, and a longtime community figure.

It is well known to those in good spirit that sunrises are filled with color and beauty; they

light up and bring warmth to the land. There cannot be a more accurate description of Dolores Eaton that captures the life she lived.

Dolores was born in Harlem, New York to Mrs. Rovena Hodge and Edward Rubin. Dolores, who was an only child, was raised with her two first cousins Mattie and Madeline and was lovingly nurtured by her Aunt Naomi and Cousin Lottie. True to the old custom of Black Families who supported their transitioning family members from the south to the north; they all lived together in Harlem. The family roots hailed from Sumter, South Carolina, which is not only the birthplace of this magnificent family but is also unfortunately known as the home of the Ku Klux Klan, and where the Civil War began.

Dolores was baptized at Mount Zion Lutheran Church under the leadership of the founders, Pastor and Mrs. Clemence Sabourin. She also attended the church's famous School on the Hill, which sits across from the historic Convent Avenue Baptist Church. After graduating from elementary school, Dolores was accepted into the then prestigious George Washington High School. There Dolores studied dance, drama and the cello. In 1955, Dolores joined the Penthouse Dance and Drama Theater, located at 21 West 145th Street, which at the time was under the leadership of Sheldon B. Hoskins, to follow her dream to pursue a career in theater.

Dolores was smitten by a tall handsome man, Donald H. Eaton, Jr., mechanical engineer. They were married in 1957 at Mount Zion Lutheran Church. Their beautiful wedding was catered by the famous Katz's delicatessen. They began to raise their family at the Colonial Park Houses, now known as the Ralph J. Rangel Houses. The Eaton's became very well known in Harlem and beyond. The couple gave birth to Donald H. Eaton, III in 1957 and then to Geoffrey Eric Eaton in 1958.

After Geoffrey was born, Dolores began her own career at Mutual of New York Life Insurance (MONY) in mid-town Manhattan. Dolores was not only very smart but a truly beautiful woman as well, and so she also began a career in modeling. Dolores's beloved mother, Rovena was a seamstress at a coat factory on Delancey Street. Rovena was a gifted artist with a pair of scissors, a threaded needle and sewing machine. She hand-made all of Dolores's attractive business suits and attire. Dolores was easily always the apple in every man's eyes.

As you can imagine, raising two active boys was no easy task, especially during the early days of the Black Revolution up North and the Civil Rights Movement down South. But, nonetheless, Dolores's perseverance, dedication, and strong maternal instincts gave well deserved success: her eldest son Donald is an outstanding musician, a tenured percussion teacher at the renowned Harlem School of the Arts, a member of The Last Poets, arranger and composer for Arthur Mitchell's Dance Theatre of Harlem and Yoruba philosopher. Her youngest son Geoffrey is my top aide, President of the NAACP Mid-Manhattan Branch, and chair of the Uptown Dance Academy, while serving on the executive board of Harlem Arts Alliance.

After retiring from MONY, Dolores served as district director for the late Harlem

Assemblywoman, the Honorable Geraldine Daniels; where she worked hard to help to make history by electing the first African American Mayor of New York City, the Honorable David Dinkins. In 1990 she helped to make history again, by working hard to bring South Africa's first black president, Hon. Nelson Mandela to African Square on W. 125th Street during HARLEM WEEK. In 1994 she joined the staff of the first elected public advocate, the Honorable Mark Green. Dolores continued to serve public advocate Green, and public advocate Betsy Gotbaum as Director of Ombudsman Services until Dee's retirement in 2009. Dolores served as vice president of the Harlem Canaan House Tenant's Association, where, along with her son, Geoffrey and Cristal Johnson she advocated for and worked with management and its residents to keep the building affordable and functioning at the highest level for all residents. She was a fierce fighter, brilliant advocate and hero to all of the tenants.

Dolores also volunteered her services to support the political goals, missions and aspirations of Honorable Lloyd E. Dickens, NYS Assemblyman and business icon, Honorable Basil A. Paterson, NYS Senator and NY State Secretary of State and she was to the end also a strong supporter of NYS Assemblyman Keith L. T. Wright.

What many may not know about Dolores, was that she was a founding member of an elite group of activists—Blackfrica Promotions, a group, which was formed under the leadership of the late and great Percy E. Sutton alongside Lloyd Williams, Joseph Roberts, Marvin Kelly, Larry Frasier, Tony Rogers, Stephanie Francis, Voza Rivers, Jacques DeGraff, Gilbert Paschall, III, Andy Reddick, DiAnne Henderson and her very best friend and sister, Grace Williams. This group was the foundation for HARLEM WEEK and went a long way to reverse the negative trend and images that Harlem had in the early 70s, 80s, and 90s. One of Dolores favorite Blackfrica quotes was "Learning is the beginning of wealth. Learning is the beginning of health. Learning is the beginning of spirituality. Searching and learning is where the miracle process begins."

Dolores was also a founding charter member of the Dr. Martin Luther King, Jr. Democratic Club, where she worked diligently for the elections of H. Carl McCall for State Senate, David N. Dinkins for Manhattan Borough President and Percy E. Sutton for Mayor.

Dolores truly loved to travel and had great fun on her numerous trips, with her family and the members of Blackfrica Promotions, visited Europe, the Caribbean, Africa, Asia, Canada, Brazil, Latin & South America and many states and cities throughout the USA.

Dolores leaves to mourn her beloved sons, Donald and Geoffrey; her daughter Allyson; her beloved grandsons Geoffrey, Jr. and Geoffrey, III; her nephew Russell Eaton Jr.; daughters-in-law, Melanie, Cheryl and Reiko; her matriarch cousins Eleanor Holmes and Lulu Scott; first cousins Madeline Williams, Michael, Ginger, Laura Ceasar, William and Craig Spooner, Edward, Mark, Jessica Hodge, Iris Mack, Cathy and Thomasina Holmes and Otis Cruse; a host of cousins that hail from the north, the south and the west coast too nu-

merous to name; many more family members; a host of dear friends, neighbors, Donald Eaton, Sr., the father of her sons, and many beautiful memories.

Dee now joins with John "Smitty" Smith, her longtime companion who preceded her in death.

Mr. Speaker, I ask that you and my distinguished colleagues join me in recognizing Dolores Eaton. Sunsets always bring the night and new lights arise with the stars—with this comes new beginnings and we know that this mother, grandmother, aunt, cousin and friend, Dolores Eaton, is up there as one of the new and brightest stars in the sky.

CELEBRATING THE 100TH BIRTHDAY OF MRS. MAMIE WILLIAMS

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today to recognize the 100th birthday of Mrs. Mamie Williams. I join her family members and friends who gather on January 9, 2016, in Los Angeles, CA to commemorate this special day.

Mamie Williams was born January 6, 1916, in Indianapolis, Indiana to Eugene and Helen Dedmon. She graduated from Crispus Attucks High School in 1933 and married Lefred Williams that same year. Mamie Williams was a woman of many talents and giftings. She was an accomplished pianist and her musical talent became well known throughout the community. She was also a gifted seamstress with an eye for fashion, as she made many of her family's clothes. She began her journey of becoming the mother of 13 children in Indianapolis with the birth of her first son in 1934. In 1951, the Williams clan moved to Beaumont, California and finally to the greater Los Angeles area where the family resides today.

Throughout her life, Mamie has been a devoted wife and mother who has always been there for her family. Perseverance, hard work, love and respect were just a few of the many lessons taught to those who have known her. In addition to being a Homemaker, Mamie was a member of several service organizations such as the Delta Mothers and the American Business Women Association. She also served 30 years as a volunteer for the Democratic Party where she worked at local polling places on voting day.

Mamie was a member of the Women's Club at Washington Memorial Church where her husband served as a Bishop. Along with the rest of her family, she later became a member of the United Church of Religious Science in Los Angeles and was a graduate of the inaugural Science of Mind class taught by Dr. Hornaday.

Mamie worked side by side for many years with her husband Lefred in the family owned business Youth Town Furniture & Appliances, started in 1969 on Crenshaw Blvd. in Los Angeles. The store became a staple in the local community until Lefred's retirement in 1985, and ultimate passing in 1987.

Today Mamie's legacy includes 11 surviving children, 7 sons and daughters-in-law, 24

grandchildren, and 17 great-grandchildren. Mamie has led an outstanding life, highlighted by her love of family and service to her community. I wish her many more years of health and happiness.

INTRODUCTION OF THE DISTRICT OF COLUMBIA HOME RULE CLEMENCY ACT OF 2016

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Home Rule Clemency Act of 2016, a bill that would give the District of Columbia exclusive authority, like states, to grant clemency to offenders prosecuted under its local laws.

While D.C. law appears to give the mayor authority to grant clemency (D.C. Code 1–301.76), it is currently the opinion of the Department of Justice that the President, and not the Mayor, has the authority to issue clemency for most local offenses prosecuted under D.C. law, particularly felonies prosecuted by the U.S. Attorney in the D.C. Superior Court. Under current practice, clemency petitions for D.C. convictions, like federal convictions, are submitted to the DOJ for the President's consideration.

Whether or not the DOJ's view is correct, my bill would remove all doubt that the District, and not the President, has the authority to issue executive clemency. The District, like states, should have full control of its local criminal justice system, the most basic responsibility of local government. Since the D.C. Council has the authority to enact local laws, District officials are in the best position to grant clemency for local law convictions. My bill would provide all clemency authority not currently reserved to the Mayor under D.C. Code 1–301.76 to the District government and would give D.C. the discretion to establish its own clemency system.

This bill is an important step in establishing further autonomy for the District in its own local affairs. I urge my colleagues to support this measure.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,900,932,690,017.04. We've added \$8,274,055,641,103.96 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONFERENCE REPORT FOR THE
TRADE FACILITATION AND
TRADE ENFORCEMENT ACT OF
2015

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. CARNEY. Mr. Speaker, I submit this statement regarding House passage of the Conference Report for the Trade Facilitation and Trade Enforcement Act of 2015. Historically, legislation addressing customs procedures and import security has enjoyed bipartisan support. Even when this legislation, also known as the Customs Bill, emerged from the Senate, the new bill included language that was supported by a wide range of stakeholders.

This legislation authorizes the U.S. Customs and Border Protection for the first time since it was created in 2002. Our rapidly evolving economy requires robust and adaptable trade enforcement, and I'm glad this legislation strengthens our Customs and Border Protection's ability to fulfill this duty. Without these tools in place we would not be able to meet the demands of our growing global economy. This legislation contains important provisions that will enhance and improve our customs procedures and duty laws. Our outdated customs and border policies would be improved by streamlining rules to stop importers from dodging U.S. antidumping and countervailing duties while adding new protections for intellectual property.

That being said, while leaders from across the globe were negotiating the largest climate agreement in history, Congress was debating a bill that intentionally bypassed our nation's ability to address climate change. This legislation provided an opportunity for us to strengthen our commitment to combatting climate change and to hold other nations accountable for their actions—but we let that opportunity slide. Congress cannot continue to pass the buck on this issue, and we should use agreements such as this to hold our trade partners to higher standards. That is why I voted against this legislation, and I urge my colleagues to address these issues. If we do not act now, we set a dangerous precedent for future agreements.

HONORING CHUCK SEEMAN FOR
HIS LEADERSHIP AT UCFS

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. COURTNEY. Mr. Speaker, today I rise to thank Mr. Chuck Seeman, President and CEO of United Children and Family Services (UCFS) in Norwich, Connecticut for his 20 years of transformative leadership in eastern Connecticut. While Chuck has held command of UCFS, he has strengthened the organization's financial stability and has expanded services to make UCFS an exemplary community health organization serving the Norwich region and beyond.

This year, to celebrate National Health Center Week, UCFS displayed a flag on the Norwich town green for every client they have served in the past year. The green was covered with 17,000 flags—a visual reminder of the impact that this organization has on our community, and a testament to Chuck's leadership. That same day, I was pleased to announce that after years of hard work on the part of Chuck and his staff, UCFS had received "federally qualified status" that will allow them to expand and enhance the excellent medical, dental, behavioral, and eldercare services to their patients. This announcement was the culmination of nearly five years of advocacy, and will mean that UCFS will thrive and grow for decades to come.

As Chuck retires from his position as CEO this month, I can confidently say that his innovative leadership style, dedication, and drive have made a world of difference for families in eastern Connecticut. I am honored to have worked with Chuck to advocate for improved access to healthcare for our neighbors and I thank him for his steadfast commitment and vision.

Beyond his laudable contributions to his community's health and wellness, Chuck has been an approachable and friendly leader, beloved by the many hundreds of UCFS employees. Although I anticipate that Chuck will continue to contribute to his Connecticut community after leaving his current position, I ask my colleagues to join me in wishing him a restful retirement, and offering a big thank you for his decades of work advocating for community health in eastern Connecticut.

PERSONAL EXPLANATION

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Ms. PINGREE. Mr. Speaker, on rollcall No. 1, I was unable to record my presence.

HONORING THE LIFE OF ERNIE
GLAVE

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Ms. LOFGREN. Mr. Speaker, I rise today with my colleagues MIKE HONDA and ANNA ESHOO to honor an important member of our community, Mr. Ernie Glave, who passed away on December 22, 2015. Ernie will be remembered for his dedication to San Jose as both a businessman and to the public, especially veterans.

Ernie proudly ran his downtown jewelry shop for over 30 years and was widely known for his exceptional work ethic. Even during the economic recession, while many stores fled to the suburbs or shut down completely, Ernie worked 6 days a week with remarkable enthusiasm and professionalism. He also took pride in downtown San Jose and was known as a leader in the Small Businessman's Association.

An Army World War II veteran, Ernie was also a passionate advocate for veterans. He worked hard to keep the San Jose Veterans Day Parade as one of the largest military pageants in the Western United States. Dedicated to the United Veterans Council, Ernie often spoke at local veterans events and commended their unbreakable bond and commitment to country. When we commemorate Memorial Day at Oak Hill Memorial Park every year, Ernie was always there, always working, always caring.

Today, we honor the life of Ernie Glave. Ernie's commitment to his country and community can only be matched with the strength of his hallmark vise grip. We thank him for his contributions to San Jose and join his loved ones in celebrating his incredible life. He will be deeply missed.

IN HONOR OF THE LEGACY OF
LATE HARRIS COUNTY COMMISSIONER
EL FRANCO LEE

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to honor the memory of a noble public servant and trailblazer: Harris County Commissioner El Franco Lee. Elected in 1985, after serving in the Texas House of Representatives for five years, Commissioner Lee became the first African American to sit on the Harris County Commissioners Court. He selflessly served Harris County's Precinct 1 for more than a quarter-century with exceptional distinction.

Commissioner Lee was not just a holder of public trust but a pioneer and community leader. He used his compassion and experience to boldly advocate for his constituents and the betterment of his community. Commissioner Lee will be specifically remembered for his impassioned advocacy for better healthcare access and educational opportunities throughout the inner city, as well as his support for the Harris County Precinct One Street Olympics Program.

Mr. Speaker, I am fortunate enough to say that I knew and worked alongside Commissioner Lee. I believe that when history records the legacy of Commissioner Lee, he will be forever remembered for his caring and candid demeanor as he worked to serve his constituents, his county, as well as his country.

UNIVERSITY OF HOUSTON DEFEATS
FLORIDA STATE AND WINS THE PEACH BOWL

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 2016

Mr. POE of Texas. Mr. Speaker, a few weeks ago I spoke on the House floor about the brilliant season the Houston Cougars and their coach, Tom Herman, experienced this year. In that speech I mentioned how the Cougars had a huge fight coming up on New

Year's Eve against the traditional blue-blood, powerhouse Florida State Seminoles. Well, December 31st and 2015 have come and gone, and the Houston Cougars finished the year 13–1 with a 38–24 victory over the Seminoles in the Peach Bowl.

Coach Tom Herman may be known as an offensive innovator, but this team fought hard on both sides of the ball. The Cougars' fast-moving and hard-hitting defense rattled Florida State's offense, while their quick-paced and prolific offense sped past the Seminoles' defense. Folks, this game was one for the ages and solidified this season as one of the greatest in Cougar history. There can't be enough said about the resiliency and fight this team showed all year. I'm proud to call myself an alumnus and a Houston Cougar for life.

The Houston Cougars woke up for the first time in 2016 as Peach Bowl champions and proved to the doubters that they could play with anybody in the country. 2015 started in uncertainty for the program: they were breaking in a new coach, a new system, and in their second year of a new football stadium. But as 2016 gets rolling, the only uncertainty for the

Cougars now is where to place all the trophies they collected this year.

And that's just the way it is.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 7, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 12

10 a.m.

Committee on Armed Services

To hold hearings to examine defense health care reform.

SD-G50

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nomination of Robert McKinnon Califf, of South Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services.

SD-430

JANUARY 20

2:30 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.

SR-232A

HOUSE OF REPRESENTATIVES—Thursday, January 7, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAHOOD).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 7, 2016.

I hereby appoint the Honorable DARIN LAHOOD to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

VISAS AND WORK PERMITS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, Washington has, once again, undermined and betrayed struggling American workers who seek jobs that pay enough to support their families.

In December, on less than 72 hours' notice, Congress and President Obama shoved down the throats of Americans a 2,000-page, financially irresponsible, \$1.1 trillion omnibus spending bill that not only risks America's solvency, it also threatens American jobs for American workers.

Under old law, 66,000 H-2B foreign worker visas could be issued each year. Buried deep inside the 2,000-page omnibus spending bill, on page 701, is an obscure provision without even a heading that, according to labor expert John Miano, increases available H-2B visas up to 264,000 per year, effectively quadrupling visas for low-skilled, temporary nonagricultural foreign workers.

Making matters worse, on New Year's Eve, while America focused on

football games and celebrations, President Obama issued a 200-page proposed rule to illegally bust statutory green card immigration caps by approving unlimited numbers of work permits for foreigners who don't have green cards. This White House action is yet another brazen display of contempt for immigration statutes, the rule of law, and American workers.

The White House argues importing foreign labor is necessary because of a claimed shortage of American labor. Similarly, House Speaker PAUL RYAN claims increasing foreign worker visas "helps small businesses who cannot find labor when there's a surge in demand for their labor, like seafood processing or tourism."

This claimed labor shortage is unsupported by jobs or wage data and is political bunk. Per Federal labor statistics, 57 percent—57 percent—of Americans without a high school diploma had no job in 2015's second quarter. That bears repeating. Fifty-seven percent of Americans without a high school diploma had no job in 2015's second quarter. That is a lot of Americans who would love to have those jobs President Obama and Congress denied Americans and gave to foreigners.

Economics 101 explains that wages rise if there is a labor shortage and fall if there is a labor surplus. According to Census Bureau data from 2007 to 2014, wages for security guards went down 6.1 percent, for cooks down 4.4 percent; for janitors down 1.2 percent; for ushers, lobby attendants, and ticket takers, down 7.1 percent; for hotel, motel, and resort desk clerks, down 7 percent. The list of falling wages for low-income American workers goes on and on. This falling wage data is compelling evidence that there is no shortage of American labor and, to the contrary, that there is an oversupply of American labor that demands cutting foreign labor, not expanding it.

Mr. Speaker, while these surges in foreign worker visas and foreign labor work permits is a huge victory for special interests that profit from suppressed wages, it is a debilitating loss for struggling American families.

Unemployed and underpaid Americans desperate for a good-paying job have every right to be angry at a Federal Government that takes American jobs from American citizens and gives them to foreigners. Americans have every right to be angry at Washington elected officials who care more about special interest campaign contributions than American voters who elect

ed us. I hope those Americans will remember their anger during 2016's primary and general elections. That is the way to force Washington to represent us.

Mr. Speaker, I can't speak for anybody else, but, as for me, MO BROOKS from Alabama's Fifth Congressional District, I fight for the economic interests of American citizens and against policies that undermine the struggling American voters who sent us here. That is part of the reason why I voted against December's financially irresponsible omnibus spending bill—and am proud of it.

MALHEUR NATIONAL WILDLIFE REFUGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, with the odd drama playing out in Oregon where armed thugs have taken over a Federal wildlife facility, it is important to reflect on what the wildlife refuge system is all about.

If these people had any argument with the President, it was with President Roosevelt, who 108 years ago established the Malheur National Wildlife Refuge as a response to protect natural resources, especially the slaughter of wild birds for feathers to adorn women's hats.

It is ironic that the President, who in his younger days participated in the slaughter of over 6 million buffalo that roamed the Midwest plains on a magnificent ecostructure, realized the necessity of protecting these resources. Today we benefit from the foresight of this conservation President who provided the cornerstone of environmental protection that enriches us all.

The notion that somehow this is the "wild west," where people can do with public land what they want, is thoroughly discredited. This mind-set from the 1800s that there were endless, wide-open spaces, where people could do what they wished, when they wished, where they wished, is tinged with regret and tragedy. We took away the land from Native Americans that our government had given to them in solemn treaty, ratified by Congress.

The mind-set that public lands of the West were to be exploited as rapidly as possible is still embodied in the Mining Act of 1872, which essentially allows anyone, including foreign mining operations, to exploit our country's mineral resources at basically no cost and

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

with no enforceable obligation to repair the damage they inflicted. The West is now blighted with thousands of abandoned mines and oil and gas wells that will risk being a permanent scar on the landscape. While private profit was pursued, the public was left with the consequences and the cost of clean-up, if it ever occurs.

The longstanding battles over American rangeland between competing owners and between competing uses, like cattle and sheep, were not pretty. There is no doubt that there are still significant problems dealing with public land management, in part because the rules of the game are still set by the Mining Act of 1872 and the Taylor Grazing Act of 1934.

All but the most reckless individuals would agree that if these statutes were written today they would look fundamentally different with more protections and clarity. It was into this void that Teddy Roosevelt stepped, declaring critical national monuments. He established wildlife refuges to benefit countless generations to come.

These amazing treasures are not just scenic wonders. They hold extraordinarily valuable habitat for wildlife, waterfowl, helping preserve the land and the water and the ecosystem that goes far beyond what is simply spectacular to look at.

This is America's heritage. We struggle on an ongoing basis to recover from the reckless, thoughtless exploitation of the last two centuries. The vast majority of the American public supports this effort, even if they never visit the remote Western regions. Indeed, the fact that they are often inaccessible is the only way that they are preserved. Imagine tour buses, motorized vehicles, hordes of tourists, their infrastructure and their litter, and the destructive effects that would have.

The sideshow with the Malheur National Wildlife Refuge obscures a much larger and important public policy: protecting our heritage, enhancing it, and avoiding reckless behavior of a few that will penalize generations to come.

That is why the Harney Basin Wetlands Initiative of people in that region, facilitated by the refuge between 2010 and 2013, was a textbook example of collaboration, where all the stakeholders created a vision and a 20-year plan for the refuge and the surrounding landscape, including the biggest wetland restoration project ever undertaken.

It would be valuable for us to look behind the headlines to the facts on the ground, the history of the resource, the struggle for protection, the tremendous benefits for all Americans, and what the stakeholders in that region accomplished together.

REPEALING THE AFFORDABLE CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday, I was proud to vote in favor of the Restoring Americans' Healthcare Freedom Reconciliation Act, which repeals the Affordable Care Act, or the ACA. With yesterday's passage of the bill, it marks the first time repeal of the ACA has been sent to President Obama's desk.

In the past year, several significant problems with this law have become ever more clear. We have seen a large number of healthcare co-ops go under. One major healthcare provider, UnitedHealthcare, announced it is pulling out of the ACA exchange. This system is just not sustainable.

Late last year, the Congressional Budget Office released a report stating that the ACA will lead to a reduction of work-hours equivalent to 2 million jobs over the next decade. The CBO attributes this reduction to healthcare subsidies tied to income, raising effective tax rates for Americans, and creating a disincentive for people seeking promotions or new, higher paying jobs. It also points to higher taxes and penalties as a reason for the reduction in work-hours.

In comparison, the Restoring Americans' Healthcare Freedom Reconciliation Act will reduce the Federal deficit by more than half a trillion dollars over the next 10 years. It will also eliminate costly provisions, such as the individual and employer health insurance coverage mandates, the Cadillac tax on high-cost plans, and it will enhance the solvency of Medicare. It also ensures that Federal tax dollars will not go to providers of abortion.

Mr. Speaker, over the past several years, dozens of ACA reforms have been signed into law. However, we have only scratched the surface when it comes to addressing problems with this law. It is time to come together to support a comprehensive approach that ensures responsible use of taxpayer dollars and fixes the issues affecting our Nation's healthcare system.

HAYMARKET CAFE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, today I am honored to share the story of the Haymarket Cafe, started by brothers Peter and David Simpson, in Northampton, Massachusetts.

Mr. Speaker, one of the surest signs of a vibrant local economy is a lively restaurant scene. You know a town or a region is humming economically when you have a wide variety of res-

taurants to choose from. It is a sign that people have enough money left over after paying all of their bills to spend on treating themselves and their families. It is a strong indication that people feel secure in the direction of the economy.

But for millions of low-wage workers across the country, the story is more complicated than that, and the picture is not all that pretty. For all the economic vibrancy associated with restaurant culture—and though restaurants employ almost 1 in 10 private sector workers—restaurant workers are among the worst paid, worst treated within the economy as a whole.

□ 1015

While non-restaurant private sector workers make a median hourly wage of \$18, restaurant workers earn a median hourly wage of \$10, including tips. The results are predictable in that more than 16 percent of restaurant workers live below the poverty line.

This picture is made even worse by how it is skewed along race and gender lines. The highest paid positions in restaurants tend to be held by men and people who are White while the lowest paid positions are typically held by women and people of color. At the bottom of the ladder are undocumented workers, who comprise over 15 percent of the restaurant workforce, more than twice the rate for non-restaurant sectors.

The good news is that it doesn't have to be this way. There are forward-thinking restaurant owners who are choosing the high road, restaurants where conscious efforts are made to break down gender and ethnic divisions and that choose to pay a living wage with good benefits.

If you ask them, the owners of these establishments will tell you that they choose this path because it is not only the right thing to do, but it is also the smart thing to do financially. They choose this path because it is a solid business model that improves the chances of success in a highly competitive industry.

I am proud to represent one of those restaurants in my district. The Haymarket Cafe in Northampton, Massachusetts, has led the way for almost a quarter century in treating its employees with respect and in paying them a living wage.

I attended an event a couple of weeks ago at the Haymarket Cafe at which the owner, Peter Simpson, announced that his restaurant was moving to a \$15 per hour minimum wage and would be eliminating tips. Now, I have known Peter for a long time, and I was not surprised that he would take such a step.

Peter opened the Haymarket with his brother, David, almost 25 years ago. From the beginning, they were committed to paying a fair wage and in

creating a positive work environment for their employees. In talking to Peter, I realized that his decision, while it reflected his idealism, was rooted in hard-nosed business sense.

You don't survive and thrive for a quarter century in the highly competitive restaurant industry, especially in a small, tight-knit community like Northampton, if your business model isn't airtight. Every decision you make has to make sense financially in order to succeed and stay competitive.

The decision to go to a \$15 per hour minimum wage and eliminate tips was not something Peter took lightly. He did his homework. He looked at other restaurants in other cities that had made a similar move. He talked to all of his employees. He worked closely with the Pioneer Valley Workers Center, which is leading the charge to better the lives of low-wage immigrant workers in western Massachusetts.

Eliminating tips allowed Peter to make the wages between better paid waiters and less well-paid kitchen staff more equitable. It allowed his wait staff to earn a wage they could count on, rather than having to depend on the tipping whims of customers. It also gave him increased staffing flexibility, as he could train all of his staff to do all jobs so he could more easily shift people around when necessary. In committing to a \$15 per hour minimum wage, Peter also increased staff loyalty while decreasing turnover and training costs.

As a result of Peter's bold decision, the Haymarket Cafe has been overwhelmed by an outpouring of support. Staff and customers are equally enthusiastic, and business has jumped. This commitment to wage equity has shown, once again, to be a sound business strategy and has shown that a business based on such principles can provide a decent living for its staff and can contribute to the economic health of the community.

Mr. Speaker, the Haymarket Cafe is living proof, especially in an industry with such a dismal track record on wages, that paying a living wage is good for business and that a commitment to wage equity makes financial sense. The restaurant industry can and must do better, and I am proud to say the Haymarket Cafe is leading the way.

PRESIDENT OBAMA'S EXECUTIVE ACTION ON THE SECOND AMENDMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. BOST) for 5 minutes.

Mr. BOST. Mr. Speaker, earlier this week the President took aim at our Second Amendment rights.

We know his purpose was to restrict the constitutional right of law-abiding citizens. It will undermine our personal privacy rights. It will make it to where

due process is taken away from many of our citizens, but it won't stop criminals from carrying firearms. As a father and as a grandfather, my heart is broken over the many tragedies and attacks that have occurred around this Nation, but this won't cure the problem.

In this Congress, we must fight for the rights of our Constitution. We must also use the courts to fight for those rights. We must do more.

Mr. Speaker, not only I, but you and every Member of this Congress, took an oath of office when we took these positions. We took that oath, and it was to uphold and to defend the Constitution, all of the Constitution, not just the First Amendment, but the Second Amendment as well and every part thereof.

When I took that oath, I took it very, very seriously. I am doing my part. I am upholding the oath that I took. I believe the President should uphold his.

HONORING DR. SHARON ELLIOTT-BYNUM, A TRAILBLAZER

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise to express my condolences on the passing of a giant in the Durham, North Carolina, community, a trailblazer, one who dedicated her life to improving health outcomes for disadvantaged citizens, including veterans.

This trailblazer, Mr. Speaker, was my friend, Dr. Sharon Elliott-Bynum. Sharon passed away on Sunday, January 3, at the young age of 58, 2 days before her 59th birthday.

We lost this giant far too soon, but not before she revolutionized the delivery of care for those in need through the founding of Durham's first free-standing, comprehensive healthcare clinic, called Healing with CAARE.

My first visit as Durham's Congressman was an enlightening visit to CAARE. I saw Sharon at work, I saw paid staff, and I saw dozens of community volunteers. We mourn this tremendous loss, but we also celebrate Sharon's remarkable life, which was replete with the success that many can only hope to achieve.

Born in Durham, Sharon Elliott-Bynum was a graduate of Northern High School, Durham Technical Institute, the Watts School of Nursing, and my alma mater, North Carolina Central University. She also received a master's degree and a Ph.D. from Victoria International College.

Sharon was a dedicated member of a great sorority, Delta Sigma Theta Sorority, Inc. As a member of the Durham Alumnae Chapter, founded in 1931, she led by example. Sharon was also a

member of the National Council of Negro Women, of Sigma Theta Tau International, of the Top Ladies of Distinction, and of many more service organizations. Finally, she was a faithful member of the Faith Assembly Christian Center in Durham.

Dr. Elliott-Bynum was attracted to the field of nursing when she, at the age of 16, began volunteering at the historic Lincoln Community Health Center. Sharon's volunteerism motivated her to pursue a nursing career. So, in 1995, Dr. Elliott-Bynum and her late sister, Patricia—"Pat"—she called her—founded Healing with CAARE, Inc.

What began as a nonprofit, community-based provider of services for individuals who were living with HIV expanded to being the primary healthcare home for more than 1,000 individuals who live with cancer, cardiovascular disease, diabetes, and obesity. CAARE also provides free dental care, substance abuse counseling, a food pantry, and free housing for homeless veterans.

Her remarkable work has been honored over the years through many awards and recognitions. They include The Order of the Long Leaf Pine, which is the highest civilian honor presented by the Governor; the Congressional Black Caucus Foundation's Veterans Braintrust Award; the NCCU Distinguished Alumni Award; and the Durham Chamber of Commerce Women's Leadership Award.

Dr. Elliott-Bynum's lifetime of tireless work and service to thousands of disadvantaged individuals had an immeasurable impact on the Durham community, a grateful community that joins me today in celebrating this life.

I ask my colleagues to join me in expressing our recognition to Dr. Sharon Elliott-Bynum's two children, Ebony Elliott-Covington and Damien Elliott-Bynum; to her beloved brother, Joe Elliott, Jr.; to her sisters, Carolyn Hinton and Addie Mann; to her grandson, Ahmad; to the entire CAARE family; and to all of those who have been impacted by her extraordinary work. Some of her family members are with us today.

Mr. Speaker, in closing, on tomorrow, I will say just a few words at the Celebration of Life service in Durham by making a very plain, but profound, point. It goes like this: Durham, North Carolina, is a better place to live and work because of the unselfish service of Dr. Sharon Elliott-Bynum.

May she rest in peace, a life well lived.

COMMEMORATING THE LIFE OF LAWRENCE AGEE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, I rise in sadness to commemorate the life of Mr. Lawrence Agee, a man I call a friend.

He was a long-time resident of McArthur, California, in eastern Shasta County. Born in 1937, he operated an institution in the area for 55 years, known as the Highway Garage, which was the smallest, I think, Chevrolet dealership, maybe, in the West, and it was the only one for about an 80-mile radius for a lot of years until the reorganization of General Motors happened and they took the franchise away.

On that lot, he might have in inventory seven, eight, nine new cars—pickups, mostly, for the farmers and ranchers in the area. It was really an institution to the people of the area. When that dealership was pulled, they continued on, he and his family, in providing service and towing and all of the things that you would need in that area.

I got to know Lawrence when I was a new candidate in 2002, striking out from where I lived—about 2½ hours away—to go out and meet people in the vast northern California district I have represented over the years. I stopped in one day on Highway 299, in eastern Redding, right in McArthur there, and said hi to this tall, lanky fellow here, who just felt like the heart of America right there. I struck up a conversation and had a great old time.

For many, many years, he did operate a Chevrolet dealership, but I drove up in my Ford. So that started a little banter going back and forth, especially if you are a partisan NASCAR fan or an automobile brand fan, which kind of tends to go with that there.

One of the lines I remember him teasing me about was, “Well, you know, it is a nice car there, but here we sell the best and service the rest.” I guess he probably figured he was going to have to service my car a lot if I were in the neighborhood. Yet, the teasing and the banter was just one of the great parts of our friendship and relationship.

Soon after that, every time I would have a chance, I would go through there, whether it was going up to the Inter-Mountain Fair for a day or two right there in town. He was a big part of that institution as well and would hang out with the people there.

There is a parade at that fair each year. After I got to know him and Eleanor and his family a little bit, he even let me use his convertible to drive in the parade there. It was a neat, old Chevy SSR.

I think that was his subtle way to get me into a Chevrolet at least once a year. The funny thing is that he didn’t drive it that much; so, people around there would only see it once a year. And they got to thinking it was my car or something; so, it was a funny deal.

That just shows his generosity and his trust. I know he was well loved in the whole community because, during fair time, he was a big, big supporter and sponsor of the fair. But I don’t know if he got to go to it very often be-

cause he was always helping people with lock-outs and dead batteries or was making a tow run nearby or whatever. He was just helping keep that town together.

For many of us who are in and around Shasta County there, I know he will be greatly missed. His wife, Eleanor, is a gem as well. My heart goes out to her and to the whole family there because there is really a lot happening around Highway Garage in McArthur.

Again, at fair time, you would see a lot of destruction derby cars lined up at that place. His son, David, was always working on those, as were other family members. I think that is the place if you need a destruction derby car. Go see them, and they might be able to give you the best technology on that as well.

In his service, he was nationally recognized as one of the best serving dealers in that dealership they had, up until 2009, when he moved on to service only and was no longer selling cars.

□ 1030

You could see it on the awards in the shop building. This big wooden building there just takes you right back to Americana from 80 years ago. I think the dealership was established in 1924. His family took over in 1949. With the passing of his father in 1959, Lawrence took over as the youngest dealer, again, in the West of a Chevrolet dealership.

He was a volunteer with the McArthur Fire Department. He was a longtime leader of the Cloverleaf 4-H for over two decades. He was a member of the Fort Crook Masonic Lodge, citizen of the year at least twice, blue ribbon winner, and a longtime supporter of the Inter-Mountain Fair in many capacities. Of course, he leaves behind a legacy of what small-town America really is about.

The impact he had on his community was felt not only there, but far, far away. For those people that were helped by him in the middle of the night—there maybe would be a rock in the road or something like that and if somebody would run over that, he would go out and bail them out. Indeed, one of the times when I was up for the fair and leaving town, there he was, coming up the grade in his big, yellow tow truck. That is Lawrence right there.

A rewarding part of this job is getting to know people like him, and you hate it when you have to lose people like that, that are pillars in the community. Doggone it, he leaves a great legacy, and I am proud to have known him.

God bless his family.

NO CHILD LEFT BEHIND ANNIVERSARY AND EVERY STUDENT SUCCEEDS ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, Friday marks the 14th anniversary of the enactment of the No Child Left Behind legislation which, when we passed it, held so many dreams and so many aspirations for all of us because we believed that our children would get a world-class education out of that. Unfortunately, No Child Left Behind, with all its potential, fell short.

So I think it is important that we all understand and we all believe in this Chamber that through education, we lift this Nation. It is probably the greatest investment that we can make in the American people. That is why, as lawmakers, we have to really work on the best policies for education, starting at the national level, because we now compete internationally, and, of course, at the State and at our local levels right at our school boards.

I have been to every single school in my district in Orange County. I have met with teachers, with parents, with administrators, and with business leaders. They all had concerns with No Child Left Behind. That is why I think the recent passage of the Every Student Succeeds Act, or ESSA, a landmark piece of bipartisan legislation, hopefully will fix the outdated policies of that No Child Left Behind legislation.

The new legislation, the new law we just passed, takes into consideration the collective criticisms of the teachers, the students, parents, administrators, business leaders, and everyone who is involved in the education of our children. The ESSA has the support of many civil rights groups, teaching groups, and community institutions.

I would like to highlight a few of the improvements our parents and students can look forward to with this new law.

During the No Child Left Behind era, schools were not held accountable for ensuring that the most disadvantaged students actually were aided and helped to get an education. The Every Student Succeeds Act changes this. It benefits low-income students, minority students, English language learners by requiring the schools to include student data about these groups so that we can make better policy for the accountability of how these students learn.

States are also required to create exit and entrance exams for English language learners, ensuring that they will actually receive attention in these classrooms and will learn.

Now, Mr. Speaker, I know that we all think that there are way too many

tests in life every single day, and of course it is not the favorite part of the school day to take a test. The high-stakes testing that was under No Child Left Behind has created a lot of anxiety campuswide. Teachers felt the need to teach to the test, rather than actually teach the student that critical learning that must take place in the classroom at an early age.

My mom was a teacher. She finally got out because she got tired of teaching to the test, test, test, test. She had seven kids, and they all have master's and Ph.D.s. She was a parent teacher before she went to teach in the classroom, and she knew that students learn in different ways, that not everybody learned the same way.

She would work with students. Some students learn verbally, some by test-taking, others by acting out plays that get across the idea. There was no time in the classroom after No Child Left Behind. It was just one way: the test, the test, the test.

I am proud to say that high-stakes testing under the new law will no longer disadvantage our schools who don't pass those tests. There are going to be other ways, including tests, to decide whether schools, teachers, and educators are doing well by our children in the classroom. Testing students will not be the end-all of what is happening in the classrooms.

Schools also have the flexibility to pilot innovative testing measures, allowing more time for learning in the classroom.

I am excited about this new law, Mr. Speaker, and I hope that we continue to look at it and make sure that every child has a chance in this education system.

REPEAL OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. ROSKAM) for 5 minutes.

Mr. ROSKAM. Mr. Speaker, an interesting thing happened when President Obama was elected in 2008: We basically had a national consensus about some elements of health care. What I mean by that is, most people recognized two things about our healthcare system that were flawed. First, they recognized that it was too expensive; and, second, they recognized that people with a preexisting condition should be included and not be excluded from an insurance pool. There was a great deal of consensus around that, and that is where the opportunity was for the Obama team to bring the country together around those two core things.

Instead, they did something different. Instead, they went out on a highly partisan path, and that was to create ObamaCare. We were told that the bill had to be passed in order to understand what was in it, and so forth and so on. We are familiar with the

false premises and the false claims and the false narratives about it.

Do you remember this? We were told that if you liked your doctor, you got to keep your doctor. If you liked your insurance coverage, you got to keep your insurance coverage. Your insurance policies, the premiums per family were going to drop by over \$2,000 a year. None of that turned out to be true. None of it. People lost their coverage. People lost their physicians. Their premiums have gone up.

So now what has happened, there has been this effort, and the effort over the past several years has been met by some mockery from some who have said: Hey, your efforts to repeal ObamaCare, how many times are you going to do it? Do you know how many times we are going to do it? We are going to do it until it gets done. Now it is closer than ever.

I have three constituents that I want to briefly mention to you. One is a fellow that I connected with on the phone last night. His name is Jay. Jay told me that, notwithstanding the false promises of ObamaCare, his insurance premiums for him and his daughter have skyrocketed to the point where the amount of anxiety that he was communicating to me on the phone was palpable. This is not somebody who is just upset about the direction that the country has gone under this false claim of ObamaCare. He is fearful of it, and he is anxious for his future and the future of his daughter.

How about Diane? My other constituent is a 9-year breast cancer survivor who was told, if you like your doctor, you get to keep your doctor, until all of a sudden, her insurance policy, after ObamaCare, kicks her physician out of the group, and she doesn't have access to the doctor that had cared for her and kept her cancer-free for 9 years.

How about the small-business owner who I met with on Monday in Kane County, Illinois, who said: Congressman, we would really like to expand our business; we want to open up a new location. It was a restaurant. If we do it—and we have done the math—it is going to cost us \$150,000 a year in ObamaCare payments, and we can't afford to expand.

Here is what we have got to do: We have got to repeal this thing, and we have got to replace it and get back to those two core themes that say, let's deal with the underlying cost drivers in health care that make it more expensive than people can afford—and we can do that—and let's deal with the pre-existing condition question. We can do that through high-risk pools and other things that don't cost the trillions of ObamaCare.

Now, there is an interesting thing that has been happening, and that is this: The story of ObamaCare is shifting. You ask, well, how is it shifting? It

is shifting in this way: It is shifting because we have been told that there is no way to undo this. There is no way. It is basically orthodoxy in our country. It is an entitlement, which it is, and it is so deeply embedded that it is all a fait accompli. In other words, there is no way to undo this.

For a long time, that appeared to be—although it wasn't true, it appeared to be true because the Senate blocked its passage. Now, as we know, the other body has actually preceded us in this and, through the reconciliation activity, we are now able to avoid the 60-vote threshold. A simple majority of United States Senators can join with a majority of the United States House of Representatives, which I would argue is reflecting a majority of the American public, to say: Get this thing off our backs. Let us flourish. Yeah, we can deal with these things. Yes, health care needs improving, but this thing on our backs is simply smothering us.

So here is the opportunity. This will be on President Obama's desk. Will he veto it? Absolutely. It is the first time it has ever gotten on his desk before. What it says is this: that there is only one office between us and the repeal of ObamaCare. One office is between us and the repeal of ObamaCare, and that office changes next November. So in 11 months, there is every opportunity for us to see its repeal and, ultimately, its replacement.

REDONDO UNION HIGH SCHOOL PROTEST

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. HAHN) for 5 minutes.

Ms. HAHN. Mr. Speaker, this upcoming Monday, the Westboro Baptist Church plans to hold protests outside of Redondo Union High School in Redondo Beach, California. We have seen these protests before, often at the funerals of our fallen servicemen and -women. They are known, unfortunately, for their hateful message, especially against LGBT Americans.

The members of this church believe that America's generation of high schoolers is "utterly without hope." They say that because these young students are promoting acceptance and inclusion of all people, regardless of whether they are gay or straight.

I couldn't disagree more with their premise of calling these students "without hope." I think because these students are promoting acceptance and inclusion of all people, regardless of whether they are gay or straight, they are building a future full of hope. I have the utmost faith in the next generation as the future leaders of this Nation.

Of course, no matter how much I disagree with this group, these individuals should be allowed to exercise their

right to protest, and they do have a right to free speech in this country. The students have those same rights, and an inspiring group of Redondo High students are organizing a peaceful counterprotest on Monday.

Yesterday, I wrote a letter to the members of the school's Gay-Straight Alliance and told them that I wished I could be there on Monday to protest alongside of them. These students deserve to live in a world where they can be who they are and love whom they choose. In standing up against hate and living a life of acceptance, inclusion, and understanding, they are making that world a reality.

I know my colleague here, TED LIEU, who represents Redondo Beach, joins me in saying that we are so proud of these students. We are proud of their courage, their bravery, their intelligence, and skill in standing up for what they know is right, just, and for being brave enough to organize a counterprotest.

□ 1045

I am going to be in Washington, D.C., on Monday. But if I were not here, I would want to be standing alongside each and every student to show my solidarity with them. Instead, let me tell them that I will be there in spirit.

CONGRATULATIONS TO MIAMI-DADE COUNTY PUBLIC SCHOOLS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise to congratulate Miami-Dade County Public Schools, where the graduation rate recently reached an all-time high of 78.1 percent for the 2014–2015 academic year, surpassing the State average of 77.8 percent.

This is a 1.5 percent growth from last year's rate, marking the highest graduation rate MDCPS has achieved since the Florida Department of Education began implementing new standards to track graduation figures in the late 1990s. This is a landmark accomplishment, considering the major challenges Miami schools face, including high poverty rates and a large population of English language learners.

As a former member of the Miami-Dade County School Board, I salute the students, teachers, faculty, and parents for their dedication and for their commitment to excellence. I also want to recognize School Board Chair Perla Tabares-Hantman, my other former colleagues, and Superintendent Alberto Carvalho for their exceptional leadership. I think of them frequently, and I am constantly reminded of how fortunate our community is to have them.

To the entire MDCPS family, congratulations. You are a model for the Nation. I am proud to represent you.

BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 2015

Mr. CURBELO of Florida. Mr. Speaker, on October 24, 2015, Monroe County Sheriff's Deputy Josh Gordon found himself in a firefight with a robbery suspect on Stock Island in the Florida Keys. Amidst the exchange of gunfire, Deputy Gordon's bulletproof vest stopped a round of ammunition, ultimately saving his life. If a bullet would have strayed a few inches one way or another, the outcome could have been entirely different.

Every day, men and women in law enforcement put their lives on the line to ensure our safety. Incidents such as this shed light on the significance of effective body armor for those who protect us. Officers like Deputy Gordon are never off duty, and we must, in turn, do everything in our power to protect them.

To address this, I stand in strong support of H.R. 228, the Bulletproof Vest Grant Act of 2015, which extends the grant program for armored vests through fiscal year 2018. I strongly encourage Congress to pass this essential legislation and protect the backbone of our Nation's domestic defense.

MIAMI INTERNATIONAL AIRPORT PASSENGER RECORDS

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Miami International Airport and their record-breaking year in 2015. Forty-four million passengers passed through this world-renowned airport last year, shattering the previous annual record of 40.9 million passengers in 2014.

MIA has some of the most dedicated employees in the country who ensure passengers have a pleasant experience on their journey, whether visiting relatives, conducting business, or visiting the abundance of attractions south Florida has to offer. Tens of thousands of passengers pass through MIA on a daily basis, and I am proud to recognize an airport that connects so many people throughout the world.

I offer my continued support to my friend, MIA Director Emilio Gonzalez, as his team works in the new year to attract more domestic and international routes, and I know cafecitos will continue to be available at each terminal so all visiting guests can enjoy the wonderful culture of south Florida.

VIOLENCE AGAINST SIKHS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to support and stand with the Sikh community in the San Joaquin Valley.

In the past 2 weeks, two Sikh men have been brutally attacked and, very sadly, one of them was killed. He lost his life. The Fresno City Police Department has labeled these two crimes as potential hate crimes.

Amrik Singh Bal was attacked in the middle of the street while waiting for a ride so he could go to work, as any average American would do throughout our country. Gurcharan Singh Gill was killed while working at a local convenience store. Both tragic incidents took place in my district. My thoughts and prayers are with Amrik and his family, and my deepest sympathy and condolences go to the Gurcharan family for the loss.

The attacks on these innocent American citizens are really an attack on all American citizens who choose to practice their religion and observe their cultural heritage, as Americans do throughout our land.

Sadly, since September 11, 2001, the Sikh community has endured discrimination because of a lack of understanding of Sikhism, which is based on equality and love. They are not alone.

As a nation of immigrants, we must remember, we have an opportunity to learn and benefit from the thousands of different cultures that are part of the mosaic of what makes America great. After all, we are a nation of immigrants, both past and present, and we must never ever forget that.

Today, in Fresno, in spirit, we are all part of the Sikh community as we mourn these tragic incidents. Every American citizen, regardless of race, creed, or gender has the right to live free of fear and discrimination.

I commend Chief Dyer and the Fresno City Police Department for working diligently to find the individual or individuals who killed Gurcharan and for continuing to look for the other individuals who are responsible for the attack on Amrik.

I continue to urge the FBI and the U.S. Attorney General's office to work, as they have been, in making this investigation inquiry resolve itself, solving these very sad crimes that we think were based on hate and is truly an unfair and discriminatory situation that occurred in the last 2 weeks.

CENSURING PRESIDENT BARACK OBAMA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. PALAZZO) for 5 minutes.

Mr. PALAZZO. Mr. Speaker, time and time again, the President has violated the boundaries of executive power. He has refused to enforce our immigration laws. He has opened the borders to Syrian migrants against the will of the American people. He has even changed the provisions of his own disastrous healthcare bill.

This week, the administration once again thumbed its nose at Congress and the American people by jeopardizing the gun rights of law-abiding citizens.

Mr. Speaker, the American people are fed up. The American people continue to see the executive branch not

only deciding which laws they choose to enforce, but changing and interpreting the laws as they see fit. The White House has become judge, jury, and executioner, in clear violation of the principles on which this Nation was founded.

Today I am introducing a resolution to censure President Barack Obama to serve as a clear rebuke and condemnation of the unconstitutional actions of this President. This is a bold measure, but is one that is necessary to preserve the very institution that we are all honored to serve: the United States Congress.

The Constitution requires that the President shall take care that the laws be faithfully executed. This President has failed to do so on numerous occasions.

The Constitution also requires the President to preserve, protect, and defend the Constitution of the United States. The President has failed to do so.

Not only is the President trying to do our job, but he has failed to do his.

His announced actions on gun control are just the latest example of blatant executive overreach by the President. Congress must fight back. I want to make it very clear. This is not about President Obama. This is about the actions of a President who has encroached too far on the powers of Congress.

Under the Constitution, Congress is an equal branch of government and should be treated as such. We cannot roll over on every executive overreach. We cannot wait to fight next time.

We cannot wait for the next President because it is not about this President or the next President. It is not about politics. It is about preserving the power of the legislative branch against this President and any future President who seeks to use egregious executive action at the expense of Congress.

A resolution of censure of the President has been used rarely, but is not without precedent. It is a way for Congress to fight back against executive overreach. Censuring the President will preserve for the historical and legal record that this Congress at this time disapproves of this President's executive overreach. It is time Congress fights back as an institution.

I urge my colleagues to live up to their oath of office, both Republican and Democrat, to support this resolution to censure the President and put the executive branch on notice that violating the separation of powers and using unconstitutional executive overreach will not be tolerated by Members of the United States Congress now or in the future.

WHITE RIVER NATIONAL FOREST OIL AND GAS LEASES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, I rise today to address an ongoing environmental review process within my district that I firmly believe represents yet another in a long line of abuses of private property rights by the Federal Government and, more specifically, the land management agencies that oversee the majority of the land in the United States.

The outcome of this process will likely set a disturbing precedent under which the integrity of contracts that the Federal Government enters into with private parties is undermined.

The Bureau of Land Management is currently reviewing 65 existing oil and gas leases issued in White River National Forest beginning in 1993. This retroactive review was prompted by a 2007 decision on three of the leases by the Interior Board of Land Appeals in which the BLM was found to have not formally adopted a Forest Service environmental policy analysis that was utilized to make these leasing decisions—basically, what amounts to an administrative oversight.

It should be emphasized that there are extensive environmental reviews that did, in fact, take place and that the BLM played a significant role in that process. The agency argued as much to the Board of Land Appeals during the review.

The fault was simply that the BLM needed to sign on the dotted line, and the Board expressly made this option available to remedy the problem. However, instead of adopting that common-sense approach, the BLM succumbed to political pressure from the environmental extremists and determined to revisit every one of the leases issued since 1993.

The new proposal from the BLM deals with leases in one of two ways. It either imposes new, significantly restrictive stipulations that were not in place at the time of the original leases when they were acquired or it outright revokes the leases.

The Federal Government is acting as nothing more than a highway robber in this case and in many others, robbing citizens and businesses of property that they have bought and paid for, telling us that we should simply be grateful that there is someone looking out for our greater interests.

I highlight this particular process because, should the BLM follow through with certain of its proposed actions, it will set a precedent not only for oil and gas development, but for any lessee or permittee who, in entering into a contract in good faith with a Federal agency, may see their lease or permit threatened with retroactive revocation or severely restricted based on any flimsy pretext.

Many important industries rely on Federal leases and permits, including livestock grazing, recreation, and renewable energy; and no business can successfully operate if its license to do so no longer enjoys protections against arbitrary cancellations or changes, depending on the ideology of the current occupant of the White House.

Numerous stakeholders and local governments recognize that the BLM's final decision would have impacts far beyond those of the specific leases in question and undertook efforts to draft detailed and substantive feedback to the agency.

□ 1100

This is a very laborious and time-consuming process. Yet the BLM provided only the bare minimum public comment during this period required by law, and the agency's scheduled comment period overlapped with Thanksgiving, Christmas, and the New Year's Day holidays.

It also overlaps another environmental review comment period for the well-known Roan Plateau, which involves many of the same stakeholders and local governments and has been under review in some form since the late 1990s.

As such, several stakeholders and local governments, with the support of several members of Colorado's congressional delegation, requested a modest extension of the comment period. These extension requests are routinely granted by Federal agencies in recognition of the technical nature of these issues: interruptions due to Federal holidays and when there are several similar issues under simultaneous review.

Despite this, the requests in this instance were dismissed out of hand. One can only conclude that the BLM is afraid of the scrutiny that could result from them effectuating a government taking of property rights under the guise of rectifying an administrative error from over 20 years ago.

It is abundantly clear that the BLM intends to ramrod through a decision that will trample on lease owners' rights by canceling or altering leases to the point as to make them economically unviable. This is, unfortunately, in line with a disturbing trend of Federal agency abuses of private property rights, whether it is the Forest Service's repeated attempts to leverage special use permits to forcibly acquire private water rights, or the EPA's determination to classify every ditch and puddle as a "water of the United States" to further insert itself into the everyday lives of ordinary, hard-working Americans.

Property rights and the integrity of contracts are at the very foundation of our economic system, yet too often Federal agencies casually cast these important considerations aside.

If the BLM is confident that it is making the right decision and is willing to defend it, then they should have no problem providing additional time for the public and other interested stakeholders to be able to comment on the proposed actions in the White River National Forest.

DO NOT LIFT SANCTIONS ON IRAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to call on this administration to keep intact all existing sanctions on the world's leading state sponsor of terrorism, Iran. Sanctions must remain, and closer scrutiny and more accountability by this administration on Iran's continuing illicit activity must occur. It is imperative for peace, security, and stability in the Middle East and across the globe that we do this.

Iran's conduct over the past few months and the lack of clear and exact leadership by this administration in response is cause for serious alarm. Iran has not changed its tone and conduct since the signing of the deal. In fact, they have doubled down on their unwillingness not to comply with international agreements, and they have created more danger and instability in the process.

Here is the central point why I am speaking on the House floor here today: Once we lift sanctions, we have even less leverage.

So let's look at how Iran has honored their commitments in the past few months and ask ourselves: Do we anticipate Iran will conduct itself in the months and years to come better or worse?

On October 10, Iran carried out a precision-guided ballistic missile test. This violates U.N. Security Council Resolution 1929 and 2231. Now that Iran is prohibited from such testing under the deal, what do they do? They send weapons to Bashar al-Assad on Russian cargo planes. This violates U.N. Resolution 1747. They did that in October.

On November 21, they carried out a medium-range ballistic missile test with capabilities to carry a nuclear warhead. They can't do that either.

Last month, they fired several unguided rockets 1,500 yards from two U.S. vessels.

Just a few days ago, they unveiled a new underground missile depot showing precision-guided missiles that have the capability to hold a nuclear warhead.

What has been the response of this administration? They notify us they will respond with sanctions against Iranian individuals and businesses linked to Iran's ballistic missile program.

What happened since they notified us of that? Nothing. They have walked it back.

Here is my fear, Mr. Speaker. We are forecasting to Iran that they have carte blanche to do as they wish. And once we lift the sanctions, we can expect more of that. Iran is not honoring its commitments, so nor should we.

We know the State Department classifies the deal not as a treaty, not as an executive agreement. It is not even a signed document. It is merely a political commitment. And it is clear Iran is not acting in good faith to our political commitment.

I signed correspondence to the administration requesting that the President "immediately void the deal and restore and/or continue all relevant sanctions on Iran that have been or will be relaxed under the JCPOA."

Let's not concern ourselves if Iran voices outrage or condemnation that we voided a political commitment on the basis that they feel they have somehow honored the deal because, number one, they violated U.N. resolutions since the deal was signed, the Iranian Parliament refuses to ratify the deal, and the Ayatollah forbids further negotiations with the U.S.

The bottom line, Mr. Speaker, is that Iran's U.N. violations clearly violate the spirit of our political commitment to them. Their conduct threatens our national security, it threatens the security of our allies, and it further erodes an already precarious and unstable environment in the Middle East.

Iran isn't honoring its commitments, so nor should we. Let's keep the sanctions in place. Do not lift them.

OBAMA'S EXECUTIVE ACTION ON GUNS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Mr. Speaker, I want to start my time by quoting directly the Second Amendment of our Constitution: "A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

Aren't those beautiful and resounding words? As a man who likes to keep it simple, I appreciate the Founding Fathers not only for their foresight to protect the right to bear arms, but also how plain and simple they made it.

The right of the people to keep and bear arms shall not be infringed upon. Unfortunately, I think our Founding Fathers spoke too plainly for certain people and certain Presidents to understand. That President may always remind us that he taught constitutional law. Sadly, I have yet to encounter someone in that position who disregards the Constitution so regularly.

Not only does that President trample on the Second Amendment, but he would also trample on Article I, which, as you know, is the Congress and going through them to make laws. That President should have known that regulations regarding buying guns must come from legislation, not by an oral decree.

That President tried to legislate in the Senate several times, but his colleagues refused to do it, even though there was a majority. Now that my colleagues on the other side of the aisle are not in the majority in Congress, I am assuming that this administration is deciding to create their own regulations—the Constitution be damned—because, sadly, there are no checks and balances anymore.

We know even if Congress passes a bill to repeal any type of order that any President makes, it would still have to go to that individual for the bill to be signed. So what are the chances of putting together a bill that some Congress may have seen as an inappropriate action and then send it to the person that created that inappropriate action and expect him to sign it?

I think, Mr. Speaker, one of the things that has so disappointed the American people is the inability to have their Representatives voice their complaints and do their legislative responsibility with an out-of-control government. So each week, as the administration or a group is intent on disregarding the Constitution, people become numb. The American people become numb to these illegal actions.

I think it is time that we brought attention to some of these illegal actions that some Presidents in the past and some Presidents in the future may create. I think it is time that we bring these actions to the attention of the American people and let them know what our Founding Fathers had the intention to do originally, what they intended the Constitution to mean, and how it was interpreted by those very first legislators: President Washington, the Supreme Court, and others.

They took this document as a simple document. It was very plainly written and read. But, unfortunately, we have had Supreme Courts, Presidents, and legislative bodies that have tried to take these simple, basic words and turn them into something that they could use for their benefit, to try to change the way that this world works and how the laws they make are applied to our citizens.

So, Mr. Speaker, we are going to try to do as much as we can in the near future to try to bring this to the attention of the American people and the world, because I think our Constitution has been a great cornerstone for this world and for any country that wants to have a republic, a democracy, and a people-driven form of government and to really feel that coat of liberty

wrapped around them. I think our Constitution is that.

So I think it is time for us not only to make the citizens aware, but to make this whole world aware of what has been going on and what we are going to do to stop it.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 11 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of mercy, we give You thanks for giving us another day.

As the energy and tensions of the second session gather, may there be peace among the Members of the people's House. Grant that all might be confident in the mission they have been given and buoyed by the spirit of our ancestors who built our Republic through many trials and contentious debates. May all strive with noble sincerity for the betterment of our Nation.

Many centuries ago, You blessed Abraham for his welcome to strangers by the oaks of Mamre. Bless this Chamber this day with the same spirit of hospitality so that all Americans might know that, in the people's House, all voices are respected, even those with whom there is disagreement.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. CARTER) come forward and lead the House in the Pledge of Allegiance.

Mr. CARTER of Georgia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SPYING ON CONGRESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week The Wall Street Journal reported that the National Security Agency, the NSA, is actively spying on Israeli Prime Minister Benjamin Netanyahu, one of our Nation's closest allies. This revelation comes just 2 years after the President's announcement that the United States would cease spying on our allies.

The Journal wrote: "Officials said Obama insisted that keeping tabs on Netanyahu served a 'compelling national security purpose.'"

Specifically, the President sought to learn about President Netanyahu's opposition to the dangerous Iranian nuclear deal. In so doing, the NSA also intercepted personal, direct communication between Members of Congress, the Prime Minister, and his staff.

An editorial by The Post and Courier—republished in The Hill this week—raised important questions about the legality of the NSA's sharing private conversations with the White House and not discarding or getting judicial permission. Regrettably, this is another example of the President's disregard for our Constitution by spying on Congress, corrupting the NSA.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Our sympathy to the family of Staff Sergeant Matthew McClintock, an American hero.

The SPEAKER pro tempore (Mr. BOST). Members are reminded not to engage in personalities toward the President.

HONORING THE LIFE OF DOUGLAS WILSON WALKER

(Ms. DELBENE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELBENE. Mr. Speaker, I rise to honor the life and legacy of my friend, Doug Walker, who passed away on December 31 on Granite Mountain, near Snoqualmie Pass.

It is this wild, rugged landscape that lured Doug to Washington State and that stoked his creativity, energy, and passions for more than four decades.

A gifted mathematician with an insatiable fondness for climbing, he estab-

lished strong roots in the community. The impact he, along with his wife, Maggie, had on our community and on the many charitable causes to which he gave his time and wisdom is unparalleled.

A true champion for conservation, he cared deeply about protecting the North Cascades' most treasured lands, but his greatest passion was in broadening the constituency for conservation. He worked tirelessly to ensure that all people, especially youth and those in underserved communities, could access the outdoors.

For his incredible spirit and generosity, Doug will be remembered and missed by so many whose lives he touched. His legacy of inspiring others to experience and protect the outdoors lives on.

PRESIDENT OBAMA'S EXECUTIVE ACTION ON GUN CONTROL

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute.)

Mr. WEBER of Texas. Mr. Speaker, I rise to speak out against the proposed executive assault—I mean action—on our Second Amendment rights. The President has yet again overstepped, has fired off another round, and has taken dead aim at the Second Amendment. It is time Congress takes dead aim at his lawlessness.

We have three branches of government for a reason, and one branch cannot continue to unilaterally act. It is tyrannical, and it erodes the foundation of this great Nation: our Constitution.

Mr. Speaker, it is very curious to me that the President, who doesn't want his background checked into—his birth certificate, his school records, or his college grades—wants an anti-Second Amendment intrusion into actual Americans' backgrounds.

When is this administration going to realize that denying Americans their constitutional right to carry won't prevent bad people from doing bad things? It simply ensures criminals a safe path to crime.

That is how I see it. Lord help us last over these next 12 months.

The SPEAKER pro tempore. Once again, Members are reminded not to engage in personalities toward the President.

DEPARTMENT OF ENERGY TO IMPORT HIGHLY ENRICHED LIQUID NUCLEAR WASTE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, in 2014, the Department of Energy announced plans to import highly enriched liquid nuclear waste into the country via the busiest northern border crossing and through a major metropolitan area.

This route was approved 20 years ago, pursuant to a pre-9/11 analysis, and for a less dangerous type of nuclear waste. Yet, the Department has refused to undertake a contemporary environmental review or threat assessment.

In response, this House passed legislation by a vote of 416-0, requiring a threat assessment of a potential terror attack on such cargo. Yet, the Department of Energy announced that it intends to ignore the clear will of this House and authorize 150 truck shipments this year without conducting the threat assessment this House demanded.

Mr. Speaker, this route was a bad idea when it was first approved 20 years ago. Disregarding the terror threat, which has increased since then, is dangerously negligent, and we will not stand by while our communities are at risk.

CONGRATULATING BEIGER ELEMENTARY STUDENTS ON WINNING 2015 INDIANA FIRST LEGO LEAGUE STATE CHAMPIONSHIP

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise to recognize the team from Beiger Elementary School in Mishawaka, Indiana, for winning the 2015 FIRST LEGO League State Championship.

The Beiger Bots is a team of students who was judged in three areas: a theme-based project, a robot competition, and an evaluation of core values, like teamwork.

The project portion challenged the group to reduce, reuse, or recycle garbage. These students visited a local landfill and discovered that Styrofoam cutouts cannot be recycled. They brainstormed new uses for them, ultimately deciding to repurpose them as a folding breakfast tray.

After conquering Indiana, the Beiger Bots will now emerge in April at the world competition in St. Louis, the FIRST LEGO League World Festival.

Mr. Speaker, I congratulate the Beiger Bots on their big win, and I wish them all the luck in St. Louis.

I also want to thank the parents, the coaches, the teachers, the principals, and all of the community that supported them for this big win.

Mr. Speaker, I include for the RECORD the names of these students and coaches.

NAMES OF STUDENTS ON BEIGER BOTS

Jonas Knorr
Ana DeVries
Lilly Wilson
Illiana Vanlue
Jacob Stanton
David Sharp
Elizabeth Newland-Ball
Ben Pamachena
Max Ford
Briella Buchmann

NAMES OF COACHES OF BEIGER BOTS

Robert Pamachena
JoAnn Pamachena
Sarah Knorr
Maria DeVries

IN HONOR OF GARY LOCKE

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise to honor Gary Locke, a man who has brought pride and joy to my community for more than three decades as the director of the Riverside Community College's marching band.

When Gary was hired to direct the program in 1984, the school had no drums, no uniforms, and just 16 kids who showed up to camp that first summer.

Thirty-two years later, the Marching Tigers are a world-renowned marching band that has represented Riverside proudly in blockbuster movies, in television shows, and at prestigious venues around the world.

Last week Gary and his wife, Sheila, led the band for the final time when they performed "Bon Voyage" at the New Year's Day parade in Paris.

Congratulations, Gary, on your retirement. Thank you for inspiring your students and for invigorating our community throughout your incredible career.

TITUS MOUNTAIN

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, last year my district was the home of a manhunt that captured the attention of the entire Nation.

For almost a month, local, State, and Federal law enforcement agents and corrections officers made Franklin County, New York, their home as they searched for two killers who had escaped from the Clinton Correctional Facility.

Titus Mountain is a family ski area in the Adirondacks that became a part of law enforcement history as the main staging area for this intensive manhunt. I visited this past August and saw firsthand the facilities that were provided to these law enforcement agents by the Monette family.

This weekend, Titus Mountain is hosting a special event for the brave men and women who were involved in the search for these killers. It is to say thank you for their help in protecting our community.

Mr. Speaker, I rise to thank these law enforcement agents and corrections officers who risked their safety to protect the families in our community and to thank Titus Mountain for hosting this event.

SOUTH SOUND BEHAVIORAL HEALTH COALITION

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I rise to highlight some progress being made to improve health care.

Right now, in my district in Pierce County, Washington, we have a startling shortage of beds for folks who are suffering from mental illness. It is a problem. It has led to overcrowded jails, it has led to people who are in severe mental crisis ending up in emergency rooms, it has led to people not getting the treatment that they need, and it has led to there being desperate families.

Folks in our region have decided to do something about it. Together with the two largest healthcare providers, our community has formed the South Sound Behavioral Health Coalition, which is comprised of healthcare experts, social service providers, local elected officials, law enforcement, business, labor, and faith leaders. We have come together with a plan to build a new facility that includes 120 beds and that bolsters local behavioral health care.

It is an extraordinary contrast to the action this week in this body in which the House voted to repeal the Affordable Care Act for the 62nd time. Leaders shouldn't be stripping away care. They should be coming together. They should take a page from my community, where folks are coming together and are moving forward together.

HONORING THE LIFE OF WILLIAM WALLACE SPRAGUE, JR.

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise to pay respect to William Wallace Sprague, Jr., who peacefully passed away last week at the age of 89.

Mr. Sprague was born on November 11, 1926. He served 2 years in the United States Navy during World War II, and he graduated with a degree in mechanical engineering from MIT and Yale in 1950.

From 1972 to 1994, he was chairman of the board and the CEO of Savannah Foods and Industries, which was the maker of Dixie Crystals sugar. Under his leadership, Savannah Foods grew from a small regional sugar refinery to a major national sugar company and a Fortune 500 member. In fact, from 1980 to 1990, Savannah Foods was number two in total returns to shareholders with a total return of 4,862 percent.

Over the years, he also served as the director of several national and international associations. In 1999, he was inducted into the Georgia Southern University's Business Hall of Fame.

He was very involved in the Savannah community, serving as director,

trustee, or president for numerous community organizations, and he also worked to improve the lives of people in the community in which he lived.

His passion for life, his sense of humor, and his enthusiasm for making Savannah, Georgia, a better place will truly be missed. My thoughts and prayers go out to his family.

□ 1215

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Souderton, Pennsylvania, December 15, 2014:

Patricia Hill, 75 years old.

Joanna Koder Hill, 57.

Aaron Flick, 39.

Patricia Flick, 36.

Nicole Hill, 33.

Nina Flick, 14 years old.

Rice, Texas, September 20, 2013:

Israel Alvarez, 33 years old.

Misael Alvarez, 10.

Cain Alvarez, 8.

Israel Junior Alvarez, 4.

Tulsa, Oklahoma, January 7, 2013:

Julie Jackson, 55 years old.

Misty Nunley, 33.

Rebeika Powell, 23.

Kayetie Melchor, 23 years old.

Colorado Springs, Colorado, November 27, 2015:

Officer Garrett Swasey, 44 years old.

Jennifer Markovsky, 35.

Ke'Arre Stewart, 29.

Cadiz, Kentucky, October 26, 2014:

Lindsey Champion, 62 years old.

Joy Champion, 60.

Emily Champion, 32.

Vito Riservato, 22.

Palestine, Texas, November, 14, 2014:

Carl Johnson, 77 years old.

Thomas Camp, 46.

Hannah Johnson, 40.

Nathan Camp, 23.

Austin Camp, 21.

Kade Johnson, 6.

THERE IS NO BURGER KING PROVISION IN THE CONSTITUTION

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the administration blames the violence in America on gun dealers and Congress. So the administration is going to issue some more executive memos and unilaterally ignore the Second Amendment.

Never mind that the administration's illegal action would not have prevented any of the tragic mass shootings in recent years. The administration should be prosecuting criminals who use guns, not vetoing the Second Amendment.

The administration's executive action on gun control is just the latest

example of the White House attempting to bypass the Constitution and the legislative branch to implement a political agenda.

The Constitution does not have a Burger King provision for the executive branch. The President cannot have it his way. Laws are written by Congress. The executive is to enforce the law, and the former constitutional professor should know better than to dictate new law, regardless of whether he thinks it is a good idea or not.

The administration's edict granting of executive amnesty has already been ruled unconstitutional by lower courts, but it seems that the administration won't let the Constitution get in the way of political expediency.

And that is just the way it is.

GUN VIOLENCE PREVENTION LEGISLATION

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, this time last year, I attended the State of the Union Address with my guest, Richard Martinez, whose son Christopher was gunned down during a tragic Isla Vista shooting that rocked our local community on the Central Coast of California.

Together, we committed that "not one more" life should be lost, "not one more" family affected, "not one more" community torn apart by gun violence.

On Tuesday, Mr. Martinez stood with the President as he announced executive actions to curb gun violence. These actions are an important step forward, but they are also a recognition that Congress has shirked its responsibility to take action to protect all Americans from this epidemic.

If we are ever going to fulfill our pledge "not one more," we must take bold action.

I speak today to urge my colleagues to join us. It is far past time to act with urgency, put partisanship aside, do what is necessary to keep our neighborhoods safe. We may never be able to guarantee the elimination of gun violence entirely, but we can guarantee that, if we do nothing, nothing will change.

STAFF SERGEANT CHESTER MCBRIDE

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, lining the streets of downtown Statesboro, Georgia, last weekend, hundreds of people holding American flags gathered to pay respects to a fallen hero. Air Force Sergeant Chester McBride was killed in an attack in Afghanistan that also claimed the lives of five more servicemembers last month.

He was laid to rest on Saturday, January 2. Chester was only 30 years old. He was a former starting cornerback for the 2001 Statesboro High School championship team. He excelled in sports in school, graduating from Savannah State University in 2007.

Chester had dreams of joining the FBI when he returned home. He was posthumously awarded four medals for his actions in service by the United States Air Force.

Chester chose to serve his country, and we will always remember the sacrifices he made in the name of freedom. A family has lost a son, and a community has lost a hometown hero.

May God continue to bless our servicemen and -women and their families. Let us never forget what was said 2,000 years ago: that the greatest love one can offer is to offer their lives for another.

GUN VIOLENCE

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to urge my colleagues from both sides to stand up for the 100,000 people who have been killed by gun violence over the past decade.

It is time to stand up for the over 2,600 children who die from gun violence and the over 6,400 women who are murdered by an intimate partner by a gun each year.

I believe it is the responsibility of this body to take the steps in order to protect our citizens. We are not limiting a person's right to bear arms by requiring everyone or an entity selling firearms to obtain a license and to do background checks. We are saving lives. We are not limiting a person's right to bear arms by looking at safety technology, gun safes with fingerprint technology. We are saving lives.

We are certainly not restricting a responsible citizen from obtaining a firearm by investing in mental health care and by renewing domestic violence outreach efforts, as both are causes of gun violence.

It is time to respond to this now. The status quo is no longer acceptable.

MARCH FOR LIFE

(Mr. HUIZENGA of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUIZENGA of Michigan. Mr. Speaker, yesterday we made history. For the first time, Congress put a bill on a President's desk to defund Planned Parenthood, an organization that puts its financial interests ahead of women and children. More than that, Congress is investing in women's

health by redirecting this funding to organizations that don't take innocent lives.

In Michigan, there are 20 federally qualified health clinics for every single Planned Parenthood location. Let's eliminate funding for Planned Parenthood and invest those dollars in federally qualified health centers and rural health clinics. This will ensure that women receive high quality medical care while protecting the life of the unborn.

West Michigan and the Second District of Michigan are home to passionate and dedicated pro-life organizations in Grand Rapids, Holland, and the Tri-Cities area, and Muskegon, Newaygo, and Mason Counties.

Later this month, hundreds of thousands of Americans, including many from west Michigan, will be marching in their hometowns, as well as in Washington, D.C., as they honor the sanctity of life. I look forward to joining them.

BISHOP JAMES ARMSTRONG

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to honor the life of Bishop James Armstrong, a dedicated faith leader who served the west Dallas community for the past 30 years.

Bishop Armstrong was born July 12, 1940, in Karnack, Texas. He eventually relocated to Dallas to pursue a career as a professional machinist. At some time after he moved to Dallas, he felt the call to serve. He pursued his doctorate of divinity from the Christian Bible Institute and Seminary.

In 1992, Mr. Armstrong found the Community Care Fellowship Church, where he served as the senior pastor for 25 years. During his three decades of service, Bishop Armstrong remained dedicated to creating a safe environment for the community he ministered. From advocating for a neighborhood YMCA to helping the homeless, west Dallas will not forget Mr. Armstrong's devotion to serving others.

He is survived by his wife of over 50 years, Mable Armstrong; one son; three daughters; 12 grandchildren; and 11 great-grandchildren.

I urge my colleagues to join me in remembering and celebrating the life of Bishop James Armstrong's legacy and generosity to the community.

DELAWARE VALLEY FRIENDS SCHOOL

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to congratulate the Delaware Valley Friends School,

its staff, students, and their parents on a very prestigious honor.

On January 19, the Paoli-based school will be presented with the Apple Distinguished School Award by the technology company Apple. This award is presented to outstanding schools and programs worldwide for innovation, leadership, and educational excellence based on five best practices: visionary leadership, innovative learning in technology, ongoing professional learning, compelling evidence of success, and a flexible learning environment.

Schools honored to receive this award must achieve educational excellence in all categories. In fact, Delaware Valley Friends School is one of only two Chester County schools to be presented with this prestigious award.

I regret I cannot attend this ceremony, but I wish the school the very best here on the floor of the United States House of Representatives on this historic achievement.

Best wishes to the Delaware Valley Friends School as they continue to provide educational excellence to its students.

TONEY ARMSTRONG

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, in Memphis, Tennessee, today our director of police, Toney Armstrong, announced he would be leaving his position.

Director Armstrong served the city of Memphis as a policeman since 1989. In 2011, he became the director of police, the youngest director in the city's history. He did a great job.

I started my career as an attorney for the police department in Memphis and served 3½ years there and knew all the directors, and none were better than Toney Armstrong, becoming director at 44 and having risen through the ranks. It is a tough job being a policeman, and it is a tough job being director of an urban police department. He did a fine job.

Toney Armstrong is moving over to St. Jude Children's Research Hospital to be head of security there. St. Jude is a blessing to Memphis and a blessing to the world. They are going to employ 7,000 new people in the next 6 years and increase their opportunities to treat children by 20 percent.

Toney Armstrong will be a great director. It is a great team, Toney Armstrong and St. Jude. Thank God for each.

EXECUTIVE ACTION ON SECOND AMENDMENT

(Mr. ROUZER asked and was given permission to address the House for 1 minute.)

Mr. ROUZER. Mr. Speaker, I rise today in strong opposition to the ad-

ministration's most recent action that runs afoul of our Second Amendment rights.

The President's executive orders could easily impact citizens' privacy and due process, all at the whim of a bureaucrat.

Rather than putting in place new hurdles for citizens who chose to exercise their Second Amendment right to keep and bear arms, the administration's focus should be on the laws already on the books that they are not enforcing.

The administration's actions are unconstitutional and simply are another attempt to distract from the real issues at hand, particularly the onward march of terrorism and the destabilizing effect the deal with Iran is having in the Middle East. It would serve the country better to focus our full effort on defeating radical Islamic terrorists.

EXECUTIVE ACTIONS TO REDUCE GUN VIOLENCE AND MAKE OUR COMMUNITIES SAFER

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, nearly 5 years ago to the day, I rose to offer my support for one of my closest friends and our former colleague, Gabrielle Giffords. That day, many of us, from both sides of the aisle, mourned the six Americans whose lives were taken by a deranged gunman in Tucson, Arizona.

Since then, it has become eerily commonplace for a Member to lead a moment of silence to honor their murdered constituents: a colleague of ours whose life changed forever, twenty 6-year-old children, a Federal judge, worshippers in church.

How does Republican fervor over the right to own a gun trump the right not to be murdered by someone who shouldn't have a gun?

President Obama's executive actions are a critical step to reducing this national epidemic. They are well within his legal authority and will help keep guns out of dangerous hands. They are so critical because of Republican inaction on closing loopholes, which a majority of Americans support, and their failure to rise above the NRA's fearmongering.

Democrats will continue to bring meaningful, commonsense solutions to this floor so we can keep our Nation safer.

□ 1230

CONGRATULATIONS TO JESSICA SLAVIK

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize Deputy Jessica Slavik from the Anoka County Sheriff's Department who has recently been named the 2015 Deputy of the Year by the Minnesota Sheriffs' Association.

Jessica has worked for the Anoka County Sheriff's Office for 8 years, serving in the jail division, patrol division, court security unit, and currently as a deputy in the crime scene unit.

From staff within her department to jurors, the county attorney's office, and even a judge presiding over a case she worked on, there is no lack of praise for Deputy Slavik.

Anoka County Sheriff James Stuart says: "Deputy Jessica Slavik exemplifies what it means to go above and beyond and embraces her role as an ambassador in our communities."

We are proud to have a leader like Jessica in the Anoka community. Her work is invaluable to the safety of the people of Minnesota's Sixth District, and for that we are sincerely grateful.

Thank you, Deputy Slavik. Keep up the excellent work.

HONORING THE LIFE OF CRISANTA ROMERO

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, I rise to recognize and honor the life of 81-year-old Crisanta Romero of Thermal, California. She passed away on January 2, 2016, but she leaves behind an extraordinary legacy.

Cris is an inspiration. She graduated from Coachella Valley High School and knew the importance of being disciplined, never missing a single day of work at J. C. Penney for over 40 years. After retiring, she returned to work in the food industry for another 13 years.

She still had the energy and passion to volunteer countless hours for over 30 years with nonprofit organizations like the Coachella church, library, Center for Employment Training, senior volunteer programs, senior centers, chambers of commerce, and the list goes on and on.

She was a photojournalist for her own column, "The Adventures of Cris." Mrs. Romero led the Boy Scouts of America's Helping a Boy Grow for over 20 years.

Cris was named Riverside County's volunteer of the year in 2000, and in 2003 she was honored as the city of Coachella's Citizen of the Year.

Her attitude toward life was admirable, her sense of community was exceptional, and her smile was irreplaceable.

RESTORING HEALTHCARE FREEDOM FOR AMERICANS

(Mr. LAMALFA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, after 5 years, the promises of ObamaCare that it would save families \$2500 or so per year, let you keep your doctor, and let you keep your insurance plan have all been proven false.

In my district, rates will be seen again going up an additional 30 percent likely this year. People can no longer see their family doctor. Many people have been forced from their health insurance plans on to more expensive plans with less coverage and a higher deductible.

Thanks to a budget procedure known as reconciliation, we have avoided a Senate filibuster and placed a bill rolling back ObamaCare on the President's desk. This is a promise kept for restoring healthcare freedom for Americans.

If the President vetoes this measure, congressional Democrats have a choice to make. Will they side with Americans who need real reforms to the healthcare system and override this veto or with a President concerned solely with his legacy and a status quo that is destroying access to care and driving up costs? I wonder.

HOUSING ILLEGAL IMMIGRANT DETAINEES

(Mrs. ROBY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROBY. Mr. Speaker, I rise today to voice my strong opposition to the possible housing of illegal immigrant detainees on Maxwell-Gunter Air Force Base in Montgomery, Alabama.

An active military base like Maxwell-Gunter is no place to house detained minors, and I wasted no time making it clear to the Obama administration that I am paying attention to this and that I am going to fight any attempt to bring detained minors on the base.

I have written the Secretaries of Defense, Homeland Security, and Health and Human Services to express my strong objection and to explain why this is such a bad idea. I have also been in touch with leaders on base in Montgomery to discuss the potential effect on their missions.

Our personnel at Maxwell-Gunter are engaged in serious military activities: training, education, cyber warfare, many times in classified settings that are very sensitive. Their mission does not need to be distracted by being forced to house and secure hundreds of detained minors.

The most compassionate action we can take is to return these children to their homes. Housing illegal immigrants at an active military base like Maxwell-Gunter is a terrible idea, and I will continue to work every angle to shut it down, just like we did 1 year ago.

IRAN SANCTIONS ADVISER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, since the nuclear deal was adopted, Iran has blatantly violated U.N. Security Council resolutions on its ballistic missile program; yet once again the administration backtracked and announced a delay in applying U.S. sanctions, no doubt out of fear that the Iranians would back out of the nuclear deal. If the administration is unwilling to enforce existing law, then it is up to Congress to hold Iran accountable.

We need a senior adviser for sanctions policy in our House leadership office to help strengthen congressional oversight and coordination between the committees and ensure greater enforcement of our sanctions. This adviser would not supplant the roles of the relevant committees, but will coordinate with the committees to ensure maximum oversight and efficacy of our efforts in Congress to hold Iran accountable.

I urge my colleagues to support the creation of a slot for a House coordinator on Iranian sanctions.

THE PRESIDENT IS OVERSTEPPING HIS BOUNDARIES

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROE of Tennessee. Mr. Speaker, Tuesday morning President Obama formally announced his plans to unilaterally expand gun control laws. Unsurprisingly, the President has again overstepped the boundaries and powers of his office.

While we all want fewer senseless acts of violence, the President is choosing to punish lawful gun owners and restrict their Second Amendment rights instead of addressing the actual causes of mass murder, such as the need to improve our mental health system and the growing threat of terrorism.

In addition to the constitutional questions about his actions and the mislaid blame toward lawful gun owners, these executive actions won't even accomplish what the President claims is his reason for acting. Not a single mass shooting committed over the last few years would have been prevented by the gun control measures currently being discussed, a statement The Washington Post's Fact Checker gave a rare Geppetto checkmark, which is being described as "the truth, the whole truth, and nothing but the truth."

As a physician, I think if you want to try to prevent mass killings, you have to do more to intervene with individuals before they commit these heinous acts, which is why so many of us believe reforming our mental healthcare system is critically important.

As a proud American and concealed-carry permit holder, I am opposed to this executive overreach but will work tirelessly to accomplish reforms that reduce the chance of mass shootings ever occurring.

PROVIDING FOR CONSIDERATION OF H.R. 1927, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2015

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 581 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 581

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-38. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. Further proceedings on any question on a motion relating to the disposition of the veto message and the bill, H.R. 3762, may be postponed through the legislative

day of January 25, 2016, as though under clause 8 of rule XX.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 581 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule today on behalf of the Committee on Rules. It is a structured rule that provides 1 hour of general debate equally divided and controlled by the chair and ranking member of the Committee on the Judiciary.

Given the House's schedule this month, the rule also provides that a vote on any motion relating to disposition of the veto message for reconciliation measure passed yesterday by the House may be postponed through January 25.

Consistent with the vision of Speaker RYAN and Chairman SESSIONS, I am pleased that the robust majority of amendments submitted to the Committee on Rules were made in order. Of the 13 amendments submitted, 10 amendments will be considered on the House floor.

Yesterday the House Committee on Rules received testimony from the chairman of the Committee on the Judiciary and the ranking member of the Subcommittee on the Constitution and Civil Justice, in addition to receiving amendment testimony from several Members.

Mr. FITZPATRICK from Pennsylvania brought forward an important amendment regarding FDA-approved medical devices. Although his amendment was not germane to this particular piece of legislation, he is a champion for his constituents, and I appreciate the testimony that he shared with the committee. His constituent suffered unimaginable pain, heartbreak, and ultimately her child because of Essure. It is my understanding that the FDA will release their Essure safety review next month. Once we assess the FDA's findings and conclusion, I hope Congress will take any appropriate action needed to protect the health of women and their unborn babies.

This rule provides for the consideration of H.R. 1927, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015, introduced by the chairman of the Committee on the Judiciary, BOB GOODLATTE, and the chairman of the Subcommittee on the Constitution and Civil Justice, TRENT FRANKS.

Subcommittee hearings were held on this legislation. It was also marked up and reported by the Committee on the Judiciary. Although this bill went through regular order and enjoyed lively and meaningful discussion at the subcommittee and full committee levels, some misperceptions remain.

This legislation provides a targeted solution to a targeted problem. The core issue it presents is whether the injury suffered by named plaintiffs in a class action suit matches the injuries suffered by the class. Additionally, and this is the point to clarify, the civil rights class actions such as *Brown v. Board of Education* would not—and I repeat, would not—be impacted by H.R. 1927.

Let me be clear. This legislation does not kill class action. Virtually every time this body or the courts attempt to reform class action lawsuits after clear abuses, opponents claim the reforms, whatever they may be, will mean the demise of class action.

When Congress passed the Private Securities Litigation Reform Act in 1995 to limit frivolous securities lawsuits, opponents claimed it would kill securities class action. It did not. In fact, President Clinton vetoed the legislation, Congress overrode the veto, and our legal system is the better for it.

When Congress passed the Class Action Fairness Act, CAFA, in 2005, opponents once again claimed that the passage would mean the end of class actions. CAFA had two targeted goals: reducing abusive forum shopping by plaintiffs and requiring greater Federal scrutiny procedures for the review of class action settlements in certain circumstances.

You may recall an infamous Alabama class action involving Bank of Boston, where the attorneys' fees exceeded the relief to the class members, and the class members lost money paying attorneys for the victory. It doesn't sound like much of a victory. Yet at the time, the opponents of reform made virtually identical arguments against that legislation that they are making today against H.R. 1927. They are baseless and unsupported by history.

□ 1245

Researchers at the Federal Judicial Center conducted a study on the impact of CAFA and concluded that post-enactment there was an increase in the number of class actions filed in or removed to the Federal courts based on diversity jurisdiction, consistent with congressional intent.

The class action is alive and well and is an important part of our legal system, and it will remain that way. Claims to the contrary are overused and inaccurate.

H.R. 1927 is a targeted solution that says a Federal court may not certify a proposed class unless the party seeking the class action demonstrates through admissible evidentiary proof that each proposed class member suffered an injury of the same type and the extent of the injury of the named class representative or representatives.

This requirement already exists in rule 23 of the Federal Rules of Civil Procedure. Unfortunately, not all courts appropriately interpret and apply these standards. If my colleagues across the aisle disagree with rule 23 standards, then we can certainly debate the merits of that standard.

But to claim that codifying an existing standard to ensure consistent and appropriate application by the courts will kill the class action and discourage victims from seeking redress is simply not supported by the facts.

Class actions exist—and rightly so—to allow a group of individuals similarly harmed to seek monetary compensation for their injuries. Today, however, there are far too many cases in which a named plaintiff with an injury brings a lawsuit seeking to represent a class. No problem here. This is how the system was designed to work.

The abuse of the system arises when the class includes countless others that have suffered no injury at all. These no-injury class actions are designed simply to exploit companies and achieve a quick payday because either no genuine injury has occurred yet or because it never will.

Class actions should be preserved as a tool for those harmed to receive compensation. H.R. 1927 will allow the courts to focus their resources on cases where injury has occurred and ensuring those responsible are held accountable.

Not surprisingly, this commonsense approach is supported by the American people. A recent DRI National Poll on the Civil Justice System found that 78 percent of Americans would support a law requiring a person to show that they were actually harmed by a company's products, services, or policies to join a class action rather than just showing potential for harm.

Further illustrating this body's commitment to do right by victims and ensure that they are compensated for their injuries, H.R. 1927 also contains the text of the Furthering Asbestos Claim Transparency Act, or the FACT Act.

The FACT Act is designed to reduce fraud in compensation claims for asbestos-related diseases so we can ensure that resources exist for true victims. Double-dipping is an all too common occurrence in asbestos claims, and for every dollar inappropriately given,

it means \$1 less for true victims who face mesothelioma and other asbestos-related illnesses.

True victims are often those to whom our country owes its greatest debt: our veterans. Veterans currently comprise 9 percent of the population; yet, they make up approximately 30 percent of asbestos victims. Veterans are uniquely positioned to benefit from the increased transparency that would result from the enactment of this bill.

Many veterans groups support this legislation, including the American Military Society, Save our Veterans, the Veterans Resource list, and numerous other State and local veterans groups.

Opponents of this bill also claim that it will negatively impact privacy rights for claimants. This is not true. The bill actually requires far less personal information than is currently required by State courts in their current disclosure forms.

This legislation will reduce fraud in the asbestos trust system, which will ultimately protect and maximize assets available to compensate future asbestos victims, veterans or otherwise.

I thank Chairman GOODLATTE and his staff for their tireless work to bring forward these pro-victim reforms, and I am pleased we will have robust general and amendment debate on this important topic.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Georgia for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise in opposition to this rule, which provides for consideration of H.R. 1927, called the Fairness in Class Action Litigation Act, which in practice will unfairly hamper large numbers of injured parties from effectively seeking redress in court, including civil rights, employment discrimination, consumer protection, and asbestos victim litigants.

Let me put my bona fides on the table here. I have filed class actions, particularly in civil rights cases. Each of them were certified as class actions. They led to the desegregation of schools in the county that I am privileged to serve, the desegregation of juvenile detention facilities, and several others too numerous to mention.

As a United States district court judge, I also had the privilege of presiding in cases where certification was sought for class actions. The great majority of those cases were not certified by me, largely for the reason that they did not meet the rigorous test that is already in place and that has been in place for nearly 40 years, with many changes having taken place over the years through the Federal process. That is what I would argue would be the best for us to do.

First, this bill includes language that prohibits Federal courts from certifying that a group can file a class action lawsuit unless the group demonstrates by admissible evidentiary proof that each proposed class member suffered an injury of the same type and scope of the injury of the named class representative.

A footnote right here. My read is that *Brown v. Board of Education*, the most significant school desegregation case in the history of this country, would not have qualified as a class action under this measure, as proposed.

My friends in the majority claim that this measure is necessary to reduce fraud and exploitation in the class action system, maintaining that, under current rules, Federal courts have certified classes that include individuals who have not been injured, but have been forced into a class action lawsuit against their will.

This claim and the legislation it inspired has been met by much opposition from a broad range of legal, civil rights, labor, consumer, and public interest groups, including the American Bar Association, the American Civil Liberties Union, AFSCME, NAACP, Consumer Federation of America, National Consumer Law Center, Public Citizen, Public Justice, and American Association for Justice, among a myriad of others.

Mr. Speaker, I include in the RECORD letters from the American Bar Association, Public Citizen, American Federation of Labor and Congress of Industrial Organizations, the Asbestos Disease Awareness Organization, and the Military Order of the Purple Heart. All of those organizations that I just identified are opposed to this legislation. Their language speaks for itself, for those who may peruse the CONGRESSIONAL RECORD.

AMERICAN BAR ASSOCIATION,
Washington, DC, June 23, 2015.

Hon. BOB GOODLATTE,
Chairman, House Judiciary Committee,
Washington, DC.

DEAR CHAIRMAN GOODLATTE: On behalf of the American Bar Association and its almost 400,000 members, I write to offer our views as the Committee considers class action reform. I understand that your Committee intends to mark up H.R. 1927, the "Fairness in Class Action Litigation Act of 2015" tomorrow. The ABA has long recognized that we must continue to improve our judicial system; however, we cannot support legislation such as H.R. 1927, because it would unnecessarily circumvent the Rules Enabling Act, make it more difficult for large numbers of injured parties to efficiently seek redress in court, and would place added burdens on an already overloaded court system.

This proposed legislation would circumvent the time-proven process for amending the Federal Rules of Civil Procedure established by Congress in the Rules Enabling Act. Rule 23 of the Federal Rules of Civil Procedure governs determinations whether class certification is appropriate. This rule was adopted in 1966 and has been amended several times utilizing the procedure established by Congress. The Judicial Conference,

the policymaking body for the courts, is currently considering changes to Rule 23, and we recommend allowing this process to continue. In addition, the Supreme Court is poised to rule on cases where there are questions surrounding class certification. For example, the Court agreed to hear *Tyson Foods v. Bouaphakeo*, where they will determine whether a class can be certified when it contains some members who have not been injured. We respectfully urge you to allow these processes for examining and reshaping procedural and evidentiary rules to work as Congress intended.

Currently, to proceed with a class action case, plaintiffs must meet rigorous threshold standards. A 2008 study by the Federal Judicial Center found that only 25 percent of diversity actions filed as class actions resulted in class certification motions, nine percent settled, and none went to trial. These data show that current screening practices are working. However, if the proponents of this legislation are concerned about frivolous class action cases and believe that screening can be even more effective through rule changes, those changes should be proposed and considered utilizing the current process set forth by Congress in the Rules Enabling Act.

In addition to circumventing the rule-making process, the proposed legislation would severely limit the ability of victims who have suffered a legitimate harm to collectively seek justice in a class action lawsuit. The proposed legislation mandates that in order to be certified as a class each individual member must prove he or she suffered an injury of the same type and scope to the proposed named class representative(s), and requires plaintiffs to show they suffered bodily injury or property damage.

We were pleased learn that a manager's amendment is expected to be offered during tomorrow's markup that removes the requirement that the alleged harm to the plaintiff involved bodily injury or property damage. This improves the bill, but the remaining requirement leaves a severe burden for people who have suffered harm at the hands of large institutions with vast resources, effectively barring them from forming class actions. For example, in a recent class action case against the Veterans Administration, several veterans sued for a variety of grievances centered on delayed claims. The requirement in this legislation that plaintiffs suffer the same type of injuries might have barred these litigants from forming a class because each plaintiff suffered harms that were not the same.

Class actions have been an efficient means of resolving disputes. Making it harder to utilize class actions will add to the burden of our court system by forcing aggrieved parties to file suit in smaller groups, or individually.

We appreciate the opportunity to provide our input and urge you to keep these recommendations in mind as you continue to debate class action reform legislation. If the ABA can provide you or your staff with any additional information regarding the ABA's views, or if we can be of further assistance, please contact me or ABA Governmental Affairs Legislative Counsel, David Eppstein.

Sincerely,

THOMAS M. SUSMAN,
Director,
Governmental Affairs Office.

PUBLIC CITIZEN,
Washington, DC, May 13, 2015.

Re Oppose H.R. 26

HOUSE OF REPRESENTATIVES,
Judiciary Committee, Washington, DC.

DEAR HONORABLE COMMITTEE MEMBERS: On behalf of Public Citizen's more than 350,000 members and supporters, we strongly urge you to oppose H.R. 526, the Furthering Asbestos Claim Transparency Act (FACT Act).

The FACT Act invades the privacy of asbestos disease victims and will have the effect of delaying compensation for those suffering with lethal diseases like mesothelioma. Congress should act to protect these victims instead of opening the door for the asbestos industry to further escape accountability for poisoning the public and exposing trust claimants to scams, identity theft, and other privacy violations.

The dangerous product asbestos was once ubiquitous as insulation and flame retardant in buildings, homes and workplaces like naval vessels. The frightening reality is that an unknown amount of the cancer-causing substance is still present in our surroundings, but the asbestos industry does not have to disclose where and when it was and is being used.

The Centers for Disease Control and Prevention report that roughly 3,000 people continue to die from mesothelioma and asbestosis every year and some experts estimate the death toll is as high as 12,000–15,000 people per year when other types of asbestos-linked diseases and cancers are included.

Instead of helping these victims, H.R. 526 would put unworkable burdens on claims trusts. For example, the bill would impose a requirement for trusts to respond to any and all corporate defendants' information requests. Such a requirement would have the effect of slowing or virtually stopping the ability of trusts to provide compensation for victims. Since patients diagnosed with fatal asbestos-caused diseases like mesothelioma have very short expected lifespans, a delay in justice could leave victims' next of kin struggling to pay medical and funeral bills.

The FACT Act does nothing to improve the lives of those facing an asbestos death sentence through no fault of their own. The bill instead adds insult to injury and inexcusably invades the privacy of victims by requiring public disclosure of personal claim information, including portions of their social security numbers, opening the door to identity theft and possible discrimination.

Instead of the FACT Act's misguided push for "transparency" via asbestos trust claim information disclosures, an appropriate transparency standard would ensure that workers and consumers have all the information necessary to limit their potential exposure to the deadly substance. Specifically, companies should publicly disclose their activities related to the manufacture, processing, distribution, sales, importation, transport or storage of asbestos or asbestos-containing products. That's why Public Citizen supports Sens. Durbin and Markey's and Reps. DeBene and Green's Reducing Exposure to Asbestos Database Act (READ Act, S. 700/H.R. 2030) which would create an information portal for the public to learn about the many asbestos-containing products that are currently bought and sold in the U.S.A.

The real outrage is the double oppression of asbestos victims, and the real need for transparency is disclosure of past and ongoing asbestos exposures. Please oppose H.R. 526.

Sincerely,

LISA GILBERT,

Director, Public Citizen's
Congress Watch division.

SUSAN HARLEY,
Deputy Director, Public Citizen's Congress Watch division.

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

Washington, DC, January 5, 2016.

DEAR REPRESENTATIVE: I am writing to express the strong opposition of the AFL-CIO to H.R. 1927, the "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act" which is scheduled for consideration by the House of Representatives this week. This bill incorporates H.R. 526, the Furthering Asbestos Claim Transparency Act (FACT Act), which would invade the privacy of asbestos victims by posting personal exposure and medical information online and create new barriers to victims receiving compensation for their asbestos diseases. The AFL-CIO urges you to oppose this harmful bill.

Decades of uncontrolled use of asbestos, even after its hazards were known, have resulted in a legacy of disease and death. Hundreds of thousands of workers and family members have suffered or died of asbestos-related cancers and lung disease, and the toll continues. Each year an estimated 10,000 people in the United States are expected to die from asbestos related diseases.

Asbestos victims have faced huge barriers and obstacles to receiving compensation for their diseases. Major asbestos producers refused to accept responsibility and most declared bankruptcy in an attempt to limit their future liability. In 1994 Congress passed special legislation that allowed the asbestos companies to set up bankruptcy trusts to compensate asbestos victims and reorganize under the bankruptcy law. But these trusts don't have adequate funding to provide just compensation, and according to a 2010 RAND study, the median payment across the trusts is only 25 percent of the claim's value. With compensation from these trusts so limited, asbestos victims have sought redress from the manufacturers of other asbestos products to which they were exposed.

The AFL-CIO is well aware that the system for compensating asbestos disease victims has had its share of problems, with victims facing delays and inadequate compensation and too much money being spent on defendant and plaintiff lawyers. We have spent years of effort trying to seek solutions to make the asbestos compensation system fairer and more effective. But the FACT Act does nothing to improve compensation for asbestos victims and would in fact make the situation even worse. In our view, the bill is simply an effort by asbestos manufacturers who are still subject to asbestos lawsuits to avoid liability for diseases caused by exposure to their products.

The FACT Act would require personally identifiable exposure histories and disease information for each asbestos victim filing a claim with an asbestos trust, and related payment information, to be posted on a public docket. This public posting is an extreme invasion of privacy. It would give unfettered access to employers, insurance companies, workers compensation carriers and others who could use this information for any purpose including blacklisting workers from employment and fighting compensation claims.

The bill would also require asbestos trusts to provide on demand to asbestos defendants

and litigants any information related to payments made by and claims filed with the trusts. This would place unnecessary and added burdens on the trusts delaying much-needed compensation for asbestos victims. Such a provision allows asbestos defendants to bypass the established rules of discovery in the civil justice system, and provides broad unrestricted access to personal information with no limitations on its use.

Congress should be helping the hundreds of thousands of individuals who are suffering from disabling and deadly asbestos diseases, not further victimizing them by invading their privacy and subjecting them to potential blacklisting and discrimination.

The AFL-CIO strongly urges you to oppose H.R. 526.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

ASBESTOS DISEASE
AWARENESS ORGANIZATION,
Redondo Beach, CA, February 4, 2015.
Re Opposition to the Furthering Asbestos
Claim Transparency Act of 2015 (H.R. 526)

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

Hon. JOHN CONYERS, JR.,
Ranking Member, House Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: As both a mesothelioma widow and the President and Co-Founder of the Asbestos Disease Awareness Organization, I respectfully write to express my strong opposition to the Furthering Asbestos Claim Transparency (FACT) Act of 2015, H.R. 526.

Asbestos is a known human carcinogen that causes deadly cancerous diseases. Asbestos-related diseases kill at least 10,000 Americans every year. Yet, it remains a major public health hazard that severely affects too many American families. Notwithstanding these lethal exposures, the 2014 U.S. Geological Survey World Report confirmed that although Asbestos has not been mined in the United States since 2002, the U.S. continues to import Asbestos to "meet manufacturing needs."

These same manufacturing interests who for years hid the dangers of their lethal Asbestos products, are now asking Congress—under the guise of transparency—to impose new time and cost-consuming requirements on the asbestos trusts, grant asbestos defendants new rights to infringe upon victims' privacy, and operate the trusts in a manner that will unduly burden asbestos victims and their families, without justification. I oppose the bill not only because it is both fundamentally unfair and discriminatory toward asbestos cancer victims, but because it is entirely one-sided, and seeks absolutely nothing in the way of increased transparency from the same industry that caused the largest man-made disaster in human history, and covered it up for years.

There is no justification for exposing families to the additional burdens set forth in H.R. 526. Information needed to verify the health of the trusts is already publicly available in a way that protects the privacy of the victims of asbestos disease and their families. And trusts established by asbestos companies undergoing reorganization effectively compensate current and future asbestos victims while allowing business operations to continue. Trusts are designed to decrease litigation and costs, yet the proposed reporting requirements contained in

the FACT Act work contrary to that very purpose. Instead, the FACT Act grants asbestos companies the right to require from the trusts any information they choose, at any time, and for practically any reason. The resulting delay in compensation will gravely impact patients' pursuit of medical care, negatively affects all victims of asbestos exposure, and effectively limits the justice they deserve. Accordingly, I am strongly opposed to the FACT Act, which creates even greater burdens for patients and families to overcome during an already extremely difficult time.

I am extremely disappointed that recent Congressional legislative efforts have focused on ways to limit the litigation designed to compensate victims, when the most obvious way to limit the impact of asbestos exposure is through increased public awareness of the dangers posed, and prevention. Americans need legislation that will stop the continued import of asbestos into our country, and prevent the continued expansion of environmental and occupational asbestos-related diseases. As consumers and workers, Americans deserve transparency to prevent exposure to asbestos, not to penalize victims.

More than 30 Americans die each day from a preventable asbestos-caused disease. On behalf of the American citizens, we urge you to take the time to hear from the victims of asbestos exposure and consider legislation that will protect public health, not legislation designed only to delay and deny justice for victims of asbestos exposure.

Sincerely,

LINDA REINSTEIN,
President and Co-Founder,
Asbestos Disease Awareness Organization.

MILITARY ORDER
OF THE PURPLE HEART,
Springfield, VA, July 8, 2015.

Hon. JOHN CONYERS,
Washington, DC.

DEAR REPRESENTATIVE CONYERS: As H.R. 526 "FACT Act" makes it way through the legislative process, the Military Order of the Purple Heart of the U.S.A. (MOPH) wishes to reiterate its firm opposition to this bill.

We are disappointed to see that our declaration of opposition in February of this year has not stopped this bill in its tracks. Have no doubt and make no mistake, the FACT Act will have a very burdensome and detrimental effect on the asbestos personal injury trust claims for veterans and their families who have been exposed to this deadly product. The Association of the United States Navy (AUSN) and American Veterans (AMVETS) recognize this as well and recently joined us in opposing this legislation.

On May 14th during the full Judiciary Committee mark-up of H.R. 526 "FACT Act", the legislation's author, Representative Blake Farenthold shared with the committee a list of eleven "veterans organizations" that support the FACT Act. It needs to be noted that none of the groups mentioned were a national veterans service organization such as the MOPH. In fact, the majority of the groups listed by the Representative are not recognized veterans service organizations at all.

The Military Order of the Purple Heart, of the U.S.A. is a Congressionally chartered national veterans service organization and is the only one that is exclusively made up of combat wounded Purple Heart veterans. We carefully consider each piece of veterans' related legislation to assure it is either truly beneficial or truly negative for veterans be-

fore we take an official position. We speak on behalf of our 45,000 members across the nation, not just a couple of hundred in a few states.

H.R. 526 is bad for veterans. The MOPH has been, and will continue to be, staunch advocates for our members and all veterans of the United States Armed Forces. We continue to oppose H.R. 526 and respectfully ask you to join us.

Respectfully,

J. PATRICK LITTLE,
National Commander.

Mr. HASTINGS. Mr. Speaker, the reality is that the current screening practices for certifying which individuals may file a class action lawsuit are working. Currently, plaintiffs must meet, as I said earlier, rigorous threshold standards to proceed with a class action.

In fact, a 2008 study by the Federal Judicial Center found that only 25 percent of diversity actions filed as class actions resulted in class certification motions. In the cases I presided in, there were less than 25 percent. 9 percent settled and none went to trial.

Why must we begin this new year with yet another piece of legislation that is a solution in search of a problem?

In short, this ill-conceived and unneeded bill unnecessarily circumvents the Rules Enabling Act, the process established by the Congress to amend the Federal Rules of Civil Procedure, making it more difficult for large numbers of injured parties to effectively seek redress in court and would place additional burdens on an already overloaded court system.

I should add that the Judicial Conference, the policymaking body for the Federal courts of this country, is currently considering changes to rule 23, which governs determination of whether class certification is appropriate, and the Supreme Court has agreed to hear cases where there are questions surrounding class certification, including *Tyson Foods v. Bouaphakeo*.

It would behoove us to allow these processes for examining and revising procedural and evidentiary rules to work as Congress intended.

The requirement in this bill that each proposed class member must prove he or she suffered an injury of the same type and scope of the injury of the named class representative effectively bars individuals who have suffered harm at the hands of large institutions with immense resources from forming class actions.

I am also highly concerned that the injury language included in this bill will exclude from the courts entire categories of lawsuits, most significantly, victims of discriminatory practices or civil rights violations seeking redress.

A commonsense reading of this provision, as I indicated, might well have excluded class actions such as *Brown v. Board of Education*. *Brown* served as a catalyst for the modern civil rights

movement, ultimately leading to full equality for African Americans.

Under this legislation, class action plaintiffs must effectively prove the merits of their case as a condition of class certification, making most class actions nearly impossible to pursue.

A mechanism must exist to hold corporations and other entities accountable when they engage in systemic discrimination, unfair and deceptive practices, consumer fraud, and other wrongdoing that harms large numbers of people. This bill undermines this vital tool.

Let me give you an example, which is the cases brought against airbag deception that are currently being litigated and that we see much of in the news. If we were to look at scope of injury, some people were killed, and some people received minor injuries. Some people who had those airbags did not receive injuries.

But it seems logical to allow that all of the persons who had those automobiles should have an opportunity for corrective procedures, regardless of whether or not that was a wrongful death or whether or not there was an injury. The scope becomes nebulous when you look at it from the perspective of actual circumstances that we are confronted with sometimes in class actions.

H.R. 1927 also includes a provision—and this troubles me deeply and should trouble everybody that is in Congress and in this Nation—that would delay the work of asbestos compensation trusts. Formerly, the Furthering Asbestos Claim Transparency Act, section 3 of this bill, will shield the asbestos industry from accountability while exposing trust claimants to scams, identity theft, and other privacy violations.

This portion of the bill is similarly opposed by a number of groups that I have identified, including the Military Order of the Purple Heart, the Asbestos Disease Awareness Organization, and the Environmental Working Group, just to name a few.

For instance, the bill requires trusts to respond to any and all corporate defendants' requests for information. Ladies and gentlemen, that could take years. By that time, many of the complainants may very well have died. And what troubles me a lot is that the trust fund is making money.

It is similar to what automobile insurance companies do. When there is an automobile accident, if they think that there was harm perpetrated by their insured, they immediately establish a fund that would cover that liability. Then their lawyers go to work to not pay the claim at all and, next, to delay the claim.

The longer they keep it away from an ultimate settlement, the more money the insurance company makes. And they make enough money sometimes

to pay the claim that they could have settled or paid the claim of the injured victim in the first place.

□ 1300

The measure also requires public disclosure of personal claim information, including portions of those with asbestos-related diseases' Social Security numbers.

Interestingly, this legislation does not impose these same burdensome reporting requirements for the companies that exposed Americans to asbestos.

Despite its promise, this bill does nothing to improve judicial efficiency or reduce fraud in the court system and, instead, severely hampers justice for victims of corporate wrongdoing.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), a good friend of mine.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise today against another handout to corporate interests, this time needlessly limiting access to courts for American consumers and workers.

The bill we would consider under this rule is the second blow in a one-two punch for American families. We kicked off 2016 by defunding Planned Parenthood and, effectively, repealing the Affordable Care Act.

Now we are considering legislation that would limit class action lawsuits, and needlessly threaten the privacy of asbestos victims, as well as other victims of faulty product designs, negligence, and dangerous environmental occurrences.

The end goal is obvious: enable corporations to avoid both blame and accountability when they have harmed consumers or knowingly exposed workers to toxic chemicals.

I wish that I were more surprised, but I am not. The truth is clear in this bill. It is just the next step in Republican efforts to lift corporate interests above any level of scrutiny, endangering citizens and consumers in the process.

Our courts are a cornerstone of justice for everyday Americans. We need to find ways to expand, not restrict, access to our legal system for victims.

Class actions have cleaned up the environment after oil spills, banned cigarette ads aimed at children, and policed price-fixing on Wall Street, among many other things.

Other nations allow big corporations to run amok, harming people through dangerous products, fraud, and dishonesty, virtually unchecked. But here in the United States of America, class action lawsuits are a vital tool that hold even the very powerful accountable for their malfeasance.

Mr. Speaker, it is time to get to work on policies for the American people, not against them, and I urge my colleagues to vote against the rule and the underlying bill, H.R. 1927.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH), my good friend and former member of the Rules Committee; and we miss him.

Mr. WELCH. Mr. Speaker, the 114th Congress will be remembered as the Congress that tried and tried again to unravel the extraordinary and great achievements of that American President of a century ago, Theodore Roosevelt.

President Roosevelt was a Republican. He believed in capitalism, he believed in profit, he believed in commerce. But he understood something that this Congress seems to forget: The axiom that power corrupts, and absolute power corrupts absolutely, applies to Wall Street and to large corporations as much as it does to oligarchs and despots.

Mr. Speaker, this legislation does end any realistic opportunity for consumers who are hammered by corporate negligence or irresponsibility or outright deceit from joining together to get the justice they are entitled to by using the only practical means available to obtain it, the class action lawsuit.

Instead, this legislation would deny class action status to all consumers affected by the exact same corporate misconduct—say, faulty brakes—unless they suffered the identical injury, a broken arm, but not a broken leg.

In a case of current moment, of real corporate misconduct and actual deceit, Volkswagen lying about its emissions control and, really, fudging the numbers on its mileage, the 3,000 Vermonters and 11 million Americans would have to file individual suits unless each suffered the same exact economic loss.

What is the justification for building this barrier to access to the courts? There is none.

But the proponents of this legislation are advocating, idealistically and ideologically, the underpinning of so much other legislation for Americans who are seeking safety, who are seeking opportunity, who are seeking justice.

Think about it. Repealing the ACA, Affordable Care Act, with no replacement for those 17 million Americans who are now covered; unraveling Dodd-Frank, leaving Wall Street to its old ways that led to the collapse of the economy in 2008; denying Puerto Rico, at the last minute, the option that every other municipality or State has if there is a credit situation to go into bankruptcy, all in service of hedge fund billionaire investors from Wall Street.

Starving the FTC and the SEC of their budgets so that they are no

longer able to provide protections to consumers and small investors that they are entitled to.

Teddy Roosevelt, capitalist that he was, would never have stacked the deck so high against everyday Americans.

You know, we are talking a lot in this country about income inequality that is real. We can debate the causes.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS. I yield the gentleman an additional 30 seconds.

Mr. WELCH. But the reality is we are building a structure of inequality, bill by bill, brick by brick. Denying class action access to the courts for everyday Americans injured by similar or the same corporate misconduct is to deny them a basic American right.

Mr. Speaker, I urge our colleagues to vote against this legislation and stand up for access to justice.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, yesterday the House of Representatives cast its 62nd vote to repeal the Affordable Care Act.

That we began the second session of the 114th Congress in this manner sends the regrettable, but undeniable message that it may be a new year, and we may have a new Speaker, but we are dealing with the same old majority Congress, intent on advancing partisan measures with little chance of becoming law.

H.R. 1927 will serve to close the courthouse doors to concerned and vulnerable citizens injured by large corporations.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that will close a glaring loophole in our gun laws, allowing suspected terrorists to legally buy firearms. This bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question, and vote "no" on the rule.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Again, a lot can be said, and I am so glad for the coming to the floor later. This will be debated, amendments will be offered. The House is in regular order doing what the House is supposed to be doing.

One thing that I would like to share is, as the previous speaker had talked about history—and I am currently, myself, reading a biography outtake on Theodore Roosevelt and his time in the Presidency and the things that he did—there is an amazing balance that he struck for, basically, common people and victims.

I think that is exactly what we are doing here, because one of the things that the underlying bills do not do is they do not close the courthouse. They do not do the things that, if you look in history, as I pointed out in my opening statement, if you look at every time the Congress has taken up the class action issue, there has been the falling-of-the-sky phenomenon, that it is going to tear the courthouse down, nobody is going to get anything done.

The actual truth is the class action has increased and efficiency was found. And for the true victims, they find their compensation.

The courthouse that I have had the wonderful privilege of practicing in is a place where people find justice. It is not a place to be abused. It is not a place to sometimes take advantage of an open system. That is what we are doing here, and that is what I want people who read and understand this opportunity, because these are the same arguments that have been had before.

But, you know, Mr. Speaker, I appreciate the opportunity to come before this body, explore the differences between the Republican majority's vision for our country and that of this administration and those who share the President's view.

The Republican majority is fighting for a legal system that is victim-focused; a legal system that supports our veterans and ensures that those injured have their day in court and receive compensation.

A legal system full of fraud, abuse, and waste is a legal system ill-equipped to provide justice to victims.

The Republican majority is committed to making life better for all Americans. We have done that this week through reducing the regulatory burden on families and small businesses so we can jump-start our economy.

We have done that this week by sending to the President's desk a bill that rescinds ObamaCare so that we can get to work on restoring a patient-centered healthcare system, such as the Empowering Patients First Act proposed by my colleague, Dr. PRICE.

And let it be said, just as has been said over the centuries, doing the right thing over and over is still the right thing. And I believe if it is 62 times, it can be 62 more times, because this Congressman from the Ninth District of Georgia believes, as his constituents have found in the Ninth District, that ObamaCare is not for the people and

needs to be gone and replaced with a patient-centered approach that we can do as a Republican majority.

You see, we have also sent to the President's desk a measure to stop Planned Parenthood from destroying our next generation of men and women and directing those funds to organizations that provide mammograms and true women's health care.

And we will continue to fight to keep our Nation safe from enemies, foreign and domestic, while preserving the sacred constitutional rights of all Americans.

Mr. Speaker, I urge my colleagues to support this rule and H.R. 1927.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 581 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's

ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HOLDING). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1315

SUNSHINE FOR REGULATORY DECREES AND SETTLEMENTS ACT OF 2015

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous remarks on H.R. 712.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 580 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 712.

The Chair appoints the gentleman from Illinois (Mr. BOST) to preside over the Committee of the Whole.

□ 1316

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 712) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes, with Mr. BOST in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 10 minutes.

The Chair recognizes the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015. H.R. 712 includes H.R. 1759, the All Economic Regulations are Transparent Act of 2015, or the ALERT Act, which the Committee on Oversight and Government Reform favorably reported on May 29, 2015.

We have had some good pieces of legislation that made their way through the process, and we really do appreciate the great work of Congressman RATCLIFFE.

I yield 5 minutes to the gentleman from Texas (Mr. RATCLIFFE).

Mr. RATCLIFFE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of the Sunshine for Regulatory Decrees and Settlements Act of 2015.

I want to thank Chairman CHAFFETZ and Chairman GOODLATTE for their hard work on this package of bills that will help push the government out of the way of the American people. I am especially grateful that the ALERT Act, which I introduced earlier this Congress, is included as title II of the bill.

The constituents that I represent in northeast Texas work hard every day to provide for their families and to contribute to their communities. But I can tell you from countless conversations that they are fed up with a Federal Government that has been invading every aspect of their lives. They are frustrated with unaccountable, unelected bureaucrats who create regulations that have the force of law, regulations that typically appear out of nowhere and bring with them huge price tags for the cost of compliance, often with little time to prepare and implement them.

In some cases, regulators are unforfeiting to those who either can't or don't timely comply by imposing criminal penalties. Now, let's pause to think about that. Bureaucrats hammering otherwise law-abiding Americans with criminal penalties for regulatory violations at a time when the same administration is giving a free pass to millions of illegal aliens for breaking immigration laws, giving early release to tens of thousands of prisoners—violent criminals—and turning loose radical Islamic terrorists from Guantanamo. It is little wonder that my constituents are outraged.

And if it were up to this administration, the problem would get worse, not better. To underscore that point, we need only look at the Federal Register where agencies publish their mandates. That document contained 82,000 pages last year, meaning that this administration averaged more than 224 pages of new regulations every day of the year.

Americans have every right to demand to know what we are doing here in Congress to stop them from being crushed by this snowball of regulations.

Part of the answer should be that current law requires an update twice a year on Federal regulations being developed by Federal agencies. But guess what. Under this administration, these updates have either been late or not issued at all, and until now, there hasn't been a way to hold these unelected bureaucrats accountable.

My bill does just that. This bill forces the executive branch to make the American people aware of regulations that are coming down the track,

and it prohibits any regulations from going into effect unless and until detailed information on the cost of that regulation—its impact on jobs and the legal bases for it—is made available to the public for at least 6 months.

Predictably, the President and others argue that this bill is too tough on regulators. But do you know what? I am here to fight for hardworking Americans, not for unelected Washington bureaucrats.

Mr. Chairman, ensuring that folks aren't steamrolled by new regulations should be a no-brainer. Transparency shouldn't be controversial, it shouldn't be optional, and it shouldn't be a partisan issue. That is why I was honored to introduce the ALERT Act and why I am grateful that it has been included in this bill.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 712. This legislation represents yet another attack by House Republicans on critical public health, safety, and environmental protections. I oppose this unnecessary and potentially dangerous legislation in its entirety. However, I will focus my remarks today on title II of this bill, which is in the jurisdiction of the Oversight and Government Reform Committee.

Title II, also known as the ALERT Act, is an attack on agency rule-making that is inaccurately advertised as an effort to improve transparency. In fact, this bill explicitly prohibits the Office of Information and Regulatory Affairs from taking into account benefits when providing estimated cumulative costs to proposed and final rules. That is not providing transparency. That is providing one side of the story.

The Coalition for Sensible Safeguards, which represents over 150 good government, labor, scientific, and health organizations, sent a letter opposing the ALERT Act when it was marked up in the Oversight and Government Reform Committee. The letter states:

"The requirements of the ALERT Act, which would delay important public protections and waste scarce government resources, fail to provide needed transparency improvements in the regulatory review process. Instead, the reporting requirements mandated under the ALERT Act would undermine transparency by generating cherry-picked data that seems calculated to provide a distorted picture of the U.S. regulatory system."

The bill would also prevent a rule from taking effect until certain information is posted online for at least 6 months. The only exceptions to this requirement would be if an agency exempts the rule from the notice and comment requirements of the Adminis-

trative Procedure Act or if the President issues an executive order. This is an unnecessary roadblock that jeopardizes public health and public safety.

One example of a rule that would be affected by this bill is the recently published ATF regulation that closes a loophole that allowed individuals to avoid required background checks when purchasing some of the most dangerous weapons through trusts or legal entities. Under the bill, this rule could not take effect until certain information had been posted online by the Office of Information and Regulatory Affairs for 6 months. That is 6 months, that delay, in putting commonsense gun safety procedures in place and would delay them.

Many of the disclosure requirements in this legislation are redundant. Agencies already publish regulatory plans twice a year. This bill would require agencies to provide monthly updates to their regulatory plans. This is unnecessarily burdensome and would require agencies to divert already scarce resources to comply.

Mr. Chairman, I urge my colleagues to reject H.R. 712.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS). He is the author and lead sponsor of the underlying bill.

Mr. COLLINS of Georgia. Mr. Chairman, I rise in support today of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act.

I would like to thank Chairman GOODLATTE, who will be coming along shortly, as my chairman on the Judiciary Committee for his support and work, and the Judiciary Committee staff. I would also like to thank the chairman of the Oversight and Government Reform Committee, my friend, Mr. CHAFFETZ, a committee which I have served on that continues to do great work, along with the ranking member. It is good to be with you today.

This is legislation—to me, especially H.R. 712—that addresses a problem and has been passed by the House on three separate occasions to address sue and settle practices that serve special interests at the expense of the American people. This is something I have been dealing with since I have been in Congress because it goes to the heart of what I have spoken to many times about the Republican majority and our interest in fairness and our interest in making the court system work for people.

What this bill actually does is actually—the heart and the core of it—goes after sue and settle litigation, consent decrees, that are taken behind closed doors without, many times, those that are affected even having the ability to give input into those and then being affected by that.

So, if I had a problem with someone and I couldn't resolve it, I would just go to the agency, such as the EPA or others who may have sympathetic leanings, and I say, "You are not doing what you are supposed to be doing." I threaten to sue. We get behind closed doors. We settle something. The judge makes a consent order, and then I take it back to the areas that are affected, and they have no input into that. That is just not fair, inherently not fair.

This bill simply is about transparency. To be against this bill is to be against transparency. To be against this legislation is to say that we believe it is okay to cut people out when they are affected.

Just to let you know how this is affected, between 2009 and 2012, 71 lawsuits were settled as sue and settle cases and directly led to the issuance of more than 100 new Federal Rules—100 new Federal Rules—out of consent decrees, including several with a compliance cost—listen to this. We want to talk about small business, we want to talk about local governments being burdened. Listen to this compliance cost: \$100 million in excess.

This issue is not partisan. Cass Sunstein, President Obama's former regulatory czar, called the idea of reforming the sue and settle process excellent.

The CHAIR. The time of the gentleman has expired.

Mr. CHAFFETZ. I yield the gentleman an additional 30 seconds.

Mr. COLLINS of Georgia. He stated: "In some cases, agencies don't really disagree but have refrained from acting in part because of political constraints."

He is right. Agencies use sue and settle to skirt potentially political issues.

This is about fairness. This is about simplicity. This is a bill that is brought forward to take care of the American people and the burdensome regulations—not to stop it, but to simply get our country working again.

JANUARY 6, 2016.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The 250 undersigned groups strongly support efforts by the House of Representatives to make federal agencies more accountable to the American public and improve the transparency of agency actions. The federal rulemaking process was founded on principles of open government and public participation.

We are pleased, therefore, that the House is voting on a comprehensive regulatory reform bill, H.R. 712, the "Sunshine for Regulatory Decrees and Settlements Act," which would take important steps to stop the abusive practice known as "sue and settle" and give the public and affected parties a greater ability to know about potential rulemakings and to participate.

H.R. 712 embodies several major principles of accountability, transparency, and fairness, drawn directly from three regulatory reform bills:

Title I—the "Sunshine for Regulatory Decrees and Settlements Act." Behind closed doors, organizations and agencies enter into

consent decrees or settlement agreements compelling the agencies to issue rules on an expedited timeframe. The states and the public are not given notice of the lawsuits, nor do they have a meaningful voice in the process, despite the adverse impact that rushed, sloppy regulations have on them. This title would improve the “sue and settle” process by requiring agencies to give early notice and take public comment on proposed settlement agreements obligating agencies to initiate a rulemaking or take other action on a specified timetable. These settlement agreements allow interest groups to commandeer an agency’s agenda and regulatory priorities. The bill would allow affected parties to get notice of draft settlements and provide some opportunity to participate.

Title II—the “All Economic Rules are Transparent (ALERT) Act.” This title would require agencies to disclose rulemakings the agency plans to propose or finalize to OMB’s Office of Information and Regulatory Affairs (OIRA). OIRA would disseminate information about these planned rules to the public, including their estimated costs and benefits.

Title III—the “Providing Accountability Through Transparency Act.” This title would require federal agencies to notify the public of proposed rules each month by posting a brief, plain-English summary of each proposed regulation on regulations.gov.

Taken together, these reforms would help Congress to reassert control over federal regulatory agency actions that have become opaque, unaccountable, and often unfair. Congress must perform its critical role as overseer of the federal agencies.

The undersigned groups strongly support H.R. 712, the “Sunshine for Regulatory Decrees and Settlements Act,” and its comprehensive approach to regulatory reform. We urge you to pass this important bill.

Sincerely,

Alabama: Alabama Forestry Association, Business Council of Alabama, Mobile Area Chamber of Commerce.

Alaska: Alaska Chamber, Greater Fairbanks Chamber of Commerce.

Arizona: Arizona Chamber of Commerce and Industry, Arizona Mining Association, Gilbert Chamber of Commerce, Greater Phoenix Chamber of Commerce, Lake Havasu Area Chamber of Commerce, Marana Chamber of Commerce, Tucson Metro Chamber.

Arkansas: Arkansas Independent Producers & Royalty Owners Association (AIPRO), Arkansas State Chamber of Commerce, Associated Industries of Arkansas.

California: American Concrete Pressure Pipe Association, California Asphalt Pavement Association (CalAPA), California Association of Boutique & Breakfast Inns, California Hotel & Lodging Association, Cerritos Regional Chamber of Commerce, Far West Equipment Dealers Association, Gateway Chambers Alliance, Los Angeles Area Chamber of Commerce, Milk Producers Council, Motorcycle Industry Council, Orange County Business Council, Plumbing-Heating-Cooling of California, San Diego Regional Chamber of Commerce, San Gabriel Valley Economic Partnership.

Colorado: Associated General Contractors of Colorado, Colorado Business Roundtable, Colorado Timber Industry Association, Home Builders Association of Northern Colorado, Western Energy Alliance.

Connecticut: Connecticut Business & Industry Association, Gasoline & Automotive Service Dealers of America, Inc.

Delaware: Rehoboth Beach-Dewey Beach Chamber of Commerce & Visitor Center.

Florida: Associated Industries of Florida, Florida Chamber of Commerce, Florida Transportation Builders’ Association Orlando, Inc.

Georgia: Georgia Chamber, Georgia Mining Association, Georgia Paper & Forest Products Association, Southeastern Lumber Manufacturers Association.

Idaho: Associated Logging Contractors, Inc.—Idaho, Idaho Trucking Association.

Illinois: American Foundry Society, Greater Oak Brook Chamber of Commerce, ISSA—The Worldwide Cleaning Industry Association, Land Improvement Contractors of America (LICA), Mason Contractors Association of America, National Roofing Contractors Association, Non-Ferrous Founders’ Society, North American Association of Food Equipment Manufacturers (NAFEM), North American Die Casting Association, Property Casualty Insurers Association of America, STI/SPFA, The Illinois Chamber of Commerce, Western DuPage Chamber of Commerce.

Indiana: Indiana Cast Metals Association (INCMA), Indiana Chamber of Commerce, Indiana Motor Truck Association.

Iowa: Ames Chamber of Commerce, Mason City Chamber of Commerce.

Kansas: Kansas Chamber of Commerce.

Kentucky: Greater Louisville Inc., Kentucky Chamber of Commerce, Kentucky Coal Association, Kentucky Forest Industries Association, Kentucky Petroleum Marketers Association.

Louisiana: Houma-Terrebonne Chamber of Commerce, Louisiana Association of Business and Industry (LABI), Louisiana Landowners Association, Louisiana Oil & Gas Association.

Maryland: Flexible Packaging Association, Maryland Asphalt Association, Inc., National Ready Mixed Concrete Association.

Massachusetts: Metro South Chamber of Commerce.

Michigan: AGC of Michigan, Associated Wire Rope Fabricators, Foundry Association of Michigan, Michigan Chamber of Commerce.

Minnesota: Associated General Contractors of Minnesota, Grand Rapids Area Chamber of Commerce.

Mississippi: Mississippi Petroleum Marketers and Convenience Stores Association, Mississippi Propane Gas Association.

Missouri: Equipment Dealers Association, Missouri Chamber, Missouri Grocers Association, Missouri Pest Management Association, National Corn Growers Association, Western Equipment Dealers Association.

Montana: Billings Chamber of Commerce, Kalispell Chamber of Commerce, Montana Chamber of Commerce, Montana Petroleum Marketers & Convenience Store Association.

Nebraska: Lincoln Chamber of Commerce, Nebraska Chamber of Commerce & Industry.

Nevada: Carson Valley Chamber of Commerce, The Chamber of Reno, Sparks, and Northern Nevada.

New Jersey: Morris County Chamber of Commerce, New Jersey Business & Industry Association, New Jersey Motor Truck Association, New Jersey State Chamber of Commerce.

New Mexico: New Mexico Cattle Growers’ Association, New Mexico Wool Growers, Inc.

New York: Buffalo Niagara Partnership, North Country Chamber of Commerce, Northeastern Retail Lumber Association.

North Carolina: Motor & Equipment Manufacturers Association, North Carolina Manufacturers Alliance.

North Dakota: Bismarck-Mandan Chamber of Commerce, Bismarck-Mandan Home

Builders Association, Dickinson Area Builders Association, Forx Builders Association, Greater North Dakota Chamber, Home Builders Association of Fargo-Moorhead, Minot Association of Builders, North Dakota Association of Builders, Williston Area Builders Association.

Ohio: Cellulose Insulation Manufacturers Association, Forging Industry Association, Heating, Air-Conditioning & Refrigeration Distributors International (HARDI), Industrial Fasteners Institute, National Tooling and Machining Association, Ohio Cast Metals Association (OCMA), Ohio Chamber of Commerce, Ohio Forestry Association, Ohio Trucking Association, Precision Machined Products Association, Precision Metal-forming Association, Youngstown/Warren Regional Chamber.

Oklahoma: Gas Processors Association, Greater Oklahoma City Chamber, Oklahoma Independent Petroleum Association, The State Chamber of Oklahoma, Tulsa Regional Chamber.

Oregon: Associated Oregon Industries, Associated Oregon Loggers, Inc., Klamath County Chamber of Commerce, Oregon Retail Council, Roseburg Area Chamber of Commerce, The Chamber of Medford/Jackson County.

Pennsylvania: Chester County Chamber of Business & Industry, Pennsylvania Chamber of Business and Industry, Pennsylvania Forest Products Association, Pennsylvania Foundry Association, Pennsylvania Independent Oil & Gas Association, Printing Industries of America, Schuylkill Chamber of Commerce, The Pennsylvania Corn Growers Association Inc.

South Carolina: Charleston Metro Chamber of Commerce, Myrtle Beach Area Chamber of Commerce, North Myrtle Beach Chamber of Commerce, CVB South Carolina Timber Producers Association.

South Dakota: Black Hills Forest Resource Association, Intermountain Forest Association.

Tennessee: Johnson City, TN Chamber of Commerce, National Cotton Council, Tennessee Cattlemen’s Association, Tennessee Chamber of Commerce & Industry, Tennessee Paper Council.

Texas: American Loggers Council, Consumer Energy Alliance, Electronic Security Association (ESA), Laredo Chamber of Commerce, Longview Chamber of Commerce, McAllen Chamber of Commerce, Texas Association of Business, Texas Cast Metals Association, Texas Mining and Reclamation Association (TMRA), Texas Wildlife Association.

Utah: Salt Lake Chamber, Utah Mining Association.

Virginia: American Composites Manufacturers Association, American Feed Industry Association, American Subcontractors Association, Inc., American Trucking Associations, American Wood Council, AMT—The Association For Manufacturing Technology, Automotive Recyclers Association, Brick Industry Association, Construction Industry Round Table (CIRT), Council of Industrial Boiler Owners, Global Cold Chain Alliance, Independent Electrical Contractors, Meat Import Council of America, National Association of Chemical Distributors, National Association of Convenience Stores, National Renderers Association, National Rural Electric Cooperative Association, National Stone, Sand and Gravel Association, Outdoor Power Equipment Institute.

Petroleum Marketers Association of America, Small Business & Entrepreneurship Council, Truck Renting and Leasing Association, Virginia Chamber of Commerce, Virginia Forest Products Association.

Washington: American Exploration & Mining Association, Greater Yakima Chamber of Commerce, Washington Cattle Feeders Association, Washington Retail Association.

Washington D.C.: Agricultural Retailers Association, American Coatings Association, American Coke and Coal Chemicals Institute, American Council of Engineering Companies, American Forest & Paper Association, American Fuel & Petrochemical Manufacturers, American Highway Users Alliance, American Iron and Steel Institute, American Petroleum Institute, American Public Gas Association, American Road & Transportation Builders Association, Associated Builders and Contractors, Building Owners and Managers Association (BOMA) International, Independent Petroleum Association of America, Industrial Energy Consumers of America, Industrial Minerals Association—North America, Institute of Makers of Explosives, National Association of Home Builders, National Association of Manufacturers.

National Association of Wholesaler-Distributors, National Black Chamber of Commerce, National Council of Textile Organizations, National Federation of Independent Business, National Grain and Feed Association, National Industrial Sand Association, National Lumber and Building Material Dealers Association, National Mining Association, National Oilseed Processors Association, North American Meat Institute, SPI: The Plastics Industry Trade Association, Treated Wood Council, U.S. Chamber of Commerce, United States Hide, Skin and Leather Association, Vinyl Building Council, Vinyl Institute, Window and Door Manufacturers Association.

West Virginia: West Virginia Chamber, West Virginia Oil Marketers and Grocers Association.

Wisconsin: Greater Green Bay Chamber, Midwest Food Processors Association, Wisconsin Cast Metals Association, Wisconsin Grocers Association, Wisconsin Industrial Energy, Wisconsin Manufacturers & Commerce.

Wyoming: Petroleum Association of Wyoming, Wyoming Rural Electric Association, Wyoming Stock Growers Association.

ASSOCIATED BUILDERS
AND CONTRACTORS, INC.,

Washington, DC, January 6, 2016.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Associated Builders and Contractors (ABC), a national construction industry trade association with 70 chapters representing nearly 21,000 chapter members, I am writing in regard to the Sunshine for Regulatory Decrees and Settlements Act (H.R. 712) introduced by Rep. Doug Collins (R-GA).

ABC supports increased transparency and opportunities for public feedback in situations where agencies promulgate rulemakings via consent decrees and settlement agreements, and opposes regulation through litigation. The Sunshine for Regulatory Decrees and Settlements Act (H.R. 712) would promote enhanced openness and transparency in the regulatory process by requiring early disclosure of proposed consent decrees and regulatory settlements.

The practice of regulation through litigation (or “sue and settle” as it is sometimes described) is used and often abused by advocacy groups in order to initiate rulemakings when they feel federal agencies are not moving quickly enough to draft and issue these policies. Organizations routinely file law-

suits against federal agencies claiming they have not satisfied particular regulatory requirements, at which point agencies can opt to settle. When settlements are agreed to, they often mandate that rulemakings go forward and frequently establish arbitrary timeframes for completion—without stakeholder review or public comment. These settlements are agreed to behind closed doors and their details kept confidential. Agencies release their rulemaking proposals for public comment after the settlement has been agreed upon, but this is often too late for adequate and meaningful feedback.

H.R. 712 would require agencies to solicit public comment prior to entering into a consent decree with courts, which would provide affected parties proper notice of proposed regulatory settlements, and would make it possible for affected industries to participate in the actual settlement negotiations.

Thank you for your attention on this important matter and we urge the House to pass the Sunshine for Regulatory Decrees and Settlements Act when it comes to the floor for a vote.

Sincerely,

KRISTEN SWEARINGEN,
Senior Director, Legislative Affairs.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, January 4, 2016.

Hon. DOUG COLLINS,
Washington, DC.

DEAR REPRESENTATIVE COLLINS: On behalf of the Small Business & Entrepreneurship Council (SBE Council) and its 100,000 members, I am writing to express our strong support for H.R. 712, the “Sunshine and Regulatory Decrees and Settlement Act of 2015.” SBE Council is grateful for your ongoing leadership in calling attention to and working to fix the sue-and-settle game played by special interests groups and federal government agencies. H.R. 712 is an important solution that will lift the veil on a process that is unjust and hurts small businesses.

Americans feel disconnected from a regulatory process that does not consider their views or the real world impact of regulation. A recent survey conducted by our Center for Regulatory Solutions (CRS) found that 72% of Americans believe regulations are “created in a closed, secretive process,” with 68% saying that federal rules are created by “out-of-touch” people pushing a political agenda. As is the case with “sue-and-settle,” special interest groups conspire with federal agencies and file lawsuits against them alleging that an action has been unlawfully delayed or unreasonably withheld. In many cases, the outcome of these legal actions—the “settle”—is excessive and unreasonable regulation.

Small business owners and their employees are hardest hit by these burdensome federal regulations, which, again, are the end product of a closed, one-sided process. In a report published by CRS, we document egregious “sue-and-settle” cases and their costly outcomes. It is unconscionable that federal agencies act in secret with the very special interests that favor giving them more power.

H.R. 712 would require federal agencies to publish and give notice of these actions, and provide the public with more rights in reviewing, participating in and commenting on them. As such, H.R. 712 provides the openness, fairness and access to the federal regulatory process that it currently lacks.

SBE Council is again pleased to support you and your colleagues in your efforts to advance this reform into law. Thank you for

your leadership, and support of small business owners and entrepreneurs.

Sincerely,

KAREN KERRIGAN,
President and CEO.

INDUSTRIAL ENERGY CONSUMERS
OF AMERICA,

Washington, DC, January 4, 2016.

Re IECA Supports H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015.

Hon. DOUG COLLINS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN COLLINS: On behalf of the Industrial Energy Consumers of America (IECA), we support passage of H.R. 712, the “Sunshine for Regulatory Decrees and Settlements Act of 2015.” The legislation would take important steps to stop the abusive practice known as “sue and settle” and give the public and affected parties a greater ability to know about potential rulemakings and to participate. The bill would help Congress to reassert control over federal regulatory agency actions that have become opaque, unaccountable, and often unfair. Congress must perform its critical role as overseer of the federal agencies.

IECA is a nonpartisan association of leading manufacturing companies with \$1.0 trillion in annual sales, over 2,900 facilities nationwide, and with more than 1.4 million employees worldwide. IECA membership represents a diverse set of industries including: chemical, plastics, steel, iron ore, aluminum, paper, food processing, fertilizer, insulation, glass, industrial gases, pharmaceutical, building products, brewing, automotive, independent oil refining, and cement.

Mounting EPA regulatory costs and abuse of the legal system through actions such as “sue and settle” have made it very difficult for manufacturing companies to compete with global competitors, thereby impacting U.S. jobs. For example, while China’s manufacturing jobs have increased by 31.5 percent since 2000, U.S. manufacturing jobs have declined by 21.6 percent. Furthermore, the 2014 U.S. manufacturing trade deficit stands at \$524 billion and 70 percent of the deficit is with one country, China.

We thank you for your leadership on this important legislation and look forward to working with you.

Sincerely,

PAUL N. CICIO,
President.

AMERICAN FUEL & PETROCHEMICAL
MANUFACTURERS,

Washington, DC, January 7, 2016.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: The American Fuel & Petrochemical Manufacturers (AFPM) writes in support of H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome (SCRUB) Act of 2015, and H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015. AFPM is a trade association representing high-tech American manufacturers of virtually the entire U.S. supply of gasoline, diesel, jet fuel, other fuels and home heating oil, as well as the petrochemicals used as building blocks for thousands of vital products in daily life. AFPM members make modern life possible and keep America moving and growing as they meet the needs of our nation and local communities, strengthen economic and national security, and support 2 million American jobs.

The U.S. is in the midst of an energy and manufacturing renaissance that promises to increase our energy security and create high quality jobs for years to come. AFPM members are playing an important role in this renaissance as they continue to invest billions of dollars in facility upgrades needed to handle our increasing domestic production of oil and natural gas. In addition to bolstering economic growth, these investments ensure that American fuel and petrochemical manufacturers can continue to provide consumers with ample and affordable supplies of transportation fuels and other vital products. America's energy and manufacturing renaissance, however, is threatened by a maze of increasingly costly and unworkable federal regulations. Indeed, domestic manufacturers face a total federal regulatory burden of at least \$1.88 trillion, jeopardizing their global competitiveness and increasing costs to consumers.

H.R. 1155 and 712 would improve our broken regulatory process and mitigate some of the burdens on domestic manufacturers. AFPM specifically welcomes the regulatory "cut-go" provisions of H.R. 1155, which would create a mechanism for getting excessively complex, costly, and contradictory regulations under control. Additionally, H.R. 712 would significantly limit the growing abuses associated with the "sue-and-settle tactic" deployed by certain organizations.

Meaningful reform is critical for our country. We appreciate your leadership on this issue and urge the immediate passage of H.R. 1155 and 712.

Sincerely,

CHET THOMPSON,
President.

NATIONAL ASSOCIATION
OF MANUFACTURERS,
January 7, 2016.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, urges you to support H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, introduced by Representative Doug Collins (R-GA).

Manufacturers and other stakeholders are often subject to significant federal regulatory actions mandated through consent decrees and settlement agreements. However, the public can be excluded from the promulgation of rules as agencies and litigants negotiate behind closed doors, determining when and how regulators must act.

Public participation and transparency in the regulatory process is a universal principle of sound rulemaking. H.R. 712 would enhance the regulatory process by increasing public participation in shaping rules before they are proposed. The bill would require agencies to provide timely and more relevant information to the public of lawsuits attempting to force regulatory action and to publish proposed consent decrees or regulatory settlements. Importantly, H.R. 712 would require agencies to consider public comments prior to entry of consent decrees or settlement agreements with the court.

Agency actions to develop significant regulations without public participation contradict the sound regulatory principles that are the foundation of our regulatory system and ensure fairness and due process for all affected entities. H.R. 712 would provide necessary transparency to the rulemaking process and preserve the ability of the public to engage with their government.

The NAM's Key Vote Advisory Committee has indicated that votes on H.R. 712, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 114th Congress.

Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE,
Senior Vice President,
Policy and Government Relations.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), my distinguished colleague.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished ranking member, my friend from Maryland (Mr. CUMMINGS).

I join the ranking member in opposing the so-called Sunshine for Regulatory Decrees and Settlements Act. Specifically, we take exception to the inclusion of the so-called All Economic Regulations are Transparent Act that would unnecessarily require agencies to provide monthly status updates on their plans to propose and finalize rules when they are already required to report twice a year.

Further, this legislation would prohibit agency rules from taking effect until the Office of Information and Regulatory Affairs has posted certain information online for at least 6 months. So an agency might post, on its own, information about the cost of a proposed rule for a year, but if OIRA doesn't post the information for at least 6 months, the agency would be prohibited from moving forward.

□ 1330

Mr. Chairman, Ranking Member CUMMINGS and I have an amendment that will be considered shortly to strike the 6-month online posting requirement. Striking that provision would keep important agency rules protecting public health and safety from being needlessly delayed.

We have a Second Amendment that would exempt independent agencies. The bill as currently drafted would require agencies, such as the SEC and the Consumer Financial Protection Bureau, to abide by these new reporting requirements. Of course, these and other related agencies are not required to submit their rules for such reviews precisely because they are independent agencies and are intended as such.

I urge my colleagues to support the Cummings-Connolly amendments, as well as the amendment offered by Mr. LYNCH that would require Federal agencies to provide an estimate of the benefits, as well as the costs, of proposed regulations.

Mr. Chairman, this bill may be couched in the guise of improving transparency, but let's be honest, its real intent is to erect barriers and significantly delay the regulatory process that protects the American people.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, the ALERT Act—which is part of this bill now—passed the House twice with bipartisan support. Put simply, the ALERT Act provides regulatory transparency requiring Federal agencies to provide monthly updates on regulation expected to be implemented in the next year.

That shouldn't be controversial. As the bill's author, Mr. RATCLIFFE, indicated, transparency should not be a heavy lift. That is what we are trying to provide. But that transparency is lacking. If you talk to small businesses and large businesses, you talk to citizens, you talk to advocacy groups, they will all tell you to one degree or another that this is not necessarily crystal clear. They have had this problem and challenge. The Obama administration has shown a troubling tendency to minimize the amount of public attention.

The Fall 2015 Unified Agenda of Federal Regulations, a document disclosing regulations currently under consideration by Federal agencies, now contains more than 2,000 new regulations—2,000. By the administration's own estimates, 144 of those regulations are expected to cost the public more than \$100 million each—each. Not just one—each. You have got a universe of 2,000 regulations coming your way, America—144 of those are going to cost you about \$100 million apiece, and you don't even know what they are. We don't necessarily know what they are.

That is why we think there should be disclosure. That is why they call it the ALERT Act. It keeps the public informed about what Federal regulators are doing in their name and how much the regulations cost.

The bill requires the heads of Federal agencies to provide a monthly update, which is new. That seems reasonable. A monthly update to the Office of Information and Regulatory Affairs with clear information about each rule. OIRA is then required to publicly disclose on the Internet both the monthly updates and the annual review identifying the costs of each regulation. That seems fair. It seems balanced. It seems easy to me.

I appreciate Mr. RATCLIFFE and the good work that he has done bringing this to our attention and fighting for it.

I urge its adoption, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, may I inquire as to how much time remains?

The CHAIR. The gentleman from Maryland has 4 minutes remaining. The gentleman from Utah has 1 minute remaining.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the second antiregulation bill the Republicans have brought to the floor in 2 days.

Yesterday, we debated a bill that purported to cut bureaucracy by creating a \$30 million commission.

Today, we are debating a bill that purports to provide transparency but, in fact, decreases transparency.

The bill directs the Office of Information and Regulatory Affairs to publish the total cost of all rules proposed or finalized without counting any of the offsetting benefits. That is not transparency. That is misinformation.

The proponents of this bill want to focus exclusively on the costs of regulations because information about the benefits undercuts their narrative. The bill's focus on the costs alone ignores the enormous benefits that regulations can have. These benefits can be measured in terms of lives saved, injuries reduced, and even dollars gained.

In fact, the Office of Information and Regulatory Affairs reported in October that the net annual benefits of major rules issued during the Obama administration from 2009 to 2014 is some \$215 billion. Agency rules save lives, improve health and safety, and protect our financial markets.

The provisions in this bill that would prevent rules from taking effect until certain information has been made available on the Internet for 6 months are an unnecessary and potentially dangerous roadblock. We don't need an arbitrary 6-month delay in putting in place rules—like high chair and crib safety standards—that protect our children.

This bill is also unnecessarily burdensome. For example, this bill would require OIRA to provide a report on the number of rules and a list of each rule for which a resolution of disapproval was introduced in either the House or Senate under section 802 of the Congressional Review Act. Under this requirement, the legislative branch would be requiring the executive branch to report on the activities of the legislative branch. That is not transparency. That is a waste of agency resources.

With that, Mr. Chairman, I urge Members to vote against this bill.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself the balance of my time.

In conclusion, with all due respect, to suggest that it would be overwhelming to produce cost estimates and put them up on the Internet on a monthly basis, we are asking for transparency, but imagine the burden that is also put on the American people. Some of these may be really good ones. They may be really good regulations. But there may be some that they haven't quite researched and that other companies, organizations, individuals, nonprofits, suddenly have to reconfigure for. That takes some time. They need to know that things are coming. That I think is a reasonable thing to do.

I, again, appreciate what Mr. RATCLIFFE has been championing. I

would urge the passage of this bill and the underlying bill as well.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

It has been years since Federal officials declared that the Great Recession had ended and recovery had begun. It has been years since the Obama administration took office, promising to deliver prosperity and security once more to our Nation.

We are now approaching American voters' next choice of leadership for the United States. The Obama administration seeks to assure us that times are better and times are safer.

Workers, small-business owners, and Main Street families across our Nation know better. America is still struggling to create enough new jobs and economic growth to produce the prosperity and security Americans need and deserve.

Unless Washington relents from adding unnecessarily to the nearly \$2 trillion in annual costs that Federal regulation imposes on our economy, America's job creators and innovators will not be able to create the jobs and growth needed to produce a true new morning in America.

Today's bill contains three measures sure to help remedy this situation.

First, the bill offers strong reforms to attack a problem that lies behind many of the costliest new regulations Washington issues each year. That is the problem of sue and settle regulation.

Time and again, new, high-cost regulations are issued under consent decrees and settlement agreements that force Federal agencies to issue new rules. These decrees and settlements stem from deals between regulatory agencies and pro-regulatory plaintiffs. The plaintiffs seeking regulations sue and the agencies seeking help to regulate settle, gaining the force of a judge's gavel to impose their will on the economy.

Those to be regulated—our Nation's job creators—often do not know about these deals until the plaintiffs' complaints and the proposed decrees or settlements are filed in court. By then it is too late. Regulated businesses, state regulators, and other interested entities are unlikely to be able to intervene in the litigation. The court can approve the deals before regulated parties even have an opportunity to determine whether new regulatory costs will be imposed on them.

Title I of today's legislation, the Sunshine for Regulatory Decrees and Settlements Act, brings this abusive practice to an end. It assures that those to be regulated have a fair opportunity to participate in the resolution of litigation that affects them. It ensures that courts have all of the information they need before they approve

proposed decrees and settlements. And it provides needed transparency on the ways agencies conduct their business.

Title II of the bill rests on the same principle of transparency. Even when new regulations are not forced upon them by judicial decree, Americans deserve to know what new regulations agencies plan to send their way. They deserve to know earlier and better what those new rules will look like, how much they will cost, and when they may be imposed.

Armed with this information, America's small businesses and families will be in a better position to respond to agency plans with better and more timely comments on proposed regulations, and they will be better and more timely able to bring to Congress' attention concerns about planned regulation they believe is unnecessary, too costly, or ineffective.

Title II of the bill, the ALERT Act, accomplishes just that. It reforms disclosure requirements for upcoming rules by requiring more details to be disclosed and by requiring the publication of monthly, online updates of information on the rules' schedules, costs, and economic effects, including jobs impacts.

Finally, title III of the bill, the Providing Accountability Through Transparency Act, helps to fix one of the most maddening things Main Street Americans and small-business owners across the Nation confront. Not only do Federal regulators issue too many regulations that cost too much, too often those regulations are impossible for an ordinary citizen to understand.

Title III offers a welcome remedy by requiring each agency to publish an online, 100-word summary of any new proposed regulation.

What a concept—state in clear, simple, and short terms for the American people just what Federal regulators propose to do. State it in terms that don't require help from a lawyer to understand. And state it online every time a new regulation is proposed.

All of the legislation in this bill is sure to help Americans who are besieged and bewildered by the flood of new regulations flowing every day from Washington's regulatory bureaucracy.

I thank Representatives COLLINS, RATCLIFFE, and LUETKEMEYER for introducing each piece of legislation the bill contains. I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. CONYERS. Mr. Chairman, I rise in strong opposition to H.R. 712, the Sunshine in Regulatory Decrees and Settlements Act.

This measure is comprised of three bills, each of which, from my perspective, is thoroughly flawed.

To begin with, title I of this bill, consisting of the text of the Sunshine and

Regulatory Decrees and Settlements Act of 2015, has a simple goal: to discourage the use of settlement agreements and consent decrees and to thereby prevent critical Federal regulatory actions from being implemented.

□ 1345

Title I accomplishes this goal by giving opponents of regulation multiple opportunities to stifle rulemaking. With respect to a civil action enforcing an agency's responsibility to undertake a regulatory action, such as to promulgate a rulemaking, title I essentially authorizes any third party who is affected by such regulatory action to intervene in that civil action, subject to rebuttal; to participate in settlement negotiations; and to submit public comments about a proposed consent decree or settlement agreement that agencies would then be required to respond to.

In addition, title I mandates that agencies provide for public comment on a proposed consent decree, and it requires agencies to respond to all such comments before the consent decree can be entered in court.

As a result, an agency would be forced to go through two public comment periods, one for the consent decree and one for the rulemaking that results from the consent decree, doubling the agency's effort and time before a regulation could be finalized.

Like nearly all of the anti-regulatory bills we have considered to date over the last two Congresses, this measure piles on procedural requirements for agencies and courts.

By delaying regulatory protections, title I jeopardizes public health and safety. This explains why a broad consortium of more than 150 organizations strenuously opposes this measure. These organizations include the Natural Resources Defense Council, the American Civil Liberties Union, the NAACP, the Sierra Club, and Earthjustice, among other groups.

Title II of H.R. 712 consists of the text of H.R. 1759, the All Economic Regulations are Transparent Act of 2015, or the ALERT Act of 2015. This measure would impose an arbitrary 6-month delay before virtually any new rule could go into effect with only limited exceptions.

Clearly, the bill fails to take into account a vast array of time-sensitive rules, ranging from the mundane, such as the many United States Coast Guard bridge closing regulations, to particularly critical regulations that protect public health and safety.

Another troubling aspect of title II is that it specifically prohibits the Office of Information and Regulatory Affairs—the executive branch agency charged with policymaking for Federal regulatory agencies—from taking into account the benefits of regulations

when providing total cost estimates for proposed and final rules. Thus, a regulation that costs only \$1 but that results in \$1 billion in benefits would only be reported as costing \$1. Such a misleading and unbalanced report could hardly promote transparency.

Finally, title III, consisting of H.R. 690, the Providing Accountability Through Transparency Act of 2015, would require a notice of proposed rulemaking that is published in the Federal Register to include an Internet link to a plain language, 100-word summary of the rule.

As with the other provisions in H.R. 712, title III creates a further opportunity for opponents of regulation to slow down a proposed rulemaking, and rather than promoting transparency, title III could engender confusion about the substance of such rulemaking.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. MARINO. Mr. Chairman, on multiple occasions before, I have discussed the overwhelming burden of the regulatory state on American workers and employers. For the past year, it has been my primary objective, as chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law, to bring to light these burdens and their true costs on the lives of all Americans.

The burden of Federal regulations already amounts to 21 percent of the average company's payroll. How can employers plan for the future when the specter of new regulations, meaning additional costs, hangs over their planning? The regulatory process itself and some current government practices make this more difficult.

These bills are critical as we work to improve the regulatory process and to prevent misguided and damaging regulatory overreach. These pieces of legislation grant clarity and transparency to the regulatory process.

I spent the first part of my life working my way up the chain in manufacturing. I worked in a factory. When I became a manager, I saw the complex considerations that went into hiring, expansion, and whether we could keep the lights on.

We did not have a crystal ball to help us there. We had to look at our revenues and at our costs and make assumptions for the future. And, yes, current and future regulations played a role there, too.

That was over 30 years ago. Now the regulatory state and the burdens on business operators and on those who try to go into business have grown by frightening magnitudes.

This bill's sue and settle legislation will ensure that regulators and outside groups can no longer conspire to change or to implement regulations in secret or through judicial decree.

The transparency provisions of the ALERT Act reinforce these measures by mandating more frequent and detailed disclosures that will allow businesses to anticipate the hurdles they will face down the road.

To those Members who introduced these pieces of legislation, I thank them for their attention and effort in lessening the regulatory burdens on all Americans.

I urge my colleagues to support this bill.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015.

Rather than bringing sunshine into the rulemaking process, it throws an after-midnight shade on this process. In fact, the Sunshine for Regulatory Decrees and Settlements Act pulls the plug on regulations that are in place to protect the health, safety, and well-being of the people.

This misnamed legislation should be renamed the "Bedtime for Consent Decrees and Settlements Act." Another great name is the "Leave Volkswagen Alone Act."

Title I of H.R. 712 imposes numerous burdensome procedural requirements on agencies and courts, requirements that are designed to hamstring and to ultimately prevent the use of consent decrees and settlements that ensure the enforcement of the law.

Proponents of this provision argue that it is necessary because Federal agencies collude with pro-regulatory plaintiffs to advance a mutually agreed-upon regulatory agenda through the use of consent decrees and settlement agreements.

According to my Republican colleagues, this so-called sue and settle litigation specifically allows agencies to skirt the requirements of the Administrative Procedure Act to dictate the contents of an agency rulemaking or to bind agency action. Sadly, however, the majority has not put forth a single dust particle of credible evidence to support this claim.

To the contrary, consent decrees and settlement agreements are important tools in ensuring the timely compliance with statutory deadlines that have been put in place by Congress to protect the environment and the public's health and safety.

In fact, the Government Accountability Office, the GAO, reported in December of 2014 that there is zero evidence indicating that agencies collude with public interest groups in bringing these consent decrees, as the majority has often alleged.

In its report, the GAO referred to these lawsuits as “deadline suits” because they simply compel agencies to take statutorily required actions within a designated timeframe.

The GAO also found little evidence that deadline suits determine the substantive outcome of agency action because agency officials stated that they have not and would never agree to settlements in a deadline suit that finalize the substantive outcome of the rulemaking or declare the substance of the final rule.

Earlier this year, Amit Narang, a regulatory policy advocate for Public Citizen, also clarified during the legislative hearing on H.R. 712: “All of the settlements scrutinized by GAO pursuant to the EPA’s rulemaking authority under the Clean Air Act went through the public notice and comment process, allowing all members of the public an opportunity to comment on the rule before it is finalized.”

This finding confirms that there is no credible evidence supporting the proposition that Federal agencies engage in backroom deals with pro-regulatory groups in order to circumvent the EPA or to substantively bind the Agency in a subsequent rulemaking.

In the absence of actual evidence of collusion between Federal agencies and plaintiffs, H.R. 712 addresses a non-existent problem through a series of requirements that are designed to undermine the rule of law by preventing the enforcement of statutes that have been passed by Congress to protect the public and that are designed to slow down agency action and bust the door wide open to almost anyone who wants to impede agency action by intervening in these actions.

Now, is it the working people, small-business owners, or retirees who are asking for this kind of relief from regulations that protect the health, safety, and well-being of them? No. It is not the people. It is the big corporations that want this legislation to pass.

For example, H.R. 712 would allow for nearly any private party to intervene in a consent decree, revealing the legislation’s true purpose, which is to stack the deck in the industry’s favor in order to avoid the enforcement of the law.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield the gentleman an additional 1 minute.

Mr. JOHNSON of Georgia. Mr. Chairman, the only reason for the unprecedented delay in agency rulemaking—the so-called diminishing transparency of the regulatory process—is that my Republican colleagues have argued that regulatory transparency is not important with regard to public participation in the rulemaking process.

In a recent rulemaking process, millions of Americans commented on a single proposed rulemaking. It represented

the largest public response in history to any request for public comment in a Federal rulemaking. Just last year alone, this extensive activity hardly suggests an agency process that is shrouded in secrecy and in need of reform.

□ 1400

So with there being no evidence that consent decrees and settlements are collusion between Federal agencies and pro-human interest groups, there simply is no need for this legislation.

I would ask my colleagues to vote against this, to vote it down.

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), who is one of the chief sponsors of this legislation.

Mr. LUETKEMEYER. Mr. Chairman, I thank Chairman GOODLATTE for working with us on this piece of legislation.

If there is one thing that I hear most often from my constituents, it is the onslaught of Federal regulations to keep up, let alone interpret. Our constituents should not need a law degree or employ an army of consultants and accountants to understand the rules they are required to follow. Unfortunately, they do, which is why I am pleased the legislation we consider today addresses the lack of regulatory transparency and accountability.

Title III of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015, includes language from a bill that I introduced earlier this Congress. That bill, the Providing Accountability Through Transparency Act, provides a bipartisan and commonsense reform to afford the American people straightforward and comprehensive access to rules proposed by our executive branch.

Since enactment of the Administrative Procedure Act in 1946, Federal agencies have been required to keep the public informed of proposed rules and regulations. This law has provided an avenue for the public to access rules and regulations drafted across government agencies. Nevertheless, given their technical nature, it can be extremely difficult to fully understand proposals unless one is an expert in that field.

To help address this issue and promote government transparency and accessibility, title III of the Sunshine for Regulatory Decrees and Settlements Act of 2015 will require each Federal agency, when providing notice of a proposed rulemaking, to produce a Web link to a 100-word, plain-language summary of the proposal. Accordingly, this requirement will provide access to regulations in a more clear and consistent manner.

Moreover, this reasonable proposal has already proven its effectiveness in my home State of Missouri. After hearing from local school districts and ad-

ministrators struggling to implement State regulations for Common Core, the State enacted a measure requiring each agency to provide online-accessible, plain-language summaries of proposed State regulations. Since enactment, the statute has been an exceptional resource for Missouri localities, schools, organizations, and citizens. I think it would be just the same here for us here at the Federal level as well.

Just by looking at the daily copy of the Federal Register, which I just happen to have here from Monday, December 28, it is a 519-page copy.

The Acting CHAIR (Mr. DOLD). The time of the gentleman has expired.

Mr. MARINO. I yield an additional 30 seconds to the gentleman from Missouri.

Mr. LUETKEMEYER. I thank the gentleman for the additional time.

Basically, we have got 518 rules in one day, 18 pages of rules in one day. I think it is important that our citizens have access to these rules in a way that they can understand and a form they can access.

I certainly urge its support. I thank the good chairman for his hard work on H.R. 712.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, my main concern with this bill is the provision that would prevent a new regulation from taking effect until it has been available online for at least 6 months after the already exhaustive public notice and comment period that is required of new regulations. This may be a well-intended procedure, but it could potentially harm the very people that are in need of protection under some of the rules being promulgated.

I know there is an exemption that may relate to health and safety that could include a Presidential action, but it requires us to know of an impending threat in order for that procedure to be utilized.

I am thinking about what happened in my own hometown of Flint, Michigan, where people cannot wait 6 months for the Lead and Copper Rule, for example, which is under review right now, to be modified. Due to mismanagement by the State government and the weakness in the Safe Drinking Water Act’s Lead and Copper Rule, thousands of children in Flint, Michigan, have been exposed to dangerous lead. Lead exposure is not good for anyone, but it is particularly dangerous for young children.

According to the CDC, lead exposure is one of the most dangerous neurotoxins. It has wide-ranging impacts affecting IQ. There are behavioral implications. There are developmental implications for the central nervous system.

It is heartbreaking, then, to see, as a result of the failure to adequately supply support in regulation to drinking

water programs, that levels of lead in my own hometown have poisoned children. Changes to the Lead and Copper Rule, which I have participated in and are underway right now, could have prevented this. Right now, as a matter of fact, those changes are pending.

If this legislation is passed, basically what we are saying to the people of Flint and other potential communities that could have lead exposure is that we have to wait another 6 months for that protection, 6 more months potentially of dangerous lead leaching into the pipes, going into the bodies of young children.

This notion that regulation is always wrong and always bad—I know that is not the position that is taken—but the effect of this legislation would be to slow down the regulatory process, very often regulations that need to be changed, need to be adjusted to provide essential protections to public health.

The notion that we are supposed to somehow know that an imminent threat is present and allow this expedited process that is anticipated in this legislation belies logic. They didn't know, until after blood levels showed increased lead levels in children, that such a problem existed.

When we know that there are necessary changes, when the EPA, through its process, as they have done with the Lead and Copper Rule, know that there are ways to improve the protection to kids, we ought to implement those regulations as soon as we possibly can.

Mr. MARINO. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. Mr. Chairman, right now there is probably a group of folks down the street at a large oak table in a marble palace, nibbling on their \$16 Federal muffins, drinking their lattes, typing on their new iPads regulations. They are the regulators. The very term brings fear and trepidation into the hearts of people who work for a living.

Meanwhile, 14 million Americans are sitting at their old kitchen table, drinking coffee from their Mr. Coffee pot with no job on the horizon.

Small-business owners constantly say that complying with government regulations is the biggest economic problem they face, even more so than the Federal income tax. Bear in mind that we have the highest corporate income tax in the world.

Some businesses pack up their bags and even move to places like China. Meanwhile, the U.S. regulators are putting businesses out of business.

Now, Congress created the regulators, so Congress needs to fix the problem with the regulators. H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015, takes a number of commonsense approaches and puts a check on the regulators.

Mr. Chairman, there are 175,000 pages of regulations. Do you really think we need that many regulations?

One of the most important provisions of this bill is it will require the executive branch to make semiannual and annual disclosures about planned regulations.

A lot of times, the regulators don't have any idea of the economic costs of their decisions and what they will have on the American economy. Many of them have never worked in private industry. They have never been to the States that they are trying to regulate. This bill will force the regulators to determine the cost of their actions before they take action.

These disclosures will help American job creators so they can plan for the impacts of the new regulations on their budgets, hiring, and operations.

I urge support of this logical piece of legislation. Congress needs to rein in and regulate the regulators.

And that is just the way it is.

Mr. CONYERS. Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Judiciary Committee and chairman of the Small Business Subcommittee.

Mr. CHABOT. Mr. Chairman, I rise today in strong support of this bill and commend my colleague from Georgia (Mr. COLLINS) for his leadership on this very important issue.

We all know that small businesses are the foundation of our economy, creating 7 out of every 10 new jobs in the American economy. That is how many jobs are created by small businesses.

Mr. Chairman, we also hear from small businesses from all over America, from our own congressional districts, that new and old regulatory burdens continue to make it more difficult for them to expand, grow, and create more jobs.

The Constitution gives us the duty in the House of Representatives to provide for the general welfare. If we allow this scheme of sue and settle litigation to continue suppressing economic and job growth, we are not doing our duty.

What is this sue and settle that we are talking about? Well, very quickly, it refers to when a Federal agency agrees to a settlement agreement in a lawsuit from special interest groups, oftentimes groups on the left, to create priorities and rules outside of the normal rulemaking process. The agency intentionally relinquishes statutory discretion by committing to timelines and priorities that often realign agency duties.

Now, when agencies enter into consent decrees or settlement agreements and agree to issue new regulations, the rulemaking process is shortchanged. As chairman of the Committee on Small Business, I am particularly concerned that agencies are not adequately ana-

lyzing the impacts of new rules on small businesses, as is required by the Regulatory Flexibility Act. That is existing law. This results in unnecessary and costly regulatory burdens and disproportionately impacts small businesses, the job generators of this country.

I strongly urge my colleagues to support this legislation.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, when mankind first came upon this planet, I guess we were in caves and cavemen didn't have many rules. It was only the strong who survived. It was every man for himself. There were no morals about things, whether or not it is right or wrong. It is just a matter of your own personal survival. That was caveman thinking, and, unfortunately, we still have caveman thinking in the 21st century because we have a crowd that says that we should not have any rules of human conduct.

Isn't it a fact that America is what it is now because of the rules that have been put in place to foster prosperity and freedom? That is what our government has done. It has been a government of, by, and for the people.

There has been a movement over the last 30, 40 years to turn people against government. This mantra is that government is too big, we don't need any rules to govern human conduct, let everything work itself out, and the free market system will make it rain for everybody.

Well, we have seen, after 30, 40 years of practicing that free market way of thinking, that it doesn't work. Here we are still trying to cut the rules that guarantee the health, safety, and well-being of working people, of small business, of elderly people, and children.

This is what this legislation is about, is gutting the rulemaking process. This is one of many attempts, incessant attempts, by my friends on the other side to try to cut government so that their friends in big business on Wall Street can make it rain for the rest of us. They don't make it rain for anybody but themselves. They put all of the profits in their pockets. They become billionaires. We have had a shift of wealth away from the middle class and working people in this country. Let's stop it from happening.

Oppose this misguided legislation, H.R. 712.

Mr. MARINO. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT), a member of the Judiciary Committee.

Mr. GOHMERT. Mr. Chairman, I appreciate the chairman of the Judiciary Committee and also the committee I am on, Natural Resources. This has been an ongoing issue, particularly in Natural Resources, when we come to the sue and settle situation.

I appreciate my friend from Georgia pointing out that there are groups that don't want rules, that are just out for themselves. I, too, was against the Occupy Wall Street anarchy that was attempted.

□ 1415

I have never stood here in support of Wall Street. I fought the Wall Street bailout tooth and nail when friends on the other side of the aisle, many of them, were supporting it. Both sides of the aisle supported it. I am not standing here for Wall Street. I am standing here for fairness for American citizens across the country. That is what most people in both parties want. They want fairness.

Here is a report that the tactic of sue and settle "reached a zenith in Fish and Wildlife's 2011 mega-settlement with the Center for Biological Diversity, WildEarth Guardians, and other green groups over the species act. That agreement allowed Fish and Wildlife to claim it must take action on some 750 species covered by 85 legal actions. The deal's immediate effect was to tee up 250 species for full protection, including sweeping 'critical habitat' designations that will restrict commercial or other use of millions of acres of private property."

The problem is, when the judicial system is abused, and as a former litigator, judge, and chief justice, I know when litigants come before the court and they say, "We have reached an agreement, and here it is," then the judge's hands are normally tied, sign off on the agreement; but when it is a sympathetic group wanting to take away private property rights from private property owners, when they themselves have done nothing to produce or make that land profitable, to do so unfairly without proper notice by going behind the landowner's back, filing a suit with a sympathetic agency like Fish and Wildlife, having the agreed judgment signed, and then all of a sudden the most affected people were not given notice, they have their property rights taken away.

I realize there were groups like Occupy Wall Street that don't want anybody having private property rights. Look, the Pilgrims tried it. It doesn't work when you just have a socialist system, share and share alike, because when you pay people the same thing to work and not work, then eventually people quit working.

This bill is about fairness. What is wrong with giving notice to all of the people involved and letting them participate? That is the right thing to do.

Mr. CONYERS. Mr. Chairman, I am ready to close, and I yield myself the balance of my time.

Members, H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act, would establish a 6-month moratorium on new regulations, with limited

exception, significantly delaying the rulemaking process by which agencies ensure that Americans are protected from serious harm, such as dirty air and water and unsafe products and reckless behavior by large financial institutions.

Not surprisingly, the White House has already issued a strong veto threat. The administration warns that H.R. 712 would undermine critical public health and safety protections, introduce needless complexity and uncertainty in agency decisionmaking, and interfere with agency performance statutory mandates.

There is simply no basis to support this ill-conceived legislation. Accordingly, I urge all of my colleagues on both sides of the aisle to join me in opposing H.R. 712.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. I yield myself the balance of my time.

Mr. Chairman, my colleagues on the other side of the aisle claim that this bill will make it too hard for Washington bureaucrats to regulate and too cumbersome for Washington agencies to tell the American people what the agencies are up to. You might say they are claiming that this bill creates so much sunshine on our new regulations that Washington's regulators will get sunburned if the bill is enacted.

In the Obama administration's pen and phone era of encroaching on Americans' liberties, that much new sunshine is a good thing. In the Obama administration's era of regulatory dictates that crush new jobs and prevent higher wages, the new sunshine is desperately needed.

A central reason why the Obama administration has failed to deliver prosperity and security to our Nation is the administration's unprecedented avalanche of new and costly regulations. This regulatory onslaught is the big reason why we have just concluded 8 years of zero real wage growth for America's workers and families. It is a critical reason why 94 million Americans above the age of 16 are out of the workforce. It is an unmistakable reason why we are still missing the almost 6 million more new jobs Americans would have had if the so-called Obama recovery had just been as strong as the average recovery since World War II.

This bill combats the Obama administration's regulatory assault on jobs and wages with commonsense measures we all should support. I urge my colleagues to join me in voting for this bill to help deliver new jobs and better wages to America's workers and families.

Mr. Chairman, I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I rise in opposition to H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act. Rather than a good-faith effort to

improve our regulatory process, this bill would add unworkable new requirements on federal agencies that could impede critical efforts to safeguard public health, the environment, and other national priorities.

I was pleased, however, that this bill includes provisions from the Providing Accountability Through Transparency Act (H.R. 690), which I introduced with my colleague Rep. LUETKEMEYER. This bipartisan proposal would ensure that new federal rules include a brief, plain-language summary so that the public can better understand the proposed action. While I cannot support H.R. 712, I hope that we can continue to work across the aisle on this commonsense initiative that will enhance public understanding of important federal efforts in public health, consumer rights, environmental protection, and other areas.

Mr. VAN HOLLEN. Mr. Chair, today I rise in opposition to The Sunshine for Regulatory Decrees and Settlements Act of 2015.

In our first legislative week of 2016 the Republican agenda is clear—continue to erode the rights of Americans. Despite its sunny title, this bill does nothing more than make it more difficult for agencies to implement environmental, public health and consumer regulations. This bill helps big corporations that do not want to comply with agency promulgations at the expense and health of the American people.

It is for this reason Mr. Chair that I must vote no.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 114-37. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 712

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2016".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—SUNSHINE FOR REGULATORY DECREEES AND SETTLEMENTS

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. Consent decree and settlement reform.

Sec. 104. Motions to modify consent decrees.

Sec. 105. Effective date.

TITLE II—ALL ECONOMIC REGULATIONS ARE TRANSPARENT

Sec. 201. Short title.

Sec. 202. Office of information and regulatory affairs publication of information relating to rules.

TITLE III—PROVIDING ACCOUNTABILITY THROUGH TRANSPARENCY

Sec. 301. Short title.

Sec. 302. Requirement to post a 100 word summary to regulations.gov.

TITLE I—SUNSHINE FOR REGULATORY DECREEES AND SETTLEMENTS

SEC. 101. SHORT TITLE.

This title may be cited as the “Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2016”.

SEC. 102. DEFINITIONS.

In this title—

(1) the terms “agency” and “agency action” have the meanings given those terms under section 551 of title 5, United States Code;

(2) the term “covered civil action” means a civil action—

(A) seeking to compel agency action;

(B) alleging that the agency is unlawfully withholding or unreasonably delaying an agency action relating to a regulatory action that would affect the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government; and

(C) brought under—

(i) chapter 7 of title 5, United States Code; or

(ii) any other statute authorizing such an action;

(3) the term “covered consent decree” means—

(A) a consent decree entered into in a covered civil action; and

(B) any other consent decree that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government;

(4) the term “covered consent decree or settlement agreement” means a covered consent decree and a covered settlement agreement; and

(5) the term “covered settlement agreement” means—

(A) a settlement agreement entered into in a covered civil action; and

(B) any other settlement agreement that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

SEC. 103. CONSENT DECREE AND SETTLEMENT REFORM.

(a) PLEADINGS AND PRELIMINARY MATTERS.—

(1) IN GENERAL.—In any covered civil action, the agency against which the covered civil action is brought shall publish the notice of intent to sue and the complaint in a readily accessible manner, including by making the notice of intent to sue and the complaint available online not later than 15 days after receiving service of the notice of intent to sue or complaint, respectively.

(2) ENTRY OF A COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—A party may not make a motion for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with paragraph (1) and subparagraphs (A) and (B) of paragraph (2) of subsection (d) or subsection (d)(3)(A), whichever is later.

(b) INTERVENTION.—

(1) REBUTTABLE PRESUMPTION.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a person who alleges that the agency action in dispute would affect the person, the court shall presume, subject to rebuttal, that the interests of the person would not be represented adequately by the existing parties to the action.

(2) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—In considering a motion to intervene in

a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a State, local, or tribal government, the court shall take due account of whether the movant—

(A) administers jointly with an agency that is a defendant in the action the statutory provisions that give rise to the regulatory action to which the action relates; or

(B) administers an authority under State, local, or tribal law that would be preempted by the regulatory action to which the action relates.

(c) SETTLEMENT NEGOTIATIONS.—Efforts to settle a covered civil action or otherwise reach an agreement on a covered consent decree or settlement agreement shall—

(1) be conducted pursuant to the mediation or alternative dispute resolution program of the court or by a district judge other than the presiding judge, magistrate judge, or special master, as determined appropriate by the presiding judge; and

(2) include any party that intervenes in the action.

(d) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREEES OR SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and online—

(A) the proposed covered consent decree or settlement agreement; and

(B) a statement providing—

(i) the statutory basis for the covered consent decree or settlement agreement; and

(ii) a description of the terms of the covered consent decree or settlement agreement, including whether it provides for the award of attorneys’ fees or costs and, if so, the basis for including the award.

(2) PUBLIC COMMENT.—

(A) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in paragraph (1) on any issue relating to the matters alleged in the complaint in the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(B) RESPONSE TO COMMENTS.—An agency shall respond to any comment received under subparagraph (A).

(C) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall—

(i) inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms;

(ii) submit to the court a summary of the comments received under subparagraph (A) and the response of the agency to the comments;

(iii) submit to the court a certified index of the administrative record of the notice and comment proceeding; and

(iv) make the administrative record described in clause (iii) fully accessible to the court.

(D) INCLUSION IN RECORD.—The court shall include in the court record for a civil action the certified index of the administrative record submitted by an agency under subparagraph (C)(iii) and any documents listed in the index which any party or amicus curiae appearing before the court in the action submits to the court.

(3) PUBLIC HEARINGS PERMITTED.—

(A) IN GENERAL.—After providing notice in the Federal Register and online, an agency may hold a public hearing regarding whether to enter into a proposed covered consent decree or settlement agreement.

(B) RECORD.—If an agency holds a public hearing under subparagraph (A)—

(i) the agency shall—

(I) submit to the court a summary of the proceedings;

(II) submit to the court a certified index of the hearing record; and

(III) provide access to the hearing record to the court; and

(ii) the full hearing record shall be included in the court record.

(4) MANDATORY DEADLINES.—If a proposed covered consent decree or settlement agreement requires an agency action by a date certain, the agency shall, when moving for entry of the covered consent decree or settlement agreement or dismissal based on the covered consent decree or settlement agreement, inform the court of—

(A) any required regulatory action the agency has not taken that the covered consent decree or settlement agreement does not address;

(B) how the covered consent decree or settlement agreement, if approved, would affect the discharge of the duties described in subparagraph (A); and

(C) why the effects of the covered consent decree or settlement agreement on the manner in which the agency discharges its duties is in the public interest.

(e) SUBMISSION BY THE GOVERNMENT.—

(1) IN GENERAL.—For any proposed covered consent decree or settlement agreement that contains a term described in paragraph (2), the Attorney General or, if the matter is being litigated independently by an agency, the head of the agency shall submit to the court a certification that the Attorney General or head of the agency approves the proposed covered consent decree or settlement agreement. The Attorney General or head of the agency shall personally sign any certification submitted under this paragraph.

(2) TERMS.—A term described in this paragraph is—

(A) in the case of a covered consent decree, a term that—

(i) converts into a nondiscretionary duty a discretionary authority of an agency to propose, promulgate, revise, or amend regulations;

(ii) commits an agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question;

(iii) commits an agency to seek a particular appropriation or budget authorization;

(iv) divests an agency of discretion committed to the agency by statute or the Constitution of the United States, without regard to whether the discretion was granted to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties; or

(v) otherwise affords relief that the court could not enter under its own authority upon a final judgment in the civil action; or

(B) in the case of a covered settlement agreement, a term—

(i) that provides a remedy for a failure by the agency to comply with the terms of the covered settlement agreement other than the revival of the civil action resolved by the covered settlement agreement; and

(ii) that—

(I) interferes with the authority of an agency to revise, amend, or issue rules under the procedures set forth in chapter 5 of title 5, United States Code, or any other statute or Executive order prescribing rulemaking procedures for a rulemaking that is the subject of the covered settlement agreement;

(II) commits the agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question; or

(III) for such a covered settlement agreement that commits the agency to exercise in a particular way discretion which was committed to

the agency by statute or the Constitution of the United States to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties.

(f) REVIEW BY COURT.—

(1) AMICUS.—A court considering a proposed covered consent decree or settlement agreement shall presume, subject to rebuttal, that it is proper to allow amicus participation relating to the covered consent decree or settlement agreement by any person who filed public comments or participated in a public hearing on the covered consent decree or settlement agreement under paragraph (2) or (3) of subsection (d).

(2) REVIEW OF DEADLINES.—

(A) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(B) PROPOSED COVERED SETTLEMENT AGREEMENTS.—For a proposed covered settlement agreement, a court shall ensure that the covered settlement agreement allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(g) ANNUAL REPORTS.—Each agency shall submit to Congress an annual report that, for the year covered by the report, includes—

(1) the number, identity, and content of covered civil actions brought against and covered consent decrees or settlement agreements entered against or into by the agency; and

(2) a description of the statutory basis for—

(A) each covered consent decree or settlement agreement entered against or into by the agency; and

(B) any award of attorneys fees or costs in a civil action resolved by a covered consent decree or settlement agreement entered against or into by the agency.

SEC. 104. MOTIONS TO MODIFY CONSENT DECREES.

If an agency moves a court to modify a covered consent decree or settlement agreement and the basis of the motion is that the terms of the covered consent decree or settlement agreement are no longer fully in the public interest due to the obligations of the agency to fulfill other duties or due to changed facts and circumstances, the court shall review the motion and the covered consent decree or settlement agreement *de novo*.

SEC. 105. EFFECTIVE DATE.

This title shall apply to—

(1) any covered civil action filed on or after the date of enactment of this Act; and

(2) any covered consent decree or settlement agreement proposed to a court on or after the date of enactment of this Act.

TITLE II—ALL ECONOMIC REGULATIONS ARE TRANSPARENT

SEC. 201. SHORT TITLE.

This title may be cited as the “All Economic Regulations are Transparent Act of 2016” or the “ALERT Act of 2016”.

SEC. 202. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES.

(a) AMENDMENT.—Title 5, United States Code, is amended by inserting after chapter 6, the following new chapter:

“CHAPTER 6A—OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATION OF INFORMATION RELATING TO RULES

“Sec. 651. Agency monthly submission to office of information and regulatory affairs.

“Sec. 652. Office of information and regulatory affairs publications.

“Sec. 653. Requirement for rules to appear in agency-specific monthly publication.

“Sec. 654. Definitions.

“SEC. 651. AGENCY MONTHLY SUBMISSION TO OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

“On a monthly basis, the head of each agency shall submit to the Administrator of the Office of Information and Regulatory Affairs (referred to in this chapter as the ‘Administrator’), in such a manner as the Administrator may reasonably require, the following information:

“(1) For each rule that the agency expects to propose or finalize during the following year:

“(A) A summary of the nature of the rule, including the regulation identifier number and the docket number for the rule.

“(B) The objectives of and legal basis for the issuance of the rule, including—

“(i) any statutory or judicial deadline; and

“(ii) whether the legal basis restricts or precludes the agency from conducting an analysis of the costs or benefits of the rule during the rule making, and if not, whether the agency plans to conduct an analysis of the costs or benefits of the rule during the rule making.

“(C) Whether the agency plans to claim an exemption from the requirements of section 553 pursuant to section 553(b)(B).

“(D) The stage of the rule making as of the date of submission.

“(E) Whether the rule is subject to review under section 610.

“(F) For any rule for which the agency expects to finalize during the following year and has issued a general notice of proposed rule making—

“(A) an approximate schedule for completing action on the rule;

“(B) an estimate of whether the rule will cost—

“(i) less than \$50,000,000;

“(ii) \$50,000,000 or more but less than \$100,000,000;

“(iii) \$100,000,000 or more but less than \$500,000,000;

“(iv) \$500,000,000 or more but less than \$1,000,000,000;

“(v) \$1,000,000,000 or more but less than \$5,000,000,000;

“(vi) \$5,000,000,000 or more but less than \$10,000,000,000; or

“(vii) \$10,000,000,000 or more; and

“(C) any estimate of the economic effects of the rule, including any estimate of the net effect that the rule will have on the number of jobs in the United States, that was considered in drafting the rule. If such estimate is not available, a statement affirming that no information on the economic effects, including the effect on the number of jobs, of the rule has been considered.

“SEC. 652. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATIONS.

“(a) AGENCY-SPECIFIC INFORMATION PUBLISHED MONTHLY.—Not later than 30 days after the submission of information pursuant to section 651, the Administrator shall make such information publicly available on the Internet.

“(b) CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING PUBLISHED ANNUALLY.—

“(1) PUBLICATION IN THE FEDERAL REGISTER.—Not later than October 1 of each year, the Administrator shall publish in the Federal Register, for the previous year the following:

“(A) The information that the Administrator received from the head of each agency under section 651.

“(B) The number of rules and a list of each such rule—

“(i) that was proposed by each agency, including, for each such rule, an indication of whether the issuing agency conducted an analysis of the costs or benefits of the rule; and

“(ii) that was finalized by each agency, including for each such rule an indication of whether—

“(I) the issuing agency conducted an analysis of the costs or benefits of the rule;

“(II) the agency claimed an exemption from the procedures under section 553 pursuant to section 553(b)(B); and

“(III) the rule was issued pursuant to a statutory mandate or the rule making is committed to agency discretion by law.

“(C) The number of agency actions and a list of each such action taken by each agency that—

“(i) repealed a rule;

“(ii) reduced the scope of a rule;

“(iii) reduced the cost of a rule; or

“(iv) accelerated the expiration date of a rule.

“(D) The total cost (without reducing the cost by any offsetting benefits) of all rules proposed or finalized, and the number of rules for which an estimate of the cost of the rule was not available.

“(2) PUBLICATION ON THE INTERNET.—Not later than October 1 of each year, the Administrator shall make publicly available on the Internet the following:

“(A) The analysis of the costs or benefits, if conducted, for each proposed rule or final rule issued by an agency for the previous year.

“(B) The docket number and regulation identifier number for each proposed or final rule issued by an agency for the previous year.

“(C) The number of rules and a list of each such rule reviewed by the Director of the Office of Management and Budget for the previous year, and the authority under which each such review was conducted.

“(D) The number of rules and a list of each such rule for which the head of an agency completed a review under section 610 for the previous year.

“(E) The number of rules and a list of each such rule submitted to the Comptroller General under section 801.

“(F) The number of rules and a list of each such rule for which a resolution of disapproval was introduced in either the House of Representatives or the Senate under section 802.

“SEC. 653. REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.

“(a) IN GENERAL.—Subject to subsection (b), a rule may not take effect until the information required to be made publicly available on the Internet regarding such rule pursuant to section 652(a) has been so available for not less than 6 months.

“(b) EXCEPTIONS.—The requirement of subsection (a) shall not apply in the case of a rule—

“(1) for which the agency issuing the rule claims an exception under section 553(b)(B); or

“(2) which the President determines by Executive order should take effect because the rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“SEC. 654. DEFINITIONS.

“In this chapter, the terms ‘agency’, ‘agency action’, ‘rule’, and ‘rule making’ have the meanings given those terms in section 551.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of chapters for part 1 of title 5, United States Code, is amended by inserting after the item relating to chapter 5, the following:

“6. The Analysis of Regulatory Functions 601

“6A. Office of Information and Regulatory Affairs Publication of Information Relating to Rules 651”.

(c) **EFFECTIVE DATES.**—

(1) **AGENCY MONTHLY SUBMISSION TO THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS.**—The first submission required pursuant to section 651 of title 5, United States Code, as added by subsection (a), shall be submitted not later than 30 days after the date of the enactment of this Act, and monthly thereafter.

(2) **CUMULATIVE ASSESSMENT OF AGENCY RULE MAKING.**—

(A) **IN GENERAL.**—Subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 60 days after the date of the enactment of this Act.

(B) **DEADLINE.**—The first requirement to publish or make available, as the case may be, under subsection (b) of section 652 of title 5, United States Code, as added by subsection (a), shall be the first October 1 after the effective date of such subsection.

(C) **FIRST PUBLICATION.**—The requirement under section 652(b)(2)(A) of title 5, United States Code, as added by subsection (a), shall include for the first publication, any analysis of the costs or benefits conducted for a proposed or final rule, for the 10 years before the date of the enactment of this Act.

(3) **REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.**—Section 653 of title 5, United States Code, as added by subsection (a), shall take effect on the date that is 8 months after the date of the enactment of this Act.

TITLE III—PROVIDING ACCOUNTABILITY THROUGH TRANSPARENCY

SEC. 301. SHORT TITLE.

This title may be cited as the “Providing Accountability Through Transparency Act of 2016”.

SEC. 302. REQUIREMENT TO POST A 100 WORD SUMMARY TO REGULATIONS.GOV.

Section 553(b) of title 5, United States Code, is amended—

(1) in paragraph (2) by striking “; and” and inserting “;”;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (3) the following:

“(4) the internet address of a summary of not more than 100 words in length of the proposed rule, in plain language, that shall be posted on the internet website under section 206(d) of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov);”.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114-388. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MARINO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114-388.

Mr. MARINO. Mr. Chairman, I rise as the designee of the gentleman from Virginia (Mr. GOODLATTE), and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 5, strike the comma after “chapter 6”.

Page 16, after line 10, strike the table of sections for chapter 6A of title 5, United States Code, as inserted by section 202(a) of the bill, and insert the following:

“651. Agency monthly submission to Office of Information and Regulatory Affairs.

“652. Office of Information and Regulatory Affairs publications.

“653. Requirement for rules to appear in agency-specific monthly publication.

“654. Definitions.

Page 16, line 11, strike “SEC. 651. AGENCY MONTHLY SUBMISSION TO OFFICE OF INFORMATION AND REGULATORY AFFAIRS.” and insert “§651. Agency monthly submission to Office of Information and Regulatory Affairs”.

Page 16, line 19, strike “following year” and insert “12-month period following the month covered by the monthly submission”.

Page 17, line 19, strike “for which” and insert “that”.

Page 17, line 20, strike “the following year and has issued” and insert “the 12-month period following the month covered by the monthly submission and for which the agency has issued”.

Page 18, line 17, strike “rule. If such estimate is not” and insert “rule, or, if no such estimate is”.

Page 18, line 22, strike “SEC. 652. OFFICE OF INFORMATION AND REGULATORY AFFAIRS PUBLICATIONS.” and insert “§652. Office of Information and Regulatory Affairs publications”.

Page 19, line 8, insert after a comma “shall publish”.

Page 19, line 9, strike “for the previous year the following:” and insert the following: “the following, with respect to the previous year:”.

Page 22, line 1, strike “SEC. 653. REQUIREMENT FOR RULES TO APPEAR IN AGENCY-SPECIFIC MONTHLY PUBLICATION.” and insert “§653. Requirement for rules to appear in agency-specific monthly publication”.

Page 22, line 21, strike “SEC. 654. DEFINITIONS.” and insert “§654. Definitions”.

Page 23, line 2, strike the comma after “chapter 5”.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Pennsylvania (Mr. MARINO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, I yield myself such time as I may consume.

I offer this amendment with my colleague, Chairman CHAFFETZ, as a manager’s amendment to the bill. The amendment makes a small number of revisions in the nature of technical and conforming changes to clarify revisions that state deadlines, reformat section

nomenclature and headings, and improve typography or grammar.

The amendment constitutes an agreement reached between the Committee on the Judiciary and the other committee of jurisdiction, the Committee on Oversight and Government Reform.

I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MARINO).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114-388.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In the table of contents of the bill, insert after item pertaining to section 302 the following:

TITLE IV—GENERAL EXEMPTION FOR CERTAIN RULES

Sec. 401. Exemption of certain rules, and consent decrees or settlement agreements, from the provisions of this Act.

Add, at the end of the bill, the following:

TITLE IV—GENERAL EXEMPTION FOR CERTAIN RULES

SEC. 401. EXEMPTION OF CERTAIN RULES, AND CONSENT DECREES OR SETTLEMENT AGREEMENTS, FROM THE PROVISIONS OF THIS ACT.

Notwithstanding any other provision of law, the provisions of this Act and the amendments made by this Act shall not apply in the case of a rule that the Director of the Office of Management and Budget determines would result in net job creation and whose benefits exceeds its cost, or a consent decree or settlement agreement pertaining to such a rule. In the case of such a rule, consent decree, or settlement agreement, the provisions of law amended by this Act shall apply as though such amendments had not been made.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. JOHNSON of Georgia. Mr. Chairman, I thank you for the opportunity to speak in support of my amendment to H.R. 712.

H.R. 712 would significantly delay and possibly stop the Federal rule-making process by making it easier for regulated industries and well-funded antiregulatory entities to delay or prevent agency action and prohibiting any rule from being finalized until certain information is posted online for 6 months.

This assault on the regulations is based on the false premise that Federal

regulation stifles economic growth and job creation. My amendment confronts this fallacious assumption by excepting from H.R. 712 all rules that the Office of Management and Budget determines would result in net job creation.

As with many other deregulatory bills we have considered this Congress, the proponents of H.R. 712 argue that it will grow the economy, create jobs, and increase America's competitiveness internationally, but we cannot pretend that this politicized legislation is about economic growth or American prosperity.

As I have noted during the consideration of each of the antiregulatory bills that we have considered in the 114th Congress, there is simply no credible evidence in support of the reiteration of so-called job-killing regulations undermining economic growth. Zero. The latest report from the Bureau of Labor Statistics shows that unemployment has fallen to 5 percent despite Republican obstruction of everything that Democrats have put forward that would grow the economy.

While there is more work to do to grow the economy and help our Nation's middle class, there have been 69 straight months of private sector job growth. That is 13.7 million private sector jobs created amidst a regulatory system that is pro-worker, pro-environment, pro-public health, and pro-innovation.

And to those who would brush aside these strong employment figures, the Department of Labor has also reported that claims for unemployment benefits have dropped to the lowest levels in over 40 years.

While I would submit that regulations passed during the Obama administration have had a largely positive effect on sustainable economic growth, the reality is that there is little correlation between regulations and the economy.

Don't just take my word for it. Take the word of the San Francisco and New York Federal Reserve Banks, which found zero correlation between employment and regulation. Take the word of *The Washington Post*, which gave two Pinocchio's to industry estimates of the cost of regulations earlier this year. Take the word of the nonpartisan Congressional Research Service, which has debunked claims that regulations have a trillion-dollar cost to the economy.

Mr. Chairman, we need real solutions to help real people, not another thinly veiled handout to large corporations. I ask that my colleagues support my amendment to protect jobs.

Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, I share the gentleman's concerns about the im-

pact of regulations on jobs, but I submit that the right way to address that concern is to join me in supporting the bill.

The bill includes transparency requirements sure to increase public pressure on agencies to make sure that contemplated new regulations do not have unnecessary, adverse impacts on job creation. To exempt regulations from that pressure would make our regulatory system less protective of jobs, not more. Indeed, the gentleman's amendment would give the executive branch a powerful incentive to manipulate its jobs impact and cost-benefit analyses to give false impressions that avoid the requirements of the bill.

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The amendment also puts the cart before the horse. It offers carve-outs from the bill based on factors that cannot be determined adequately before important analytical requirements in existing statutes and executive orders governing the rulemaking process are applied in the first place.

Specific provisions in the bill—for example, judicial review provisions in title I for proposed consent decrees and settlement agreements—are designed to protect the proper application of those analytical requirements.

I urge my colleagues to oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, they talk about all of the regulations that have been promulgated during the Obama administration as if the Obama administration is the only administration that has promulgated rules of conduct.

Certainly we have had rules associated with the unveiling of the very successful Affordable Care Act. There were a lot of rules put into place to prevent insurance companies from taking advantage of people.

Preexisting conditions are outlawed. All of these are regulations that were associated with the Affordable Care Act. We have parents being able to keep their kids on their insurance up to the age of 26 and no discrimination between men and women.

Those were rules that have stimulated jobs in America because 22 million people who did not have access to the healthcare system now have access to it. More jobs have arisen because of that. That is a direct result of regulations.

The same thing with Dodd-Frank, which protects people from Wall Street overreach. Those rules have created opportunities for small businesses to come in and start creating real jobs in America.

So rules are good for our society. This legislation cuts that ability to create wealth for everyone else. So I would ask that this amendment be approved by my colleagues.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, the arguments on both sides have been creative, at the very least, but I would like to bring to everyone's attention an article by the National Association of Manufacturers, which is in very simple figures.

This is a survey of manufacturers: "What would you do with funds currently allocated to Federal regulatory compliance?" Sixty-three percent said they would invest. 22 percent said they would invest in employee initiatives, creating jobs.

I ask my colleagues to oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114-388.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, strike the table of sections for chapter 6A of title 5, United States Code, as inserted by section 202(a) of the bill, and insert the following:

"651. Agency monthly submission to Office of Information and Regulatory Affairs.

"652. Office of Information and Regulatory Affairs publications.

"653. Definitions.

Page 22, strike line 1, and all that follows through line 20. amend the table of contents accordingly.

Page 22, line 21, strike "SEC. 654. DEFINITIONS," and insert "\$ 653. Definitions".

Page 24, strike line 8 and all that follows through line 12.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

My amendment, cosponsored by Government Operations Subcommittee Ranking Member GERRY CONNOLLY, would strike the 6-month moratorium on rules imposed by the bill.

Title II of this bill prohibits an agency rule from taking effect until 6

months after agencies submit information the bill requires to the Office of Information and Regulatory Affairs and that office posts this information on the Internet.

Under the bill, if the Office of Information and Regulatory Affairs fails to post any of the required information, a rule would be prohibited from taking effect. This is an arbitrary moratorium.

The bill allows for only two exceptions. One exception is if the agency exempts a rule from the notice and comment requirements of the Administrative Procedure Act. The other exception is if the President issues an executive order requiring a rule to take effect.

This bill covers all agency rulemakings, including rules needed to protect our health, safety, and our environment. For example, this bill would cover rules like the one recently published by the Department of Justice that clarifies who is responsible for reporting to law enforcement that a gun has been lost or stolen in transit.

Our country doesn't need an unnecessary 6-month delay in putting in place a commonsense safety rule like this one. The bill's 6-month moratorium exposes this bill for what it really is, which is a way to delay agency rules. My amendment would remove this provision in the underlying bill.

I urge all Members to adopt my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Chairman, as Federal regulatory agencies attempt to pile more and more regulatory burdens on America's struggling workers, families, and small businesses, the least we can ask is that they be transparent about it.

What could be more transparent than requiring them on a monthly basis, online, to update the public with realtime information about what new regulations are coming and how much they will cost?

Once they have that information, affected individuals and job creators will be able to plan and budget meaningfully for new costs they may have to absorb. If they are denied that information, they will only be blindsided. That is not fair.

Title II of the bill makes sure this information is provided to the public. To provide a strong incentive to agencies to honor its requirements, title II prohibits new regulations from becoming effective unless agencies provide transparent information online for 6 months preceding the regulation's issuance.

The amendment seeks to eliminate that incentive. Without an incentive

like that in existing law, what have we seen from the Obama administration? Repeated failures to make disclosures required by statute and executive order, including the administration's year-long hiding of the ball on new regulations during the 2012 election cycle.

I urge my colleagues to oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, again, I would urge Members to vote in favor of this amendment. Again, we have a situation here where this 6-month moratorium is another way of blocking the rulemaking process.

I think it is very unfortunate in this time. I think, if we are talking about transparency, we need to be transparent about why we have this moratorium. The fact is that it is an effort to stop important rulemakings from taking place.

Mr. Chairman, I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I have some information I would like to bring to the attention of the Members. It is a document from Investor's Business Daily. It is a very simple statement, but it is a very large fact: If we had a Reagan-paced job recovery, we would today have at least 12 million more Americans working.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. LYNCH

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 114-388.

Mr. LYNCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 12, strike "and".

Page 18, line 21, strike the period and insert "; and".

Page 18, after line 21, insert the following: "(D) any estimate of the benefits of the rule.

Page 20, after line 21, insert the following: "(E) The total benefits of all rules proposed or finalized, and the number of rules for which an estimate of the benefits of the rule was not available.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chairman, I yield myself such time as I may consume.

My amendment would improve title II of H.R. 712 to ensure that the effectiveness of agency regulations are not solely evaluated by the basis of the cost to industry.

Rather, the primary importance of agency rulemaking to the improved health, safety, and security of the American people demands that we also consider the significant benefits of agency regulations in analyzing whether or not they contribute to protecting the public and promoting the general welfare.

In particular, my amendment would require Federal agencies to provide an estimate of the individual benefits of a proposed regulation, just as H.R. 712 currently requires them to report individual regulatory costs.

This amendment would also require the Office of Information and Regulatory Affairs to include the total benefits of proposed and final agency rules in the annual report that it would be required to issue under H.R. 712.

In its current form, the underlying bill expressly provides that the Office of Information and Regulatory Affairs must publish only the total cost of all proposed and finalized agency rules without reducing the cost by any offsetting benefits in its calculation of the cumulative cost of agency regulations.

Not surprisingly, the Coalition for Sensible Safeguards has issued a formal opposition letter to the language that is included as title II of H.R. 712. The Coalition is an alliance of over 150 businesses, consumer protection, labor, environmental, and good government groups that includes the American Sustainable Business Council and its 200,000 member businesses.

According to the Coalition: "This bill's one-sided focus on regulatory costs provides a highly distorted picture of the value of critical safeguards that all Americans depend on . . . By focusing exclusively on regulatory costs, this bill gives the misleading impression that regulations are an inescapable drain on the American economy."

The recent draft report of the costs and benefits of major Federal regulations issued by the Office of Information and Regulatory Affairs in October 2015 serves to further illustrate the transparency that is lacking when we only consider the costs associated with an agency regulation.

Among its principal findings, the report provides that, from October 2004 through September 2014, spanning both Republican and Democratic administrations, Federal agencies estimated the aggregate benefits of major Federal regulations to range between \$216 billion and \$812 billion. In stark contrast, the approximate annual cost of major Federal regulations ranges between \$57 billion and \$85 billion.

Importantly, several Clean Air rules promulgated by the Environmental Protection Agency's Office of Air and Radiation have significantly high estimated benefits that are attributable to the reduction in public exposure to air pollutants.

According to the report, the Clean Air Fine Particle Rule of 2007 had benefits ranging from \$19 billion to \$167 billion per year. These regulatory benefits would not be considered under H.R. 712.

Other health and safety rules were similarly identified as having a sizable benefit on the American people. Patient safety rules that address dietary supplement oversight, medical error, and safety requirements for long-term care facilities had estimated benefits between \$13 billion and \$17 billion per year.

Transportation-related safety rules designed to reduce the risk of injury and death associated with airplane, vehicle, and train travel had estimated benefits of between \$16 billion and \$28 billion per year. These regulatory benefits would not be considered under H.R. 712, as currently drafted.

Mr. Chairman, if our goal is to maximize transparency in the regulatory process, we can't simply give the American people and this Congress one side of the story.

Rather, full transparency and informed decisionmaking require that our analysis does not only include the regulatory costs, but also the extent to which an agency bill improves and protects the health, safety, and security of the American people. My amendment would ensure that this was the case.

□ 1445

Mr. Chairman, it is the primary mission of every Federal agency to protect the American public from harmful and developing situations, whether we are talking about a new prescription painkiller on the market that the FDA finds to be highly addictive, or an emerging financial practice that the Securities and Exchange Commission determines is predatory on American consumers, or dangerous materials that the Environmental Protection Agency deems to be an imminent public hazard.

That public mission is severely undermined if the merits of an agency regulation are evaluated solely on the basis of costs to the industry and at the expense of the significant benefits to the American people.

Again, in closing, I urge my colleagues on both sides of the aisle to support this amendment.

I yield back the balance of my time.

Mr. MARINO. Mr. Chairman, I respectfully rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. I welcome the gentleman's belief that new regulations can

actually create benefits. I also share the gentleman's interest in ensuring that the public ultimately knows what those benefits are.

The bill, however, does nothing to restrict or prevent the publication of information about the benefits of new rules. It is intended to address what has been lacking in administration publications about new rules: accurate, real-time information about the true nature, timing, and cost of new rules.

That information is essential to those who must bear the burden of the rules so that they can plan, hire, and budget consistent with impending new legal requirements.

Furthermore, the gentleman's amendment would needlessly expose new regulations to the bill's enforcement provisions, delaying promulgation of beneficial rules simply because pre-promulgation statements and expected benefits were lacking.

Mr. Chairman, I constantly spend time in my district in factories because I came from manufacturing, talking to small-business people, and the number one issue concerning their livelihoods and others is overregulation crushing jobs for middle class Americans.

As a result, I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LYNCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. FOXX

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 114-388.

Ms. FOXX. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 14, insert after "including" the following: "the imposition of unfunded mandates and".

Page 20, line 19, insert after "or finalized," the following: "the total cost of any unfunded mandates imposed by all such rules,".

Page 22, line 24, insert after "section 551" the following: "and the term 'unfunded mandate' has the meaning given the term 'Federal mandate' in section 421(6) of the Congressional Budget Act of 1974 (2 U.S.C. 658(6)).".

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Ms. FOXX. Mr. Chairman, this amendment to title II, the ALERT Act, ensures that agencies and OMB's Office of Information and Regulatory Affairs, OIRA, report the cost of unfunded mandates imposed through the regulatory process.

Federal agencies can advance government initiatives without using Federal taxpayer dollars by issuing regulations that pass compliance down to State and local governments and to private businesses. These costly mandates make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets safe and parks clean.

My amendment requires agencies to include in their monthly reports to OIRA whether rules in the pipeline impose unfunded mandates, and requires OIRA to include in its annual cumulative assessment of new regulations the total cost of unfunded mandates imposed by the Federal Government.

This amendment will not unduly burden agencies' regulatory work, as it requires only that they be transparent in their imposition of unfunded mandates on State and local governments and private businesses.

Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this amendment. This amendment would further increase the duplication and burden of the underlying bill.

Agencies are already required to perform an analysis, under the Unfunded Mandates Reform Act, of whether a proposed rule imposes an unfunded mandate on State, local, or tribal governments, or the private sector.

This amendment would require agencies to report to the Office of Information and Regulatory Affairs every month on any unfunded mandate estimates for proposed rules. This amendment would be a backdoor way to get the Office of Information and Regulatory Affairs to review unfunded mandate assessments by independent agencies.

Currently, independent agencies are exempt from the Unfunded Mandates Reform Act. This amendment would require independent agencies to conduct unfunded mandate assessments and submit them to OIRA. This would jeopardize the independence of these agencies, which is so very important.

I oppose the underlying bill, and I oppose this amendment, which does not improve the bill.

Mr. Chairman, I reserve the balance of my time.

Ms. FOXX. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentlewoman for yielding, and I strongly support her amendment.

Over the past several decades, the accumulation of unfunded mandates issued by the Federal Government to State and local governments, tribes, and the private sector has become an alarming concern.

This amendment will throw an early and needed spotlight on proposed new unfunded mandates as Federal agencies begin the process of considering them. Hopefully, once they are informed of them in time, by the amendment, those who would otherwise have to bear the burden of unfunded mandates will be better armed to fend off their unjust imposition.

I urge my colleagues to support this amendment.

Mr. CUMMINGS. Mr. Chairman, I reserve the balance of my time with the right to close.

Ms. FOXX. Mr. Chairman, as I mentioned in the debate last night on a similar amendment, unfunded mandates are frequently overlooked in the debates about regulatory reform. However, these decisions have real costs and real effects on the individuals, families, and communities we each represent.

While my amendment is a small change, it ensures that costs passed down to businesses, State and local governments are reported.

I thank my colleagues for their consideration and ask for their support.

I yield back the balance of my time.

Mr. CUMMINGS. Mr. Chairman, again, I think I have stated very clearly why we oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114-388.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise as the designee of the Jackson Lee amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 14, strike "an imminent" and insert "a".

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, H.R. 712 imposes a 6-month moratorium before a rule can take effect, unless the rule either:

One, qualifies under the Administrative Procedure Act's exception for no-

tice and comment, which applies "when the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefore in the rules issued) that notice and public procedure thereon are impractical, unnecessary, or contrary to public interest;" or

Two, if the President issues an executive order determining that the rule is necessary because of an imminent threat to health or safety or other emergency, necessary for the enforcement of the criminal laws, necessary for national security, or issued pursuant to any statute implementing an international trade agreement.

The amendment simply strikes "imminent" from H.R. 712, so that a rule that prevents a threat to health or safety or other emergency would qualify under the bill's exception.

As the Coalition for Sensible Safeguards—an organization representing more than 150 labor, scientific, research, good government, faith, community, health, environmental, and public interest groups—observes, the bill's moratorium will put on hold for 6 months "the benefits of critically needed regulations, whether measured in lives saved, environmental damage averted, or money saved."

This 6-month delay would be in addition to the already time-consuming process by which rules are promulgated.

Why should a rule intended to protect public health and safety be held up for 6 months simply because the anticipated harm the rule addresses is not imminent? Shouldn't we look to try to foresee what is going to happen?

That is what this amendment will enable, if this legislation passes. I will ask my colleagues to support this very much commonsense amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Title II of the bill contains transparency requirements that are long overdue. To make sure that agencies comply and conduct their business in the sunshine, it prohibits an agency from entering a new regulation into effect unless the agency makes the disclosures the bill requires for at least 6 months before the regulation's published effective date.

Nevertheless, to provide flexibility where it is needed, the bill allows exceptions to the prohibition. For example, it grants a general exception for rules that do not require notice and public comment pursuant to the Administrative Procedures Act's "good cause" exception. By statute, this exception includes situations where tak-

ing the time for notice and comment would be "contrary to the public interest."

In addition, the bill provides for a specific exception when a rule is needed to respond to an imminent threat.

The amendment seeks to widen the latter exception, but it goes too far. It would allow any health or safety rule, including environmental rules, that an agency self-styles as responsive to an emergency, to evade the title's reasonable disclosure requirements with ease.

A mere 6 months of disclosure to the public is not unreasonable in the absence of an imminent emergency. The courts, moreover, can be relied upon to interpret the imminency requirement so as not to delay unduly the effective dates of needed, true emergency rules.

And, in any event, the bill's exception for rules qualifying for the APA's "good cause" exception to notice and comment is adequate to provide for any remaining need. So I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, opposition is premised upon the notion that we just can't trust a Federal employee who is charged with overseeing the protection of Americans through the rule process. We don't believe, on the other side, that a person can be conscientious and dutiful about trying to help people.

Instead, they want to make it such that you can't issue a rule. You will gum up the process by extending it out for so long—another 6 months—despite the fact that the rule, as foreseen by a Federal employee—and it has gone through the notice and comments part of the Administrative Procedure Act, which has worked for decades. You just simply don't want government to issue a rule that can protect people.

Why? Because it gets in the way of some big corporations' profits. That is what this is really all about, protecting profits at the expense of the health, safety, and well-being of the people. We don't trust a government worker to be able to provide good service to the people by promulgating rules that protect people.

□ 1500

It is crazy, but that is what we are dealing with.

I would ask that the very reasonable Jackson Lee amendment be favored by my colleagues in this body.

Please vote "yes."

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume just to say to the gentleman from Georgia that it is entirely reasonable

that regulations proposed to protect the people, as he notes, should be known by the people before they are put into effect because they may decide it is not the way they want to be protected. All this legislation does is make sure that they have adequate notice of proposed regulations that could have an impact on their jobs, on their family, on their health, and on their safety.

Government bureaucrats don't always get it right. We have learned that the hard way. I think it is very important that this amendment be defeated and that the underlying notice requirement in the bill that will benefit the general public be preserved. I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114-388.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 24, insert before the period the following: “, except that the term ‘agency’ does not include an independent establishment as defined in section 104”.

The Acting CHAIR. Pursuant to House Resolution 580, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

My amendment is cosponsored by Government Operations Subcommittee Ranking Member GERRY CONNOLLY. Our amendment would exempt independent agencies from the unnecessary, burdensome, and potentially dangerous provisions of this legislation.

This bill would prohibit an agency rule from taking effect until the Office of Information and Regulatory Affairs posts certain information on proposed and final rules on the Internet for at least 6 months. The bill only allows for two exceptions. One exception is if the agency exempts a rule from the notice and comment requirements of the Administrative Procedures Act. The other

exception is if the President issues an executive order requiring a rule to take effect.

This bill covers all agency rulemakings, no matter how important. When applied to independent agencies, it is particularly dangerous. Independent agencies are supposed to regulate industries without the risk of political interference on their rulemaking. They are not required to obtain approval for their rules from the Office of Information and Regulatory Affairs.

Under this bill, a rule issued by an independent agency could be delayed if the Office of Information and Regulatory Affairs fails to comply with the requirements of the bill. That means this bill would give the Office of Information and Regulatory Affairs the ability to delay a rule issued by an independent agency. That may be an unintended consequence, but it is a serious one that could affect our Nation's financial markets, health, and safety.

One independent agency that would be affected by this rule is the Consumer Product Safety Commission. The CPSC recently proposed a safety standard for high chairs. The CPSC reports that over a 4-year period, an estimated 10,000 injuries occurred that were related to high chairs. H.R. 712 could delay rules like these high chair standards. That is simply unacceptable. Our amendment would exempt independent agencies like the Consumer Product Safety Commission from the bill.

I urge my colleagues to adopt our amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Title II of the bill, the ALERT Act, contains needed transparency requirements so that hardworking Americans who bear the cost of new regulation at least know in realtime what is coming and what it will cost them to comply. Just like ordinary executive agencies, independent agencies should provide this level of transparency about the new regulations they are preparing.

Why should the public not have the right to know as much about what the Securities and Exchange Commission is planning to impose as it knows about what the Environmental Protection Agency plans? Why shouldn't the public know as much about how the Consumer Financial Protection Bureau plans to regulate new car loans as it knows about how the Department of Transportation plans to regulate new car designs?

The bill strengthens and protects the public's right to know. The amendment

would allow independent agencies to hide the ball at the public's expense, and so I urge my colleagues to oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114-388 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. JOHNSON of Georgia.

Amendment No. 3 by Mr. CUMMINGS of Maryland.

Amendment No. 4 by Mr. LYNCH of Massachusetts.

Amendment No. 6 by Mr. JOHNSON of Georgia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 242, not voting 16, as follows:

[Roll No. 7]

AYES—175

Adams	Castro (TX)	Doyle, Michael
Aguilar	Cicilline	F.
Ashford	Clark (MA)	Duckworth
Bass	Clarke (NY)	Edwards
Beatty	Clay	Ellison
Becerra	Clyburn	Engel
Bera	Cohen	Eshoo
Beyer	Connolly	Esty
Bishop (GA)	Conyers	Farr
Blumenauer	Cooper	Fattah
Bonamici	Costa	Poster
Boyle, Brendan	Courtney	Frankel (FL)
F.	Crowley	Fudge
Brady (PA)	Cuellar	Gabbard
Brown (FL)	Cummings	Gallego
Brownley (CA)	Davis (CA)	Garamendi
Bustos	Davis, Danny	Graham
Butterfield	DeFazio	Grayson
Capps	DeGette	Green, Al
Capuano	Delaney	Green, Gene
Cárdenas	DelBene	Grijalva
Carney	DeSaulnier	Gutiérrez
Carson (IN)	Deutch	Hahn
Cartwright	Dingell	Hastings
Castor (FL)	Doggett	Heck (WA)

Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn

Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

NOES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishkek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)

Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko

Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford

Scalise
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton

Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Chu, Judy
Cleaver
DeLauro
Jackson Lee
Johnson, E. B.
Kennedy

Kind
King (IA)
Miller (MI)
Nugent
Palazzo
Rush

Sires
Smith (WA)
Titus
Webster (FL)

□ 1541

Messrs. CALVERT, WHITFIELD, ZINKE, MARINO, Ms. ROS-LEHTINEN, and Mr. COLLINS of Georgia changed their vote from “aye” to “no.”

Messrs. BRADY of Pennsylvania, CLYBURN, Ms. SCHAKOWSKY, LORETTA SANCHEZ of California, MICHELLE LUJAN GRISHAM of New Mexico, and Mr. MCNERNEY changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SHERMAN. Mr Chair, on rollcall No. 7, the Johnson of Georgia Amendment No. 2, had I been present, I would have voted “yes.”

AMENDMENT NO. 3 OFFERED BY MR. CUMMINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 244, not voting 15, as follows:

[Roll No. 8]

AYES—174

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer

Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)

Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright

Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes

Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn

Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishkek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway

Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight

Labrador	Paulsen	Simpson	Brownley (CA)	Grijalva	O'Rourke	Jolly	Murphy (PA)	Scott, Austin
LaHood	Pearce	Sinema	Bustos	Gutiérrez	Pallone	Jones	Neugebauer	Sensenbrenner
LaMalfa	Perry	Smith (MO)	Butterfield	Hahn	Pascarell	Jordan	Newhouse	Sessions
Lamborn	Peters	Smith (NE)	Capps	Hastings	Payne	Joyce	Noem	Shimkus
Lance	Peterson	Smith (NJ)	Capuano	Heck (WA)	Pelosi	Katko	Nunes	Simpson
Latta	Pittenger	Smith (TX)	Cárdenas	Higgins	Perlmutter	Kelly (MS)	Olson	Smith (MO)
LoBiondo	Pitts	Stefanik	Carney	Himes	Peters	Kelly (PA)	Palazzo	Smith (NE)
Long	Poe (TX)	Stewart	Carson (IN)	Hinojosa	Peterson	King (NY)	Palmer	Smith (NJ)
Loudermilk	Poliquin	Stivers	Cartwright	Honda	Pingree	Kinzinger (IL)	Paulsen	Smith (TX)
Love	Pompeo	Stutzman	Castor (FL)	Hoyer	Pocan	Kline	Pearce	Stefanik
Lucas	Posey	Thompson (PA)	Castro (TX)	Huffman	Polis	Knight	Perry	Stewart
Luetkemeyer	Price, Tom	Thornberry	Cicilline	Israel	Price (NC)	Labrador	Pittenger	Stivers
Lummis	Ratcliffe	Tiberi	Clark (MA)	Jeffries	Quigley	LaHood	Pitts	Stutzman
MacArthur	Reed	Tipton	Clarke (NY)	Johnson (GA)	Rangel	LaMalfa	Poe (TX)	Thompson (PA)
Marchant	Reichert	Trott	Clay	Kaptur	Rice (NY)	Lamborn	Poliquin	Thornberry
Marino	Renacci	Turner	Clyburn	Keating	Richmond	Lance	Pompeo	Tiberi
Massie	Ribble	Upton	Cohen	Kelly (IL)	Roybal-Allard	Latta	Posey	Turner
McCarthy	Rice (SC)	Valadao	Connolly	Kildee	Ruiz	LoBiondo	Price, Tom	Trott
McCaul	Rigell	Wagner	Conyers	Kilmer	Ruppersberger	Long	Ratcliffe	Turner
McClintock	Roby	Walberg	Cooper	Kirkpatrick	Ryan (OH)	Loudermilk	Reed	Upton
McHenry	Roe (TN)	Walden	Costa	Kuster	Sánchez, Linda T.	Love	Reichert	Valadao
McKinley	Rogers (AL)	Walker	Courtney	Lucas	Sarbanes	Lucas	Renacci	Walberg
McMorris	Rogers (KY)	Walorski	Crowley	Larsen (WA)	Schakowsky	Luetkemeyer	Ribble	Wagner
Rodgers	Rohrabacher	Walters, Mimi	Cuellar	Larson (CT)	Schiff	Lummis	Rice (SC)	Walberg
McSally	Rokita	Weber (TX)	Cummings	Lawrence	Scott (VA)	MacArthur	Rigell	Walden
Meadows	Rooney (FL)	Wenstrup	Davis (CA)	Lee	Scott, David	Marchant	Roby	Walorski
Meehan	Ros-Lehtinen	Westerman	Davis, Danny	Levin	Serrano	Marino	Roe (TN)	Walters, Mimi
Messner	Roskam	Westmoreland	DeFazio	Lewis	Sewell (AL)	Massie	Rogers (AL)	Weber (TX)
Mica	Ross	Whitfield	DeGette	Lieu, Ted	Sherman	McCarthy	Rogers (KY)	Wenstrup
Miller (FL)	Rothfus	Williams	Delaney	Lipinski	Shuster	McCaul	Rohrabacher	Westerman
Moolenaar	Rouzer	Wilson (SC)	DelBene	Loebbeck	Sinema	McClintock	Rooney (FL)	Westmoreland
Mooney (WV)	Royce	Wittman	Dent	Lofgren	Speier	McHenry	Ros-Lehtinen	Whitfield
Mullin	Russell	Womack	DeSaulnier	Lowenthal	Slaughter	McKinley	Roskam	Williams
Mulvaney	Salmon	Woodall	Dingell	Lowe	Speier	McMorris	Ross	Wilson (SC)
Murphy (PA)	Sanford	Yoder	Doggett	Lujan Grisham (NM)	Swalwell (CA)	Rodgers	Rothfus	Wittman
Neugebauer	Scalise	Yoho	Doyle, Michael F.	Luján, Ben Ray (NM)	Takai	McSally	Rouzer	Womack
Newhouse	Schweikert	Young (AK)	Duckworth	Lynch	Takano	Meehan	Royce	Woodall
Noem	Scott, Austin	Young (IA)	Edwards	Maloney	Thompson (CA)	Messer	Russell	Yoder
Nunes	Sensenbrenner	Young (IN)	Engel	Carolyn	Thompson (MS)	Mica	Salmon	Yoho
Olson	Sessions	Zeldin	Eshoo	Maloney, Sean	Tonko	Miller (FL)	Sanchez, Loretta	Young (AK)
Palazzo	Shimkus	Zinke	Esty	Matsui	Torres	Moolenaar	Sanford	Young (IA)
Palmer	Shuster		Farr	McCollum	Tsongas	Mooney (WV)	Scalise	Young (IN)
			Fattah	McDermott	Van Hollen	Mullin	Schrader	Zeldin
			Fitzpatrick	McGovern	Vargas	Mulvaney	Schweikert	Zinke
			Foster	McNerney	Veasey			
			Frankel (FL)	Meadows	Vela			
				Meeks	Velázquez			
				Meng	Visclosky			
				Moore	Walz			
				Moulton	Wasserman			
				Murphy (FL)	Schultz			
				Nadler	Waters, Maxine			
				Napolitano	Watson Coleman			
				Grayson	Welch			
				Green, Al	Wilson (FL)			
				Green, Gene	Yarmuth			
				Norcross				

NOT VOTING—15

Chu, Judy	Kennedy	Rush
Cleaver	Kind	Sires
DeLauro	King (IA)	Smith (WA)
Jackson Lee	Miller (MI)	Titus
Johnson, E. B.	Nugent	Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1546

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. LYNCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 235, not voting 18, as follows:

[Roll No. 9]

AYES—180

Adams	Becerra	Bonamici
Aguilar	Bera	Boyle, Brendan F.
Ashford	Beyer	Brady (PA)
Bass	Bishop (GA)	Brown (FL)
Beatty	Blumenauer	

Abraham	Cole
Aderholt	Collins (GA)
Allen	Collins (NY)
Amash	Comstock
Amodei	Conaway
Babin	Cook
Barletta	Costello (PA)
Barr	Cramer
Barton	Crawford
Benish	Crenshaw
Bilirakis	Culberson
Bishop (MI)	Curbelo (FL)
Bishop (UT)	Davis, Rodney
Black	Denham
Blackburn	DeSantis
Blum	DesJarlais
Bost	Dold
Boustany	Donovan
Brady (TX)	Duffy
Brat	Duncan (SC)
Bridenstine	Duncan (TN)
Brooks (AL)	Ellmers (NC)
Brooks (IN)	Emmer (MN)
Buchanan	Farenthold
Buck	Fincher
Bucshon	Fleischmann
Burgess	Fleming
Byrne	Flores
Calvert	Forbes
Carter (GA)	Fortenberry
Carter (TX)	Fox
Chabot	Franks (AZ)
Chaffetz	Frelinghuysen
Clawson (FL)	Garrett
Coffman	Gibbs

NOES—235

Gohmert	Holding
Goodlatte	Hudson
Gosar	Huelskamp
Gowdy	Huizenga (MI)
Granger	Hultgren
Graves (GA)	Hunter
Graves (LA)	Hurd (TX)
Graves (MO)	Hurt (VA)
Griffith	Issa
Grothman	Jenkins (KS)
Guinta	Jenkins (WV)
Guthrie	Johnson (OH)
Hanna	Johnson, Sam
Hardy	
Harper	
Harris	
Hartzer	
Heck (NV)	
Hensarling	
Herrera Beutler	
Hice, Jody B.	
Hill	
Holding	
Hudson	
Huelskamp	
Huizenga (MI)	
Hultgren	
Hunter	
Hurd (TX)	
Hurt (VA)	
Issa	
Jenkins (KS)	
Jenkins (WV)	
Johnson (OH)	
Johnson, Sam	

NOT VOTING—18

Chu, Judy	Kennedy	Rush
Cleaver	Kind	Sires
DeLauro	King (IA)	Smith (WA)
Diaz-Balart	Miller (MI)	Titus
Jackson Lee	Nugent	Walker
Johnson, E. B.	Rokita	Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1550

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 241, not voting 19, as follows:

[Roll No. 10]

AYES—173

Adams Foster
Aguilar Frankel (FL)
Ashford Fudge
Bass Gabbard
Beatty Gallego
Becerra Garamendi
Bera Graham
Beyer Grayson
Bishop (GA) Green, Al
Blumenauer Green, Gene
Bonamici Grijalva
Boyle, Brendan Gutierrez
F. Hahn
Brady (PA) Hastings
Brown (FL) Heck (WA)
Brownley (CA) Higgins
Bustos Himes
Butterfield Hinojosa
Capps Honda
Capuano Hoyer
Cardenas Huffman
Carney Israel
Carson (IN) Jeffries
Cartwright Johnson (GA)
Castor (FL) Kaptur
Castro (TX) Keating
Cicilline Kelly (IL)
Clark (MA) Kildee
Clarke (NY) Kilmer
Clay Kirkpatrick
Clyburn Kuster
Cohen Langevin
Connolly Larsen (WA)
Conyers Larson (CT)
Cooper Lawrence
Costa Lee
Courtney Levin
Crowley Lieu, Ted
Cuellar Lipinski
Cummins Loeb sack
Davis (CA) Lofgren
Davis, Danny Lowenthal
DeFazio Lowey
DeGette Lujan Grisham
Delaney (NM)
DelBene Lujan, Ben Ray
DeSaulnier (NM)
Deutch Lynch
Dingell Maloney,
Doggett Carolyn
Doyle, Michael Maloney, Sean
F. Matsui
Duckworth McCollum
Edwards McDermott
Ellison McGovern
Engel McNerney
Eshoo Meeks
Esty Meng
Farr Moore
Fattah Moulton

NOES—241

Abraham Carter (TX)
Aderholt Chabot
Allen Chaffetz
Amash Clawson (FL)
Amodei Coffman
Babin Cole
Barletta Collins (GA)
Barr Collins (NY)
Barton Comstock
Benishek Conaway
Bilirakis Cook
Bishop (MI) Costello (PA)
Bishop (UT) Cramer
Black Crawford
Blackburn Crenshaw
Blum Culberson
Bost Curbelo (FL)
Boustany Davis, Rodney
Brady (TX) Denham
Brat Dent
Bridenstine DeSantis
Brooks (AL) DesJarlais
Brooks (IN) Diaz-Balart
Buchanan Dold
Buck Donovan
Bucshon Duffy
Burgess Duncan (SC)
Byrne Duncan (TN)
Calvert Ellmers (NC)
Carter (GA) Emmer (MN)

Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley

McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce

Russell
Salmon
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—19

Chu, Judy
Cleaver
DeLauro
Jackson Lee
Johnson (OH)
Johnson, E. B.
Kennedy
Kind
King (IA)
Lewis
Miller (MI)
Nugent
Rush
Sherman
Sires
Smith (NE)
Smith (WA)
Titus
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining.

□ 1553

So the amendment was rejected.

The result of the vote was announced
as above recorded.

The Acting CHAIR. The question is
on the amendment in the nature of a
substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule,
the Committee rises.

Accordingly, the Committee rose;
and the Speaker pro tempore (Mr.
WOMACK) having assumed the chair,
Mr. DOLD, Acting Chair of the Com-
mittee of the Whole House on the state
of the Union, reported that that Com-
mittee, having had under consideration
the bill (H.R. 712) to impose certain
limitations on consent decrees and set-
tlement agreements by agencies that
require the agencies to take regulatory
action in accordance with the terms
thereof, and for other purposes, and,
pursuant to House Resolution 580, he

reported the bill back to the House
with an amendment adopted in the
Committee of the Whole.

The SPEAKER pro tempore. Under
the rule, the previous question is or-
dered.

Is a separate vote demanded on any
amendment to the amendment re-
ported from the Committee of the
Whole?

If not, the question is on the amend-
ment in the nature of a substitute, as
amended.

The amendment was agreed to.

The SPEAKER pro tempore. The
question is on the engrossment and
third reading of the bill.

The bill was ordered to be engrossed
and read a third time, and was read the
third time.

MOTION TO RECOMMIT

Ms. KELLY of Illinois. Mr. Speaker, I
have a motion to recommit at the
desk.

The SPEAKER pro tempore. Is the
gentlewoman opposed to the bill?

Ms. KELLY of Illinois. I am opposed
to the bill in its current form.

The SPEAKER pro tempore. The
Clerk will report the motion to recom-
mit.

The Clerk read as follows:

Ms. Kelly of Illinois moves to recommit
the bill, H.R. 712, to the Committee on the
Judiciary, with instructions to report the
same back to the House forthwith, with the
following amendment:

Page 1, amend the table of contents for the
bill by inserting after the item pertaining to
section 302 the following:

TITLE IV—MISCELLANEOUS PROVISIONS
Sec. 401. No delay of any rule, consent de-
cree, or settlement agreement
that prevents gun violence.

Add, at the end of the bill, the following:

TITLE IV—MISCELLANEOUS PROVISIONS
SEC. 401. NO DELAY OF ANY RULE, CONSENT DE-
CREE, OR SETTLEMENT AGREEMENT
THAT PREVENTS GUN VIOLENCE.

This Act and the amendments made by
this Act shall not apply in the case of any
rule, consent decree, or settlement agree-
ment that pertains to protecting Americans
from gun violence, particularly in school
zones or other sensitive areas.

The SPEAKER pro tempore. The gen-
tlewoman from Illinois is recognized for
5 minutes.

Ms. KELLY of Illinois. Mr. Speaker,
this is the final amendment to the bill,
which will not kill the bill or send it
back to committee. If adopted, the bill
will immediately proceed to final pas-
sage, as amended.

Mr. Speaker, my amendment is a
simple, straightforward, commonsense
improvement that I believe both sides
of the aisle can agree would help pro-
tect American children from the threat
of violence.

If my amendment passes, it would en-
sure that men and women that we rep-
resent and their children will have the
peace of mind of knowing that this
Congress can cast aside partisan dif-
ferences to vote to protect families and

communities from senseless gun violence.

That is because my amendment would exempt this bill to any regulation that would protect Americans, particularly young children, from gun violence in school zones and other sensitive areas.

If an agency proposes a solution that would improve the health, safety, and well-being of Americans, especially children, by limiting gun violence, it is simply unconscionable to throw obstacles in the way to stymie that solution.

I don't see how this Congress, whose Members were entrusted by families in our home districts to defend their right to life, liberty, and happiness, can argue that we did all we could to defend these rights, yet vote against responsible proposals that aim to protect life and preserve liberty and promote happiness.

□ 1600

How can we in good conscience allow this body to pass this bill as is? How can we allow good community safety solutions to get bogged down when we can amend this bill to keep gun violence from ringing out in our classrooms and playgrounds? How can we turn a blind eye to regulations that charge us to act now to keep our children from being victimized by violence and say that the responsible thing to do is to sideline it for 6 months for additional review?

We cannot allow our children to be sitting ducks for half a year. Far too many times we hear about a child the same age as your son, your daughter, or grandchild falling victim to a stray bullet fired by a criminal, someone who should not have been able to purchase a gun but found a way through loopholes in our laws.

Or we hear about young women who are victims of domestic violence and are killed by their former partner who, despite a violent past, was able to legally purchase a firearm.

On Tuesday, President Obama announced a number of executive actions to address our Nation's gun violence epidemic. Specifically, the President's actions expand Federal background checks and improve mental healthcare reporting to ensure guns stay out of the hands of dangerous individuals.

I am not asking for you to vote based on your feelings for the President, but I want to pose this to you: If there were a 6-month waiting period before a regulation ensuring that the dangerously mentally ill are unable to purchase a firearm went into effect, how many innocent lives would be lost? How many men, women, and children would be killed? How many more Newtowns, how many more Auroras, and how many more Charlestons would occur? How many more of my young constituents in Chicago and Riverdale would I lose to gun violence after being shot by a

stray bullet on their way home from school?

I support policies that are thorough and measured, but I cannot support policies that prevent health and safety regulations, especially those that ensure the well-being of children from immediately being enforceable.

I have come to this floor countless times to advocate for commonsense gun legislation. We must act. My amendment will improve the bill by putting the health, safety, and well-being of our Nation's children first. It will ensure that Congress works with President Obama and allows his executive actions to start saving lives immediately. I urge my colleagues to support it.

I yield back the balance of my time. Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, the American people have waited too long for relief for us to delay in the face of this procedural motion. Now is the time for action, not parliamentary gimmicks.

We are 7 years into the Obama administration. Real unemployment is still a massive problem. America's labor force participation is still near record lows, yet instead of helping by getting out of the way, the Obama administration and Washington's entrenched regulatory bureaucracy day after day pile new burden after new burden on the backs of workers, American families, and small-business owners.

The total cost of Federal regulations is poised to zoom past \$2 trillion per year as the Obama administration furiously works to get out the door all the regulations it can in its last year in office. If that \$2 trillion were a nation's economy, it would be one of the top 10 economies in the world.

Mr. Speaker, the Investor's Business Daily reports that we have just concluded 8 years of zero real wage growth for America's workers and families. That means zero wage growth for the entire Obama administration.

What about jobs? We would have created almost 6 million more jobs if the so-called Obama recovery had just been as strong as the average recovery since World War II.

America's workers and families cannot afford for Washington to continue to sacrifice the Nation's prosperity and ability to generate jobs so the regulatory bureaucracy can expand into every nook and cranny of our lives. Nothing in this bill prevents emergency regulations or otherwise unduly delays needed regulations.

Vote against this motion to recommit. Vote for this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. KELLY of Illinois. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 244, not voting 18, as follows:

[Roll No. 11]

AYES—171

Adams	Gabbard	Neal
Aguilar	Gallego	Nolan
Ashford	Garamendi	Norcross
Bass	Graham	O'Rourke
Beatty	Grayson	Pallone
Becerra	Green, Al	Pascrell
Bera	Green, Gene	Payne
Beyer	Grijalva	Pelosi
Blumenauer	Hahn	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan	Heck (WA)	Pingree
F.	Higgins	Pocan
Brady (PA)	Himes	Polis
Brown (FL)	Hinojosa	Price (NC)
Brownley (CA)	Honda	Quigley
Bustos	Hoyer	Rangel
Butterfield	Huffman	Rice (NY)
Capps	Israel	Richmond
Capuano	Jeffries	Roybal-Allard
Cárdenas	Johnson (GA)	Ruiz
Carney	Kaptur	Ruppersberger
Carson (IN)	Keating	Ryan (OH)
Cartwright	Kelly (IL)	Sánchez, Linda
Castor (FL)	Kildee	T.
Castro (TX)	Kilmer	Sanchez, Loretta
Ciциlline	Kirkpatrick	Sarbanes
Clark (MA)	Kuster	Schakowsky
Clarke (NY)	Langevin	Schiff
Clay	Larsen (WA)	Scott (VA)
Clyburn	Larson (CT)	Scott, David
Cohen	Lawrence	Serrano
Conyers	Lee	Sewell (AL)
Costa	Levin	Sherman
Courtney	Lewis	Sinema
Crowley	Lieu, Ted	Slaughter
Cuellar	Lipinski	Speier
Cummings	Loebback	Swalwell (CA)
Davis (CA)	Lofgren	Takai
Davis, Danny	Lowenthal	Takano
DeFazio	Lowey	Thompson (CA)
DeGette	Lujan Grisham	Thompson (MS)
Delaney	(NM)	Tonko
DelBene	Luján, Ben Ray	Torres
DeSaulnier	(NM)	Tsongas
Deutch	Lynch	Van Hollen
Dingell	Maloney,	Vargas
Doggett	Carolyn	Veasey
Doyle, Michael	Maloney, Sean	Vela
F.	Matsui	Velázquez
Duckworth	McCollum	Visclosky
Edwards	McDermott	Walz
Ellison	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meeks	Waters, Maxine
Esty	Meng	Watson Coleman
Farr	Moore	Welch
Fattah	Moulton	Wilson (FL)
Foster	Murphy (FL)	Yarmuth
Frankel (FL)	Nadler	
Fudge	Napolitano	

NOES—244

Abraham	Allen	Amodei
Aderholt	Amash	Babin

Barletta	Guthrie	Peterson
Barr	Hanna	Pittenger
Barton	Hardy	Pitts
Benishek	Harper	Poe (TX)
Bilirakis	Harris	Poliquin
Bishop (MI)	Hartzler	Pompeo
Bishop (UT)	Heck (NV)	Posey
Black	Hensarling	Price, Tom
Blackburn	Herrera Beutler	Ratcliffe
Blum	Hice, Jody B.	Reed
Bost	Hill	Reichert
Boustany	Holding	Renacci
Brady (TX)	Hudson	Ribble
Brat	Huelskamp	Rice (SC)
Bridenstine	Huizenga (MI)	Rigell
Brooks (AL)	Hultgren	Roby
Brooks (IN)	Hunter	Roe (TN)
Buchanan	Hurd (TX)	Rogers (AL)
Buck	Hurt (VA)	Rogers (KY)
Bucshon	Issa	Rohrabacher
Burgess	Jenkins (KS)	Rokita
Byrne	Jenkins (WV)	Rooney (FL)
Calvert	Johnson (OH)	Ros-Lehtinen
Carter (GA)	Johnson, Sam	Roskam
Carter (TX)	Jolly	Ross
Chabot	Jones	Rothfus
Chaffetz	Jordan	Rouzer
Clawson (FL)	Joyce	Royce
Coffman	Katko	Russell
Cole	Kelly (MS)	Salmon
Collins (GA)	Kelly (PA)	Sanford
Collins (NY)	King (NY)	Scalise
Comstock	Kinzing (IL)	Schrader
Conaway	Kline	Schweikert
Cook	Knight	Scott, Austin
Cooper	Labrador	Sensenbrenner
Costello (PA)	LaHood	Sessions
Cramer	LaMalfa	Shimkus
Crawford	Lamborn	Shuster
Crenshaw	Lance	Simpson
Culberson	Latta	Smith (MO)
Curbelo (FL)	LoBiondo	Smith (NE)
Davis, Rodney	Long	Smith (NJ)
Denham	Loudermilk	Smith (TX)
Dent	Love	Stefanik
DeSantis	Lucas	Stewart
DesJarlais	Luetkemeyer	Stivers
Diaz-Balart	Lummis	Stutzman
Dold	MacArthur	Thompson (PA)
Donovan	Marchant	Thornberry
Duffy	Marino	Tiberi
Duncan (SC)	Massie	Tipton
Duncan (TN)	McCarthy	Trott
Ellmers (NC)	McCaul	Turner
Emmer (MN)	McClintock	Upton
Farenthold	McHenry	Valadao
Fincher	McKinley	Wagner
Fitzpatrick	McMorris	Walberg
Fleischmann	Rodgers	Walden
Fleming	McSally	Walker
Flores	Meadows	Walorski
Forbes	Meehan	Walters, Mimi
Fortenberry	Messer	Weber (TX)
Foxx	Mica	Wenstrup
Franks (AZ)	Miller (FL)	Westerman
Frelinghuysen	Moolenaar	Westmoreland
Garrett	Mooney (WV)	Whitfield
Gibbs	Mullin	Williams
Gibson	Mulvaney	Wilson (SC)
Gohmert	Murphy (PA)	Wittman
Goodlatte	Neugebauer	Womack
Gosar	Newhouse	Woodall
Gowdy	Noem	Yoder
Granger	Nunes	Yoho
Graves (GA)	Olson	Young (AK)
Graves (LA)	Palazzo	Young (IA)
Graves (MO)	Palmer	Young (IN)
Griffith	Paulsen	Zeldin
Grothman	Pearce	Zinke
Guinza	Perry	

NOT VOTING—18

Bishop (GA)	Jackson Lee	Nugent
Chu, Judy	Johnson, E. B.	Rush
Cleaver	Kennedy	Sires
Connolly	Kind	Smith (WA)
DeLauro	King (IA)	Titus
Gutiérrez	Miller (MI)	Webster (FL)

□ 1611

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House has embarked on its first lengthy vote series of this session, and the Chair will take this time to reiterate the rules and policies on the length of votes.

The rules establish 15 minutes as the minimum time for electronic voting in the ordinary case and 5 minutes and 2 minutes as the minimum time in other cases when Members are already in or near the Chamber in response to an earlier vote.

Members should attempt to come to the floor within the 15-minute period as prescribed by the first ringing of the bells.

Members are further reminded that the standard policy is to not terminate the vote when a Member is in the well attempting to cast a vote. Other efforts to hold the vote open are not similarly protected.

As a point of courtesy to each of your colleagues, voting within the allotted time would help with the maintenance of the institution.

The Chair appreciates the Members' attention to this matter.

Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. JOHNSON of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 173, not voting 16, as follows:

[Roll No. 12]

AYES—244

Abraham	Chaffetz	Fleming
Aderholt	Clawson (FL)	Flores
Allen	Coffman	Forbes
Amash	Cole	Fortenberry
Amodei	Collins (GA)	Foxx
Babin	Collins (NY)	Franks (AZ)
Barletta	Comstock	Frelinghuysen
Barr	Conaway	Garrett
Barton	Cook	Gibbs
Benishek	Costello (PA)	Gibson
Bilirakis	Cramer	Gohmert
Bishop (MI)	Crawford	Goodlatte
Bishop (UT)	Crenshaw	Gosar
Black	Cuellar	Gowdy
Blackburn	Culberson	Granger
Blum	Curbelo (FL)	Graves (GA)
Bost	Davis, Rodney	Graves (LA)
Boustany	Denham	Graves (MO)
Brady (TX)	Dent	Griffith
Brat	DeSantis	Grothman
Bridenstine	DesJarlais	Guinza
Brooks (AL)	Diaz-Balart	Guthrie
Brooks (IN)	Dold	Hanna
Buchanan	Donovan	Hardy
Buck	Duffy	Harper
Bucshon	Duncan (SC)	Harris
Burgess	Duncan (TN)	Hartzler
Byrne	Ellmers (NC)	Heck (NV)
Calvert	Emmer (MN)	Hensarling
Carney	Farenthold	Herrera Beutler
Carter (GA)	Fincher	Hice, Jody B.
Carter (TX)	Fitzpatrick	Hill
Chabot	Fleischmann	Holding

Hudson	Meehan	Sanford
Huelskamp	Messer	Scalise
Huizenga (MI)	Mica	Schweikert
Hultgren	Miller (FL)	Scott, Austin
Hunter	Moolenaar	Sensenbrenner
Hurd (TX)	Mooney (WV)	Sessions
Hurt (VA)	Mullin	Shimkus
Issa	Mulvaney	Shuster
Jenkins (KS)	Murphy (PA)	Simpson
Jenkins (WV)	Neugebauer	Smith (MO)
Johnson (OH)	Newhouse	Smith (NE)
Johnson, Sam	Noem	Smith (NJ)
Jolly	Nunes	Smith (TX)
Jones	Olson	Stefanik
Jordan	Palazzo	Stewart
Joyce	Palmer	Stivers
Katko	Paulsen	Stutzman
Kelly (MS)	Pearce	Thompson (PA)
Kelly (PA)	Perry	Thornberry
King (NY)	Peterson	Tiberi
Kinzing (IL)	Pittenger	Tipton
Kline	Pitts	Trott
Knight	Poe (TX)	Turner
Labrador	Poliquin	Upton
LaHood	Pompeo	Valadao
LaMalfa	Posey	Wagner
Lamborn	Price, Tom	Walberg
Lance	Ratcliffe	Walden
Latta	Reed	Walker
LoBiondo	Reichert	Walorski
Long	Renacci	Walters, Mimi
Loudermilk	Ribble	Weber (TX)
Love	Rice (SC)	Wenstrup
Lucas	Rigell	Westerman
Luetkemeyer	Roby	Westmoreland
Lummis	Roe (TN)	Whitfield
MacArthur	Rogers (AL)	Williams
Marchant	Rogers (KY)	Wilson (SC)
Marino	Rohrabacher	Wittman
Massie	Rokita	Womack
McCarthy	Rooney (FL)	Woodall
McCaul	Ros-Lehtinen	Yoder
McClintock	Roskam	Yoho
McHenry	Ross	Young (AK)
McKinley	Rothfus	Young (IA)
McMorris	Rouzer	Young (IN)
Rodgers	Royce	Zeldin
McSally	Russell	Zinke
Meadows	Salmon	

NOES—173

Adams	DeSaulnier	Kuster
Aguilar	Deutch	Langevin
Ashford	Dingell	Larsen (WA)
Bass	Doggett	Larson (CT)
Beatty	Doyle, Michael	Lawrence
Becerra	F.	Lee
Bera	Duckworth	Levin
Beyer	Edwards	Lewis
Bishop (GA)	Ellison	Lieu, Ted
Blumenauer	Engel	Lipinski
Bonamici	Eshoo	Loeb sack
Boyle, Brendan	Esty	Lofgren
F.	Farr	Lowenthal
Brady (PA)	Fattah	Lowe
Brown (FL)	Foster	Lujan Grisham
Brownley (CA)	Frankel (FL)	(NM)
Bustos	Fudge	Luján, Ben Ray
Butterfield	Gabbard	(NM)
Capps	Gallego	Lynch
Capuano	Garamendi	Maloney,
Cárdenas	Graham	Carolyn
Carson (IN)	Grayson	Maloney, Sean
Cartwright	Green, Al	Matsui
Castor (FL)	Green, Gene	McCollum
Castro (TX)	Grijalva	McGovern
Cicilline	Gutiérrez	McNerney
Clark (MA)	Hahn	Meeks
Clarke (NY)	Hastings	Meng
Clay	Heck (WA)	Moore
Clyburn	Higgins	Moulton
Cohen	Himes	Murphy (FL)
Connolly	Hinojosa	Nadler
Conyers	Honda	Napolitano
Cooper	Hoyer	Neal
Costa	Huffman	Nolan
Courtney	Israel	Norcross
Crowley	Jeffries	O'Rourke
Cummings	Johnson (GA)	Pallone
Davis (CA)	Kaptur	Pascarell
Davis, Danny	Keating	Payne
DeFazio	Kelly (IL)	Pelosi
DeGette	Kildee	Perlmutter
Delaney	Kilmer	Peters
DelBene	Kirkpatrick	Pingree

Pocan	Schiff	Torres
Polis	Schrader	Tsongas
Price (NC)	Scott (VA)	Van Hollen
Quigley	Scott, David	Vargas
Rangel	Serrano	Veasey
Rice (NY)	Sewell (AL)	Vela
Richmond	Sherman	Velázquez
Roybal-Allard	Sinema	Visclosky
Ruiz	Slaughter	Walz
Ruppersberger	Speier	Wasserman
Ryan (OH)	Swalwell (CA)	Schultz
Sánchez, Linda	Takai	Waters, Maxine
T.	Takano	Watson Coleman
Sanchez, Loretta	Thompson (CA)	Welch
Sarbanes	Thompson (MS)	Wilson (FL)
Schakowsky	Tonko	Yarmuth

NOT VOTING—16

Chu, Judy	Kind	Sires
Cleaver	King (IA)	Smith (WA)
DeLauro	McDermott	Titus
Jackson Lee	Miller (MI)	Webster (FL)
Johnson, E. B.	Nugent	
Kennedy	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. WOMACK) (during the vote). There are 2 minutes remaining.

□ 1620

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 580 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1155.

Will the gentleman from Idaho (Mr. SIMPSON) kindly take the chair.

□ 1622

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, January 6, 2016, a request for a recorded vote on amendment No. 10 printed in part B of House Report 114-388 offered by the gentleman from Wisconsin (Mr. POCAN) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-388 on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. JOHNSON of Georgia.

Amendment No. 6 by Mr. CUMMINGS of Maryland.

Amendment No. 7 by Mr. CICILLINE of Rhode Island.

Amendment No. 8 by Ms. DELBENE of Washington.

Amendment No. 9 by Mr. CICILLINE of Rhode Island.

Amendment No. 10 by Mr. POCAN of Wisconsin.

The Chair will reduce to 2 minutes the minimum time for each electronic vote in this series.

AMENDMENT NO. 4 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 239, not voting 20, as follows:

[Roll No. 13]

AYES—174

Adams	Doyle, Michael	Lipinski
Aguilar	F.	Loeb sack
Bass	Duckworth	Lofgren
Beatty	Edwards	Lowenthal
Becerra	Ellison	Lowey
Bera	Engel	Lujan Grisham
Beyer	Eshoo	(NM)
Bishop (GA)	Esty	Lujan, Ben Ray
Blumenauer	Farr	(NM)
Bonamici	Fattah	Lynch
Boyle, Brendan	Poster	Maloney,
F.	Frankel (FL)	Carolyn
Brady (PA)	Fudge	Maloney, Sean
Brown (FL)	Gabbard	Matsui
Brownley (CA)	Galleo	McCollum
Bustos	Garamendi	McDermott
Butterfield	Graham	McGovern
Capps	Grayson	McNerney
Capuano	Green, Al	Meeks
Cárdenas	Green, Gene	Meng
Carney	Grijalva	Moore
Carson (IN)	Gutiérrez	Moulton
Cartwright	Hahn	Murphy (FL)
Castor (FL)	Hastings	Nadler
Castro (TX)	Heck (WA)	Napolitano
Cicilline	Higgins	Neal
Clark (MA)	Himes	Nolan
Clarke (NY)	Hinojosa	Norcross
Clay	Honda	O'Rourke
Clyburn	Hoyer	Pallone
Cohen	Huffman	Pascarell
Congly	Israel	Payne
Conyers	Jeffries	Pelosi
Cooper	Johnson (GA)	Perlmutter
Costa	Kaptur	Peters
Courtney	Keating	Pingree
Crowley	Kelly (IL)	Pocan
Cuellar	Kildee	Polis
Cummings	Kilmer	Price (NC)
Davis (CA)	Kirkpatrick	Quigley
Davis, Danny	Kuster	Rangel
DeFazio	Langevin	Rice (NY)
DeGette	Larsen (WA)	Richmond
Delaney	Larson (CT)	Roybal-Allard
DelBene	Lawrence	Ruiz
DeSaulnier	Lee	Ruppersberger
Deutch	Levin	Ryan (OH)
Dingell	Lewis	Sánchez, Linda
Doggett	Lieu, Ted	T.
		Sanchez, Loretta
		Sarbanes
		Schakowsky
		Schiff
		Schrader
		Scott (VA)
		Scott, David
		Serrano
		Sewell (AL)
		Sherman
		Sinema
		Slaughter
		Speier
		Swalwell (CA)
		Takai
		Takano
		Thompson (CA)
		Thompson (MS)
		Tonko
		Torres
		Tsongas
		Van Hollen
		Vargas
		Veasey
		Vela
		Velázquez
		Visclosky
		Walz
		Wasserman
		Schultz
		Waters, Maxine
		Watson Coleman
		Welch
		Wilson (FL)
		Yarmuth

NOES—239

Abraham	Griffith	Pearce
Aderholt	Grothman	Perry
Allen	Guinta	Peterson
Amash	Guthrie	Pittenger
Amodel	Hanna	Pitts
Ashford	Hardy	Poe (TX)
Babin	Harper	Poliquin
Barletta	Harris	Pompeo
Barr	Hartzler	Posey
Barton	Heck (NV)	Price, Tom
Benishek	Hensarling	Ratcliffe
Bilirakis	Herrera Beutler	Reed
Bishop (MI)	Hice, Jody B.	Reichert
Bishop (UT)	Hill	Renacci
Black	Holding	Ribble
Blackburn	Hudson	Rice (SC)
Blum	Huelskamp	Rigell
Bost	Huizenga (MI)	Roby
Boustany	Hultgren	Roe (TN)
Brady (TX)	Hunter	Rogers (AL)
Brat	Hurd (TX)	Rogers (KY)
Bridenstine	Hurt (VA)	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Rooney (FL)
Buchanan	Jenkins (WV)	Ros-Lehtinen
Buck	Johnson (OH)	Roskam
Bucshon	Johnson, Sam	Ross
Burgess	Jolly	Rothfus
Byrne	Jones	Rouzer
Calvert	Jordan	Royce
Carter (GA)	Joyce	Russell
Carter (TX)	Katko	Salmon
Chabot	Kelly (MS)	Sanford
Chaffetz	Kelly (PA)	Scalise
Clawson (FL)	King (NY)	Schrader
Cole	Kinzinger (IL)	Schweikert
Collins (GA)	Kline	Scott, Austin
Collins (NY)	Knight	Sensenbrenner
Comstock	Labrador	Sessions
Conaway	LaHood	Shimkus
Cook	Lamborn	Shuster
Costello (PA)	Lance	Simpson
Cramer	Latta	Smith (MO)
Crawford	LoBiondo	Smith (NE)
Crenshaw	Long	Smith (NJ)
Culberson	Loudermilk	Smith (TX)
Curbelo (FL)	Love	Stefanik
Denham	Lucas	Stewart
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	MacArthur	Thornberry
Diaz-Balart	Marchant	Tiberi
Dold	Marino	Tipton
Donovan	Massie	Trott
Duffy	McCarthy	Turner
Duncan (SC)	McCaul	Upton
Duncan (TN)	McClintock	Valadao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris	Walden
Fincher	Rodgers	Walker
Fitzpatrick	McSally	Walorski
Fleischmann	Meadows	Walters, Mimi
Fleming	Meehan	Weber (TX)
Flores	Messer	Wenstrup
Forbes	Mica	Westerman
Fortenberry	Miller (FL)	Westmoreland
Frelinghuysen	Moolenaar	Whitfield
Garrett	Mooney (WV)	Williams
Gibbs	Mullin	Wilson (SC)
Gibson	Mulvaney	Wittman
Gohmert	Murphy (PA)	Womack
Goodlatte	Neugebauer	Woodall
Gosar	Newhouse	Yoder
Granger	Noem	Yoho
Graves (GA)	Nunes	Young (AK)
Graves (LA)	Olson	Young (IA)
Graves (MO)	Palazzo	Young (IN)
	Palmer	Zeldin
	Paulsen	Zinke

NOT VOTING—20

Chu, Judy	Johnson, E. B.	Rush
Cleaver	Kennedy	Sires
Coffman	Kind	Smith (WA)
Davis, Rodney	King (IA)	Stivers
DeLauro	LaMalfa	Titus
Gowdy	Miller (MI)	Webster (FL)
Jackson Lee	Nugent	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1626

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CUMMINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 244, not voting 17, as follows:

[Roll No. 14]

AYES—172

Adams	Deutch	Larsen (WA)
Aguilar	Dingell	Larson (CT)
Bass	Doggett	Lawrence
Beatty	Doyle, Michael F.	Lee
Becerra	F.	Levin
Bera	Duckworth	Lewis
Beyer	Edwards	Lieu, Ted
Bishop (GA)	Ellison	Lipinski
Blumenauer	Engel	Loeb sack
Bonamici	Eshoo	Lofgren
Boyle, Brendan F.	Esty	Lowenthal
Brady (PA)	Farr	Lowe y
Brown (FL)	Fattah	Lujan Grisham
Brownley (CA)	Foster	(NM)
Bustos	Frankel (FL)	Luján, Ben Ray
Butterfield	Fudge	(NM)
Capps	Gabbard	Lynch
Capuano	Gallego	Maloney,
Cárdenas	Garamendi	Carolyn
Carney	Graham	Maloney, Sean
Carson (IN)	Grayson	Matsui
Cartwright	Green, Al	McCollum
Castor (FL)	Green, Gene	McDermott
Castro (TX)	Grijalva	McGovern
Cicilline	Gutiérrez	McNerney
Clark (MA)	Hahn	Meeks
Clarke (NY)	Hastings	Meng
Clay	Heck (WA)	Moore
Clyburn	Higgins	Moulton
Cohen	Himes	Murphy (FL)
Connolly	Hinojosa	Nadler
Conyers	Honda	Napolitano
Cooper	Hoyer	Neal
Costa	Huffman	Nolan
Courtney	Israel	Norcross
Crowley	Jeffries	O'Rourke
Cummings	Johnson (GA)	Pallone
Davis (CA)	Kaptur	Pascarell
Davis, Danny	Keating	Payne
DeFazio	Kelly (IL)	Pelosi
DeGette	Kildee	Perlmutter
Delaney	Kilmer	Pingree
DelBene	Kirkpatrick	Pocan
DeSaulnier	Kuster	Polis
	Langevin	Price (NC)

Quigley	Scott, David
Rangel	Serrano
Rice (NY)	Sewell (AL)
Richmond	Sherman
Roybal-Allard	Sinema
Ruiz	Slaughter
Ruppersberger	Speier
Ryan (OH)	Swalwell (CA)
Sánchez, Linda T.	Takai
Sanchez, Loretta	Takano
Sarbanes	Thompson (CA)
Schakowsky	Thompson (MS)
Schiff	Tonko
Scott (VA)	Torres
	Tsongas

NOES—244

Abraham	Gosar
Aderholt	Granger
Allen	Graves (GA)
Amash	Graves (LA)
Amodei	Graves (MO)
Ashford	Griffith
Babin	Grothman
Barietta	Guinta
Barr	Guthrie
Barton	Hanna
Benish	Hardy
Bilirakis	Harper
Bishop (MI)	Harris
Bishop (UT)	Hartzler
Black	Heck (NV)
Blackburn	Hensarling
Blum	Herrera Beutler
Bost	Hice, Jody B.
Boustany	Hill
Brady (TX)	Holding
Brat	Hudson
Bridenstine	Huelskamp
Brooks (AL)	Huizenga (MI)
Brooks (IN)	Hultgren
Buchanan	Hunter
Buck	Hurd (TX)
Bucshon	Hurt (VA)
Burgess	Issa
Byrne	Jenkins (KS)
Calvert	Jenkins (WV)
Carter (GA)	Johnson (OH)
Carter (TX)	Johnson, Sam
Chabot	Jolly
Chaffetz	Jones
Clawson (FL)	Jordan
Coffman	Joyce
Cole	Katko
Collins (GA)	Kelly (MS)
Collins (NY)	Kelly (PA)
Comstock	King (NY)
Conaway	Kinzingler (IL)
Cook	Kline
Costello (PA)	Knight
Cramer	Labrador
Crawford	LaHood
Crenshaw	Lamborn
Cuellar	Lance
Culberson	Latita
Curbelo (FL)	LoBiondo
Davis, Rodney	Long
Denham	Loudermilk
Dent	Love
DeSantis	Lucas
DesJarlais	Luetkemeyer
Diaz-Balart	Lummis
Dold	MacArthur
Donovan	Marchant
Duffy	Marino
Duncan (SC)	Massie
Duncan (TN)	McCarthy
Elmiers (NC)	McCaul
Emmer (MN)	McClintock
Farenthold	McHenry
Fincher	McKinley
Fitzpatrick	McMorris
Fleischmann	Rodgers
Fleming	McSally
Flores	Meadows
Forbes	Meehan
Fortenberry	Messer
Fox	Mica
Franks (AZ)	Miller (FL)
Frelinghuysen	Mooleenaar
Garrett	Mooney (WV)
Gibbs	Mullin
Gibson	Mulvaney
Gohmert	Murphy (PA)
Goodlatte	Neugebauer

Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Wilson (SC)
Wittman
Womack
Woodall

Yoder
Yoho
Young (AK)
Young (IA)

Young (IN)
Zeldin
Zinke

NOT VOTING—17

Chu, Judy	Kennedy	Rush
Cleaver	Kind	Sires
DeLauro	King (IA)	Smith (WA)
Gowdy	LaMalfa	Titus
Jackson Lee	Miller (MI)	Webster (FL)
Johnson, E. B.	Nugent	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1630

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 241, not voting 16, as follows:

[Roll No. 15]

AYES—176

Adams	DeFazio	Jones
Aguilar	DeGette	Kaptur
Ashford	Delaney	Keating
Bass	DelBene	Kelly (IL)
Beatty	DeSaulnier	Kildee
Becerra	Deutch	Kilmer
Bera	Dingell	Kirkpatrick
Beyer	Doggett	Kuster
Bishop (GA)	Doyle, Michael F.	Langevin
Blum	F.	Larsen (WA)
Blumenauer	Duckworth	Larson (CT)
Bonamici	Edwards	Lawrence
Boyle, Brendan F.	Ellison	Lee
Brady (PA)	Engel	Levin
Brown (FL)	Eshoo	Lewis
Brownley (CA)	Esty	Lieu, Ted
Bustos	Farr	Lipinski
Butterfield	Fattah	Loeb sack
Capps	Foster	Lofgren
Capuano	Frankel (FL)	Lowenthal
Cárdenas	Fudge	Lowe y
Carney	Gabbard	Lujan Grisham
Carson (IN)	Gallego	(NM)
Cartwright	Garamendi	Luján, Ben Ray
Castor (FL)	Graham	(NM)
Cicilline	Grayson	Lynch
Clark (MA)	Green, Al	Maloney,
Clarke (NY)	Green, Gene	Carolyn
Clay	Grijalva	Maloney, Sean
Clyburn	Gutiérrez	Matsui
Cohen	Hahn	McCollum
Connolly	Hastings	McDermott
Conyers	Heck (WA)	McGovern
Cooper	Higgins	McNerney
Courtney	Hinojosa	Meeks
Crowley	Hoyer	Meng
Cuellar	Huffman	Moore
Cummings	Israel	Moulton
Davis (CA)	Jeffries	Murphy (FL)
Davis, Danny	Johnson (GA)	Nadler
		Napolitano
		Neal

Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Roybal-Allard

Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Speier
Swalwell (CA)
Takai
Takano

Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
DeLauro
Gowdy
Jackson Lee
Johnson, E. B.

Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland

Whitfield
Williams
Willson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Sanchez, Loretta
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Billirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson

Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katkao
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)

Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden

Chu, Judy
Cleaver
DeLauro
Gowdy
Jackson Lee
Johnson, E. B.

Kennedy
Kind
King (IA)
Miller (MI)
Nugent
Rush

Sires
Smith (WA)
Titus
Webster (FL)

NOT VOTING—16

□ 1633

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. DEL BENE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Washington (Ms.
DELBENE) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 176, noes 239,
not voting 18, as follows:

[Roll No. 16]

AYES—176

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cielline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio

DeGette
Delaney
DeBene
DeSaunier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Graves (LA)
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur

Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebach
Loftgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke

Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speler
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko

Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Billirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Roby
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katkao
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)

Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Jenkins (WV)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski

Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield

Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke

Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond

Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speier
Swalwell (CA)
Takai

Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi

Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack

Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—18

Chu, Judy
Cleaver
DeLauro
Grijalva
Jackson Lee
Johnson, E. B.
Kennedy
Kind
King (IA)
Miller (MI)
Nugent
Rice (NY)
Roe (TN)
Rush
Sires
Smith (WA)
Titus
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1637

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Rhode Island (Mr.
CICILLINE) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 173, noes 244,
not voting 16, as follows:

[Roll No. 17]

AYES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummins
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzer
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally

NOES—244

Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott

Chu, Judy
Cleaver
DeLauro
Jackson Lee
Johnson, E. B.
Kennedy

NOT VOTING—16

Kind
King (IA)
Lewis
Miller (MI)
Nugent
Rush
Sires
Smith (WA)
Titus
Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1640

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. POCAN

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Wisconsin (Mr. POCAN)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 173, noes 245,
not voting 15, as follows:

[Roll No. 18]

AYES—173

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui

McCollum	Polis	Speier
McDermott	Price (NC)	Swalwell (CA)
McGovern	Quigley	Takai
McNerney	Rangel	Takano
Meeks	Rice (NY)	Thompson (CA)
Meng	Richmond	Thompson (MS)
Moore	Roybal-Allard	Tonko
Moulton	Ruiz	Torres
Murphy (FL)	Ruppersberger	Tsongas
Nadler	Ryan (OH)	Van Hollen
Napolitano	Sánchez, Linda	Vargas
Neal	T.	Veasey
Nolan	Sanchez, Loretta	Vela
Norcross	Sarbanes	Velázquez
O'Rourke	Schakowsky	Visclosky
Pallone	Schiff	Walz
Pascarell	Scott (VA)	Wasserman
Payne	Scott, David	Schultz
Pelosi	Serrano	Waters, Maxine
Perlmutter	Sewell (AL)	Watson Coleman
Peters	Sherman	Welch
Pingree	Sinema	Wilson (FL)
Pocan	Slaughter	Yarmuth

NOES—245

Abraham	Foxx	McCaull
Aderholt	Franks (AZ)	McClintock
Allen	Frelinghuysen	McHenry
Amash	Garrett	McKinley
Amodei	Gibbs	McMorris
Babin	Gibson	Rodgers
Barletta	Gohmert	McSally
Barr	Goodlatte	Meadows
Barton	Gosar	Meehan
Benishkek	Gowdy	Messer
Bilirakis	Granger	Mica
Bishop (MI)	Graves (GA)	Miller (FL)
Bishop (UT)	Graves (LA)	Moolenaar
Black	Graves (MO)	Mooney (WV)
Blackburn	Griffith	Mullin
Blum	Grothman	Mulvaney
Bost	Guinta	Murphy (PA)
Boustany	Guthrie	Neugebauer
Brady (TX)	Hanna	Newhouse
Brat	Hardy	Noem
Bridenstine	Harper	Nunes
Brooks (AL)	Harris	Olson
Brooks (IN)	Hartzler	Palazzo
Buchanan	Heck (NV)	Palmer
Buck	Hensarling	Paulsen
Bucshon	Herrera Beutler	Pearce
Burgess	Hice, Jody B.	Perry
Byrne	Hill	Peterson
Calvert	Holding	Pittenger
Carter (GA)	Hudson	Pitts
Carter (TX)	Huelskamp	Poe (TX)
Chabot	Huizenga (MI)	Poliquin
Chaffetz	Hultgren	Pompeo
Clawson (FL)	Hunter	Posey
Coffman	Hurd (TX)	Price, Tom
Cole	Hurt (VA)	Ratcliffe
Collins (GA)	Issa	Reed
Collins (NY)	Jenkins (KS)	Reichert
Comstock	Jenkins (WV)	Renacci
Conaway	Johnson (OH)	Ribble
Cook	Johnson, Sam	Rice (SC)
Cooper	Jolly	Rigell
Costa	Jones	Roby
Costello (PA)	Jordan	Roe (TN)
Cramer	Joyce	Rogers (AL)
Crawford	Katko	Rogers (KY)
Crenshaw	Kelly (MS)	Rohrabacher
Culberson	Kelly (PA)	Rokita
Curbelo (FL)	King (NY)	Rooney (FL)
Davis, Rodney	Kinzing (IL)	Ros-Lehtinen
Denham	Kline	Roskam
Dent	Knight	Ross
DeSantis	Labrador	Rothfus
DesJarlais	LaHood	Rouzer
Diaz-Balart	LaMalfa	Royce
Dold	Lamborn	Russell
Donovan	Lance	Salmon
Duffy	Latta	Sanford
Duncan (SC)	LoBiondo	Scalise
Duncan (TN)	Long	Schrader
Ellmers (NC)	Loudermilk	Schweikert
Emmer (MN)	Love	Scott, Austin
Farenthold	Lucas	Sensenbrenner
Fincher	Luetkemeyer	Sessions
Fitzpatrick	Lummis	Shimkus
Fleischmann	MacArthur	Shuster
Fleming	Marchant	Simpson
Flores	Marino	Smith (MO)
Forbes	Massie	Smith (NE)
Fortenberry	McCarthy	Smith (NJ)

Smith (TX)	Valadao	Williams
Stefanik	Wagner	Wilson (SC)
Stewart	Walberg	Wittman
Stivers	Walden	Womack
Stutzman	Walker	Woodall
Thompson (PA)	Walorski	Yoder
Thornberry	Walters, Mimi	Yoho
Tiberi	Weber (TX)	Young (AK)
Tipton	Wenstrup	Young (IA)
Trott	Westerman	Young (IN)
Turner	Westmoreland	Zeldin
Upton	Whitfield	Zinke

NOT VOTING—15

Chu, Judy	Kennedy	Rush
Cleaver	Kind	Sires
DeLauro	King (IA)	Smith (WA)
Jackson Lee	Miller (MI)	Titus
Johnson, E. B.	Nugent	Webster (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1644

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1155) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes, pursuant to House Resolution 580, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CICILLINE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CICILLINE. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cicilline moves to recommit the bill, H.R. 1155, to the Committee on the Judiciary, with instructions to report the same back to the House forthwith, with the following amendment:

Page 29, line 21, insert after "Code" the following: " , except for a special rule".

Page 29, insert after line 24 the following:
(6) SPECIAL RULE.—The term "special rule" means a rule that pertains to prohibiting

discrimination by Federal contractors or subcontractors on the basis of sex, sexual orientation, or gender identity, and requires such contractors or subcontractors to take affirmative measures to prevent discrimination on those bases from occurring.

Mr. CHAFFETZ (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, this bill will immediately proceed to final passage here on the floor, as amended.

This amendment is very simple. It would exempt from the requirements of the underlying bill a rule prohibiting discrimination by Federal contractors or subcontractors on the basis of sex, sexual orientation, or gender identity, and require such contractors to take affirmative measures to prevent discrimination on those bases from occurring.

This amendment is consistent with the executive order signed by President Obama on July 21, 2014, that added sexual orientation and gender identity to the list of protected categories covered by Federal contractors—protections that were originally put in place by President Lyndon Johnson, a leader who did so much to advance equality in our country.

Today, while we have made great strides in terms of marriage equality, members of the LGBT community still face significant discrimination in employment as well as a variety of other important areas of life.

As many of my colleagues are aware, it is still legal in most States to fire a qualified person from a job that they are performing well simply because of their sexual orientation or gender identity.

Today, in many places across the country, a gay couple can get married on Saturday, post pictures online on Sunday, and get fired from their jobs or kicked out of their apartments on Monday. This is contrary to everything this country stands for, including the principle of equality upon which our country was founded.

I would like to point out, contrary to the sentiments of the American people, a majority of Americans, nearly 70 percent, support antidiscrimination laws to protect LGBT individuals. Unfortunately, there are those who would continue to stand in the way of full equality for all Americans, who think that it is okay that hardworking men and women simply trying to support their families suffer discrimination because of their sexual orientation or gender identity.

That is why it is important to support the President in his effort to protect the LGBT community from discrimination in Federal contracting.

Just as businesses should not be able to discriminate based on race, ethnicity, gender, or disability, no entity that benefits from government money should be able to discriminate based on sexual orientation or gender identity.

The underlying bill we are discussing today would hinder the implementation of these nondiscrimination efforts, putting everyday Americans at risk of losing their jobs based on nothing more than who they are.

I am reminded of the story of Carter Brown, a young man from Texas who had built a thriving career in real estate in Dallas, Texas. Carter had received three promotions in 2 years, was earning a great salary and loved his job. But when he was outed as transgender by a colleague, Carter found himself harassed, ostracized, and ultimately fired from his job, and there was absolutely nothing he could do, because he was not protected under the law.

Carter bravely told his story earlier this year in the Lyndon Johnson Room of the Capitol Building as we announced the introduction of the Equality Act, which would place important protections for the LGBT community throughout our Federal Code.

The Equality Act would ensure that members of the LGBT community are protected from discrimination in areas of employment, credit, housing, education, Federal funding, jury service, and public accommodations. I am very proud that 171 of my colleagues in the House have joined in this effort and cosponsored this bill, and I urge the rest of my colleagues to sign on as well.

But until full equality is passed into Federal law, at the minimum, we should ensure that Federal money is not being used to discriminate against LGBT Americans by companies who receive Federal contracts. That is why I urge my colleagues to support this motion to recommit and ensure equality in our Federal contracting. Our Federal Government should not be used to promote or tolerate discrimination. It is contrary to the founding principles of our great country.

Mr. Speaker, I urge you to vote in support of this motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Speaker, the gentleman from Rhode Island (Mr. CICILLINE) is one of my favorite people. We get to serve on a committee together, and we have done other things together. He is a genuine human being

who puts forth his heart, and I personally appreciate it, as I know he cares deeply and passionately about this body and the work that he does.

I also want to thank Mr. JASON SMITH, who has put forward a very important bill, something that I think is a reasonable, commonsense approach to deal with regulations of the past. There is no prohibition about putting regulations forward, but going back and looking, taking a scrub, if you will, and looking at past regulations, what this bill does is it simply creates a bipartisan commission—bipartisan—to go back and look at these, and they produce a report. That report comes to Congress, it has to pass both bodies, and it has to get the signature of the President. That is a very reasonable thing to do. So I urge “no” on this motion to recommit, “yes” on the passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CICILLINE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; ordering the previous question on House Resolution 581; and adopting House Resolution 581, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 239, not voting 16, as follows:

[Roll No. 19]

AYES—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)

Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel

Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries

Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney

Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmuter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)

Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline

Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)

Rigell	Sessions	Walden	Johnson, Sam	Neugebauer	Sensenbrenner	Ruiz	Sherman	Veasey
Roby	Shimkus	Walker	Jolly	Newhouse	Sessions	Ruppersberger	Slaughter	Vela
Roe (TN)	Shuster	Walorski	Jordan	Noem	Shimkus	Ryan (OH)	Speler	Velázquez
Rogers (AL)	Simpson	Walters, Mimi	Joyce	Nunes	Shuster	Sánchez, Linda	Swalwell (CA)	Visclosky
Rogers (KY)	Smith (MO)	Weber (TX)	Katko	Olson	Simpson	T.	Takai	Walz
Rohrabacher	Smith (NJ)	Wenstrup	Kelly (MS)	Palazzo	Sinema	Sanchez, Loretta	Takano	Wasserman
Rokita	Smith (TX)	Westerman	Kelly (PA)	Palmer	Smith (MO)	Sarbanes	Thompson (CA)	Schultz
Rooney (FL)	Stefanik	Westmoreland	King (NY)	Paulsen	Smith (NE)	Schakowsky	Thompson (MS)	Waters, Maxine
Ros-Lehtinen	Stewart	Whitfield	Kinzinger (IL)	Pearce	Smith (NJ)	Schiff	Tonko	Watson Coleman
Roskam	Stivers	Williams	Knight	Perry	Smith (TX)	Scott (VA)	Torres	Welch
Ross	Stutzman	Wilson (SC)	Labrador	Peterson	Stefanik	Scott, David	Tsongas	Wilson (FL)
Rothfus	Thompson (PA)	Wittman	LaHood	Pittenger	Stewart	Serrano	Van Hollen	Yarmuth
Rouzer	Thornberry	Womack	LaMalfa	Pitts	Stivers	Sewell (AL)	Vargas	
Royce	Tiberi	Woodall	LaMalfa	Poe (TX)	Stutzman			
Russell	Tipton	Yoder	Lamborn	Poliquin	Thompson (PA)			
Salmon	Trott	Yoho	Lance	Pompeo	Thornberry	Chu, Judy	Kind	Sires
Sanford	Turner	Young (AK)	Latta	Posey	Tiberi	Cleaver	King (IA)	Smith (WA)
Scalise	Upton	Young (IA)	LoBiondo	Price, Tom	Tipton	DeLauro	Miller (MI)	Titus
Schweikert	Valadao	Young (IN)	Long	Ratcliffe	Trott	Johnson, E. B.	Nugent	Webster (FL)
Scott, Austin	Wagner	Zeldin	Loudermilk	Reed	Turner	Kennedy	Rush	
Sensenbrenner	Walberg	Zinke	Love	Reichert	Upton			
			Lucas	Renacci	Valadao			
			Luetkemeyer	Ribble	Wagner			
			Lummis	Rice (SC)	Walberg			
			MacArthur	Rigell	Walden			
			Marchant	Roby	Walker			
			Marino	Roe (TN)	Walorski			
			McCarthy	Rogers (AL)	Walters, Mimi			
			McCauley	Rogers (KY)	Weber (TX)			
			McClintock	Rohrabacher	Wenstrup			
			McHenry	Rokita	Westerman			
			McKinley	Rooney (FL)	Westmoreland			
			McMorris	Ros-Lehtinen	Whitfield			
			Rodgers	Roskam	Williams			
			McSally	Ross	Wilson (SC)			
			Meadows	Rothfus	Wittman			
			Meehan	Rouzer	Womack			
			Messer	Royce	Woodall			
			Mica	Russell	Yoder			
			Miller (FL)	Salmon	Yoho			
			Moolenaar	Sanford	Young (AK)			
			Mooney (WV)	Scalise	Young (IA)			
			Mullin	Schrader	Young (IN)			
			Mulvaney	Schweikert	Zeldin			
			Murphy (PA)	Scott, Austin	Zinke			

NOT VOTING—16

Chu, Judy	Kind	Smith (NE)
Cleaver	King (IA)	Smith (WA)
DeLauro	Miller (MI)	Titus
Fleming	Nugent	Webster (FL)
Johnson, E. B.	Rush	
Kennedy	Sires	

□ 1703

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. JOHNSON of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 174, not voting 14, as follows:

[Roll No. 20]

AYES—245

Abraham	Collins (GA)	Garrett
Aderholt	Collins (NY)	Gibbs
Allen	Comstock	Gibson
Amash	Conaway	Gohmert
Amodei	Cook	Goodlatte
Ashford	Costa	Gosar
Babin	Costello (PA)	Gowdy
Barletta	Cramer	Granger
Barr	Crawford	Graves (GA)
Barton	Crenshaw	Graves (LA)
Benishek	Cuellar	Graves (MO)
Bilirakis	Culberson	Griffith
Bishop (MI)	Curbelo (FL)	Grothman
Bishop (UT)	Davis, Rodney	Guinta
Black	Denham	Guthrie
Blackburn	Dent	Hanna
Blum	DeSantis	Hardy
Bost	DesJarlais	Harper
Boustany	Diaz-Balart	Harris
Brady (TX)	Dold	Hartzler
Brat	Donovan	Heck (NV)
Bridenstine	Duffy	Hensarling
Brooks (AL)	Duncan (SC)	Herrera Beutler
Brooks (IN)	Duncan (TN)	Hice, Jody B.
Buchanan	Ellmers (NC)	Hill
Buck	Emmer (MN)	Holding
Bucshon	Farenthold	Hudson
Burgess	Fincher	Huelskamp
Byrne	Fitzpatrick	Huizenga (MI)
Calvert	Fleischmann	Hultgren
Carter (GA)	Fleming	Hunter
Carter (TX)	Flores	Hurd (TX)
Chabot	Forbes	Hurt (VA)
Chaffetz	Fortenberry	Issa
Clawson (FL)	Fox	Jenkins (KS)
Coffman	Franks (AZ)	Jenkins (WV)
Cole	Frelinghuysen	Johnson (OH)

Adams	Doyle, Michael	Levin
Aguilar	F.	Lewis
Bass	Duckworth	Lieu, Ted
Beatty	Edwards	Lipinski
Becerra	Ellison	Loeb
Bera	Engel	Lofgren
Beyer	Eshoo	Lowenthal
Bishop (GA)	Esty	Lowey
Blumenauer	Farr	Lujan Grisham
Bonamici	Fattah	(NM)
Boyle, Brendan	Foster	Lujan, Ben Ray
F.	Frankel (FL)	(NM)
Brady (PA)	Fudge	Lynch
Brown (FL)	Gabbard	Maloney,
Brownley (CA)	Gallego	Carolyn
Bustos	Garamendi	Maloney, Sean
Butterfield	Graham	Massie
Capps	Grayson	Matsui
Capuano	Green, Al	McCollum
Cárdenas	Green, Gene	McDermott
Carney	Grijalva	McGovern
Carson (IN)	Gutiérrez	McNerney
Cartwright	Hahn	Meeks
Castor (FL)	Hastings	Meng
Castro (TX)	Heck (WA)	Moore
Cicilline	Higgins	Moulton
Clark (MA)	Himes	Murphy (FL)
Clarke (NY)	Hinojosa	Nadler
Clay	Honda	Napolitano
Clyburn	Hoyer	Neal
Cohen	Huffman	Nolan
Connolly	Israel	Norcross
Conyers	Jackson Lee	O'Rourke
Cooper	Jeffries	Pallone
Courtney	Johnson (GA)	Pascarella
Crowley	Jones	Payne
Cummings	Kaptur	Pelosi
Davis (CA)	Keating	Perlmutter
Davis, Danny	Kelly (IL)	Peters
DeFazio	Kildee	Pingree
DeGette	Kilmer	Pocan
Delaney	Kirkpatrick	Polis
DelBene	Kuster	Price (NC)
DeSaulnier	Langevin	Quigley
Deutch	Larsen (WA)	Rangel
Dingell	Larson (CT)	Rice (NY)
Doggett	Lawrence	Richmond
	Lee	Roybal-Allard

NOES—174

NOT VOTING—14

Chu, Judy	Kind	Sires
Cleaver	King (IA)	Smith (WA)
DeLauro	Miller (MI)	Titus
Johnson, E. B.	Nugent	Webster (FL)
Kennedy	Rush	

□ 1709

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1927, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 581) providing for consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 236, nays 176, not voting 21, as follows:

[Roll No. 21]

YEAS—236

Abraham	Clawson (FL)	Fortenberry
Aderholt	Coffman	Fox
Allen	Cole	Franks (AZ)
Amash	Collins (GA)	Frelinghuysen
Amodei	Collins (NY)	Garrett
Babin	Comstock	Gibbs
Barletta	Conaway	Gohmert
Barr	Cook	Goodlatte
Barton	Costello (PA)	Gosar
Benishek	Cramer	Gowdy
Bilirakis	Crawford	Granger
Bishop (MI)	Crenshaw	Graves (GA)
Bishop (UT)	Culberson	Graves (LA)
Black	Curbelo (FL)	Graves (MO)
Blackburn	Denham	Griffith
Blum	Dent	Grothman
Bost	DeSantis	Guinta
Boustany	DesJarlais	Guthrie
Brady (TX)	Diaz-Balart	Hanna
Brat	Dold	Hardy
Bridenstine	Donovan	Harper
Brooks (AL)	Duffy	Harris
Brooks (IN)	Duncan (SC)	Hartzler
Buchanan	Duncan (TN)	Heck (NV)
Buck	Ellmers (NC)	Hensarling
Bucshon	Emmer (MN)	Herrera Beutler
Burgess	Farenthold	Hice, Jody B.
Byrne	Fincher	Hill
Calvert	Fitzpatrick	Holding
Carter (GA)	Fleischmann	Hudson
Carter (TX)	Fleming	Huelskamp
Chabot	Flores	Huizenga (MI)
Chaffetz	Forbes	

Hultgren	Messer	Sanford	Richmond	Serrano	Van Hollen	McCaul	Ratcliffe	Stefanik
Hunter	Mica	Scalise	Roybal-Allard	Sewell (AL)	Vargas	McClintock	Reed	Stewart
Hurd (TX)	Miller (FL)	Ruiz	Schweikert	Sherman	Veasey	McHenry	Reichert	Stivers
Hurt (VA)	Moolenaar	Scott, Austin	Ruppersberger	Sinema	Vela	McKinley	Renacci	Stutzman
Issa	Mooney (WV)	Sensenbrenner	Ryan (OH)	Slaughter	Velázquez	McMorris	Ribble	Thompson (PA)
Jenkins (KS)	Mullin	Sessions	Sánchez, Linda	Speier	Visclosky	Rodgers	Rice (SC)	Thornberry
Jenkins (WV)	Mulvaney	Shimkus	T.	Swalwell (CA)	Walz	McSally	Rigell	Tiberi
Johnson (OH)	Murphy (PA)	Shuster	Sanchez, Loretta	Takai	Wasserman	Meadows	Roby	Tipton
Johnson, Sam	Neugebauer	Simpson	Sarbanes	Takano	Schultz	Meehan	Roe (TN)	Trott
Jolly	Newhouse	Smith (MO)	Schakowsky	Thompson (CA)	Waters, Maxine	Messer	Rogers (AL)	Turner
Jones	Noem	Smith (NE)	Schiff	Thompson (MS)	Watson Coleman	Mica	Rogers (KY)	Upton
Jordan	Nunes	Smith (NJ)	Schrader	Tonko	Welch	Miller (FL)	Rohrabacher	Valadao
Joyce	Olson	Smith (TX)	Scott (VA)	Torres	Wilson (FL)	Moolenaar	Rokita	Wagner
Katko	Palmer	Stefanik	Scott, David	Tsongas	Yarmuth	Mooney (WV)	Rooney (FL)	Walberg
Kelly (MS)	Paulsen	Stewart				Mullin	Ros-Lehtinen	Walden
Kelly (PA)	Pearce	Stivers				Mulvaney	Roskam	Walker
King (NY)	Perry	Stutzman	Chu, Judy	Kind	Rush	Murphy (PA)	Ross	Walorski
Kinzinger (IL)	Peterson	Thompson (PA)	Cleaver	King (IA)	Sires	Neugebauer	Rothfus	Walters, Mimi
Kline	Pittenger	Thornberry	Costa	Love	Smith (WA)	Newhouse	Rouzer	Weber (TX)
Knight	Pitts	Tiberi	Davis, Rodney	Miller (MI)	Titus	Noem	Russell	Westerman
Labrador	Poe (TX)	Tipton	DeLauro	Nugent	Webster (FL)	Nunes	Salmon	Whitfield
LaHood	Poliquin	Trott	Johnson, E. B.	Palazzo	Westmoreland	Olson	Sanford	Williams
LaMalfa	Pompeo	Turner	Kennedy	Royce	Zeldin	Palazzo	Scalise	Wilson (SC)
Lamborn	Posey	Upton				Palmer	Schweikert	Wittman
Lance	Price, Tom	Valadao				Paulsen	Scott, Austin	Womack
Latta	Ratcliffe	Wagner				Pearce	Sensenbrenner	Woodall
LoBiondo	Reed	Walberg				Perry	Sessions	Yoder
Long	Reichert	Walden				Pittenger	Shimkus	Young (AK)
Loudermilk	Renacci	Walker				Pitts	Shuster	Young (IA)
Lucas	Ribble	Walorski				Poe (TX)	Simpson	Young (IN)
Luetkemeyer	Rice (SC)	Walters, Mimi				Poliquin	Smith (MO)	Zinke
Lummis	Rigell	Weber (TX)				Pompeo	Smith (NE)	
MacArthur	Roby	Wenstrup				Posey	Smith (NJ)	
Marchant	Roe (TN)	Westerman				Price, Tom	Smith (TX)	
Marino	Rogers (AL)	Whitfield						
Massie	Rogers (KY)	Williams						
McCarthy	Rohrabacher	Wilson (SC)						
McCaul	Rokita	Wittman						
McClintock	Rooney (FL)	Womack						
McHenry	Ros-Lehtinen	Woodall						
McKinley	Roskam	Yoder						
McMorris	Ross	Yoho						
Rodgers	Rothfus	Young (AK)						
McSally	Rouzer	Young (IA)						
Meadows	Russell	Young (IN)						
Meehan	Salmon	Zinke						

NOT VOTING—21

□ 1716

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 176, not voting 23, as follows:

[Roll No. 22]

AYES—234

Adams	Dingell	Lawrence	Adams	Davis, Rodney	Hensarling
Aguilar	Doggett	Lee	Abraham	Denham	Herrera Beutler
Ashford	Doyle, Michael	Levin	Aderholt	Dent	Hice, Jody B.
Bass	F.	Lewis	Allen	DeSantis	Hill
Beatty	Duckworth	Lieu, Ted	Amash	DesJarlais	Holding
Becerra	Edwards	Lipinski	Amodei	Diaz-Balart	Hudson
Bera	Ellison	Loeb sack	Babin	Dold	Huelskamp
Beyer	Engel	Lofgren	Babin	Dold	Huizenga (MI)
Bishop (GA)	Eshoo	Lowenthal	Barr	Donovan	Hultgren
Blumenauer	Esty	Lowe y	Barton	Duffy	Hunter
Bonamici	Farr	Lujan Grisham	Benishek	Duncan (SC)	Hurd (TX)
Boyle, Brendan	Fattah	(NM)	Billirakis	Duncan (TN)	Hurt (VA)
F.	Foster	Luján, Ben Ray	Bishop (MI)	Ellmers (NC)	Issa
Brady (PA)	Frankel (FL)	(NM)	Bishop (UT)	Emmer (MN)	Jenkins (KS)
Brown (FL)	Fudge	Lynch	Black	Farenthold	Jenkins (WV)
Brownley (CA)	Gabbard	Carolyn	Blackburn	Fincher	Johnson (OH)
Bustos	Gallego	Maloney, Sean	Blum	Fitzpatrick	Johnson, Sam
Butterfield	Garamendi	Maloney, Sean	Bost	Fleischmann	Jolly
Capps	Graham	Matsui	Boustany	Fleming	Jones
Capuano	Grayson	McCollum	Brat	Flories	Jordan
Cárdenas	Green, Al	McDermott	Bridenstine	Forbes	Joyce
Carney	Green, Gene	McGovern	Brooks (AL)	Fortenberry	Katko
Carson (IN)	Grijalva	McNerney	Brooks (IN)	Fox	Kelly (MS)
Cartwright	Gutiérrez	Meeks	Buchanan	Franks (AZ)	Kelly (PA)
Castor (FL)	Hahn	Meng	Buck	Frelinghuysen	King (NY)
Castro (TX)	Hastings	Moore	Bucshon	Garrett	Kinzinger (IL)
Cicilline	Heck (WA)	Moulton	Burgess	Gibbs	Kline
Clark (MA)	Higgins	Murphy (FL)	Byrne	Gibson	Knight
Clarke (NY)	Himes	Nadler	Calvert	Gohmert	Labrador
Clay	Hinojosa	Napolitano	Carter (GA)	Goodlatte	LaHood
Clyburn	Honda	Neal	Carter (TX)	Gosar	LaMalfa
Cohen	Hoyer	Nolan	Chabot	Gowdy	Lamborn
Connolly	Huffman	Norcross	Chaffetz	Granger	Lance
Conyers	Israel	O'Rourke	Clawson (FL)	Graves (GA)	Latta
Cooper	Jackson Lee	Pallone	Coffman	Graves (LA)	LoBiondo
Courtney	Jeffries	Pascarell	Cole	Graves (MO)	Long
Crowley	Johnson (GA)	Payne	Collins (GA)	Griffith	Loudermilk
Cuellar	Kaptur	Pelosi	Collins (NY)	Grothman	Lucas
Cummings	Keating	Perlmutter	Conaway	Guinta	Luetkemeyer
Davis (CA)	Kelly (IL)	Peters	Cook	Guthrie	Lummis
Davis, Danny	Kildee	Pingree	Costello (PA)	Hanna	MacArthur
DeFazio	Kilmer	Pocan	Cramer	Hardy	Marchant
DeGette	Kirkpatrick	Polis	Crawford	Harper	Marino
Delaney	Kuster	Price (NC)	Crenshaw	Harris	Massie
DelBene	Langevin	Quigley	Culberson	Hartzler	McCarthy
DeSaulnier	Larsen (WA)	Rangel	Curbelo (FL)	Heck (NV)	
Deutch	Larson (CT)	Rice (NY)			

NOES—176

Adams	Frankel (FL)	Moore
Aguilar	Fudge	Moulton
Ashford	Gabbard	Murphy (FL)
Bass	Gallego	Nadler
Beatty	Garamendi	Napolitano
Becerra	Graham	Neal
Bera	Grayson	Nolan
Beyer	Green, Al	Norcross
Bishop (GA)	Green, Gene	O'Rourke
Blumenauer	Grijalva	Pallone
Bonamici	Gutiérrez	Pascarell
Boyle, Brendan	Hahn	Payne
F.	Hastings	Pelosi
Brady (PA)	Heck (WA)	Perlmutter
Brown (FL)	Higgins	Peters
Brownley (CA)	Himes	Peterson
Bustos	Hinojosa	Pingree
Butterfield	Honda	Pocan
Capps	Hoyer	Polis
Capuano	Huffman	Price (NC)
Cárdenas	Israel	Quigley
Carney	Jackson Lee	Rangel
Carson (IN)	Jeffries	Rice (NY)
Cartwright	Johnson (GA)	Richmond
Castor (FL)	Kaptur	Roybal-Allard
Castro (TX)	Keating	Ruiz
Cicilline	Kelly (IL)	Ruppersberger
Clark (MA)	Kildee	Ryan (OH)
Clarke (NY)	Kilmer	Sánchez, Linda
Clay	Kirkpatrick	T.
Clyburn	Kuster	Sanchez, Loretta
Cohen	Langevin	Sarbanes
Connolly	Larsen (WA)	Schakowsky
Conyers	Larson (CT)	Schiff
Cooper	Lawrence	Schrader
Courtney	Lee	Scott (VA)
Crowley	Levin	Scott, David
Cuellar	Lewis	Serrano
Cummings	Lieu, Ted	Sewell (AL)
Davis (CA)	Lipinski	Sherman
Davis, Danny	Loeb sack	Sinema
DeFazio	Lofgren	Slaughter
DeGette	Lowenthal	Speier
Delaney	Lowe y	Swalwell (CA)
DelBene	Lujan Grisham	Takai
DeSaulnier	(NM)	Takano
Deutch	Luján, Ben Ray	Thompson (CA)
Dingell	(NM)	Thompson (MS)
Doggett	Lynch	Tonko
Doyle, Michael	Maloney,	Torres
F.	Carolyn	Tsongas
Duckworth	Maloney, Sean	Van Hollen
Edwards	Matsui	Vargas
Ellison	McCollum	Veasey
Engel	McDermott	Vela
Eshoo	McGovern	Velázquez
Farr	McNerney	Visclosky
Fattah	Meeks	Walz
Foster	Meng	

Wasserman	Watson Coleman	Yarmuth
Schultz	Welch	
Waters, Maxine	Wilson (FL)	

NOT VOTING—23

Brady (TX)	Kennedy	Sires
Castor (FL)	Kind	Smith (WA)
Chu, Judy	King (IA)	Titus
Cleaver	Love	Webster (FL)
Comstock	Miller (MI)	Westmoreland
Costa	Nugent	Yoho
DeLauro	Royce	Zeldin
Johnson, E. B.	Rush	

□ 1726

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. COMSTOCK. Mr. Speaker, on rollcall No. 22, I was unavoidably detained on official business and missed the vote. The vote was on H. Res. 581, the rule providing for consideration of H.R. 1927, the Fairness in Class Action Litigation Act of 2015. Had I been present, I would have voted "aye."

MOMENT OF SILENCE TO MOURN THE 11 LIVES LOST IN MISSISSIPPI'S DISASTROUS WINTER STORM

(Mr. KELLY of Mississippi asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLY of Mississippi. Mr. Speaker, I am joined today by Congressmen THOMPSON, HARPER, and PALAZZO, all from Mississippi.

We rise to mourn the 11 lives that were lost in Mississippi due to severe weather over the Christmas holiday. We had 11 deaths and 57 injuries reported in Benton, Coahoma, Marshall, and Tippah Counties, which are two of our four districts.

On Governor Bryant's request, President Obama issued a major disaster declaration for the State of Mississippi. The Presidential disaster declaration makes Federal assistance available to eligible individuals and business owners in designated areas.

As I visited the impacted areas, I was saddened by the amount of destruction, of the loss of property, and, most importantly, of the loss of life; but I was uplifted by neighbors helping neighbors, by friends helping friends, and by strangers helping strangers. That is the strength of Mississippi: The people who come together to help each other in times of need.

I cannot begin to imagine the sense of loss felt by the families who were affected. We ask our colleagues to join us in continuing to lift them up in prayer.

Mr. Speaker, I ask for a moment of silence.

MOURNING THE 11 LIVES LOST IN MISSISSIPPI'S DISASTROUS WINTER STORM

(Mr. THOMPSON of Mississippi asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Mississippi. Mr. Speaker, as the gentleman from Mississippi (Mr. KELLY) indicated, Mississippi was hit very hard with tornadoes. There were 11 deaths, and there was significant damage. We have received a disaster declaration.

I want to pay a special tribute to our system of disaster response, which worked. Federal, State, and local officials came together and responded just like the textbook said they should. Nowhere have we received any complaints about help not being available.

So if there is any good that we can talk about coming from such a disaster, it is this: The system that Congress put together for government to respond to its citizens in the time of disaster worked during this particular disaster in Mississippi.

□ 1730

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, I wish to state for the RECORD how I would have voted on rollcall votes 7 to 23 that I missed today because I was detained in my district on official business:

On rollcall vote No. 7, I would have voted "aye," the Johnson amendment.

On rollcall vote No. 8, I would have voted "aye," the Cummings-Connolly amendment.

On rollcall vote No. 9, the Lynch amendment, I would have voted "aye."

On rollcall vote No. 10, the Jackson Lee amendment offered by Mr. JOHN-SON, I would have voted "aye."

On rollcall vote No. 11, I would have voted "aye," Messrs. Cummings-Connolly amendment.

On rollcall vote No. 12, I would have voted "aye," Democratic motion to recommit on H.R. 712.

On rollcall vote No. 13, I would have voted "no" on passage of H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015.

On rollcall vote No. 14, I would have voted "aye" on the Johnson amendment.

On rollcall vote No. 15, I would have voted "aye" on the Cummings-Connolly amendment.

On rollcall vote No. 16, I would have voted "aye" on the Cicilline amendment.

On rollcall vote No. 17, I would have voted "aye" on the DelBene amendment.

On rollcall vote No. 18, the Jackson Lee amendment offered by Mr. CICILLINE, I would have voted "aye."

And on rollcall vote No. 19, I would have voted "aye." This is on H.R. 1155, the SCRUB Act of 2015.

On Thursday, January 6, I was unavoidably detained in my congressional district attending to my representational duties and thus not present for rollcall Votes 7 through 23. Had I been present, I would have voted as follows:

1. On rollcall 7 I would have voted "aye." (Johnson (GA) Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

2. On rollcall 8 I would have voted "aye." (Cummings/Connolly Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

3. On rollcall 9 I would have voted "aye." (Lynch Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

4. On rollcall 10 I would have voted "aye." (Jackson Lee/Johnson (GA) Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

5. On rollcall 11 I would have voted "aye." (Cummings/Connolly Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

6. On rollcall 12 I would have voted "aye." (Democratic Motion to Recommit H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

7. On rollcall 13 I would have voted "no." (On Passage of H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015).

8. On rollcall 14 I would have voted "aye." (Johnson (GA) Amendment to H.R. 1155, SCRUB Act of 2015).

9. On rollcall 15 I would have voted "aye." (Cummings/Connolly Amendment to H.R. 1155, SCRUB Act of 2015).

10. On rollcall 16 I would have voted "aye." (Cicilline Amendment to H.R. 1155, SCRUB Act of 2015).

11. On rollcall 17 I would have voted "aye." (DelBene Amendment to H.R. 1155, SCRUB Act of 2015).

12. On rollcall 18 I would have voted "aye." (Jackson Lee/Cicilline Amendment to H.R. 1155, SCRUB Act of 2015).

13. On rollcall 19 I would have voted "aye." (Pocan Amendment to H.R. 1155, SCRUB Act of 2015).

MINNESOTA'S FARMING FATHER

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate Oliver Kelley, who was born on this day in 1826. Kelley, a native Bostonian, realized that Minnesota was a land of great opportunity and moved there in 1849.

Although he had no experience farming, Kelley became a "book farmer" and everything that he first learned about agriculture, he got from reading. Kelley's thirst for knowledge, great intuition, and progressive methods allowed his farm in Elk River to thrive.

In 1864, Kelley became a clerk for the U.S. Bureau of Agriculture. Through his work, he recognized the importance of agriculture to our Nation and, in 1867, helped found the National Grange, a society and advocacy group for rural America.

Oliver Kelley's role in agriculture led to his induction into the National Agricultural Center and Hall of Fame in 2006.

The Kelley farm remains an important part of our community. Today, it is a historical property that teaches thousands of Minnesota school kids about agriculture.

Minnesotans are certainly grateful for Kelley's efforts, which have largely contributed to agricultural success in our country, and we are proud to have his legacy maintained in Minnesota's Sixth Congressional District.

CELEBRATING WILLIAM "BILL" RAY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, today I rise to celebrate the life of an extraordinary man, William "Bill" Ray.

Bill laughed often, and he loved much. His charm and gentlemanly character won the respect of many people in my community.

Bill worked in my district office as a community liaison and caseworker for 13 years. You know what? He made a difference in people's lives. He was genuinely interested in people and things, from the Boy Scouts to Native Americans and to veterans. He knew how to find the best in others, and he gave the best of himself.

Bill loved his wife, Rhonda, and their son, Jeffrey, with all of his heart and soul. He loved his country and our military. He was a true patriot. Bill was noble in character, genuine in spirit, and very kind of heart.

Rhonda, Jeffrey, you have my deepest condolences on the passing of your husband and father. I am blessed to have known him and to have worked with him.

PRO-LIFE MOVEMENT

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, 54 million, that is the number of lives that have been cut short in our Nation by abortion over the 43 years since the Supreme Court's infamous Roe v. Wade decision. That is 54 million children who were never given the chance to experience the world around them, and 54 million human beings who were denied the natural and inalienable right to life that our Founding Fathers enshrined in the Declaration of Independence.

As a father, I have watched my son grow from his first sonogram to a very active 2-year-old. He looks to me for protection, for guidance, for comfort. So too do society's most innocent and vulnerable count on us to defend them.

During his visit to the U.S. in 1987, now-Saint Pope John Paul II remarked: "The ultimate test of your

greatness is the way you treat every human being, but especially the weakest and most defenseless ones."

I believe we must reach out to mothers in distress, as well as the child that they are bearing. There are few more vulnerable and defenseless than the unborn.

On the 22nd of this month, hundreds of thousands of Americans will arrive here in our Nation's Capital for the annual March for Life. I look forward to joining them as we work toward that day when our great Nation will recognize the right to life for all Americans, especially our unborn children.

IMMIGRATION REFORM

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, mothers and children from Guatemala, Honduras, and El Salvador come to this Nation for protection. They are running from certain death, rape, and persecution in their own country.

This administration has deported more immigrants than any other in the history of the United States. We were told that violent criminals would be targeted. Yet, mothers and children are being deported. Not only do these raids tear families and neighborhoods apart, they waste taxpayer dollars that should be used on other priorities.

We spend \$14,000 per mom and \$14,000 per child when they are chased down and deported. Some are sent to their country to their death.

So let's focus on real threats to our Nation. Let's focus on working with all of our Western Hemisphere neighbors and work to solve the Central American refugee crisis together.

ON THE RIGHTS OF PERSONS

(Mr. LOUDERMILK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOUDERMILK. Mr. Speaker, for those who haven't been in the House Chamber, surrounding the inside of this beautiful building are effigies of great philosophers and lawgivers that have influenced the founding of our Nation. One of those, to my right, is that of Sir William Blackstone.

Now, Blackstone had great influence upon our Founders, especially that of Thomas Jefferson. In fact, it was Blackstone who influenced the three enumerated rights of life, liberty, and the pursuit of happiness.

Mr. Speaker, let me read from Blackstone's Commentary, the very document which influenced Thomas Jefferson to make life the very first right that is given by government.

Blackstone said: "Life is the immediate gift of God, a right inherent by

nature in every individual; and it begins in contemplation of law as soon as an infant is able to stir in the mother's womb."

That is one of the foundations of this Nation, that life begins at conception. And our Founding Fathers understood that it was a great philosophy and that is when the protection of law begins.

On January 22, 1973, we departed from that philosophy with the decision of Roe v. Wade. Since then, over 57 million American lives have been taken because of that decision. Mr. Speaker, that number is equivalent to the population of Georgia, Florida, Alabama, Mississippi, Kentucky, South Carolina, Louisiana, and Tennessee. That one decision, Mr. Speaker, has not only figuratively, but literally changed the landscape of America.

EAST NICOLAUS HIGH SCHOOL

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Speaker, before the holiday break, I rose to congratulate the East Nicolaus High School Spartans from Sutter County for advancing to the CIF Division VI-AA football championship game. At that time, they were about to make a 500-mile trip to San Diego to face Coronado, a school four times their size.

Well, Mr. Speaker, I rise today to say that the Spartans may have been the underdogs in the game, but that didn't matter to them. On December 28, they won the championship game 16-6. Quarterback S.J. Brown threw for a touchdown and rushed for another. Donovan Switalski had 25 carries for 135 yards. On defense, quarterback Eddie Herrera intercepted two passes.

Those are great individual efforts. As a former lineman for the University of California Bears, I know it takes a full team to pull out a win like this and also a coach.

I congratulate Coach Travis Barker and the entire East Nicolaus team for making Sutter County and the entire Third Congressional District very proud.

BUDGET RECONCILIATION BILL

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, when the House sends the budget reconciliation bill to the President this evening, he has a chance to help hardworking American taxpayers by signing it and saving taxpayers over \$500 billion over the next 10 years.

It does that in two ways. First, it repeals most of the unaffordable ObamaCare program, which has raised the cost of health insurance and health

care for millions and millions of hard-working Americans. It also removes all Federal taxpayer funding from Planned Parenthood, the largest abortion provider in the country, which receives over half a billion taxpayer dollars a year and does 330,000 abortions a year. In fact, it is the largest abortion provider in America. Instead of funding the largest abortion provider in America, we direct those funds to over 10,000 community health centers.

Mr. Speaker, I hope the President agrees and saves hardworking American taxpayers billions of dollars.

DEFENDING THE SECOND AMENDMENT

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, any constitutional lawyer should know that Congress is supposed to write the laws and the executive branch is supposed to follow them, as written. Implementing more gun control through executive fiat is not what is needed, and it is not what is legal.

Enforcement of the current law is what is needed by this executive, and it is what this President should be doing. Instead, for example, he lets prisoners out of jail to contribute to the violence.

Mr. Speaker, the right to self-defense is God-given. It is vital in order to protect people and property against criminals, and it is a hedge against tyrants, and it shall not be infringed.

To those who would challenge these rights, Mr. Speaker, I leave you with these words: "A well-regulated militia necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

BORN ALIVE SURVIVORS PROTECTION ACT

(Mr. FRANKS of Arizona asked and was given permission to address the House for 1 minute.)

Mr. FRANKS of Arizona. Mr. Speaker, Thomas Jefferson, whose words marked the beginning of this Nation, said: "The care of human life and its happiness, and not its destruction, is the chief and only object of good government."

Yet, Mr. Speaker, 43 years ago, our Supreme Court mandated abortion on demand in America, and 57 million innocent little American babies have since been slaughtered before seeing the light of day in this, the land of the free and the home of brave.

Mr. Speaker, this House passed the Born Alive Abortion Survivors Protection Act months ago to protect helpless children who survive abortion and are born alive. Yet at this very moment, that bill to protect born-alive

children languishes in the United States Senate for lack of six Democrat votes and a veto threat by Barack Obama.

It is time for the President of the United States and each Senator and all of us, as Americans, to ask ourselves in our own hearts if this is who we truly are.

□ 1745

WE MUST SPEAK UP FOR THE INNOCENTS

(Mr. LAMBORN asked and was given permission to address the House for 1 minute.)

Mr. LAMBORN. Mr. Speaker, it is with a sad heart that I rise today to speak for those whose lives have been tragically cut short in the wake of *Roe v. Wade*. A staggering 57 million innocent girls and boys have been aborted in this country since that horrible decision 43 years ago. *Roe v. Wade* remains one of the most heinous acts of judicial activism in the history of the United States.

As a father of five and a grandfather of three, I know that every child is a wonderful gift from God. Our country was founded upon the sacred truth that all deserve the right to life, liberty, and the pursuit of happiness.

The perverse belief that an unplanned child does not possess the same value as that of any other child should have no place in our society. There may be unplanned children, but there is no such thing as an unwanted child.

Later this month, thousands of pro-life patriots will come to Washington to peacefully march in support of life and against the national disgrace that is abortion. I am pleased to be among those fighting against this greatest human rights injustice of our time. We must continue to pray, and we must continue to speak up for the innocents who cannot speak for themselves.

57 MILLION INNOCENT LIVES LOST

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, it is with great sadness that I rise today in memory of the 43rd anniversary of the Supreme Court's tragic decision in *Roe v. Wade*. Since *Roe v. Wade*, we have lost 57 million innocent lives. May God rest their souls. That is an astounding and absolutely heart-numbing loss.

Countless lives have been impacted by abortion. Each one of those 57 million children had a future destroyed by abortion.

Even Norma McCorvey, the plaintiff known as *Roe*, revealed in 1995 that she had, in fact, become pro-life and is now a vocal opponent of abortion and the abortion industry.

Mr. Speaker, the sanctity of human life must be protected. We have a duty to protect the lives of all Americans, especially the most helpless and innocent of all, the unborn.

I stand with the thousands of Americans who will soon gather on The Washington Mall to serve as the voice of 57 million unborn babies whose lives were tragically taken through abortion.

REMEMBERING SENATOR BUMPERS

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, last week the State of Arkansas lost a giant in the political world. Dale Bumpers, a former Governor and Senator, had served the State of Arkansas for many decades.

As an intern for Arkansas' junior Senator at the time, David Pryor, I first met Senator Bumpers in 1986. His service to his fellow Arkansans began in the Fourth Congressional District, where he returned home to Charleston to serve as city attorney after the Marines and law school.

He went on to serve on the local school board before mounting multiple successful bids for statewide office. Charleston Public School District is not only known for producing stellar graduates and for the Tigers' powerhouse football program, but for heeding Dale Bumpers' advice in 1954 and becoming the first public school in the former Confederate States to desegregate.

His decades of public service were about serving others, not prestige or power. In his autobiography, Dale said it was his father who encouraged him to enter public service, calling it a noble profession.

As we remember Senator Bumpers, I can think of no nobler act than serving others. I appreciate Dale Bumpers' example and his servant's heart.

CORPUS CHRISTI TROOP 3 CELEBRATES 100 YEARS OF SCOUTING

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, I rise today to congratulate Boy Scout Troop 3 in Corpus Christi, Texas, that is celebrating 100 years of Scouting.

The Scouts is a wonderful organization for our youth. It teaches them new things. It helps them build self-esteem, learn teamwork, self-sufficiency, and the importance of helping others.

From the beginning of Troop 3 in 1916, the Scouts have always been of service to our community and the country. During World War I, members

of the troop sold war bonds. After the devastating 1919 hurricane, the Scouts of Troop 3, along with National Guard units, went door to door to compile an accurate list of casualties.

The Scouts have contributed many hours of service throughout our community. During the hurricane, they did mosquito control and distributed foods and blankets.

Today Troop 3 continues to be active in community service projects completed and many have benefited from the service projects completed by Eagle Scout candidates in the troop.

On this upcoming 100th anniversary, Troop 3 can take pride in its traditions and contributions to our community. Troop 3 and the First United Methodist Church of Corpus Christi, Texas, are a great asset to our community, our State, and our country.

THE PRO-LIFE MOVEMENT IS ALIVE AND WELL

The SPEAKER pro tempore (Mr. BLUM). Under the Speaker's announced policy of January 6, 2015, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of our Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, since 1973, at least 58 million unborn children have been killed by abortion, a staggering loss of children's precious lives, a death toll that equates with the entire population of England.

Despite this staggering loss of children's lives and the sad fact that President Obama is using stealth, deception, and coercive power of the State to promote abortion violence, including the massive public funding of abortion on demand in ObamaCare, the pro-life movement is alive and well and making serious, significant, and sustained progress.

Yesterday Congress passed landmark legislation to end taxpayer subsidies for Planned Parenthood, and special thanks go to Speaker RYAN, Majority Leader MCCARTHY, Chairman PRICE, and others in leadership for crafting this lifesaving legislation.

In this Congress alone, powerful pro-life measures have passed, including the No Taxpayer Funding for Abortion Act, the Pain-Capable Unborn Child Protection Act, and the Born-Alive Abortion Survivors Protection Act.

On the State level, 282 pro-life laws have been enacted since 2010, including

laws to stop dismemberment abortions, require a 72-hour waiting period, and to provide informed consent.

With the March for Life only a couple days away, pro-lifers are more determined, faith-filled, and hope-filled than ever.

Millennials are overwhelmingly pro-life. As the former head of the pro-abortion group NARAL observed, after witnessing a recent pro-life march, the March for Life, she said: I just thought, my gosh, they are so young. There are so many of them, and they are so young.

Public opinion polls concur that more Americans, especially women and young people, are pro-life. Seventy-one percent of the millennials opposed taxpayer funding for abortion, 69 percent of the women. Fifty-nine percent of women favor a limit on abortion at at least 20 weeks when the unborn child is capable of feeling pain. The Gallup Poll has found that Planned Parenthood's favorability rating among women has dropped 24 points in the last two decades alone.

A few minutes ago, Mr. Speaker, Speaker PAUL RYAN enrolled H.R. 3762, sponsored by Dr. PRICE, a bill to roll back much of ObamaCare and to defund Planned Parenthood. Yes, the President, President Obama, the abortion President, is all but certain to veto that bill to defund Planned Parenthood, and I just have to say, Mr. Speaker, How sad is that? The President has everything, but, sadly, there is no room, no empathy for the babies who will be exterminated. That is tragic. Hopefully he will have a change of heart at some point in his career, and hopefully it will be within weeks.

I now yield to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, 43 years ago the Roe v. Wade decision resulted in the death of 57 million Americans; 57 million unborn children lost their lives, over a million children per year. It is an amazing statistic.

Louisiana has traditionally ranked as one of the most pro-life States in the Nation. We have some amazing organizations that are doing great work to educate our citizens about the pro-life movement, organizations like Louisiana Right to Life and Louisiana Family Forum. The head of the Family Research Council is a constituent of our district.

There is one particular pro-life advocate that I would like to call out, Dr. Al Krotoski, who recently passed away, in fact, just on January 1 of this year. He literally gave his life to advocating for pro-life causes. His knowledge, his scientific background with his Ph.D., his M.D., and his master's in public health shaped him and helped him to shape pro-life policy in the State of Louisiana. He was a phenomenal example of pro-life advocates for our Nation.

Mr. Speaker, in closing, I just want to make note that Dr. Al set an amazing example for our State, an amazing example on the sanctity of life and respecting life. But it is important that, as we move forward, we also respect life after birth. We respect life in terms of some of the initiatives that we are going to be working on this year: criminal justice reform and the War on Poverty.

I really appreciate the opportunity to participate in this Special Order tonight. I want to thank you for organizing this. I want to remind folks, over a million lives a year lost as a result of this decision.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for his very eloquent comments.

I would like to now yield to the gentleman from Pennsylvania (Mr. SHUSTER), the chair of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding and also thank him for setting up this Special Order tonight and his leadership in his years in Congress and the pro-life movement.

Life is the most precious gift we are given. The youngest and most vulnerable among us are a blessing. We must never stop working to protect them.

Unfortunately, 2015 brought renewed attacks on life, and horrific new events came to light that showed us just how important this fight is. Videos were released exposing Planned Parenthood's barbaric practices. The things we saw being discussed and done in these videos were appalling. They underscore why we must continue to do everything we can to uphold the sanctity of life.

I am proud that today we are sending down to the President a piece of legislation that will defund Planned Parenthood. I am proud of the work this House has done to bring attention to this issue and advance the cause of life.

I have been honored to count myself among those who are in this fight, but we can never rest on our work to protect the unborn. Together, we must work to ensure that the terrible practices of Planned Parenthood come to an end and that life is valued, cherished, and always protected.

Mr. SMITH of New Jersey. I thank Chairman SHUSTER for those excellent comments.

I now yield to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. I want to thank my friend and colleague for his great leadership in this cause of life.

Mr. Speaker, I join with my others here with deep concern as we are now at 43 years since the Supreme Court determined, unimaginably, that there exists in our country some broad right for the abortion of a child in the womb.

That decision literally came after 21 States had already enacted laws limiting abortion for over 100 years. In

fact, the first of these laws was adopted in Connecticut in 1847, 21 years before the ratification of the 14th Amendment, which is the very amendment on which *Roe v. Wade* is based. In his dissent, Justice Rehnquist noted that, due to this history, the High Court was forced to create a right that was unknown to the Framers of the 14th Amendment.

□ 1800

Mr. Speaker, it is time that we correct this wrong-headed decision made by the court 43 years ago. It is for this reason that I personally introduced the Sanctity of Human Life bill, H.R. 426, which defines life beginning at conception.

I would certainly ask my colleagues to join in cosponsoring this bill so that 43 years from now we are celebrating the right to life rather than another 57 million unborn Americans lost to abortion.

I thank the gentleman for his stance on this.

Mr. SMITH of New Jersey. I thank the gentleman for his leadership and for his bill.

I yield to the gentleman from Illinois (Mr. LIPINSKI), the co-chair of the Congressional Pro-Life Caucus. I thank him for his leadership and for standing up so courageously for life.

Mr. LIPINSKI. I thank Representative SMITH for all of his work and leadership on the issues of life and protecting people at all stages of life.

As the Democratic co-chair of the Pro-Life Caucus, I stand here as a Democrat who believes that we need to have laws in our Nation to protect the vulnerable, those who can't protect themselves. No one is more vulnerable in America today than a child in the mother's womb. No one is in more need of protection. We must continue to fight to provide that protection.

We do have our young men and women who are our new pro-life generation. They understand the dangers that they faced to their own lives when they were in their mother's womb.

I look forward to continuing to work with all of them and with my colleagues here in the House to bring us to the day where all life in our Nation is protected by our laws, from conception to death. Only then will our Nation truly stand up for life and all that our Nation was founded upon.

I thank all my colleagues for their work on this issue.

Mr. SMITH of New Jersey. I thank Mr. LIPINSKI for those very fine comments.

I yield to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank Congressman SMITH and Congressman LIPINSKI for their leadership in the Pro-Life Caucus. I thank Congressman SMITH for his active involvement in promoting life not only here in America, but all over the world.

Someone once said: Tell a lie long enough and it becomes the truth. That statement, sadly, is often true, but the lie is still a lie. *Roe v. Wade* was such a lie. It didn't offer freedom. It didn't offer opportunity or choice. It offered death and a diminished life, to boot.

I will never forget the conversation with my wife over 40 years now in the hospital recovery room when she had just given birth to our first child. She said to me in that recovery room, with tears in her eyes: "Wow, I have just added a life to the world."

That is why pro-life and pro-women go hand in hand. She is the only being designed and capable of bringing new life into the world. It is a God-given gift. We honor and celebrate that gift. We who are pro-life honor her for that.

Let's give all that we can to honor and encourage our citizens to know the truth of the Psalmist who said: "Behold, children are a gift of the Lord; the fruit of the womb is a reward." And that is the truth.

Mr. SMITH of New Jersey. I thank Mr. WALBERG for his very excellent remarks, but also for that very personal story. That is very, very touching.

I yield to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Again, I want to add my admiration to Mr. SMITH for all his years of hard work for the pro-life movement here in this country and around the world and for holding this Special Order tonight.

Mr. Speaker, I rise today in support of the right to life for every unborn child. During my tenure in the Ohio General Assembly and now as a Member of Congress, I have consistently supported pro-life legislation and I have been unwavering in my belief that we must be vigilant in protecting the sanctity of human life.

Over the past year, we have seen an unprecedented and callous disregard for life through the series of undercover videos that illustrate Planned Parenthood's involvement in the sale of fetal tissue. That is why I have supported legislative measures to end such unspeakable acts and to prevent any Federal funds going to any entity that performs abortions.

At a time when pro-life values are often marginalized, I want to reassure my constituents that I will remain steadfast in my support for legislation that defends the sanctity of life and that I will continue to stand for those without a voice.

I also want to extend my sincere thanks and appreciation to those who work tirelessly day after day, year after year, to defend the right of life, and to the hundreds of thousands who will be here for the Right to Life March this month. I applaud them and thank them.

Again, I thank the gentleman from New Jersey for all of his years of hard work.

Mr. SMITH of New Jersey. I thank the gentleman for his leadership on this most important human rights issue of our time.

I yield to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. I thank the gentleman for yielding, and I want to thank him for his leadership on this very important issue.

As we near the 43rd anniversary of the *Roe v. Wade* Supreme Court decision, there is a sad truth to be told: More than 57 million innocent lives have been terminated through abortion since that landmark ruling.

To put that in perspective, that is more than five times the population of my home State of North Carolina. Again, that is more than five times the population of North Carolina. That is a sobering number.

In God's word, it is written that life begins at conception. Recent advances in science support that fact. It is our moral obligation to fight for and protect the lives of those who cannot speak for themselves, the lives of those who are no different than our own.

As millions of Americans prepare to travel here to Washington, D.C., to participate in the annual March for Life, my prayers are with them. I am proud to stand with them in their commitment and dedication to the pro-life cause.

Mr. SMITH of New Jersey. I thank the gentleman for his comments.

I yield to the gentleman from Pennsylvania (Mr. KELLY), a very strong and outspoken supporter of the right to life.

Mr. KELLY of Pennsylvania. I thank the gentleman for yielding.

I, too, would like to add my thanks for the passion and the commitment he has made to the right-to-life movement and the protection of the unborn—both he and his wife—not just here in the United States, but around the world. I have seen that happen.

But we are here tonight. It is hard to stand in America's House and think that we have to debate an issue that is so basic to who we are not as Republicans or Democrats, but as human beings.

In the district that I represent, the biggest county is Erie County. In Erie County, there are 278,443 people, human beings. In 2014, abortions performed by Planned Parenthood ended the potential lives of 324,000 human beings.

It is stunning here in America's House and in the United States of America, where we recoil at any action around the world where there is loss of life, especially when it happens violently and at the hands of people who have absolutely no regard for human life. We still shudder that Adolph Hitler was able to eliminate 7 million Jews.

We have ended the lives of 57 million Americans that could be here today.

We lost their lives. We lost their potential. We lost their value. The hypocrisy that drips from the people's House—America's House—when we have to stand and debate the right to life, the right of the unborn, and think that somehow this is an argument that we must win. This is something that never ever should have happened, not in America, not on our watch, not in our time.

On January 22, hundreds of thousands of pro-life Americans will come to the Nation's capital. They will be little noted by the media, but they will be here. They come every year. They come here every year with one purpose and one purpose only, and that is to protect the lives of the unborn.

When, America, will we stand up and take the responsibility for the heinous activity that we have allowed to happen on our watch?

I thank my colleagues and I thank the gentleman for his passion and dedication to the lives of the unborn. We will never ever walk away from this responsibility to right a horrible wrong in the chapter of human history.

Mr. SMITH of New Jersey. I thank Mr. KELLY for his very strong statement.

More people now recognize, especially through ultrasound, that birth is an event, not the beginning of life. Increasingly, because the methods of abortion are so horrific—literal dismemberment of the baby, chemical poisoning—people are waking up. Abortion is violence against children and injurious to women.

Again, I thank the gentleman for his commitment to life.

I yield to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. I thank the gentleman for yielding.

Mr. Speaker, this year's March for Life marks the 43rd anniversary of Roe v. Wade, the Supreme Court decision that invented a constitutional right to abortion on demand. Justice Byron White dissented in the case, calling what the majority had done an "exercise in raw judicial power."

The March for Life draws thousands of people from across the Nation every year. The marchers come by foot, by car, by train, by plane.

Why, Mr. Speaker, does this issue refuse to go away? I suggest because it goes to the heart of who we are and whether we will live up to the principles of our Nation's founding documents.

Mr. Speaker, this issue touches the conscience of everyone. It can be difficult to discuss and it is painful to be reminded of it.

Everyone in this Chamber, everyone listening to this talk, was at one point in his or her life an unborn child. The March for Life speaks to this truth and speaks to the obligation of society to defend the defenseless. May this Nation

rediscover the value of everyone, and may we continue to work for the day when all are protected.

Mr. Speaker, if I might take a moment to recognize the work of my colleague, Mr. SMITH, who came to this House in 1980—35 years ago—and from that day has been fighting this fight.

I am reminded, Mr. Speaker, of another statesman two centuries ago, William Wilberforce, who served in the Parliament of Britain. He was first elected there in 1780 and came to the cause to fight for the abolition of slavery in 1787, when he took on the cause with his colleagues of conscience.

It took them 20 years, Mr. Speaker, to abolish the slave trade in the British Empire with the Slave Trade Act in 1807, and their work did not end. He continued his work for decades.

He had to retire from Parliament in 1826, but consider that time that he put in to fighting the slave trade. They finally abolished slavery in the British Empire in 1833, and William Wilberforce learned that Parliament had the votes to pass that just days before his death.

This is a fight that goes on. Sometimes justice takes time.

In 1896, the Supreme Court ruled separate, but equal, is okay. It took 58 years, Mr. Speaker, for them to correct that injustice in *Brown v. Board of Education*. Fifty-eight years.

It has been 43 years since the injustice of *Roe v. Wade*, but this fight will continue. We will continue to work for the protection of all human life, for justice will not sleep forever.

Mr. SMITH of New Jersey. I thank Mr. ROTHFUS very much for his leadership and for his very eloquent remarks.

William Wilberforce reminds us all that, through prayer, fasting, tenacity, and the pursuit of justice, he really was able to stop the slave trade.

Thankfully, in this Congress, we have so many leaders—men and women on the pro-life side—who stand up boldly and effectively, and we will win this.

I thank the gentleman for his leadership.

I yield to the gentleman from Texas (Mr. OLSON), my good friend and colleague.

□ 1815

Mr. OLSON. I thank my friend from the Garden State for allowing me to join this very important Special Order.

Mr. Speaker, 43 years ago, an activist, liberal Supreme Court decided *Roe v. Wade* and turned a penumbra, a shadow in our Constitution, into the legal right to privacy, which became the right to terminate innocent life.

Since then, we have seen a decline in the value of human life in America. There is increased violence in our streets. Planned Parenthood staff discuss the harvesting of baby parts. There is an erosion of moral fabric that stems from a lack of respect for life. It stems from *Roe v. Wade*.

Americans expect instant gratification with no consequences for their own actions.

The Catholic Church's newest saint, Mother Teresa, once said: "It is a poverty to decide that a child must die so you may live as you wish." I stand with Mother Teresa and all who value the sanctity of life, and will fight, continue to fight every effort to give a voice to the voiceless before their lives are taken.

All life is precious. All life is precious.

I thank my friend.

Mr. SMITH of New Jersey. Thank you so very much, Pete, for those very moving remarks.

I yield to the gentleman from Louisiana (Mr. FLEMING), who is the prime sponsor of the Health Care Conscience Rights Act, along with DIANE BLACK and JEFF FORTENBERRY.

Mr. FLEMING. Mr. Speaker, I want to thank my good friend, CHRIS SMITH, for all of the years of service in this area of pro-life and pro-family, not just domestically, but around the world.

Mr. Speaker, I thank my good friend for everything he does, and the blessings that he has provided to us.

Also, Mr. Speaker, children are a joy to every mother and father. My wife and I share this joy, both as parents and as grandparents.

As a matter of fact, I have seen all three of my grandchildren through ultrasound, before they were born, very early in gestation, watched them move, watched them suck their thumbs. I fell in love with each and every one of them right there before they were born. Certainly, if I can love them before they are born, God loves them and knows them before they are born.

As a matter of fact, in Jeremiah 1:5, it says that God knows us before we are formed in our own mother's womb.

The value of human life, however, isn't quantified through parental sentimentality. Children, including developing babies, the nascent life within a mother, are endowed by our Creator with the same unalienable rights as you and I have, life, liberty, and the pursuit of happiness. Good public policy will reflect this understanding and protect the lives of the unborn, those who are today's children and tomorrow's leaders.

Mr. Speaker, as we approach the anniversary of the devastating 1973 U.S. Supreme Court decision that sanctioned the genocide—yes, the genocide—of 57 million children, I implore my colleagues and my fellow countrymen to stand for life.

America's children, born and yet unborn, are our heritage and our future.

Mr. SMITH of New Jersey. Thank you, Dr. FLEMING. Thank you for your leadership on so many issues, including the conscience rights issue.

Mr. Speaker, I yield to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Thank you, Congressman SMITH. It is an honor, as always, to join you this evening on this Special Order. I have told you before and I will tell you again, thank you for your leadership. I believe our efforts, though not fully successful, your efforts have saved many lives in this country.

Mr. Speaker, yesterday the House voted to stop Federal funding from going to the evil abortion provider Planned Parenthood. It was another commonsense step in the many that our pro-life movement has made in our long, 43-year fight following the barbaric ruling of *Roe v. Wade* by an unelected, unaccountable U.S. Supreme Court.

Tragically, it has been said 57 million innocent babies have lost their lives to abortion since that woeful, woeful decision.

I have said it before and I will say it again, I am eternally grateful that the birth mothers of my wife and I's four adopted children chose life.

On January 21, one of those children, my daughter Rebecca, will arrive on a bus in Washington, D.C., along with dozens of her classmates from Benedictine College, in Atchison, Kansas, to again participate in the National March for Life the following day.

On that day, I will be joining thousand of Kansans in Topeka as we march, pray, speak, and celebrate the gift of our life in our State's capital. I am proud of our efforts, and I hope my colleagues will join me in demonstrating their dedication to the sanctity of all human life, whether it be in the home State or here in our Nation's Capital.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Mr. Speaker, I thank my colleague for his exemplary leadership on this fundamental issue.

I rise today on the 43rd anniversary of *Roe v. Wade* to remember the more than 50 million unborn lives we have lost in the decades since this Supreme Court decision was handed down.

As a father of four young children, I can speak for millions of parents I know when I say that Jenny and I, we really fell in love with our children before they were born. It is this unwavering love for my own children and for others' children that led me to the pro-life movement.

Each year, thousands of fellow Hoosiers travel to our Nation's Capital to peacefully march for life and to celebrate the sanctity of life at all stages.

My experience working at the Crisis Pregnancy Center in Bloomington, Indiana, provided, I think, unique insight into some of the steps we can take to bring our love to bear, so that we might bring about changes in the law and restore, in this country, a culture of life.

This year, we work with renewed purpose, with the force of public opinion firmly behind us. We know what happened last year. It will be hard to ever forget. We witnessed an outpouring of rage when Planned Parenthood's activities were uncovered. For the first time, millions had to confront, in living color, the callous disregard for human life exhibited by Planned Parenthood's employees and its procedures, unimaginable procedures, procedures that shocked the public conscience.

I heard from folks back home, countless Hoosiers, and they responded with complete clarity. No one, they said, should be forced to violate their conscience so abortion providers like Planned Parenthood can continue to operate. That just won't stand.

It is why our first order of business this year was to cut off taxpayer funding that involves every single American taxpayer and the practices of the Nation's largest abortion provider. As promised, we sent the President a bill defunding Planned Parenthood.

Now, to the Hoosiers who join me this year in marching for life, know that we will remain vigilant in our efforts to protect innocent life and the rights of conscience of the American people.

Mr. SMITH of New Jersey. Thank you so much, Mr. YOUNG, and thank you, as a new and very rising star leader in our efforts to defend life. Your eloquence is greatly appreciated.

Mr. Speaker, I yield to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, I am here today to honor the memory of the millions of babies that have been killed by abortion in the 43 years since the Supreme Court's poorly reasoned, and I wrote down here appalling, but I heard one of my colleagues use the word barbaric, and I think that is the right word, barbaric ruling in *Roe v. Wade*.

There are those who argue that life begins at birth. They are wrong. Life begins at conception. Anyone who has seen a precious baby in the womb on a sonogram cannot help but agree with me on this.

One of the most moving events of my life was when I went with my wife and saw the first sonogram picture of my first daughter, Morgan. I still have the videotape of that. A printout is in my memory box in Corpus Christi. It was one of the most moving experiences.

You know, I know lots of Members of Congress, a lot of them are here today, and they feel the same way as I do, that human life is something special, something sacred, and it begins at conception.

But, unfortunately, there are not enough of us to override a Presidential veto of the legislation like we passed in this House defunding Planned Parenthood. There are not enough of us to get

a constitutional amendment to the States saying that life begins at conception.

But we have got to continue to fight. It is our duty, it is our moral duty, to defend the unborn.

It has been 43 years since *Roe v. Wade*. It is my prayer it is not another 43 years before America comes to its senses and respect for life, all life, becomes the law of the land again.

Mr. SMITH of New Jersey. I thank the gentleman from Texas for, again, a very eloquent statement, and my hope is that people are listening.

Mr. Speaker, I yield to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank the gentleman from New Jersey, not only for yielding, but also for the many decades you have spent of trying to protect the lives of our Nation's and, indeed, the world's most vulnerable.

Mr. Speaker, soon we will mark the 43rd anniversary of *Roe v. Wade*, a decision that has irreparably damaged our Nation for generations and will continue to do so until it is reversed.

Since the Supreme Court decision, as you have heard earlier, America has lost 57 million defenseless and innocent lives, while millions more have been deeply hurt.

Fortunately, the movement to protect and defend life has made meaningful progress in the last year. The U.S. House of Representatives recently passed protections for unborn children, after 20 weeks, which is something the majority of Americans support.

Yesterday, the House passed landmark pro-life legislation that paves the way to transfer Federal funds from those who would kill children, unborn children, to thousands of community healthcare centers that provide true comprehensive health care for women. Later this month, thousands from across the country will stand in front of this building to support life in our Nation's largest peaceful protest.

We will continue to work and pray with hope and resilience, to give a voice to the voiceless, to advocate for those who cannot advocate for themselves, and to protect our Nation's most vulnerable.

As I close, I would ask all Americans to continue to pray for our country, and for our unborn children, and for those who reach out and try to protect those unborn children.

Mr. SMITH of New Jersey. Mr. Speaker, how much time do I have remaining?

And I want to thank Mr. FLORES again for another very moving speech on behalf of the most basic human right, the right to life.

The SPEAKER pro tempore. The gentleman has 24 minutes remaining.

Mr. SMITH of New Jersey. I yield to the gentleman from California (Mr. LAMALFA), my friend and colleague.

Mr. LAMALFA. Mr. SMITH, thank you for yielding, and also thank you for

your amazing leadership on year after year putting this in front of the people and highlighting—or lowlighting—just what this has been.

It is probably very mind-boggling for many Americans to contemplate that this has been going on for 43 years, since the Supreme Court ruling, out of whole cloth, *Roe v. Wade*. And it must be very mind-boggling when we remind Americans that at this time over 57 million abortions have been performed since that.

We know that over 7 million have been performed by Planned Parenthood—7 million—making them the largest abortion provider in the country.

□ 1830

Yet you will hear Planned Parenthood argue that it is a tiny part of what they provide as far as what they might deem to be women's health services. If it is such a minor part of what they do, then maybe they ought not be demanding and asking for government funding. Indeed, that was taken care of this week in the measure that was sent to the President's desk. We will see what the President decides to do with that.

With Planned Parenthood providing 323,000 abortions just in 2014 and receiving \$550 million in taxpayer funding, we see that this is a wrong that is mind-boggling to most Americans as well.

With the sending of that bill to the President, it is going to make a strong statement that this House and this Senate can take action on something that many people, when they pay attention, find to be quite abhorrent. Instead, there are alternatives out there that this legislation has provided that will allow women's health to be funded and taken care of at many other centers. Even Planned Parenthood can participate if they choose at some point to not be an abortion provider.

The key here is that women's health will be served and that with the information and with the decisions they made being fully informed on that, we can see many less abortions happen in this country as well as the moral fiber and integrity of this country held up by not doing such an abhorrent thing in so many cases.

So I commend Mr. SMITH and all those fellow warriors out there who will be marching for life not only coming up soon this year, but they are out there every year battling for the cause to turn America back around into a place that is a little more moral and actually does care about women, their health, and their mental well-being when this decision has been put upon them.

So, to my colleague, thank you once again for allowing me here tonight with this because it is very important that we remember just how heinous

this is and how people need to be informed about that, pause, and take time to see what this really means for America and our own well-being. Thank you.

Mr. SMITH of New Jersey. Doug, thank you very much for your excellent remarks reminding us that Planned Parenthood alone is directly responsible for killing 7 million unborn babies. That is a staggering loss of lives killed by one organization. So thank you for your leadership.

Mr. Speaker, I yield to the gentleman from Wisconsin, SEAN DUFFY.

SEAN offered legislation late last year that would have protected States that decided to defund Planned Parenthood. It passed overwhelmingly, and I want to thank him for his leadership as well.

Mr. DUFFY. I appreciate the gentleman from New Jersey yielding. I am grateful for his powerful advocacy for the unborn in his whole tenure here in Congress. You have been a true leader and an inspiration for some of us who have come after you.

I have been in this institution for 5 years. Over the course of that 5 years, I have heard many of my liberal friends and a lot of friends from the Congressional Black Caucus talk about how there is targeting and unfair treatment of African Americans in the criminal justice system. I have heard them.

In Financial Services, I hear them talk about how big financial corporations target African Americans and minorities. As I turn on my TV, I listen to Black Lives Matter talk about how police and law enforcement are targeting African Americans and minority communities.

I hear a lot in this institution from minority leaders about how their communities are targeted. But what I don't hear them talk about is how their communities are targeted in abortion.

Here are some stunning facts. The African American community is 15 percent of the country as a whole but accounts for 40 percent of the abortions. Fifteen percent of Americans, 40 percent of the abortions. In New York City, the most recent statistic is that African American women had more abortions than live births.

There is a targeting going on in a lot of spaces and a lot of places, and it is going on in the abortion industry. And my liberal friends, Congressional Black Caucus Members, talk about fighting for the defenseless, the hopeless, and the downtrodden. There is no one more hopeless and voiceless than an unborn baby, but their silence is deafening. I can't hear them. Where are they standing up for their communities, advocating and fighting for their right to life?

Black lives matter. They do. Indian, Asian, Hispanic, and White, all those lives matter. We should fight for all life, including the life of the unborn.

We have talked about this a lot of times. In 2 weeks, there is going to be an amazing march that takes place right here at the Capitol, and you are going to see tens of thousands of people come out and support life. You are not going to see the national media cover this. They are going to ignore tens of thousands of people.

Just think how powerful that rally is going to be when you have Reverend Al Sharpton standing on the stage talking about how he is going to fight for his community and his unborn babies and all the Congressional Black Caucus standing behind him saying: Do you know what? We are going to fight for these defenseless and voiceless little babies in our community that are being targeted.

And just think if our President who sheds a tear for violence goes to the West Wing and sheds a tear for the unborn. I can only hope and pray.

Mr. SMITH of New Jersey. Martin Luther King's niece Alveda King has had two abortions. She made one of the most passionate comments and speeches I have ever heard when she said: How can my uncle's dream survive if we murder the children? She is now pro-life. She says: The other co-victim in every abortion besides the baby is the mom. And she is a victim herself.

I yield to the gentleman from Illinois, PETER ROSKAM, a great leader on pro-life, first in the legislature in Illinois, and now here in Washington.

Mr. ROSKAM. Thank you, Mr. SMITH, for your leadership.

I just want to paint a picture for you and take you to a scene about a year ago now. It was a Sunday in Chicago. I was invited to be a speaker at the March for Life in downtown Chicago. I got to the speech a little bit early and nobody was there. I was looking around, and all I saw was a small gaggle of pro-abortion protesters. They looked quite pathetic, actually. There were not very many of them. They looked angry. They had signs that were quite ugly. I won't repeat the phrases that were on the signs. It was quite a pathetic sight. I was observing them, and I was kind of waiting for the event to happen.

Then I heard something. I started to hear music, and it was a really good sound. I heard the music, and the music grew, and it became more dynamic and louder and louder and louder and more exciting. Then thousands of pro-lifers came around the corner. It was a sight to behold. These were young people. They had balloons. They had yellow and white balloons. They had beautiful posters of little babies. There was a joy to them.

I looked at the contrast between these two images. You have got young, dynamic, vibrant, and joyful—and pathetic on the other side. I thought to myself that if I needed any convincing—I don't—I am convinced by

the witness of these people. I choose to be with the joyful people.

So now where are we in history? We are 43 years into this. We are 43 years into the scandal of *Roe v. Wade*, and yet we were told, the country was told, in 1973 when this decision came down, that this was all settled, that this was all done, and that there is nothing more to be done about it. It is Supreme Court doctrine, and those of you who are opponents, you need to get over your opposition and just move along, thank you.

But there was something that was unsettling, not just about the juris prudence, but about the underlying moral claim upon which *Roe v. Wade* was built, and that was that it was built on a lie. The lie was that there is nothing significant in a mother's womb when she is pregnant. That, of course, is not just a lie, it is an absurdity.

So what has happened over the past 43 years? Science is our friend. More people are coming to understand—even nonscientific people. They see the ultrasounds. You have heard testimony from people who say: That is a life; that is a baby; that is a person; that is a boy; that is a girl; and that is worthy of my defending that little child.

So the scandal of the Planned Parenthood videos are actually a seminal moment, I think, in this great debate that is underway, because what you have noticed is there are not very many people that were defending the Planned Parenthood videos. Even people that purport to be pro-choice basically said: I didn't sign up for that.

But yet that is exactly what abortion is. The Planned Parenthood videos took the mask off of the scandal of abortion and said that when you dehumanize, when you say something doesn't matter, then you can do anything you want to it. That is the scandal of the Planned Parenthood videos.

So what is happening now is that there is a growing recognition among Americans—many of whom probably haven't thought much about this question for a long, long time—but now the provocative nature of those videos forces them to have to deal with this and reconciling their own understanding of science, their own deep feelings, and their humanity with the recognition of what is the nature of this thing that is going on? They say: Do you know what? I think I am leaning toward the pro-life side.

We clearly see this in the data. Younger voters are much more pro-life. Why is that? They recognize the truth of the science, and they understand the nature of the humanity, and they understand spiritually, actually, what is going on.

I was sent to Congress by a lot of pro-life people. I was sent to Congress by pro-life people that placed their confidence in me. I am here to thank them, to bear witness, and to encour-

age them as they go out for the March for Life in Chicago or the March for Life in Washington or the March for Life anywhere. I say thanks be to God for these people who have been faithful and true regardless of what the world has said about them. History will exonerate the pro-life movement.

Mr. SMITH, I thank you for your time and your faithfulness.

Mr. SMITH of New Jersey. Thank you very much, PETER. Those were outstanding comments about right to life and history as well, and we will prevail over time. So I want to thank you.

I would like to now yield to the gentleman from Georgia, AUSTIN SCOTT.

Mr. AUSTIN SCOTT of Georgia. CHRIS, I too want to thank you for your work on this issue. You are certainly one of the most passionate people I have seen on this issue in my years.

I was thinking about what I might say, and my wife sent me a text. To follow up on what Mr. ROSKAM was saying, she asked me if I could FaceTime. So I stepped into the room, and I FaceTimed with my wife and our beautiful little 10-month-old daughter.

In 1973, the state-of-the-art technology was the walkie-talkie. I can't help but believe that the Court ruling would be totally different if a 3-D ultrasound picture like I got to see of my baby when she was 20 weeks old were put on the screen and a judge got the opportunity to say, "What do you call that?"

Five fingers, five toes, eyes, ears, lips, nose—you can see them. You can see the hair. The technology is continuing to prove what many of us in this country have known all along, and that is that life begins at conception and that God has given value to each and every single life.

I just want to take 1 more minute to say thank you to the men and women that get up every morning and that work at our pregnancy care centers and help encourage those young mothers and those young families to have the child, to love that child, and to understand that it is a gift from God. There is no telling how many men and women have been saved because of those volunteers at our pregnancy care centers throughout this country. So I want to say thank you to them.

I want to say thank you to the people at the National Right to Life and, in my State, Georgia Right to Life and Georgia Life Alliance for the work that they have done to continue to educate people on that.

I want you to know this fight continues. This is a stain on our country. It is a sin that God is not going to allow us to get away with. We as a nation need to accept that life begins at conception, and we as Congress have a responsibility to do everything that we can to protect it.

Mr. SMITH of New Jersey. Thank you so much for those comments. I

couldn't agree more that the megatrend in society is to embrace the unborn. It is the ultrasound technology—the window to the womb—that has made the difference. So thank you for your outstanding comments.

I would like to now yield to the gentleman from Ohio, STEVE CHABOT, the prime sponsor of the partial-birth abortion ban. It is one of the most hideous methods of abortion and has awakened many Americans to the violence that is inherent in every abortion. STEVE CHABOT is the man who wrote that law.

Mr. CHABOT. Mr. Speaker, I want to thank the gentleman for his leadership. CHRIS SMITH has been in a leadership position on this issue since before Henry Hyde. He took up the mantle for Henry. So thank you for doing that, CHRIS. We appreciate that greatly.

□ 1845

I have got a birthday coming up in a couple of weeks. It happens to be on January 22, which is the day that that horrific decision—the *Roe v. Wade* decision—was issued by the United States Supreme Court.

On my birthday now, I can't help but think about all those who are not among us because their mother made a different decision than my mom made almost 63 years ago. Because of that decision, those little innocent unborn children aren't with us.

My district is Cincinnati. We have had some of the original founding leaders of the pro-life movement there, especially Dr. Jack and Barb Willke, who passed away within the last couple of years. But they were the leaders. The torch has been taken up by people like Paula Westwood, who now heads up Cincinnati's Right to Life.

As Mr. SMITH mentioned, we have made some progress. I was honored to have been able to play a role in passing the ban on partial birth abortion, which is now the law of the land, as well as the Born-Alive Infants Protection Act.

When we consider the reprehensible practices of organizations like Planned Parenthood and what goes on there in their facilities all across America, it shows that we have a long way to go. As discouraging as it can get sometimes, we must never give up, never give up in our fight to protect the most innocent among us, the unborn.

Mr. SMITH of New Jersey. Thank you very much, Chairman CHABOT.

Chairman CHABOT also is the full committee chairman of the Small Business Committee and has done yeoman's work on behalf of the unborn since he has been here, which is for a very long time.

I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. I thank my friend, Mr. SMITH, for all his work on this issue.

When I was a young boy unable to read and my mother would read stories

from the Bible, it was so enlightening. As I began to read in elementary school and read the Bible for myself, I was always so perplexed to read that there were generations thousands of years ago that devolved and degenerated to the point that they would sacrifice their own children on the altar to avail other idols.

It appeared clear that there is not much that is more despicable to God, and it makes sense for anyone who believes there could be a God that there could be nothing more despicable than the taking of innocent life.

That is what you find in the Bible. It may have been allowed to go on for generations for years. But when the wrath came, it was judgment that was truly ungodly.

Since 1973, the realization that here in America we have been sacrificing the most innocent—before they could even be capable of saying a lie, stealing, any wrong whatsoever, their lives are taken away from them.

And then to further realize that you have some legislators that have fought to prevent children that were attempted to be aborted, that were born alive—they fought to let them die even after they are born alive. Then you realize one such legislator now has been voted into the White House. It is a bit scary, where we are in America.

I know there are some that say: You are a man. You can't complain about the sacrifice of unborn children on the altar of inconvenience.

I am not a slave, never have been, but I would hope that, if I were alive 200 years ago, I would have stood with John Quincy Adams, I would have stood with the abolitionists, to say: How can we expect God to keep blessing America when we are treating our brothers and sisters with chains and bondage?

Well, I am alive today. We need to stop the sacrifice of the most innocent and the most helpless among us. Our judgment will be coming one way or another.

Mr. SMITH of New Jersey. I thank my friend for his eloquent remarks.

I just want to conclude, Mr. Speaker.

Some day future generations will look back on America and wonder how and why such a seemingly enlightened society so blessed and endowed with education, advanced science, information, wealth, and opportunity could have failed to protect the most innocent and the most inconvenient.

History will not look favorably on today's abortion culture. I do believe we must replace it and work tirelessly to replace it with a culture of life.

Modern medicine and scientific breakthroughs, especially the widespread use of ultrasound, has shattered the pernicious myth that unborn children are mere blobs of tissue and that abortion is anything but an act of violence.

A few years ago I met with Linda Shrewsbury, an academic and African American with a degree from Harvard, who spoke and said:

"The lies that brought me to that day and its sorrowful aftermath are crystal clear in my mind—falsehoods and deceptions that concealed the truth about abortion. Lies planted in my thinking by clever marketing, media campaigns and endless repetition led to a tragic irreversible decision—the death of my first child."

"At age 20, I had no inkling of the mental and emotional darkness I was about to enter."

"After spending many years in denial, I did eventually find healing. When I understood and rejected distortions about fetal development, doublespeak about choice, rights, planned and wanted children, I understood the reality and victimhood of my aborted child. I understood the absence of moral bases for choosing to 'dis-entitle' an innocent human being of life. When I embraced truth, truth set me free and I finally gained inner peace."

We believe that there are two victims in every abortion: the unborn baby and the mother. Linda Shrewsbury found peace. We need to protect women from the violence of abortion, as well as babies.

I yield back the balance of my time.

CHILD CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, a couple of decades ago support for child care fell under conservative attack. At the time, the argument went that offering low cost or free child care to working families would create an incentive for women to leave their homes and their traditional roles as caretakers.

That argument attempted to capitalize on panic about the collapse of the so-called traditional families. But to be honest, I don't think it ever had teeth in the first place.

The reason most women left home to enter the workforce, the real reason that countless women work today, is to make ends meet. In an economy that is built to work for corporations and their CEOs, working families have

found themselves trying to stretch every dollar.

The leadership of this House seems content to keep that struggle going. It is time to take a second look at policies that will help our middle class. It is time to stand up for high-quality child care, accessible and affordable for every family, and a childcare workforce that earns the pay they deserve.

Mr. Speaker, I want to make something very clear. This is neither an isolated problem, nor is it one with limited impact. This is the new normal. In addition to outrageous costs, limited access to quality child care and pre-K means stunted development for children and further division between those with means and those without.

If you have got the resources, child care that costs more than the median rent isn't a big deal. If you have got the resources, child care that costs more than tuition at a public college across more than half of the country isn't a big deal.

If you have got the resources, you can give your child a leg up with pre-K and child care that sets them up for academic success, higher wages, and better jobs and careers.

If you don't have these resources because you are working minimum-wage jobs or your wages have been flat for years or you are one of the hundreds of thousands of Americans still unemployed, leaders in Congress say: Well, too bad about that. That is unacceptable.

Mr. Speaker, the average cost of child care for a family with an infant and a 4-year-old is \$17,755. In my State of New Jersey, the average cost for the same family would be \$21,000.

That price tag is outrageous, and it probably has quite a bit to do with why only 35 percent of pre-school-age children are currently enrolled in pre-K programs despite the benefits that pre-K offers.

Ninety percent of brain development happens before the age of 5. Every dollar invested in early childhood education returns in public benefits. There are few better ways we can spend our money.

Mr. Speaker, there is one more reason we are making this a priority. The teachers responsible for our youngest minds earn salaries that cannot cover the expenses of their own families. While first grade teachers earn roughly \$45,000 annually, pre-K teachers earn only \$27,000.

These men and women hold one of the most important roles in our society and make some of the greatest impacts on our kids. They deserve pay that matches the value they offer.

This issue has waited long enough for attention from this Nation's leaders. It is time for Congress to make sure that every family has access to child care and early childhood education.

Mr. Speaker, I yield to the gentlewoman from California (Ms. BASS).

Ms. BASS. Mr. Speaker, I rise today to join my colleagues in calling for our fellow Members of Congress to come together to assist hardworking families and children.

We need to act together to provide parents and caregivers with the resources necessary to ensure that every family has access to safe and affordable child care.

Specifically today, I am speaking out for the over 157,000 children in the foster care system who are 5 years old or younger.

Congress must face two important facts. The cost of child care is having a detrimental impact on working families, and it is our children who suffer as a result.

In my home city of Los Angeles, it is estimated that an annual income of nearly \$74,000 is necessary to secure a modest, yet adequate, standard of living for a two-parent, two-child family.

In reality, some of the neighborhoods I represent have a median household income of less than \$28,000 a year, which translates to more than \$45,000 below what is needed for a modest standard of living.

To make up this difference, far too many working families, especially single-parent families, are forced to put their children into inadequate child care, which is often what they can afford.

After a baby is born, too many mothers and fathers must immediately return to work in order to pay bills, and one of those bills becomes skyrocketing childcare costs.

In fact, there are many children who wind up in the foster care system because their parents have left them unsupervised because they had to make a choice: stay home because they didn't have child care or go to work and leave those children unattended. When parents make that decision, they can wind up then losing custody of their children to the foster care system.

Last January President Obama took a bold step to support children and working families by proposing to expand access to high-quality child care for low-income families.

In partnership with States, this investment will help over 1 million additional young children over the next decade by supporting States' efforts to build up the supply of quality child care available to low-income families.

One way to solve the childcare needs of working families is to arrange for someone other than parents to care for children. My home State of California has taken a different approach.

For over a decade, California has offered paid family leave to help working families stay at home to take care of a new child. This law is not only helping mothers bond with their newborn children, but it is also enabling more and more men to take time off work when a child is born, ensuring that more fa-

thers stay involved with their children's lives.

□ 1900

We can say we support families, but to truly put families first, Congress needs to come together to provide effective paid family leave to mothers and fathers when a baby is born.

Mrs. WATSON COLEMAN. I thank the gentlewoman from California for all of the advocacy she represents for those young people, those children, who are most vulnerable to us.

Mr. Speaker, it is my pleasure to yield to the gentlewoman from Oregon (Ms. BONAMICI), who is the sponsor of the Progressive Caucus' universal childcare resolution.

Ms. BONAMICI. I thank the gentlewoman for yielding.

I also thank the gentlewoman from California for her wise remarks and for her leadership, especially on issues facing foster children in our country.

Mr. Speaker, I rise this evening to discuss a very important issue that affects many families across the country, and that is the need for affordable, quality child care and to encourage all of my colleagues to cosponsor House Resolution 386. This resolution, which I introduced in July, with the support of 27 original cosponsors, affirms the commitment of Congress to put high-quality child care within the reach of every hardworking family, regardless of how much one earns.

Mr. Speaker, access to high-quality child care is essential to the well-being of children and families. Really, when we think about our economic future and about the quality of life in our communities, these are such important issues. I will share with you a real story.

Deondre is a 9-year-old boy in Oregon who understands this issue well. He shared this experience with his childcare provider, Ms. Renee, who takes care of him and his brother while his mother goes to school and works.

Deondre said: "My mom works and goes to school. Sometimes she is done by 6:30, but, other days, she is not done until midnight . . . Ms. Renee," he says, "picks both of us up from school, makes us dinner, helps us with homework, and puts us to bed."

Mr. Speaker, Deondre's story is just one example, but it illustrates the critical role that childcare providers play in children's lives, and it emphasizes the value of high-quality child care for working parents.

It is pretty clear, though, that our policies have not kept pace with our changing family structure and with our evolving workforce. In more than 60 percent of the married couples with children in the United States, both parents are working. In more than 40 percent of households, mothers are the sole or primary breadwinners for the families, and 34 percent of children are

living with an unmarried parent. Access to affordable, quality child care is critical to the stability of families and to the communities across the country.

Childcare costs also affect children's well-being and the local economy. In Washington, D.C., for example, families pay more than \$20,000 each year, on average, for a child's care; and in many States, including in my home State of Oregon, the cost of child care exceeds in-State tuition at public universities. We hear a lot about how rising tuition costs create barriers to accessing post-secondary education, and this, too, is a critical issue. I know many of my colleagues in both the House and the Senate—frankly, on both sides of the aisle—are eager to curb the cost of college to enable more students to get a higher education. Yet, in many places, the cost of caring for our infants often outpaces the cost of earning a university diploma.

Mr. Speaker, we need to be addressing the soaring costs of child care with the same urgency with which we seek to rein in college costs. Just as shutting students out of college has tremendous economic consequences, the fact that families must spend a growing share of their incomes on child care also comes with consequences. This is going to require some long-term thinking, and we have to really look into our future as to what this investment means for our families.

Sadly, but not surprisingly, low-income families tend to be the hardest hit by the rising costs of child care. Some families with limited means spend about 40 percent of their household incomes on child care, and some estimates suggest that the inability of employees to find reliable child care costs companies billions of dollars in lost output. We see some companies now having on-site child care—and that is great—but they are few and far between.

The high cost of child care is truly an issue of equity. When families are forced to make sacrifices to care for young children, these sacrifices disproportionately fall upon women and people of color. A recent Pew Research study found that, over the last 15 years, the cost of child care has likely contributed to an increasing number of mothers who have to put their careers on hold. Of course, there is nothing wrong with parents who choose to stay home with their children—absolutely not, when that is their choice—but for many parents in low-income households, leaving jobs to care for children is not a choice. These parents cannot afford to work and pay for child care.

What do they do?

Before childcare costs became unaffordable, more mothers were joining the workforce, were pursuing careers, and were contributing to the financial stability of families. Additionally, the childcare field primarily employs women, many of whom are underpaid—probably most of whom are underpaid. In fact, a new Economic Policy Institute study found that childcare workers are approximately twice as likely as other workers to live below the poverty line.

When I went to college years ago, I had a friend who ran the childcare center at the university. He made a comment to me once that really stuck with me. He said that people pay more per hour to park their cars in the parking garage than they do to have them look after their children. Now, that is unacceptable. It is important to pay childcare workers well so we can recruit and retain great people to take care of our children, who are the next generation. Very few workers receive healthcare coverage or pension plans or any kind of retirement security. For many childcare workers who have children themselves, the cost of child care for their own children is truly out of reach.

For many of our country's minority households, affordable child care is not only expensive, it is hard to find. The gap in wealth between White and Black households is the largest it has been in several decades. To exacerbate these challenges, low-wage jobs frequently have nontraditional schedules, which makes accessing high-quality child care especially difficult.

Mr. Speaker, many families are caught in this financial trap of working parents who are struggling and who are doing their best. They are trying to make ends meet in the face of rising costs and stagnant wages, but they are forced to choose between leaving the workforce to care for their children, which can push their families closer to poverty, and handing over their paychecks to cover the cost of child care, which has a similar result on their household finances.

In reality, there is no easy solution for these distressed families—distressed and stressed, I might add. More than 60 percent of young children attend child care so that their working parents can earn a living. At the same time, child care costs more than \$10,000 a year in many places—here in D.C., it is even more—and it too often rises faster than household incomes; but the problems caused by unaffordable child care extend beyond family finances.

High-quality early childhood education produces many benefits for children that continue well into the future, and this is that long-term investment that I am talking about. Children who access these programs see long-term benefits, including success in school, improved employment outcomes, and

good health. When families can't access those high-quality childcare programs, their children may lose access to some of the benefits of early learning, like developing literacy and teamwork skills.

Congress does have a role to play in addressing these problems, and this is one of the most important investments we can make in our future. We must advance these existing programs that are effective at supporting working families and that are preparing children for success down the road.

Head Start is an example of one such program. It serves, roughly, a million low-income people—more than 12,000 in my home State of Oregon. For each of these children and families, Head Start provides a quality early childhood education and increases access to health insurance, housing assistance, and job training. If you have never visited one of your Head Start facilities in your district, I encourage you to do so. They are really working hard to engage the families and to really get that early learning.

The benefits of Head Start for families and children are well-documented. Last year, more than 200,000 families in Head Start received job training and adult education services, and studies show that children in Head Start are better prepared for kindergarten and that they make gains in learning and in social-emotional development. Preschool Development Grants, including a new program that just passed recently as part of the Every Student Succeeds Act, will help States to improve access to early childhood education programs.

Ultimately, Mr. Speaker, Congress needs to do its part to promote universal prekindergarten programs. On a related note, my State of Oregon is instituting full-day kindergarten next year, and Congress should consider how it can support similar efforts in other States.

Also, Federal child nutrition programs, including the Child and Adult Care Food Program, increase children's access to nutritious meals. We expect children to learn and to do well and to thrive, but if they are hungry, they can't do that, Mr. Speaker. The Child and Adult Care Food Program can help to deflect some of the childcare costs that are passed down to parents while also encouraging healthy eating habits and supporting children's development.

I have introduced the Early Childhood Nutrition Improvement Act. This is a bipartisan bill that makes commonsense, positive changes to the Child and Adult Care Food Program. This bill will encourage more childcare providers to participate in the program, which, in turn, means that more American children will receive nutritious meals and that more childcare providers will receive support to provide those meals—again, getting a

good, healthy start for those kids in our communities.

The Early Childhood Nutrition Improvement Act also authorizes childcare providers to offer additional healthy meals or snacks. Many working families rely on full-day care, but the Child and Adult Care Food Program only supports two meals a day. A child who is in care all day—sometimes until 8 p.m. or even later—needs to get a nutritious meal in the evening. That is good for kids, it is good for families, and it is good for our future.

Prekindergarten and child nutrition programs are examples of how the Federal Government and we in Congress are playing an important and effective role in supporting working families and in investing in better outcomes for those families in the future; but, Mr. Speaker, we certainly could be doing more. Congress should promote fair work schedules, paid time off for parents and caregivers, which my State just did at the State level, and higher wages for working families, including for people who work in the childcare field.

I want to add, Mr. Speaker—and my colleague from California mentioned this—that many moms now go back to work within 2 weeks of giving birth. For those women here who are listening and who have given birth, you know how challenging that is for families. Twenty-five percent of women in this country go back to work 2 weeks after giving birth. We are the only industrialized country in the world that does not offer paid leave for women who have children. We need to change that and get a better start for our kids, for our moms, and we need to respect those working families.

As we continue to pursue efforts to make child care affordable for all families, I encourage my colleagues to cosponsor H. Res. 386. Let's show our support for our country's childcare workforce, its children, its hardworking families, and the future of our families and our country.

Mrs. WATSON COLEMAN. I thank the gentlewoman from Oregon very much for her work, for her resolution, and for her advocacy.

Mr. Speaker, I now yield to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Let me thank the gentlewoman who has organized this Special Order.

There is no greater cause that could be the focus of our attention in this august body than that of future generations of Americans. Too much time is focused on the next election, so I want to thank the gentlewoman from New Jersey for focusing the House today on the next generation.

Mr. Speaker, with certainty, we know that early childhood, quality daycare, and early education are the fundamental building blocks. We as a

nation are competing with countries like China and India, which have very populated nations. We need to make sure that every single American child has the ability to rise up to his potential so that our Nation can remain number one in the world.

I serve on the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. In the last couple of weeks, we have done our work and have passed the appropriations bill, and, this year, we have made some progress. I first want to talk about the good news.

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We did appropriate \$2.7 billion for the Child Care and Development Block Grant, and we increased it over last year, FY15, by \$326 million. Now, that is the good news. The problem, of course, is that we still are a far cry away from providing for every family that will be eligible opportunities at affordable child care.

Let me give you a “for instance” closer to home. I represent the birthplace of our democracy, Philadelphia. I think it is one of the greatest cities in the world. We spent about \$300 million this year on Head Start and childcare activities, almost all of it Federal money; \$190 million are coming out of the Child Care Block Grant I referenced earlier, some \$300 million. We are only providing for 33 percent of the families in Philadelphia who would be eligible for child care through this effort. So we need to do more.

Hopefully, the city and the State will be partners in this effort, but our Nation has to see this, as President Nixon once said, as a national imperative, that is, that we have a national interest in every one of these children living up to their potential.

Now, 2 years ago, in a series done by WHYY and NewsWorks, they focused on child care. They told this story on one occasion about a young lady by the name of Queen Muse who was getting her degree from La Salle University, taking graduate courses. She was working very, very hard. She was rising at a very early hour to drop off her young daughter at a family member's home because she couldn't afford appropriate child care and affordable child care.

Now, here is someone doing what we want them to do, getting a college education, getting a graduate degree. We need to be doing more to provide those early rungs on the ladder of opportunity for those who are in the early stages of family formulation and, in some cases, who are raising children as single parents. So there is much more that we can do.

In Philadelphia, we have a system that, even though not perfect, is working very well. I know through CCIS out on Greene Street in northwest Philadelphia, there is an opportunity where

families and parents can get access to quality child care, federally funded as a contractor with the Urban League. Again, we need to do more, and that is why I came here to the floor this evening.

Now, I know that the Nation is preparing for the President's town meeting on guns tonight, and that is another issue related to families and family safety. We totally support the President's efforts in that regard, and I am going to work with the administration as a member of the Appropriations Committee to help fund those gun safety activities.

In terms of child care, this is about families also, and making sure that the youngest among us have every opportunity to learn and to grow. In fact, we know through the work we have done on brain science now that, as the Congresswoman from New Jersey says, this is the period of time in which the brain is like a sponge. It can learn almost anything. We should be doing so much more in our early childhood efforts, in our childcare efforts to develop the language skills and the reading skills for these young people as the basic building blocks for their lifelong education.

So I thank the gentlewoman for yielding, and much more importantly, I thank her for her extraordinary leadership on the most important issue in our Nation, and that is the preparation of future generations of American leaders.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentleman from Pennsylvania for his wise words and the wisdom that has come with this experience.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I would like to thank the gentlewoman from New Jersey for her continued leadership as she brings those of us in the Congressional Progressive Caucus to the floor to speak on issues of concern for the American people.

Let me also thank the gentlewoman from Oregon for her leadership. I am delighted to be an original cosponsor of her very important legislation that is championed by the Congressional Progressive Caucus that is really demanding and calling for high quality, guaranteed, affordable, and accessible child care for every American family and a strong childcare workforce that is paid a living wage, at least \$15 an hour, and has a voice on their job.

I have alongside of me just a picture of children that may be any child here in America, happy and smiling. Mr. Speaker, that is why we are standing on the floor of the House today, because as Americans and as Members of the United States Congress it is our responsibility to be able to provide for the happiness and smiling of our children.

So I tell a story, as I begin my remarks, on the importance of this Special Order and the importance of child care. Just a few years ago in my area in Houston, parents got a call that no parent wants to receive. These were parents of little children, and they got a call to come rushing to their daycare center. They were rushing because their daycare center was on fire.

The tragedy is a young woman who had this business, whose family gave her this business so that she could have something to do and an income, had stepped away and went to a store and left little children under the age of 5 alone by themselves while a boiling pot of some form of food was on the stove. What happened was obviously that the pot caught fire and babies lost their lives, babies who could not move or help each other. She came rushing back with great remorse and emotion, but those babies were gone.

That is the story of child care, Mr. Speaker. It is so very important that every child has the potential for greatness, and that is why child care is so important. In today's economy, the need for child care is a reality for the vast majority of families, but most working parents can't afford it, even while childcare teachers are not even paid enough. Childcare teachers are struggling themselves and can't provide for their own children. Low wages and a lack of benefits lead in the high turnover.

In the instance of childcare centers across America, many of them are unregulated. Additionally, parents are struggling. On average, center-based child care for two children can cost more than rent or mortgage in every State. No one who works hard should have the downside as they care for other's children to not be able to care for theirs.

In 2011, 49 percent of children ages zero to 4 with employed mothers were primarily cared for by a relative, their father, grandparents, sibling, other relative, or mother, primarily because they could not afford other sources. Center-based care was 26 percent. Grandparents was 21 percent. Other relatives was 6 percent.

Over 8 million children live in a single-parent household. Seventy-six percent of these single-parent households were employed. Sixty-seven percent of women in the workforce had a child under the age of 6. Thirty percent of women work at night and have a child under the age of 5. Twenty-nine percent of children in need of child care have multiple arrangements for child care that can include relatives or skilled childcare services. Sixteen percent of children in need of childcare services live in poverty.

The high cost of child care, the cost of full-time infant care across the United States in 2012 ranged from \$4,600 to \$20,000. Mr. Speaker, that is more

sometimes than a part-time worker makes or even a full-time worker makes. That is saying to the American people, to women, to fathers, and to grandparents that we do not care about your children. The cost of full-time care for a 4-year-old ranged from \$3,900 to \$15,000, and the cost of before- and afterschool programs ranged from \$1,950 to \$10,000.

It is important, as we stand on the floor today, to make this statement: that guaranteed child care is really a necessity. It is a right. Why? Because I remember the Declaration of Independence, though not the Constitution, that talks about the pursuit of happiness. What more pursuit of happiness is there than to ensure that the children who are pictured here on this poster board have the right and opportunity to quality child care and for parents to not have that very devastating call, the call a parent who is doing everything they can to provide for the family to rush away from their job because their babies had died in a raging fire because an unregulated childcare provider left to go shopping while a food pot was burning on the stove?

Recently, the Texas Department of Family and Protective Services began a "Don't Be in the Dark Campaign" to educate the parents about the dangers of placing children in unregulated child care in Texas. The importance of regulated child care becomes unavoidably clear when one considers the fact that 13 children died in unregulated care. In 2006, 18 children died in unregulated care in the State of Texas.

In order to stop deaths like this, we need universal care, we need quality care, we need teachers and workers who love what they are doing as they do, but are paid a livable wage, \$15, so they too can provide for their families.

Unfortunately, safe and affordable child care is not available as much as it should be in the State of Texas. Many working parents rely on State-subsidized care to meet their needs. In 2007, the Statewide waiting list for subsidized care was 17,000 in January, and it moved to 46,000 in October.

So it is important to note, for example, in Austin, it costs about \$43 a day to provide for full daycare for a toddler. However, the State will only pay a small amount.

So this is a very important Special Order. It is to reinforce the fact that our obligation is to safely secure our children and to include our children in the constitutional rights, if you will, of providing for them the sense of a quality of life that is worthy of them as the future of our Nation.

I join with my colleagues in speaking about and supporting this resolution, but I also join with them to support the full funding of Head Start. Many times we will see that those who were a part of Head Start, in fact, Head Start was very important to their growth and their progress.

I also want to include these agencies in my community, AVANCE and Neighborhood Centers, and say that if we had the universal access to child care, many faith institutions and others could be part of regulated, certified, clean child care that could be made more reasonable for those working parents who work very odd hours and work into the night and early morning and need the kind of around-the-clock child care that is so necessary.

So I want to thank Congresswoman WATSON COLEMAN for her leadership, and I leave this podium again by saying every child in America is precious. Even as we hear those discussing issues of choice and issues that sometimes women have to make, we know that we love our children. Why don't we, as the children are here, as they are toddlers and infants and growing up, make sure that no child goes longing for love, for food, for resources, and no child goes longing for quality child care.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman from Texas for her leadership and her commitment to every child in this country.

I yield to my colleague from Virginia (Mr. SCOTT), who is ever vigilant and diligent as it relates to preparing, educating, and ensuring our better generations to come.

Mr. SCOTT of Virginia. Mr. Speaker, I thank Mrs. WATSON COLEMAN for her leadership on all of these issues, particularly education.

There is a growing bipartisan understanding that in order for our Nation's children, especially those in low-income communities, to fulfill their potential and succeed in college and career, that we must expand access to affordable, high-quality, early learning opportunities.

Decades of research shows that properly nurturing children in early years of life supports enhanced brain development, cognitive functioning, and emotional and physical health. Research has also shown that one investment that leads to better educational outcomes, stronger job earnings, and lower crime rates is quality early learning programs. These programs help prevent and reduce achievement gaps for low-income students and create long-term benefits for our Nation, such as lower crime rates, lower teen pregnancy rates, and higher high school graduation rates.

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Yesterday I attended a screening of the documentary "The Raising of America," which explained the challenges working families have in raising children and helping them succeed. Even though there is nearly universal understanding of the importance of high-quality, early-learning opportunities, many families are not able to af-

ford or access these opportunities. As the documentary clearly explained, working families are more productive than ever, but our Nation lacks the Federal policies that these families need in order to better balance their work and family responsibilities.

For example, unpredictable, unstable schedules place an undue burden on working families, impacting their ability to maintain child care. We are among the richest nations in the world. The United States is the only such nation that does not provide paid leave to families to invest time in early development of their children. The United States doesn't even provide universal access to quality, affordable child care. This is simply unacceptable.

The Democrats on the House Committee on Education and the Workforce have been working with our colleagues in the Democratic Caucus on a working families agenda. This agenda supports families by giving them the tools that they need to better balance work and family.

The working families agenda calls for commonsense policies, such as paid sick leave, paid family leave, and access to universal, high-quality child care to help balance work and family responsibilities. In addition, it supports increased wages by calling for an increased minimum wage and legislation to reduce discrimination in the workforce.

But access to high-quality child care is an integral part of the working family's agenda. In the recently passed spending bill, we increased funding for the Child Care and Development Block Grants by \$326 million. This increase is a strong, positive step in the right direction, but we must build on this effort.

That is because over 20 States cannot serve all of the eligible families, and some States aren't even accepting eligible participants to sign up on their wait list. Now, we are not talking about whether the child is eligible or not or whether they receive it, but whether a child can even be placed on a wait list to hope for funding.

If we want parents to work and we want children to be able to determine their futures, if we want strong and stable families, we must provide these families with access to high-quality child care and other early-learning opportunities. These efforts are a national priority, and all children deserve the opportunity to reach their full potential.

Again, I want to thank you for your leadership for bringing this issue to a Special Order.

Mrs. WATSON COLEMAN. Congressman, thank you for taking your time and sharing with us.

We are all familiar with the phrase, "putting your money where your mouth is." Mr. Speaker, a few weeks ago we voted for a bill to fund government programs and extend tax cuts.

While that bill was an important step forward compromise, it was far from perfect. It put our environment at risk by selling petroleum overseas and made countless tax breaks for multinational corporations and special interests permanent. Although it did extend programs like the child tax credit, it didn't do nearly enough to protect working families or ensure a bright future for our Nation. We are in a new year, and we have got a chance for a fresh start, so let's make affordable child care part of that new start.

Mr. Speaker, I want to switch gears now and discuss an equally important topic that those in control of this House have tried to ignore, a topic that the President took action on this week.

Gun violence is one of the greatest challenges this Nation faces. Over the past 10 years, we have lost more than 100,000 people to guns. Millions more have been victims of assaults, of robberies, and of other crimes where a gun was involved, and many of the individuals in possession of these weapons shouldn't have had them in the first place.

Three years since Newtown, just over a month since San Bernardino and Colorado Springs, and with the dark memories of shootings of every scale in every city hovering over us constantly, it is time for change. Gun violence in the United States runs the gamut of motivations—from mental illness, to religious extremism, to political extremism, to disastrous accidents—but they all involve a firearm.

Many of these incidents are suicide, but they are all linked by the simple fact that they involve a firearm because in the United States of America a group of ideologues have hidden behind misguided readings of the Constitution and make guns available to everyone imaginable, even folks on the terrorist watch list.

The reality is that gun violence is an epidemic, and the NRA, along with those who blindly follow it, are deeply out of touch. When another tragedy strikes, my colleagues on the other side of the aisle reliably call for moments of silence right here on the floor. While I support remembering victims, I cannot support silence where action is needed. Silence, Mr. Speaker, is what keeps weapons on our streets. Silence is the reason we have lost friends, sons, daughters, brothers, and sisters. Silence is why we are the only developed nation in the world with this problem.

The President has put forward a set of executive actions that make sense at the most basic level, from strengthening background checks and bolstering enforcement to improving mental health services and research on gun safety. The simple, commonsense measures President Obama announced this week will save countless lives.

It is now up to us here in Congress to take the baton. Mr. Speaker, it is com-

mon sense that someone who is not allowed to fly because they are a suspected terrorist shouldn't be able to get a gun. It is common sense to ensure a standard uniform background check before someone can purchase a weapon. It is common sense that you should have to present identification to buy bullets, and it is time for our colleagues to stand up for common sense.

As the President said, we need to do it with the fierce urgency of now.

Mr. Speaker, I yield back the balance of my time.

GUN VIOLENCE AND GUN CONTROL IN AMERICA

The SPEAKER pro tempore (Mr. BOST). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for the remainder of the hour as the designee of the minority leader.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from New Jersey, and I thank her for guiding us over the past couple of minutes dealing with an important issue.

Let me quickly move us forward because, in just a few minutes, the President of the United States will join with a number of Americans on a very important townhall meeting dealing with the question of this very important issue of gun violence.

Today I rise as the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Committee on the Judiciary, but I rise also, as my colleague, as a member of the Congressional Progressive Caucus that has been at the leadership. I thank both Chairman GRIJALVA and Chairman ELLISON for their leadership and the opportunity for this time.

Again, much was made of the fact that the President, in his last term, or his last year, sought to take on this very complicated issue. Much was made of the fact that the President chose gun violence as something that he took a personal and emotional interest in.

Let me be very clear. There is never a time that is too short a time to confront the horrors of gun violence in this country. Let me give you simply an example of what we face not with adults who have confronted each other with a gun, but toddlers who are getting shot on a weekly basis. For example, a 2-year-old in South Carolina found a gun in the backseat of the car he was riding in and accidentally shot his grandmother, who was sitting in the passenger's seat.

I found at least 43 instances this year of somebody being shot by a toddler 3 or younger. In 31 of these 43 cases, a toddler found a gun and shot himself or herself. These stories are emotional and they are real. In one instance, a 3-

year-old managed to wound both of his parents with a single gunshot at an Albuquerque motel. Shootings by toddlers have happened in 24 States so far this year.

There is a story that comes to mind dealing with a little boy, a loving little boy in Kentucky who accidentally shot his 2-year-old sister to death. Why? Because someone gave him a gun made by a manufacturer who made guns for children.

Now, Mr. Speaker, I am not here to make moral judgments. That is something that I would not do, give a child that is 5 years old a gun. But what I am here to speak to is how we can come together, those who advocate and use guns, those who believe in open carry, those who believe in concealed weapons, those who believe in rifle shooting and deer hunting. All of that is part of the American way. There is no angst with that.

What I am saying and what the President is saying with a tearful, emotional plea that he made just a few days ago is that we in America can do better. The Constitution says we can do better. The Declaration of Independence says we can do better. The First Amendment clearly provides us the access and the rights of free speech and movement, and the Second Amendment is clear that we do have a right to bear arms.

Many of us historically believe that that was, of course, an amendment put in place to protect the beginning Founding Fathers and Mothers, if you will, in these early Colonies and to make sure that they were not overrun by the British. But it is still a standing amendment, and it takes a procedure for it to be undermined, which is the argument that I make for those who continuously raise the fact that the President and those of us who believe in gun safety or gun regulation—which is not controlled—are, in fact, trying to diminish the Second Amendment. We are not.

But what we are trying to do is to do as the President has suggested: keep guns out of the wrong hands through background checks. For example, unfortunately, the tragedy in South Carolina, Charleston, South Carolina, where a crazed individual wanted to provoke a race war, worshipped with nine parishioners at Mother Emanuel Church, sat and prayed with the pastor, a distinguished senator, and those other loving saints, then sprayed bullets and killed nine of them, that individual had items in his background that should have warranted him not getting a gun.

But what happened under law? The storekeeper, the gunshop owner, after 3 days when that particular affirmation or approval had not come, he gave the gun anyway. Foolish. It is so very foolish. There should be an extensive requirement that there is a background

check when you are buying a gun on the Internet or other places we are exchanging guns.

The President recognizes those kind of loopholes and wishes to avoid those kind of loopholes. The ATF is making clear that it doesn't matter where you conduct business—from a store, at a gun show, or over the Internet—if you are in the business of selling firearms, you must get a license and conduct background checks. It baffles me why some people have said that won't make any difference. Yes, it will, because a lot of times in gun shows people who are here to do wrong are, in fact, going to be taking any easy way to get guns.

Let me cite you an example. I always hear that those cities who have rigid gun laws, it doesn't matter. This is the argument I get from my friends in the NRA, and I call them my friends because I hope one day we will sit down at the table of engagement and collaboration because that is the American way.

Let me give you the statistics that make sense. New York has strong gun laws, and Governor Cuomo implemented some stronger gun laws after certain tragedies occurred in his State. But here are the statistics that argue and refute and extinguish the argument of the NRA: 70 percent of the guns recovered by police in New York State in 2013 originated out of the State. The gun laws in New York are working, but because of their neighbors, they are suffering. That is why we need to have a regulated system that doesn't take people's guns away, but provides the safety and security that the American people determine.

I didn't say, Mr. Speaker, that 70 percent of the guns found in the hands of law-abiding citizens were from out of State. I said 70 percent of the guns that the New York City, NYPD, that has a great deal of respect across this Nation as one of the top accredited law enforcement agencies, 70 percent of those that they found were black-market guns coming into that State from elsewhere. That is a tragedy.

I will tell you for sure that some of those guns were used to maim and kill and to fight in gun battles in the streets because we allow the kind of selling of guns without background checks and people going off and getting gun sales in the back of cars. We know that that has happened.

ATF has finalized a rule to require background checks for people trying to buy some of the most dangerous weapons and other items through a trust corporation or other legal entity. Whatever we might say, I don't believe that it is relevant for us to have the AK-47s just walking up and down the street, even if you want to say you believe in open carry.

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Also, overhauling the background check system to make it more effective

and efficient. It is worth noting how many background checks are done. Make this 24 hours, 7 days a week. Maybe that would have prevented, I think, the tragedy in South Carolina. Make our communities safe from guns. Call on U.S. Attorneys to explain to people about gun safety.

When I was on the Houston City Council, I introduced the first gun ordinance in a city—that gun safety ordinance is in place today—which was to hold parents responsible for children getting guns and shooting someone. Why? Because those guns should have been secured. There is nothing unconstitutional about regulating and saving the lives of children.

Also, introducing 200 new ATF agents. I am very proud that Congresswoman ROBIN KELLY and myself—and we invite my colleagues to join in this legislation—introduced legislation that would, in fact, provide for 200 additional Bureau of Alcohol, Tobacco, Firearm and Explosive agents and investigators to enforce gun laws. This is the very same thing that Republicans have been talking about. It is H.R. 4316. I invite my colleagues to join in that legislation to make a difference in the lives of so many.

Let me say that, in addition, we want to make sure that we are highlighting the importance of receiving complete criminal history records and criminal dispositions. We want our States to be collaborative. Send to us the accurate records of those who perpetrate a crime in your community. That is making this particular background check more effective. We are going to do the heavy lifting 24 hours, 7 days a week with better technology.

Make our communities safe, as I said. Teach about gun safety. Increase mental health treatment and reporting. We are talking about \$500 million. The President needs our collaboration.

I am very glad that we have also introduced, along with Congresswoman BASS, the authority to authorize funding to increase access to mental health care treatment in order to reduce gun violence.

In the aftermath of the President's speech, I heard all of this talk about how we should be getting involved in gun violence and we should be talking about gun violence. I heard one Presidential candidate saying that we should be looking for the criminally ill. Well, what do you think this is?

The President is asking for help from the ATF, and now he is asking for grants and the resources to deal with the criminally ill or those who are suffering from mental health issues and to stop them from committing gun violence, the very circumstance that occurred with respect to the horrificity of Sandy Hook.

And as I hold up this poster board—the individual ultimately took his life and the life of his mother—can we

imagine these babies that lost their lives? In fact, we understand that some of those law enforcement officers could barely stand up as they went in and looked at the carnage. Certainly, that individual was known to have suffered from some form of mental illness. There should have been an intervention there.

The President is asking for resources to help us with those who are suffering from mental health issues. He wants the Social Security Administration, as indicated, to begin a rulemaking process to include information about beneficiaries who are, in fact, suffering from mental health needs.

This is not an invasion of privacy. This is information. This is not knocking on the door of those who are suffering from mental health concerns. But it is helping us be more effective if that individual seeks to purchase a gun.

We want to shape the future of gun safety technology. The President directed the Departments of Homeland Security—which I am on—Defense, and Justice to conduct or sponsor research. Guns can be more safe. If a child gets a gun in their hand, there can be more detail to pulling that trigger.

The little boy that shot his sister, there was one bullet left in that gun. The parents didn't know it. It was left in a corner. He picked it up. It was his toy gun. He is a child.

We need to be able to be responsive and start boxing each other and get around the same circle of improvement. Keeping guns out of the wrong hands through background checks is what the President has offered.

Then, of course, we need to work to make our communities safe from gun violence by hiring 230 additional NICS examiners and other staff to assist with processing mandatory background checks.

I think I mentioned the mental health resources that I think are so very important. I would also suggest that we ensure federally that people keep their guns safe. It is very crucial that we insist that guns are safe.

Let me also indicate that Mr. CLYBURN has a very important initiative—he represents the district where the tragedy occurred in South Carolina—to get rid of this 3-day check and to make sure that everyone has a background check, no matter what is occurring.

Let me finish, Mr. Speaker, with indicating the gun-related homicides in this country. The rate of gun-related homicides in the U.S. is far higher than that of other large and affluent countries. Are they any less stronger than we are? We have the highest number of homicides done by guns.

We have Italy, Taiwan, Canada, Spain, Germany, Australia, the United Kingdom, France, South Korea, and Japan. Even with the terrorist activities, they are way below America. And

you can see here the 353 mass shootings in America in 2015. All of those are by guns.

If you are too dangerous to fly, you are too dangerous to buy a gun in America. I have the no-fly for foreign terrorists. But, more importantly, we had legislation that Mr. KING sponsored, I believe, and others that just simply said: If you are on the no-fly list, you can't have a gun.

I want to find common ground, but most of all, I want to save lives. Here today I am saying to my colleagues that we are not saving lives if we are not sitting at the table of involvement.

I will include in the RECORD a whole list of legislative initiatives about gun storage and safety devices and firearms transfer reporting, which is similar to what happened in South Carolina, where this gentleman got a gun—effectively, he would not have been approved—also, one on establishing a select committee on gun violence and gun violence research—these are by other Members—also, recognizing gun violence is a public health emergency, and coming back to allow the Centers for Disease Control to finally do research on the impact of gun violence.

GUN VIOLENCE PREVENTION LEGISLATION & LEGISLATIVE SUPPORT

1. H.R. 4315 (Rep. Jackson Lee)—Mental Health Access and Gun Violence Prevention Act—authorizes \$500 million for mental health treatment access and to assist in the reporting of relevant disqualifying mental health information to the FBI's background check system NICS.

2. H.R. 4316 (Rep. Jackson Lee)—Gun Violence Reduction Resources Act—authorizes the hiring of 200 additional ATF agents and investigators for enforcement of existing gun laws.

3. H.R. 47 (Rep. Jackson Lee), Gun Storage And Safety Devices For All Firearms Act, a bill directing the Attorney General to enforce that any firearm transferred to a person who is not a licensed importer, licensed manufacturer, or licensed dealer must provide a secure gun storage or safety device.

4. H.R. 3125 (Rep. Jackson Lee), Accidental Firearms Transfers Reporting Act, a bill directing the Federal Bureau of Investigations to report to Congress semiannually the number of firearms transfers resulting from the failure to complete a background check within 3 business days, and the procedures followed after it is discovered that the firearm transfer has been made to an ineligible person.

5. H.R. 3051 (Rep. Clyburn, James, SC-6) Background Check Completion Act: a bill to eliminate the requirement that a firearms dealer transfer a firearm if the national instant criminal background check system has been unable to complete a background check of the prospective transferee within 3 business days.

6. H. Res. 467 (Rep. Thompson, Mike (CA-5) Establishing the Select Committee on Gun Violence Prevention, responsible for issuing a final report and recommendations, including legislative proposals within 60 days of its establishment.

7. H.R. 3926 (Rep. Honda, Michael, CA-17) Gun Violence Research Act, to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence.

8. H.R. 224 (Rep. Kelly, Robin, IL-2) the Recognizing Gun Violence as a Public Health Emergency Act: To help us learn more about the true public health impact of domestic gun violence, and provide us with the data we need to make sound recommendations to make our communities safer.

9. H.R. 225 (Rep. Kelly, Robin, IL-2) Firearm Safety Act of 2015: to amend the Consumer Product Safety Act to remove from the definition of "consumer product" the exclusion for any article sold by a manufacturer, producer, or importer that would be subject to a firearms sales tax under the Internal Revenue Code for pistols, revolvers, and other firearms, including shells and cartridges, thereby permitting the Consumer Product Safety Commission to issue safety standards for such articles.

10. H.R. 226 (Rep. Kelly, Robin, IL-2) Keeping Guns from High Risk Individuals Act: A bill to amend the Brady Handgun Violence Prevention Act to prohibit the sale or disposition of a firearm or ammunition to any person knowing or having reasonable cause to believe that such person: has been convicted of a crime of violence in the previous 10 years; is under age 25 and has been adjudicated as an adult as having committed a crime of violence; has been convicted on 2 separate occasions in any period of 3 consecutive years in the last 10 of an offense that has the possession or distribution of alcohol or a controlled substance as an element; or has been convicted of stalking. And further prohibits any such person from shipping or transporting in interstate or foreign commerce, or possessing in or affecting commerce, any firearm or ammunition; or receiving any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

11. H.R. 1217 (Rep. King, Peter, NY-2) Public Safety and Second Amendment Rights Protection Act of 2015: A bill to amend the Brady Handgun Violence Prevention Act to reauthorize for FY2016–FY2019 the grant program for improvements to the criminal history record system, and establishes the National Commission on Mass Violence to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and the impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

12. H.R. 2767 (Rep. Johnson, Henry C. "Hank," Jr., GA-4), Airport Security Act of 2015: Directs the Transportation Security Administration (TSA) to establish a program to prohibit all but specified authorized individuals from possessing a firearm at a covered airport, including any individual who enters the airport, or exits public transportation at it, for air travel, meeting another individual, picking up cargo, or employment.

13. H.R. 3497 (Rep. Engel, Eliot, NY), Protect Law Enforcement Armor (PLEA) Act: To ban the sale of the FN Five-seveN and other armor-piercing handguns and ensure new weapons like it stay off our streets.

14. H. RES. 520 (Rep. Lawrence, Brenda, MI-14), Expressing the sense of the House of Representatives that the Federal firearms laws should be rigorously enforced, that all appropriate measures should be taken to end the flood of unlawfully purchased firearms into our communities, and that adequate resources should be provided to accomplish such purposes.

15. Member, Gun Violence Prevention Task Force

16. Panelist, Congressional Roundtable on Gun Violence in Communities of Color and Combating 'Bad Apple' Gun Dealers

17. Congressional Letter, urging major news broadcasters to raise greater awareness to the high number of casualties by guns that occur every day by broadcasting a list of names and photos of victims in every state.

18. Congressional Letter, requesting a meeting with the United States Attorney General, Loretta Lynch, to discuss alternate gun crime and violence prevention policies.

19. Congressional Letter, requesting Executive Action by President Barack Obama to clarify what it means to be 'engaged in the business' of selling guns in order to prevent unlicensed sellers from engaging in the sale of guns without background check.

Ms. JACKSON LEE. If we don't stand together, then the long litany of children that have died by gun violence, Mr. Speaker, will continue.

The only thing that will stop this is for us to recognize that we have gun deaths, gun deaths by justified homicide and criminal homicide, mass shootings, mental health shootings with guns, and suicide, guns and domestic violence.

The only thing that will happen is that it will continue. Does anyone want this kind of massacre to continue at the hands of someone using a gun?

Some of the aspects of what the President has presented—background checks, mental health resources, ATF, FBI—200 more—if we join together, I can assure you America can find her comfortable place in the sun with a wonderful Constitution and democracy, where all of us, no matter what our philosophy, what our political party, can come around the issue of saving lives.

I am pleased to join my colleagues of the Congressional Progressive Caucus in this important Special Order on universal child care and gun violence in America.

I would like to thank Congresswoman BONNIE WATSON COLEMAN for convening this evening's Special Order and for her dedicated leadership on critical issues impacting children and working families, including this evening's topic of universal childcare and gun safety.

As we turn to the topic of gun violence in America, I would also like to thank President Obama for his leadership and for helping to bring this issue to the forefront of our national priorities.

Gun violence in America can no longer be swept under the rug, ignored or irrationally justified.

We are in a state of national crisis and it is time to act.

Upon taking office, every Member of Congress makes a solemn pledge: to protect and defend the American people.

This is the most important oath we take as elected officials—and, to honor this promise, we must do everything in our power to stem gun violence in our nation.

Yet, after another mass shooting and countless acts of gun violence in communities across our country every day, House Republicans are still unwilling to act to stop gun violence and save lives in American communities.

The Democrats have been calling for an immediate vote on the bipartisan King-Thompson

Public Safety and Second Amendment Rights Protection Act to strengthen the life-saving background checks that keep guns out of the wrong hands.

This Congress has a moral obligation to do our part to end the gun violence epidemic.

Now is the time for Republicans to join Democrats in protecting the lives of Americans by taking common sense steps to save lives.

The Administration has announced two new executive actions that will help strengthen the federal background check system and keep guns out of the wrong hands.

I have introduced two bills that will hopefully enhance these executive actions and support the President's recently announced action on gun violence.

H.R. 4315—Mental Health Access and Gun Violence Prevention Act—authorizes \$500 million for mental health treatment access and to assist in the reporting of relevant disqualifying mental health information to the FBI's background check system NICS.

H.R. 4316—Gun Violence Reduction Resources Act—authorizes the hiring of 200 additional ATF agents and investigators for enforcement of existing gun laws. The President included these specific requests in yesterday's announcements and these bills respond to those requests.

Additionally, the Department of Justice (DOJ) is proposing a regulation to clarify who is prohibited from possessing a firearm under federal law for reasons related to mental health.

And the Department of Health and Human Services (HHS) is issuing a proposed regulation to address barriers preventing states from submitting limited information on those persons to the federal background check system.

Ending gun violence in America requires a comprehensive approach—we must come together and work towards this common goal.

Too many Americans have been severely injured or lost their lives as a result of gun violence.

While the vast majority of Americans who experience a mental illness are not violent.

However, in some cases when persons with a mental illness does not receive the treatment they need, the result can be tragedies such as homicide or suicide.

We must continue to address mental health issues by:

Supporting expanded coverage of mental health services and enhanced training and hiring of mental health professionals; and

Continuing the national conversation on mental health to reduce stigma associated with having a mental illness and getting help; and

We must also continue to do everything we can to making sure that anyone who may pose a danger to themselves or others does not have access to a gun.

The federal background check system is one of the most effective ways of assuring that such individuals are not able to purchase a firearm from a licensed gun dealer.

To date, background checks have prevented over two million guns from falling into the wrong hands.

The Administration's two new executive actions will help ensure that better and more reliable information makes its way into the background check system.

The Administration, however, has acknowledged the need for collective action and continues to call upon Members of Congress to pass common-sense gun safety legislation and to expand funding to increase access to mental health services.

I too call upon my colleagues to come together and pass legislation that will help stop the loss of innocent lives.

While we have made some progress in strengthening the National Instant Criminal Background Check System (NICS), which is used to run background checks on those who buy guns from federally licensed gun dealers to make sure they are not prohibited by law from owning a firearm, we must do more.

I am a strong supporter of a right of privacy and I am particularly sensitive and protective of patient privacy rights.

I support the Health Insurance Portability and Accountability Act that was passed by Congress in 1996, and includes privacy protection for medical records, which includes mental healthcare information.

However, there are specific areas under federal law that allow the disclosure of medical information to authorities, and in these instances there should be an agreement that when a person poses a threat to themselves or others (as determined by a court or adjudicative authority with the medical and legal knowledge and authority to make a determination that a person poses a threat to themselves or to others) should not be allowed to purchase a firearm.

Technology that could be deployed to access court records and arrest records as they relate to mental health and violent behavior should not rely upon a list that may become outdated or could be used in ways that are not consistent with the intent of enhancing gun safety.

The ability to access information that is accurate and available for the limited purpose of affirming or rejecting a request to purchase a firearm without indicating the source of the decision or the reason for the rejection would still protect privacy rights while also protecting the public.

The president's proposal on mental health and gun violence is to enforce the laws already in place.

Under a federal law enacted in 1968, an individual is prohibited from buying or possessing firearms for life if he/she has been "adjudicated as a mental defective" or "committed to a mental institution."

A person is "adjudicated as a mental defective" if a court—or other entity having legal authority to make adjudications—has made a determination that an individual, as a result of mental illness: 1) Is a danger to himself or to others; 2) Lacks the mental capacity to contract or manage his own affairs; 3) Is found insane by a court in a criminal case, or incompetent to stand trial, or not guilty by reason of lack of mental responsibility pursuant to the Uniform Code of Military Justice.

A person is "committed to a mental institution" if that person has been involuntarily committed to a mental institution by a court or other lawful authority. This expressly excludes voluntary commitment.

It should be noted, however, that federal law currently allows states to establish procedures

for mentally ill individuals to restore their right to possess and purchase firearms (many states have done so at the behest of the National Rifle Association, with questionable results).

It is undoubtedly true that people who are a danger to self and/or others because of mental illness should be prohibited from owning firearms.

It is less clear, however, how to tailor new policies to better protect the American public while at the same time avoiding the stigmatization of Americans with mental illness.

Any strategy to address the lethal intersection between guns and mental illness should focus of the key facts:

On average, more than 100,000 people in America are shot in murders, assaults, and other crimes.

More than 32,000 people die from gun violence annually, including 2,677 children under the age of eighteen years old.

Suicide is the leading cause of gun related deaths in America.

60 percent of deaths by guns in America are the result of individuals using these weapons as a means to commit suicide.

Some of these deaths might have been prevented if there were adequate background checks.

Each year hundreds of law enforcement officers lose their lives to gun violence been shot to death protecting their communities.

Millions of guns are sold every year in "no questions asked" transactions and experts estimate that 40 percent of guns now sold in America are done so without a background check.

National Instant Criminal Background Check System (NICS) was created in 1998 to require potential gun buyers to pass an instant screening at the point of purchase.

Ensures that purchasers are not felons, domestic abusers, mentally ill, etc.

NICS has blocked sales to more than 2 million prohibited people.

NICS stops 170 felons and 53 domestic abusers from purchasing guns every day.

The most serious issue facing NICS is the "private sale loophole".

This allows anyone who is not a federally-licensed dealer to sell guns without a background checks.

An estimated 40% of gun transfers—6.6 million transfers—are conducted without a background check.

Armslist.com is the largest online seller of firearms.

66,000 gun ads are posted by private sellers on a given day, 750,000 per year.

Nearly 1/3rd of gun ads on Armslist.com are posted by high-volume unlicensed sellers (approx. 4,218 people).

High-volume sellers posted 29% of the gun ads.

High-volume sellers posted 36,069 gun ads over 2 months.

This would equate to around 243,800 guns each year by unlicensed sellers.

50% were familiar with federal laws but decided they didn't apply to them.

1/3rd of "want-to-buy" ads are posted by people with a criminal record.

More than 4 times the rate at which prohibited gun buyers try to buy guns in stores.

Approximately 25,000 guns are in illegal hands.

Mr. Speaker, I yield back the balance of my time.

AUTONOMY VERSUS RELATIONAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

Mr. FORTENBERRY. Mr. Speaker, I was listening to a talk show one day when a 13-year-old girl called in. She was confused. At that tender age, to put it mildly, she talked about how she had been walked all over by her peers and subjected to the exploitation of an older man. She had no sufficient sense of self-possession to know that she had been used. She had no community support, no adult around her to protect her.

The radio commentator was aghast. But, sadly, Mr. Speaker, this was another troubling example of a culture of exploitation that is raging all around us today.

However, Mr. Speaker, there is a bit of light on the horizon. In a few weeks, tens of thousands of young people from around the country will assemble around this Capitol to deliver a simple message.

These young people are saying this: They will no longer tolerate the indifference. They will no longer tolerate a culture of exploitation. They will no longer tolerate the darkness of the abortion industry.

They are members of the generation that have witnessed firsthand the devastating consequences when wrong ideas take hold in a society, when the smartest people in the land—the Supreme Court Justices—are misguided and do not value all lives, when certain industries profit from pain.

These young people are saying that women deserve better than abortion. They are saying that children should be welcome, no matter how hard the circumstances. They are saying that no one should be abandoned. There should be no choice between a child and that child's mother.

Mr. Speaker, it is understandable that many people are reluctant to enter into arguments about abortion. It is difficult. It is painful. So many people have experienced this individually or with family members. But we have to be honest.

Mr. Speaker, if you look behind me at the dais here, you can see the words "peace," "liberty," and "justice." We have these words all around our Nation's capital, our Nation's monuments.

But, in truth, we cannot find peace in a society that does not protect its most innocent lives. We cannot find liberty when we are indifferent to one another

and simply turn away when a woman faces difficulty. We cannot claim justice for all when we throw away the innocent unborn life.

Mr. Speaker, I want to delve for a moment into the deeper reasons for these divisions over abortion and the deeper reasons why we have such a caustic debate.

For those of us who are pro-life, it can be hard, frankly, to understand why everyone just doesn't see our perspective. But I believe that much of the ugliness surrounding the abortion debate hinges upon the competing values of personal autonomy versus relational responsibility, once again, personal autonomy versus relational responsibility.

Of course, working hard, making something of yourself, refusing to let difficult circumstances overcome you, are all hallmarks of a well-ordered life essential to an individual's progress as a person.

But, Mr. Speaker, rugged individualism can lead to rugged isolationism, crushing the vitality of the human heart and leading to loneliness, hopelessness, and ultimately despair.

And could it be, Mr. Speaker, that the confusion surrounding abortion is the loss of an understanding of the dignity of each person as they are set in the environment of a community?

On this deeply painful topic of abortion, the primary community in question is, first and foremost, the unique bond between a mother and her child, followed by the bond of the extended family and extended community.

All politics—all life—Mr. Speaker, is ultimately founded on relationships. Happiness depends upon social life, on interdependency. A healthy society depends upon stable and healthy relationships for promoting sustainable values and our greater ideals.

But because of cultural confusion, we establish a false choice. Is it a woman's right to choose or is it a child's right to life? This should not be a consideration in the broader community that is committed to bonds of solidarity.

Sadly, I believe, we have lost sight of the degree to which the logic of radical autonomy, severed from foundational principles that order human relations, namely, in charity, have created the circumstances in which we now find ourselves.

Individuals who are alone so often become disassociated from mutuality and community. Decades upon decades of this cultural conditioning leaves us with an aggregate understanding that our strength is only found in ourselves. No wonder a young woman, scared, alone, or abandoned feels such pressure to abort.

Mr. Speaker, during last year's historic papal visit to the United States, Pope Francis highlighted the need for what I call social conservation.

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At its root, social conservation is the answer to the widespread longing in all of our hearts, that longing for a culture of meaning, of purposefulness.

Pope Francis promoted universal human values, the importance of society, the primacy of the family, the dignity of work, the responsibility of people to properly steward the natural environment, and the sanctity of all life, especially the poor, the elderly, those who are marginalized, and the unborn.

This holistic approach of Pope Francis does not fit our political class distinctions, which rage all around us in this body. So this is not a Democrat or Republican issue, it is about the protection of persons and how we build a truly healthy society.

Children in the womb are vulnerable, precious members of their families. We must defend them, not in isolation, but as a part of the social fabric upon which our shared future as a people depends.

Now, some abortion advocates charge that defenders of the unborn are pro-life only until birth of the child; that the pro-life position is a part of a grotesque fiction called the war on women. That is a very painful accusation.

In the end, I wish we could rise above this, because I believe everyone should agree that the choice between radical autonomy as a justification for abortion, versus relational responsibility, is a false choice. To be pro-life is to be genuinely pro-child, pro-woman, and pro-family.

No matter how hard the circumstances, we should all be loving enough, caring enough, and we certainly have resources enough to protect both the mother and her child.

Now, Mr. Speaker, I would like to look for ways to reframe this entire debate, to look for some light. Maybe there will continue to be deep philosophical differences over the question, but maybe there is some common ground.

A spectrum of policy proposals could more effectively build wider coalitions, I believe, in the pro-life debate, advancing cultural conversion instead of cultural war. Initiatives could include an assault on the scourge of coercion, which forces many women, including young girls, to have an abortion at the hands of an uncaring boyfriend or unscrupulous doctor.

Can't we find it in ourselves to attack this injustice? I would like to believe we can.

What about incentives for businesses to provide better pregnancy and new parenthood assistance, including maternity and paternity leave? Some of my colleagues speaking before me mentioned some of these proposals. No woman should be forced to choose between a paycheck and her child.

Other ideas could be adoption, enhanced adoption facilities, countermeasures against workplace pregnancy discrimination, classifying pregnancy as a qualifying event for health insurance, initiatives for responsible fatherhood.

That is not my idea, that is President Obama's idea. In fact, I commended him for that because he raised it in the State of the Union, as I recall, about 2 years ago.

Finally, I think we should channel money from the abortion facilities which are receiving America's taxpayer dollars, which most Americans disagree with, by the way, toward nurturing pregnancy health centers, and there are many beautiful examples of this all around the country.

By pursuing these policy proposals, maybe we shift the cultural understanding that it is not a choice between radical autonomy—I can only find strength in myself, me, as an individual, I am alone, abandoned, no matter how much I need others—and a relational responsibility that we all have for one another.

Let's elevate this idea of that relational responsibility of interdependency within community because we are living in a shattered society.

Nothing else is working, Mr. Speaker. We are in an age of anxiety and a time of growing threat to the family, the very basis of the strength of this great Nation.

Now, more than ever, compassion should be our first principle.

Abortion is violence. Abortion is not health care. Abortion is a false choice that no one should ever be forced to make.

Let's elevate the ideal of motherhood, protect it, nurture it, respect it, provide for it, celebrate it, the genius of the feminine, and the beauty of all life.

Mr. Speaker, in a few short weeks, these young people who will, by the thousands, tens of thousands, crowd around this Capitol, they are really telling us one simple truth: Love them both, just love them both.

I yield back the balance of my time.

PROTECTING OUR SECOND AMENDMENT RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Oklahoma (Mr. RUSSELL) for 30 minutes.

Mr. RUSSELL. Mr. Speaker, it was New Year's Eve in Blanchard, Oklahoma. Eighteen-year-old mother Sarah McKinley, alone with her 3-month-old son, heard a ruckus at the door. Two men were outside trying to break it down. Grabbing her baby and barricading the door with her sofa, she immediately called 911.

In the frantic and desperate situation that followed, it became clear that law

enforcement would not arrive in time to prevent the assault by armed intruders. She informed the dispatcher that she had a shotgun, and asked if it was all right to shoot the intruders, should they make their way inside.

Wisely, the dispatcher told Sarah: "I can't tell you to do that, but you do what you have to do to protect that baby."

Sarah already knew what she might have to do, and hoped against hope that law enforcement, while responding quickly, would arrive in time.

When the armed intruders broke down the door, 24-year-old Justin Martin climbed over the couch and was greeted with a shotgun blast to the chest. While his accomplice ran for his life, Sarah had saved hers and her baby's.

Eight weeks ago, 88-year-old Arlene Orms was at home alone in Miami, Florida, when an intruder kicked in her door. Orms responded by retrieving a .25-caliber pistol, but fired it at the home invader, prompting the criminal to flee.

Following the incident, Orms' neighbors expressed absolute support for her actions, with one telling a local media outlet: "You have to do something. You have to protect yourself."

Arlene Orms, like most Americans, inherently understands that you have the right to defend your life, your property, and your liberty.

The right to keep and bear arms is as fundamental to our freedom as any other inalienable right we enjoy as Americans. This right is God-given, as much as the freedom of religion, and to exercise worship, the freedom to assemble and express, the freedom to own property, and to protect our privacy.

As such, serious-minded individuals must have serious deliberation on any attempt to alter these fundamental American rights that are embodied in the Bill of Rights, inalienable, not granted by government.

In a time where Americans face uncertain threats from terrorists at home, most Americans clearly understand why we must preserve the right to defend ourselves, our families, and our property.

For those who would refuse their right to defend themselves, they have the freedom to do so. They do not have the freedom to make that decision for others.

In terms of human behavior, our survival instincts are inherent. The Creator of the universe did not make human beings with fangs, claws, quills, or odors for their self-defense. Instead, he gave them their intelligence and, by extension, their hands, to fashion implements to protect their lives.

While the President is certainly welcome to choose not to defend himself, as is his right, it is not his right to prohibit others from protecting their lives and property.

The President has histrionically compared his gun control agenda with the advancement of women's suffrage rights and the elimination of slavery, chiding Republicans for their lack of advancement of the human race.

If we look historically, rather than histrionically, it was Republicans who eliminated slavery and embraced Republican activist Susan B. Anthony, the women's suffragist, to get voting rights for all women, where his party had stood in the way.

The President can no more rewrite history than he can rewrite the Constitution. While he may be a constitutional scholar, he needs to be schooled on constitutional history. From Madison, Hamilton, Jefferson, and Adams, all the way to the Supreme Court decisions with Heller and McDonald, this inalienable right has been affirmed in defense of its articulation in the Bill of Rights.

While the President complains of congressional inaction on the right to keep and bear arms, it can no more take action to deny this right than it could deny a free press, a free religious expression, or property rights to individuals.

Congress will not act to destroy the Bill of Rights, and we will stand in the way of any executive who will not uphold the Constitution of the United States.

Still, the administration presses forward with passion and conviction, convincing Americans that the threat is so grievous, the injury is so great, that Americans must act to inhibit our liberty. We are told that mass shootings are on the rise and gun deaths are out of control and the worst among developed nations.

But before America signs up to eliminate one of her inalienable rights, let's deliberate with a sober mind. The President and his party would report outrage if conservatives suggested that the First Amendment must be scrapped because of such abuses as libel, hate speech, religious bigotry and sit-ins, warranted necessary commonsense reforms to the first of our enumerated freedoms embodied in the Bill of Rights.

Americans recognize that we must face the unpleasantness of abuse of these rights on occasion to secure its inviolable status.

Not the same, some may say. We are talking about outrageous loss of life and injury and it must stop, they claim.

Since when did our security become substitute for our liberty? Americans for 240 years, rather, have sacrificed to secure it.

And the simple truth is, the facts supporting this liberal gun control call to give up an essential American liberty have been widely and unfairly distorted. According to the Centers for Disease Control, 199,756 people lost

their lives to firearms in 2014. But on examination, only 15,000 of that number were homicide. That is only 8 percent of the total. The vast majority, over 68 percent, were accident-related, and even that has steadily declined in recent years.

□ 2015

Suicides accounted, sadly, for most of the remainder at 21 percent.

But the truth about gun homicides is that you are as likely to die from malignant neoplasm of the esophagus as you are to violent homicide with a firearm. You are twice as likely to die from the result of a fall. You are 2½ times more likely to die by accidental poisoning.

Still, while these incidents are tragic, and many beyond the scope of civilized thinking, we cannot substitute emotion for examination. Contrary to those most vocal—and most funded—voices on this issue, we are not the most violent civilized country on the planet. In fact, according to data compiled from the United Nations Office on Drugs and Crime, the United States ranks in the bottom half of homicides worldwide among civilized or uncivilized nations.

Still, the President often touts Europe as a commonsense model for better policy and security. A remarkable seven European countries have higher overall per capita homicide rates than the United States. Where is that news flash? Disarming law-abiding citizens as a solution to curtail those that break the law does not necessarily make people safer, but it certainly makes them more defenseless. On our own shores, we can find an example of this line of thinking by examining the most violent cities in America. They are most likely to be ones with the strictest gun laws.

If gun control advocates ignore this body of evidence, as they are wont to do, they will explore ways to eliminate this essential right in America through other means. We often see them turn to the false assertion that the Second Amendment was never intended for individuals—remarkable, considering that James Madison insisted on enumerating inalienable individual rights into the body of the Constitution before he accepted the compromise to secure them through an amending process known as the Bill of Rights. Like all of our Framers and Founders, he understood common or natural law and its roots in the English Bill of Rights of 1689, and it guaranteed the individual right to bear arms.

All of our constitutional Framers would have relied heavily on Sir William Blackstone's thought on law and liberty. This brilliant jurist secured complete influence among every colonial attorney and all of our Founding Fathers with his Commentaries on the Law published in 1765. He was explicit

in his assertion that to secure individual life, liberty, and property, it was necessary "to the right of having and using arms for self-preservation and defense."

It comes as no surprise then, in the language of common and natural law so clearly understood in the context of the time that the Second Amendment would be so highly placed in the order of individual rights at number two.

Gun control advocates argue the amendment was only for militias, not individual people. Despite that argument being struck down for 225 years in Supreme Court rulings to include the most recent cases of *Heller* and *McDonald* in 2008 and 2010, it is instructive to see what the Framers said themselves about the meaning of people and militias.

Richard Henry Lee wrote in *Federalist* Number 18, that brilliant group of papers known as the *Federalist Papers* that argued for our Constitution: "A militia when properly formed are in fact the people themselves. To preserve liberty, it is essential that the whole body of the people always possess arms and be taught alike, especially when young, how to use them."

In fact, when one examines the First and Third through the 10th original amendments, it is difficult to interpret any other meaning than that they apply to individuals. The Second Amendment is no exception. The Supreme Court has always agreed.

The famous 14th Amendment, during Reconstruction after Black Americans were freed from slavery—you know, that famous amendment that is the most referred to—guarantees equal protection under the law for all American citizens. It started out, and most Americans are not aware of this, as a Second and Fourth Amendment issue.

The Southern Democratic Party lawmakers were nullifying individual liberty with their State Black Code laws which deprived Black Americans of their right to liberty, property, and to keep and bear arms as they attempted to defend their homes. Republicans fought back against these lawmakers and then led the fight to pass legislation addressing the issue in 1868. Democratic President Andrew Johnson vetoed the bill. Congress overrode it and then secured their rights forever in the 14th Amendment to the Constitution.

In fact, the Supreme Court has determined with clarity that the constitutional individual right of Americans to bear arms is guaranteed on Federal enclaves such as Washington, D.C., with the *Heller v. District of Columbia* decision. In *McDonald v. Chicago*, the Supreme Court in 2010 held that the individual right extends to keeping and bearing arms to all States and territorial jurisdictions.

Okay. Fine, you say. But there is no reason why people need military-style firearms. Those need to be banned. The

Framers of the Constitution and the Supreme Court, strangely, to those who would have this way of thinking, would disagree.

In 1939, *United States v. Miller*, Justice Holmes speaking for the Court in the case where one Mr. MILLER asserted he had a constitutional right to bear a sawed-off shotgun without paying a special exemption tax of \$200, the Supreme Court held that no such right existed on the grounds that sawed-off shotguns of the very short length Mr. MILLER possessed were not suitable as a military-type firearm if needed for common defense—a paraphrase, not a quote.

1997, *Printz v. United States*, Justice Clarence Thomas, our most recent treatment of the Second Amendment prior to the late Supreme Court decisions, stated that they reversed the District of Columbia's invalidation of the National Firearms Act enacted in 1934. In *Miller*, we determined the Second Amendment did not guarantee a citizen's right to possess a sawed-off shotgun because the weapon had not been shown to be of "ordinary military equipment" that could "contribute to the common defense."

Ban military rifles you say? Throughout our history, they have been guaranteed as an essential portion of the defense of our liberty, our homes, and our lives.

What about the terrorist watch list? Nobody on the terrorist watch list ought to be able to own a firearm. The terrorist watch list is only on suspicion—no court, no rule of law, no jury of your peers. It is on suspicion for surveillance, and it can be done bureaucratically and administratively. In fact, we have had several Members of Congress, such as my colleague from Alaska, DON YOUNG, who was falsely and inadvertently put on the terrorist watch list. Under this line of thinking, his Second Amendment rights would be removed.

Well, we can't have these terrorists coming here and then being able to buy a firearm. They can't. People do not understand 18 U.S. Code. They don't understand the law. If you are a non-resident legal alien, you cannot possess, purchase, or receive a firearm. It is the law. There are only very small rare exceptions for that, such as if you were approved for a specialized hunting trip or maybe you were armed security for a head of state, for example.

Well, what about that gun show loophole? Businesses shouldn't be able to sell firearms without a background check. News flash: You cannot sell a firearm under a business license without a background check. If you do so, whether you are on your property or off your property at a gun show, you are committing a felony and with strict sentencing laws often that are minimum sentences of 10 years or more.

Well, what about Internet sales? You can go online and you can just order a rifle, and they will ship it to your home—again, false. People do not understand the law.

The United States Postal Service and our commercial carriers do not allow shipping of firearms except under licensed dealers. The only exception to that would be if you had an original manufacturer's warranty and you ship it directly back to the manufacturer under their license, and they will receive it and send it only directly back.

As the only Member of Congress who owns a firearms manufacturing business, I know about what I speak. If someone in another State were to try to order a firearm off of our Web site, it would never get shipped to their home or I would go to prison. Instead, we tell that person: You need to get the local firearms licensee in your area to send a certified copy of your license to us, and they are in a form where we can recognize what is a real license. When we receive that, we will ship it to him, they will do the check, and you will fill out forms and you can receive your firearm. That is the way the law works.

So all of this outrage from my colleagues on the liberal left of trying to fix things, the law already exists. It is like saying that we need to do something about murder. We need to make some laws to stop murder. Maybe they will quit doing that. Oh, we already have those laws, and people still commit crime.

Therein is where we need to focus. Target the abusers, not the law-abiding American citizen, and do not target the Republic of the most incredible constitutional form of law the world has ever known.

Serious people decline to trivialize any right expressly addressed in the Bill of Rights. A government that abrogates any of the Bill of Rights with or without majority approval forever acts illegitimately and loses the moral right to govern the Republic. This is the uncompromising understanding reflected in the warning that America's gun owners will not go gently into these utopian woods.

While liberals and gun control advocates will take such a statement as evidence of their belief in the backwater, violent, and untrustworthy nature of the armed American citizens, we gun owners hope that liberals hold equally strong conviction about their printing presses, their Internet blogs, and their television cameras. The Republic depends upon the fervent devotion to all of our fundamental rights. That is the oath that we take, and no President's tears will ever shake us from the defense of that Constitution.

Mr. Speaker, I yield back my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUSH (at the request of Ms. PELOSI) for today on account of attending to family member's medical procedure.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

ADJOURNMENT

Mr. RUSSELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 27 minutes p.m.), the House adjourned until tomorrow, Friday, January 8, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3879. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-234, "Plaza West Disposition Re-statement Temporary Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3880. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-235, "Foster Care Extended Eligibility Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3881. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-236, "Local Jobs and Tax Incentive Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3882. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-233, "Athletic Field Naming and Sponsorship Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3883. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-232, "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3884. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-231, "Early Learning Quality Improvement Network Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3885. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-230, "Closing of a Portion of Washington Avenue, S.W., and Portions of Ramps 5A and 5B to Interstate 395, and Transfer of Jurisdiction of the Closed Portions of Washington Avenue, S.W., and Ramps 5A and 5B to Interstate 395, and of Portions of U.S. Reservation 729, S.O. 14-16582A and 14-16582B, Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3886. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-229, "Closing of a Public Alley in Square 70, S.O. 15-23283, Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3887. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-228, "TOPA Bona Fide Offer of Sale Clarification Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3888. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Rancocas Creek, Centerton, NJ [Docket No.: USCG-2015-0423] (RIN: 1625-AA09) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3889. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Rich Passage, Manchester, WA [Docket No.: USCG-2015-0943] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3890. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Unknown substance in the vicinity of Kelley's Island Shoal, Lake Erie; Kelley's Island, OH [Docket No.: USCG-2015-0994] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3891. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Saint-Gobain Performance Plastics Celebration Fireworks; Lake Erie, Cleveland, OH [Docket No.: USCG-2015-0833] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3892. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Dredging, Rouge River, Detroit, MI [Docket No.: USCG-2015-0835] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3893. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Safety Zone; Mad Dog Truss

Spar, Green Canyon 782, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2015-0512] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3894. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; 520 Bridge Construction, Lake Washington, Seattle, WA [Docket No.: USCG-2015-0570] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3895. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Intermedix IRONMAN 70.3 Event, Savannah River; Augusta, GA [Docket No.: USCG-2015-0604] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3896. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0251; Directorate Identifier 2014-NM-200-AD; Amendment 39-18330; AD 2015-23-13] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3897. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2014-1048; Directorate Identifier 2014-NM-055-AD; Amendment 39-18332; AD 2015-23-14] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3898. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2015-0682; Directorate Identifier 2014-NM-074-AD; Amendment 39-18329; AD 2015-23-12] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3899. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Airplanes [Docket No.: FAA-2015-3073; Directorate Identifier 2015-CE-017-AD; Amendment 39-18334; AD 2015-24-02] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3900. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2015-0627; Directorate Identifier

2015-CE-002-AD; Amendment 39-18337; AD 2015-24-05] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3901. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; REIMS AVIATION S.A. Airplanes [Docket No.: FAA-2015-3398; Directorate Identifier 2015-CE-031-AD; Amendment 39-18328; AD 2015-16-07 R1] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3902. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0490; Directorate Identifier 2014-NM-018-AD; Amendment 39-18322; AD 2015-23-06] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3903. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Aerotechnics (Formerly Inter-technique Aircraft Systems) [Docket No.: FAA-2015-0927; Directorate Identifier 2013-NM-172-AD; Amendment 39-18325; AD 2015-23-09] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3904. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-1266; Directorate Identifier 2014-NM-151-AD; Amendment 39-18327; AD 2015-23-11] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3905. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0932; Directorate Identifier 2014-NM-205-AD; Amendment 39-18326; AD 2015-23-10] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3906. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2015-6546; Directorate Identifier 2015-NM-179-AD; Amendment 39-18338; AD 2015-24-06] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3907. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket

et No.: FAA-2014-0346; Directorate Identifier 2014-NM-010-AD; Amendment 39-18324; AD 2015-23-08] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3908. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-0929; Directorate Identifier 2014-NM-218-AD; Amendment 39-18323; AD 2015-23-07] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3909. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31046; Amdt. No.: 3669] received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3910. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31047; Amdt. No.: 3670] received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3911. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31049; Amdt. No.: 3671] received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3912. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31050; Amdt. No.: 3672] received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3913. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of the Class E Airspace for the following New York Towns; Elmira, NY; Ithaca, NY; Poughkeepsie, NY [Docket No.: FAA-2015-4514; Airspace Docket No.: 15-AEA-9] received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3914. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-

2014-0928; Directorate Identifier 2014-NM-040-AD; Amendment 39-18333; AD 2015-24-01] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3915. A letter from the Director, Office of Management and Budget, transmitting the Office's current estimates of the discretionary spending limits for each category in the Balanced Budget and Emergency Deficit Control Act, pursuant to 2 U.S.C. 904(f)(1); Public Law 99-177, Sec. 254 (as amended by Public Law 112-25, Sec. 103); (125 Stat. 246) (H. Doc. No. 114—90); to the Committee on the Whole House on the State of the Union and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 653. A bill to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes; with an amendment (Rept. 114-391). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. RADEWAGEN (for herself and Mr. MOULTON):

H.R. 4340. A bill to require the Comptroller General of the United States to conduct a review of the Office of Government Contracting and Business Development of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. CHABOT (for himself and Ms. VELÁZQUEZ):

H.R. 4341. A bill to amend the Small Business Act to improve transparency and clarity for small businesses, to clarify the role of small business advocates, to increase opportunities for competition in subcontracting, and for other purposes; to the Committee on Small Business, and in addition to the Committees on Armed Services, Oversight and Government Reform, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELANEY (for himself and Mr. KENNEDY):

H.R. 4342. A bill to impose sanctions on persons that transfer to or from Iran advanced conventional weapons or ballistic missiles, or technology, parts, components, or technical information related to advanced conventional weapons or ballistic missiles; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself and Mr. BUCHANAN):

H.R. 4343. A bill to amend titles 23 and 49, United States Code, with respect to bikeshare projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POMPEO (for himself, Mr. ROSKAM, Mr. ZELDIN, and Mr. TURNER):

H.R. 4344. A bill to require a report on the military dimensions of Iran's nuclear program and to prohibit the provision of sanctions relief to Iran until Iran has verifiably ended all military dimensions of its nuclear program, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO (for herself, Ms. GABBARD, and Mr. SABLON):

H.R. 4345. A bill to expand the eligibility of individuals from Micronesia, the Marshall Islands, and Palau for participation in National Service Programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4346. A bill to require the Governor of each State that receives a grant under the Edward Byrne Memorial Justice Assistance Grant Program to certify to the Attorney General that under the laws of that State there is no statute of limitations for any offense under the laws of that State related to sexual assault, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEKS:

H.R. 4347. A bill to amend the Fair Debt Collection Practices Act to extend the provisions of that Act to cover a debt collector who is collecting debt owed to a State or local government, to index award amounts under such Act for inflation, to provide for civil injunctive relief for violations of such Act, and for other purposes; to the Committee on Financial Services.

By Mr. SCHWEIKERT (for himself, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. POSEY, Mr. BABIN, Mr. GIBBS, Mr. ROE of Tennessee, Mr. FRANKS of Arizona, Mr. PERRY, Mr. BROOKS of Alabama, Mrs. LUMMIS, Mr. LAMALFA, Mr. ZINKE, Mr. GROTHMAN, Mr. BUCK, Mr. MILLER of Florida, Mr. JODY B. HICE of Georgia, Mr. ROONEY of Florida, Mr. CHABOT, Mr. WILSON of South Carolina, Mr. STUTZMAN, Mr. WEBER of Texas, Mr. HARRIS, Mr. WALBERG, Mr. HARPER, Mr. KELLY of Mississippi, Mr. WALKER, Mr. ROTHFUS, Mr. BOST, Mr. ROKITA, Mr. OLSON, Mr. PALMER, Mr. ALLEN, and Mr. RENACCI):

H.R. 4348. A bill to require reciprocity between the District of Columbia and other States and jurisdictions with respect to the ability of individuals to carry certain concealed firearms, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. TONKO:

H.R. 4349. A bill to require the Secretary of Health and Human Services to establish an institution for mental diseases bed registry program; to the Committee on Energy and Commerce.

By Mr. PALAZZO (for himself, Mr. COLE, Mr. COLLINS of Georgia, Mr. YOHIO, Mr. ABRAHAM, Mr. WESTERMAN,

Mr. DESJARLAIS, Mr. FINCHER, Mr. ROUZER, Mr. HUNTER, Mr. STEWART, Mr. JODY B. HICE of Georgia, and Mrs. BLACKBURN):

H. Res. 582. A resolution condemning and censuring President Barack Obama; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII,

167. The SPEAKER presented a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 5, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. RADEWAGEN:

H.R. 4340.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. CHABOT:

H.R. 4341.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this provision pursuant to Clause I of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. DELANEY:

H.R. 4342.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. BLUMENAUER:

H.R. 4343.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 7 of the U.S. Constitution.

By Mr. POMPEO:

H.R. 4344.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution

By Ms. BORDALLO:

H.R. 4345.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. MEEKS:

H.R. 4347.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. SCHWEIKERT:

H.R. 4348.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 of the Constitution

By Mr. TONKO:

H.R. 4349.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

“The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States”

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 381: Mr. BEYER.
H.R. 465: Mr. HARDY and Mr. NEWHOUSE.
H.R. 653: Mr. CICILLINE.
H.R. 814: Mr. BILIRAKIS.
H.R. 868: Mr. COLE.
H.R. 870: Mr. JEFFRIES, Mr. CLYBURN, and Mr. HUFFMAN.
H.R. 901: Mr. JONES.
H.R. 969: Mr. AGUILAR.
H.R. 1062: Mr. CRENSHAW.
H.R. 1086: Mr. WENSTRUP.
H.R. 1147: Mr. SCHWEIKERT.
H.R. 1192: Mr. ROKITA.
H.R. 1197: Mr. GRIFFITH and Ms. BONAMICI.
H.R. 1211: Mr. AGUILAR.
H.R. 1247: Ms. NORTON.
H.R. 1258: Mr. KILDEE.
H.R. 1475: Ms. JUDY CHU of California.
H.R. 1552: Mr. BEYER, Ms. KAPTUR, and Mr. SERRANO.
H.R. 1797: Ms. BASS.
H.R. 2013: Mrs. CAROLYN B. MALONEY of New York.
H.R. 2043: Mr. ISRAEL.
H.R. 2218: Ms. JUDY CHU of California.
H.R. 2257: Mr. MOULTON.
H.R. 2283: Mr. LOWENTHAL.
H.R. 2300: Mr. NEWHOUSE.

H.R. 2302: Mr. FARR.
H.R. 2380: Mr. O'ROURKE.
H.R. 2404: Mr. MCNERNEY.
H.R. 2521: Mr. BEYER.
H.R. 2613: Mr. MEEKS.
H.R. 2646: Mr. PITTINGER.
H.R. 2740: Mr. GARAMENDI.
H.R. 2800: Mr. FRANKS of Arizona.
H.R. 2894: Mr. RUIZ.
H.R. 2957: Ms. JUDY CHU of California.
H.R. 3036: Ms. GABBARD, Mr. REICHERT, Mr. HUNTER, and Mr. LAMALFA.
H.R. 3126: Mr. BRIDENSTINE.
H.R. 3185: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3222: Mr. GROTHMAN and Mr. PERRY.
H.R. 3299: Mrs. COMSTOCK.
H.R. 3316: Ms. KAPTUR.
H.R. 3514: Mr. KEATING and Mr. LANGEVIN.
H.R. 3516: Mr. HOLDING.
H.R. 3535: Mrs. NAPOLITANO.
H.R. 3643: Mr. WELCH and Ms. BORDALLO.
H.R. 3662: Mr. FLORES, Mr. PEARCE, Mr. NEWHOUSE, Mr. JENKINS of West Virginia, Mr. THOMPSON of Pennsylvania, and Mr. POMPEO.
H.R. 3677: Mr. GRAYSON.
H.R. 3679: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 3722: Mr. GIBBS and Mr. VALADAO.
H.R. 3785: Ms. FRANKEL of Florida.
H.R. 3793: Mr. POCAN.
H.R. 3808: Mrs. COMSTOCK and Mr. NUNES.
H.R. 3865: Ms. MOORE.
H.R. 3936: Mr. CURBELO of Florida.
H.R. 3960: Mr. JOHNSON of Ohio.
H.R. 4144: Mr. GARAMENDI and Mr. LOWENTHAL.
H.R. 4162: Mr. HUFFMAN.
H.R. 4172: Mr. CONYERS.
H.R. 4177: Mrs. COMSTOCK.
H.R. 4247: Ms. GABBARD, Mr. DIAZ-BALART, Mr. MOONEY of West Virginia, and Mr. DEUTCH.
H.R. 4257: Mr. DIAZ-BALART.
H.R. 4262: Mr. WESTMORELAND, Mr. AUSTIN SCOTT of Georgia, Mr. ROE of Tennessee, Mr. WILSON of South Carolina, Mr. GIBBS, and Mr. LAMALFA.
H.R. 4279: Ms. KUSTER.
H.R. 4281: Mr. BRIDENSTINE and Mrs. ROBY.
H.R. 4290: Ms. SLAUGHTER, Mr. RANGEL, Ms. VELÁZQUEZ, Mr. GUTIÉRREZ, Mr. SERRANO, and Mr. PIERLUISI.
H.R. 4298: Mrs. ROBY.

H.R. 4314: Ms. GABBARD and Mr. ABRAHAM.
H.R. 4319: Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, and Mr. FLORES.
H.R. 4336: Mr. HURD of Texas, Ms. KUSTER, Mr. GENE GREEN of Texas, Mr. FARENTHOLD, Ms. BORDALLO, Mr. POLIQUIN, Mrs. NOEM, Mr. SCHWEIKERT, Mr. MURPHY of Pennsylvania, Ms. SINEMA, Mr. COFFMAN, Mrs. COMSTOCK, Mr. BYRNE, Mr. HUDSON, Mrs. LUMMIS, Mr. AUSTIN SCOTT of Georgia, Mr. SAM JOHNSON of Texas, Mr. OLSON, Mr. CARTER of Texas, Mrs. MIMI WALTERS of California, Mr. ZINKE, Mr. MULLIN, Mr. BOST, Mr. SMITH of Missouri, Mr. CRAWFORD, Mr. FINCHER, Mrs. BLACKBURN, Mrs. HARTZLER, Mr. KINZINGER of Illinois, Mr. DENHAM, Mr. ROYCE, Mr. SALMON, Mr. ROONEY of Florida, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. ROKITA, Mr. CRAMER, Mr. DOLD, Ms. GRANGER, Ms. SPEIER, Ms. LORETTA SANCHEZ of California, Mr. GARAMENDI, Mr. O'ROURKE, Mr. COOPER, Mr. PETERS, Mr. LANGEVIN, Mr. COURTNEY, Mr. CASTRO of Texas, Ms. JENKINS of Kansas, and Mr. SWALWELL of California.
H.J. Res. 59: Mr. CULBERSON.
H. Con. Res. 75: Ms. DUCKWORTH.
H. Con. Res. 88: Mr. GRAVES of Louisiana.
H. Con. Res. 105: Mr. MURPHY of Pennsylvania and Mr. RENACCI.
H. Res. 54: Mr. HIMES.
H. Res. 374: Ms. JACKSON LEE, Mr. MEEKS, Ms. GABBARD, Mr. BERA, Mr. REICHERT, and Mr. WILSON of South Carolina.
H. Res. 386: Mr. FATTAH.
H. Res. 432: Mr. TED LIEU of California and Ms. LEE.
H. Res. 506: Ms. ESHOO.
H. Res. 548: Mr. FOSTER.
H. Res. 551: Mr. ROKITA, Mr. O'ROURKE, Mr. YOUNG of Alaska, and Mr. HIGGINS.
H. Res. 567: Ms. FRANKEL of Florida, Mr. WEBER of Texas, and Mr. KLINE.
H. Res. 569: Mr. FATTAH.
H. Res. 571: Mr. COSTELLO of Pennsylvania, Mr. BISHOP of Michigan, Mr. KING of Iowa, and Mr. RIGELL.
H. Res. 575: Mr. VELA, Mr. ELLISON, Ms. MCCOLLUM, Ms. KELLY of Illinois, Mr. PRICE of North Carolina, Mr. BISHOP of Georgia, Ms. DEGETTE, Mr. HOYER, Ms. PELOSI, Mr. HONDA, Ms. NORTON, Mr. VAN HOLLEN, Mr. COHEN, Mr. GALLEGU, Mrs. DINGELL, Mrs. NAPOLITANO, and Ms. DELAULO.

EXTENSIONS OF REMARKS

REMEMBERING DOUG WALKER

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Ms. DELBENE. Mr. Speaker, today, I rise to honor the life and legacy of my friend Doug Walker, who passed away on December 31, 2015, on Granite Mountain near Snoqualmie Pass.

It is this wild, rugged landscape that lured Doug to Washington state and stoked his creativity, energy, and passions for more than four decades.

A gifted mathematician with an insatiable fondness for climbing, he established strong roots in the community. The impact he—along with his wife Maggie—had on our community and the many charitable causes to which he gave his time and wisdom is unparalleled.

A true champion for conservation, he cared deeply about protecting the North Cascades most treasured lands. But his greatest passion was broadening the constituency for conservation, and he worked tirelessly to ensure that all people—especially youth and those in underserved communities—could access the outdoors lives on.

Doug will be remembered and missed by so many whose lives he touched, with his incredible spirit and generosity. His legacy of inspiring others to experience and protect the outdoors lives on.

I ask unanimous consent to submit for the RECORD a recent Seattle Times editorial commemorating Doug's life.

REMEMBERING A TECH, ENVIRONMENTAL AND PHILANTHROPIC ROLE MODEL: DOUG WALKER

(The Seattle Times, January 5, 2016)

The loss of software pioneer and philanthropist Doug Walker, who died in a mountain accident, is a blow to the region.

But it's also an opportunity to remind people—especially the flood of tech workers moving to the Puget Sound region—about the character and values of those who built the local industry and became universal role models.

Walker, the co-founder and longtime chief executive of business-software company WRQ, created much more than technology, jobs and wealth.

WRQ was known for the quality of life it provided to employees as much as it was for software that increased productivity.

As a second act, he helped build a new vehicle for philanthropy, a giving platform, that continues to channel the expertise and compassion of others who have done well in the tech industry.

Long after WRQ was sold and merged with a local competitor, Attachmate, Walker continued to work on his third act, serving as a national leader in wilderness preservation and access.

Walker was a lifelong outdoorsman who chose the University of Washington for graduate school in the 1970s because of its nat-

ural surroundings. Between adventures, he learned programming and consulted on business computing systems.

At the start of the PC era in 1981, he and friends pooled \$500 to start WRQ, which became one of the nation's largest private software companies. It helped establish Seattle's leadership in enterprise software, which drew other entrepreneurs and companies to the area.

WRQ thrived in part because Walker, the longtime chief executive, made it a great place to work. Before Google's free food and Facebook's hot tubs, WRQ had perks like kayak parking on Lake Union.

Later, Walker and his wife, Maggie, co-founded Social Venture Partners, a global nonprofit that encouraged thousands to share wealth and expertise with worthy causes. SVP helped establish Seattle as a hotbed of highly engaged philanthropy.

Walker led by example with "a uniquely powerful style . . . simultaneously passionate, pointed, warm and sophisticated in supporting the causes that he felt were important," said Tony Mestres, who joined SVP while at Microsoft and now heads the Seattle Foundation.

That level of engagement and generosity has been a hallmark of Seattle's earliest and most successful tech entrepreneurs.

Walker is a great example of why that tradition should continue. He is remembered not for how much money he accumulated but by how broadly he shared his gifts, both financial and intellectual.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Wednesday, January 6, 2016. Had I been present, I would have voted against the previous question for H. Res. 579 (Roll Number 2), H. Res. 579 (Roll Number 3), the previous question for H. Res. 580 (Roll Number 4), and H. Res. 580 (Roll Number 5). I would have also voted against H.R. 3762 (Roll Number 6), which agreed to the Senate amendment.

HONORING THE EAST NICOLAUS HIGH SCHOOL FOOTBALL TEAM

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. GARAMENDI. Mr. Speaker, before the holiday break, I rose to congratulate the East Nicolaus High School Spartans from Sutter County for advancing to the CIF Division VI-AA Football Championship game. At that time, they were about to make a 500-mile road trip

to face Coronado, a school four times their size.

Well, Mr. Speaker, I rise today to say that the Spartans may have been underdogs in that game, but that didn't matter to them: on December 28, they won the championship game 16-6. Quarterback S.J. Brown threw for a touchdown and rushed for another. Donovan Switalski had 25 carries for 135 yards. And on defense, cornerback Eddie Herrera intercepted two passes.

These were great individual efforts, but as a former lineman for the Cal Bears, I know that it takes a full team effort to pull off a win like this. I congratulate Coach Travis Barker and the entire East Nicolaus team for making Sutter County and the entire 3rd Congressional District proud.

CONGRATULATIONS TO THE WEST ORANGE-STARK MUSTANGS

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. BABIN. Mr. Speaker, I rise today to congratulate the West Orange-Stark Mustangs for winning their third state title in school history on December 18, 2015 at NRG Stadium in Houston, Texas.

This is no easy task, especially in Texas. It is a testament to the incredible resiliency, passion, commitment and hard work displayed by these young men. I would like to personally recognize each one of them and their coaches by entering their names into the CONGRESSIONAL RECORD. I would also like to wish each one of them continued success on and off the football field.

Players: Keyshawn Holman, Jackson Dallas, Kentavious Miller, Dominic Tezeno, Justin Brown, Malick Phillips, Mandel Turner-King, Payton Robertson, Malacci Hodge, Jarron Morris, Kaleb Ramsey, Ronald Carter, Melech Edwards, Jeremiah Shaw, Quinton Chargois, Jay'len Mathews, Tokeba Hughey, Keion Hancock, Ja'Vonn Ross, Torrien Burnett, Aric Cormier, Demorris Thibodeaux, Tyshon Watkins, Jamarcus Joulevette, Ryan Baham-Heisser, Cory Skinner, Jr., Steven Tims, Ryan Ragsdale, Tristen Scott, Jalen Powdrill, Te'Ron Brown, Paul Ivory, Morris Joseph, Bobby Rash, Keddrick Gant, Rashaad Carter, Ja'Qualan Coleman, Ledarian Carter, Rufus Joseph, Jr., Thomas Wallace and Blake Robinson.

Athletic Director/Head Coach: Cornel Thompson; Defensive Coordinator: Mike Pierce; Offensive Coordinator: Ed Dyer; Assistant Coaches: Del Basinger, Terry Joe Ramsey, Joseph Viator, Jacoby Franks and Stephen Westbrook, Randy Ragsdale, Shea Landry; Athletic Trainer: Shannon Scott; Student Trainers: Cruz Hernandez, Chad Dallas, Cassidy Wright and Jared Dupree.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Go Mustangs.

RECOGNIZING THE 37TH ANNUAL
DR. MARTIN LUTHER KING JR.
MEMORIAL BREAKFAST

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. VISCLOSKY. Mr. Speaker, as we celebrate the birth of Dr. Martin Luther King Jr. and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life and, unfortunately, his untimely death, remind us that we must continually work to secure and protect our freedoms. In his courage to act, his willingness to meet challenges, and his ability to achieve, Dr. King embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. I am honored to rise today to recognize several individuals from Indiana's First Congressional District who will be recognized during the 37th Annual Dr. Martin Luther King Jr. Memorial Breakfast on Saturday, January 16, 2016, at the Genesis Convention Center in Gary, Indiana. The Gary Frontiers Service Club, which was founded in 1952, sponsors this annual breakfast.

The Gary Frontiers Service Club will pay tribute to local individuals who have for decades selflessly contributed to improving the quality of life for the people of Gary. This year, William "Billy" Foster and Mozell Hayman will be honored with the prestigious Dr. Martin Luther King Jr. Drum Major Award for 2016. Additionally, several individuals will be recognized as Dr. Martin Luther King Jr. Marchers at this year's breakfast, including Tammi Davis, Reverend Chet Johnson Sr., Danita Johnson Hughes, Ph.D., and Reverend Mathew Whittington. Finally, Reverend Curtis Whittaker, CPA, was selected as the 2015 Yokefellow of the Year.

Though very different in nature, the achievements of each of these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and faced them with unwavering strength and determination. Each one of the honored guests' greatness has been found in their willingness to serve with "a heart full of grace and a soul generated by love." They set goals and work selflessly to make them a reality.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending these honorees, as well as the Gary Frontiers Service Club officers, President Oliver J. Gilliam, Vice President James Piggee, Recording Secretary Linnal Ford, Financial Secretary Sam Frazier, and Treasurer/Seventh District Director Floyd Donaldson, along with Clorius L. Lay, who has served as Breakfast Chairman for sixteen years, and all other members of the service club for their initiative,

determination, and dedication to serving the people of Northwest Indiana.

IN RECOGNITION OF THE 182ND
ANNIVERSARY OF CHERRY HILL
UNITED METHODIST CHURCH

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. TROTT. Mr. Speaker, I rise today to recognize the 182nd anniversary of Cherry Hill United Methodist Church.

When Cherry Hill United Methodist Church first began meeting in 1834, it consisted of only a few pioneer families in their log cabins on the circuit of an itinerant preacher. In 1848, members of the church raised \$600 to construct the beautiful gothic-style brick building that stands today. Since then, the building has been expanded to accommodate the growth in attendance and to support a full parsonage, but it retains its original structure and colorful stained glass windows.

In its 182 years of existence, the church has been a boon to the Cherry Hill community. Over the years, it has often been the setting for community dinners and social gatherings. Today, Cherry Hill United Methodist Church members serve the community through their dedication to providing low income children with school supplies and winter coats, their work with Habitat for Humanity, and their support for the "First Step" domestic violence shelter.

Thank you, Cherry Hill United Methodist Church for your service, and my sincere congratulations on your 182nd anniversary.

TRIBUTE TO EMILY ANN ROBERTS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. DUNCAN of Tennessee. Mr. Speaker, my District spans a large area of East Tennessee, including parts of the Smoky Mountains in the heart of Appalachia.

This region has a rich history of country music.

Recently, one of my constituents, Emily Ann Roberts, rose to stardom on the national stage after placing second on the NBC television show *The Voice*.

Emily wowed judges during her audition with a version of Lee Ann Womack's "I Hope You Dance," earning her the admiration of show host and singer Blake Shelton.

From there, she spent months competing each week with dozens of other contestants.

During the show's run, Emily even made the iTunes Top 10 several times and climbed to 21 on the country Billboard chart for her rendition of The Judds' song "Why Not Me."

I have had the privilege over the years to get to know Dolly Parton. Emily was very excited when Dolly made an appearance on the show to help coach her.

It was certainly a favorite moment for me and East Tennessee viewers.

Emily told the Knoxville News Sentinel, "That's such a once in a lifetime thing. I've grown up surrounded by her influence . . . when she hugged me, she said 'I love my little hometown girl' and then she leaned back and she said 'I'm so proud of you.'"

During the show's finale, Emily stood live in front of millions of viewers and sang with Ricky Skaggs. She was a symbol of East Tennessee graciousness when she hugged her fellow competitor after the results were announced.

Mr. Speaker, I have no doubt we will hear Emily's beautiful voice for many years to come, and she will find continued success in music.

I call her inspirational journey to the attention of my colleagues and other readers in hopes that it inspires many more young people to reach for the stars.

K-9 ZERO CAMDEN COUNTY
POLICE

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to honor the life and service of K-9 Officer Zero of the Camden County Police Department for his achievements, contributions, and service to the people of New Jersey.

Zero, a Czech Shepherd, joined the Camden County Police Department in 2007. Zero was instrumental to keeping streets safe and sniffing out illegal drugs, but he became a local legend from his ability to find and rescue missing children. Soon he was a local celebrity, known throughout the community for his powerful sense of smell and his friendly demeanor around kids. His personable attitude made him the poster dog for the police force and an essential part of the force's public relations community outreach efforts.

Alongside his handler, Lieutenant Zsakhim James, Zero quickly shattered the K-9 record for most criminal apprehensions in New Jersey. By the end of his career, he apprehended 68 criminals. On December 29th, 2015, our local hero died of natural causes in the home of his friend and partner, Lieutenant James.

Mr. Speaker, Officer Zero will be remembered for the lives he saved and the unity he brought to the community. His service sets the bar for all K-9 units and I join Lieutenant James, the Camden County Police Department and the residents of Camden County in thanking Zero for his lifetime of service.

IN RECOGNITION OF FRED EATON

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Fred Eaton for his twenty years of service with Comcast and his commitment to expanding access to media across Southeast Michigan.

A native of Chicago, Fred attended the University of Illinois in Champaign-Urbana where he majored in Radio and Television. After college, Fred went to work for southern Illinois' Mt. Vernon Register-News, writing articles by day and rewriting them for the evening news by night. It was during this time that Fred pioneered advances in the "Eyewitness News" format.

Fred moved to Michigan with his wife, Mary, and daughter, Virginia, taking up an editor post at the Adrian Daily Telegram. Always generous with his time and expertise, Fred consulted for the Lenawee County Democratic Party before going on to serve the public interest working with Congressman John Dingell. It was no surprise to any when Comcast asked Fred to be their man in Southeast Michigan. As the company has grown, so too has Fred's engagement in the community.

During his time with Comcast, Fred has been involved with numerous community organizations. He has served as a board member of The Guidance Center and the International Association for Organ Donation, as a founding member of Everybody Ready! and as chairman of the Great Start Collaborative for Wayne County. Fred has also served on the boards of the Southern Wayne County Regional Chamber of Commerce, the American Arab Chamber of Commerce, and the Ann Arbor/Ypsilanti Chambers of Commerce. Our communities have been truly enriched by Fred's commitment.

When there was a need some place, Fred was always the first to say "how do we help?" An event didn't feel complete if Fred wasn't there. Most striking was his outlook on life—always smiling, always positive and always seeing the glass half full. He is leaving our community, and his departure will create a hole in many hearts.

Mr. Speaker, I ask my colleagues to join me today to honor Fred Eaton for his service to our community. I thank him for his leadership and wish him many years of happiness ahead of him.

COMMEMORATING THE INAUGURATION OF MR. HARVEY GODWIN JR. AS CHAIRMAN OF THE LUMBEE TRIBAL COUNCIL

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. HUDSON. Mr. Speaker, I rise today to commemorate the inauguration of Mr. Harvey Godwin Jr. as Chairman of the Lumbee Tribal Council, which is being held at the University of North Carolina at Pembroke's Givens Performing Arts Center on January 7, 2016.

After his inauguration as Chairman of the Tribal Council, Chairman Godwin has the honor of leading the Lumbee Tribe, which is headquartered in North Carolina's 8th Congressional District. The Lumbee Tribe is the largest tribe east of the Mississippi River with over 55,000 members, and is the ninth largest tribe in the United States.

Prior to his election as Chairman of the Lumbee Tribal Council, Chairman Godwin has

been an active member of the Moss Neck community as a business leader and public servant. Chairman Godwin started his own business in the community, Two Hawk Employment Services, and currently serves on the Robeson Community College Foundation Board of Directors and the Lumber River Workforce Development Board. He also has previously served as the President of the Lumerton Rotary Club and was a past member of the Lumerton Area Chamber of Commerce's Board of Directors.

This is an exciting moment for Chairman Godwin and the entire Lumbee Tribe as they celebrate the beginning of a new era in the Tribe's already proud history. Since coming to Congress in 2013, I have taken great pride in representing the Lumbee Tribe and I look forward to continuing this close relationship under Chairman Godwin.

Mr. Speaker, please join me today in congratulating Mr. Godwin on his election as Chairman of the Lumbee Tribal Council and wishing him well as he begins this new role.

INTRODUCTION OF THE BIKESHARE TRANSIT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. BLUMENAUER. Mr. Speaker, America is in the middle of a bikeshare revolution: 13 new bikeshare systems launched in 2014 and 11 more launched in 2015, bringing the national total to approximately 80. More than 10 million people rode a bikeshare bicycle last year. Systems are opening in large metropolitan regions like Washington, DC and New York, as well as smaller communities like Dayton and Boise. The increased commercial investment around bikeshare stations and networks drives economic development in these communities.

Some of these existing bikeshare programs received federal monies to get off the ground, but the lack of an established funding source has proved an impediment to other projects across the country. Since the term "bikeshare" is not defined in U.S. Code or described by law as a form of transit, bikeshare systems and transportation officials alike now operate in a gray area. Congress needs to act to clarify that bikeshare projects are eligible for federal funding, providing certainty to investors, business owners, and commuters.

That is why today I am introducing the Bikeshare Transit Act. This legislation will eliminate this gray area by defining bikeshare in statute and making bikeshare systems eligible to receive funding to enhance related public transportation service or transit facilities. They will also be listed as an eligible project under the Congestion Mitigation and Air Quality Improvement Program.

Additionally, the Bikeshare Transit Act will allow federal funding to be used for acquiring or replacing bikeshare related equipment and the construction of bikeshare facilities.

The Bikeshare Transit Act will remove significant barriers facing new bikeshare projects as well as those existing bikeshare programs

applying for federal funding. This legislation underscores that bikeshare programs drive economic development and are an important part of America's transportation system.

IN RECOGNITION OF COMMISSIONER A.J. RIVERS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to an exceptional public servant and outstanding citizen, Commissioner A.J. Rivers, on the occasion of his retirement as City Commissioner of Cordele, Georgia.

When Mr. Rivers was elected City Commissioner in 1972, he became the first African American elected to city-wide office in Cordele. Since that time, he has served his community zealously and with unparalleled commitment.

Commissioner Rivers served our nation with honor and distinction in World War II from 1943 to 1946. He graduated from the Holsey-Cobb Institute in Cordele in 1947. He worked for North Carolina Mutual Insurance Company for 53 years—35 of those years in management and 18 years in agency. He was certified as an Instructor for Insurance Courses by the State Insurance Commissioner's Office in 1983.

Beyond his duties and responsibilities as a public servant, Commissioner Rivers has also dedicated his personal life to serving his community. He has served as a Scout Master; Westside Chairperson of the American Cancer Society; Westside Chairperson of the American Red Cross; President of the 8th District of the Georgia Municipal Association in 2006; President and Corporate Board Member of Big Brother Big Sister of South Georgia in 2006; and President of the Gillespie Development and Day Care Center for 17 years. He is a member of the American Legion; NAACP; Cordele Community Advancement Council; Crisp County Chamber Executive Committee; and Board of Directors for River Valley Regional Commission, among many other community and professional organizations. Notably, Commissioner Rivers is the Founder and President of the Historical Awards Committee. Always a mentor to those who worked and lived around him, Commissioner Rivers possesses the rare quality of humble leadership.

Throughout his career, Commissioner Rivers has been recognized for his commitment and leadership in the community. His awards and accolades include the 8th District Community Award from the Georgia Municipal Association in 1994; the USDA Rural Development Steadfast Award in 2002; and the Distinguished Citizen of the Year Award from the Cordele Lions Club in 2014.

Commissioner Rivers' Christian faith has always instilled within him a desire to positively shape the community in which he lives. As a lifetime member of Mount Calvary Baptist Church, he regularly incorporates his faith into his commitment to public service.

After retirement, Commissioner Rivers will enjoy spending time with his wife, Vera, and their four children, six grandchildren, and seven great-grandchildren. Commissioner Rivers has accomplished much in his life, but none of it would be possible without the love and support of the family he cherishes so dearly.

Mr. Speaker, I ask my colleagues to join me in extending our sincerest appreciation and best wishes to Commissioner A.J. Rivers upon the occasion of his retirement from an outstanding career spanning 44 years as City Commissioner of Cordele, Georgia.

TROOPER ELI MCCARSON, NEW
JERSEY STATE POLICE

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to honor the memory of fallen New Jersey State Police Trooper Eli McCarson for his extraordinary sacrifice and exemplary service to the citizens of New Jersey and the United States.

Trooper McCarson's dream was to serve his community as a member of the New Jersey State Police. His perseverance was finally rewarded in February 2015 when he graduated from the State Police Academy at the top of his class with honors. Unfortunately on December 17th, after just ten months on the force, Trooper McCarson was killed in a tragic car accident in the line of duty. His untimely death left behind his loving family—including his wife Jordan McCarson—and a grateful community.

Mr. Speaker, Trooper Eli McCarson's life reminds us that the men and women who serve and protect our communities put their lives on the line every day to protect us. I join with my community and all of New Jersey in honoring the achievements and selfless service of this truly exceptional young man.

HONORING MR. ROBERT JOHNSON,
CIVIL RIGHTS ACTIVIST FROM
GRENADA, MS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the late Mr. Robert Johnson of Grenada, MS, a beloved civil rights activist and renowned public servant. He has been remembered by many as a fighter for justice, freedom and equality for all and a pillar of his community.

Johnson was born to the late Finley and Catherine Johnson on June 17, 1948, in Grenada, MS. The sixth of seven children, Robert learned the value of hard work and sacrifice. He attended Grenada High School where he played football and attended Alcorn State University on a full athletic scholarship.

In 1966, the Meredith March against fear would change the path in which Robert John-

son would take his life. Robert came back to Grenada to join the Civil Rights Movement and worked to establish and protect voting rights in Mississippi. He was the local youth leader of the Grenada County Freedom Movement. Through his work with the Grenada County Freedom Movement, he helped make the nation aware of the threats, intimidation, and lawlessness being inflicted upon Black people in the town.

He joined the Southern Christian Leadership Conference (SCLC) as a Field Project Director and worked with Dr. Martin Luther King, Jr., and Dr. Ralph David Abernathy to continue SCLC programs in Grenada. His work with SCLC led him on organizing efforts across the country and even in Africa.

In 1971, he was jailed for refusing to be drafted into the military and was sentenced to five years but was released on a full pardon in 1972 by President Gerald Ford after serving eighteen months of the sentence.

Johnson continued his activism with the SCLC which led him to Covington, GA, where he met his wife Mary. They were married in November of 1974 and were later blessed with two sons, Cleon and Marcus.

Robert began working for the Metro Atlanta Transit Authority as a bus operator and in 1985 began attending Mt. Ephraim Baptist Church. He and his family joined Mt. Ephraim soon after. Robert Johnson served as a trustee on the Official Board for a number of years. In 2002, he was ordained as a deacon. Around this time, Robert was honored along with Rev. Dr. Joseph Lowery, and other grassroots workers of the Civil Rights Movement with a trip to Durban, South Africa where they met South African activist and president, Nelson Mandela.

Mr. Speaker, I ask my colleagues to join me in recognizing a special individual, Mr. Robert Johnson—a devoted servant of his community, a fighter for justice and equality for all people, a founder of the Grenada County Freedom Movement, and consummate family man. He will be missed by all those who know and love him.

HONORING UNC PRESIDENT
TOM ROSS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor a good friend and a devoted public servant, Tom Ross, who retired this month as President of the University of North Carolina system.

My wife Lisa and I have known Tom and his wife Susan for many years. His son Tommy served in my office, making a major contribution to the development of the House Democracy Partnership. I have long admired Tom's dedication to the university, and I am very grateful for his service to our state.

A graduate of the UNC-Chapel Hill law school, Tom answered the call to serve as the UNC system's President in 2011, in the midst of some of the greatest financial challenges that the university has faced in its history.

UNC not only overcame these challenges; it has thrived thanks to Tom's perseverance and strategic vision.

During his time at UNC, Tom made it easier to transfer from North Carolina community colleges to the four-year UNC institutions, expanding nontraditional students' access to higher education. He has focused effectively on the access of active-duty military and veterans to the system and on enhancing their chances to succeed. He has carefully overseen the selection of 11 new university chancellors, guaranteeing another generation of exceptional leadership for the system's 16 constituent universities.

Perhaps most importantly, Tom has led the university through economic adversity, protecting its mission and securing its financial footing. Compared to the beginning of Tom's tenure, UNC system graduation rates have risen 18 percent while spending per degree has dropped 15 percent—remarkable achievements that reflect Tom's leadership.

Tom's life has been dedicated to public service. He came to UNC from Davidson College, his alma mater and one of the nation's leading liberal arts colleges, where he served as President from 2007 to 2011. At Davidson, he implemented the Davidson Trust, a new initiative designed to fully eliminate student debt through grants and student employment. This innovative program has helped ensure that Davidson graduates do not face a financial burden as they begin their careers. He also oversaw a period of exceptional growth at Davidson, in part inspired by the on-campus career of Stephen Curry, who has gone on to become the NBA MVP and a global superstar. I suppose it's true that success begets success.

Before his tenure at Davidson, Tom was President of the Z. Smith Reynolds Foundation, which provides tens of millions of dollars annually in grants to organizations devoted to economic empowerment. Tom also spent 17 years as a judge on North Carolina's Superior Court, directed the state Administrative Office of the Courts, and led the North Carolina Sentencing and Policy Advisory Committee, where he oversaw the development and implementation of new sentencing guidelines for non-violent offenders.

I cannot fail to note that Tom is leaving the presidency of UNC prematurely. The Board of Governors last year made an unexpected, unexplained decision to request his resignation, while acknowledging that his stewardship had been exemplary. This leaves little doubt that the decision was based on the fact that Tom does not share the Board's partisan loyalties. This was not only shabby treatment of an outstanding public servant; it also set a dangerous precedent for a university system that for most of its history has been free of this sort of political manipulation.

Tom has handled this difficult situation with characteristic dignity and grace. His final contribution as president may be one of his most important: to help us move beyond this episode in a way that avoids recrimination, protects the university's integrity, and builds on the many achievements of the past five years.

Lisa and I wish Tom well as he transitions to teaching and prepares for future endeavors. With Susan's unflinching support, he has made

lasting contributions to our state's judicial system, nonprofit sector, and private and public higher education. He leaves our University stronger in important ways, despite the difficult economic and political environment in which he was called to lead. And he still has much to give. I am pleased to join thousands of North Carolinians in thanking him for his tireless service and in anticipating his contributions yet to come.

INTRODUCTION OF A BILL EXTENDING ELIGIBILITY FOR NATIONAL COMMUNITY SERVICE PROGRAMS TO CITIZENS OF THE FREELY ASSOCIATED STATES

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Ms. BORDALLO. Mr. Speaker, today I am introducing a bill that would enable citizens of the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands, collectively referred to as the Freely Associated States (FAS), who reside in the United States to participate in National Community Service (CNS) programs, including AmeriCorps. This bill provides parity for citizens of the FAS who are able to join our military, receive federal student aid to further their education, and eligible to participate in other federal social programs.

The inability for FAS citizens to participate in CNS programs has had a direct impact on individuals residing in my home district of Guam. Last year, several FAS citizens who are studying at the University of Guam and enrolled in the AmeriCorps program were removed from the program because they were found to be ineligible under the citizenship guidelines. Despite having already begun working with their assigned service organizations, these individuals were forced to find alternate accommodations through the local Guam Legislature, which appropriated local funds to cover expenses that would have otherwise been provided through the Centers for National and Community Service. I believe that this was a great injustice to these individuals, who wanted to help the people of Guam and who serve as role models for others in our community.

I believe that FAS citizens who reside in the U.S. should be allowed to participate in national service programs, just as they are able to serve our nation in military service or obtain federal student aid to further their education. My bill would specifically amend the National and Community Service Act of 1990 to include citizens of the FAS who are residing in the U.S. in the list of qualified individuals, in addition to U.S. citizens or nationals, or lawful permanent residents of the United States. The bill will ensure that any FAS citizen in the U.S. who wants to participate is not denied the opportunity to make our community better. If we can allow FAS citizens to serve in our military and protect our way of life it is only fair that we allow them to serve our local communities through community service. As we work to make the Compacts more sustainable for the

affected jurisdiction, I believe that this is a good way to continue our commitment to improving our relationships with these nations.

I thank my colleagues, Congresswoman TULSI GABBARD and Congressman KILI SABLAN for their support of this bill. I look forward to working with them to move this bill through the legislative process and having it enacted into law.

TRIBUTE TO STUART O. WITT

HON. STEPHEN KNIGHT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. KNIGHT. Mr. Speaker, I rise today in recognition of a man who dedicated his life to the continued advancement of American aerospace.

Witt was born in Bakersfield, California and raised on the Scodie Ranch in the Kern River Valley. He graduated from Cal State Northridge in 1974, from the Naval Aviation Schools Command in 1976 and from the Naval Fighter Weapons School (TOPGUN training) in 1980. He is also a 1996 graduate of the University of Maryland's Center for Creative Leadership.

Upon graduating college, Witt embarked on a storied military career in the Navy, where he spent time as an F-14 Tomcat pilot based on the U.S.S. *John F. Kennedy* and as an FA-18A Hornet project pilot at the Naval Air Warfare Center in China Lake, CA. After the Navy, Witt continued to fly professionally for nearly nine years as an engineering test pilot on the B-1B, F-16C and F-23. In 1993 he joined Computer Technology Associates, where he managed a \$100-million contract as Executive Vice President.

Since 2002, Witt was CEO and General Manager of the Mojave Air & Space Port, which lies just outside of my district, where he was the defining factor in making that Port the crucial institution that it is today. In addition to his efforts at Mojave, Witt also served as the Chairman of the Commercial Spaceflight Federation (CSF) from 2012-2014 where he worked tirelessly to promote the development of commercial human spaceflight and to bring about a 21st century space age for America.

I have worked with Stu on multiple occasions to develop legislation that would allow the commercial space industry to innovate and expand in the state of California, and can attest to his skills as a pioneer and leader. His legacy will be felt by space lovers, entrepreneurs, and explorers for generations.

IN DEFENSE OF SECOND AMENDMENT FREEDOMS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. MARCHANT. Mr. Speaker, throughout this president's time in office, he has worked to undermine the 2nd Amendment freedoms of law-abiding Americans. It's no surprise that he

would begin his final year exactly the same way.

The new unilateral actions announced by the president will do little to make our communities safer. But they could infringe on the rights of Americans to protect themselves and their families.

These unilateral actions are only an attempt to distract from the career failings of an ineffective president. In fact, most of them are about strictly enforcing our existing laws—something this president has repeatedly failed to do.

The Second Amendment is a founding principle of our Republic. I assure my constituents that I will continue to stand strong against any infringement.

SHERIFF CHARLES BILLINGHAM,
CAMDEN, NEW JERSEY

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to honor Sheriff Charles H. Billingham of Camden County, New Jersey for his achievements, contributions, and service to the people of New Jersey and the United States of America.

Sheriff Billingham started his 34-year career as a patrolman in Gloucester City, New Jersey. Recognized for his talent and positive demeanor, he quickly rose through the ranks from patrolman to sergeant where he supervised and managed the daily activities of a patrol platoon. He moved to the Washington Township Police Department, which put him back on patrol again. His dedication earned him the respect from his fellow officers and he soon rose to the rank of chief of police. During his time as chief of police in Washington Township he focused many of his efforts on community outreach through educational programs including crime prevention, issues concerning youths, domestic violence, and drug awareness such as "project aware" and D.A.R.E.

In 2007, after serving as a councilman and Mayor of Gloucester City for nearly 4 years, he was elected Sheriff of Camden County. He brought with him the same "can do attitude" he had displayed throughout his career. As sheriff, he continued to focus on educating and incorporating the police into the community. In fact, his tenure saw a tremendous rise in community engagement and a plummeting crime rate. Moreover, his work ethic never wavered, even as he approached retirement he continued to energetically and enthusiastically protect our community. During his final days as sheriff while out on patrol during a routine traffic stop, he personally arrested three fugitives, and confiscated illegal weapons and a substantial amount of illegal drugs. A lifelong family man, he is now retiring to spend more time with his wife Marion and their two sons, Chuckie and Michael.

Mr. Speaker, Sheriff Billingham is a great American who exemplifies the selfless dedication of law enforcement officers throughout the country. I join Camden County and all of New Jersey in wishing him a happy retirement and thanking him for his outstanding service.

SUPPORTING TAIWAN'S DEMOCRATIC ELECTIONS AND RIGHT TO SELF-DETERMINATION

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. TED LIEU of California. Mr. Speaker, I rise today in recognition and support of our close ally Taiwan as it prepares to conduct free, fair and democratic presidential elections. On January 16, 2016, the Taiwanese people will go to the polls in a tremendous display of the core democratic principle of self-determination.

This year, we celebrated the 41st anniversary of the passage of the Taiwan Relations Act, a law that has helped foster a deep bond between the U.S. and our ally in the Pacific. As the only Member of Congress born in Taiwan and as a member of the Congressional Taiwan Caucus, I am encouraged by our strong bilateral relations and the broad bipartisan support for Taiwan that exists in Congress today, and I look forward to expanding that relationship even further with the newly-elected president.

I ask my colleagues to join me in wishing Taiwan a successful democratic and independent election.

H.R. 712 AND H.R. 1155

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. BLUMENAUER. Mr. Speaker, this week, the House considered H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act, and H.R. 1155, the SCRUB Act, pieces of legislation with the primary purpose of dismantling and undermining the federal rulemaking and regulatory process. I voted against both of these bills.

Throughout my career, as an administrator and policymaker at the local, state, and federal levels, I have often seen the value of common-sense regulations that save lives. I have also seen the challenges associated with cumbersome regulations that are difficult to comply with.

There are ways to make some regulations more efficient and easier to navigate, but we

must do so in a way that protects public health, maintains our environmental protections, and ensures fair market interactions. These bills, however, are far from the mark.

They both would implement a "cut-go" approach that would require every new rule to come with the removal of another, even in cases of emergency or imminent harm to public health. This approach is absurd. Regulations often build on each other, evolving and sometimes rapidly responding to emerging challenges, and this type of restriction will only threaten the process and undermine the ability of agencies to effectively protect public health, public safety, the environment and more.

The Sunshine for Regulatory Decrees and Settlements Act, through its barriers to consent decrees, through its imposition of a moratorium on implementation until a rule is available online for six months, and through its requirement that all rules be summarized in 100 words online, regardless of how complex, only adds additional, unnecessary burdens on the rulemaking process, without actually improving it.

The underlying assumption behind these bills is that regulations are unwelcome and burdensome on communities and the economy. I frequently, however, hear from industry in my community and around the country about the importance of many government regulations, in equalizing the playing field and setting important guidelines based on science that allow them to be good actors in their communities.

There are certainly outdated regulations, and there is always room for greater efficiencies, and the creation of more performance based, flexible regulatory processes. These bills however, will not get us closer to that goal, and are dangerous to public safety, to health and the environment.

IN MEMORY OF THE HONORABLE
DALLAS THEODORE YATES

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 7, 2016

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a godly and enterprising soul from Florida: my uncle, the Honorable Dallas Theodore Yates.

Mr. Yates, affectionately known as "Uncle Dallas," was born in Caryville, Florida on Sep-

tember 22, 1919. From a young age, he was a person of deep and abiding faith, giving his life to Christ at the age of eight while attending Saint Mary's African Methodist Episcopal (A.M.E.) Church. In 1951, Uncle Dallas would go on to help establish the Gregg Chapel A.M.E. Church in Fort Walton Beach, Florida. Later, he moved to south Florida with his wife, Jane Eva Davis Yates, where they reared their children: Phyllis Rose Bryant Gilley, Raymond Lawrence Bryant, Sr., Harold Dwight Yates, Dallasteen Joy Yates and Jeffrey Arles Yates. There, in 1957, he entered into Christian fellowship with New Bethel A.M.E. Church. Over the course of his tenure at the church, he held the positions of Trustee Board Chairman Pro Tempore, Steward Board Chairman Pro Tempore, District Steward, as well as Annual Conference Delegate, all while giving generously to support the church's maintenance and services. In 1998, after many years of faithfully serving the Lord, he became a "licensed Exhorter of the word of God."

Throughout his life, he was known for his entrepreneurial spirit and industrious nature. While living in Fort Walton Beach, Florida as a young man, he owned and operated the "Chicken in the Basket Restaurant" and was the co-owner of the "Silver Cab Company" with his brother Charlie Yates. He also owned and developed residential properties in the city. In 1962, he moved to Indian River County, Florida and became the first black law enforcement officer and Deputy Sheriff in the county. He is said to have been known for his professionalism and ability to deescalate situations. In the 1970s, after honorably serving Indian River County, he and his wife established D & J Citrus Inc., a fruit harvesting and packing company. He also established the Yates Supermarket, which was family-owned and operated into the 1980s.

I am blessed to have the opportunity to pay tribute to the memory of an exceptional man: my uncle, the Honorable Dallas Theodore Yates, who, despite facing what many would describe as insurmountable obstacles, accomplished his dreams of becoming a businessman and a trailblazer in law enforcement, while remaining a man of faith until his passing on December 30, 2015 at the age of 96.

Mr. Speaker, I shall remember Uncle Dallas as a devoted husband, a dedicated father, and a mentor who provided me with a sense of direction, which has led me to the Congress of the United States of America.

HOUSE OF REPRESENTATIVES—*Friday, January 8, 2016*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of mercy, we give You thanks for giving us another day.

At the beginning of another day, we pray that Your divine providence guide this Nation and all nations, and every believer, each in his or her way.

In Your spirit enable the Members of this people's House to accomplish Your will by the faithful performance of their responsibilities. Help them to do meaningful work that might give them satisfaction in their sense of purpose.

Strengthen them when it is difficult to accept what cannot be avoided, and to endure with love and resignation the things that could cause them to grow weary or be overcome by despair.

In truth, we do not see the entire picture, nor how we are already united in Your presence among us. Help us all to trust in You, which we claim we already do.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause one, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. SCHAKOWSKY) come forward and lead the House in the Pledge of Allegiance.

Ms. SCHAKOWSKY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

VIOLATING THE CONSTITUTION IS NOT THE ANSWER

(Mr. MULLIN asked and was given permission to address the House for 1 minute.)

Mr. MULLIN. Mr. Speaker, I rise today because the Constitution is under attack by a President who has never respected the Second Amendment.

Gun ownership is a fundamental right of law-abiding Americans. The Supreme Court affirmed this right in 2010, and yet this week the President issued new executive actions that are unconstitutional and a clear abuse of power.

There is no question that we must stop senseless acts of violence, but violating the Constitution is not the answer. Criminals are criminals because they break the law. More laws won't keep guns out of criminals' hands.

Let's let law enforcement do their job and enforce the laws that we already have. Let's let law enforcement address the root cause of the violence. Let's look at what is causing it, like radicalism and mental illness.

I have no doubt that the President's latest actions will be challenged in court.

I will do everything in my power to protect Oklahoma's rights and the rights of all Americans.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The Chair will remind Members to refrain from engaging in personalities toward the President.

While Members may criticize the President's policies or official actions, they may not engage in personal attacks.

FAIRNESS IN CLASS ACTION LITIGATION ACT

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, last year, Volkswagen was caught defrauding its customers selling vehicles that emitted 40 times more pollution than is allowed by law in its so-called clean diesel models.

VW customers paid extra for vehicles they believed were both cleaner and better performing than other cars on the market, but that is not what they got. They have a right to join class action lawsuits to recoup their losses and hold VW accountable.

But the Fairness in Class Action Litigation Act, which we will consider today, would weaken the ability of those customers to pursue class action claims. In the case of VW, the bill would limit classes to people with the

same vehicle model, the same emissions-cheating device, and the same emissions system, even though all clean diesel customers were defrauded in the same way. It would shrink the class sizes and make it easier for VW to defeat or settle claims.

Why would we make it easier for VW to avoid responsibility by making it harder for Americans to pursue justice?

It is shameful that congressional Republicans are trying to do Volkswagen's bidding by weakening the rights their constituents currently have.

I urge my colleagues to join me in opposing this bill.

HONORING DR. GREGORY EASTWOOD

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to honor the distinguished career of Dr. Gregory Eastwood.

I am incredibly privileged to be joined here today by Dr. Eastwood and his wonderful family.

Celebrated throughout our entire region for his commitment to service, Dr. Eastwood first served as president of the State University of New York Upstate Medical University from 1993 until 2006—the longest in the history of the institution and of all sitting presidents on SUNY campuses. Dr. Eastwood returned to the president's seat in October 2013 when the campus was in dire need of his capable leadership.

Dr. Eastwood has served our community for years with distinction, holding leadership roles and partnering with many different organizations in the region.

He advanced an aggressive vision for the SUNY Upstate, which has grown under his leadership through the establishment of the University Health Care Center, the Joslin Diabetes Center, and the Golisano Children's Hospital.

A clinician, scholar, educator, community leader, and author, Dr. Eastwood has had a remarkable career.

Today, I want to thank Dr. Eastwood for his excellence, professionalism, caring presence, and commitment to the SUNY University and to central New York.

Our community is stronger now because of your work, Dr. Eastwood. We will sorely miss you.

PLANNED PARENTHOOD

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, yesterday, this House unfortunately passed a bill to basically repeal the Affordable Care Act and do away with funding for Planned Parenthood. I know the President will veto that bill, and I want to thank him in advance.

In Tennessee, 236,000 people signed up for the Affordable Care Act. That is 236,000 people who, if the bill becomes law, will not have health care or will have more expensive health care.

Nationally, 11 million people signed up. Those people will not have it or will have more expensive health care.

If you stop Planned Parenthood, you stop poor people, many of whom are in my district, from getting preventive health care: mammograms, HIV testing, and planned birth control programs.

This was a bad bill against the people of our country, taking away health care from people who need it, otherwise can't afford it, and otherwise wouldn't get it.

Thank you, Mr. President.

IMPROVING SECURITY IN OUR COMMUNITIES

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, we have heard a lot of talk this week about improving security in our communities. One way we can do that as a country is to stand shoulder to shoulder with our law enforcement officers. Just as they get our back each day, let us get theirs.

Tomorrow is Law Enforcement Appreciation Day. We can show our appreciation in this House by bringing up and passing legislation I have introduced called the Thin Blue Line Act, now with over 50 cosponsors on both sides of the Capitol. It simply gives prosecutors and judges greater flexibility to impose enhanced penalties on those who do harm to law enforcement officers.

Law enforcement officers each year are subject to over 50,000 assaults on them, 15,000 with injuries, and 150 unfortunately leading to law enforcement deaths.

The Thin Blue Line Act says very simply, if you take the life of a law enforcement officer, be prepared to lose your own.

Mr. Speaker, let's stand with law enforcement officers today and each day in this House.

GUN CONTROL EXECUTIVE ACTIONS

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to applaud the President's executive actions to curb gun violence and urge my colleagues to take the action needed to address this deadly plague.

I rise today in honor of more than 300 lives lost to gun violence in Detroit, a city I represent, just in 2015. That is nearly as many lives as we have days in the year.

We have failed to take meaningful action. We must pass legislation to support the President's executive actions.

We have heard a lot of dialogue this week. If you don't like the executive actions, then Congress must rise and let's take the action needed.

We can no longer sit on the sideline and allow this plague and this horrific violence in our country to continue. We must take action now before another day passes and another innocent life is destroyed.

GUN CONTROL EXECUTIVE ORDERS

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of every American's Second Amendment rights.

The recent announcement by President Obama to unilaterally enact gun control laws once again shows his complete lack of leadership and a complete disregard for Americans' fundamental rights. The President should be working with Congress to enact legislation, not creating executive orders because things don't work out his way.

The fact is that the President's executive actions would not have prevented a single mass shooting over the past several years. One of the main underlying causes of many of these shootings was mental illness, and I will be the first to agree that we should dedicate efforts to address mental illness in this country.

However, directing millions of dollars in new investment for mental health care is not the role of the President. That is the role for Congress.

If our Founding Fathers wanted to restrict the right to bear arms, they would have written it into our Constitution. If our Founding Fathers wanted an executive fiat government, they would have created one.

I call on my colleagues, both Democrats and Republicans, to stand up for this institution and protect what our Founding Fathers fought and died for: a Republic elected by the people, for the people; a country that is not controlled by one man, but by many.

RECOGNIZING FARM FAMILIES OF THE YEAR

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to recognize the Second Congressional District's Farm Families of the Year.

Each year, the Florida Farm Bureau recognizes families across north Florida for their commitment to farming and our community. These families work hard every day to provide food for our tables and, just as importantly, they know farming is more than a job. It is a way of life and a part of our heritage.

Our farm families are the backbone of north Florida. Recognizing them with this award is just one thing we can do to show how much we appreciate their hard work and sacrifice.

I look forward to further recognizing them and highlighting their work as I begin the first official north Florida farm tour. I will be visiting all 14 counties in my district.

Again, congratulations to our Farm Families of the Year, and thank you to all of our State's farmers.

ARRESTING TERRORISTS, NOT RANCHERS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, while the Federal Government's focus to my constituents in the West appears to be reprosecuting ranchers for a small rangeland fire or to disarming Americans from protecting themselves, Federal agents focused on homeland security yesterday and bagged two Iraqi refugees in Sacramento and Houston with ties to recent travel to Syria to aid or seek to fight alongside Islamic State.

Mr. Speaker, as we will hear from the President here on this floor in the State of the Union next week, I hope his focus will be on a migrant or refugee program that secures our borders, not a gun agenda that makes Americans more defenseless.

With San Bernardino, California, being so fresh in our minds and that terrorism activity there, let's heed the words of Texas Governor Abbott and other States that are clamoring for a more effective vetting process before we bring more migrants into this country.

FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2015

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 1927.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 581 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1927.

The Chair appoints the gentleman from Illinois (Mr. RODNEY DAVIS) to preside over the Committee of the Whole.

□ 0915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation, with Mr. RODNEY DAVIS of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of a bill that combines two important reforms, the Fairness in Class Action Litigation Act and the Furthering Asbestos Claim Transparency Act, or the FACT Act. Let me first explain why my colleagues should vote in favor of the Fairness in Class Action Litigation Act.

Last year an independent research firm surveyed companies in 26 countries and found that 80 percent of those that were subject to a class action lawsuit were U.S. companies, putting those U.S. companies at a distinct economic disadvantage when competing with companies worldwide.

The problem of overbroad class actions doesn't just affect U.S. companies. It affects consumers in the United States who are forced into lawsuits they don't want to be in. How do we know that? We know that because the median rate at which consumer class action members take the compensation offered in a settlement is an incredibly low 0.023 percent. That is right.

Only the tiniest fraction of 1 percent of consumer class action members—less than 1 quarter of 1 percent—even bothers to claim the compensation awarded them. That is clear proof that vastly large numbers of class members are satisfied with the products they purchase, don't want compensation, and don't want to be lumped into a gigantic class action lawsuit.

Just recently a California judicial decision reported that, in a class action consisting of over 230,000 people, only two of those 230,000 wanted the coupons offered in the class action settlement.

The judge in that case said that the case produced "absolutely no benefit, really, to anybody." So where is all of the money going in these cases? To the lawyers who brought the lawsuits that hardly anyone wanted to be in.

In another case, the district court had refused to certify the class because most of the class members had not experienced any problems with the product. But then the Ninth Circuit Court of Appeals reversed, holding that "proof of the manifestation of a defect is not a prerequisite to class certification."

In yet another case, when the Seventh Circuit Court of Appeals allowed the certification of an overbroad class action, it had to subsequently throw out the resulting settlement, stating, "The district court approved a class action settlement that is inequitable, even scandalous," because the relatively few class members who were actually injured ended up claiming less than 2 percent of what the trial lawyers got the district judge to say was warranted based on the overbroad size of the class.

Trial lawyers work the system today in the following way: They file lawsuits, for example, against a company that sells a washing machine. Some of those washing machines don't work the way they are supposed to, but most of them do. But the lawyers file a class action lawsuit that includes everyone who ever purchased a washing machine from the company, even the large number of people who are completely satisfied with their purchases.

When trial lawyers lump injured, non-comparably injured, and non-injured people into the same class action lawsuit, the limited resources of the parties are wastefully spent weeding through hundreds of thousands of class members in order to find those with actual or significant injuries. That is money that could have been spent compensating deserving victims.

Sometimes, because judges don't separate the injured from the non-injured in class actions early enough in the proceedings, they end up throwing out settlements because it turns out hardly any of the class members were harmed and didn't want compensation.

Other times, when judges realize they have created an overbroad class, they justify their actions by coming up with novel theories to provide some compensation to people who are entirely satisfied with the product and who don't want compensation.

Either way, the solution is to direct judges to determine as best they can early in the proceedings which proposed class members are significantly and comparably injured and which aren't and to treat them accordingly. That is fair to everyone.

The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a way for law-

yers to artificially inflate the size of a class to extort a larger settlement value for themselves and, in the process, increase the prices of goods and services for everyone.

Claims seeking monetary relief for personal injury or economic loss should be grouped in classes in which those who are the most injured receive the most compensation. No one should be forced into a class action with other uninjured or minimally injured members only to see their own compensation reduced.

The Fairness in Class Action Litigation Act would simply make clear what currently should be clear to the Federal courts, namely, that uninjured class members are incompatible with rule 23(b)(3)'s current requirement that common claims predominate a class action.

Here is the full text of the Fairness in Class Action Litigation Act, along with quotes from the Supreme Court that show how the bill's text codifies existing Supreme Court precedent:

The bill simply provides that "no Federal court shall certify any proposed class seeking monetary relief for personal injury or economic loss unless the party seeking to maintain such a class action affirmatively demonstrates that each proposed class member suffered the same type and scope of injury as the named class representative or representatives" and that "an order issued under rule 23(c)(1) of the Federal Rules of Civil Procedure that certifies a class seeking monetary relief for personal injury or economic loss shall include a determination, based on a rigorous analysis of the evidence presented, that the requirement in subsection (a) of this section is satisfied."

That is it. One page. Fair rules. Common sense and wholly consistent with Supreme Court precedent. Please join me in supporting this bill on behalf of consumers everywhere.

The FACT Act is also simple, fair reform we should all support.

This legislation helps asbestos victims who must look to the bankruptcy process to seek redress for their or their loved ones' injuries. Too often, by the time asbestos victims assert claims for compensation, the bankruptcy trust formed for their benefit has been diluted by fraudulent claims, leaving these victims without their entitled recovery.

Fraud is able to exist because of the excessive lack of transparency plaintiffs' firms have forced on the asbestos trust system. Under the current Bankruptcy Code, plaintiffs' firms essentially are granted a statutory veto right over debtors' chapter 11 plans that seek to restructure asbestos liabilities. Plaintiffs' firms have exploited this leverage to obtain trust rules that prevent information contained within the trust from seeing the light of day.

The predictable result has been a growing wave of claims and reports of fraud. The increase in fraudulent claims has caused many asbestos bankruptcy trusts to reduce recoveries paid to asbestos victims who emerge following the formation of trusts.

The FACT Act, introduced by Congressman FARENTHOLD, combats this fraud by introducing long-needed transparency into the system.

First, it requires asbestos trusts to file quarterly reports on their public bankruptcy dockets. These reports will contain basic information about demands to the trusts and the bases for payments made by the trusts to claimants.

Second, the FACT Act requires asbestos trusts to respond to information requests about claims asserted against and the bases for payments made by the asbestos trusts.

These measures are carefully designed to increase transparency while providing claimants with sufficient privacy protection. To accomplish these goals, the bill leverages privacy protections contained elsewhere in the Bankruptcy Code and includes additional safeguards to preserve claimants' privacy.

We cannot allow fraud to continue reducing recoveries for future asbestos victims.

I thank Mr. FARENTHOLD for introducing the FACT Act to combat fraud. I urge all of my colleagues to vote in favor of this important legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself 5 minutes.

Members of the House, I rise in strong opposition to H.R. 1927, the so-called Fairness in Class Action Litigation Act and Furthering Asbestos Claim Transparency Act.

I oppose the legislation because it cleverly shields corporate wrongdoers by making it more difficult for those who have been harmed by their actions from obtaining justice and it allows these wrongdoers to further victimize their victims.

Among H.R. 1927's many flaws is the fact that this legislation will have the effect of denying individuals access to justice and threatening victims of corporate wrongdoing, all in the name of protecting the powerful. Section 2 of H.R. 1927 will make it virtually impossible for victims of corporate wrongdoing to obtain relief through class actions in cases seeking monetary relief by requiring a party seeking class certification to show that every potential class member suffered the same type and scope of injury at the certification stage. Now, you know that is going to be difficult.

We come to the realization that, as it is, class actions are very difficult to pursue. Under current procedure, the courts strictly limit the grounds on

which a large group of plaintiffs may be certified as a class, including the requirements that their claims raise common and factual legal questions and that the class representative's claims are typical of those of the other class members.

Rather than improving upon this class certification process, however, H.R. 1927 imposes requirements that are almost impossible to meet, effectively undermining the use of class actions.

Finally, section 3 of H.R. 1927 gives asbestos defendants—the very entities whose products injured millions of Americans—new weapons with which to harm their victims.

Section 3 requires a bankruptcy asbestos trust to report on the court's public case docket, which is then made available on the Internet, the name and exposure history of each asbestos victim who receives payment from such trust as well as the basis of any payment made to the victim.

As a result, the confidential personal information of asbestos claimants, including their names and exposure histories, would be irretrievably released into the public domain. Just imagine what identity thieves and others, such as insurers, potential employers, lenders, and data collectors, could do with this sensitive information.

Essentially, this bill revictimizes asbestos victims by exposing their private information to the public, information that has absolutely nothing to do with compensation for asbestos exposure. This explains why asbestos victims vigorously oppose this legislation, as it is an assault against their privacy interests.

□ 0930

So, in sum, H.R. 1927 is a seriously flawed bill that only benefits those who cause harm to others. Not surprisingly, the White House has appropriately issued a veto threat, stating that the administration "strongly opposes House passage of H.R. 1927 because it would impair the enforcement of important Federal laws, constrain access to the courts, and needlessly threaten the privacy of asbestos victims."

For all these reasons, I urge that this House oppose H.R. 1927.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the subcommittee.

Mr. MARINO. Mr. Chairman, I rise today in support of the FACT Act. As chairman of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law, I have examined this piece of legislation for over the past year. We held hearings on the bill and solicited views from experts and victims alike. I heard many of the same concerns that we are hearing this morning. However,

my own conclusion is that the FACT Act is a sound and necessary bill.

By preventing fraudulent claims, the FACT Act protects asbestos victims and ensures the viability of the asbestos bankruptcy trust for the unknown victims yet to come. Claims that the bill hurts the victims are false. To the contrary, it would be a disservice to the victims themselves to permit certain bad actors to raid the trust funds and line their pockets in the process.

As companies that used asbestos filed bankruptcy, the trust funds were created in recognition that victims must be compensated. Any measure that preserves these funds is clearly pro-victim.

Some critics contend that the bill violates victim privacy by requiring the disclosure of certain information. We examined this specific issue during our hearings, and it could not be farther from the truth. This bill provides protections that are absent in State tort cases where court dockets and the personal information of plaintiffs are part of the public record. Section 2 of the FACT Act simply requires the claimant's name and a description of their exposure history. It then explicitly states that any disclosure does not include any confidential medical records or the claimant's Social Security number. It is important to note what might be missed here.

The FACT Act amends the Bankruptcy Code. By doing this, it incorporates the existing privacy protections therein that permit the bankruptcy judge to issue protective orders when disclosure of information would create "an undue risk of identity theft or other unlawful injury." This is a sound and pertinent piece of legislation.

I would like to thank Chairman GOODLATTE and my colleague from Texas (Mr. FARENTHOLD) for bringing it to the floor. I urge my colleagues to support this legislation.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Chairman, these bills are basically chamber of commerce week in the United States Congress. That is what we have come down to, is that the chambers of commerce who represent the large corporations who would be the defendants in these actions, by and large, and consist of the people that produce the asbestos, they are part of it too. It gives them an opportunity to not have to pay out damages to victims, victims where class actions are successful—but would make it more difficult to be successful—and people who have been victims of asbestos injuries, mesothelioma being the ultimate disease that kills people from exposure to asbestos.

Now, on the other side of the chamber of commerce and my friends on the other side are people on this side and

certain groups. I want to tell you who the folks are who are against the bill. The NAACP. The Leadership Conference on Civil and Human Rights, often called the conscience of the Congress. The American Federation of State, County and Municipal Employees. Consumers Union. The American Bar Association—and we have heard about how lawyers are doing this and lawyers are doing that, lawyers are on both sides of the cases—the American Bar Association. Americans for Financial Reform. Public Citizen. The Southern Poverty Law Center, Morris Dees and company. The National Disability Rights Network. The Asbestos Disease Awareness Organization.

The Asbestos Disease Awareness Organization is the voice of the victims, and they are against this. I have to be against it because I stand with the victims and for justice and what is fair for people who have been harmed by corporate wrongdoing.

I rise to tell a personal story. One of my best friends was a man named Warren Zevon. He was a singer and songwriter. Somewhere along the line, he was exposed to asbestos, and he died in September of 2003 of mesothelioma. But for asbestos and him being exposed to it in some manner, he would be with us today and would have been with us for the last 12 years, giving us entertainment and songs and maybe songs about some of the things that have been going down here.

One of his last songs was “I Was in the House When the House Burned Down.” Well, it wasn’t this House, but it could have been this House. This House is the people’s House, and it should be looking out for victims and people who should get compensation in courts.

When we travel internationally, one of the things we find is that people revere our justice system. They look to America for justice and an open court system that they don’t have in their own nations. These bills would close the door on justice and close the door on the courts, and that is not what America is about and that is not why we are respected internationally.

I respectfully ask that we oppose these bills and vote “no.” Support the victims. Support justice.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chair, I yield 2½ minutes to the gentleman from Georgia (Mr. JOHNSON), a distinguished member of our committee.

Mr. JOHNSON of Georgia. Mr. Chair, I rise in opposition to H.R. 1927, section 3, the so-called Fairness in Class Action Litigation Act of 2015, which is actually the text of H.R. 526, the Furthering Asbestos Claim Transparency, or the FACT Act.

It is a fact that the Koch brothers are probably sitting back at home with their fingers crossed watching these de-

bates, hoping and feeling quite confident that this will pass because they know when it passes, it is going to help them.

How does it help them? Well, they are the ones who manufactured or acquired the companies that manufactured the asbestos, this asbestos everybody knows now hurts people. So when people are hurt, they deserve to be able to go into a court of law and establish their claim and seek just compensation for their victimization by that company.

What this legislation does is to put its ugly hand on the scale of justice in favor of the manufacturers of this dangerous product and, also, their insurance companies. It puts its ugly hand on that scale, weighs it down in favor of those companies. So all of them are looking upon us now, hoping that we do what they would like for us to do.

Please know that not everybody is going to go along with this. There are some who stand with victims who deserve a day in court. They deserve, when they go to court, to not have to be subjected to the public release of their very private and sensitive information, their medical information. There should not be any kind of registry, like a gun registry, established.

This is a registry—we should actually call it an asbestos death database—which would allow these insurance companies and producers, manufacturers of death, to have access to people’s personal information so that they could use it against them when they file claims. That is what this bill is all about.

I would ask that my colleagues understand the true purpose and vote “no” on this act.

Mr. GOODLATTE. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. FARENTHOLD), the chief sponsor of a portion of this legislation.

Mr. FARENTHOLD. Mr. Chair, it is my privilege to be here to speak on behalf of the FACT Act.

Just a quick, oversimplified history of how the asbestos trusts came into being. The manufacturers of asbestos, when it became known that it was such a deadly product, realized that there weren’t enough assets within the company to pay all the claims. So they availed themselves of the bankruptcy laws of this country. What the bankruptcy courts said was: Look, put all of your assets into a trust to pay off the victims and you can reorganize your company. That is how these trusts were created.

So the companies are not going to be on the hook anymore. The ones that survived, reorganized, or were acquired have had their obligations, with respect to asbestos, discharged in bankruptcy. What they did to do this was they created these trusts to compensate future victims.

So what is happening now is there are people who are gaming the system,

multiple claims in State or Federal courts. They are going to these trusts saying: I was injured by asbestos, pay me. Which is what is supposed to happen. But you are only supposed to get compensated once for your asbestos injury. If you do multiple claims, you are taking money out of the system that would be available for future victims. Diseases like mesothelioma take years to manifest themselves.

What the FACT Act does is require these trusts to publish a very small amount of information—the name of the person who is filing a claim, the basis of their claim—I was exposed to asbestos at XYZ location and developed mesothelioma—and it specifically protects their privacy by prohibiting the release of their Social Security number.

The information that is required here is actually less information than I would be required to give if, say, Mr. COHEN hit me with his car. If I were hit by his car, I would have to disclose my name, the nature of my injury, and a lot more information to file a suit in State court. We are not asking for any more information than is normally disclosed in any sort of litigation.

In fact, there are specific privacy protections in the Bankruptcy Code that are going to protect even further than you would in a State court. This bill was written to help those veterans who were exposed to asbestos and are not yet manifesting symptoms. It was designed to help all the victims who were exposed and are not yet manifesting symptoms.

If we drain all the money out of these trusts, there is nothing that is going to be left to help the people who were injured later on in the process. So this is why I introduced the legislation, this is why I think it needs to pass, and this is why I urge my colleagues to join me in supporting it.

I am also happy that this bill was combined with a great piece of legislation to get rid of some of the waste, fraud, and abuse that is happening within the system of class action lawsuits.

I don’t know about you, Mr. Chairman, but my wife and I have probably got a half a dozen or so notices in the mail over the years for class actions. As a lawyer, I actually sit down and read them. It ends up most of the time that they are offering me a coupon or a gift certificate or something worth a couple of dollars while the plaintiff’s attorney is getting millions of dollars.

We need to get this system down to where those who are actually injured as a result of whatever has happened in the class action get adequate compensation and those folks who weren’t injured or are happy with the product don’t get anything because they haven’t asked for anything, they don’t want anything, and they weren’t injured.

□ 0945

This will simplify the system. It will lower the cost, and it will make sure there is more money available for those who were actually injured.

This is a great combination of bills, and I urge my colleagues to support it.

Mr. CONYERS. Mr. Chairman, I include in the RECORD letters from 19 veterans organizations that are totally opposed to this bill.

JANUARY 7, 2015.

Re Veterans Service Organizations oppose H.R. 1927, the Fairness in Class Action Litigation and Furthering Asbestos Claims Transparency Act.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. STENY HOYER,
Minority Whip, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN, LEADER MCCARTHY, LEADER PELOSI, and WHIP HOYER: We, the undersigned Veterans Service Organizations, oppose H.R. 1927, the "Fairness in Class Action Litigation and Furthering Asbestos Claims Transparency Act of 2015." We have continuously expressed our united opposition to this legislation via written testimony to the House Judiciary Committee, House Leadership, in-person meetings and phone calls with members of Congress, and most recently, an op-ed many of our legislative teams submitted to "The Hill", entitled "Farenthold has his facts wrong: The FACT Act hurts Veterans". It is extremely disappointing that even with our combined opposition H.R. 1927 stands poised to be voted on the House floor later this week.

Veterans across the country disproportionately make up those who are dying and afflicted with mesothelioma and other asbestos related illnesses and injuries. Although veterans represent only 8% of the nation's population, they comprise 30% of all known mesothelioma deaths.

When our veterans and their family members file claims with the asbestos bankruptcy trusts to receive compensation for harm caused by asbestos companies, they submit personal, highly sensitive information such as how and when they were exposed to the deadly product, sensitive health information, and more. H.R. 1927 would require asbestos trusts to publish their sensitive information on a public database, and also include how much money they received for their claim as well as other private information. Forcing our veterans to publicize their work histories, medical conditions, social security numbers, and information about their children and families is an offensive invasion of privacy to the men and women who have honorably served, and it does nothing to assure their adequate compensation or to prevent future asbestos exposures and deaths.

Additionally, H.R. 1927 helps asbestos companies add significant time and delay paying trust claims to our veterans and their families by putting burdensome and costly reporting requirements on trusts, including those that already exist. One must ask what is the real motivation for this legislation brought forward by Representative Farenthold? Rather than pursuing legisla-

tion to make it easier and less burdensome for our veterans and their families to get the compensation they so desperately need for medical bills and end of life care, trusts will have to spend time and resources complying with these additional and unnecessary requirements at the expense of our veterans.

H.R. 1927 is a bill that its supporters claim will help asbestos victims, but the reality is that this bill only helps companies and manufacturers who knowingly poisoned our honorable men and women who have made sacrifices for our country.

We urgently ask on behalf of our members across the nation that you oppose H.R. 1927. Please contact Hershel Gober, National Legislative Director, Military Order of the Purple Heart with any questions.

Signed:

Air Force Sergeants Association, Air Force Women's Officers Associated (AFWOA), American Veterans (AMVETS), Association of the United States Navy (AUSN), Commissioned Officers Association of the US Public Health Services, Fleet Reserve Association (FRA), Jewish War Veterans of the USA (JWV), Marine Corps Reserve Association (MCRA) Military Officers Association of America (MOAA), Military Order of the Purple Heart (MOPH), National Association of Uniformed Services (NAUS), National Defense Council, Naval Enlisted Reserve Association, The Retired Enlisted Association (TREA), United States Coast Guard Chief Petty Officers Association, United States Army Warrant Officers Association, Vietnam Veterans Association (VVA).

Mr. CONYERS. I yield 2½ minutes to the distinguished gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. Mr. Chairman, the FACT Act, which is part of the underlying legislation, has been touted as an effort to promote transparency and address a supposedly systemic problem of fraud with asbestos trusts set up to pay settlements owed to victims of asbestos exposure, but this bill is a solution in search of a problem and places invasive demands on victims that violate their privacy and open them up to identity theft and other abuses while failing to require transparency from the companies that created this nationwide problem in the first place. The nonpartisan GAO found that 98 percent of trusts perform audits, and none of those audits uncovered fraud.

While the bill's proponents claim that this is a measure to protect asbestos trusts for victims, it speaks volumes that not a single victims group supports this bill.

For decades, asbestos companies knowingly put Americans at risk—servicemembers, children, teachers, first responders, construction workers, and even those who work here in the Capitol—with a toxic product that kills close to 15,000 people every year. Today old structures across the country still contain asbestos and can pose serious health risks. Experts have referred to workers who perform repair work as the current third wave of victims.

Given the nature of the asbestos threat, it is outrageous that the laws fail to require asbestos companies to disclose information when it comes to

public health and safety and disappointing that this has become a partisan issue.

In 1988, President Reagan signed into law the Asbestos Information Act, which required manufacturers of asbestos-containing products to report information about these products to the Environmental Protection Agency, but the Asbestos Information Act was just a one-time reporting requirement, and it predated the Internet.

That is why, along with my colleague, the gentleman from Texas (Mr. GENE GREEN), I have introduced the Reducing Exposure to Asbestos Database Act, or the READ Act, which amends the Asbestos Information Act to require those who manufacture, import, or handle products containing asbestos to annually report information to the EPA about their products and any public location where they have been present in the past year. This information would be made publicly available online, helping Americans avoid exposure to asbestos and incentivizing the continued reduction of asbestos use in our Nation until it is finally eliminated once and for all. Unfortunately, when the READ Act was offered as an amendment to this bill, it was not ruled in order.

Asbestos poses an ongoing threat to public health, and more transparency about this deadly product, not less, should be the norm.

The CHAIR. The time of the gentlewoman has expired.

Mr. CONYERS. I yield an additional 15 seconds to the gentlewoman.

Ms. DELBENE. I urge my colleagues to oppose the FACT Act and join me in working to promote transparency that helps, rather than victimizes, those who have been facing heartbreaking consequences of asbestos exposure.

Mr. GOODLATTE. Mr. Chairman, may I ask how much time is remaining on each side?

The CHAIR. The gentleman from Virginia has 14 minutes remaining. The gentleman from Michigan has 16¼ minutes remaining.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Chairman, veterans are disproportionately affected by diseases caused by asbestos, and although veterans represent only 8 percent of the Nation's population, they comprise almost one-third of all known mesothelioma deaths that have occurred in this country.

Mesothelioma has an uncommonly long period of latency of 20 to 30 years, which means that veterans exposed to asbestos who retired from Active Duty decades ago are getting sick today.

Hundreds of Navy ships and military installations dating back to World War II were constructed with asbestos flooring, flooring tiles, ceiling tiles, and

wall insulation. That means that hundreds of thousands of workers and sailors were unknowingly exposed to dangerous asbestos levels, and as a result many of those men and women contracted asbestos-related diseases.

J. Patrick Little, the national commander of the Military Order of the Purple Heart, wrote to House leadership in direct opposition of this bill. He said: "The FACT Act adds insult to injury for veterans and their families at a time when they are suffering from the devastating effects of asbestos exposure."

The FACT Act must be amended to protect veterans who were exposed to those dangerous minerals while serving their country. I tried to amend this bill twice to exempt asbestos trusts from having to file onerous reports to the bankruptcy courts if the claimant is a member of the Armed Forces, a civilian employee of the Department of Defense, and their families to avoid any potential delay in these individuals receiving their desired benefits in a timely manner; but the majority did not make this commonsense amendment in order because they are not prepared to defend this bill against the serious concerns raised by veterans, including the Military Order of the Purple Heart, who say that the bill is unnecessary, unfair, and only benefits the asbestos industry rather than our veterans who proudly served their country and were unknowingly exposed to this deadly substance.

In the absence of this amendment, Mr. Chairman, I urge a "no" vote on the bill.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from New York (Mr. JEFFRIES), a distinguished member of our committee.

Mr. JEFFRIES. Mr. Chair, I thank the distinguished ranking member from Michigan for yielding as well as for his steadfast leadership.

This is a new year with a new Speaker and new promises of bipartisan cooperation, yet we are here today on the House floor doing the same exact thing.

The asbestos industrial complex is responsible for unleashing mesothelioma, lung cancer, and other exotic diseases of mass destruction on thousands of unsuspecting Americans, many of whom have served this country in the military, and yet we are being asked today to support legislation that would shield the wrongdoers from liability.

At the end of the day, if you think about the bill that has been presented to us, the claim has been made that it is about disclosure, but the wrongdoers aren't really being asked to disclose anything further.

The claim has been made about this bill that it is about efficiency, yet

there is not a scintilla of evidence of waste, fraud, or abuse.

The claim has been made that this is about fairness, yet at the end of the day the practical effect of this legislation would be to prevent the victims from being able to achieve just compensation.

At the end of the day, this is the same old approach: trying to find a solution in search of a problem that does not exist. This is a messaging bill that is dead on arrival in the Senate and will not be signed into law by the President.

Instead of wasting the time and the treasure of the American taxpayer through their elected Representatives here in the House, why don't we just get back to doing the business of the American people?

Vote "no" against this invidious legislation so we can do what the people have sent us to do here in the United States Congress.

Mr. GOODLATTE. Mr. Chairman, it is my pleasure to yield 3 minutes to the gentleman from Michigan (Mr. TROTT), a member of the Committee on the Judiciary.

Mr. TROTT. Mr. Chairman, I support H.R. 1927, as it will bring transparency to the asbestos claims process. This is an important goal, as the secrecy that currently surrounds the process has led to abuse and, in turn, compromised the benefits for future victims.

Those who oppose the bill have two arguments against passage. First, they suggest that there really is not a fraud problem. Well, when you leave the fox in charge of the henhouse, you typically end up with a problem.

The facts are pretty clear. A lack of transparency has allowed some law firms and individuals to manipulate the claims process. This should not surprise anyone. When you allow one of the ultimate beneficiaries to structure the trusts, administer the claims, with no accountability or oversight, of course there will be abuse.

Several policy studies, the GAO, and independent judges in at least 10 different States have found questionable claims, fraud, and abuse. So to those who vote against this solution, I say you are choosing to enrich unethical lawyers and claimants at the expense of victims who have legitimate injuries, injuries for which they deserve compensation.

The second argument against this bill is that it somehow compromises the privacy of claimants. Again, this is not true. The FACT Act has much stronger privacy protections than State court. Further, section 107 and rule 9037 of the Federal Rules of Bankruptcy Procedure offer additional safeguards. The reporting requirements do not require the disclosure of Social Security numbers or medical records. The act requires the disclosure of less information than would be required if the

claimant were to start a lawsuit in State court.

A vote against this bill means you are okay with secrecy, you are not bothered by fraud or abuse, you don't mind allowing lawyers to use their positions as the architects of these trusts to line their own pockets, and you don't care about the victims who have legitimate claims of asbestos-related diseases.

It is, in fact, a problem that people have made this a political issue. To those who have argued against this bill, I ask: Who will be there and what resources will be available to our veterans when fraudulent claims and multiple claims have exhausted these trusts?

The rule contemplated in H.R. 1927 brings much-needed transparency to Bankruptcy Code section 524G.

I urge my colleagues to support the bill.

Mr. CONYERS. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a senior member of the House Committee on the Judiciary.

Ms. JACKSON LEE. Chairman GOODLATTE and Ranking Member CONYERS, thank you for managing this legislation; and thank you, Mr. CONYERS, for yielding the time.

Many of us in cases dealing with making sure our cities work, sometimes we have a one-way street, and we gravitate toward the one-way street because we might be able to move faster down that one-way street. That is traffic flow.

But when we talk about justice for people, a one-way street doesn't work because that means only one group of people can find justice at the courthouse—and that is what this legislation does. It is a one-way street. Only one group gets victory and justice because only one group is not required to be transparent. The other group has to be transparent. They can't get on the one-way street.

I oppose this legislation because it requires the Federal class action to have each class member suffer the same type and same scope of injury as the named class. I heard it on the floor by one of our distinguished Members saying that it is the broken arm group. If you have got a broken arm, you are in the class; if you have a broken leg, you aren't, but it came about through the same incident. That is an unfair and impractical way of getting justice for the American people.

The second reason I oppose this legislation is because it would invade the privacy of asbestos victims by requiring the posting of personal exposure and medical information online and erect new barriers to victims receiving compensation for their asbestos illness.

Thousands of workers and family members have been exposed to, suffered, or died of asbestos-related cancers and lung disease. It is particularly

outrageous that many of the major asbestos producers refuse to accept responsibility.

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I would make the argument that many of us knew a very dear friend, Congressman Bruce Vento. I understand his wife may be in the gallery.

I think it is important that we think of the asbestos victims and their families who suffered from mesothelioma, as Congressman Vento did, and died.

His wife requested an opportunity to testify so that the voices of their family members could be heard on this bill, but she was turned down. I will include that letter in the RECORD.

In the last Congress, she and two other asbestos victims repeatedly requested to testify on the FACT Act, but they were turned down.

JANUARY 5, 2016.

Re Asbestos Patients and Their Families Say "Listen to Us"—Oppose Section 3 of H.R. 1927, the So-Called "FACT Act".

DEAR REPRESENTATIVE: We write to express our strong opposition to the misnamed "Furthering Asbestos Claim Transparency Act" (the FACT Act), which has been incorporated as Section 3 of H.R. 1927, the "Fairness in Class Action Litigation Act." Sponsors of the FACT Act claim that the legislation will "increase relief for victims of asbestos." We are asbestos patients and family members of loved ones who have died or presently suffer from the wrongful and deceitful conduct of asbestos companies. We are from states and districts across the United States. We are Republicans and Democrats. We represent current and former workers, veterans, police officers, firefighters, homemakers and children. We have come together to express our unquestioned opposition to this legislation and our utter outrage that the House may pass it without even giving us—the "Real People," not of Washington, but the actual victims of asbestos exposures a chance to testify on the record about the bill—even though supporters claim it is in our interest!

The fact is the so-called FACT Act is not in the interest of asbestos victims. The bill, as it is designed to do, will make it harder for victims to seek justice for their injuries and suffering. It is in the interest of the companies that are lobbying for it—the companies that used asbestos, knowing that it was a deadly toxin, exposed their workers and the public, and are now seeking to use Congress to shield them from legal liability for their behavior. We are horrified by this reality and we are going to do our best to let all Americans know what is going on here.

Many of us traveled to Washington, DC in February to watch the hearing on the FACT Act. Our group's spokesperson, Susan Vento, the widow of the late Congressman Bruce Vento who passed away from mesothelioma in 2000, had requested an opportunity to testify so that the voices of the people who are most affected by this bill would be heard. But she was turned down. In the last Congress, Sue and two other asbestos victims repeatedly requested to testify on the FACT Act, but they, too, were turned down each time. Tragically, one of those victims passed away from asbestos disease. To date, not one person who has been directly affected by the ravages of asbestos disease has been permitted to testify about this legislation. The bill's supporters claim to care about victims,

yet we have been treated with disrespect and neglect every step of the way.

There is really no mystery why supporters of the legislation don't want to hear from us—it's because they know that this legislation was never intended to benefit victims. This legislation is being advanced at the request of the companies that used asbestos and concealed the dangers from their workers, employees and consumers, many of whom are paying with their very lives due to these deadly exposures. Now these companies are seeking to shield themselves from responsibility under the guise of imposing "transparency" on asbestos victims. Congress should not favor asbestos wrongdoers over the interests of patients and families.

The FACT Act would force victims seeking any compensation from a private asbestos trust fund to reveal on a public web site private information including the last four digits of our Social Security numbers, and personal information about our families and kids. This is offensive. The information on this public registry could be used to deny employment, credit, and health, life, and disability insurance. We are also extremely concerned that victims would be more vulnerable to cybercriminals, such as identity thieves, con artists, and other types of predators.

Glen Kopp, a partner with the law firm of Bracewell & Giuliani and a leading authority in the area of privacy law, recently reviewed the FACT Act and concluded that it presents significant privacy concerns. (See "Analysis: Identity Theft Threatens Asbestos Victims Under Congressional Proposal," Asbestos Nation, EWG Action Fund, <http://www.asbestosnation.org/analysis-identity-theft-for-asbestos-victims-looms-under-congressional-proposal/>)

Mr. Kopp noted that the personal information of asbestos patients and families that the FACT Act would make public is precisely the type of information that is typically used by identity thieves. That is why federal and state law enforcement authorities recommend this type of information be kept away from any form of public disclosure. And yet, the FACT Act would require it to be placed on a public web site!

While the legislation invades the privacy of asbestos patients and families, it contains no requirements for transparency from the asbestos industry, which concealed the dangers of asbestos exposure for decades, causing one of the worst public health crises in U.S. history, affecting not just our families, but millions of American families, and that still continues to this day.

The FACT Act is completely one-sided. It requires so-called transparency from asbestos victims but it allows asbestos companies to continue to demand confidentiality of their settlements and hide information about how and when they exposed the public and their workers to asbestos. How can asbestos companies claim they want transparency, after they spent decades covering up the dangers of asbestos while we and our family members were unknowingly exposed?

We have heard that the FACT Act is needed because of an epidemic of fraud against the asbestos trusts. But the evidence doesn't support this claim. This bill treats us and other asbestos victims like criminals rather than innocent victims of corporate deceit.

The signatories on this letter represent thousands of people across the country who are suffering because of asbestos exposure. We would like to be in Washington in person to object to this mean-spirited and dangerous legislation. But most of us can't trav-

el because of our illnesses. Others don't have the resources or the time to come all the way to Washington. But each and every one of us opposes any legislation that would make life more difficult for asbestos victims. Asbestos victims and our families don't have time on our side. Every day counts for us. Mesothelioma victims are typically racing against the clock to ensure their families aren't burdened with huge medical bills and that they are taken care of. It's astonishing to us that, of all the issues Congress could be addressing relating to asbestos, you have chosen one that does nothing for victims, but rather one that gives additional tools to the asbestos industry to drag out these cases and escape accountability.

We are the real people who matter in this debate, and yet the supporters of the FACT Act would not allow any of us to testify. We may have been shut out of the hearings, but we will not be silenced. We are determined to stop any legislation that places the interests of the asbestos industry above the rights of innocent victims. The U.S. Congress should honor all veterans and hard-working Americans. Please vote no.

Sincerely,

Susan Vento, Widow of Rep. Bruce Vento (D-MN), Mesothelioma Victim, Maplewood, Minnesota; Judy Van Ness, Widow of Richard Van Ness, Veteran and Mesothelioma Victim, Richmond, Virginia; Kim Beattie, Niece of Jerry Fisher, beloved Uncle and Mesothelioma Victim, West Branch, Iowa; Pam Wilson, Niece of Jerry Fisher, beloved Uncle and Mesothelioma Victim, Johnston, Iowa; Michael and Sharon Valach, Son and Daughter-in-law of George Valach, Mesothelioma Victim, Hiwassee, Virginia; Loring and Mary Jane Williams; Mary Jane Williams is a Mesothelioma Patient, Springfield, Ohio; Ginger and Jaffod Horton; Ginger Horton is a Mesothelioma Patient, Fairview, North Carolina; Jill Waite, Daughter of Bruce Waite, Deceased Mesothelioma Victim, Ontario, Ohio; Latonya Manuel, Widow of Andrew Manuel Jr., Mesothelioma Victim, Canton, Michigan; Courtney Davis, Daughter of Larry Davis, deceased, because Congress never eliminated asbestos use, Durham, North Carolina; Rachel Alice Shaneyfelt, Rachel is a Mesothelioma Patient, Trussville, Alabama.

Ms. JACKSON LEE. I want to listen to the families. I oppose this legislation, and I ask my colleagues to vote against it.

Mr. Chair, I rise in opposition to H.R. 982, the so-called "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015."

I oppose this intrusive and burdensome legislation for two reasons.

First, I oppose H.R. 1927 because it would prohibit a federal court from certifying a federal class action unless each class member has suffered the same type and same scope of injury as the named class representative.

The practical effect of this requirement, if enacted, would be the effective immunization of corporate misconduct and fraud such as the Volkswagen "cheat device" scandal on CleanDiesel vehicles.

For example, if H.R. 1927 were to become law, two families who were defrauded by Volkswagen would not be able to join together to bring a class action because they bought

their cars at slightly different times or drove the cars in slightly different ways.

This makes no sense unless the objective is to discourage ordinary Americans from obtaining relief for the injuries caused by the misconduct of large national corporations.

The second reason I oppose this legislation is because it would invade the privacy of asbestos victims by requiring the posting of personal exposure and medical information online and erect new barriers to victims receiving compensation for their asbestos illnesses they contracted through no fault of their own and for which asbestos producers were legally responsible.

We have witnessed decades of uncontrolled use of asbestos, and, even after its hazards became widely known, the consequences of this dangerous product are visiting death, disease, and heartbreak on innocent victims and their families.

Hundreds of thousands of workers and family members have been exposed to, suffered from, or died of asbestos-related cancers and lung disease.

And sadly, the toll continues to the present day.

It is estimated that each year 10,000 people in the United States are expected to die from asbestos related diseases.

This is an outrage—and to add to their misery—they have to deal with the onerous provisions of H.R. 1927.

Time and time again, asbestos victims have faced huge obstacles, inconvenient barriers, and veiled but persistent resistance in receiving compensation for their injuries.

It is important to note that asbestos litigation is the longest-running mass tort litigation in the history of the United States.

It is particularly outrageous that many of the major asbestos producers refused to accept responsibility and most declared bankruptcy in an attempt to limit their future liability.

In 1994 Congress passed reasonably balanced legislation that allowed the asbestos companies to set up bankruptcy trusts to compensate asbestos victims and reorganize under the bankruptcy law.

But these trusts lack adequate funding to provide just compensation; according to a 2010 RAND study, the median payment across the trusts is sufficient to compensate only 25% of the damages suffered by the claimant.

With compensation from these trusts so limited, asbestos victims have sought redress from the manufacturers of other asbestos products to which they were exposed—the original tortfeasors.

The Occupational Safety and Health Administration, better known as OSHA, noted two decades ago that: "It was aware of no instance in which exposure to a toxic substance has more clearly demonstrated detrimental health effects on human than has asbestos exposure."

We see the harm that asbestos causes when it afflicts its victims—ordinary Americans who simply went to work every day to support their families.

And although the proponents of this legislation assert that it is intended to protect asbestos victims, it is interesting to note that not a single asbestos victim has come forth to express support for this legislation.

As the widow of one of our former colleagues, the beloved Congressman Bruce Vento of Minnesota, who passed away from mesothelioma, has stated, this legislation "does not do a single thing" to help asbestos victims and their families.

H.R. 1927 does not help and actually disturbs a reasonably well-functioning asbestos victim compensation process.

Entities facing overwhelming mass tort liability for causing asbestos injuries may, under certain circumstances, shed these liabilities and financially regain their stability in exchange for funding trusts established under Chapter 11 of the Bankruptcy Code to pay the claims of their victims, under certain circumstances.

H.R. 1927, however, interferes with this longstanding process in two ways.

First, the legislation would require these trusts to file a publicly available quarterly report with the bankruptcy court that includes personally identifiable information about claimants, including their names, exposure history, and basis for any payment made to them.

Second, the bill requires the trusts to provide any information related to payment and demands for payment to any party to any action in law or equity concerning liability for asbestos exposure.

It is particularly galling that many of the major asbestos producers refuse to accept responsibility and that most declared bankruptcy in an attempt to limit their future liability.

How much more can we put on these poor victims?

If you want information, go to their counsel, go to the courthouse.

With more than 10,000 Americans suffocating every year from horrific asbestos diseases like mesothelioma, this House should be focused on ensuring justice for the victims and protecting the public health and safety instead of debating legislation designed to delay compensation and deny justice for dying asbestos victims.

I urge my colleagues to vote against this utterly intrusive legislation.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. I thank the gentleman for yielding, and I thank him for his ongoing championing of the pledge we take every day: liberty and justice for all.

Mr. Chairman, last year marked the 800th anniversary of the signing of the Magna Carta. Eight hundred years ago, this storied charter first laid out a basic right to justice as the foundation of a fair society.

It was interesting to see in the observance of the 800th anniversary of the Magna Carta that they brought out 12 chairs to represent where the barons sat to make their case to King John. Those 12 chairs represent a trial by jury, 12 peers. Even under the King, the Magna Carta declared the lawful judgment by his peers. This much was owed the people.

"To no one will we sell, to no one will we deny, or delay right or justice." We pledge each day not justice for only the powerful and the wealthy, but liberty and justice for all.

You can read what I said and much more about justice and the Magna Carta in the book "1215: The Year of Magna Carta." It is pretty thrilling that 800 years ago, people knew that it was fundamental for the leverage to be with the people and that they had rights. The right to justice is part of the beating heart of America's democracy. It is the sword and shield against plutocracy and tyranny.

Yet, today, with their class action bill, Republicans are trying to weaken that right, taking the justice that belongs to every American and handing it to the privileged few. It is about who has the leverage.

Class actions are an indispensable tool for individuals to hold powerful interests and big corporations accountable for their misdeeds. Without the ability to band together, Americans who have endured grave injuries and egregious wrongs face a David and Goliath struggle for justice.

Without class actions, the wealthy and powerful can divide and conquer their victims, burying families' pleas for fair remedy with the sheer weight of their money and resources. With this bill, Republicans are yet again helping the special interests flatten hard-working Americans.

We see the same goal in play in the Republican provisions attacking asbestos victims that are folded into this bill. As was mentioned by our colleague, Congresswoman JACKSON LEE, in her letter, Sue Vento, widow of our esteemed colleague, Bruce Vento, made a plea for them not to include this in this bill, but they did.

These provisions claim to serve transparency. Indeed, the Republicans' effort to protect asbestos companies, intimidate asbestos victims, could not be clearer. They require absolutely no transparency on the part of the asbestos companies. Instead, they invade the privacy of thousands of Americans, many of them veterans and even children in schools.

This isn't about somebody taking a job that has risks. This is about children going to school and being exposed to asbestos and their privacy being invaded.

I am so pleased we will have a motion to recommit to address that later.

It also makes them vulnerable to harm by disclosing personal information in the public domain.

Over and over again, this Republican Congress works to stack the deck for the special interests against hard-working Americans. We see it in campaign finance, where Republicans will drown the voices of the American people in a tidal wave of unlimited special interest spending in our elections and

completely resisting any opportunity to disclose. If you like transparency, you should love disclosure of where this money is coming from.

We see it in the assault on labor, where Republicans would dismantle collective bargaining and undermine workers seeking a bigger paycheck, which they have long deserved.

We see it in this bill on class actions, where Republicans would deny justice to millions of Americans. In the courts, in the workplace, in our environment, in our elections, the Republican Congress has strengthened powerful interests and weakened hardworking Americans.

Our Founders pledged their lives, their liberty, their sacred honor, to establish a government of the many, not a government of the money. This is the people's House. Let us stand with the American people in opposing this appalling Republican bill.

With that, I urge a "no" vote on the bill.

Mr. GOODLATTE. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Chairman, as we have been going through this debate, we have entered in the RECORD and had some discussions about the groups that oppose this bill. I did want to point out that there are quite a few organizations—veterans organizations included—that are in support of this bill.

In fact, there is a pretty broad base of support: The 60 Plus Association; the Air Force Association, Department of Indiana; the American Military Society; the Arizona Chamber of Commerce and Industry; Arizona Manufacturers Council; the Civil Justice Association of California; Coalition for Common Sense; Cost of Freedom, Indiana Chapter; Florida Chamber of Commerce; Florida Justice Reform Institute; Georgia Chamber of Commerce; Hamilton County Veterans; Illinois Chamber of Commerce; Lawsuit Reform Alliance of New York; the Louisiana Association of Business and Industry; the Michigan Chamber of Commerce; the Military Officers Association, Indianapolis Chapter; Missing in America Project of Indiana; National Association of Manufacturers; the National Black Chamber of Commerce; the New Jersey Civil Justice Institute; the North Carolina Chamber of Commerce; the Pennsylvania Chamber of Commerce and Business and Industry; the Reserve Officers Association Department of Indiana; Save Our Veterans; the South Carolina Civil Justice Coalition; the Taxpayers Protection Alliance; the Texas Civil Justice League; the Cost of Freedom, Inc., of Indiana; Texans for Lawsuit Reform; the U.S. Chamber Institute for Legal Reform, the U.S. Chamber of Commerce; the Veteran Resource List; the West Virginia Business and Industry Council; the West Virginia Cham-

ber of Commerce; Wisconsin Manufacturers & Commerce; and, importantly, to me, as a Texan, the Texas Coalition of Veterans Organization, which is an umbrella group that represents more than 600,000 Texas veterans.

This bill is absolutely pro-veteran. As was pointed out on the other side of the aisle, a very large percentage of folks exposed to asbestos are veterans compared to the general population. Under sovereign immunity, they have no one to turn to but these trusts and the manufacturers that created these trusts.

So it is important that we have the FACT Act to preserve the resources in these trusts so that our veterans who are injured by asbestos and come down with mesothelioma or other asbestos-related diseases have resources to compensate them for their injury.

Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds to ask my friend from Texas: Are there any asbestos victims organizations among that list that you recited?

I yield to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. I don't know if any of them particularly are asbestos victims associations. But, again—

Mr. CONYERS. Reclaiming my time, that is what I wanted to know, and the gentleman has told me.

Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Chairman, I rise this morning to add my voice to those speaking against this anticonsumer bill and to remind my colleagues, if I can, of what it is to be an American.

One of the signal features of American citizenship is that we have rights. We have rights to property, to liberty, to our privacy. We have rights to be free of negligently inflicted injury and death. We have rights to be free of dangerous and defective products. We have rights that are enforced in court. These are rights that are respected.

To the point Representative COHEN made, people around the world envy us for our rights, our Bill of Rights, our full spectrum of rights. People envy us all over the world for our individual rights. But these individual rights are no good unless you can go to court and enforce them.

And make no mistake, Mr. Chair, the people who are bringing this bill and who are behind it are the ones who routinely get hauled into court to account for causing injuries and violations of American individual rights. They are the ones behind this bill.

The bill is wrong. Cutting back on American individual rights is wrong, too. So I urge my colleagues to vote "no" on H.R. 1927.

Mr. FARENTHOLD. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Vir-

ginia (Mr. SCOTT), our former leader of the Committee on the Judiciary.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to H.R. 1927, the so-called Fairness in Class Action Litigation Act.

In 2013, in *Butler v. Sears*, Judge Posner of the Seventh Circuit Court of Appeals spoke critically of the commonality in damages requirement found in this bill.

He said that "the fact that damages are not identical across all class members should not preclude class certification. Otherwise defendants would be able to escape liability for tortious harms of enormous aggregate magnitude but so widely distributed as not to be remediable in individual suits." The court found that such a requirement "would drive a stake through the heart of the class action device."

Furthermore, Mr. Chair, the bill includes the so-called FACT Act, which would have a devastating impact on workers exposed to asbestos.

In the last few decades, thousands of workers in my district have developed asbestosis, lung cancer, and mesothelioma because of asbestos exposure that occurred between the 1940s and 1970s.

This exposure was inflicted upon many victims by corporations, such as one a New Jersey court found to have "made a conscious, cold-blooded business decision, in utter flagrant disregard of the rights of others, to take no protective or remedial action."

That is the kind of business that will benefit from the bill. The victims don't want it.

In the letter the ranking member will be introducing, they point out that veterans represent 8 percent of the population, but 30 percent of the victims.

That letter points out that the FACT Act would mandate unnecessary public disclosure of sensitive personal information and would increase the cost of litigation, thereby limiting the available pool of money to compensate the victims of those cold-blooded business decisions.

Mr. Chairman, I would hope that we would recognize that the asbestos victims have suffered too much already. Therefore, we should defeat this legislation.

Mr. FARENTHOLD. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

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Mr. GENE GREEN of Texas. Mr. Chairman, I want to thank our ranking member of the Judiciary Committee for yielding to me.

I rise in strong opposition to this legislation. The so-called Fairness in Class Action Litigation Act is an attempt by the House majority to take

away America's access to the courthouse and punish asbestos victims by requiring personal information be made public on the Internet.

I am proud to represent the hard-working people in the 29th District of Texas. Our district is home to the Port of Houston and the largest petrochemical complex in the country. The people in Eastside Houston and Harris County are proud of the work they do in producing the oil and gas and chemicals that drive our Nation's economy. We also produce a lot of seafarers because we are the largest international port in the country.

This inherently hazardous work needs to be done as safely as possible. Workers in Harris County and throughout our great country should not be exposed to known human carcinogens like asbestos. This is why I introduced, with my colleague, Representative SUZAN DELBENE, the Reducing Exposure to Asbestos Database, or READ Act, last year.

This legislation would expand existing protections enacted under the Reagan administration that would create a public database with the location of asbestos and asbestos-containing products in the country.

The READ Act would bring much-needed transparency to the known location of asbestos in our country, potentially saving thousands of Americans from asbestos-related illnesses, like lung cancer and mesothelioma, while helping industry reduce workers' exposure to this known carcinogen.

I urge my colleagues to stand with America's working families and join me in voting against today's bill that unfairly punishes asbestos victims and denies the American people access to the justice they deserve.

Mr. FARENTHOLD. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time.

Members of the House, this legislation is just the latest attempt to take power away from ordinary citizens and place it in the hands of the most powerful corporations and industries in this country.

Whether it is by making it almost impossible for ordinary people to pursue their day in court through the important class action mechanism or threatening the privacy of asbestos victims, it is clear that H.R. 1927 does not have the interest of ordinary people in mind.

And it raises a broader question of who, rightfully, should hold power in a representative democracy like ours, politically unaccountable corporations, who seek only to maximize their own profit, or the people who are supposed to be sovereign. We say it is the people.

I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume to close.

There have been a lot of arguments we have heard today for and against this bill, but I think the biggest argument for it is that it preserves precious and limited resources for those who were injured by asbestos and shuts down an avenue of waste, fraud, and abuse that is being exploited right now in the current system.

There has also been a lot of talk about veterans. Folks have said the FACT Act hurts veterans. I say it helps veterans. As I pointed out earlier, veterans cannot pursue litigation against the United States Government because of sovereign immunity, so they have to rely solely on the bankruptcy claims process to get recovery. That is why a significant number of veterans groups, many of whom I list earlier, have written to the committee in support of the FACT Act.

In fact, let me read you the words of John Brieden, a former national commander of the American Legion, in a letter he wrote to The Hill.

The FACT Act, and its sunshine provision, is strongly supported by veterans like myself who are dedicated to preserving the rapidly diminishing congressionally established asbestos trust fund for all servicemembers who have been injured by a substance we now know to be dangerous and even deadly.

The best way to protect veterans and other asbestos victims from attorneys' double dipping is the FACT Act's requirement to disclose information about the trust fund claims. We have got to protect the privacy in here. That is why the FACT Act was specifically drafted to protect the privacy of those who claim.

The text of the section of the bill that deals with asbestos trusts is only 1½ pages long, but a big part of that is dedicated to privacy. The disclosures are minimal. It is the name of the person, the type of their injury. It particularly prohibits the disclosure of the claimant's Social Security number. So protection is done.

The settlement amounts, work history, and information about the veteran's children and family is simply not in the bill. Furthermore, confidential medical records and Social Security numbers disclosing that information is expressly prohibited under the bill.

So, in summary, this legislation enacts two important reforms that will increase fairness in class action lawsuits and will introduce transparency into the asbestos trust system.

Given that class action lawsuits involve more money and touch more Americans than any other litigation pending in our legal system, it is important we have a Federal class action system that benefits those that have been truly injured, and injured in comparable ways, and is fair to both plaintiffs and defendants.

The Fairness in Class Action Litigation Act would require that a class be

composed of members with comparable injuries. The bill would, thereby, achieve a very important reform, clustering actually injured individuals or similarly injured class members in their own class.

People who were injured deserve their own class action in which they present their uniquely powerful cases and get the large recoveries that they deserve.

Under this legislation, uninjured or noncomparably injured people can still join class actions, but they must do so separately, without taking away from the potential recovery of those who are actually injured or more significantly injured.

This legislation also seeks to introduce a modest amount of transparency into a very opaque asbestos bankruptcy system.

The opponents to the FACT Act have offered creative and far-ranging allegations against the measure, but we know these allegations are unfounded. What we do know is that there is widespread fraud and abuse in the asbestos bankruptcy trust system because it has been documented in news reports, State bankruptcy cases, and before the Judiciary Committee in numerous hearings on this issue.

We also know that the FACT Act will introduce transparency to help curb this fraud, and it will help asbestos victims by protecting these trust funds for those future claimants who have not yet started to show symptoms.

I urge my colleagues to reject the unfounded allegations offered against today's bill and vote in support of these simple, meaningful, commonsense reforms.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chair, I rise to express my opposition to the Fairness in Class Action Litigation Act of 2015.

On Monday of this week, the Justice Department filed a civil complaint against Volkswagen after discovering that Volkswagen manipulated over half a million diesel engines to circumvent our environmental standards. By the end of the week Republicans brought legislation to the floor that will make it exceedingly difficult for consumers harmed by deliberately deceitful corporations to file class action lawsuits. The problem that Republicans are pretending to solve with this bill does not exist, but the consequences of this bill are very real. If this bill passes it will limit the ability of consumers to have access to courts and prevent them from holding companies accountable.

We have spent this week on policies that deprive Americans of their health care, deprive women of safe and secure healthcare, and protect corporations instead of protecting American citizens. If this week is a harbinger of the legislative agenda that Republicans have for 2016 then the people's House will fail to do the people's business.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-38. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1927

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015"

SEC. 2. FAIRNESS IN CLASS ACTION LITIGATION.

(a) *IN GENERAL.*—No Federal court shall certify any proposed class seeking monetary relief for personal injury or economic loss unless the party seeking to maintain such a class action affirmatively demonstrates that each proposed class member suffered the same type and scope of injury as the named class representative or representatives.

(b) *CERTIFICATION ORDER.*—An order issued under Rule 23(c)(1) of the Federal Rules of Civil Procedure that certifies a class seeking monetary relief for personal injury or economic loss shall include a determination, based on a rigorous analysis of the evidence presented, that the requirement in subsection (a) of this section is satisfied.

SEC. 3. FURTHERING ASBESTOS CLAIM TRANSPARENCY.

(a) *AMENDMENTS TO TITLE 11, UNITED STATES CODE.*—Section 524(g) of title 11, United States Code, is amended by adding at the end the following:

"(8) A trust described in paragraph (2) shall, subject to section 107—

"(A) file with the bankruptcy court, not later than 60 days after the end of every quarter, a report that shall be made available on the court's public docket and with respect to such quarter—

"(i) describes each demand the trust received from, including the name and exposure history of, a claimant and the basis for any payment from the trust made to such claimant; and

"(ii) does not include any confidential medical record or the claimant's full social security number; and

"(B) upon written request, and subject to payment (demanded at the option of the trust) for any reasonable cost incurred by the trust to comply with such request, provide in a timely manner any information related to payment from, and demands for payment from, such trust, subject to appropriate protective orders, to any party to any action in law or equity if the subject of such action concerns liability for asbestos exposure."

(b) *EFFECTIVE DATE; APPLICATION OF AMENDMENTS.*—

(1) *EFFECTIVE DATE.*—Except as provided in paragraph (2), this section and the amendments made by this section take effect on the date of the enactment of this Act.

(2) *APPLICATION OF AMENDMENTS.*—The amendments made by this section shall apply with respect to cases commenced under title 11 of the United States Code before, on, or after the date of the enactment of this Act.

The CHAIR. No amendment to that amendment in the nature of a sub-

stitute shall be in order except those printed in House Report 114-389. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. COHEN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-389.

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 6 on the first page, strike "No" and insert "Except as provided in subsection (c), no".

After line 18 on the first page, insert the following:

(c) *EXCEPTION.*—Subsection (a) does not apply with respect to a claim for monetary relief brought against a perpetrator of a terrorist attack by a victim of the attack.

The CHAIR. Pursuant to House Resolution 581, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, I rise in support of my amendment, which was made in order, and which would make an exception to H.R. 1927's required showing for class certification for any claims brought by the victims of a terrorist attack against the attack's perpetrators.

We all agree that victims of terrorist attacks deserve justice, and they should have the fullest opportunity to obtain compensation for any injuries they have suffered because of such attacks.

Sadly, our history over the last generation has no shortage of examples of the kind of victims this amendment would help. From the 1983 bombing of the Marine barracks in Beirut and the 1996 Khobar Towers bombing in Saudi Arabia, to the downing of Pan Am 103 by Qadhafi's Libya, recourse to our courts has been one of the few ways that victims of terrorism have been given at least some opportunity to seek justice for the acts committed against their family members and them.

I know Chairman GOODLATTE shares my concerns for these victims, and I applaud him for his successful efforts to create a compensation fund for those victims of state sponsors of terrorism who receive final court judgments against those state sponsors.

The program also compensates those held hostage in the U.S. Embassy in Iran in 1979.

In some of these cases, the victims, or their survivors, pursued class actions against the state sponsors of the terrorist act. Yet, under section 2 of H.R. 1927, these victims may not have had the opportunity to pursue a class action in the first place.

As noted during the general debate, section 2 adds the new requirement that a named plaintiff prove, as a condition of class certification, that every putative class member suffered the same "scope" of injury; not comparable, but the same scope.

This requirement can be read to preclude a class action where, for instance, one terrorism victim loses his legs, while another loses his arms as a result of some terrorist attack. Or maybe somebody isn't a direct victim of the terrorist attack, but hurt in the aftermath of the attack. In short, they did not suffer the same scope of injury.

I note that "scope" can mean the same thing as "extent," as the bill introduced originally stated. Current rules, while requiring commonality of facts and law, does not require a showing of commonality in damages as a prerequisite for certifying a class action, as this "scope of injury" standard requires.

It is rare that two class members suffer the exact same scope of injury, and almost impossible to prove this at the certification stage.

Think about Boston. Some people lost a leg, some people lost a life, some people lost both legs. They couldn't be part of a class. The relevant inquiry is whether they allegedly both suffered injury as a result of the same alleged wrongful act by the defendant.

It is hard enough as it is to pursue class actions because of years of efforts by industry to make it more and more difficult. Sometimes, in these terrorist situations, it is a different type of defendant.

It is wrong to place the heightened burdens of H.R. 1927 on terrorism victims who seek justice for the acts committed against them. I would ask that this amendment be accepted by the other side because all it does is make exception for victims of terrorism, and we all share in our hope that victims of terror get justice and that we don't put any more hurdles in the way of them successfully completing the track of seeking justice for them and their heirs, ancestors who might have been killed in those attacks.

My amendment would offer them relief of these burdens, and I would hope the other side would accept it.

I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, I agree with Mr. COHEN 100 percent that the victims of terrorism deserve compensation from those who perpetrated the acts of terror.

However, I oppose this amendment because it denies the victims of terrorism the protections that the bill would otherwise afford them. If this amendment is adopted, it would result in less compensation for the most deserving victims in class action lawsuits.

Under the base bill, the most severely injured victims of terrorism would have their own day in court, and they would be compensated to the maximum extent because their entire class would consist of significantly injured members.

Under the base bill, the most significantly injured will not have their compensation reduced by the cost of weeding out from the class the significantly less injured or uninjured.

But if this amendment were adopted, huge numbers of uninjured or less significantly injured victims of terrorism would be allowed into the class and be able to siphon off for themselves the limited resources that may be available to compensate those most injured. That is not right and it is not fair, but that is what this amendment would allow.

□ 1030

To recap, the purpose of a class action is to provide a fair means of evaluating similar claims, not to provide a means of artificially inflating the size of a class to extort a larger settlement value. Exempting a subset of money damage cases from the bill, as this amendment would do, would only serve to incentivize the creation of artificially large classes to extort larger or unfair settlements from innocent parties for the purpose of disproportionately awarding uninjured parties.

Any claims seeking monetary relief for personal injuries or economic loss should be grouped into classes that are similar with the most injured receiving the most compensation. It is a fair principle that should be applied equally for the benefit of all, including terrorism victims. Why should victims of terrorism be subjected to a particularly unfair treatment by being allowed to be forced into a class action with other uninjured or marginally injured members, only to see their own compensation reduced? That does a disservice to those claimants, yet that is exactly what the amendment attempts to do.

Mr. Chairman, I oppose this amendment, and I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. COHEN

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-389.

Mr. COHEN. Mr. Chairman, I rise to ask that the amendment be considered.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 6 on the first page, strike "No" and insert "Except as provided in subsection (c), no".

After line 18 on the first page, insert the following:

(c) EXCEPTION.—Subsection (a) does not apply with respect to a claim for monetary relief arising from a foreign-made product.

The CHAIR. Pursuant to House Resolution 581, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, having seen the outcome of the last vote where there was one Member of the other side and four Members of this side, and the vote was given to the other side, I just think that it would be best for the process if I withdrew this amendment because I can see the writing on the wall. And I am going to withdraw the amendment and hope that maybe on the floor we will pass something that takes care of the victims of terror and see that they aren't deterred by this.

I would like to just mention my friend, Warren Zevon, again. He had a song called "Lawyers, Guns and Money" and the other side is certainly for two-thirds of that.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIR. Is there objection to the request of the gentleman from Tennessee.

There was no objection.

The CHAIR. The amendment is withdrawn.

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-389.

Mr. CONYERS. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 6 on the first page, strike "No" and insert "Except as provided in subsection (c), no".

After line 18 on the first page, insert the following:

(c) EXCEPTION.—Subsection (a) does not apply with respect to a claim for monetary relief under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

The CHAIR. Pursuant to House Resolution 581, the gentleman from Michi-

gan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I rise in support of the amendment which would exempt from section 2(a) of the bill any claim for monetary relief under title VII of the Civil Rights Act of 1964. Title VII prohibits discrimination in employment on the basis of race, color, sex, religion, or national origin.

During the subcommittee hearing on H.R. 1927 in the Judiciary Committee, I expressed concern about the effect the bill's original language would have on civil rights claims. In particular, I was concerned that the bill applied to all class actions and that it restrictively defined "injury" to mean the alleged impact of a defendant's action on a plaintiff's body or property. Although the bill was revised in committee to delete this narrow definition of "injury" from H.R. 1927 and to limit the bill's scope to class actions seeking monetary relief for personal injury or economic loss, I remain concerned that significant categories of civil rights cases could still be effectively precluded by this bill.

Plaintiffs in employment discrimination cases, cases that seek backpay and other monetary relief for economic loss resulting from an adverse employment decision, frequently pursue class actions because such employment cases tend to be the kind that are well-suited for class treatment. These cases often involve multiple victims who were subjected to the same discriminatory employment practice or policy. While damages awarded pursuant to a single plaintiff may not be large enough to deter the employer's alleged wrongdoing, aggregate damages awarded to plaintiffs as a result of a class action would have a deterrent effect.

Unfortunately, the bill still requires class action plaintiffs to prove at the certification stage that every potential class member suffered the same type and same scope of injury, a requirement that is virtually impossible and cost prohibitive to meet. This onerous requirement would effectively deter employment discrimination plaintiffs from proceeding with any class actions.

Moreover, Federal Rule of Civil Procedure 23 already imposes significant constraints on the ability of plaintiffs to pursue class actions. Indeed, it was an employment discrimination case in *Walmart v. Dukes* that the Supreme Court gave what, in my view, was a cramped interpretation of rule 23's commonality requirement making it harder for employees claiming discrimination to proceed as a class.

Because of my continuing concerns with the legislation's potential effects on this important category of civil rights cases, I urge the House to adopt my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, I oppose this amendment.

First, the base bill only applies to proposed classes “seeking monetary relief for personal injury or economic loss.” Insofar as civil rights cases do not seek money damages, they are completely unaffected by the substitute and would proceed just as they do today. Indeed, Rule 23(b)(2) expressly provides for civil rights cases in which a class action can be certified when the defendant—and I am quoting the rule—“has acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole.” Injunctive relief and declaratory relief, of course, are not claims for monetary relief.

Now, if money damages are sought by a proposed class, then of course they should be subject to the procedures in this bill. The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a means for artificially inflating the size of a class to extort a larger settlement value. Exempting a subset of money damage cases from the bill, as this amendment would do, would serve only to incentivize the creation of artificially large classes to extort larger and unfair settlements for the purpose of disproportionately awarding uninjured plaintiffs.

Any claims seeking monetary damages for personal injury or economic loss should be grouped in classes in which those who are most injured receive the most compensation. Why should certain civil rights claimants seeking money damages under one specific statute be subjected to a particularly unfair treatment by being allowed to be forced into a class action with other uninjured or minimally injured members, only to see their own compensation reduced? That does a disservice to those claimants. That is exactly what this amendment would do.

Mr. Chairman, I urge my colleagues to oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CONYERS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. DEUTCH

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-389.

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 6 on the first page, strike “No” and insert “Except as provided in subsection (c), no”.

After line 18 on the first page, insert the following:

(c) EXCEPTION.—This section does not apply with respect to a claim brought by a gun owner seeking monetary relief involving the defective design or manufacturing of a firearm.

The CHAIR. Pursuant to House Resolution 581, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, we know the intentions behind the bill before us today, H.R. 1927, the so-called Fairness in Class Action Litigation Act. The goal of this bill isn’t to protect consumers. The goal of this bill is to wipe out class action lawsuits and to deprive consumers of their ability to band their resources together to take large corporations to court for defective and, many times, dangerous products.

We have heard from many of my colleagues already today about the problems this bill creates, and I agree that this is a bad bill. But it is a uniquely bad bill for one group in particular: gun owners. That is right, gun owners—law-abiding Americans exercising their Second Amendment rights who suffer injury or even death when gun manufacturers sell defective and ultrahazardous weapons.

Every year, many gun owners and innocent bystanders are killed when a firearm discharges just at being set down on the ground, when a faulty safety leaves a child dead, when an experienced and safety-conscious gun owner is the victim of a deadly malfunction. Unique to consumer products, no Federal safety agency has the authority to issue a recall of a defectively manufactured firearm. Indeed, the Consumer Product Safety Commission has jurisdiction and oversight to ensure that more than 15,000 household and recreation products are safe for consumers.

Thanks to years of hard work by the gun lobby, the Consumer Product Safety Commission is specifically prohibited from protecting consumers from defectively manufactured firearms. Moreover, the Bureau of Alcohol, Tobacco, Firearms and Explosives has the authority to license gun manufacturers but does not have the authority to recall defectively manufactured firearms.

Today, this bill’s rigorous requirement for certifying a class would

render gun owners even more powerless. Currently, gun owners’ only recourse in these unfortunate events is our court system, and most people don’t have the resources to go up against the massive titans of the gun industry.

Let me give you an example of the kind of class action suit that would not exist under this legislation. In 2013, a class action was filed against Taurus in a U.S. District Court in my State of Florida. The claim involved a design defect in the semiautomatic pistol’s trigger safety blade.

Let me read you a news story from Alabama. You will hear about Judy Price, an experienced gun owner. She says she knows them all, how to handle them safely, and she speaks to people taking concealed-carry classes. Price said that no amount of gun knowledge could have saved her from what happened in 2009. Her concealed-carry holster fell to the floor as she was undressing. Then her Taurus pistol went off with a bullet going through her groin, through her stomach, and into her liver.

“I laid down on the floor. I looked up into his eyes, and I said, ‘Paul, I am going to die tonight. But I love you.’”

Incredibly, she didn’t die that night, although for about 9 days it was “touch and go,” she said.

The lead plaintiff in this country was actually a sheriff from Iowa. Chris Carter, a sheriff’s deputy in Scott County, was serving on narcotics detail and was pursuing a fleeing suspect. As he ran, his pistol fell from his holster, hitting the ground and discharging a bullet that struck a nearby vehicle. Luckily, it was unoccupied.

Thanks to the ability to pursue a class action, this case was settled, and Taurus voluntarily recalled the pistols. Under this legislation, it is unlikely that gun owners wronged by bad actors in the gun manufacturing industry would have any recourse at all.

I will give you one more example. The gun owner who took his 22 Colt single-action revolver with him fishing. When his gun fell out of his holster, it fired and lodged a bullet in his bladder. He lost the ability to have children.

Under this bill, Federal courts would only be able to hear class action suits involving a group of people if they can prove that they have all “suffered the same type and scope of injury” as the named representatives. The family who lost a loved one to a bullet wound in the head due to a defective gun living in Florida would not be able to join with a gun owner shot in the knee in Oregon, would not be able to join together and seek justice even if the injuries were caused by the same defect in the same make and model of gun.

□ 1045

This overly specific language would prevent gun owners from satisfying the

bill's requirement that each member demonstrate the "same type" and "scope of injury."

It would remove the courts as the last remaining venue to ensure that gun manufacturers are held liable for selling defectively manufactured firearms.

My amendment can fix this problem at least—at least—with respect to gun owners bringing claims for a defective design or manufacturing of a firearm.

This bill's rigorous requirements for certifying a class would have prevented the lawsuits I mentioned and would keep any future class actions brought by gun owners against manufacturers for defectively manufactured items from moving forward. The manufacturers, in many cases, were well aware of the defects for many years, but it took a class action for them to finally do something about it.

Today, you have the opportunity to choose to stand with sportsmen, with law-abiding citizens purchasing guns to protect their homes and families, and with law enforcement who are protecting our communities, or you can stand with the gun manufacturers when they put out defective products that put responsible gun owners at risk.

I strongly urge support for my amendment, and I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, I feel like I am caught in Groundhog Day. I am making the same argument again and again.

The purpose of this bill is to make sure the most injured are the most compensated and not result in a dilution of those by bringing in massive amounts of people not similarly injured.

I disagree with the gentleman's argument that it isn't a similar injury if you are shot in the leg or you are shot in the arm by a defective gun.

Why should guns be treated differently than toasters? If your defective product injures somebody, you are responsible for it; but if your defective product doesn't injure somebody, you shouldn't be.

Mr. DEUTCH. Will the gentleman yield?

Mr. FARENTHOLD. I yield to the gentleman from Florida.

Mr. DEUTCH. I would agree with the gentleman that guns should be treated exactly the same way as toasters. I hope that the gentleman would consider working with me to ensure that the Consumer Product Safety Commission could recall defective guns just like they can recall defective toasters.

Mr. FARENTHOLD. Reclaiming my time, we are dealing with the tort system right now and class action. I would

be happy to have a conversation sometime in the future about consumer protection legislation.

At this point, under the bill we are discussing, if you exempt guns, people injured by guns—truly injured by guns—will actually receive less compensation because they will be exempted, and the plaintiffs' attorneys will be able to build a big class where even if, in a worst-case scenario, you could exhaust all of the resources of the gun company, you end up maybe with people getting a coupon for 20 percent off their next firearm as opposed to actual monetary damages, with the plaintiffs' attorney taking home millions.

This bill is designed to make sure the most injured get the most money and those not injured do not. That is what we are trying to do here. Regardless of whatever exception you want to put for whatever industry, the bill generally works for all industries. That is the way it was designed.

I urge everyone to oppose this amendment.

I yield back the balance of my time.
Mr. DEUTCH. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. DEUTCH. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. MOORE

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-389.

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 6 on the first page, strike "No" and insert "Except as provided in subsection (c), no".

After line 18 on the first page, insert the following:

(c) EXCEPTION.—Subsection (a) does not apply with respect to causes of action arising under the Fair Housing Act (42 U.S.C. 3601 et seq.) or the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.).

The CHAIR. Pursuant to House Resolution 581, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, my amendment would exempt suits arising out of the Fair Housing Act or the Equal Credit Opportunity Act.

I offer my amendment today, Mr. Chairman, out of a real concern about the consequences the bill will have on social justice issues. One of these

issues that is very dear to me is the disparate access to financial products for African Americans. That is the reason that I, before I became a Member of Congress, created a credit union for my area in Milwaukee, Wisconsin.

We are still seeing discrimination in housing and auto financing and insurance products in my home district of Milwaukee. This is not something, Mr. Chairman, that happened in the good old days. We have witnessed discrimination in mortgage loans as recently as 2012.

As a member of the Financial Services Committee, we have learned about the CFPB's role in cracking down on auto lenders who discriminate against minorities. Folks who have the same credit score, if your name is Rodriguez or Barack Obama Jones, suddenly your auto loan would be at a higher rate.

Class actions are an important tool to fight back. For example, in *Adkins v. Stanley*, a class action suit was filed against Morgan Stanley for practices through a mortgage lender that had a significant impact against an entire African American community. In Detroit, Michigan, from where our distinguished ranking member hails, the practices led to filling these communities with high-risk subprime loans, leading up to the 2008 housing crisis. I would commend any of you to go to Detroit and see the result of that discrimination where entire communities have been eviscerated.

Actions helped to uncover and fight back against auto finance lender practices that used these subjective criteria, whether your name was Rodriguez or Barack Obama Jones, to determine creditworthiness. This practice was found to have a disproportionate impact, charging these higher interest rates for minorities compared to White borrowers with the exact, similar credit ratings.

I reserve the balance of my time.
Mr. FARENTHOLD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, I once again make the same argument. Once we take out one specific claim or the other, we do away with the benefits to that group that this bill confers.

This bill is pro-consumer by making sure the most injured receive the most compensation and that you don't artificially build up a class and dilute the award. It is the exact same argument I made on almost all of the previous amendments.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time.

Ms. MOORE. Mr. Chairman, that argument is not a good argument because when you think of the example of just, say, Morgan Stanley, if there was someone who, in Detroit, Michigan, lost their house through the subprime

lending, that has as much impact on that person as the person next door who was underwater and couldn't sell their home and couldn't repair it because of the impact on their next-door neighbor.

This notion that they have to be injured in exactly the same way really flies in the face of logic and, of course, flies in the face of justice.

I would ask Members to adopt my amendment. It is common sense. It is just. There are so many cases against minorities, in particular, that would be adversely impacted through this legislation.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Ms. MOORE).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. MOORE

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-389.

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 6 on the first page, strike "No" and insert "Except as provided in subsection (c), no".

After line 18 on the first page, insert the following:

(c) EXCEPTION.—Subsection (a) does not apply with respect to any cause of action arising from a pay equity claim under Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or that portion of the Fair Labor Standards Act (29 U.S.C. 206(d)) known as the Equal Pay Act of 1963.

The CHAIR. Pursuant to House Resolution 581, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, my amendment would exempt pay equity lawsuits arising from title VII of the Civil Rights Act or the Equal Pay Act.

Today, the wage gap for women is a very real experience, not only for those women, but for families in the United States workforce. According to the National Women's Law Center, the gender wage gap amounts to over \$10,000 a year in median income.

But this bill, H.R. 1927, takes away one of the only effective tools that women in the workplace have to narrow the wage gap. That is through class action suits filed under title VII of the Civil Rights Act or the Equal Pay Act. This bill would, to borrow

Judge Posner's term, really drive a stake through the heart of the Equal Pay Act or the Civil Rights Act.

This bill will make it harder to certify members of a class in pay equity cases because each detail relating to the type and scope of the damage is often unique to the woman who was injured. For example, a woman involved in a class could have a different type of job, different number of years working for a company, different wages, different benefits, and if the company is discriminating against all women, across all the job categories, they would not be certified as a class unless they made exactly the same pay, worked there exactly the same number of years, which, Mr. Chairman, is ludicrous.

This bill would also make it harder for women in pay equity cases because, at the certification stage, women wouldn't have the same information about each other to know whether or not they could be in the same class.

Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, again, we get back to the argument, as you start to exempt certain groups or certain types of lawsuits, it creates the same situation we have now that we are trying to fix in that class where those mostly injured get the most compensation and those only marginally injured are compensated accordingly.

I think part of where the other side has a little misunderstanding of the bill is I keep hearing the word "exact." It is not the exact same injury. The bill requires that class members share the same scope of injury, which is intended to prevent certification of grossly overbroad class action lawsuits that include members with wildly varying injury.

The dictionary and ordinary meaning of "scope" is the range of a relevant subject. Judges are certainly capable of determining relevant range of injuries that would make class members suitably typical of one another. I think this could happen in all cases and actually probably more so in these equal pay type of cases if the scope of the injury is being paid less.

Again, I think common sense is going to dictate. As we have seen historically, the vast majority of the times our Federal Court systems get it right. There are few notable exceptions, but that is beyond the scope of this argument.

I would urge my colleagues to oppose this amendment, this exception, to a great piece of legislation that is designed to make our class action system fair and make sure those who are the most injured are the most compensated.

I reserve the balance of my time.

Ms. MOORE. Mr. Chairman, I appreciate my colleague for that exhaustive explanation and definition of scope.

Common sense just ain't common, so we cannot rely on common sense.

I just want to say that the courts already require a plaintiff seeking class action certification to make substantial showings that they have, in fact, been injured. That is our argument, that they have to have the same scope and that we need to reserve the benefits for those at the top so that women who are discriminated against in a firm—we are only concerned with those women who are going to lose the most money because they didn't get a management position. We are not going to be concerned with the women who worked in the janitorial services and were discriminated against.

I think that there is a smoking gun here when you hear our opponents make these furious arguments and regale us with definitions of scope, where the courts have already done that. If it ain't broke, don't fix it.

I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I stand by the plain language of the statute, and the intent is to help victims and make the class action system fair. Exceptions will only weaken that.

I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Ms. MOORE).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

□ 1100

AMENDMENT NO. 7 OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-389.

Ms. MAXINE WATERS of California. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

On the first page, line 6, strike "No" and insert "Except as provided in subsection (c), no".

On the first page, after line 18 insert the following:

(c) EXCEPTION.—The requirements for a demonstration under subsection (a) and the inclusion of a determination relating to that requirement under subsection (b) do not apply with respect to a claim against—

(1) any institution or third party servicer that receives or services funds under title IV

of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(2) any institution that originates, services, or otherwise administers qualified education loans (as defined in section 221 of the Internal Revenue Code of 1986); or

(3) any institution providing a course of education approved for purposes of chapter 33 of title 38, United States Code.

The CHAIR. Pursuant to House Resolution 581, the gentlewoman from California (Ms. MAXINE WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in support of my amendment to H.R. 1927, the Fairness in Class Action Litigation Act.

My amendment would protect students, servicemembers, and veterans who are seeking monetary relief from fraudulent institutions of higher education by exempting them from the onerous requirements for class certification outlined in the bill.

H.R. 1927 requires Federal courts to certify a class only when all class members demonstrate they have suffered the same type and scope of injury. This additional requirement would be unduly burdensome to students, servicemembers, and veterans who have been fraudulently misled by the for-profit college industry.

For example, recently the Department of Education conducted a joint investigation with California Attorney General Kamala Harris. They concluded that for-profit college Corinthian Colleges misrepresented its job placement rates to prospective and enrolled students.

Specifically, the investigation found that, among other abuses, a Corinthian accounting program reported a job placement rate of 92 percent of its graduates in accounting-related fields, but that, in reality, only 12 percent of the graduates of this program had secured jobs in accounting.

For a separate business associate program, Corinthian reported a 95 percent job placement rate, but the Department of Education determined that, in reality, only 14 percent of the program's graduates had jobs in the relevant field.

It is clear that, with job placement rate errors of 80 and 81 percent respectively, students enrolled in both programs were intentionally and fraudulently misled by Corinthian Colleges.

Yet, under H.R. 1927, these defrauded students arguably would not be able to form a class to seek relief because they have been injured by a mere 1 percent degree of difference or because they were lied to about job placement rates in different careers. This is totally illogical and unfair, and it defeats the purpose of the class action.

As the example demonstrates, particularly in the context of higher education, H.R. 1927 essentially makes

class certification impossible to achieve and, thus, impractical to pursue. The inability to bring forth class actions will selectively shield for-profit colleges from accountability and will significantly reduce access to our court system for deserving students and veterans.

We only need to look further at Corinthian Colleges to understand the harm that ensues when these schools are left unaccountable. For decades, Corinthian Colleges defrauded its students by inflating job placement rates, by engaging in unfair marketing practices and illegal debt collection tactics, and by requiring students to take out private loans at high interest rates.

According to the California attorney general, it likewise unlawfully used military seals in its advertising materials to lure an increasing number of our active servicemen and veterans. Worse yet, by including bans on class actions as a prerequisite to enrollment, Corinthian Colleges protected itself from liability while engaging in these awful predatory tactics.

As a result of its decades of predatory conduct, Corinthian Colleges was finally forced to close its doors in April 2015, leaving thousands of students with tens of thousands of dollars in debt, with worthless degrees, and with no job opportunities to show for their time and hard work.

Hundreds of veterans forfeited their GI benefits, which were earned on the battlefield in service to our country. One veteran of the wars in Iraq and Afghanistan told Politico that the months he had spent studying auto mechanics at a Corinthian school was wasted time because of the poor equipment and the training he received.

In October, a Federal judge ruled that Corinthian Colleges was operating a predatory lending scheme and ordered the school to pay back \$531 million in damages to all students who attended the network of colleges before it closed its doors.

Yet, in reality, because the school has filed for bankruptcy, executives will walk away with millions while students and veterans will never see any of the money owed to them. Meanwhile, taxpayers will be expected to pick up the tab for this and any other future Corinthian judgments.

The law already favors schools like Corinthian and other big corporations over classes of harmed consumers—as evidenced by the fact that students were unable to join together and prevail in a class action during Corinthian's prior decades of misconduct, and prior to its bankruptcy and collapse. Corinthian should have been forced to repay these students out of their own profits, and our service members and veterans should have had their G.I. benefits returned so those funds could be used at a competitive, high-achieving institution.

Yet, today, we are considering advancing H.R. 1927, which will serve as an additional

barrier to ensuring justice for these students, service members and veterans. My amendment would eliminate the hurdle that H.R. 1927 imposes on defrauded students, which would help ensure that the institutions of higher education would be on the hook for their fraud and unfair practices, and ensure that other for-profit institutions would be held accountable in the future.

I would ask for support for my amendment. I am sure that my colleagues on the opposite side of the aisle would not want to go down in history as preventing these kinds of acts from being dealt with.

I yield back the balance of my time.

Mr. FARENTHOLD. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR (Ms. FOXX). The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Madam Chair, I oppose this amendment for the same reason that I have opposed almost every amendment so far in that it exempts a certain class from the bill that is designed to help those who are most injured.

First, the base bill only applies to classes that are seeking monetary relief for personal injury or economic loss. Insofar as education-related cases do not seek monetary damages, they are completely unaffected by the bill and would proceed just as they do today. If money damages are being sought, then, of course, they should be subject to the procedures in this bill.

The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a means of artificially inflating the size of a class to extort a larger settlement. The other side is continually saying that these groups or classes must be exactly the same. The language is of the same scope. The bill is designed to keep from grossly inflating the size of a class.

The students of the college that the gentlewoman is citing were all in the same class and would appear to be similarly injured. I cannot predict what a court would do. I believe, under this bill, even without the gentlewoman's amendment, they would continue to be certified as a class because the scope of their injuries would be the same.

It is not designed to make it exact. It is the same scope. And that is where we are trying to go. Claimants who are seeking monetary relief need to be grouped in classes in which the most injured receive the most compensation, but it doesn't have to be the exact same injury.

I don't see any need for this amendment. I think it actually would unfairly hurt those folks from the college because they would not be subject to the protections of this bill in that an attorney could inflate the class to include folks, let's say, who didn't have as many damages and who were from

other colleges. I can think of a wide variety of hypotheticals here.

The idea behind this bill is, regardless of the class, if you are the most injured, you should be the most compensated, and there is a lot of area in which the judges can determine what the scope of those injuries is.

I urge my colleagues to oppose the amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. MAXINE WATERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MAXINE WATERS of California. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-389.

Mr. JOHNSON of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Line 10 on the first page, strike "and scope".

Line 8 on the first page, strike "or economic loss".

The Acting CHAIR. Pursuant to House Resolution 581, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. JOHNSON of Georgia. Madam Chair, my amendment would remove the scope and economic loss language from the bill.

Think of yourself as driving down a two-lane road, doing 55 miles an hour. It is nighttime or it could be daytime. Suddenly, you lose control of your car because your ignition switch cuts off the car and you lose control of your power steering and your brakes. There is an 18-wheeler coming at you and you have no time to react. There is a crash and you, as the driver, are killed in the unfortunate accident.

Let's assume that that has happened in numerous other cases. Perhaps the injuries were not as bad as a death. Perhaps someone just suffered a closed-head injury, a concussion, or perhaps a broken arm in the accident. Let's assume that both of those cars were made by the same manufacturer, had the same ignition switch, and a defect in that ignition switch caused the crashes.

Now there are numbers of claimants who are wanting to get together and file a class action lawsuit because they know that the large company has an army of lawyers, all of whom will go to court against a single plaintiff to defeat the claim. These briefcase-toting, loafer-wearing, silk-stocking lawyers, who are getting paid \$900 an hour go to court, have helped the corporation hide the existence of the defect for many years, and there have been so many accidents that have occurred that singular plaintiffs who aggregate their claims and come together against that corporation have a better shot at winning the case than has just a single plaintiff who is going against an army of corporate lawyers.

This legislation changes the rules. It tilts the scales in favor of the company by making the plaintiffs prove that they have suffered the same type and scope of injury as has the named class representative, and that is despite there being one common question of law in fact that permeates all of the cases. Why shouldn't they be allowed to bring that case together?

This amendment would remove the scope and economic loss language of the bill so that it would not impede the ability of claimants to bring a class action lawsuit against a corporate wrongdoer. I would ask my colleagues to support my amendment.

Madam Chair, I reserve the balance of my time.

Mr. FARENTHOLD. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Madam Chair, this amendment should be defeated because it essentially guts the bill.

The bill requires that class action members share the same scope of injury, which is intended to prevent the certification of grossly overbroad class action lawsuits that include members with wildly varying injuries.

The ordinary meaning of scope in the dictionary is the range of a relevant subject. Judges are certainly capable of determining the relevant range of injuries that would make class members suitably typical of one another.

□ 1115

The base bill uses the word "scope" to make clear that all class members do not need to have suffered the same type of injury to the exact same extent, but they still must demonstrate they have suffered the same range of injuries as determined by the court.

This amendment also strikes the term "economic loss" from the bill. The base bill defines the scope of class actions covered by the bill as those involving claims for monetary relief for personal injury or economic loss. Economic loss is defined by Black's Law Dictionary as "a monetary loss, such as lost wages or lost profits." In a

products liability suit, the economic loss includes the cost of repair or replacement of defective property as well as commercial loss for the property's inadequate value and consequential loss of profits or use.

These sorts of claims should also be covered under the bill because they are claims for monetary relief. Those with significantly greater claims for such relief should have their own day in court and the chance to obtain the most compensation for their economic loss.

I am urging my colleagues to reject this gutting amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, that is exactly what I want to do, is to gut this legislation, because it guts the ability of asbestos victims to press class actions against the wrongdoing Koch brothers and other companies that manufacture that product.

I want it to be known that there are veterans organizations that oppose this legislation: the Air Force Sergeants Association; Air Force Women Officers Associated; American Veterans, AMVETS; the Association of the United States Navy; the Commissioned Officers Association of the U.S. Public Health Services; Fleet Reserve Association; the Jewish War Veterans of the USA; the Marine Corps Reserve Association; the Military Officers Association of America; the Military Order of the Purple Heart; the National Association of Uniformed Services; the National Defense Council; the Naval Enlisted Reserve Association; the Retired Enlisted Association; the United States Coast Guard Chief Petty Officers Association; the United States Army Warrant Officers Association; the Vietnam Veterans Association; and on and on.

I don't know what those veteran organizations that my friend named actually do. I don't know who they are. They certainly have names that appear to misrepresent whether or not they are in favor of the rights of servicemen and -women, but these organizations that I just named are.

I yield back the balance of my time.

Mr. FARENTHOLD. Madam Chair, again, I urge my colleagues to oppose this bill. The gentleman on the other side of the aisle, Mr. JOHNSON of Georgia, of course, indicated that it is his intent to gut the bill here.

We need to defeat this amendment. Of course, Mr. JOHNSON is free to vote against the bill, although I believe that would be a mistake.

I would urge my colleagues to not only oppose this amendment, but to support the underlying bill when we get to it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Georgia will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114-389.

Ms. JACKSON LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 2, strike line 5 and all that follows through line 2 on page 3, and insert the following:

“(8)(A) A trust described in paragraph (2) shall, subject to subparagraph (B) and section 107, provide upon written request and subject to payment (demanded at the option of the trust) for any reasonable cost incurred by the trust to comply with such request, to any party that is a defendant in a pending court action relating to asbestos exposure, information that is directly related to the plaintiff's claim in that pending action.

“(B) A defendant requesting information under subparagraph (A) shall first disclose to such plaintiff and such trust, subject to an appropriate protective order the median settlement amount paid by that defendant for claims settled or paid within 5 years of the date of the request, by disease category, for the State in which the plaintiff's action was filed. No personally identifiable information shall be included in any exchange of information under this paragraph.”.

The Acting CHAIR. Pursuant to House Resolution 581, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Chair, I think most of all that we have had a vigorous discussion on behalf of the American people. I hope they are listening.

I hope my colleagues are listening because, as I listened to the debate myself, I heard a continuing theme: Let's bash the plaintiffs and those seeking justice and make sure we make our friends who want to eliminate costs, eliminate the road to justice, provide them with an opportunity to reconfigure the road that has the Lady Justice balanced scales as a symbol of this system.

When I heard my colleague from Texas, a good friend, talk about costs and making sure that the individuals in the class are spread out so that they are limited in the ability to press their case, I got the answer. Again, I say that a one-way street to justice is unacceptable. There are too many people who died that I cannot stand on this floor and deny those who are sick and ailing or those who had in the 1950s thalidomide where babies were born

with malformations because women took medicine that had not been tested.

The Jackson Lee amendment would provide a balanced approach to the bill's disclosure requirements by applying transparency rules in the bill equally to the asbestos industry defendants. Specifically, this amendment will require that an asbestos defendant seeking information from the trusts about a plaintiff to first make available to the plaintiff and trust information about the median settlement amount paid by that defendant for claims settled or paid within 5 years of the date of the request for the State in which the plaintiff's actions were filed.

The American Bar Association understands my point. Frankly, in their comments, they made the following statement that I think is important: “We oppose legislation such as H.R. 1927, because it would unnecessarily circumvent the Rules Enabling Act, make it more difficult for large numbers of injured parties to efficiently seek redress in court”—again, a one-way street—“and could place added burdens on the already overloaded court system.” The ABA goes on to relate how this bill is a poor bill.

I include their letter for the RECORD.

AMERICAN BAR ASSOCIATION,
Washington, DC, January 6, 2016.

Hon. PAUL RYAN,
House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: On behalf of the American Bar Association and its over 400,000 members, I write to offer our views as the House considers class action reform. I understand that you intend to bring up H.R. 1927, the “Fairness in Class Action Litigation Act of 2015,” as early as this week. The ABA has long recognized that we must continue to improve our judicial system; however, we oppose legislation such as H.R. 1927, because it would unnecessarily circumvent the Rules Enabling Act, make it more difficult for large numbers of injured parties to efficiently seek redress in court, and could place added burdens on an already overloaded court system.

This legislation would circumvent the time-proven process for amending the Federal Rules of Civil Procedure established by Congress in the Rules Enabling Act. Rule 23 of the Federal Rules of Civil Procedure governs determinations whether class certification is appropriate. This rule was adopted in 1966 and has been amended several times utilizing the procedure established by Congress. The Judicial Conference, the policy-making body for the courts, is currently considering changes to Rule 23, and we recommend allowing this process to continue. In addition, the Supreme Court is poised to rule on cases where there are questions surrounding class certification. For example, the Court recently heard arguments in *Tyson Foods v. Bouaphakeo* where it will determine whether a class can be certified when it contains some members who have not been injured. We respectfully urge you to allow these processes for examining and reshaping procedural and evidentiary rules to work as Congress intended.

Currently, to proceed with a class action case, plaintiffs must meet rigorous threshold standards. A 2008 study by the Federal Judicial Center found that only 25 percent of diversity actions filed as class actions resulted in class certification motions, nine percent settled, and none went to trial. These data show that current screening practices are working. However, if the proponents of this legislation are concerned about frivolous class action cases and believe that screening can be even more effective through rule changes, those changes should be proposed and considered utilizing the current process set forth by Congress in the Rules Enabling Act.

In addition to circumventing the traditional judicial rulemaking process, the legislation would severely limit the ability of victims who have suffered a legitimate harm to seek justice collectively in a class action lawsuit. The legislation mandates that no Federal court shall certify any proposed class seeking monetary relief for personal injury or economic loss unless the party affirmatively demonstrates that each proposed class member suffered the same type and scope of injury as the named class representative(s). This requirement leaves a severe burden for people who have suffered personal injury or economic loss at the hands of large institutions with vast resources, effectively barring them from forming class actions. For example, in a class action against the Veterans Administration, several veterans sued for a variety of grievances centered on delayed claims. The requirement in this legislation that plaintiffs suffer the same type of injuries might have barred these litigants from forming a class because each plaintiff suffered harms that were not the same.

We were pleased that a manager's amendment offered in Committee removed the requirement that the alleged harm to the plaintiff involved bodily injury or property damage. This improved the bill, but the remaining requirement leaves too high a burden. Class actions have been an efficient means of resolving disputes. Many of the legitimate complaints about lawsuit abuses through class-action litigation have been addressed through the evolution of class-action standards by the courts themselves; others are currently being considered by the Judicial Conference as part of the Rules Enabling Act process. Making it harder for victims to utilize class actions could add to the burden of our court system by forcing aggrieved parties to file suit in smaller groups, or individually.

We appreciate the opportunity to provide our input and urge you to keep these concerns in mind as you continue to debate class-action reform legislation. If the ABA can provide you or your staff with any additional information regarding the ABA's views, or if we can be of further assistance, please contact me or ABA Governmental Affairs Legislative Counsel, David Eppstein.

Sincerely,

THOMAS M. SUSMAN.

Ms. JACKSON LEE. Again, my friends, this speaks to the idea that we are not focusing on the plaintiff. So the injured party is at a disadvantage.

Let me say to my colleagues that this bill is unnecessary because, in a class action, you do not get the same amount of money. It just allows you to put together your resources to press forward your case. So if you are a poor farmer or if you are a poor waitress or you are someone driving a 1989 car and

you are in a circumstance that puts you in a category where that car, even as old as it is, had some defect and you have no ability to press your case, you have the ability to press your case along with others. I am outraged to think that they would deny that.

So my amendment says to the defendant: You need to put forward all the information that you are demanding of those individuals who are singularly unable to provide the kind of legal representation that they need.

If transparency was the true goal of this bill, then, why doesn't the bill require settling defendants to reveal information important to public safety? The asbestos health crisis is the result of a massive corporate coverup. Trust information is already public. So let's make it a two-way street.

Let me also include for the RECORD a letter and these words: "Far from being even-handed, this bill allows defendants—and only defendants—to do an end-run around state rules of discovery that place limits on information-gathering. The bill would tip the scales of justice in favor of asbestos defendants."

JANUARY 6, 2016.

Re Opposition to Section 3 of H.R. 1927, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: The undersigned groups strongly oppose Section 3 of H.R. 1927, the "Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015," formerly H.R. 526, the "Furthering Asbestos Claim Transparency Act" (FACT Act). This bill will interfere with state legal systems without justification, severely invade the privacy of asbestos victims and their families, and delay and deny justice to people suffering from lethal asbestos-related diseases. While it may seem like an opportune time to legislate in the area of asbestos litigation, this bill is extremely misguided. It will do little more than harm dying victims (including many former Navy shipyard workers), while advantaging the big corporations responsible for compensating them.

For decades, secrecy and deceit have been a way of business for the asbestos industry, and this bill does absolutely nothing to change that. This wholly unnecessary and one-sided legislation is an affront to states' rights and unfair to victims.

Section 3 of H.R. 1927 has two primary provisions: 1) requires asbestos trusts to disclose on public websites the private, confidential information about every asbestos claimant and their families, including past, current and future claimants. The legislation does nothing to stop asbestos defendants from continuing to demand secrecy when they settle cases (as they routinely do), or force companies to disclose any information to help a claimant with his or her case. To this day, these companies refuse to make public information about where asbestos is present, where it was used, and where

it is imported. This bill is an unfair and unwarranted imposition on people who are likely to die because the asbestos industry covered up the dangers of asbestos for over 50 years and still insists on confidentiality today. Moreover, the information that will go on these public sites includes victims' names, addresses, medical information, how much they received in compensation, and the last four digits of their social security numbers. This extreme invasion of privacy will make victims and their families vulnerable to predators, con artists, and unscrupulous businesses who will scour these sites for information.

2) It gives any defendant in any asbestos lawsuit the right to demand any information about any asbestos victim from any asbestos trust at any time for any reason. The trusts themselves have already told the House Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law that such a provision would place substantial burdens on them, requiring them to spend tens of thousands of additional hours per year trying to comply with this requirement. And because the provision is unlimited, the costs of compliance for trusts would be very high as well. Trusts are already underfunded. A RAND study found that the median payment from asbestos trusts to victims is 25 percent of the value of the claim, and some payments are as low as 1.1 percent of the claim's value.

In addition to cost burdens, severe delays will result. As explained by Caplin & Drysdale attorney Elihu Inselbuch in his "Responses to Questions for the Record" following his 2013 subcommittee testimony: because trusts will be buried in otherwise unnecessary paperwork seeking claimant information, "The bill would slow down or stop the process by which the trusts review and pay claims, such that many victims would die before receiving compensation, since victims of mesothelioma typically only live for 4 to 18 months after their diagnosis." In many cases, "the delays in trust payment will force dying plaintiffs, who are in desperate need of funds, to settle for lower amounts with solvent defendants. . . . Delay is a weapon for asbestos defendants."

Finally, Mr. Inselbuch explained that, because this bill does not require that the information demanded by defendants be relevant to, or admissible in, any lawsuit, it is an unwarranted and "heavy-handed piece of federal interference with the states' legal systems."

Far from being even-handed, this bill allows defendants—and only defendants—to do an end-run around state rules of discovery that place limits on information-gathering. The bill would tip the scales of justice in favor of asbestos defendants by giving defendants access to information about victims' settlements with asbestos trusts while allowing defendants to continue hiding information about their settlements with other victims. To level the playing field, victims should be entitled to information from defendants regarding previous settlement amounts and true transparency about where the defendants' asbestos was used, manufactured, and stored.

As to the claim that this bill will "prevent fraud," this bill places new, burdensome requirements on regularly-audited trusts. No one can find evidence of significant fraud in the trust process. The U.S. Government Accountability Office (GAO) studied the problem and did not identify one fraudulent claim. As Mr. Inselbuch noted, "[b]ecause the injured victim was typically exposed to multiple asbestos products at multiple job

sites over a period of many years, he or she must file different claims, with different trusts, with different forms that request different information. The fact that the exposure information submitted to one trust differs from the exposure information submitted to another does not mean it is 'inconsistent'—and certainly not specious or fraudulent." Similarly, with regard to charges that victims "double-dip," he explains, "when an asbestos victim recovers from each defendant whose product contributed to their disease, that victim is in no way 'double-dipping'; rather they are recovering a portion of their damages from each of the corporations who harmed them. In fact, each trust is responsible for and pays for only its own share of the damages." And as noted above, each trust usually can pay only pennies on the dollar.

Since at least the 1930's, asbestos companies and their insurers have been denying responsibility for the millions of deaths and illnesses caused by this deadly product. The Centers for Disease Control and Prevention report that roughly 3,000 people continue to die from mesothelioma and asbestosis every year. Other experts estimate the death toll is as high as 15,000 people per year when other types of asbestos-linked diseases and cancers are included. The companies hid the dangers posed by asbestos exposure, lied about what they knew, fought against liability for the harms caused, tried to change the laws that held them responsible and, to this day, fight against banning asbestos in the U.S. The asbestos industry is not interested in transparency. This legislation is nothing but another industry attempt to avoid responsibility for the grave harms they have caused. We are asking you to stand with veterans and other cancer victims of the asbestos industry's wrongdoing and oppose H.R. 1927.

Thank you for your consideration of our views.

Sincerely,

Alliance for Justice, Asbestos Disease Awareness Organization, Center for Effective Government, Center for Justice & Democracy, Connecticut Center for Patient Safety, Constitutional Alliance, Consumer Action, Consumer Watchdog, EWG Action Fund, National Employment Lawyers Association, National Association of Consumer Advocates, National Consumers League, OpenTheGovernment.org, Protect All Children's Environment, Public Citizen, U.S. PIRG.

Ms. JACKSON LEE. I ask my colleagues to support my amendment.

I reserve the balance of my time.

Mr. FARENTHOLD. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Madam Chair, one of the issues the FACT Act addresses is State court litigants' inability to obtain information from bankruptcy asbestos trusts. The FACT Act eliminates this problem by requiring minimal disclosures from asbestos trusts and allowing for access to additional information at the cost of the requesting party. It doesn't put a burden on the trusts.

The amendment not only removes the minimal disclosure requirements, but it would replace additional disclosure requirements on parties who request information from the asbestos trust.

Over the course of four separate hearings before the Judiciary Committee the issue highlighted was the lack of disclosure by the asbestos bankruptcy trust, not private party litigants. There has been no record of plaintiffs encountering difficulties in obtaining information necessary to sue these businesses. In fact, the evidence is to the contrary. Go look at a plaintiff's attorney who specializes in asbestos litigation Web site and you see how they tout their access to information necessary to sue these companies.

It is the parties, other than the plaintiffs, including other asbestos bankruptcy trusts, as well as State court judges, who have difficulty obtaining information from the asbestos bankruptcy trust system which has created an environment that is conducive to fraud and takes money out of those trusts that is needed for future victims. The FACT Act merely levels the playing field so all parties have access to the same information.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. JACKSON LEE. How much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 1 minute remaining.

Ms. JACKSON LEE. Madam Chair, I vigorously disagree with my good friend from Texas (Mr. FARENTHOLD) because it is very clear that the bill would tip the scales of justice in favor of asbestos defendants by giving defendants access to information about victim settlements with asbestos trusts while allowing the defendants to continue hiding information about their settlements.

My amendment asks for the defendants to give the same information. No matter how much my good friend tries to redirect and suggest that this bill does not do that, it does.

Might I also suggest that the other side offered the suggestion that there were groups like Save Our Veterans, The Cost of Freedom, Veterans Resource, that were representing the veterans community. Again, I would take issue with that representation. I insert into the RECORD a whole list that has been recounted by the gentleman from Georgia (Mr. JOHNSON), my colleague.

JANUARY 7, 2015.

Re Veterans Service Organization oppose H.R. 1927 the "Fairness in Class Action Litigation and Furthering Asbestos Claims Transparency Act"

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington DC.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington DC.

Hon. STENY HOYER,
Minority Whip, House of Representatives,
Washington DC.

DEAR SPEAKER RYAN, LEADER MCCARTHY, LEADER PELOSI, AND WHIP HOYER: We, the

undersigned Veterans Service Organizations oppose H.R. 1927 the "Fairness in Class Action Litigation and Furthering Asbestos Claims Transparency Act of 2015." We have continuously expressed our united opposition to this legislation via written testimony to the House Judiciary Committee, House Leadership, in-person meetings and phone calls with members of Congress, and most recently, an op-ed many of our legislative teams submitted to "The Hill", entitled "Farenthold has his facts wrong: The FACT Act hurts Veterans". It is extremely disappointing that even with our combined opposition H.R. 1927 stands poised to be voted on the House floor later this week.

Veterans across the country disproportionately make up those who are dying and afflicted with mesothelioma and other asbestos related illnesses and injuries. Although veterans represent only 8% of the nation's population, they comprise 30% of all known mesothelioma deaths.

When our veterans and their family members file claims with the asbestos bankruptcy trusts to receive compensation for harm caused by asbestos companies, they submit personal, highly sensitive information such as how and when they were exposed to the deadly product, sensitive health information, and more. H.R. 1927 would require asbestos trusts to publish their sensitive information on a public database, and also include how much money they received for their claim as well as other private information. Forcing our veterans to publicize their work histories, medical conditions, social security numbers, and information about their children and families is an offensive invasion of privacy to the men and women who have honorably served, and it does nothing to assure their adequate compensation or to prevent future asbestos exposures and deaths.

Additionally, H.R. 1927 helps asbestos companies add significant time and delay paying trust claims to our veterans and their families by putting burdensome and costly reporting requirements on trusts, including those that already exist. One must ask what is the real motivation for this legislation brought forward by Representative Farenthold? Rather than pursuing legislation to make it easier and less burdensome for our veterans and their families to get the compensation they so desperately need for medical bills and end of life care, trusts will have to spend time and resources complying with these additional and unnecessary requirements at the expense of our veterans.

H.R. 1927 is a bill that its supporters claim will help asbestos victims, but the reality is that this bill only helps companies and manufacturers who knowingly poisoned our honorable men and women who have made sacrifices for our country.

We urgently ask on behalf of our members across the nation that you oppose H.R. 1927.

Please contact Hershel Gober, National Legislative Director, Military Order of the Purple Heart at goberh@aol.com with any questions.

Signed:
Air Force Sergeants Association, Air Force Women's Officers Associated (AFWOA), American Veterans (AM VETS), Association of the United States Navy (AUSN), Commissioned Officers Association of the US Public Health Services, Fleet Reserve Association (FRA), Jewish War Veterans of the USA (JWV), Marine Corps Reserve Association (MCRA), Military Officers Association of America (MOAA), Military Order of the Purple Heart

(MOPH), National Association of Uniformed Services (NAUS), National Defense Council, Naval Enlisted Reserve Association, The Retired Enlisted Association (TREA), United States Coast Guard Chief Petty Officers Association, United States Army Warrant Officers Association, Vietnam Veterans Association (VVA).

Ms. JACKSON LEE. The Air Force Sergeants Association, Vietnam Veterans Association, Jewish War Veterans of the USA, and others, these are the groups that are saying they are against this bill. The reason is because they are for the little guy. That is why they go to the battlefield and fight.

I am standing here for the little guy. My amendment says let the big guys give you the same information and the little guys shouldn't even have to pay, if I might say. Let the big guys do it because they are the individuals who come and try to thwart the individuals.

Madam Chair, let me express my appreciation to Chairman SESSIONS and Ranking Member SLAUGHTER for their leadership and for making the Jackson Lee Amendment in order.

Thank you for this opportunity to explain my amendment to H.R. 1927, the "Fairness in Class Litigation and Furthering Asbestos Claims Transparency Act of 2015".

The Jackson Lee Amendment #9 would provide a balanced approach to the bill's disclosure requirements by applying the transparency rules in the bill equally to asbestos industry defendants.

Specifically, this Amendment would require that an asbestos defendant seeking information from the trust about a plaintiff to first make available to the plaintiff and trust information about the median settlement amount paid by that defendant for claims settled or paid within 5 years of the date of the request, for the State in which the plaintiffs action was filed.

Thus, in order for defendants to obtain the privileges of victim information disclosure as required in H.R. 1927, asbestos companies would also be required to report information about their asbestos-containing products.

Without the Jackson Lee Amendment, H.R. 1927 is one-sided.

If passed without this balanced approach, H.R. 1927 maintains the rights of asbestos defendants to demand confidentiality of settlements and protects an asbestos defendant's right to continue to hide the dangers of their asbestos products from asbestos victims and the American public.

A typical asbestos defendant who settles a case in the tort system demands confidentiality as a condition of settlement in order to ensure that other victims cannot learn how much they paid or for which asbestos products the defendant is paying compensation.

These same defendants now want the victims to disclose specific settlement amounts with the trusts, along with product exposure information and work history, that they do not themselves provide nor would have provided before the trusts were created.

If transparency were the true goal of this bill, then why doesn't the bill require settling defendants to reveal information important to public safety and health?

The asbestos health crisis is the result of a massive corporate cover-up.

For decades, asbestos companies knew about the dangers of asbestos and failed to warn or adequately protect workers and their families.

Now, the same industry responsible for causing this crisis is asking Congress to protect them from liability.

At the very least, this bill should require asbestos defendants to reveal information about their asbestos products, where they are in use, and how many Americans continue to be exposed to those products.

Trust information is already public.

Trusts already disclose far more information than solvent defendants do about their settlement practices and amounts—the settlement criteria used by a trust and the offer the trust will make if the criteria are met are publicly available in the Trust Distribution Procedures (“TDP”) for that trust.

Trusts also file annual reports with the Bankruptcy courts and publish lists of the products for which they have assumed responsibility.

If asbestos victims are going to be forced to reveal private medical and work history information in a public forum, to the very industry that caused their harm, asbestos defendants should at least be required to reveal which of their products contain asbestos and how many people are being exposed.

H.R. 1927 seeks to override state law regarding discovery and disclosure of information.

State discovery rules currently govern disclosure of a trust claimant's work and exposure history.

The bill's proponents offer no explanation as to why the bill's potentially costly and burdensome information request provision is necessary or why Federal law should subvert state discovery processes.

If such information is relevant to a state law claim, a defendant can seek and get that information according to the rules of a state court.

What a defendant cannot do, and what this bill would allow, is for a defendant to engage in fishing expeditions for irrelevant information which has no use other than to delay a claim for as long as possible.

Thus, H.R. 1927 must be amended to apply to defendants who should be required to reveal important information about their asbestos-containing products.

Lastly, let me add that the asbestos defendants would not be required to disclose trade secrets under this amendment.

The asbestos defendants would only be required to disclose information about which of their products contain asbestos, where they are in use, and how many people are being exposed.

The Jackson Lee Amendment would not force asbestos defendants to reveal industry trade secrets or place them at a competitive disadvantage in the marketplace.

Instead, this amendment ensures transparency from both the asbestos victims and asbestos defendants since transparency is the stated goal of the bill.

I urge my colleagues to support the Jackson Lee Amendment.

I ask for my amendment to be supported.

I yield back the balance of my time.

Mr. FARENTHOLD. Madam Chairwoman, with all due respect to the gentlewoman from Houston, who is my friend, the requirement of the FACT Act does not require that the settlement amount be disclosed. What it does require to be disclosed is the minimal amount of information that we believe is necessary to help prevent fraud, that is, the name of the claimant and the basis of exposure and the nature of the claim. It specifically protects all sorts of private information, in addition to the protections already built into the Bankruptcy Clause.

I guess the veterans groups are divided on that. Ms. JACKSON LEE listed out a group, and we have entered into the RECORD a list of veterans groups and other groups that support it.

Of most interest to the gentlewoman from Texas should be the Texas Coalition of Veterans organization, which represents more than 600,000 Texas veterans, supports this because they know that our young servicemen and -women that were exposed to asbestos and have not yet manifested the symptoms of mesothelioma or other asbestos-related diseases need to have these trusts in place so that there will be money to compensate them because they can't sue the Federal Government over sovereign immunity. This protects the veterans and makes sure there is money for future claimants.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. JACKSON LEE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

□ 1130

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. KLINE) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2015

The Committee resumed its sitting.

AMENDMENT NO. 10 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114-389.

Mr. NADLER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 2, strike line 5 and all that follows through line 2 on page 3, and insert the following:

“(8) A trust described in paragraph (2) shall file with the bankruptcy court, not later than 60 days after the end of every quarter, a report that shall be made available on the court's public docket and with respect to each such reporting period contains an aggregate list of demands received and an aggregate list of payments made.”.

The Acting CHAIR. Pursuant to House Resolution 581, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Madam Chair, my amendment would address the bill's serious violation of the privacy of asbestos victims. Instead of requiring asbestos trusts to disclose detailed personal information about asbestos victims, as the bill would do, my amendment would require aggregate reporting of the demands received and payments made by those trusts. This would ensure transparency of the trusts without jeopardizing the privacy of the victims.

Let's remember why these asbestos trusts are established in the first place. Corporations that knowingly produced a toxic substance that killed or seriously injured unsuspecting American consumers and workers have since been held accountable for their practices through litigation. Asbestos companies that enter bankruptcy have the option of establishing a trust to satisfy the obligations to their victims while shielding themselves from future claims when they emerge from bankruptcy.

As if contracting a painful and life-threatening disease like lung cancer or mesothelioma from exposure to asbestos is not bad enough, this bill would further victimize claimants by putting their personal information on the Internet, available to anyone who may seek to take advantage of them. The bill would require each asbestos trust to list the payment demands it has received, the amounts demanded, as well as the names and exposure histories of each claimant, along with the basis for any payment from the trust of such claimant. This information would be posted on the public docket of the court that established the trust, a docket that is easily accessible on the Internet through paying a nominal fee.

Now, it is true that the reports required under this bill would not include any “confidential medical record”—a term that is undefined—or a claimant's full Social Security number, but with just the information that the bill requires to be provided, one can still

learn a tremendous amount of sensitive health information about a victim. Releasing such information is an invitation to scam artists, to identity thieves, as well as to data brokers who may use the information collected to deny employment or credit or insurance to the victims.

To prevent this totally unnecessary and wrong invasion of privacy, my amendment would say, okay, we will release aggregate data from the trust sufficient to ensure transparency and to combat the imagined fraud claimed by supporters of the bill, but we won't expose the personal information of asbestos victims and make them vulnerable to further victimization.

Rather than standing with the corporations supporting this legislation, which spent decades poisoning Americans with asbestos, I urge my colleagues to stand with Susan Vento, a fierce opponent of this bill and the widow of our former colleague Bruce Vento, who lost his life due to asbestos exposure.

Stand with the many organizations opposing this bill that do not wish to see asbestos victims' personal information compromised. Stand with the victims who have suffered enough.

If you believe there is fraud, fine. The amendment would say present the aggregate information which would prevent or reveal the fraud, but don't further victimize the victims by putting their personal information on the Internet so that they can be further victimized in their privacy, and in reality they can be victimized by scam artists or employers or others.

I urge adoption of the Nadler amendment.

Madam Chair, I reserve the balance of my time.

Mr. FARENTHOLD. Madam Chair, I claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Madam Chair, the FACT Act requires increased transparency to combat fraud committed against the asbestos trusts. This amendment strikes the requirement that the asbestos trusts publish the very data that would be necessary to detect the fraud between the trusts and State court tort proceedings.

In its place, the amendment calls for quarterly reports under the bill to publish only aggregate lists of demands received and aggregate lists of payments made by the trusts. Simple aggregation of information is not enough to allow defendants and State court parties and sister asbestos trusts to make meaningful inquiry into whether or not they are being defrauded.

The amendment also removes the requirement that the asbestos trusts respond to information requests from parties subject to asbestos-related suits and imposes the cost of such re-

quests on the inquiring parties. The cost-shifting element of this provision is significant. In fact, a GAO report found that one asbestos trust had to pay over \$1 million to respond to a discovery request. Rather than have asbestos trust money used to comply with discovery requests, they should be preserved for the payment to the victims of asbestos-related illnesses.

This amendment not only guts the transparency requirements and elements of the bill, it also removes meaningful cost-saving measures. In fact, the bill is carefully crafted to protect folks' privacy. Here is what happens: The legislation ensures that claimants' confidential medical records and full Social Security numbers will not be made public.

Trust reports are also subject to the Bankruptcy Code's existing privacy protections. Section 107 of the code, for example, allows courts to protect any information that would present an undue risk of identity theft or injure a claimant if disclosed. Rule 9037 of the Federal Rules of Bankruptcy Procedure, Privacy Protection for Filings Made with the Court, would also apply to these public reports. The rule would allow the courts to require redactions of personal and private information. Finally, rule 9037 will allow the courts to limit or prohibit electronic access to the trust reports.

Courts throughout the country already use these rules to protect the personal information of individuals who file claims during asbestos bankruptcies. For example, the court, in overseeing a Garlock bankruptcy, redacted trust claims information that was introduced into a hearing record and later released to the public. Other courts have required anyone reviewing bankruptcy claims to agree to strict protective ordinances.

Witnesses at the House Committee on the Judiciary on the FACT Act have explained that the bill does not threaten asbestos victims' privacy and that asbestos claimants routinely disclose more information than the trust would be required to report in the course of tort litigation and bankruptcy proceedings.

For these and other reasons, I urge my colleagues to oppose the Nadler amendment.

Madam Chair, I reserve the balance of my time.

Mr. NADLER. Madam Chair, we should realize that the Bankruptcy Code sections cited by the distinguished gentleman from Texas are permissive, not mandatory. Bankruptcy Code section 107(c), for example, permits, but does not require, the bankruptcy court to issue an order prohibiting the disclosure of certain information pertaining to an individual for cause if the court finds that disclosure of such information would create undue risk of identity theft or other

unlawful injury to the individual or the individual's property.

In other words, the victim here, who has been victimized by the people who produced the asbestos, would now have to go into court and request the protective order. The burden would be on the victim.

Why are we putting the burden on the victim instead of on the tortfeasor? The bill would do that. The Bankruptcy Code's section 107 so-called privacy protection is not automatic. As a result, the asbestos victim would have to retain counsel and go to court to prove cause to obtain relief. Again, you are shifting the burden further to the victim from the tortfeasor. That is not a very good idea, and there is no great necessity for it.

If the court finds or if a trust believes that it is being defrauded, it can request the court to get this information. It can ask for discovery. Yes, discovery is expensive, but you want to shift the expense to the victim. That is highly unfair.

This bill shifts tremendous burden to the victim. If he doesn't pick up that burden and go in for protective orders, it puts personal information that can be used to further victimize him open to anyone who wants to get it on the Internet.

My amendment would say no, to publish aggregate data that will help prevent fraud—I am not sure that there is much fraud—but publish aggregate data that would help prevent fraud; and if you have a reason, then you can go and ask the court for more, instead of the other way around.

The question is: Should the burden be on the tortfeasor or on the victim? I side with the victim.

I urge the adoption of this amendment.

Madam Chair, I yield back the balance of my time.

Mr. FARENTHOLD. Madam Chair, I think we are going down a rabbit trail here. I agree with Mr. NADLER. This bill is designed to protect victims. It is not intended to increase the burdens or the cost on the victim. It does require the trusts to publish the name and the basis of the claim of folks who claim trust so that they are not double-dipped and pay more than one claim for the same person. That is what we are trying to do here.

As we start to get into the additional information, that is further down the road. That is not part of the disclosure requirements of the FACT Act. But once the litigation proceeds and we have determined that somebody has filed a claim and they are in another court, the further information requested would normally be part of that proceeding and then would fall under the Bankruptcy Code rules.

The disclosures of the FACT Act requirements from the asbestos trust are very limited: name and the nature of

the claim and where they were exposed. That is less information than you have to release when you file any sort of tort case in a State court. It is basically what we consider to be the bare minimum in order to allow defendants to sniff out the possibility of double-dipping and fraudulent claims.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-389 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. COHEN of Tennessee.

Amendment No. 3 by Mr. CONYERS of Michigan.

Amendment No. 4 by Mr. DEUTCH of Florida.

Amendment No. 5 by Ms. MOORE of Wisconsin.

Amendment No. 6 by Ms. MOORE of Wisconsin.

Amendment No. 7 by Ms. MAXINE WATERS of California.

Amendment No. 8 by Mr. JOHNSON of Georgia.

Amendment No. 9 by Ms. JACKSON LEE of Texas.

Amendment No. 10 by Mr. NADLER of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. COHEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. COHEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 158, noes 211, not voting 64, as follows:

[Roll No. 23]

AYES—158

Adams	Gabbard	Meehan
Aguilar	Gallego	Meng
Ashford	Garamendi	Moore
Bass	Gibson	Moulton
Beatty	Graham	Murphy (FL)
Becerra	Green, Al	Nadler
Bera	Green, Gene	Napolitano
Bishop (GA)	Grijalva	Neal
Blumenauer	Gutiérrez	Nolan
Bonamici	Hahn	Norcross
Boyle, Brendan F.	Hastings	O'Rourke
Brady (PA)	Heck (WA)	Pallone
Brownley (CA)	Higgins	Pascarell
Bustos	Himes	Payne
Butterfield	Hinojosa	Pelosi
Capps	Honda	Perlmutter
Carney	Hoyer	Peters
Carson (IN)	Israel	Pollis
Cartwright	Jeffries	Price (NC)
Castor (FL)	Johnson (GA)	Quigley
Castro (TX)	Jones	Rangel
Cicilline	Kaptur	Rice (NY)
Clark (MA)	Katko	Richmond
Clarke (NY)	Keating	Roybal-Allard
Clay	Kelly (IL)	Ruppersberger
Clyburn	Kildee	Sánchez, Linda T.
Cohen	Kilmer	Schiff
Connolly	Kirkpatrick	Scott, David
Conyers	Kuster	Serrano
Cooper	Langevin	Sherman
Courtney	Larsen (WA)	Sinema
Crowley	Lawrence	Sires
Cuellar	Lee	Slaughter
Cummings	Levin	Speier
Curbelo (FL)	Lewis	Stefanik
Davis (CA)	Lieu, Ted	Swalwell (CA)
Davis, Danny	Lipinski	Takai
DeFazio	Loebach	Takano
DeGette	Lofgren	Thompson (CA)
Delaney	Lowenthal	Tonko
DelBene	Lowe	Torres
Deutch	Lujan Grisham	Tsongas
Dingell	(NM)	Van Hollen
Doyle, Michael F.	Luján, Ben Ray	Vargas
Duckworth	(NM)	Veasey
Duncan (TN)	Lynch	Vela
Edwards	Maloney, Sean	Velázquez
Eshoo	Carolyn	Visclosky
Esty	Massie	Walz
Fattah	Matsui	Waters, Maxine
Foster	McCollum	Watson Coleman
Frankel (FL)	McDermott	Wilson (FL)
Fudge	McGovern	Yarmuth
	McNerney	

NOES—211

Abraham	Conaway	Graves (LA)
Aderholt	Cook	Graves (MO)
Allen	Costello (PA)	Griffith
Amash	Cramer	Grothman
Amodei	Crawford	Guinta
Babin	Crenshaw	Guthrie
Barletta	Davis, Rodney	Hanna
Barr	Denham	Hardy
Barton	Dent	Harris
Benishek	DeSantis	Hartzler
Bilirakis	DesJarlais	Heck (NV)
Bishop (MI)	Diaz-Balart	Hensarling
Bishop (UT)	Dold	Herrera Beutler
Blackburn	Donovan	Hice, Jody B.
Blum	Duffy	Hill
Bost	Duncan (SC)	Holding
Boustany	Ellmers (NC)	Hudson
Brat	Emmer (MN)	Huelskamp
Bridenstine	Farenthold	Huizenga (MI)
Brooks (AL)	Fitzpatrick	Hultgren
Brooks (IN)	Fleischmann	Hunter
Buchanan	Fleming	Hurd (TX)
Bucshon	Flores	Jenkins (KS)
Burgess	Forbes	Jenkins (WV)
Byrne	Fortenberry	Johnson (OH)
Calvert	Fox	Johnson, Sam
Carter (GA)	Franks (AZ)	Jolly
Carter (TX)	Frelinghuysen	Jordan
Chabot	Garrett	Kelly (MS)
Clawson (FL)	Gibbs	Kelly (PA)
Coffman	Goodlatte	King (NY)
Cole	Gosar	Kinzinger (IL)
Collins (GA)	Gowdy	Kline
Collins (NY)	Granger	Knight
Comstock	Graves (GA)	Labrador

LaHood	Paulsen	Shuster
LaMalfa	Pearce	Simpson
Lamborn	Perry	Smith (MO)
Lance	Peterson	Smith (NE)
Latta	Pittenger	Smith (NJ)
LoBiondo	Pitts	Smith (TX)
Long	Poe (TX)	Stewart
Loudermilk	Poliquin	Stutzman
Love	Pompeo	Thompson (PA)
Lucas	Posey	Thornberry
Luetkemeyer	Ratcliffe	Tiberi
Lummis	Reichert	Tipton
MacArthur	Renacci	Trott
Marchant	Ribble	Turner
Marino	Rice (SC)	Upton
McClintock	Rigell	Valadao
McHenry	Roby	Walberg
McKinley	Roe (TN)	Walden
McMorris	Rogers (AL)	Walorski
Rodgers	Rogers (KY)	Walters, Mimi
McSally	Rohrabacher	Weber (TX)
Meadows	Rokita	Wenstrup
Mica	Rooney (FL)	Westmoreland
Miller (FL)	Roskam	Whitfield
Moolenaar	Ross	Williams
Mooney (WV)	Rothfus	Wilson (SC)
Mullin	Rouzer	Wittman
Mulvaney	Royce	Womack
Murphy (PA)	Salmon	Woodall
Neugebauer	Scalise	Yoder
Newhouse	Schrader	Yoho
Noem	Schweikert	Young (IA)
Nunes	Scott, Austin	Young (IN)
Olson	Sensenbrenner	Zeldin
Palazzo	Sessions	Zinke
Palmer	Shimkus	

NOT VOTING—64

Beyer	Huffman	Rush
Black	Hurt (VA)	Russell
Brady (TX)	Issa	Ryan (OH)
Brown (FL)	Jackson Lee	Sanchez, Loretta
Buck	Johnson, E. B.	Sanford
Capuano	Joyce	Sarbanes
Cárdenas	Kennedy	Schakowsky
Chaffetz	Kind	Scott (VA)
Chu, Judy	King (IA)	Sewell (AL)
Cleaver	Larson (CT)	Smith (WA)
Costa	McCarthy	Stivers
Culberson	McCaul	Thompson (MS)
DeLauro	Meeks	Titus
DeSaulnier	Messer	Wagner
Doggett	Miller (MI)	Walker
Ellison	Nugent	Wasserman
Engel	Pingree	Schultz
Farr	Pocan	Webster (FL)
Fincher	Price, Tom	Welch
Gohmert	Reed	Westerman
Grayson	Ros-Lehtinen	Young (AK)
Harper	Ruiz	

□ 1203

Messrs. PETERSON, BRIDENSTINE, HENSARLING, and STEWART changed their vote from “aye” to “no.”

Ms. STEFANIK and Mr. MEEHAN changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SEWELL of Alabama. Madam Chair, during rollcall vote number 23 on January 8, 2016, I was unavoidably detained. Had I been present, I would have voted “yea.”

Stated against:

Mr. HURT of Virginia. Madam Chair, I was not present for rollcall vote No. 23 on the Cohen of Tennessee Amendment No. 1 on H.R. 1927. Had I been present, I would have voted “no.”

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 221, not voting 49, as follows:

[Roll No. 24]

AYES—163

Adams	Gallego	Neal
Aguilar	Garamendi	Norcross
Ashford	Gibson	O'Rourke
Bass	Graham	Pallone
Beatty	Grayson	Pascrell
Becerra	Green, Al	Payne
Bera	Green, Gene	Pelosi
Beyer	Grijalva	Perlmutter
Bishop (GA)	Gutiérrez	Peters
Blumenauer	Hahn	Polis
Bonamici	Hastings	Price (NC)
Boyle, Brendan	Heck (WA)	Quigley
F.	Higgins	Rangel
Brady (PA)	Himes	Rice (NY)
Brownley (CA)	Hinojosa	Richmond
Bustos	Honda	Roybal-Allard
Butterfield	Hoyer	Ruiz
Capps	Huffman	Ruppersberger
Carney	Israel	Russell
Cartwright	Jeffries	Ryan (OH)
Castor (FL)	Johnson (GA)	Sánchez, Linda
Castro (TX)	Kaptur	T.
Cicilline	Katko	Sanchez, Loretta
Clarke (NY)	Keating	Sarbanes
Clay	Kelly (IL)	Schakowsky
Clyburn	Kildee	Schiff
Cohen	Kilmer	Scott (VA)
Connolly	Kirkpatrick	Scott, David
Conyers	Kuster	Serrano
Cooper	Langevin	Sherman
Courtney	Larsen (WA)	Sinema
Crowley	Lawrence	Sires
Cuellar	Levin	Slaughter
Cummings	Lewis	Speier
Curbelo (FL)	Lieu, Ted	Swalwell (CA)
Davis (CA)	Lipinski	Takai
Davis, Danny	Loebsock	Takano
DeFazio	Lofgren	Thompson (CA)
DeGette	Lowenthal	Tonko
Delaney	Lowe	Torres
DelBene	Lujan Grisham	Tsongas
DeSaulnier	(NM)	Van Hollen
Deutch	Luján, Ben Ray	Vargas
Dingell	(NM)	Veasey
Doggett	Lynch	Vela
Doyle, Michael	Maloney, Sean	Velázquez
F.	Matsui	Visclosky
Duckworth	McCollum	Walz
Edwards	McDermott	Wasserman
Ellison	McGovern	Schultz
Eshoo	McNerney	Waters, Maxine
Esty	Meeks	Watson Coleman
Fattah	Meng	Welch
Foster	Moore	Wilson (FL)
Frankel (FL)	Murphy (FL)	Yarmuth
Fudge	Nadler	
Gabbard	Napolitano	

NOES—221

Abraham	Boustany	Cole
Aderholt	Brat	Collins (GA)
Allen	Bridenstine	Collins (NY)
Amash	Brooks (AL)	Comstock
Amodei	Brooks (IN)	Conaway
Babin	Buchanan	Cook
Barletta	Buck	Costa
Barr	Bucshon	Costello (PA)
Barton	Burgess	Cramer
Benishek	Byrne	Crawford
Bilirakis	Calvert	Crenshaw
Bishop (MI)	Carter (GA)	Culberson
Bishop (UT)	Carter (TX)	Davis, Rodney
Blackburn	Chabot	Denham
Blum	Clawson (FL)	Dent
Boat	Coffman	DeSantis

DesJarlais	King (NY)	Renacci
Diaz-Balart	Kinzinger (IL)	Rice (SC)
Dold	Kline	Rigell
Donovan	Knight	Roby
Duffy	Labrador	Roe (TN)
Duncan (SC)	LaHood	Rogers (AL)
Duncan (TN)	LaMalfa	Rogers (KY)
Ellmers (NC)	Lamborn	Rokita
Emmer (MN)	Lance	Rooney (FL)
Farenthold	Latta	Roskam
Fitzpatrick	LoBiondo	Ross
Fleischmann	Long	Rothfus
Fleming	Loudermilk	Rouzer
Flores	Love	Royce
Forbes	Lucas	Salmon
Fortenberry	Luetkemeyer	Sanford
Fox	Lummis	Scalise
Franks (AZ)	MacArthur	Schrader
Frelinghuysen	Marchant	Schweikert
Garrett	Marino	Scott, Austin
Gibbs	Massie	Sensenbrenner
Gohmert	McCauley	Sessions
Goodlatte	McClintock	Shimkus
Gosar	McHenry	Simpson
Gowdy	McKinley	Smith (MO)
Granger	McMorris	Smith (NE)
Graves (GA)	Rodgers	Smith (NJ)
Graves (LA)	McSally	Smith (TX)
Graves (MO)	Meadows	
Griffith	Meehan	Stefanik
Guinta	Messer	Stewart
Guthrie	Mica	Stutzman
Hanna	Miller (FL)	Thompson (PA)
Hardy	Moolenaar	Thornberry
Harris	Mooney (WV)	Tiberi
Hartzler	Mullin	Tipton
Heck (NV)	Mulvaney	Trott
Hensarling	Murphy (PA)	Turner
Herrera Beutler	Neugebauer	Upton
Hice, Jody B.	Newhouse	Valadao
Hill	Noem	Walberg
Holding	Nunes	Walden
Hudson	Olson	Walorski
Huelskamp	Palazzo	Walters, Mimi
Huizenga (MI)	Palmer	Weber (TX)
Hultgren	Paulsen	Wenstrup
Hunter	Pearce	Westerman
Hurd (TX)	Perry	Westmoreland
Hurt (VA)	Peterson	Whitfield
Jenkins (KS)	Pittenger	Williams
Jenkins (WV)	Pitts	Wittman
Johnson (OH)	Poe (TX)	Womack
Johnson, Sam	Poliquin	Woodall
Jolly	Pompeo	Yoder
Jones	Posey	Yoho
Jordan	Ratcliffe	Young (IA)
Joyce	Reed	Young (IN)
Kelly (MS)	Reichert	Zeldin
		Zinke

NOT VOTING—49

Black	Jackson Lee	Price, Tom
Brady (TX)	Johnson, E. B.	Ribble
Brown (FL)	Kelly (PA)	Rohrabacher
Capuano	Kennedy	Ros-Lehtinen
Cárdenas	Kind	Rush
Carson (IN)	King (IA)	Sewell (AL)
Chaffetz	Larson (CT)	Shuster
Chu, Judy	Lee	Smith (WA)
Clark (MA)	Maloney,	Stivers
Cleaver	Carolyn	Thompson (MS)
DeLauro	McCarthy	Titus
Engel	Miller (MI)	Wagner
Farr	Moulton	Walker
Fincher	Nolan	Webster (FL)
Grothman	Nugent	Wilson (SC)
Harper	Pingree	Young (AK)
Issa	Pocan	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1207

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SEWELL of Alabama. Madam Chair, during rollcall vote number 24 on January 8, 2016, I was unavoidably detained. Had I been present, I would have voted "yea."

AMENDMENT NO. 4 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 232, not voting 38, as follows:

[Roll No. 25]

AYES—163

Adams	Graham	Neal
Aguilar	Green, Al	Norcross
Ashford	Green, Gene	O'Rourke
Beatty	Grijalva	Pallone
Becerra	Gutiérrez	Pascrell
Bera	Hahn	Payne
Beyer	Hastings	Pelosi
Bishop (GA)	Heck (WA)	Perlmutter
Blumenauer	Higgins	Peters
Bonamici	Himes	Pingree
Boyle, Brendan	Hinojosa	Polis
F.	Honda	Price (NC)
Brady (PA)	Hoyer	Quigley
Brownley (CA)	Huffman	Rangel
Bustos	Israel	Rice (NY)
Butterfield	Jackson Lee	Richmond
Capps	Jeffries	Roybal-Allard
Cárdenas	Johnson (GA)	Ruiz
Carney	Kaptur	Ruppersberger
Carson (IN)	Keating	Ryan (OH)
Cartwright	Kelly (IL)	Sánchez, Linda
Castor (FL)	Kildee	T.
Castro (TX)	Kilmer	Sanchez, Loretta
Cicilline	Kirkpatrick	Sarbanes
Clarke (NY)	Kuster	Schakowsky
Clay	Langevin	Schiff
Clyburn	Larsen (WA)	Scott (VA)
Cohen	Lawrence	Scott, David
Connolly	Lee	Serrano
Conyers	Levin	Sewell (AL)
Courtney	Lewis	Sherman
Crowley	Lieu, Ted	Sinema
Cuellar	Lipinski	Sires
Cummings	Loebsock	Slaughter
Davis (CA)	Lofgren	Speier
Davis, Danny	Lowenthal	Swalwell (CA)
DeFazio	Lowe	Takai
DeGette	Lujan Grisham	Takano
Delaney	(NM)	Thompson (CA)
DelBene	Luján, Ben Ray	Tonko
Deutch	(NM)	Torres
Dingell	Lynch	Tsongas
Doggett	Maloney,	Van Hollen
Doyle, Michael	Carolyn	Vargas
F.	Maloney, Sean	Veasey
Duckworth	Matsui	Vela
Edwards	McCollum	Velázquez
Ellison	McDermott	Visclosky
Engel	McGovern	Walz
Esty	McNerney	Wasserman
Fattah	Meeks	Schultz
Foster	Meng	Waters, Maxine
Frankel (FL)	Moore	Watson Coleman
Fudge	Moulton	Welch
Gabbard	Murphy (FL)	Wilson (FL)
Gallego	Nadler	Yarmuth
Garamendi	Napolitano	

NOES—232

Abraham	Barletta	Bishop (UT)
Aderholt	Barr	Blackburn
Allen	Barton	Blum
Amash	Benishek	Bost
Amodei	Bilirakis	Boustany
Babin	Bishop (MI)	Brady (TX)

Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling

Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger

Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—38

Bass
Black
Brown (FL)
Capuano
Chaffetz
Chu, Judy
Clark (MA)
Cleaver
DeLauro
DeSaulnier
Eshoo
Farr
Fincher

Grayson
Grothman
Harper
Issa
Johnson, E. B.
Kennedy
Kind
King (IA)
Larson (CT)
McCarthy
Miller (MI)
Nolan
Nugent

Pocan
Price, Tom
Ros-Lehtinen
Rush
Smith (WA)
Stivers
Thompson (MS)
Titus
Wagner
Walker
Webster (FL)
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1210

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Stated for:

Ms. ESHOO. Madam Chair, I was not
present during rollcall vote number 25 on Jan-
uary 8, 2016. Had I been present, I would
have voted “yes.”

PERSONAL EXPLANATION

Ms. CLARK of Massachusetts. Madam
Chair, I was unavoidably detained during roll-
call votes 24 and 25. Had I been present, I
would have voted “yea” on Conyers Amend-
ment to H.R. 1927, and “yea” on the Deutch
Amendment to H.R. 1927.

AMENDMENT NO. 5 OFFERED BY MS. MOORE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Wisconsin (Ms.
MOORE) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 172, noes 229,
not voting 32, as follows:

[Roll No. 26]

AYES—172

Adams	Dingell	Levin
Aguiar	Doggett	Lewis
Ashford	Doyle, Michael	Lieu, Ted
Bass	F.	Lipinski
Beatty	Duckworth	Loebach
Becerra	Edwards	Lofgren
Bera	Ellison	Lowenthal
Beyer	Engel	Lowey
Bishop (GA)	Eshoo	Lujan Grisham
Blumenauer	Esty	(NM)
Bonamici	Fattah	Luján, Ben Ray
Boyle, Brendan	Foster	(NM)
F.	Frankel (FL)	Lynch
Brady (PA)	Fudge	Maloney,
Brownley (CA)	Gabbard	Carolyn
Bustos	Galleo	Maloney, Sean
Butterfield	Garamendi	Matsui
Capps	Graham	McCollum
Cárdenas	Green, Al	McDermott
Carney	Green, Gene	McGovern
Carson (IN)	Grijalva	McNerney
Cartwright	Gutiérrez	Meeks
Castor (FL)	Hahn	Meng
Castro (TX)	Hastings	Moore
Cicilline	Heck (WA)	Moulton
Clark (MA)	Higgins	Murphy (FL)
Clarke (NY)	Himes	Nadler
Clay	Hinojosa	Napolitano
Clyburn	Honda	Neal
Cohen	Hoyer	Nolan
Connolly	Huffman	Norcross
Conyers	Israel	O'Rourke
Cooper	Jackson Lee	Pallone
Courtney	Jeffries	Pascarell
Crowley	Johnson (GA)	Payne
Cuellar	Kaptur	Pelosi
Cummings	Keating	Perlmutter
Curbelo (FL)	Kelly (IL)	Peters
Davis (CA)	Kildee	Pingree
Davis, Danny	Kilmer	Polis
DeFazio	Kirkpatrick	Price (NC)
DeGette	Kuster	Quigley
Delaney	Langevin	Rangel
DelBene	Larsen (WA)	Rice (NY)
DeSaulnier	Lawrence	Richmond
Deutch	Lee	Roybal-Allard

Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano

Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Tonko
Torres
Tsongas
Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Billirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)

Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson

Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—32

Black	Issa	Ros-Lehtinen
Brown (FL)	Johnson, E. B.	Rush
Capuano	Kennedy	Smith (WA)
Chaffetz	Kind	Stivers
Chu, Judy	King (IA)	Thompson (MS)
Cleaver	Larson (CT)	Titus
DeLauro	McCarthy	Wagner
Farr	Miller (MI)	Walker
Fincher	Nugent	Webster (FL)
Grayson	Pocan	Young (AK)
Harper	Price, Tom	

□ 1214

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. MOORE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 224, not voting 32, as follows:

[Roll No. 27]

AYES—177

Adams	Doggett	Langevin
Aguilar	Dold	Larsen (WA)
Ashford	Doyle, Michael	Lawrence
Bass	F.	Lee
Beatty	Duckworth	Levin
Becerra	Edwards	Lewis
Bera	Ellison	Lieu, Ted
Beyer	Engel	Lipinski
Bishop (GA)	Eshoo	Loeb sack
Blumenauer	Esty	Lofgren
Bonamici	Fattah	Lowenthal
Boyle, Brendan	Foster	Lowey
F.	Frankel (FL)	Lujan Grisham
Brady (PA)	Fudge	(NM)
Brownley (CA)	Gabbard	Luján, Ben Ray
Bustos	Gallego	(NM)
Butterfield	Garamendi	Lynch
Capps	Gibson	Maloney,
Carney	Graham	Carolyn
Carson (IN)	Grayson	Maloney, Sean
Cartwright	Green, Al	Matsui
Castor (FL)	Green, Gene	McCollum
Castro (TX)	Grijalva	McDermott
Cicilline	Gutiérrez	McGovern
Clark (MA)	Hahn	McNerney
Clarke (NY)	Hastings	Meeks
Clay	Heck (WA)	Meng
Clyburn	Higgins	Moore
Cohen	Himes	Moulton
Connolly	Hinojosa	Murphy (FL)
Conyers	Honda	Nadler
Cooper	Hoyer	Napolitano
Courtney	Huffman	Neal
Crowley	Israel	Nolan
Cuellar	Jackson Lee	Norcross
Cummings	Jeffries	O'Rourke
Curbelo (FL)	Johnson (GA)	Pallone
Davis (CA)	Jones	Pascarell
Davis, Danny	Kaptur	Payne
DeFazio	Katko	Perlosi
DeGette	Keating	Perlmutter
Delaney	Kelly (IL)	Peters
DelBene	Kildee	Peterson
DeSaulnier	Kilmer	Pingree
Deutch	Kirkpatrick	Polis
Dingell	Kuster	Price (NC)

Quigley	Scott (VA)
Rangel	Scott, David
Rice (NY)	Serrano
Richmond	Sewell (AL)
Royal-Allard	Sherman
Ruiz	Sinema
Ruppersberger	Sires
Russell	Slaughter
Ryan (OH)	Speier
Sánchez, Linda	Swalwell (CA)
T.	Takai
Sanchez, Loretta	Takano
Sarbanes	Thompson (CA)
Schakowsky	Tonko
Schiff	Torres
Schrader	Tsongas

NOES—224

Abraham	Graves (LA)
Aderholt	Graves (MO)
Allen	Griffith
Amash	Grothman
Amodei	Guinta
Babin	Guthrie
Barletta	Hanna
Barr	Hardy
Barton	Harris
Benishek	Hartzler
Bilirakis	Heck (NV)
Bishop (MI)	Hensarling
Bishop (UT)	Herrera Beutler
Blackburn	Hice, Jody B.
Blum	Hill
Bost	Holding
Boustany	Hudson
Brady (TX)	Huelskamp
Brat	Huizenga (MI)
Bridenstine	Hultgren
Brooks (AL)	Hunter
Brooks (IN)	Hurd (TX)
Buchanan	Hurt (VA)
Buck	Jenkins (KS)
Bucshon	Jenkins (WV)
Burgess	Johnson (OH)
Byrne	Johnson, Sam
Calvert	Jolly
Carter (GA)	Jordan
Carter (TX)	Joyce
Chabot	Kelly (MS)
Clawson (FL)	Kelly (PA)
Coffman	King (NY)
Cole	Kinzinger (IL)
Collins (GA)	Kline
Collins (NY)	Knight
Comstock	Labrador
Conaway	LaHood
Cook	LaMalfa
Costa	Lamborn
Costello (PA)	Lance
Cramer	Latta
Crawford	LoBiondo
Crenshaw	Long
Culberson	Loudermilk
Davis, Rodney	Love
Denham	Lucas
Dent	Luetkemeyer
DeSantis	Lummis
DesJarlais	MacArthur
Diaz-Balart	Marchant
Donovan	Marino
Duffy	Massie
Duncan (SC)	McCaul
Duncan (TN)	McClintock
Ellmers (NC)	McHenry
Emmer (MN)	McKinley
Farenthold	McMorris
Fitzpatrick	Rodgers
Fleischmann	McSally
Fleming	Meadows
Flores	Meehan
Forbes	Messer
Fortenberry	Mica
Fox	Miller (FL)
Franks (AZ)	Moolenaar
Frelinghuysen	Moooney (WV)
Garrett	Mullin
Gibbs	Mulvaney
Gohmert	Murphy (PA)
Goodlatte	Neugebauer
Gosar	Newhouse
Govdy	Noem
Granger	Nunes
Graves (GA)	Olson

Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—32

Black	Issa	Ros-Lehtinen
Brown (FL)	Johnson, E. B.	Rush
Capuano	Kennedy	Smith (WA)
Chaffetz	Kind	Stivers
Chu, Judy	King (IA)	Thompson (MS)
Cleaver	Larson (CT)	Titus
DeLauro	McCarthy	Wagner
Farr	Miller (MI)	Walker
Fincher	Nugent	Webster (FL)
Grayson	Pocan	Young (AK)
Harper	Price, Tom	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1218

Mr. DOLD changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. MAXINE
WATERS OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. MAXINE WATERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 223, not voting 33, as follows:

[Roll No. 28]

AYES—177

Adams	Davis (CA)	Honda
Aguilar	Davis, Danny	Hoyer
Ashford	DeFazio	Huffman
Bass	DeGette	Israel
Beatty	Delaney	Jackson Lee
Becerra	DelBene	Jeffries
Bera	DeSaulnier	Johnson (GA)
Beyer	Deutch	Jones
Bishop (GA)	Dingell	Kaptur
Blumenauer	Doggett	Katko
Bonamici	Doyle, Michael	Keating
Boyle, Brendan	F.	Kelly (IL)
F.	Duckworth	Kildee
Brady (PA)	Edwards	Kilmer
Brownley (CA)	Ellison	Kirkpatrick
Bustos	Engel	Kuster
Butterfield	Eshoo	Langevin
Capps	Esty	Larsen (WA)
Cárdenas	Fattah	Lawrence
Carney	Foster	Lee
Carson (IN)	Frankel (FL)	Levin
Cartwright	Fudge	Lewis
Castor (FL)	Gabbard	Lieu, Ted
Castro (TX)	Gallego	Lipinski
Cicilline	Garamendi	Loeb sack
Clark (MA)	Gibson	Lofgren
Clarke (NY)	Graham	Lowenthal
Clay	Grayson	Lowey
Clyburn	Green, Al	Lujan Grisham
Cohen	Green, Gene	(NM)
Connolly	Grijalva	Luján, Ben Ray
Conyers	Gutiérrez	(NM)
Cooper	Hahn	Lynch
Courtney	Hastings	Maloney,
Crowley	Heck (WA)	Carolyn
Cuellar	Higgins	Maloney, Sean
Cummings	Himes	Massie
Curbelo (FL)	Hinojosa	Matsui

McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Polis

Price (NC)
Quigley
McGovern
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter

Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—223

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Joyce
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Moolenaar

Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walorski

Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield

Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

Issa
Johnson, E. B.
Jordan
Kennedy
Kind
King (IA)
Larson (CT)
McCarthy
Miller (MI)
Nugent
Pocan

Price, Tom
Ros-Lehtinen
Rush
Smith (WA)
Stivers
Thompson (MS)
Titus
Wagner
Walker
Webster (FL)
Young (AK)

NOT VOTING—33

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1222

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 223, answered “present” 1, not voting 32, as follows:

[Roll No. 29]

AYES—177

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carlson (IN)
Cartwright
Castor (FL)
Castro (TX)
Ciocline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly

Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeBene
DeSaunier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego

Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee

Levin
Lewis
Lieu, Ted
Lipinski
Loebsock
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal

Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David

Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—223

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry

Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzer
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant

Marino
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson

Smith (MO)	Turner	Williams	Honda	McDermott	Sarbanes	Rigell	Shimkus	Walorski
Smith (NE)	Upton	Wilson (SC)	Hoyer	McGovern	Schakowsky	Roby	Shuster	Walters, Mimi
Smith (NJ)	Valadao	Wittman	Huffman	McNerney	Schiff	Roe (TN)	Simpson	Weber (TX)
Smith (TX)	Walberg	Womack	Israel	Meeks	Schrader	Rogers (AL)	Smith (MO)	Wenstrup
Stefanik	Walden	Woodall	Jackson Lee	Meng	Scott (VA)	Rogers (KY)	Smith (NE)	Westerman
Stewart	Walorski	Yoder	Jeffries	Moore	Scott, David	Rohrabacher	Smith (NJ)	Westmoreland
Stutzman	Walters, Mimi	Yoho	Johnson (GA)	Moulton	Serrano	Rokita	Smith (TX)	Whitfield
Thompson (PA)	Weber (TX)	Young (IA)	Kaptur	Murphy (FL)	Sewell (AL)	Rooney (FL)	Stefanik	Williams
Thornberry	Wenstrup	Young (IN)	Keating	Nadler	Sherman	Roskam	Stewart	Wilson (SC)
Tiberi	Westerman	Zeldin	Kelly (IL)	Napolitano	Sinema	Ross	Stutzman	Wittman
Tipton	Westmoreland	Zinke	Kildee	Neal	Sires	Rothfus	Thompson (PA)	Womack
Trott	Whitfield		Kilmer	Nolan	Slaughter	Rouzer	Thornberry	Woodall
			Kirkpatrick	Norcross	Speier	Royce	Tiberi	Yoder
			Kuster	O'Rourke	Swalwell (CA)	Salmon	Tipton	Yoho
			Langevin	Pallone	Takai	Sanford	Trott	Young (IA)
			Larsen (WA)	Pascarell	Takano	Scalise	Turner	Young (IN)
			Lawrence	Payne	Thompson (CA)	Schweikert	Upton	Zeldin
			Lee	Pelosi	Tonko	Scott, Austin	Valadao	Zinke
			Levin	Perlmutter	Torres	Sensenbrenner	Walberg	
			Lewis	Peters	Tsongas	Sessions	Walden	
			Lieu, Ted	Peterson	Van Hollen			
			Lipinski	Pingree	Vargas			
			Loeb sack	Polis	Veasey			
			Lofgren	Price (NC)	Vela			
			Lowenthal	Quigley	Velázquez			
			Lowey	Rangel	Visclosky			
			Lujan Grisham	Rice (NY)	Walz			
			(NM)	Richmond	Wasserman			
			Luján, Ben Ray	Roybal-Allard	Schultz			
			(NM)	Ruiz	Waters, Maxine			
			Lynch	Ruppersberger	Watson Coleman			
			Maloney,	Russell	Welch			
			Carolyn	Ryan (OH)	Wilson (FL)			
			Maloney, Sean	Sánchez, Linda	Yarmuth			
			Matsui	T.				
			McCollum	Sanchez, Loretta				

ANSWERED "PRESENT"—1

Griffith

NOT VOTING—32

Black	Johnson, E. B.	Ros-Lehtinen
Brown (FL)	Kennedy	Rush
Capuano	Kind	Smith (WA)
Chaffetz	King (IA)	Stivers
Chu, Judy	Larson (CT)	Thompson (MS)
Cleaver	McCarthy	Titus
DeLauro	Miller (MI)	Wagner
Farr	Nugent	Walker
Fincher	Pocan	Webster (FL)
Harper	Price, Tom	Young (AK)
Issa	Rooney (FL)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1225

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 228, not voting 31, as follows:

[Roll No. 30]

AYES—174

Adams	Clark (MA)	Duckworth
Aguilar	Clarke (NY)	Edwards
Ashford	Clay	Ellison
Bass	Clyburn	Engel
Beatty	Cohen	Eshoo
Becerra	Connolly	Esty
Bera	Conyers	Fattah
Beyer	Cooper	Foster
Bishop (GA)	Courtney	Frankel (FL)
Blumenauer	Crowley	Fudge
Bonamici	Cuellar	Gabbard
Boyle, Brendan	Cummings	Gallego
F.	Curbelo (FL)	Garamendi
Brady (PA)	Davis (CA)	Graham
Brownley (CA)	Davis, Danny	Grayson
Bustos	DeFazio	Green, Al
Butterfield	DeGette	Green, Gene
Capps	Delaney	Grijalva
Cárdenas	DeBene	Gutiérrez
Carney	DeSaulnier	Hahn
Carson (IN)	Deutch	Hastings
Cartwright	Dingell	Heck (WA)
Castor (FL)	Doggett	Higgins
Castro (TX)	Doyle, Michael	Himes
Ciциlline	F.	Hinojosa

Abraham	Emmer (MN)	Knight
Aderholt	Farenthold	Labrador
Allen	Fitzpatrick	LaHood
Amash	Fleischmann	LaMalfa
Amodei	Fleming	Lamborn
Babin	Flores	Lance
Barletta	Forbes	Latta
Barr	Fortenberry	LoBiondo
Barton	Fox	Long
Benish	Franks (AZ)	Loudermilk
Billirakis	Frelinghuysen	Love
Bishop (MI)	Garrett	Lucas
Bishop (UT)	Gibbs	Luetkemeyer
Blackburn	Gibson	Lummis
Blum	Gohmert	MacArthur
Bost	Goodlatte	Marchant
Boustany	Gosar	Marino
Brady (TX)	Gowdy	Massie
Brat	Granger	McCauley
Bridenstine	Graves (GA)	McClintock
Brooks (AL)	Graves (LA)	McHenry
Brooks (IN)	Graves (MO)	McKinley
Buchanan	Griffith	McMorris
Buck	Grothman	Rodgers
Bucshon	Guinta	McSally
Burgess	Guthrie	Meadows
Byrne	Hanna	Meehan
Calvert	Hardy	Messer
Carter (GA)	Harris	Mica
Carter (TX)	Hartzler	Miller (FL)
Chabot	Heck (NV)	Moolenaar
Clawson (FL)	Hensarling	Mooney (WV)
Coffman	Herrera Beutler	Mullin
Cole	Hice, Jody B.	Mulvaney
Collins (GA)	Hill	Murphy (PA)
Collins (NY)	Holding	Neugebauer
Comstock	Hudson	Newhouse
Conaway	Huelskamp	Noem
Cook	Huizenga (MI)	Nunes
Costa	Hultgren	Olson
Costello (PA)	Hunter	Palazzo
Cramer	Hurd (TX)	Palmer
Crawford	Hurt (VA)	Paulsen
Crenshaw	Jenkins (KS)	Pearce
Culberson	Jenkins (WV)	Perry
Davis, Rodney	Johnson (OH)	Pittenger
Denham	Johnson, Sam	Pitts
Dent	Jolly	Poe (TX)
DeSantis	Jones	Poliquin
DesJarlais	Jordan	Pompeo
Diaz-Balart	Joyce	Posey
Dold	Katko	Ratcliffe
Donovan	Kelly (MS)	Reed
Duffy	Kelly (PA)	Reichert
Duncan (SC)	King (NY)	Renacci
Duncan (TN)	Kinzingler (IL)	Ribble
Ellmers (NC)	Kline	Rice (SC)

NOES—228

NOT VOTING—31

Black	Johnson, E. B.	Rush
Brown (FL)	Kennedy	Smith (WA)
Capuano	Kind	Stivers
Chaffetz	King (IA)	Thompson (MS)
Chu, Judy	Larson (CT)	Titus
Cleaver	McCarthy	Wagner
DeLauro	Miller (MI)	Walker
Farr	Nugent	Webster (FL)
Fincher	Pocan	Young (AK)
Harper	Price, Tom	
Issa	Ros-Lehtinen	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1228

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 222, not voting 32, as follows:

[Roll No. 31]

AYES—179

Adams	Cartwright	Delaney
Aguilar	Castor (FL)	DeBene
Ashford	Castro (TX)	DeSaulnier
Bass	Cicilline	Deutch
Beatty	Clark (MA)	Dingell
Becerra	Clarke (NY)	Doggett
Bera	Clay	Doyle, Michael
Beyer	Clyburn	F.
Bishop (GA)	Cohen	Duckworth
Blumenauer	Connolly	Duncan (TN)
Bonamici	Conyers	Edwards
Boyle, Brendan	Cooper	Ellison
F.	Courtney	Engel
Brady (PA)	Crowley	Eshoo
Brownley (CA)	Cuellar	Esty
Bustos	Cummings	Fattah
Butterfield	Curbelo (FL)	Foster
Capps	Davis (CA)	Frankel (FL)
Cárdenas	Davis, Danny	Fudge
Carney	DeFazio	Gabbard
Carson (IN)	DeGette	Gallego

Garamendi	Luján, Ben Ray	Ryan (OH)	Pearce	Rothfus	Turner
Graham	(NM)	Sánchez, Linda	Perry	Rouzer	Upton
Grayson	Lynch	T.	Pittenger	Royce	Valadao
Green, Al	Maloney,	Sanchez, Loretta	Pitts	Salmon	Walberg
Green, Gene	Carolyn	Sarbanes	Poe (TX)	Sanford	Walden
Grijalva	Maloney, Sean	Schakowsky	Poliquin	Scalise	Walorski
Gutiérrez	Masse	Schiff	Pompeo	Schweikert	Walters, Mimi
Hahn	Matsui	Schrader	Posey	Scott, Austin	Weber (TX)
Hastings	McCollum	Scott (VA)	Ratcliffe	Sensenbrenner	Wenstrup
Heck (WA)	McDermott	Scott, David	Reed	Sessions	Westerman
Higgins	McGovern	Serrano	Reichert	Shimkus	Westmoreland
Himes	McKinley	Sewell (AL)	Renacci	Shuster	Whitfield
Hinojosa	McNerney	Sherman	Ribble	Simpson	Williams
Honda	Meeks	Sinema	Rice (SC)	Smith (MO)	Wilson (SC)
Hoyer	Meng	Sires	Rigell	Smith (NE)	Wittman
Huffman	Moore	Slaughter	Roby	Smith (NJ)	Wittman
Israel	Moulton	Speier	Roe (TN)	Stefanik	Womack
Jackson Lee	Murphy (FL)	Swalwell (CA)	Rogers (AL)	Stewart	Woodall
Jeffries	Nadler	Takai	Rogers (KY)	Stutzman	Yoder
Johnson (GA)	Napolitano	Takano	Rohrabacher	Thompson (PA)	Yoho
Jones	Neal	Thompson (CA)	Rokita	Thornberry	Young (IA)
Kaptur	Nolan	Tonko	Rooney (FL)	Tiberi	Young (IN)
Keating	Norcross	Torres	Roskam	Tipton	Zeldin
Kelly (IL)	O'Rourke	Tsongas	Ross	Trott	
Kildee	Pallone	Van Hollen			
Kilmer	Pascarella	Vargas	Black	Johnson, E. B.	Rush
Kirkpatrick	Payne	Veasey	Brown (FL)	Kennedy	Smith (TX)
Kuster	Pelosi	Vela	Capuano	Kind	Smith (WA)
Langevin	Perlmutter	Velázquez	Chaffetz	King (IA)	Stivers
Larsen (WA)	Peters	Visclosky	Chu, Judy	Larson (CT)	Thompson (MS)
Lawrence	Peterson	Walz	Cleaver	McCarthy	Titus
Lee	Pingree	Wasserman	DeLauro	Miller (MI)	Wagner
Levin	Polis	Schultz	Farr	Nugent	Walker
Lewis	Price (NC)	Waters, Maxine	Fincher	Pocan	Webster (FL)
Lieu, Ted	Quigley	Watson Coleman	Harper	Price, Tom	Young (AK)
Lipinski	Rangel	Welch	Issa	Ros-Lehtinen	
Loeb sack	Rice (NY)	Wilson (FL)			
Lofgren	Richmond	Yarmuth			
Lowenthal	Roybal-Allard	Zinke			
Lowey	Ruiz				
Lujan Grisham	Ruppersberger				
(NM)	Russell				

NOES—222

Abraham	Dold	Johnson, Sam
Aderholt	Donovan	Jolly
Allen	Duncan (SC)	Jordan
Amash	Ellmers (NC)	Joyce
Amodei	Emmer (MN)	Katko
Babin	Farenthold	Kelly (MS)
Barletta	Fitzpatrick	Kelly (PA)
Barr	Fleischmann	King (NY)
Barton	Fleming	Kininger (IL)
Benishkek	Flores	Kline
Bilirakis	Forbes	Knight
Bishop (MI)	Fortenberry	Labrador
Bishop (UT)	Fox	LaHood
Blackburn	Franks (AZ)	LaMalfa
Blum	Frelinghuysen	Lamborn
Bost	Garrett	Lance
Boustany	Gibbs	Latta
Brady (TX)	Gibson	LoBiondo
Brat	Gohmert	Long
Bridenstine	Goodlatte	Loudermilk
Brooks (AL)	Gosar	Love
Brooks (IN)	Gowdy	Lucas
Buchanan	Granger	Luetkemeyer
Buck	Graves (GA)	Lummis
Bucshon	Graves (LA)	MacArthur
Burgess	Graves (MO)	Marchant
Byrne	Griffith	Marino
Calvert	Grothman	McCaul
Carter (GA)	Guinta	McClintock
Carter (TX)	Guthrie	McHenry
Chabot	Hanna	McMorris
Clawson (FL)	Hardy	Rodgers
Coffman	Harris	McSally
Cole	Hartzler	Meadows
Collins (GA)	Heck (NV)	Meehan
Collins (NY)	Hensarling	Messer
Comstock	Herrera Beutler	Mica
Conaway	Hice, Jody B.	Miller (FL)
Cook	Hill	Moolenaar
Costa	Holding	Mooney (WV)
Costello (PA)	Hudson	Mullin
Cramer	Huelskamp	Mulvaney
Crawford	Huizenga (MI)	Murphy (PA)
Crenshaw	Hultgren	Neugebauer
Culberson	Hunter	Newhouse
Davis, Rodney	Hurd (TX)	Noem
Denham	Hurt (VA)	Nunes
Dent	Jenkins (KS)	Olson
DeSantis	Jenkins (WV)	Palazzo
DesJarlais	Johnson (OH)	Palmer
Diaz-Balart		Paulsen

NOT VOTING—32

Black	Johnson, E. B.	Rush
Brown (FL)	Kennedy	Smith (TX)
Capuano	Kind	Smith (WA)
Chaffetz	King (IA)	Stivers
Chu, Judy	Larson (CT)	Thompson (MS)
Cleaver	McCarthy	Titus
DeLauro	Miller (MI)	Wagner
Farr	Nugent	Walker
Fincher	Pocan	Webster (FL)
Harper	Price, Tom	Young (AK)
Issa	Ros-Lehtinen	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1232

So the amendment was rejected. The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation, and, pursuant to House Resolution 581, she reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. McCOLLUM. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. McCOLLUM. Very much so, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. McCollum moves to recommit the bill (H.R. 1927) to the Committee on the Judiciary, with instructions to report the bill back to the House forthwith with the following amendment:

At the end of section 3 of the bill, add the following:

(c) PROTECTING THE PRIVACY OF CHILDREN INJURED BY ASBESTOS IN A SCHOOL.—Paragraph (8) of section 524(g) of title 11 of the United States Code, as added by subsection (a), shall not apply with respect to a claimant whose claim is filed by or on behalf of an individual exposed to asbestos as a child in a school environment.

The SPEAKER pro tempore. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Mr. Speaker, asbestos is a known carcinogen. Asbestos wreaks havoc on the health and livelihoods of the people exposed to it, killing approximately 10,000 Americans each year.

This deadly poison can cause lung cancer and mesothelioma, an aggressive cancer that an estimated 3,000 Americans are diagnosed with each year.

Once detected, mesothelioma victims may only survive 8 to 14 months. This was true for my predecessor, the late Congressman Bruce Vento. Bruce proudly served Minnesota's Fourth District for more than 20 years in this House, and many of you served with him in this Chamber.

Bruce died from mesothelioma in 2000, only months—only months—after he was diagnosed. I lost a friend and a mentor. His family lost a husband, a father, a son, and a brother. Since then, I have worked with mesothelioma patients and their families to fight this awful disease, and to hold those responsible for asbestos exposure accountable.

I can tell you, this legislation does not support the victims of asbestos. Asbestos trusts would be forced—forced—to release the private information of patients and their families on a public Web site. Listing a patient's name, their address, health and financial information, and the last four digits of their Social Security number exposes these patients to identity theft.

H.R. 1927 would also delay any compensation victims could receive with new, cumbersome, and unnecessary procedural hurdles, meaning many victims will not live long enough to get the justice they deserve or know that their families will not be burdened with medical costs.

This legislation is unacceptable for those seeking justice from asbestos exposure. It is especially outrageous

when we know this legislation does not provide basic protection for children.

This amendment would protect children. This amendment will ensure that children exposed to asbestos will not have their personal information disclosed—children exposed to asbestos from the walls, the ceilings, and the floors of their classrooms, or even the possible exposure from crayons that they used that were manufactured in China.

Our children deserve protection. Their parents should have the peace of mind that their child's privacy is secure.

As a mother, I cannot imagine the anguish of worrying about my child's health as they suffer from asbestos exposure, and then add the burden of worrying that my child's private information was exposed on a Web site.

Without this amendment to the current bill, you will be voting to deliver sensitive information about children to criminals who could exploit them. Let me be clear: This information will be available to identity thieves and to sexual predators.

Congressman Vento was a dedicated public servant and an asbestos victim. I know Bruce would be horrified that this House would allow a child's personal information to be exposed in this incredibly irresponsible manner, and we should stop it from happening. We can stop it from happening.

Congress has a responsibility to find real solutions to help and support victims, especially children of asbestos exposure and their families. This bill falls far short of it.

The least we can do here today is to protect the privacy of innocent children who have already suffered enough. I urge my colleagues to pass this amendment and to protect the privacy of vulnerable children.

Mr. Speaker, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, I am stunned by how many people apparently have not read this 3-page bill. Nowhere in the bill does it say we are going to release addresses. Nowhere does it say we are going to release medical records. It is simply the name, the basis of the claim, and exposure.

Furthermore, this is designed to protect victims, especially children. There needs to be money in these trusts for future claims. We want to help the children, not the plaintiffs' attorneys.

This amendment is wholly unnecessary. If you look at rule 9037 of the Bankruptcy Code, by default, unless the court orders otherwise, information about a minor is restricted to only releasing, in any case, the last 4 digits

of the Social Security number, the year of the individual's birth, the minor's initials, not the minor's name, and the last four digits of the financial account number.

This motion to recommit is just a waste of time and it is unnecessary. It is already covered by the Bankruptcy Code.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. MCCOLLUM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 227, not voting 33, as follows:

[Roll No. 32]

AYES—173

Adams	Edwards	Lujan Grisham
Aguilar	Ellison	(NM)
Ashford	Engel	Lujan, Ben Ray
Bass	Eshoo	(NM)
Beatty	Esty	Lynch
Becerra	Fattah	Maloney,
Bera	Poster	Carolyn
Beyer	Frankel (FL)	Maloney, Sean
Bishop (GA)	Fudge	Matsui
Blumenauer	Gabbard	McCollum
Bonamici	Gallego	McGovern
Boyle, Brendan	Garamendi	McNerney
F.	Graham	Meeks
Brady (PA)	Grayson	Meng
Brownley (CA)	Green, Al	Moore
Bustos	Green, Gene	Moulton
Butterfield	Grijalva	Murphy (FL)
Capps	Gutiérrez	Nadler
Cárdenas	Hahn	Napolitano
Carney	Hastings	Neal
Carson (IN)	Heck (WA)	Nolan
Cartwright	Higgins	Norcross
Castor (FL)	Himes	O'Rourke
Castro (TX)	Hinojosa	Pallone
Cicilline	Honda	Pascrell
Clark (MA)	Hoyer	Payne
Clarke (NY)	Huffman	Pelosi
Clay	Israel	Perlmutter
Clyburn	Jackson Lee	Peters
Cohen	Jeffries	Peterson
Connolly	Johnson (GA)	Pingree
Conyers	Jones	Polis
Cooper	Kaptur	Price (NC)
Costa	Keating	Quigley
Courtney	Kelly (IL)	Rangel
Crowley	Kildee	Rice (NY)
Cuellar	Kilmer	Richmond
Cummings	Kirkpatrick	Roybal-Allard
Davis (CA)	Kuster	Ruiz
Davis, Danny	Langevin	Ruppersberger
DeFazio	Larsen (WA)	Ryan (OH)
DeGette	Lawrence	Sanchez, Linda
Delaney	Lee	T.
DelBene	Levin	Sanchez, Loretta
DeSaulnier	Lewis	Sarbanes
Deutch	Lieu, Ted	Schakowsky
Dingell	Lipinski	Schiff
Doggett	Loeb sack	Schrader
Doyle, Michael	Loftgren	Scott (VA)
F.	Lowenthal	Scott, David
Duckworth	Lowey	Serrano
		Black
		Brown (FL)
		Capuano
		Chaffetz
		Chu, Judy
		Cleaver
		Sewell (AL)
		Sherman
		Sinema
		Sires
		Slaughter
		Speier
		Swalwell (CA)
		Takai
		Takano
		Thompson (CA)
		Tonko
		Torres
		Tsongas
		Van Hollen
		Vargas
		Veasey
		Vela
		Velázquez
		Visclosky
		Walz
		Wasserman
		Schultz
		Waters, Maxine
		Watson Coleman
		Welch
		Wilson (FL)
		Yarmuth

NOES—227

Graves (LA)	Palazzo
Graves (MO)	Palmer
Griffith	Paulsen
Grothman	Pearce
Guinta	Perry
Guthrie	Pittenger
Hanna	Pitts
Hardy	Poe (TX)
Harris	Poliquin
Hartzler	Pompeo
Heck (NV)	Posey
Hensarling	Ratcliffe
Herrera Beutler	Reed
Hice, Jody B.	Reichert
Hill	Renacci
Holding	Ribble
Hudson	Rice (SC)
Huelskamp	Rigell
Huizenga (MI)	Roby
Hultgren	Roe (TN)
Hunter	Rogers (AL)
Hurd (TX)	Rogers (KY)
Hurt (VA)	Rohrabacher
Jenkins (KS)	Rokita
Jenkins (WV)	Rooney (FL)
Johnson (OH)	Roskam
Johnson, Sam	Ross
Jolly	Rothfus
Jordan	Rouzer
Joyce	Royce
Katko	Russell
Kelly (MS)	Salmon
Kelly (PA)	Sanford
King (NY)	Scalise
Kinzinger (IL)	Schweikert
Kline	Scott, Austin
Knight	Sensenbrenner
Labrador	Sessions
LaHood	Shimkus
LaMalfa	Shuster
Lamborn	Simpson
Lance	Smith (MO)
Latta	Smith (NE)
LoBiondo	Smith (NJ)
Long	Smith (TX)
Loudermilk	Stefanik
Love	Stewart
Lucas	Stutzman
Luetkemeyer	Thompson (PA)
Lummis	Thornberry
MacArthur	Tiberi
Marchant	Tipton
Marino	Trott
Massie	Turner
McCauley	Upton
McClintock	Valadao
McHenry	Walberg
McKinley	Walden
McMorris	Walorski
Rodgers	Walters, Mimi
McSally	Weber (TX)
Meadows	Wenstrup
Meehan	Westerman
Messer	Westmoreland
Mica	Whitfield
Miller (FL)	Williams
Moolenaar	Wilson (SC)
Mooney (WV)	Wittman
Mullin	Womack
Mulvaney	Woodall
Murphy (PA)	Yoder
Neugebauer	Yoho
Newhouse	Young (IA)
Noem	Young (IN)
Nunes	Zeldin
Olson	Zinke

NOT VOTING—33

Collins (NY)	Johnson, E. B.
DeLauro	Kennedy
Farr	Kind
Fincher	King (IA)
Harper	Larson (CT)
Issa	McCarthy

McDermott Ros-Lehtinen Titus
Miller (MI) Rush Wagner
Nugent Smith (WA) Walker
Pocan Stivers Webster (FL)
Price, Tom Thompson (MS) Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1247

Mr. HURT of Virginia changed his vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. McDERMOTT. Mr. Speaker, on rollcall vote 32 (On Motion to Recommit with Instructions related to H.R. 1927), had I been present, I would have voted “yea.”

(By unanimous consent, Ms. MCSALLY was allowed to speak out of order.)

MOMENT OF SILENCE COMMEMORATING FIFTH ANNIVERSARY OF SHOOTING IN TUCSON, ARIZONA

Ms. MCSALLY. Mr. Speaker, I rise today with my colleagues from Arizona and around the country to commemorate the fifth anniversary of the shooting that took place on January 8, 2011, in Tucson, Arizona.

On that sunny, chilly Saturday morning, six people were killed and 13 were wounded at a Congress on Your Corner event, hosted by Congresswoman Gabrielle Giffords. The Congresswoman was among the injured, along with the member of her staff who would succeed her, Congressman Ron Barber.

For many, the pain of that day will always be with us, but Tucson has not languished in grief. As we remember the victims, we also remember how our community rose up with courage and unity to support those grieving and to honor their loved ones.

Signs of that courage are all around us. The January 8th Memorial Foundation is working to build a permanent tribute to the victims as well as to our community's response. Just feet below us in this building is the Gabriel Zimmerman Meeting Room, a lasting tribute to the congressional staffer who died while serving the men and women of southern Arizona.

Today and this weekend people around southern Arizona will be coming together to celebrate the lives of our friends and loved ones who were taken too soon and to celebrate the difference they made and continue to make. There are hikes, bike rides, runs, storytelling, discussions, gatherings, and much more.

While we know some wounds may never fully heal, by carrying on the legacy of those who died, we ensure their memories are never forgotten: Christina-Taylor Green, Dorothy Morris, Judge John Roll, Phyllis Schneek, Dorwan Stoddard, and Gabe Zimmerman.

Mr. Speaker, I ask that the House observe a moment of silence in remembrance of those we lost.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FARENTHOLD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 188, answered “present” 1, not voting 33, as follows:

[Roll No. 33]

AYES—211

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Clawson (FL)
Clawson
Cole
Collins (GA)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCaull
McClintock
McHenry
McMorris
Rodgers
McSally
Meadows
Messer
Mica

Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton

Valadao
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Wenstrup

Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack

NOES—188

Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kelly (IL)
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney
Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton

Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rogers (AL)
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zinke

ANSWERED “PRESENT”—1

Griffith

NOT VOTING—33

Black
Brown (FL)
Capuano
Chaffetz
Chu, Judy
Cleaver
Collins (NY)
DeLauro
Farr
Fincher
Harper

Issa
Johnson, E. B.
Kennedy
Kind
King (IA)
Larson (CT)
McCarthy
McDermott
Miller (MI)
Nugent
Pocan

□ 1256

Mr. CLAWSON of Florida changed his vote from “no” to “aye.”
So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. McDERMOTT. Mr. Speaker, on rollcall vote 33 (On Passage related to H.R. 1927), had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on January 8, 2016, I was not present for rollcall votes 23 through 33. If I had been present for these votes, I would have voted: "aye" on rollcall vote 23, "aye" on rollcall vote 24, "aye" on rollcall vote 25, "aye" on rollcall vote 26, "aye" on rollcall vote 27, "aye" on rollcall vote 28, "aye" on rollcall vote 29, "aye" on rollcall vote 30, "aye" on rollcall vote 31, "aye" on rollcall vote 32, and "nay" on rollcall vote 33.

PERSONAL EXPLANATION

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on Friday, January 8, 2016. Had I been present, I would have voted as follows: "no" on rollcall No. 23 (Cohen Amendment); "no" on rollcall No. 24 (Conyers Amendment); "no" on rollcall No. 25 (Deutch Amendment); "no" on rollcall No. 26 (Moore Amendment); "no" on rollcall No. 27 (Moore Amendment); "no" on rollcall No. 28 (Waters Amendment); "no" on rollcall No. 29 (Johnson Amendment); "no" on rollcall No. 30 (Jackson Lee Amendment); "no" on rollcall No. 31 (Nadler Amendment); "no" on rollcall No. 32 (Democrat Motion to Recommit); "yes" on rollcall No. 33 (Passage of H.R. 1927).

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I was unable to vote on the following rollcall votes.

Had I been present, I would have voted as follows: on rollcall vote 2, Motion on Ordering the Previous Question on the Rule providing for consideration of the Senate Amendment to H.R. 3762, I would have voted "no."

On rollcall vote 3, H. Res. 579—Rule providing for consideration of the Senate Amendment to H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act of 2015, I would have voted "no."

On rollcall vote 4, Motion on Ordering the Previous Question on the Rule providing for consideration of both H.R. 1155 and H.R. 712, I would have voted "no."

On rollcall vote 5, H. Res. 580—Rule providing for consideration of both H.R. 1155—SCRUB Act of 2015 and H.R. 712—Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "yes."

On rollcall vote 6, Motion to Concur in the Senate Amendment to H.R. 3762—Restoring Americans' Healthcare Freedom Reconciliation Act of 2015, I would have voted "no."

On rollcall vote 7, Rep. Johnson (GA) Amendment 2 to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "yes."

On rollcall vote 8, Reps. Cummings/Conolly Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "yes."

On rollcall vote 9, Rep. Lynch Amendment to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "yes."

On rollcall vote 10, Reps. Johnson (GA)/Jackson-Lee Amendment 6 to H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "yes."

On rollcall vote 11, Democratic Motion to Recommit, H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "yes."

On rollcall vote 12, Final Passage of H.R. 712, Sunshine for Regulatory Decrees and Settlements Act of 2015, I would have voted "no."

On rollcall vote 13, Rep. Johnson (GA) Amendment to H.R. 1155, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 14, Reps. Cummings/Conolly Amendment to H.R. 1155, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 15, Rep. Cicilline Amendment, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 16, Rep. DelBene Amendment, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 17, Rep. Cicilline Amendment, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 18, Rep. Pocan Amendment, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 19, Democratic Motion to Recommit, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "yes."

On rollcall vote 20, Final Passage of H.R. 1155, Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015, I would have voted "no."

On rollcall vote 21, Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "no."

On rollcall vote 22, H. Res. 581, Rule providing for consideration of H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "no."

On rollcall vote 23, Rep. Cohen Amendment, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 24, Rep. Conyers Amendment, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 25, Rep. Deutch Amendment, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 26, Rep. Moore Amendment 5, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 27, Rep. Moore Amendment 6, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 28, Rep. Waters Amendment, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 29, Rep. Johnson (GA) Amendment, H.R. 1927, Fairness in Class Ac-

tion Litigation Act of 2015, I would have voted "yes."

On rollcall vote 30, Rep. Jackson-Lee Amendment, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 31, Rep. Nadler, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 32, Democratic Motion to Recommit, H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "yes."

On rollcall vote 33, Final Passage of H.R. 1927, Fairness in Class Action Litigation Act of 2015, I would have voted "no."

PERSONAL EXPLANATION

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on January 6, 2016, January 7, 2016, and January 8, 2016. Had I been present I would have voted "no" on rollcall vote 2, "no" on vote 3, "no" on vote 4, "no" on vote 5, "no" on vote 6, "yes" on vote 7, "yes" on vote 8, "yes" on vote 9, "yes" on vote 10, "yes" on vote 11, "no" on vote 12, "yes" on vote 13, "yes" on vote 14, "yes" on vote 15, "yes" on vote 16, "yes" on vote 17, "yes" on vote 18, "yes" on vote 19, "no" on vote 20, "no" on vote 21, "no" on vote 22, "yes" on vote 23, "yes" on vote 24, "yes" on vote 25, "yes" on vote 26, "yes" on vote 27, "yes" on vote 28, "yes" on vote 29, "yes" on vote 30, "yes" on vote 31, "yes" on vote 32, "no" on vote 33.

PERSONAL EXPLANATION

Ms. DELAURO. Mr. Speaker, I was unavoidably detained so I missed rollcall vote No. 23 regarding "On Agreeing to the Cohen Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 24 regarding "On Agreeing to the Conyers Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 25 regarding "On Agreeing to the Deutch Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 26 regarding "On Agreeing to the Moore Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 27 regarding "On Agreeing to the Moore Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 28 regarding "On Agreeing to the Waters, Maxine Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 29 regarding "On Agreeing to the Johnson (GA) Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 30 regarding "On Agreeing to the Jackson Lee Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 31 regarding "On Agreeing to the Nadler Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote No. 32 regarding "On Motion to Recommit with Instructions". Had I been present, I would have voted "yea."

I missed rollcall vote No. 33 regarding "To amend title 28, United States Code, to improve fairness in class action litigation" (H.R. 1927). Had I been present, I would have voted "no."

RECONCILIATION ACT—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-91)

The SPEAKER pro tempore (Mr. JOLLY) laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 3762, which provides for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, herein referred to as the Reconciliation Act. This legislation would not only repeal parts of the Affordable Care Act, but would reverse the significant progress we have made in improving health care in America. The Affordable Care Act includes a set of fairer rules and stronger consumer protections that have made health care coverage more affordable, more attainable, and more patient centered. And it is working. About 17.6 million Americans have gained health care coverage as the law's coverage provisions have taken effect. The Nation's uninsured rate now stands at its lowest level ever, and demand for Marketplace coverage during December 2015 was at an all-time high. Health care costs are lower than expected when the law was passed, and health care quality is higher—with improvements in patient safety saving an estimated 87,000 lives. Health care has changed for the better, setting this country on a smarter, stronger course.

The Reconciliation Act would reverse that course. The Congressional Budget Office estimates that the legislation would increase the number of uninsured Americans by 22 million after 2017. The Council of Economic Advisers estimates that this reduction in health care coverage could mean, each year, more than 900,000 fewer people getting all their needed care, more than 1.2 million additional people having trouble paying other bills due to higher medical costs, and potentially more than 10,000 additional deaths. This legislation would cost millions of hard-working middle-class families the security of affordable health coverage they deserve. Reliable health care coverage would no longer be a right for everyone: it would return to being a privilege for a few.

The legislation's implications extend far beyond those who would become uninsured. For example, about 150 million Americans with employer-based insurance would be at risk of higher premiums and lower wages. And it would cause the cost of health coverage for people buying it on their own to skyrocket.

The Reconciliation Act would also effectively defund Planned Parenthood. Planned Parenthood uses both Federal and non-federal funds to provide a range of important preventive care and

health services, including health screenings, vaccinations, and check-ups to millions of men and women who visit their health centers annually. Longstanding Federal policy already prohibits the use of Federal funds for abortions, except in cases of rape or incest or when the life of the woman would be endangered. By eliminating Federal Medicaid funding for a major provider of health care, H.R. 3762 would limit access to health care for men, women, and families across the Nation, and would disproportionately impact low-income individuals.

Republicans in the Congress have attempted to repeal or undermine the Affordable Care Act over 50 times. Rather than refighting old political battles by once again voting to repeal basic protections that provide security for the middle class, Members of Congress should be working together to grow the economy, strengthen middle-class families, and create new jobs. Because of the harm this bill would cause to the health and financial security of millions of Americans, it has earned my veto.

BARACK OBAMA.

THE WHITE HOUSE, January 8, 2016.

□ 1300

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

MOTION OFFERED BY MR. SCALISE

Mr. SCALISE. Mr. Speaker, I move to postpone consideration of the veto message to January 26, 2016.

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 1 hour.

Mr. SCALISE. Mr. Speaker, this is a simple motion which will postpone further consideration of the President's veto of the bill gutting ObamaCare and defunding Planned Parenthood. This short delay will ensure that the Members of the House and the American people will have the time to fully consider the President's veto and its implications.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, at this time, I yield to the gentleman from Louisiana (Mr. SCALISE), the majority whip, for the purpose of giving us the schedule for the week to come.

Mr. SCALISE. I thank the gentleman from Maryland for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Members are advised that first votes of the week are expected at 6:30 p.m. on Monday.

Mr. Speaker, on Tuesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Wednesday, the House will meet at 9 a.m. for legislative business. No votes are expected in the House on Thursday or Friday.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list which will be announced at the close of business today.

I want to take a moment to highlight one of those bills. The North Korea Sanctions Enforcement Act by Chairman ED ROYCE is a critical bill, given current events, which would prohibit North Korea's access to the hard currency and other prohibited goods that allow this oppressive regime to continue its destabilizing behavior.

Additionally, Mr. Speaker, the House will consider a bill, H.R. 3662, the Iran Terror Finance Transparency Act, sponsored by Representative STEVE RUSSELL. This bill, Mr. Speaker, would block the President from offering sanctions relief to an individual or bank until certifying that the entity has not conducted any transactions with a terrorist organization.

Lastly, Mr. Speaker, the House will consider two bills aimed at burdensome rules and regulations by this Obama administration. The first of those, Mr. Speaker, is a bill by Representative ALEX MOONEY, H.R. 1644, the STREAM Act, which is a critical piece of legislation to address the administration's stream protection rule. This is a rule which is designed to shut down all surface mining and a significant portion of underground mining, particularly in the Appalachian region. H.R. 1644 would save taxpayer dollars and protect American jobs.

The second is a joint resolution, S.J. Res. 22, calling for the disapproval of the Obama administration's regulatory overreach on the Waters of the United States. This resolution would express congressional disapproval of an unprecedented power grab that harms the traditional Federal-State partnership in implementing the Clean Water Act and would expand the scope of the EPA to puddles in the backyards of millions of Americans.

Those are the bills that I wanted to highlight and feature.

Mr. HOYER. I thank the gentleman for the information. I know the majority leader is not here, but I observed, with some irony, how much argument for legislation was included in the scheduling announcement. I think that is not necessarily inappropriate—I will make that point—but I am sure the majority leader will remember that in the future.

I thank the gentleman for the information.

I want to say to him at the outset, we note and we took action on his motion to which we neither asked for a vote nor objected, but that we have delayed the consideration of the veto of the President of the United States, ensuring that the 22 million people that would be removed from health insurance, if the President had not vetoed that bill, will not go into effect.

I want to assure the majority whip, as the minority whip, that that bill will not go into effect whether we vote on it today or we vote for it on the 25th. There are more than sufficient votes on this side of the aisle to support and confirm the President's veto and to ensure that those 22 million people, as well as those who are benefiting from other portions of the bill, will continue to do so.

I thank the gentleman for that information. I regret that we have delayed that vote, but I am absolutely assured that on the 25th or the 26th, that veto will be sustained by this House. Of course, it will initiate in this House.

I also wanted to say to the gentleman, the Speaker has pointed out that this year, he wants to see real substance considered during the debate on the bill that I just discussed, the Affordable Care Act. There was some discussion by Mr. UPTON that there was an alternative that the Republican side of the aisle had or his committee had. We, of course, never considered—notwithstanding the 62 votes to repeal—an alternative.

I would ask the gentleman if he believes that there will be, during the coming weeks or months, an alternative to the Affordable Care Act considered on this floor.

I yield to my friend from Louisiana.

Mr. SCALISE. I thank the gentleman from Maryland for yielding.

I know that the gentleman from Maryland is aware that Speaker RYAN has laid out a vision that we want to have a bold agenda that we are going to bring forward for 2016. In fact, one of the things that the Speaker laid out is not an agenda that is going to be driven from the top down; it is not agenda that is going to be driven by leadership. In fact, it will be driven by the Members.

One of the things that both the House Republican and House Democrat conferences do in the upcoming weeks is have Member retreats, where our Members can come together and discuss those items. That is what we are going to be doing next: our Members are going to be coming together. We want to build a consensus amongst our membership, again, not from the top down, but one that includes the interests of the Members of our conference to fix the problems that have been created by the President's healthcare law and actually bring forward a patient-centered

approach that puts patients back in charge of their healthcare decisions.

Mr. HOYER. I understand that, and I appreciate the gentleman's observations.

I am wondering whether or not our Members would expect, at some time in the future, to have such a bill presented for a vote on the floor so that the American people could see, as I understand the Speaker's premise being that he wants to lay out an agenda so that in this Presidential election, there will be alternatives.

My question to the whip is: Will this House be expecting to vote on an alternative, to consider an alternative with amendments perhaps made in order as well?

I yield to my friend from Louisiana.

Mr. SCALISE. I thank the gentleman for yielding.

Again, Speaker RYAN's commitment has been that we are going to restore regular order in the House. What regular order means is that there is not going to be some predisposed outcome by leadership to determine what is going to happen and when it is going to happen, regardless of what the membership feels, regardless of what the committee process produces.

Again, I think what is exciting to our membership about this year is that the Members are going to be able to participate in that process and the committees will be involved in this. I can't tell you what the committees will ultimately do or produce. This is going to be a process that is going to be very open and transparent. People can watch on C-SPAN as hearings are held. It is not going to be some predisposed outcome from the top down. Again, this will be something that will be membership-driven, using the regular order of the House.

Mr. HOYER. Well, I appreciate the gentleman's presentation.

Of course, presumably, if it is transparent, if it is open, then presumably, the Democratic members of the committee of jurisdiction on whatever issue there may be, we think we can work together with you on supporting job creation, reaching a long-term fiscal agreement on permanently replacing the sequester, which your chairman believes is not a reasonable alternative.

We believe we can reach agreement with you hopefully on comprehensive tax reform, although my personal opinion was that the passage of the tax bill a few weeks ago, which I voted against, undermines that possibility.

We also believe we can work together with you on something that this week has been made dramatically clear, that is needed very, very badly, and that is comprehensive immigration reform.

As I said on Ex-Im Bank, I thought there was a majority of votes in both parties for the Ex-Im Bank. Unfortunately, it took a discharge petition to

get it to the floor. When it got to the floor, I was correct. It had a majority of the Republicans and all but one Democrat for it.

I think comprehensive immigration reform would pass. In a system that is transparent and open to the American people, what one would do would have a vote here on this floor so the American people can see where each Member is on that issue.

We also believe we can work with you, Mr. Whip, and with the majority leader, the Speaker, and your Members, on restoring voting rights.

Mr. Cantor, when he was here, and Mr. MCCARTHY, the majority leader, he and I were honorary co-chairs—JOHN LEWIS is, of course, the chair—when we went to the Edmund Pettus Bridge in recognition of that march, which ultimately led to the adoption of the Voting Rights Act. We think we can work together with you on that.

I know there are strong feelings on the efforts that the President has taken to make sure that those who purchase guns in America are not dangerous to their neighbors or to others. We think we can work together with you on that.

Does the gentleman expect a vote on that issue on this floor in the near future?

I yield to the gentleman from Louisiana.

Mr. SCALISE. I thank the gentleman, again, for yielding.

Of course, as the gentleman knows, many of these issues that he discussed are at various stages of the legislative process. Some are in current hearings in committees. Some legislation is being developed or being voted on. Some of those issues that were discussed by the gentleman have already come to the House floor and passed. In fact, many of the bills to get the economy back on track passed this Senate with good, strong bipartisan votes that had been stuck in the Senate.

I encourage the gentleman from Maryland, the minority whip, to work with us in the majority to get our colleagues in the Senate to move forward on some of that important legislation that we have passed out of the House in a bipartisan fashion.

I know the gentleman from Maryland was at the same ceremony as I was earlier this week, where the Navy did, I think, a very important, significant action in naming a class of Naval vessels after our colleague and civil rights hero, JOHN LEWIS. It was an honor to participate in that ceremony, as I know you were there as well, in a very touching, warm moment where you saw House Members come together to pay tribute to our colleague, JOHN LEWIS.

Also, you saw the Navy making such a significant step in saying they are going to develop and build a class of

Naval ships that honor civil rights legends, starting with and, in fact, naming the entire class of ships after JOHN LEWIS.

Mr. HOYER. I thank the gentleman for bringing up that issue. We are all privileged and honored to serve in this House with JOHN LEWIS. There is probably no Member of this House who has been recognized for greater contributions to what America stands for than our colleague, JOHN LEWIS.

It was so appropriate for Secretary Mabus, who is the Secretary of the Navy from Mississippi and former Governor of Mississippi, to not only name this ship, as the gentleman observed, but because it is the first ship. And this ship is all about serving others, about supplying others with that which they need—not only fuel, but also food and supplies—and is so appropriate because JOHN LEWIS lived his life serving others and supplying.

This is not a warship, *per se*. It is a Naval ship that is going to be critically important to our Navy. The gentleman is absolutely correct that honoring JOHN LEWIS was an appropriate act to take. I think he and I both extend our thanks to Secretary Ray Mabus for taking this action.

□ 1315

Lastly, I have had a long association with Puerto Rico. Puerto Rico, of course, is an integral part of the United States of America. Its citizens are citizens of the United States of America. Like other jurisdictions—whether they be in California or in New York or in the Midwest or the South or the North—who have from time to time found themselves in deep fiscal trouble, Puerto Rico now finds itself in that position.

I had the opportunity to talk a little earlier today with Chairman ROB BISHOP about the hearings that are going on in the Committee on Natural Resources this month with reference to Puerto Rico. I know that Speaker RYAN has indicated that we need to address this issue in an effective way by March 31. I very much appreciate his setting a goal and a timeframe for that.

Can the gentleman give me any additional information as to the status of consideration of Puerto Rico and extending it bankruptcy authority so that it might restructure its debt so that it doesn't undermine its school system, its public safety, its transportation, and other needs of its people?

I yield to my friend.

Mr. SCALISE. I thank the gentleman for yielding.

Of course, as the gentleman from Maryland knows, Puerto Rico is facing a serious debt crisis and is in need of structural reform. That is critical. That is why our committee is starting the process of examining solutions. In fact, as the gentleman mentioned, next

week, on January 12 at 10 a.m., the committee of primary jurisdiction, the House Committee on Natural Resources, led by Chairman BISHOP, as the gentleman mentioned, has the first hearing scheduled on this matter.

In keeping with Speaker RYAN's commitment to regular order, it is important that we allow the committees of jurisdiction to work through these issues to put forward the best solutions to a bad situation.

Mr. HOYER. I thank the gentleman.

I would reiterate to my friend, we really do look forward to working with your side of the aisle on addressing some of the critical problems that I mentioned, that you have mentioned, that Speaker RYAN has mentioned. We hope that those will be open, transparent, and inclusive so that all views can be heard. Ultimately, we hope that proposals and policies do come to this floor for a vote.

It is my understanding that the Speaker also wants to do the 12 appropriations bills, do them discretely, that is, one at a time, and bring them to this floor. We look forward to that process occurring as well.

I yield to my friend.

Mr. SCALISE. I appreciate the gentleman yielding.

I would just say, in the spirit of bipartisanship, at some point I would like to bring up some great blue crabs from the Gulf of Mexico, and the gentleman can bring up some of those great Maryland blue crabs, and we can do a good taste test and enjoy some of our great cuisines and enjoy some good company.

Mr. HOYER. I thank the gentleman for that offer. I hope his feelings are not hurt when his crabs are left on the table.

I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY,
JANUARY 8, 2016 TO MONDAY,
JANUARY 11, 2016

Mr. SCALISE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, January 11, 2016, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER *pro tempore* (Mr. BRAT). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RECOGNIZING CHEROKEE TRAIL'S
STATE CHAMPION VOLLEYBALL
TEAM

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the girls varsity volleyball team at Cherokee Trail High

School in Aurora, Colorado, for winning the 2015 Colorado 5A State championship game on November 14, 2015.

The students and staff who were part of the title-winning Cougar team deserve to be recognized for winning in what has been a season full of challenges. Following the tragic death of one of their players, Celeste James, and a serious injury to another, Amazing Ashby, the Cherokee Trail Cougars showed courage in the face of true adversity to complete their title-winning season which honored their teammates.

In their dominant performances at the State championship, the girls of Cherokee Trail High School's volleyball team proved that hard work, dedication, and perseverance is the perfect recipe for champions. These volleyball players were led to the championship title through the tireless leadership of their head coach, Terry Miller, and his outstanding staff.

It is with great pride that I join all of the residents of Aurora, Colorado, in congratulating the Cherokee Trail Cougars for their State championship.

CONGRATULATIONS TO BRIGADIER
GENERAL DIANA HOLLAND

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to congratulate Brigadier General Diana Holland for becoming the first female commandant at West Point.

I believe Brigadier General Holland's appointment comes at a very pivotal time in U.S. history, when the military pursues to fully integrate women into the military.

Last month, Secretary of Defense Ash Carter announced his and the services' decision to open all units to women. This decision would not only open 220,000 jobs for women that were previously closed to them, but it would also open the doors for more women to rise in the chain of command. I believe that we need that to happen in our military.

Servicewomen have bravely served our country in and out of combat. Finally, we will be giving them the recognition that they deserve. No longer will archaic policies limit the potential of capable and qualified servicewomen.

The talent and determination of our servicewomen will continue to strengthen our Nation's military, and I am proud to stand behind them.

RETIREMENT OF JOHN GUERRIERO

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week marked the retirement of John Guerriero, who has

covered politics for the Erie Times-News for more than three decades.

John joined the Times-News in 1981 after graduating from college. John's stories have focused on just about anything you can imagine, from local, State, and Federal politics, education issues, to stories involving court cases in Erie and those involving gambling.

With background on so many issues, it is common for John to follow up on action here in Washington with questions on how it might impact the Erie region.

Mr. Speaker, I have long followed his work in the newspaper, but I had the chance to truly interact with John in 2013 when he spent several days with Congressman MIKE KELLY and myself here on Capitol Hill. I was glad to talk with him about representing Pennsylvania's largest congressional district, and about how priorities and concerns across the district often lead to policies discussed here on the House floor.

I wish John the best of luck in retirement and congratulate him on a wonderful career.

I CANNOT BE SILENT

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, today I rise to call attention to the issue of gun violence that has seized our Nation. A little over a month ago, my hometown of San Bernardino fell victim to gun violence and was added to a list that no community wants to join: Aurora, Newtown, Chattanooga, Charleston, and the list goes on. And that is the problem, the list goes on.

The only action Congress has taken to address the epidemic of gun violence has been to hold moments of silence in honor of their memory. As a father of two young boys and as San Bernardino's voice in Congress, I cannot be silent.

We owe it to our communities, from San Bernardino to Newtown, to do something. As one of the family members mentioned earlier in the week: "Congress has offered their thoughts and prayers, but thoughts and prayers are cheap when you have the power they have."

While one single law could not have prevented the horrific events in San Bernardino, that doesn't justify a refusal to take action to make our communities safer.

ISIS TROLL IN HOUSTON, TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, terror has come to my hometown of Houston, Texas.

Yesterday, the FBI arrested 24-year-old Omar Saeed Al Hardan, a Palestinian born in Iraq who came to the U.S. as a refugee. He has been indicted for providing support to ISIS, a terrorist organization.

Al Hardan applied for full citizenship, and when he did, he lied on his application, saying he wasn't associated with terrorist organizations. The evidence shows that he is a troll for ISIS. Prior to coming to America, he had been trained to operate machine guns.

The administration says that the 31 State Governors who want to turn away unvetted refugees have no right to refuse them. That is why Senator CRUZ and I have introduced the State Refugee Security Act of 2015. This legislation will give State Governors the right, under the 10th Amendment, to deny the entrance of unvetted refugees to their State.

Congress must take immediate action to support those States that have refused to participate in the refugee resettlement program because of serious security concerns.

This case shows that the FBI Director was right. America cannot properly vet refugees. The interest of foreign refugees should not be more important than the safety of citizens in the United States.

And that is just the way it is.

DECEMBER JOBS REPORT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the jobs numbers released this morning are excellent. This is a very strong way to end 2015. The numbers are a reminder of just how far we have come since the long, dark days of the Bush-era recession.

The economy added 292,000 private sector jobs last month. Businesses now have added jobs for a record 70 straight months. The unemployment rate stands at 5 percent, half of what it was at the peak of the recession, and the gains are becoming more broadly shared. The unemployment rate for African Americans fell 1.1 percentage points last month. It now stands at the lowest level since 2007.

Of course, there is much more that needs to be done. We must make sure that every American family benefits from this recovery. Some of my colleagues across the aisle will continue their efforts to cast doubt on the Obama recovery. I urge them to look at the numbers.

COMMEMORATING THE RETIREMENT OF STU WITT

(Mr. KNIGHT asked and was given permission to address the House for 1 minute.)

Mr. KNIGHT. Mr. Speaker, today I would like to commemorate the retirement of Stu Witt.

Stu is retiring from the commercial Mojave Air and Space Port in Mojave, California. He started his career at CSUN and went on to a naval career where he flew F-14s off the *John F. Kennedy* and F/A-18s. He then followed it up by flying B-1s, F-16s, and the YF-23. But I knew Stu as a person who took the Air and Space Port in Mojave and put it on the map.

He talked to me early in my legislative career in California and said: I have got a bill. This bill has never gone anywhere. It has never even gotten a committee hearing, but I want you to run it.

So we did.

That bill turned into the indemnification law in California, which allowed private spaceflight to happen in California. Without that leadership, California would not be on the map for private spaceflight. I believe that today, without Stu Witt, California would probably have lost out to other States in the Union.

I would like to say as to Stu Witt's retirement: We know we are going to have great things in the future; we know what you have done in the past; and we look forward to your exploits for the advancement of aerospace in America.

□ 1330

ABSURD COMMENTS ABOUT ABORTION

(Ms. MOORE asked and was given permission to address the House for 1 minute.)

Ms. MOORE. Mr. Speaker, over the years, I have heard some rather absurd comments from my Republican colleagues about abortion. Some have compared Planned Parenthood to drug dealers, abortion factories, and the Ku Klux Klan. I have even heard grown men debate "legitimate rape" on live TV. I have even heard a Republican lawmaker put forth the claim that, if women are allowed to have abortions, men should be allowed to rape.

After nearly 30 years of public office, nothing really surprises me anymore, Mr. Speaker. So you can imagine my lack of astonishment when my dear friend and colleague from Wisconsin, SEAN DUFFY, rolled out abortion statistics among African American women to lecture Black legislators like myself about defending the welfare of our constituents.

Since the United States Supreme Court ruled in 1963 that women are guaranteed the privacy and power and right to make medical decisions concerning their own bodies, anti-choice legislators have been trying to end safe and legal abortion. A tactic that has been part of their strategy is to use inflammatory, racial arguments, and deceptive claims to stigmatize abortion in communities of color.

I don't expect Representative DUFFY to understand why his comments are offensive, but what he and so many of his Republican colleagues fail to acknowledge is the underlying context behind high abortion rates in African American communities.

High rates of abortion are related to poverty and lack of access to quality care. The war on women's health centers has resulted in multiple barriers to accessing quality, affordable health care, which could lead to higher rates of both unintended pregnancy and abortion.

Representative DUFFY's hypocrisy on this issue is as predictable as it is offensive. If he truly, truly wants to fight for the hopeless and voiceless, he should join us.

The SPEAKER pro tempore. The time of the gentlewoman from Wisconsin has expired.

PARLIAMENTARY INQUIRY

Mr. FORTENBERRY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FORTENBERRY. What is the rule on attacking personalities in the House?

The SPEAKER pro tempore. House rule XVII prohibits Members from engaging in personalities in debate.

Mr. FORTENBERRY. Did the prior speech violate that rule?

The SPEAKER pro tempore. The Chair cannot give an advisory opinion on that.

Mr. FORTENBERRY. Thank you, Mr. Speaker.

PUTTING THE SAFETY OF AMERICANS FIRST

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, for months Americans have been demanding stronger FBI background checks on Syrian and Middle Eastern refugees entering the United States, and just yesterday an ISIS-affiliated Syrian refugee was arrested in Houston, Texas.

Rather than taking action to address these national security vulnerabilities, President Obama shockingly believes that it is more important to increase FBI background checks on law-abiding American citizens.

This additional round of unconstitutional executive action is a new low for this administration. Their overreach on guns and law-abiding Americans shows how truly misplaced their priorities are. Sadly, it only confirms what we have already come to learn, that this is a failed President with a very distorted sense of the real world.

Mr. Speaker, putting the safety and security of the American people first means ending this administration's refusal to secure our borders, refusal to

respect the right of law-abiding Americans to exercise their First and Second Amendment rights, and refusal to enhance background checks on immigrants and refugees from the safe havens of terrorism.

LAW ENFORCEMENT APPRECIATION DAY

(Mr. REICHERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REICHERT. Mr. Speaker, tomorrow is National Law Enforcement Appreciation Day. I would like to take this time to thank all of the men and women who put their lives on the line each and every day to keep our communities safe.

As a former cop of 33 years, I know firsthand what it means to leave your home and not know if you are coming back. My family knows that feeling of: Is Deputy Dave going to come home tonight to his family?

Well, early in my career, that was a big question mark. I found myself in a fight for my life at 23 years old, being attacked by a man with a butcher knife. I came home that night with 45 stitches in my neck.

Years later, I lost a good friend and a partner who was ambushed, shot, and killed in 1982. Two years later, I lost a good friend—an academy colleague—who was stabbed to death in 1984. Sadly, deaths of police officers are occurring across this country each and every day.

I want to take this time to especially mention the last two in Washington State who have sacrificed their lives for the protection of our community: Officer Rick Silva of Chehalis Police Department and Detective Brent Hanger of the Washington State Patrol.

Mr. Speaker, we should take this time, especially tomorrow and in the coming weeks, to stop and say thank you to our law enforcement officials across this country for putting their lives on the line each and every day to keep our families safe.

HONORING THE LIFE OF CHARLES FRANCIS CLIFFORD, JR.

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Mr. Speaker, today I want to say goodbye to a good friend who died this week: Charles Francis Clifford, Jr.

Mr. Chuck was a World War II veteran who served in the Navy for 35 years, where he attained the rank of captain. He spent his professional career with State Farm. Along with his loving wife, Ann, they raised four children together.

Chuck lived an honorable and dutiful life. He served his country faithfully.

He was devoted to his family and to his faith, and he saw his business career as an extension of the call to service. He was a kind man, always with a smile.

After Ann died 7 years ago, Chuck continued to be an ongoing presence in our community, volunteering at our church. He received frequent requests from the children at St. Joseph's School to tell his story about living through the Depression and his service during World War II.

Chuck Clifford was an example of manly steadiness and goodness. He was my friend, and I will miss him. Well done, good and faithful servant.

REQUEST FOR JOINT MEETING OF CONGRESS

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute.)

Mr. ROHRBACHER. Mr. Speaker, one of the great honors this body can bestow upon a foreign leader is an invitation to address a joint meeting of Congress.

As co-chairman of the Friends of Egypt Caucus, TULSI GABBARD and I have delivered a letter today to the Speaker of the House, PAUL D. RYAN, urging him to invite Egyptian President el-Sisi to give such an address.

General el-Sisi came to power amidst chaos and restored order to his country. He was then democratically elected as President of Egypt. He is a pivotal figure in the Middle East during this time of great danger. He is a champion of the Egyptian people and a friend to the people of the United States.

Most importantly, he is a voice for respect and reconciliation between people of all faiths. Thus, he is a force for peace and stability in a region plagued with terrorism and religious persecution. He and the people of Egypt have earned our moral and strategic support.

I will include in the RECORD the official request that the Friends of Egypt Caucus have made to Speaker RYAN to invite President el-Sisi to be invited to address a joint meeting of Congress.

CONGRESS OF THE UNITED STATES,
Washington, DC, January 8, 2016.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As co-chairs of the Friends for Egypt Caucus we request that Egyptian President Abdel Fattah el-Sisi be invited to address a Joint Meeting of Congress during the second session of the 114th Congress.

Egypt under President el-Sisi's leadership is playing a pivotal role in North Africa and the Middle East. Egypt is a bulwark against a barbaric and fanatic Islamic state and its ilk. El Sisi's courage and commitment to peace and stability is a dramatic and positive force that deserves to be recognized. His call for tolerance and respect of people of all religions has been a dramatic step towards reconciliation and stability in the Middle

East. His visits to Christian gatherings have been historic and worthy of praise by all people of good will.

The United States and Egypt have had a long and mutually beneficial relationship. We need to bolster relations between our people now in this time of crisis and radical terrorist attacks in the region and throughout the world.

Having President el Sisi address the United States Congress would be a message to the world of our solidarity with moderate Muslim leaders who share our goal of a more peaceful and stable world. His appearance before a Joint Meeting of Congress will underscore our gratitude for his leadership in this time of turmoil.

We appreciate your consideration of this request.

Sincerely,

DANA ROHRBACHER,
Member of Congress.
TULSI GABBARD,
Member of Congress.

REGULATORY GRIDLOCK

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I yield to the gentleman from Nevada (Mr. HARDY).

Mr. HARDY. I thank the gentleman from Texas for yielding.

Mr. Speaker, this is our first week back in session after spending the holidays in our districts. While we were meeting with our constituents and enjoying the company of loved ones, the Federal bureaucracy was firing on all cylinders, cranking out thousands of pages of regulations.

Mr. Speaker, I hold in my hand what our regulators were doing on Christmas Eve. In my other hand I am holding 298 pages of what our Federal regulators were doing on New Year's Eve.

This breakneck pace of activity, deep within the bowels of our executive branch, capped off a record year for the Federal Register, the official record of the government's regulatory and other actions.

The grand total for 2015 was 82,035 pages of regulations. This leaves the current administration with an annual page count of nearly 80,000 per year and puts it on pace to contribute more pages of regulations to the Federal Register than any other administration in American history.

Mr. Speaker, this is a perversion of our Founding Fathers' intent and a disservice to the American people.

Article I, section 1, of the Constitution vests all legislative power in a Congress of the United States, not with regulatory agencies.

Article I, section 8, of the Constitution vests all the power to make all laws in Congress to the United States, not with regulatory agencies.

Article II, section 3, of the Constitution clearly states that the President

shall take care that the laws be faithfully executed. That means executive agencies execute the laws as Congress intended, not that they make their own.

Mr. Speaker, there is no ambiguity. Federal laws get made right here on this floor and in the other Chamber across the rotunda and nowhere else. But over the past 228 years, the founding principles have been manipulated.

With this massive expansion of the Federal Government's role during the New Deal, agencies were awarded rule-making authority through acts of Congress. This statutory authority was granted to allow our Federal agencies to better implement the law in a growing, complex Nation. But it was not a blank check.

Unfortunately, far too many here in Congress have been complicit in delegating our sacred lawmaking authority to legions of unelected bureaucrats. How can this be?

We are the first branch of government, the branch that is closest to the people. We are directly accountable to our constituents. It is because of that accountability that we must reclaim that constitutional duty to make all laws.

That is why I am a proud original cosponsor of the REINS Act of 2015 and why I voted to pass that important bill last year. The REINS Act takes the important step of requiring congressional approval of all major rules. This is a huge improvement over the current status quo under the Congressional Review Act.

The default standard for all major rules should be rejection unless they are congressionally approved, not acceptance until rejection.

The Congressional Review Act is a failed attempt to reclaim our exclusive legislating authority. Rejecting one single rule on ergonomic chairs in 20 years is simply unacceptable. We need laws with more teeth.

The bills we passed this week, including the SCRUB Act of 2015, will help in this effort.

Mr. Speaker, something needs to change. Churning out thousands of final rules on tens of thousands of Federal Register pages each and every year is hamstringing our economy and crushing our businesses.

□ 1345

According to a study done by the National Association of Manufacturers, complying with the Federal regulations costs Americans \$2.028 trillion in lost economic growth each and every year. That is 12 percent of our GDP down the drain.

As a former small-business owner, I can tell you that mom-and-pop shops aren't poring over each and every issue of the Federal Register, and they sure aren't doing it on Christmas Eve. Unlike large corporations that can afford

armies of attorneys to navigate the complex Federal bureaucracy, small businesses are left hanging out to dry.

As the people's House, we are advocates for the people we represent. We serve them. We are accountable to them. We owe it to the people to go on record and vote on major rules that impact their daily lives.

I challenge any President or elected official to say that the American people don't deserve the right to hold their government accountable.

Mr. GOHMERT. Mr. Speaker, news surfaced today. Here is a story from Ed Morrissey: "Has the State Department released a smoking gun in the Hillary Clinton email scandal? In a thread from June 2011, Hillary Clinton exchanges emails with Jake Sullivan, then her deputy chief of staff and now her campaign foreign-policy adviser, in which she impatiently waits for a set of talking points. When Sullivan tells her that the source is having trouble with the secure fax, Hillary then orders Sullivan to have the data stripped of its markings and sent through a non-secure channel."

Then it is quoting from the email: "If they can't, turn into nonpaper with no identifying heading and send non-secure."

The article goes on to say: "That's an order to violate the laws handling classified material. There is no other way to read that demand. Regardless of whether or not Sullivan complied, this demolishes Hillary claim to be ignorant of marking issues, as well as strongly suggests that the other thousand-plus instances where this did occur likely came under her direction."

Fox News also noticed the email this morning, although they don't have a copy of it linked. And it is quoting: "However, one email thread from June 2011 appears to include Clinton telling her top adviser Jake Sullivan to send security information through insecure means."

"In response to Clinton's request for a set of since-redacted talking points, Sullivan writes, 'They say they've had issues sending secure fax. They are working on it.' Clinton responds, 'If they can't, turn it into nonpaper with no identifying heading and send non-secure.'"

"Ironically, an email thread from 4 months earlier shows Clinton saying she was 'surprised' that a diplomatic officer named John Godfrey used a personal email account to send a memo on Libya policy after the fall of Muammar Qaddafi."

The article goes on later: "Did those talking points get illegally transmitted on Hillary Clinton's order? If so, then Sullivan may find himself in legal trouble, too. Paragraph (g)"—quoting from the law—"makes it clear

that 'each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy.'

"This explains why more than a thousand pieces of classified information have found their way into Hillary's unauthorized and unsecured email system—and why the markings have been stripped from them. Hillary herself apparently ordered the Code Red, so to speak.

In an update, the author says: "There are a few people wondering whether the 'TPs'—or talking points—in question in this thread were classified in the first place.

"There are a couple of points to remember in that context: Unclassified material doesn't need to be transmitted by secure fax; if the material wasn't classified, Sullivan would have just faxed them normally.

"Ordering aides to remove headers to facilitate the transmission over unsecured means strongly suggests the information was not unclassified. On top of that, removing headers to avoid transmission security would be a violation of 18 USC 793 anyway, which does not require material to be classified—only sensitive to national security."

Also: "State did leave this document unclassified, but that's because there isn't any discussion of what the talking points cover. They redacted the subject headers with B5 and B6 exemptions, invoked to note that the FOIA"—Freedom of Information Act—"demand doesn't cover the material.

"Ordering the headings stripped, and Sullivan's apparent reluctance to work around the secure fax system, makes it all but certain that the material was classified at some level—and Hillary knew it."

Just breaking news of interest.

ACTIVITIES OF ABDURAHMAN ALAMOUDI

Mr. GOHMERT. Mr. Speaker, a matter of grave concern continues to arise stemming back from a man who was born in Eritrea named Abdurahman Alamoudi. And this is from DiscoverTheNetworks.org.

He, Mr. Alamoudi, immigrated to the United States in 1979. That would be the same year, Mr. Speaker, you will recall, that radical Islam declared war on the United States, attacked our embassy in Tehran, took over 50 Americans hostage, and held them for over a year.

That same year, that year, 1979, is the year Mr. Alamoudi came to the United States, and then he became a naturalized U.S. citizen in 1996.

In 1981, he founded the Islamic Society of Boston. It is not in this article, but I have also seen the documentation of his founding. And it is, I think, worth noting that the Islamic Society of Boston that Mr. Alamoudi founded, the two mosques in the Boston area, one of which produced the Tsarnaev brothers, where they worshipped and learned more about Islam.

This article says, from 1985 to 1990 Mr. Alamoudi served as executive assistant to the president of the SAAR Foundation in Northern Virginia.

In 1990, Alamoudi founded the American Muslim Council. The following year, he established the American Muslim Armed Forces and Veterans Affairs Council, whose purpose was to "certify Muslim chaplains hired by the military."

During the 1992 Presidential election cycle, Alamoudi courted both the Democratic and the Republican Parties. When Bill Clinton emerged victorious, Alamoudi increased his donations to Democrats. He went on to serve the Clinton administration as an Islamic affairs adviser and a State Department "goodwill ambassador" to Muslim nations.

In 1993, the Defense Department certified Alamoudi's American Muslim Armed Forces and Veterans Affairs Council as one of two organizations, along with the Graduate School of Islamic and Social Sciences, authorized to approve and endorse Muslim chaplains.

Among the chaplains endorsed by Alamoudi's group was James Yee, who eventually would be arrested in 2003 on suspicion of espionage.

Mr. Speaker, it is very reassuring that this man arrested on suspicion of espionage here in the United States was certified by Mr. Alamoudi's group.

In March 1993, Alamoudi disparaged the Federal Government for the "flimsy" evidence it had used as a basis for arresting Mohammed Salameh, a suspect in the World Trade Center bombing of February 26 of 1993. Salameh was later convicted and sentenced to life in prison on what, apparently, Mr. Alamoudi thought was flimsy evidence.

It goes on: "In 1995, Alamoudi helped President Clinton"—interesting verb that, helped—"Alamoudi helped President Clinton and the American Civil Liberties Union develop a Presidential guideline entitled 'Religious Expression in Public School,' which established a legal justification upon which the ACLU would file lawsuits restricting Christmas celebrations and removing Nativity scenes from public schools.

"Alamoudi made numerous controversial statements during the 1990s and early 2000s, including these:

"In 1994 he said: ' Hamas is not a terrorist group . . . I have followed the good work of Hamas.

"In March 1996, Alamoudi said he was 'honored to be a member of the committee that is defending' Islamic Association of Palestine"—or IAP—"founder Musa Abu Marzuk, who in 1997 would be deported from the United States because of his Hamas-related activities. 'I really consider him to be from among the best people in the Islamic movement.'"—that is a quote from Alamoudi—"Alamoudi added. ' Hamas . . . and I work together with him.'"

In December of 1996, as Alamoudi continued to work with the Clinton administration to find good Muslims to work in the government, Alamoudi told a meeting of the IAP: "I think if we were outside this country we can say, 'Oh, Allah, destroy America,' but once we are here, our mission in this country is to change it . . . You can be violent anywhere else but in America."

"In October 2000, Alamoudi attended an anti-Israel protest outside the White House, where he proudly declared himself 'a supporter of Hamas' and 'a supporter of Hezbollah.'" And apparently there is video of that.

In 2000, Alamoudi literally "began making regular trips to Libya, where he met with government officials to discuss strategies by which they could create 'headaches' for Saudi Arabia.

"In January 2001, Alamoudi attended a conference in Beirut with leaders of numerous terrorist organizations, including al Qaeda, Hamas, Hezbollah, and Islamic Jihad.

"In June 2001, Alamoudi was a guest speaker at a Northern Virginia conference where senior Islamic militants from throughout the Middle East were gathered. Many of the speakers denounced the 'Zionist entity that aims to destroy the Muslim ummah,' or community.

□ 1400

"That same month, Alamoudi attended a briefing on President Bush's faith-based initiative, and the White House invited him to the post-9/11 prayer service on September 14th at the National Cathedral in Washington.

In September 2003, British customs officials arrested Alamoudi at Heathrow Airport as he was returning from Libya with 340,000 in cash given to him by President Muammar Qadhafi to finance a plot involving two U.K.-based al Qaeda operatives intending to assassinate Saudi Crown Prince, later King Abdullah.

Alamoudi was subsequently extradited to the United States. In October 2003, he was arrested at Dulles Airport on charges of having illegally accepted \$10,700 from the Libyan mission to the United Nations.

"With Alamoudi in custody, federal authorities released a transcript of a telephone conversation in which he had: lamented that no Americans had died during al Qaeda's 1998 bombing of the U.S. Embassy in Kenya; recommended that more operations be conducted like the 1994 Hezbollah bombing of a Jewish cultural center in Buenos Aires, in which 85 people died; and clearly articulated his objective of turning America into a Muslim nation.

"Alamoudi was indicted not only for his illegal dealings with Libya, but also for tax evasion and immigration fraud. He ultimately pled guilty to, and was convicted of, being a senior al Qaeda financier who had funneled at least

\$1 million into the coffers of that terrorist organization. He also acknowledged that he had pocketed almost \$1 million for himself in the process. In October 2004, Alamoudi was sentenced to 23 years in federal prison.

"During the Holy Land Foundation for Relief and Development trial of 2007, which examined evidence of the HLF's fundraising on behalf of Hamas, the U.S. government released a list of approximately 300 of HLF's 'unindicted co-conspirators' and 'joint venturers.' Alamoudi was named in that list . . . In addition to the affiliations listed above, Alamoudi has also been, at various times, a board member of American Muslims for Jerusalem; the head of the American Task Force for Bosnia; a board member of the Council for the National Interest Foundation; a director of the Council on American-Islamic Relations, CAIR"—which, by the way, Mr. Speaker, has very open access to the highest officials, including the President.

They are the ones that got Langley to call off a 2-day seminar for law enforcement on radical Islam and got the rules changed so people that were American experts on Islam could not talk to any U.S. Government group about radical Islam unless they got approval from people like those that CAIR approved of.

CAIR—we are talking also about a named co-conspirator in the Holy Land Foundation trial in which convictions were obtained for principals in the Holy Land Foundation for supporting terrorism. I would humbly submit that had Eric Holder not become Attorney General and Barack Obama not become President of the United States, many, if not all, of those co-conspirators would have been then indicted and tried as supporters of terrorism.

Instead, a new President and a new Attorney General came in, and instead of being indicted and tried for supporting terrorism as they were named in the Federal District Court in Dallas and the Fifth Circuit Court of Appeals said in opinions—there was plenty of evidence to support that they were co-conspirators—well, the new administration dropped the matter, and these people became helpful to the administration in advising on Islam.

It also notes that Mr. Alamoudi was a founding trustee of the Fiqh Council of North America, a board member of the Interfaith Impact for Justice and Peace, a regional representative for the Islamic Society of North America—which was also a named co-conspirator for supporting terrorism—a board member of Mercy International, president of the Muslim Student Association of the U.S. and Canada, a board member of the Somali Relief Fund, secretary of the Muslim Brotherhood Affiliated, Success Foundation, and director of the Talibah International Aid Association.

In fact, in an article back in 2004, Andrew C. McCarthy noted that: "Abdurahman Alamoudi was sentenced today to 23 years' imprisonment for terrorism financing, false statements on his naturalization petition, and tax violations. The sentence was imposed by Judge Claude Hilton of the U.S. District Court in Alexandria, Virginia.

"Alamoudi was influential in the American Muslim circles, and thus in Washington. He participated in several political and charitable organizations, founding the American Muslim Council—an enthusiastic supporter of Hamas and Hezbollah. The federal government permitted him a key role in selecting the Islamic clerics who minister in the military and in the prison system. Over the years, moreover, he occasionally traveled the globe as an emissary of the State Department.

"As we now know, he also traveled to Libya, engaged in financial transactions with Qadhafi's government, and collected hefty sums, including the \$340,000 seized from him when he was arrested last year, which were designed to be routed back to his causes in the U.S. without the knowledge of American authorities. All of those activities violate the International Emergency Economic Powers Act imposes terrorism-related sanctions prohibiting unlicensed travel to and commerce with Libya."

I will parenthetically insert here that it had to be very convenient for Mr. Alamoudi, this convicted supporter of terrorism, to be working for the State Department as he went to different countries and apparently continued to conspire to support terrorism as the State Department funded his travel on its behalf.

But also found was this article. The author was Brian Blomquist and the date is June 27, 2003. It is an article about the esteemed U.S. Senator CHARLES, or CHUCK, SCHUMER entitled, "SCHUMER wants fanatical imams rooted out of jails, armed forces."

The article says: "Militant Muslim imams are preaching a distorted, hateful form of Islam to U.S. soldiers and federal prisoners, creating a 'dangerous situation,' Senator CHARLES SCHUMER charged yesterday.

"SCHUMER said the problem is that the Pentagon and the federal Bureau of Prisons select Muslim imams on the advice of Islamic groups in the grip of the fanatical Wahhabism strain of the religion.

"While the potential Wahhabi influence in the U.S. Armed Forces is not well documented, these organizations have succeeded in ensuring that militant Wahhabism is the only form of Islam that is preached to the 12,000 Muslims in federal prison,' SCHUMER said at a Senate hearing on extremist Wahhabi Islam, which has been linked to terrorism.

"In February, the New York prison system barred its top Muslim chaplain

from its prison facilities after the imam, Warith Dean Umar, said the 9/11 hijackers should be treated as martyrs.

"The imams flood the prisons with anti-American, pro-bin Laden videos, literature and sermon tapes . . . The point of prison should be to rehabilitate violent prisoners."

Mr. SCHUMER is so right.

The article goes on: "The Bureau of Prisons uses the Graduate School of Islamic and Social Sciences, which is under investigation for possible funneling of money to terrorists, and the Islamic Society of North America, which has board members with terror links, SCHUMER charged.

"American Muslim Foundation President Abdurahman Alamoudi said his organization had no role advising the Pentagon. Alamoudi said he formerly gave the Pentagon advice on selecting imams, but 'they pushed me out.'"

Well, we know that that was not until right before the British Government arrested Alamoudi and then provided apparently the U.S. Government plenty of evidence to show that Alamoudi was supporting terrorism.

That is why I was so shocked, since the FBI got information from Britain, gathered their own information that they had been gathering at least since 1991 on radical Islamic beginnings here in the United States, that during the Bush administration the FBI would have a partnership outreach program with the Council of American-Islamic relations, of which Mr. Alamoudi was a board member. CAIR was a named co-conspirator for supporting terrorists, which the courts have said there is plenty of evidence to support that they are. While the FBI had gathered such evidence, they were outreach partners with this organization, CAIR, named as a co-conspirator with the Holy Land Foundation.

This article from WND, "Pentagon admits chaplains from Muslim Brotherhood group," published on March 6, 2014, by Aaron Klein said: "The U.S. Army and Air Force has selected two Muslim chaplains from a program run by an Islamic group closely tied to the Muslim Brotherhood that was named by the Justice Department as an unindicted co-conspirator in a scheme to raise money for Hamas.

"WND broke the story in 2011 that the controversial Islamic Society of North America, or ISNA, is the official endorsing agency for the U.S. Armed Forces Muslim chaplain program.

"WND further reported that year that the Muslim chaplain program was founded by a terror-supporting convict, while the Army's first Islamic chaplain, who is still serving, has been associated with a charity widely accused of serving as an al-Qaida front.

"Now, ISNA has announced that two of its former applicants for chaplaincy were selected to serve on active duty in the United States Army and Air Force.

“The significance of this news is that the Department of Defense . . . has not selected an ISNA-endorsed chaplain for active duty in over 15 years,” said the ISNA press release.

“ISNA Chaplain Services Director and Islamic Endorsing Agent Abdul-Rasheed Muhammad said in a statement that the two chaplains selected for active duty are ready to serve Allah and the country—making the statement in that order.

“‘After speaking by phone with both soldiers, it was more than clear both were eager and ready to serve Allah and country’. . . ‘May Allah bless our new chaplain candidates and their families as they prepare for new challenges and opportunities in the Army and Air Force Chaplain Corps,’ said Muhammad.

“While the new chaplains’ ties to ISNA has received some attention in the conservative blogosphere in recent days, missing from the conversation is the larger partnership between the U.S. military and not just the ISNA but also other terror-tied groups.

“In fact, Muhammad himself, the ISNA’s endorsing agent, has been tied to a group accused of serving as an al-Qaida front.”

By the way, parenthetically, 1993 was the year in which we had another terrorist attack, that being the first attempted bombing, or the first bombing, of the World Trade Center in an attempt to bring it down and kill tens of thousands of Americans.

□ 1415

“Since the Muslim chaplain program’s inception in 1993, ISNA has been the official endorsing agency of the new chaplains.

“In 2005, ISNA initiated a yearly Muslim chaplain conference that includes leadership talks for chaplains in both the military and the U.S. prison system.

“Discover the Networks notes that ISNA—through its Saudi-government-backed affiliate, the North American Islamic Trust—reportedly holds the mortgages on 50 percent to 80 percent of all mosques in the U.S. and Canada.

“Thus the organization can freely exercise ultimate authority over these houses of worship and their teachings,” states Discover the Networks.

“ISNA was founded in 1981 by the Saudi-funded Muslim Students’ Association, which was founded partially by the Muslim Brotherhood. The two groups are still partners.

“WND previously attended an MSA event at which violence against the U.S. was urged by speakers.

“‘We are not Americans,’ shouted one speaker, Muhammad Faheed, at Queensborough Community College in 2003. ‘We are Muslims. The U.S. is going to deport and attack us! It is us versus them! Truth against falsehood! The colonizers and masters against the

oppressed, and we will burn down the master’s house!’”

Well, Mr. Speaker, with those kind of comments coming at their meetings, it is so wonderful that principles from these organizations have such close ties with the current leadership in the country, in the White House, in the State Department, and in the Justice Department.

This article goes on:

“ISNA was named in a May 1991 Muslim Brotherhood document, ‘An Explanatory Memorandum on the General Strategic Goal for the Group in North America,’ as one of the Brotherhood’s likeminded ‘organizations of our friends’ who shared the common goal of destroying America and turning it into a Muslim nation, according to Discover the Networks.

“Islam scholar Stephen Schwartz describes ISNA as ‘one of the chief conduits through which the radical Saudi form of Islam passes into the United States.’

“According to terrorism expert Steven Emerson, ISNA ‘is a radical group hiding under a false veneer of moderation’ that publishes a bimonthly magazine, *Islamic Horizons*, that ‘often champions militant Islamist doctrine.’ The group also ‘convenes annual conferences where Islamist militants have been given a platform to incite violence and promote hatred,’ states Emerson. Emerson cites an ISNA conference in which al-Qaida supporter and PLO official Yusuf Al Qaradhwai was invited to speak.

“Emerson further reports that in September of 2002, a full year after 9/11, speakers at ISNA’s annual conference still refused to acknowledge Osama bin Laden’s role in the terrorist attacks.

“Also, ISNA has held fundraisers for terrorists, notes Discover the Networks. After Hamas leader Mousa Marzook was arrested and eventually deported in 1997, ISNA raised money for his defense. The group also has condemned the U.S. government’s post-9/11 seizure of the financial assets of Hamas and Palestinian Islamic Jihad.

“ISNA, meanwhile, has an extensive relationship with the Obama administration, which recently announced it is open to diplomacy with the Muslim Brotherhood.”

Mr. Speaker, this is where I have to say, having visited with leaders in the Middle East, Muslim leaders who are actually friends of the United States, not in official open meetings, but when we get in private, they ask the question: Why does your U.S. administration continue to support the Muslim Brotherhood? Do you not understand the Muslim Brotherhood has been at war with the United States since 1979, and you have got friendly Muslims that want to help you—I would submit that the current President of Egypt is one of those—and yet you are insistent on helping the Muslim Brotherhood that

is at war with the United States? Oh, not with violence yet, but they claim they are getting so much accomplished in taking over the United States without violence, that they don’t want to use that yet. That will come later if necessary. But right now they are doing such a good job as advisers and in important positions in the administration that they should not be using violence.

Well, back to the article:

“The relationship began even before Obama took office.

“One week before last year’s presidential inauguration”—again, keeping in mind this article is from 2014.

“One week before last year’s presidential inauguration, Sayyid Syeed, national director of ISNA’s Office for Interfaith and Community Alliances, was part of a delegation that met with the directors of Obama’s transition team. The delegation discussed a request for an executive order ending ‘torture.’

“ISNA President Mattson represented American Muslims at Obama’s inauguration, where she offered a prayer during the televised event. Mattson also represented ISNA at Obama’s Ramadan dinner at the White House.

“In June 2009, Obama senior aide Valerie Jarrett invited Mattson to work on the White House Council on Women and Girls, which Jarrett leads.”

Yeah, that is what you want. You want someone who supports the Muslim Brotherhood’s idea that women don’t have rights. They have no business showing their face in public or driving or having property. Yeah, that is what you want advising the White House on women’s issues, for heaven’s sake.

The article goes on:

“One month later, the Justice Department sponsored an information booth at an ISNA bazaar in Washington, D.C.

“Also that month, Jarrett addressed ISNA’s 46th annual convention. According to the White House, Jarrett attended as part of Obama’s outreach to Muslims.

“In February, Obama’s top adviser on counter-terrorism, John Brennan, came under fire for controversial remarks he made in a speech to Muslim law students at an event sponsored by ISNA at New York University.

“In his speech, Brennan, who later became CIA director, stated that having a percentage of terrorists released by the U.S. return to terrorist attacks ‘isn’t that bad,’ since the recidivism rate for inmates in the U.S. prison system is higher.

“He also criticized parts of the Bush administration’s response to 9/11 as a ‘reaction some people might say was over the top in some areas’ that ‘in an overabundance of caution we implemented a number of security measures and activities that upon reflection now

we look back after the heat of the battle has died down a bit we say they were excessive, OK.’

“WND reported Brennan stated at the ISNA-organized event that the Obama administration is working to calibrate policies in the fight against terrorism that ensure Americans are ‘never’ profiled.

“Speaking at the question-and-answer session, Brennan declared himself a ‘citizen of the world.’

“‘We need to be looking at ourselves as individuals. Not the way we look or the creed we have or our ethnic background. I consider myself a citizen of the world,’ he said.

“Brennan told the audience the Obama administration is trying to ‘make sure that we as Americans can interact in a safe way, balance policies in a way that optimizes national security but also optimizes the opportunity in this country never to be profiled, never to be discriminated against.’”

Yes, that is right. Sure. If you hate America and you want America’s Western lifestyle and freedoms destroyed, you want women subjugated, we shouldn’t profile people just because they want America destroyed as part of their religious beliefs. That kind of thinking gets a nation in trouble. And, thus, we are in trouble.

This article was published this week, January 5, 2016, from Jennifer Hickey, “Ripe for Radicalization: Federal Prisons ‘Breeding Ground’ for Terrorists, Say Experts.” Here we are in 2016 substantiating the statements that Senator CHUCK SCHUMER made back in 2003 that our prisons have been, for years now, a breeding ground for radical Islamism.

Under both Republican and Democratic administrations, we have allowed people who have been named—and for which the Federal courts have said there is plenty of evidence to support that they are co-conspirators in financing terrorism and supporting terrorism—we have allowed them to pick imams, approve imams, put imams in our military and in our prisons. Is it any surprise that 13 years after CHUCK SCHUMER raised that issue, that since nothing has been done about it, that the Federal prisons are a breeding ground for radical Islamists?

This quote from Representative STEPHEN FINCHER, my friend from Tennessee, says: “Over the years, our Federal prisons have become a breeding ground for radicalization.”

That is supportive of what CHUCK SCHUMER said years ago.

In fact, this article by Carol Brown, December 5, 2014, americanthinker.com, “Prisons are Breeding Grounds for Jihadist”:

“Muslims comprise 15% of the prison population. This number far exceeds the percentage of Muslims in the general population. It is eighteen times greater, to be exact.”

So there are 18 times more Muslims in Federal prison than the percentage of Muslims in the general population. That raises issues, questions, and problems.

“Put another way, there are about 2.4 million Muslims in the United States and 350,000 of them are in jail. That means more than 12% of Muslims in America are incarcerated.

“Reports on the number of prisoners who convert to Islam vary and are framed in different ways. Some sources estimate 40,000 prisoners per year convert. Others put the numbers closer to 135,000 per year. Some posit that 80% of inmates who ‘find faith while in prison convert to Islam.’

“One thing is for sure: The majority of those who convert to Islam in prison are black, with as many as one in three black prisoners converting. The number of Hispanic prisoners converting to Islam is also on the rise.

“These numbers are staggering. And the implications are serious, as will be addressed further on in this article.

“There are numerous reasons why conversions to Islam are skyrocketing in our jails.

“Many prisoners feel angry, disenfranchised, and yes, even victimized and wronged by society. Many harbor a deep disdain for America. They are, therefore, prime targets for recruitment to a religious ideology that shares many of these attitudes.

“In addition, Islamic teachings are often framed as a noble code of ethics to live by. Case in point: The Nation of Islam is the largest prison ministry.”

I am sure they are meaning the largest prison ministry in the United States.

□ 1430

Mr. Speaker, this is going on as I speak. It has been going on for the 13 years since CHUCK SCHUMER brought it up in the Senate, and we don’t appear to have learned any lessons from this.

My friend DANA ROHRBACHER is pushing that we invite the President of Egypt, President el-Sisi, to come speak to a joint session of Congress. I was talking to Chairman ROYCE about it. He believes it would be a good idea.

Our majority whip, STEVE SCALISE, just met with President el-Sisi in Egypt. I am thrilled he did. He is a Muslim leader who understands the Muslim Brotherhood is a threat to freedom in Egypt and in America and in Europe. It is time we did something about it to protect ourselves.

You don’t have to profile Muslims, but you should be profiling those who are studying radical Islam, like Qutb, like in his booklet “Milestones,” which Osama bin Laden said radicalized him—or helped.

Yet, this administration will not allow our Justice Department, our intelligence departments and agencies, and our State Department to be edu-

cated on radical Islam. So, of course, you are going to be admitting a woman who takes a man’s name that denotes a terrorist Islamic Jihadist from hundreds of years ago, Tashfeen Malik.

Our Homeland Security has run off people who are real patriots, like Phil Haney, and who are brilliant on the issue of radical Islam. We have run them out.

The message is clear that you had better not study radical Islam and you had better not know anything about radical Islam in Homeland Security because, if you do, we will run you off if we don’t do something worse. Thank God Phil Haney had such a clean record. They were looking for anything.

Our country is in trouble, and there are people who want to destroy it. It is ridiculous that anybody still has to say: We know all Muslims are not terrorists. Of course, they are not. But it is ridiculous to continue to allow and to even encourage radical Islamist imams in our prisons to transform prisoners into additional radical Jihadists, who are going to go off like bombs, figuratively and literally, at some point down the road.

We also have to look at our immigration policy when it comes to continuing to allow people like al-Amoudi—who hates America, who considers himself to be a person who could help bring about the global caliphate, a person who is financing terrorism—have his wife come and have a child in America.

Before he started trying to radicalize that country and take power unto himself as if he were a dictator, Morsi’s wife—Morsi, the former President of Egypt—had a child here.

Do you think that child was being brought up to love America? Do you think al-Amoudi’s child was being raised to love America while his parents were scheming to terrorize it?

Anwar al-Awlaki is one about whom my friends on both sides of the aisle have discussed the proprieties or improprieties of having a President just issue an order to kill an American citizen, Anwar al-Awlaki, a man who led staffers in Muslim prayers right here on Capitol Hill.

Capitol Hill staffers were led in prayer by a man who, ultimately, the Obama administration—the President himself—considered to be so dangerous he had to take him out with a drone strike in Yemen. He was so dangerous to the United States that we couldn’t even risk arresting him later. He had to take him out with a bomb strike.

How was he an American citizen? His parents, who raised him to hate America, came to America on student visas. They studied here and had Anwar al-Awlaki. They took him back to Yemen and taught him to hate America. He became so dangerous that even President Obama felt he had to order a

strike on an American citizen, without his having had a trial, without due process. He felt he had to take him out with a drone because that American citizen—an American citizen only because his parents came here on visas—was too dangerous for them to do anything else. It is time we started protecting our homeland, and we need an administration that will do it.

In closing, Mr. Speaker, let me just add that the reports have been that the Obama administration used the NSA to spy on Members of Congress to help it keep the Iran treaty in play. Mr. Speaker, we have got to get to the bottom of that.

If it turns out that our President was unconstitutionally spying on Members of Congress, I do not care if they were all Democrats or Republicans. I do not care. They may have been Democrats. It doesn't matter.

If he were spying on Members of Congress—using the NSA or any other government agency to spy on Members of Congress—we need to find out if it happened. If he were, he needs to be removed from office, period. Otherwise, we can't save the Nation.

I hope and pray those allegations are not true. I hope and pray that the President of the United States did not have the NSA spying on Members of Congress to help him with the Iran deal, to help him as he was supporting the biggest supporters of terrorism in the world. I hope and pray that is not true. I hope and pray it is not, but we need to find out.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded not to engage in personalities relating to the President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Alaska (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. STIVERS (at the request of Mr. MCCARTHY) for today on account of his duties with the Ohio National Guard.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on January 7, 2016, she presented to the President of the United States, for his approval, the following bill:

H.R. 3762. To provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 37 minutes

p.m.), under its previous order, the House adjourned until Monday, January 11, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3916. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-087, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3917. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-114, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3918. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-115, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3919. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 14-154, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3920. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-104, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3921. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-084, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3922. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-112, pursuant to 22 U.S.C. 2776(d)(1); Public Law 90-629, Sec. 36(d) (as added by Public Law 94-329, Sec. 211(a)); (90 Stat. 740); to the Committee on Foreign Affairs.

3923. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-252, "Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3924. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-248, "Domestic Partnership Termination Recognition Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(2); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3925. A letter from the Chairman, Council of the District of Columbia, transmitting

D.C. Act 21-247, "Health-Care Decisions Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3926. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-250, "Higher Education Licensure Commission Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3927. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-249, "Uniform Interstate Family Support Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3928. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-251, "Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3929. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the Commission's Inspector General's Semiannual Report to Congress and the Semiannual Management Report for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3930. A letter from the Associate Administrator, Office of Congressional and Legislative Affairs, Small Business Administration, transmitting a letter with information on accessing the Administration's annual Agency Financial Report electronically, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3931. A letter from the Executive Secretary, U.S. Agency for International Development, transmitting notification of three federal vacancies, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3932. A letter from the Chair, Federal Election Commission, transmitting legislative recommendations approved unanimously by the Commission on December 16, 2015, pursuant to 52 U.S.C. 30111(a)(9); Public Law 92-225, Sec. 308 (as amended by Public Law 96-187, Sec. 109); (93 Stat. 1363); to the Committee on House Administration.

3933. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Missouri Regulatory Program [SATS No.: MO-041-FOR; Docket ID: OSM-2013-0008; S1D1S SS08011000 SX064A000 167S180110; S2D2S SS08011000 SX064A000 16XS501520] received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3934. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Kaskaskia River MM 28 to 29; New Athens, IL [Docket No.: USCG-2015-0777] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3935. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's temporary final rule — Safety Zones; Shell Arctic Drilling/Exploration Vessels, Puget Sound, WA [Docket No.: USCG-2015-0295] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3936. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Grounded Vessel, Atlantic Ocean, Port St. Lucie, FL [Docket No.: USCG-2015-0992] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3937. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Pago Pago Harbor, American Samoa [Docket No.: USCG-2015-0906] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3938. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Mississippi River between mile 488.0 and 480.5; Lake Providence, LA [Docket No.: USCG-2015-0894] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3939. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Mississippi River between mile 467.0 and 472.0; Transylvania, LA [Docket No.: USCG-2015-0893] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3940. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, NC [Docket No.: USCG-2014-0987] (RIN: 1625-AA11) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3941. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary interim rule — Drawbridge Operation Regulation; Snake Creek, Islamorada, FL [Docket No.: USCG-2015-0046] (RIN: 1625-AA09) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3942. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Mavericks Surf Competition, Half Moon Bay, CA [Docket No.: USCG-2015-0949] (RIN: 1625-AA08) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3943. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation for Battle of Hampton; Hampton River, Hampton, VA [Docket No.: USCG-2015-0820] (RIN: 1625-AA08) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3944. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Atlantic Intracoastal Waterway; Oak Island, NC [Docket No.: USCG-2015-0809] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3945. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; 520 Bridge Construction, Lake Washington, Seattle, WA [Docket No.: USCG-2015-0570] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3946. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; West Larose Vertical Lift Bridge; Houma, LA [Docket No.: USCG-2015-0886] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3947. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Neah Bay, WA [Docket No.: FAA-2015-3321; Airspace Docket No.: 15-ANM-17] received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3948. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2015-3783; Directorate Identifier 2015-SW-027-AD; Amendment 39-18342; AD 2015-25-04] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3949. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-1043; Directorate Identifier 2013-NM-079-AD; Amendment 39-18321; AD 2015-23-05] (RIN: 2120-AA64) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3950. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2015-0933; Directorate Identifier 2014-NM-098-

AD; Amendment 39-18297; AD 2015-21-05] (RIN: 2120-AA64) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3951. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Passenger Train Exterior Side Door Safety [Docket No.: FRA-2011-0063, Notice No.: 2] (RIN: 2130-AC34) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3952. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tekamah, Nebraska [Docket No.: FAA-2015-1394; Airspace Docket No.: 15-ACE-4] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3953. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Wakeeney, KS [Docket No.: FAA-2015-1832; Airspace Docket No.: 14-ACE-10] received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3954. A letter from the Senior Regulations Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Disclosure of Seat Dimensions To Facilitate Use of Child Safety Seats on Airplanes During Passenger-Carrying Operations [Docket No.: FAA-2014-0205; Amdt. Nos.: 11-57 and 121-373] (RIN: 2120-AK17) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3955. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's interim final rule — Registration and Marking Requirements for Small Unmanned Aircraft [Docket No.: FAA-2015-7396; Amdt. Nos.: 1-68, 45-30, 47-30, 48-1, 91-338] (RIN: 2120-AK82) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3956. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; New Designated Countries-Montenegro and New Zealand [FAC 2005-86; FAR Case 2015-034; Item III; Docket No.: 2015-0034; Sequence No.: 1] (RIN: 9000-AN15) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform and Armed Services.

3957. A letter from the General Counsel, National Transportation Safety Board, transmitting the Board's final rule — Rules of Practice in Transportation: Investigative Hearings, Meetings, Repots, and Petitions for Reconsideration [Docket No.: NTSB-GC-2012-0002] received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3958. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Definition of "Multiple-Award Contract" [FAC 2005-86; FAR Case 2015-019; Item I; Docket 2015-0019, Sequence 1] (RIN: 9000-AM96) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services and Oversight and Government Reform.

3959. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's interim rule — Federal Acquisition Regulation; Sole Source Contracts for Women-Owned Small Businesses [FAC 2005-86; FAR Case 2015-032; Item II; Docket No.: 2015-0032; Sequence No.: 1] (RIN: 9000-AN13) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform and Armed Services.

3960. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Trade Agreements Thresholds [FAC 2005-86; FAR Case 2016-001; Item No.: IV; Docket No.: 2016-0001, Sequence No.: 1] (RIN: 9000-AN16) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Science, Space, and Technology, Armed Services, and Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AMASH (for himself, Mr. CONYERS, Ms. LOFGREN, Mr. MASSIE, Mr. POE of Texas, and Mr. POLIS):

H.R. 4350. A bill to repeal the Cybersecurity Act of 2015; to the Committee on Oversight and Government Reform, and in addition to the Committees on Homeland Security, Intelligence (Permanent Select), Armed Services, the Judiciary, Foreign Affairs, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. BISHOP of Georgia, Ms. JACKSON LEE, and Mr. JONES):

H.R. 4351. A bill to protect individuals who are eligible for increased pension under laws administered by the Secretary of Veterans Affairs on the basis of need of regular aid and attendance from dishonest, predatory, or otherwise unlawful practices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MOULTON (for himself and Mrs. McMORRIS RODGERS):

H.R. 4352. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EMMER of Minnesota:

H.R. 4353. A bill to extend the exemption of small banks and savings associations from

classification as a financial entity for purposes of the swaps clearing requirements of the Commodity Exchange Act to their holding companies; to the Committee on Agriculture.

By Mr. GOSAR (for himself, Mr. BABIN, Mrs. BLACK, Mr. DESANTIS, Mr. JONES, Mr. MILLER of Florida, Mr. RIGELL, Mrs. WALORSKI, Mr. HARRIS, Mr. BURGESS, Mr. TROTT, Mr. SALMON, Ms. SPEIER, Mr. PALAZZO, Ms. MCSALLY, Mr. FRANKS of Arizona, and Mr. HUFFMAN):

H.R. 4354. A bill to affirm the power of the President to revoke the Presidential Medal of Freedom awarded to Bill Cosby and to provide for criminal penalties for anyone who wears or publicly displays a Presidential Medal of Freedom that has been revoked; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS (for himself, Mr. MURPHY of Florida, Ms. FRANKEL of Florida, and Mr. DEUTCH):

H.R. 4355. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to impose certain additional requirements on applicants for COPS grants, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 4356. A bill to ensure greater accountability by licensed firearms dealers; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:

H.R. 4357. A bill to amend the Internal Revenue Code of 1986 to extend the waiver of required minimum distribution rules for certain retirement plans and accounts for 2016; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 4358. A bill to amend title 5, United States Code, to enhance accountability within the Senior Executive Service, and for other purposes; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. AMASH:

H.R. 4350.
Congress has the power to enact this legislation pursuant to the following:

Congress has the implied power to repeal laws that exceed its constitutional authority as well as laws within its constitutional authority.

By Mr. CARTWRIGHT:

H.R. 4351.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Clause 1 of the Constitution states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; Article I, Section 8, Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two

Years. Article I, Section 8, Clause 13: To provide and maintain a Navy.

By Mr. MOULTON:

H.R. 4352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. EMMER of Minnesota:

H.R. 4353.

Congress has the power to enact this legislation pursuant to the following:

Congress is empowered to regulate interstate commerce under Article I, Section 8 of the Constitution.

By Mr. GOSAR:

H.R. 4354.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof (Necessary and Proper Clause)

By Mr. HASTINGS:

H.R. 4355.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. LANGEVIN:

H.R. 4356.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution

By Mr. SENSENBRENNER:

H.R. 4357.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. WALBERG:

H.R. 4358.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 187: Mr. THOMPSON of Pennsylvania.

H.R. 379: Mr. HECK of Nevada.

H.R. 706: Mr. LABRADOR.

H.R. 775: Mr. CLAY and Mrs. DINGELL.

H.R. 793: Mr. JOYCE.

H.R. 911: Mr. JOLLY.

H.R. 953: Mr. MEEKS.

H.R. 973: Mr. NORCROSS.

H.R. 1087: Mr. STIVERS.

H.R. 1188: Mr. POLIQUIN.

H.R. 1288: Mr. AGUILAR.

H.R. 1391: Ms. CASTOR of Florida, Mrs. LAWRENCE, Mrs. WATSON COLEMAN, Ms. FUDGE, and Ms. CLARKE of New York.

H.R. 1397: Mr. HANNA, Mr. ROONEY of Florida, Mr. HUELSKAMP, and Ms. KELLY of Illinois.

H.R. 1427: Mr. GRAYSON and Mr. FORBES.

H.R. 1552: Mr. KEATING.

H.R. 1611: Mr. YOUNG of Iowa.

H.R. 1671: Mr. MASSIE.

H.R. 1751: Mr. NORCROSS.

H.R. 1769: Mr. GRIFFITH.

H.R. 1854: Mr. KEATING and Mr. DONOVAN.
 H.R. 2016: Mr. CICILLINE.
 H.R. 2083: Mrs. NAPOLITANO.
 H.R. 2090: Mr. VAN HOLLEN.
 H.R. 2114: Mr. BRADY of Pennsylvania.
 H.R. 2124: Mr. JOYCE and Mr. COSTELLO of Pennsylvania.
 H.R. 2170: Mr. MEEKS.
 H.R. 2264: Mr. RUPPERSBERGER.
 H.R. 2300: Mr. KELLY of Mississippi.
 H.R. 2411: Ms. DUCKWORTH.
 H.R. 2646: Mr. RIGELL.
 H.R. 2713: Mr. NORCROSS.
 H.R. 2715: Mr. COHEN.
 H.R. 2752: Mr. HARRIS.
 H.R. 2799: Mr. NUNES.
 H.R. 2800: Mr. FORTENBERRY.
 H.R. 2911: Ms. BONAMICI and Mr. CULBERSON.
 H.R. 2994: Ms. DUCKWORTH.
 H.R. 3238: Mr. POE of Texas.
 H.R. 3326: Mr. GRIFFITH.
 H.R. 3406: Ms. LOFGREN and Ms. BASS.
 H.R. 3480: Mr. GRAVES of Georgia.
 H.R. 3520: Mr. BOUSTANY and Mr. NORCROSS.
 H.R. 3523: Mr. SMITH of Texas.
 H.R. 3526: Mr. HASTINGS and Mr. GUTIÉRREZ.
 H.R. 3603: Mr. CRAMER.
 H.R. 3722: Mr. CARTER of Georgia.
 H.R. 3779: Mrs. MIMI WALTERS of California and Mr. ROONEY of Florida.
 H.R. 3852: Mr. CONNOLLY.
 H.R. 3886: Mr. AGUILAR.

H.R. 3952: Mr. WALBERG and Mr. LANCE.
 H.R. 3953: Mr. DIAZ-BALART, Mr. YOHO, Mr. MICA, Mr. CURBELO of Florida, and Ms. ROS-LEHTINEN.
 H.R. 4063: Ms. DUCKWORTH.
 H.R. 4083: Mr. BURGESS.
 H.R. 4084: Mr. LUCAS and Mr. NEUGEBAUER.
 H.R. 4132: Mr. BURGESS.
 H.R. 4219: Mr. WEBER of Texas.
 H.R. 4223: Mr. VARGAS.
 H.R. 4224: Mr. WESTMORELAND.
 H.R. 4229: Mr. GOWDY, Mr. SENSENBRENNER, and Mr. MARINO.
 H.R. 4247: Mr. DESANTIS and Ms. WASSERMAN SCHULTZ.
 H.R. 4262: Mr. TIPTON and Mr. PALMER.
 H.R. 4277: Mrs. KIRKPATRICK.
 H.R. 4295: Ms. NORTON and Ms. HAHN.
 H.R. 4319: Mr. GOHMERT, Mr. AUSTIN SCOTT of Georgia, and Mr. POMPEO.
 H.R. 4321: Mr. HARRIS and Mr. MEADOWS.
 H.R. 4328: Mr. MASSIE.
 H.R. 4336: Mr. BUTTERFIELD, Mr. JODY B. HICE of Georgia, Mr. GUINTA, Mr. LARSEN of Washington, and Mr. FLORES.
 H.R. 4348: Mr. BURGESS.
 H. Con. Res. 77: Ms. VELÁZQUEZ.
 H. Con. Res. 105: Mr. HARRIS, Mr. GUTHRIE, Mr. WHITFIELD, and Mr. BURGESS.
 H. Res. 14: Mr. JEFFRIES, Mr. LOWENTHAL, Mr. RANGEL, Mr. TROTT, Mr. MCNERNEY, and Ms. TITUS.
 H. Res. 28: Mr. DONOVAN.
 H. Res. 343: Mr. COOK, Mr. FITZPATRICK, and Mr. REICHERT.

H. Res. 374: Ms. KELLY of Illinois, Ms. BASS, Mr. POE of Texas, Mr. CHABOT, and Ms. MENG.

H. Res. 432: Mrs. MIMI WALTERS of California.

H. Res. 569: Ms. ROYBAL-ALLARD, Mr. THOMPSON of Mississippi, Mr. BEN RAY LUJÁN of New Mexico, Mr. NADLER, and Ms. BONAMICI.

H. Res. 575: Mr. HASTINGS, Ms. EDWARDS, Mrs. CAPPS, Mrs. TORRES, Mr. VARGAS, Mrs. WATSON COLEMAN, and Mr. GENE GREEN of Texas.

H. Res. 582: Mr. WEBER of Texas, Mr. ROSS, Mr. WILLIAMS, Mr. KELLY of Mississippi, Mr. RICE of South Carolina, Mr. ROGERS of Alabama, Mr. NEUGEBAUER, Mr. BABIN, Mr. STUTZMAN, Mr. SESSIONS, and Mr. ROHR-ABACHER.

PETITIONS, ETC.

Under clause 3 of rule XII,

41. The SPEAKER presented a petition of the Municipal Council of the city of Newark, NJ, relative to Resolution No. 7R9-E, calling upon President Barack Obama to grant clemency to Oscar Lopez Rivera; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CELEBRATING THE 60TH ANNIVERSARY OF THE CITY OF STANTON

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. LOWENTHAL. Mr. Speaker, I submit the following:

Whereas, in 1911, the City of Stanton, previously known as the "Benedict" community, was incorporated and named after Philip A. Stanton an honorable legislator; and

Whereas, Stanton remained an incorporated community until 1924. At an election held on July 22, 1924, the voters decided to disincorporate to allow the State to construct roads in the territory; and

Whereas, on May 15, 1956 a successful election was held on incorporation. On June 4, 1956, the City of Stanton was officially incorporated again under the general law form of government as specified by the State of California; and

Whereas, upon recommendation of the Stanton Women's Civic Club in October 1959, the Jacaranda was selected as the City Tree, and the Bird of Paradise was selected as the City Flower; and

Whereas, at the City Council meeting of January 24, 1989 the City was presented with a flag that incorporated the official city logo and colors. The City Council unanimously adopted the City flag on February 14, 1989; and

Whereas, on March 24, 1987 the City Council unanimously adopted "Community Pride and Forward Vision" as the official City motto; and

Whereas, Stanton is home to more than 39,000 residents within its three square miles in the heart of northwestern Orange County. Recent years have seen the City of Stanton experience rapid growth in the commercial, industrial and residential sectors, creating a balanced community with a deep sense of pride in its accomplishments; and

Now, therefore, be it resolved, that January 12, 2016, is the beginning of celebrations for the 60th anniversary of the City of Stanton and encourage all residents of the City of Stanton to celebrate the 60th anniversary of the City of Stanton by exploring and honoring its rich history and embracing the City's future.

IN HONOR OF THE 100TH ANNIVERSARY OF CARMEL-BY-THE-SEA, CA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. FARR. Mr. Speaker, I rise today as a native Californian to mark the 100th anniversary

of my hometown, Carmel-by-the-Sea, California's most charming coastal community. Carmel was founded as a unique and special city by artists and writers. It is now known around the world for its charm and scenic coastal beauty. It is also where my parents Fred and Janet Farr raised me and my sisters, and where my wife Shary and I raised our daughter Jessica. So I am especially pleased to speak on the occasion of this special remembrance.

Carmel may be celebrating 100 years as an incorporated city, but its history stretches back much further. In many ways, Carmel and the greater Monterey Peninsula is where California began. The Esselen natives called Carmel's estuaries, canyons, hills, beaches, and forests home for thousands of years. The first Europeans passed Carmel in 1547 when the explorer Juan Cabrillo sailed up the California coast on behalf of the Spanish Empire. In 1770, the recently canonized Father Junipero Serra accompanied the Portola expedition north from Mexico to establish a settlement in Monterey. In 1771, Serra established the now famous mission in Carmel as one of the eventual 21 such missions established along the California coast. Serra, himself, is interred at the Mission.

By the end of the nineteenth century various investors made sporadic attempts to develop a township in the area adjacent to the old mission. Finally in 1902, the Carmel Development Company under James Frank Devendorf and Frank Powers filed a subdivision map and took other steps to found a town at Carmel's current site. By 1905, the Carmel Arts and Crafts Club formed to support Carmel's small community of artists. That arts community grew dramatically following the 1906 San Francisco quake as artists fleeing the destruction of their city were drawn to the beautiful community by the sea with the burgeoning reputation as an arts colony. The new residents were offered home lots for ten dollars down and whatever they could pay on a monthly basis. Many prominent artists became associated with Carmel, including Robinson Jeffers, Sinclair Lewis, and Jack London, to name just a few. All this growth built Carmel to the point in 1916 that it could incorporate as a full-fledged city.

This background gave Carmel a vibrant energy as it continued to develop in the 20th Century. By the 1940s when my parents moved us to Carmel, it had grown into a thriving small town. As I grew up during the 1950s, every street was filled with families and children. My father was a local lawyer who got elected to the California State Senate in 1955 and represented the area in Sacramento until 1966. He returned to save the Robinson Jeffers home and the Odello artichoke fields at the mouth of the valley. Now in the 21st Century, the same beauty and culture that built Carmel has made it a global tourism destination. What will the next 100 years bring?

Mr. Speaker, I know I speak for the whole House as well as my fellow Carmelites, in celebrating this first 100 years of our wonderful little city.

CELEBRATING BISHOP GUILFOYLE CATHOLIC HIGH SCHOOL FOR ITS SECOND CONSECUTIVE PIAA CLASS A STATE FOOTBALL CHAMPIONSHIP

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate the 2015 Bishop Guilfoyle Catholic High School football team for earning its second consecutive PIAA Class A state football championship.

Adding to its inspiring accomplishments from last season, this dedicated Marauder team, led by Coach Justin Wheeler, finished this season with a perfect 16-0 record. Even more impressive, that brings their winning streak to 32 straight games over two seasons.

By handily winning another PIAA Class A football championship this year, the team has even made regional football history by not only making it to the big game in back-to-back years but also winning it. What's more, winning more than one state football championship is something that no other team in the region can claim.

While these many notable achievements are worth highlighting, I also believe it's worth pointing out the humility and work ethic that accompanied them. Through their efforts, the Bishop Guilfoyle football team's players and coaches have displayed character and commitment worth recognizing. This team's continued success is surely another reason to be proud of where we're from.

Today I am honored to recognize the 2015 Bishop Guilfoyle football team for another state championship victory and its continuously growing list of accomplishments. I am proud of how this team has represented Central Pennsylvania and I speak for many when I say I look forward to seeing what the future holds for this program.

TRUDY ROGERS EARNS GIRL SCOUT GOLD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Trudy Rogers for earning the prestigious Girl Scouts of the USA Gold Award, their highest honor.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Trudy is a junior at Travis High School and lives in my hometown of Sugar Land, Texas. She is a member of New Territory-Brazos Valley Community Troop 28103 and serves as an Ambassador Girl Scout for her troop. She earned the Gold Award for her extraordinary project, "Underdog Yelp!," that helps Sugar Land Animal Services. Trudy constructed a staircase, exercise ramp and platform to help keep the shelter animals healthy and entertained. She also sponsored a community adoption event for animals at the shelter and Pet Harbor and the importance of proper animal healthcare. What an accomplished and caring young woman. The leadership skills Trudy has learned through Girl Scouts are already benefiting our community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Trudy Rogers for receiving the Girl Scouts of the USA Gold Award.

RECOGNIZING PAM BRIER

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to recognize a leader who has worked tirelessly to improve healthcare for residents of Brooklyn and all of New York City.

At the beginning of this month, Pam Brier retired as President and Chief Executive Officer of Maimonides Medical Center. Throughout her illustrious career, Pam has shepherded Maimonides from a community hospital to a state-of-the-art medical hub, a pioneer of integrating technology into medical care.

Pam's achievements are too many to recount. Pam introduced information technology to better care for the chronically ill. She launched a cancer center in Brooklyn, making treatments more accessible in our borough. She worked on securing clothing for homeless patients, and made countless other contributions to New York's health system.

Pam founded the Brooklyn Health Information Exchange, bringing together healthcare providers and social service providers. With support from the state and from a Federal Innovation Award, she encouraged the development of a collaborative model program to coordinate the care of individuals living with serious mental illness and other chronic diseases.

Pam accomplished all of this because of her outstanding personal abilities. I've known her for decades and can tell you she has that rare combination of traits that make for an exceptional leader. She has the perseverance to stay the course during trying times, to evolve her thinking as new challenges arise and a special quality that inspires others to succeed.

During her tenure, Pam made sure every staff member was working together to build Maimonides into the premier healthcare institution it is today. She did all of this, while never losing sight of the fact that healthcare is not just about medicine—it is about caring for people.

Pam has an unwavering commitment to helping cure the sick and provide for those of meager means. I can tell you there was never

a moment when Pam did not take the opportunity to advocate for better healthcare. Whether it was a meeting at the hospital in New York or any other occasion—like my birthday—or even hers—she always found a way to work healthcare issues into the conversation.

That tireless advocacy comes from a good place. It is because Pam Brier knows that when it comes to healthcare we are talking about people's lives and she never stopped fighting to improve our healthcare system.

Pam Brier has done much for our community and City. We all owe her a debt of gratitude. Later this month the Maimonides community will come together to salute Pam and wish her well. For now, Mr. Speaker, I ask that my colleagues join me in congratulating Pam Brier on her many achievements and her well-deserved retirement.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on Wednesday, January 6, 2016. Had I been present, I would have voted as follows: "yes" on rollcall Number 2 (Previous Question); "yes" on rollcall Number 3 (Adoption of the Rule for Reconciliation); "yes" on rollcall Number 4 (Previous Question); "yes" on rollcall Number 5 (Adoption of the Combined Rule for H.R. 712 & H.R. 1155); and "yes" on rollcall Number 6 (Concur in the Senate Amendment to H.R. 3762).

IN HONOR OF ROBERT WALTER "BOBBY" DEWS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a respected athlete, coach, author, and family man, Robert Walter "Bobby" Dews. Sadly, Bobby Dews passed away on Saturday, December 26, 2015. A private funeral service was attended by close family and friends.

Mr. Dews was a longtime resident of Georgia and graduated from Edison High School in Calhoun County before attending the Georgia Institute of Technology, where he played baseball and basketball.

As a young man, Bobby Dews was drafted by the St. Louis Cardinals. He was an infielder on the team for eight years before beginning his managerial career. Mr. Dews eventually returned to Georgia and served as manager, scout, and coach for the Atlanta Braves for over 30 years. In recognition of his successful career in baseball, Mr. Dews was inducted into Georgia Tech's Hall of Fame.

Bobby Dews was not only a natural athlete and baseball enthusiast but also a masterful storyteller, publishing several novels and

books of short poetry and prose. After retiring from the Braves, Mr. Dews remained involved in the community and served as the writer-in-residence for Andrew College in Cuthbert, Georgia, where he had previously received his Associate's degree.

Mr. Dews was truly an asset to the Atlanta and Edison communities and the state of Georgia. A prominent sports figure in the state, Bobby Dews will be remembered by all who had the pleasure of knowing this inspiring mentor and humble friend.

Dr. Martin Luther King, Jr. once said, "Life's most urgent question is: What are you doing for others?" Bobby Dews committed a prodigious amount of time and love to service others and shared his own enthusiasm and wisdom in order to better those around him. In life and in death, Mr. Dews has left a lasting impact on all those who he mentored over the years.

Bobby Dews leaves behind his loving wife of 39 years, Glenda; his daughter, Dana; and his grandson and namesake, Robert Dawson Gates. Additionally, Mr. Dews is survived by his sister, stepsister, and two stepbrothers as well as several nieces and nephews who will miss him dearly. He was a longtime member of the First United Methodist Church of Edison, Georgia.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me and my wife, Vivian, in extending our deepest sympathies to Bobby Dews' family and friends during this difficult time. May they be consoled and comforted by their abiding faith in the Holy Spirit in the days, weeks and months ahead.

CELEBRATING THE LIFE AND LEGACY OF PATRICIA "PATTY" SIEGEL

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Ms. PELOSI. Mr. Speaker, on December 25th, a beautiful Christmas day in San Francisco, a beloved community leader and esteemed childcare advocate passed away. Patricia "Patty" Siegel was a courageous, passionate and relentless champion for children, who dedicated her life and career to making childcare accessible and affordable for all families. Patty helped lay the groundwork for America's contemporary childcare network.

In 1972, drawing on her experience as a mother, teacher and parent-organizer, Patty founded one of the nation's first childcare resource and referral agencies, the Childcare Switchboard, now known as the Children's Council of San Francisco. For 30 years, Patty served as Executive Director of the California Child Care Resource & Referral Network, the first such network in the nation, which empowered her to play an influential role in shaping state and federal childcare policy. Among her biggest achievements was the passage of federal legislation in 1990 creating the Child Care and Development Block Grant, which provides subsidies to low-income families seeking childcare.

Patty served on the Governor's Advisory Committee on Child Care Development and was one of the original state commissioners for the First 5 California Commission that oversees and supports the funding of education, health, and childcare programs for California children under age 5 and their families. With her customary energy and vision, Patty also inspired and guided the development of Parent Voices, a grassroots parent-led effort to engage and empower parents to participate in the policy process.

An early champion of the idea that early education creates long-term cognitive and emotional benefits, Patty Siegel's name is synonymous with the best initiatives giving all children the opportunity to succeed. As we mourn Patty's passing, we know she lives on—in the children she helped, in the working families she empowered, and in the activists she inspired.

Sadly, in 2014, Patty lost her beloved husband, Sandy, who proudly supported her efforts over the years. I hope it is a comfort to their children Toby, Tara and Kelsey, and their four grandchildren, that so many are thinking of them during this difficult time. We are grateful to them for sharing such a magnificent and dearly beloved woman with us. Her beautiful spirit lives on in the battles she won, the policies she changed, and the countless lives she continues to impact.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Ms. DeLAURO. Mr. Speaker, I was unavoidably detained and so I missed Roll Call vote number 2 regarding "On Ordering the Previous Question" (H. Res. 579). Had I been present, I would have voted "No".

I missed Roll Call vote number 3 regarding "Providing for consideration of H.R. 3762" (H. Res. 579). Had I been present, I would have voted "No".

I missed Roll Call vote number 4 regarding "On Ordering the Previous Question" (H. Res. 580). Had I been present, I would have voted "No".

I missed Roll Call vote number 5 regarding "Providing for consideration of H.R. 712" (H. Res. 580). Had I been present, I would have voted "No".

I missed Roll Call vote number 6 regarding "Healthcare Freedom Reconciliation Act of 2015" (H.R. 3762). Had I been present, I would have voted "No".

KASEY HODGE EARNS EAGLE SCOUT RANK

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kasey Hodge from Katy, Texas for earning the rank of Eagle Scout. The Eagle

Scout Award is the highest honor in Boy Scouts.

Only a small percentage of Boy Scouts reach the rank of Eagle Scout, which takes years of dedicated effort. Community service and leadership—the most important aspects of scouting—are values every Scout brings wherever life leads them. Kasey's project involved building a community bench in a local dog park. Kasey's dedication to our community has prepared him to be a leader in college and his future career. The leadership skills Kasey has learned through Boy Scouts are already benefiting our community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again on becoming an Eagle Scout. I have no doubt Kasey has a bright future ahead.

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. LEWIS. Mr. Speaker, I was unable to cast roll call votes on a few days in the First Session of the 114th Congress. Had I been present, I would have cast the following votes: I would have voted Nay on roll call vote 116; I would have voted Nay on roll call vote 179; I would have voted Nay on roll call vote 180; I would have voted Nay on roll call vote 181; I would have voted Nay on roll call vote 182; I would have voted Nay on roll call vote 183; I would have voted Aye on roll call vote 184; I would have voted Aye on roll call vote 185; I would have voted Aye on roll call vote 186; I would have voted Aye on roll call vote 187; I would have voted Aye on roll call vote 188; I would have voted Aye on roll call vote 189; I would have voted Nay on roll call vote 190; I would have voted Nay on roll call vote 191; I would have voted Aye on roll call vote 192; I would have voted Nay on roll call vote 193; I would have voted Nay on roll call vote 194; I would have voted Nay on roll call vote 195; I would have voted Aye on roll call vote 196; I would have voted Aye on roll call vote 197; I would have voted Aye on roll call vote 198; I would have voted Nay on roll call vote 199; I would have voted Nay on roll call vote 200; I would have voted Aye on roll call vote 201; I would have voted Aye on roll call vote 202; I would have voted Aye on roll call vote 203; I would have voted Aye on roll call vote 204; I would have voted Nay on roll call vote 205; I would have voted Nay on roll call vote 206; I would have voted Nay on roll call vote 207; I would have voted Nay on roll call vote 208; I would have voted Nay on roll call vote 209; I would have voted Nay on roll call vote 210; I would have voted Nay on roll call vote 211; I would have voted Nay on roll call vote 212; I would have voted Nay on roll call vote 213; I would have voted Aye on roll call vote 214; I would have voted Nay on roll call vote 215; I would have voted Aye on roll call vote 261; I would have voted Aye on roll call vote 264; I would have voted Aye on roll call vote 265; I would have voted Aye on roll call vote 266; I would have voted Nay on roll call vote 267; I would have voted Aye on roll call vote 500;

I would have voted Nay on roll call vote 674; I would have voted Nay on roll call vote 675; I would have voted Nay on roll call vote 677; I would have voted Nay on roll call vote 678; I would have voted Nay on roll call vote 679 and I would have voted Aye on roll call vote 680.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,918,380,217,573.17. We've added \$8,291,503,168,660.09 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on Thursday, January 7, 2016. Had I been present, I would have voted as follows: No on Roll Call Number 47 (Johnson Amendment); No on Roll Call Number 98 (Cummings Amendment); No on Roll Call Number 9 (Lynch Amendment); No on Roll Call Number 10 (Johnson Amendment); No on Roll Call Number 11 (Democrat Motion to Recommit); Yes on Roll Call Number 12 (Passage of H.R. 712); No on Roll Call Number 13 (Johnson Amendment); No on Roll Call Number 14 (Cummings Amendment); No on Roll Call Number 15 (Cicilline Amendment); No on Roll Call Number 16 (DeBene Amendment); No on Roll Call Number 17 (Cicilline Amendment); No on Roll Call Number 18 (Pocan Amendment); No on Roll Call Number 19 (Democrat Motion to Recommit); Yes on Roll Call Number 20 (Passage of H.R. 1155); Yes on Roll Call Number 21 (Previous Question); and Yes on Roll Call Number 22 (Adoption of H. Res. 581).

RECOGNIZING COACH FRANK BEAMER

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. GRIFFITH. Mr. Speaker, I rise to recognize Coach Frank Beamer on the occasion of his retirement as the head football coach of Virginia Polytechnic Institute and State University (Virginia Tech), located in Blacksburg, Virginia, as he concludes his highly successful

career. For almost three decades, Coach Beamer has been a tremendous leader in Virginia, and a mentor to hundreds of student athletes.

In twenty nine seasons under Coach Beamer's leadership, Virginia Tech Football has enjoyed unprecedented success, notching 237 wins, three Big East championships, four Atlantic Coast Conference championships, and the opportunity to play for a national championship. His "Beamer Ball" style of play has led Virginia Tech to become one of the nation's most respected college football programs. In 1999, Coach Beamer was named the consensus Associated Press College Football Coach of the Year.

Coach Beamer's first postseason berth as head coach at Virginia Tech was a trip to the 1993 Independence Bowl game which resulted in a victory for the Hokies. It was only fitting that Coach Beamer ended his coaching career with a 55-52 victory over the University of Tulsa in the 2015 Independence Bowl, capping off a school record 23 straight postseason bowl games.

Raised in Hillsville, Virginia, Coach Beamer graduated from Hillsville High School where he earned eleven varsity letters as a three-sport athlete in football, basketball, and baseball. He went on to attend Virginia Tech as an undergraduate and started three years as a cornerback, playing on the Hokie's 1966 and 1968 Liberty Bowl teams. While attending Radford University to receive his master's degree in guidance, he began his coaching career in 1969 as an assistant at Radford High School. From there he went on to work as a graduate assistant at Maryland for one year, followed by the Citadel for five seasons, where he was defensive coordinator for two of them. In 1979, Coach Beamer joined Murray State University as defensive coordinator and was named head coach in 1981. In 1987, Coach Beamer made his way back to his native Southwest Virginia to take the reins at Virginia Tech. He has brought honor to Southwest Virginia and Virginia Tech by always being the consummate Virginia gentlemen and a darn good coach to boot. He has devoted his time and passion to the teams he has coached as well as the greater Southwest Virginia community. In 2004, he was presented with a Humanitarian Award by the National Conference for Community and Justice for his contributions to fostering justice, equity, and community in the Roanoke Valley.

As evidenced by his incredible success, Coach Beamer has much to be proud of, and can look back on an honest and accomplished career. His passion for coaching led him to achieve what many coaches dream of. He has shaped futures and touched lives in Virginia and the nation that extend generations. This is the true measure of a great coach.

Mr. Speaker, I am honored to help commemorate the career of a remarkable man. After twenty nine years of dedicated leadership to Virginia Tech and the greater community, I would like to thank Coach Beamer for his service. I wish him and his family all of the best in retirement.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. HINOJOSA. Mr. Speaker, I was unable to be present in the House chamber for certain roll call votes this week. Had I been present on January 5th and 6th, 2016, I would have voted 'Present' for roll call 1 and 'nay' on roll calls 2, 3, 4, 5 and 6.

PERSONAL EXPLANATION

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. ROYCE. Mr. Speaker, on roll call nos. 21 & 22, I was unavoidably detained. Had I been present, I would have voted "yea."

HONORING THE SCOTTSVILLE METHODIST 150TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the 150th anniversary of Scottsville Methodist Church.

Begun around the close of the Civil War in an area known as Scotts Corners, Scottsville Methodist has served as a community of faith for the people of Lower Bucks County for a century and a half. Over the years, the church has changed names and locations, but what has remained consistent is its commitment to strengthening the faith and sense of community for those who worship there.

On this, the celebration of their 150th anniversary, I join with the congregation of Scottsville Methodist Church and congratulate them on this great accomplishment. I wish you many more years of success and peaceful worship.

PERSONAL EXPLANATION

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Mr. CARNEY. Mr. Speaker, I wish to clarify my position on Roll Call Vote Number 12, cast on January 7, 2016. The vote was on passage of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015, which would require an agency seeking to enter a covered consent decree or settlement agreement to publish such decree or agreement in the Federal Register and online not later than 60 days before it is filed with the court. On passage of H.R. 712, I voted "Aye." It was my intention to vote "No."

While I firmly believe in judicial transparency, I could not support this legislation in

its entirety. H.R. 712 included provisions that place unreasonable burdens on our regulatory process and give undue influence to certain groups. This legislation addressed pressing issues with the efficacy and efficiency of our regulatory process; however, it did not strike the right balance. That is why I ultimately decided to oppose this legislation, and I would like to reflect this intent.

HONORING HARRISON LIM ON THE OCCASION OF HIS 80TH BIRTHDAY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Ms. PELOSI. Mr. Speaker, I am proud to pay tribute to a great community leader and dear friend, Harrison Lim, on the occasion of his 80th birthday and 50th wedding anniversary. I join his family and friends, City officials, Chinese family associations and service organizations to honor and thank him for 45 years of extraordinary leadership, vision, and enormous generosity to the Chinese American community of the San Francisco Bay Area.

Through the numerous organizations he has founded and guided, he has represented and served the political, economic and charitable needs of Chinese Americans living in the Bay Area. Today's Chinese American community is bright, vibrant, hopeful and prosperous, thanks to champions such as Harrison Lim.

Harrison Lim immigrated to the United States in 1970, and since that time has devoted himself to helping newcomer families transition to their new homeland and pursue the American Dream.

Harrison founded two essential nonprofit social service agencies in California, one in San Francisco and one in San Jose, to help new immigrants adjust to a new culture and achieve success.

The first agency, Charity Cultural Services Center, was established in 1983 in San Francisco to help Chinese immigrants learn English and gain skills to become independent and thrive in their new community. It has provided immigration and naturalization services, cooking and carpentry job training and placement, tutoring programs with San Francisco high schools and much more. Before retiring in 1998, Harrison purchased a building in the heart of Chinatown as a permanent home for this nonprofit agency.

The second nonprofit agency, Cross-Cultural Community Services Center, was established in 1991 in San Jose. Staff worked with the City of San Jose and 14 elementary schools to provide tutoring and afterschool activities for African American, Southeast Asian, Hispanic and Chinese American students to help them achieve academic success.

Mr. Lim has won numerous awards during his career, including: Unsung Hero Award by KQED Channel 9 and the Examiner Newspaper—1995; Community Hero Award by the San Francisco Foundation—2001; Community Hero Award by the World Journal—2004; Most distinguished alumni for Chinese University of Hong Kong's 50th Anniversary—2013; Outstanding Volunteer Award from President Barack Obama—2015.

Harrison remains active on the board of the Chinese Consolidated Benevolent Association. For the past 30 years, he has helped the Chinese Consolidated Benevolent Association and the United Way fundraise for 12 agencies in Chinatown, such as the YMCA, YWCA, Chinese Hospital and Self Help for the Elderly. He has also been recognized for his leadership in establishing the Chinatown Campus of San Francisco City College.

I have been honored by our longstanding friendship and wish to thank his wife, Margaret, his daughters, Artina and Rosana, and his sons, Jackson and Samson, for sharing their extraordinary husband and father with us.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Friday, January 8, 2016

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote number 7 regarding "On Agreeing to the Johnson (GA) Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 8 regarding "On Agreeing to the Cummings Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 9 regarding "On Agreeing to the Lynch Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 10 regarding "On Agreeing to the Johnson (GA) Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 11 regarding "On Motion to Recommit with Instructions". Had I been present, I would have voted "yea."

I missed rollcall vote number 12 regarding "Sunshine for Regulatory Decrees and Settlements Act of 2015" (H.R. 712). Had I been present, I would have voted "no."

I missed rollcall vote number 13 regarding "On Agreeing to the Johnson (GA) Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 14 regarding "On Agreeing to the Cummings Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 15 regarding "On Agreeing to the Cicilline Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 16 regarding "On Agreeing to the DeBene Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 17 regarding "On Agreeing to the Cicilline Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 18 regarding "On Agreeing to the Pocan Amendment". Had I been present, I would have voted "yea."

I missed rollcall vote number 19 regarding "On Motion to Recommit with Instructions". Had I been present, I would have voted "yea."

I missed rollcall vote number 20 regarding "Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015" (H.R. 1155). Had I been present, I would have voted "no."

I missed rollcall vote number 21 regarding "On Ordering the Previous Question" (H. Res. 581). Had I been present, I would have voted "no."

I missed rollcall vote number 22 regarding "On agreeing to the Resolution" (H. Res. 581). Had I been present, I would have voted "no."

SENATE—Monday, January 11, 2016

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty and everlasting God, the Creator of new beginnings, thank You for Your constant love and for the opportunity to learn from each other.

As we turn to a new chapter in our labors, illuminate the path of our lawmakers with Your holy light. May Your sacred Word provide them with a lamp and light in this world's darkness, keeping them from the detours that lead to ruin. Give them a humility that seeks first to understand instead of striving to be understood.

Lord, guide us all with Your powerful hand until the kingdoms of this world acknowledge Your sovereignty and might.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY—VETO

The PRESIDING OFFICER (Mr. COTTON). The Chair lays before the Senate the President's veto message on S.J. Res. 23, which the clerk will read and which will be spread in full upon the Journal.

The senior assistant legislative clerk read as follows:

Veto message to accompany S.J. Res. 23, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units."

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the veto message on S.J. Res. 23 be considered as having been read; that it be printed in the RECORD, spread in full upon the Journal, and held at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The veto message ordered to be printed in the RECORD is as follows:

MEMORANDUM OF DISAPPROVAL

S.J. Res. 23 is a joint resolution providing for congressional disapproval under chapter 8 of title 5 of the United States Code of a rule submitted by the Environmental Protection Agency (EPA) relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units." This resolution would nullify EPA's carbon pollution standards for new, modified, and reconstructed power plants. Accordingly, I am withholding my approval of this resolution. (The Pocket Veto Case, 279 U.S. 655 (1929)).

Climate change poses a profound threat to our future and future generations. Atmospheric levels of carbon dioxide, a primary greenhouse gas, are higher than they have been in at least 800,000 years. In 2009, EPA determined that greenhouse gas pollution endangers Americans' health and welfare by causing long-lasting changes in the climate that can have, and are already having, a range of negative effects on human health, the climate, and the environment. We are already seeing the impacts of climate change, and established science confirms that we will experience stronger storms, deeper droughts, longer wildfire seasons, and other intensified impacts as the planet warms. The Pentagon has determined that climate change poses immediate risks to our national security.

Power plants are the largest source of greenhouse gas pollution in our country. Although we have limits on other dangerous pollutants from power plants, the carbon pollution standards and the Clean Power Plan ensure that we will finally have national standards to reduce the amount of carbon pollution that our power plants can emit.

The carbon pollution standards will ensure that, when we make major investments in power generation infrastructure, we also deploy available technologies to make that infrastructure as low-emitting as possible. By blocking these standards from taking effect, S.J. Res. 23 would delay our transition to cleaner electricity generating technologies by enabling continued build-out of outdated, high-polluting infrastructure. Because it would overturn carbon pollution standards that are critical to protecting against climate change and ensuring the health and well-being of our Nation, I cannot support the resolution.

To leave no doubt that the resolution is being vetoed, in addition to withholding my signature, I am returning S.J. Res. 23 to the Secretary of the Senate, along with this Memorandum of Disapproval.

BARACK OBAMA.

THE WHITE HOUSE, December 18, 2015.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY—VETO

The PRESIDING OFFICER. The Chair lays before the Senate the President's veto message on S.J. Res. 24, which the clerk will read and which will be spread in full upon the Journal.

The senior assistant legislative clerk read as follows:

Veto message to accompany S.J. Res. 24, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units."

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the veto message on S.J. Res. 24 be considered as having been read; that it be printed in the RECORD, spread in full upon the Journal, and held at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The veto message ordered to be printed in the RECORD is as follows:

MEMORANDUM OF DISAPPROVAL

S.J. Res. 24 is a joint resolution providing for congressional disapproval under chapter 8 of title 5 of the United States Code of a rule submitted by the Environmental Protection Agency (EPA) relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units." This resolution would nullify the Clean Power Plan, the first national standards to address climate-destabilizing greenhouse gas pollution from existing power plants. Accordingly, I am withholding my approval of this resolution. (The Pocket Veto Case, 279 U.S. 655 (1929)).

Climate change poses a profound threat to our future and future generations. Atmospheric levels of carbon dioxide, a primary greenhouse gas, are higher than they have been in at least 800,000 years. In 2009, EPA determined that greenhouse gas pollution endangers Americans' health and welfare by causing long-lasting changes in the climate that can have, and are already

having, a range of negative effects on human health, the climate, and the environment. We are already seeing the impacts of climate change, and established science confirms that we will experience stronger storms, deeper droughts, longer wildfire seasons, and other intensified impacts as the planet warms. The Pentagon has determined that climate change poses immediate risks to our national security.

The Clean Power Plan is a tremendously important step in the fight against global climate change. It is projected to reduce carbon pollution from power plants by 32 percent from 2005 levels by 2030. It builds on progress States and the power sector are already making to move toward cleaner energy production, and gives States the time and flexibility they need to develop tailored, cost-effective plans to reduce their emissions. By nullifying the Clean Power Plan, S.J. Res. 24 not only threatens ongoing progress toward cleaner energy, but would also eliminate public health and other benefits of up to \$54 billion per year by 2030, including thousands fewer premature deaths from air pollution and thousands fewer childhood asthma attacks each year.

The Clean Power Plan is essential in addressing the largest source of greenhouse gas pollution in our country. It is past time to act to mitigate climate impacts on American communities. Because the resolution would overturn the Clean Power Plan, which is critical to protecting against climate change and ensuring the health and well-being of our Nation, I cannot support it.

To leave no doubt that the resolution is being vetoed, in addition to withholding my signature, I am returning S.J. Res. 24 to the Secretary of the Senate, along with this Memorandum of Disapproval.

BARACK OBAMA.
THE WHITE HOUSE, December 18, 2015.

MEASURE PLACED ON THE CALENDAR—S. 2434

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk that is due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2434) to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

WELCOMING COLLEAGUES BACK AND THE PRESIDENT'S ADDRESS TO CONGRESS

Mr. MCCONNELL. Mr. President, I wish to welcome colleagues back to a new year in a new Senate that is back to work for the American people. It is clear we had a successful 2015. Committees began functioning again. Senators began having more of a say again. We got important things accomplished for the American people. We are looking to build upon this progress in 2016. There is, of course, much to be done, but I am optimistic about what can be achieved with a bipartisan dedication to moving back to regular order, not just this year but in the years to come.

The scale of what any Congress will be able to accomplish in a given year often depends upon the willingness of the President to cooperate and engage in good faith. When President Obama comes to address Congress tomorrow, he will have an important opportunity to demonstrate that to the American people. The question is, Will he rise to the moment? Based on what the White House has been saying in the media, it is unlikely we will hear a unifying message for our country tomorrow. That is unfortunate. I think the American people can expect to hear a positive message from Governor Haley. Many are looking forward to hearing what she has to say. I will have much more to say on all of that tomorrow.

REMEMBERING DALE BUMPERS

Mr. MCCONNELL. Mr. President, let me again welcome all of our colleagues back. I think they will join me in remembering former Senator Dale Bumpers, who passed away over the holidays.

Some called Dale Bumpers an improbable Senator. Others have remarked on his humor and wit. But what is clear about this former Senate colleague is that he was larger than life in many ways. I am sure his name will continue to be remembered by Arkansans for many years to come. The Senate sends its condolences to the family and friends Senator Bumpers leaves behind.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRIBUTE TO CHAPLAIN DR. BARRY C. BLACK

Mr. REID. Mr. President, while the Chaplain is in the building, I wish to

say a brief word. I have the good fortune—and have for many years—to come to the floor every day and listen to a prayer offered in sincerity by our Chaplain. The people who watch us on TV think that all he does is walk in here every day and give a little prayer. The fact is, I received information on the things he did this past year.

He represented the Senate in 27 out-of-town speaking engagements. Those speaking engagements are tremendous. He has been in Nevada on a number of occasions. He is a tremendous presenter of what he does and what is good for the country. He delivered the invocation and/or benediction to 17 different ceremonies. He spoke at 10 different Senate functions. He visited with 20 different school groups who came to visit the Capitol. He delivered the invocation at 12 local events. He spoke at 26 local events. He hosted 11 guest Chaplains. He hosted three Jewish programs. He administered premarital and marriage-enrichment counseling. He mentored 20 Senate staffers in a recurring, 10-week spiritual mentoring program. He facilitated the Wednesday morning weekly Prayer Breakfast. He hosted two men's Prayer Breakfasts for Senate staff featuring Os Guinness and Michael Franzese as guest speakers. He hosted a special program at Easter, our 20th annual Thanksgiving service, and a holiday open house for the Senate community.

He prayed on the Senate floor for the convening of most Senate sessions. He taught 44 Bible studies for approximately 150 Senate staff. He taught 44 Bible studies for approximately 15 staff in the Postal Square Building. He taught 40 Bible studies for the Senators in Senator INHOFE's Capitol office. He taught 44 Bible studies for 15 chiefs of staff. He engaged in hospital visitations on frequent occasions and gave weekly updates about the sick and injured at the Senate Prayer Breakfast. He delivered the eulogy for former Senator Edward Brook at the National Cathedral. He spoke at memorial services and funerals for various Senate staff members. He ministered to Senate office staff members during times of grief. He spoke to Senate staff during staff meetings.

That is not all. In relation to his activities and duties, he hosted a ladies' small group Bible study every Monday, consisting of Senate staff. He had a small group of men consisting of Capitol police officers and other Senate staff for Bible study every Wednesday.

Mr. President, everyone should know that he does more than give this prayer opening the Senate every day. In fact, if that was all he did, it would be well worth the functions of the Senate Chaplain, but he does much more. I congratulate him and express the appreciation of the entire Senate for the good work and good representations

this fine man does representing our country. Remember, he is a retired admiral of the U.S. Navy.

REMEMBERING DALE BUMPERS

Mr. REID. Mr. President, on another subject, I had the good fortune yesterday to attend the funeral of Dale Bumpers in Little Rock, AR. The ceremony lasted almost 2 hours. It was a stunningly spiritual, humorous, and historical occasion.

Dale Bumpers performed at that desk back there by the exit of this door. He had an extra long extension cord, and he traipsed around back there, walking back and forth, speaking only as he could do. It is what we do here in the Senate. Based on seniority, everyone moves forward. He served here for a quarter of a century, but he never wanted to leave that space back there because that was his place to inform the public about how he felt about different issues.

Coming from the Presiding Officer's State, he was a man who didn't fit the mold necessarily of what a lot of people expected of a Senator, but he was a giant killer politically. He defeated Orval Faubus after he had been in a governorship in the State of Arkansas for many years—a famous man; he beat him. Four years later, he beat William Fulbright, a longtime Member of the U.S. Senate and one of the most prominent, famous Senators in the history of the country. Then he started 24 years of service here in the Senate.

I have great admiration for Dale Bumpers. The speeches and eulogies given yesterday were remarkable. His son Brent spoke for a short period of time. Former Senator David Pryor spoke for quite a while and talked about things they did together, the work they did on behalf of Arkansas.

At the Pryor Center, they are doing a recorded history of how people feel about Senator Bumpers. I had the ability to give my view. I said that I did not know of a Senate delegation with more power than Bumpers and Pryor had for the State of Arkansas during my more than three decades of service here in the Capitol. I have never seen two people who had as much power and prestige for a State as Bumpers and Pryor had.

I am very fortunate that Landra and I were able to attend that funeral and listen to the eulogies given by Pryor and then, of course, by President Bill Clinton. It is too bad that the entire service couldn't have been recorded because it was hilarious. He was an extremely funny man and a man who taught me a lot about the Senate. I have missed him for a long time, and I will always remember him for a number of reasons, not the least of which was his ability to speak.

THE PRESIDENT'S LEADERSHIP

Mr. REID. Mr. President, in less than 300 days, the American people will head to the polls to elect the President of the United States. An election year places the state of our Union under intense scrutiny. At this time it is important to remember just how far we have come through the leadership of President Barack Obama.

I can remember the first time I heard Barack Obama's name. I was in the House gym, where I worked out for many years. Former Members have a little room in the back. Abner Mikva—long-time Congressman from Illinois, top lawyer for President Clinton, appellate court judge, and has had quite a remarkable career himself—was there. While we were getting dressed, he said to me: We have a Senate race in Illinois. And I asked: Well, whom are you supporting? He said: Barack Obama. I thought he was trying to be funny. Barack Obama? Come on. That is basically what I said to him, but I was wrong and he was right. This man with the unusual name was elected President of the United States.

It is important to remember just how far we have come through his leadership. After 8 years of disaster under President Bush, the American people embraced President Obama's message of hope and change. On January 20, 2009, Barack Obama became the first African-American President in the history of our country. Instead of working with the President to repair our economy, strengthen the middle class, and help working families, Republicans have chosen a path, for 7 years, of relentless obstruction.

In fact, during the President's first term, the Republican leader publicly said: "The single most important thing we want to achieve is for President Obama to be a one-term President." As we look back over 7 years of the Obama Presidency, one thing is clear: Republicans have failed in their radical crusade against him. President Obama inherited the worst recession since the Great Depression. He acted immediately to address the economic crisis and begin rebuilding our economy. Because of President Obama, our economy has fought back from the brink of destruction, which is what it really was.

Last month, record car sales were announced for the year 2015. How did it come about? Because President Obama went against the Republicans every step of the way by saving Chrysler and GM and giving Ford a great boost. The most significant car and truck sales in the history of our country occurred last year. Millions of Americans now have health care. The President made sure he fulfilled his promise of getting Osama bin Laden, and he did. He was killed. The President has taken bold action to address our broken immigration system, doubled our country's pro-

duction of renewable energy, and expanded access to higher education for millions of Americans.

I have a lot of affection and admiration for President Obama and most everyone knows that. I have had the good fortune of working with him for the past 9 years in the Senate and as President. His rescuing the Nation from crisis, his bold legislative achievement, and his refusal to back down in the face of Republican obstruction have made him one of the best Presidents of all time.

No State was hit harder by the recession and foreclosure crisis than Nevada. President Obama provided the resources necessary to stabilize the shattered housing markets, keep responsible borrowers in their homes, and reduce foreclosures. Through the efforts he made, the President and his administration were able to provide about \$200 million to Nevada's hardest hit homes, and there were lots of them. It didn't take care of all the problems, but it certainly helped a great deal. These were programs that provided unemployed and underemployed homeowners financial assistance.

Nevada's unemployment rate reached almost 14 percent. Across the country, the rate of unemployment was about 10 percent. Today we have seen over 70 consecutive months of job growth, and our economy has added more than 14 million private sector jobs during the Obama years. Keep in mind what was happening during the last months of the Bush administration. During the first 2 months after the President was elected but not sworn into office, 800,000 jobs were lost 2 months in a row. It is hard to comprehend that, but that is what happened.

Now we have seen the evidence of our Nation's job market continuing to bounce back. Last week alone almost 300,000 jobs were announced in the preceding month of December. A recent report shows that businesses have added 5.6 million jobs in the last 2 years alone, the most since the end of the Clinton administration. This certainly wouldn't have been possible without President Obama's leadership.

Nevada's unemployment rate, which I have already mentioned, was the worst in the Nation. We had an ongoing struggle with the State of Rhode Island for years as to which had the worst unemployment—Rhode Island or Nevada. Neither State wanted to win, but we both won on many occasions as to which had the highest unemployment rate. Thanks to President Obama's leadership, we are finally coming back in a very strong way.

In December, the President signed a tax bill that includes one of the biggest anti-poverty tools in a generation. It will help lift 16 million modest- and low-income working families out of poverty, including 8 million children. Renewable energy is taking off like

never before as a result of that legislation. President Obama and Senate Democrats have brought our economy back from the brink of destruction. I have already talked about the auto industry. We took on Wall Street to ensure that the greed and corruption which produced the great recession would never happen again. Republicans said no at every turn, but we succeeded in spite of their obstruction.

Health care. Before President Obama took office, tens of millions of Americans were denied health insurance. Thanks to the hard work of President Obama and the Democrats in Congress, the Affordable Care Act has banned insurance company discrimination, requiring coverage without regard to pre-existing conditions or health status. That is just a little bit of what has been done. Since the law took effect, 17 million uninsured Americans have now gained insurance coverage. The success of ObamaCare is undeniable and made health care available to millions, slowed the rate of health care cost growth, and it did not cause any of the horrible problems that were talked about, prophesied, and that were suggested would happen by Republicans. In effect, what they said was all wrong.

Immigration. Immigration was a problem before President Obama took office, but he tried to do something about it, and of course Republicans blocked that also. At the State of the Union Address 2 years ago, he said: I worked with you. I have tried, I have pleaded, and I am tired of doing this. I will have to do things on my own now because you will not do it legislatively. And he has done that.

We failed to pass the DREAM Act in 2010. President Obama acted to protect DREAMers, by announcing DACA, deferred action for childhood arrivals. To date, almost 700,000 young individuals have been protected from deportation. Since then, Democrats led the charge for comprehensive immigration reform to fix our Nation's broken immigration system.

The Senate passed bipartisan immigration reform in 2013, which was important, but we now have people, such as the junior Senator from Florida, for example, who helped pass that legislation, but once he started running for national office decided that everything he did in bringing that bill to the Senate floor was wrong, and he has taken a 360-degree turn and said: I did all of that, but I guess I was wrong. We haven't been able to get it out of the House, and now we have people such as the junior Senator from Florida who is denigrating his own bill.

President Obama acted within his legal Executive authority to unite American families and strengthen our immigration system, including protecting some adults with children in the United States from deportation. It is a longer story than that, but that is the short story.

Energy and the environment. Climate change is one of the greatest, if not the greatest threat, the world has ever known. Because of President Obama's leadership, the world is on track to keep temperatures from rising and avoid the most catastrophic impact of climate change. By negotiating the historic Paris climate agreement, the President has crafted a version of clean energy and climate change for our country by establishing carbon emission standards on vehicles that help consumers save money on fuel for the first time by limiting carbon pollution from powerplants.

He established or expanded 19 national monuments. Why? Because Republicans—bills we passed matter-of-factly here—always refused to allow us to have votes on them. So he moved forward, as he said he would do, with an Executive action for 19 national monuments. In Nevada, it includes the 750,000 acres of the Basin and Range National Monument, which is something that is great and all Americans can share. The President believes these lands belong to all Americans and that our children and grandchildren should be able to enjoy the beauty and bounty of our country.

Education. When President Obama took office, our Nation's education system was in desperate need of reform. No Child Left Behind crippled schools around the country and graduation rates were at historic lows. One of the most important actions President Obama took through the recovery act was nearly \$100 billion in aid for K-12 and higher education.

Today students across the country have made tremendous progress. More students have graduated than ever before, particularly low-income and minority students. President Obama also took historic steps to address extreme levels of student debt in this country. By working with Democrats, President Obama created new programs to help college graduates manage their student debt by capping their loan payments by 10 percent of their income. We wanted to do more, but obstruction raised its ugly head and Republicans refused to allow us to do even more.

Guns. Mass murders have taken place all over, and Nevada is no exception. It has happened there also. From the time he was elected President, Republicans have tried every means possible by working arm in arm and hand in hand with the NRA to stop everything the President has tried to accomplish. Even though more than 80 percent of the American people said there should be background checks for people who are crazy and criminals, it is not good enough for Republicans. They have still stopped us.

The President tried to work with Republicans and they have refused. This has brought about his new efforts to use Executive action. Last week he did

just that. He addressed the epidemic of gun violence in this country through legal Executive action. Republicans have blocked this action, even in the wake of cold-blooded mass murders in schools, houses of worship, movie theaters, and many other places.

Tomorrow the President will deliver his final State of the Union Address to the American people. I look forward to hearing ways in which he plans to continue and push our Nation forward during his last year in office. We will do everything in our power, as Democrats, to build on the strong legacy President Obama has established. We will continue to fight to strengthen the middle class and working families by addressing the mountain of student debt that saddles Americans' higher education. We will continue fighting to increase the minimum wage. We will not rest until wages of women match the wages of their male counterparts, and we will continue to keep Wall Street accountable by prioritizing Main Street and protecting the good work the Dodd-Frank legislation did.

As we begin this legislative session, I hope we will find in our Republicans a willing partner to protect and strengthen our Nation. I hope it is not wishful thinking, but it probably is. We stand ready to work with our Republican colleagues to do what is right for the American people.

FEDERAL RESERVE TRANSPARENCY BILL

Mr. REID. Mr. President, for years I have supported a responsible audit of the Federal Reserve System. The American people deserve an audit of one of the most vital parts of our government. In the wake of the financial crisis that crippled our Nation's economy, I came to more fully understand how important it is that any audit respects the independence of the Federal Reserve. The Federal Reserve is crucial to our economy recovering after the disastrous debacle on Wall Street. There were emergency provisions to address the catastrophes that only the Federal Reserve could respond to. They did it faster than the Congress could do it. Had the Federal Reserve not stepped in, the consequences of the great recession would have been tremendously worse. It would have been worse than the Great Depression. This Federal Reserve could act quickly to safeguard the national economy because of its independence, and it did just that.

One of the lessons we learned from the great recession is that the Federal Reserve should not be hamstrung. It is a cornerstone of our global economy. We must maintain a Federal Reserve that is transparent, but we must also respect the independence of the Federal Reserve in order to maintain the well-being of the global economy, and that is why we included an amendment

to responsibly audit the Federal Reserve while respecting its independence. The amendment passed unanimously. The bill which the Senate will vote on tomorrow, sponsored by the junior Senator from Kentucky, will critically undermine this delicate balance.

Wall Street reform ensured that the Government Accountability Office could audit the Federal Reserve, and in accordance with the law, the Government Accountability Office has carried out those audits. In the year after the passage of Dodd-Frank, the Federal Reserve was audited 29 times. Since that time, the Federal Reserve has been audited 102 times.

My colleagues don't have to take my word for it. The 102 audits of the Federal Reserve are available to everyone. All they have to do is look at the Federal Reserve Website. Proponents of this bill know that. Their calls for audits have been answered.

So let's be clear. This bill is not about auditing the Federal Reserve. It is not about transparency or keeping the books for the Fed. The oversight already exists. This bill is about giving tea party Republicans and their billionaire donors the ability to control the economy of the United States. It is an attack on policies that are designed to stabilize the U.S. economy and help the middle class bounce back.

Political parties should not and cannot run monetary policy at the Federal Reserve. That would be disastrous. I am disappointed the Senate will waste its time on another misguided partisan attack such as this one. The bill is an attack on the Federal Reserve mandate to create full employment. These attacks are partisan in nature, and it is unconscionable to think that the Republican leader will begin this year attacking policies that benefit the middle class.

Some Republicans agree. Senator BOB CORKER, chairman of the Foreign Relations Committee and a member of the Banking, Housing, and Urban Affairs Committee, said this of the audit the Fed bill:

It's obvious to me that the Audit the Fed effort is to not address auditing the Fed because the Fed is audited. . . . to me it's an attempt to allow Congress to be able to put pressure on Fed members relative to monetary policy. And I would just advocate that that would not be a particularly good idea and it would cause us to put off tough decisions for the future, like we currently are doing with budgetary matters.

I agree with Senator CORKER. Injecting politics into the Federal Reserve is a bad idea.

This bill is a sham. We should dispen-
 se with it quickly, and we should do it—if there is any word quicker than quick, let's do it that way. I will vote against the bill, and I encourage my colleagues to do the same.

Will the Chair announce the business of the day?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I apologize to my friend, the assistant leader, for taking so much time.

The PRESIDING OFFICER. The assistant Democratic leader.

75TH ANNIVERSARY OF FRANKLIN DELANO ROOSEVELT'S "FOUR FREEDOMS" SPEECH

Mr. DURBIN. Mr. President, tomorrow evening President Obama will come before Congress to deliver his annual State of the Union Address.

America has changed a great deal since President Obama delivered his first State of the Union Address 7 years ago. We remember he inherited an economy in free fall. There was a real danger that the United States would face another Great Depression. Instead, we slid into a great recession. The President—President Obama—did all he could to bring our economy back to life. Recent economic indicators show that his strategy moved us in the right direction. More Americans are working. We are seeing prosperity and opportunity return. There are still challenges ahead. We still face income inequality, and there are many things we must do to make this a fairer nation when it comes to our economy, but we avoided a Great Depression because Americans are resilient and because our government, under the leadership of President Obama, had the courage to take bold action to help put Americans back to work and to invest in America's future when the private sector would not or could not.

Our Union—and our future—is undoubtedly stronger today than when the President first took office, and I look forward to tomorrow evening when we hear this President's hopes and plans for his final year in service to our Nation.

This afternoon I wish to take a few minutes to talk about another President and an earlier State of the Union Address. It was 75 years ago, on January 6, 1941, when President Franklin Delano Roosevelt traveled from the White House to Capitol Hill to deliver his annual message to the Nation. FDR had been reelected weeks earlier to an unprecedented third term as President. Despite historic reforms in progress, America was still battling the Great Depression he had inherited.

Pearl Harbor was 11 months in the future. Understandably, many Americans

wanted to believe that the war that was consuming Europe and beginning in the Pacific could remain their problem over there, but Franklin Delano Roosevelt sensed that would not be the case. He could see America would inevitably be drawn into this conflict.

In addressing Congress, FDR proposed to make America the "arsenal of democracy." He also urged Congress to create a new "lend lease" program, enabling our historic ally, Great Britain, and their allies to withstand the assault of Nazi Germany, Fascist Italy, and Imperial Japan.

He did something else. FDR knew that in order for the Nation to face World War II, America needed to know not just what they would be fighting against but what they would be fighting for. So in some of the darkest days of World War II, with Adolf Hitler vowing to impose a new order on Europe at gunpoint, Franklin Roosevelt spoke of a moral order founded on four essential human freedoms that would be the right of every person everywhere. Those four freedoms he spoke of were the freedom of speech, the freedom of worship, the freedom from want, and the freedom from fear.

Norman Rockwell was an amazing American. He was a great illustrator. It is interesting that he did so many cover drawings for great magazines of his time, such as the Saturday Evening Post. When he heard FDR's "Four Freedoms" speech given to Congress, it inspired him to create images. Those images emerged after the original speech was given, and many people credit those images created by Norman Rockwell with allowing Americans to visualize what each of the four freedoms meant in very human terms.

I brought copies of them to the floor because they so graphically illustrate the message which FDR delivered in his "Four Freedoms" speech.

The freedom of speech. This Norman Rockwell illustration shows a working man standing and speaking his mind in a townhall meeting.

Freedom of worship. This photo shows a group of people from different backgrounds, each praying to God—the God of his or her understanding.

Freedom from want. This classic illustration shows a family gathered for a Thanksgiving feast.

The last of the four freedoms is the freedom from fear. This illustration shows a mother and father looking at their sleeping children tucked safely into bed.

In the coming struggle, President Roosevelt said, America would defend itself not just with arms but also with "the stamina and courage which comes from unshakeable belief in the manner of life that we are defending." That is exactly what they did.

During World War II, 16 million Americans—one out of every eight—put on a uniform and fought for the

promise of the four freedoms. Tens of millions more Americans back home joined the fight by planting victory gardens, recycling everything from bacon grease to tin cans, serving as "soil soldiers" in the Civilian Conservation Corps, and working in war munitions factories as Rosie the Riveters.

After the war, the "greatest generation," as Tom Brokaw characterized them, may have given up their uniforms, but they continued their fight for FDR's four freedoms. From the earliest days of the Roosevelt administration, Franklin and Eleanor had worked to rewrite the rules of America's economy to give average workers and families a fighting chance against powerful corporations and entrenched wealthy special interests. They strengthened labor unions to improve workers' pay, working conditions, safety in the workplace, health care, retirement—things we take for granted today.

After the war, the same Americans who had endured the hardships of the Depression and who had saved the world from tyranny went to work and laid the foundation for the creation of the largest middle class and the strongest economy in the history of the world. They built new schools, new homes, new towns, an interstate highway system. At the same time, more Americans began to challenge longstanding injustices based on race, creed, gender, and other distinctions.

As the historian and author Harvey Kaye writes, under the leadership of Franklin Delano Roosevelt, America greatly "expanded the 'we' in 'we the people.'"

Under the leadership of Franklin and Eleanor Roosevelt, Americans saved our Nation's economy from ruin, saved the world from tyranny, and they did all this while making America freer, more equal, and more democratic than it had ever been.

The promise of the four freedoms would inspire not only Americans, but it inspired the world. The four freedoms became part of the preamble to the United Nations "Universal Declaration of Human Rights." That declaration, drafted by a committee chaired by the great stateswoman Eleanor Roosevelt, represents the first time in history that nations around the world agreed to a list of human rights to be universally protected.

My wife Loretta and I are honored to include among our friends Anna Eleanor Roosevelt, FDR and Eleanor's granddaughter. She lives in Maine now, but she spent most of her life living in my home State of Illinois. Similar to her grandparents, Anna Eleanor Roosevelt is full of optimism, energy, and a fierce love for this Nation. She has done so much to advance her grandparents' efforts to make America freer and fairer. I want to say to my friend Anna, America remembers and honors

your grandparents' legacy. We are a better Nation because of what their leadership and sacrifice meant to us.

As we celebrate the 75th anniversary of FDR's "Four Freedoms" speech, it is clear that we still have a lot of work to do to make the promise of the four freedoms real. Income inequality in America is greater today than at any time since just before the Great Depression. There are many reasons for America's growing economic inequality, including globalization and technology, but the biggest reason is nearly 40 years of deliberate political decisions to undo the progress of FDR's New Deal and concentrate more and more income and wealth in the hands of the few. FDR was right when he said that "economic laws are not made by nature [but] by human beings."

I hope this year we can work together to pass laws that will increase economic opportunity for all Americans, rebuild America's middle class, and free more Americans from the fear of want.

FDR said that we Americans believe in the four freedoms not just for ourselves but for our families, for those who vote as we do or look like we do, who live in our neighborhoods and attend our same houses of worship, but we believe in the four freedoms for everyone everywhere.

An America that believes in freedom of worship doesn't allow one religious group to deny basic rights to others. Think about our Constitution, which each of us in the Senate is sworn to uphold and defend. There are only three references in that great document to the issue of religion. The first is in the Bill of Rights to guarantee to each of us the right to believe as we wish or not to believe; second, that our government will never establish a religion; and, third, that there will never be a test for qualification for public office involving one's religious beliefs.

Making a religious test for public office or even a religious test for immigration is inconsistent with those basic values—inconsistent with those four freedoms. Yet even in this Presidential campaign today, we hear candidates making that proposal.

Freedom of speech means allowing others to speak, too, not shouting down those who think differently than we do. Democracy works better with dialogue, not monologues.

Years ago when Loretta and I had our first baby, we faced some terrific medical challenges. Sadly, we had no health insurance. Let me state that as a new father, I was never more frightened in my life. Thanks to the Affordable Care Act, ObamaCare, 17 million Americans and many millions of American parents are now free from that fear, and they know that if this act is eliminated, as has been proposed by some politicians, there is no alternative, there is no protection, and they

will face the kind of fear no family should ever face.

This year, instead of voting over and over to kill the Affordable Care Act, I am calling the other party to work to strengthen the law. This law isn't perfect, but together we can make the Affordable Care Act work better for all American families.

Freedom from fear also means that Americans shouldn't have to worry about getting shot when they are playing in a park, sitting in a movie theater, or attending a Bible study class. Even in an election year, we ought to be able to find commonsense ways to protect Americans from the fear and reality of gun violence. We ought to be able to find a way to keep guns out of the wrong hands without undermining basic Second Amendment rights. We owe it to America's families to try.

Seventy-five years ago President Roosevelt saw that America would soon be drawn into war. While he didn't live long enough to see America's ultimate victory in World War II, his promise of the four freedoms helped achieve that victory.

As we know, the war ended officially with Japan's unconditional surrender aboard the USS *Missouri* in Tokyo Bay. A member of Japan's delegation who attended the surrender went to the ceremony fully expecting to hear how the allies intended to take their vengeance on the defeated Japanese people. Instead, he heard General MacArthur speak about the future of freedom for Japan. Years later, he wrote that it was at that ceremony that he understood that "we weren't beaten on the battlefield by the dint of superior arms; we were defeated in the spiritual conquest by virtue of a nobler idea." That idea—the inherent human dignity of every person—is the belief at the heart of the four freedoms. Those freedoms remain as powerful a weapon for peace and progress today as they were 75 years ago. I hope we will remember that this year.

GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise to speak about the issue of gun violence and to commend the President for announcing last week a set of commonsense steps to make our country safer.

The need for action to reduce gun violence in America is urgent. About 32,000 Americans are killed by guns each year. Every day on average 297 men, women, and children are shot, 89 of them fatally. Last year, by one count, there were at least 372 mass shooting incidents where 4 or more people were shot—more than one a day in America. In the city of Chicago alone last year, 2,939 people were injured by gunfire, and at least 88 people have been shot so far this year, 2016. The 468 homicides in Chicago last year sadly led the Nation—a number larger

than the number of fatalities in the cities of New York or Los Angeles, which are much larger cities. There is an epidemic of gun violence in America.

Can you imagine if 32,000 Americans were dying each year from Ebola or from tainted drugs or at the hands of terrorists? Lawmakers would pull out all the stops to bring down those deaths. Compare the death toll from gun violence to the death toll from terrorism in the United States. According to the New America Foundation, since 9/11 a total of 93 people have been killed by terrorist incidents in America—48 have been killed by rightwing extremists and 45 have been killed by Islamic terrorists. Americans are rightly concerned about the threat of ISIS terrorism, but we cannot ignore the threat posed by gun violence to the citizens of our Nation.

Sadly, for years Members of Congress have just shrugged their shoulders as each day we hear another heart-breaking story of the victims of gun violence. It is baffling to me that Congress refuses to do anything about gun violence, especially since the American people overwhelmingly on a bipartisan basis agree on commonsense steps that we should take.

For example, about 90 percent of Americans agree that a background check should be conducted before a gun is sold. Background checks through what is known as the FBI NICS system help ensure that the buyer is not a convicted felon, a domestic abuser, or a person with a history of serious mental instability or who is otherwise prohibited from buying a gun.

Background checks work. Over 2 million gun sales have been denied to prohibited purchasers over the years. You think to yourself, why would a convicted felon be so stupid as to go in and try to buy a gun when he faces a background check? He does it anyway. They do it over and over, and 2 million times we have denied them weapons because they were prohibited by law because of their records.

There are still loopholes that would allow many sales to take place without this basic background check, especially at gun shows and over the Internet. Think about how people made Christmas and holiday purchases this year. Many of us went to the Internet. That is exactly where people are going to buy firearms without background checks. When you have loopholes like these, it is easy to understand how dangerous people can get their hands on guns.

Look at the way these loopholes have affected the city of Chicago. There is a flood of illegal guns coming into Chicago from Indiana, especially from Lake County, IN, which is right across the border from my State. Last Friday, the Chicago Tribune newspaper quoted Sheriff John Buncich of Lake County, IN, saying:

Individuals are skirting federal law, especially at these gun shows, whether they want to admit it or not. There's a lot of illegal gun sales.

The Tribune article went on to say:

Buncich stressed he supports Second Amendment rights and doesn't want to take guns from people. He noted, however, that hundreds of guns from Lake County show up in Chicago crimes every year. "We need to do something to stem the violence," Buncich said. "It's not going to hurt the law-abiding citizen."

Last year I met with the head of the Chicago Field Division of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Federal agency charged with enforcing our gun laws. He told me that in the highest crime neighborhoods of Chicago, when they confiscated the crime guns after the act, they found that as much as 40 percent of those crime guns were coming in from Indiana.

Here is an example of how it happens. In 2014 a man named David Lewisbey of South Holland, IL, was sentenced for illegally trafficking hundreds of guns from Indiana to Chicago. The U.S. attorney's office said that over a 4-year period, Lewisbey "routinely traveled to various gun shows in Indiana and purchased duffle bags full of guns that he brought back to Chicago." Lewisbey used a forged signature to procure an Indiana driver's license, and that was all he needed to fill up the trunk of his car with ammunition and guns and to drive that Skyway over into the State of Illinois and to sell those guns in Chicago to kill innocent people.

During just one 48-hour period in 2012, Lewisbey bought 43 guns in Indiana and delivered them to a convicted felon on Chicago's South Side. Does anyone believe he had a Second Amendment right to buy 43 guns with an illegal ID and sell them to a convicted felon in Chicago? I hope not.

If everyone who sells guns for profit at Indiana gun shows had conducted background checks, it is highly unlikely that a trafficker like this would be able to get away with this for years. The system would have caught him. But because of the loopholes in the system, the weaknesses in the law, this individual was able to avoid detection and literally supply hundreds of crime guns in Chicago. Of course we know what happened to those guns—they turned into tragedy and havoc in the neighborhoods around that great city.

I listened so many times when critics said: Well, look at Chicago, which has the toughest gun laws in the Nation, and look at all that gun violence.

Here it is: in some parts of Chicago up to 40 percent of those crime guns are coming across the border with no background checks and sold in alleyways and dark corridors of our city. That isn't because of weak or ineffective Illinois and Chicago laws; it is because of our inability to make the Federal law stronger.

Let's be clear. Background checks are not a heavy burden for law-abiding gun owners. At most, they would cause a short delay in buying a gun. But when we have gaping holes in the background check system, we are basically handing guns to criminals on a silver platter.

Sadly, this Congress has so far failed to even address this problem. We weren't able to overcome a Republican filibuster of the Manchin-Toomey legislation in 2013. We tried again last month and fell short again.

The President decided to do what he can within his lawful authority to close gaps in the system. Last week the President put forth guidance that makes clear that you can be engaged in the business of selling firearms even if you aren't a storefront operation. For too long people who sell guns for profit at gun shows or online have been able to avoid the requirement to conduct background checks. They were claiming they were just selling guns as a hobby. This man bought 43 guns at a gun show as a hobby and sold them to convicted felons in Chicago. The President's guidance makes clear that if you are repetitively buying or selling guns for profit, you need to get a gun dealer license and do background checks or you are breaking the law.

Of course, the President's actions won't close the gun show and Internet loopholes altogether. That would take an act of Congress. But the President has made a move in the right direction, and it will help.

The President took other important steps last week—clearly within his constitutional authority—that will help save lives. He is working to make the background check system faster by adding more FBI examiners and improving the system's technology. A faster system could have stopped the Charleston church shooter who killed nine worshippers last year in a horrific terrorist attack. This person was able to buy a gun under another loophole in the law because the background check hadn't been finished in 3 days. The default position, if you haven't cleared a background check, is that the gun is sold to you. That meant that this man picked up the gun when the background check wasn't completed and went out and caused this mayhem and took so many innocent lives.

The President is also strengthening the reporting requirements so law enforcement will know when guns are lost or stolen during shipment.

The administration is redoubling its efforts to improve mental health services and to make sure the background check system has complete records on those found to be mentally unstable.

Finally, the President has sponsored research on gun safety technology. This is critical. Right now we have security features on our phones, computers, and cars to prevent thieves and

unauthorized people from using them. Similar technology is available today so that an unauthorized user will not be able to fire a gun. That means a person can't steal a gun and resell it and a kid can't play with a gun and hurt himself or someone else.

For reasons that cannot be explained, the gun lobby opposes gun safety technology, even calling for a boycott of any company that uses it. Now this administration is going to use its research dollars and purchasing power to promote safer gun technology. This could be a game changer when it comes to preventing gun accidents and deterring illegal trafficking.

I commend the President for the reasonable, commonsense steps he has taken to combat the epidemic of gun violence. The steps he announced will not prevent all gun deaths—no single measure can—but they will help.

I hope my colleagues in Congress will not take a step backward and try to undermine these basic, commonsense reforms with riders or appropriations restrictions. I am going to fight hard against the gun lobby if they try. I hope Congress will instead move forward, finish the job on background checks, and do all we can to reduce the high toll of gun violence in our communities.

Over the weekend, I was visiting with friends and former colleague Mark Pryor of Arkansas. I went down to Stuttgart, AR. Anyone who is a duck hunter in the Midwest or in America knows the name of that town. Stuttgart, AR, is probably the capital of duck hunting in the Midwest or in the United States. The local radio station there is KWAK, giving an idea of their commitment to duck season 60 days of the year when Stuttgart comes to life with hunters from all over the United States and all over the world.

Saturday afternoon I went to the largest sporting goods store, Mac's, and watched hundreds of men and some women in camouflage clothes getting ready to go out for the duck hunt. For them, it is not only a rite of passage, it is a way of life. They love it. You see the camouflage on everything in sight.

Of course, when you go into Mac's, there are plenty of firearms for sale and other equipment that is needed so that you can hunt effectively and safely. You go in the store, and if you want to be a duck hunter in Arkansas, you first have to buy a license, which I did. Then you go through the ritual of making sure you have all the right equipment and getting ready to go out to hunt for ducks.

There is not a single thing proposed by President Obama that will in any way slow down or stop those men and women who want to legally use their firearms for that sport—nothing. What the President is trying to do is to stop convicted felons and people who are so mentally unstable that they shouldn't

be able to buy a firearm from having that opportunity.

It turns out an overwhelming majority of firearm owners agree with the President. You would never know it, would you, as you hear every single Republican Presidential candidate condemn President Obama's actions.

What a chasm there is in the culture between the people who are firearm owners and who enjoy that opportunity and responsibility and those who are on the political scene and ignore the fact that to preserve that right we should pass commonsense changes in the law to make them even more effective and make certain that people who misuse firearms do not have that opportunity.

I hope to work with my colleagues in the Senate and both political parties to achieve the goal of protecting the rights of those who use firearms legally, safely, and responsibly within the confines of the law and to stop the illicit trafficking of guns that are taking over 30,000 lives each and every year.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Ohio.

TRANS-PACIFIC PARTNERSHIP

Mr. BROWN. Madam President, after months of delay, last fall we finally were able to see the text of the Trans-Pacific Partnership, text that corporate lobbyists had access to long before the American people and Members of Congress and their staffs did. After examining the provisions in this deal, it is clear that far too many of these provisions sell out American workers and American jobs.

In the months leading up to the release of this deal, I warned that too often our trade agreements as far back as NAFTA and the Permanent Normal Trade Relations with China—not a trade agreement per se, but it had the same effect in many ways—the Central American Free Trade Agreement, the South Korea Free Trade Agreement—these trade agreements amounted to corporate handouts and worker sellouts. I warned our negotiators that they needed to do more to ensure that the deal created a truly level playing field for American workers and American businesses. Unfortunately, that is not what happened, particularly when it comes to standing up for the American auto industry.

We hear often about the supposed opportunities that trade agreements will create: opportunities for more jobs, opportunities for small business, opportunities for more exports, and for economic growth. But when I look at the Trans-Pacific Partnership, I don't see these actual—let's call them offensive opportunities—and by "offensive opportunities" I mean opportunities for American products to break into new

markets. This is not just playing defense, but playing offense so that we can export into these new markets.

Cheerleaders for this agreement—whether it is the Wall Street Journal editorial page, most Republicans in the Senate, or whether it is Republican leadership in the House, whether it is corporate CEOs or whether it is the White House—say that new markets will be opened for American cars, but we have heard these empty promises before.

Under TPP, many of these new markets will not be opened day one—as in the case of Malaysia and Vietnam. They won't be open in day two or year one or year two. It will be more than a decade until American automakers have full access to these closed markets.

The TPP will do nothing to level the playing field with our top competitor, Japan, or to change Japan's distinction as the most closed auto market in the world. We know it has been that in the past. We know it is that today. There is nothing in here that would change or open Japan's market, to sell into the Japanese auto market.

Carmakers in Ohio and carmakers across the country will compete with huge numbers of Japanese imports. We don't have it today, and under TPP we won't have the same opportunity to export to Japan. That is because for decades Japan has used barriers other than tariffs to keep their markets closed. Tariffs are one way. They charge huge tariffs, causing the price of the product that you import—let's say into Japan—to be too high for the Japanese to afford, but that is not what Japan does. Their tariffs are already at zero, so an agreement on tariffs will do nothing to create a level playing field. Japan keeps our products out in much more creative ways than tariffs.

We have seen this in the wake of the Korean Free Trade Agreement. Even after our trading partners promised to remove these barriers to allow American cars into their market, they often don't. Opening up Japan's market didn't work in the 1980s, it didn't work in the 1990s, and it didn't seem that it will be any different under the Trans-Pacific Partnership.

If there aren't new offensives—offensives in the sense of selling into those countries—then I would expect our negotiations at least make sure this trade agreement protected American carmakers and workers from a flood of cheap foreign competition. I would hope they made sure the benefits of the agreement would only go toward its members who have been part of the negotiating process and made concessions, but it is not. It is not just the TPP countries.

That is now how I read the text, particularly when it comes to something called the rules of origin for autos.

These rules of origin provide provisions to determine how much of a car is made in the TPP region, and TPP rules are weaker than NAFTA's. That means how much of the car is actually made in the TPP countries, how much of the car must be made in the TPP countries to count as a TPP product.

That means 62.5 percent of a vehicle must be made in the NAFTA region in order for it to qualify for the benefits of the NAFTA agreement. But only 45 percent—much less than NAFTA and in some cases even less than that—of a car has to be made in the TPP region to qualify for the benefits of the agreement. Think about that. Under TPP, less than half a car has to be made in TPP countries, which include Canada, Mexico, and the United States, to receive the benefits of TPP.

So what does that mean? That means more than half of the components in the car—more than half of the car—can be made in China. So China can backdoor much of its supply chain into the Trans-Pacific Partnership. Then these cars, mostly made in China, will get the benefits of the Trans-Pacific Partnership, even though they aren't in the Trans-Pacific Partnership. As more countries join TPP, that 45-percent rule will become an even weaker standard, and fewer and fewer of our cars will come from the U.S. auto supply chain.

I never thought I would be able to say this, but this agreement makes NAFTA—an agreement I fought hard to defeat 20 years ago—look good. TPP's auto rules were written for Japanese automakers to the benefit of China and at the expense of American auto jobs.

TPP will jeopardize the livelihoods of thousands of Americans, including up to 600,000 Ohioans, whose jobs depend on the U.S. auto supply chain. These aren't just statistics. We are talking about real workers in real plants in real companies in real communities, in Ohio and across the country, with bills to pay and families to feed.

They fought hard to bring the American auto industry back to life. Their hard work made the auto rescue a success. Last year, 2015, was a record year for automakers. We can't pull the rug out from under them now with a trade deal that sells out American auto jobs.

Think of what we have done. In 2010, only—maybe fewer than this—10 million vehicles were made in the United States. Today that number is close to 17 million. Chrysler posted 7 percent gains in sales last year. GM and Ford were not far behind with 5 percent. I am proud to say the best-selling American vehicle for 34 years running, the Ford-150, runs on engines produced in Lima, OH. Five years ago the American President, President Obama, did the right thing when he personally committed to saving the American auto industry.

If you ask people in Ohio, in Toledo, in Avon Lake, in Cleveland, in Warren, in Lordstown, they know how important the auto rescue was. We were losing hundreds of thousands of jobs a month at the beginning of President Obama's term. Since the auto rescue, the next year—we have seen job growth in this country for 70 months in a row, 70 consecutive months of job growth starting with the auto rescue.

Now I hope the President will do the right thing again and go back to the drawing board on the aspects of this trade deal that we know will cost American auto jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas

LAW ENFORCEMENT APPRECIATION DAY

OFFICER SHAWN BAKR AND
DEPUTY SONNY SMITH

Mr. COTTON. Madam President, this past Saturday, January 9, was Law Enforcement Appreciation Day, a day set aside to honor the men and women who work in law enforcement, keeping our communities safe and enforcing the rule of law, which underpins any free and just society. Recently we have heard a great deal about controversies and scrutiny surrounding law enforcement in many parts of our country. It is easy to be distracted by these stories, but it is important to remember that many are inaccurate, and even the true ones are the exception, not the rule.

The rule is officers such as Little Rock Police Officer Shawn Bakr. On Saturday, Officer Bakr spent his Law Enforcement Appreciation Day and his night off working as a security guard at a local restaurant. During his shift, three armed men entered a restaurant and pointed a gun at an employee in an attempted robbery. Officer Bakr's law enforcement instincts kicked in, and he reacted with calm dispatch. He confronted the suspects, who subsequently shot him in the shoulder, yet he bravely managed to return fire and injure one of the robbers. The other two suspects fled but have since been apprehended after a standoff with Little Rock police earlier today.

The rule is also county sheriffs such as Johnson County Reserve Deputy Sonny Smith, who died in the line of duty last year after he was shot while responding to a burglary. Deputy Smith confronted danger head-on to protect his fellow Arkansans, and he gave the full measure of devotion to duty that only those called to serve in the front lines can fully understand.

The rule is also the large group of Deputy Smith's law enforcement colleagues who stood to the right of the stage, just hours after his death—a place typically reserved for parents—and saluted during his son's high

school graduation ceremony so he would feel the support and love of the law enforcement community to which his dad belonged.

As a soldier in Iraq and Afghanistan, my soldiers and I knew what it meant to face our enemy head-on, but at the end of our tours, we went home. Many of us worked in much less dangerous jobs at military bases around the country until our next tour or we left the service.

For law enforcement officers, there is no end to the tour. They take risks every single day, often for the lengths of their careers. Officer Bakr's and Deputy Smith's actions are heroic by any definition, but to them and to countless other law enforcement officers across the country, that is simply part of the job description. Each day that they go to work, our law enforcement personnel around the country put themselves in harm's way to keep us and our communities safe.

So to all of our law enforcement officers, the men and women who serve with the selfless dedication of Shawn Bakr and Sonny Smith, thank you for your service and for your sacrifice. May God bless you and your families and keep you safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

REMEMBERING DALE BUMPERS

Mr. BOOZMAN. Madam President, I am here today with my colleague Senator COTTON to honor Dale Bumpers, a longtime advocate of Arkansas, who passed away on January 1 at the age of 90 after a long life of dedicated public service.

He was a soldier and a statesman who came from the small town of Charleston, AR. He did things not because of political pressure but because he believed they were the right things to do. He had a good foundation to understand the needs of Arkansans. He was a businessman, taking over operations at his father's former hardware, furniture, and appliance store, and he was a rancher and an attorney in Charleston, serving, as his memoirs indicate, as "the best lawyer in a one-lawyer town."

Following the Supreme Court's decision in the 1954 case *Brown v. Board of Education*, which outlawed segregation in schools, he advised compliance with the ruling, making it the first school district in the South to fully integrate.

He ran against incumbent Governor Winthrop Rockefeller to become the 38th Governor of the State of Arkansas. Four years later, he defeated longtime Senator William Fulbright in a primary before winning a seat in the Senate, a position he held for 24 years. He served as the chairman of the committee on small business from 1987 to 1994 and has a long list of accomplishments.

While he ended his Senate service more than a decade before I started serving in this Chamber, my colleagues who served alongside him regularly recall their memories of Senator Bumpers, a legendary orator who had a true gift for public speaking and who would tell stories in a way only a Southern gentleman with a keen sense of humor from smalltown Arkansas could. He was passionate about his convictions and spoke from his heart about matters that he believed in. In tributes to him on the floor during the last days of the 105th Congress, his colleagues described him as one of the most respected Members of this body. He was a champion of the environment, a supporter of the National Institutes of Health, funding the fight against HIV and AIDS, and a constant proponent for Arkansans. You could tell by all of the things that bear his name—the White River National Wildlife Refuge, the Dale Bumpers National Rice Research Center. His impact on Arkansas agriculture was recognized by the University of Arkansas board of trustees, who renamed the college of agriculture the “Dale Bumpers College of Agriculture, Food and Life Sciences.” These are just a few of the many things in Arkansas that reflect his dedication and commitment to our State.

Senator Bumpers leaves behind a legacy of public service, civic responsibility, and accomplishments that has undoubtedly made Arkansas a better place to live.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Madam President, today I am proud to join my fellow Senator from Arkansas, JOHN BOOZMAN, in recognizing Senator Dale Bumpers’ service, as well as our majority leader and other Senators who are reminiscing about Senator Bumpers, who passed away earlier this month. Arkansas lost one of its most distinguished public servants when former Senator and Governor Dale Bumpers died at the age of 90. As both a Governor and Senator, Dale Bumpers’ tireless dedication to our State began before I was born and spanned many decades.

As someone who grew up with Dale Bumpers already in the Senate and who was unable to ever vote for him, I asked my mom Avis about her memories of Senator Bumpers. Like so many, she was quick to remember the oratory skills for which he was so famous—not only in Arkansas but also in Washington and in the Senate, which has had its share of famous orators over its history. But she also had fond memories of him on a personal scale as well from the Mount Nebo Chicken Fry, an annual event just outside my hometown of Dardanelle. In the early 1970s, as a young Governor, Senator Bumpers—then Governor Bumpers—always

made it to our chicken fry. And if it weren’t for a few obvious clues—such as a State trooper or local photographers taking pictures—you wouldn’t have even known he was the top executive of our State, so humble and friendly was he to all the fairgoers. He spent time with each person there and made everyone feel like they had his full attention—the full attention of our Governor.

It is an honor to stand here today in the same institution from which he did so much great work for the State of Arkansas. Senator Bumpers was an Arkansas institution himself, and his legacy has outlived his tenure in office. We are grateful for his service and commitment to Arkansas. My thoughts and prayers are with the Bumpers family and with all Arkansans, whom he so faithfully served.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THEODORE ROOSEVELT NATIONAL PARK

Mr. HOEVEN. Madam President, western North Dakota is getting a lot of attention these days because of its vibrant energy economy. But people also need to know about the spectacular landscape and natural beauty that thrives side by side with energy development in my home State. So I want to speak today for a few minutes about a remarkable asset in my home State of North Dakota that was highlighted this past weekend in the New York Times.

The Times ranked Theodore Roosevelt National Park in western North Dakota as fifth on its list of 52 worldwide destinations to visit in 2016. Only Mexico City, Bordeaux in France, the Mediterranean island of Malta, and the Caribbean city of Coral Bay St. John in the U.S. Virgin Islands ranked ahead of Theodore Roosevelt National Park.

Tim Neville for the New York Times wrote of the park:

Few presidents have done as much for conservation as Teddy Roosevelt. Fly into Dickinson in western North Dakota to visit the park named after him, where rolling grasslands dotted with bison collapse into the spectacular red, white and gold badlands of tumbling mud coulees.

The more than 70,000-square-acre park consists of three parts: The south unit, which is the largest of the two units, the north unit, and the site of Roosevelt’s Elkhorn Ranch, which lies between the north and south units. The Little Missouri River meanders through all three sections of the park.

Roosevelt captured a colorful picture of life on the Elkhorn Ranch in his 1885 book called “Hunting Trips of a Ranchman.”

My home ranch-house stands on the river brink. From the low, longer veranda, shaded by leafy cotton-woods, one looks across sand bars and shallows to a strip of meadowland, behind which rises a line of sheer cliffs and grassy plateaus. This veranda is a pleasant place in the summer evenings when a cool breeze stirs along the river and blows in the faces of the tired men, who loll back in their rocking-chairs (what true American does not enjoy a rocking-chair?), book in hand—though they do not often read the books, but rock gently to and fro, gazing sleepily out at the weird-looking buttes opposite, until their sharp outlines grow indistinct and purple in the after-glow of the sunset.

Theodore Roosevelt National Park has preserved what Roosevelt saw more than a century ago. For that reason, it gets half a million visitors a year, but more should come to see it, and I believe more will as a result of the New York Times list. Speaking of New York, the Times was the right venue to highlight Teddy Roosevelt’s National Park because Teddy Roosevelt was a native son of New York, born in the heart of Manhattan at the dawn of the age of concrete canyons and bustling growth.

More than 135 years ago, he fled the hectic pace of New York for the solitude of North Dakota’s western Badlands on a hunting trip. During that trip—his first to what was then called the Dakota Territory—he was so taken with the land that he bought a ranch before he left for home.

Within a year, back at home in New York, however, tragedy struck in a cruel way. Both Roosevelt’s wife and his mother died in the same House on the same day. He was crushed, but being a man of action, he sought to redirect his grief by throwing himself into a new adventure—cattle ranching in North Dakota. He went west and built the Elkhorn Ranch on a plot of land that is now part of the Theodore Roosevelt National Park.

Roosevelt long acknowledged his debt to North Dakota. He said: “I have always said I would not have been President had it not been for my experience in North Dakota. . . . It was here that the romance of my life began.”

That romance is still alive and well in western North Dakota. I invite travelers from around the world to visit us and see what the New York Times described as a “century of protecting America’s magnificence.”

CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY BISON FOOTBALL TEAM

Mr. HOEVEN. Madam President, while I have the floor, if I might, I wish to shift gears. I know the Presiding Officer is a sports fan and that in her

State they have many wonderful sports teams—football, basketball, and certainly the University of Iowa had an outstanding year this year. I certainly wish to commend them, compliment them on their great team. As a matter of fact, the team I am going to talk about next is going to play that team. I think it is our first or second game of the year next year. I am looking forward to it. I know the Presiding Officer is looking forward to it very much as well, when the North Dakota State University Bison play the University of Iowa. I don't know if the Presiding Officer is—I am sure she is a fan of the University of Iowa and Iowa State and Northern Iowa. They are all great sports programs. I don't know which one is her favorite and may not want to say, but we played Iowa State a few years ago. We play Northern Iowa every year. We have a great rivalry with Northern Iowa. Northern Iowa has a wonderful program—football and basketball. We enjoy playing them every year. This year it looks like they have a very good basketball team and are to be commended on beating North Carolina, the Tar Heels. We will certainly want to mention that to our colleagues. I am sure the Presiding Officer probably already has. North Dakota State plays Iowa every year and played Iowa State a few years back and we are very much looking forward to playing the University of Iowa.

I wish to take a minute to speak about a resolution I will submit. I am going to talk about it now. The resolution is on behalf of the North Dakota State University Bison, which won a historic fifth consecutive NCAA Division I FCS national football championship on Saturday. Led by coach Chris Klieman, quarterback Carson Wentz, and a solid defensive effort, the Bison clinched the title 37 to 10 over a very talented team from Jacksonville State. The Gamecocks were truly great opponents. They played a fine game, and we congratulate them on a tremendous season as well.

With Saturday's win, the Bison became the first football team in the modern era of college football to win five consecutive championships—five titles in a row. The championships aren't won in a single game but as a result of years of hard work. The Bison overcame injury and adversity to make it back to the title game, and we are tremendously proud of our team, our players, the program, and all of their accomplishments.

It was a thrill for my wife Mikey and me to join Bison Nation down in Frisco. The game was in Frisco, TX—a wonderful venue for the game. Having a dedicated fan base helped make their stadium feel a lot like one of our home games at the FARGODOME. It is an amazing experience.

The game started with a flyover of a B-52 bomber from the Minot North Da-

kota Air Force Base. In addition to the thousands of dedicated NDSU fans, Thundar, the Bison mascot, and Corso, an actual bison—an unofficial mascot of the team—made the 1,000-mile trek down to Texas. The Bison had a loyal crew cheering them on, and it helped make this “drive for five” season very memorable.

Five championships in a row is unprecedented. I want to congratulate the entire Bison community—NDSU's leaders, the coaches, the staff, and these tremendous student athletes, as well as Bison Nation, a wonderful loyal following wherever the Bison team goes.

In recognition, I will submit the following resolution in their honor:

Whereas the North Dakota State University (referred to in this preamble as “NDSU”) Bison won the 2015 National Collegiate Athletic Association (referred to in this preamble as the “NCAA”) Division I Football Championship Subdivision title game in Frisco, Texas, on January 9, 2016, in a decisive victory over the Jacksonville State Gamecocks by a score of 37 to 10;

Whereas NDSU has won 13 NCAA football championships;

Whereas NDSU has now won five consecutive NCAA Football Championships since 2011, an extraordinary and record-setting achievement in modern collegiate football history;

Whereas the NDSU Bison have displayed tremendous resilience and skill over the past 5 seasons, with 71 wins to only 5 losses, including a streak of 33 consecutive winning games;

Whereas thousands of Bison fans attended the championship game, reflecting the tremendous spirit and dedication of Bison Nation that has helped propel the success of the team; and

Whereas the 2015 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota:

Resolved, That the Senate—

(1) congratulates the North Dakota State University Bison football team as the 2015 champion of the National Collegiate Athletic Association Division I Football Championship Subdivision;

(2) commends the North Dakota State University players, coaches, and staff for their hard work and dedication on a historic season and for fostering a continuing tradition of athletic and academic excellence; and

(3) recognizes the students, alumni, and the loyal fans who supported the Bison in their quest to capture a fifth consecutive Division I national championship trophy for North Dakota State University.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREEDOM OF INFORMATION ACT

Mr. CORNYN. Madam President, I understand that later today the House

of Representatives will vote to pass a reform of the Freedom of Information Act, which is often referred to by its acronym, FOIA. I wish to say a few words about that legislation.

I applaud the effort of the House. I have long believed that it is really important to make sure that the people who actually pay the bills and whom we serve know what government is doing on their behalf. Thus the name of the legislation signed by President Johnson many years ago is the Freedom of Information Act. Too often here in Washington, DC, the people in charge of the information seem to view it as proprietary, as if it were theirs. In a political culture where information is power, they don't want to share that information with the people who actually own it and are the ones who hold the elected officials accountable. An open government is really one of the first prerequisites to a free society, and that is because an open and accessible government is absolutely necessary for Americans to hold their elected officials accountable.

Our Founding Fathers, of course, recognized that a truly democratic system depends on an informed citizenry, but Americans cannot do that without the information and transparency that these laws provide.

Former Justice William Brandeis famously said that “sunlight is the best disinfectant.” I must say, as a person who is conservative, that I believe that rather than passing a bunch of new laws, one of the things we can do to change the behavior here in Washington is to shine a light on the actions of elected officials and the government. When elected officials know that the public is informed and watching, it changes the way people behave, and it usually changes it for the better. Congress has passed numerous pieces of legislation that promote this accountability and transparency of government since President Johnson signed the Freedom of Information Act into law so that good leadership and good governance can flourish.

During my time in the Senate and previously when I was the attorney general of Texas, I made government transparency a priority. I pressed for more openness in the Federal Government through commonsense legislation. During the process, I found a partner in those efforts in the Senate. He is somebody who is my ideological opposite, and that is Senator PAT LEAHY of Vermont.

Senator LEAHY and I both embrace the fact that most of the time elected officials and government officials want to trumpet their successes and they want to hide their failures. But the American people deserve to know the good, the bad, and the ugly, and to apply the correctives that are within their power, either in changing those officials or holding those officials accountable.

So the legislation that is going to pass the House later today is similar to what we have already passed here in the Senate Judiciary Committee by voice vote in February. It requires Federal agencies to operate under a presumption of openness when considering the release of government information under the Freedom of Information Act. Texas law, for example, presumes that public information held by government is presumptively open. If there is some reason why it should not be disclosed—let's say classified materials or whatever—then it is incumbent upon the agency to raise those concerns and then to have those concerns decided in the process of administering those laws. But the idea is also to reduce the overuse of exemptions to withhold information from the public. I hope this Chamber will soon join our colleagues in the House to consider this important legislation.

There may be some things we need to do to fine-tune it. I certainly understand that on national security, for example, or things involving proprietary information—trademark protections and property protections—there may be some areas where we have to make some slight changes. But, essentially, this presumption of openness is important to the functioning of our democratic form of government, and I look forward to our passing the law that will be passed by the House Chamber later today.

GUN CONTROL AND MENTAL ILLNESS

Mr. CORNYN. Madam President, the main reason I come to the floor today is to talk about the President's most recent Executive action, this time implementing gun control measures that won't actually solve any of the problems they purport to fix and that purposely go around Congress and ignore the will of the American people. To my mind, this is one of the most aggravating things about Washington, DC, and about how business is done here. People make symbolic acts claiming that we have to "do something" but don't actually focus on a solution that actually helps make the problem better.

None of the President's proposals actually would reduce any of the horrific incidents of gun violence we have seen, and that is a shame because there are bipartisan proposals that have been made that actually would help. But it is only when the President works with the Congress, as the Constitution requires, before a bill can become law. In his eagerness to go it alone, of course, the President has forsaken the constitutional process and bypassed the electorate in trying to make new policy.

He presumably is doing this as a hallmark of his tenure, and it will some-

how be a legacy of his time as President. But the fact of the matter is Executive action signed by this President will not survive his own Presidency unless it is actually made into law, and then, of course, it would require another act of Congress to overcome it. That is something this President doesn't seem to recognize. When he gets frustrated with the pace at which Congress takes up legislation—for example, the immigration issue—he decides to unilaterally issue an Executive action—which does what? Well, he offers Executive actions as a solution to a problem. But, in fact, what it does is it buys a lawsuit and it gets caught up in litigation, which is going to take years to resolve and ultimately doesn't provide any relief to the very people the President claims to want to help.

So as a result of the President's impatience and his eagerness to go it alone, he is actually forsaking the constitutional process that builds consensus and actually creates durable policies that will survive this President's own administration.

This isn't just an isolated event, as I mentioned a moment ago. According to one media report, the Obama administration aims to push almost 4,000 new regulations during his last year as President. But with his announcement last week, President Obama made clear he has little interest in working with Congress. That is actually his job—to work with Congress, to work with us to try to find consensus and to build durable solutions to the problems that confront our Nation. It also demonstrates his lack of regard for fundamental constitutional rights as spelled out in the Constitution itself. Of course, I am talking about the Second Amendment to the U.S. Constitution.

I found his rhetoric particularly perplexing. First, he blamed the Congress for inaction. He said: "Congress still needs to act." Well, actually, if what he was doing was going to solve the problem, why would Congress still need to act? So to me it is an admission that he knows that this is mere symbolism and it doesn't actually solve the problem that he says exists.

So he said Congress still needs to act on gun control measures, and he claimed that this legislative body—the Congress—is simply not being responsive to the will of the American people. He even said that he feels compelled to act without consulting Congress because America doesn't "have a Congress that is in line with the majority of Americans."

In other words, the President said the people of this country are demanding more symbolic gun control laws, not less.

But that is not what the polling shows, the best indicator of what people are actually thinking—other than what the Presiding Officer hears from her constituents in Iowa and I hear

from my constituents in Texas. Those are the best ways to know what people are thinking. In a poll done by the Wall Street Journal and NBC News this fall, more than half of the respondents said that the President's party's position on gun control was "outside the mainstream." Only 38 percent said that it was "within the mainstream."

It is also critical to point out that, as many media reports have indicated, the President's measures would not have stopped any of the mass violence incidents that have tragically struck American communities over the last few years.

So my response to the President is this: If he is actually serious about trying to solve problems rather than just issue symbolic proclamations, he needs to roll up his sleeves and he needs to work with us to move legislation forward that focuses on the commonsense thread found in many of these mass incidents, and that has to do with the mental health issue. This is the 800-pound gorilla in the room that the President doesn't want to talk about.

The chairman of the Senate Judiciary Committee, Senator GRASSLEY, has made it quite clear that this is the one issue where we could actually find consensus and help provide assistance to families and communities to help people from becoming a danger to themselves as well as the communities in which they live.

We know from the facts of the cases that many times the mental health of the shooter has played a role in many of these tragedies, and it must be addressed. Many Americans, of course, agree. I think, for example, of Adam Lanza, who was the shooter at Sandy Hook in Connecticut. He was so mentally ill that he was a recluse in his own home, and the only thing his mother found she could engage him in was going out to a shooting range. Yet he basically stole his mother's own weapons, killed her, and then tragically went to Sandy Hook Elementary School and killed a number of innocent children. If he and she had been able to get some additional help—gotten him to a doctor and gotten him on medications that could have helped him from this increasing mental illness—then perhaps things would have turned out differently. That is speculation on all our parts, but perhaps treating the mental illness will actually reduce the likelihood that people will succumb to an impulse to do harm to themselves and to their communities.

According to a poll released just last week, more than 70 percent of Americans said they believe that better access to mental health treatment and screening would reduce these incidents of violence. I am part of that 70 percent. I firmly believe that time and again we are confronted with mental illness crises that go untreated and turn into tragic headlines. We can't responsibly stand by any longer and

watch this pattern repeat itself. That is why last year I introduced a piece of legislation that was my effort to try to begin this conversation and this discussion here in the Senate.

There are other ideas. The chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, and the ranking member, Senator MURRAY, are working on some mental health reform legislation. Congressman TIM MURPHY in the House has worked on a comprehensive bill, and in the Senate Dr. BILL CASSIDY is working on that legislation. My legislation, hopefully, will help contribute to the conversation and help us build that consensus that is so important.

The legislation I have introduced would improve treatment and preventive screenings and crisis response for individuals with mental illness. It would also strengthen the existing background check system, something the President says he wants to do. However, the fact of the matter is that many States, such as the State of Virginia in the case of the Virginia Tech shooter just a short time ago, don't even upload existing mental health adjudications into the background check system, which would have precluded the purchase of a firearm by somebody with that sort of record. So the National Instant Criminal Background Check System isn't even a comprehensive system when it comes to identifying people who under current law should not be able to purchase a firearm.

This legislation I have offered is a step forward that will help those with mental illness get the support they need while also equipping our Nation's law enforcement officers to help keep our communities safe. It has been endorsed by a diverse group of organizations, including the National Alliance on Mental Illness, the National Association of Police Organizations, and the National Association of Social Workers.

I think the thing that has perhaps offended some of our Democratic colleagues is that we have actually been able to build a consensus, where none other has existed on this topic, by getting organizations such as the ones I mentioned, along with the National Rifle Association, to endorse the legislation I have introduced.

The fact of the matter is this legislation was aided by solutions borrowed from what is happening in Texas and particularly Bexar County and San Antonio, where I once served as a district judge.

I firmly believe that the best way we can legislate here is to learn what works at the local and State level and then to scale them up here at the national level, rather than to do what the President seems to prefer, which is a national experiment and a one-size-fits-all approach in a country that is

simply too diverse on issues that are so complex that we can't really solve them with the wave of a magic wand or on a national basis. So let's look at what works locally and in our States and then bring those experiences here and scale them up for the benefit of the rest of the country.

The fact of the matter is that Bexar County's and San Antonio's mental health program is now touted as the national standard for how to think strategically about those suffering from mental illness in the criminal justice system. Sheriff Pamerleau of Bexar County told me that a substantial portion of the jail population in San Antonio is people suffering from mental illness. Many times they go untreated and, thus, they try to self-medicate with drugs or alcohol, just making their condition that much worse. But the underlying cause of their problem is never being treated, which is the underlying mental illness.

I have heard the same story in Houston and Austin and other places. I have asked our law enforcement professionals—we simply are seeing more and more people with mental illnesses showing up in emergency rooms or living homeless on the street or ending up in our jails without their problems adequately being addressed. My legislation does try to take a crack at that. It may not be perfect. I know other people will have other ideas, but at least it is a constructive suggestion and will hopefully begin a conversation that we need to have and the President says he wants to have but so far has neglected to engage in.

Congress has a role to play because we represent the American people and we represent the States where we are elected to serve. It is our responsibility to try to bring about successful reforms that we have seen work at the local and State levels. I am hopeful the Senate Judiciary Committee will hold a hearing soon. I understand we may well begin by the end of this month, and it is not a minute too soon.

We need a President who is willing to get to work and do his job and not just to make speeches or issue Executive orders and say: Well, look, I have done my part, and the rest is up to everybody else. We need a President who is willing to work with us and alongside of us to tackle these important issues and hopefully help protect the individuals who are suffering from mental illness, to give families more choices when dealing with a mentally ill loved one, and also hopefully to avoid these incidents of mass violence. What we don't need is purporting to govern by Executive edict, which is what the President seems to like and prefer.

I hope the President understands that Members on both sides of the aisle in both Chambers are ready, willing, and able in good faith to work to reform our mental health system and in

doing so help prevent some of the tragedies that are occurring in our communities. What we don't need to do is to restrict the constitutional rights of law-abiding citizens, which will in no way make our communities safer but will infringe upon those constitutional rights in the Bill of Rights of the U.S. Constitution.

Many of the bills proposed, including mine, go much further than what the President announced last week in dealing with mental illness. There is a lot of work that needs to be done, and we need a President who will work with us. If he is willing to abandon this go-it-alone attitude and commit to working with the elected representatives of the American people, I think we have the opportunity to accomplish a lot for our country.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PETERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO RICK CARTER

Mr. PETERS. Madam President, 8 months ago, as I delivered my maiden speech in the Senate, I discussed how honored I am to have succeeded Senator Carl Levin, a mentor to me and a man who defined what it meant to be a Senator from Michigan—a feeling that has only deepened during the past year that I have served in this body.

During his 36 years of service, Senator Levin personally met tens of thousands of Michiganders. He remains beloved by many, including those who might never have had the opportunity to shake his hand or sit down next to him. This is due in no small part to his tireless commitment and accessibility in responding to questions and comments from his constituents, whether those issues arose in person, over the phone, in a letter, or—during the latter half of Senator Levin's tenure—email. Michiganders reaching out to his office knew that they would be heard and that they could expect a thoughtful, honest response about their Senator's positions.

These responses—hundreds of thousands a year and millions over the course of Senator Levin's career—were made possible by his correspondence manager, Rick Carter. Rick worked for Senator Levin for almost two decades, and I have had the privilege to have him on my team since early last year.

While I have known him for only a year, this has been more than enough time to learn that Rick is a model public servant and a role model for generations of congressional staffers. Rick is

humble, thoughtful, and fiercely committed to working behind the scenes to help other staff succeed and to grow. He has been instrumental in establishing my Senate office, and I will be eternally grateful for this honorary Michigander's efforts.

Rick grew up in DC. Perhaps his future career was foreshadowed by growing up in the Michigan Park neighborhood. He was a standout student at DeMatha Catholic High School and earned a scholarship at George Washington University, where he studied sociology.

During his time at GW, he interned for Congressman JOHN CONYERS, a legend of the civil rights movement, current Dean of the House of Representatives, and a man I am honored to call my friend and a Michigan colleague.

Graduating from GW in 1995, Rick began what would be a 19-year career with Senator Levin. He worked his way up from the front office and mastered a number of different positions before deciding that managing the correspondence team best allowed him to balance engaging on matters of policy, serving the people of Michigan, and mentoring junior staffers.

While Rick has many skills and qualities you might expect from a seasoned staffer, including being an excellent writer, editor, and consummate professional, it is his extraordinary commitment to developing young minds that I wish to focus on for a moment.

Rick has helped dozens and perhaps hundreds of young graduates, former interns, and junior staffers find jobs in public service. Along with refining writing skills and polishing resumes, Rick has taught a generation of staffers things they did not learn in college: how to be a professional, how to show up on time, and how to simultaneously function independently as well as part of a team. His former interns are legislative directors, chiefs of staff, and chief counsels. The list of favors he is owed is extensive, but he never asks for anything in return.

He might ask you to run with him, though. As a charity marathon coach, he has helped raise money to fight AIDS. As a year-round positive influence—and not just during a New Year's resolution season—he is always looking for current and past colleagues to run with him. I will not even begin to speculate on the cumulative pounds lost due to his inspiration.

Rick has been a surrogate big brother and father figure for so many staffers. It is especially meaningful that Rick has started his own family with his wife Nakia. Their son Mason and new baby Ryan are lucky to have such a loving, dedicated dad. I wish their entire family the best as Rick starts his own small business to pursue real estate development in the DC area.

It is said that the only constant in life is change. While Rick Carter has

been a constant in the Michigan delegation for more than two decades and I will miss having him in my office, I deeply appreciate his two decades of service and respect his desire to take on new challenges. Rick Carter will always be a part of both Team Levin and Team Peters.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF SAMUEL HEINS

Ms. KLOBUCHAR. Madam President, I rise today to call on the Senate and all of my colleagues to allow us to move forward on the nomination of Sam Heins of Minnesota to be the U.S. Ambassador to Norway. The U.S. Ambassador for Sweden has also been held up. Coming from the State of Iowa, which I believe is over 10 percent Scandinavian—over 300,000 people—I think the Presiding Officer understands the importance of our country actually having Ambassadors to these incredibly important allies and nations.

It has now been 836 days since there was last a confirmed Ambassador to Norway, one of our most important European allies. Part of this situation was caused by a different nominee who has some issues with the committee and with other Senators. That person has now been replaced, and it has been 166 days since a new nominee went through the Foreign Relations Committee. Mr. Heins was approved by a voice vote, without any controversy, as was the Ambassador to Sweden. I thank Senators CORKER and CARDIN and Senators MCCONNELL and REID for their help in trying to get this through.

Unfortunately, these nominations are now being held up by Senator CRUZ. Based on my discussions with him, it is not because of the qualifications of these nominees; it is related to, I suppose, other issues. Yet, I note for those Scandinavians out there, Senator CRUZ has allowed votes on Ambassadors to other countries. We have Ambassadors in France, in England, in nearly every European nation, but not these two Scandinavian countries.

Perhaps people don't understand the importance of these nations because they just think these people wear sweaters all the time. I don't know what they think of Norway and Sweden, but, in fact, Senator CRUZ should understand that they are two of our best allies. Norway is one of our country's strongest and most dependable allies. I will speak more about Sweden at another time.

I plan to take to the floor repeatedly in the next month to talk about the

importance of these allies and to ask Senator CRUZ what he does not understand, that these are important allies.

Norway was a founding member of the NATO Alliance, and its military has participated in operations with the United States in the Balkans and Afghanistan. Norwegians work alongside Americans in standing up to Russia's provocations in Ukraine, in countering ISIS and the spread of violent extremism, and in strengthening regional cooperation in the Arctic. Norway has been especially strong on the issue of the Ukraine and on the issue with Russia. I know the Presiding Officer, with her background in the military, understands how important that is, and certainly my colleagues across the aisle understand how important it is to have allies that will stand up to Russia.

In addition, Norway is an important economic partner. In a letter sent this July by the American Chamber of Commerce in Norway, Norway "represented the 5th fastest growing source of foreign direct investment in the United States between 2009–2013 and is the 12th largest source of foreign direct investment in the United States overall." Right now, the United States of America for over 700 days has said to one of the top investors in our country, one of our best allies in security, "Sorry. You don't rate getting an ambassador."

There are also over 300 American companies with a presence in Norway, including 3M of Minnesota, Eli Lilly, General Electric, IBM, McDonald's, and so many others.

In October Norway reiterated its commitment to Lockheed Martin with the purchase of an additional 22 F-35s. These Lockheed Martin warplanes will be built at a facility in Fort Worth, TX. I have called this to Senator CRUZ's attention. In fact, this is an enormous purchase, the biggest purchase made in the history of the country of Norway.

These companies, however, are hindered without a strong ambassador to help facilitate and strengthen economic ties between our two countries.

Norway is also playing an important role in addressing the Syrian refugee crisis. Norway has a proud history of providing support to those fleeing conflict. It expects to take in as many as 25,000 refugees this year and has already provided millions of dollars to Greece to help that country respond to the influx of refugees seeking a way to enter Europe. Norway is basically on the frontline of the refugee crisis.

All of us on both sides of the aisle have talked about the importance of a strong Europe during this very difficult time. Yet, right now we have no Ambassadors in two of the countries on the frontline involved in these refugee crises, and those are Sweden and Norway.

Norway deserves a U.S. Ambassador who understands the country and is

deeply committed to the relationship. I believe Mr. Heins is the right person for the job. No one has seriously questioned his qualifications for the job.

As a Senator from the State that is home to more people—more than 800,000—of Norwegian heritage than anywhere except Norway itself, I think it is only fitting that the nominee to be the U.S. Ambassador to Norway hail from Minnesota.

Of course, there is much more to Sam Heins than his Minnesota heritage. In addition to being an accomplished lawyer, he has demonstrated his devotion to and leadership in the cause of advancing human rights. He founded, organized, and served as the first board chair for the Minnesota Advocates for Human Rights, which monitors and responds to human rights abuses throughout the world. He also co-founded the Center for Victims of Torture, which provides services, research, and advocacy for victims of torture around the world, and continues to serve as a board member. This record of accomplishment is particularly appropriate for someone nominated to be our Ambassador to Norway. Norway has long been an international leader on human rights issues. Mr. Heins' extensive work on human rights and with nongovernmental organizations that support human rights will be extremely helpful in sustaining and building on the strong U.S.-Norwegian partnership in this area.

Last year, as we know, Congress was able to find common ground on so many issues. We passed a budget bill, we passed a transportation bill, a historic amount of funding, an increase in funding. We got the bill done on sex trafficking that Senator CORNYN and I worked on so hard. I can go through a list of the work we did together across the aisle.

When it comes to foreign relations, our country has always believed that a united front is most important on the world stage. We have a united front when it comes to the countries of Norway and Sweden. We understand they are our true allies. We have a united front on these two Ambassador nominees. They were noncontroversial. They went through the Foreign Relations Committee. Senator CORKER and Senator CARDIN have worked together to make sure they get to the floor, but right now Senator CRUZ is holding up these nominees for reasons that are completely outside of the qualifications of the nominees. I can say this is not the way we should be conducting world business.

I am focusing today on Norway. I will focus on Sweden in the future as I continue to give these speeches. I don't think we can take these countries lightly just because it is cold there and darker in the winter. These are incredibly important allies and trading partners. They deserve to be treated like

other European nations. They deserve to have an ambassador from the United States of America.

It is time to end this delay and do the work the Senate is supposed to do. Let's move ahead and work to confirm these qualified nominees to represent us abroad. One is a country in Europe that just bought 22 fighter planes from Lockheed Martin. If they had bought 22 fighter planes from the Presiding Officer's State, I believe the Presiding Officer would have looked at the fact that if it is a noncontroversial nominee to a country that invests in the United States of America, that is an ambassador we need to get confirmed, and we would get this done.

I ask my colleagues to work with Senator CRUZ. The hope is that given that we have seen no other opposition of any significance to these two nominees, we will be able to get this done. He has said to me personally that this is not about the qualifications of the nominees, it is simply other issues that I hope he can resolve within the Republican caucus and with us so we can move forward and so they are not held up any longer. Norway and Sweden deserve Ambassadors.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. BOOZMAN). Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to speak on the upcoming confirmation vote of Judge Luis Felipe Restrepo to serve on the U.S. Court of Appeals for the Third Circuit.

I wish to thank Chairman GRASSLEY and Ranking Member LEAHY for moving Judge Restrepo's nomination through their committee.

I also thank Leader MCCONNELL for scheduling this confirmation vote, which will take place in short order.

I also wish to thank my colleague Senator CASEY. Senator CASEY and I have been working very closely for 5 years now, since I joined the Senate, working to fill the vacancies that occur on the Federal bench across the Commonwealth of Pennsylvania that we represent. With Judge Restrepo's confirmation tonight, which I am hopeful and confident will occur, Senator CASEY and I will have been able to play

a role in filling 16 vacancies on the Federal bench, including 14 district court vacancies that have occurred since the time I arrived in Senate and two Third Circuit court vacancies. There are only two States in the Union that have had more vacancies filled in the last 5 years, and those two States are California and New York. They are very large States, of course, and have a large number of vacancies.

Again, I thank Senator CASEY for the very constructive working relationship we have developed to make sure that the people of Pennsylvania are able to access justice in a sensible and efficient fashion. Because we have worked closely together, not only have we filled these vacancies, but we have filled courthouses—Federal courthouses meant to house Federal judges—that have been vacant for years. As a result, Reading, PA, now has a Federal judge serving in that courthouse. People in the surrounding area of Williamsport, PA, had to drive great distances to get to a Federal court, and now there is a judge serving in Williamsport. Easton, PA—likewise, the people in North Hampton County who had to drive all the way to Philadelphia to have a case dealt with can now do that in Easton. I think, and I hope, we are close to filling an empty courthouse in Erie, PA. Erie is kind of by itself out there in the northwest corner of our great State, and there ought to be Federal judge in the Erie courthouse. We are well in the process of making sure that there will be, and I am sure it will come to a close soon.

Back to Judge Restrepo. The fact is Judge Restrepo is very well qualified to serve on the Third Circuit. He has served as a Federal district court judge for the Eastern District of Pennsylvania since June of 2013. I was very pleased, along with Senator CASEY, to have recommended Judge Restrepo to the White House for that post and to have supported his confirmation to the district court.

In 2013, Judge Restrepo was confirmed unanimously on the Senate floor. I would love to see that occur again this evening with respect to his confirmation to the circuit court. Prior to his appointment as a district court judge, Judge Restrepo served for 7 years as a Federal magistrate judge for the Eastern District of Pennsylvania, and for 13 years prior to that, Judge Restrepo was a partner in the law firm of Krasner and Restrepo, handling criminal defense cases. Before that, he worked at the public defenders' office at the Federal and State levels.

In many ways, Judge Restrepo's life story is a classic American dream story. He was born in Medellin, Colombia, and became a U.S. citizen in 1993. He has devoted a great deal of his time and energy and considerable intellect to serving his community. He served on the board of the Make-a-Wish Foundation for Philadelphia and Susquehanna

Valley. This is a foundation that grants wishes to children who have life-threatening illnesses. Judge Restrepo also gave his time to the Russell Byers Charter School in Philadelphia.

I am very confident that Judge Restrepo has the judicial experience, legal acumen, intellect, integrity, and dedication to public service to do the job that we expect him to do on the Third Circuit Court of Appeals. The Senate Judiciary Committee apparently shares my confidence, having passed his nomination out of committee with a voice vote.

I am pleased to speak on behalf of this highly qualified nominee, and I urge all of my colleagues to support his confirmation.

TRIBUTE TO OFFICER JESSE HARTNETT

Mr. President, I wish to briefly address one other item this evening before I yield the floor. I want to speak about the appalling shooting that occurred in Philadelphia just last Thursday evening when a shooter attempted to assassinate a police officer in the name of ISIS on the streets of Philadelphia. The shooter wasn't counting on the amazing bravery of Philadelphia Police Officer Jesse Hartnett.

It was late, about 11:30 at night on Thursday, and apparently a man waved down Jesse Hartnett as he was driving along in his police cruiser. Officer Hartnett stopped the cruiser. The man walked over as if to ask for directions, and instead, out of the blue, he started firing shots at pointblank range into the driver's side window at Officer Hartnett. He kept walking up to the car. As he walked, he kept shooting. At one point he actually had his arm, with the gun, inside the window of the car and was still shooting. In total, the shooter fired 13 shots.

Cameras that happened to be in that area captured the incident. It is absolutely amazing that Officer Hartnett managed to survive. It is amazing. But he didn't just survive. He jumped out of his patrol car. He had been hit three times and was very seriously injured. His arm was bleeding profusely. He got out of his car and chased down the shooter. He shot and wounded the would-be killer, and because of his heroic action while literally under fire, the shooter was apprehended.

This is an amazing example of true grit, and the people of Pennsylvania couldn't be more proud of Officer Hartnett. Our prayers are certainly with Officer Hartnett and his family. He has a very difficult recovery ahead of him. He has already had one surgery. My understanding is that he has undergone a second surgery today, or is in the process of undergoing that surgery. The doctors are trying to save his arm, which was badly injured.

I want to be clear about this. What happened that Thursday night was an act of terrorism. It was an act of ter-

rorism inspired by violent Islamic extremism. The shooter reportedly declared that he had pledged his allegiance to the Islamic State. He said that he was targeting police officers because he believes that the police are defending and enforcing laws that are contrary to the Koran, and the shooter himself said that he acted in the name of Islam and the Islamic State.

We don't know for sure yet whether the shooter has direct personal ties to ISIS abroad, but the FBI has reported that the shooter traveled to Saudi Arabia in 2011 and then went to Egypt for several months in 2012. Regardless of what he was doing over there or what his purpose was, we should make no mistake; this was an act of terrorism just as the shootings at Fort Hood and San Bernardino were.

Let me be abundantly clear. I think everyone obviously knows that this cop killer—this would-be cop killer—doesn't represent all Muslims. No one would suggest that, but he does represent a terrible strain of violent Islamic extremism, a strain that has amassed millions of dollars, has followers all around the planet, and is, in fact, at war with America.

ISIS and the violent Islamic extremists that are followers of ISIS pose a very serious threat to America. We have seen this repeatedly now, including in my home State of Pennsylvania in the City of Philadelphia. We are very fortunate. We have incredibly courageous law enforcement officers, such as Officer Hartnett, protecting us, but we shouldn't in any way diminish the magnitude and gravity of this threat.

I commend Officer Jesse Hartnett for his bravery. To Officer Hartnett and his family, please know that the people of Pennsylvania are behind you, thinking of you, and praying for a full and speedy recovery.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak on the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I rise to offer some remarks about the vote we are going to cast on Judge Restrepo, which Senator TOOMEY spoke to earlier, and I thank him for his work on this nomination.

We are finally at the point where we are voting, and we are grateful for that opportunity. Senator TOOMEY has noted and I know others are aware of Judge Restrepo's qualifications. I will highlight a few, some of it by way of reiteration.

I will start with the story itself. This is a great American story. An individual came to this country from Colombia and, through hard work and the benefit of a great education, has risen to the point of being a member of the

U.S. District Court for the Eastern District of Pennsylvania. Upon a positive confirmation vote, he will be a member of the Court of Appeals for the Third Circuit, the second highest Federal court in the land, just below the Supreme Court.

Judge Restrepo is a 1986 graduate of Tulane University Law School. He graduated from the University of Pennsylvania in 1981 with a degree in economics and international relations. As I said, he has served as a member of the U.S. district court in Philadelphia, which pretty much covers the eastern half of our State. We have a Middle District and a Western District. He is a judge in one of the three districts. He started there in June of 2013, so his nomination to the appeals court was a rapid rise in the Federal judiciary. Before being on the district court, he served as a U.S. magistrate judge from June of 2006 until his appointment to the U.S. district court.

I believe all of the other information is already in the RECORD, but I want to reiterate what I said before and what I know Senator TOOMEY has said. This nominee is qualified by way of experience, intellect, and education, but maybe the most important thing is by way of integrity. He is someone who has the character to serve on the appellate court after serving with distinction on the U.S. district court.

With that, I yield the floor.

Mr. BOOKER. Mr. President, today I wish to support the nomination of Judge Luis F. Restrepo, the President's nominee for appointment on the U.S. Court of Appeals for the Third Circuit.

Filling a vacancy on the third circuit is important to New Jerseyans. Because only a handful of cases each year reach the Supreme Court, circuit courts often have the final word in the vast majority of Federal cases. That means, for most of my constituents who bring cases in Federal courts, the buck stops with the third circuit.

The third circuit currently has two judicial vacancies. The vacant seat that President nominated Judge Restrepo to fill has been declared a judicial emergency. That means it has a very heavy caseload. In fact the third circuit has more than 900 weighted filings per judgeship. Filling a vacancy on that important Federal appellate court will lower the caseload burden and ensure access to justice for more Americans.

Judge Restrepo is a well-qualified individual. There is no question about that. He has over 10 years of experience on the Federal bench. In fact the Senate unanimously confirmed him to serve as a Federal district judge for the Eastern District of Pennsylvania. Prior to that, he served as a Federal magistrate judge. As a member of the Federal bench, he has presided over 56 trials that have gone to verdict or judgement.

He has a wealth of experience in both public service and private practice. He was a founding member of a Philadelphia law firm, where he practiced both criminal defense and civil rights litigation. He served as an assistant Federal defender with the Community Federal Defender for the Eastern District of Pennsylvania and an assistant defender for the Defender Association of Philadelphia. He has relevant experience in both criminal and civil law, which will serve him well as a Federal appellate judge.

Judge Restrepo has excellent legal credentials. He earned his undergraduate degree from the University of Pennsylvania and his law degree from Tulane University Law School.

The work of a Federal appellate judge can often be academic as the job requires a judge to address legal issues of first impression. Judge Restrepo has more than two decades of teaching experience at both the University of Pennsylvania Law School and Temple University James E. Beasley School of Law. He also taught with the National Institute for Trial Advocacy. In addition, he has written numerous articles appearing in a variety of national legal publications.

He has dedicated his time to public service and to bettering his community. He is the former president of the Hispanic Bar Association of Pennsylvania. He served on the board of directors for the Defender Association of Philadelphia and the Make-A-Wish Foundation of Philadelphia and Susquehanna Valley. As a Federal judge, he has also participated in a reentry program to assist people recently released from federal custody to reenter the community and become productive citizens.

I believe he has a wealth of relevant experience and a strong legal background. Other Senators share my confidence in Judge Restrepo. He has the bipartisan support from both Pennsylvania Senators and was voted out of the Judiciary Committee by a unanimous voice vote.

Judge Restrepo's confirmation is also historic. He will be the first Latino judge from Pennsylvania to serve on the third circuit and only the second Latino to sit on that court. He also has the strong endorsement of the Hispanic National Bar Association. According to that distinguished organization, Judge Restrepo's "integrity, knowledge of the law, breadth of professional experience, and intellectual capacity make him well suited to sit as a federal appellate judge." I could not agree more.

I urge my colleagues to confirm Judge Restrepo to the third circuit today.

Thank you.

THE PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent that I may be recognized as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I also ask unanimous consent that I be able to display on the Senate floor these two vials of liquid nicotine to tell what just passed.

THE PRESIDING OFFICER. Without objection, it is so ordered.

LIQUID NICOTINE

Mr. NELSON. Mr. President, in the Senate last year we passed the childproofing of caps on liquid nicotine. That legislation just passed today in the House and will go to the President for signature. This is important because we found that these bottles of liquid nicotine for these e-cigarettes, or electronic cigarettes, have not been childproofed. Therefore, if a child gets one of these bottles and it does not have the cap that they can't get off, we now know the experience from several poison centers across the country in the last couple of years. If a drop of that liquid nicotine gets onto the child's skin or, as infants typically do, they put things in their mouth and they ingest that liquid nicotine, indeed it is fatal.

We have had a couple of fatalities in this country. Therefore, it was common sense for us to require—and thankfully, the liquid nicotine industry went along and did not object—to make these childproof. But that will now be in the law. Let me point out something. This is aside from the question of whether you should be inhaling this stuff in an e-cigarette. I think people are finding out that this is becoming quite dangerous as well. But aside from that issue, this was the issue of protecting children.

Look at this. It has pictures of fruit all over the label, and it is called "Juicy ejuice." It is something that is going to attract an infant's or a child's attention. It is the same thing over here. It has pictures of all kinds of happy things. I have seen others that have labels of juicy fruit. I have seen others that have multicolored labels that are very attractive. Common sense tells us if you are putting a product out that can kill children—just like some of the soaps that are put out for washing detergent in these little plastic bags that disintegrate when they get into water in your dishwasher or in your washing machine, and it smells so good, and they are grape scents—a child smells that and it feels so good and it is so soft. Where is it going to end up in an infant? They are going to put it in their mouth. We have had some deaths there. But that is another battle for another day. At least we have won one little battle.

I am happy to report to the Senate that what we passed in the Senate in a bipartisan manner last year now passed the House today and will go to the President to be signed into law.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

TRANS-PACIFIC PARTNERSHIP

Mr. BROWN. Mr. President, I came from an informal hearing—not an official Senate hearing but a hearing downstairs called by Congressman LEVIN, who is the senior Democrat on the Ways and Means Committee. A number of other Members were there, including my colleague from Ohio, Representative KAPTUR, and a number of people the Presiding Officer served with in the House—Congressmen SARBANES, RANGEL, PASCRELL, DOGGETT, and SCHIFF. We discussed the Trans-Pacific Partnership.

I spoke earlier on this today. I know Senator MCCONNELL has said that he will not bring it up this year, I think in large part because of the opposition from the country. Senator Lott, the Republican leader, a decade or so ago said that you can't pass a trade agreement in an even-numbered year. He was a strong supporter of these trade agreements. I believe he and most in his party supported NAFTA and CAFTA. He wasn't here for CAFTA but he was for some of those other trade agreements. But he said that because he knows that politicians want to vote for these trade agreements in large part because of corporate lobbying. But the public doesn't want us to vote for these trade agreements.

My first year in Congress, I spent much of the year working in opposition to the North American Free Trade Agreement. I have seen a number of these: NAFTA, PNTR with China, CAFTA, the trade agreement with Korea, big promises about jobs, big claims about jobs, and exaggerated commitments about jobs. Every time we lose jobs from these trade agreements. Our trade deficit is up to a couple billion dollars a day now. But if you buy a billion dollars of products from another country rather than making them yourselves here, rather than American companies making them, we know that costs us jobs. When you think it is \$2 billion—almost \$2 billion every single day, well over a billion, but the numbers are not precise—in trade deficit, where we buy from other countries more than we export and sell to other countries, we know it is costing us jobs.

One of the other things that came out of this discussion with a number of Ways and Means Committee members, small business, a former trade negotiator, and a union representative there was how we have seen increasingly companies in Little Rock, in

Dayton or in Toledo shut down production here and move it overseas and then sell those products back into the United States.

The auto industry has not done much of that. When the auto industry sets up in Asia and are manufacturing cars, they typically sell them in that part of the world. Unfortunately, GM just announced that they are going to be making an SUV plant in China and selling those products back into the United States. That is a terrible trend.

The reason I stopped on the floor before the vote in a couple of minutes is to say this: The Trans-Pacific Partnership has set us up in way that will make that worse. Under NAFTA, Canada, the United States, and Mexico—I strongly oppose NAFTA. But under that trade agreement, products in automobiles—almost two-thirds of all of the components in an automobile—had to be made in one of these three countries in order to get the tariff benefits from NAFTA for those companies, those products. Now there are 12 countries in the Trans-Pacific Partnership and fewer than half the components have to be made in one of these 12 countries.

What does that mean? It means that more than half of an automobile can come from parts made in China but sold in the United States tariff-free under the Trans-Pacific Partnership. How can we possibly think that makes sense as a policy? That is fundamentally why the Trans-Pacific Partnership does not make sense for our country. It doesn't make sense for small businesses in Mansfield, OH, or in Springfield, OH, and it doesn't make sense for the up to 600,000 workers in my State—some 600,000 workers who are in the auto supply chain. We know a lot of them will lose jobs under the Trans-Pacific Partnership.

I yield the rest of my time to Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from Ohio.

We are finally going to vote on the long overdue confirmation of Judge Luis Felipe Restrepo to fill a judicial emergency vacancy on the U.S. Court of Appeals for the third circuit in Pennsylvania. He was nominated way over a year ago—nearly 14 months ago—with strong bipartisan support from home State Senators. This is a case where, unfortunately, the Republican leadership has subjected Judge Restrepo to totally unnecessary delay as part of their wholesale obstruction of judicial nominees. Their actions hurt not only the people of Pennsylvania, but also Americans across the country as judicial vacancies have remained unfilled nationwide after Republicans took over the Senate majority last year.

I hope that today's vote and the agreement to vote on four district

court nominees this work period signals a return to the Senate fulfilling its constitutional duty of providing advice and consent on the President's nominees. In all of 2015, Senate Republicans allowed votes on only 11 judicial nominations. This matched the record for confirming the fewest number of judicial nominees in more than half a century. I mention that because Democrats took the majority in the last 2 years of President Bush's term. We confirmed 40 judges during that year—40. I was chairman. I remember that very well. I didn't want to repeat the things that we saw during the Clinton administration, where the Republicans came in and the then-Republican chairman of the Senate Judiciary Committee killed over 60 nominees of the Clinton administration by not allowing them to have a vote in committee. I said: Let's move faster. I moved 40 through. Did the Republicans do the same? No, they allowed 11.

Republicans also left town at the end of last year with 19 judicial nominees still pending on the floor, including Judge Restrepo. Each of the nominees has the support of their home state Senators and their nominations were reported out of the Judiciary Committee by voice vote. These are the kind of noncontroversial judicial nominees that the Senate has traditionally confirmed at the end of a session. During the Obama administration, however, Republicans have rejected this practice.

Judge Restrepo exemplifies the kind of consensus nominee that should have been easily confirmed at the end of the session. He is nominated to fill an emergency vacancy on the Third Circuit Court of Appeals, which has two vacant judgeships in Pennsylvania. He has the strong bipartisan support of his home state Senators, Senator CASEY and Senator TOOMEY. In fact, Senator TOOMEY has said he personally recommended Judge Restrepo to the President for the nomination. In 2013, this body confirmed Judge Restrepo's nomination to the Federal district court by voice vote. I have heard no objection from any Senator to Judge Restrepo's nomination. I cannot believe this man who will be the first Hispanic judge from Pennsylvania for the third circuit was humiliated by having to wait 14 months. This highly qualified Hispanic judge was told to go to the back of the line and wait 14 months. It is wrong. It is absolutely wrong.

I will vote to confirm Judge Restrepo. Since 2013, he has served as a judge on the U.S. District Court for the Eastern District of Pennsylvania. For the seven years prior, he served as a Federal magistrate judge on the same court. Before joining the bench, Judge Restrepo was in private practice as a named partner at Krasner & Restrepo. He began his legal career serving as a

public defender as an Assistant Defender for the Defender Association of Philadelphia before becoming an Assistant Federal Defender for the Federal Community Defender Office for the Eastern District of Pennsylvania. He was voted out of the Judiciary Committee by unanimous voice vote on July 9, 2015. His nomination has the full support of the Hispanic National Bar Association. I ask unanimous consent to have printed in the RECORD a copy of the Hispanic National Bar Association's letter in support of Judge Restrepo at the conclusion of my remarks.

Republicans' obstruction of highly qualified judicial nominees with strong support, like Judge Restrepo, has resulted in a sharp rise in judicial vacancies. When Senate Republicans took over the majority in January of last year, there were 43 judicial vacancies. After a year of Republicans neglecting judicial confirmations, vacancies have dramatically increased to 72—an increase of more than 60 percent. Furthermore, the number of judicial vacancies deemed to be "emergencies" by the Administrative Office of the U.S. Courts because caseloads in those courts are unmanageably high has nearly tripled under Republican Senate leadership—from 12 when Republicans took over last year to 33 today. In his annual year-end report, even Chief Justice Roberts drew our attention to the "crushing dockets" and heavy caseloads that strain the Federal judiciary and prevent Americans from obtaining timely justice in our courts.

The high number of vacancies is entirely of the Senate Republican leadership's making, and Senate action is required to resolve it. The first step is to confirm the rest of the 18 judicial nominees pending right now on the floor. Under a bipartisan agreement reached at the end of last year, the Majority Leader will schedule confirmation votes on four district court nominees between now and the President's Day recess. After we vote on those nominees, we will still have nominees from Tennessee, Maryland, New Jersey, Nebraska, New York, and California pending on the floor, nearly all of whom would fill emergency vacancies. Votes on these nominees must be scheduled without further delay.

Let's start facing up to fact that we have enormous problems with judiciary emergencies in States where both Republicans and Democrats have supported the nominees. Let them come forward. Let them be voted on. Let's stop making the Federal courts a political pawn. It is bad enough with all the political shenanigans going on in this country anyway in an election year. Don't do them with the Federal court system. We have the best, the most honest, the least partisan Federal court system anywhere in the world. But don't say: Oh, you are a highly

qualified Hispanic nominee, but you just wait there for 14 months, be humiliated, and then we will finally allow a vote. I don't care whether someone is Hispanic or non-Hispanic; we have so many men and women who are highly qualified.

In addition to the nominees pending on the floor, there are also four Pennsylvania district court nominees that the Senate Judiciary Committee is poised to report out this month. I sincerely hope the junior Senator from Pennsylvania can convince the Republican Majority Leader not to submit these additional Pennsylvania nominees to the extensive confirmation delay that Judge Restrepo endured. The people of Pennsylvania have waited long enough. I also understand that the White House has been working for months with Senator TOOMEY and Senator CASEY on the second Pennsylvania vacancy on the third circuit. I look forward to the Judiciary Committee considering that nomination soon.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 31, 2015.

Re Hispanic National Bar Association Endorsement of Nomination of The Honorable Luis Felipe Restrepo to the United States Court of Appeals for the Third Circuit.

Hon. CHUCK GRASSLEY,
U.S. Senate,
Washington, DC.
Hon. PATRICK LEAHY,
U.S. Senate,
Washington, DC.

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER LEAHY: On behalf of the Hispanic National Bar Association ("HNBA"), we write to recommend the confirmation of the Honorable Luis Felipe Restrepo to the United States Court of Appeals for the Third Circuit. As explained below, we believe that Judge Restrepo has all the requisite qualifications to serve in this role and will serve the Court and the parties that come before it with distinction and integrity.

The HNBA is a non-profit, non-partisan national membership association that represents the interests of Hispanic attorneys, judges, law professors, law students, and legal professionals in the United States and Puerto Rico. One of the HNBA's many institutional objectives is to advocate and work to ensure that the federal and state courts in our nation are diverse and reflect the citizenry that come before our courts daily.

Judge Restrepo sought the HNBA's endorsement shortly after President Obama nominated him to the United States Court of Appeals for the Third Circuit. The HNBA conducted a thorough due diligence process that included interviews of personal and professional references (including judges and attorneys), a review of his scholarly writings and legal opinions, and a thorough Internet search. We also have considered his background and qualifications in the context of the requirements of the position for which he was nominated, as well as the requirements of the HNBA's Policies and Procedures Governing Judicial Endorsements. After a careful review, it is clear that Judge Restrepo possesses the professional expertise, experience, personal integrity and judicial tem-

perament to distinguish himself as a federal appellate judge. Accordingly, we urge you to confirm his nomination to the United States Court of Appeals for the Third Circuit.

Prior to being sworn in as a District Judge for the Eastern District of Pennsylvania in 2013 and his appointment as a Magistrate Judge in 2006, Judge Restrepo was a highly-regarded Philadelphia attorney and founding member of the firm of Krasner & Restrepo, concentrating on criminal defense and civil rights litigation. Before forming his law firm, he served as an assistant federal defender with the Community Federal Defender for the Eastern District of Pennsylvania, and an assistant defender for the Defender Association of Philadelphia. He is an adjunct professor at Temple University James E. Beasley School of Law, was an adjunct professor at the University of Pennsylvania Law School from 1997-2009 where he was appointed the Irving R. Segal Lecturer in advocacy, and has taught with the National Institute for Trial Advocacy in regional and national programs since 1991. He has been a lecturer at seminars sponsored by a number of agencies and organizations and has written numerous articles appearing in a variety of national publications. Throughout his career, Judge Restrepo has stood out as an exceptional role model for community involvement and civic participation. He has devoted his time and expertise to a variety of boards and commissions as well as the Eastern District prisoner reentry program.

The HNBA's due diligence process has confirmed that Judge Restrepo's integrity, knowledge of the law, breadth of professional experience, and intellectual capacity make him well suited to sit as a federal appellate judge. Accordingly, it is with great pride that we have the privilege of endorsing the Honorable Luis Felipe Restrepo and recommend his confirmation to serve as a Judge on the United States Court of Appeals for the Third Circuit. Please do not hesitate to contact us at the HNBA National Office at (202) 223-4777, or you may contact Cynthia D. Mares directly at (720) 314-1295 or by e-mail at president@hnba.com, if we can be of any further assistance.

Thank you for your consideration.

Sincerely,

CYNTHIA D. MARES,
HNBA National President.

ROBERT RABEN,
Chair, HNBA Judiciary Committee.

Mr. LEAHY. Mr. President, I know the time for the vote is upon us.

Have the yeas and nays been ordered? The PRESIDING OFFICER. They have not.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. LEAHY. I yield back all time, and I yield the floor.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Louisiana (Mr. CASSIDY), the Senator from Indiana (Mr. COATS), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Florida (Mr. RUBIO), the Senator from South Carolina (Mr. SCOTT), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 6, as follows:

[Rollcall Vote No. 1 Ex.]

YEAS—82

Alexander	Fischer	Murphy
Ayotte	Flake	Murray
Baldwin	Gardner	Nelson
Barrasso	Gillibrand	Paul
Bennet	Grassley	Perdue
Blumenthal	Hatch	Peters
Booker	Heinrich	Portman
Boozman	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Roberts
Burr	Hoeven	Rounds
Cantwell	Johnson	Sasse
Capito	Kaine	Schatz
Cardin	King	Schumer
Carper	Kirk	Shaheen
Casey	Klobuchar	Sullivan
Cochran	Lankford	Tester
Collins	Leahy	Thune
Coons	Manchin	Tillis
Corker	Markey	Toomey
Cornyn	McCain	Udall
Cotton	McCaskill	Warner
Daines	McConnell	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Mikulski	Wyden
Ernst	Moran	
Feinstein	Murkowski	

NAYS—6

Blunt	Lee	Sessions
Inhofe	Risch	Shelby

NOT VOTING—12

Cassidy	Franken	Sanders
Coats	Graham	Scott
Crapo	Isakson	Stabenow
Cruz	Rubio	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative action.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Happy new year. Nothing says "Happy new year" like

the “Time to Wake Up” speech, so I will kick off 2016 with my year-opener “Time to Wake Up” speech recapping some of last year’s climate change milestones.

They say you only get one chance to make a first impression, and the first impression Senate Republicans chose to make in 2015 was to use their first 3 weeks of floor time—3 full weeks of precious floor time—to help a foreign oil company’s tar sands pipeline. Even though it meant the government condemning American farms, even though the President was sure to veto it, that was their opener.

By the end of the year, things had changed. The Republican leader was burying the votes against the Clean Power Plan deep in the news of the terrible Paris massacres and collapsing votes together to minimize floor time on this issue. The Republican majority opened 2015 with a big oil bang but crept out of the year with a whimper.

Things indeed changed in 2015. Of course, the scientific evidence continued to show that fossil fuel pollution was damaging our environment and our oceans and our economy. And 2015 was record-setting hot. This chart from November shows that 2015 is on track to being the hottest year globally since we began keeping records in 1880. We can see that the 2015 running monthly global temperature average is above the 6 next warmest years on record in every month for which data is available.

The Director of NASA’s Goddard Institute for Space Studies estimates the probability of 2015 being the hottest on record at better than 99 percent. He has labeled 2015 a “scorchers.” But that won’t be official until later this month. It is no fluke.

The World Meteorological Organization reports the recent 5-year period—2011 to 2015—as the warmest 5-year period on record, and 2015 was the first year where monthly global average carbon dioxide concentrations exceeded 400 parts per million, and it did so for more than 3 months. Bear in mind that for as long as human beings have been on this planet Earth, we have existed safely in a range of 170 to 300 parts per million. We are outside of that by almost the entire range, and we know this from ice cores which contain tiny bubbles of ancient atmospheres. I saw those ice cores last October at Ohio State University. World-renowned atmospheric scientists, the husband-and-wife team Dr. Ellen Mosley Thompson and Dr. Lonnie Thompson, worked for years to retrieve cores from around the world and to test the ancient air captured inside. The lesson of these cores is that humans have fundamentally altered the chemistry of the Earth’s air and that our greenhouse gas emissions are rapidly altering our climate. Scientists now say that we have so altered the Earth as to consider ourselves in a new geologic epoch, the Anthropocene.

In 2015, the oceans kept shouting at us to wake up. Throughout 2015, evidence continued to document our oceans warming, rising, and acidifying. And 2015 brought the first nationwide study assessing the vulnerability of America’s \$1 billion shellfish industry to ocean acidification, documenting the risk to 15 coastal States, such as Louisiana, Texas, Maine, and Rhode Island.

The Proceedings of the National Academy of Sciences in October reported on climate change’s threats to fish integral to human diets, predicting a dramatic collapse in the world’s largest ecosystem, our oceans. The great corrupt denial machine the fossil fuel industry supports never talks about oceans. The machine doesn’t care about evidence; it is just an obstacle to their fossil fuel PR campaign. They just want to create phony doubt. But since there is not much room for doubt in measurements of warming, rising, and acidifying seas, they won’t go there. Nevertheless, 2015 was another bad year for oceans.

Mr. President, 2015 was also the year journalists, academics, and investigators took a hard look at that big, phony climate denial apparatus. The year 2015 brought reports that Exxon knew climate change was real but funded the climate denial apparatus anyway, reports of how fossil fuel money influenced the front groups’ language, and reports about hidden money and networks of influence and fossil fuel money controlling politics. Report after report showed fossil fuel money pouring into dozens of front groups, creating phony doubt and controversy, then propagated through media outlets also in the tank to the fossil fuel industry, such as FOX News and the Wall Street Journal editorial page.

If you doubt that climate change is real, you have been had. It is really that simple. It is a racket. And 2015 was the year when many voices began asking for a racketeering investigation into a fraud of historic proportions.

Mr. President, 2015 was a year of growing public recognition across America of the need to act. A 2015 Stanford poll found that 83 percent of Americans, including 6 in 10 Republicans, want action to reduce carbon emissions. For the first time, a majority of self-identified Republicans now believe there is solid evidence of global warming. And if you take out the loopy Tea Party cohort, among sensible Republicans, the number goes even higher. Among young Republican voters—Republican voters under age 35—most said they would describe a climate denier as “ignorant,” “out of touch,” or “crazy.”

In 2015, the EPA launched the Clean Power Plan, our Nation’s most ambitious effort yet. It is the first-ever plan to reduce carbon pollution from the largest source of U.S. carbon emis-

sions: powerplants. The Clean Power Plan is projected to both cut carbon emissions and save Americans money on their annual energy bills.

In 2015, the Obama administration at last rejected the Keystone XL Pipeline—a great victory for the environmental movement after the 400,000-person climate march in New York City. In 2015, Pope Francis—the world leader of the Catholic Church—added his holy voice to the call.

“Humanity,” Pope Francis said, “is called . . . to combat this warming or at least the human causes which produce or aggravate it.” Specifically, the Pope said, “[T]echnology based on the use of highly polluting fossil fuels, needs to be progressively replaced without delay.”

Pope Francis’s encyclical said something to Congress:

To take up these responsibilities, and the costs they entail, politicians will inevitably clash with the mindset of short-term gain and results which dominates present-day economics and politics. But if they are courageous, they will attest to their God-given dignity and leave behind a testimony of selfless responsibility.

And 2015 showed some signs of political courage, dignity, and responsibility. Republican Congressman Bob Inglis took a beating at the hands of the fossil fuel industry, but he did not give up the fight. Our colleague LINDSEY GRAHAM ran for the Republican nomination on a sensible climate change platform. He and other Senate colleagues have started a little Senate Republican study group. Twelve House Republicans, led by Congressman CHRIS GIBSON of New York, broke with their party’s Orthodoxy and sponsored a resolution committing to address climate change by promoting ingenuity, innovation, and exceptionalism. It is not much yet, but it is a start. It is a turn.

Perhaps the biggest milestone of 2015 was the Paris agreement reached in December, with 190 countries agreeing to a global deal to address climate change. One key element was that more than 150 major U.S. companies signed on to the American Business Act on Climate Pledge, calling for strong outcomes in the Paris climate negotiations. These companies’ operations together span all 50 States, they employ nearly 11 million people, they represent more than \$4.2 trillion in annual revenue, and they have a combined market capitalization of over \$7 trillion. These are blue-chip American icons such as AT&T of Texas, Coca-Cola and UPS of Georgia, Procter & Gamble of Ohio, and Walmart of Arkansas. How long can Republicans ignore them?

You know the phrase about lipstick on a pig? Well, 2015 brought so much change that even the big fossil fuel pigs felt they had to try on a little lipstick. Typical of them, it was bogus—just enough happy talk about climate change and carbon fees to get the CEOs

through a Davos cocktail party without being shunned, while here in Congress, their whole brutal political apparatus, up to and including the U.S. Chamber of Commerce—which these days should probably be called the U.S. Chamber of Carbon—kept relentlessly hammering against any prospect of meaningful climate legislation. Real or not, it is noteworthy that the big oil tycoons at least felt the need for some lipstick.

Speaking of piggy, 2015 was also the year the International Monetary Fund calculated the effective public subsidy of the fossil fuel industry at \$700 billion per year just in the United States alone. Remember when the costs of carbon pollution are not factored into the price, those costs become a public subsidy—a market failure. This subsidy climbs into the trillions of dollars worldwide. If that is not piggy, nothing is.

My biggest prayer for 2016 is the American business coalition from Paris helping Republican colleagues acknowledge publicly what many have concluded privately; that it is time for Congress to address climate change. If Republicans can get some relief from the brutal political pressure of the fossil fuel industry, there are conservative-friendly solutions at hand. Every Republican who has thought this problem through to a solution comes to the same place, every one. Former Treasury Secretary and Secretary of State George Shultz, President Reagan's economic adviser Art Laffer, President George W. Bush's Treasury Secretary Hank Paulson, and his Council of Economic Advisers Chair Greg Mankiw, former Congressman Bob Inglis, and many others, all advocated last year that a carbon fee is the efficient way to correct the market failure that lets the fossil fuel industry pollute for free. Four former Republican EPA Administrators, Bill Ruckelshaus, Christine Todd Whitman, Lee Thomas, and Bill Reilly, wrote: "A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions."

Even a columnist at the Wall Street Journal, whose editorial page is notoriously fossil fuel friendly, wrote: "There's no dispute among economists on the most cost-effective way to [reduce emissions]: a carbon tax."

Well, we have one. In 2015, the conservative American Enterprise Institute hosted the announcement of my legislation with Senator SCHATZ, creating a revenue-neutral carbon fee, with none—zero—of the revenues kept by the Federal Government but instead being used to provide massive corporate tax reductions and personal tax rebates. We have gone to exactly where Republicans are pointing. So please, colleagues, take yes for an answer. Join us, and let's get to work.

Mr. President, 2015 was a year the tide turned in Congress, from that

opening Keystone Pipeline political fanfare to the buried, quiet, end-of-the-year votes on the President's Clean Power Plan, with three Republicans even voting to support President Obama on those votes. It was a turning year and a new year now begins. We still need to wake up. We still need to get to work. We still have a duty before us, and it is a duty we should not shirk. I pray that 2016 will be the year, and I promise to do everything in my power to make it the year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for January 2016. The report compares current law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is the first scorekeeping report for this calendar year but the fifth report I have made since adoption of the fiscal year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on December 2, 2015. The information contained in this report is current through January 5, 2016.

Table 1 gives the amount by which each Senate authorizing committee is below or exceeds its allocation under the budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. Over the fiscal year 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent \$148 billion more than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. On December 18, 2015, the President signed H.R. 2029, the Consolidated Appropriations Act, 2016, P.L. 114–113, into law. This bill provided regular appropria-

tions equal to the levels set in the Bipartisan Budget Act of 2015, P.L. 114–74, specifically \$548.1 billion in budget authority for defense accounts, revised security category, and \$518.5 billion in budget authority for nondefense accounts, revised nonsecurity category.

Table 3 gives the amount by which the Senate Committee on Appropriations is below or exceeds its allocation for overseas contingency operations/global war on terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11 and is enforced using section 302 of the CBA. The consolidated appropriations bill included \$73.7 billion in budget authority and \$32.1 billion in outlays for OCO/GWOT in fiscal year 2016. This level is equal to the revised OCO/GWOT levels that I filed in the RECORD on December 18, 2015.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the crime victims fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. Enacted CHIMPS are under both the broader CHIMPS limit, \$1.3 billion less, and the crime victims fund limit, \$1.8 billion less.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

For fiscal year 2016, CBO estimates that current law levels are \$138.9 billion and \$103.6 billion above the budget resolution levels for budget authority and outlays, respectively. Revenues are \$155.2 billion below the level assumed in the budget resolution. Finally, Social Security outlays are at the levels assumed in the budget resolution for fiscal year 2016, while Social Security revenues are \$23 million below assumed levels for the budget year.

CBO's report also provides information needed to enforce the Senate's pay-as-you-go rule. The Senate's pay-as-you-go scorecard currently shows deficit reduction of \$20.5 billion over the fiscal year 2015–2020 period and \$95.6 billion over the fiscal year 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by \$17 billion and decrease outlays by \$3.5 billion. Over the 11-year period, Congress has enacted legislation that would increase revenues by \$36.7 billion and decrease outlays by \$58.9 billion. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

(In millions of dollars)			
	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry			
Budget Authority	0	0	0
Outlays	0	0	0
Armed Services			
Budget Authority	–66	–518	–1,117
Outlays	–50	–476	–1,099
Banking, Housing, and Urban Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Commerce, Science, and Transportation			
Budget Authority	130	650	1,300
Outlays	0	0	0
Energy and Natural Resources			
Budget Authority	0	0	0
Outlays	0	0	0
Environment and Public Works			
Budget Authority	2,880	19,432	9,459
Outlays	252	1,147	–8,801
Finance			
Budget Authority	345	41,005	152,913
Outlays	345	41,005	152,913
Foreign Relations			
Budget Authority	0	0	0
Outlays	0	0	0
Homeland Security and Government Affairs			
Budget Authority	0	0	0
Outlays	0	–1	0
Judiciary			
Budget Authority	–3,358	5,962	4,833
Outlays	1,713	5,862	4,082
Health, Education, Labor, and Pensions			
Budget Authority	0	208	278
Outlays	0	208	278
Rules and Administration			
Budget Authority	0	0	0
Outlays	0	0	0
Intelligence			
Budget Authority	0	0	0
Outlays	0	0	0
Veterans' Affairs			
Budget Authority	–2	–1	–1
Outlays	388	644	644
Indian Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Small Business			
Budget Authority	0	0	0
Outlays	1	2	2
Total			
Budget Authority	–71	66,738	167,665
Outlays	2,649	48,391	148,019

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹

(Budget authority, in millions of dollars)			
	2016		
	Security ²	Nonsecurity ²	
Statutory Discretionary Limits	548,091	518,491	
Amount Provided by Senate Appropriations Subcommittee			
Agriculture, Rural Development, and Related Agencies	0	21,750	
Commerce, Justice, Science, and Related Agencies	5,101	50,621	
Defense	514,000	136	
Energy and Water Development	18,860	18,325	
Financial Services and General Government	44	23,191	
Homeland Security	1,705	39,250	
Interior, Environment, and Related Agencies	0	32,159	
Labor, Health and Human Services, Education and Related Agencies	0	162,127	
Legislative Branch	0	4,363	
Military Construction and Veterans Affairs, and Related Agencies	8,171	71,698	
State Foreign Operations, and Related Programs	0	37,780	
Transportation and Housing and Urban Development, and Related Agencies	210	57,091	

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹—Continued

(Budget authority, in millions of dollars)		
	2016	
	Security ²	Nonsecurity ²
Current Level Total	548,091	518,491
Total Enacted Above (+) or Below (–) Statutory Limits	0	0

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS

(In millions of dollars)		
	2016	
	BA	OT
OCO/GWOT Allocation ¹	73,693	32,079
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	58,638	27,354
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	160	128
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	14,895	4,597
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	73,693	32,079
Total OCO/GWOT Spending vs. Budget Resolution	0	0

BA = Budget Authority; OT = Outlays

¹ This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)	
	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	600
Commerce, Justice, Science, and Related Agencies	9,458
Defense	0
Energy and Water Development	0
Financial Services and General Government	725
Homeland Security	176
Interior, Environment, and Related Agencies	28
Labor, Health and Human Services, Education and Related Agencies	6,799
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	17,786
Total CHIMPS Above (+) or Below (–) Budget Resolution	–1,314

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

(Budget authority, millions of dollars)	
	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND—Continued

(Budget authority, millions of dollars)	
	2016
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	9,000
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	9,000
Total CVF CHIMP Above (+) or Below (–) Budget Resolution	–1,800

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,

Washington, DC, January 11, 2016.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through January 5, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated December 2, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2016:

Fixing America's Surface Transportation Act (Public Law 114-94);

Federal Perkins Loan Program Extension Act of 2015 (Public Law 114-105);

Consolidated Appropriations Act, 2016 (Public Law 114-113); and

Patient Access and Medicare Protection Act (Public Law 114-115).

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JANUARY 5, 2016

(In billions of dollars)			
	Budget Resolution	Current Level ^a	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,069.8	3,208.7	138.9
Outlays	3,091.2	3,194.9	103.6
Revenues	2,676.0	2,520.7	–155.2
Off-Budget			
Social Security Outlays ^b	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

SOURCE: Congressional Budget Office.

^a Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

^b Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JANUARY 5, 2016

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted ^a			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	— 784,820	— 784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	— 766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) ^b	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114–53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	— 2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114–74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	0	1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	— 66	— 50	0
Fixing America's Surface Transportation Act (P.L. 114–94)	2,880	252	471
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114–113) ^b	2,008,016	1,563,177	— 156,107
Patient Access and Medicare Protection Act (P.L. 114–115)	32	32	0
Total, Enacted Legislation	2,015,833	1,569,894	— 155,989
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	9,170	6,674	0
Total Current Level ^c	3,208,679	3,194,859	2,520,744
Total Senate Resolution ^d	3,069,829	3,091,246	2,675,967
Current Level Over Senate Resolution	138,850	103,613	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	155,223
Memorandum:			
Revenues, 2016–2025:			
Senate Current Level	n.a.	n.a.	31,755,032
Senate Resolution	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	478,067

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

^b Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	917	0
Consolidated Appropriations Act, 2016 (P.L. 114–113)	— 2	0	0

Total

^c For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^d Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 11, pursuant to various provisions of the resolution. The Initial Senate Resolution total below excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending. The Revised Senate Resolution total below includes amounts for disaster-related spending:

Initial Senate Resolution	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4311 of S. Con. Res. 11	445	175	— 766
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	700	700	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	0	1	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4313 of S. Con. Res. 11	269	269	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3404 of S. Con. Res. 11	36,072	— 997	0
Revised Senate Resolution	3,069,829	3,091,246	2,675,967

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF JANUARY 5, 2016

(In millions of dollars)

	2015–2020	2015–2025
Beginning Balance ^a	0	0
Enacted Legislation, ^b ^c ^d		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114–17) ^e	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114–19)	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114–22)	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114–23)	*	*
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114–25)	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	— 1	— 5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	— 640	— 52
Boys Town Centennial Commemorative Coin Act (P.L. 114–30) ^f	0	0
Steve Gleason Act of 2015 (P.L. 114–40)	13	28
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	— 1,552	— 6,924
Agriculture Reauthorizations Act of 2015 (P.L. 114–54)	*	*
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	624	624
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	— 32	— 2
Gold Star Fathers Act of 2015 (P.L. 114–62)	*	*
Ensuring Access to Clinical Trials Act of 2015 (P.L. 114–63)	*	*
Adoptive Family Relief Act (P.L. 114–70)	*	*
Surface Transportation Extension Act of 2015 (P.L. 114–73)	*	*
Bipartisan Budget Act of 2015 (P.L. 114–74)	— 15,050	— 71,315
Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (P.L. 114–81)	*	*
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	2	2
Improving Regulatory Transparency for New Medical Therapies Act (P.L. 114–89)	*	*
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	— 194	— 10
Equity in Government Compensation Act of 2015 (P.L. 114–93)	*	*
Fixing America's Surface Transportation Act (P.L. 114–94) ^g	— 3,845	— 18,144
Improving Access to Emergency Psychiatric Care Act (P.L. 114–97)	*	*
Breast Cancer Research Stamp Reauthorization Act of 2015 (P.L. 114–99)	— 1	0
Hizballah International Financing Prevention Act of 2015 (P.L. 114–102)	*	*

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF JANUARY 5, 2016—Continued

(In millions of dollars)

	2015–2020	2015–2025
Stem Cell Therapeutic and Research Reauthorization Act of 2015 (P.L. 114–104)	*	*
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	–14	–13
Securing Fairness in Regulatory Timing Act of 2015 (P.L. 114–106)	*	*
National Guard and Reservist Debt Relief Extension Act of 2015 (P.L. 114–107)	*	*
Federal Improper Payments Coordination Act of 2015 (P.L. 114–109)	2	4
Consolidated Appropriations Act, 2016 (P.L. 114–113) ^h	36	–1
Patient Access and Medicare Protection Act (P.L. 114–115)		
Current Balance	–20,481	–95,626
Memorandum:		
Changes to Revenues	2015–2020	2015–2025
Changes to Outlays	17,030	36,732
	–3,451	–58,894

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between –\$500,000 and \$500,000.

a. Pursuant to S. Con. Res. 11, the Senate Pay-As-You-Go Scorecard was reset to zero.

b. The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.

c. Excludes off-budget amounts.

d. Excludes amounts designated as emergency requirements.

e. P.L. 114–17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (<http://www.cbo.gov/sites/default/files/cbofiles/attachments/s615.pdf>)

f. P.L. 114–30 will cause a decrease in spending of \$5 million in 2017 and an increase in spending of \$5 million in 2019 for a net impact of zero over the six-year and eleven-year periods.

g. The budgetary effects associated with the Federal Reserve Surplus Funds are excluded from the PAYGO Scorecard in P.L. 114–94 pursuant to section 232(b) of H.C. Res. 290, the Concurrent Budget Resolution for Fiscal Year 2001 (106th Congress).

h. The budgetary effects of divisions M through Q are not reflected in the PAYGO Scorecard pursuant to section 1001(b) of Title X of Division O of P.L. 114–113.

HONORING TECHNICAL SERGEANT JOSEPH G. LEMM

Mr. GRASSLEY. Mr. President, I would like to pay tribute today to the life of TSgt Joseph G. Lemm who was killed while serving his country in Afghanistan. It was his third tour of duty in Afghanistan. Joe was born in Dubuque, IA, and lived in the nearby town of Bernard as a young child.

He was a police officer in New York City and served in the New York Air National Guard. Clearly, his was a life of public service, defending his fellow Americans both at home and abroad. His willingness to repeatedly put himself in harm's way speaks volumes about his courage and character.

I am told that he was often called Superman, and like Superman, Joe spent his life defending "Truth, Justice, and the American Way." He will be remembered for his extraordinary love of country and family.

My prayers go out to his wife, Christine; his daughter, Brooke; his son, Ryan; as well as his mother, Shirley, and his father, Charles. Their premature loss will leave an enormous hole in their lives, but they can be very proud of the life Joe lived.

TRIBUTE TO REAR ADMIRAL JOAN HUNTER

Mr. DONNELLY. Mr. President, today I wish to recognize the efforts of RADM Joan Hunter during her tenure as the Assistant Joint Surgeon at the National Guard Bureau, Joint Surgeon General's Office, Psychological Health, NGB, JSG-PH.

In this capacity, RADM Hunter has served as principal staff and adviser to the Chief of the National Guard Bureau. As a member of the Joint Surgeon's Office, RADM Hunter partnered with the J1, Manpower and Personnel Directorate, and the J32, the

Counterdrug Division, to direct services to address the psychological health needs of Guard members and their families. Her most significant contribution was building the National Guard's psychological health program, which meant placing a director of psychological health in every State, wing, and territory based on the Department of Defense's Mental Health Task Force Report recommendations. As a commissioned officer in the U.S. Public Health Service, RADM Hunter is a shining example of how the whole government can come together to address mental health issues in our military.

I have had the honor and pleasure of working closely with RADM Hunter during her time at NGB, and I am grateful for her leadership, energy, and innovation. Mental health is a critical readiness issue for all our servicemembers, and the Department of Defense has made important progress in improving the mental health and resilience of our force. Unfortunately, in the past, the unique needs and challenges faced by our Guard members and Reservists were often neglected by programs designed to serve the Active component. Under RADM Hunter's direction, that is changing. She has made a real, tangible impact on the lives of Guard members, and in doing so, she has done a tremendous service to our Nation and our communities.

RADM Hunter is a champion in the fight to combat military suicide, improve mental health and resiliency among our servicemembers, and field the strongest fighting force the world has ever known. She has been an especially valued partner in this undertaking, and while she will be sorely missed at NGB, I know she will continue to do great things for our country. I wish RADM Hunter the best of luck in her new assignment and thank her for her dedicated service to our men and women in the National Guard.

RECOGNIZING THE 100TH PENNSYLVANIA FARM SHOW

Mr. TOOMEY. Mr. President, I wish to commemorate the 100th Pennsylvania Farm Show, which is being held this week in Harrisburg, PA.

Established in 1917, the Pennsylvania Farm Show is held every January and showcases the Commonwealth's vibrant farming traditions and finest foods. With 24 acres of exhibition space, it is the Nation's largest indoor agricultural event. This year's show will display more than 13,000 exhibits and is anticipated to draw half a million visitors from across the Nation.

The farm show always provides free admission and allows everyone the chance to learn more about Pennsylvania agriculture. It hosts a wide variety of events and displays including livestock exhibits, art displays, and educational workshops.

In addition to its hands-on exhibits, the farm show allows visitors to sample products that are grown and produced in Pennsylvania. Farmers display their fruits and vegetables while vendors sell local favorites, including pretzels, apple butter, and shoofly pie. As the occupant of the Senate candy desk, I would be remiss not to recognize the small, family-owned candy companies that also sell their products at the farm show.

With a nod toward education, the Pennsylvania Farm Show sponsors the scholarship foundation for students pursuing their post-secondary education in the agriculture field. Since its creation, the foundation has donated over \$1 million in scholarships to youth involved in 4-H, Future Farmers of America, and other agriculture organizations. It is encouraging to see such a strong commitment to agriculture's continued success in Pennsylvania for the foreseeable future.

This weekend, my family and I will attend the 2016 Pennsylvania Farm

Show. Farming is a vital component to Pennsylvania's economy, and I am proud of our State's dairy, livestock, and agriculture products. I look forward to the farm show every year, and I encourage all Pennsylvanians to attend this event to experience firsthand our State's rich agriculture history.

ADDITIONAL STATEMENTS

RECOGNIZING THE 250TH ANNIVERSARY OF LEE, NH

• Ms. AYOTTE. Mr. President, today I wish to honor Lee, NH, a town in Strafford County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across New Hampshire in recognizing this special milestone.

Lee was originally settled in 1657 and was officially incorporated in 1766 by colonial Governor Benning Wentworth. In the century leading up to its incorporation, Lee was part of Durham and the Oyster River Plantation. Lee was also one of the last towns to be incorporated by Governor Wentworth.

Wadleigh Falls, located in Lee, is a historic landmark and one of the oldest areas in New Hampshire to be inhabited by humans. Abenaki and Penacook tribes would come to the falls for hunting, fishing, and farming as far back as 8,000 years ago. Upon settlement, the Europeans would follow in the Native Americans' footsteps and use the falls to their economic advantage. The settlers started using this site in 1657, and the first mill was built in 1665. Mills in Lee processed timber, grain, leather, wooden buckets, and herbal medicines. Generous clay deposits and the town's lumber mill system allowed Lee to become a valued location for industry in the early history of the United States. The town's agricultural tradition has also been very important to Lee and its many farms that are still operating today.

In addition to its agricultural advantages, Lee is also known for its unique landscape features including scenic plains, meadows, winding streams, brooks, and Wheelwright Pond, named after Reverend John Wheelwright.

Today Lee's students and families enjoy an exceptional education system, thanks in large part to a tradition of learning and knowledge that has long been ingrained in the community. The Oyster River Cooperative School District is consistently regarded as one of the top school districts in the State of New Hampshire.

The town's population has grown from 1,029 residents in 1790 to over 4,300 in 2013. The people of Lee have a strong commitment to the spirit of community and volunteerism as evidenced by the hard work and dedication of residents involved with the planning of many events to celebrate the town's 250th anniversary.

Lee and its residents have greatly contributed to the life and growth of New Hampshire. I ask my colleagues to join me in extending congratulations to the people of Lee as they celebrate the town's 250th anniversary.●

CONGRATULATING MIKE SULLIVAN

• Mr. BARRASSO. Mr. President, it is with great pleasure that I wish to honor my friend, former Wyoming Governor Mike Sullivan, who is being recognized as the 2016 National Western Stock Show's Citizen of the West. It is fitting that Mike was chosen for this special award. He joins a long line of honorees known for their values, ingenuity, and hard work. Mike, a cowboy in every sense of the word, carries these traits and many more in his heart and soul.

Mike grew up in the prairie lands of Douglas, WY. His formative years were spent riding horses, shooting coffee cans, and enjoying the vast opportunities for recreation around the area. This appreciation led to a lifelong love of the State and her people.

He was enamored with one Wyoming native in particular. Mike met Jane Metzler, who was born in Riverton and raised in Powell, during their studies at the University of Wyoming. Both of them were involved in social clubs and organizations. They even served together in the Associated Students of the University of Wyoming Student Senate. In 1961, the sweethearts were married. As they put down roots in Casper, they never lost sight of the important values that guide the people of our great State.

Wyoming is the first State to adopt an official code of ethics, which we proudly call our Cowboy Ethics. This list of 10 principles serves as a guide for the modern cowboy and represents the distinct values that the American West is famous for.

One of the tenets, "Take pride in your work," brings to mind Mike and his incredible work ethic. With a petroleum engineering degree and a law degree, both earned at the University of Wyoming, Mike set his sights on practicing law. Well-loved and respected by many in the State, he ran—and was elected—to be Wyoming's 29th Governor in 1986. During his two terms, he governed the way he practiced law, with common sense and general decency.

His leadership was crucial as at that time the State was experiencing one of its most economically trying periods. Falling oil and gas prices provided an opportunity for him to reach across the aisle and work with Democrats and Republicans alike to develop solutions to benefit the State and her residents. He is well known for his bipartisanship, which has brought lasting change and has resulted in a better quality of life for everyone living in the West.

His political career did not end after serving as Governor. In 1999, President Bill Clinton appointed him to serve as the U.S. Ambassador to Ireland. He graciously accepted the position, and he and Jane moved to Dublin. His service as Ambassador surpassed all expectations of success. Mike was instrumental in the implementation of the Good Friday Agreement in the United Kingdom. With his special brand of warmth, humility, and integrity, Mike dutifully served both the United States and the world in this important role.

Another of the principles listed in the Cowboy Ethics code is "Ride for the brand." Upon meeting him, it is immediately apparent that Mike lives and breathes the spirit of the West. He has an intimate knowledge of the issues facing western States today, including the challenges of balancing energy development with natural resource preservation.

He is a natural leader, and his passion for the State has served him well in many other important roles. During his tenure as Governor, he was the chairman of the Western Governors' Association, as well as the Interstate Oil and Gas Compact Commission, which focuses on the responsible, environmentally sound development of America's oil and gas resources. He has won numerous awards in honor of his service and commitment to giving back, including a Distinguished Service Medal from the Wyoming National Guard, an award of merit from the Wyoming Heritage Society, and the President's Award from the Wyoming State Bar. Despite these grand honors, Mike remains humble, choosing to spend time with his wife and family while enhancing his community and State. He certainly does ride for the brand.

Mike's accomplishments are numerous, and for every one of them, his beloved wife, Jane Metzler Sullivan, has been by his side. As a third generation Wyoming native, Jane possesses an incredible value system reflective of the State's moral compass. Every bit a presence as her husband, Jane prides herself on making contributions to her community and State. She once said, "Communities give us the opportunity to make our lives meaningful." The couple has been married for 54 years. Today, they enjoy the company of their three children and their spouses: Michelle Sullivan and Bryan Kuehl, Patrick and Ming Sullivan, and Theresa and JR Twiford. They adore their seven grandchildren: Patrick, Maggie, Caitie, Caitlyn, Michael, Jack, and Julia. I am confident that both Mike and Jane delight in sharing the best parts of their souls with their loving family.

Mike has been gifted with bright ideas and a subtle sense of humor. He is jovial and kind and remains deeply active in the community of Casper. Folks who know him love him. He is a seasoned diplomat, a generous patron, and

a passionate advocate for Wyoming. He champions Wyoming's cowboy spirit, and his mission to preserve and share the legacy of the American West with others is truly outstanding.

I invite my colleagues to join me in celebrating this incredible man as he is named the 2016 Citizen of the West. We simply could not ask for a better leader, role model, or friend.●

REMEMBERING OZELL SUTTON

● Mr. BOOZMAN. Mr. President, today I wish to recognize the life and legacy of civil rights activist Ozell Sutton. A native of Gould, AR, Sutton paved the way for desegregation in the Natural State and throughout the South alongside Dr. Martin Luther King, Jr., and other civil rights leaders.

After graduating from Dubar High School in Little Rock, Sutton studied at Philander Smith College where he earned a degree in political science.

He broke barriers as the Arkansas Democrat's first Black journalist. In 2012, he shared the story of his hiring, saying that he didn't know anything about journalism but was hired because the Democrat "wanted to reach the black community."

He worked at the newspaper for 7 years where he made a difference in how the newspaper covered the African-American community. He challenged the status quo, inspiring change in the news stories to refer to Black men and women as "Mr." and "Mrs.," just as it did with the White population.

Sutton was an activist serving as a decoy at Central High School in 1957 when the Little Rock Nine integrated the school. He recalled being beaten after the mob figured out he was a decoy.

He led integration efforts in Arkansas while serving as assistant director of the Arkansas Council on Human Relations from 1961 to 1966 and joined civil rights leaders to pave the way for equality across the country. He joined the historic march on Washington and marched for voting rights in Selma.

Following the death of Dr. King, he served Governor Winthrop Rockefeller as the director of the Governor's Council on Human Resources from 1968-1970 and continued his public service with the U.S. Department of Justice Community Relations Services. In 1972 he was appointed the director in the southeast region. He held that position until his retirement in 2003.

As a member of Alpha Phi Alpha, Sutton served as regional vice president of the southwest region and southern region before going on to serve as the 26th general president.

In 2012, Sutton was presented a Congressional Gold Medal as one of the first African Americans to serve in the U.S. Marine Corps.

Ozell Sutton dedicated his life to bettering the lives of future genera-

tions. He was a true American hero whose leadership helped fight desegregation and lay the foundation for equality. My thoughts and prayers go out to his family during this difficult time.●

HONOR FLIGHT NORTHERN COLORADO

● Mr. GARDNER. Mr. President, I ask to have printed in the RECORD a copy of my remarks to honor the veterans of Honor Flight Northern Colorado.

The material follows:

HONOR FLIGHT NORTHERN COLORADO

Mr. GARDNER. Mr. President, I rise today to honor the veterans of Honor Flight Northern Colorado and the organization's 15th trip to Washington, DC. This group includes veterans from various wars and generations, but all are linked by their service to our country.

Ten years ago, the Honor Flight was created to fly veterans that had served in World War II to Washington, DC so they could visit the World War II memorial. Now, the Honor Flight welcomes veterans from across the country to fly to Washington, DC, free of charge, to visit the memorials of the wars these heroic veterans fought. Currently, there are more than 21.8 million veterans living in the United States, and this growing population is continuously deserving of recognition. No matter the conflict, these veterans made exceptional sacrifices in order to serve and defend our country.

Of the 123 veterans on the most recent Honor Flight, 13 served in World War II, 43 served in Korea, and 67 served in Vietnam.

Please join me in honoring Paul Bechthold, Floyd Cooper, Raymond Ernest, Charles Hoelscher, Joseph Isley, Carl Johnson, Frederick Kaehler, Rex McFadden, Allan Meenen, William Ramsey, Donald Stephens, John Ulvang, Ceylon Weller, Robert Ault, Adolfo Benavides, Henry Bjorklund, Edwin Bowker, Albert Cain, Kenneth Creamer, Robert Crouch, Gerald Donnelly, Robert Eckhardt, Gary Eyre, William Ferguson, Elmer Fortin, Glen Geilenkirchen, James Gribben, Kent Grimsley, Walter Harris, Warren Hawkins, Carl Heufel, Eugene Hitchman, Neil Hoffman, Frank Hummel, Harold Jochum, Eldon Johnson, Roy Johnson, Michael Kennedy, Jimmie Kramer, Burman Lorenson, Robert McCauley, Gerald Meis, Robert Plick, Donald Reininger, Earl Reynolds, William Richardson, Royal Ryser, Merle Sapp, Raymond Schmitz, Ralph Sherman, Ned Steel, Vernon Sterkel, Richard Vandewalker, Richard Weinmeister, Donald Wiseman, Paul Zimmerman, Walter Amack, Ernest Anderson, Bruce Avery, Allen Brink, Wayne Burris, Gary Cain, James Christopher, Richard Cobb, Harold Colaizzi, Harold Collins, William Deivert, Russell Emmons, Michael Ferrell, Osia Fox, Robert Goodwin, Jerald Gossel, Josef Gruenwald, David Hallahan, Charles Ham, Calvin Hamilton Jr., Arnold Hart, Leland Haskell, Charles Hixon, Michael Jacomet, Dale Jenkins, Doyle Jenkins, Jimmie Johnston, Patrick Kistler, Edward Lobb, Danny Lynn, Thomas Marlo, Manuel Martinez, John McCarthy, Edward Meikel, Marilyn Miyama, Royce Modisette, Stephen Mulvihill, Charles Munroe, Rueben Olivas Jr., Edward Olson, Ralph Otte, Stephen Pangrac, Jerry Park, Linda Plick, Thomas Pusel, Phillip Rangel, William Rhodes, John Robley, Rodney Rodriguez, Christopher Romero, Reuben Sanchez, Kenneth Sheppard,

Wayne Shortridge, Walter Silva, Dennis Sindelir, James Spears, Thomas Steinbach, Robert Stolz, David Stout, Raymond Stroot, Floyd Taladay, Dennis Teter, Larry Uhlenkott, Robert Wheeler, Everett Winkler, William Vick, Merle Wood.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGES

REPORT OF THE VETO OF S.J. RES. 23, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "STANDARDS OF PERFORMANCE FOR GREENHOUSE GAS EMISSIONS FROM NEW, MODIFIED, AND RECONSTRUCTED STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS", RECEIVED DURING ADJOURNMENT OF THE SENATE ON DECEMBER 18, 2015—PM 34

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

MEMORANDUM OF DISAPPROVAL

S.J. Res. 23 is a joint resolution providing for congressional disapproval under chapter 8 of title 5 of the United States Code of a rule submitted by the Environmental Protection Agency (EPA) relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units." This resolution would nullify EPA's carbon pollution standards for new, modified, and reconstructed power plants. Accordingly, I am withholding my approval of this resolution. (The Pocket Veto Case, 279 U.S. 655 (1929)).

Climate change poses a profound threat to our future and future generations. Atmospheric levels of carbon dioxide, a primary greenhouse gas, are

higher than they have been in at least 800,000 years. In 2009, EPA determined that greenhouse gas pollution endangers Americans' health and welfare by causing long-lasting changes in the climate that can have, and are already having, a range of negative effects on human health, the climate, and the environment. We are already seeing the impacts of climate change, and established science confirms that we will experience stronger storms, deeper droughts, longer wildfire seasons, and other intensified impacts as the planet warms. The Pentagon has determined that climate change poses immediate risks to our national security.

Power plants are the largest source of greenhouse gas pollution in our country. Although we have limits on other dangerous pollutants from power plants, the carbon pollution standards and the Clean Power Plan ensure that we will finally have national standards to reduce the amount of carbon pollution that our power plants can emit.

The carbon pollution standards will ensure that, when we make major investments in power generation infrastructure, we also deploy available technologies to make that infrastructure as low-emitting as possible. By blocking these standards from taking effect, S.J. Res. 23 would delay our transition to cleaner electricity generating technologies by enabling continued build-out of outdated, high-polluting infrastructure. Because it would overturn carbon pollution standards that are critical to protecting against climate change and ensuring the health and well-being of our Nation, I cannot support the resolution.

To leave no doubt that the resolution is being vetoed, in addition to withholding my signature, I am returning S.J. Res. 23 to the Secretary of the Senate, along with this Memorandum of Disapproval.

BARACK OBAMA.

THE WHITE HOUSE, December 18, 2015.

ONE HUNDRED FOURTEENTH CONGRESS OF THE
UNITED STATES OF AMERICA

AT THE FIRST SESSION

Began and held at the City of Washington on
Tuesday, the sixth day of January, two
thousand and fifteen

JOINT RESOLUTION

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric

Utility Generating Units" (published at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

PAUL D. RYAN,

Speaker of the House of Representatives.

ORRIN HATCH,

President of the Senate pro tempore.

REPORT OF THE VETO OF S.J. RES. 24, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "CARBON POLLUTION EMISSION GUIDELINES FOR EXISTING STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS", RECEIVED DURING ADJOURNMENT OF THE SENATE ON DECEMBER 18, 2015—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

MEMORANDUM OF DISAPPROVAL

S.J. Res. 24 is a joint resolution providing for congressional disapproval under chapter 8 of title 5 of the United States Code of a rule submitted by the Environmental Protection Agency (EPA) relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units." This resolution would nullify the Clean Power Plan, the first national standards to address climate-destabilizing greenhouse gas pollution from existing power plants. Accordingly, I am withholding my approval of this resolution. (The Pocket Veto Case, 279 U.S. 655 (1929)).

Climate change poses a profound threat to our future and future generations. Atmospheric levels of carbon dioxide, a primary greenhouse gas, are higher than they have been in at least 800,000 years. In 2009, EPA determined that greenhouse gas pollution endangers Americans' health and welfare by causing long-lasting changes in the climate that can have, and are already having, a range of negative effects on human health, the climate, and the environment. We are already seeing the impacts of climate change, and established science confirms that we will experience stronger storms, deeper droughts, longer wildfire seasons, and other intensified impacts as the planet warms. The Pentagon has determined that climate change poses immediate risks to our national security.

The Clean Power Plan is a tremendously important step in the fight against global climate change. It is projected to reduce carbon pollution

from power plants by 32 percent from 2005 levels by 2030. It builds on progress States and the power sector are already making to move toward cleaner energy production, and gives States the time and flexibility they need to develop tailored, cost-effective plans to reduce their emissions. By nullifying the Clean Power Plan, S.J. Res. 24 not only threatens ongoing progress toward cleaner energy, but would also eliminate public health and other benefits of up to \$54 billion per year by 2030, including thousands fewer premature deaths from air pollution and thousands fewer childhood asthma attacks each year.

The Clean Power Plan is essential in addressing the largest source of greenhouse gas pollution in our country. It is past time to act to mitigate climate impacts on American communities. Because the resolution would overturn the Clean Power Plan, which is critical to protecting against climate change and ensuring the health and well-being of our Nation, I cannot support it.

To leave no doubt that the resolution is being vetoed, in addition to withholding my signature, I am returning S.J. Res. 24 to the Secretary of the Senate, along with this Memorandum of Disapproval.

BARACK OBAMA.

THE WHITE HOUSE, December 18, 2015.

ONE HUNDRED FOURTEENTH CONGRESS OF THE
UNITED STATES OF AMERICA

AT THE FIRST SESSION

Began and held at the City of Washington on
Tuesday, the sixth day of January, two
thousand and fifteen

JOINT RESOLUTION

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (published at 80 Fed. Reg. 64662 (October 23, 2015)), and such rule shall have no force or effect.

PAUL D. RYAN,

Speaker of the House of Representatives.

ORRIN HATCH,

President of the Senate pro tempore.

MESSAGE FROM THE HOUSE SUBSEQUENT TO SINE DIE ADJOURNMENT

ENROLLED BILLS SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 22, 2015, subsequent to the sine die adjournment of the Senate, received a message from the House

of Representatives announcing that the Speaker pro tempore (Mr. UPTON) has signed the following enrolled bills:

S. 2425. An act to amend titles XVIII and XIX of the Social Security Act to improve payments for complex rehabilitation technology and certain radiation therapy services, to ensure flexibility in applying the hardship exception for meaningful use for the 2015 EHR reporting period for 2017 payment adjustments, and for other purposes.

H.R. 1321. An act to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 22, 2015, subsequent to the sine die adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on January 7, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to H. Res. 577, resolving that the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

ENROLLED BILL SIGNED

The message further announced that the Speaker had signed the following enrolled bill:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Under the authority of the order of the Senate of December 18, 2015, the enrolled bill was signed on January 7, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. COTTON).

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader re-appoints the following members to the United States-China Economic and Security Review Commission: Ms. Carolyn Bartholomew of Washington D.C. and Mr. Jeffrey L. Fiedler of Great Falls, Virginia.

MESSAGE FROM THE HOUSE

At 2:05 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 712. An act to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes.

H.R. 1155. An act to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes.

H.R. 1927. An act to amend title 28, United States Code, to improve fairness in class action litigation.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 712. An act to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

H.R. 1155. An act to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1927. An act to amend title 28, United States Code, to improve fairness in class action litigation; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2434. A bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3952. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XE335) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3953. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish Hook-and-Line Component" (RIN0648-XE215) received in the Office of the President of the Senate on De-

cember 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3954. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE342) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3955. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the West Yakutat District of the Gulf of Alaska" (RIN0648-XE296) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3956. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for King Mackerel in the Florida West Coast Northern Subzone" (RIN0648-XE326) received in the Office of the President of the Senate on December 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3957. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinosad; Pesticide Tolerances" (FRL No. 9933-41-OCSP) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3958. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Revisions to Minimum Risk Exemption" (FRL No. 9934-44-OCSP) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3959. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ammonium Acetate; Exemption from the Requirement of a Tolerance" (FRL No. 9939-39-OCSP) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3960. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-propenoic Acid Homopolymer, Reaction Products with poly(oxy-1,2-ethanediyl), a-(tris(1-phenylethyl)phenyl)-w-hydroxy, tris(2-hydroxyethyl)amine salt; Tolerance Exemption" (FRL No. 9939-71-OCSP) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3961. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propiconazole; Pesticide Tolerances" (FRL No. 9939-83-OCSP) received during adjournment of the Senate in the Office of the

President of the Senate on December 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3962. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Payment Limitation and Payment Eligibility; Actively Engaged in Farming" (RIN0560-AI31) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3963. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Margin and Capital Requirements for Covered Swap Entities; Final Rule" (RIN1557-AD43) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3964. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Margin and Capital Requirements for Covered Swap Entities; Interim Final Rule" (RIN1557-AD00) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3965. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of admiral in accordance with title 10, United States Code, section 777a, for a period not to exceed 14 days before assuming the duties of the position for which the higher grade is authorized; to the Committee on Armed Services.

EC-3966. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-3967. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure (Regulation C) Adjustment to Asset-Size Exemption Threshold" (12 CFR Part 1003) received during adjournment of the Senate in the Office of the President of the Senate on December 31, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3968. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Capital Plan and Stress Test Rules" ((RIN7100-AE33) (12 CFR Parts 225 and 252)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3969. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Treatment of Financial Assets Transferred in Connection With a Securitization or Participation" (RIN3064-AE32) received during adjournment of the Senate in the Office of

the President of the Senate on December 30, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3970. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-3971. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3972. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-3973. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Suspended Counterparty Program" (RIN2590-AA60) received during adjournment of the Senate in the Office of the President of the Senate on December 17, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3974. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 of June 16, 2006, with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC-3975. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Bureau of Industry and Security Annual Report for fiscal year 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3976. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-3977. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments: FHFA Address and Zip Code Change." (RIN2590-AA79) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3978. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending Act (Regulation Z) Adjustment to Asset-Size Exemption Threshold" (12 CFR Part 1026) received during adjournment of the Senate in the Office of the President of the Senate on December 31, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3979. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Determination of Attainment; Texas; Houston-Galveston-Brazoria 1997 Ozone Non-attainment Area; Determination of Attainment of the 1997 Ozone Standard" (FRL No. 9940-63-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Environment and Public Works.

EC-3980. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Washington; Removal of Obsolete Regulations" (FRL No. 9940-93-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Environment and Public Works.

EC-3981. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; SD; Update to Materials Incorporated by Reference" (FRL No. 9939-87-Region 8) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Environment and Public Works.

EC-3982. A communication from the Attorney-Advisor, Bureau of the Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Offset of Tax Refund Payments to Collect Past-Due Support" ((RIN1510-AA10) (31 CFR Part 285)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Finance.

EC-3983. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prior Authorization Process for Certain Durable Medical Equipment, Prosthetics, Orthotics, and Supplies" ((RIN0938-AR85) (CMS-6050-F)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Finance.

EC-3984. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Inflation-Adjusted Items for 2015 for Certain Civil Penalties Under the Internal Revenue Code" (Rev. Proc. 2016-11) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-3985. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—January 2016" (Rev. Rul. 2016-1) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-3986. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standard Mileage Rate" (Notice 2016-1) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-3987. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Federal Tax Treatment of Identity Protection Services" (Announcement 2016-02) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-3988. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Hepatitis C Virus 'Lookback' Requirements Based on Review of Historical Testing Records; Technical Amendment" ((RIN0910-AB76) (Docket No. FDA-1999-N-0114, formerly 1999N-2337)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3989. A communication from the Deputy Assistant Secretary for Employment and Training, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Technical Amendments" (RIN1205-AB71) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3990. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "Training and Development for the Senior Executive Service: A Necessary Investment"; to the Committee on Homeland Security and Governmental Affairs.

EC-3991. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department of Housing and Urban Development Semiannual Report of the Inspector General for the period from April 1, 2015, through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3992. A communication from the Acting Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3993. A communication from the Executive Director of the Federal Labor Relations Authority, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3994. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Sole Source Contracts for Women-Owned Small Businesses" ((RIN9000-AN13) (FAC 2005-86)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3995. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; New Designated Countries—Montenegro and New Zealand" ((RIN9000-

AN15) (FAC 2005-86)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3996. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Fiscal Year 2014 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Homeland Security and Governmental Affairs.

EC-3997. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the Agency Financial Report for Fiscal Year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3998. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of State's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3999. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Advisory Neighborhood Commission Security Fund Annual Financial Report for Fiscal Year 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4000. A communication from the Chair, Federal Election Commission, transmitting proposed legislation; to the Committee on Rules and Administration.

EC-4001. A communication from the Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Payment of Emergency Medication by VA" (RIN2900-AP34) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Veterans' Affairs.

EC-4002. A communication from the Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Removal of Requirement to File Direct-Pay Fee Agreements with the Office of the General Counsel" (RIN2900-AP28) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MIKULSKI (for herself and Mrs. ERNST):

S. 2437. A bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BOOZMAN (for himself, Mr. COTTON, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RICH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 343. A resolution relative to the death of Dale Bumpers, former United States Senator for the State of Arkansas; considered and agreed to.

ADDITIONAL COSPONSORS

S. 224

At the request of Mrs. BOXER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 224, a bill to ensure the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, and resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security.

S. 290

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 290, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, and for other purposes.

S. 553

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Mrs. FEINSTEIN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 711

At the request of Ms. AYOTTE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 711, a bill to amend section 520J of the Public Service Health Act to authorize grants for mental health first aid training programs.

S. 901

At the request of Mr. MORAN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1315

At the request of Mr. ENZI, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1315, a bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 1473

At the request of Mr. MARKEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1473, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1651

At the request of Mr. BROWN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1651, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1697

At the request of Ms. HEITKAMP, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1697, a bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes.

S. 1709

At the request of Ms. WARREN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1709, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. 1747

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1747, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 2034

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2034, a bill to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2144

At the request of Mr. GARDNER, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2200

At the request of Mrs. FISCHER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2200, a bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

S. 2232

At the request of Mr. PAUL, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2291

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr.

MORAN) was added as a cosponsor of S. 2291, a bill to amend title 38, United States Code, to establish procedures within the Department of Veterans Affairs for the processing of whistleblower complaints, and for other purposes.

S. 2407

At the request of Mr. MARKEY, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2407, a bill to posthumously award the Congressional Gold Medal to each of J. Christopher Stevens, Glen Doherty, Tyrone Woods, and Sean Smith in recognition of their contributions to the Nation.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2427

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2427, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 2434

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2434, a bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

S. 2436

At the request of Ms. WARREN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2436, a bill to provide for certain assistance and reforms relating to the territories, and for other purposes.

S.J. RES. 25

At the request of Mr. FLAKE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S.J. Res. 25, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Administrator of the Environmental Protection Agency relating to "National Ambient Air Quality Standards for Ozone".

S. RES. 143

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 143, a resolution supporting efforts to ensure that students have access to debt-free higher education.

S. RES. 337

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 337, a resolution expressing support for the designation of February 12, 2016, as "Darwin Day" and recognizing the importance of science in the betterment of humanity.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 343—RELATIVE TO THE DEATH OF DALE BUMPERS, FORMER UNITED STATES SENATOR FOR THE STATE OF ARKANSAS

Mr. BOOZMAN (for himself, Mr. COTTON, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 343

Whereas Dale Bumpers was born in Franklin County, Arkansas, attended the public schools of Arkansas, and the University of Arkansas;

Whereas Dale Bumpers was admitted to the Arkansas bar in 1952 and commenced practice in Charleston, Arkansas, where he was born, and where he proudly proclaimed he was the best lawyer in a one-lawyer town;

Whereas Dale Bumpers served in the United States Marine Corps during World War II;

Whereas Dale Bumpers served his beloved State of Arkansas as Special Justice of the Arkansas Supreme Court in 1968, and the Governor of Arkansas from 1970 to 1974;

Whereas Dale Bumpers was first elected to the United States Senate in 1974 and served

four terms as a Senator from the State of Arkansas with honor and distinction;

Whereas Dale Bumpers served the Senate as Chairman of the Committee on Small Business in the One Hundredth through One Hundred Third Congresses;

Whereas Dale Bumpers is remembered fondly in the Senate for his story-telling style of oratory and his use of the full length of his extended microphone cord, which allowed him to walk up and down the aisles of the Senate chamber as he spoke: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Dale Bumpers, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the late Dale Bumpers.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 11, 2016, at 5 p.m., to conduct a classified briefing entitled "Assessing the Recent North Korea Nuclear Event."

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Tuesday, January 12, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATIVE TO THE DEATH OF DALE BUMPERS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 343, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 343) relative to the death of Dale Bumpers, former United States Senator for the State of Arkansas.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed

to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 343) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, JANUARY 12, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, January 12; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m., with the first hour equally divided and with the majority controlling the first half and the Democrats controlling the final half; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that at 2:15 p.m., the Senate resume consideration of the motion to proceed to S. 2232, with the time until 2:30 p.m. equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 343 as a further mark of respect to the late Dale Bumpers, former United States Senator from Arkansas.

There being no objection, the Senate, at 6:46 p.m., adjourned until Tuesday, January 12, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS

RAYMOND G. FARMER, OF SOUTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF ONE YEAR. (NEW POSITION)

THOMAS MCLEARY, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF TWO YEARS. (NEW POSITION)

MICHAEL J. ROTHMAN, OF MINNESOTA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF TWO YEARS. (NEW POSITION)

HEATHER ANN STEINMILLER, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF TWO YEARS. (NEW POSITION)

OVERSEAS PRIVATE INVESTMENT CORPORATION

NELSON REYNERY, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2018, VICE MATTHEW MAXWELL TAYLOR KENNEDY, TERM EXPIRED.

DEPARTMENT OF DEFENSE

TODD A. WEILER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JESSICA LYNN WRIGHT, RESIGNED.

EXPORT-IMPORT BANK OF THE UNITED STATES

JOHN MARK MCWATERS, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019, VICE SEAN ROBERT MULVANEY, TERM EXPIRED.

DEPARTMENT OF STATE

KELLY KEIDERLING-FRANZ, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ORIENTAL REPUBLIC OF URUGUAY.

STEPHEN MICHAEL SCHWARTZ, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF SOMALIA.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MARK A. BAIRD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES R. BARKLEY
BRIG. GEN. KIMBERLY A. CRIDER
BRIG. GEN. DAVID B. O'BRIEN
BRIG. GEN. ERIC S. OVERTURF
BRIG. GEN. WALTER J. SAMS
BRIG. GEN. JOHN P. STOKES
BRIG. GEN. CURTIS L. WILLIAMS
BRIG. GEN. EDWARD P. YARISH

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. PAIGE P. HUNTER

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT S. WILLIAMS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. THOMAS J. OWENS II

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. THOMAS F. SPENCER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ROBERT G. MICHNOWICZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JEFFREY C. COGGIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KEVIN C. WULFHORST

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ERIC R. BAUGH, JR.
ROBERT W. BECK
DORON BRESLER
CASEY M. CAMPBELL
STEPHEN H. CHARTIER
FREDERICK A. CONNER
JONATHAN D. EVANS
DANIEL B. GABRIEL
MARCO V. GALVEZ
CECILIA I. GARIN
DAVID E. HALL
DENNIS M. HOLT
DAVID M. JONES
MIKELLE L. KERNIG
JAMES DALE KISER, JR.
KELLI C. MACK
KARYN E. MCKINNEY
BARRY F. MORRIS
JEANLUC G. C. NIEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN J. ALENT
ELIZABETH A. BOWMAN
JEFFREY R. BURROUGHS
JAN R. CARLSON
BENJAMIN T. CLARK
DAVID M. DENNISON
JENNIFER M. DEPEW
RYAN M. DIEPENBROCK
MATTHEW J. EDWARDS
BENJAMIN J. GANTT
JOHN M. GILLIS
HANLING H. JOSWICK
NEIL C. KESSEL
JONGSUNG KIM
AARON T. KRANCE
LOUIS JOSEPH MARCONYAK, JR.
AMY G. MASON
SHAWN P. MCMAHON
TAMARA A. MURRAY
KRISTEN B. NICHOLS
JELENA C. SEIBOLD
PAUL A. SMITH
DRAGOS STEFANDOGAR
RACHEL A. WEBER
BRYAN A. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BRETT C. ANDERSON
MARK R. ANDERSON
DAVID E. ANDRUS
MARIA M. ANGLES
STACEY L. BRANCH
FRANCIS R. CARANDANG
DAVID H. CARNAHAN
MICHAEL T. CHARLTON
PETER G. CRAWLEY
MICHAEL R. DAVIS
JAMISON W. ELDER
MICHELLE S. FLORES
JAY T. FLOTTMANN
THERESA B. GOODMAN
WADE T. GORDON
YVETTE GUZMAN
KYLE B. HUDSON
TODD P. HUHN
JON R. JACOBSON
DAVID S. JONES
MICHELE L. KNIERIM
JEFFREY D. LEWIS
KEEGAN M. LYONS
MICHAEL A. MADRID
DANIEL S. MADSEN
CHARLES G. MAHAKIAN
PHILLIP E. MASON
CHRISTOPHER J. MATHIEWS
EDWARD L. MAZUCHOWSKI II
ALYSSA C. MCMANAMON

QUINTESSA MILLER
ANTHONY L. MITCHELL
DANIEL H. MURRAY
BRETT R. NISHIKAWA
PATRICK M. OSBORN
WESLEY D. PALMER
GILBERTO PATINO
SALVATORE PELLIGRA
TIMOTHY M. PHILLIPS
ROBERT R. PORCHIA
TONYA S. RANS
MARK G. RIEKER
ERIC M. RITTER
RECHELL G. RODRIGUEZ
JIFFY C. SETO
ROBERT M. SHIDELER
JOHN H. W. A. SLADKY
CHRISTINE E. STAHL
THOMAS W. STAMP
KEVIN E. STEEL
DEENA E. SUTTER
MATTHEW R. TALARCZYK
JOSEPH D. VILLACIS
KIRSTEN R. VITRIKAS
DANIEL R. WALKER

MAUREEN N. WILLIAMS
SHAHID A. ZAIDI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STEPHEN C. ARNASON
TONYA N. BARRY
STEPHEN C. BERG
RUSSELL D. BIENIAS
DAMIAN L. BLACK
BRYAN R. BLAZER
LUKE A. CANTAMESSA
ANTHONY M. CARBONELLA IV
NICOLE M. CATARINO
MATTHEW R. CHECKETTS
THOMAS M. CHRISTY
TYSON CHUNG
TODD D. CHURCH
CHRISTIANE M. COLOMERO
ANDREW W. COMERCI
ANGELA K. COOK
ANGELA M. COOMES
SHAWN C. COUNTRYMAN
DARRELL M. CURTIS
BRENT N. DELONG
GINA M. DOMM
HANNAH C. DREW
BARRINGTON W. DYKES
MATTHEW T. EGGENBERGER
WHITNEY L. EICHHOLZ
ARAGON R. ELLWANGER
MICHAEL C. ENGLISH
JON C. FEDERSPIEL
ERIN BIEBL FINK
CARMEN N. GALEA
CHRISTOPHER J. GILLETTE
CHRIS A. GIROUARD
JONATHAN P. HARMON
ASHLEY N. HARRIS
THOMAS J. HEIDENREICH
PETER L. HOLDEN
ADAM R. HURST
JESSICA H. JAWOROWICZ
LESLIE N. JONES
BRANDON W. KEYSER
AMANDA D. KLAYUM
JEFFERY A. KOHLER, JR.
JAMES W. KOLL
EUNLIM LEE
SPENCER M. LEE
MARK P. LEWIS
EVAN YUTAKA K. MASUNAGA
JASON R. MAY
ELIZABETH ANNE ROSADO MCCOURT
AMBER A. MILLER
MATTHEW S. MILLER
TERRELL M. MITCHELL
JAMES P. NALL
DUY Q. NGUYEN
MATTHEW J. NIELSEN
MATTHEW F. PASTEWAIT
MICHELLE M. PRATHER
EVAN E. ROBERTS
JASON D. SCHOENER
MATTHEW G. SETLIFF
RYAN R. SHERIDAN
JENNIFER O. SIMMONS
HECTOR C. SIORDIA
CASEY M. SLACK
JACOB D. SLADKY
CHRISTOPHER J. SMITH
JAMIE L. SMITH
BENJAMIN W. SONG
GORDON D. STABLEY
MICHELLE K. TARTAGLIA
JESSAMY J. THORNTON
ANDREW D. THORSEN
RICHARD W. WADDELL
MARTIN W. WALSH
CHRISTINA A. WENGLER
DAVID J. WEYH
JON R. WILLISON
JOHN C. WILSON
JOHN R. YANCEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ERIC E. ABBOTT
ERIK L. ABRAMES
VAN W. ADAMSON
CHRISTOPHER L. ALLAM
MICHAEL A. AROCHO
MICAH J. BAHR
KEVIN J. BALDOVICH
JAMES R. BALES
ROBERT T. BARIL
CHRISTOPHER W. BATES
GAIL C. BATES
TIMOTHY S. BAUMGARTNER
ELIZABETH A. BEAL
SCOTT J. BENTLEY
DAVID K. BIGELOW
BRANDON J. BINGHAM
LEAH G. BRAR
PAMELA J. BRODERICK
MICHAEL B. BROUGH
AMY N. BROWN

BRUCE A. BURKETT
 SUSAN J. CARBOGNIN
 NICOLE CHAPPELL
 WILLIAM Y. CHU
 NATHAN F. CLEMENT
 TIMOTHY J. COKER
 JASON A. COMPTON
 TARA L. CONNER
 DUOJIA MICHELLE COONEY
 JAMES R. COONEY
 SUSANNAH C. COOPER
 CHRISTINA L. CRISTALDI
 SPENCER J. CURTIS
 ELIZABETH A. DAVID
 AMY M. DAVIS
 RICHARD P. DAVIS
 JONATHAN A. DAY
 WILFRED P. DELACRUZ
 NGA T. DO
 MARK B. DUDLEY
 SCOTT A. EISENHUTH
 STEPHEN T. ELLIOTT
 JONATHAN E. ELLIS
 JOEL B. ELTERMAN
 DAVID D. FARNSWORTH
 MELINDA G. FIERROS
 AUSTIN D. FINDLEY
 STACY F. FLETCHER
 ADAM C. FLOOD
 FREDERICK L. FLYNT, JR.
 RYAN D. FREELAND
 SHAWN K. FRENCH
 SCOTT H. FRYE
 JOHN G. GANCAYCO
 GUY N. GIBSON
 SHAUN M. GIFFORD
 JASON C. GOODWIN
 JOSE B. GOROSPE
 MARIA E. GOROSPE
 FREDERICK P. GROIS III
 MATTHEW C. GUMMERSON
 TRISTAN E. HANDLER
 JEFFREY N. HARRIS
 MICHELLE M. HARRIS
 NOAL I. HART
 WILLIAM A. HAYES II
 KEVIN F. HEACOCK
 JASON A. HIGGY
 SEAN J. HISLOP
 DIANE C. HOMEYER
 WILLIAM R. HOWARTH
 JUSTIN C. HUANG
 RHOME L. HUGHES
 ISAAC P. HUMPHREY
 KYLE F. JARNAGIN
 KEVIN N. JENSEN
 SCOTT T. JENSEN
 ASHLEY B. JOHNSON
 FRANCES J. JONES
 KEVIN KALWERISKY
 ALEXANDER P. KELLER IV
 JARED C. KELSTROM
 KEIRON T. KENNEDY
 SARA S. KERLEY
 JEREMY P. KILBURN
 DAVID A. KLEIN
 SHANNON F. KLUMP
 JOSHUA H. KNOWLES
 JAMES B. KOCH
 THOMAS J. KRYZAK
 MICHAEL S. LAIDLAW
 BRIAN D. LARSON
 ZHI V. LAU
 BRIAN DAVID LAYTON
 APRIL LIGATO
 NANCY W. LO
 WILLIAM N. LUTHIN
 DUSTIN O. LYBECK
 THOMAS W. MAHONEY
 ANDREW S. MALIN
 JAMIE A. MASSIE
 JASON A. MASSIGNAN
 RENEE I. MATOS
 JEFFREY C. MCCLEAN
 TORREE M. MCGOWAN
 PEICHUN MCGREGOR
 RYAN S. MCHUGH
 MARCENE R. MCVAY
 ALEXANDER J. MENZE
 WAYNE J. MERBACK
 LISA R. MICHELS
 CHARLES B. MILLER
 DEANA L. MITCHELL
 JEREMY D. MOLL
 CHRISTOPHER S. MONNIKENDAM
 TYLAN A. MUNCY
 JOSEPH D. NOVAK
 VALERIE C. OBRIEN
 JUSTIN P. OLSEN
 ROBERT M. ORE
 BRUCE M. PALMER
 BENJAMIN J. PARK
 JASON D. PASLEY
 JOSHUA B. PEAD
 CANDACE S. PERCIVAL
 SERAFIM PERDIKIS
 KRISTINE K. PIERCE
 BRANDON W. PROPPER
 CLAYTON J. RABENS
 ANDREW G. REES
 STEVEN REGWAN
 TIGHE C. RICHARDSON

PAUL C. ROBINSON
 JUSTIN P. ROWBERRY
 DERICK A. SAGER
 KARA S. SCHULTZ
 TRISTAN L. SEVDY
 JONATHAN B. SHAPIRO
 MEHDI C. SHELHAMER
 MARK E. SHEPHERD
 TRIMBLE L. SPITZER
 GREGORY A. STANCEL
 TRAVIS A. STEPHENSEN
 HEATHER L. STEWART
 KRISTEN MITCHELL STILLE
 NORMAN E. STONE III
 SARAH J. STRINGER
 JAMIE M. SWARTZ
 ROGER S. THOMAS
 KATHERINE S. TILLE
 PAUL A. TILTON
 JAMES R. TOWNLEY
 DOUGLAS R. VILLARD
 TERENCE E. WADE
 DENNIS D. WALKER
 ANDREW L. WALLS
 LARISSA F. WEIR
 DALIA J. WENCKUS
 BRAD E. WHEELER
 CALEN N. WHERRY
 AUDREA D. WILLIAMS
 PHILIP A. WIXOM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES AIR
 FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JANE A. ALSTON
 JOSHUA C. ANCHAN
 DAVID M. ANDERSON
 BRACKEN A. ARMSTRONG
 RACHAEL L. ARMSTRONG
 CHRIS J. ATKINSON
 SARAH E. AVILA
 BRADY A. BAHR
 JAMES A. BAILEY
 ERIC M. BALL
 AARON E. BARROW
 HARITHA BASKAR
 JACQUELINE D. BATTISTELLI
 COREY M. BAXTER
 LAUREN MANSFIELD BEASLEY
 ALEXIS ANTHON BEAUVAIS
 ADRIAN R. BERSABE
 REBECCA K. BICKFORD
 STEPHEN C. BIRD
 MICHAEL C. BLANCANEUX
 FELIX S. BOECKER
 ADAM BRADEN
 DAVID F. BRANDT
 RAMON A. BROWN
 MERIMA BUCAJ
 ALEXANDRA M. BUFORD
 LISA R. CHASTANT
 EVA RODRIGUEZ CHATMAN
 DAVID H. CHEN
 CONNIE Y. CHUNG
 LEE T. CHURCH
 RYAN A. COLLINS
 MATTHEW P. CONNOR
 ERICA L. CONRAD
 ANDREW M. COUTERMARSH
 LYNSEY R. COX
 BLAIR K. CURTIS
 ELEANOR E. CURTIS
 LISA DANG
 GINA M. DATTOLI
 RUSSELL G. DAY
 COLIN W. DEFORD
 AVRAM H. DERROW
 ROSALY M. DIAZ TORRUELLAS
 VINCENT A. DIAZ
 DANIEL M. DIERFELDT
 SARAH SCOTT BRETT DIETZ
 LISA M. DODOBARA GRIFFITH
 ELIZABETH G. DOUGLAS
 ROBERT J. DOXEY
 KIM R. DRIFTMIR
 DANIELLE A. DUFRESNE
 JOEL D. DUNN
 ALAN ALDERSON DUPRE
 ASHLEY ELIZABETH DURAY
 BENJAMIN H. EOVALDI
 DAVID J. FAITH
 ADAM S. FAIZI
 SETH A. FARNSWORTH
 JOEL FERNANDEZ
 KRISTOPHER J. FILAK
 MARY EMILY FLEMING
 STEVEN T. FOSMIRE
 STEPHANIE M. FOX
 RYAN T. FRANK
 DIANNE N. FRANKEL
 ASHLEY N. FRANZ
 JOSHUA E. FRIEND
 JAYSUN G. FRISCH
 GRANT G. GALLIMORE
 CURTIS R. GAPINSKI
 MARGARET J. GARNER
 CAYL L. GARRETT
 MORGAN C. GETTLE
 BENJAMIN S. GOINS
 HAROLD JONATHAN GOLDSTEIN
 MATTHEW M. GRAHAM

EVA M. GRANT
 RUSSELL A. GRAY
 JEFFREY P. GUINA
 MICHAEL G. GUNDON
 LISA J. GUPTA
 AARON C. HAGER
 THOMAS A. HEAFNER
 AARON T. HENDERSON
 KRISTY R. HICKS
 CLAIRE L. HILES
 PAUL D. HILES
 NATHAN J. HOLLOWAY
 BRIAN H. HUGGINS
 KRISTIN D. HUMMEL
 BRAD T. HYATT
 JOHN HYMAN
 KYLE J. IVERSON
 BRIAN N. JULICH
 TRAVIS J. JUNG
 KRISTEN SAENGER KANN
 TERATA A. KANU
 LUCAS A. G. KEITH
 JEREMY C. KELLEY
 MICHELLE E. KIGER
 NAM H. KIM
 JEFFREY L. KINARD
 JOSEPH KYLE KLUESNER
 DEBRA A. KOENIGSBERGER
 JUSTIN LITCHFIELD LAMB
 KYLE P. LAMMLEIN
 ELIZABETH A. LANDMAN
 RACHEL K. LANGLEY
 RIAN M. LAUB
 DAVID M. LAUCK
 KELLY MICHAEL LAWRENCE
 BRYAN K. LAWSON
 MICHELLE L. LAWSON
 PAUL R. LENTZ
 JESSICA N. LEUSCHEN
 RICHARD J. LEVITRE
 DAVID A. LINDHOLM
 CARL EUGENE LOBATO
 ROBERT STEVEN LOCKE
 KEVAN H. LONG
 MARK A. LUSSIER
 LUCKY R. C. LUSTERIO
 DAVID T. LYNCH
 JEREMY M. MACKO
 SAMUEL L. MADSON
 CHRISTI MARIE MAKAS
 REBECCA N. MATZ
 LAUREN A. MAY
 SARA ELIZABETH MCALPIN
 CHERYL D. MCCALLA
 CAMERON W. MCCLAUGHLIN
 CHRISTOPHER M. MCCLAUGHLIN
 DIANA S. MEDA
 JAMES M. MEDEIROS
 MICHELLE LEAH MEDINTZ
 JUN C. MENDOZA
 ADAM S. MONTOYA
 MATTHEW E. MOORE
 DAMIEN C. MORGAN
 MARK D. MULDER
 BRIAN P. MURRAY
 FAITH ROSE MURRAY
 BRETT A. NANCE
 BRIDGET SHANNON NESTOR ARJUN
 TIMOTHY A. NETTERS
 DANE M. NEWELL
 HENRY HAO V. NGUYEN
 KY V. NGUYEN
 KRISTINE TIU NORRIS
 MICHAEL R. ODOM
 DANIEL C. OPRIS
 MEGHAN COLLEEN H. OZCAN
 ALICIA C. PALLETT
 ALLISON A. PALUMBO
 MICHAEL F. PAPACOSTAS
 NICHOLAS C. PAPACOSTAS
 MATTHEW M. PARKER
 MELONIE A. PARMLEY
 ANDREW O. PAULUS
 MARY T. PAWLAK
 BRYAN K. PAYNE
 DANIEL J. PEARSON
 JOHN M. PEPPER
 ASHLEY N. PEREZ
 SON PHUONG PHAM
 PIOTR W. PODLESNY
 JACOB R. POWELL
 JESSICA A. PREEDY
 CHRISTINA I. RAMIREZ
 SASHA RAMIREZ
 SHELLEY M. RASKA
 BRIAN T. RAUCH
 MATTHEW D. READ
 KATHERINE M. REEVE
 ALEXANDER L. REYNOLDS
 CARISSA N. RITTEBERG
 JAMIE L. ROPER
 SCOTT DANIEL RUBENSTEIN
 NICHOLAS J. RUPPEL
 MARIA D. J. SALINAS
 GEORGE SALLIUM
 DOROTHY L. SAUNE
 ASHLEY L. SAWTELLE
 NICHOLAS J. SCALZITTI
 KAYLA L. SCHEUER
 EDWARD M. SCHMITT
 MARK A. SCHNEIDER
 MEREDITH MONTGOMERY SCHULTZ

ELIZABETH V. SCHULZ
 RODNEY C. SCLATER
 ERIN A. SENOZAN
 CAITLIN M. SEYKORA
 JACOB J. SHEFF
 DREW C. SHINER
 TIFFANY A. SIGAL
 DUSTIN L. SIMPSON
 TRAVIS M. SLOAN
 DAVID M. SMITH
 TREVOR S. SMITH
 WILLIAM B. SMITH
 BRIAN D. SNOW
 ZACHARY S. SONNIER
 CHARLES G. STAHLMAN
 ELIZABETH ASHLEY SHERRON STEVENS
 SCOTT EDWARD STEWART
 JAMES A. STOBBER
 DANIEL R. STYPULA
 LUKE T. SURRY
 AYLIN TANYERI
 ASHLEY Q. THORBURN
 LIEN Q. TRAN
 MATTHEW H. TUREK
 KATHARYN E. TURNER
 BENJAMIN A. VON SCHWEINITZ
 RYAN P. VOTH
 LAURA I. WALPOLE
 JUSTIN R. WARIX
 BRENT M. WEBER
 JEREMY M. WHITTING
 LAURA A. WHITTINGTON
 ROBERT B. WIECK
 LEWIS M. WIGGINS
 DAVID W. WILLIAMS
 JARED MICHAEL WILSON
 JESSICA L. WILSON
 ZACHARY W. WILSON
 MATTHEW S. WIMMER
 DWIGHT YEPING XUAN
 JACQUELINE L. YURGIL
 RICHARD CHASE ZANETTI, JR.
 TIMOTHY J. ZIELICKE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE RESERVE OF THE
 ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARK L. COBLE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF
 THE UNITED STATES OFFICERS FOR APPOINTMENT TO
 THE GRADE INDICATED IN THE RESERVE OF THE ARMY
 UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CRAIG A. HOLAN
 JONA M. HUGHES
 MICHELLE A. KILUK
 MARSHALL T. KOHR
 PETER J. PARENTE
 JOHN P. PLUNKETT
 MICHAEL D. SMITH
 ANDREW W. THAYNE
 NELSON J. VANECK, JR.
 ERIC E. ZIMMERMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 AS PERMANENT PROFESSOR AT THE UNITED STATES
 MILITARY ACADEMY IN THE GRADE INDICATED UNDER
 TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

RICARDO O. MORALES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

STEVEN R. BERGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624
 AND 3064:

To be major

RICHARD M. HAWKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624
 AND 3064:

To be lieutenant colonel

MARTIN S. KENDRICK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

GREGORY L. BOYLAN

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE REGULAR NAVY
 UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

DENISE M. VEYVODA

ROBERT G. WEST

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 IN THE GRADE INDICATED IN THE REGULAR NAVY
 UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be lieutenant commander

JAMES A. TROTTER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES MARINE
 CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEREMY D. ADAMS
 STEVEN G. ADCOCK
 MARK A. ADOLPHSEN, JR.
 TRAVIS A. AIELLO
 NICKOLAS H. AIONAAGA
 ERIC D. ALBRIGHT
 DAN E. ALCANTARA
 JACOB C. ALDEAN
 CARLTON D. ALLEN
 MATTHEW S. ALLEN
 JEFFREY P. ANDREWS
 NICHOLAS J. ARMENDARIZ
 JAMES R. ARMSTRONG
 JAMES R. ARNOLD
 MATTHEW R. ASHTON
 JARED R. ATKINSON
 JESSE T. ATTIG
 ADAM J. AYRISS
 MARCOS AZUA
 CHARLIE S. BAHK
 ISAAC S. BAKER
 MICHAEL R. BAKER
 SCOTT W. BALLARD
 KEVIN W. BALTIMBERGER
 JON C. BANKS
 KENNETH L. BARBER, JR.
 BLAINE N. BARBY
 JASON A. BARNES
 WILLIAM M. BARRETT
 KATHERYN A. BASSO
 ANGELA J. BATASTINI
 MATTHEW E. BAXLEY
 ANDREW M. BAXTER
 ALEXANDER J. BEACHY
 MARTIN R. BEBELL
 STEVEN R. BECHTEL
 ALBERT D. BELLAMY
 RYAN E. BENES
 GLENN W. BERDELA, JR.
 THOMAS I. BEREKNYEI
 DANIEL A. BERG
 JOSEPH D. BERG
 DAVID M. BERGER
 CHRISTOPHER W. BERGMAN
 ROBERT L. BESKE
 RONALD E. BESS, JR.
 JOSEPH R. BEST
 CHRISTOPHER M. BIBEAU
 STEVEN W. BICKHAM
 JOHN M. BILLIRIS
 MARK G. BLACKBOROW
 SHANE A. BLADEN
 MARY C. BLAIR
 WALLY A. BLAIR
 NATHAN D. BLODGETT
 MICHAEL D. BLUMENSCHNEIDER
 GABRIEL D. BOENECHE
 REBECCA A. BOLZ
 CHAD E. BONECUTTER
 DAVID A. BORDEN, JR.
 COURTNEY J. BOSTON
 JOHNATHAN M. BOUCEK
 DAVID L. BOUCHARD
 RALIA R. BOUSKA
 JASON P. BOWERS
 KEVIN P. BOWLER
 MATTHEW J. BOWMAN
 DANIEL E. BOWRING
 TRAVIS S. BOWSER
 HARRY L. BOYD
 JOHN F. BOYER
 COLIN P. BOYNTON
 EVAN F. BRADLEY
 JAMES M. BRAUDT
 CHRISTOPHER J. BRIDGER
 JAMES M. BROPHY
 DANIEL L. BROWN
 MICHAEL R. BROWN
 PHILLIPPE C. BRULE
 AARON P. BRUNNER
 BRADLEY N. BUICK
 CHRISTOPHER C. BUMGARDNER
 TIMOTHY L. BURK
 DAVID C. BURTON
 BRADY J. BUSTIN
 ANDREW T. BUTLER
 JASON D. BUTLER
 JEFFREY V. BUTLER
 SETH D. BYRUM
 CHRISTOPHER K. CALDWELL
 CLIFF M. CAMPBELL
 CHRISTOPHER N. CAPASSO
 SERENA N. CARDONA
 AARON R. CARLSON
 HARLYE S. CARLTON
 JUSTIN R. CARRELL
 CHESTER T. CARTER

MATTHEW G. CARTER
 BRIAN M. CARTHON
 CORY A. CARVER
 CHARLES S. CASEY
 CHAD D. CASSADY
 JASON R. CASTER
 MARTIN A. CAWDERY
 BLAIR T. CELLON
 CHRISTOPHER R. CEREN
 ANTHONY J. CESARO
 JASON W. CHAN
 MICHAEL K. CHAND, JR.
 RHETT W. CHRISTENSEN
 KYLE A. CHRISTMAN
 MICHAEL J. CHRISTY
 ADAM M. CHU
 JASON C. CIARCIA
 BRYAN J. CLAUSEN
 JACOB A. CLAYTON
 ROBERT B. CLEMENTS
 KYE P. COLBY
 MATTHEW A. COLLIER
 BRETT C. COLLINS
 GREGORY L. COLLINS
 MICHAEL D. COLLINS
 PETER C. COMBE II
 JOSEPH COMMON
 HECTOR L. CONTRERAS
 PETER J. COOMBE, JR.
 JUSTIN M. COONS
 PAUL C. CORDES
 CHRISTOPHER M. COTTON
 GRANT R. COVEY
 ERIC D. CRAMER
 RONNIE L. CRECH
 ROBERT P. CRONIN
 LAURA E. CROWE
 JOHN A. CRUTCHFIELD
 MIGUEL A. CRUZ
 GLENN A. CRUZCANCELO
 SARAH R. CULBERTSON
 SCOTT C. CULBERTSON
 COLIN J. CULKIN
 GEORGE D. CUMMINGS IV
 JEFFREY A. CUMMINGS
 THOMAS P. CUNNINGHAM
 GREGG F. CURLEY
 TIMOTHY A. CURLING
 PATRICK J. DALY
 JOSEPH P. DAVIDOSKI
 DANIEL J. DAVIS
 JEFFREY C. DAVIS
 NOLAN G. DEAN
 ROBERT C. DEBENEADTO
 LUKE D. DELANEY
 ALLEN C. DELEON
 MELISSA A. DEPRIEST
 SARAH J. DERRYBERRY
 CHRISTOPHER S. DESTAFNEY
 DANIEL P. DEVITO
 ANTHONY J. DEVUONO
 HONEY DHALIWAL
 NATHAN R. DILLON
 PETER A. DINARDO
 JOSEPH N. DINIEGA
 JAMES E. DITRI, JR.
 JAY P. DODGE
 STEVEN B. DODSON
 KOLIN B. DOEZEMA
 PETER J. DORN
 CHARLES W. DOTERRER
 CHRISTOPHER M. DOTY
 ALEXEI A. DOUDAREV
 JOHN M. DOVE
 ANTON D. DRAGANOV
 CHRISTOPHER D. DRISCOLL
 PETER A. DRISCOLL II
 THOMAS M. DRISKELL
 ERIC A. DUCHENE
 ROBERT M. DUGAN
 ROBERT E. DUSH
 RONALD O. DUTIL II
 ERIC S. DWYER
 CALEB D. EAMES
 JOSEPH W. EASTERLING
 JUSTIN M. EASTMAN
 JONATHAN T. EDMONDSON
 PAUL J. EICKHOFF III
 KARL J. EISENMANN
 JASON G. ELLIS
 ZACHARY N. EMBERS
 DANIEL J. EMUNSON
 GEOFFREY S. ENGLUND
 JEFFREY M. ERB
 HECTOR N. ESPADA
 MICHAEL R. EUBANKS
 ALBERT L. EVANS III
 DANIEL L. EVANS
 DAVINA C. EVANS
 JAMES A. EVENSEN
 CHRISTIE R. EVERETT
 ZACHARY K. EVERHART
 GARRETT J. EXNER
 ADEMOLA D. FABAYO
 KEVIN P. FALLON
 MICHAEL A. FARLEY
 WENDELL C. FARMER
 ADAM G. FAUL
 CHRISTINA R. FELKINS
 GEORGE P. FENTON II
 CHRISTOPHER M. FERGUSON
 MICHAEL P. FISHER

PHILIP O. FLAMBERT
 RUSSELL L. FLUKER
 HENRY C. FLYNN
 PATRICK J. FOEHL
 ADAM T. FOLEY
 ROBIN J. FONSECA
 MICHAEL J. FORSTER
 ADAM E. FOUSHEE
 ALLEN J. FRAZIER
 JACK E. FREE
 NICHOLAS J. FREEMAN
 MATTHEW C. FRICK
 ANTHONY T. FUHRER
 CHRISTOPHER J. FULLER
 AARON F. GAJEWSKI
 GERRID M. GALL
 MICHAEL J. GALLANT
 FREDERICK S. GALLUP IV
 REBECCA L. GANSCA
 WAYNE A. GANTZ
 DAVID M. GARCIA
 BRADLEY A. GATES
 JOSHUA H. GATO
 REDMOND B. GAUTIER IV
 SHERLEY K. GENNA
 TRISTAN M. GERRITSEN
 GEORGE E. GETTMAN, JR.
 DANIEL A. GIBBON
 PATRICK J. GIBSON
 JOSEPH L. GILL II
 MICHAEL E. GINN
 RAY N. GOMEZ
 EDWARD B. GONZALES
 JAVIER GONZALEZ
 JOSEPH E. GOODRICH
 STEVEN J. GORALSKI
 CHAD R. GOWING
 ARTHUR L. GRAHAM III
 COLIN A. GRAHAM
 SCOTT C. GRAHAM
 SETH M. GRANT
 WILLIAM T. GRAVES, JR.
 BRIAN D. GREEN
 MICHAEL B. GREEN
 MICHAEL W. GREEN
 NATHAN J. GREEN
 MARK A. GREENLIEF
 DARREN T. GRETCHKO
 JUSTIN L. GRIECO
 TYSON L. GRIFFITH
 NATHANIEL D. GRIGGS
 KHALIL C. GUEST
 JASON E. GWINN
 STEVEN R. HAACK
 THOMAS J. HAAKENSEN
 PETER L. HACKETT
 GABLE F. HACKMAN
 DAVID R. HAINES
 CLINTON K. HALL
 HENOK S. HALL
 MATTHEW S. HALL
 JOSEPH B. HAMILTON
 CHAD A. HAMLIN
 MATTHEW D. HAMMOND
 BENJAMIN J. HAND
 DAVID J. HANES
 KRISTOPHER B. HANSEN
 SEAN B. HANSON
 ANDREW S. HARKINS
 LESLIE A. HARKNESS
 KEVIN E. HARRIS
 SAMUEL A. HART
 STEVEN D. HARVEY
 AARON J. HATFIELD
 COREY S. HEALEY
 ANTHONY T. HEARREAN
 CLAIRE E. HENRY
 GAVIN HENRY
 PETER J. HERSEY
 GEORGE A. HIERRO
 ANDREW C. HIETPAS
 KEVIN L. HOFFMAN
 SCOTT A. HOLBERT
 BRYAN G. HOLE
 PATRICK C. HOLLAND
 ROGER A. HOLLENBECK
 JACK W. HOLLOWAY
 ANDREW L. HOLMES
 JAMES D. HOLT
 ADAM S. HOOPER
 ANDREW P. HORNFECK
 JOSHUA M. HOTVET
 JAKE J. HUBBARD
 SCOTT A. HUMR
 KRISTOPHE L. HURTLEY
 THOMAS B. HUTSON
 ROSELLA M. IACCINO
 MCLEAN IRVAN
 RICHARD J. JACOBS
 CHAD O. JAMES
 RODNEY M. JAMES
 JONATHAN P. JANDORF
 NICOLE A. JANSENHINNENKAMP
 BRIAN A. JAQUITH
 SALVADOR JAUREGUI III
 DAVID R. JEFFRIES
 MICHAEL A. JEVONS
 CORY J. JOBST
 BENJAMIN W. JOHANNINGSMEIER
 PATRICK R. JOHNSON
 DEREK K. JOHNSON
 JESSE D. JOHNSON

RICHARD W. JOHNSON, JR.
 TALISHA D. JOHNSON
 BRIAN A. JORDAN
 JONATHAN S. JOSEPH
 ERIC JUAREZ
 IGNACIO A. JUAREZ
 SEAN H. KAHAK
 BRIAN J. KANE
 SEAN E. KASPERBAUERMCCOOL
 CHRISTOPHER J. KEARNEY
 STEPHEN P. KELLY
 JOSEPH M. KENNEDY
 BRIAN A. KERIG
 BENJAMIN L. KEZAR
 CHRISTOPHER Y. KIM
 ERIC E. KIM
 JOHN E. KIVELIN III
 STEVEN C. KLEPPIN, JR.
 KRISTOPHER J. KNOBEL
 RANDON L. KNOLL
 MATTHEW A. KNOPP
 DANIEL F. KNUDSON III
 JOHN J. KOEPEKE
 MICHAEL W. KOHLER
 ANDREW C. KOLB
 EDWARD P. KOTULSKI, JR.
 ZUBAH Z. KOWEH
 PAUL B. KOZICK
 SHANE F. KRAFT
 TIMOTHY R. KRONJAEGER
 MARK P. KUGLER, JR.
 MICHAEL A. KUIPER
 SAMUEL E. KUNST
 ANDREW J. KURTZ
 KYLE A. KURTZ
 DOUGLAS R. KURZ
 DANIEL J. LACHASSE
 KYLE J. LADWIG
 DANIELZAIN A. LAKHANI
 MATTHEW A. LAMB
 CAMILLE C. LAMPERT
 MATTHEW H. LAMPERT
 KARLO R. LANDRAU
 SHANNON L. LANE
 JOSEPH P. LARKIN
 ANDRE G. LATASTE
 ADAM N. LAW
 BRIAN M. LAYMAN
 DAVID L. LEE, JR.
 BROCK A. LENNON
 MARY E. LEVALLEY
 ADAM R. LINDBERG
 JOSEPH M. LIPIEC
 ERICH W. LLOYD
 RAY LONGORIA, JR.
 NATHAN J. LOOMIS
 ZACHARY D. LOTT
 ARTHUR K. LOTZ IV
 TIMOTHY W. LOVE
 MARK P. LUBKE
 CHRISTOPHER E. LYON
 CHRISTOPHER A. MACAK
 CHRISTOPHER J. MACHI
 ABDUL E. MACK
 KEITH D. MACLAREN
 JOSEPH K. MADDUX
 MOISES MAGDALENO
 RYAN P. MAHAFFEY
 EDWARD D. MAHONEY, JR.
 NICHOLAS C. MANNWEILER
 ROBERT H. MANUEL
 PETER J. MARBACH
 ANDREW D. MARKOFF
 AMANDA B. MARTIN
 JOSEPH B. MARTIN
 GIOVANNI M. MARTINEZ
 RICHARD Q. MARTINEZ
 COLIN D. MARTY
 KYLE A. MASCHNER
 MICHAEL F. MASTERS, JR.
 RYAN L. MATHEWS
 BUCKSHOT N. MATTSOON
 CHAD R. MATZELLE
 GRANT T. MAURITZSON
 SHANNON R. MAWSON
 AARON J. MAXWELL
 LEWIS M. MAXWELL III
 JAMES W. MCBRIDE
 MICHAEL N. MCDOWELL
 ADAM L. MCKILLOP
 LUKE J. MCLEAREN
 ROBERT B. MCMANUS
 ROLANDO A. MEDINA
 AARON S. MEKOLIK
 CHRISTOPHER F. MELLING
 FEDERICO W. MENDIZABAL
 JEFFREY M. MENNE
 MICHAEL A. MICHAUD
 STEPHEN MIGGINS
 BRIAN E. MILLER
 JENNIFER E. MILLER
 DEREK A. MILLS
 ANDREW D. MIN
 MICAH J. MINER
 AMANDA L. MINIKUS
 JASON E. MISNER
 TROY E. MITCHELL
 ERIC T. MOFFITT
 JASMIN MOGHBELI
 LILIANA MOLINA
 MORGAN T. MONAGHAN
 TREVOR J. MONFETTE

ROBERT J. MONROE
 ALEXANDER M. MONTE
 MATTHEW M. MORAINÉ
 LUIS F. MORALES
 RYAN R. MORGAN
 DAVID C. MORRIS
 THOMAS W. MORROW
 CHRISTOPHER A. MORTON
 KENDRA N. MOTZ
 MELISSA C. MUELLER
 GARRETT D. MULDER
 JOHN P. MULLEN
 JEFFREY M. MULLINS
 VALERIE R. MUNOZ
 STEVEN P. MURELLO
 CALEB A. MURPHY
 DANIEL P. MURPHY
 JUSTIN P. MURPHY
 SARAH L. MURPHY
 THOMAS W. NANCE
 KHADLJAH M. NASHAGH
 ANDREA K. NEAGLE
 BRENDAN R. NEAGLE
 KRISTOPHER L. NEKVINDA
 CASEY D. NELSON
 HENRY R. NESBITT
 MATTHEW M. NEWMAN
 WESLEY C. NEWMAN
 KEVIN P. NEWPORT
 BENJAMIN C. NICKELL
 LEONARD J. NIEDOSIK
 ROBERT J. NOXON
 NICHOLAS A. NOYES
 BRANDON C. OBERKAMP
 REGINALD C. ODJIMER
 CHRISTOPHER J. OMELIA
 BRYAN J. ONEIL
 TRAVIS C. ONISCHUK
 RYAN D. OROURKE
 BENJAMIN D. ORTIZ
 EVAN L. OSBORN
 DEVLIN R. OSHEA
 TIMOTHY D. OTTEN
 WILLIAM O. OVER
 PRESTON S. PACK
 STEPHEN G. PAGE
 DAVID J. PALKA
 THOMAS A. PALMER
 JOHN D. PARK IV
 SUNG C. PARK
 JEFFREY D. PARKER, JR.
 MICHAEL J. PASSE
 CHRISTOPHER M. PATTERSON
 TARA E. PATTON
 EUGENE J. PAUL
 PHILLIP J. PEACOCK
 CURTISS W. PECK II
 FILIPE A. PEERALLY
 JESSE M. PEPPERS
 FREDDIE PEREZ
 LUIS R. PEREZ
 BRIAN D. PERKINS
 PHILIPJASO S. PEROUNE
 JEFFREY B. PERSONS, JR.
 MARK J. PETERS
 FREDERICK H. PETERSON IV
 GREGORY C. PETERSON
 DANIEL R. PETRONZIO
 BENJAMIN W. PHILLIPS III
 ERIC B. PHILLIPS
 MICHAEL A. PHILLIPS
 JOHN G. PICO
 JUSTIN L. PITCOCK
 CELIDON H. PITT
 JAMES M. PLOSKI
 IAN J. PLUMMER
 JAMES W. POLLARD
 BRANDON S. POPE
 TRAVIS D. POSY
 BEN W. POTTER
 ANDREW F. PRICE
 BENJAMIN A. PRICE
 CHRISTOPHER L. PRIDGEN
 JOHN W. PROSS
 ALEXANDER C. PURATY
 MATTHEW R. QUEEN
 DANIEL QUESADA
 JASON M. QUINN
 AARON J. QUINTANAR
 SEAN F. RAFFERTY
 WALTER M. RAINES
 VINEET RAJAN
 KARIN R. RAMIREZ
 CLIFTON N. RATEIKE
 GEORGE A. RAWSON
 ROBERT D. REAGLES
 STEPHEN A. REAMY
 WILLIAM D. RECALDE
 CALEB M. REED
 MICHAEL L. REID
 CHARLES H. REITER
 STEPHEN A. REYNA
 ANTHONY F. REYNOLDS
 CHARLES H. RICHARDSON IV
 JUDSON P. RIORDON
 JONATHAN H. RITCHEY
 CHRISTOPHER G. ROBINSON
 CHRISTOPHER M. ROBINSON
 JARROD M. ROBINSON
 TYLER B. ROBINSON
 ERIC P. ROBY
 DANIAL M. ROCK

LUKE A. RODINA
CHRISTOPHER A. RODNEY
MATTHEW L. ROHLFING
JAVIER ROMAN
NICHOLAS C. ROSE
NATHANIEL L. ROSS
ALEX J. RUNYAN
GLENN O. RYBERG
DANIE N. SAAIMAN
KIRT R. SAMSON
DANIEL SANCHEZ, JR.
GREGORY R. SANDERS
TYLER B. SANDERS
SRIVATSAN N. SANTHANAM
DANIEL A. SARACENI
BENJAMIN G. SCHMIDT
MICHAEL C. SCHMIDT
CRAIG M. SCHNAPPINGER
JOHN J. SCHRANZ
MARK R. SCHROTH, JR.
JORDAN T. SCHULTZ
VALERIE M. SCHWINDT
JACOB D. SCHWINGHAMMER
MICHAEL J. SEDRICK
CHRISTOPHER R. SEEMAYER
DANIEL C. SEIDERS V
KEVIN B. SEMLER
OSMAN N. SESAY
TIMOTHY N. SHEA
JOHN SHIM
ADAM D. SHIRLEY
EVAN L. SHOCKLEY
JOSHUA W. SHOWALTER
RYAN SHROUT
KEVIN A. SHULER
CRAIG D. SHURGOT
MOUHAMADOU SIDIBE
ADAM E. SIMON
JESSE R. SIMONEAU
CHRISTOPHER W. SIMPSON
JUSTIN K. SING
MATTHEW A. SISNEROS
PATRICK J. SKEHAN
KRISTOFER A. SKIDMORE
JAMES M. SLOCUM
JAMES R. SMITH
STEPHANIE N. SOKOL
ADRIAN L. SOLIS
BRANDON S. SOUTHWORTH
LEO P. SPAEDER III
JEFFREY P. SPARROW
MITCHELL R. SPIDEL
BRIAN T. SPILLANE
ERIC W. SPITZNOGLE
ROBERT A. SPODAREK
CHAPMAN D. SPRING
BRADLEY C. STADELMEIER
SCOTT M. STAFFORD
TYSON S. STAHL
NICHOLAS B. STAITON
NATHAN I. STEFFES
GEORGE H. STEINFELS
ROBERT L. STEINHAUSER III
KERRISSA A. STERNS
BRIAN R. STEVENS
HAYDEN T. STEVENS
MICHAEL F. STEWART, JR.
PATRICK E. STEWART

SCOTT A. STEWART
MATTHEW R. STOLZENBERG
TRAVIS J. STREAN
LEE J. STUCKEY
PAIGE D. STULL
STEVEN T. SUTESO
WILLIAM P. SUMPTION
JARED K. SWAN
JASON A. SYLVESTER
KENNETH A. TARR
BENJAMIN O. TATE
GARON G. TAYLORTYREE
NICHOLAS A. TEACH
BRIAN J. TEDESCO
JOSEPH E. TENNISON
TINA D. TERRY
RAPHAEL J. THALAKOTTUR
MICHAEL T. THESING
MATTHEW J. THOMAS
CLINTON T. THOMPSON
CRAIG A. THOMPSON
JONATHAN M. THOMPSON
MATTHEW A. THOMPSON
BRENT M. TIMMER
CHRISTOPHER P. TINOCO
PAUL A. TRUOG
CARL D. TUCKER
CHRISTOPHER C. TUCKER
TRAVIS G. TUFTTE
JAMES O. TURNER
CHRISTOPHER V. TYSON
RICHARD K. ULSH
CHRISTOPHER D. UPTON
SUSAN E. UPWARD
THOMAS J. VALLELY IV
GERARD W. VANDERWAAL
TROY J. VANZUMMEREN
BENJAMIN J. VANZYTVELD
JUSTIN E. VAUGHAN
FRANCISCO J. VEGA
TRYSTEN L. VILLARREAL
KIMBERLY L. WADE
JONATHAN A. WAGNER
PHILLIP A. WAGNER
FRANK E. WALKER
ERIC A. WALRAVEN
ARAN T. WALSH
JONAH B. WARREN
CHARLES J. WATT
GREGORY P. WATTEN
LUTHER T. WATTS
ROBERT E. WEAVERS
MATTHEW S. WEANT
SHELDON WEBB
JONATHAN T. WEEKS
JOSHUA H. WEILAND
JOHN P. WEITZEL
DANIEL J. WENDOLOWSKI
MATTHEW J. WESENBERG
BRET A. WHITE
TODD R. WHITE
JAMES D. WHITLOW
DANIEL H. WHITT
PHILLIP A. WIKTOR
RONNIE WILBURN, JR.
JACOB H. WILDE
CHRISTOPHER D. WILLIS
ERIC B. WILLIS

LONNIE C. WILSON
MATTHEW E. WINDHOL
GARY J. WINDT
THOMAS J. WISSLER
ROBERT H. WITHERS, JR.
PAUL G. WITHERSPOON
JASON P. WOOD
MILLARD B. WOODARD
LARRY N. WORLEY
ANDREW M. WRZOSEK
MICHAEL C. YEO
MICHAEL B. YOUNG
CHRISTOPHER M. ZAJAC
JONATHAN S. ZASADNY
TRAVIS Q. ZIMMERMAN
STANLEY R. ZIVANOVICH III
PATRICK J. ZUBER
ANGELA S. ZUNIC

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

GEORGE L. ROBERTS

To be major

NEAL C. CARTER
TEAUGE C. DELAPLAINE
SCOTT A. MARTIN
JAMEL L. NEVILLE
STEPHEN A. RITCHIE

CONFIRMATION

Executive nomination confirmed by the Senate January 11, 2016:

THE JUDICIARY

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on January 11, 2016 withdrawing from further Senate consideration the following nominations:

PATRICIA M. LOUI-SCHMICKER, OF HAWAII, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON MARCH 16, 2015.

PHILLIP H. CULLOM, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE SHARON E. BURKE, RESIGNED, WHICH WAS SENT TO THE SENATE ON NOVEMBER 19, 2015.

HOUSE OF REPRESENTATIVES—Monday, January 11, 2016

The House met at noon and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 11, 2016.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

RECOGNIZING UNIFI MANUFACTURING, INCORPORATED FOR ITS COMMITMENT TO RECYCLING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, today, I rise to commend Unifi Manufacturing, Incorporated for its commitment to recycling.

Headquartered in Greensboro, Unifi is a leading producer and processor of multifilament polyester and nylon textured yarns. They provide innovative, global textile solutions and unique branded yarns for customers at every level of the supply chain.

Unifi employs about 950 people in North Carolina's Fifth District at its Repreve Recycling Center in Yadkinville. The company is currently constructing an 85,000-square-foot expansion that will more than double the size of the facility.

Repreve is polyester yarn made from chips that come mainly from recycled plastic bottles and industrial fiber waste. These environmentally friendly yarns have been used in products for customers that include Ford, The

North Face, Nike, Haggar, Quiksilver, Volcom, and Patagonia. For example, a classic fit casual dress pant by Haggar features seven recycled bottles. Seat covers in a Ford F-150 truck contain 16 recycled bottles.

Unifi is currently converting about 42 million pounds of recycled products a year into chips at its Yadkinville facility. That includes 31 million pounds of post-consumer plastic bottles and 11 million pounds of post-industrial fiber and fabric waste. Once the expansion is complete, it will recycle 72 million pounds annually.

At current production levels, the Yadkinville center accounts annually for the conversion of 900 million recycled plastic bottles and saves the equivalent of 16 million gallons of gasoline that would be required to make new polyester and nylon.

Last spring, Unifi also opened a 1-megawatt solar farm onsite in Yadkinville. The solar farm is projected to provide about 10 percent of the energy needed to run the recycling center.

Additionally, Unifi is expanding the Repreve brand through its 60 percent interest in Repreve Renewables, a biomass feedstock company that focuses on the direct sales of Freedom Giant Miscanthus to farmers. Some analysts believe this type of grass is extremely efficient in converting sunlight to biomass energy. It also produces more fuel than any other biofuel source.

Repreve Renewables has had significant commercial success with Thrivez, its poultry bedding brand. Thrivez regrows annually without replanting, reducing soil erosion, improving water quality, and minimizing water, herbicide, and fertilizer needs.

Unifi has been profitable for 5 consecutive years, and Repreve has expanded from two main apparel customers in 2007 to 32 in 2015. I commend Unifi for achieving economic success through sustainability.

MALHEUR WILDLIFE REFUGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, today is the ninth day of armed occupation of the Malheur National Wildlife Refuge in Oregon—lawless, reckless behavior. As the Audubon Society points out: putting one of America's most important wildlife refuges at risk and threatening Federal employees.

David Jenkins, president of Conservatives for Responsible Stewardship, points out they are trampling on the rights of every American, they are the opposite of conservatives, and they will continue to bully, threaten, and test the limits of civil society until they are stopped. Jenkins urged the Obama administration to follow Teddy Roosevelt's advice that the law must be enforced with resolute firmness.

I fully understand policy differences, that compromises must be made and that there will be mistakes. I have worked with my Republican colleague GREG WALDEN, whose neighboring district goes all the way to the Idaho border, as we struggled to make broad Federal policy work better for everyone as we spent several years developing a vision for Mount Hood that included protections for wilderness and practices for infrastructure and management. It is an ongoing effort. But with 323 million Americans, diverse landscapes, and philosophies that are buried, there are going to be struggles and differences that continue.

The answer is to keep working to find common ground, like we did with our staff and families on a 3-day hike around that magnificent mountain. For that moment, Mount Hood wasn't the dividing line between our districts; it was a point around which we could come together to agree and work to make things better. It brought us together. That is exactly what needs to happen now.

There are tremendous challenges in our State of Oregon. We have a wildlife refuge in the Klamath Basin with a historic opportunity to remove unnecessary dams that even the private owner doesn't feel it could maintain, to help restore damage to salmon runs, to be able to deal with a parched wildlife basin in the middle of a desert.

The Federal Government has promised far more in that basin to the stakeholders than it can deliver. There is a huge responsibility for all of us in the Federal Government to help unwind this unsustainable situation.

Native Americans, particularly in the Northwest, despite solemn treaty rights promised to them by the Federal Government and ratified by Congress, have long been abused and ignored. They deserve to be taken seriously and their rights respected.

There are opportunities, like dam removal, that signal a winning opportunity to keep faith with our environmental responsibilities and treaty obligations to Native Americans, to wildlife, and to the surrounding area.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Far from being a threat to the region's economy, the removal, in an environmentally responsible way, of the four dams which generate little energy will provide hundreds of family wage jobs for years that will inject badly needed money into the region in the deconstruction phase, to say nothing of the long-term benefits for tourism, recreation, and enhanced environment.

Let's seize the opportunity in the Klamath. Let's take the opportunity to implement the long-term vision and water restoration for the Malheur Basin. These are items where hundreds and hundreds of people have labored in good faith for tens of thousands of hours. They don't need armed outsiders to come to Oregon, threatening public safety and the precious resources for their own political gains.

We ought to be able, in our region, to snatch victory from the jaws of defeat, discord, and the specter of dissension, anger, and a continued sense of victimhood and loss. We don't have to do that. Let's build on the progress that we have established and work together to make these people and ourselves winners.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another day.

Bless this place, this Chamber of the House of Representatives.

In the opening weeks of this new session, surround us with Your spirit. Encompass with Your power all the walls and the dome of this building, truly a symbol to the world of unalienable rights and the freedom of people.

May Your divine blessing shield and protect this place from all attack, destruction, storm, sickness, and all that might bring evil to Your people or shake the soul of this Nation.

Guide and protect the Members of this assembly and all servants in government, including all who work in this place. May the comings and goings of Your people be under the seal of Your loving care, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE WASPS ARE BEING DENIED BURIAL AT ARLINGTON CEMETERY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the great World War II was at its peak. So, on September 11, 1943, 28-year-old Sandy Thompson left her teaching job and volunteered for the Women Airforce Service Pilots, better known as the WASP. As a pilot, she towed targets for live antiaircraft practice, helped deliver planes to overseas bases, and tested new aircraft.

Of the 1,000 women who were WASPs, 38 were killed during their missions. Sixteen of these unsung heroes still live in Texas, and these pilots are part of the Greatest Generation.

WASPs were considered civilians until 1977. Then Congress granted them veteran status. In 2002, the WASPs were allowed to be cremated and have their ashes placed in Arlington National Cemetery, but now bureaucrats have decided that these veterans are not worthy of having a proper military burial and have revoked burial rights in Arlington. The reason they say is a lack of space. This is disgraceful. A lack of space is a sorry excuse to dishonor these veterans.

Mr. Speaker, the government owns 23 percent of the land mass in the United States. Find space to permanently honor these female veterans.

And that is just the way it is.

FEDERAL GOVERNMENT MUST HELP CORRECT MANMADE DISASTER IN FLINT, MICHIGAN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, I rise to talk to this Congress about my hometown of Flint, Michigan.

This morning I wrote to the President and wrote a letter to our Governor, asking for help for my hometown.

Almost beyond belief, for a year and a half, the city of Flint has had water running through the pipes and into the homes of the people in Flint. The water has extraordinarily high levels of lead, which can affect the trajectory of a child's life permanently.

This was a decision made by the State government when it took over the city of Flint because of its financial situation. To save a few dollars, it switched from Lake Huron as its primary water source to the Flint River, without even any science or thought as to how the river might be treated. As a result, that corrosive river has put lead into the water source and into the bodies of young children.

Today, finally, after months and months and months, apparently, our Governor is going to announce some sort of response at the State level. I can assure you this: There is no confidence of the people of the city of Flint and of the people of Michigan—I have, certainly, no confidence myself—that the State's response will be adequate. I am asking the Federal Government to step in and help correct this manmade disaster in Flint, Michigan.

HONORING THE LIFE OF CARLYLE FARNSWORTH

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, I rise to recognize and honor the life of Carlyle Farnsworth from Wheeling, who passed away on Christmas Eve.

I was honored to have known him as a friend. Carlyle was a member of the Greatest Generation in America, and he served in the United States Marine Corps during World War II. When he returned home, he built a career, raised a family, and was a community leader for a number of years.

He served on the board of the Wheeling Hospital for 29 years and was a past president. He was president of the Wheeling Area Chamber of Commerce, was active in scouting with the local valley Scout council, and served as the vice president of the Scouts for over 20 years. Carlyle attended the very first National Scouting Jamboree right here in Washington in 1937.

He was a distinguished banker for over 40 years and served as the bank president for many of those years. He belonged to numerous State and national banking associations and served on the West Virginia State Board of Investments.

My lasting impression of Carlyle was how cheerful, upbeat, and positive he was. I offer my condolences to his loving wife of 44 years, Sue; to his daughter, Betsy Ann; to his son, Thomas, and his wife C.J.

Carlyle will be missed, but he will be remembered as a leader, as a loving husband, and as an inspiration to all of those with whom he came in contact.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1548

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RIBBLE) at 3 o'clock and 48 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CHILD NICOTINE POISONING PREVENTION ACT OF 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (S. 142) to require special packaging for liquid nicotine containers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 142

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Nicotine Poisoning Prevention Act of 2015".

SEC. 2. SPECIAL PACKAGING FOR LIQUID NICOTINE CONTAINERS.

(a) REQUIREMENT.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), any nicotine provided in a liquid nicotine container sold, offered for sale, manufactured for sale, distributed in commerce, or imported into the United States shall be packaged in accordance with the standards provided in section 1700.15 of title 16, Code of Federal Regulations, as determined through testing in accordance with the method described in section 1700.20 of title 16, Code of Federal Regulations, and any subsequent changes to such sections adopted by the Commission.

(b) SAVINGS CLAUSE.—

(1) IN GENERAL.—Nothing in this Act shall be construed to limit or otherwise affect the authority of the Secretary of Health and Human Services to regulate, issue guidance,

or take action regarding the manufacture, marketing, sale, distribution, importation, or packaging, including child-resistant packaging, of nicotine, liquid nicotine, liquid nicotine containers, electronic cigarettes, electronic nicotine delivery systems or other similar products that contain or dispense liquid nicotine, or any other nicotine-related products, including—

(A) authority under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and the Family Smoking Prevention and Tobacco Control Act (Public Law 111-31) and the amendments made by such Act; and

(B) authority for the rulemaking entitled "Deeming Tobacco Products to Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; regulations on the Sale and Distribution of Tobacco Products and the Required Warning Statements for Tobacco Products" (April 2014) (FDA-2014-N-0189), the rulemaking entitled "Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products" (June 2015) (FDA-2015-N-1514), and subsequent actions by the Secretary regarding packaging of liquid nicotine containers.

(2) CONSULTATION.—If the Secretary of Health and Human Services adopts, maintains, enforces, or imposes or continues in effect any packaging requirement for liquid nicotine containers, including a child-resistant packaging requirement, the Secretary shall consult with the Commission, taking into consideration the expertise of the Commission in implementing and enforcing this Act and the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.).

(c) APPLICABILITY.—Notwithstanding section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)) and section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)), the requirement of subsection (a) shall be treated as a standard for the special packaging of a household substance established under section 3(a) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472(a)).

(d) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Consumer Product Safety Commission.

(2) LIQUID NICOTINE CONTAINER.—

(A) IN GENERAL.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), the term "liquid nicotine container" means a package (as defined in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471))—

(i) from which nicotine in a solution or other form is accessible through normal and foreseeable use by a consumer; and

(ii) that is used to hold soluble nicotine in any concentration.

(B) EXCLUSION.—The term "liquid nicotine container" does not include a sealed, pre-filled, and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product, if the nicotine in the container is inaccessible through customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion or other contact by children.

(3) NICOTINE.—The term "nicotine" means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Indiana (Mrs. BROOKS) and the gentleman from Maryland (Mr. SARBANES) each will control 20 minutes.

The Chair recognizes the gentlewoman from Indiana.

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Recently there has been a significant amount of debate surrounding liquid nicotine, ranging from its use as cigarette cessation to its use in public spaces. While there are differing points on the future of vaping, everyone can agree on the need to prevent the product from inadvertently reaching the hands of children.

That is why my colleague from Connecticut (Ms. ESTY) and I introduced the Child Nicotine Poisoning Prevention Act, which simply requires child safety packaging be added to liquid nicotine containers. The bill we are considering today and have already passed in the Senate is identical to our bill, which passed out of the Committee on Energy and Commerce in October of last year.

Liquid nicotine, the product that is used in vaping pipes, is getting into the hands of children at a startling rate. I witnessed this firsthand when I had the opportunity to visit the Indiana Poison Control Centers last year.

Their director, Dr. Jim Mowry, shared with me that exposures to e-cigarettes in Indiana alone have increased eightfold from 2011 to 2014. The numbers nationwide are even more startling, with poison control centers across the country showing a 14-fold increase in the exposure to e-cigarettes, from 271 cases in 2011 to just under 4,000 cases in 2014.

Attracted by flavors like Skittles and Apple Jacks, curious children are often tempted to taste this liquid. Unfortunately, a single teaspoon of this liquid can be deadly to a child if it is either ingested or absorbed through the skin.

Since there are no safety packaging requirements currently under Federal law, children aren't hindered in any way from having access to this potentially lethal product. With vaping becoming even more popular across the country and with an estimated 36 percent of e-cigarette users not locking up

bottles of liquid nicotine or using childproof caps, I fear these calls to the poison control centers will only continue to rise.

That is why the bill in front of us today is so important. Very simply, it solves the problem that we have by applying to liquid nicotine the existing childproofing requirements found in the Poison Prevention Act. We shield our children from hazardous products. Liquid nicotine should be no exception.

Now, I know that the FDA also plans to regulate in this space and some have expressed worry about the overlapping regulations that this bill might impose. I am hopeful that the savings clause that we have added to the bill will allay the fears of those skeptics since it explicitly allows the FDA to continue its regulatory authority.

There is a significant amount of debate about the FDA's authority in this area and when it will act. Regardless, since the FDA hasn't even produced a proposed rule yet, a final rule will likely not be finalized for over a year. That is a year of more calls to poison control centers across the country and a year of kids being needlessly exposed to an easily preventable danger. Let's solve the problem right now by passing this legislation and sending it to the President's desk today.

In closing, I express my thanks to my colleague, the gentlewoman from Connecticut (Ms. ESTY). This is something that I know she has worked on for quite some time; so, I thank her for helping to spearhead this effort and for helping us to craft a bill that will protect children for generations to come.

Mr. Speaker, I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of S. 142, the Child Nicotine Poisoning Prevention Act, which would protect children from exposure to liquid nicotine.

Liquid nicotine comes in a variety of flavors, like orange, grape, bubblegum, and cotton candy, which appeal to kids, and many of these liquid nicotine products are easily accessible to children for contact and consumption. At this time, there is no existing standard to protect against accidental poisoning.

The threat of poisoning is not an imagined threat. About a year ago the first American victim—a 1-year-old—died from liquid nicotine poisoning. The number of calls to poison control centers about liquid nicotine continues to rise, and more than half of those reported exposures occurred in children who were under 6 years of age.

This bill, as you heard, takes the commonsense step of directing the Consumer Product Safety Commission to limit the risks of child liquid nicotine poisoning by requiring special packaging for liquid nicotine containers.

At the same time, it allows the Food and Drug Administration to continue with its rules on tobacco products, including the requirement for the childproof packaging of liquid nicotine.

The FDA's authority to do so is clear, and I strongly encourage the Office of Management and Budget to finish its review of the tobacco rule so the rules can go into effect quickly.

I hope and expect this will be as widely supported in the House as it was in the Senate. I salute Representative BROOKS. I also thank Representative ELIZABETH ESTY for her important leadership on this critical issue and for working across the aisle, from the outset, to advance this bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Speaker, I rise today in support of the Child Nicotine Poisoning Prevention Act.

Along with Senator NELSON, I proudly introduced the Child Nicotine Poisoning Prevention Act last year. This year it has been a real pleasure to work with my good friend SUSAN BROOKS.

I would like to thank her as well as Representative SCHAKOWSKY, Representative SARBANES, Chairman UPTON, Ranking Member PALLONE, and all of the staff for their help on this commonsense, important—literally, lifesaving—legislation that I hope we will pass today and put on the President's desk tonight.

As a mom, I can only imagine the pain felt by parents whose children have been poisoned by a substance that, so far, the Federal Government has done nothing from which to protect their children.

It is understandable that children are attracted by the liquid nicotine that is being sold right now through e-cigarettes. The packages are brightly colored. They look like candy. They have flavors like strawberry, gummy bears, cotton candy, peppermint, chocolate. Once you open the package, it smells like candy.

It is not surprising, particularly at the holidays, that children who are seeing brightly colored food flavorings and who are dyeing cookies and making them bright colors would be curious. They smell it and want to taste it. Just a little over a year ago a 2-year-old died in New York from ingesting this.

Even a small bottle of liquid nicotine has enough poison to kill four small children; so, I am grateful to my friends today on both sides of the aisle for having joined us to reduce the risk of these poisonings by adding the simple packaging that we are all familiar with, those plastic wrappings that are on every bottle of eyedrops, on every

bottle of contact lens solution, and on all poisons and commonsense household products that we know could endanger an adult.

But here we are talking about children, and they deserve our protection. Liquid nicotine, which is just as dangerous, deserves to have that packaging.

This bipartisan legislation will require that all liquid nicotine quantities be childproofed. It is a simple, commonsense measure. It will save lives. I ask that all of my colleagues support this legislation today so as to ensure that liquid nicotine packaging in all sizes and shapes and colors and flavors is childproofed.

We have worked very hard to ensure that we are working within the FDA's authority, giving them time to develop final rules. But, frankly, we have already waited over a year. We have already had a death in the last year, and there has been a huge increase in the number of calls to poison centers. So it is past time for us to act.

Again I thank my colleagues, particularly the chairman and SUSAN BROOKS, for their leadership.

I urge my colleagues to join us today. Let's get this on the President's desk for signature. Let's get our children protected from the dangers of liquid nicotine.

Mr. SARBANES. Mr. Speaker, I urge support of this important bill.

I yield back the balance of my time.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself the balance of my time.

In closing, as the gentlewoman from Connecticut (Ms. ESTY) so eloquently stated, I also commend my colleagues on the Committee on Energy and Commerce for seeing the importance of this.

I thank Mr. SARBANES, the chairman, and the ranking member for moving on this commonsense legislation. I thank Ms. ESTY for being a champion of the Child Nicotine Poisoning Prevention Act.

I urge all of my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support to S. 142, the "Child Nicotine Poisoning Prevention Act," which requires any nicotine provided in a liquid nicotine container sold, offered for sale, manufactured for sale, distributed in commerce must be in special packaging that is difficult for children under five years of age to open or access harmful contents.

As the founding member and Chair of the Congressional Children's Caucus, I am in support of this bill because it places the safety of children first.

Today, small children are at risk of injury and death from easily accessed liquid nicotine used to refill electronic cigarettes.

Nicotine liquids used in e-cigarettes are sold without child proof packaging.

Further, these nicotine products are attractive to children because they come in a wide range of candy flavors such as gummy bear, cotton candy and chocolate.

Liquid nicotine is highly toxic and sold in a highly concentrated form.

Many liquid nicotine products contain nearly 36 mg of nicotine per milliliter of liquid.

According to the Campaign for Tobacco Free Kids the concentrated form of nicotine in liquid form intended for use in smokeless cigarettes would only take a small 15 milliliter dose to kill four toddlers.

According to the Centers for Disease Control the number of calls to poison centers involving e-cigarette liquids containing nicotine rose from one per month in September 2010 to 215 per month in February 2014.

Data from the American Association of Poison Control Centers (AAPCC) showed nearly 4,000 adverse incidents related to e-cigarette exposures in 2014, a 145 percent increase from 2013 and a 14-fold increase since 2011.

In 2015, there were 1,499 calls to Poison Control Centers through May 31, 2015 that were liquid nicotine related.

This bill would save children's lives by allowing the Consumer Product Safety Commission (CPSC) the authority to require the use of child-resistant packaging on liquid nicotine containers sold to consumers.

The CPSC currently requires such packaging on many common toxic household substances like bleach, as well as FDA-regulated products like prescription drugs.

S. 142 is needed to save children from unnecessary poisonings from liquid nicotine.

The most recent National Youth Tobacco Survey showed e-cigarette use is growing fast, and now this report shows e-cigarette related poisonings are also increasing rapidly," said Tim McAfee, M.D., M.P.H., Director of CDC's Office on Smoking and Health.

We all must do our part to reduce liquid nicotine poisoning of children.

It will take the efforts of members of the House in voting to pass this bill, health care providers, e-cigarette companies and distributors, and the public need to join efforts to keep our children safe from potential health risk from e-cigarettes.

Strategies to monitor and prevent future poisonings are critical given the rapid increase in e-cigarette related poisonings and the first step is voting for S. 142.

I ask my colleagues to join me in support of S. 142, "Child Nicotine Poisoning Prevention Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. Brooks) that the House suspend the rules and pass the bill, S. 142.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1600

NORTH KOREA SANCTIONS ENFORCEMENT ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 757) to improve the enforcement of sanctions against the Government of North Korea, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "North Korea Sanctions Enforcement Act of 2016".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Definitions.

TITLE I—INVESTIGATIONS, PROHIBITED CONDUCT, AND PENALTIES

Sec. 101. Statement of policy.

Sec. 102. Investigations.

Sec. 103. Briefing to Congress.

Sec. 104. Designation of persons for prohibited conduct and mandatory and discretionary designation and sanctions authorities.

Sec. 105. Forfeiture of property.

TITLE II—SANCTIONS AGAINST NORTH KOREAN PROLIFERATION, HUMAN RIGHTS ABUSES, ILLICIT ACTIVITIES, AND SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY

Sec. 201. Determinations with respect to North Korea as a jurisdiction of primary money laundering concern.

Sec. 202. Ensuring the consistent enforcement of United Nations Security Council resolutions and financial restrictions on North Korea.

Sec. 203. Proliferation prevention sanctions.

Sec. 204. Procurement sanctions.

Sec. 205. Enhanced inspections authorities.

Sec. 206. Travel sanctions.

Sec. 207. Exemptions, waivers, and removals of designation.

Sec. 208. Report on those responsible for knowingly engaging in significant activities undermining cyber security.

Sec. 209. Sense of Congress that trilateral cooperation among the United States, Japan, and the Republic of Korea is crucial to the stability of the Asia-Pacific region.

Sec. 210. Report on nuclear program cooperation between North Korea and Iran.

TITLE III—PROMOTION OF HUMAN RIGHTS

Sec. 301. Information technology.

Sec. 302. Report on North Korean prison camps.

Sec. 303. Report on persons who are responsible for serious human rights abuses or censorship in North Korea.

TITLE IV—GENERAL AUTHORITIES

Sec. 401. Suspension of sanctions and other measures.

Sec. 402. Termination of sanctions and other measures.

Sec. 403. Authority to consolidate reports.

Sec. 404. Regulations.

Sec. 405. No additional funds authorized.

Sec. 406. Effective date.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Government of North Korea has repeatedly violated its commitments to the complete, verifiable, irreversible dismantlement of its nuclear weapons programs, and has willfully violated multiple United Nations Security Council resolutions calling for it to cease its development, testing, and production of weapons of mass destruction.

(2) North Korea poses a grave risk for the proliferation of nuclear weapons and other weapons of mass destruction.

(3) The Government of North Korea has been implicated repeatedly in money laundering and illicit activities, including prohibited arms sales, narcotics trafficking, the counterfeiting of United States currency, and the counterfeiting of intellectual property of United States persons.

(4) The Government of North Korea has, both historically and recently, repeatedly sponsored acts of international terrorism, including attempts to assassinate defectors and human rights activists, repeated threats of violence against foreign persons, leaders, newspapers, and cities, and the shipment of weapons to terrorists and state sponsors of terrorism.

(5) North Korea has unilaterally withdrawn from the 1953 Armistice Agreement that ended the Korean War, and committed provocations against South Korea in 2010 by sinking the warship Cheonan and killing 46 of her crew, and by shelling Yeonpyeong Island, killing four South Koreans.

(6) North Korea maintains a system of brutal political prison camps that contain as many as 120,000 men, women, and children, who live in atrocious living conditions with insufficient food, clothing, and medical care, and under constant fear of torture or arbitrary execution.

(7) The Congress reaffirms the purposes of the North Korean Human Rights Act of 2004 contained in section 4 of such Act (22 U.S.C. 7802).

(8) North Korea has prioritized weapons programs and the procurement of luxury goods, in defiance of United Nations Security Council resolutions, and in gross disregard of the needs of its people.

(9) The President has determined that the Government of North Korea is responsible for knowingly engaging in significant activities undermining cyber security with respect to United States persons and interests, and for threats of violence against the civilian population of the United States.

(10) Persons, including financial institutions, who engage in transactions with, or provide financial services to, the Government of North Korea and its financial institutions without establishing sufficient financial safeguards against North Korea's use of these transactions to promote proliferation, weapons trafficking, human rights violations, illicit activity, and the purchase of luxury goods, aid and abet North Korea's misuse of the international financial system, and also violate the intent of relevant United Nations Security Council resolutions.

(11) The Government of North Korea's conduct poses an imminent threat to the security of the United States and its allies, to the global economy, to the safety of members of the United States Armed Forces, to the integrity of the global financial system, to the integrity of global nonproliferation programs, and to the people of North Korea.

(12) The Congress seeks, through this legislation, to use nonmilitary means to address this crisis, to provide diplomatic leverage to negotiate necessary changes in North Korea's conduct, and to ease the suffering of the people of North Korea.

SEC. 3. DEFINITIONS.

In this Act:

(1) **APPLICABLE EXECUTIVE ORDER.**—The term “applicable Executive order” means—

(A) Executive Order No. 13382 (2005), 13466 (2008), 13551 (2010), 13570 (2011), or 13687 (2015) to the extent that such Executive order authorizes the imposition of sanctions on persons for conduct, or prohibits transactions or activities, involving the Government of North Korea; or

(B) any Executive order adopted on or after the date of the enactment of this Act, to the extent that such Executive order authorizes the imposition of sanctions on persons for conduct, or prohibits transactions or activities, involving the Government of North Korea.

(2) **APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION.**—The term “applicable United Nations Security Council resolution” means—

(A) United Nations Security Council Resolution 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), or 2094 (2013); or

(B) any United Nations Security Council resolution adopted on or after the date of the enactment of this Act, to the extent that such resolution authorizes the imposition of sanctions on persons for conduct, or prohibits transactions or activities, involving the Government of North Korea.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(4) **DESIGNATED PERSON.**—The term “designated person” means a person designated under subsection (a) or (b) of section 104 for purposes of applying one or more of the sanctions described in title I or II of this Act with respect to the person.

(5) **GOVERNMENT OF NORTH KOREA.**—The term “Government of North Korea” means—

(A) the Government of the Democratic People's Republic of Korea or any political subdivision, agency, or instrumentality thereof; and

(B) any person owned or controlled by, or acting for or on behalf of, the Government of the Democratic People's Republic of Korea.

(6) **INTERNATIONAL TERRORISM.**—The term “international terrorism” has the meaning given such term in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(d)), and includes the conduct described in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)), to the extent such conduct involves the citizens of more than one country.

(7) **LUXURY GOODS.**—The term “luxury goods” has the meaning given such term in subpart 746.4 of title 15, Code of Federal Regulations, and includes the items listed in Supplement No. 1 to such regulation, and any similar items.

(8) **MONETARY INSTRUMENT.**—The term “monetary instrument” has the meaning given such term under section 5312 of title 31, United States Code.

(9) **NORTH KOREAN FINANCIAL INSTITUTION.**—The term “North Korean financial institution” means—

(A) a financial institution organized under the laws of North Korea or any jurisdiction within North Korea (including a foreign branch of such institution);

(B) any financial institution located in North Korea, except as may be excluded from such definition by the President in accordance with section 207(d);

(C) any financial institution, wherever located, owned or controlled by the Government of North Korea; and

(D) any financial institution, wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(10) **OTHER STORES OF VALUE.**—The term “other stores of value” means—

(A) prepaid access devices, tangible or intangible prepaid access devices, or other instruments or devices for the storage or transmission of value, as defined in part 1010 of title 31, Code of Federal Regulations; and

(B) any covered goods, as defined in section 1027.100 of title 31, Code of Federal Regulations, and any instrument or tangible or intangible access device used for the storage and transmission of a representation of covered goods, or other device, as defined in section 1027.100 of title 31, Code of Federal Regulations.

(11) **PERSON.**—The term “person” has the meaning given such term in section 510.306 of title 31, Code of Federal Regulations.

(12) **SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY.**—The term “significant activities undermining cyber security” means—

(A) significant efforts to—

(i) deny access to or degrade, disrupt, or destroy an information and communications technology system or network; or

(ii) exfiltrate information from such a system or network without authorization;

(B) significant destructive malware attacks;

(C) significant denial of service activities; or

(D) such other significant activities as may be described in regulations promulgated to implement section 104.

(13) **UNITED STATES PERSON.**—The term “United States person” has the meaning given such term in section 510.311 of title 31, Code of Federal Regulations.

TITLE I—INVESTIGATIONS, PROHIBITED CONDUCT, AND PENALTIES

SEC. 101. STATEMENT OF POLICY.

In order to achieve the peaceful disarmament of North Korea, Congress finds that it is necessary—

(1) to encourage all states to fully and promptly implement United Nations Security Council Resolution 2094 (2013);

(2) to sanction—

(A) persons that facilitate proliferation of weapons of mass destruction, illicit activities, arms trafficking, imports of luxury goods, cash smuggling, censorship, and knowingly engage in significant activities undermining cyber security by the Government of North Korea; and

(B) persons that fail to exercise due diligence to ensure that financial institutions do not facilitate any of the activities described in subparagraph (A) by the Government of North Korea;

(3) to deny the Government of North Korea access to the funds it uses to obtain nuclear weapons, ballistic missiles, offensive cyber capabilities, and luxury goods instead of providing for the needs of its people; and

(4) to enforce sanctions in a manner that avoids any adverse humanitarian impact on the people of North Korea to the extent possible and in a manner that does not unduly constrain the enforcement of such sanctions.

SEC. 102. INVESTIGATIONS.

The President shall initiate an investigation into the possible designation of a person under section 104(a) upon receipt by the President of credible information indicating that such person has engaged in conduct described in section 104(a).

SEC. 103. BRIEFING TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the President shall provide to the appropriate congressional committees a briefing on efforts to implement this Act, to include the following, to the extent the information is available:

(1) The principal foreign assets and sources of foreign income of the Government of North Korea.

(2) A list of the persons designated under subsections (a) and (b) of section 104.

(3) A list of the persons with respect to which sanctions were waived or removed under section 207.

(4) A summary of any diplomatic efforts made in accordance with section 202(b) and of the progress realized from such efforts, including efforts to encourage the European Union and other states and jurisdictions to sanction and block the assets of the Foreign Trade Bank of North Korea and Daedong Credit Bank.

SEC. 104. DESIGNATION OF PERSONS FOR PROHIBITED CONDUCT AND MANDATORY AND DISCRETIONARY DESIGNATION AND SANCTIONS AUTHORITIES.

(a) **PROHIBITED CONDUCT AND MANDATORY DESIGNATION AND SANCTIONS AUTHORITY.**—

(1) **CONDUCT DESCRIBED.**—Except as provided in section 207, the President shall designate under this subsection any person the President determines to—

(A) have knowingly engaged in significant activities or transactions with the Government of North Korea that have materially contributed to the proliferation of weapons of mass destruction or their means of delivery (including missiles capable of delivering such weapons), including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such items;

(B) have knowingly imported, exported, or reexported to, into, or from North Korea any significant arms or related materiel, whether directly or indirectly;

(C) have knowingly provided significant training, advice, or other services or assistance, or engaged in significant transactions, related to the manufacture, maintenance, or use of any arms or related materiel to be imported, exported, or reexported to, into, or from North Korea, or following their importation, exportation, or reexportation to, into, or from North Korea, whether directly or indirectly;

(D) have knowingly, directly or indirectly, imported, exported, or reexported significant luxury goods to or into North Korea;

(E) have knowingly engaged in or been responsible for censorship by the Government of North Korea, including prohibiting, limiting, or penalizing the exercise of freedom of expression or assembly, limiting access to print, radio or other broadcast media, Internet or other electronic communications, or the facilitation or support of intentional frequency manipulation that would jam or restrict an international signal;

(F) have knowingly engaged in or been responsible for serious human rights abuses by the Government of North Korea, including torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, forced labor

or trafficking in persons, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other denial of the right to life, liberty, or the security of a person;

(G) have knowingly, directly or indirectly, engaged in acts of money laundering, the counterfeiting of goods or currency, bulk cash smuggling, narcotics trafficking, or other illicit activity that involves or supports the Government of North Korea or any senior official thereof, whether directly or indirectly; or

(H) have knowingly attempted to engage in any of the conduct described in subparagraphs (A) through (G) of this paragraph.

(2) EFFECT OF DESIGNATION.—With respect to any person designated under this subsection, the President—

(A) shall exercise the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1705 et seq.) to block all property and interests in property of any person designated under this subsection that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any foreign branch; and

(B) may apply any of the sanctions described in sections 204, 205(c), and 206.

(3) PENALTIES.—The penalties provided for in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person who violates, attempts to violate, conspires to violate, or causes a violation of any prohibition provided for in this subsection, or of an order or regulation prescribed under this Act, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act (50 U.S.C. 1705(a)).

(4) DEFINITION.—In paragraph (1)(F), the term “trafficking in persons” has the meaning given the term in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).

(b) DISCRETIONARY DESIGNATION AND SANCTIONS AUTHORITY.—

(1) CONDUCT DESCRIBED.—Except as provided in section 207 and paragraph (3) of this subsection, the President may designate under this subsection any person that the President determines to—

(A) have knowingly engaged in, contributed to, assisted, sponsored, or provided financial, material or technological support for, or goods and services in support of, any violation of, or evasion of, an applicable United Nations Security Council resolution;

(B) have knowingly facilitated the transfer of any funds, financial assets, or economic resources of, or property or interests in property of a person designated under an applicable Executive order, or by the United Nations Security Council pursuant to an applicable United Nations Security Council resolution;

(C) have knowingly facilitated the transfer of any funds, financial assets, or economic resources, or any property or interests in property derived from, involved in, or that has materially contributed to conduct prohibited by subsection (a) or an applicable United Nations Security Council resolution;

(D) have knowingly facilitated any transaction, including any transaction in bulk cash or other stores of value, without applying enhanced monitoring to ensure that such transaction does not contribute materially to conduct described in subsection (a) an applicable Executive order, or an applicable United Nations Security Council resolution;

(E) have knowingly facilitated any transactions in cash or monetary instruments or other stores of value, including through cash couriers transiting to or from North Korea, used to facilitate any conduct prohibited by an applicable United Nations Security Council resolution;

(F) have knowingly, directly or indirectly, engaged in significant activities undermining cyber security for, in support of on behalf of, the Government of North Korea or any senior official thereof, or have knowingly contributed to the bribery of an official of the Government of North Korea, the misappropriation, theft, or embezzlement of public funds by, or for the benefit of, an official of the Government of North Korea, or the use of any proceeds of any such conduct; or

(G) have knowingly and materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services to or in support of, the conduct described in subparagraphs (A) through (F) of this paragraph or the conduct described in subparagraphs (A) through (G) of subsection (a)(1).

(2) EFFECT OF DESIGNATION.—With respect to any person designated under this subsection, the President—

(A) may apply the sanctions described in section 204;

(B) may apply any of the special measures described in section 5318A of title 31, United States Code;

(C) may prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which such person has any interest;

(D) may prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person; and

(E) may exercise the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1705 et seq.) without regard to section 202 of such Act to block any property and interests in property of any person designated under this subsection that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any foreign branch.

(3) LIMITATION.—If the President determines that a person has engaged in any conduct described in subparagraphs (A) through (F) of paragraph (1) that may also be construed to constitute conduct described in subparagraphs (A) through (H) of subsection (a)(1), the President may not designate the person under this subsection but rather shall designate the person under subsection (a).

(c) BLOCKING OF ALL PROPERTY AND INTERESTS IN PROPERTY OF THE GOVERNMENT OF NORTH KOREA AND THE WORKER'S PARTY OF KOREA.—Except as provided in section 207, the President shall exercise the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1705 et seq.) to block all property and interests in property of the Government of North Korea or the Worker's Party of Korea that on or after the date of the enactment of this Act come within the United States, or that come within the possession or control of any United States person, including any foreign branch.

(d) APPLICATION.—The designation of a person under subsection (a) or (b) and the blocking of property and interests in property under subsection (c) shall also apply with re-

spect to a person who is determined to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this section.

(e) LICENSING.—

(1) LICENSE REQUIRED.—Not later than 180 days after the date of enactment of this Act, the President shall promulgate regulations prohibiting United States persons from engaging in any transaction involving any property or services—

(A) in which the Government of North Korea has an interest;

(B) located in North Korea;

(C) of North Korean origin; or

(D) knowingly transferred, directly or indirectly, to the Government of North Korea.

(2) TRANSACTION LICENSING.—The President shall deny or revoke any license for any transaction that, in the determination of the President, lacks sufficient financial controls to ensure that such transaction will not facilitate any of the conduct described in subsection (a) or subsection (b).

(3) LICENSING AUTHORIZATION.—The President may issue regulations to authorize—

(A) transactions for the purposes described in section 207; and

(B) transactions and activities authorized under North Korean Human Rights Act of 2004 (22 U.S.C. 7801 et seq.).

SEC. 105. FORFEITURE OF PROPERTY.

(a) AMENDMENT TO PROPERTY SUBJECT TO FORFEITURE.—Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following new subparagraph:

“(I) Any property, real or personal, that is involved in a violation or attempted violation, or which constitutes or is derived from proceeds traceable to a violation, of section 104(a) of the North Korea Sanctions Enforcement Act of 2016.”.

(b) AMENDMENT TO DEFINITION OF CIVIL FORFEITURE STATUTE.—Section 983(i)(2)(D) of title 18, United States Code, is amended—

(1) by striking “or the International Emergency Economic Powers Act” and inserting “, the International Emergency Economic Powers Act”; and

(2) by adding at the end before the semicolon the following: “, or the North Korea Sanctions Enforcement Act of 2016”.

(c) AMENDMENT TO DEFINITION OF SPECIFIED UNLAWFUL ACTIVITY.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(1) by striking “or section 92 of the Atomic Energy Act of 1954” and inserting “section 92 of the Atomic Energy Act of 1954”; and

(2) by adding at the end the following: “, or section 104(a) of the North Korea Sanctions Enforcement Act of 2016”.

TITLE II—SANCTIONS AGAINST NORTH KOREAN PROLIFERATION, HUMAN RIGHTS ABUSES, ILLICIT ACTIVITIES, AND SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY

SEC. 201. DETERMINATIONS WITH RESPECT TO NORTH KOREA AS A JURISDICTION OF PRIMARY MONEY LAUNDERING CONCERN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Undersecretary of the Treasury for Terrorism and Financial Intelligence, who is responsible for safeguarding the financial system against illicit use, money laundering, terrorist financing, and the proliferation of weapons of mass destruction, has repeatedly expressed concern about North Korea's misuse of the international financial system as follows:

(A) In 2006, the Undersecretary stated that, given North Korea's “counterfeiting of U.S.

currency, narcotics trafficking and use of accounts worldwide to conduct proliferation-related transactions, the line between illicit and licit North Korean money is nearly invisible” and urged financial institutions worldwide to “think carefully about the risks of doing any North Korea-related business.”

(B) In 2011, the Undersecretary stated that “North Korea remains intent on engaging in proliferation, selling arms as well as bringing in material,” and was “aggressively pursuing the effort to establish front companies.”

(C) In 2013, the Undersecretary stated, in reference to North Korea’s distribution of high-quality counterfeit United States currency, that “North Korea is continuing to try to pass a supernote into the international financial system,” and that the Department of the Treasury would soon introduce new currency with improved security features to protect against counterfeiting by the Government of North Korea.

(2) The Financial Action Task Force, an intergovernmental body whose purpose is to develop and promote national and international policies to combat money laundering and terrorist financing, has repeatedly—

(A) expressed concern at deficiencies in North Korea’s regimes to combat money laundering and terrorist financing;

(B) urged North Korea to adopt a plan of action to address significant deficiencies in these regimes and the serious threat they pose to the integrity of the international financial system;

(C) urged all jurisdictions to apply countermeasures to protect the international financial system from ongoing and substantial money laundering and terrorist financing risks emanating from North Korea;

(D) urged all jurisdictions to advise their financial institutions to give special attention to business relationships and transactions with North Korea, including North Korean companies and financial institutions; and

(E) called on all jurisdictions to protect against correspondent relationships being used to bypass or evade countermeasures and risk mitigation practices, and take into account money laundering and terrorist financing risks when considering requests by North Korean financial institutions to open branches and subsidiaries in their jurisdiction.

(3) On March 7, 2013, the United Nations Security Council unanimously adopted Resolution 2094, which—

(A) welcomed the Financial Action Task Force’s recommendation on financial sanctions related to proliferation, and its guidance on the implementation of sanctions;

(B) decided that Member States should apply enhanced monitoring and other legal measures to prevent the provision of financial services or the transfer of property that could contribute to activities prohibited by applicable United Nations Security Council resolutions; and

(C) called on Member States to prohibit North Korean banks from establishing or maintaining correspondent relationships with banks in their jurisdictions, to prevent the provision of financial services, if they have information that provides reasonable grounds to believe that these activities could contribute to activities prohibited by an applicable United Nations Security Council resolution, or to the evasion of such prohibitions.

(b) SENSE OF CONGRESS REGARDING THE DESIGNATION OF NORTH KOREA AS A JURISDIC-

TION OF PRIMARY MONEY LAUNDERING CONCERN.—Congress—

(1) acknowledges the efforts of the United Nations Security Council to impose limitations on, and require enhanced monitoring of, transactions involving North Korean financial institutions that could contribute to sanctioned activities;

(2) urges the President, in the strongest terms, to immediately designate North Korea as a jurisdiction of primary money laundering concern, and to adopt stringent special measures to safeguard the financial system against the risks posed by North Korea’s willful evasion of sanctions and its illicit activities; and

(3) urges the President to seek the prompt implementation by other states of enhanced monitoring and due diligence to prevent North Korea’s misuse of the international financial system, including by sharing information about activities, transactions, and property that could contribute to activities sanctioned by applicable United Nations Security Council resolutions, or to the evasion of sanctions.

(c) DETERMINATIONS REGARDING NORTH KOREA.—

(1) IN GENERAL.—The Secretary of the Treasury shall, not later than 180 days after the date of the enactment of this Act, determine, in consultation with the Secretary of State and Attorney General, and in accordance with section 5318A of title 31, United States Code, whether reasonable grounds exist for concluding that North Korea is a jurisdiction of primary money laundering concern.

(2) SPECIAL MEASURES.—If the Secretary of the Treasury determines under this subsection that reasonable grounds exist for finding that North Korea is a jurisdiction of primary money laundering concern, the Secretary of the Treasury, in consultation with the Federal functional regulators, shall impose one or more of the special measures described in paragraphs (1) through (5) of section 5318A(b) of title 31, United States Code, with respect to the jurisdiction of North Korea.

(3) REPORT REQUIRED.—

(A) IN GENERAL.—If the Secretary of the Treasury determines that North Korea is a jurisdiction of primary money laundering concern, the Secretary of the Treasury shall, not later than 90 days after the date on which the Secretary makes such determination, submit to the appropriate congressional committees a report on the determination made under paragraph (1) together with the reasons for that determination.

(B) FORM.—A report or copy of any report submitted under this paragraph shall be submitted in unclassified form but may contain a classified annex.

SEC. 202. ENSURING THE CONSISTENT ENFORCEMENT OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS AND FINANCIAL RESTRICTIONS ON NORTH KOREA.

(a) FINDINGS.—Congress finds that—

(1) all states and jurisdictions are obligated to implement and enforce applicable United Nations Security Council resolutions fully and promptly, including by—

(A) blocking the property of, and ensuring that any property is prevented from being made available to, persons designated by the Security Council under applicable United Nations Security Council resolutions;

(B) blocking any property associated with an activity prohibited by applicable United Nations Security Council resolutions; and

(C) preventing any transfer of property and any provision of financial services that could

contribute to an activity prohibited by applicable United Nations Security Council resolutions, or to the evasion of sanctions under such resolutions;

(2) all states and jurisdictions share a common interest in protecting the international financial system from the risks of money laundering and illicit transactions emanating from North Korea;

(3) the United States Dollar and the Euro are the world’s principal reserve currencies, and the United States and the European Union are primarily responsible for the protection of the international financial system from these risks;

(4) the cooperation of the People’s Republic of China, as North Korea’s principal trading partner, is essential to the enforcement of applicable United Nations Security Council resolutions and to the protection of the international financial system;

(5) the report of the Panel of Experts established pursuant to United Nations Security Council Resolution 1874, dated June 11, 2013, expressed concern about the ability of banks in states with less effective regulators and those unable to afford effective compliance to detect and prevent illicit transfers involving North Korea;

(6) North Korea has historically exploited inconsistencies between jurisdictions in the interpretation and enforcement of financial regulations and applicable United Nations Security Council resolutions to circumvent sanctions and launder the proceeds of illicit activities;

(7) Amrogang Development Bank, Bank of East Land, and Tanchon Commercial Bank have been designated by the Secretary of the Treasury, the United Nations Security Council, and the European Union;

(8) Korea Daesong Bank and Korea Kwangson Banking Corporation have been designated by the Secretary of the Treasury and the European Union;

(9) the Foreign Trade Bank of North Korea has been designated by the Secretary of the Treasury for facilitating transactions on behalf of persons linked to its proliferation network, and for serving as “a key financial node”; and

(10) Daedong Credit Bank has been designated by the Secretary of the Treasury for activities prohibited by applicable United Nations Security Council resolutions, including the use of deceptive financial practices to facilitate transactions on behalf of persons linked to North Korea’s proliferation network.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should intensify diplomatic efforts, both in appropriate international fora such as the United Nations and bilaterally, to develop and implement a coordinated, consistent, multilateral strategy for protecting the global financial system against risks emanating from North Korea, including—

(1) the cessation of any financial services whose continuation is inconsistent with applicable United Nations Security Council resolutions;

(2) the cessation of any financial services to persons, including financial institutions, that present unacceptable risks of facilitating money laundering and illicit activity by the Government of North Korea;

(3) the blocking by all states and jurisdictions, in accordance with the legal process of the state or jurisdiction in which the property is held, of any property required to be blocked under applicable United Nations Security Council resolutions;

(4) the blocking of any property derived from illicit activity, from significant activities undermining cyber security, from the misappropriation, theft, or embezzlement of public funds by, or for the benefit of, officials of the Government of North Korea;

(5) the blocking of any property involved in significant activities undermining cyber security by the Government of North Korea, directly or indirectly, against United States persons, or the theft of intellectual property by the Government of North Korea, directly or indirectly from United States persons; and

(6) the blocking of any property of persons directly or indirectly involved in censorship or human rights abuses by the Government of North Korea.

SEC. 203. PROLIFERATION PREVENTION SANCTIONS.

(a) EXPORT OF CERTAIN GOODS OR TECHNOLOGY.—

(1) IN GENERAL.—Subject to section 207(a)(2)(C) of this Act, a license shall be required for the export to North Korea of any goods or technology subject to the Export Administration Regulations (part 730 of title 15, Code of Federal Regulations) without regard to whether the Secretary of State has designated North Korea as a country the government of which has provided support for acts of international terrorism, as determined by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2045), as continued in effect under the International Emergency Economic Powers Act.

(2) PRESUMPTION OF DENIAL.—A license for the export to North Korea of any goods or technology as described in paragraph (1) shall be subject to a presumption of denial.

(b) TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.—

(1) ARMS EXPORT CONTROL ACT PROHIBITIONS.—The prohibitions and restrictions described in section 40 of the Arms Export Control Act (22 U.S.C. 2780), and other provisions provided for in that Act, shall also apply to exporting or otherwise providing (by sale, lease or loan, grant, or other means), directly or indirectly, any munitions item to the Government of North Korea without regard to whether or not North Korea is a country with respect to which subsection (d) of such section (relating to designation of state sponsors of terrorism) applies.

(2) FINANCIAL TRANSACTIONS.—Except as provided in section 207 of this Act and the North Korean Human Rights Act of 2004 (22 U.S.C. 7801 et seq.), the penalties provided for in section 2332d of title 18, United States Code, shall apply to a United States person that engages in a financial transaction with the Government of North Korea on or after the date of the enactment of this Act to the same extent that such penalties apply to a United States citizen that commits an unlawful act described in section 2332d of title 18, United States Code.

(c) TRANSACTIONS IN LETHAL MILITARY EQUIPMENT.—

(1) IN GENERAL.—The President shall withhold assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to any country that provides lethal military equipment to, or receives lethal military equipment from, the Government of North Korea.

(2) APPLICABILITY.—The prohibition under this subsection with respect to a country shall terminate on the date that is 1 year after the date on which such country ceases to provide lethal military equipment to the Government of North Korea.

(3) WAIVER.—The President may, on a case-by-case basis, waive the prohibition under this subsection with respect to a country for a period of not more than 180 days, and may renew the waiver for additional periods of not more than 180 days, if the President determines and so reports to the appropriate congressional committees that it is vital to the national security interests of the United States to exercise such waiver authority.

SEC. 204. PROCUREMENT SANCTIONS.

(a) IN GENERAL.—Except as provided in this section, the United States Government may not procure, or enter into any contract for the procurement of, any goods or services from any designated person.

(b) FAR.—The Federal Acquisition Regulation issued pursuant to section 1303 of title 41, United States Code, shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any of the conduct described in subsection (a) or (b) of section 104. Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) TERMINATION OF CONTRACTS AND INITIATION OF SUSPENSION AND DEBARMENT PROCEEDING.—

(1) TERMINATION OF CONTRACTS.—Except as provided in paragraph (2), the head of an executive agency shall terminate a contract with a person who has provided a false certification under subsection (b).

(2) WAIVER.—The head of an executive agency may waive the requirement under paragraph (1) with respect to a person based upon a written finding of urgent and compelling circumstances significantly affecting the interests of the United States. If the head of an executive agency waives the requirement under paragraph (1) for a person, the head of the agency shall submit to the appropriate congressional committees, within 30 days after the waiver is made, a report containing the rationale for the waiver and relevant information supporting the waiver decision.

(3) INITIATION OF SUSPENSION AND DEBARMENT PROCEEDING.—The head of an executive agency shall initiate a suspension and debarment proceeding against a person who has provided a false certification under subsection (b). Upon determination of suspension, debarment, or proposed debarment, the agency shall ensure that such person is entered into the Governmentwide database containing the list of all excluded parties ineligible for Federal programs pursuant to Executive Order No. 12549 (31 U.S.C. 6101 note; relating to debarment and suspension) and Executive Order No. 12689 (31 U.S.C. 6101 note; relating to debarment and suspension).

(d) CLARIFICATION REGARDING CERTAIN PRODUCTS.—The remedies specified in subsections (a) through (c) shall not apply with respect to the procurement of eligible products, as defined in section 308(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of such Act (19 U.S.C. 2511(b)).

(e) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under subsection (b).

(f) EXECUTIVE AGENCY DEFINED.—In this section, the term “executive agency” has the

meaning given such term in section 133 of title 41, United States Code.

SEC. 205. ENHANCED INSPECTIONS AUTHORITIES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, acting through the Secretary of Homeland Security, shall submit to the appropriate congressional committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a report identifying foreign sea ports and airports whose inspections of ships, aircraft, and conveyances originating in North Korea, carrying North Korean property, or operated by the Government of North Korea are deficient to effectively prevent the facilitation of any of the activities described in section 104(a).

(b) ENHANCED SECURITY TARGETING REQUIREMENTS.—Not later than 180 days after the identification of any sea port or airport pursuant to subsection (a), the Secretary of Homeland Security shall, utilizing the Automated Targeting System operated by the National Targeting Center in U.S. Customs and Border Protection, require enhanced screening procedures to determine if physical inspections are warranted of any cargo bound for or landed in the United States that has been transported through such sea port or airport if there are reasonable grounds to believe that such cargo contains goods prohibited under this Act.

(c) SEIZURE AND FORFEITURE.—A vessel, aircraft, or conveyance used to facilitate any of the activities described in section 104(a) that comes within the jurisdiction of the United States may be seized and forfeited under chapter 46 of title 18, United States Code, or under the Tariff Act of 1930.

SEC. 206. TRAVEL SANCTIONS.

(a) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(1) VISAS, ADMISSION, OR PAROLE.—An alien (or an alien who is a corporate officer of a person) who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reasonable grounds to believe, is described in subsection (a)(1) or (b)(1) of section 104 is—

- (A) inadmissible to the United States;
- (B) ineligible to receive a visa or other documentation to enter the United States; and
- (C) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) CURRENT VISAS REVOKED.—

(A) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall revoke any visa or other entry documentation issued to an alien who is described in subsection (a)(1) or (b)(1) of section 104 regardless of when issued.

(B) EFFECT OF REVOCATION.—A revocation under subparagraph (A)—

- (i) shall take effect immediately; and
- (ii) shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(b) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (a)(1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21,

1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 207. EXEMPTIONS, WAIVERS, AND REMOVALS OF DESIGNATION.

(a) EXEMPTIONS.—

(1) MANDATORY EXEMPTIONS.—The following activities shall be exempt from sanctions under section 104:

(A) Activities subject to the reporting requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.), or to any authorized intelligence activities of the United States.

(B) Any transaction necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force on November 21, 1947, or under the Vienna Convention on Consular Relations, signed April 24, 1963, and entered into force on March 19, 1967, or under other international agreements.

(2) DISCRETIONARY EXEMPTIONS.—The following activities may be exempt from sanctions under section 104 as determined by the President:

(A) Any financial transaction the exclusive purpose for which is to provide humanitarian assistance to the people of North Korea.

(B) Any financial transaction the exclusive purpose for which is to import food products into North Korea, if such food items are not defined as luxury goods.

(C) Any transaction the exclusive purpose for which is to import agricultural products, medicine, or medical devices into North Korea, provided that such supplies or equipment are classified as designated “EAR 99” under the Export Administration Regulations (part 730 of title 15, Code of Federal Regulations) and not controlled under—

(i) the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.), as continued in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(ii) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(iii) part B of title VIII of the Nuclear Proliferation Prevention Act of 1994 (22 U.S.C. 6301 et seq.); or

(iv) the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.).

(b) WAIVER.—The President may waive, on a case-by-case basis, the imposition of sanctions for a period of not more than one year, and may renew that waiver for additional periods of not more than one year, any sanction or other measure under section 104, 204, 205, 206, or 303 if the President submits to the appropriate congressional committees a written determination that the waiver meets one or more of the following requirements:

(1) The waiver is important to the economic or national security interests of the United States.

(2) The waiver will further the enforcement of this Act or is for an important law enforcement purpose.

(3) The waiver is for an important humanitarian purpose, including any of the purposes described in section 4 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7802).

(c) REMOVALS OF SANCTIONS.—The President may prescribe rules and regulations for the removal of sanctions on a person that is designated under subsection (a) or (b) of section 104 and the removal of designations of a person with respect to such sanctions if the President determines that the designated person has verifiably ceased its participation in any of the conduct described in subsection

(a) or (b) of section 104, as the case may be, and has given assurances that it will abide by the requirements of this Act.

(d) FINANCIAL SERVICES FOR CERTAIN ACTIVITIES.—The President may promulgate regulations, rules, and policies as may be necessary to facilitate the provision of financial services by a foreign financial institution that is not controlled by the Government of North Korea in support of the activities subject to exemption under this section.

SEC. 208. REPORT ON THOSE RESPONSIBLE FOR KNOWINGLY ENGAGING IN SIGNIFICANT ACTIVITIES UNDERMINING CYBER SECURITY.

(a) IN GENERAL.—The President shall submit to the appropriate congressional committees a report on significant activities undermining cyber security conducted, or otherwise ordered or controlled, directly or indirectly, by the Government of North Korea, including—

(1) the identity and nationality of persons that have knowingly engaged in, directed, or provided material support to significant activities undermining cyber security by the Government of North Korea;

(2) the conduct engaged in by each person identified;

(3) the extent to which a foreign government has provided material support to significant activities undermining cyber security conducted, or otherwise ordered or controlled by, the Government of North Korea; and

(4) the efforts made by the United States to engage foreign governments to halt the capability of North Korea to conduct significant activities undermining cyber security.

(b) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required under subsection (a) shall be submitted not later than 90 days after the date of enactment of this Act, and every 180 days thereafter for a period not to exceed 3 years.

(2) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

SEC. 209. SENSE OF CONGRESS THAT TRI-LATERAL COOPERATION AMONG THE UNITED STATES, JAPAN, AND THE REPUBLIC OF KOREA IS CRUCIAL TO THE STABILITY OF THE ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress finds the following:

(1) The United States, Japan, and the Republic of Korea (South Korea) share the values of democracy, free and open markets, the rule of law, and respect for human rights.

(2) The alliance relationship between the United States, Japan, and South Korea are critical to peace and security in the Asia-Pacific region.

(3) The United States, Japan, and South Korea are committed to continuing diplomatic efforts to ensure continued peace and stability in the Asia-Pacific region.

(4) On December 28, 2014, the United States, Japan, and South Korea finalized a trilateral military intelligence-sharing arrangement concerning the nuclear and missile threats posed by North Korea.

(5) The trilateral military intelligence-sharing arrangement reinforces and strengthens the commitment between the United States, Japan, and South Korea toward a Korean Peninsula free of nuclear weapons.

(b) SENSE OF CONGRESS.—It is the sense of Congress that North Korea’s nuclear and ballistic missile programs are of mutual concern to the United States, Japan, and South Korea and a trilateral military intelligence-

sharing arrangement is essential to the security of each nation and the Asia-Pacific region.

SEC. 210. REPORT ON NUCLEAR PROGRAM CO-OPERATION BETWEEN NORTH KOREA AND IRAN.

(a) IN GENERAL.—The President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on cooperation between North Korea and Iran on their nuclear programs, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information between North Korea and Iran on their respective nuclear programs.

(b) SUBMISSION AND FORM.—

(1) SUBMISSION.—The report required under subsection (a) shall be submitted not later than 90 days after the date of enactment of this Act.

(2) FORM.—The report required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

TITLE III—PROMOTION OF HUMAN RIGHTS

SEC. 301. INFORMATION TECHNOLOGY.

Section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended—

(1) in subsection (a), by striking “radios capable of receiving broadcasting” and inserting “radio, Internet, and electronic mass communications capable of receiving content”; and

(2) by adding after subsection (c) the following new subsection:

“(d) INFORMATION TECHNOLOGY STUDY.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall submit to the appropriate congressional committees a report setting forth a detailed plan for making unrestricted, unmonitored, and inexpensive, radio, Internet, and electronic mass communications available to the people of North Korea.

“(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.”.

SEC. 302. REPORT ON NORTH KOREAN PRISON CAMPS.

(a) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees a report describing, with respect to each political prison camp in North Korea to the extent information is available—

(1) the camp’s estimated prisoner population;

(2) the camp’s geographical coordinates;

(3) the reasons for confinement of the prisoners;

(4) the camp’s primary industries and products, and the end users of any goods produced in such camp;

(5) the natural persons and agencies responsible for conditions in the camp;

(6) the conditions under which prisoners are confined, with respect to the adequacy of food, shelter, medical care, working conditions, and reports of ill-treatment of prisoners; and

(7) imagery, to include satellite imagery of each such camp, in a format that, if published, would not compromise the sources and methods used by the intelligence agencies of the United States to capture geospatial imagery.

(b) FORM.—The report required under subsection (a) may be included in the first report required to be submitted to Congress

after the date of the enactment of this Act under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) (relating to the annual human rights report).

SEC. 303. REPORT ON PERSONS WHO ARE RESPONSIBLE FOR SERIOUS HUMAN RIGHTS ABUSES OR CENSORSHIP IN NORTH KOREA.

(a) **IN GENERAL.**—The Secretary of State shall submit to the appropriate congressional committees a report that contains an identification of each person the Secretary determines to be responsible for serious human rights abuses or censorship in North Korea and a description of such abuses or censorship engaged in by such person. The report shall include a description of actions taken by the Department of State to implement or support the recommendations of the Commission of Inquiry's Report on Human Rights in the Democratic People's Republic of North Korea, including efforts to press China and other countries to implement Commission recommendations.

(b) **CONSIDERATION.**—In preparing the report required under subsection (a), the Secretary of State shall give due consideration to the findings of the United Nations Commission of Inquiry on Human Rights in North Korea, and shall make specific findings with respect to the responsibility of Kim Jong Un, and of each natural person who is a member of the National Defense Commission of North Korea, or the Organization and Guidance Department of the Workers' Party of Korea, for serious human rights abuses and censorship.

(c) **DESIGNATION OF PERSONS.**—The President shall designate under section 104(a) any person listed in the report required under subsection (a) as responsible for serious human rights abuses or censorship in North Korea.

(d) **SUBMISSION AND FORM.**—

(1) **SUBMISSION.**—The report required under subsection (a) shall be submitted not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed 3 years, shall be included in each report required under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) (relating to the annual human rights report).

(2) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex. The Secretary of State shall also publish the unclassified part of the report on the Department of State's Web site.

TITLE IV—GENERAL AUTHORITIES

SEC. 401. SUSPENSION OF SANCTIONS AND OTHER MEASURES.

(a) **IN GENERAL.**—Any sanction or other measure provided for in title I (or any amendment made by title I) or title II may be suspended for up to 365 days upon certification by the President to the appropriate congressional committees that the Government of North Korea has—

(1) verifiably ceased its counterfeiting of United States currency, including the surrender or destruction of specialized materials and equipment used for or particularly suitable for counterfeiting;

(2) taken significant steps toward financial transparency to comply with generally accepted protocols to cease and prevent the laundering of monetary instruments;

(3) taken significant steps toward verification of its compliance with United Nations Security Council Resolutions 1695, 1718, 1874, 2087, and 2094;

(4) taken significant steps toward accounting for and repatriating the citizens of other

countries abducted or unlawfully held captive by the Government of North Korea or detained in violation of the 1953 Armistice Agreement;

(5) accepted and begun to abide by internationally recognized standards for the distribution and monitoring of humanitarian aid;

(6) provided credible assurances that it will not support further acts of international terrorism;

(7) taken significant and verified steps to improve living conditions in its political prison camps; and

(8) made significant progress in planning for unrestricted family reunification meetings, including for those individuals among the two million strong Korean-American community who maintain family ties with relatives in North Korea.

(b) **RENEWAL OF SUSPENSION.**—The suspension described in subsection (a) may be renewed for additional consecutive periods of 180 days upon certification by the President to the appropriate congressional committees that the Government of North Korea has continued to comply with the conditions described in subsection (a) during the previous year.

SEC. 402. TERMINATION OF SANCTIONS AND OTHER MEASURES.

Any sanction or other measure provided for in title I (or any amendment made by title I) or title II shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of North Korea has met the requirements of section 401, and has also—

(1) completely, verifiably, and irreversibly dismantled all of its nuclear, chemical, biological, and radiological weapons programs, including all programs for the development of systems designed in whole or in part for the delivery of such weapons;

(2) released all political prisoners, including the citizens of North Korea detained in North Korea's political prison camps;

(3) ceased its censorship of peaceful political activity;

(4) taken significant steps toward the establishment of an open, transparent, and representative society;

(5) fully accounted for and repatriated all citizens of all nations abducted or unlawfully held captive by the Government of North Korea or detained in violation of the 1953 Armistice Agreement; and

(6) agreed with the Financial Action Task Force on a plan of action to address deficiencies in its anti-money laundering regime and begun to implement this plan of action.

SEC. 403. AUTHORITY TO CONSOLIDATE REPORTS.

Any or all reports required to be submitted to appropriate congressional committees under this Act or any amendment made by this Act that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report that is submitted to appropriate congressional committees pursuant to such deadline.

SEC. 404. REGULATIONS.

(a) **IN GENERAL.**—The President is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this Act (which may include regulatory exceptions), including under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704).

(b) **RULE OF CONSTRUCTION.**—Nothing in this Act or any amendment made by this Act

shall be construed to limit the authority of the President pursuant to an applicable Executive order or otherwise pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

SEC. 405. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act.

SEC. 406. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, I appreciate Leader MCCARTHY working with myself, working with Ranking Member ELIOT ENGEL of New York to schedule this legislation for floor consideration.

Last week, North Korea conducted its fourth known nuclear test. The Kim regime has developed increasingly destructive weapons.

What we are concerned about here is the miniaturization of nuclear warheads that fit onto its most reliable missiles. We are also concerned about the submarine tests for firing from a sub these missiles that would be capable of launching those devices. We are concerned about the ongoing efforts to make certain that they have got the range now on a three-stage rocket, ICBM, to hit the United States. This threat is unacceptable, and it has to be aggressively challenged.

The legislation that we are considering here is the most comprehensive North Korea sanctions legislation to come before this body. Importantly, what this bill does is use targeted financial and economic pressure to isolate Kim Jong-un and his top officials from the assets that they maintain in foreign banks and from the hard currency that sustains their rule.

These assets are derived primarily from illicit activities, such as counterfeiting U.S. currency, something that North Korea has been caught doing with hundred-dollar bank notes, such as selling their missile systems around the world, contraband in cigarettes, drugs, and other illicit activities. And all of that is used to advance North Korea's nuclear program.

They also pay for the luxurious lifestyle of the ruling elites, as we have

seen in some of the exposés that come out of North Korea, and it is used to repress the people. In other words, the money from that hard currency pays for the generals, pays for the secret police, pays for the missile program and the nuclear weapons program.

A strategy of financial pressure is the approach we took a decade ago when the previous administration targeted Banco Delta Asia. That was a Macao-based bank. This was in 2005. They were targeted for their role in laundering money for North Korea, and this cut it off from the financial system, really. This led other banks in the region to shun North Korean business, because when the option is out there between whether or not you are going to bank with North Korea or bank with the U.S. and the rest of the world, it is a fairly easy choice for these banks to make. At that point, they freeze the accounts, and that, obviously, isolates the regime.

At that time, according to one former top U.S. official who was speaking to the issue of what the North Koreans would say when they would come into the meetings with the State Department, at every conversation we had with the North Koreans, he said, every one of them began and ended with the same question: "When do we get our money back?"

Now, the part that got my interest at the time was not only the report that, because he couldn't pay his generals, there were problems for the regime—it is not a good position for a dictator to be in—but also that missile production lines had come to a halt because they couldn't buy on the black market; they didn't have the hard currency anymore to do it, the parts that they needed for their programs.

Unfortunately, the pressure at the time was lifted. I think it was lifted prematurely for certain because the representation was made that Kim Jong Il was going to make concessions on his nuclear program, concessions that ultimately were never made. From my standpoint, what a mistake. From the standpoint of the people I talk to over at Treasury, what a mistake. They had a different vision on how those sanctions should be maintained.

Today, the Obama administration has let its North Korea policy drift. A year ago, it promised a proportional response to the massive cyber terrorist attack against the United States. But to date, the administration's response has been dangerously weak. A mere 18 low-level arms dealers have been sanctioned. That has been it. Failing to respond to North Korea's belligerence, I think, only emboldens their leader.

Disrupting North Korea's illicit activities will place tremendous strain on that country's ruling elite who have so brutalized the people of North Korea. I spoke to the defector who used to run

their propaganda machinery about this. He defected through China. And he discussed this issue. He said: Look, that hard currency goes, not to the people; it goes for the military apparatus and the political apparatus of the regime. So we have got to go after those illicit activities like we went after organized crime in the United States: identify the network, interdict shipments, disrupt the flow of money.

North Korea, after all, has been called a "gangster regime." You have seen that term in the press. Well, it is pretty apt. This regime is a critical threat, frankly, to our national security. Under this bill's framework, anyone laundering money, counterfeiting goods, smuggling, or trafficking narcotics will be subject to significant sanctions.

It is also important to remember the deplorable state of human rights in North Korea. Two years ago, a U.N. Commission of Inquiry released the most comprehensive report on North Korea to date, finding that the Kim regime "has for decades," in their words, "pursued policies involving crimes that shock the conscience of humanity." So this bill requires the State Department to use this report's findings to identify the individuals responsible for these abuses and to press for more ways in which to get information into North Korea so as to move the attitudes of the population inside the country.

Mr. Speaker, a return to the strategy of effective financial pressure on North Korea is our best bet to end North Korea's threat to its own people, to our South Korean allies, and ultimately to us.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
Washington, DC, February 26, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 757, the North Korea Sanctions Enforcement Act of 2015. As you know, the Committee on Foreign Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on February 5, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 757 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Foreign Affairs, as well as in the Congress-

sional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 8, 2016.

Hon. JASON CHAFFETZ,
Chairman, House Committee on Oversight and
Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 29, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 757, the "North Korea Sanctions Enforcement Act of 2015." As a result of your having consulted with us on provisions in H.R. 757 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 757 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 4, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Ways and Means, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, January 7, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, D.C.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 757, the "North Korea Sanctions Enforcement Act of 2015," which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H.R. 757 that fall within the rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 757 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 757, and would ask that a copy of our exchange of letters on this matter be included in the CONGRESSIONAL RECORD during Floor consideration of H.R. 757.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 4, 2015.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Af-

fairs on H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, January 8, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and H.R. 3662, the Iran Terror Finance Transparency Act, both of which were referred to the Committee on Financial Services in addition to your Committee.

As a result of your having consulted with the Committee on Financial Services concerning provisions of the bills that fall within our Rule X jurisdiction, I agree to discharge our Committee from further consideration of the bills so that they may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 757 and H.R. 3662 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 757 and H.R. 3662 and would ask that a copy of our exchange of letters on this matter be included in your Committee's report to accompany the legislation and in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 8, 2016.

Hon. JEB HENSARLING,
Chairman, House Committee on Financial Services,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Financial Services, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 757 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure.

I want to first thank our chairman of the Foreign Affairs Committee, ED ROYCE, for authoring this very good, bipartisan bill. I am very pleased to be the lead Democratic cosponsor. I think this is an important bill, and it ties in with what we have tried to do for these past years on the Foreign Affairs Committee, being bipartisan and letting politics stop at the water's edge when we are talking about international affairs.

Mr. Speaker, last week's nuclear test in North Korea was a stark reminder of just how dangerous the Kim regime is. A nuclear weapon in the hands of a rogue power is a threat to peace and stability around the world. North Korea continues to have a destabilizing influence on the peninsula and across the region, and the potential for nuclear fuel from North Korea to end up on the black market in the hands of violent extremists only compounds the threat.

Yet, despite the burden of some of the toughest sanctions imaginable, despite constant pressure from the global community, despite the increasing isolation of North Korea from the rest of the world, leaders in Pyongyang persist on this dangerous and destabilizing course.

The latest test demands a response. We need to work with our allies, particularly South Korea and Japan. We need to make sure this issue is at the top of the agenda in our engagement with China. China can have a lot of influence and does have a lot of influence over North Korea. We need to act unilaterally to make clear to the North Koreans that their actions have consequences.

This bill would broaden our sanctions and strengthen enforcement. Let me say I am very proud, again, in a bipartisan way, this bill passed unanimously out of the Foreign Affairs Committee.

North Korea has become more and more savvy at evading sanctions, and that is why this bill broadens our sanctions. The country's elites do business with shell companies and cover up the

money trail. This allows hard currency to flow into North Korea. This bill would crack down on this practice and go after anyone helping prop up the Kim regime through these illegal activities.

I must say that I have been to North Korea twice, to Pyongyang twice. We watched in the morning when people were going to work. The elites do very well there. It is just the rest of the country that is starving.

This bill would include the important exceptions for the humanitarian aid that benefits the North Korean people. We help them with food aid. We are the most generous country with feeding North Korea. It is important to point this out because our quarrel is not with the North Korean people. It is with the despot and his aides that run North Korea.

We know that the people of North Korea endure deplorable treatment at the hands of a corrupt regime. I can tell you the country's citizens deserve much, much better. That is why we will keep up the pressure on North Korea's leaders and that is why we need to pass this legislation.

I urge a "yes" vote.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman for yielding.

I rise in strong support of H.R. 757, the North Korea Sanctions Enforcement Act of 2016.

Mr. Speaker, there is a compelling need to pass tough and effective legislation to freeze the assets of the Kim Jong-un regime.

I want to commend Chairman ROYCE for his long and hard work on North Korea and his determination to bring this bill to the floor. I again thank Ranking Member ELIOT ENGEL for his good, strong sense of bipartisanship. This is a one-two punch against a cruel dictatorship, and this legislation has to get to the President as soon as possible.

Mr. Speaker, whether it be North Korea or Iran, when will we learn the hard lesson that totalitarian states do not negotiate in good faith, cannot be trusted to hold up their end of the bargain, and use our goodwill and our foreign capital to keep on proliferating? They will not allow intrusive inspections because they cheat and because it weakens their status at home. They use nuclear weapons negotiations to enhance their own diplomatic status and to gain concessions.

In the end, nuclear negotiations earn rogue nations like Iran and North Korea foreign capital and other invest-

ments from the West. They use that to fund additional missile technology, to fund criminal and terrorist activities, and to continue with clandestine nuclear programs.

During the Bush administration, the most effective tools in bringing the North Korea dictatorship to heel were the freezing of its assets in the Banco Delta Asia in Macao and the building of an international coalition to interdict suspect North Korea shipping. These should be our priorities now, especially in the shadow of North Korea's nuclear tests, by imposing mandatory sanctions on the perpetrators of human rights abuses, censorship, arms and human trafficking, money laundering, as well proliferation.

Nearly 2 years ago, the U.N. Commission of Inquiry reported that the ongoing crimes against humanity in North Korea have no "parallel in the contemporary world." These crimes include "extermination, murder, enslavement, torture, imprisonment, rape, forced abortions and other sexual violence, persecution on political, religious, and racial, and grounds, the forcible transfer of populations, the enforced disappearance of persons, and the inhumane act of knowingly causing prolonged starvation."

□ 1615

Kim Jong-un cares not at all about the welfare of his own people. We should expect that he cares even less about the welfare of the people of Japan, South Korea, or even U.S. citizens who face the threat of North Korean nuclear weapons.

The U.N. Commission recommended that the U.N. impose targeted sanctions on the North Korean leaders responsible for its human rights crimes. However, China blocks U.N. action.

Without U.N. action, the U.S. must act, using our position as the steward of the global financial system. The U.N. Special Rapporteur on North Korea welcomes such action, supporting targeted sanctions of those most responsible for these heinous crimes against humanity.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), my friend and colleague and a valued member of the Committee on Foreign Affairs.

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend from New York, the distinguished ranking member of the House Committee on Foreign Affairs.

I rise today in support of the North Korea Sanctions Enforcement Act of 2016. I want to thank the chairman and ranking member for their leadership in bringing this legislation before us.

I especially appreciate the inclusion of two of my amendments, one to provide for the reunification of Korean families separated by the 38th parallel, and another to ensure that U.S. policy

toward North Korea is informed by the recommendations made in the landmark Commission of Inquiry on Human Rights in North Korea conducted by the United Nations.

Amidst the tense geopolitical standoffs and irresponsible actions of the North Korean regime, we must always remember the human cost of this enduring conflict. I believe this bill, through these amendments and important exceptions to sanctions for humanitarian relief organizations, does just that. This is timely, if not overdue, legislation.

North Korea is a reckless, paranoid state devoid of virtually all aspects of human autonomy, now armed with a nuclear umbrella. That makes the Korean peninsula one of the most dangerous flash points on the globe.

There have been recent developments in North Korea that are profoundly troubling and deserve an immediate response from this Congress. Reports that North Korea has conducted its fourth nuclear weapons test confirm that the regime in Pyongyang is committed to defying international norms and risks destabilizing the entire Asia-Pacific region.

As co-chairman of the Congressional Caucus on Korea, I remain deeply concerned with the volatility and the ever-present potential of conflict on the Korean Peninsula.

It is a specter that looms over 75 million Koreans and, for their sake and that of the region, the U.S., the Republic of Korea, China, and other regional stakeholders must demonstrate commitment to addressing this threat.

By targeting the individuals and entities that support the Kim regime through illicit activities, this bill will hopefully weaken the resolve and capability of Pyongyang to endanger regional stability.

Mr. Speaker, I urge passage of the bill.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE), chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade of the Committee on Foreign Affairs. He is also an original cosponsor with me on this legislation.

Mr. POE of Texas. Mr. Speaker, I thank the chairman and the ranking member for bringing this piece of legislation up to the House floor.

Mr. Speaker, North Korea is a world threat, a nuclear world threat. Its leaders are outlaws with no redeeming social character in their souls, and we need to operate with them knowing this.

Last week, North Korea tested another nuclear weapon. As chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade, I held a hearing in October and predicted that this test would happen again.

With Iran about to receive hundreds of billions of dollars for its illegal nuclear program, we shouldn't be surprised that North Korea wants a piece

of the pie, too. Illegal nuclear programs and material can bring a lot of money to a regime.

In the hearing that we had in October, we learned of deep connections between Iran and North Korea. Both nations, among other things, sponsor worldwide terror. They have a history of working together on missile development. There is mounting evidence that they have worked together on their nuclear weapons programs as well. We should expect Iran to keep working with North Korea to advance its own nuclear weapons program.

We have sanctions on North Korea, but all those sanctions have not been fully implemented. The administration's policy of strategic patience is not working because this barbaric regime continues to develop nuclear weapons and ICBMs. I say our patience has run out in dealing with them.

This bill is Congress showing North Korea that there are consequences for their testing of nuclear weapons. We cannot let North Korea develop its nuclear program even more.

North Korea already has submarines with missiles on them that can reach the United States, over 10 nuclear bombs, and for some reason has Austin on its hit list. I take that personally, Mr. Speaker, that Austin is their number one target in the United States.

North Korea is a state that imprisons Christians for their faith, starves its citizens, controls the Internet and the media, tortures anyone in its domain who dares to disagree with the regime, and is engaged in cyberterrorism.

Dangerous actions by a ruthless dictator must be met by forceful responses. I am glad to be an original cosponsor of this bill. I urge its passage. It is time for them to pay the price for going rogue.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentlewoman from Hawaii (Ms. GABBARD), our colleague on the Committee on Foreign Affairs, a rising star in our committee.

Ms. GABBARD. Mr. Speaker, I am rising today in strong support of H.R. 757, the North Korea Sanctions Enforcement Act, which I am proud to be a cosponsor of.

North Korea continues to pose a serious and dangerous threat to my constituents in Hawaii, the Pacific, and the West Coast of the United States. Our communities and our families lie within range of North Korea's intercontinental ballistic missiles.

North Korea's nuclear tests just a week ago and their continued pursuit of developing more nuclear weapons and miniaturizing those weapons serve as a reminder of the threat that North Korea poses to our country, which my constituents in Hawaii know all too well.

There are some necessary steps that the United States must take to deal

with this threat: We need to increase the strength and capabilities of our Pacific fleet and forces. We need to stop the downward trend in investment of ballistic missile defense development and capabilities, and strengthen our ballistic missile defense capabilities, specifically in Hawaii and the Pacific, to counter this threat. We need to completely reexamine our strategy of so-called strategic patience with North Korea, recognizing that North Korea has continued to grow in their nuclear and missile capabilities, telling us that the status quo is not working.

This bill, however, deals with another important area where we need to act, and that is sanctions. It gives us the tools to respond to North Korea's provocations. One provision would apply sanctions that prohibit the export of munitions to North Korea and severely restrict export licenses for controlled goods and technologies. It would prohibit financial transactions between U.S. persons and the Government of North Korea and sanction those who send or receive lethal military equipment to or from North Korea.

The bill will also give us the tools to reapply some of the most effective sanctions that we have ever had against hard currency for those who do business with North Korea. We saw how these sanctions were effective before.

Following U.S. action against the Banco Delta Asia based in Macao in 2005, the assets of North Korean banks and leaders were frozen and completely blocked from the international financial system. This directly affected the money being used to develop these nuclear and ballistic missile capabilities, and the money also supported the regime's leadership and its elites and their lifestyle.

This severely increased the pressure in North Korea, causing them to engage with the international community, coming to an agreement to lift the sanctions in 2007—prematurely, in my view—made in exchange for shutting down and sealing the Yongbyon nuclear facilities and discussing a list of its nuclear-related activities with the U.S. and other parties in the region.

The agreement was violated by North Korea in 2009 when they tested a missile, and the sanctions on Banco Delta showed us earlier a way to impact North Korean leadership and business directly. Those sanctions should have been immediately reinstated upon North Korea breaking that agreement, but that is why we are here today—to act.

While sanctions alone are not enough, this bill could provide some very important tools to countering North Korea's aggression and ultimately achieving our objective of a denuclearized North Korea.

Lastly, this bill recognizes the terrible human rights abuses inflicted on

the people of North Korea. For many years, State Department human rights reports, as well as private organizations' reports, have depicted a pattern of extreme human rights abuses by the tyrannical North Korean regime, including the denial of basic human freedoms: withheld access to food and deplorable prison camps where extrajudicial killings, enslavement, torture, and sexual abuse are widespread.

I would like to thank our Chairman ROYCE and our Ranking Member ENGEL for their steadfast, bipartisan dedication and leadership to taking action on this global and domestic security issue. This bill provides a critical step forward.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman emeritus of the Committee on Foreign Affairs and author of multiple North Korea human rights and sanctions laws. She is also a cosponsor of this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so proud and pleased to be here speaking on behalf of this bill, H.R. 757, the North Korea Sanctions Enforcement Act. I thank Chairman ROYCE and Ranking Member ENGEL for introducing this important bill which, once again, is presented in their usual bipartisan manner.

While initial reports, Mr. Speaker, cast doubt on North Korea's claims that it carried out a hydrogen bomb test, any enhancement of the regime's nuclear capability should be—must be—a cause for concern. Both U.S. and South Korean intelligence assessments indicate that North Korea already possesses the capability to install a nuclear warhead on a missile that can reach United States territory or that of our allies.

Despite some doubt about that capability's effectiveness, it is just a matter of time before North Korea finishes developing this dangerous technology that it is seeking or, worse, shares this technology with Iran, as these two rogue regimes are bosom buddies and have long been known to collaborate on their ballistic missile programs.

What is clear is that our current policy toward North Korea is not working. Administrations from both parties, Mr. Speaker, have made mistakes with North Korea over the years. They have failed to respond to North Korea's violation of its nuclear deal and have failed to hold the regime accountable for its illicit activity. Administration after administration have removed North Korea off the State Sponsors of Terrorism list and continue to keep the regime off that list despite mounting evidence that would support its inclusion back on the terrorism list. Various administrations have utterly failed to enforce the North Korea sanctions that we already have on the books.

The Obama administration's so-called strategic patience policy with North Korea has proven to be a disaster, and it is time that we fully and vigorously enforce the existing sanctions and expand upon those to implement new sanctions on Pyongyang until its nuclear program is dismantled.

By some estimates, North Korea might already have 10 to 15 nuclear weapons, and Kim Jong-un has shown that he will stop at nothing to get the weapons and the technology that he desires. This bill would help ensure that our sanctions on North Korea are finally being enforced the way they always should have been, but we can't forget that North Korea cannot make progress on its nuclear program alone.

North Korea has a long history of collaborating with other rogue regimes, and we must ensure that we are enforcing sanctions on all of its collaborators. Any government entity or individual that has sold or transferred weapons or technology to North Korea in violation of U.S. law or U.N. Security Council resolution should also be targeted for sanctions.

Mr. Speaker, I will end with this note: North Korea has been writing the playbook for rogue regimes to follow, and unless this administration gets serious about confronting Pyongyang's aggressions, I worry that it will continue to allow Iran to take advantage of us, that we won't enforce sanctions on Tehran, just like we are not enforcing them on North Korea.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROYCE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. ROS-LEHTINEN. In a few years' time, we will be back here debating what to do after another nuclear device test by North Korea, by Iran, or by other rogue actors.

North Korea poses an imminent threat now to our security as well as that of our allies. We cannot afford to ignore it nor look the other way.

I urge all of my colleagues to vote for this important bill and urge its passage.

I thank the chairman and the ranking member for this bill.

□ 1630

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Colleagues, a nuclear weapon in the hands of North Korea, a rogue, destabilizing country on the peninsula and across the region, is simply a non-starter. It is unthinkable. Despite our tough sanctions and increasing isolation from the global community, Pyongyang continues down a dangerous and destabilizing course.

Last week's nuclear test in North Korea is a jarring reminder of just how dangerous the Kim regime is and de-

mands a response from the United States and our allies as well. We must work with South Korea and Japan to make sure this issue is at the top of our agenda in our engagement with China. We must act unilaterally to make sure to North Koreans that their leadership's actions have consequences.

H.R. 757 would broaden our sanctions and strengthen enforcement. The bill would crack down on North Korean elite who do business through shell companies to evade detection and go after anyone helping to prop up the Kim regime through illegal activities. This bill would include important exceptions for the humanitarian aid that benefits the North Korean people.

North Koreans deserve much more than what its leaders are providing, which is why we need to pass this legislation. We cannot allow North Korea to continue to be dangerous and frivolous. We have to stand up and say no. They have to understand that we mean business. They have to understand that what they have done is unacceptable and will not stand.

I urge my colleagues to support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

We have the opportunity today to show Americans and the world that Congress is willing to lead on this vital national security issue. This is an issue that Congress has been focused on, obviously, for some time.

I have spent much of my time on the Foreign Affairs Committee focused on the North Korean threat. Ranking Member ELIOT ENGEL and I, in one of our first trips together as chairman and ranking member of the committee, traveled to visit our South Korean ally and toured the wreckage of the *Cheonan*.

This was a corvette ship that was hit and split right in half by a torpedo fired by a North Korean submarine, costing the lives of 46 sailors. It is a reminder of the attitude that North Korea has in terms of its provocative action.

Both ELIOT ENGEL and I have been to North Korea on separate trips, and we can tell you it is a totalitarian state with an ever-present cult of personalities. If you have ever read Orwell's book, "Nineteen Eighty-Four," the society in that book seemed almost more rational than this police state.

I was talking to the former Minister of Propaganda. In the no-go areas, 1.9 million were starved to death in North Korea. You ask why. Well, with the paranoia of the police state, they are not considered particularly loyal out there.

Besides, the food can be sold on the food exchange in the capital for hard currency. Donated food often is used in this way to support what he calls

"juche," to support this philosophy which leads them forward with this desire to have a nuclear weapon and the capability to deliver it.

This bipartisan bill, which I authored with ELIOT ENGEL as our principal co-author, is based on legislation that unanimously passed the House last Congress. Its implementation will help sever a key subsidy for North Korea's weapons of mass destruction program, for only when the North Korean leadership realizes that its criminal activities are untenable do prospects for peace and security in Northeast Asia improve.

This bill will return us to the one strategy that has worked to pressure North Korea at a time when Kim Jong-un is trying to blackmail his way to consolidating power.

Congress must send the message to the Kim regime that they can either reform and disarm or the system can implode. Without hard currency, without being able to pay the generals, that system would implode. By cutting off Kim Jong-un's access to the hard currency he needs for his army and his weapons, this bill, H.R. 757, will squarely present the North Korean regime with that choice.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, recent news of North Korea's claim that it successfully conducted an H-bomb test for the first time, in defiance of United Nations' resolutions ups the ante on why we must remain steadfast in expediently addressing insecurity in our nation and across the globe, as anticipated in this bill by Representative ROYCE of California, entitled the North Korean Sanctions Enforcement Act of 2,315 which has enjoyed bipartisan support.

Our world today is faced with resurgent and evolving threats from weapons of mass destruction to destructive nuclear ambitions.

Indeed, news events inform us of the far-ranging spectrum we must contend with, ranging from persistent nation state-based dangerous nuclear ambitions in North Korea, to continued chemical weapons used in Syria, to terrorist organizations such as Daesh ramping up their destructive capabilities through vitriolic recruitment strategies, that pose an existential threat beyond the borders from which ISIS is operating.

I am confident that these are issues that President Obama will be addressing and proposing durable solutions to during his last state of the Union Address as our nation's Commander In Chief.

Under his leadership, our nation has achieved foreign policy feats that have worked to maintain our security, promote our geopolitical objectives and advance our diplomatic relationships with key allies.

Let's just take a quick look back at some of the President's foreign policy achievements:

The capture and neutralization of Osama Bin Laden which brought an end to a nearly decade long manhunt.

The withdrawal of U.S. forces from Iraq which helped to bring an end to a costly war,

helping our country save billions of dollars in U.S. taxpayer funds.

The current Joint Comprehensive Plan of Action, which has been instrumental in deterring and stemming Iran's nuclear ambitions and enabling security in the global society.

The repealing of Don't Ask, Don't Tell, an aspersion on the personal private matters of those who have dedicated their lives to protect our nation.

Signing into law the New Strategic Arms Reduction Treaty (START), an important treaty that showcases how the U.S. leads by example by signing a treaty that requires both the United States and Russia to reduce their nuclear warhead arsenals to 1,550 each, a 30 percent reduction from the 2002 Treaty of Moscow and a 74 percent reduction from the 1991 START treaty.

Neutralization of al Qaeda propagandist and foreign fighter recruiter Anwar Al Awlaki, one of the main leaders in the Al Qaeda in the Arabian Peninsula (AQAP).

Indeed, under President Obama's leadership, our country's military aid to Israel has increased remarkably with the eye towards deepening and expanding U.S./Israeli relations—an important aspect of our nation's foreign policy and geopolitical efforts to promote peace in the region.

This president's foreign policy achievements in promoting the security of our nation are irrefutable and this is why I support the North Korea Sanctions Enforcement Act of 2015 because it will empower him to continue his impressive work in this arena.

Much like the Joint Comprehensive Plan of Action (JCPOA) championed by this Administration, this bill encourages our President to investigate any credible information of sanctionable activities involving North Korea.

Furthermore, this bill will designate and implement sanctions against persons and entities who knowingly engage in or contribute to activities in North Korea whether it is through their exporting or importing of weapons of mass destruction, significant arms, significant luxury goods, money laundering, censorship, or engage in human rights abuses.

Pursuant to the bill, the President is empowered to exercise authorities under the International Emergency Economic Powers Act (IEEPA) as it relates to persons, entities and the government of North Korea.

This bill empowers our President with discretionary authority to designate and apply sanctions to persons involved in certain other kinds of conduct.

This bill will facilitate civil forfeiture of assets, real or personal, if said properties inure from any attempted or actual violation of this Act, or which constitutes or is derived from proceeds traceable to such a violation.

Other core provisions of the bill is the empowerment of our Treasury Secretary to:

determine whether reasonable grounds exist for concluding that North Korea is a jurisdiction of primary money laundering concern; and

In the event our Treasury Secretary makes this determination, he is empowered to impose one or more special measures with respect to the jurisdiction of North Korea.

Finally, our sense of Congress in this bill is in comity with and ensures the consistent enforcement of United Nations Security Council

resolutions and financial restrictions on North Korea.

Through this bill, our president will be empowered to withhold assistance under the Foreign Assistance Act of 1961 to any country that provides lethal military equipment to, or receives it from the government of North Korea.

This bill is also important because it will put into place an enhanced screening procedure whereby our Secretary of Homeland Security (DHS) will be able to determine if physical inspections are warranted of any cargo bound for or landed in the United States that has been transported through a foreign seaport or airport whose inspections are deficient if there are reasonable grounds to believe that such cargo contains goods prohibited under this Act.

This will facilitate expedient seizure of vessels or aircraft used to facilitate sanctionable activities.

The President will also be supported in his efforts to produce progress reports on significant activities undermining cyber security conflicted, or otherwise ordered or controlled, directly or indirectly, by the government of North Korea.

Our Secretary of State will be supported in his human rights efforts of reporting on each political prison camp in North Korea, which will include a detailed description of those abuses or censorship.

Again, I thank Chairman ROYCE for championing this bill and look forward to working with him and other members of this House in promoting our national security and supporting our President's objective of establishing us as a credible and trusted leader in the global landscape.

Mr. ROYCE. Mr. Speaker, I submit the following exchange of letters between myself and the Chairman of the Committee on Homeland Security regarding H.R. 757, the North Korea Sanctions Enforcement Act.

JANUARY 12, 2016.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for consulting with the Committee on Foreign Affairs on H.R. 757, the North Korea Sanctions Enforcement Act, and for agreeing to forgo a sequential referral request so that the bill may proceed expeditiously to the Floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Homeland Security, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future.

I will seek to place our letters on H.R. 757 into the Congressional Record. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

JANUARY 12, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROYCE: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R.

757, the "North Korea Sanctions Enforcement Act of 2015." The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will not assert its jurisdictional claim over this bill by seeking a sequential referral. The Committee takes this action with the mutual understanding that by foregoing action at this time we do not waive any jurisdiction over subject matter contained in this or similar legislation.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference on this or any similar legislation, and requests your support for such a request.

I ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 757, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PRESIDENTIAL ALLOWANCE MODERNIZATION ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1777) to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Allowance Modernization Act".

SEC. 2. AMENDMENTS.

(a) *RELATING TO A FORMER PRESIDENT.—The first section of the Act entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (3 U.S.C. 102 note), is amended by striking the matter before subsection (e) and inserting the following:*

"(a) Each former President shall be entitled for the remainder of his or her life to receive from the United States—

“(1) an annuity at the rate of \$200,000 per year, subject to subsection (c); and

“(2) a monetary allowance at the rate of \$200,000 per year, subject to subsections (c) and (d).

“(b)(1) The annuity and allowance under subsection (a) shall each—

“(A) commence on the day after the individual becomes a former President;

“(B) terminate on the last day of the month before the former President dies; and

“(C) be payable by the Secretary of the Treasury on a monthly basis.

“(2) The annuity and allowance under subsection (a) shall not be payable for any period during which the former President holds an appointive or elective position in or under the Federal Government to which is attached a rate of pay other than a nominal rate.

“(c) Effective December 1 of each year, each annuity and allowance under subsection (a) having a commencement date that precedes such December 1 shall be increased by the same percentage as the percentage by which benefit amounts under title II of the Social Security Act (42 U.S.C. 401 and following) are increased, effective as of such December 1, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

“(d)(1) Notwithstanding any other provision of this section, the monetary allowance payable under subsection (a)(2) to a former President for any 12-month period may not exceed the amount by which—

“(A) the monetary allowance which (but for this subsection) would otherwise be so payable for such 12-month period, exceeds (if at all)

“(B) the applicable reduction amount for such 12-month period.

“(2)(A) For purposes of paragraph (1), the ‘applicable reduction amount’ is, with respect to any former President and in connection with any 12-month period, the amount by which—

“(i) the sum of (I) the adjusted gross income (as defined by section 62 of the Internal Revenue Code of 1986) of the former President for the last taxable year ending before the start of such 12-month period, plus (II) any interest excluded from the gross income of the former President under section 103 of such Code for such taxable year, exceeds (if at all)

“(ii) \$400,000, subject to subparagraph (C).

“(B) In the case of a joint return, subclauses (I) and (II) of subparagraph (A)(i) shall be applied by taking into account both the amounts properly allocable to the former President and the amounts properly allocable to the spouse of the former President.

“(C) The dollar amount specified in subparagraph (A)(ii) shall be adjusted at the same time that, and by the same percentage as the percentage by which, the monetary allowance of the former President is increased under subsection (c) (disregarding this subsection).”.

(b) RELATING TO THE SURVIVING SPOUSE OF A FORMER PRESIDENT.—

(1) INCREASE IN AMOUNT OF MONETARY ALLOWANCE.—Subsection (e) of the section amended by subsection (a) is amended—

(A) in the first sentence, by striking “\$20,000 per annum,” and inserting “\$100,000 per year (subject to paragraph (4)).”; and

(B) in the second sentence—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3)—

(I) by striking “or the government of the District of Columbia”; and

(II) by striking the period and inserting “; and”; and

(iii) by adding after paragraph (3) the following:

“(4) shall, after its commencement date, be increased at the same time that, and by the same

percentage as the percentage by which, annuities of former Presidents are increased under subsection (c).”.

(2) COVERAGE OF WIDOWER OF A FORMER PRESIDENT.—Such subsection (e), as amended by paragraph (1), is further amended—

(A) by striking “widow” each place it appears and inserting “widow or widower”; and

(B) by striking “she” and inserting “she or he”.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act shall be considered to affect—

(1) any provision of law relating to the security or protection of a former President or a member of the family of a former President; or

(2) funding, under the law amended by this section or under any other law, to carry out any provision of law described in paragraph (1).

SEC. 4. EFFECTIVE DATE; TRANSITION RULES.

(a) EFFECTIVE DATE.—This Act shall take effect on the date of enactment of this Act.

(b) TRANSITION RULES.—

(1) FORMER PRESIDENTS.—In the case of any individual who is a former President on the date of enactment of this Act, the amendment made by section 2(a) shall be applied as if the commencement date referred in subsection (b)(1)(A) of the section amended by this Act coincided with such date of enactment.

(2) WIDOWS.—In the case of any individual who is the widow of a former President on the date of enactment of this Act, the amendments made by section 2(b)(1) shall be applied as if the commencement date referred to in subsection (e)(1) of the section amended by this Act coincided with such date of enactment.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1777, the Presidential Allowance Modernization Act. The act updates an arcane law which no longer reflects day-to-day reality in order to reduce unnecessary costs to the taxpayers. H.R. 1777 decreases the pension of former Presidents, increases the pension of surviving spouses, and limits the allowances provided for post-Presidential expenditures.

This important piece of legislation amends and modernizes the Former Presidents Act of 1958 by authorizing a \$200,000 annual pension for each former President and a \$100,000 annual survivor benefit for each surviving spouse.

We thank these Presidents and their spouses for the unbelievable toll and service that they have given to their

country. Currently, former Presidents receive an annual pension of roughly \$203,700, and a surviving spouse's pension is \$20,000.

The Presidential Allowance Modernization Act also sets an annual allowance of \$200,000 for costs such as travel, staff, and office expenses that are associated with post-Presidential life.

For those former Presidents that earn outside income, which most do, the \$200,000 annual allowance is reduced dollar for dollar for every dollar a former President earns in outside income in excess of \$400,000.

So, in essence, if former Presidents want to ride off into the sunset and go fishing and enjoy the Utah sunsets, they can go do that. They will be very healthily compensated to lead that kind of lifestyle.

If they choose to go out and sell books and give speeches and do all those things, more power to them. If that is what they choose to do, they can go out and make that type of money. For some, they make millions of dollars doing so. At that point, I just don't think that the taxpayers should necessarily supplement their income. They don't need it at that point.

So we worked in a very good, bipartisan way with Ranking Member ELIJAH CUMMINGS from Maryland. We worked to do this together. We introduced this in a bipartisan way. I want our Members to know that, if this bill passes, it would save nearly \$10 million in the first 5 years.

In fiscal year 2015, Congress appropriated \$3.2 million for pensions, office staff, and related expenses for former Presidents. Of that amount, the General Services Administration made \$1.1 million in rental payments for office space.

The annual allowance provision under H.R. 1777 replaces the millions of dollars currently provided for travel, staff, and office expenses of former Presidents and ends an unnecessary government handout to former Presidents that decide to make millions after leaving office.

This bill does not affect the security or protection of former Presidents or family members of a former President. But, rather, H.R. 1777 brings an end to the American taxpayer subsidizing expenditures for former Presidents.

Unfortunately, both sides of the aisle recognize that, no matter who the President is, in this modern age, they are going to have security concerns the rest of their lives.

Under this bill, all of those expenses for the Secret Service and those type of expenditures will continue to be paid for, at no expense. No matter their income, it is a duty and obligation of the Federal Government to protect these former Presidents, and they will continue to do so.

The Presidential Allowance Modernization Act modernizes the Former

Presidents Act while reducing unnecessary costs to the taxpayers.

Again, I want to thank Ranking Member CUMMINGS, who was an original cosponsor of this bill. I also want to thank Representative GROTHMAN from Wisconsin, who cosponsored and worked on this piece of legislation. I urge Members to vote in favor of this.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1777, the Presidential Allowance Modernization Act. I want to thank my good friends, Chairman CHAFFETZ and Ranking Member CUMMINGS of the Oversight Committee, for their work on this important update of Presidential legislation.

This is what this bill would do: It would update what has become an arcane law and reduce unnecessary costs to the taxpayer. The bill would amend the Former Presidents Act of 1958 to provide a \$200,000 annual pension for each former President and a \$100,000 annual survivor benefit to each surviving spouse. The pensions are indexed to inflation and would increase with the Social Security cost-of-living adjustment.

Currently, surviving spouses receive \$20,000—an interesting disparity between the spouse and the former President—and former Presidents receive a pension equal to the pay for Cabinet Secretaries, which for 2015 is \$203,700.

The bill would also provide an annual allowance of \$200,000 for costs associated with post-Presidential life. The annual allowance would replace amounts currently provided for travel, staff, and office expenses, which totaled \$3.25 million in fiscal year 2015 for the four living former Presidents.

The allowance would be reduced dollar for dollar for every dollar a former President earns in outside income in excess of \$400,000.

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So, you see, there might be no Presidential pension if the President does what most Presidents have done, which is to almost not be able to help earning outside income.

Updating the allowance ends an unnecessary government handout to former Presidents making millions of dollars after leaving office. There is little reason why American taxpayers should be subsidizing these former Presidents when they are making a comfortable living on their own work.

This legislation would not affect the funding for the security and protection of former Presidents and their spouses, and that is an important provision, considering the world in which we live today.

Last, Mr. Speaker, I want to particularly thank my good friend, Chairman CHAFFETZ, for the amendment, my

amendment to the bill in committee to eliminate the prohibition on preventing a former President or surviving spouse from receiving a pension during the period of time he or she holds office in the District of Columbia.

Imagine that. When this bill was written, it was a double-dipping bill, and they thought that some President would leave office and want to, somehow, seek work in the District of Columbia. Hardly, but I can understand that provision, and I thank the chairman that this double-dipping provision, he and I both find, is no longer necessary.

While this language may have made sense in 1958, that was before the District even had home rule. The District had no mayor or city council. It was under the total dominance of the Federal Government.

Since then, of course, there have been changes that I am pleased to applaud, and the government of the District of Columbia pays for the pensions of its own employees, so the Federal Government isn't in it at all.

There is no reason the concern that a former President would receive both a pension and a salary from the Federal Government should still be a part of our law.

This is a good-government bill that makes fiscal sense by reducing taxpayer-funded costs. I certainly urge my colleagues on both sides of the aisle to support H.R. 1777.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers. I urge its passage. I really and truly enjoyed working with Members on both sides of the aisle to get this through and urge its adoption.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I have no additional speakers.

I want to thank the chairman. We are off to a good start in this second session of this Congress.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1777, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA COURTS, PUBLIC DEFENDER SERVICE, AND COURT SERVICES AND OFFENDER SUPERVISION AGENCY ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill

(S. 1629) to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015”.

SEC. 2. AUTHORITIES OF DISTRICT OF COLUMBIA COURTS.

(a) AUTHORIZATION TO COLLECT DEBTS AND ERRONEOUS PAYMENTS FROM EMPLOYEES.—

(1) IN GENERAL.—Subchapter II of chapter 17 of title 11, District of Columbia Official Code, is amended by adding at the end the following:

“§ 11–1733. Collection, compromise, and waiver of employee debts and erroneous payments

“(a) COLLECTION OF DEBTS AND ERRONEOUS PAYMENTS MADE TO EMPLOYEES.—

“(1) AUTHORITY TO COLLECT.—If the Executive Officer determines that an employee or former employee of the District of Columbia Courts is indebted to the District of Columbia Courts because of an erroneous payment made to or on behalf of the employee or former employee, or any other debt, the Executive Officer may collect the amount of the debt in accordance with this subsection.

“(2) TIMING OF COLLECTION.—The Executive Officer may collect a debt from an employee under this subsection in monthly installments or at officially established regular pay period intervals, by deduction in reasonable amounts from the current pay of the employee.

“(3) SOURCE OF DEDUCTIONS.—The Executive Officer may make a deduction under paragraph (2) from any wages, salary, compensation, remuneration for services, or other authorized pay, including incentive pay, back pay, and lump sum leave payments, but not including retirement pay.

“(4) LIMIT ON AMOUNT.—In making deductions under paragraph (2) with respect to an employee, the Executive Officer—

“(A) except as provided in subparagraph (B), may not deduct more than 20 percent of the disposable pay of the employee for any period; and

“(B) upon consent of the employee, may deduct more than 20 percent of the disposable pay of the employee for any period.

“(5) COLLECTIONS AFTER EMPLOYMENT.—If the employment of an employee ends before the Executive Officer completes the collection of the amount of the employee's debt under this subsection, deductions may be made—

“(A) from later non-periodic government payments of any nature due the former employee, except retirement pay; and

“(B) without regard to the limit under paragraph (4)(A).

“(b) NOTICE AND HEARING REQUIRED.—

“(1) IN GENERAL.—Except as provided in paragraph (3), prior to initiating any proceeding under subsection (a) to collect any debt from an individual, the Executive Officer shall provide the individual with—

“(A) written notice, not later than 30 days before the date on which the Executive Officer initiates the proceeding, that informs the individual of—

“(i) the nature and amount of the debt determined by the District of Columbia Courts to be due;

“(ii) the intention of the Courts to initiate a proceeding to collect the debt through deductions from pay; and

“(iii) an explanation of the rights of the individual under this section;

“(B) an opportunity to inspect and copy Court records relating to the debt;

“(C) an opportunity to enter into a written agreement with the Courts, under terms agreeable to the Executive Officer, to establish a schedule for the repayment of the debt; and

“(D) an opportunity for a hearing in accordance with paragraph (2) on the determination of the Courts—

“(i) concerning the existence or amount of the debt; and

“(ii) in the case of an individual whose repayment schedule is established other than by a written agreement under subparagraph (C), concerning the terms of the repayment schedule.

“(2) PROCEDURES FOR HEARINGS.—

“(A) AVAILABILITY OF HEARING UPON REQUEST.—Except as provided in paragraph (3), the Executive Officer shall provide a hearing under this paragraph if an individual, not later than 15 days after the date on which the individual receives a notice under paragraph (1)(A), and in accordance with any procedures that the Executive Officer prescribes, files a petition requesting the hearing.

“(B) BASIS FOR HEARING.—A hearing under this paragraph shall be on the written submissions unless the hearing officer determines that the existence or amount of the debt—

“(i) turns on an issue of credibility or veracity; or

“(ii) cannot be resolved by a review of the documentary evidence.

“(C) STAY OF COLLECTION PROCEEDINGS.—The timely filing of a petition for a hearing under subparagraph (A) shall stay the commencement of collection proceedings under this section.

“(D) INDEPENDENT OFFICER.—An independent hearing officer appointed in accordance with regulations promulgated under subsection (e) shall conduct a hearing under this paragraph.

“(E) DEADLINE FOR DECISION.—The hearing officer shall issue a final decision regarding the questions covered by the hearing at the earliest practicable date, and not later than 60 days after the date of the hearing.

“(3) EXCEPTION.—Paragraphs (1) and (2) shall not apply to a routine intra-Courts adjustment of pay that is attributable to a clerical or administrative error or delay in processing pay documents that occurred within the 4 pay periods preceding the adjustment or to any adjustment that amounts to not more than \$50, if at the time of the adjustment, or as soon thereafter as practical, the Executive Officer provides the individual—

“(A) written notice of the nature and amount of the adjustment; and

“(B) a point of contact for contesting the adjustment.

“(c) COMPROMISE.—

“(1) AUTHORITY TO COMPROMISE CLAIMS.—The Executive Officer may—

“(A) compromise a claim to collect a debt under this section if the amount involved is not more than \$100,000; and

“(B) suspend or end collection action on a claim described in subparagraph (A) if the Executive Officer determines that—

“(i) no person liable on the claim has the present or prospective ability to pay a significant amount of the claim; or

“(ii) the cost of collecting the claim is likely to be more than the amount recovered.

“(2) EFFECT OF COMPROMISE.—A compromise under this subsection shall be final and conclusive unless obtained by fraud, misrepresentation, presenting a false claim, or mutual mistake of fact.

“(3) NO LIABILITY OF OFFICIAL RESPONSIBLE FOR COMPROMISE.—An accountable official shall not be liable for an amount paid or for the value of property lost or damaged if the amount or value is not recovered because of a compromise under this subsection.

“(d) WAIVER OF CLAIM.—

“(1) AUTHORITY TO WAIVE CLAIMS.—Upon application from a person liable on a claim to collect a debt under this section, the Executive Officer may, with written justification, waive the claim if collection would be—

“(A) against equity;

“(B) against good conscience; and

“(C) not in the best interests of the District of Columbia Courts.

“(2) LIMITATIONS ON AUTHORITY.—The Executive Officer may not waive a claim under this subsection if the Executive Officer—

“(A) determines that there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee, the former employee, or any other person that has an interest in obtaining a waiver of the claim; or

“(B) receives the application for waiver later than 3 years after the later of the date on which the erroneous payment was discovered or the date of enactment of this section, unless the claim involves money owed for Federal health benefits, Federal life insurance, or Federal retirement benefits.

“(3) DENIAL OF APPLICATION FOR WAIVER.—A decision by the Executive Officer to deny an application for a waiver under this subsection shall be the final administrative decision of the District government.

“(4) REFUND OF AMOUNTS ALREADY COLLECTED AGAINST CLAIM SUBSEQUENTLY WAIVED.—If the Executive Officer waives a claim against an employee or former employee under this section after the District of Columbia Courts have been reimbursed for the claim in whole or in part, the Executive Officer shall provide the employee or former employee a refund of the amount of the reimbursement upon application for the refund, if the Executive Officer receives the application not later than 2 years after the effective date of the waiver.

“(5) EFFECT ON ACCOUNTS OF COURTS.—In the audit and settlement of accounts of any accountable official, full credit shall be given for any amounts with respect to which collection by the District of Columbia Courts is waived under this subsection.

“(6) VALIDITY OF PAYMENTS.—An erroneous payment or debt, the collection of which is waived under this subsection, shall be a valid payment for all purposes.

“(7) NO EFFECT ON OTHER AUTHORITIES.—Nothing in this subsection shall be construed to affect the authority of the District of Columbia under any other statute to litigate, settle, compromise, or waive any claim of the District of Columbia.

“(e) REGULATIONS.—The authority of the Executive Officer under this section shall be subject to regulations promulgated by the Joint Committee.”.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 17 of title 11, District of Columbia Official Code, is amended by adding at the end the following: “11-1733. Collection, compromise, and waiver of employee debts and erroneous payments.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to any erroneous payment made or debt incurred before, on, or after the date of enactment of this Act.

(b) AUTHORIZATION TO PURCHASE UNIFORMS FOR PERSONNEL.—Section 11-1742(b), District of Columbia Official Code, is amended by adding at the end the following: “In carrying out the authority under the preceding sentence, the Executive Officer may purchase uniforms to be worn by nonjudicial employees of the District of Columbia Courts whose responsibilities warrant the wearing of uniforms if the cost of furnishing a uniform to an employee during a year does not exceed the amount applicable for the year under section 5901(a)(1) of title 5, United States Code (relating to the uniform allowance for employees of the Government of the United States).”.

SEC. 3. AUTHORITIES OF COURT SERVICES AND OFFENDER SUPERVISION AGENCY.

(a) AUTHORITY TO DEVELOP AND OPERATE PROGRAMMATIC INCENTIVES FOR SENTENCED OFFENDERS.—Section 11233(b)(2)(F) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24-133(b)(2)(F), D.C. Official Code) is amended by striking “sanctions” and inserting “sanctions and incentives”.

(b) PERMANENT AUTHORITY TO ACCEPT GIFTS.—Section 11233(b)(3)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24-133(b)(3)(A), D.C. Official Code) is amended to read as follows:

“(A) AUTHORITY TO ACCEPT GIFTS.—The Director may accept, solicit, and use on behalf of the Agency any monetary or nonmonetary gift, donation, bequest, or use of facilities, property, or services for the purpose of aiding or facilitating the work of the Agency.”.

(c) PERMANENT AUTHORITY TO ACCEPT AND USE REIMBURSEMENTS FROM DISTRICT GOVERNMENT.—Section 11233(b)(4) of such Act (sec. 24-133(b)(4)) is amended by striking “During fiscal years 2006 through 2008, the Director” and inserting “The Director”.

SEC. 4. AUTHORITIES OF PUBLIC DEFENDER SERVICE.

(a) ACCEPTANCE AND USE OF SERVICES OF VOLUNTEERS.—Section 307(b) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1607(b), D.C. Official Code) is amended by striking “the Service may accept public grants and private contributions made to assist it” and inserting “the Service may accept and use public grants, private contributions, and voluntary and uncompensated (gratuitous) services to assist it”.

(b) TREATMENT OF MEMBERS OF BOARD OF TRUSTEES AS EMPLOYEES OF SERVICE FOR PURPOSES OF LIABILITY.—

(1) IN GENERAL.—Section 303(d) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1603(d), D.C. Official Code) is amended by striking “employees of the District of Columbia” and inserting “employees of the Service”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of the District of Columbia Courts and Justice Technical Corrections Act of 1998 (Public Law 105-274; 112 Stat. 2419).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bipartisan bill from the Senate that we are considering. Senator JOHNSON of Wisconsin has put forward this bill. It has cleared the Senate, we are happy to bring this up, but I would urge its adoption.

It is S. 1629, with a very long title to it: The District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015. It just rolls off the tongue.

This bipartisan bill was introduced, as I said, by Senator RON JOHNSON of Wisconsin, and it gives judicial officials in the District of Columbia the authority they need to make personnel and managerial decisions.

In 1997, Congress reorganized the District of Columbia judicial agencies, making them Federal agencies with Federal employees. This bill improves the efficiency and functions of the D.C. judicial branch by extending them authorities that are available to other Federal agencies.

S. 1629 allows the D.C. courts system to collect debts and erroneous payments made to employees through installment plans of reasonable amounts. Additionally, the courts will be able to provide uniforms to nonjudicial employees. This helps address safety concerns by giving these employees greater visibility in the courthouse and in the community.

Further, these reforms will allow the D.C. judicial offices to operate certain incentive programs, make use of the donations and contributions, and utilize unpaid volunteers. It brings sensible authorities to the District's judicial agencies that will allow these officers to increase efficiencies and conduct their work more effectively.

We had an opportunity to mark up this bill, and I appreciate the input of Ms. NORTON certainly, being from the District of Columbia. And we would urge its final passage here on the floor now.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

First, I need to thank Senate Homeland Security and Governmental Affairs Committee Chairman RON JOHNSON and Ranking Member TOM CARPER for sponsoring the District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act, and for all their hard work in getting it passed in the Senate.

Thanks also are due to my good friend, the chairman of the Oversight Committee, JASON CHAFFETZ, and its Ranking Member, ELIJAH CUMMINGS, for bringing this bill to the floor and working so closely with us in the District of Columbia.

This bill may seem small, but its technical changes will improve the operations and effectiveness of three District of Columbia criminal justice agencies that are under the jurisdiction of the Federal Government, and they are under that jurisdiction because of the Revitalization Act, which took over the funding of certain District of Columbia agencies because they are State agencies, to improve the financial condition of the District of Columbia, which was the only city that carried State functions.

This bill gives these agencies some modest new authorities that are already available to comparable Federal agencies. The bill would authorize CSOSA to use incentives-based programs for offenders, instead of only sanctions to get compliance.

This is in keeping with modern penology. It would allow the Public Defender Service to accept and use public grants, voluntary and uncompensated services, such as unpaid law clerks and interns of the kind, for example, that we use here every day, and private contributions made to advance the Public Defender Service's work. It would allow the courts to collect debts owed to it by its employees.

These changes are small and they are noncontroversial, but they mean a great deal to the District of Columbia because they will modernize and improve the daily operations of the District's criminal justice system.

If I may say so while the chairman is on the floor, these small changes, somehow I hope our committee will find a way to allow the courts, themselves, to do so that we do not have to bring such small changes before this body, which has such important work.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, this is a good bipartisan piece of legislation. It is common sense. We should pass it.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, S. 1629.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GRANTS OVERSIGHT AND NEW EFFICIENCY ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1115) to close out expired grants.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Grants Oversight and New Efficiency Act" or the "GONE Act".

SEC. 2. IDENTIFYING AND CLOSING OUT EXPIRED FEDERAL GRANT AWARDS.

(a) EXPIRED FEDERAL GRANT AWARD REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall instruct the head of each agency, in coordination with the Secretary, to submit to Congress and the Secretary a report, not later than December 31 of the first calendar year beginning after the date of the enactment of this Act, that—

(A) lists each Federal grant award held by such agency;

(B) provides the total number of Federal grant awards, including the number of grants—

- (i) by time period of expiration;
- (ii) with zero dollar balances; and
- (iii) with undisbursed balances;

(C) for an agency with Federal grant awards, describes the challenges leading to delays in grant closeout; and

(D) for the 30 oldest Federal grant awards of an agency, explains why each Federal grant award has not been closed out.

(2) USE OF DATA SYSTEMS.—An agency may use existing multiagency data systems in order to submit the report required under paragraph (1).

(3) EXPLANATION OF MISSING INFORMATION.—If the head of an agency is unable to submit all of the information required to be included in the report under paragraph (1), the report shall include an explanation of why the information was not available, including any shortcomings with and plans to improve existing grant systems, including data systems.

(b) NOTICE FROM AGENCIES.—

(1) IN GENERAL.—Not later than 1 year after the date on which the head of an agency submits the report required under subsection (a), the head of such agency shall provide notice to the Secretary specifying whether the head of the agency has closed out grant awards associated with all of the Federal grant awards in the report and which Federal grant awards in the report have not been closed out.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which all of the notices required pursuant to paragraph (1) have been provided or March 31 of the calendar year following the calendar year described in subsection (a)(1), whichever is sooner, the Secretary shall compile the notices submitted pursuant to paragraph (1) and submit to Congress a report on such notices.

(c) INSPECTOR GENERAL REVIEW.—Not later than 1 year after the date on which the head

of an agency provides notice to Congress under subsection (b)(2), the Inspector General of an agency with more than \$500,000,000 in annual grant funding shall conduct a risk assessment to determine if an audit or review of the agency's grant closeout process is warranted.

(d) REPORT ON ACCOUNTABILITY AND OVERSIGHT.—Not later than 6 months after the date on which the second report is submitted pursuant to subsection (b)(2), the Director of Office of Management and Budget, in consultation with the Secretary, shall submit to Congress a report on recommendations, if any, for legislation to improve accountability and oversight in grants management, including the timely closeout of a Federal grant award.

(e) DEFINITIONS.—In this section:

(1) AGENCY.—The term "agency" has the meaning given that term in section 551 of title 5, United States Code.

(2) CLOSEOUT.—The term "closeout" means a closeout of a Federal grant award conducted in accordance with part 200 of title 2, Code of Federal Regulations, including sections 200.16 and 200.343 of such title, or any successor thereto.

(3) FEDERAL GRANT AWARD.—The term "Federal grant award" means a Federal grant award (as defined in section 200.38(a)(1) of title 2, Code of Federal Regulations, or any successor thereto), including a cooperative agreement, in an agency cash payment management system held by the United States Government for which—

(A) the grant award period of performance, including any extensions, has been expired for more than 2 years; and

(B) closeout has not yet occurred in accordance with section 200.343 of title 2, Code of Federal Regulations, or any successor thereto.

(4) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I really want to, first, thank Senator FISCHER for the great work done in a bipartisan way in order to move this bill forward. That combination, working with a Member who serves on our committee, Mr. WALBERG, and the relentless work on this piece of legislation, it is often referred to as the GONE Act, Grants Oversight and New Efficiency Act. It is a good piece of bipartisan, bicameral legislative effort.

I believe the bill will be effective in bringing about greater reforms for the

grants closeout process, allowing agencies to save dollars and make better use of constrained resources. We cannot afford to allow grants to remain open year after year of their expiration date. The GONE Act is an important step in addressing this issue.

Again, I want to thank the gentleman from Michigan for championing this bill and working through this through his work on H.R. 3089, as well as working with the Senate in order to bring it to this point this day.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us, the Grants Oversight and New Efficiency Act, or GONE Act—and I like that name, it is a very catchy name, and you will see why in a moment—it seeks to improve the grant management process by requiring Federal agencies to report on expired grants. The Government Accountability Office has found that expired grants are not always closed out properly. In fact, GAO found that nearly \$1 billion in undisbursed balances remained in expired and dormant grant accounts; therefore, the GONE Act's name.

But, Mr. Speaker, I would call this found money, not gone money. It is still there. Improving the grant closeout process will help protect taxpayer dollars and ensure that those dollars can be redirected to better uses.

This act may also incline agencies and localities to use funds they have asked for. This legislation would require agencies to report to the Secretary of Health and Human Services and to Congress on the number of expired grants and those with undisbursed balances. For the oldest expired grants, agencies will need to explain why those grants have not been closed.

The bill would also require agencies to report a year after the initial report on progress made on grant closure. Hopefully, this increased accountability will bring improvement to grant management.

I commend Representatives WALBERG and LAWRENCE for their work on this bipartisan, commonsense legislation.

I reserve the balance of my time.

□ 1700

Mr. CHAFFETZ. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG), who is the lead person sponsoring this piece of legislation here in the House companion.

Mr. WALBERG. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise today in support of S. 1115, the Grants Oversight and New Efficiency Act, or as we call it, the GONE Act. As the lead House sponsor of this bill, I am proud of the bipartisan, bicameral effort that has gone into this legislation.

I especially want to thank the Senate champion of this bill, my colleague in the Senate, Senator DEB FISCHER, and also my Michigan colleague, Congresswoman BRENDA LAWRENCE, along with the staff who have worked so hard to bring this bill to the floor today.

Last year, we marked up this legislation in the Oversight and Government Reform Committee and passed it on to the House floor. After some additional fine-tuning made by our colleagues in the Senate, I am pleased to have the opportunity to see the GONE Act take the final step toward becoming law.

Even as we debate this bill today, the Federal Government is racking up service fees to administer thousands of expired empty grant accounts—costing taxpayers millions of dollars per year. I introduced the GONE Act to bring some common sense to the grant management process and require Federal agencies to finally take action to identify these accounts with a zero balance which should be closed out.

Specifically, the GONE Act will direct agencies to work with the Department of Health and Human Services to identify the total number of grant awards that remain open but have been expired for 2 years or more. HHS was chosen for this role because of the work it has done in closing out expired accounts—good work—and for its role as the agency which houses the Payer Management System.

In addition to the total number of expired grants, the bill requires each agency to explain to Congress why the 30 oldest grants that remain open have not been closed. The bill also directs inspectors general for certain larger grant-making agencies to conduct a risk assessment to determine if a further review of that agency's grant closeout process is necessary. All of this information will give agencies and Congress valuable insight into issues that agencies face when it comes to a timely closeout of grants.

It is my hope that this information will inform future efforts to streamline the grant's lifecycle, specifically the closeout process. In fact, S. 1115 requires OMB and HHS to submit a report to Congress on potential legislative reforms that are necessary to improve the grants lifecycle. I look forward to hearing from OMB and HHS on this topic, and I thank those agencies for the feedback they have offered on this bill.

For months, Members of the House and Senate on both sides of the aisle have worked to develop this bill into one that will serve to advance the efficiency of the grants process. OMB, HHS, and the inspector general community have all provided helpful comments as we worked to finalize this legislation, and I am grateful for their assistance.

Mr. Speaker, spending taxpayer dollars on expired and empty grant accounts is the definition of government

waste. I urge my colleagues to support this bill today and send the GONE Act to the President's desk.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, it is a good bipartisan bill. I urge its passage.

I yield back the balance of my time.
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, S. 1115.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TAXPAYERS RIGHT-TO-KNOW ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 598) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Taxpayers Right-To-Know Act".

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

(a) IN GENERAL.—Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) DEFINITION OF PROGRAM.—For purposes of this subsection, the term 'program' means an organized set of activities by 1 or more agencies directed toward a common purpose or goal.";

(3) in paragraph (2), as so redesignated—

(A) by striking "IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall" and inserting "WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall";

(B) by striking subparagraph (C) and inserting the following:

"(C) include on the website—

"(i) a program inventory that shall identify each program of the Federal Government for which there is more than \$1,000,000 in annual budget authority, which shall include—

"(I) any activity that is commonly referred to as a program by a Federal agency in communications with Congress, including any activity identified as a program in a budget request;

"(II) any activity that is commonly referred to as a program by a Federal agency in communications with the public, including each program for which financial awards are made on a competitive basis; and

"(III) any activity referenced in law as a program after June 30, 2019; and

"(ii) for each program identified in the program inventory, the information required

under paragraph (3) or paragraph (4), as applicable.";

(4) in paragraph (3), as so redesignated—

(A) in the matter preceding subparagraph (A), by striking "INFORMATION.—Information for each program described under paragraph (1)" and inserting "INFORMATION FOR LARGER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more than \$10,000,000 in annual budget authority";

(B) by striking subparagraph (C);

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by striking subparagraph (A) and inserting the following:

"(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

"(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

"(C) an estimate of the amount of funding for the program";

(E) in subparagraph (D), as so redesignated, by striking "and" at the end; and

(F) by adding at the end the following:

"(E) an identification of the statutes that authorize the program and any major regulations specific to the program;

"(F) for any program that provides grants or other financial assistance to individuals or entities, for the most recent fiscal year—

"(i) a description of the individuals served by the program and beneficiaries who received financial assistance under the program, including an estimate of the number of individuals and beneficiaries, to the extent practicable;

"(ii) for each program for which the head of an agency determines it is not practicable to provide an estimate of the number of individuals and beneficiaries served by the program—

"(I) an explanation of why data regarding the number of such individuals and beneficiaries cannot be provided; and

"(II) a discussion of the measures that could be taken to gather the data required to provide such an estimate; and

"(iii) a description of—

"(I) the Federal employees who administer the program, including the number of full-time equivalents with a pro rata estimate for full-time equivalents associated with multiple programs; and

"(II) other individuals whose salary is paid in part or full by the Federal Government through a grant, contract, cooperative agreement, or another form of financial award or assistance who administer or assist in any way in administering the program, including the number of full-time equivalents, to the extent practicable;

"(G) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116 released during the preceding 5 years; and

"(H) to the extent practicable, financial and other information for each program activity required to be reported under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).";

(5) by adding at the end the following:

"(4) INFORMATION FOR SMALLER PROGRAMS.—Information for each program identified in the program inventory required under paragraph (2) for which there is more

than \$1,000,000 and not more than \$10,000,000 in annual budget authority shall, at a minimum, include—

"(A) an identification of the program activities that are aggregated, disaggregated, or consolidated as part of identifying programs;

"(B) for each program activity described in subparagraph (A), the amount of funding for the current fiscal year and previous 2 fiscal years;

"(C) an identification of the statutes that authorize the program and any major regulations specific to the program;

"(D) for any program that provides grants or other financial assistance to individuals or entities, a description of the individuals served by the program and beneficiaries who received financial assistance under the program for the most recent fiscal year; and

"(E) links to any evaluation, assessment, or program performance reviews by the agency, an Inspector General, or the Government Accountability Office (including program performance reports required under section 1116 released during the preceding 5 years.

"(5) ARCHIVING.—After the end of each fiscal year, the Director of the Office of Management and Budget shall archive and preserve the information included in the program inventory required under paragraph (2) relating to that fiscal year."

(b) EXPIRED GRANT FUNDING.—Not later than February 1 of each fiscal year, the Director of the Office of Management and Budget shall publish on a public website the total amount of undisbursed grant funding remaining in grant accounts for which the period of availability to the grantee has expired.

SEC. 3. GUIDANCE AND IMPLEMENTATION.

(a) GUIDANCE.—Not later than June 30, 2018, the Director of the Office of Management and Budget—

(1) shall prescribe guidance to implement this Act, and the amendments made by this Act;

(2) shall issue guidance to agencies to identify how the program activities used for reporting under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) are associated with programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a);

(3) may issue guidance to agencies to ensure that the programs identified in the program inventory required under section 1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a), are presented at a similar level of detail across agencies and are not duplicative or overlapping; and

(4) may, based on an analysis of the costs of implementation, and after submitting to Congress a notification of the action by the Director—

(A) exempt from the requirements under section 1122(a) of title 31, United States Code, an agency that—

(i) is not listed in section 901(b) of title 31, United States Code; and

(ii) for the fiscal year during which the exemption is made, has budget authority (as defined in section 3 of the Congressional Budget Act of 1974 (2 U.S.C. 622)) of not more than \$10,000,000; and

(B) extend the implementation deadline under subsection (b) by not more than 1 year.

(b) IMPLEMENTATION.—This Act, and the amendments made by this Act, shall be implemented not later than June 30, 2019.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. WALBERG), the prime author of this bill.

Mr. WALBERG. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise today in support of H.R. 598, the Taxpayers Right-To-Know Act. This bill is a bipartisan and bicameral effort to provide more information about Federal programs and their activities online.

I want to thank my colleague JIM COOPER for all his work in pushing this legislation forward.

The American people deserve to know what their government does with their hard-earned dollars, don't you think? H.R. 598 will make it easier to evaluate Federal Government spending by requiring Federal agencies to identify their programs and provide basic information like what their programs do, how they perform, and how much they cost. Agencies must do a better job of managing their programs and identifying areas where taxpayer dollars are wasted.

The Government Accountability Office is tasked with reporting on duplication and continues to find new areas of duplication across government. Over 5 years, GAO has identified 106 areas of duplication, overlap, and fragmentation; moreover, they identified an additional 72 areas for potential cost savings. While only 37 percent of recommended corrective actions have been taken, GAO estimates that these actions have saved the Federal Government and the taxpayer about \$20 billion.

While GAO's work has been invaluable, their ability to look comprehensively at the Federal Government is inherently limited because of the poor reporting by agencies about their activity. Quite simply, without better data, billions more will be lost and wasted.

Current law, specifically, the Government Performance and Results Modernization Act, requires agencies to report all their programs, their funding, and their performance information to the Office of Management and Budget. However, OMB's current inventory is incomplete and provides inconsistent information. This makes it more difficult and time consuming to identify areas of waste and inefficiency.

H.R. 598 establishes an across-the-board definition of "program" and requires the publication of detailed information on each Federal program. This change will allow American taxpayers and Federal watchdogs to better evaluate the effectiveness and utility of government programs.

The Taxpayers Right-To-Know Act is an important and necessary step forward for the government in providing programs that are accountable, effective, and efficient.

Mr. Speaker, I want to thank Senator LANKFORD for his work on the Senate companion bill.

Mr. Speaker, I urge my colleagues to support this legislation.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Taxpayers Right-to-Know Act builds upon two existing laws that came through our committee: the Government Performance and Results Modernization Act of 2010 and the DATA Act, which was signed into law in 2014.

The Obama administration launched the performance.gov Web site to implement the GPRA Modernization Act, and this bill would enhance the information available through that Web site.

The bill would require the Office of Management and Budget to make available on a central Web site an inventory of all Federal agency programs that have a budget authority of more than \$1 million.

The bill also would require OMB to include on this Web site links to any evaluation, assessment, or program performance reviews by an agency, an inspector general, or the Government Accountability Office released during the preceding 5 years.

The Taxpayers Right-to-Know Act would require agencies to disclose how much agency staff are administering each covered program, as well as other individuals whose salary is paid by the government through a contract, grant, or other agreement.

The Office of Management and Budget raised serious concerns about its ability to implement the requirements of the bill as it was reported by the committee. I want to thank the chairman for making changes to help address those concerns in the amended version of the bill before us today. It is important that we continue to work together to ensure the bill will work as intended.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, this is a good bipartisan, bicameral bill.

Again, I thank the good work of our colleague Mr. WALBERG in helping to champion this through, the good work on both sides of the aisle in a bipartisan, bicameral way. I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman for yielding and I rise in support of the Taxpayers Right-to-Know Act.

H.R. 598 is a bipartisan, commonsense piece of legislation that makes a critical step towards increased government transparency and accountability.

This bill will give the American public a complete picture of how their taxpayer dollars are being spent by requiring each federal agency to provide an annual report detailing the costs of every program.

Hardworking taxpayers have a fundamental right to know where and how their money is being spent. By passing H.R. 598, these reports will be made available online, and Americans will be able to see first-hand which federal programs are working well, and which are wasteful and duplicative.

Americans deserve an efficient and effective federal government, and I firmly believe this legislation will make strides toward that end.

Mr. Speaker, I was pleased to support this legislation in the House Oversight and Government Reform Committee and I am proud to do so again. I urge all my colleagues to support H.R. 598.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 598, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. CHAFFETZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2016

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1069) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Library Donation Reform Act of 2016".

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

“(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

“(1) REPORTING REQUIREMENT.—Not later than 15 days after the end of a calendar quarter and until the end of the requirement period described in paragraph (2), each Presidential library fundraising organization shall submit to the Archivist information for that quarter in an electronic searchable and sortable format with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

“(2) DURATION OF REPORTING REQUIREMENT.—The requirement to submit information under paragraph (1) shall continue until the later of the following occurs:

“(A) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established.

“(B) The President whose archives are contained in the deposit no longer holds the Office of President.

“(3) INFORMATION REQUIRED TO BE PUBLISHED.—The Archivist shall publish on the website of the National Archives and Records Administration, within 30 days after each quarterly filing, any information that is submitted under paragraph (1), without a fee or other access charge in a downloadable database.

“(4) SUBMISSION OF FALSE MATERIAL INFORMATION PROHIBITED.—

“(A) INDIVIDUAL.—

“(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(B) ORGANIZATION.—

“(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(5) PROHIBITION ON CONTRIBUTION.—

“(A) IN GENERAL.—It shall be unlawful for a person to knowingly and willfully—

“(i) make a contribution described in paragraph (1) in the name of another person;

“(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

“(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

“(B) PENALTY.—The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

“(6) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.

“(7) DEFINITIONS.—In this subsection:

“(A) INFORMATION.—The term ‘information’ means the following:

“(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

“(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

“(iii) If the source of such a contribution is an individual, the occupation of the individual.

“(iv) The date of each such contribution.

“(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term ‘Presidential library fundraising organization’ means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

“(i) a Presidential archival depository; or

“(ii) any facilities relating to a Presidential archival depository.”

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on, or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. DUNCAN), the gentleman who has championed this issue as the prime sponsor.

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank Chairman CHAFFETZ for his support and for yielding me this time.

This is a bill that has passed in three separate Congresses with overwhelming bipartisan support and very, very little opposition. In fact, in this Congress, it is cosponsored by Ranking

Member ELIJAH CUMMINGS. In past Congresses, it has been cosponsored by Ranking Member Edolphus Towns; and in one Congress, Chairman Waxman became the primary sponsor. So it is a very bipartisan bill.

It is a very simple bill, one that I think can be supported by anyone who is opposed to secrecy in government and believes in an open, transparent system. The Presidential Library Donation Reform Act simply requires that donations to a President's library greater than \$200 be disclosed to the public and posted online.

It is very surprising to people that there are no laws governing these donations at this time. In fact, any person, corporation, or foreign government can donate any amount, unreported, while a President is still in office.

I first introduced this bill in the 106th Congress after reading a front-page story in The Washington Times reporting that foreign governments from the Middle East were making very large donations to the proposed library for President Clinton. I was concerned about the influence of donations being made by foreign governments. However, I hasten to say this is not directed toward former President Clinton or anyone else. This bill has been introduced and passed, and I have sponsored this bill under both Republican and Democratic Presidents.

I did read at one point that after I introduced this bill that President Clinton's library had received a \$450,000 contribution from the ex-wife of Marc Rich, who had fled the country to evade \$40 million in taxes. So these types of things have certainly raised concern.

In 2013, the Sunlight Foundation's policy director endorsed my bill during a hearing on Federal Government transparency in the House Oversight and Government Reform Committee, saying: “It would provide valuable information on special interests whose donations put them in close proximity with Presidents.”

□ 1715

Presidential libraries were once modest structures, but they have grown rapidly over the years into megamuseums devoted to a President's life and legacy. President George W. Bush's library topped \$500 million in costs. That is seven times the cost of his father's library. A recent report in The New York Times noted that President Obama's library could end up costing \$1 billion.

As costs soar, clearly there is potential for abuse, no matter who is President. This is, as I said, not a partisan issue. It is not directed at any President. It is simply a good government bill that I think almost everyone can support, and certainly they have in the past.

I urge support for this legislation.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I support this bill, Mr. Speaker.

I want to thank Representative DUNCAN and Ranking Member CUMMINGS for sponsoring this legislation. Representative DUNCAN first sponsored a bill to improve Presidential libraries 16 years ago. What has happened that we can't get this bill through the Congress? I hope this bill this year will prove different. This Congress, I hope we can finally get this important reform on the President's desk where I am sure it will be signed.

The Presidential Library Donation Reform Act would provide transparency to the process for building Presidential libraries. The practice of creating a Presidential library began decades ago with President Franklin Delano Roosevelt. The tradition has carried on through every President since that time, and it is going to continue.

Presidential libraries have become increasingly more expensive as they have evolved into multipurpose centers that do more than simply house Presidential records. For example, the William J. Clinton Library cost an estimated \$165 million, while the George W. Bush Presidential Center cost an estimated \$250 million to build, with President Bush having raised approximately half a billion dollars for his library, museum, and institute. We can expect that with each new President, these libraries are going to cost more. That is just natural.

Under current law, there is no requirement to disclose the identities of those who donate to a Presidential library, and a President is able to secure an unlimited amount of private donations while still in office.

The bill before us would make a simple but very important change in existing law. Under this bill, organizations that raise money to build Presidential libraries would be required to disclose the identity of any individual who donates more than \$200. It seems reasonable to me, Mr. Speaker. The National Archives and Records Administration would then be required to post the donation information in a manner that is free to access and downloadable.

Additionally, this legislation would create criminal penalties for individuals who report false information on donations and for fundraising organizations that omit donation information.

A group of 15 good government organizations, including Citizens for Responsibility and Ethics in Washington and the Sunlight Foundation, sent a letter urging the House to support this bill. Here is what they wrote:

"Under the current opaque system, Presidents raise funds privately to establish their Presidential libraries. These efforts, which often begin long before they leave office, are unregu-

lated and undisclosed, creating opportunities for, or the appearance of, influence-peddling. Improved transparency would help reduce the appearance of impropriety and help deter inappropriate behavior."

The appearance is just as important as the behavior itself, I emphasize, Mr. Speaker.

This bill was approved without opposition by the Committee on Oversight and Government Reform in March and has passed the House several times before.

As I noted, companion legislation sponsored by Senators CORKER and JOHNSON was approved by the Homeland Security and Governmental Affairs Committee earlier this year.

It looks like this bill may become law after all, Mr. DUNCAN.

I urge every Member of this body to support transparency by voting for this important legislation.

I yield back the balance of my time. Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I urge its passage. It is high time that this passed. It is bipartisan, it is bicameral, and it is done with some good leadership from Mr. DUNCAN. I urge its adoption.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1069, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FOIA OVERSIGHT AND IMPLEMENTATION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 653) to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "FOIA Oversight and Implementation Act of 2015" or the "FOIA Act".

SEC. 2. FREEDOM OF INFORMATION ACT AMENDMENTS.

(a) ELECTRONIC ACCESSIBILITY.—Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking "for public inspection and copying" each place it appears and inserting "in an electronic, publicly accessible format";

(ii) by striking "; and" and inserting a semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

"(E) copies of all releasable records, regardless of form or format, that have been requested three or more times under paragraph (3); and

"(F) a general index of the records referred to under subparagraphs (D) and (E);"; and

(iv) in the matter following subparagraph (F) (as added by clause (iii) of this subparagraph)—

(I) by striking "subparagraph (D)" and inserting "subparagraphs (D) and (E)";

(II) by striking "subparagraph (E)" and inserting "subparagraph (F)"; and

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) by striking "that will take longer than ten days to process"; and

(II) by striking "; and" and inserting a semicolon;

(ii) in subparagraph (B)—

(I) by inserting "automated" after "provides"; and

(II) by striking the period at the end of clause (ii) and inserting "; and"; and

(iii) by adding at the end the following new subparagraph:

"(C) provide a name, phone number, and email address for an agency employee who can provide current information about the status of each request received.";

(2) in subsection (g), by striking "make publicly available upon request" and inserting "make available in an electronic, publicly accessible format"; and

(3) by adding at the end the following new subsection:

"(m) ELECTRONIC SUBMISSION OF REQUESTS.—

"(1) CONSOLIDATED ONLINE REQUEST PORTAL.—The Director of the Office of Management and Budget, in consultation with the Attorney General, shall ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records under subsection (a) to any agency from a single website. The portal may include any additional tools the Director of the Office of Management and Budget finds will improve the implementation of this section.

"(2) RULE OF CONSTRUCTION.—This subsection shall not be construed to alter the power of any other agency to create or maintain an independent online portal for the submission of a request for records under this section. The Director of the Office of Management and Budget shall establish standards for interoperability between the portal required under paragraph (1) and other request processing software used by agencies subject to this section.

"(3) EMAIL REQUEST REQUIRED.—At a minimum, each agency shall accept requests for records under subsection (a) through an email address and shall publish such email address on the website of the agency."

(b) PRESUMPTION OF OPENNESS.—

(1) AMENDMENTS.—Section 552(b) of title 5, United States Code, is amended—

(A) in paragraph (5), by inserting after "with the agency" the following: "; excluding—

"(A) opinions that are controlling interpretations of law;

"(B) final reports or memoranda created by an entity other than the agency, including other Governmental entities, at the request of the agency and used to make a final policy decision;

"(C) guidance documents used by the agency to respond to the public; and

“(D) records or information created 25 years or more before the date on which a request is made under subsection (a)(3);”;

(B) in paragraph (6), by striking “similar files” and inserting “personal information such as contact information or financial information”; and

(C) in the matter following paragraph (9)—(i) by inserting before “Any reasonably segregable portion” the following: “An agency may not withhold information under this subsection unless such agency reasonably foresees that disclosure would cause specific identifiable harm to an interest protected by an exemption, or if disclosure is prohibited by law.”; and

(ii) by inserting before “If technically feasible,” the following: “For each record withheld in whole or in part under paragraph (3), the agency shall identify the statute that exempts the record from disclosure.”

(2) RULES OF CONSTRUCTION.—

(A) INTELLIGENCE SOURCES AND METHODS.—Nothing in the amendments made by this Act to section 552(b) of title 5, United States Code, shall be construed to require the disclosure of information that—

(i) is exempt under paragraph (1) of such section; or

(ii) would adversely affect intelligence sources and methods that are protected by an exemption under such section.

(B) PERSONAL PRIVACY.—For purposes of section 552(b)(6) of title 5, United States Code, as amended by this Act, the term “personal privacy” may not be construed to include the name of a Federal employee engaged in an official duty of such employee.

(3) EXEMPTION DECISION TRANSPARENCY.—Section 552(a)(6)(C)(i) of title 5, United States Code, is amended by striking the fourth sentence and inserting at the end the following: “Any notification of denial or partial denial of any request for records under this subsection shall set forth each name and title or position of each person responsible for the denial or partial denial or any decision to withhold a responsive record under subsection (b).”.

(C) REQUESTS FROM CONGRESS.—Section 552(d) of title 5, United States Code, is amended by adding at the end the following: “In responding to requests from Congress for information, an agency may not assert that information may be withheld from Congress under this section.”.

(D) ASSESSMENT OF ATTORNEY FEES AND OTHER LITIGATION COSTS.—Section 552(a)(4)(E)(i) of title 5, United States Code, is amended by striking “The court may” and inserting “The court shall”.

(E) OFFICE OF GOVERNMENT INFORMATION SERVICES.—Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)(4)(A)(i), by striking “the Director of the Office of Management and Budget” and inserting “the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Information Services.”; and

(2) by amending subsection (h) to read as follows:

“(h) OFFICE OF GOVERNMENT INFORMATION SERVICES.—

“(1) ESTABLISHMENT.—There is established the Office of Government Information Services within the National Archives and Records Administration. The head of the Office is the Director of the Office of Government Information Services.

“(2) REVIEW OF FOIA POLICY, PROCEDURE, AND COMPLIANCE.—The Office of Government Information Services shall—

“(A) review policies and procedures of agencies under this section;

“(B) review compliance with this section by agencies;

“(C) identify methods that improve compliance under this section that may include—

“(i) the timely processing of requests submitted to agencies under this section;

“(ii) the system for assessing fees and fee waivers under this section; and

“(iii) the use of any exemption under subsection (b); and

“(D) review and provide guidance to agencies on the use of fees and fee waivers.

“(3) MEDIATION SERVICES.—The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and agencies as a non-exclusive alternative to litigation and may issue advisory opinions at the discretion of the Office or upon request of any party to such mediation services.

“(4) SUBMISSION OF REPORT.—

“(A) IN GENERAL.—The Office of Government Information Services shall not less than annually submit to the committees described in subparagraph (C) and the President a report on the findings from the information reviewed and identified under paragraph (2), a summary of the Office’s activities under paragraph (3) (including any advisory opinions issued), and legislative and regulatory recommendations to improve the administration of this section.

“(B) ELECTRONIC AVAILABILITY OF REPORTS.—The Office shall make available any report submitted under subparagraph (A) in an electronic, publicly accessible format.

“(C) CONGRESSIONAL SUBMISSION OF REPORT.—The committees described in this subparagraph are the following:

“(i) The Committee on Oversight and Government Reform of the House of Representatives.

“(ii) The Committees on Homeland Security and Governmental Affairs and the Judiciary of the Senate.

“(D) DIRECT SUBMISSION OF REPORTS AND TESTIMONY.—Any report submitted under subparagraph (A), any testimony, or any other communication to Congress shall be submitted directly to the committees and the President, without any requirement that any officer or employee outside of the Office of Government Information Services, including the Archivist of the United States and the Director of the Office of Management and Budget, review such report, testimony, or other communication.

“(5) SUBMISSION OF ADDITIONAL INFORMATION.—The Director of the Office of Government Information Services may submit additional information to Congress and the President that the Director determines to be appropriate.

“(6) ANNUAL MEETING REQUIRED.—Not less than once a year, the Office of Government Information Services shall hold a meeting that is open to the public on the review and reports by the Office and permit interested persons to appear and present oral or written statements at such meeting.”.

(F) PUBLIC RESOURCES.—Section 552(a)(6) of title 5, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “of such determination and the reasons therefor, and of the right of such person to appeal to the head of the agency any adverse determination; and” and inserting the following: “of—

“(I) such determination and the reasons therefor;

“(II) the right of such person to seek assistance from the agency FOIA Public Liaison; and

“(III) the right of such person to appeal to the head of the agency any adverse determination, within a period determined by the agency that is not less than 90 days after the receipt of such adverse determination; and”;

and

(B) in clause (ii), by striking the period at the end and inserting the following: “and the right of such person to seek dispute resolution services from the agency FOIA Public Liaison or the Office of Government Information Services.”;

(2) in subparagraph (B)—

(A) by redesignating clause (iv) as clause (v); and

(B) by inserting after clause (iii) the following new clause (iv):

“(iv) When an agency consults with an entity with substantial interests in the determination of a request (in this clause referred to as the ‘consulted entity’):

“(I) The agency shall notify the requestor of the consultation in writing, including each of the following:

“(aa) A brief description of the consultation process.

“(bb) The name of each consulted entity, unless otherwise prohibited by law.

“(cc) An approximate number of pages, or other description of the volume of records, that each consulted entity is reviewing.

“(II) The agency shall notify the consulted entity of the need to consult in writing, including each of the following:

“(aa) An approximate number of pages, or other description of the volume of records, that the entity is requested to review.

“(bb) A request to provide a complete response within 15 days after the date on which the notification is sent and a notice that after the expiration of that time period the agency will proceed with the compliance of the request if a completed response is not received.

“(cc) If the number of records in the consultation under this clause exceeds 3,000 pages, a notification that the consulted entity shall have 15 days after the date on which the notice is sent to submit a substantial response and that a response on at least 3,000 pages not less than every five days thereafter is required to continue the consultation period.

“(dd) If the consulted entity is unable or anticipates that the entity will be unable to complete the consultation within the time period described, a notification that the consulted entity may request mediation services at the Office of Government Information Services to set an alternative consultation schedule.

“(III) If the requesting agency has not received a completed request within the time period described in the consultation notice, the agency shall request that the consulted entity engage in mediation services with the Office of Government Information Services. If the consulted entity is an agency, the consulted agency shall agree to participate in mediation services.

“(IV) If the consulted entity requests or agrees to engage in mediation services, the requesting agency shall notify the requestor of the mediation and the opportunity to participate in the mediation, if participation is not otherwise prohibited by law. The parties in the mediation shall determine a reasonable schedule of completion and a date by which the requesting agency shall complete the response to the request.

“(V) If the consulted entity does not respond or rejects the offer to mediate an alternative schedule, the requesting agency shall complete the response to the requester.

“(VI) The previous provisions of this clause shall not apply when the consulted entity is an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).”; and

(3) in subparagraph (F), by striking “any such estimate to the person making the request, unless providing such estimate would harm an interest protected by the exemption in subsection (b) pursuant to which the denial is made.” and inserting the following: “to the person making the request the following:

“(i) Any such estimate, unless providing such estimate would harm an interest protected by the exemption in subsection (b) pursuant to which the denial is made.

“(ii) A list of all records requested the provision of which was denied, unless the disclosure of such record is prohibited by law.”.

(g) **ADDITIONAL DISCLOSURE OF INFORMATION REQUIREMENTS.**—Section 552(a) of title 5, United States Code, is amended by adding at the end the following new paragraphs:

“(8) **DISCLOSURE OF INFORMATION FOR INCREASED PUBLIC UNDERSTANDING OF THE GOVERNMENT.**—Each agency shall—

“(A) review the records of such agency to determine whether the release of the records would be in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government;

“(B) for records determined to be in the public interest under subparagraph (A), reasonably segregate and redact any information exempted from disclosure under subsection (b); and

“(C) make available in an electronic, publicly accessible format, any records identified in subparagraph (A), as modified pursuant to subparagraph (B).

“(9) **INCREASED DISCLOSURE OF INFORMATION.**—Each agency shall—

“(A) make information public to the greatest extent possible through modern technology to—

“(i) inform the public of the operations and activities of the Government; and

“(ii) ensure timely disclosure of information; and

“(B) establish procedures for identifying categories of records that may be disclosed regularly and additional records of interest to the public that are appropriate for public disclosure, and for posting such records in an electronic, publicly accessible format.”.

(h) **REPORT ON CATEGORIES OF INFORMATION FOR DISCLOSURE.**—Not later than one year after the date of the enactment of this Act, and every two years thereafter, the Director of the Office of Information Policy of the Department of Justice, after consultation with agencies selected by the Director, shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and the Judiciary of the Senate a report that identifies categories of records that would be appropriate for proactive disclosure, and shall make such report available in an electronic, publicly accessible format.

(i) **AGENCY FOIA REPORT.**—Section 552(e) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “and to the Director of the Office of Government Information Services” after “the Attorney General of the United States”; and

(B) in subparagraph (N), by striking “; and” and inserting a semicolon;

(C) in subparagraph (O), by striking the period and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

“(P) the number of times the agency invoked a law enforcement exclusion under subsection (c);

“(Q) the number of times the agency engaged in dispute resolution with the assistance of the Office of Government Information Services or the FOIA Public Liaison;

“(R) the number of records that were made available in an electronic, publicly accessible format under subsection (a)(2); and

“(S) the number of times the agency assessed a search or duplication fee under subsection (a)(4)(A) and did not comply with a time limit under subsection (a)(6).”;

(2) by amending paragraph (3) to read as follows:

“(3) **ELECTRONIC ACCESSIBILITY OF REPORTS.**—Each agency shall make each such report available in an electronic, publicly accessible format. In addition, each agency shall make the raw statistical data used in its reports available in a timely manner in an electronic, publicly accessible format. Such data shall be—

“(A) made available without charge, license, or registration requirement;

“(B) capable of being searched and aggregated; and

“(C) permitted to be downloaded and downloaded in bulk.”;

(3) in paragraph (4)—

(A) by striking “Committee on Government Reform and Oversight” and inserting “Committee on Oversight and Government Reform”; and

(B) by striking “Governmental Affairs” and inserting “Homeland Security and Governmental Affairs”; and

(C) by striking “April 1” and inserting “March 1”;

(4) in paragraph (5)—

(A) by inserting “and the Director of the Office of Government Information Services” after “the Director of the Office of Management and Budget”; and

(B) by striking “by October 1, 1997”; and

(5) by amending paragraph (6) to read as follows:

“(6) **ATTORNEY GENERAL FOIA REPORT.**—

“(A) **IN GENERAL.**—The Attorney General of the United States shall submit to Congress and the President an annual report on or before March 1 of each calendar year which shall include for the prior calendar year—

“(i) a listing of the number of cases arising under this section, including for each case, as applicable—

“(I) each subsection under this section;

“(II) each paragraph of each such subsection;

“(III) any exemption;

“(IV) the disposition of such case; and

“(V) the cost, fees, and penalties assessed under subparagraphs (E), (F), and (G) of subsection (a)(4); and

“(ii) a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

“(B) **ELECTRONIC AVAILABILITY.**—The Attorney General of the United States—

“(i) shall make each report described under subparagraph (A) available in an electronic, publicly accessible format; and

“(ii) shall make the raw statistical data used in each report available in an electronic, publicly accessible format, which shall be—

“(I) made available without charge, license, or registration requirement;

“(II) capable of being searched and aggregated; and

“(III) permitted to be downloaded, including downloaded in bulk.”.

(j) **SEARCH OR DUPLICATION FEES.**—Section 552(a)(4)(A) of title 5, United States Code, is amended by striking clause (viii) and inserting the following new clause:

“(viii)(I) Except as provided in subclause (II), an agency shall not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) under this subparagraph if the agency fails to comply with any time limit described in paragraph (6).

“(II)(aa) If an agency has determined that unusual circumstances apply (as the term is defined in paragraph (6)(B)) and the agency provided a timely written notice to the requester in accordance with paragraph (6)(B), a failure described in subclause (I) is excused for an additional 10 days. If the agency fails to comply with the extended time limit, the agency may not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees).

“(bb) If an agency has determined that unusual circumstances apply and more than 3,000 pages are necessary to respond to the request, an agency may charge search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) if the agency has provided a timely written notice to the requester in accordance with paragraph (6)(B) and the agency has discussed with the requester via written mail, electronic mail, or telephone (or made not less than 3 good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with paragraph (6)(B)(ii).

“(cc) If a court has determined that exceptional circumstances exist (as that term is defined in paragraph (6)(C)), a failure described in subclause (I) shall be excused for the length of time provided by the court order.

“(ix) When assessing or estimating fees, agencies shall provide a detailed explanation of the fee calculation, including—

“(I) the actual or estimated number, as appropriate, of—

“(aa) records duplicated;

“(bb) hours of searching;

“(cc) files searched;

“(dd) records searched;

“(ee) custodians searched;

“(ff) records reviewed; and

“(gg) hours of review;

“(II) citations to the fee schedule for each category of fee assessed; and

“(III) in the case of an estimate, the basis for such estimate.”.

(k) **GOVERNMENT ACCOUNTABILITY OFFICE.**—Subsection (i) of section 552 of title 5, United States Code, is amended to read as follows:

“(i) **GOVERNMENT ACCOUNTABILITY OFFICE.**—The Government Accountability Office shall—

“(1) conduct audits of administrative agencies on compliance with and implementation of the requirements of this section and issue reports detailing the results of such audits;

“(2) catalog the number of exemptions under subsection (b)(3) and agency use of such exemptions; and

“(3) review and prepare a report on the processing of requests by agencies for information pertaining to an entity that has received assistance under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211 et seq.) during any period in which the Government owns or owned more than 50 percent of the stock of such entity.”.

(l) **CHIEF FOIA OFFICER RESPONSIBILITIES; COUNCIL; REVIEW.**—Section 552 of title 5, United States Code, is amended—

(1) by striking subsections (j) and (k); and
(2) by inserting after subsection (i), the following new subsections:

“(j) CHIEF FOIA OFFICER.—

“(1) DESIGNATION.—Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

“(2) DUTIES.—The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

“(A) have agency-wide responsibility for efficient and appropriate compliance with this section;

“(B) monitor implementation of this section throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency’s performance in implementing this section;

“(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve the implementation of this section;

“(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency’s performance in implementing this section;

“(E) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of the exemptions in both the agency’s handbook issued under subsection (g), and the agency’s annual report on this section, and by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply;

“(F) serve as the primary agency liaison with the Office of Government Information Services and the Office of Information Policy; and

“(G) designate one or more FOIA Public Liaisons.

“(3) COMPLIANCE REVIEW REQUIRED.—The Chief FOIA Officer of each agency shall—

“(A) review, not less than annually, all aspects of the agency’s administration of this section to ensure compliance with the requirements of this section, including—

“(i) agency regulations;

“(ii) disclosure of records required under paragraphs (2), (8), and (9) of subsection (a);

“(iii) assessment of fees and determination of eligibility for fee waivers;

“(iv) the timely processing of requests for information under this section;

“(v) the use of exemptions under subsection (b); and

“(vi) dispute resolution services with the assistance of the Office of Government Information Services or the FOIA Public Liaison; and

“(B) make recommendations as necessary to improve agency practices and compliance with this section.

“(k) CHIEF FOIA OFFICERS COUNCIL.—

“(1) ESTABLISHMENT.—There is established in the executive branch the Chief FOIA Officers Council (in this subsection, referred to as the ‘Council’).

“(2) MEMBERS.—The Council shall consist of the following members:

“(A) The Deputy Director for Management of the Office of Management and Budget.

“(B) The Director of the Office of Information Policy at the Department of Justice.

“(C) The Director of the Office of Government Information Services at the National Archives and Records Administration.

“(D) The Chief FOIA Officer of each agency.

“(E) Any other officer or employee of the United States as designated by the Co-Chairs.

“(3) CO-CHAIRS.—The Director of the Office of Information Policy at the Department of Justice and the Director of the Office of Government Information Services at the National Archives and Records Administration shall be the Co-Chairs of the Council.

“(4) SUPPORT SERVICES.—The Administrator of General Services shall provide administrative and other support for the Council.

“(5) CONSULTATION.—In performing its duties, the Council shall consult regularly with members of the public who make requests under this section.

“(6) DUTIES.—The duties of the Council include the following:

“(A) Develop recommendations for increasing compliance and efficiency under this section.

“(B) Disseminate information about agency experiences, ideas, best practices, and innovative approaches related to this section.

“(C) Identify, develop, and coordinate initiatives to increase transparency and compliance with this section.

“(D) Promote the development and use of common performance measures for agency compliance with this section.

“(7) MEETINGS.—

“(A) REGULAR MEETINGS.—The Council shall meet regularly and such meetings shall be open to the public unless the Council determines to close the meeting for reasons of national security or to discuss information exempt under subsection (b).

“(B) ANNUAL MEETINGS.—Not less than once a year, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.

“(C) NOTICE.—Not later than 10 business days before a meeting of the Council, notice of such meeting shall be published in the Federal Register.

“(D) PUBLIC AVAILABILITY OF COUNCIL RECORDS.—Except as provided in subsection (b), the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by the Council shall be made publicly available.

“(E) MINUTES.—Detailed minutes of each meeting of the Council shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Council.”.

(m) EXCLUDED RECORDS.—Section 552(c) of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(4) An agency shall notify the Department of Justice in each instance records responsive to a request have been identified that the agency determines are not subject to the requirements of this section under paragraphs (1), (2), or (3) and shall provide the Department of Justice with a detailed justification for such determination for each such instance. The Department of Justice shall maintain records of each notification and justification received. An agency may treat records created under this paragraph as not subject to the requirements under this section.”.

(n) AGENCY PERFORMANCE; ADVERSE ACTIONS.—

(1) IN GENERAL.—Section 552 of title 5, United States Code, is further amended by adding at the end the following new subsection:

“(n) AGENCY PERFORMANCE.—

“(1) PERFORMANCE REVIEWS.—Performance appraisals under chapter 43 of this title shall include consideration of the employee’s responsibility for, and compliance with, this section as appropriate.

“(2) AGENCY-WIDE TRAINING.—Each agency shall ensure agency employees receive annual training on the responsibilities of the agency under this section, including the specific responsibilities of each employee, such as responding promptly to requests for records and providing all records that may be responsive to the request.

“(3) FOIA OFFICER TRAINING.—Each agency shall ensure agency employees directly responsible for fulfilling the requirements under this section receive annual training on such requirements. The annual training shall include statutory requirements (such as time limits to respond to requests for records, limitations on exemptions, and opportunities for discretionary disclosure) and any changes to this section or any interpretation of this section (such as a regulation issued under this section).

“(4) VIOLATION OF FOIA.—

“(A) INTENTIONAL.—An intentional violation of any provision of this section, including any rule, regulation, or other implementing guideline, by an officer or employee of an agency, as determined by the appropriate supervisor, shall be forwarded to the Inspector General of the agency for a verification of the violation, and upon verification, such officer or employee shall be subject to the suspension and removal provisions under subchapter II or V of chapter 75.

“(B) UNAUTHORIZED WITHHOLDING.—The withholding of information in contravention of the requirements of this section, including any rule, regulation, or other implementing guideline, as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75, as the case may be.”.

(2) REGULATIONS.—The Office of Personnel Management shall ensure that any performance appraisal system established pursuant to chapter 43 of title 5, United States Code, shall include the requirements of section 552(n)(1) of such title (as added by paragraph (1)).

(o) REGULATIONS; GAO STUDY; SYSTEM OF RECORD NOTICE.—

(1) REVISION OF REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the head of each agency shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by this section. The regulations of each agency shall include—

(A) procedures for engaging in dispute resolution; and

(B) procedures for engaging with the Office of Government Information Services.

(2) GAO NON-CUSTODIAN STUDY.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall—

(A) conduct a study of not less than five agencies to assess the feasibility of implementing a policy requiring non-custodians to search for records to meet the requirements of section 552 of title 5, United States Code, and requests for documents from Congress; and

(B) submit a report on such assessment to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on the Judiciary of

the Senate detailing the results of such study.

(3) **OFFICE OF GOVERNMENT INFORMATION SERVICES REPORT.**—Not later than 270 days after the date of the enactment of this Act, the Office of Government Information Services shall submit to Congress a report on agency compliance with the requirements of this subsection.

(4) **AGENCY SYSTEM OF RECORDS NOTICE REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the head of each agency shall publish in the Federal Register a system of records notice as defined in section 552a of title 5, United States Code, which allows the Office of Government Information Services access to records to the extent necessary to meet the requirements of this Act, and the amendments made by this Act.

(5) **REPORT ON NONCOMPLIANCE.**—Not later than 270 days after the date of the enactment of this Act, the head of an agency that does not meet the requirements of paragraph (1) shall submit to Congress a report on the reason for noncompliance.

(6) **INSPECTOR GENERAL REVIEW FOR NONCOMPLIANCE.**—Any agency that fails to comply with the requirements of this subsection shall be reviewed by the Office of Inspector General of such agency for compliance with section 552 of title 5, United States Code.

(7) **AGENCY DEFINED.**—In this section, the term “agency” has the meaning given such term in section 552(f) of title 5, United States Code.

SEC. 3. INSPECTOR GENERAL REVIEW.

(a) **PERIODIC REVIEW.**—The Inspector General of each agency (as such term is defined in section 552(f) of this title 5, United States Code) shall—

(1) periodically review compliance with the requirements of section 552 of title 5, United States Code, including the timely processing of requests, assessment of fees and fee waivers, and the use of exemptions under subsection (b) of such section; and

(2) make recommendations the Inspector General determines to be necessary to the head of the agency, including recommendations for disciplinary action.

(b) **REQUIRED FREQUENCY FOR CERTAIN AGENCIES.**—The Inspector General of each agency (as such term is defined in section 901 of title 31, United States Code) shall complete the review and make the recommendations required under subsection (a) not less than once every two years.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ISSA), the former chairman of the Oversight and Government Reform Committee and one of the lead sponsors of this bill.

Mr. ISSA. Mr. Speaker, I thank the chairman.

It is no accident that this is one of the first bills of the new year. Like some of the other legislation, it is not a new idea. In many ways, what it really is is this body, once again, if you will, reiterating when we talk about freedom of information for the American people, whether it is a private citizen who doesn't know what the government knows about him or her and would like to or it is an interest group, a think tank, or very, very often the press—The New York Times, The Washington Post, the LA Times, and a host more—wanting to know what the government is doing, what their government is doing with their money, their freedoms.

This bill emphasizes in no uncertain terms something that is long overdue: that the balance between the American people's right to know about their information and the government's right to keep a secret shall always be balanced in favor and presumed to be the American people's right. In other words, no longer, after this bill is signed into law, will an administration, Republican or Democratic, be able to presume that they are going to say no if they possibly can. Instead, this bill shifts the burden to the presumption of yes.

Not only does it shift the burden, but it puts an outright mandate that, after 25 years, information not covered by national security requirements or classifications of secret or above, shall, in fact, simply be available.

These are fundamentally important distinctions between the current law. But more to the point of a modernization, this legislation mandates a single point of asking for FOIA, an assumption that it is long overdue for us to streamline and improve the ability to get this information and get it to everyone.

One of the aspects of the legislation is that H.R. 653 will require that information asked for again and again and again be posted and available for everyone rather than each time being a burden of somebody wanting similar or even identical information to have to put in a FOIA request.

Mr. Speaker, what I want to close with is this isn't just bipartisan; this is universal. Members of the House and the Senate, whether there is a Republican or Democratic President, whether it is on behalf of a constituent wanting some simple information, we regularly use the Freedom of Information Act, and we regularly find ourselves frustrated.

This is good for the administration. It builds on legislation like the DATA Act and other reforms that the Oversight and Government Reform Committee have done over a number of years.

Lastly, I want to thank my good friend from Maryland (Mr. CUMMINGS). From the very day we began heading the committee, more than 5 years ago now, together, he has always been for FOIA reform, always been for more transparency, and always been supportive of the legislation you see here today. I want to thank Mr. CUMMINGS, something that I don't get enough chances to do.

And I want to thank Chairman CHAFFETZ for bringing this bill, not only as it was originally written, but with some important modifications to make it, hopefully, go through quickly when it is considered by the Senate.

I urge its support.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 653, the FOIA Oversight and Implementation Act.

I want to start by thanking Representative DARRELL ISSA for working with me on this legislation. We first introduced the FOIA Act in March 2013. The bill before us today is the product of 3 years of work—hard work—feedback, negotiation, and perseverance.

I also want to thank the chairman of the Oversight and Government Reform Committee, JASON CHAFFETZ, for his work on this bill and his strong support for bringing it to the House floor today.

I would say that this is a bipartisan effort, but it is more than that. We actually worked very, very hard together, all of us, to make this happen. If there was any case where we had to use this term of not moving to common ground but moving to higher ground, it would be this legislation.

Open government advocates—journalists, editorial boards, and everyday citizens—who support this bill also deserve a tremendous amount of gratitude.

The FOIA Act would strengthen the cornerstone of our open government laws and the Freedom of Information Act. This legislation builds on the historic work of the Obama administration, which I believe will go down in history as the most transparent administration to date. The bill would codify the presumption of openness standard that President Obama put in place in a memo issued on his first day in office.

The bill would require agencies to identify specific identifiable harm to an interest protected by exemption unless disclosure is prohibited by law. This provision would not require agencies to disclose classified information, it would not require agencies to disclose anything they are prohibited from disclosing by law, and it would

not remove any of FOIA's existing time exemptions. It would, however, put the burden on agencies where it should be: to justify keeping government information secret.

The bill would also put a 25-year sunset exemption 5 of FOIA—the deliberative process exemption—and limit the scope of records that agencies could withhold under that exemption. It would modernize FOIA by requiring the Office of Management and Budget to create a central portal to allow FOIA requests to any agency through one Web site.

The Office of Government Information Services, the FOIA ombudsman created by Congress in 2007, would become more independent, which is very important under this bill, because that office would be allowed to submit testimony and reports directly to Congress without going through political review.

This bill is coming to the floor with an amendment that makes a number of changes, and many of them proposed by Chairman CHAFFETZ. Some of these additions include requiring agencies to provide each FOIA requester with a contact name and information for an agency employee who can provide information on the status of the request. This is so very, very important.

Our bill has widespread support. A coalition of 47 open government groups sent a letter in support of this bill on February 5, 2015, that said:

“Congress must act this year to ensure that FOIA stays current with people's need to access government information and resilient in the face of attempts to subvert that access.”

□ 1730

Numerous editorial boards have written, urging Congress to pass FOIA reform legislation.

A New York Times editorial from February 2015 reads: “This is a rare chance to log a significant bipartisan accomplishment in the public interest.”

A USA Today editorial in March 2015 called for the enactment of this bill's reforms.

A Los Angeles Times editorial read that this legislation and a similar bill in the Senate “deserves to be passed.”

This is a movement called Fix FOIA by 50. That movement is aimed at getting H.R. 653 enacted before the 50th anniversary of FOIA in July of this year.

An online clearinghouse for the movement includes stories from journalists about why FOIA is critical to their work and why this legislation must be enacted.

It is important to note that, even with the enactment of this legislation, the work of Congress must continue.

Agency FOIA staff are being asked to do more than ever before. From 2009 to 2014, the overall number of FOIA requests submitted to Federal agencies

increased by 28 percent with new records set in each of the past 4 years in a row. The total number of FOIA personnel, however, decreased by about 4 percent. Congress must give these agencies more resources.

Again, I thank Congressman ISSA for all of his hard work. I know that he has been on this bill for a long time and has tried to make sure it gets passed. Again, I want to thank both staffs for working so hard.

Since Chairman CHAFFETZ became chairman, we have had two meetings, and I know our staffs have had numerous meetings and have hammered out the details to make a very good bill a better bill. I want to thank them.

I urge my colleagues to vote for transparency and for the American people by voting “yes” on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

This is a good, much-needed piece of legislation. It is hard to believe that FOIA, the Freedom of Information Act, was passed nearly 50 years ago.

We are a little different in the United States. We are self-critical. We do look at things. We do examine things. We do it in the spirit of making this country better.

We also have to remember who we work for. We work for the American people. The American people are paying the tab. It is their government, and they have the right to know.

Updating this piece of legislation is something that, in particular, Congressman ISSA sought to do some time ago. He put the wheels in motion and started to draft a good and much-needed bill.

Coming together with the ranking member, Mr. CUMMINGS, has made this all possible. We have had some good, vibrant discussions. We had 2 days of hearings in our committee. We heard from citizens. We heard from the media. We heard from a host of people.

I think it is fair to say that, in large part, the FOIA, the way it operates now, is broken. I do agree and concur with the ranking member that, if we are going to have such a bombardment of requests, they need to be properly funded and there needs to be the personnel in order to make sure they can fulfill these requests.

When appropriation season comes, I want to stand with Mr. CUMMINGS and with others and make sure that it is properly funded so that those good people can do their good work.

There were a number of reforms and improvements that needed to happen. I do appreciate the flexibility of working and of offering suggestions and then another set of suggestions.

This would not have been possible, Mr. Speaker, without some good work in the Office of Legal Counsel. Sally

Walker dealt with us time and time again.

On our side of the aisle, we had it spearheaded with Katy Rother, and I know that Krista Boyd particularly, on Mr. CUMMINGS' staff, was vital to making this happen.

There are vital pieces of information that are needed and that are rightfully requested by the American people, but this piece of legislation will make that FOIA process smoother. It will make it more effective, more efficient, and I think it is much needed as we go into the 50th year of FOIA. I look forward to its passage. I urge a “yes” vote.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I close by highlighting a few additional provisions of FOIA.

This bill would require agencies to review existing records to identify categories of records to proactively disclose rather than waiting for FOIA requests.

The bill would also require the Department of Justice to report to Congress on categories of records that would be appropriate for proactive disclosure.

Finally, the bill would tackle the proliferation of statutory FOIA exemptions by requiring the Government Accountability Office to catalog all of the statutory exemptions on the books.

Again, I urge the support of this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the good, bipartisan work. It was through a lot of labor and a lot of listening to what the public needs and to what the media needs. I do think this will make the Freedom of Information Act better as it is the spirit by which we operate in this country.

I urge the bill's passage.

Mr. Speaker, I yield back the balance of my time.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, January 8, 2016.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: On January 7, 2016, your committee ordered H.R. 653, the “FOIA Oversight and Implementation Act of 2015,” reported. As you know, H.R. 653 contains several provisions that implicate the work of agencies within the jurisdiction of the Permanent Select Committee on Intelligence. The bill addresses how elements of the Intelligence Community (IC), as defined in section 3(4) of the National Security Act of 1947, may protect sensitive information from disclosure under the Freedom of Information Act (FOIA).

On the basis of your consultations with the Committee, I understand that H.R. 653 has been crafted to avoid compelling the disclosure of any properly classified information, or other information where disclosure would

adversely affect intelligence sources and methods protected by an existing FOIA exemption. In particular, I understand that H.R. 653 does not allow or require FOIA requesters to obtain IC records or information, without regard to the age of the records or information, if such disclosure would adversely affect intelligence sources and methods.

I further understand that H.R. 653 does not alter an Intelligence Community element's discretion over the language it chooses to use in denying records or information sought pursuant to FOIA. Specifically, I understand that the requirement in Section 2(f)(3) for federal agencies to include "a list" of all denied records preserves an Intelligence Community element's discretion regarding the contents of the required "list." To the extent that elaboration of any list would adversely affect intelligence sources and methods, an IC element may cite to the applicable FOIA exemption to meet the list requirement.

I would appreciate your response to this letter confirming these understandings and would request that you include a copy of this letter in the Congressional Record during its floor consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 11, 2016.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your January 8, 2016, letter regarding H.R. 653, the FOIA Oversight and Implementation Act of 2015, as reported. H.R. 653 bill addresses how elements of the Intelligence Community (IC), as defined in section 3(4) of the National Security Act of 1947, may protect sensitive information from disclosure under the Freedom of Information Act (FOIA). I am writing to confirm our mutual understanding with respect to the consideration of the bill.

H.R. 653 has been crafted to strengthen FOIA by establishing a strong presumption in favor of disclosure, while also recognizing the need to avoid compelling the disclosure of any properly classified information, or other information where disclosure would adversely affect intelligence sources and methods protected by an existing FOIA exemption. The bill, as reported, does not require agency FOIA staff to disclose IC records or information, without regard to the age of the records or information, if such disclosure would adversely affect intelligence sources and methods. Further, the bill does not alter an IC element's discretion over the language it chooses to use in denying records or information sought pursuant to FOIA. Specifically, the requirement in Section 2(f)(3) for federal agencies to include "a list" of all denied records preserves an Intelligence Community element's discretion regarding the contents of the required "list."

A copy of our exchange of letters on this matter in the will be inserted into the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to this matter.

Sincerely,

JASON CHAFFETZ,
Chairman.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman for yielding and I rise in

support of the FOIA Oversight and Implementation Act.

The Freedom of Information Act enables individual citizens to request records and information from federal agencies, and is therefore one of the greatest tools available to the public to ensure accountability and transparency.

President Obama promised the American people that his administration would have an unprecedented level of openness. Unfortunately, the President has failed to deliver on his promise.

Mr. Speaker, the House Oversight and Government Reform Committee released a report today that found a dysfunctional and ambiguous FOIA system. To quote from the report, "The FOIA process is broken. Unnecessary complications, misapplication of the law, and extensive delays are common occurrences."

H.R. 653 will make great strides in correcting, protecting, and ultimately strengthening FOIA by providing greater disclosure of records and encouraging greater federal agency compliance.

Mr. Speaker, I urge all my colleagues to support H.R. 653.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 653, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FEDERAL INTERN PROTECTION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3231) to amend title 5, United States Code, to protect unpaid interns in the Federal government from workplace harassment and discrimination, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Intern Protection Act of 2015".

SEC. 2. PROHIBITED PERSONNEL PRACTICES.

(a) *IN GENERAL.*—Section 2302 of title 5, United States Code, is amended by adding at the end the following:

"(g)(1) All protections afforded to an employee under subparagraphs (A), (B), and (D) of subsection (b)(1) shall be afforded, in the same manner and to the same extent, to an intern and an applicant for internship.

"(2) For purposes of the application of this subsection, a reference to an employee shall be considered a reference to an intern in—

"(A) section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16);

"(B) sections 12 and 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 631, 633a); and

"(C) section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

"(3) In this subsection, the term 'intern' means an individual who performs uncompensated voluntary service in an agency to earn credit awarded by an educational institution or to learn a trade or occupation."

(b) *CONFORMING AMENDMENT.*—Section 3111(c)(1) of title 5, United States Code, is amended by inserting "section 2302(g) (relating to prohibited personnel practices)," before "chapter 81".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 3231, the Federal Intern Protection Act of 2015, as introduced by the ranking member, Mr. CUMMINGS. This is a bill brought to my attention by him. We took it through the process in our committee and marked it up, and here we are on the floor.

The bill establishes some important protections against the workplace discrimination and harassment of both unpaid Federal interns and applicants for Federal internships. Currently, there are no specific provisions in law to protect these unpaid interns.

H.R. 3231 makes it illegal to discriminate, to sexually harass, or to retaliate against unpaid Federal interns and applicants for Federal internships.

Specifically, the bill protects against discrimination and harassment on the basis of race, color, religion, sex, or national origin under the Civil Rights Act of 1967, under the Age Discrimination in Employment Act of 1967, and under the handicapping condition under the Rehabilitation Act of 1973.

Unpaid interns, similar to paid employees, are to be considered protected against discrimination and harassment.

I thank Mr. CUMMINGS for his passion on this issue to guard against this discrimination and harassment. I look forward to supporting this bill. I am glad we could bring it to the floor today.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

The bill before us, the Federal Intern Protection Act, would close a loophole in Federal employment law that currently leaves unpaid interns open to discrimination and sexual harassment.

Earlier this year our committee held a hearing at which we heard testimony about sexual harassment and retaliation in an EPA regional office. During that hearing, both Chairman CHAFFETZ and I expressed our disgust at the exploitation of these young women and demanded that action be taken to prevent this in the future.

Unfortunately, the act of harassing unpaid interns on the basis of race, religion, age, or, in this case, sex is not prohibited by Federal law. Under current law, victims rely on the discretion of managers to prevent the recurrence of this behavior, something that does not always occur.

As one witness testified: "Even after finding out about the numerous harassment victims, the direct reporting manager continued to feed the harasser a steady diet of young women."

As we saw at our hearing, allowing this kind of behavior to go unchecked can have serious consequences on the lives and careers of those who are interested in government service and on those who are simply trying to be all that God meant for them to be. There are many unpaid interns who are willing to commit to working for the Federal Government. We should protect them from this kind of despicable behavior.

I want to take a moment to thank Chairman CHAFFETZ for helping us to move this bill through the committee expeditiously and to bring it to the floor. As a matter of fact, in our committee, we received a unanimous vote on it, and I am hoping that there will be a unanimous vote on the floor today.

I thank him and I thank his staff and our staff for pulling all of this together to get us to this moment.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 3231, the Federal Intern Protection Act.

This bill would amend title 5 of the U.S. Code to extend protections against discrimination and harassment to unpaid interns who work at Federal agencies. The bill would define an intern as someone who performs uncompensated voluntary service in an agency to earn credit awarded by an educational institution or to learn a trade or occupation.

Internships are often the first real entry into a profession; yet, unpaid interns are not expressly protected from the discriminatory practices prohibited by the Civil Rights Act of 1964, the Age Discrimination in Employment Act,

the Rehabilitation Act, and other laws and regulations. This bill would remedy this problem and extend those workplace protections to unpaid interns who may be vulnerable to egregious treatment.

Madam Speaker, all too often, when unpaid interns have taken cases of workplace discrimination to the courts, the courts have ruled against them. In the Second Circuit, a unanimous panel of judges concluded that unpaid interns are not employees covered by existing laws.

In the 1997 case of *O'Connor v. Davis*, an employee at a State hospital harassed an unpaid intern, calling her Miss Sexual Harassment and subjecting her to sexually explicit comments.

The court stated that it was not unsympathetic to O'Connor's situation and acknowledged that she was not in quite the same position to simply walk away from the alleged harassment, as her success at school was dependent on her successfully completing her internship.

The Second Circuit noted that Ms. O'Connor's dependency on her employer made her vulnerable to continued harassment as much as an employee dependent on a regular wage can be vulnerable to ongoing misconduct.

Despite that, the Second Circuit concluded: "It is for Congress, if it should choose to do so, and not this court to provide a remedy under either title VII or title IX for plaintiffs in O'Connor's position."

As ranking member of the House Committee on Education and the Workforce, I urge Congress to do more to protect unpaid interns, be it in the Federal sector, in the Halls of Congress, or in the private sector.

The House Committee on Education and the Workforce has jurisdiction over legislation that strengthens worker protections and defends the civil rights laws of workers, including fighting against discrimination and supporting diversity in the workplace.

Now that the House is about to complete the consideration of H.R. 3231, covering Federal workers, I am calling on the leadership of the Committee on Education and the Workforce to move expeditiously to consider the companion legislation, H.R. 3232, the Unpaid Intern Protection Act. That bill would ensure that unpaid interns in the private sector are free from discrimination and harassment as prohibited by the Civil Rights Act.

□ 1745

Extending workplace protections to nonpaid interns, who under current law lack the protections provided by civil rights laws, should be a priority for the Committee on Education and the Workforce, and that is because internships have become such an important part of the workforce.

According to the 2014 State of Internships Report from a college intern

database, InternMatch, about two-thirds of interns surveyed said internships were important for long-term career advancement and about the same number even stated that internships should be mandatory. Student surveys showed that over 60 percent want to intern in the private sector, about 14 percent in the government sector, and 19 percent in nonprofit organizations.

As Members of Congress, our position should be clear. Regardless of whether an internship is at a Federal agency, on Capitol Hill, or at a Fortune 500 company, we must ensure that the unpaid status of interns does not leave them without a remedy when their civil rights are violated. To that end, we should begin by passing H.R. 3231, the Federal Intern Protection Act.

We should then start working on legislation to provide similar protections to unpaid interns who work in the private sector.

I want to thank Ranking Member CUMMINGS for his leadership on this bill, along with my fellow cosponsors, the gentlewoman from New York (Ms. MENG) and the Delegate from Washington, D.C. (Ms. NORTON).

I urge a "yes" vote on this bill.

Mr. CHAFFETZ. Madam Speaker, there are some good young people who are getting their education. They are excited. They have their whole life in front of them. They get this amazing opportunity to do this internship. Maybe it is a month, maybe it is 3 months, maybe it is 6 months. It is just a limited portion of time. That is where they are going to get a base of knowledge and experience that they are going to be able then to parlay and take into the workforce. It is going to help shape and mold their futures.

As Members, every one of us rely on interns. We have them in our offices in our districts and we have them in our offices in Washington, D.C. We see them in the private sector. We see them all over the place. They provide a valuable role.

Unfortunately, there are some young people—and we have heard these stories, and they are horrific—who go into this situation, and somebody in power, somebody who does get a paycheck, somebody who does control their time, does ask them to do tasks—does the unforgivable and asks them—or does something to them that they should never do.

To hear this story that there isn't a law on the books so the courts can help take care of it, that is just not an excuse. We do a lot of things in this body, and I would like to think this is one of the really good things that we do here today, is pass a piece of legislation like this so we can protect these young people, because if somebody does break the law and does go forward and does do something unforgivable, they have some recourse.

If we are going to take their time and we are going to use the resources of

these young people, those people in charge should be held accountable. I think that is the good we are doing here today.

So to those particularly young women—I am sure there are young men out there too, I just haven't heard as many of their stories—to those young women, at least, I hope we are listening and we are doing something good. That is why I encourage the passage of this bill.

I reserve the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. MENG), one of the cosponsors of this bill.

Ms. MENG. Madam Speaker, I rise today to express strong support for H.R. 3231, the Federal Intern Protection Act of 2015.

Madam Speaker, internships are increasingly considered a resume necessity for entry-level positions in both the public and private sector. More and more, businesses, organizations, and government agencies consider internships a prerequisite experience to full-time employment. In fact, on college campuses across this country, career service officers push their students to obtain competitive internships because they provide valuable professional experiences and are considered essential.

What we often forget is that unpaid interns are amongst the most vulnerable of workers. They need these internships to succeed in their careers. Yet, they are powerless to protect themselves from discrimination and sexual harassment. Facing these challenges can be devastating to young interns at the beginning of their careers.

One year ago, a brave and intelligent young woman, Christina, came to my district office to talk to me about her experiences as an unpaid intern. Christina had faced sexual harassment. She had no legal recourse, but she refused to stay silent. She came to my office with a fellow college student, Anna. They told me about the experiences of many young college students who had faced sexual harassment as unpaid interns. I stand here on their behalf today because we can do something about this.

State legislatures across this country have started to listen. New York, Oregon, Illinois, California, Connecticut, New Jersey, Washington, D.C., and New York City have all passed some form of protection for unpaid interns.

Unpaid internships in Federal agencies, in particular, are coveted and competitive positions. The Federal Intern Protection Act of 2015 directly addresses this vulnerability by extending existing Federal protections under the Civil Rights Act of 1964 to unpaid interns working for the Federal Government. We can provide vulnerable interns in the Federal Government with the protections they deserve.

I would like to thank my colleague, Representative CUMMINGS, for his lead-

ership on this issue. I also thank Representative SCOTT of Virginia and Ms. ELEANOR HOLMES NORTON and their staff for all of their hard work.

Mr. CHAFFETZ. I reserve the balance of my time.

Mr. CUMMINGS. Madam Speaker, I yield myself such time as I may consume as I close.

Madam Speaker, there have been several cases where interns have tried to bring suit and the courts have said that you have no remedy. Chairman CHAFFETZ is absolutely right. It is sad when you can have such an egregious act but no remedy. I think one of the most frustrating things for anyone is when they have been harmed or when they have been treated wrongfully and there is no remedy, there is a problem.

The courts have said over and over again: Congress, if you want there to be a remedy, then you have to act. That is exactly what we are doing today. I think it says a lot for us as a Congress, and I think it says a lot for us as a Nation.

Going back to some of the words of Chairman CHAFFETZ, when we look at unpaid interns, they do come to these offices trying to get experience and trying to learn the duties and the responsibilities of a certain job. They realize that by doing this, it may very well change in a positive way the trajectory of their destiny. They come in with those high expectations, only to have them destroyed. Sometimes the damage can last not for a day or for a week, but for a lifetime.

Then there is another piece that I think a lot of people don't think about, and that is that it is not always the deed, but it is also the memory of having gone through these types of incidents.

I think this is a very important piece of legislation. I would urge my colleagues to vote for it.

Again, I thank the chairman, because we sat there in a hearing and we heard about a very bad case. A lot of people wonder about the value of hearings sometimes, but out of that hearing came this legislation. So, again, I thank the chairman for all of his hard work in helping us get the bill to the floor.

I yield back the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I appreciate the kind words, and I appreciate the dedication and commitment of Mr. CUMMINGS, Mr. SCOTT of Virginia, and others who care deeply about this. I do as well. To be able to play a role to help shepherd it to this point is an honor and a privilege.

I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 3231, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHAFFETZ. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1644, SUPPORTING TRANSPARENT REGULATORY AND ENVIRONMENTAL ACTIONS IN MINING ACT; PROVIDING FOR CONSIDERATION OF S.J. RES. 22, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY; PROVIDING FOR CONSIDERATION OF H.R. 3662, IRAN TERROR FINANCE TRANSPARENCY ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JANUARY 14, 2016, THROUGH JANUARY 22, 2016

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-395) on the resolution (H. Res. 583) providing for consideration of the bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act; providing for consideration of the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes; and providing for proceedings during the

period from January 14, 2016, through January 22, 2016, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 598, by the yeas and nays;

H.R. 3231, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

TAXPAYERS RIGHT-TO-KNOW ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 598) to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 20, as follows:

[Roll No. 34]

YEAS—413

Abraham	Buchanan	Crawford
Adams	Buck	Crenshaw
Aderholt	Bucshon	Crowley
Aguilar	Burgess	Cuellar
Allen	Bustos	Culberson
Amash	Butterfield	Cummings
Amodel	Byrne	Curbelo (FL)
Ashford	Capuano	Davis (CA)
Babin	Cárdenas	Davis, Danny
Barletta	Carson (IN)	Davis, Rodney
Barr	Carter (GA)	DeFazio
Barton	Carter (TX)	DeGette
Bass	Cartwright	Delaney
Beatty	Castor (FL)	DeLauro
Benishek	Castro (TX)	DeBene
Bera	Chabot	Denham
Beyer	Chaffetz	Dent
Bilirakis	Chu, Judy	DeSantis
Bishop (GA)	Cicilline	DeSaulnier
Bishop (MI)	Clark (MA)	DesJarlais
Bishop (UT)	Clarke (NY)	Deutch
Black	Clawson (FL)	Diaz-Balart
Blackburn	Clay	Dingell
Blum	Cleaver	Doggett
Blumenauer	Coffman	Dold
Bonamici	Cohen	Donovan
Bost	Cole	Doyle, Michael
Boustany	Collins (GA)	F.
Boyle, Brendan	Collins (NY)	Duckworth
F.	Comstock	Duffy
Brady (PA)	Conaway	Duncan (TN)
Brady (TX)	Connolly	Edwards
Brat	Conyers	Ellison
Bridenstine	Cook	Ellmers (NC)
Brooks (AL)	Cooper	Emmer (MN)
Brooks (IN)	Costa	Engel
Brown (FL)	Costello (PA)	Eshoo
Brownley (CA)	Courtney	Esty

Farenthold	LaMalfa	Price (NC)
Farr	Lamborn	Price, Tom
Fattah	Lance	Quigley
Fincher	Langevin	Rangel
Fitzpatrick	Larsen (WA)	Ratcliffe
Fleischmann	Larson (CT)	Reed
Fleming	Latta	Reichert
Flores	Lawrence	Renacci
Forbes	Lee	Ribble
Fortenberry	Levin	Rice (NY)
Foster	Lewis	Rice (SC)
Fox	Lieu, Ted	Rigell
Frankel (FL)	Lipinski	Roby
Franks (AZ)	LoBiondo	Roe (TN)
Frelinghuysen	Loeback	Rogers (AL)
Fudge	Lofgren	Rogers (KY)
Gabbard	Long	Rohrabacher
Gallego	Loudermilk	Rokita
Garamendi	Love	Rooney (FL)
Garrett	Lowenthal	Ros-Lehtinen
Gibbs	Lowey	Roskam
Gibson	Lucas	Ross
Gohmert	Luetkemeyer	Rothfus
Goodlatte	Lujan Grisham	Rouzer
Gosar	(NM)	Roybal-Allard
Gowdy	Luján, Ben Ray	Royce
Graham	(NM)	Ruiz
Granger	Lummis	Ruppersberger
Graves (GA)	Lynch	Russell
Graves (MO)	MacArthur	Ryan (OH)
Grayson	Maloney,	Salmon
Green, Al	Carolyn	Sánchez, Linda
Green, Gene	Maloney, Sean	T.
Grijaiva	Marchant	Sanchez, Loretta
Grothman	Marino	Sanford
Guinta	Masie	Sarbanes
Guthrie	Matsui	Scalise
Gutiérrez	McCarthy	Schakowsky
Hahn	McClintock	Schiff
Hanna	McCollum	Schrader
Hardy	McDermott	Schweikert
Harper	McGovern	Scott (VA)
Harris	McHenry	Scott, Austin
Hartzler	McKinley	Scott, David
Hastings	McMorris	Sensenbrenner
Heck (NV)	Rodgers	Sessions
Heck (WA)	McNerney	Sewell (AL)
Hensarling	McSally	Sherman
Herrera Beutler	Meadows	Shimkus
Hice, Jody B.	Meehan	Shuster
Higgins	Meeks	Simpson
Hill	Meng	Sinema
Himes	Messer	Sires
Hinojosa	Mica	Slaughter
Holding	Miller (FL)	Smith (MO)
Hoyer	Miller (MI)	Smith (NE)
Hudson	Moolenaar	Smith (NJ)
Huelskamp	Mooney (WV)	Smith (TX)
Huffman	Moore	Speier
Huizenga (MI)	Moulton	Stefanik
Hultgren	Mullin	Stewart
Hunter	Mulvaney	Stivers
Hurd (TX)	Murphy (FL)	Stutzman
Hurt (VA)	Murphy (PA)	Swalwell (CA)
Israel	Nader	Takai
Issa	Napolitano	Takano
Jackson Lee	Neal	Thompson (CA)
Jeffries	Neugebauer	Thompson (MS)
Jenkins (KS)	Newhouse	Thompson (PA)
Jenkins (WV)	Noem	Thornberry
Johnson (GA)	Nolan	Tiberi
Johnson (OH)	Norcross	Tipton
Johnson, E. B.	Nugent	Titus
Johnson, Sam	Nunes	Tonko
Jolly	O'Rourke	Torres
Jones	Olson	Trott
Jordan	Pallone	Tsongas
Joyce	Palmer	Turner
Kaptur	Pascrell	Upton
Katko	Paulsen	Valadao
Keating	Payne	Van Hollen
Kelly (IL)	Pearce	Vargas
Kelly (MS)	Pelosi	Veasey
Kelly (PA)	Perlmutter	Vela
Kildee	Perry	Velázquez
Kilmer	Peters	Visclosky
King (IA)	Peterson	Wagner
King (NY)	Pingree	Walberg
Kinzinger (IL)	Pittenger	Walden
Kirkpatrick	Pitts	Walker
Kline	Pocan	Walorski
Knight	Poe (TX)	Walters, Mimi
Kuster	Poliquin	Walz
Labrador	Polis	Wasserman
LaHood	Pompeo	Schultz
	Posey	Waters, Maxine

Watson Coleman	Wilson (SC)	Young (AK)
Weber (TX)	Wittman	Young (IA)
Welch	Womack	Young (IN)
Wenstrup	Woodall	Zeldin
Westerman	Yarmuth	Zinke
Whitfield	Yoder	
Wilson (FL)	Yoho	

NOT VOTING—20

Becerra	Graves (LA)	Rush
Calvert	Honda	Serrano
Capps	Kennedy	Smith (WA)
Carney	Kind	Webster (FL)
Clyburn	McCaul	Westmoreland
Cramer	Palazzo	Williams
Duncan (SC)	Richmond	

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL INTERN PROTECTION ACT OF 2015

The SPEAKER pro tempore (Mr. NEWHOUSE). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3231) to amend title 5, United States Code, to protect unpaid interns in the Federal government from workplace harassment and discrimination, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 35]

YEAS—414

Abraham	Brooks (AL)	Comstock
Adams	Brooks (IN)	Conaway
Aderholt	Brown (FL)	Connolly
Aguilar	Brownley (CA)	Conyers
Babin	Buchanan	Cook
Amash	Buck	Cooper
Amodel	Bucshon	Costa
Ashford	Burgess	Costello (PA)
Babin	Bustos	Courtney
Barletta	Butterfield	Crawford
Barr	Byrne	Crenshaw
Barton	Calvert	Crowley
Bass	Capuano	Cuellar
Beatty	Cárdenas	Culberson
Benishek	Carson (IN)	Cummings
Bera	Carter (GA)	Curbelo (FL)
Beyer	Carter (TX)	Davis (CA)
Bilirakis	Cartwright	Davis, Danny
Bishop (GA)	Castor (FL)	Davis, Rodney
Bishop (MI)	Castro (TX)	DeFazio
Bishop (UT)	Chabot	DeGette
Black	Chaffetz	Delaney
Blackburn	Chu, Judy	DeLauro
Blum	Cicilline	DeBene
Blumenauer	Clark (MA)	Denham
Bonamici	Clarke (NY)	Dent
Bost	Clawson (FL)	DeSantis
Boustany	Clay	DeSaulnier
Boyle, Brendan	Cleaver	Deutch
F.	Coffman	Diaz-Balart
Brady (PA)	Cohen	Dingell
Brady (TX)	Cole	Doggett
Brat	Collins (GA)	Dold
Bridenstine	Collins (NY)	Donovan

Doyle, Michael F.
 Duckworth
 Duffy
 Duncan (TN)
 Edwards
 Ellison
 Ellmers (NC)
 Emmer (MN)
 Engel
 Eshoo
 Esty
 Farenthold
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foster
 Foxx
 Frankel (FL)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gabbard
 Gallego
 Garamendi
 Garrett
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graham
 Granger
 Graves (GA)
 Graves (MO)
 Grayson
 Green, Al
 Green, Gene
 Griffith
 Grijalva
 Grothman
 Guinta
 Guthrie
 Gutierrez
 Hahn
 Hanna
 Hardy
 Harper
 Harris
 Hartzler
 Hastings
 Heck (NV)
 Heck (WA)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins
 Hill
 Himes
 Hinojosa
 Holding
 Honda
 Hoyer
 Hudson
 Huelskamp
 Huffman
 Huizenga (MI)
 Hultgren
 Hunter
 Hurd (TX)
 Hurt (VA)
 Israel
 Issa
 Jackson Lee
 Jeffries
 Jenkins (KS)
 Jenkins (WV)
 Johnson (GA)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jolly
 Jones
 Jordan
 Joyce
 Kaptur
 Katko
 Keating
 Kelly (IL)

Kelly (MS)
 Kelly (PA)
 Kildee
 Kilmer
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kirkpatrick
 Kline
 Knight
 Kuster
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latta
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 LoBiondo
 Loebach
 Lofgren
 Long
 Loudermilk
 Love
 Lowenthal
 Lowey
 Lucas
 Luetkemeyer
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lummis
 Lynch
 MacArthur
 Maloney,
 Carolyn
 Maloney, Sean
 Marchant
 Marino
 Massie
 Matsui
 McCarthy
 McClintock
 McCollum
 McDermott
 McGovern
 McHenry
 McKinley
 McMorris
 Rodgers
 McNerney
 McSally
 Meadows
 Meehan
 Meeks
 Meng
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Moolenaar
 Mooney (WV)
 Moore
 Moulton
 Mullin
 Mulvaney
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Neugebauer
 Newhouse
 Noem
 Nolan
 Norcross
 Nugent
 Nunes
 O'Rourke
 Olson
 Pallone
 Palmer
 Pascrell
 Paulsen
 Payne
 Pearce
 Pelosi

Perlmutter
 Perry
 Peters
 Peterson
 Pingree
 Pittenger
 Pitts
 Pocan
 Poe (TX)
 Poliquin
 Polis
 Pompeo
 Posey
 Price (NC)
 Price, Tom
 Quigley
 Rangel
 Ratcliffe
 Reed
 Reichert
 Renacci
 Ribble
 Rice (NY)
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Roybal-Allard
 Royce
 Ruiz
 Ruppberger
 Russell
 Ryan (OH)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell (AL)
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Speier
 Stefanik
 Stewart
 Stivers
 Stutzman
 Swalwell (CA)
 Takai
 Takano
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Titus
 Tonko
 Torres
 Trott
 Tsongas
 Turner
 Upton
 Valadao
 Van Hollen
 Vargas

Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Walz
 Becerra
 Capps
 Carney
 Clyburn
 Cramer
 DesJarlais
 Duncan (SC)

Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Welch
 Wenstrup
 Westerman
 Wilson (FL)
 Wilson (SC)
 Wittman
 Graves (LA)
 Kennedy
 Kind
 McCaul
 Palazzo
 Richmond
 Rush

Womack
 Woodall
 Yarmuth
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Young (IN)
 Zeldin
 Zinke
 Smith (WA)
 Webster (FL)
 Westmoreland
 Whitfield
 Williams

NOT VOTING—19

□ 1900

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes."

A motion to reconsider was laid on the table.

EDEN PRAIRIE POLICE DEPARTMENT AWARDS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to honor the hard work and dedication of Eden Prairie Officer of the Year Patrick Kenyon and the Department's Civilian Employee of the Year, Investigative Aide Pauline Sager.

Pauline has been with the Eden Prairie County Police Department for 36 years and has proven herself as a tireless advocate for the public. She is known as an expert on financial fraud crimes. She has advised law enforcement throughout Minnesota and helped bring criminals to justice.

Patrick, a 9-year veteran of the Department, worked as a patrol officer and a juvenile investigator. Officer Kenyon is known as a role model to other officers, and he is always willing to help his colleagues in their duties.

Mr. Speaker, our law enforcement officers keep our communities safe due to the commitment of people like Pauline Sager and Patrick Kenyon. I thank them both for their service to Eden Prairie, and I congratulate them on their recognition.

INTRUSION SOFTWARE AND THE WASSENAAR ARRANGEMENT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, securing our networks from cyber attack is

a challenging task. One of the most effective techniques is penetration testing, or turning hacking tools on one's own network to find weaknesses before bad actors have a chance to exploit them.

Unfortunately, a rule proposed by the Bureau of Industry and Security within the Department of Commerce last May has the potential to make it much harder to share existing tools and develop new ones, which could severely harm our national security and our economic competitiveness.

The rule was issued as part of the addition of "intrusion software" to the Wassenaar Arrangement, one of the principal international export control regimes. Perhaps unsurprisingly, using a 20-year-old framework—itsself the successor of a three-quarter-century-old cold war agreement—to regulate cutting-edge technology has proved difficult. However, I am very thankful for the Bureau's willingness to reexamine the initial proposal, and I am looking forward to tomorrow's Homeland Security hearing as an important step in the process to produce a final rule that allows defenders to test their networks before they are attacked. This is a bipartisan hearing tomorrow, and I look forward to tomorrow's hearing.

RECOGNIZING MARGARET DUNLEAVY

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to reflect on the career of an outstanding public servant in my district, Margaret Dunleavy. Mrs. Dunleavy retired on December 31, 2015, after serving as the Livingston County clerk for 19 years.

In her capacity as clerk, Mrs. Dunleavy has been responsible for overseeing elections in the county, as well as maintaining vital records and all the circuit court records. She was first elected in 1996, and the voters of Livingston County chose her for their clerk in four additional elections.

Her role as county clerk was not Mrs. Dunleavy's first public service experience. She previously served as Hartland Township clerk and deputy clerk.

Mrs. Dunleavy will be remembered as a hardworking, professional, ethical, and highly qualified clerk. I am thankful to have had the opportunity to work with her. I wish her all the best in her retirement.

Mr. Speaker, I am honored to represent such a dedicated public servant in Michigan's Eighth District.

Thank you, Mrs. Dunleavy, for your commitment to Livingston County.

RECOGNIZING WOMEN PILOTS

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today to recognize the important contribution women pilots have made to the service of our military in World War II. These women deserve a proper military resting place.

In 1942, Betty Grace Clements of Elmwood, Nebraska, entered into the Women Airforce Service Pilots. Betty was one of only 1,100 women who had earned her wings to fly noncombat missions to support the war effort.

Betty's job during World War II was to provide courier services for then-Colonel Paul Tibbets and his crew. Colonel Tibbets and his crew were training to fly the Enola Gay and bring an end to the war. Betty was part of the history. She helped end the war, and she served Nebraska and her country with honor.

Betty passed away in 1965, but, under today's law, her ashes could not be added to the Arlington National Cemetery. I think that is a shame. WASPs have fought for proper recognition for their service. I applaud Congresswoman MCSALLY for her bill to give these women the recognition they deserve.

I thank Dr. Grace Clements, Congresswoman MCSALLY, and all women pilots who have served.

I ask my colleagues to support this important legislation.

HUMAN TRAFFICKING AWARENESS MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of National Slavery and Human Trafficking Prevention Month, which is intended to draw attention to a problem which is sadly still a concern across this Nation and across the globe.

According to the National Human Trafficking Resource Center, authorities have investigated more than 500 cases of suspected human trafficking just in Pennsylvania since 2000, including 75 cases reported in 2015 alone.

Human trafficking has been called one of the fastest growing criminal industries in the world. The statistics and recent reports indicate that these types of cases are on the rise across Pennsylvania, including those involving victims who are still teenagers.

I greatly appreciate the work of organizations in Pennsylvania's Fifth Congressional District and across the State in assisting those hurt in human trafficking.

Last year, I supported the Justice for Victims of Trafficking Act, which was signed into law by President Barack Obama. This legislation is aimed at addressing the rise in human trafficking and to improve services for survivors.

I will continue to work in the House towards eliminating this disturbing behavior.

HELLFIRE MISSILE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, last week we were made aware of an extremely serious security breach that resulted in the Castro regime taking possession of a U.S. Hellfire missile.

It is reprehensible to think that while the Obama administration conducted secret negotiations with a communist regime that had under its control sensitive U.S. military hardware, the White House negotiators chose to do nothing about it. The State Department has known about Castro having Hellfire missiles since June of 2004. Apparently, what is the rush?

Cuba continuously engages in military cooperation with our foes and could easily share the missile or its technology with the Russians, Chinese, or North Koreans to be used against our own national security.

An exhaustive investigation must be held by Congress. I urge the administration to hold accountable those responsible for diverting the Hellfire missile to Cuba, and to hold accountable the criminal communist regime that still refuses to return this sensitive technology to us and continues to undermine our interests.

NORTH KOREA NEEDS DISABLING

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week the House will take up new sanctions on North Korea in response to their nuclear weapons test last week. This measure will prevent those facilitating their nuclear weapons program from entering the United States. It sanctions financial institutions and seizes assets in order to halt North Korea's nuclear weapons program.

The steps we are taking reflect the type of approach we should also be taking with Iran. Rogue states, like Iran and North Korea, cannot be trusted to respect international agreements and must be coerced into giving up their nuclear weapons ambitions. Only when Iran and North Korea feel the financial impact of our sanctions will they change course.

Iran and North Korea are also nations that both threaten key allies and friends of the United States. The sanctions we are contemplating are an important reminder to the world that the United States will not look the other way when reckless and aggressive regimes pursue the most deadly weapons in the world.

□ 1915

ONLY OUTLAWS WILL HAVE GUNS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on the very evening the President held a town hall calling for increased gun control, Philadelphia Police Officer Jesse Hartnett was shot at 11 times. None of the President's proposals would have prevented the attack.

More gun control will not stop criminals. The attack was carried out with a stolen police pistol. It will not stop the mentally ill. The shooter complained of hearing voices. More gun control will not stop terrorists. The attacker shouted his support for ISIS.

To reduce shootings, we must enforce current laws, reform mental health laws, and defeat Islamic terrorists overseas. They should update the age-old bumper sticker from, "If guns are outlawed, only outlaws will have guns" to, "If guns are outlawed, only outlaws and terrorists will have guns."

The only positive outcome of the Philadelphia attack is to identify a new American hero, Jesse Hartnett, who demonstrated the extraordinary professionalism of America's law enforcement as recognized last Saturday during National Law Enforcement Appreciation Day.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Releasing terrorists from Guantanamo will allow mass murderers to secure guns to kill American families.

THE PRESIDENT'S PROPOSALS ON GUN VIOLENCE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise with a sense of concern, of sadness, and, also, of relief regarding the heinous shooting of the Philadelphia police officer. I am grateful that he managed to survive, that he is in the hospital, and that he is healing. We wish him and his family well and that he, as well, will heal.

I think it is important to note that we need to look at the rage of gun violence from a sensible and logical perspective. Yes, the President's proposals would have had an impact on this crazed, allegedly ISIL-inspired individual who had no direct contact with ISIL, who had not been to the caliphate to fight, and who, unfortunately, had a previous criminal record.

How would the proposals do so?

First of all, it was a stolen gun. The President has suggested there be 200 more ATF officers to enforce the law.

He has provided \$500 million for mental health resources, and this individual suffered from that.

In addition, he has provided for data collection, for the FBI to redo and to make more certain the inspection or the review of someone who is trying to get a gun.

Mr. Speaker, let's look logically at what the President has offered, and let's not get in the way. Let's try to help stem the tide of gun violence so that our officers, as well, are not in the line of fire.

WOMEN AIRFORCE SERVICE PILOTS

The SPEAKER pro tempore (Mr. HARDY). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Arizona (Ms. MCSALLY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I rise to talk about a very special group of women who were mentors to me and who were pioneering heroes of our country. These women were the Women Airforce Service Pilots, the WASPs.

Some people don't know that much about them, but here is a picture of them as they flew airplanes in the World War II era. When we needed everybody to serve in whatever capacity one could in our country, they needed women to step up and become pilots in order to do all sorts of different missions, like towing targets for the gunners on the ground to learn how to shoot things down, like training men to go on to fly in combat, like ferrying airplanes all over the theaters to deliver them where they needed to be in the combat zone and bringing them back for maintenance. They were test pilots and engineers. You name it.

These women were asked to step up and serve. They went through training. They put on the uniform. They lived in the barracks. They learned how to march. They were pioneers for women like me, who later on served as aviators in the military.

There are just a little over 1,000 of these amazing women who served in World War II. They weren't given Active-Duty status, although that was the intent of General Arnold when they set up this program.

If you think back then, the thought of having women military pilots was a little bit of a cultural hang-up. We will let women be Rosie the Riveter, and we

will let women serve in support positions. But pilots? Now, that is kind of crazy talk.

So they had a little bit of a problem culturally, but they didn't care. They chose to serve anyway. They said, "I am going to step up and serve my country. I am going to do that as a pilot. I am going to do this with honor and with valor," just like their male counterparts did in these very same missions before them, alongside them, and then after them.

Thirty-eight of them died in training or in conducting missions. Thirty-eight of them paid the ultimate sacrifice. They weren't even given veterans' benefits or any benefits after perishing in the line of duty, but they still continued to serve because their country needed them.

It was not until 1977 that they were actually given veteran status after the fact. They were then given honorable discharges. They were given the medals that their male counterparts got for serving as Active Duty in the military. They were allowed to be buried, with honors, in veterans' cemeteries across the country and were given full military honors, which they deserved.

They were actually allowed, as they should be allowed, to be in Arlington National Cemetery, alongside other heroes who have gone before them. Yet, we just found out within the last few weeks that that has been rescinded by the Department of Army.

That happened quietly back in March of 2015 to these heroes, who deserve to be recognized and who deserve to be a legacy in Arlington National Cemetery so that future generations will know what they did and will know of the doors that they opened in the way that they served. It was rescinded by the Army.

We didn't know about this until Elaine Harmon, one of the WASPs, passed away. I saw her handwritten will when I met with her family last week. It reads, "I desire to be in Arlington National Cemetery. I want my ashes there."

Her family put in the request like everybody else does, and they were denied. We now found out that the Army has rescinded that and that it is no longer allowing these pioneering women to be laid to rest in Arlington.

Elaine Harmon's ashes are sitting on a shelf in a closet in her granddaughter's home, awaiting her final resting place in Arlington, which she deserves. The Army gave us some bureaucratic answer about, oh, they are running out of space, and, by mistake, they opened it up.

In 2002, they actually allowed women to be in Arlington. Only two women took advantage of this and asked to be, in their own right, in Arlington. Then the Army turned around and rescinded it. Again, they gave some bureaucratic answer.

They are on the wrong side of this. We have looked into all of the legalities. The Army has all of the authorities that they need to allow these heroes to be laid to rest in Arlington, but they are choosing not to do so.

We have introduced legislation. We are going to make sure that it happens, but we are calling on them to actually change it tonight. Right now, the Secretary of the Army or the Secretary of Defense or the President could tonight say: Do you know what? Elaine Harmon and the other WASPs—there are only a little over 100 who are still living—are going to be allowed to have their ashes in Arlington National Cemetery alongside other heroes. This is the least they could do, and they could do it tonight.

So I am leading the Special Order tonight. This is a bipartisan Special Order. This is bipartisan legislation, and it is bicameral. When we raised awareness of this issue and got the legislation together, we had nearly 80 sponsors right away on this bill who said: Let's change this thing.

Today the Senate introduced a similar bill, and we are going to work together to get this thing done. We want to continue to raise awareness to this issue, this egregious violation of these women. We want this thing changed now. It takes a little bit of time sometimes around here to work through legislation.

In the meantime, Elaine Harmon's ashes are sitting on a shelf in a closet. That is not the way we treat our heroes. That is not the way we treat our pioneers who paved the way for military aviators, like me, to be able to serve in the way we did, and it needs to be changed tonight.

We have a number of individuals here on both sides of the aisle who are going to be sharing this time with me tonight. I first yield to my good friend and colleague, the gentlewoman from California (Mrs. DAVIS), who is the lead Democratic cosponsor of this bill.

Mrs. DAVIS of California. Thank you so much.

I am so glad that my colleague from Arizona is here to speak to this. She is very uniquely qualified to do that as one of the first women pilots—or the first—to actually fly in combat.

As I remember, the women who joined us a few years ago here in the Capitol who were part of the WASPs were here to receive Gold Medals for their heroic acts during the war and for really coming forward and being part of that volunteer band of women who had had some experience in flying, but who could not have imagined in their wildest dreams doing what they were asked to do, but they were delighted to do it.

As I will share, they actually wanted to do more, but there were some other people who took over and asked them to go home and enjoy their lives after

they had given so much. So I am just delighted to join in this effort and to right this injustice for military trailblazers who were truly ahead of their time.

When the call came to serve in World War II, the WASPs answered that call just like millions of other Americans. They logged over 60 million miles in over 12,000 aircraft. As my colleague has said, 38 WASP women died while serving their country.

In 2009, as I mentioned, the WASPs were awarded the Congressional Gold Medal for flying military missions in World War II. Boy, even when they were here, they were just a strong group of women who delighted in seeing one another and in reminding themselves of the amazing stories that they brought.

More than anything else, they serve today as great role models to women who were considering going in the Air Force, of course, and in the Navy, flying for our country, but, also, for taking on some remarkable challenges in their lives. They really represent that for all of us.

They fought, of course, and they died in service to their country. They trained in military style. They slept on metal cots like everybody else and marched and lived under military discipline. That is why we feel they deserve the full honors that we give our war heroes.

As has been mentioned, they were given those honors, but because we have a problem of space, it was decided that perhaps they were not at the top of the list. We need to be sure that we provide for everyone who needs to be there.

There are many WASPs who may not necessarily choose to be at Arlington National Cemetery, but for those who have chosen in working with their families—and their families have fought hard for them—this is something that we need to do.

I want to particularly mention—and I thought this was really fun to read—one of the articles about these WASPs.

This is Eddy, who is saying, “I thought it was the nastiest thing that they”—speaking of the Army Air Forces officials—“could have done to us.” This was while she was receiving visitors at her home in Coronado. “They fired us. They gave our jobs to Air Force men who didn’t want to go overseas. I would have gone overseas in a minute,” she said. “I was a (heck of) a good fighter pilot.”

In my community of San Diego, in El Cajon, I also have a woman named Joyce Secciani, who perhaps was not as forthright as Eddy.

But despite some fading memories, at 87, she still shares Vivian’s passion for the WASPs and her disappointment with its demise. She was also one of the 1,102 women who flew in the all-volunteer program between 1942 and 1944.

She remarked, “All of us felt bad to lose (our flying jobs)—all of us wanted to keep up our ability to fly,” because they knew that, with prevailing chauvinistic attitudes, there would be no pilots’ work for them in the civilian realm.

We need to be sure that we don’t lose our perspective about the work that these women did and that we honor them in this way, that we honor them and their families who supported them as well, because we know, with all of our military families, it is not just the person who serves, but it is the entire family who serves as well.

That was certainly true of these WASPs, whose family members worried about them and were concerned about them as they carried on with their duties as forcibly as they did.

Let’s send that message. Let’s continue to work hard. I know that the WASPs are also planning a museum to honor them and to make sure that the country never forgets the work that they did because it was necessary.

Had they not been there to do that work, many, many people would not have received the materials. Whatever it was, they were making sure that it got to our fighting warriors during World War II.

□ 1930

I am so delighted that my colleague is choosing to move forward with this. I want to turn it back to her, and I know that there are other colleagues of mine over here that would like very much to join in this.

Ms. MCSALLY. Thank you, Congresswoman DAVIS. I really appreciate your partnership on this issue. Together we can show the American people that we can be united on these things that matter to support our veterans and support our heroes and, again, put the pressure on the administration that we have oversight of to actually fix this wrong right now. I really look forward to continuing working with you on it.

I yield to the gentleman from Maine (Mr. POLIQUIN), who is joining this discussion as a cosponsor on the bill, very strongly supporting this initiative.

Mr. POLIQUIN. Mr. Speaker, I thank the Congresswoman.

I don’t think it much matters if you are a man or you are a woman, but you serve in the United States military. Anybody who has stood up for this country to protect our freedom, protect our way of life, protect our kids, they should receive the full benefits, the full honors of anybody who served in uniform.

Now, tonight, as Congresswoman MCSALLY said, we can fix this. There is absolutely no reason whatsoever why the Pentagon should, for some reason, say there is no room at Arlington. Are you kidding me?

Over 1,000 of these brave, patriotic women, during a time where, as Con-

gresswoman MCSALLY and Congresswoman DAVIS mentioned, they were not always welcomed in doing what men were doing, they stood up, they stood up and they left their homes and they left their families. They did what was right. They served this country with honor, with dignity. They flew 78 different types of aircraft all over the world. Over 60 million miles were logged. Look at this picture.

I salute you, Congresswoman, for bringing this before us.

Now, do you think any of these WASPs were saying, “Well, I don’t know, we just can’t get this done, we just can’t perform this mission, I am sorry”? Well, the Pentagon needs to step up right now. They need to find a way to make sure, if these WASPs want to be interred at Arlington, they should be.

Now, some of the missions that these brave women flew on included transporting these vehicles all around the world. You know what they also did? They towed targets for men on the ground that were practicing artillery. Did you hear one of these WASPs complain, “Gee, I hope that these men will hit the targets instead of us”?

The least the Pentagon can do is to take this seriously, listen to the will of the people, and make sure that these brave women are so honored by being interred, if they wish, at Arlington.

Now, one of these humble American heroes is a woman by the name of Betty Anne Brown, who very recently passed away at age 92. Now, wouldn’t she be proud of all of us today standing up and asking that our country, that the Pentagon does the right thing?

I salute Ms. MCSALLY for her leadership on this issue. The Pentagon can do what is right today. As you mentioned, Congresswoman, legislation is not needed if our Commander in Chief or the folks who run the Pentagon stand up and do what is right.

These women deserve every right to be buried at Arlington if they so wish.

Thank you very much, and I am honored to cosponsor this bill.

Ms. MCSALLY. Mr. Speaker, I thank Mr. POLIQUIN. I really appreciate his strong support and strong words in support of this effort here.

I yield to the gentleman from Rhode Island (Mr. LANGEVIN), my good friend. I think back to how many years ago it was this week, actually, when I was your guest at the State of the Union Address. So I have appreciated your support to me when I was in the military and the fights that we had to make sure that women were treated fairly and, also, your strong support on this particular effort.

Mr. LANGEVIN. Mr. Speaker, I thank Congresswoman MCSALLY for yielding. I want to thank her for bringing our attention to this important issue this evening.

I am proud to serve with her on the House Armed Services Committee. I

know she is very proud to represent the people of Arizona in the Second Congressional District there.

I might make note that Ms. MCSALLY's roots are from my home State of Rhode Island. She and I grew up in the same neighborhood, and I am proud to have worked with her on several issues since she has arrived in Congress. I was proud, again, back then to have her as my guest to the State of the Union Message as she mentioned.

Again, I thank you for raising this important issue. I find it completely disheartening that the Women Airforce Service Pilots have been denied interment in one of our Nation's most sacred national burial grounds where we honor our men and women who have served.

These brave female aviators of World War II embody courage, resiliency, and patriotism. Again, I am proud to support Congresswoman MCSALLY's efforts to reinstate their interment eligibility in Arlington National Cemetery. Without these women, some of whom made the ultimate sacrifice for our country in one of its greatest times of need, our Nation would not stand where it does in the world today. We are indebted to them for their service.

The very least that we can do, Mr. Speaker, is to honor them with the dignity and the respect that they have earned and so deserve. We have got to see this policy reversed. I know that we will. It is a bipartisan effort. I am proud to join with my colleagues on both sides of the aisle in raising attention to this issue and insisting that we ensure that these brave female aviators of World War II, again, who embody the courage and resiliency and patriotism that this country so admires and that we are grateful for, and that we see that they are properly given the honor that they deserve.

Again, I want to thank Congresswoman MCSALLY for shedding this light on this misguided injustice.

Ms. MCSALLY. Mr. Speaker, I thank Mr. LANGEVIN.

Again, I appreciate your support on this bill and your friendship over the years. I look forward to working together to getting this mission done and then additional things in the future. Thank you so much for your strong support for our heroes.

I yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN). She has been a strong advocate, as others who have spoken today, for the WASPs and especially the push for the Congressional Gold Medal. I am just honored to have you as a cosponsor and a strong advocate on this bill.

Ms. ROS-LEHTINEN. I am so pleased, so honored, so humbled to be part of your Special Order. In the short time that you have been in Congress, you have been a real leader on so many important issues, and I think none as important as the one that you are spearheading today.

I rise today to support you in your mission to give due recognition to the Women Airforce Service Pilots, otherwise known as WASPs, not the other WASPs that you know about. These are the real ladies that got the job done. They are a remarkable group of women who served our country proudly during World War II.

As you heard from the other speakers, our country turned to female pilots to deliver planes to our military air bases overseas, tow targets for live antiaircraft artillery practice, and simulate strafing missions. They became the first women in U.S. history to fly for our proud military.

Out of more than 25,000 women who applied for the program, only 1,704 were accepted in noncombat roles. These courageous American women logged in more than 60 million miles between 1942 and 1944, but it wasn't until 1977 that Congress passed legislation that gave these patriotic women their much-deserved veteran recognition.

In 2002, Arlington National Cemetery decided to allow WASPs, among others listed as Active Duty designees, to receive benefits consistent with the status that they had so rightfully earned. However, the Department of the Army recently rescinded this decision and made these brave women aviators of World War II ineligible for burial at Arlington National Cemetery.

As the author of the legislation—and the gentlewoman and I have talked about this repeatedly—awarding WASPs the Congressional Gold Medal in the year of 2009, I am honored to stand with my friend and colleague, Congresswoman MARTHA MCSALLY, a true patriot in her own right, to ensure that the WASPs have the right to have these services alongside the rest of our war heroes. These patriotic women selflessly helped defend our country. They deserve full military honor.

I am humbled and proud to represent south Florida, and I would like to inform the gentlewoman that this has been home to some of these remarkable heroine women. I am going to mention some of their names: Frances Rohrer Sargent, Helen Wyatt Snapp, Ruth Schafer Fleisher, Shirley Kruse, and Bee Haydu. Some are with us, and some are no longer with us. Some are not in great shape because they served in World War II. It is happening throughout our Nation where we see our finest passing away.

In this time of great challenges to women, those women that you have there before us, they pushed beyond the boundaries. They brought new opportunities for women to come.

My daughter-in-law, Lindsay, flew combat missions in Iraq and Afghanistan for the Marines, but she would not have been able to do so without the women who came before her. Just as you are a pioneer—to the gentlewoman I say thank you for your patriotic

duty—but you stand also on their shoulders. These pioneers fought for the values of freedom and democracy. It is our duty to ensure that they are not denied the recognition for their service.

We shouldn't be begging for this. With the valiant efforts of these American heroines, the United States and our allies were able to successfully defeat the Axis Powers during World War II.

I thank you, Congresswoman MCSALLY, for introducing this important legislation that would make the Women Airforce Service Pilots eligible, once again, for the services in Arlington National Cemetery with full military honors. I agree with you that we don't need the legislation; that tonight, the Secretary of the Army could do the right thing, as he had done before, sign the order making this happen.

We will continue the battle in their names. Thank you so much to the gentlewoman. Thank you for spearheading this effort. Thank you for taking this on. You are a valuable member of this institution. Thank you for the time.

Ms. MCSALLY. I want to thank the gentlewoman from Florida. As soon as I mentioned it to ILEANA, she was like: This is wrong. We have got to get involved. We have got to fix this.

So I appreciate your strong advocacy before I got here, and your continued advocacy as a wingwoman in this cause.

You know, for the WASPs in this story and this cause, it is not just the right thing to do for the country. For me, it is also personal. These women opened the door for me to be able to be a pilot in the Air Force and, when the doors were opened, to transition to be a fighter pilot in the Air Force.

I will be honest with you, I didn't hear about them when I was in high school. This is one reason why it is so important that we allow them to be laid to rest in Arlington, so that it is part of the education for future generations.

It wasn't until I went off to the Air Force Academy that I actually learned about the WASPs and learned about what they did. I just didn't even imagine that we would have women military pilots in the 1940s in World War II, but we did.

I got to meet some of these amazing women when I first came to Tucson to fly the A-10 Warthog, started my training. There were several of them that lived in southern Arizona, and I got to become friends with them, and they became mentors to me and encouragers to me.

As the doors were opening up for us to transition into fighters, there was hardly anybody we could really look to who understood what it was like to be in challenging circumstances where you are the only woman. People have

attitudes about whether you can or cannot or should or should not do what you are doing as an aviator. But these women understood that. They put up with the same biases and the same discrimination as they served. They flew in World War II.

As I was looking around for someone to have as a role model, these women were incredible friends to me and supporters and wingwomen to me.

Here is one picture I want to show you. This is Ruth Helm, one of the Tucson residents who, sadly, made her final flight over the last year. This is when she was inducted into the Arizona Aviation Hall of Fame. This is a picture of the two of us in civilian clothes as she was inducted there.

□ 1945

These women paved the way for me, but they encouraged me. Even at my most challenging times, when I was feeling discouraged, I would sit down with them, and they would just fire me up to live to fight and fly another day.

Despite the fact that they were told to leave the military after all they did, they still were proud. They didn't have a chip on their shoulder. They were grateful for the opportunities that they had. They laughed off some of the challenges that they went through. They just started encouraging me, "Come on, you can do it. We did it." I just was able to kind of get back in there and continue to push forward because of what they did before me to open up the doors for me.

Ms. JACKSON LEE. Will the gentlewoman yield?

Ms. MCSALLY. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. Obviously we share a compassion and passion for these wonderful women. We also serve on the Committee on Homeland Security together.

First of all, let me thank you for your service and thank you so very much for bringing this very important issue, this bipartisan issue to the floor of the House and certainly to your colleagues. I am looking forward to working with you on this issue.

I just want to say that one of my greatest joys in the United States Congress was the military war zones that I had the chance to go to, starting with the Bosnian war. I came in in that timeframe and traveled to that area, Kosovo and Albania, and then, of course, Iraq and Afghanistan and certainly a number of other sites where issues of conflict were going on.

There I saw a myriad of women who stood on the shoulders of these women, who are now in a variety of the branches, not just aviators or in the Air Force in particular, but they stood on the shoulders of these women. It gave me a sense of pride and duty to say to them, "Thank you."

Women are unique. Many of them are mothers or sisters and daughters who

are in the service, or they take care of children, or they are nurturers for someone else. We have a particular role, but yet they are in the military leaving their families.

Just coming in today, I read an article about the ranger who is from my constituency who just came out of ranger school and is from Houston. I simply want to say, this is the right thing to do.

Every year—and I think you have joined us now as you have come to Congress—we go on Memorial Day week to Arlington and lay a wreath for women who died in the line of duty or in the service of their country. Does anyone realize the numbers of women? We have been doing this now for more than a decade, and the women of the House join us. They do that because this is a valuable part of America's history.

To the lady, the aviator that now, I wouldn't say languished, but is with her granddaughter, her ashes are with her granddaughter, I want to make a public commitment joining you to say that her ashes should be in a place where she can rest in peace. We should move this quickly. If it requires an independent action by the Army, a reconsideration, I am sure none of us would be offended by the Army rescinding this particular—how should I say it?—action.

I just wanted to come and thank you. I want to thank my colleague SUSAN DAVIS and all of my colleagues who have been on the floor. I did not want to miss this opportunity.

Coming from Texas, I think, as I walk down the streets of Houston or travel throughout the State of Texas, I see veterans and Active Duty everywhere. We are proud of that. In urban centers like Houston, you would think not, but they are dominant there.

Just this past Christmas, we had what we call Toys for Kids and honored veterans' families. This is an important mission, and I want to join you in this mission. We have gotten our assignment. We really need to work. I think the American people need to know that all of us will join together to honor either our veterans, our fallen soldiers, or those who were the pioneers who I know the story of, who stood when they were called and did not step away from duty, did not step away from the danger, did not step away from possible death as they pursued the cause of this country and to protect this country.

I thank you for yielding to me.

I am ready to roll up my sleeves. Let's get busy. Let's help find a resting place for this dear sister and servant of the Nation. Let's find a resting place going forward for all of those who have served this wonderful and great country. They deserve it.

Ms. MCSALLY. I thank the gentlewoman from Texas for joining the conversation tonight, again, to continue

to highlight this egregious action that was taken that is putting our heroes in a place, especially Elaine Harmon, right now, where she has nowhere to be able to rest in peace. The place that she wanted to be is denying her, even though her service and the criteria are very clear that she has earned that right.

I really appreciate you joining this bipartisan mission. We are not going to rest until the mission is complete. I want to thank the gentlewoman for that.

As I was mentioning, this isn't just the right thing to do, but this is personal for me. As I transitioned into fighters, these women, these pioneers who opened up the door for me to even have the opportunity to become a fighter pilot, they mentored me. They walked alongside me. They encouraged me. They gave me some perspectives from their own training and their own experiences. They made me laugh. They made me cry. They were friends who just paved the way for me.

You think about the debates we have had in this body over the years. I mean, women couldn't be pilots again in the military until, the late 1970s or early 1980s, they finally opened up the door for women to be pilots. But they could only serve in noncombat roles.

When they had that debate, that didn't have to be theoretical or hypothetical. They had the example of these amazing women who did what they did in World War II—again, over a thousand of them, under extraordinary circumstances, flying by themselves, often just trying to figure it out in bad weather and how they were going to land and dealing with emergencies and clearances and just doing what it took in order to get the mission done, get the plane where it needed to be, train the men to go off and fly in combat, tow the targets, do the simulated strafing runs, all the test piloting, everything, to include risking their lives. Thirty-eight of them died.

This is personal to me. These three women pictured in this photo—Dawn Seymour, Eleanor Gunderson, and Ruth Helm—they are sitting in this photo in the front row of the change of command ceremony that I had where I took over command of an A-10 fighter squadron, which was an historic day for our country that we finally had a woman doing that. It was an historic day for me to be able to take command of a squadron. I invited them and asked them to sit in the front row. I honored them in my change of command speech because I wanted to make sure that everybody there knew that I only had the opportunities that I had in the military because they paved the way.

These three women are personal friends of mine. Two of them have since had their final flight. Dawn Seymour is still with us, but the other two have passed away. We have to keep

their legacy going. We have to make sure the next generations know how they served with honor at a time when the country needed them. We have to make sure that Elaine Harmon and any of the other WASPs who want to have their ashes in Arlington Cemetery are allowed to do that.

Let's be clear. The only reason these women were not considered Active Duty at the time was because of gender biases and discrimination against women. That is the only reason. Had they been a man doing those jobs, they would have been Active Duty in the Army Air Corps; they would have been discharged honorably; and under the current guidelines, they would have been eligible to have their ashes at Arlington. The only reason they were not Active Duty at the time was because of gender discrimination.

Now this is 2016. It is time for that to stop. We thought it was over in 1977 when we finally retroactively gave them that veteran status. They were given those honorable discharges and the medals that they deserved from serving in World War II. We opened up the door for them to have military honors and to be laid to rest in veteran cemeteries around the country.

Arlington Cemetery opened up the doors to them finally—a little late, but in 2002. Last March, without telling anybody, they quietly rescinded that. It was just the last slap of gender discrimination against these amazing pioneers. It needs to be overturned immediately. This is the right thing to do for Elaine Harmon and for the other women who are still living. There are about 100 of them who are still with us; and for the next generations who need to know about their service, they deserve to be laid to rest next to the other heroes who are there.

The Secretary of the Army has all the authority he needs to let Elaine Harmon's ashes be in Arlington. Let's be clear. This does not take legislation. He has all the authority he needs to make that happen tonight. If he won't do it, the Secretary of Defense can. If he won't do it, then President Obama can. We should not wait another day, Mr. Secretary, Mr. President, before making the decision and calling on Elaine Harmon's family and saying, "It is approved. Elaine can rest in peace in Arlington National Cemetery," which is what she deserved and what she asked for. We should not be lingering another day.

As we continue to call on the administration to do the right thing, we are not going to sit by idly. We have got our legislation introduced. We have got almost 80 cosponsors in the House. We have got a Senate version of the bill that was introduced today, led by Senator MIKULSKI and Senator ERNST, also a bipartisan bill. We are going to continue to push this forward to make this right for our heroes, these Women

Airforce Service Pilots, these WASPs. It is the least that we could do for all they have done for us.

The last thing I want to say before I close out is that this just seems to be a cruel irony and a cruel contradiction if you think about it. Just last month, the Pentagon announced that they are opening up, finally, all positions in the military to women. It has been a long road to get to that place. I have been a strong advocate for that happening for a very long time.

We are a country that is about equal opportunity. We are a country that treats people as individuals. Our foundations are based on not treating people as a class. We should always, and in the military as well, pick the best man for the job, even if it is a woman.

It has been a long haul to get over our biases as a country about what we think women as a whole group could or should do in service to our military. Gradually, positions have been opened. Gradually, women have continued to show that, when called, they will serve valiantly and with honor. They will fight and they will die, if needed, for our freedoms and our liberty.

At the time that the Pentagon is opening up all positions to women in the military that they are qualified for, they are closing the doors to Arlington for the pioneers who made that happen. That is a cruel hypocrisy and contradiction, and it needs to be made right tonight.

So again, I call on the Secretary of the Army, Secretary of Defense, and the President—perhaps he could announce it in his speech tomorrow night—that one of the legacy things that we are going to do for our heroes, for our pioneers, for these amazing women, is to allow them to be laid to rest in Arlington National Cemetery. We owe it to them. They paved the way as trailblazers. We owe it to them to be able to rest alongside the other heroes and to be able to continue to educate the next generations about their legacy.

All I will say to the WASPs is: I have got your back. You had mine, and I have got yours now. It is the right thing to do.

Mr. Speaker, I yield back the balance of my time.

EGYPT TALKING POINTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my honor and privilege to be recognized to address you here on the floor of the House of Representatives.

I thank the gentlewoman for yielding and for her presentation here tonight and the collection of people who came

down to support her initiative and her agenda.

I thank the men and women who have stepped up and put on the uniform and actually those, also, who have risked their lives who were not formally wearing the uniform to defend our country.

I am one who, I think you know, Mr. Speaker, has great reverence for our constitutional values and the pillars of American exceptionalism, the underpinnings that make this a great nation. One of the things that we have been able to do as a great nation is be able to inspire others.

If we look around the world, there are those who think that the only thing that could happen that is good to somebody is if we just bring them into America and give them access to our welfare benefits and maybe they will become good Americans and all will be right with the world, but I don't know if they have done the geography very well, Mr. Speaker, and recognize that we can do a lot more good by helping people where they are so that they can help themselves.

One of the most important things we can do is not send the wealth of America over to give people money and food and housing. That goes on from time to time, and there is a good number of times it is very well justified. But the best thing we can do is inspire others to live and model after the freedom of the United States of America. Then they can help themselves, Mr. Speaker.

I think of a time I sat down with several Ambassadors to the United States from Israel. We had a meeting over here in a room just off the House floor. They were explaining to me that they had adopted Hebrew as their official language. They did that, I believe, in 1954. They formed their country in 1948.

□ 2000

And I said: "Why did you establish an official language and why did you resurrect essentially a dead language"—Hebrew—"that had not been used in common discourse or business or politics"—except for prayer—"for 2,000 years?"

And they said they saw the success of the United States with the common language that we have. English is our common language.

They wanted a common language for Israelis. They wanted something that would be unique, something that would bond and bind them together, because they had seen the successful model here. They were inspired by the successful model of assimilation that came about because of a common language. So they adopted Hebrew as their official language in Israel.

I was quite impressed, Mr. Speaker. I was quite impressed that America would inspire a country that had all the world history to draw from, yet they look at the model we have here to

make such a definitive thing as to bring back a language that had not been utilized in common discussion for 2,000 years.

I give you that example, Mr. Speaker, because I come here tonight and I want to talk about Egypt and how it is that the United States of America inspires people around the world in ways that we may not realize.

I come to the floor tonight, Mr. Speaker, to commemorate and celebrate and give notice to and congratulate the Egyptian people. Yesterday they swore in and convened their parliament. That is Egypt's first parliament in nearly 4 years.

It is a great day for Egypt, and it is a great day for liberty worldwide. It is a great day for the United States to see that there are others around the world who are inspired by our system of a representative form of government.

I extend my congratulations to President Abdel Fattah el-Sisi and to the new speaker and drafter of Egypt's Constitution, Ali Abdel-Al, but also to Mr. Moussa, whom I met with on at least two occasions as he chaired the committee to draft the Egyptian Constitution.

The citizens of Egypt have achieved an important foreign policy milestone, Mr. Speaker. Yesterday was that day. I was curious that they would convene on a Sunday. Only under extreme circumstances would we start our day here on a Sunday.

However, Egypt is a Muslim country. It is about 95 percent Muslim—it has got a higher percentage of Christians than people might think—and they go to mosque on Friday. In fact, I learned that the Christians have their services on Friday as well. That way, Sunday is a workday.

But, in any case, the short history and the most recent history of Egypt is really astonishing. I point out that it seems as though our administration has missed the importance of this.

So, Mr. Speaker, I will just go through some of the history of Egypt as we commemorate and congratulate them for convening their Parliament now under a legitimized constitutional government of the sovereign nation-state of Egypt, a country that we need to expand and strengthen our relations with and a country that can be a central player in stabilizing the instability all throughout the Middle East.

It is important that Egypt be a significant component of that effort that is going forward not just in this administration, but into the next administration and for a long time.

Back in 1981, President Mubarak took power. He held power for 30 years. In that 30-year period of time, some people thought that he was a strong man and that he dealt harshly with some of his opposition that was there. It may be true. I am not here to defend President Mubarak.

When President Obama took office, it was clear that he had a different view of President Mubarak than I have expressed here. He went to Cairo to give a speech in Egypt on June 4, 2009.

And I remind the body, Mr. Speaker, that President Obama, then-Senator Obama and a candidate for President, in the spring of 2008 made a statement roughly similar to the fact he believed his middle name means something to the rest of the world.

And when they recognize and see his middle name, they all know that he can communicate with them in a certain way that someone who doesn't have that middle name doesn't have that particular tool.

And so shortly after that—being elected President and then armed with that conviction—President Obama traveled to Cairo, Egypt, and gave his speech on June 4, 2009, at Al-Azhar University in Cairo.

Now, Al-Azhar University is essentially the global center for Islamic thought. They have Islamic scholars there that are respected worldwide within the world of Islam.

So to send a message to the Muslim world, there wasn't a place that was more effective than going to Al-Azhar University to give his June 4, 2009, speech.

It happens to be a fact, Mr. Speaker, that the seating arrangement was arranged, we have to presume, with the approval of President Obama. And who sat in the front row, Mr. Speaker?

The leaders of the Muslim Brotherhood were seated in the front row when President Obama gave his speech at Al-Azhar University. That sent a powerful signal to the Egyptian people, a signal that the President of the United States supports the Muslim Brotherhood.

Now, I don't bring this up as speculation, Mr. Speaker. I bring it back to the floor of the Congress because I am speaking from hands-on, eye-to-eye experience in talking with the Egyptian people and some of their leadership and some of their press.

They say to us: "Why does President Obama support the Muslim Brotherhood?" That is a bit of a tough question and is a hard one to rebut when they are seated in the front row at Al-Azhar University.

Well, this brought about a significant amount of unrest. It contributed to the unrest, is probably a more reasonable way to describe this, Mr. Speaker. As the unrest grew in Egypt, we also heard messages coming out of the State Department.

For example, then-Secretary of State Hillary Clinton made a statement very similar to: Mubarak needs to be gone yesterday. And so the push from the Obama administration, the push from the State Department, then-Secretary of State Hillary Clinton, and others, began to put pressure on Mubarak.

While this is going on, the Arab Spring erupted about January, Feb-

ruary 2011. Of course, it was multiple countries throughout the Middle East that had unrest. And there was significant unrest in Egypt, as we know.

Well, Mr. Speaker, the pressure built and the demonstrations that took place in Tahrir Square were intense. Some of them were violent. We saw on television the massive amounts of people that were on the square and weren't going to leave.

With the trouble that was there, finally, on February 11, 2011, Mubarak stepped down. When he stepped down, that left a bit of a void that was still wrapped up in the chaos.

During that chaos, there were primarily Muslim Brotherhood activities consisting of mobs that were attacking Christian churches, attacking the Evangelical churches that are there, and attacking the Coptic Christian churches that are there. In fact, the persecution went on in multiple cities around Egypt. There were multiple churches that were burned and razed to the ground. Some were just gutted by fire.

Well, in June 2012, Mohamed Morsi came to power. He is the face and the voice—and may still be—of the Muslim Brotherhood. As Morsi came to power, they began to see how the Muslim Brotherhood would rule Egypt.

The protests died down for a while, and then they ramped back up again, Mr. Speaker and got worse and worse and worse and more intense.

And so the protests accelerated up to January 25, 2013. There were many protests. Egypt was more or less very difficult to govern and rule because of the protests against Morsi and because of the way that Morsi had mishandled government and the way that the Muslim Brotherhood, with their heavy hand, had worked against many of the Egyptian people.

Morsi was the duly-elected President. And I believe the number was 4.6 million Egyptians that came to the polls out of 83 million Egyptians altogether. So it was a low percentage of turnout, but they saw him get elected.

And then, as he essentially disempowered the legislature and disempowered the judicial branch of government, there was a democratic election for Morsi, an election one last time. The dictator had taken over, and the Egyptian people knew it. And they began to push back, Mr. Speaker.

So the protests accelerated from January 25, 2013, on throughout that spring. And then, as we watched, there was a funeral at the main Coptic church in Cairo. The Muslim Brotherhood mobs attacked the funeral and killed people. And so that is a brutal division within the society that took place. That was April 7, 2013.

Throughout that summer, the Christian groups were gathering together, Mr. Speaker, and during that period of time they would have regular prayer

meetings to pray that God would bring relief to Egypt and turn the country back over to the Egyptian people and let them govern their country and have their country back, take it away from Morsi.

As I sat and listened to Pastor Maurice, who leads a 4,000-member Evangelical church in Egypt, as they were gathering for prayers on the night of June 29, he said to the other pastors who had been regularly coming together to pray: I am going to lead the prayer tonight. I am going to be in charge of the prayer tonight.

So they agreed. They gathered together and Pastor Maurice offered this prayer. He said: God, we have been praying daily for relief from Egypt. I am tired of waiting. I don't want to wait any longer. I want this relief tomorrow.' It is the night of June 29, 2013. "God, bring us this relief tomorrow."

That was the eve of the relief that came. By June 30, the following day, the streets and every city began to fill in Egypt. Tahrir Square became full again. People poured into the streets of Egypt, and they poured into the streets on June 30, July 1, July 2, and July 3.

The numbers of people in the streets in Egypt that came out to protest were estimated at 33 million people out of 83 million Egyptians. Now, think of that. If we had that same percentage come out in the streets of America, we would have 125 million people in the streets of America, Mr. Speaker.

It was a massive turnout in Egypt. And something had to happen. They pleaded with General el-Sisi: Will you take over in this country? We can't take this any longer. We have got to have some leadership. We have got to have somebody in charge of our country, Egypt.

General el-Sisi demurred. He said: No. I don't want to do this. I don't want to step in. Finally, by the 3rd of June, he relented and stepped in with the military to bring order in Tahrir Square. That turned out to be a move that stabilized Egypt.

Shortly after that, they stabilized Egypt. They had more peace in the streets. There was still trouble. The Muslim Brotherhood was still attacking people.

There were still arrests of some of those who had been violent take place in the square that had been attacking people. But they installed an interim President and put some stability into the government. This is early July of 2013.

Myself and a couple of other Members went to Egypt over the Labor Day break in September 2013. We met with the interim President in one meeting, in a different meeting with the Pope of the Coptic Church, in a separate meeting then with General el-Sisi, and in a separate meeting with Mr. Moussa, who was the chairman of the com-

mittee that was writing a Constitution.

I remember each of those meetings in a distinct way. The Coptic Pope said: We are praying for the people who are killing us. We are not going to be sucked into a civil war in Egypt. We are praying for them and are asking God to forgive them, which I thought was a very high level of faith that I don't know that I could reach, Mr. Speaker. I was very impressed with the Coptic Pope.

We met with Mr. Moussa, who described the Constitution they were drafting, but he said it is up to the Egyptian people. They have got to ratify it.

And as we met with General el-Sisi, I recall asking him a series of questions: If this Constitution is ratified and a legitimized civilian government takes charge in Egypt, will the military take orders from a civilian President or a civilian prime minister and a civilian parliament?

He looked me in the eye and he said: Yes. The military will.

So I didn't know at the time—and I don't think he knew at the time—that he would eventually become a candidate for President and actually be the one issuing the orders to the military. But he has kept his word.

As he promised to me and others promised to me, they would ratify a Constitution, they would elect a national leader or President, and once the Constitution was ratified and the President was elected, they would then have elections and seat a parliament or a legislative body.

Within their Constitution they wrote the language that said, of the roughly 100 churches that have been destroyed—mostly by the Muslim Brotherhood—they would use Egyptian tax dollars to rebuild those churches.

I am here tonight, Mr. Speaker, to say thank you to President el-Sisi of Egypt, thank you to Mr. Moussa and those others that worked on the Constitution, and to congratulate the Parliament in Egypt that is now seated as of yesterday. Their country is put in place now so that the Egyptian people are finally in charge of their country again.

□ 2015

And when I am asked why does our administration support the Muslim Brotherhood, I am going to continue to give the same answer: The American people support the Egyptian people. The Egyptian people don't support the Muslim Brotherhood. They have proven that over and over again. The leadership that the Egyptians have elected has proven that they have given their word, they have kept their word, they have performed in the fashion that they said.

And as I have gone back now a couple of times since then, most recently last

spring, in about March or April, at some significant expense, I might add, I remember sitting down with President el-Sisi, and he said a couple of things that I think that we should remember, and I believe he wanted me to convey them here on this floor, Mr. Speaker; and that is that, he gave a speech January 1 of last year at Al-Azhar University, in the center of Muslim thought, and here is the message that he delivered.

The message was this, he is asking a rhetorical question, and it was: Is it possible to accept the idea that the whole world must die so that Muslims can live? That is verbatim, Mr. Speaker. It is a rhetorical question. It is the most powerful rhetorical question that I believe that I have heard.

And, of course, he rejected that idea. He understands that Muslims and Christians and Buddhists and atheists and agnostics and all the religions need to live on this world together, and he is looking for that kind of peace and stability, so that no religion is persecuted, no religion is being murdered while they are going to someone else's funeral, or their wedding. And that happened also in Egypt, Mr. Speaker.

So I want to thank President el-Sisi for his commitment. And I would add, also, that he made another statement that I think we also need to think about, Mr. Speaker, and that is, he said they, speaking of the Muslim Brotherhood, they are trying to establish and impose divine law on all the world.

When he looked at me he realized it didn't quite register, and he said, sharia law. They want to impose sharia law on the entire world. And he put his head down, almost between his knees, as he sat there, and shook his head in rejection.

I am convinced we can work with this man. He is a dedicated Muslim who is a peaceful leader, who understands this picture of the world the way it sets.

When I look at the work that was done by Ataturk in Turkey, how he provided a bridge between the East and the West, and that has been drifting back a bit the other way under Erdogan, but I believe that President el-Sisi has the skill set, the convictions, and the foundation to, one day, with the right kind of support, the support of the United States of America and the free world and the Middle East, could become the Ataturk for the world to bring about that bridge between the Muslim world and the Christian world and the West.

If we fail in that effort to do that outreach and tie these bonds together, these bonds that go back through history, a long ways back, Mr. Speaker, if we fail, then I am afraid there will be a tremendous amount of bloodshed.

If we succeed, I believe we can eliminate and forestall a significant amount

of bloodshed and bridge over this division that is coming at us. And he deserves and needs our help to defend himself from terrorists that are attacking from all directions, from Sinai and everywhere else.

Mr. Speaker, I appreciate your indulgence here tonight.

I yield back the balance of my time.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks and add any extraneous material relevant to the subject matter of this discussion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is an honor and a privilege for me to rise today and to co-anchor, along with my distinguished colleague from the great State of Ohio, Representative JOYCE BEATTY, this CBC Special Order hour, this hour of power.

Once again, we are privileged to take to the floor of the people's House to discuss an issue that should be relevant to every Member of this institution on behalf of the 320 million-plus Americans that we represent in this great country, and that is the gun violence epidemic.

America has 5 percent of the world's population, but 50 percent of the world's guns. It is estimated that there are more than 300 million guns in circulation throughout this country. So it seems to me reasonable that we would do everything possible to ensure that not a single one of those guns finds themselves in the hands of individuals who would do us harm. And that in many ways is what President Obama has done as it relates to his most recent executive action.

So today members of the Congressional Black Caucus will come to the House floor to discuss those executive actions, discuss the issue of gun violence, discuss the steps that we should be taking, here in this Chamber, in order to keep the people of America that we all collectively represent safe.

It is now my honor and my privilege to yield to the gentlewoman from Ohio (Mrs. BEATTY), my classmate and my co-anchor for this CBC Special Order hour. I look forward to anchoring with her throughout the entire year. She has been a tremendous champion for working families, for the middle class, for small-business owners and, of course, for the young people who are

ravaged in our communities all across this country by gun violence.

Mrs. BEATTY. Mr. Speaker, I rise this evening proud to stand with my Congressional Black Caucus Special Order hour co-anchor, Congressman JEFFRIES, from the Eighth Congressional District of New York.

Mr. JEFFRIES, it is my honor to stand here today as we undertake an urgent dialogue on how we, as elected Representatives of the people, can work together to end gun violence.

I look forward to engaging with Congressman JEFFRIES and our Congressional Black Caucus colleagues in scholarly debate on the issues plaguing African Americans, African American communities, and to develop solutions to the problems our constituents face.

As the conscience of the Congress, the Congressional Black Caucus will remain on the forefront of issues that affect Black Americans in particular, and the Nation, in general. For tonight, our anchor, Congressman JEFFRIES, has pointed out the CBC will continue to shed light on the epidemic of gun violence, standing our ground, ending gun violence in America.

Mr. Speaker, last week we opened the Second Session of the 114th Congress. Four hundred thirty-five of us traveled back to Washington ready to serve our constituents and work for the betterment of our Nation.

Unfortunately, Mr. Speaker, whatever spirit of bipartisanship may have been present at the end of 2015 as Republicans and Democrats worked together on key pieces of legislation has disappeared at the precise time our Nation is calling on Congress to pass commonsense legislation to keep guns out of the wrong hands.

We find ourselves confronted with startling statistics that no Nation should endure. Let me just take a moment to share just a few.

We know that the impact of gun violence affects every community and every congressional district. However, African American children and teens are 17 times more likely to die from gun homicide than White youth, according to the Centers for Disease Control and Prevention.

While African Americans make up 15 percent of youth in America, African Americans accounted for 45 percent of children and teen gun deaths in 2010.

According to Everytown for Gun Safety, 88 Americans die every day from gun violence, Mr. Speaker. Roughly 50 percent of those killed are African American men, who comprise just 6 percent of the population. Homicide is the primary cause of death among African Americans ages 15-24.

Mr. Speaker, these numbers should be unthinkable, unimaginable, but they are the unfortunate reality in which African American communities live. In the words of Dr. Martin Luther King, whose legacy we honor next Mon-

day, he said: We find ourselves "confronted with the fierce urgency of now." And Mr. Speaker, it is now that our Nation is in an urgent crisis, yet we are trapped in congressional inaction. Shameful.

So our President decided he would not stand by idly while Congress did nothing to prevent another Newtown, another Charleston, other Tucson. With tears in his eyes, he reflected on the senseless killings caused by gun violence over the course of his administration. President Obama announced new executive actions to confront the epidemic of gun violence in America.

While mocked by some Republicans for showing emotion at the loss of so many lives, I am here to say I proudly stand with my President on the actions he has taken to prevent gun violence in America.

These executive actions will save lives and make the country safer without infringing on law-abiding individuals' rights to firearms.

You will hear from our colleagues tonight talking about the President's actions. I look forward to continuing to work with my colleagues and to address gun violence.

Mr. JEFFRIES. Thank you, Representative BEATTY, for laying out the case in such an eloquent and compelling fashion, and pointing out that, with respect to gun safety and gun violence prevention in America, it is long past time when we act with the fierce urgency of now.

Tens of thousands of Americans have died as a result of gun violence since the moment you and I first set foot in this institution, and not a single thing has been done by the House of Representatives to prevent those deaths. That is shameful, as you have pointed out, and we need a change of course.

Mr. Speaker, I yield to the distinguished gentleman from Virginia (Mr. SCOTT), the ranking member, lead Democrat on the House Education and the Workforce Committee, once, of course, chaired by the legendary Adam Clayton Powell, and Representative SCOTT has continued in that tremendous visionary tradition.

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentleman from New York and the gentlewoman from Ohio for organizing tonight's Special Order to focus on the toll that gun violence has taken on communities across America and, especially, the disproportionate impact it has had within communities of color.

Tonight's conversation comes at an important time. On average, every day more than 30 people are killed by firearms, many in mass murders.

Now, rather than do what they say is celebrate the problem, I want to talk about solutions. Last Tuesday, the President announced the executive actions that his administration will take to prevent gun violence. I commend the

President for taking this action, in light of the current congressional leadership's refusal to responsibly address this epidemic.

These executive actions will ensure stronger enforcement of current laws and will reduce the number of lives lost to gun violence. To begin with, the President's executive actions will narrow the "gun show" and Internet loopholes by actually enforcing licensing requirements for gun dealers and overhauling the background check system to make it more effective and efficient.

Under current law, only licensed gun dealers are required to perform criminal background checks for all gun sales, and only those individuals deemed to be "engaged in the business" of dealing in guns are required to obtain a license from the Bureau of Alcohol, Tobacco, Firearms and Explosives, the ATF.

The executive actions make it clear that the commonsense proposition that anyone making a profit from the sale of guns, or who regularly makes gun sales or earns a livelihood from gun sales, is, in fact, engaged in the business and therefore must obtain a license and conduct required criminal background checks, even if those sales occur at gun shows or over the Internet.

□ 2030

The question of whether someone is engaged in business will be determined by normal legal standards as opposed to people just declaring themselves to be exempt, which is going on now. Some of these people are even making a living selling firearms. They need to get a license. This is the present law, and the President has said that he will enforce it.

The Federal Bureau of Investigation, as part of executive actions, will overhaul its National Instant Criminal Background Check System, the NICS system, to make it more effective and efficient by hiring more than 230 additional examiners and other staff so that the Bureau can process background checks 24 hours a day, 7 days a week, and improve its notification of local authorities when prohibited persons unlawfully attempt to purchase a gun.

These people are currently breaking the law when they illegally try to buy a firearm, and local law enforcement officials need to be informed. According to the Bureau of Justice Statistics, this system has already caught more than 2 million people trying to buy guns illegally, and they need to be held accountable for breaking the law.

Furthermore, dealers will also be required to notify law enforcement if their guns are lost or stolen in transit. This transparency and accountability will ensure that law enforcement will be notified and can begin investigations when these losses occur.

Executive actions will also leverage the buying power of the Department of Defense, the Department of Justice, and the Department of Homeland Security to conduct or sponsor research into gun technology. When the Federal Government begins buying guns using that kind of technology, it will make it more likely that this technology will be used. There is technology that makes it impossible for anyone other than the true owner to use weapons, and the more purchases the Federal Government makes, the more likely it is that technology will actually be installed in future weapons.

The President has also directed the departments to review the availability of smart gun technology on a regular basis and to explore potential ways to further its use and to encourage research to more broadly improve gun safety.

The President's plan also proposes a new \$500 million investment to increase access to mental health treatment to ensure that people who need help do not fall through the cracks of the mental health system. This is in addition to the huge increases in mental health funding under the Affordable Care Act. Mental health services are considered essential services, and so now virtually all health insurance policies include mental health coverage.

While modest and within the President's executive authority, these executive actions will go a long way in keeping guns out of the hands of people who never should be able to purchase them in the first place. But that is executive action. Congress needs to act so that more can be done to actually protect citizens from gun violence.

The House Democratic Gun Violence Prevention Task Force has consistently reiterated that Washington has a moral obligation to do something to address our Nation's gun violence epidemic. The most effective way to address this epidemic is through comprehensive, evidence-based policy proposals.

Our task force has put forth several proposals that will go a long way in achieving these goals. These proposals include reinstating and strengthening the assault weapon ban, reducing the size of magazines, implementing universal background checks, cracking down on illegal gun trafficking and straw purchases, improving our mental health system, and implementing comprehensive, locally tailored, evidence-based violence prevention and intervention programs.

The gentleman from California, Representative MIKE THOMPSON, is the chair of the House Democratic Gun Violence Prevention Task Force, and he has introduced a resolution to establish a select committee of the House to study gun violence. That resolution is cosponsored by Democratic Leader NANCY PELOSI and 11 coauthors of the

task force. The proposed select committee would be comprised of six Republicans and six Democrats who would study the research and issue a final report and recommendations, including legislative proposals, within 60 days of its establishment.

It would study and make recommendations to address many issues, including the causes of mass shootings, methods to improve the Federal firearms purchaser background check system, connections between access to firearms and dangerously mentally ill individuals, Federal penalties for trafficking and straw purchasing of firearms, loopholes that allow some domestic abusers continued access to firearms, linkages between firearms and suicide, gun violence's effect on public health, the correlation between State gun violence prevention laws and the incidence of gun violence, the importance of having reliable, accurate information on gun violence and its toll on our Nation, the implementation of effective gun violence prevention laws in accordance with the Second Amendment to our Constitution, and the rates of gun violence in large metropolitan areas.

Mr. Speaker, by taking a deliberate, research-based approach to gun violence, treating it as we would a public health challenge, we can significantly reduce the ravages of gun violence.

The President is limited by his executive authority on what alone he can do to address this epidemic. Long-term reforms can only be achieved through congressional action. I hope that the leadership of the Congress will follow the President's lead and act in a bipartisan basis to address this critical issue using public health strategies and evidence-based proposals.

Again, Mr. Speaker, I thank the gentleman from New York and the gentlelady from Ohio for coordinating this Special Order.

Mr. JEFFRIES. Thank you, Representative SCOTT, for laying out the steps that are being taken by the President in such a compelling way in explaining why they are items that we should all support as well as some of the steps that need to be taken legislatively by this Congress in order to deal with the fact that more than 10,000 Americans a year die as a result of gun violence-related homicides.

I yield to the distinguished gentlewoman from California (Ms. LEE). She is an incredibly eloquent and passionate voice for the voiceless. We appreciate her service here in the Congress not just on behalf of the district that she represents in northern California, but certainly on behalf of the people of the United States of America. I yield now to Congresswoman BARBARA LEE.

Ms. LEE. First, let me thank the gentleman from New York for those very kind remarks. But also I want to

thank you and Congresswoman BEATTY for organizing this very important Special Order and for your tremendous leadership, Congressman JEFFRIES and Congresswoman BEATTY, on ensuring public safety.

Your leadership, both Congresswoman BEATTY and Congressman JEFFRIES, has been bold, it has been visionary, not just as the result of the very recent tragedies but for many, many years even before both of you came to Congress. So it is an honor serving with both of you in this body. Thank you very much for the opportunity to speak this evening.

Also, I want to just thank Congresswoman ROBIN KELLY, who is the vice chair on the Gun Violence Task Force. She also chairs the CBC's Health Braintrust.

I thank you for your tireless work to ensure that gun violence is treated as a public health problem, which it is.

Madam Speaker, I rise this evening with my colleagues in the Congressional Black Caucus to call on Congress to do something—to do something—about the epidemic of gun violence that is harming our communities.

Since the start of the year—just 11 days ago—nine of my constituents have already become victims of gun violence, including an elementary school teacher and an innocent mother pushing her child in a stroller. Just this weekend alone my community suffered three gun homicides. My thoughts are with the victims' family at this very terribly difficult time. We have to do something. Enough is enough.

Congress can and must do more to stop this senseless violence. Whether it is Charleston, Oak Creek, Sandy Hook, the streets of Oakland or wherever, too many people have already lost their lives, too many families have buried loved ones, and too many lives have been changed forever because of catastrophic injuries as a result of gun violence.

Madam Speaker, now is the time for action. Our constituents are demanding action. The country is demanding action. I have received hundreds of calls and emails from my constituents, and I know other Members are also hearing from their constituents. They are calling for action as well.

Earlier today in my own District, Oakland City Council President Lynette Gibson McElehany buried her grandson, 17-year-old Torian Hughes, who was shot and killed during a robbery just days before Christmas. This has been a very difficult period for Council Member McElehany and her family. So in addition to our prayers not only for my council member's family, but for all of those in our country who have been victims of gun violence, we must do something. We must do something in all of their memory.

Let me be clear. Congress can no longer ignore the massive toll that this

epidemic is having on our constituents, their families, and communities. Last week we joined with our colleagues and millions of Americans in applauding President Obama's actions to reduce gun violence in our Nation. Thanks to the President's leadership, there will be more background checks, better enforcement of existing gun laws, improved mental health services, and new research on how to end this epidemic of gun violence.

But more action is needed to stop the more than 30,000 gun deaths that occur in our Nation each and every year. Congress must pass commonsense gun reform, like closing the gun show loophole, bipartisan measures that are supported by the vast majority of Americans and gun owners. Congress must also fund the expansion of mental health services.

But this should not be an excuse, of course, to do nothing on gun safety. We have got to provide the Bureau of Alcohol, Tobacco, Firearms and Explosives the resources it needs to enforce our Nation's gun laws.

As a member of the Appropriations Committee, I have fought along with my colleagues to get these vital public safety resources in the appropriations bills which keep our communities safe. We must also end the extreme data restrictions that restrict law enforcement's ability to protect public safety and prevent policymakers from addressing gun violence as a public health issue.

That is why I introduced last year H.R. 1449, the Tiahrt Restrictions Repeal Act, which would repeal the data restrictions on gun sales and background checks. These data restrictions are commonly called the Tiahrt restrictions. They prevent data on gun background checks from being released to the public.

These provisions currently impede public safety by requiring the National Criminal Background Check System records to be destroyed—mind you, destroyed—within 24 hours, prohibiting the ATF from requiring licensed dealers to conduct annual inventory checks to detect lost or stolen firearms and restricting local and State law enforcement from using trace data to fully investigate corrupt dealers and traffickers.

This is outrageous. We have got to restrict and repeal these Tiahrt amendments right away. It will help tackle the bad apple gun dealers who provide dangerous weapons to criminals. It is estimated that just 5 percent of sellers supply the weapons used in nearly 90 percent of gun crimes. The Tiahrt restrictions block access to vital data that lawmakers, law enforcement, and Federal agencies need to tackle gun violence in our community.

Of course, many of us are proud to support Congresswoman KELLY's bill, which would allow the Surgeon General

to study gun violence as a public health issue and the Consumer Product Safety Commission to regulate firearms.

Madam Speaker, the time for action is now. Let's start listening to the American people and insist that Congress do something. It is really disingenuous to criticize the President for issuing commonsense gun safety measures when we have been trying for years in this body—for years—to get these sensible bills passed. The Speaker should allow these and many other bills to come to the floor so that Congress can act. No more excuses.

We should support Congressman THOMPSON's proposal to establish the select committee on gun violence. The Speaker should do this now. So we can't continue to really allow the misinformation to get out about Congress. We need to do our job. We have been trying, many of us, the Congressional Black Caucus and others, especially Democrats, for many years to try to get the Speaker to bring these bills to the floor.

So what did the President do? He had to do something. But no more excuses. Congress needs to act. So I thank Congresswoman BEATTY and Congressman JEFFRIES for this very important Special Order hour and for your tremendous leadership.

Mr. JEFFRIES. Again, I thank the distinguished gentlewoman from California for her wonderful remarks, observations, and, of course, her support for the President's executive actions on gun safety, making it clear that the President was left with no choice but to act.

Tens of thousands of Americans die each and every year either as it relates to homicide or suicide through a firearm, and nothing was happening here in the United States Congress. The classic definition of legislative insanity is to do the same exact thing, which in this instance is nothing, and expect that things were going to change for the safety and the well-being of the American people. That is why we are here on the floor today expressing strong support for the President's executive actions and pushing this institution to do more and finish the job that the President of the United States of America started.

□ 2045

It is now my honor and privilege to yield to the distinguished gentlewoman from Houston (Ms. JACKSON LEE), a forceful advocate and the lead Democrat on the relevant committee on the House Judiciary side of the equation as it relates to criminal justice, reform, and gun safety. She, of course, has been a tremendous champion for the people that she serves down in H-Town, as well as across the country.

Ms. JACKSON LEE. Let me thank the gentleman from New York for yielding.

As has been stated by my colleagues, I want to add my applause as well for the thoughtfulness of the gentleman's leadership on a number of issues, but certainly on his pronounced leadership on criminal justice reform and on the Judiciary Committee; and then to be joined by former leader of the Ohio State Legislature—and she has not forgotten her talents of leadership—and that is Congresswoman JOYCE BEATTY who joins us, if I might put words in both your mouths, with a sense of outrage about where we are today. I say that because I would like to stand here with an enormous amount of outrage for where we are and why we are here.

I want to add my appreciation to the Congressional Black Caucus, the chairman, Mr. BUTTERFIELD, and, of course, Congresswoman Dr. KELLY, who has been a great leader on the issues dealing with health care. I just want to cite to her, a lady that came to this Congress more than a decade ago, Deborah Prothrow-Stith. You may have read her writings. She pronounced during that time that gun violence was a health crisis. That was so many years ago. Unfortunately, with all of her expert writings, we still couldn't get movement.

I am going to take a slightly different perspective. If I could just take these few moments to give you an anecdotal story, which many of you might find absolutely with a great deal of shock, if you will. That is the limit to which gun rights advocates mislead the American people on any ideas for gun safety or gun regulation as taking guns away.

I was in a meeting where someone was trying to understand why President Obama in his excellent presentation about securing America and protecting our children from gun violence was being associated with the idea of taking over 345 million guns. This is what is represented to be President Obama's message. He will confiscate, through his process of gun testing or making sure that there are background checks for everyone, that he wants to confiscate 345 million guns, which has been determined to be located in 65 million places here in the United States.

Can I, in a public forum on this august floor of the House, say that we, as Members of Congress—and I think Republicans will admit this—have no evidence, no documentation, that the White House intends to confiscate guns—no manner of level of increased ATF officers could ever do that—why this mischaracterization is here.

But listen to this. Gun rights advocates have made a lot of claims over the years that the Second Amendment they interpret means that they can buy any gun they want and take it pretty much anywhere. Well, basically, that does exist, except for the basic constraint of background checks, which

now the President has expanded to ensure that if you are in a gun show—this is a gun show loophole—and you are sitting next to the stall of a licensed gun person and you are in the business of selling guns, why shouldn't you be either licensed or require, basically, background checks?

But listen to this. In an ongoing legal battle in Florida, they lay claim to a newfangled Second Amendment right: the right not to have anyone talk to gun owners about their guns. Specifically, gun advocates don't want doctors discussing guns or the potential harms that guns may cause with their patients.

While mere talk about guns might seem to have nothing to do with the right to keep or bear arms, the advocates contend that the Constitution is on their side. Last month, for the third time in the same suit, a Federal court of appeals agreed. This is very bizarre. The case is filed under the name of *Wollschlaeger v. Governor of the State of Florida*, although First and Second Amendment buffs may recognize it under the cutesy nickname *Docs v. Glocks*.

It started when some gun owners and the National Rifle Association told Florida legislators that their doctors were harassing them by asking about gun safety—by asking about gun safety. The legislators responded by passing a law that bars healthcare workers from discussing or recording anything about their patients' gun ownership or safety practices that could be deemed in bad faith, irrelevant, or harassing.

Twelve other States are thinking about it, and now we have the Privacy of Firearm Owners Act. This is in the face of a number of homicides in this country. Let me cite to my colleagues that America is the number one country out of Western nations that has the highest number of cases of homicide by firearm per 100,000. The closest that comes to them is 0.7 by Italy. Then Taiwan, Canada, and Spain, 0.2; Germany, 0.2.

All the news stories that we see on violent disruptions in various places and protests, their numbers of gun violence, of homicides, is miniscule: Australia, 0.1; UK, 0.1; France, 0.1; South Korea, 0.03; and finally Japan, 0.01. If that doesn't get our attention, I don't know what does.

Then look at this map: 353 mass shootings in America in 2015. My colleague can see, is this anything to be proud of? Mass shootings not by knives, not by throwing stones, but by guns. This is what America is to the world: a sea of red of mass shootings, so much so that you can't even see background in some of the parts of this Nation. Yet there are laws that are being passed to stop health professionals from asking whether you have guns that might, in fact, endanger your children or yourselves.

On average, more than 100,000 people in the United States are shot in murders, assaults, and other crimes. More than 32,000 people die from gun violence, including 2,677 children under the age of 18. Gun deaths, justified versus criminal: studies also found that for every 1 justified homicide in the United States involving a gun, guns were used in 44 criminal homicides. In all of our communities, we see young Black men being felled by gun violence, young people in our communities being felled by gun violence, or innocent storekeepers being felled by gun violence, or in the instance of the Philadelphia police officer.

All of us respect the dangers of law enforcement, recognizing that we can work together by building prepared and trained law enforcement officers to avoid the violence with guns. But in the instance of this individual, who point-blank shot at an officer with a gun, who has now been determined possibly to have heard voices, though he said he was inspired by ISIS, again, someone wanted to suggest that it wasn't anything that Obama could have done. It was a stolen police gun and it is out on the streets. Obviously, we don't have enough people enforcing against the trafficking of stolen guns.

Mass shootings. The U.S. has a far higher number of mass shootings than any others I have indicated.

Mental health. Approximately one in four American adults have a mental illness. Every time we hear of these mass shootings, the defense comes, which they have a right, to talk about this person's severe criminal mental illness condition.

Guns in suicide is the leading cause of related deaths in America. More than 60 percent of deaths by guns in the country are the result of individuals using these weapons intending to commit suicide—not knives, not stones, not even poison or an overdose on drugs—guns. Guns and domestic violence provide a deadly outcome.

Law enforcement killed by guns: each year hundreds of law enforcement officers lose their lives in gun violence having been shot to death while protecting their communities. Of course, we know that we have experienced tragic incidences under the authority of law where people have been killed, and the community is over the top in frustration.

Background checks save lives. The tragedy at Mother Emanuel is the individual went to buy guns and the store owner said it is taking too long.

I support President Obama's very astute and thoughtful approach. Out of that, I am very glad to have introduced two initiatives. One, H.R. 4315, Mental Health Access and Gun Violence Prevention Act, which is a capture of President Obama's, along with KAREN BASS. I urge my colleagues to sign on to H.R. 4315, which authorizes \$500 million for health treatment access and to

assist in the reporting of relevant disqualifying mental health information to the FBI background check system, NICS—not to violate the privacy, but to give more information to the database, because that certainly would be part of saving lives.

As I conclude, H.R. 4316, that I am pleased to have Congresswoman KELLY join me in this, the Gun Violence Reduction Resources Act, authorizes the hiring of 200 additional ATF agents, the very point of which my Republican friends are saying, but yet they are condemning what the President has offered.

I would say to my colleagues in closing, if we don't do this for any other reason, to take and codify the President's initiatives on NICS or data collection, on research regarding safer guns, on background checks or closing the gun show loophole, if we don't do it, we should do it for the children. From December 2012 to December 2013, at least 100 children were killed in unintentional shootings, almost two every week, 61 percent higher than Federal data reflect. About two-thirds of these unintended deaths, at 65 percent, took place in the home or vehicle that belonged to the victim's family, most often with the guns that were legally owned but not secured.

I remind you of that Supreme Court challenge or that law in Florida where doctors can't secure information to protect the patients or the children of these families. More than two-thirds of these tragedies could be avoided if gun owners stored their guns responsibly and prevented children from accessing them.

I have introduced legislation on gun storage—I call it safety and responsibility—but yet, unfortunately, it is perceived as attacking the Second Amendment.

My good friend from New York (Mr. JEFFRIES), let me thank you for yielding. Allow me to just leave us with the point that, as the Congressional Black Caucus stands on the floor, we need partners in doing the right thing. I hope before the President leaves office, he will have the opportunity to reasonably and rationally sign bills that will save lives.

Mr. Speaker, I am pleased to join my colleagues of the Congressional Black Caucus, Congressman HAKEEM JEFFRIES (D-NY) and Congresswoman JOYCE BEATTY (D-OH) who are anchoring this Special Order on Ending Gun Violence in America.

Gun violence in America can no longer be swept under the rug, ignored or irrationally justified.

We are in a state of national crisis and it is time to act.

Upon taking office, every Member of Congress makes a solemn pledge: to protect and defend the American people.

This is the most important oath we take as elected officials—and, to honor this promise, we must do everything in our power to stem gun violence in our nation.

Yet, after another mass shooting and countless acts of gun violence in communities across our country every day, House Republicans are still unwilling to act to stop gun violence and save lives in American communities.

The Democrats have been calling for an immediate vote on the bipartisan King-Thompson Public Safety and Second Amendment Rights Protection Act to strengthen the life-saving background checks that keep guns out of the wrong hands.

This Congress has a moral obligation to do our part to end the gun violence epidemic.

Now is the time for Republicans to join Democrats in protecting the lives of Americans by taking common sense steps to save lives.

The Administration has announced two new executive actions that will help strengthen the federal background check system and keep guns out of the wrong hands.

I have introduced two bills that will hopefully enhance these executive actions and support the President's recently announced action on gun violence.

H.R. 4315—Mental Health Access and Gun Violence Prevention Act—authorizes \$500 million for mental health treatment access and to assist in the reporting of relevant disqualifying mental health information to the FBI's background check system NICS.

H.R. 4316—Gun Violence Reduction Resources Act—authorizes the hiring of 200 additional ATF agents and investigators for enforcement of existing gun laws. The President included these specific requests in yesterday's announcements and these bills respond to those requests.

Additionally, the Department of Justice (DOJ) is proposing a regulation to clarify who is prohibited from possessing a firearm under federal law for reasons related to mental health.

And the Department of Health and Human Services (HHS) is issuing a proposed regulation to address barriers preventing states from submitting limited information on those persons to the federal background check system.

Ending gun violence in America requires a comprehensive approach—we must come together and work towards this common goal.

Too many Americans have been severely injured or lost their lives as a result of gun violence.

While the vast majority of Americans who experience a mental illness are not violent.

However, in some cases when persons with a mental illness does not receive the treatment they need, the result can be tragedies such as homicide or suicide.

We must continue to address mental health issues by:

Supporting expanded coverage of mental health services and enhanced training and hiring of mental health professionals; and

Continuing the national conversation on mental health to reduce stigma associated with having a mental illness and getting help; and

We must also continue to do everything we can to making sure that anyone who may pose a danger to themselves or others does not have access to a gun.

The federal background check system is one of the most effective ways of assuring that such individuals are not able to purchase a firearm from a licensed gun dealer.

To date, background checks have prevented over two million guns from falling into the wrong hands.

The Administration's two new executive actions will help ensure that better and more reliable information makes its way into the background check system.

The Administration, however, has acknowledged the need for collective action and continues to call upon Members of Congress to pass common-sense gun safety legislation and to expand funding to increase access to mental health services.

I too call upon my colleagues to come together and pass legislation that will help stop the loss of innocent lives.

While we have made some progress in strengthening the National Instant Criminal Background Check System (NICS), which is used to run background checks on those who buy guns from federally licensed gun dealers to make sure they are not prohibited by law from owning a firearm, we must do more.

I am a strong supporter of a right of privacy and I am particularly sensitive and protective of patient privacy rights.

I support the Health Insurance Portability and Accountability Act that was passed by Congress in 1996, and includes privacy protection for medical records, which includes mental healthcare information.

However, there are specific areas under federal law that allow the disclosure of medical information to authorities, and in these instances there should be an agreement that when a person poses a threat to themselves or others (as determined by a court or adjudicative authority with the medical and legal knowledge and authority to make a determination that a person poses a threat to themselves or to others) should not be allowed to purchase a firearm.

Technology that could be deployed to access court records and arrest records as they relate to mental health and violent behavior should not rely upon a list that may become out dated or could be used in ways that are not consistent with the intent of enhancing gun safety.

The ability to access information that is accurate and available for the limited purpose of affirming or rejecting a request to purchase a firearm without indicating the source of the decision or the reason for the rejection would still protect privacy rights while also protecting the public.

The president's proposal on mental health and gun violence is to enforce the laws already in place.

Under a federal law enacted in 1968, an individual is prohibited from buying or possessing firearms for life if he/she has been "adjudicated as a mental defective" or "committed to a mental institution."

A person is "adjudicated as a mental defective" if a court—or other entity having legal authority to make adjudications—has made a determination that an individual, as a result of mental illness: 1) Is a danger to himself or to others; 2) Lacks the mental capacity to contract or manage his own affairs; 3) Is found insane by a court in a criminal case, or incompetent to stand trial, or not guilty by reason of lack of mental responsibility pursuant to the Uniform Code of Military Justice.

A person is "committed to a mental institution" if that person has been involuntarily committed to a mental institution by a court or other lawful authority. This expressly excludes voluntary commitment.

It should be noted, however, that federal law currently allows states to establish procedures for mentally ill individuals to restore their right to possess and purchase firearms (many states have done so at the behest of the National Rifle Association, with questionable results).

It is undoubtedly true that people who are a danger to self and/or others because of mental illness should be prohibited from owning firearms.

It is less clear, however, how to tailor new policies to better protect the American public while at the same time avoiding the stigmatization of Americans with mental illness.

Any strategy to address the lethal intersection between guns and mental illness should focus on the key facts:

On average, more than 100,000 people in America are shot in murders, assaults, and other crimes.

More than 32,000 people die from gun violence annually, including 2,677 children under the age of eighteen years old.

Suicide is the leading cause of gun related deaths in America.

60 percent of deaths by guns in America are the result of individuals using these weapons as a means to commit suicide.

Some of these deaths might have been prevented if there were adequate background checks.

Each year hundreds of law enforcement officers lose their lives to gun violence been shot to death protecting their communities.

Millions of guns are sold every year in "no questions asked" transactions and experts estimate that 40 percent of guns now sold in America are done so without a background check.

National Instant Criminal Background Check System (NICS) was created in 1998 to require potential gun buyers to pass an instant screening at the point of purchase.

Ensures that purchasers are not felons, domestic abusers, mentally ill, etc.

NICS has blocked sales to more than 2 million prohibited people.

NICS stops 170 felons and 53 domestic abusers from purchasing guns every day.

The most serious issue facing NICS is the "private sale loophole".

This allows anyone who is not a federally-licensed dealer to sell guns without a background check.

An estimated 40% of gun transfers—6.6 million transfers—are conducted without a background check.

Armslist.com is the largest online seller of firearms.

66,000 gun ads are posted by private sellers on a given day, 750,000 per year.

Nearly 1/3rd of gun ads on Armslist.com are posted by high-volume unlicensed sellers (approx. 4,218 people).

High-volume sellers posted 29% of the gun ads.

High-volume sellers posted 36,069 gun ads over 2 months.

This would equate to around 243,800 guns each year by unlicensed sellers.

50% were familiar with federal laws but decided they didn't apply to them.

1/3rd of "want-to-buy" ads are posted by people with a criminal record.

More than 4 times the rate at which prohibited gun buyers try to buy guns in stores.

Approximately 25,000 guns are in illegal hands.

[From Slate, Jan. 8, 2016]

THE ABSURD LOGIC BEHIND FLORIDA'S DOCS VS. GLOCKS LAW

THE SECOND AMENDMENT TRUMPS ALL OTHER AMENDMENTS

(By Dahlia Lithwick and Sonja West)

Gun-rights advocates have made a lot of claims over the years about the broad scope of their constitutional rights. They say, in effect, that the Second Amendment means they can buy virtually any gun they want and take it pretty much anywhere. But in an ongoing legal battle in Florida, they lay claim to a newfangled Second Amendment right—the right not to have anyone talk to gun owners about their guns. Specifically, gun advocates don't want doctors discussing guns, or the potential harms those guns may cause, with their patients.

And while mere talk about guns might seem to have nothing to do with the right to keep or bear arms, the advocates contend that the Constitution is on their side. Last month, for the third time in the same suit, a federal court of appeals agreed.

This very bizarre case is filed under the name of *Wollschlaeger v. Governor of the State of Florida*, although First and Second amendment buffs may recognize it under the cutesy nickname *Docs vs. Glockes*. It started when some gun owners (and the National Rifle Association) told Florida legislators that their doctors were harassing them by asking about gun safety.

The legislators responded by passing a law that bars health care workers from discussing or recording anything about their patients' gun ownership or safety practices that could be deemed in bad faith, irrelevant, or harassing. (Twelve other states have considered enacting similar legislation, but only Florida has actually passed such a law.)

The result was the *Firearms Owners' Privacy Act*. The law provides that licensed health care practitioners and facilities: "may not intentionally enter" information concerning a patient's ownership of firearms into the patient's medical record that the practitioner knows is "not relevant to the patient's medical care or safety, or the safety of others," and "shall respect a patient's right to privacy and should refrain" from inquiring as to whether a patient or their family owns firearms, unless the practitioner or facility believes in good faith that the "information is relevant to the patient's medical care or safety, or the safety of others." Violations of the act could lead to disciplinary action including fines and suspension, or revocation of a medical license. Proponents of such laws say these doctor-patient dialogues violate the patients' Second Amendment rights.

Mr. JEFFRIES. I thank the distinguished gentlewoman for the tremendous work you continue to do on the Judiciary Committee. I look forward to partnering with you.

As you point out, the Second Amendment protects the right to bear arms. It should not protect the ability of others to utilize weapons, often of mass destruction, in doing harm to Ameri-

cans without a license or any legal bases for doing so. All we want is rational gun safety and gun violence prevention. I look forward to continuing to work with you in that regard.

It is now my honor and privilege to yield to the gentlewoman from Illinois (Ms. KELLY), one of my classmates. She has been a tremendous and forceful advocate for gun violence prevention measures, not only as the chair of the CBC Health Braintrust, for which she has been tireless on so many different issues, but also in her capacity within the House Democratic Caucus, as well as a chair of the CBC Gun Violence Prevention Task Force, someone who stood up countless times for the children in Chicago and the many others who have been dealing with unacceptable levels of gun violence.

Ms. KELLY of Illinois. I thank my good friends, the gentleman from New York (Mr. JEFFRIES) and the gentlewoman from Ohio (Mrs. BEATTY) for this important Special Order hour tonight.

Congressman JEFFRIES, you have chaired these Special Order hours for the Congressional Black Caucus in my first term, so it is good to see you back in the driver's seat with our classmate, Representative BEATTY.

Last year, I had the privilege of leading the Special Order hour with our colleague, the Honorable DONALD PAYNE of New Jersey. In the course of that year, we came to this floor to reflect on gun violence on one too many occasions because it is an epidemic in communities across the country.

In fact, we are 11 days into 2016, and there have already been 80 shootings in my hometown of Chicago. Four people were shot and killed in less than 24 hours.

I applaud President Obama's bold executive action that has been talked about tonight. I believe these policies will keep guns out of the hands of criminals and dangerous individuals.

If you listen to some, they will say they are trying to take our guns. There is nothing in the executive action that says that. The opposition is pushing fear, not fact.

With over 30 Americans killed by guns every single day inaction is not an option.

□ 2100

In my nearly 3 years in Congress, the majority party has refused to do anything on gun violence—not one hearing, not a single vote. To right what Congress has, unfortunately, made wrong, President Obama did what was necessary to address the threat to our long-term national security and economic stability. While we can't stop every criminal from committing every crime, we can take actions that will save lives.

While President Obama's executive actions are crucial steps in reducing

the senseless gun violence that is plaguing our Nation, they do not absolve Congress of its moral responsibility to act. There are gaps in existing gun laws that leave us all vulnerable to gun violence. These holes are ones that only Congress can plug.

I have two commonsense bills that will complement President Obama's executive actions and that will help bring a reduction in firearm mortality.

The first bill, H.R. 224, the Recognizing Gun Violence as a Public Health Emergency Act, would require the Surgeon General to submit an annual report to Congress on the public health impact of gun violence. The bill currently has 135 cosponsors, and I hope that this commonsense proposal can get an up-or-down vote this year.

Also, I recently introduced H.R. 225, the Firearm Safety Act, which would close the loophole which prevents the Consumer Product Safety Commission from creating rules regarding the safety of firearms.

Quite simply, if the Consumer Product Safety Commission can regulate teddy bears, bicycle helmets, and car seats, it should be able to regulate firearms. Simply improving safety lock quality and improving storage safety will reduce accidents, misfires, and will prevent theft, saving thousands of lives.

Senseless gun violence has been plaguing our Nation for far too long. It is simply unacceptable in the United States of America that gun violence is the leading cause of death for people under 24. It is time for us to come together to end the gun violence that is taking a generation of young Americans.

I often ask: Just how many and just who has to die before we take action?

I urge my colleagues to attend a funeral to see and to feel the hurt and loss. Your standing for moments of silence and then your sitting in silence does nothing to deal with this issue. Let's stop the hypocrisy and take action and save lives.

Mr. JEFFRIES. I thank the distinguished gentlewoman, my good friend from Illinois, for the very powerful presentation and for her steadfast leadership.

Madam Speaker, one of the reasons we believe that Members of Congress need to act is that State laws are so inconsistent from one jurisdiction to the other.

In New York, we experience gun violence in certain communities at unprecedented levels notwithstanding the fact that we have tremendously significant and robust gun violence prevention measures in place.

But the overwhelming majority of guns used to commit crimes in the Brooklyn communities, represented by me and YVETTE CLARKE, actually come from the neighboring States of Pennsylvania as well as up the I-95 corridor from States in the Deep South.

Chicago, as ROBIN KELLY has indicated, has been experiencing unprecedented levels of gun violence. Illinois actually has pretty robust gun safety-gun violence prevention laws on the books, but the overwhelming majority of guns used to commit crimes in Chicago come from the neighboring States of Indiana and Wisconsin, which have lax laws.

Out in south central Los Angeles, the situation has gotten better over the last decade or so. California has pretty strong gun safety-gun violence prevention laws. The overwhelming majority of guns used to commit crimes in south central Los Angeles and in east LA actually come from the neighboring State of Arizona. That is why we need Congress to act in order to deal with what is a national problem.

Madam Speaker, it is now my great honor and privilege to yield to my good friend and colleague, my sister from the neighboring congressional district of mine and who has been such a forceful advocate on behalf of the communities that she represents in Brooklyn, the distinguished gentlewoman from the Ninth Congressional District of New York, Congresswoman YVETTE CLARKE.

Ms. CLARKE of New York. Let me first start by thanking my brother from the neighboring district in Brooklyn, New York (Mr. JEFFRIES), alongside my sister from Ohio, Mrs. JOYCE BEATTY, for their leadership in our Congressional Black Caucus Special Order hour, discussing gun violence and gun safety measures.

Let me also commend the Honorable ROBIN KELLY of Illinois for her leadership in doing the work that she is doing not only with our Health Braintrust, but by being an outspoken and forceful advocate for the end to gun violence not only for her district in Chicago, Illinois, but for all communities across this Nation.

Madam Speaker, gun violence in the United States has reached epic proportions in the 21st century. The death, the trauma, the devastation that we are witnessing can no longer be tolerated. Congress must act now.

Over the past decade in America, more than 100,000 people have been killed as a result of gun violence and millions more have been maimed by the reckless and unlawful discharging of firearms.

I applaud President Barack Obama for taking this historic executive action to address gun violence in our Nation. These actions will save lives and will make America a safer place. The President's actions will strengthen life-saving background checks, improve mental health services, and expand smart gun technology.

We have all that we need in the United States to observe the Second Amendment rights of Americans and, at the same time, to take our Nation

into the 21st century with responsible gun ownership that leaves little room for the illegal gun activity that we see taking place in terms of gun trafficking, in terms of the use of deadly arms in the hands of those who are unlicensed to hold them.

As it relates to background checks, the proposals focus on new background check requirements that will enhance the effectiveness of the National Instant Criminal Background Check System, the NICS, and the greater education and enforcement efforts of existing laws at the State level.

Specifically, it directs the Bureau of Alcohol, Tobacco, Firearms and Explosives to require any business that engages in the sale of guns to obtain a Federal license to do so and to conduct background checks.

It calls for the increased funding for the ATF in the hiring of 200 new ATF agents and investigators to help enforce existing gun laws, and it requires the ATF to issue a rule requiring background checks for the purchasers who purchase certain dangerous firearms and other items through a trust, a corporation, or other legal entity. It encourages greater communication between Federal and State authorities on criminal history information.

What could be wrong with that? That is within the boundary of our laws, within our constitutional rights, and it makes our Nation safer.

I come to this floor today as one who considers herself to be a victim of gun violence. We need to confront this right away because, for many in our communities, it is not only those who have been physically harmed by gun violence, but those who have been traumatized by being a witness to gun violence.

I had the unfortunate privilege, if you will, of being in the Council Chambers of the New York City's City Council when my colleague, the Honorable James E. Davis, was gunned down before all of his colleagues—workplace domestic terrorism.

That incident has been with me from that day forward. To this day, at a moment's notice, I can recall the trauma of that day, what it meant to see my colleague's life taken from him and to hear the gunplay that took place in the New York City Council's chambers.

I am not alone. There are millions of Americans who are witnesses to gun violence or who may have been maimed by gun violence and who did not necessarily die as a result of it, but whose lives have been changed dramatically.

We should not have another generation of Americans who can speak to the unspeakable horror of what it is to either be impacted directly in the loss of a loved one or to be the families who have to recount the times when they have had to be at the hospital with someone who is trying to recover from being gunned down.

It is our obligation, our responsibility, as lawmakers for this Nation to get this right for future generations.

So I applaud President Obama for doing what he could do within the parameters of his authority. It is now time for the United States House to do its job.

Mr. JEFFRIES. I thank my good friend and colleague for a very powerful presentation and for pointing out the sensibility of supporting all of the President's efforts, but particularly as they relate to the ATF, which is the Federal agency charged with enforcing our Nation's gun laws.

Two hundred additional agents is the bare minimum that we can hire to make sure that the ATF has the manpower and resources necessary to prevent the illegal trafficking of guns into places like the Brownsville and East Flatbush neighborhoods that Congresswoman YVETTE CLARKE so passionately represents.

If you block funding for the ATF, what you essentially are doing is supporting the efforts of the merchants of death who rely on underenforcement by the ATF, because of an absence of resources, in order to flood communities like Chicago; south central Los Angeles; parts of Brooklyn; Newark, New Jersey; and many other neighborhoods with illegal weapons.

Madam Speaker, I yield to my good friend and colleague, Congressman DONALD PAYNE. I thank him as well as R. KELLY. D. PAYNE and R. KELLY made a fantastic combination. We thank them for their distinguished service last year in leading the CBC Special Order hour.

I yield to the gentleman from New Jersey.

Mr. PAYNE. Let me thank the gentleman from New York, who passed the baton to R. KELLY and me in 2015. We have rounded the corner and have put it back in his capable hands, along with our classmate's, the honorable gentlewoman from the great State of Ohio, JOYCE BEATTY, who is demonstrating day in and day out why she was such a great leader in the Ohio legislature. She has brought those talents to bear on the entire Nation.

Madam Speaker, these are very serious times. I want to start out by commending the President of the United States, President Obama, in the face of insurmountable odds, for not being hampered in wanting to do something with this terrible, terrible scourge that we suffer from in this Nation.

Gun violence impacts many different communities in this Nation, some more than others, but it impacts us all. I was proud to see the President step forward and not be hampered in doing something. If the obstructionists on the other side of the aisle want to continue in that manner, then let them be, but he was going to do something.

I also commend my colleagues in the Congressional Black Caucus for uniting with the President in this great effort.

We understand in our communities what this means. We are trying to articulate it to the American people, but we understand it. We live it. We feel it. We see it.

□ 2115

The President's executive actions on gun control are a step in the right direction, but it is the responsibility of Congress to pass gun reform that makes our communities safer.

I have joined, along with ROBIN KELLY, who mentioned two pieces of her legislation in terms of gun control—after Sandy Hook several years ago, I proposed a piece of legislation that did not really see the light of day. Since the President has not given up on this effort, I will not either.

I have a piece of legislation, which is called the Safer Neighborhoods Gun Buyback Act. It would keep guns out of the hands of the wrong people by creating a voluntary Federal gun buyback program. Under my bill, State and local governments, as well as gun dealers, would distribute smart, prepaid debit cards to gun owners in exchange for their firearms.

My bill incentivizes gun owners to voluntarily get guns off the streets. This will make our communities safer for our children, family, and our businesses. Commonsense proposals like my bill are critical to ending our Nation's epidemic of gun violence. This epidemic impacts every community in America, including in my district.

Last year in the city of Newark shootings increased 19 percent from 2014 and homicides rose by 8 percent. In 2015, there were at least 76 gun deaths in my district. One-third of all of the gun deaths in New Jersey last year happened in my district.

Gun violence has had a disproportionate impact within the African American community and other urban areas. That is clear when you look at what is happening in my district and throughout other African American communities in New Jersey.

We need a Federal approach to gun violence because it is a problem across State lines. Case in point, New Jersey is a net importer of crime guns. In other words, more illegal weapons confiscated by law enforcement came from out of the State than there were purchased from in the State.

Reducing gun violence is vital to the safety and security of American communities. My colleagues on the Republican side of the aisle should drop the politics and pandering. They should instead join with Democrats in supporting the President and his commonsense reforms and, like my gun buyback program, to address gun tragedies in all communities.

Let me just say, Madam Speaker, no one wants to take guns away from anyone. We understand the laws and liberties that have made this Nation

great. If we don't do something in reference to gun control, then it is shame on us.

Mr. JEFFRIES. I yield to the gentlewoman from the Virgin Islands (Ms. PLASKETT), a dynamic new Member of the House.

Ms. PLASKETT. Madam Speaker, I rise today in support of our President's actions toward making our communities safer by ensuring guns are less likely to end up in the hands of people that shouldn't have them.

I want to thank my colleagues, Congressman JEFFRIES and Congresswoman BEATTY, for bringing this hour here in Congress. I am thankful for the Congressional Black Caucus' Special Order hour for taking time to educate the American people of the importance of our President's action.

While this Congress and, in particular, our Republican colleagues have hemmed and dithered and engaged in political inertia and, at the end, failed to act in this matter, suspected terrorists are free to legally purchase combat-style weapons. American cities and other areas of this country are besieged by gun crime and thousands of lives are cut short.

According to the American Academy of Pediatrics, guns cause twice as many deaths in young people as cancer, 5 times as many as heart disease, and 15 times as many as infections. Yet, we afford no funding for research and empirical data collection, while at the same time we spend hundreds of millions researching and mitigating the effects of those other maladies.

Every day this Congress fails to act more American families mourn, more American lives are cut short, many in their prime, and more American cities continue to mount homicide and shooting statistics.

Even in America's paradise, my home district of the United States Virgin Islands, this is so. In 2015, there were 40 homicides in the U.S. Virgin Islands. On a per capita basis, that homicide rate is more than double that of the city of Chicago.

Gun violence in cities like Chicago, Los Angeles, and in other places, along with the United States Virgin Islands, sadly are a near daily occurrence. While we pause for moments of silence after mass shootings like the ones in Newtown or San Bernardino, the thousands of victims of mass shootings that play out daily in cities like New York City and the U.S. Virgin Islands go largely unnoticed and unrecognized.

While the President's actions will undoubtedly save lives, we know that communities like our own and the many other minority communities across this country, there needs to be more comprehensive action to address the underlying issues that are at the root of gun violence.

I want to ask that this Congress act on these things. This Congress has in

its power the ability to save thousands of lives. Let us not allow the nearly daily occurrence of mass shootings to become the new norm. We must act to pass comprehensive gun legislation in this Congress this year.

Madam Speaker, I rise today in support of the President's action toward making our communities safer by ensuring guns are less likely to end up in the hands of people who shouldn't have them.

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Every day this Congress fails to act, more American families mourn: more American lives are cut short—many in their prime—and more American cities continue to mount homicide and shooting statistics.

Even in America's paradise: my home district of the U.S. Virgin Islands. In 2015, there were 40 homicides in the U.S. Virgin Islands. That's a per capita homicide rate more than double that of the city of Chicago.

Gun violence in cities like Chicago, Los Angeles and the U.S. Virgin Islands, sadly, are a near daily occurrence. And while we pause for moments of silence after mass shootings like the one in New Town or San Bernadino, the thousands of victims of mass shootings that play out daily in cities like New York City and the U.S. Virgin Islands go largely unnoticed and unrecognized.

There were 353 mass shootings in this country in 2015—three of which occurred in my home district of the U.S. Virgin Islands. One occurred on a crowded boardwalk on a beautiful day in May.

The second mass shooting took place in a housing community, where children played just after 5 p.m. one afternoon this past September.

The third took place on a busy highway two days after Thanksgiving.

A mass shooting occurs just about everyday in this country, yet there are no moments of silence or thoughts and prayers extended to many of the victims.

While the President's actions will undoubtedly save lives, we know that in communities like the U.S. Virgin Islands, and the many other minority communities across this country, there needs to be more comprehensive action to address the underlying issues that are at the root of gun violence.

The citizens living in these communities experience inexcusable levels of poverty. In the U.S. Virgin Islands, more than 30 percent of children are living below the poverty level and in Chicago, most of the South and West sides have 40 to 60 percent of residents living below the poverty level.

If we are serious about making our communities safer and reducing gun crime, we must

take comprehensive action to not only reduce the likelihood of mass shootings like San Bernadino or New Town, but also address the systemic divestment of resources, education, support in communities of color across this country that lead the scourge of gun violence that play out on our inner-city streets everyday.

In addition to The President's action, this congress needs to make it a priority to make adequate investments in early childhood education and other programs aimed at lifting children out of poverty.

Additionally, making meaningful reforms to our criminal justice system and increasing resources to reduce the flow of drugs and illegal guns through our ports will help fight back the firearm black market.

This is not about the second amendment: an overwhelming number of Americans—most gun owners themselves—agree, that we must do something to stop guns from getting into the hands of people who shouldn't have them.

This Congress has in its power, the ability to save thousands of lives. Let us not allow the near daily occurrence of mass shootings to become the new norm. We must act to pass comprehensive gun legislation.

Mr. JEFFRIES. Madam Chair, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, last week, President Obama announced a series of executive actions aimed at reducing gun violence across the United States. President Obama laid out these much-needed steps in the face of Congressional inaction, which will help to reduce the senseless gun violence that affects countless communities across our nation.

In 2014, firearms claimed the lives of more than 33,000 Americans. Over 2,800 of those fatalities took place in my home state of Texas. Perhaps there will be a time when we no longer will have to read headlines about mass murders in our schools or movie theaters. But until then, our nation must take concerted steps to strengthen background checks, improve mental health services, and keep firearms out of the hands of criminals and the mentally ill. This is what President Obama has sought to achieve and I truly believe that this can be done without infringing on law-abiding citizens' right to bear arms.

There have been numerous critics of President Obama's executive actions to reduce gun violence. However, we can no longer stand by as gun violence claims the lives of more innocent Americans. The President is limited in what he can achieve through executive actions alone. That is why Congress has the responsibility to pass comprehensive gun safety legislation now and put our nation on the path to preventing such violence from happening again.

Mr. Speaker, gun violence affects individuals of all backgrounds in communities all across the United States. It is not a Democratic issue nor is it a Republican issue. It is an issue that affects every American in one form or another. Successfully reducing gun violence in this country will take more than just legislative action from Congress. It will take the collective effort of every American to change the course of our history and end gun violence in America once and for all.

RADICAL ISLAMISTS

The SPEAKER pro tempore (Mrs. COMSTOCK). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for half the time remaining before 10 p.m.

Mr. GOHMERT. Madam Speaker, we have now learned that the administration is releasing or has released Muhammad al-Rahman al-Shamrani, a 40-year-old citizen of Saudi Arabia. He was transferred to Saudi Arabia on January 11, 2016.

Apparently, The New York Times had gotten ahold of documents regarding—and this is from an October 2008 recommendation for the continued detention under the Department of Defense control for Guantanamo detainee, and then it gives the long number—it is Muhammad al-Rahman al-Shamrani.

If you read what purports to be secret—I don't know how The New York Times got it—but you read over in his file that this Guantanamo detainee—that would be Mr. Shamrani—on 14 October 2007 stated: “When I get out of here, I will go to Iraq and Afghanistan and will kill as many Americans as I can. Then I will come here and kill more Americans.”

He also stated: “I love Osama bin Laden and Mullah Omar, and if I ever get out of Guantanamo, I will go back to fight the Americans and kill as many as I can.”

The detainee stated he hated all Americans and will seek revenge if ever released from Guantanamo. The detainee said that, if he is released, he would again participate in jihad against the enemies of Muslims, to include the United States. The detainee is proud of what he has done, and he is willing to do anything to fight against the enemies of Muslims. The detainee stated he decided to become more religious because of his dislike of the U.S. and its citizens.

So for those who have been confused about the rules of civilized warfare, there is nothing illegal, unconstitutional against the Geneva Convention for holding people who are part of a group who are at war with your country until the group they are a part of announces they are no longer at war with you.

Now, war was declared, as some of my Muslim leader friends in the Middle East and Africa tell me. It is obvious to the rest of the world that radical Islam declared war on the United States back in '79 after President Carter laid the foundation to allow what he called a man of peace to come in and take over ruling Iran. His name was Khomeini. It was after that that our American Embassy was attacked and over 50 people taken hostages, Americans. Basically, we did nothing about it.

So I know the President likes to say that Guantanamo is used as a recruiting tool, but the fact is, oh, basically,

if we get rid of Guantanamo, then that pretty much eliminates anger at America.

The fact is that while President Clinton was sending American military to protect Muslims who were being unfairly treated, there were not only attacks against Americans. There was planning going on, not only to attack the USS Cole, but to attack America, our facilities, our embassies, our buildings, and they were planning 9/11. There were no detainees at Guantanamo.

Yet, all of this plotting and planning—and from my discussions with people in the Middle East when I have been over there, with people who are from Iran, Iraq, Syria, Lebanon, when I have been in those countries—I haven't been into Syria, but I have been right there at its border—but they all say the same thing. What they use to recruit is in 1979 we were attacked by radical Islamists. We did nothing under President Carter.

In '83, we were attacked and around 300 marines were killed in Beirut. Congress, under Democratic control, said we are getting our people out. So President Reagan ordered the evacuation from Beirut. Instead of fighting back, we ran home. I understand that Reagan felt that was one of the big mistakes of his Presidency.

So the attacks have been ongoing. The World Trade Center attack in 1993, the attack on the Khobar Towers, so many attacks under President Clinton. He sent a lot of tow missiles, blew up some tents. It seems maybe like there was an aspirin factory.

It was not Guantanamo that was the driving force in all of those years, decades of war against the United States. It didn't exist. The elimination of Guantanamo will not end the animosity and the desire of radical Islamists to eliminate America from the map along with Israel.

□ 2130

And just to be clear, today the story from Susannah George, "Islamic State Claims Responsibility for Baghdad Mall Attack," they are still at war. Whether they are JV or not, they are killing people.

Adam Kredo from the Free Beacon reports today, "Obama Administration Stonewalling Investigation into 113 Terrorists Inside United States":

"Senators TED CRUZ and JEFF SESSIONS disclosed Monday that they had been pressuring the Obama administration for months to disclose the immigration histories of these foreign-born individuals implicated in terror plots."

Senators CRUZ and SESSIONS wrote to the Secretaries of State and Homeland Security and the Attorney General: "The American people are entitled to information on the immigration history of terrorists seeking to harm them." They note that we already

knew 14 of the people that were brought over as refugees turned out to be terrorists, foreign terrorists, radical Islamists, but they were given legal entrance as refugees.

We have a right to know how many of those 113 that have now been arrested for terrorism were foreign born, how many of them came in as refugees. These are all important.

Then we see the story from yesterday by Jonah Bennett that almost half of California driver's licenses went to illegal immigrants in 2015. Wow. Under the REAL ID Act, that means nobody from California should be able to use their driver's licenses to get on airplanes to travel in interstate commerce or foreign travel.

And then the story from Philadelphia, January 8, absolutely tragic. A man walks up shooting police. A discussion today that there may be other people that were involved. The gunman said he shot the Philadelphia officer for the Islamic State. The police have said that. However, despite the fact that this radical Islamic terrorist has said he shot the police officer repeatedly in an ambush for Allah and for the Islamic State, here is the headline from a story by Dave Boyer from today: "Obama Administration Wondering whether Shooting of Philly Cop Was Terrorist Act," because they don't take the radical Islamist terrorist who shot the policeman for Allah and for the Islamic State. Perhaps they think he is confused. He doesn't sound confused. He sounds like he knew exactly what he was doing when he walked up and ambushed, trying to kill by repeatedly shooting a Philadelphia policeman.

The story of January 8 from Jay Solomon in The Wall Street Journal, "Nuclear Deal Fuels Iran's Hard-Liners," and it makes clear, as it says down here: "As much as \$100 billion in frozen revenues are expected to return to Iran after sanctions are lifted, which U.S. officials said could happen in coming weeks. The White House hoped the cash windfall would aid Mr. Rouhani's political fortunes."

Madam Speaker, mark my words. If that \$100 billion to \$150 billion is provided by this administration here in the United States of America to Iran, to its current radical Islamic leaders who hate the United States, who have not signed the deal that President Obama is so proud of—and they have breached it repeatedly already, we know—that money, some of that money will be used to finance the killing of Americans and Israelis.

Now, back when I was a judge—years and years ago, a prosecutor—we would say, if you fund somebody who says they are going to use some of that money, as Iran has, to fund Hamas and Hezbollah, which we know are terrorist organizations, been named as such, and you know they are terrorist organiza-

tions, you know the money you are providing is going to, in turn, be provided to terrorist organizations.

See, back when I was a prosecutor or judge, we would say: You know what? If you are knowingly providing money to someone who has already said they are going to give it to terrorists who are going to kill people, well, it sounds like there is a case to be made for you being as guilty as they are. Certainly, it goes beyond the pale of gross negligence, but that is hypothetically speaking.

I am not a prosecutor. I am not a judge. I am not a chief justice anymore. But when is the sanity going to return when people who say they are your enemies who want death to America, continue to say "death to America," continue to say we are going to provide more money, once you give us that \$100 billion, \$150 billion, once you give us that, we are going to fund more terrorism, and it is already being reported. Just the announcement that the money is coming has already stimulated more attacks on those who would hope to be free in Iran. It is tragic, just tragic.

But, in any event, we are living in perilous times. Many understand that there are radical Islamists who are at war with us. It is time to recognize that the release of a man who has said he wants to kill Americans and will after he is released should be taken at his word.

I know there is some claim that he may not have said the things that are attributed to him by our own officers, our own personnel that were monitoring him, but let me just say that is a real easy one. There is video somewhere, unless that has been lost with some of the emails that were being pursued by Congress. Unless it has been lost with emails that have been deleted to try to avoid turning them over to Congress, those videos can be consulted, and we can know for sure whether this Islamic radical that President Obama has released from Guantanamo said the things that our people said he said.

I was hearing some of my friends' comments about the gun laws. I know we all share the desire to lessen and eliminate gun violence in America. The thousands of felony cases that came through my court caused me repeatedly to think back. I don't recall anybody who committed a crime with a gun that got it legally. Outlaws don't get guns legally.

It has been made clear that the things our President has proposed would not have stopped one of these mass murderers that he now says spur him on to take action. I would encourage my friends: Let's work to take action that will actually stop the mass murders, that will actually stop the gun violence, but that will not occur by taking guns out of the hands of law-abiding citizens.

Madam Speaker, I yield back the balance of my time.

ARMED STANDOFF IN OREGON

The SPEAKER pro tempore (Mrs. COMSTOCK). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) until 10 p.m.

Mr. BLUMENAUER. Madam Speaker, I appreciate the opportunity to come to the floor this evening to speak about an armed standoff that is taking place in my State of Oregon.

This is the ninth day of armed occupation of the Malheur National Wildlife Refuge where we have some lawless, reckless behavior on the part of out-of-State zealots who have taken over a Federal resource.

This is really hard to comprehend for a moment. As has been mentioned by numerous commentators, imagine what would happen if armed protesters who were of a different color or of a different religion occupied a Federal facility in Chicago or Washington, D.C., or Philadelphia. We would not tolerate that behavior. We would watch people move in to remove them. And yet, here, we are talking about the ninth day with impunity these people have undertaken to exert their own vision for an amazing region, this high desert plateau in eastern Oregon, a region of vast, arid, high desert with many key lakes and wetlands, that is the location of a wildlife refuge that was created in 1908 by President Teddy Roosevelt. It was deemed important to protect this critical flyway, this wildlife habitat. We found people there slaughtering wildlife to take the feathers to decorate women's hats.

Now, I understand that there are some people who are involved who have some frustrations about issues of management of Federal resources. I appreciate that. This is a large, vast country, with 323 million people. In much of the West, a significant portion of the land is owned, managed, and administered by the Federal Government on behalf of all 323 million of us.

I have no doubt that occasionally there is frustration, there is a difference of philosophy. Occasionally, there are mistakes made. One of the problems we face is that my Republican friends in Congress for years have refused to adequately fund these programs, being able to take care of them appropriately, and that leads to frustrations as well.

But I think it is important to note that, contrary to the actions of these armed thugs, this land doesn't belong to them. It doesn't belong to the 7,000 residents of Malheur County or even 4 million Oregonians. This land is in trust for 323 million Americans.

If we overrule these interests and get the Federal Government out of this equation, it is not going to revert to a

few of the people in the region. The people who have first claim on this land are the Paiute Indians, who resided on it for thousands of years before the Federal Government came in and crowded them out.

This vast high desert area is worthy of protection, whether it is monument or wilderness. Many Oregonians, including people in eastern and central Oregon, agree that this is worthy of protection. I met with a number in central Oregon this year who were organized, Friends of the Owyhee, for instance, people who think that this largest area in the lower 48 States of pristine beauty, of great environmental import, is the largest unprotected area in the lower 48 States.

Now, I listened to my friend from Oregon who represents the area, Congressman WALDEN, express his concern and frustration. He talked about his challenges with the Steens Wilderness Area and talked about his deep concern that the administration may consider a monument in the future for this area, monument status for hundreds of thousands of these acres.

It is interesting to note, I was involved with that process, but not as deeply as my friend Congressman WALDEN, who I think can justly claim credit for having been the driving force behind protecting the Steens Wilderness Area. But it never would have achieved wilderness status without the prospect, the looming threat, of a monument status.

□ 2145

I was pleased in a small way to have helped facilitate that going forward. We are all better off as a result of the process that took place.

I was rather surprised that, in the course of his extensive comments on the floor of the House a week ago, while talking about the cooperative effort and the value of the work for Steen's Wilderness, he did not reference at all the process that has been taking place in the Malheur Basin, where we have seen advocates for local ranching interests, environmentalists, and people in the refuge management itself all come together from 2010 to 2013, developing a vision to protect this area, having one of the largest water projects in the country over the next 15 years: a plan, a vision, a commitment. And it was done on a cooperative basis.

You can review what is going on with the ongoing media coverage or with these armed, out-of-State thugs who have invaded the wildlife refuge with no hint of what has happened there to be able to build a consensus, a vision, to protect and enhance this area.

The notion somehow that government ought to get out of the way and turn this all over to the private sector is a bit strained.

First of all, it should be noted that about half the jobs in this little county

of 7,000 people are themselves government jobs. Many of them in the wildlife refuge are some of the best jobs in the region.

They may not make much difference in Portland, Eugene, Seattle, or Washington, D.C., but in a region like this, it is having hundreds of family-wage jobs with good benefits, pensions. It makes a huge difference to the local economy.

I am concerned that we are just passing over this expectation that we have an opportunity to be able to work with the affected people, move it forward, protecting this area as opposed to having folks who are threatening public employees and who have engaged on a personal basis in threatening people. We have had to shut down a number of government operations. It is sad, it is unfortunate, and it is wrong.

We don't need outsiders coming into Oregon or politicians enabling or encouraging people to behave in this reckless, lawless fashion. We should, as a matter of fact, cut them off.

There should be no electricity to the compound. They shouldn't be using the computers of public employees. We shouldn't have them ordering out for pizza or delivering food. This is goofy. It wouldn't happen in any other area if armed thugs took over a Federal facility.

I have great sympathy with my friend and colleague, PETER DEFAZIO, who felt that, by the Federal Government not acting on the Nevada lawbreakers who refused to pay the heavily discounted grazing fees—a fraction of what they would pay if it were in private hands—and allowing this to go on unabated, they are encouraging this lawless, reckless behavior.

I am pleased this evening that I am joined by my friend and colleague from California, Congressman HUFFMAN, who, prior to coming to Congress, had a long, distinguished career dealing with environmental protection and dealing with balancing these interests and solving problems while we protect public interests.

I yield to the gentleman for his comments this evening.

Mr. HUFFMAN. I want to thank my friend from Oregon for his leadership and advocacy and calling us together for this important discussion tonight.

I want to thank him also for bringing up our great conservation hero, Teddy Roosevelt, a Republican President who I can't help but think is rolling in his grave over the fact that cornerstones of his legacy—the protection of public lands, the protection of wildlife—are under constant assault by too many of our friends across the aisle and, for the last 2 weeks, by some very wrong-headed individuals who are heavily armed at a wildlife refuge in southern Oregon.

Many Americans who turned on their TVs last week I think were probably surprised to see that this heavily

armed extremist group had taken over a national wildlife refuge and that they were threatening to kill anyone who stands in their way.

They were led, of course, by Ammon Bundy, the son of the infamous Cliven Bundy, that great philosopher who romanticizes slavery, refuses to pay legally required grazing fees, and organized his own armed insurrection in Nevada a couple of years ago.

Americans were surprised to see that this group, which was part of a larger protest against Federal authority, public land policy, and environmental land violations, was so violent and so heavily armed and so extreme in their demands.

I think so many Americans are just surprised to find that people would be so violently opposed to our Federal Government's role in protecting public lands and wildlife that they would do this kind of thing.

But as a member of the House Natural Resources Committee, I have to tell you I am disgusted by these reckless, dangerous, and criminal actions, but I am not totally surprised. I am not totally surprised.

Because on any given week in the Natural Resources Committee, you can hear the intellectual underpinnings of these dangerous, violent actions. You hear the divisive, over-the-top anti-government rhetoric that is spewed by too many of our colleagues across the aisle, Members of Congress who may now be criticizing ever so gently the tactics of the armed criminals in southern Oregon.

But out of the other side of their mouth they justify their actions by arguing that their anger and frustration with the government is somehow justified and legitimate and that we should essentially sympathize with them rather than be outraged by their seditious, violent actions.

I am amazed and grateful for the fact that our Federal land management and law enforcement authorities have been so patient and so passive and so deferential because of their determination to try to bring this to a peaceful resolution. I admire and respect that. I know where they are coming from.

But let's be clear about this. There has to be accountability for the occupiers. This armed group of thugs occupying a refuge in the State to my north can't be allowed to do this without consequences.

Because many people—you mentioned our colleague, PETER DEFAZIO—believe—correctly, in my view—that this wouldn't have happened had there been some consequences to the Bundy ranch standoff 2 years ago.

Unfortunately, despite a very similar action, despite all of the same heavily armed threats and violence and the near avoidance of a tragedy that could have cost untold numbers of lives, there really were no consequences.

My understanding is that Cliven Bundy still owes well over \$1 million in ranching fees to the Federal Government and that he is still grazing his cattle without permission.

And because there has been no consequences, his son and the current gang that is occupying the refuge obviously took the lesson that they could do it again. And they will do it again and again, as long as we continue to give them a pass.

So there has to be accountability. There has to be some type of consequences for people that do this. But there also should be accountability for politicians who tacitly fuel incidents like this with their inflammatory and hyperbolic rhetoric that always casts environmental protection as an assault on individual rights and that falsely describes our national public lands as some type of a threat to State and private property owners. It is not right.

The truth is, in California and across the West, our public lands are a cornerstone of lots of local and State economies, including those in my district. I have huge tracts of Federal public lands in the Second Congressional District of California, from vast national parks and recreational areas to three different national forests, to numerous national monuments and lots and lots of BLM lands.

For many of my constituents, Federal lands help them put dinner on the table. It helps them pay their bills. Ninety-one percent of western voters surveyed responded that they believe public lands are an essential part of their State's economy. We need to remember this.

So I want to protect public lands, and I want to work cooperatively with the Federal agencies that manage them to iron out differences.

Our Federal Government isn't perfect. They make mistakes. Sometimes they are not the best neighbors. Sometimes they aren't always as responsive and respectful to the communities and individuals that live nearby.

Part of our job as Members of Congress who represent those communities is to try to make sure that the government, for its part, is doing the right thing: listening, being a good neighbor.

I have seen it work time and time again. And the notion that the only way to resolve differences with Federal land management agencies is to take up arms and threaten a violent insurrection is just absolutely nonsense.

So those are a few of my thoughts. I certainly could go on at length about some of the success stories I have seen in my district, where communities have come together and actually collaborated with the Federal Government, not just as a neighbor, but as a partner to do things, including things that brought jobs to those communities.

I have seen it in Trinity County with a process called the Trinity County

Collaboration, where, believe it or not, environmentalists are working together with folks in the forest products industry and with Federal agencies and with all sorts of other interests and they have agreed to cut thousands of acres of trees as part of a comprehensive stewardship plan.

It can work. It is very unique, but it can actually work. And it can work in other places. It almost worked in the Klamath, which is another part of southern Oregon where we saw this historic coming together of farmers and fishermen and tribes and government agencies.

The problem is that collaboration depended on an act of Congress to actually happen. Sadly, under current management, Congress is where collaboration goes to die. And so we were unable to do the right thing there. But it can be done.

I again want to thank the gentleman for his leadership in trying to interpose a little bit of sanity into this debate.

Mr. BLUMENAUER. I appreciate your joining me in this conversation on your past activity and what we need to do in the future.

You are right. These are, if done correctly—and you have had some of these experiences in California—huge economic opportunities.

There are 47 million bird watchers in this country. They spend somewhere in the neighborhood of \$40 billion a year. In the Malheur Wildlife Refuge, almost 24,000 people made that long, long, long, long journey. And I will guarantee you they wouldn't have been sightseeing there but for the wildlife refuge.

You referenced the Klamath. It is a lost opportunity if we are not on our toes. Removing those four dams that have obstructed the flow of spawning salmon, prohibiting us from meeting our obligation to Native Americans, would create hundreds and hundreds of family-wage jobs for years in northern California.

It is just one more example of where Congress is missing in action and where Congress hasn't appropriately funded these agencies to be able to fully meet the opportunities.

It is hard for me to express my wonderment that some people will come to the floor and somehow try and celebrate the Hammond family, people who were convicted of arson and who have a record of having broken the law before.

Public records show behavior that is not that of people you want for your neighbors. These folks do not have clean hands. Yet, we have out-of-State, armed thugs taking over this facility to somehow talk about these convicted felons and undercut this process.

I am hopeful that we can work together for people to focus on the opportunities and have the administration step up, act responsibly, cut these people off and remove them, and to take

action against other lawbreakers like we would in other areas of the country.

I appreciate you joining me today to have a little bit of conversation here to try and round out the picture that is missing from the media. It is probably not going to get us on Fox News, but these are things that the American public needs to know.

Because there is a path forward. There has been a regional consensus that has developed. There is a vision to protect the wildlife refuge and its economic activities and future. It is one that we should support.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of attending a funeral.

ADJOURNMENT

Mr. BLUMENAUER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 12, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3961. A letter from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Vice Admiral Kurt W. Tidd, United States Navy, to wear the insignia of the grade of admiral, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

3962. A letter from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonels Sean A. Gainey and Patrick B. Roberson, United States Army, to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3); (117 Stat. 1458); to the Committee on Armed Services.

3963. A letter from the Assistant Secretary of Defense, Strategy, Plans and Capabilities, Department of Defense, transmitting the Air Force Addendum to FY 2015 and FY 2016 Reports on the Plan for the Nuclear Weapons Stockpile, Nuclear Weapons Complex, Nuclear Weapons Delivery Systems, and Nuclear Weapons Command and Control System Specified in Sec. 1043 of the National Defense Authorization Act for FY 2012; to the Committee on Armed Services.

3964. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the National Health Service Corps Report to the Congress for the year 2014, pursuant to 42 U.S.C. 254i; July 1, 1944, ch. 373, title III, Sec. 336A (as

amended by Public Law 94-484, Sec. 407(a); (92 Stat. 2277); to the Committee on Energy and Commerce.

3965. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Ceiling Fan Light Kits [Docket No.: EERE-2014-BT-TP-0007] (RIN: 1904-AD17) received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3966. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the "Report to Congress on Coordination of Federal HIV Programs for Fiscal Years 2009-2013", prepared by the Health Resources and Services Administration, pursuant to Sec. 2681(b) of the Public Health Service Act, 42 U.S.C. 300ff-81; to the Committee on Energy and Commerce.

3967. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Washington; Removal of Obsolete Regulations [EPA-R10-OAR-2015-0813; FRL-9940-93-Region 10] received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3968. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment; Texas; Houston-Galveston-Brazoria 1997 Ozone Nonattainment Area; Determination of Attainment of the 1997 Ozone Standard [EPA-R06-OAR-2015-0117; FRL-9940-63-Region 6] received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3969. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

3970. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3971. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations to Include Continuation of Emergency Declared in Executive Order 12938 [Docket No.: 151123999-5999-01] (RIN: 0694-AG78) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3972. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule —

Cyber-Related Sanctions Regulations received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3973. A letter from the Deputy Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Technical Amendments (RIN: 1205-AB71) received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3974. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the Service's FY 2015 report under the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(d)(3); Sept. 12, 1950, ch. 946, Sec. 112 (as added by Public Law 97-255, Sec. 2); (96 Stat. 815); to the Committee on Oversight and Government Reform.

3975. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's report on competitive sourcing efforts for FY 2015, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Government Reform.

3976. A letter from the Director, Peace Corps, transmitting the semi-annual report of the Peace Corps Inspector General covering the period from April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3977. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's report on competitive sourcing efforts for FY 2015, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Government Reform.

3978. A letter from the Federal Liaison Officer, United States Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — International Trademark Classification Changes [Docket No.: PTO-T-2015-0077] (RIN: 0651-AD06) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3979. A letter from the Attorney-Advisor, Office of the Chief Counsel, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Debt Collection Authorities Under the Debt Collection Improvement Act of 1996 (RIN: 1530-AA12) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3980. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Security Zone: Escorted Vessels, Los Angeles-Long Beach, CA, Captain of the Port Zone [Docket No.: USCG-2015-0880] (RIN: 1625-AA87) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3981. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone, Delaware River; Philadelphia, PA [Docket No.:

USCG-2015-0732] (RIN: 1625-AA87) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3982. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Turretilla FPSO, Walker Ridge 551, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2015-0318] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3983. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Titan SPAR, Mississippi Canyon 941, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2015-0320] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3984. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Witt-Penn Bridge Construction, Hackensack River; Jersey City, NJ [Docket No.: USCG-2014-1008] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3985. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Delaware River; New Castle, DE [Docket No.: USCG-2015-1032] (RIN: 1625-AA00) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3986. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulations; Temporary Change for Recurring Marine Event in the Fifth Coast Guard District [Docket No.: USCG-2015-0400] (RIN: 1625-AA08) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3987. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Ballast Water Management Reporting and Recordkeeping [Docket No.: USCG-2012-0924] (RIN: 1625-AB68) received December 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3988. A letter from the Federal Register Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting the Administration's direct final rule — NASA Protective Services Enforcement [Docket No.: NASA-2015-0009] (RIN: 2700-AE24) received December 28, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

3989. A letter from the Director, Office of Regulation Policy and Management, Office of the General Counsel (02REG), Department

of Veterans Affairs, transmitting the Department's final rule — Payment of Emergency Medication by VA (RIN: 2900-AP34) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3990. A letter from the Federal Register Certifying Officer, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Regulations Governing United States Savings Bonds [Docket No.: FISCAL-2015-0002] (RIN: 1530-AA11) received December 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3991. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Federal Tax Treatment of Identity Protection Services [Announcement 2016-02] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3992. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Standard Mileage Rates [Notice 2016-1] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3993. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Inflation-adjusted items for 2015 for certain Civil Penalties under the Internal Revenue Code (Rev. Proc. 2016-11) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3994. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — January 2016 (Rev. Rul. 2016-1) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3995. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Payout Requirements for Type III Supporting Organizations That Are Not Functionally Integrated [TD 9746] (RIN: 1545-BL44) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3996. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Claiming the Health Coverage Tax Credit for 2014 and 2015 [Notice 2016-02] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3997. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 Cumulative List of Changes in Plan Qualification Requirements [Notice 2015-84] received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3998. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Minimum Value of Eligible Em-

ployer-Sponsored Plans and Other Rules Regarding the Health Insurance Premium Tax Credit [TD 9745] (RIN: 1545-BL43) received January 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3999. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-86; Small Entity Compliance Guide [Docket No.: FAR 2015-0051, Sequence No.: 6] received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform and Armed Services.

4000. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of interim and final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-86; Introduction [Docket No.: FAR 2015-0051, Sequence No.: 6] received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform, Science, Space, and Technology, and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROYCE: Committee on Foreign Affairs. H.R. 757. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; with an amendment (Rept. 114-392, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE: Committee on Foreign Affairs. H.R. 3662. A bill to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes (Rept. 114-393, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3242. A bill to require special packaging for liquid nicotine containers, and for other purposes (Rept. 114-394). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 583. Resolution providing for consideration of bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act; providing for consideration of the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes; and providing for proceedings during the period from January 14, 2016, through January 22, 2016 (Rept. 114-395). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Ways and Means, the Judiciary, Financial Services, and Oversight and Government Reform discharged from further consideration. H.R. 757 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 3662 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHAFFETZ:

H.R. 4359. A bill to amend title 5, United States Code, to provide that Federal employees may not be placed on administrative leave for more than 14 days during any year for misconduct or poor performance, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CHAFFETZ:

H.R. 4360. A bill to amend title 5, United States Code, to provide that a Federal employee who leaves Government service while under personnel investigation shall have a notation of any adverse findings under such investigation placed in such employee's official personnel file, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PALMER:

H.R. 4361. A bill to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROKITA (for himself, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRIDENSTINE, Mr. COLE, Mr. CRAMER, Mr. CULBERSON, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. HARPER, Mr. HUIZENGA of Michigan, Mr. JORDAN, Mr. MEADOWS, Mr. MESSER, Mr. MOOLENAAR, Mr. MULVANEY, Mr. PITTENGER, Mr. RIBBLE, Mr. SCHWEIKERT, Mr. STEWART, Mr. STUTZMAN, Mr. TIPTON, Mr. WALBERG, Mr. WESTMORELAND, and Mr. ALLEN):

H.R. 4362. A bill to amend the Social Security Act to replace the Medicaid program and the Children's Health Insurance program with a block grant to the States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4363. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts paid by an employer on an employee's student loans; to the Committee on Ways and Means.

By Mr. TAKANO (for himself, Mr. CONYERS, Mr. ELLISON, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, and Ms. LEE):

H.R. 4364. A bill to amend title V of the Omnibus Crime Control and Safe Streets Act of 1968 to prohibit Edward Byrne Memorial Justice Assistance Grants from being made available to a State or unit of local government that has a contract with a person that charges a fee to pay-only probationers, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAYSON:

H.J. Res. 80. A joint resolution proposing an amendment to the Constitution of the United States to prohibit gerrymandering in the establishment of Congressional districts; to the Committee on the Judiciary.

By Mr. COLE:

H. Con. Res. 106. Concurrent resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; to the Committee on Foreign Affairs.

By Mr. CAPUANO:

H. Res. 584. A resolution urging the President to seek an independent investigation into the death of Tibetan Buddhist leader and social activist Tenzin Delek Rinpoche and to publicly call for an end to the repressive policies used by the People's Republic of China in Tibet; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHAFFETZ:

H.R. 4359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CHAFFETZ:

H.R. 4360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PALMER:

H.R. 4361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have Power * * *

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof. (Also known as the "Necessary and Proper clause").

By Mr. ROKITA:

H.R. 4362.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I [the Spending Clause] of the United States Constitution states that "The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay for Debts and provide for the common Defense and general Welfare of the United States." The bill also makes specific changes to existing law in a manner that returns power to the States, in accordance with Amendment X of the United States Constitution.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4363.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution, which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States: but all Duties, Imposts and Excises shall be uniform throughout the United States;"

By Mr. TAKANO:

H.R. 4364.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. GRAYSON:

H.J. Res. 80.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. SHIMKUS.

H.R. 224: Mr. VARGAS, Ms. MENG, and Mrs. DAVIS of California.

H.R. 225: Mrs. LAWRENCE, Mr. FATTAH, Ms. CLARK of Massachusetts, Mr. KEATING, Mr. SCOTT of Virginia, Mr. DEUTCH, and Mr. MCGOVERN.

H.R. 226: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. MCGOVERN.

H.R. 228: Mr. BISHOP of Michigan.

H.R. 539: Mrs. WATSON COLEMAN and Ms. JUDY CHU of California.

H.R. 604: Mr. SCHWEIKERT.

H.R. 610: Mr. ROONEY of Florida.

H.R. 721: Mr. PETERS.

H.R. 731: Mr. LUETKEMEYER, Mr. LANGEVIN, and Ms. LOFGREN.

H.R. 757: Mr. GUINTA, Mr. BOUSTANY, Mr. GUTHRIE, Mr. GIBSON, Ms. DUCKWORTH, Mrs. ELLMERS of North Carolina, and Mr. POMPEO.

H.R. 829: Mr. RICHMOND.

H.R. 870: Mr. NORCROSS and Ms. FRANKEL of Florida.

H.R. 921: Mr. BEYER.

H.R. 923: Mr. ROKITA.

H.R. 985: Mr. YOUNG of Iowa.

H.R. 986: Mr. HULTGREN.

H.R. 994: Mr. GALLEGO.

H.R. 1101: Mr. FATTAH.

H.R. 1116: Mrs. COMSTOCK.

H.R. 1147: Mr. ZELDIN.

H.R. 1148: Mr. SCHWEIKERT and Mr. ROSS.

H.R. 1197: Mr. KELLY of Pennsylvania and Mrs. BROOKS of Indiana.

H.R. 1220: Ms. MOORE.

H.R. 1258: Mrs. MIMI WALTERS of California.

H.R. 1397: Mr. ROE of Tennessee, Mr. SHERMAN, and Mr. MULVANEY.

H.R. 1567: Mr. SALMON.

H.R. 1608: Mr. HUNTER, Mr. JOYCE, and Ms. CLARKE of New York.

H.R. 1818: Mr. COFFMAN.
 H.R. 1902: Ms. ADAMS.
 H.R. 2034: Ms. SPEIER.
 H.R. 2058: Mr. RIBBLE and Mr. THORNBERRY.
 H.R. 2290: Mr. BOST.
 H.R. 2293: Ms. CLARKE of New York, Mr. POSEY, Mr. KILDEE, Mrs. MIMI WALTERS of California, and Mr. KENNEDY.
 H.R. 2302: Mr. RYAN of Ohio.
 H.R. 2342: Mr. CLAY.
 H.R. 2404: Mr. CONYERS.
 H.R. 2710: Mr. CULBERSON and Mr. BRADY of Texas.
 H.R. 2775: Mr. GRIFFITH.
 H.R. 2858: Mr. KENNEDY.
 H.R. 2874: Ms. MCSALLY.
 H.R. 2894: Ms. MCSALLY.
 H.R. 2917: Mr. KEATING.
 H.R. 2992: Mr. KEATING, Mr. VARGAS, Mr. BERA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRAYSON, Mr. KILMER, Mrs. CAPPS, Mr. FARR, Mrs. LOWEY, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. FOSTER, Mr. ISRAEL, Ms. BONAMICI, Mr. CICILLINE, Mrs. DAVIS of California, Ms. GRAHAM, Mr. MEADOWS, Mr. ROE of Tennessee, Mr. LOEBSACK, Ms. GABBARD, Mrs. CAROLYN B. MALONEY of New York, Mr. AGUILAR, Mr. CUMMINGS, Ms. CLARK of Massachusetts, Mrs. BUSTOS, Ms. WASSERMAN SCHULTZ, Mr. HUFFMAN, Mr. TAKANO, Mr. CÁRDENAS, Mr. HUIZENGA of Michigan, Mr. DEUTCH, Mrs. NAPOLITANO, Mr. GARAMENDI, Mr. SARBANES, Mr. POCAN, Ms. VELÁZQUEZ, Mr. BEN RAY LUJÁN of New Mexico, Mr. BECERRA, Mr. TONKO, Ms. SLAUGHTER, Mr. YARMUTH, Ms. ESTY, Ms. DEGETTE, Mr. HASTINGS, Ms. DUCKWORTH, Mr. WALZ, Ms. SPEIER, Mr. HIGGINS, Mr. QUIGLEY, Mr. SWALWELL of California, Mr. RUIZ, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MURPHY of Florida, Mr. CASTRO of Texas, Mr. CONNOLLY, Mr. ASHFORD, Ms. WILSON of Florida, Mr. LEWIS, Mr. DOGGETT, Mr. DESAULNIER, Mr. NOLAN, Mr. NORCROSS, Mr. DEFazio, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TAKAI, Mrs. LAWRENCE, Mr. SCHIFF, Ms. BASS, Mrs. WATSON COLEMAN, Ms. ESHOO, Ms. SEWELL of Alabama, Mr.

ROHRABACHER, Mr. ELLISON, Mr. GOSAR, Mr. LANGEVIN, Mr. PAYNE, and Ms. MOORE.
 H.R. 2994: Mr. LYNCH.
 H.R. 3046: Mr. LOEBSACK and Mr. NORCROSS.
 H.R. 3060: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H.R. 3381: Ms. DUCKWORTH and Mr. JEFFRIES.
 H.R. 3514: Ms. CLARKE of New York.
 H.R. 3520: Ms. CLARKE of New York.
 H.R. 3537: Mr. PIERLUISI and Ms. KAPTUR.
 H.R. 3556: Ms. SPEIER and Mr. HASTINGS.
 H.R. 3684: Mr. GUTIÉRREZ.
 H.R. 3722: Mr. BURGESS.
 H.R. 3790: Mr. KEATING.
 H.R. 3872: Mr. HASTINGS, Mr. CLAY, Mrs. LAWRENCE, Mr. JEFFRIES, Mr. MEEKS, Ms. JACKSON LEE, and Ms. NORTON.
 H.R. 4000: Mr. HUDSON.
 H.R. 4063: Ms. MCSALLY and Mrs. BLACK.
 H.R. 4073: Mr. GARAMENDI.
 H.R. 4084: Mr. GARAMENDI.
 H.R. 4089: Mr. ROSS.
 H.R. 4167: Mrs. BLACK.
 H.R. 4240: Ms. DELBENE.
 H.R. 4247: Ms. FRANKEL of Florida and Mr. LABRADOR.
 H.R. 4269: Ms. TITUS.
 H.R. 4279: Mr. GUINTA, Mr. VALADAO, Mr. KNIGHT, Ms. KAPTUR, Mrs. MIMI WALTERS of California, and Mr. MESSER.
 H.R. 4293: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. REED.
 H.R. 4294: Mr. DAVID SCOTT of Georgia and Mr. CARTER of Georgia.
 H.R. 4295: Mr. HONDA.
 H.R. 4298: Mr. BOUSTANY.
 H.R. 4321: Mr. ROKITA and Mr. YOHO.
 H.R. 4333: Mr. CARNEY, Mr. MESSER, and Miss RICE of New York.
 H.R. 4336: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BISHOP of Michigan, Mr. LANCE, Mr. POE of Texas, Mr. PALMER, Ms. TSONGAS, Ms. EDWARDS, Ms. TITUS, Mr. MOULTON, and Mr. YOUNG of Indiana.
 H.R. 4345: Mr. TAKAI.
 H.J. Res. 2: Mr. DOLD.
 H.J. Res. 59: Ms. HERRERA BEUTLER, Mr. ROHRABACHER, Mrs. ROBY, and Mr. CARTER of Georgia.

H. Con. Res. 75: Mr. STEWART and Mr. CLAWSON of Florida.
 H. Con. Res. 100: Mr. WENSTRUP.
 H. Con. Res. 105: Mr. HUDSON and Mr. ROKITA.
 H. Res. 54: Mr. SMITH of Missouri.
 H. Res. 386: Ms. CLARKE of New York.
 H. Res. 445: Mr. BYRNE.
 H. Res. 541: Ms. JACKSON LEE, Mr. THOMPSON of California, Mr. GRIJALVA, Mr. LEVIN, and Ms. JUDY CHU of California.
 H. Res. 551: Ms. JUDY CHU of California, Mr. LIPINSKI, Mr. YOHO, Ms. FRANKEL of Florida, Mr. CLAWSON of Florida, and Mr. VAN HOLLEN.
 H. Res. 569: Miss RICE of New York, Ms. FRANKEL of Florida, and Mr. CUMMINGS.
 H. Res. 571: Mr. STIVERS, Mr. GRAVES of Missouri, Mr. BROOKS of Alabama, Mr. HASTINGS, Mr. ZELDIN, and Mr. WILSON of South Carolina.
 H. Res. 575: Ms. SCHAKOWSKY, Ms. JUDY CHU of California, Ms. KAPTUR, and Mr. SARBANES.
 H. Res. 582: Mr. GOSAR, Mr. FLORES, Mr. CARTER of Georgia, Mr. BOUSTANY, Mr. BENISHEK, Mr. BYRNE, Mr. ROKITA, and Mr. DUNCAN of South Carolina.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. LAMBORN

The amendment filed to H.R. 1644 by me does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House Rule XXI.

EXTENSIONS OF REMARKS

RECOGNIZING MR. DARRELL CREAMER FOR DECADES OF PUBLIC SERVICE WITH THE PLEASANT HALL VOLUNTEER FIRE COMPANY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Mr. Darrell Creamer, a longtime volunteer firefighter and former President of the Pleasant Hall Volunteer Fire Company.

Mr. Creamer began his career with Pleasant Hall Volunteer Fire Company in 1968. In the subsequent 47 years he has been with the company, Darrell has earned his ascent through the department. Over his career, he has held many positions, including: Secretary, Deputy Fire Chief, Fire Chief, Vice President, and is currently retiring from his position as President, which he has held since 1985.

Mr. Creamer has been a dedicated public servant, overseeing many of the station's needs, and has helped countless Pennsylvanians as a priceless asset for the greater community. To this day, he still serves as the department's Business Manager, continuing to lend his decades of experience for the betterment of the community and the station he has long served.

On behalf of the Ninth District of Pennsylvania, I want to thank Mr. Creamer for his selfless service, and moreover highlight the sense of purpose with which he has served the community. His leadership and dedication to Pennsylvania will live on, and his retirement is well-deserved.

It is with great pleasure that I congratulate Darrell Creamer on his many accomplishments and well-deserved retirement.

BERACA COMMUNITY DEVELOPMENT CORPORATION'S HAITI EARTHQUAKE MEMORIAL SERVICE AND AWARD CEREMONY

HON. HAKEEM S. JEFFRIES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. JEFFRIES. Mr. Speaker, I rise today in celebration of Beraca Community Development Corporation (BCDC). In 2010, BCDC's mission to rebuild, repair and restore the lives of the disadvantaged led them to Haiti after the tragic 7.0 magnitude earthquake. On January 10, 2016, this year's awardees were honored at Beraca Baptist Church in Brooklyn, NY, for their invaluable service.

BCDC opened offices in the towns of Leogane, Cabaret, Jeremie and Cape, Haiti where BCDC volunteer efforts are wide-reach-

ing. The corporation travels to Haiti several times a year and since its conception has returned over 50 times in an effort to improve the lives of others. BCDC also provides microloans to help support local small businesses, employs over 400 individuals through a taxi company and equips teachers with resources to improve the lives of Haitian youth.

At this year's Beraca Community Development Corporation's Haiti Earthquake Memorial Service and Award Ceremony, 4 dynamic individuals were recognized for their outstanding work, Mackenzie Pier, New York City Leadership Center was the recipient of the Awareness and Mobilization Award, Michael Scales, Nyack College was the recipient of the Excellence in Education Award, Marie-Yolaine Toms, Community2Community was the recipient of the Community Development Award and Michael Fromer, Millennium Capital Resources was the recipient of the Philanthropic Services Award. I commend these honorees for their commitment to serving others.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in celebrating the Beraca Community Development Corporation's Haiti Earthquake Memorial Service and Award Ceremony and these 4 great honorees.

TRIBUTE TO MRS. SUZANNE WRIGHT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. SMITH of New Jersey. Mr. Speaker, last April I had the privilege of joining with Autism Speaks to ring the closing bell at the New York Stock Exchange (NYSE) marking World Autism Awareness Day.

World Autism Awareness Day is an opportunity to highlight the progress we have made to better understand Autism Spectrum Disorder (ASD) and assist impacted families, but to also raise awareness of the significant challenges that remain—both in the U.S. and abroad. World Autism Awareness Day is one of only seven U.N.-sanctioned 'world days.'

For eight years in a row, major landmarks, organizations and everyday Americans "light it up blue," to raise awareness and bring additional resources to assist families impacted by autism. This year's events are scheduled for Saturday, April 2nd.

The light it up blue campaign was launched by Autism Speaks co-founder and board member, Suzanne Wright—a tenacious, dedicated and committed leader whose contributions have made, and continue to make, a real and tangible difference in the lives of individuals with ASD and their families.

By way of background, in 2005 Suzanne and Bob Wright co-founded Autism Speaks after their grandson Christian was diagnosed

with autism. Every day since, for over a decade now, Suzanne has led through her work at the organization and through personal examples of generosity and compassion.

As the Co-chair of the Congressional Coalition for Autism Research and Education and Chairman of the House Subcommittee that oversees global health, I have worked with Suzanne and Bob Wright to craft, and shepherd into law, legislation that will boost research, services and support for individuals with ASD, including the Autism Collaboration, Accountability, Research, Education, and Support Act of 2014 (Autism CARES/Public Law 113-157) and the Combating Autism Reauthorization Act (PL 112-32).

I recently learned that Suzanne Wright has been diagnosed with pancreatic cancer and is taking a leave of absence from her work with Autism Speaks to manage her medical care.

While there are many talented professionals who will carry the torch during Suzanne's leave and build on Suzanne's legacy at Autism Speaks, there will be a gaping hole only she can fill.

I am hopeful that my colleagues will join me in keeping Suzanne, her husband Bob, and the entire Wright family in our thoughts and prayers during these difficult days. And in Suzanne's honor, I call on all of us to redouble our efforts and work even harder to ensure that we do everything within our power to assist families touched by autism.

HONORING FREDERICK ALBERT LANGILLE, JR.

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor the life of Frederick "Fred" Albert Langille, Jr., a devoted husband and father, an outstanding social worker, and a dear friend.

Fred was born on January 15, 1942. In 1959, Fred graduated from Kailua High School, Oahu, where, in his senior year, he was a mile track record holder in Hawaii. This feat earned him a scholarship to the University of Michigan where he worked diligently to earn a master's degree in social work in 1971.

After graduation, Fred began his career as an engineer in Lincoln, Nebraska. However, he switched his focus to public policy and social work, which he pursued in Illinois and Colorado. Throughout an accomplished career, Fred held many titles and positions. During his time in Illinois, he was the Chief of the Welfare Division, Illinois Institute for Social Policy and Assistant Director for Welfare and Manpower Programs, Illinois Bureau of the Budget. In 1975, after moving to Colorado, Fred became the Executive Administrator/Deputy Director of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the Colorado Department of Social Services. Three years later, he served as the State Planning Director, Office of State Planning and Budgeting, for the State of Colorado. From 1978 to 1996, Fred served as the Executive Vice President/Chief Operating Officer at National Jewish Hospital. In 2000, after a distinguished career, Fred retired as the President of the Privatization Partnerships Division for Policy Studies.

In addition to these tremendous professional accomplishments, Fred was a family man and pursued many activities outside of the office. He enjoyed biking, hiking, running, photography, reading, art, music, traveling and spending time with his family, friends and many pets. Fred and his wife of 35 years, Rita Barreras, had two children, Michael Victor Langille (Shelly George) and Heather Marie Coffey and have a grandson, Dylan Michael Langille.

On August 6, 2015, Fred passed away in his home after a brave fight against prostate and bladder cancer. He was 73.

Mr. Speaker, I join family, friends and all those who have felt Fred's warm embrace in celebrating the wonderful life he lived. We will continue fighting to eradicate these terrible diseases that take our loved ones away with all the strength we have.

PERSONAL EXPLANATION

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. WESTERMAN. Mr. Speaker, on roll call no. 23, I was present on the floor, but the vote closed before I was able to cast a vote.

Had I been present, I would have voted "No".

RECOGNIZING MR. GORDON SNYDER FOR BEING NAMED THE 2015 NATIONAL MUSIC EDUCATOR OF THE YEAR

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. HUDSON. Mr. Speaker, I rise today to recognize Mr. Gordon Snyder for being named by Music and Arts the 2015 National Music Educator of the Year. Music and Arts is a national retail chain dedicated to providing musicians with the instruments and products they need to enhance their musical talents.

Mr. Snyder currently serves as Director of Instrumental Music at A.L. Brown High School, located in Kannapolis, North Carolina. He was nominated for the award by fellow educators, and had several students write letters of recommendation on his behalf. This is a testament to the respect Mr. Snyder has earned from both his peers and his students, and I am extremely grateful for his commitment to ensuring our community's students receive a high-quality education.

Although the National Music Educator of the Year award has been given for several years

by Music and Arts, Mr. Snyder is the first recipient from the state of North Carolina. This is a particularly impressive accomplishment, as this year nearly 2,000 educators were nominated for this award. The winner of this award was selected for their ingenuity in their academic programs, and was also judged on the educator's impact in the community and their band's performance. Our community is fortunate to have Mr. Snyder dedicate his time and talents to educating our students.

Mr. Speaker, please join me today in congratulating Mr. Snyder for being named the 2015 National Music Educator of the Year and wish him well as he continues to make a positive difference in the lives of his students.

CELEBRATING LESTER WOLFF'S 97TH BIRTHDAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the life, legacy, and the work of our esteemed former colleague, Congressman Lester Lionel Wolff, who is an exceptional father, husband, lawmaker, war hero and dear friend to many of us. Lester is not only an inspiration to future political leaders and public servants, but also an embodiment of diligence, persistence and success.

It is well known to those who know Lester that he will never stop working to make our country better. Lester, who has recently turned 97, is still working hard as chairman of the International Trade and Development Agency and The International Information Agency and frequently travels to Washington, DC from New York City to visit congressional offices.

Lester was born on January 4, 1919 and is a life-long New Yorker. Married to the late Blanche Silver, he has two loving children, Bruce, a prominent Washington lawyer, and Diane, an Adjunct Professor at the State University. He has four grandchildren and six great-grandchildren.

Elected to the United States Congress in 1964, Lester served 16 years before retiring. It was an honor enough to work with him on a number of bills throughout the years. His service as Chairman of Foreign Policy Planning, Chairman of Asian Pacific Affairs, Chairman of the Select Committee on Narcotics Abuse and Control and Ranking Member of the Foreign Affairs Middle East subcommittee will not be forgotten.

One of his notable bills was the Foreign Assistance Act of 1969, which restored the initiative for direct peace talks between Israel and the Arab States. He also led the congressional delegation to meet with Deng Xiaoping, Father of Modern China. The Deng-Wolff conversation was credited by the Department of State for its particular importance in the establishment of formal diplomatic relations between the People's Republic of China and the United States. He is the author of the Taiwan Relations Act signed into law on April 10, 1979. This landmark law has undoubtedly helped the United States maintain and enhance its ties with Taiwan for more than three decades.

Thanks to Lester, Taiwan is the United States' 10th largest trading partner, and the United States is Taiwan's largest foreign investor. Anyone who works with Lester is well aware of his prudence and expertise in foreign policy.

Despite his retirement, he and I went on a trip to Taiwan to speak to government officials on U.S.-Taiwan relations and attend the Democratic Pacific Assembly—The Common Future of the Pacific in the 21st Century.

Mr. Speaker, I ask you and my distinguished colleagues to join me in recognizing and honoring Lester Wolff—the man who keeps on inspiring us with his wisdom and long-serving dedication to strengthening our country. I am pleased to see the fruits of his labor in Congress and as a public servant.

SENSELESS CHRISTMASTIME
KILLINGS BY BOKO HARAM AND
THE NEED FOR THE WORLD'S
RECOMMITMENT TO RECOVERING
THE CHIBOK GIRLS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Ms. JACKSON LEE. Mr. Speaker, over the Christmas 2015 break, 50 people were murdered and 114 others wounded in the northeastern Nigerian cities of Maiduguri and Madagali, Borno State, which is the birthplace of Boko Haram.

Today also marks 633 days since 276 Chibok girls were kidnapped from their dormitories in the middle of night.

Violence on the citizens of the world in sacred places such as our homes, places of worship, educational institutions and recreational venues is unacceptable and detestable.

To keep the Chibok girls on our minds, all of us here in Congress have worn red every Wednesday to signal the urgency of rescuing, recovering and reintegrating these young women back into the arms of their parents. Sadly, while we grapple with the sore of the kidnapping of the Chibok girls, with horror, we watched on the news, violence wreaked by Boko Haram during the holidays.

As we all know, Boko Haram has claimed responsibility for the massacres.

I have met with the Nigerian President and was part of a delegation to Nigeria to engage local leaders, activists, businesses and families of victims of Boko Haram on strategies for recovering and reintegrating the Chibok girls and many others who have been kidnapped or suffered violence. These senseless killings and kidnappings by Boko Haram must stop.

The Chibok girls are not throwaways and the world cannot and should not forget them. Those who lost their lives during the Christmas massacres have families and loved ones whose hearts have been broken because of the pain and anguish they must now feel.

We must continue to press on in our concerted efforts to assure victims that Boko Haram will be combatted and assure our Chibok daughters that we still care and that we are committed to bringing them back home.

and will work to protect them and reintegrate them back into our community with open arms.

As founder and Co-Chair of the Caucus on Nigeria and Co-Chair of the Congressional Children's Caucus, the rescue, return and reintegration of the kidnapped Chibok girls continue to be my top priority.

I believe that with our commitment, just as the Aboke girls were recovered after being kidnapped in Northern Uganda by the Lord's Resistance Army, the Chibok girls will be rescued, returned home and reintegrated back into the human family.

I am committed to the protection of the Nigerian people and it is my view that the people of Nigeria and others in the Lake Chad Basin in Africa should be afforded the protection they deserve and the opportunity to live their lives free of terrorism and fear.

This is why I introduced H. Res. 528, legislation that enjoyed bipartisan support of my colleagues including Representatives CHU of California, LEE of California, DOLD of Illinois, HAHN of California, KELLY of Illinois, FUDGE of Ohio, WATSON-COLEMAN of New Jersey, SEWELL of Alabama, BROWN of Florida, THOMPSON of Mississippi and my good friend Ms. WILSON of Florida.

My resolution seeks to create a Victims of Terror Protection Fund for the protection of the Chibok girls when they return home as well as provision of much needed support for them and other displaced refugees, migrants and the victims of Boko Haram's terror such as those of the Christmastime 2015 massacres.

All persons of the world from Syria to Nigeria to Colombia and everywhere in between possess the inalienable fundamental human right to freedom of movement and full realization of their human potential without fear of violence upon their person.

Last month, in our celebrations of the United Nations Human Rights Day, the global community rededicated itself to the key International Covenants on Human Rights: the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, Covenants that serve as the bedrock of the International Bill of Rights: protecting the right of all human beings.

Indeed, we must continue to fight for the freedoms of our neighbors whether those for whom we fight are out of sight such as the murdered and wounded in northeastern Nigeria or the kidnapped Chibok teenage girls or educated medical doctors fleeing violent extremism in Syria.

The bottom line is that our obligations in the human family must revolve around and be grounded in our conviction and commitment to the rights to freedom of movement, freedom of speech, freedom of worship, freedom from want, and the freedom from fear or terrorism, among others. We must remain steadfast in guaranteeing these fundamental freedoms and protect the human rights of all to achieve peace and prosperity in our world.

Mr. Speaker, those murdered and wounded during the Christmastime massacres included a lot of youth. When they were kidnapped, the Chibok youth were 11, 12, 13, 14, 15, 16 and 17 year olds who are now turning 12, 13, 14, 15, 16, 17 and 18—living out the formative

years of their lives in captivity in the claws of thugs.

Our silence is a waste of time and this is why we must keep speaking, keep tweeting, keep seeking to recover our daughters and denouncing the atrocious actions of Boko Haram.

This cannot be the fate or the end of the story of the lives of the victims of Boko Haram. We must not and cannot forget Blessing Abana, Deborah Abari, Rebecca Mallum, Naomi Luka, Esther Markus, Zara Ishaku, Ruth Joshua, Grace Paul, Rebecca Luka and the others. To the families of the Christmastime massacre, you are in our thoughts and prayers.

To the Chibok girls, notwithstanding your captivity, let me assure you that your spirits, souls and bodies are sacred to us, no matter what attacks the enemies of peace may have perpetrated upon you. Like your sister from Pakistan, Malala, who was shot in the head for seeking her education and who continues to fight for your recovery, your best days are ahead because we know that when your girls thrive our world thrives.

So let me assure you that you remain in our prayers and thoughts. To President Buhari of Nigeria, you have our support and you have my support in all your efforts to destroy and dismantle Boko Haram. To the people of Nigeria, we are counting on you to keep holding on, keep your faith strong and be assured that you are on the right side of history and that the arc of the moral universe always tips on the right side of justice.

Today, let me offer that it is important to denounce the actions of Boko Haram and recommit ourselves to the protection of the Nigerian people and the recovery of the Chibok girls.

HONORING DEBORAH SELIGMAN

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor a native New Mexican and dear friend, Deborah "Deb" Seligman.

Deb can trace her New Mexican roots back to the 1800s when her ancestors owned a number of trading posts in New Mexico long before it became a state. Deb attended college at the Washington University of St. Louis and returned home to the University of New Mexico to study law—graduating in 1978. Today, she is a sole practicing attorney and represents banks and small businesses. In 2011, the New Mexico Business Weekly included her in the "Best of the Bar"—a list of the top attorneys in the state. She was recognized for her excellence in business and corporate law.

Deb is an exemplary citizen and has volunteered her time on numerous boards and charities. She is a board member of the local Casa Angelica (a home for children and young adults with developmental disabilities), the Jewish Community Center of Greater Albuquerque and the Jewish Historical Society.

Deb is also the Commissioner and Chairwoman of the Village of Los Ranchos Planning and Zoning Commission. Furthermore, she is extremely generous in her donations to animal charities, including the Save the Manatees Club.

Above all, I want to honor Deb for her latest feat, running in the Chicago marathon this past year. Deb took up running about 6 years ago and has run in numerous marathons since, including the New York City, San Francisco and Phoenix races. Deb runs with Albuquerque Fit, which recently awarded her for her tremendous improvement since joining the group. In the Chicago marathon, after extensive training and a refusal to quit, Deb achieved a personal best of four hours and fifty-five minutes.

Deb and her husband, Judge Robert Mawe met in 1986 and were married three years later in 1989. Together, they are active in their community and the Democratic Party in New Mexico.

Deb is one of the most determined and generous people I have met. Nothing can stop her. I am confident that she will continue to be a leader in our community and I look forward to hearing about her continued successes in the future. Congratulations Deb.

NEW YORK TIMES ADDRESSES THE RACIAL WEALTH GAP

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Ms. MAXINE WATERS of California. Mr. Speaker, I would like to submit the following:

[From the New York Times,
December 31, 2015]

DEBT AND THE RACIAL WEALTH GAP
(By Paul Kiel)

IF you are black, you're far more likely to see your electricity cut, more likely to be sued over a debt, and more likely to land in jail because of a parking ticket.

It is not unreasonable to attribute these perils to discrimination. But there's no question that the main reason small financial problems can have such a disproportionate effect on black families is that, for largely historical reasons rooted in racism, they have far smaller financial reserves to fall back on than white families.

The most recent federal survey in 2013 put the difference in net worth between the typical white and black family at \$131,000. That's a big number, but here's an even more troubling statistic: About one-quarter of African-American families had less than \$5 in reserve. Low-income whites had about \$375.

Any setback, from a medical emergency to the unexpected loss of hours at work, can be devastating. It means that harsh punishments for the failure to pay small debts harm black families inordinately. Sometimes, the consequence is jail. Other times, electricity is cut, or wages garnished.

The modern roots of the racial wealth gap can be traced back to the post-World War II housing boom, when federal agencies blocked loans to black Americans, locking them out of the greatest wealth accumulation this

country has ever experienced. More recently, the bursting of the housing bubble and subsequent recession slammed minorities. In 2013, the median wealth of white households was 13 times the median wealth of black households, the widest gap since 1989.

Earlier this year, my colleague Annie Waldman and I took a close look at debt-collection lawsuits in three major American cities. We expected to see a pattern driven by income, with collectors and credit card lenders suing people most often in lower-income areas.

But income was just half the story. Even accounting for income, the rate of court judgments from these lawsuits was twice as high in mostly black communities as it was in mostly white ones. In some neighborhoods in Newark and St. Louis, we found more than one judgment for every four residents over a five-year period. Many were families who, knocked off their feet by medical bills or job loss or other problems, had simply been unable to recover.

When debts turn into court judgments, plaintiffs gain the power to collect by cleaning out bank accounts and seizing wages. Federal and state laws generally don't protect anyone but the poorest debtors, and because judgments are valid for a decade or more, the threat of garnishment can linger for years. The paycheck from that new job may suddenly be slashed and savings may disappear.

Sometimes the consequence of not having the money to pay a bill is immediate: The power goes out. In a 2009 national survey of lower-income households by the federal Energy Information Administration, 9 percent of blacks reported having their electricity disconnected in the previous year because they had been unable to pay. For whites, the number was less than 4 percent, according to an analysis of the survey by the National Consumer Law Center.

And sometimes the consequence of unmanageable debt is to fall further into debt. In a 2013 Federal Reserve survey, about three times as many blacks reported taking out a high-interest payday loan in the previous year as did whites at the same income level. Desperate consumers turn to these loans as a way to catch up on bills, but often get tripped up by unaffordable interest payments.

When combined with discriminatory policing practices, the effect of the asset gap is to magnify the racial disparity. In its report on the Ferguson, Mo., Police Department, the Justice Department found that officers disproportionately stopped and ticketed black citizens. For a "manner of walking" violation, it was \$302; for "high grass and weeds," \$531.

Blacks accounted for about 67 percent of Ferguson's population and around 85 percent of the municipal court cases. But the numbers were even more lopsided when it came to the harshest consequences. Blacks accounted for 92 percent of the cases where an arrest warrant had been issued to compel payment.

And this wasn't a problem only in Ferguson. Earlier this year, the American Civil Liberties Union sued DeKalb County, Ga., which includes part of Atlanta, for jailing citizens over unpaid court fines and unpaid fees charged by a for-profit company that runs probation services for the government. About 55 percent of DeKalb County's population is black, but the A.C.L.U. found that nearly all probationers jailed for failure to pay those fines and fees were black.

The racial wealth gap "creates this cyclical effect," said Nusrat Choudhury, an

A.C.L.U. attorney. An unpaid speeding ticket may result in a suspended driver's license, which may lead to a more severe violation. Unable to pay their fines, black defendants become more crushingly entangled in debt.

Cori Winfield, a single mother in St. Louis, got caught up in this cycle.

After she was unable to keep up the payments on a subprime auto loan she took out in 2009, the car was repossessed the next year, but the consequences didn't stop there. Because the debt continued to be bloated by interest charges, the lender began garnishing her wages in 2012. The garnishment continues today. Because she was unable to repay, she will end up paying far more than she owed in the first place.

Making matters worse for Ms. Winfield, while her wages were being garnished, she was arrested for driving with a license that had been suspended because she had failed to pay a speeding ticket. She ended up spending a weekend in jail and having to pay the cost of bail.

Ms. Winfield has a decent clerical job, earning about \$30,000 a year. But she lives month to month. When hit with an unexpected expense, she is left reeling.

Her vulnerability is typical. In a recent survey by the Pew Charitable Trusts, the typical black household earning between \$25,000 and \$50,000 reported having emergency savings of \$400. The typical white household in that range had \$2,100.

Black families were much more likely to report difficulty in recovering from a financial setback or to have fallen behind on a bill in the past year. This financial insecurity extended up the income scale. Of black households with income between \$50,000 and \$85,000, 30 percent said they had been unable to pay a bill. By contrast, only white households with incomes below \$25,000 reported similar trouble paying bills; 31 percent said they had fallen behind.

What can be done? The best place to start is by identifying practices that are particularly damaging to black communities, and then fixing them.

In Missouri, for example, the attorney general recently proposed a series of reforms for debt-collection lawsuits to ensure that the underlying debt was valid and that lawyers' fees were not excessive. Collection-industry trade groups supported the proposal.

Lawmakers in Missouri and other states could go further and reduce the amount of income subject to garnishment. In most states (New York and New Jersey are exceptions), defendants can lose a quarter of their post-tax income, a big hit for even middle-income families.

Bank accounts are afforded even less protection, allowing collectors to seize funds without limit. It's a nonsensical system that restricts how much of a worker's paycheck a collector can seize, but allows collectors to take the entire amount once that check is deposited. Setting even a small dollar amount as automatically off limits to collectors would be a substantial improvement.

Changes like that benefit everyone, but they particularly help black families. Policy makers should pay attention. Making it easier to recover from small setbacks can make a big difference in people's lives.

Paul Kiel is a consumer finance reporter for ProPublica. This is part of its series on debt collection.

RECOGNIZING MRS. RONNA RICE

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize Mrs. Ronna Rice, Chief Executive Officer of Rice's Lucky Clover Honey.

Rice's Lucky Clover Honey is a family operated 4th and 5th generation business that produces unfiltered and raw honey in Greeley, Colorado. Since 1924, they have produced high quality honey, created jobs, and expanded to foreign markets.

Small business owners are the backbone of our economy and communities. It's the ingenuity and hard work Mrs. Rice embodies daily that makes America exceptional. She has shown true leadership in her industry and community.

Recently, Mrs. Rice was selected as a leader in small business by the White House and invited by First Lady, Michelle Obama, to the State of the Union on January 12, 2016. On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Mrs. Rice and hope she enjoys her visit to our nation's Capital.

Mr. Speaker, it is an honor to recognize Mrs. Ronna Rice for her accomplishments.

IN REMEMBRANCE OF DALE BUMPERS U.S. SENATOR, GOVERNOR OF ARKANSAS, AND FIGHTER FOR SOCIAL JUSTICE AND PROGRESSIVE REFORMS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Dale Leon Bumpers, a great American, a man who embodied civility and bipartisanship; one of the most passionate advocates for civil rights, social justice, and nuclear non-proliferation; a man who served his country honorably in the Armed Forces, the Arkansas Statehouse, and the United States Senate.

Dale Bumpers died at his home in Little Rock, Arkansas, on January 1, 2016 at the age of 90.

Dale Bumpers was born August 12, 1925, in Charleston, Arkansas, to Lattie (Jones) and William Rufus Bumpers, who had served a term in the Arkansas House of Representatives of Arkansas, encouraged his son to attend all local political events telling him that there was, "nothing as exhilarating as a political victory and nothing as rewarding or as honorable as being a dedicated, honest politician who actually makes things better and more just."

Dale Bumpers came of age during the lean years of the Great Depression, which instilled in him an ethic of hard work and a compassion for those in need, what the great biographer Robert Caro quotes Sam Early Johnson as being caught in the "tentacles of circumstance."

In 1943, Dale Bumpers put his studies at the University of Arkansas on hold to enlist in the United States Marines, serving in the Pacific Theater during World War II.

After his honorable discharge from the Marines, Dale Bumpers earned his baccalaureate degree from the University of Arkansas and then moved to Evanston, Illinois to attend Northwestern University School of Law, from which he graduated in 1951.

In 1949, two fateful events occurred: tragically his beloved parents were killed in an automobile accident; but happily, he married his high school sweetheart and the love of his life, Betty Lou Flanagan, and together they raised their three children in Charleston, Arkansas.

Upon graduation from law school and his admission to the Arkansas State Bar in 1952, Dale Bumpers entered the private practice of law, a field in which his natural charm, quick wit, and folksy manner, allowed him to excel.

Between 1952 and 1970, he won every case he handled except three, which validated the title of his memoir which was, *The Best Lawyer in a One-Lawyer Town*.

After the Supreme Court's Landmark decision of *Brown v. Board of Education*, the Charleston School Board asked his advice on how to best respond to the Court's decision.

Dale Bumpers's response was quick and direct: compliance rather than defiance was his advice, which was heeded by the School Board.

In 1962, Dale Bumpers ran for the House seat that his father once held and although he handily carried his home city of Charleston, he narrowly lost the election.

But the loss neither discouraged nor deterred Dale Bumpers from seeking elective office so he could continue to serve others.

Opportunity presented itself in the 1970 Arkansas gubernatorial race.

The Democratic primary field included racist former Governor Orval Faubus, who had served six terms from 1954 to 1966, Attorney General Joe Edward Purcell, and Arkansas House Speaker Hayes McClerkin.

An early poll showed Dale Bumpers with about one percent of the vote but compelling television ads showcasing his integrity, winning personality, progressivism attracted broad and enthusiastic public support, especially in western Arkansas, and earned him a spot in the run-off election with Orval Faubus, which he won with 62% of the vote.

In the general election, Dale Bumpers soundly defeated the incumbent Republican governor, Winthrop Rockefeller, who was seeking a third term.

During his first term as Arkansas Governor, Dale Bumpers guided to passage laws that gave more powers to the cities, created a consumer protection division in the Attorney General's office, repealed the "fair trade" liquor law, expanded the state park system, improved social services for elderly, disabled, and developmentally challenged citizens.

During his second term Dale Bumpers continued to pursue a progressive reform agenda and won passage of legislation creating state-supported kindergarten, providing for free textbooks for high school students, authorizing a major construction program at the state's colleges, eliminating the prison "trusty" system,

and increased support of the community college system through increased state payments of operational costs.

Despite the fact Dale Bumpers governorship was widely viewed as a success, by friends and critics alike, he did not enjoy the position, writing in his autobiography that he, "intensely disliked most of my time as governor" because "I spent more time trying to make sure bad things didn't happen than I spent trying to make good things happen."

In 1974, as he was completing his second term as governor, Dale Bumpers decided to challenge the incumbent U.S. senator, the legendary J. William Fulbright, in the Democratic senatorial primary.

Because of his admiration, support, and friendship, Dale Bumpers was reluctant to enter the race against the politically vulnerable Senator Fulbright, writing in his memoir:

I didn't want to oppose him; on the other hand, I would never forgive myself if he was defeated by someone whose views were an anathema to me.

Dale Bumpers won the Democratic primary with 65% percent of the vote and went on to win the general election against John Harris Jones with 85% of the vote, the largest margin of victory in a statewide election in 30 years.

Dale Bumpers was sworn in as United States Senator in January 1975; he was easily reelected in 1980, 1986, and 1992.

In the course of his 28 year career, Dale Bumpers, nicknamed "the giant killer" by the *New York Times*, would defeat former or future Arkansas governors: Orval Faubus, Winthrop Rockefeller, Asa Hutchinson, and Mike Huckabee.

During his twenty-four-year career in the United States Senate, Dale Bumpers served as Chairman and Ranking Member of the Small Business Committee and was a senior member of the Committees on Appropriations and on Energy and Natural Resources from which perch he championed environmental legislation and efforts to expand and fund the National Park System.

Though as a fiscal conservative, Senator Bumpers was an early supporter of efforts to reduce the national debt and was often a critic of excessive military spending.

Dale Bumpers retired from the Senate in 1998 but one of the greatest orators ever to serve in the Senate returned to the chamber the following year to deliver the speech for which he is perhaps best known, the powerful, persuasive, compelling, and widely praised closing argument leading to acquittal in the Senate impeachment trial of President Bill Clinton.

Mr. Speaker, Dale Leon Bumpers was a legislator's legislator and our prayers and condolences go out to his widow, Betty Lou Flanagan, his children, Brent, Bill, and Brooke.

Dale Leon Bumpers touched so many lives in so many helpful ways that he will always be remembered as one of the finest public servants of the 20th century.

I ask that the House observe a moment of silence in memory of the distinguished United States Senator from Arkansas, the late Dale Leon Bumpers.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,888,640,000,429.69. We've added \$8,261,762,951,516.61 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONGRATULATIONS CARSON BUZHARDT

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. WILSON of South Carolina. Mr. Speaker, today, I am grateful to recognize Carson Buzhardt as the female statewide winner of the South Carolina Farm Bureau Youth Ambassador Contest. A resident of Lexington County, Carson graduated from Wyman King Academy and now attends Clemson University where she majors in Agribusiness and aspires to become a leader in the food industry. Carson was selected as the winner after her essay and presentation on farm life in South Carolina impressed the panel of judges.

Her parents, Daryl and Pamela Buzhardt of Lexington, join me in recognizing her achievement, and I am confident in her future success.

The South Carolina Farm Bureau, under the leadership of President Harry Ott, selects two Youth Ambassadors each year to highlight youth involvement and interest in agriculture. I am grateful to the South Carolina Farm Bureau for their critical work celebrating and supporting family farmers in the Second Congressional District and across the State.

In conclusion, God Bless Our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism. Congratulations Carson Buzhardt.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Thursday, January 7, 2016 and Friday, January 8, 2016. Had I been present, I would have voted aye on Johnson (GA) Amendment Number 2 (Roll No. 7), Cummings/Connolly Amendment (Roll No. 8), Lynch Amendment (Roll No. 9), Johnson (GA)/Jackson-Lee Amendment Number 6 (Roll No. 10), the motion to recommit with instructions (Roll No.

11), Johnson (GA) Part B Amendment Number 4 (Roll No. 13), Cummings Part B Amendment Number 6 (Roll No. 14), Cicilline Part B Amendment Number 7 (Roll No. 15), DelBene Part B Amendment Number 8 (Roll No. 16), Cicilline Part B Amendment Number 9 (Roll No. 17), Pocan Part B Amendment Number 10 (Roll No. 18), and the motion to recommit with instructions (Roll No. 19).

I would have voted no on passage of H.R. 712 (Roll No. 12), passage of H.R. 1155 (Roll No. 20), on ordering the previous question (Roll No. 21), passage of H. Res. 581 (Roll No. 22).

On Friday, January 8th, I would have voted aye on Cohen Amendment Number 1 (Roll No. 23), Conyers Amendment Number 3 (Roll No. 24), Deutch Amendment Number 4 (Roll No. 25), Moore Amendment Number 5 (Roll No. 26), Moore Amendment Number 6 (Roll No. 27), Waters Amendment No. 7 (Roll No. 28), Johnson Amendment No. 8 (Roll No. 29), Jackson Lee Amendment No. 9 (Roll No. 30), Nadler Amendment No. 10 (Roll No. 31), and the motion to recommit with instructions (Roll No. 32).

I would have voted no on passage of H.R. 1927 (Roll No. 33).

HONORING GEORGIAN BOB RUMBLE

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. TOM PRICE of Georgia. Mr. Speaker, today I rise to recognize and celebrate an outstanding educator, Bob Rumble. For more than 30 years, Bob has taught history and civics in high schools around Atlanta. Over the years Mr. Rumble has been an active participant in Close Up, an organization that brings students and teachers from around the country to Washington D.C. to promote interactive civic engagement. This week marks Mr. Rumble's 30th student trip to D.C.

Mr. Rumble first took over the Close Up program at Stone Mountain High School in 1985. In 1993 he led the Close Up program at Heritage High School. Later in his career, Mr. Rumble chartered the program at both Roswell and Cambridge High Schools. Most recently Bob brought Close Up to his current position as a history teacher at Kings Ridge Christian School in Alpharetta. Through the Close Up program, Mr. Rumble has given his students a hands-on experience of what he taught in the classroom. Some of his former students and Close Up participants were able to join him this week on what may be Bob's last trip. Mr. Speaker I want to commend Mr. Rumble for his years of dedication and service to our community. Democracy requires active and informed participation and through these Close Up trips Mr. Rumble has been able to share that with his students. Due to educators like Mr. Rumble, our Nation's future is bright.

IN RECOGNITION OF MIGUEL C. MIRANDA

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 11, 2016

Mr. VARGAS. Mr. Speaker, I rise today to honor Miguel C. Miranda, a true leader and servant of the community of Brawley. Mr. Miranda passed away on Tuesday, December 29, 2015, in his beloved city of Brawley.

Miguel was born on August 30, 1957, in Brawley to his parents, Miguel and Hipolita Miranda. He attended Miguel Hidalgo School, Barbara Worth Junior High School and Brawley Union High School, where he graduated in 1976. In high school he was in the cadets, and on the football and wrestling team. Mr. Miranda attended Imperial Valley College.

From a young age, Miguel was an active member in the Brawley community. He served as an altar boy at St. Margaret Mary Church. Later, he would serve as the church's Hospitality Ministry member and parishioner.

Throughout his life, Miguel played many roles within the Brawley community. He was actively involved with the Brown Society, Poor Side of Town and Latin Cruisers Low Riders Car Clubs. He was an honorary member of Hidalgo Society and during his 40 years, he was an active member, past president and served in other board roles. Other public service memberships included Brawley Parks and Recreation Commissioner, Imperial Valley College Affirmative Action Advisory, Pioneers Memorial Hospital Intensive Care Foundation Advisory Council, Brawley American Citizens Club Member and past political chairman, California Rural Legal Assistance board member, Imperial County Manpower Panning Council, North-End Optimist Club and Imperial Valley Housing Authority. He was a past member and Grand Knight of the Knights of Columbus Council 2130, and a member of the Brawley Elementary School District Advisory Committee.

Miguel was also a coach, supporter, fan, and friend of the Brawley Junior Gladiators Wrestling and Brawley Union High School Wrestling Programs. He participated in the Los Camperos Camping Group. Miguel also served as a judge for community contests, such as the Chili Cook-Off and the Jalapeño Eating Contest, a contest Miguel won for several years in a row.

Miguel was employed by Friends Outside as a Family Liaison Specialist at Calipatria State Prison and was previously employed by the Institute for Social Economic Justice, SER Jobs for Progress, Work Training Center, Campesinos Unidos Inc., and Brawley Elementary School District. In 2001, Miguel was Board President of the Clinicas del Salud del Pueblo, and in November 2015, he was voted by his constituents to serve as the City of Brawley Treasurer. He had previously served the City of Brawley as a Council Member and Mayor pro-tempore.

Miguel's constant involvement in the community earned him the friendly title, "Amigo de la Comunidad" (Friend of the Community).

Miguel was an outstanding individual, husband, father, papa Mike, brother, brother-in-

law (cuñado), son-in-law (yerno), uncle (tío), buddy (compa) and friend to many. He was considerate, genuine, devoted, and an avid Raiders Booster Club fan. He loved spending time with his family. In 1981, he met the love of his life, Estela Robles, and was married in April of 1982. He was enormously proud of his family, and they of him.

Miguel will be missed by his family—his wife, Estela; son and daughter-in-law, Miguel Jr. and Danitza, son, Alex; daughter, Vanessa; future son-in-law, Andres; and his new grandson, Michael Angel—and his Brawley community.

I want to commemorate Miguel Miranda for all lifetime of service to his community. His leadership is sure to leave a lasting legacy.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 12, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 19

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the near-term outlook for energy and commodity markets.

SD-366

JANUARY 20

2:30 p.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support

To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.

SR-232A

JANUARY 21

9:30 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the status of innovative technologies within the automotive industry.

SD-366

JANUARY 26	FEBRUARY 4	MARCH 3
10 a.m. Committee on Energy and Natural Resources To hold an oversight hearing to examine the presidential memorandum issued on November 3, 2015 entitled, "Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment." SD-366	10 a.m. Committee on Energy and Natural Resources To hold hearings to examine energy-related trends in advanced manufacturing and workforce development. SD-366	10 a.m. Committee on Energy and Natural Resources To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy. SD-366
JANUARY 28	FEBRUARY 23	MARCH 8
10 a.m. Committee on Energy and Natural Resources To hold hearings to examine the status of innovative technologies within the nuclear industry. SD-366	10 a.m. Committee on Energy and Natural Resources To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior. SD-366	10 a.m. Committee on Energy and Natural Resources To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Forest Service. SD-366

SENATE—Tuesday, January 12, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Everlasting God, our light and salvation, You remain our strength and shield. Today, we claim Your great and precious promises as You sustain us with Your presence. Thank You for promising to supply our needs and to lead us toward abundant living.

Continue to sustain our Senators with Your eternal presence. Remind them that Your hand is on the helm of human affairs and that You still guide Your world. Renew their strength as You provide them with the courage to carry on. May they refuse to do anything which could bring them regret, remorse, and shame.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. McCONNELL. Mr. President, tonight we will welcome the President of the United States for the State of the Union Address. It is his final address, and it gives us cause for reflection.

Many of us recall the moment in Boston when a State senator became a national star. His rhetorical gift was undeniable. It was a soaring elocution bathed in confetti that promised a new and more inclusive beginning. It inspired many. It propelled Barack Obama to the highest office in the land.

Americans assumed the campaigning would eventually come to a close and the serious work of governing would eventually commence, but it is now many years later, and the Obama for President campaign never really ended. Speeches still substitute for substance. Straw men still stand in for serious de-

bate. Slogans still surrogate for governing.

We have been promised even more campaigning tonight, this time for the candidate President Obama would like to see succeed him. It leads Americans to wonder: When is the serious work of governing ever going to begin? Governing isn't easy. Governing often requires serious engagement with the Congress the American people elected, not the one the President wishes they had elected.

Here is a simple fact. "You don't make change through slogans." That is something President Obama once said. I wish he had taken his own advice because here is what we know as we enter the twilight of his Presidency. He has presided over a sluggish and uneven economic recovery that is failing too many of our citizens.

Health premiums and deductibles have continued to shoot ever higher. Wages have flatlined for too many. Inequality has grown. Manufacturing has shrunk. Poverty seems to entrench. The middle class has continued to collapse, to the point where it no longer even constitutes a majority of our country.

The Obama administration says it wants to help the middle class, but its policies often tell a different story. We have seen the negative impact ObamaCare has had on so many middle-class families. We have also seen this administration declare a war on coal families who just want to get ahead.

I have invited a Kentucky miner from Pikeville, Howard Abshire, as my State of the Union guest tonight. He has watched as the Obama administration's heartless approach has helped contribute to devastation in his community and to the loss of thousands of jobs in Kentucky, one of which was his own job.

Here is what his message has been to President Obama. Howard Abshire said: "We're hurting [and] we need help," but "we don't want to be bailed out, we want to work."

Many Kentuckians feel the very same way. Many Americans feel similarly too. Today only 20 percent of our citizens think things are headed in the right direction in their country. Nearly three-quarters want the next President to take a totally different approach from the current one. These are the simple facts, and they present the President with a choice.

President Obama can try to blame others for it. He can try to convince Americans they are wrong to feel the way they do or he can take responsi-

bility and chart a new course. Americans are losing faith in the future. They are losing hope that their children can lead a better life. They watch as challenges continue to mount around the world—like those from ISIL, Iran, Russia, Al Qaeda, an ever-aggressive China, North Korea, and of course the Taliban—while this administration seems to have no plan to deal with any of it.

This hurt in our country and the failing approach from the White House should be disheartening to all of us. Perhaps the worst part is, it didn't have to be like this. It really didn't have to be like this. I believe that when the American people elect divided government, they are not telling us to do nothing. They are telling us to work together in the areas where we can agree so we can make progress for our country.

This Congress has racked up a growing list of bipartisan accomplishments for the American people over the past year. Some thought the major reforms we passed in areas such as education, transportation, Medicare, and tax relief were all impossible in the current political climate. We proved those pundits wrong. We showed how significant bipartisan accomplishments can be achieved when good policy is the goal.

Perhaps we have inspired the President to finally try his hand at bipartisan achievement as well. We will see tonight when he delivers his last State of the Union Address. If he proposes real plans to do things such as defeat ISIL, grow economic opportunity, and strengthen the middle class—plans actually designed to pass this Congress, not just provide talking points for the next campaign—we will know he is ready to join us in meeting the challenges of tomorrow because Republicans aren't afraid of the future, and we don't think President Obama should be either. We want him to join us in recognizing the challenges of today while working for the solutions of tomorrow. It is true that we as a nation have a lot of challenges to confront. The pain and the worry in our country is real, it is palpable, but none of it is insurmountable.

That is the hopeful message I expect Governor Haley to deliver tonight. I expect her to contrast a failing Presidency that is stuck in the past with a Republican Party that is oriented to the future. Nikki Haley knows the American dream. She has lived the American dream. She believes in the continuing promise of our country, and she understands the importance of opportunity and upward mobility for our

middle class. When Governor Haley talks about hope and change, she means it because she has actually worked to deliver it.

There is nothing wrong with inspirational speeches. We all need to be inspired, especially in trying times such as these. Soaring rhetoric matched with the right policies and hard work to actually achieve them is usually good for our country—just ask Ronald Reagan or Jack Kemp. Empty eloquence wrapped in leftwing ideas of yesterday that hurt the middle class—it is time to leave that behind. It is time to look to the future. We will see tonight if President Obama is ready to do so and move beyond the failed policies of the past.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE PRESIDENT'S LEADERSHIP

Mr. REID. Mr. President, if this were a card game, which it is not, I guess what I would do is trump what the Republican leader has said. My friend lives in a world that doesn't exist. Let's talk about this person named Barack Obama. What has happened under his time in office, his 7 years, in spite of the unheard of, unrecognizable Senate that the Republicans have created—cloture had to be filed more than 500 times because they set out to block everything he wanted—in spite of that, the state of the Union now reflects the last 7 years. We have 14 million private sector jobs that have been created. During the Obama years, the economy has grown. The private sector created jobs for 70 straight months—the longest stretch in the history of our country. Unemployment is at 5 percent. When Barack Obama took office, in some States it was as much as 14 percent.

During the years of Barack Obama, 17 million uninsured Americans have gained access to health care—17 million—and the number is climbing. Renewable energy production has increased significantly. You drive across America today and you see wind farms in the middle part of this country, and farmers make more money from producing energy on their farms than they do harvesting corn and soybeans because of what the President suggested and what we legislated in the so-called stimulus bill.

Solar, wind, and geothermal has increased significantly, and it will continue to grow more because they have tax incentives now for as long as 7 additional years. You know what else we have done—not enough. The wealthiest Americans who don't mind paying more than their fair share—the only people in America today who believe

that these rich people shouldn't pay a little more are the Republicans in Congress, not Republicans around the country, so we made sure the wealthiest pay a little bit more.

We have secured permanent tax relief that will help lift 16 million lower income, middle-income families out of poverty. The auto industry was on the brink of destruction. General Motors, this icon of American industry, was begging for help. Chrysler Motors was begging for help. The Republicans said no. We Democrats said yes. We were right. Republicans were wrong. Hundreds of thousands of jobs have been created in the auto industry. Last year more American cars and trucks were sold than any time in the history of our country. Why? Because of Barack Obama's leadership.

Osama bin Laden is gone. He has been killed, and we destroyed and degraded terrorist organizations in our Nation. We have more to do. Of course we do.

There have been historic agreements on climate change. We have stopped Iran from getting access to nuclear weapons. Within the last few days, Iran has shipped 12 tons of uranium out of Iran because of Barack Obama. While we have a lot more to do for America on behalf of the American people, we can't ignore the progress that has been made.

My friend talks about the new Senate, and there is a new Senate because there is a constructive minority. We Democrats have been willing to work with them. The issues that we have been able to pass with rare exception have been issues that we should have passed years ago but we couldn't because Republicans filibustered and obstructed everything we tried to do.

I repeat: We have a lot more to do for the American people. It is a wonderful country, and I am so pleased with the progress we have made during the 7 years of Barack Obama.

Mr. President, I see no one on the floor. Please state the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided, and with the majority controlling the first half and the Democrats controlling the final half.

The Senator from Missouri.

FLOODING IN MISSOURI

Mr. BLUNT. Mr. President, I want to talk for a few minutes at the beginning of my remarks about what the response to the flooding has been in our State of Missouri. I was in St. Louis County with Congresswoman WAGNER on Saturday. I was in St. Charles County the week before that. I was in Cape Girardeau following up on the work Congressman SMITH has done there. I was in St. Genevieve, Perryville, Cassville, and Monette. If you know anything about the geography of our State, those places are spread pretty far apart, but we had a flooding situation that was almost totally generated in our State—different from the floods we normally deal with—and the communities reacted with very little time in an impressive way. The Corps of Engineers was also there to help. The National Guard was there to do what they needed to do. Now we see FEMA and the SBA stepping in to see who qualifies for assistance.

There was loss of life. More often than not, the loss of life occurred when somebody drove around a sign that said "Don't pass this sign" and then got caught in a situation they didn't anticipate or thought was less than it turned out to be. Some families clearly are grieving that loss of life. We had five international soldiers who lost their lives near Fort Leonard Wood. Maybe the whole idea of a low-water bridge that you and I would be used to was something they hadn't thought about.

We had three interstate highways close—Interstate 55, Interstate 70, and Interstate 44. They were not all closed at exactly the same time but within somewhere between a 24- to 36-hour timeframe. We will have to look at that to be sure people don't lose access to where their kids are, where their jobs are, and where their health care is. The economic impact of that Interstate System that comes together in so many ways in Missouri shutting down is something that clearly, once we get beyond the immediacy of dealing with the flood itself, we need to look at and see how we can prevent that problem from happening again. I don't know of a time when any two of those highways were closed at the same time before, but I know Interstate 70 and Interstate 44 were closed at the same time, and it had a real impact economically on people traveling east to west or economic things happening east to west anywhere in the country.

HEALTH CARE RESEARCH, MENTAL HEALTH, AND PRESCRIPTION DRUG ABUSE

Mr. BLUNT. Mr. President, I was also able to talk about some good news. I am not sure how much good news we are going to hear over the next few days, but certainly there is the good

news of stepping up and looking at health care research and the impact it can have in the country. There are things that are beginning to happen in mental health and things that we are trying to do to respond to prescription drug abuse and opioid abuse in all areas.

In health care research, the National Institutes of Health hadn't received an increase in their research funding since 2003. There was an effort made right before that to make a substantial increase. The fact that the Congress and the administration stopped research funding had always been frustrating, but we were able to see an increase this year for the first time in 12 years. That meant we had to create a priority. For too many people in government, when there is a discussion about funding priorities, a lot of our colleagues hear that and think that means we have to fund anything anybody has ever convinced the government we are interested in. Being interested in something doesn't make it a priority; it just makes it something that, if everything was going along the right way, maybe this is something to look at. But in funding NIH at a new level, we totally eliminated 18 programs, zeroed them out. We didn't eliminate the authorization for them, but we eliminated the money to run those 18 programs. Congress and eventually the President accepted the argument that for the greater good, these 18 programs did not need to continue. The President asked for 23 new programs that also did not receive funding, but that allowed us to make a commitment and to set priorities.

Why set a priority? The first funding increase in 12 years was 6.6 percent. We went from spending \$30 billion on health care research last year to \$32 billion this year. Hopefully this is a first step toward trying to solve health care problems.

There are many changing developments in health care, from smartphone technology, to individual medicine, to knowing more about the human genome. How did we find out about the human genome? We found that out through NIH research. If we hadn't had NIH research, it is likely that the human genome would still be a mystery to us. It had been a mystery on the planet until just a few years ago. The reason that happened was the National Institutes of Health and the Congress decided it would be helpful to figure out how all of us are different from each other, which also means trying to figure out a different approach to curing diseases such as cancer, Alzheimer's, and heart disease.

What difference does it make? Why is it a priority to spend taxpayers' money in this way? One reason is the clear impact health care research is having every day on individuals and families who no longer are dealing with problems they would have been dealing

with 10 years ago. Moving forward, let's see if we can find ways to meet the challenges for families and caregivers. Let's see what we can do there.

Generally, for taxpayers, even if you aren't the individual beneficiary, estimates are that the Medicare system will be absolutely overwhelmed between now and 2050 by things such as Alzheimer's and cancer. If we can figure out a cure or delay onset of Alzheimer's by 5 or 7 years on average, the impact on the cost of that devastating disease—both the real cost to taxpayers and the emotional and psychological costs to everybody involved—will be overwhelming.

The Medicare system won't be able to withstand the projections of how much money will be spent if we don't find ways to deal with these new challenges. As people get older, Alzheimer's and cancer are more likely to end life than heart disease and stroke. That doesn't mean we don't need to be focused on neurological research or on heart research. All of those things are important, and a relatively small investment by the Federal Government on health care to try to do something about that matters.

It is generally understood that health care will dramatically change in the next 10 or 20 years. Where the research is done is likely to be where the jobs and economic impact of that research occurs.

I don't want to be going to the Chinese 10 years from now saying: Will you tell us how your investment in research has paid off? We are better at this than anybody else in the world, and we need to continue to be better. There are reasons for us to be better.

I do visit some of the places where this research is being done. I was at the Siteman Cancer Center on the campus of Washington University, one of the premier cancer focus centers in the country. Washington University is where one-third of all research was done to understand the human genome.

I have met with the Alzheimer's Association and the American Cancer Association.

I met with the family of a young man who lost his fight with cancer before he was 10 years old. His mom and dad formed the Super Sam Foundation to encourage other families and to encourage research. They were there with his sister representing the Super Sam Foundation.

The Thompson Center for Autism and Neurodevelopment Disorders at the University of Missouri is another place where we are looking to see what we can do to intervene earlier and help solve problems. The new chancellor at the university, Hank Foley, was with me, as was the director of that center, Dr. Stephen Kanne. They are doing good work and will continue to do so.

In Kansas City, I met with an organization, MRIGlobal, that is doing in-

credible work in the field of environmental and cancer research and is making a big difference. The head of that company, Thomas Sack, was there as we were talking about what they were doing and what they hoped to do.

My hometown of Springfield is also the home location of the Alzheimer's Association Missouri Chapter. I had a chance to talk with them.

I also met with the people from the Alzheimer's Association, the American Cancer Society, the American Diabetes Association, and I then went on to Southeast Missouri State University, another autism center that is working to figure out how we can deal with autism disorders, including early detection.

I visited Truman State University in Kirksville, where I had the opportunity to learn more about the university's efforts to create an interprofessional autism clinic. I was able to hear stories about how frustrated young researchers have been with just a 6.6-percent increase—the first increase in 12 years. During that 12 years, the buying power of the research dollar went down by 20 percent. We restored a little of that 20 percent.

The Federal Government has been involved in research at least since the founding of the Department of Agriculture in 1862. Whether it is health care research or ag research or environmental research or energy research, there is a level of that research which should and will be done by the private sector, but there is another level of research by the Federal Government that benefits everybody by sharing the results of that research.

In mental health, there is a lot of excitement in Missouri and around the country about the potential of being one of the pilot States in excellence of mental health. Senator STABENOW from Michigan and I introduced legislation a few years ago that would combine—that would treat behavioral health, treat mental health just like all other health. This is another way to save money, because of that mental health situation.

By the way, the National Institutes of Health says that one out of four adult Americans has a diagnosable and almost always treatable mental health issue. If that mental health issue is being treated, whatever your other health issues are, they are likely to be treated in a much more effective way.

We are looking for more choices to deal with the issues suffered by our Vietnam veterans to our youngest veterans, giving them more options and more choices.

Eight States are going to be doing that and 24 States have applied. Senator STABENOW and I will be talking more about what happens and what we might do to encourage those other 16 States.

The President says he wants to spend more money on mental health. It really doesn't matter how you share your mental health information or what your provider last told you or how many mental health care providers you have if there is no place to go and if there are no access points to treat behavioral health like all other health issues, and that is what excellence in mental health does for patients.

I will close with one final area. I think there has been a lot of response to understanding and addressing the opioid epidemic and the drug issue. Deaths from prescription opioids and other pain-related drugs quadrupled between 1999 and 2013, claiming more than 145,000 lives over the past 10 years, but a substantial portion of those deaths occurred over the last couple of years. These overdoses cost the economy an estimated \$20 billion in medical costs and lost work productivity. Some people die from overdosing, and many other people have to be treated by their health care provider. There is a personal loss to those individuals who become addicted to prescription drugs.

I mentioned that I had a chance to talk to the Missouri General Assembly last week, and I talked about how our veterans are often the victims just because of the serious injuries they sustain and the painkilling drugs they are given to help deal with the pain of those injuries. But that then leads to an addiction to that drug and other drugs.

Approximately three out of four new heroin users abused prescription drugs before switching to heroin. We have made a new commitment to this issue with new programs that are targeted to combat opioid abuse at the Centers for Disease Control and Prevention and the Substance Abuse and Mental Health Services Administration with almost three times the investment that the country made before. This is truly becoming an epidemic, and we need to deal with that epidemic sooner rather than later.

Many of our Members and their States have talked effectively about fighting heroin and drug addiction but also about dealing with the transition from taking drugs that they were prescribed to drugs that they shouldn't have. We are looking at new opportunities there. The new Republican-led Senate is looking at how to deal with these opportunities in new ways. I hope we haven't made those successes for the spending year we are in now a one-time only event but a new commitment to try to solve the problems early so that society and the programs which taxpayers fund aren't overwhelmed by those problems later.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE STATE OF THE UNION

Mr. THUNE. Mr. President, I appreciate the Senator from Missouri, Mr. BLUNT, addressing some of the issues that the Republican majority has attempted to accomplish, including the advances made over the last year, which I think will lay a foundation for the future and for further successes in the coming year.

Tonight President Obama will come to Congress to deliver his final State of the Union Address, which raises this question: What is the state of our Union? The truth is that while the strength and spirit of the American people remain a beacon of hope for our future, our country is facing a number of serious challenges. Global unrest has grown over the course of the President's administration, most notably with the rise of ISIS, one of the most brutal terrorist groups in existence.

On President Obama's watch, we have experienced the worst economic recovery since the Eisenhower administration, with stagnant wages and millions dropping out of the labor force. American families are seeing their dreams for the future erode as they struggle under ever-increasing government burdens and a lack of economic opportunity.

Any serious discussion of the state of our Union needs to address these challenges and offer solutions. That is the kind of speech that I wish we were going to hear tonight, but unfortunately all indicators suggest that is not the kind of speech the President plans to give. Instead, the President apparently intends to take a victory lap despite the fact that the American people clearly don't think there is much to celebrate. A recent New York Times/CBS News poll found that 68 percent of the American people think our country is on the wrong track, and most Americans believe the next generation will be worse off, not better off.

In a preview of the President's speech, the White House notes: "We have made extraordinary progress on the path to a stronger country and a brighter future." That is not how the American people are feeling, and it doesn't reflect the reality of the President's administration.

The President plans to talk about his supposed economic successes tonight. While our economy has recovered to a certain extent since the recession, it has never fully rebounded. Wage growth continues to lag. December marked the 77th straight month in which year-over-year hourly wage growth was at or below 2½ percent. Underemployment also continues to be a problem with millions of Americans continuing to work part-time jobs because they can't find full-time work. Almost 5 years after the recession ended, the percentage of Americans working full time has still not returned to prerecession levels.

While the most commonly mentioned unemployment rate is 5 percent, the U-6 unemployment rate, which measures the number of both unemployed workers and underemployed workers, is 9.9 percent. Of the unemployed, those who have been unemployed for 27 weeks or more, or those considered long-term unemployed, make up 26 percent. Labor force participation remains near record lows. In short, stagnation has become the new normal for the economy under the Obama administration and economic opportunities for families have been few and far between.

In addition to the lack of economic opportunity, families have had to shoulder new burdens thanks to the Obama administration. Chief among those burdens, of course, is ObamaCare, the President's disastrous health care law, which has failed to reduce the cost of health care, ripped away millions of Americans' preferred health care plans, forced families onto insurance plans they don't want and can't afford, reduced patients' access to doctors and hospitals, increased taxes, and wasted literally billions of taxpayer dollars.

Then there are the burdensome regulations the Obama administration has imposed, which have made it more challenging for businesses, large and small, to grow and create jobs.

The Obama Environmental Protection Agency, in particular, has done more than its fair share to make things difficult for Americans. During the course of the Obama administration, this Agency has implemented one damaging rule after another, from a massive national backdoor energy tax that would hurt poor and working families the most to a new rule that would subject ponds and puddles in Americans' backyards to a complex array of expensive and burdensome regulatory requirements.

Again and again, I have heard from South Dakota farm and ranch families, homeowners and small businesses about the difficulties they are facing thanks to the Obama EPA's massive regulations.

If the President's record on the economy and middle-class opportunity is bad, his record on foreign policy is even worse. A White House preview of the State of the Union touts the President's work to "redefine American leadership for the 21st century." During the President's last year in office the White House says: "We can show the world what is possible when America truly leads."

Republicans couldn't agree more that America should truly lead. The problem is that the President's first 7 years in office have generally been distinguished by a lack of leadership. Back in June, former President and fellow Democrat Jimmy Carter described President Obama's successes on the world stage as "minimal." He said: "On the world stage, just to be as objective

about it as I can, I can't think of many nations in the world where we have a better relationship now than we did when he took over." Again, that was a quote from former Democratic President Jimmy Carter. Well, neither can I.

The White House claims that the President ended two wars. Yet it neglects to mention that since the United States withdrew from Iraq, large sections of the country have gone into chaos thanks to ISIS. The President's failure to enforce his redline in Syria when President Bashar al-Assad used chemical weapons on his own people and the President's lack of a strategy to defeat ISIS have contributed to a massive refugee crisis with no easy solution. Meanwhile, Assad remains in power, and ISIS continues to thrive.

With the terrorist attacks in Paris, ISIS officially expanded its theater of operations beyond the Middle East. As we witnessed in the case of the San Bernardino shooting, as long as ISIS continues to exist, its demented ideology will inspire disturbed individuals to commit acts of terror. The United States is in desperate need of a comprehensive strategy to confront the threat posed by ISIS. Yet the President has so far made no move to develop one.

On another foreign policy front, the President has repeatedly touted his nuclear deal with Iran as one of the major foreign policy achievements of his Presidency. Yet the agreement he signed actually improves Iran's long-term prospects for developing a bomb. In a clear violation of U.N. restrictions, Iran tested a ballistic missile, demonstrating once again that it has in no way curbed its aggressive behavior. Elsewhere, Russian aggression has increased on the President's watch. North Korea recently conducted yet another nuclear test.

The Obama administration has left the American people with a host of problems at home and abroad, but once again, it sounds like President Obama's State of the Union Address will fail to offer any substantial solutions. More than that, it sounds as if the President will largely ignore the problems, and that is unfortunate.

The President is missing an opportunity to offer substantial solutions before turning the problems of his administration over to his successors. I don't want to give credence to those Obama administration accusations that the Republicans are all "doom and gloom." As I said, I believe the strength and spirit of the American people mean that the future of America is always bright. But realizing that future requires understanding and developing solutions to the problems facing our Nation, and that is something the President has been unwilling to do.

Republicans have worked hard over the past year to make our economy stronger, our government more effi-

cient and accountable, and our Nation and our world safer and more secure. But there is a lot more work that needs to be done, and we need a partner in the White House who is willing to meet us half way. We hope the President will use the last year of his Presidency to work with us as we seek to address the challenges that are facing the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FUNDING FOR BIOMEDICAL RESEARCH

Mr. DURBIN. Mr. President, a few months ago my colleague from Missouri, Senator BLUNT, took the floor and spoke to two issues we have in common. I will speak to one of them in a moment—the flooding in the Midwest—but I wish to also address another one that he raised.

Senator BLUNT is in an extraordinary position, having been given an opportunity to handle the appropriations bill for the Department of Health and Human Services. Within the Health and Human Services appropriations bill is funding for most of the biomedical research by the Federal Government.

I have spoken to Senator BLUNT over the past year and even before about my strong feelings on this subject. I feel, as most Americans do, that our investment in biomedical research is a wise investment, potentially sparing people from disease and death that could follow an illness but also making an investment in America's innovative economy, creating opportunities for jobs and for expanded research and new products and pharmaceuticals. Senator BLUNT took that challenge to heart, and when he was faced with the appropriations bill for this Department, he made a special effort when it came to medical research. I am so happy that he did.

It was only a few years ago that we had automatic, across-the-board cuts called sequestration. It was devastating. As a net result of that, many of the youngest and most promising researchers gave up on the field because they didn't think there was a commitment from Congress, from the President, and from the government to continue to expand biomedical research. We saw the median age of researchers climbing because younger researchers looked for other jobs. That is a horrible waste of talent and a squandering of an opportunity, I am sure, to find ways to make life more bearable and to cure diseases across America.

Several years ago, when I visited the NIH, the head of the National Institutes of Health, Dr. Francis Collins, told me that if we could have 5 percent real growth in biomedical research at the NIH for 10 years, he could light up the scoreboard. We were on the cusp of so many discoveries that this was an opportunity, if the investment were made, to really have some medical breakthroughs. I took that to heart and introduced a bill called the American Cures Act, and I am sure Senator BLUNT and many of my colleagues are tired of hearing about it. The notion is 10 percent by Congress; 5 percent real growth each year when it comes to the NIH.

As it turns out, this year we are knocking on the door of doing just that with the investment that was made by the appropriations bill. This investment is almost \$42 billion in biomedical research, \$32 billion in the National Institutes of Health, a 6.6-percent increase over last year; \$7 billion for the Centers for Disease Control and Prevention, a 4.5-percent increase over fiscal year 2015.

There are two other areas of research opportunities in biomedical research: the Veterans Medical and Prosthetics Research Program and the Department of Defense Health Program. That is an appropriations bill I have something to do with, working with the chairman, Senator COCHRAN. Both of those programs received a 7-percent increase over the previous fiscal year. These increases at NIH, CDC, Veterans, and Defense are a real turnaround. They bring to an end a decades-long downward trend when it comes to biomedical research.

Senator BLUNT has said—and I have, too—this shouldn't be a one-hit wonder. We have to repeat that this year when it comes to the appropriations for the next fiscal year beginning October 1. We have to make sure we make our promise and keep it when it comes to biomedical research. If we do it, I know this level of funding is going to result in dramatic, positive developments.

There are so many areas we need help with. I can think of a few that are obvious, including Alzheimer's. An American is diagnosed with Alzheimer's once every 67 seconds. When my staff told me that, I didn't believe it. I said: Go back, recalculate, and tell me the real number. It turns out they were right. Once every 67 seconds, a person is diagnosed with Alzheimer's.

Last year we spent over \$200 billion in Medicare and Medicaid for Alzheimer's care. That is just a fraction of the total cost. Think about what individual families spent, what private insurance sources spent, the charitable care that was given to Alzheimer's patients. So when we talk about increasing the NIH budget by \$2 billion for 1 year, it is a tiny fraction. It is 1 percent of the amount we are spending on Alzheimer's.

If we could find a way to detect Alzheimer's earlier, delay its onset, reduce the period of time of suffering, or perhaps even find a cure, God willing, it would have a dramatic, positive impact on so many lives and families and on our bottom-line Federal budget. Take that argument about Alzheimer's and apply it as well to cancer. How many of our families and friends are suffering and fighting cancer right now? My wife and I were struck over the holidays by how many of our close friends are battling cancer at this moment. We know they are looking for hope. They are looking for drugs. They are looking for something that will break through and give them a chance at life. That is why I believe this biomedical research is so critical.

Let me add one postscript. Stopping with these agencies is not enough. I recently visited the Department of Energy. The new Secretary there, Ernest Moniz, and I were talking about biomedical research. He said that when it comes to the technology for imaging that is making such a difference in the world, it isn't just in biomedicine; it is in engineering and science as well, in the Department of Science, within the Department of Energy. So let's not be shortsighted. Let's have an open mind about innovation and creation.

Last week I was in Peoria, IL, an area I am proud to represent. I went to visit OSF Hospital there. I went to what is known as the Jump Center. We don't forget that name very easily. What they have done in the Jump Center is they have combined the University of Illinois Medical School and the University of Illinois Engineering Department in a common effort to bring new engineering and new technology to medicine and medical breakthroughs. What they are doing there is amazing—first, training doctors and medical professionals to do their job effectively without mistakes. That, of course, is the ultimate outcome we are looking for. Over their shoulders are engineers and technicians who are looking at these doctors doing their work, finding new applications for computers and engineering technology that can make their work easier and more effective.

They showed me a model of the human heart. It was a heart of an infant with serious heart problems. This model they gave me was the actual human heart reproduced of an infant who was facing surgery. They took the MRIs and the CAT scans, put them into a 3D copier, and produced this little heart that you could hold in your hand. They were able to give that heart to the surgeon to look at before the surgery, and they opened it so that the surgeon could look inside that heart model—a model which tracked the reality of that infant—and know before the surgery what he would find.

It meant less time on the heart-lung machine, a more likely positive recov-

ery. It was the use of technology in engineering to move us forward and to give that little baby a fighting chance. So I thank Senator BLUNT. I want to especially thank my colleague Senator PATTY MURRAY. She has been a terrific leader in this field, both on the appropriations and authorizing committees, and also Senator LAMAR ALEXANDER.

I think we have all come to conclude that regardless of how much time we have in the Senate, we should leave a mark that makes a difference. When it comes to biomedical research, this year's budget, which Senator BLUNT referred to, will make a difference. Now, let's make sure it is not a one-hit wonder. Let's make sure we do it again in next year's budget as well.

FLOODING IN THE MIDWEST

Mr. DURBIN. Mr. President, I would also like to speak for a moment about the flooding situation in the Midwest, and, of course, in my colleagues' neighboring State of Missouri.

Last month, right in the midst of the holidays, rain storms swept through my State, covering it with 7 inches of rainfall in a very short period of time. The heavy rainfall caused water levels on the rivers to reach record highs. We were surprised. We expect this in the spring, not in December. Communities had to evacuate their homes for their own safety. Sadly, these storms were so severe they flooded roadways, claiming the lives of 10 people whose vehicles were swept away by the floods. Many of them did not realize how high the water actually was in these flash floods or how fast it was moving. They got caught in dangerous waters.

Two areas that were some of the worst impacted were Alexander and Randolph Counties on the Mississippi River—Monroe County, I might add as well. Last Wednesday I went to visit two towns in these areas, Olive Branch and Evansville, to talk to the residents. In Olive Branch I met with Alexander County board vice-chair Lamar Houston and spoke with State representative Brandon Phelps. Both have been working diligently to help the community recover.

I have some photographs which I think will tell the story. This is a photograph from Olive Branch. You can see water completely surrounding the home and covering the nearby areas. The levee that protects the communities of Olive Branch, Hodges Park, and Unity was breached and overtopped by a record crest at the Mississippi River. These overtops caused miles of flood damage, impacting ag lands as well as homes and businesses.

Before flooding occurred, local law enforcement and emergency responders tried to evacuate everybody as quickly as possible. Thankfully, a lot of people heeded the call and went to find shelter with family and friends, but many resi-

dents I spoke with in these towns were still concerned about being able to recover from the flood and the damage.

One man from Olive Branch, Bruce Ford, said his auto repair shop was engulfed by water. He worries he could be out of business for months. Bruce is working night and day to clean out the debris and to move his equipment back in. He was not sure when his shop would be ready to open. Even worse, if the levee breaches again this spring, which it might, he worries that he will not have the means to fix it all over again in just a few months.

In Evansville—and this photo is taken in that area; this was taken on New Year's Eve crossing the Mississippi River at St. Louis. It shows the devastation on the Illinois side. As you can see, these buildings are nearly completely submerged in water, and for many areas around St. Louis the damage you see here is typical. When I went to visit Evansville, about an hour south from here, I met with residents who worked around the clock to sandbag homes and businesses to keep the Kaskaskia River out of their town.

I met with Evansville mayor Craig Valleroy, emergency management co-director Nancy Shilling, who did a great job in making a presentation to me, and State Representative Jerry Costello, Jr.

I was given a tour around the waterfront and flooded areas. As is often the case with disasters like these, I was impressed with the local residents, first responders, local officials, and volunteers, who just stepped up and started filling sandbags. By building a wall of sandbags around downtown, Evansville residents were able to hold off the worst of the flooding.

Last week, I spoke with the Illinois Emergency Management Agency director, James Joseph, and the FEMA Regional Administrator, Andrew Velasquez, about the rain and flooding. The Governor declared 23 counties State disaster areas. State and local emergency responders were dispatched to affected areas. The State provided almost 1 million sandbags—997,000; 4,000 tons of sand; and 117 DOT trucks for flood mitigation.

As the water continues to recede in the coming days, local officials and the Illinois Emergency Management Agency are working together to assess the damages. I might say there is one issue that Senator KIRK and I have looked at over and over again. We are blessed in our State to have about 13 million people. The largest percentage of them are around the Chicagoland area, but we have a vast State beyond Chicago. That is where I hail from—downstate Illinois, with hundreds of miles of small town and rural areas.

When they go through flooding like this, and they are making a calculation of how much damage there has to be in order for the Federal Government to

step in and help pay for the damage, they take into account the entire State and its population. The net result is, had this flooding occurred in a sparsely populated State, they would have received Federal assistance. But we have to hit a threshold number of about \$18 million in public infrastructure damage before we qualify for Federal assistance.

Senator KIRK and I have both witnessed the damage of two tornadoes in Illinois, one in Washington, IL, and another one in Harrisburg, which at first glance we thought would clearly qualify for Federal assistance. In neither case did we make the threshold of \$18 million in damage. So I think this formula needs to be recalculated. The fact that we happen to have a great city like Chicago and the region around it as part of our State should not really inure to the detriment of people downstate in smaller rural areas who suffer this kind of damage from flooding and tornadoes.

I am proud of the volunteers who came forward. I want to thank our National Guard. They are always there when we need them. Local law enforcement never gets enough credit—our firefighters, police, first responders, hospitals, and volunteers.

When I went into Olive Branch—it is a tiny town—most of the activity in the community center that I went into was happening in the kitchen. They said: Go to that lady wearing the pink hat. She is in charge. She had been there every single day since this flooding started, asking all the neighbors to bring in covered dishes and some food for the volunteers and the people who were displaced from their homes. God bless them for caring so much for their neighbors and responding in this time of need.

I want to recognize the hard work of the Federal and State employees who have been engaged in this. I have no doubt that the people of my State who have been impacted by these floods are going to roll up their sleeves and clean up the mess and get ready to make life normal again.

Our thoughts are with the many people today who have lost their loved ones. There were about 25 who died in these floods in the Midwest. We will again stand with them and others as we prepare for the future, to rebuild as the people of Illinois and the United States always do, stronger for the experience.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MISSION TO MARS AND SPACE SHUTTLE FLIGHT 30TH ANNIVERSARY

Mr. NELSON. Mr. President, we are going to Mars—Mars or bust. We are going to send a human crew to Mars in the decade of the 2030s. We are right at the cusp of the breakthrough to show how this is possible. I have just returned from the Kennedy Space Center, meeting with its Director, Bob Cabana. All of the ground infrastructure—the two launch pads—are being reconfigured. Old abandoned launch pads on Cape Canaveral Air Force Station are being redone with new commercial launch pads.

Less than 2 years from right now, in September of 2017, we will be launching Americans again on American rockets to go to and from the International Space Station. Three years from now, we will be launching the full-up test of the largest and most powerful rocket ever invented by mankind, the Space Launch System, with its spacecraft Orion, which will be the forerunner that will ultimately take us to Mars.

This appropriations bill that we passed just before Christmas treats NASA with a decent increase of over \$1 billion and puts the resources into each part of NASA—its scientific programs, its technology programs, its exploration programs, its aviation, and especially aviation research programs—to keep us moving forward in our development of technology.

I am especially enthusiastic about bringing this message because 30 years ago today, I had the privilege of launching on the 24th flight of the space shuttle into the heavens for a 6-day mission. Let me tell you about some of the members of this crew, just to give you an idea of how accomplished these people are.

In NASA terminology in the space shuttle, the commander sits on the left seat; on the right seat, his pilot—in effect, his copilot. He handles all of the systems. In almost all cases, those pilot astronauts are military test pilots. They are so good that when they land that space shuttle without an engine, they have one chance; they are so good they can put it on a dime.

Of course, our crew, 30 years ago launching from pad 39-A—the same pad that I saw on Saturday that has now been transformed into a commercial launch pad under lease to SpaceX—that crew was the best of the best. The two pilot astronauts were naval aviators. In the left seat was CDR Hoot Gibson—Robert Gibson, the best stick-and-rudder guy in the whole astronaut office. He could put it down, and you would hardly know that the wheels had touched.

In the right seat, then Marine colonel, now Marine general, retired, Charlie Bolden, who then went on to command three missions thereafter, and today is—for the last 7 years—the Ad-

ministrator of NASA. He is the one who has transformed NASA and has us going in the right direction now to go to Mars and at the same time working out the arrangements for the commercial marketplace to flourish, as we are seeing with Boeing and SpaceX, which will be the two rockets that will launch in less than 2 years, taking Americans to and from the International Space Station.

Let me tell you about the rest of the crew that launched 30 years ago today. The flight engineer, Steve Hawley, an astrophysicist. By the way, he is the one who deployed for the first time the Hubble Space Telescope. An astrophysicist, Dr. George “Pinky” Nelson. By the way, all of these guys are doctors. They are Ph.D.s. Also, Dr. Franklin Chang-Diaz, an astronaut who came to America from Costa Rica—not speaking a word of English after high school and taught himself English. He has a Ph.D. in plasma physics from MIT. While he was still flying, seven times as an astronaut, he was building a plasma rocket. Today that plasma rocket is one of the propulsion systems that NASA is considering when we go to Mars. If you saw the Matt Damon movie, “The Martian,” the author of the book had consulted with Franklin about the technology that is referenced in the book as the propulsion that sent that spacecraft to and from Mars. Another is engineer Bob Cenker, an RCA engineer. We launched an RCA communications satellite in the course of the mission.

The seventh is yours truly. I performed 12 medical experiments, the primary of which was a protein crystal growth experiment in zero-g, sponsored by the medical school at the University of Alabama at Birmingham—their comprehensive cancer center. The theory was if you could grow protein crystals—and out of the influence of gravity—then you could grow them larger and more pure, so when you brought them back to Earth, examining them either through x-ray diffraction or an electron microscope, you could unlock the secrets of their architecture and get the molecular structure.

I also performed the first American stress test in space in an unmechanized treadmill. You wonder how in zero-g you can propel yourself running on a treadmill. I had to put on a harness with bungee cords that would force me down onto the treadmill, and I pulled and pushed with my feet. We were trying to see what happens to our astronauts who go outside on spacewalks. Their hearts would start skipping beats. So the idea was to get the heart rate up and use me as a comparison.

Indeed, what happened was I ran for 20 minutes, pulling and pushing. Lo and behold I discovered that the tape recorder was not working and had to repeat it. It made so much racket in that small confined space that our

crew was mighty happy when I finished. Thus, the space doctors had additional data to study, and they have published that. We thought it was the first stress test in space, but later on we found out that the Soviets had done stress tests—we don't know how long.

On this occasion, 30 years later, of something that was transformative to me, I wish to say I am so optimistic of where we are going because we are going to Mars. If you ask the average American on the street, they think the space program is shut down because they visualize it as the shutting down of the space shuttle, but they will be reminded, reenergized, enthused and excited—as only human space flight can do—when those rockets start lifting off at the Cape in September of 2017, in less than 2 years, and we are beginning on our way to Mars.

I thank the Presiding Officer for this opportunity on this 30th anniversary.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

FEDERAL RESERVE TRANSPARENCY BILL

Mr. TOOMEY. Mr. President, I rise this morning to speak about the legislation we will be considering this afternoon. Specifically, my understanding is we will be voting on a procedural measure which will allow us to take up legislation that is commonly known as auditing the Fed. I want to address that.

Let me start with the context that I think is important to think about when we consider whether we ought to even modestly change the relationship that exists between Congress and the Fed. It starts for me with the simple observation that the financial crisis of 2008 is over. It actually ended a long time ago. It has been a number of years now that our financial system and our economy has not been in the imminent-crisis-meltdown mode that it was in the fall of 2008. In fact, for several years now we have had meager but some economic growth. Our banking system has been massively recapitalized. There is no current or imminent wave of bankruptcies in really any segment of the economy.

Yet despite the fact that we are clearly not in a financial or economic crisis, we have crisis-era monetary policy, policy from the Fed that one would expect to occur—presumably—only in a crisis. The recent very modest change in Fed policy, the movement in the Fed funds rate from a target of zero to 25 basis points to 25 to 50 basis points is arguably the most modest tightening in Fed history. You couldn't even begin to suggest that this is a tightening of monetary policy. This is just a very slightly less easy money policy. That is what we have.

So in my view there are huge dangers and problems that are associated with

the Fed pursuing this completely unprecedented and, I would say, radical experiment in monetary policy. I wish to talk about a few of those this morning.

One of the first and clearest problems is because the Fed has kept interest rates so low for so long, the Fed has caused a big misallocation of resources. This undoubtedly caused asset bubbles that are existing today that would not have occurred had it not been for the abnormal monetary policy. For instance, take sovereign debt markets. In many cases—especially in Europe—we have debt issued by governments and the return on those instruments is negative. In other words it doesn't cost the government money to borrow money, which is abnormal. You have to pay interest to borrow money normally. In fact, the government gets paid to borrow money, which is ridiculous and it is extremely abnormal. It has happened in the United States, not at the moment but in recent history. As a result of this Fed policy, we have had the bizarre world of negative interest rates. That is just one category that has clearly been in the bubble.

Most observers believe that the high-yield market, the junk bond market, was in a bubble. That has gone through a very turbulent time and a big selloff—arguably, some of the years coming out of that bubble, but who knows. There has been considerable speculation that there are real estate bubbles, other financial assets. This is inevitable when the Fed distorts monetary policy, and it is a disturbing echo of the distortion that occurred back in the early part of the very beginning of this century, when the Fed's extremely low monetary policy of very low interest rates contributed to a housing bubble which of course ended up collapsing in the financial crisis, but that is just one category of problems the Fed causes with these ultra-low interest rates.

Of course, the second is the corollary that people who have saved money and want to invest in a low-risk investment are completely denied an opportunity to get a return. The savers are forced to—the expression is—reach for yield, which is to say: Take your money out of the bank and buy something else because you are earning nothing with the bank.

Well, you know what, for a lot of people a savings account at the bank is appropriate for their circumstances, for their risk tolerance, but they are driven away from that because bank deposits yield pretty much zero.

Consider the case of an elderly couple who lives in Allentown, PA. They worked their whole lives, saved whenever they could, sacrificed, chose not to squander their money, and they lived modestly rather than lavishly. They did it in the expectation that

when they retired, this nest egg that they had worked decades to build, this savings account at the bank, was going to yield a little bit of income to help them make ends meet in their retirement, to help supplement whatever Social Security and whatever pension they might have.

What we have done to those folks—and they are all over America—who have spent a lifetime living prudently, carefully, sacrificing savings, we have said: Well, you made a huge mistake because the government is making sure you earn nothing on those savings.

Joseph Stiglitz is a very respected economist. His research has demonstrated that this zero interest rate and quantitative easing—as it is described, this Fed monetary policy—has contributed significantly to expanding income and wealth inequality. It is not a surprise.

This Fed policy has been very good for stocks. Stock prices have gone up, generally. It has been terrible for people with a bank account. While wealthy people have a lot of money in stocks, people of much more modest means tend to have more of their money sitting in a savings account which, as I have just described, earned zero. So the income inequality problem is exacerbated.

In addition, what the Fed has been doing is encouraging fiscal irresponsibility in Washington. What the heck, borrowing is free, which it basically has been for the Federal Government. Why not run big deficits and borrow lots of money? That is an attitude that some people have. It frankly diminishes the pressure on Congress to pursue sensible and responsible monetary policy. When the Fed is willing to just buy up all the debt and buy it at an extremely low interest rate, it encourages irresponsible behavior.

Now, of course, because the Federal Government has accumulated this \$18 trillion mountain of debt, if and when interest rates return to something like normal—which one day they will, whether the Fed likes it or not—then that is a devastating problem for our budget outlook.

So all of this is particularly disturbing to me when you consider that this massive creation of money, this flooding the world with dollars that the Fed has engaged in, does not create wealth. It is the difference between money and wealth.

So some people might feel wealthier when they see stock prices rise if they have stocks, but that can be a very artificial phenomenon. It is an inflation in asset prices. It is not an improvement in productivity. It is not an expansion in our economic output. It is not actual wealth. It is numbers on a piece of paper.

Of course, what the Fed is able to inflate in this artificial means by creating lots of money, well, that can

eventually deflate. Whatever good they think they were accomplishing on the way up, why should we think we couldn't see the reverse on the way back down? This is what I think is the fundamental problem. The fact is, we have factors that are holding back our economy that are very real and very important, and the Fed's monetary policy can't correct that.

We have a Tax Code that is completely uncompetitive. It discourages work. It discourages savings. It discourages investment. It makes us less competitive in countries around the world that have more sensible tax codes than we have. We need to fix the Tax Code. Monetary policy cannot make up for a badly flawed Tax Code.

We have unsustainable entitlement programs. They are the ultimate drivers of large and growing deficits, and we will not be on a sustainable path until we fix these programs, and monetary policy can't make up for the cloud they cast over our economy. We have a declining percentage of Americans who are participating in the workforce. This is a huge problem for us. Again, monetary policy does nothing about that.

Finally, we have been overregulating this economy on a completely unprecedented scale. The massive wave of overregulation that this administration, and on some occasions Congress, has inflicted on our economy clearly contributes a great deal to the subpar economic growth we have been living through. Again, monetary policy doesn't reverse that. It doesn't change that. It seems to me that, despite all their good intentions, their intentions themselves were flawed in that the Fed seems to be trying to compensate for the flawed policy in these other areas.

Given the magnitude, the persistence, and the dangers of pursuing this kind of monetary policy, I think it is time that Congress reassert its authority over monetary affairs. The Constitution clearly gives Congress the responsibility to mint coins and to print money. In 1914, Congress delegated the management of our currency to the Fed. For a long time there was a sense that we ought to just leave them to their own devices and not pay very much attention. I think those days are past. I think the Fed's behavior obligates us to take a different approach.

One good beginning step is the legislation we are considering today, which would audit the Fed. All it really does is give Congress and the American people the opportunity to examine and understand the mechanics and the thinking behind changes in monetary policy in something close to real time. I think we absolutely need that. I will say that I was a skeptic about this for a long time. I thought: I am not so sure it is such a good idea to have Congress looking over the shoulders of the folks making monetary policy. But I think

the dangerous behavior that the Fed has engaged in for years now means they have squandered the right to be independent. We need to have more supervision.

A next step which I think would be very important is for Congress to require the Fed to adopt a rule that would govern monetary policy. If we let the Fed decide what that rule should be and if circumstances require it, in the opinion of the Fed, they ought to be able to deviate from that rule. But they should come and explain to the American people and to Congress when and why they are deviating, rather than have year after year of this bizarre, unnatural policy that is very hard to explain and understand.

So I am going to support the legislation we are considering this afternoon, the audit the Fed bill. It is one of many important steps we can take to restore the accountability that the Fed ought to have. It is important that we get on a different path with our monetary policy. I understand it is not going to occur overnight, and it is not going to occur entirely as a result of this legislation. But this policy has been going on too long, and it is time for Congress to reassert its authority.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I come to the floor today to offer my strong support for the legislation we are debating today that would finally audit the Federal Reserve.

Since I came to Congress, I have supported auditing the Fed. When I was first elected to the House of Representatives, I would attend briefings hosted by Congressman Ron Paul, Senator PAUL's father, and I learned why more accountability and transparency was needed at the Fed.

I remember talking to Congressman Paul on the House floor about various issues at the Fed, and that is when I started to support this bill to audit the Fed, just as I am supporting his son's bill today. I thank Senator PAUL for continuing to take up this cause and for building the momentum to audit the Fed that has led us to where we are today.

Since its founding, the Federal Reserve has often operated in secrecy, even though it is the biggest influence on our country's economy. The Fed's actions affect every American family and their hard-earned income. I am fortunate to be chairman of the Economic Policy Subcommittee on the Senate banking committee, where I have direct oversight over the Federal Reserve's monetary policies. I can say that the Federal Reserve's actions warrant passage of this legislation. For several years we have seen unprecedented monetary and regulatory policies come from the Fed. One of the riskiest policies I have ever seen is the

Fed's stimulus program of quantitative easing. The Federal Reserve essentially turned on their computers, fired up their electronic printing presses, created new money out of thin air, and started to buy assets.

Now, we may ask ourselves this: How big is this stimulus program? It is an unbelievable number. As of today, it is nearly \$4.5 trillion. Let me say that again: \$4.5 trillion. And that is with a "t." That is more than four times the cost of President Obama's own failed stimulus program. And who has benefited from this quantitative easing? I can tell you in two words: It is Wall Street. That is right. Wall Street hit the jackpot because the Fed's easy money policies drove everybody into the equities market to get any return they possibly could on their investments. Wall Street won, and Main Street, savers, and workers lost.

The scary part is the Fed won't rule out buying more assets in the future. If we ask the Fed today when or how they would begin to reduce their \$4.5 trillion balance sheet, there is nothing but silence. Is that being transparent? Is that accountability? No, absolutely not. This is just one of the reasons why we must pass this bill to audit the Fed.

I find it ironic that the Federal Reserve is so opposed to being audited, because they themselves go around auditing lending institutions all the time. I frequently hear from community lenders in Nevada who have either the Federal Reserve, the FDIC, the National Credit Union Administration or the Consumer Financial Protection Bureau knocking on their door all the time. These community lenders have not caused the financial crisis, yet they are the ones feeling the brunt of all these audits. Why should there be a double standard that government agencies can examine every American's bank account but the American public can't examine those same agencies back? Again, this is why we must pass this legislation to audit the Fed.

I remind my colleagues that even though most of the news about the Fed revolves around interest rates and the Fed's monetary policy, the Fed is also responsible for major regulations that touch on almost every aspect of our financial system. Now, I support reasonable regulations, but only after thoughtful and careful evaluations. I think it should be mandated that the Fed conduct a cost-benefit analysis of all their proposed regulations and always allow for public comment on proposed regulations.

I am also very concerned that the Fed is getting involved in financial sectors in which they have not been in the past. We have a long tradition here in the United States of having a time-tested and effective State-based insurance regulatory system. Unfortunately, Dodd-Frank has changed all that, and now the Federal Reserve has

new authorities over the insurance sector.

Right now, as we speak, the Fed is attempting to regulate capital standard requirements for insurance companies in the United States. This will be the first time the Federal Government imposes domestic Federal capital standards on the State-regulated insurance industry.

I worked very hard to ensure bank-centric standards are not inappropriately applied to the insurance industry by the Fed. But not only does the Fed want to add their own domestic layer of rules on top of State-based insurance regulations, they even want another layer of one-size-fits-all international capital standards on top of that. I almost have to laugh, because it is only in Washington, DC, where a Federal agency can put the trailer in front of the truck.

Unfortunately, that is exactly what the Fed is doing by working on international capital standards before they complete their own domestic standards. I have serious concerns about these international efforts. Together with Senator TESTER of Montana, we introduced the bipartisan International Insurance Capital Standards Accountability Act, which would compel the Federal Reserve and the Treasury Department to complete a study on consumers and markets in the United States before supporting any international insurance proposal or international insurance capital standard.

These are just a few of the examples of some of the Fed's questionable actions. As I said earlier, this legislation to audit the Fed is critical to bring transparency and accountability to the Fed, but even more fundamental changes need to be made.

A few months ago, Chairman SHELBY put together an impressive bill that the Senate Banking, Housing, and Urban Affairs Committee passed with my support, which would make important reforms to the Fed. One provision would establish a commission to study the potential restructuring of the districts in the Federal Reserve System. Chairman SHELBY's bill would also require the Fed's Federal Open Market Committee to make more frequent and detailed reporting requirements to Congress and to increase transparency by reducing the time lag for Federal Open Market Committee transcripts from 5 years to 3 years. These are very reasonable changes that I think Democrats and Republicans alike can support, and I hope that Chairman SHELBY's bill will be brought to the Senate floor soon.

The Federal Reserve recently celebrated its 100th anniversary, and in many aspects the Fed has not changed much since Woodrow Wilson's time. As most of us know, a few months ago we cut a very specific dividend that banks receive for buying stock of the Federal

Reserve System in order to pay for the highway bill. While the debate mostly centered on how to cut the dividend, I was trying to figure out why the Federal Reserve requires banks to buy these so-called stocks to begin with. After all, it doesn't look like the Fed is in desperate need of funds, because over the past half dozen years the Fed has sent nearly half a trillion dollars of profits to the U.S. Treasury.

One hundred years ago, these stock purchases and dividends were meant to incentivize banks to join the Federal Reserve System. Since that time, laws have been passed that essentially don't give a bank the choice as to whether or not they want to be supervised by the Federal Reserve System because, by law, the Fed has gained authority over all banks that are eligible for FDIC insurance. Just because something was standard practice over 100 years ago does not mean it is still needed today. I think it is time to review and examine these Federal Reserve membership requirements even further.

My colleagues, it is essential that Congress exercise its constitutional responsibility to conduct oversight and scrutinize of the Federal Reserve in an open and transparent way, which is why I will proudly vote today to move forward with auditing the Fed, and I encourage my colleagues to join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise today to speak in opposition to S. 2232, the Federal Reserve Transparency Act. I am concerned that, out of all the issues before the Senate and out of all the issues we need to work on—in terms of growth, in terms of ISIS, in terms of wage inequality, in terms of transportation, and so many other issues—this is the first bill the Senate considers at the beginning of the year.

I will talk for a moment about the direction in which we should go, but I want to talk about this issue. There are so many issues we are not talking about—national security, job creation, college affordability, student debt, and immigration.

In my time in Ohio over the past several weeks, people talked to me about all kinds of different issues that Congress should be addressing. But it, frankly, comes as no surprise to anybody watching or any of my colleagues that not one person came up to me and said: "Congress needs a greater say in monetary policy." There is no demand for that, except from those who want to score political points. There is no reason for this. There is no legitimate public function that we should even do this legislation, the Federal Reserve Transparency Act. And don't be fooled by the name of the bill because it really isn't about transparency. It is about the Federal Reserve but not about transparency. But let me move on.

Federal Reserve Chair Janet Yellen recently wrote to Senate leaders, copying all of us in the Senate, and spoke to the central problem with this legislation:

This bill risks undoing the steady progress that has been made on the economic recovery over recent years in an environment with low and stable inflation expectations; progress that was made in part because the Federal Reserve is able to make independent decisions in the longer-term economic interest of the American people.

"Audit the Fed" legislation, if enacted, would undermine the independence of the Federal Reserve and likely lead to an increase in inflation fears and market interest rates, a diminished status of the dollar in global financial markets, increased debt service costs for the federal government, and reduced economic and financial stability.

Janet Yellen is exactly right. This legislation is about 535 Members of Congress getting involved in Federal monetary policy. I can't imagine that the American people want a Federal Reserve where Congress is so involved that it is disruptive and where it becomes so political. That is really what this is all about. It is about a handful of Members of the House and Senate who want to govern monetary policy in a way so that it ultimately won't work in the public interest. It is about their political talking points. It is about all of that.

Let's go back. When President Obama took office—you will hear about this in tonight's speech, I assume, down the hall in the House of Representatives—our country was losing about 800,000 jobs a month when he took office. In February 2010, we did the Recovery Act and the auto rescue. Since February 2010, we have seen job growth for about 69, 70, 71 straight months since the auto rescue. I know what the auto rescue meant in my State. I know we see an auto industry that is doing very well and we see a lot more people back to work.

Supporters of auditing the Fed claim they want to make the Fed's operations and activities more transparent. We know that is not what this is about. In a statement in July, the Senate banking committee chairman—the Republican chair of the committee, RICHARD SHELBY, hit the nail on the head. Here is what he said:

A lot of people called for an audit of the Fed for years, but they already audit the Fed for years . . . I don't believe they're just talking about an audit, like you'd audit the books of somebody—they're talking about monetary policy. They're talking about . . . 435 members of the House and 100 Senators getting into the day-to-day business of the monetary policy of the Fed. We created the Fed, Congress did, to get politics as far as we could out of it. I don't believe we need politics back in it.

Chairman SHELBY is right. We don't need 535 Members of Congress on the Federal Open Market Committee. One of the most important components we need for sound monetary decision-making policy is political independence.

Senator PAUL—the sponsor of this—argues that we need to understand the “extent of the Fed’s balance sheet.”

Congress already requires the Federal Reserve to have its financial statements audited every year by an external auditor, someone who is outside, independent of all matters relating to the Fed. The Fed releases a quarterly report presenting detailed information on the Fed’s balance sheet and information on the combined financial position and results of operations of the Federal Reserve Banks. That report is released to Congress. The report is available to the public on the Fed’s Web site. Anyone can go to federalreserve.gov right now and read it.

Each week the Fed publishes its balance sheet and charts of recent balance sheet trends. There are legitimate criticisms of the Federal Reserve. There always have been. There probably always will be because of its reach and complexity, but since the crisis the Fed has gotten better. It has gotten better in part because of the last two Chairs of the Federal Reserve—Ben Bernanke, a Bush appointee and then an Obama nominee the second time, and with Janet Yellen, an Obama nominee. Since the crisis, the Government Accountability Office has conducted over 100 audits of the Federal Reserve’s activities. Many of these audits relate to the financial crisis, including the Fed’s emergency lending activities. There is more and there should be more.

The Fed is transparent and accountable in the following ways. Let me list them again. This is not an out-and-out defense of the Fed. They should be open to criticism. There is still much to criticize about them, but this legislation solves nothing, except to politicize the Fed. These are the ways the Fed is transparent and accountable: The Chair of the Federal Reserve is required to testify before the Senate Banking Committee and the House Financial Services Committee twice a year on monetary policy. In practice, she will testify at additional hearings and other topics. The Governors of the Federal Reserve and senior staff—that is, others of the nine members of the Federal Reserve—testify dozens more times every year.

The Fed releases a statement after each Federal Open Market Committee meeting to describe the FOMC’s decisions and the reasoning behind those decisions. The Chair holds press conferences four times a year after FOMC meetings. Minutes of FOMC meetings are released 3 weeks after each meeting and are available on the Federal Reserve’s Web site. Transcripts of FOMC meetings are released earlier than before—5 years after each meeting and are available on the Fed’s Web site. That is much earlier than most other central banks release transcripts, for obvious reasons.

Summaries of the economic forecasts of FOMC participants, including their projections for the most likely path of the Federal funds rate, are released quarterly. The Board’s Office of the Inspector General audits and investigates all of the Fed’s Board and Reserve bank programs, operations, and functions. These completed audits, assessments, and reviews are listed in the Federal Reserve Board’s annual report.

The Fed releases detailed transaction-level data on the discount window lending and open market operations. This is relatively new. This was required by the Dodd-Frank Wall Street reform law. Clearly, Congress knew the Fed was not as responsible and open as it should be. One of the things we did in Dodd-Frank was this reform. All securities that the Fed holds are published on the Federal Reserve Bank of New York’s Web site.

The New York Fed, the most important district regional Federal Reserve—there are 12 of them, including one in the city I live in, Cleveland. The New York Fed is the most important for a number of reasons. It publishes an annual report of the system open market account that includes a detailed summary of open market operations over the year, and it includes balance sheet and income projections. I would add, this Chair of the Federal Reserve is more open to the public. This Chair of the Federal Reserve is out and about the country, as was her predecessor, Chairman Bernanke, and Chair Yellen even more so. She was in Cleveland not too long ago last summer making a speech to the City Club of Cleveland. Afterward she and I went to visit a large Cleveland national manufacturer with a large site in Cleveland so she could see the real economy, talk to workers, and see how important manufacturing is, especially in the middle of the country, to all things Federal Reserve.

I wonder how many of those claiming the Fed is not transparent have actually taken the time to read some of these reports I mentioned—whether it is the annual report, whether it is some of the audits, whether it is some of the transcripts of FOMC, and I wonder if they have listened to very many of these hours of testimony from Chair Yellen or from Governor Tarullo, Governor Powell or others on the Federal Reserve. The Fed is far from perfect. I have been one of its major critics in this body, as the ranking Democrat on banking, but I argued, for instance, that it should be a stronger regulator of the Nation’s large bank holding companies. I appreciate what it is doing with living wills. I think that is very important. I especially appreciate what the Fed has done for stronger capital standards. To me, that is the most important thing we can do. It is more important than reinstatement of Glass-Steagall, more important than

my amendment of 5 years ago to break up the largest banks, making sure banks have significant enough capital to make the system safer and sounder, but it is hard to dispute that this Fed is one of the most transparent central banks in the world.

What is this truly all about? I know some of people are unhappy about decisions the Federal Reserve made during the financial crisis, including holding interest rates near zero for 7 years. They want to show their anger at the Fed by taking away independence, but without the Fed’s extraordinary monetary policy actions, which might not have been possible if its actions were micromanaged by Congress, our economy would likely be in a far worse situation today.

Several months ago I was asked by C-SPAN to interview Chairman Bernanke on one of its shows called “After Words.” We sat for an hour at a studio in Washington and discussed the memoir that Chairman Bernanke began to write on the day he left the Federal Reserve a couple of years ago. It was clear then that because Congress had pursued, in terms of fiscal policy, such austerity, he saw the economic growth that had started with the auto rescue and the Recovery Act, he saw that economic growth—immobilized is perhaps not the right word, but he saw that economic growth stall. He knew, because Congress was starting to squeeze the economy at that point with the wrong kind of fiscal policy, that he had to make up for it by low interest rates and ultimately by quantitative easing, which is what he did. So understanding that he knew he would offend some Members of Congress with that action, he also understood that because he was independent, he could do the kinds of things, as Chair Yellen has been able to do, to get this economy growing. Hence, in large part because of the auto rescue but in large part because of QE that the Federal Reserve has done through the last two Chairs of the Federal Reserve—one a Republican appointee and one a Democratic appointee—the Fed has been independent enough to do the right thing.

Inflation remains low. We have something called a dual mandate, where the Federal Reserve is responsible for working to keep inflation at no more than 2 percent and unemployment at no more than 5 percent. The Fed has balanced that well. Inflation remains low, despite the doomsday prediction by many of this bill’s proponents. We know our economy still has a way to go and that too many Americans are struggling, but it is clear that an increase in interest rates before last month would have been premature and would have been harmful to working Americans. If Congress were involved in that, in the way that the sponsor of this bill seems to want, our economy would be in much worse shape. I don’t

think there is much question about that.

Audit the Fed legislation, there is also a backdoor, piecemeal way of instituting something called the Taylor rule, which is an attempt to impose a monetary policy role on the Fed. To me, this is the heart of this legislation that when they look at the dual mandate, they think way more about inflation, which is what the bondholders of Wall Street want them to do, and way less about fiscal policy and way less about low interest rates and way less about employment. The dual mandate is inflation and employment.

If you lean far too much toward inflation, which is what Wall Street wants, then people on Main Street are left out. Frankly, that has been the story of the Fed for far too many years. That is why what Chairman Bernanke did and what Chairwoman Yellen have done is so important, but if the audit the Fed sponsors have their way, we will see some kind of Taylor rule.

In November, House Republicans passed a Federal Reserve reform bill that imposes the Taylor rule. The enforcement mechanism? GAO reviews, audits, and reports. Is there any doubt that this is where the audit the Fed effort is headed next?

I urge my colleagues to vote no this afternoon. This vote will take place in a couple of hours. It is in the interests of all of us to understand the role, the operations, and the activities of the Federal Reserve. We can do that better in this body. This is not the way to do it. We can do it better. It is also in the interest of the American economy for Congress to keep its political hands, if you will, out of monetary policy decisionmaking.

If Republicans were serious about making the Fed work better, they would confirm the two pending nominees to the Board of Governors—a Republican community banker named Al Landon, who has been waiting for a nomination hearing for a year, and Kathryn Dominiquez, a Democratic nominee, who has been waiting for nearly 6 months. Yet, instead of working to improve the Fed's operations, we are considering this bill to undermine it. It is a big mistake that most people I know who have any expertise in the Federal Reserve reject. I ask my colleagues to vote no.

The PRESIDING OFFICER. The Republican whip.

THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. CORNYN. Mr. President, tonight the President of the United States will offer his last State of the Union speech and one that I know we will all be listening carefully to. I couldn't help but reflect on the first speech he gave to a

joint session of Congress back in 2009, shortly after his inauguration. It was a hopeful speech, it was an optimistic speech—one that appealed to the better angels of Republicans and Democrats and the whole Nation alike. He said we needed to pull together and boldly confront the challenges we face, but somewhere along the way he seems to have forgotten the benefit of finding common ground where folks can agree. It seems we have seen the Obama administration more involved in dividing the American people when facing opposition and then preferring to go it alone rather than to work with Congress under the constitutional scheme created by our Founding Fathers.

Tonight in his final address on his priorities as President, I am sure President Obama will want to talk about what his legacy looks like once he leaves office, and that will invariably include times when he has simply done an end run around Congress. We have seen it time and time again. It is a mistake. It is shortsighted, but it is his method of governing and presumably being able to tell people: Well, I have gotten my way and I haven't had to do the hard work of working with people of different points of view to find the areas where we agree.

I have said it before, but I think it is worth noting the comment by the senior Senator from Wyoming, when I said to him: You are on Health, Education, Labor, and Pensions with Teddy Kennedy, the liberal lion of the Senate, whom I served with for a while before he unfortunately passed away. How is it that you are able to work with somebody whose world view is so opposite from yours and you are still able to actually get things done? To this he replied: It is simple. It is the 80-20 rule. We look at the 80 percent of things we can agree upon, and we do those and forget the 20 percent we can't agree on.

I fear that our country and the Congress has become a Congress that looks at the 20 percent we can't agree on and as a result can't do the 80 percent that we do agree on because we disagree on the 20 percent, and that is a mistake. It is also not the scheme of government that was created by America and our Constitution, and it would be a mistake to do nothing because we can't agree on the 20 percent when we can agree on the 80 percent.

I know there are some areas where we are going to have a fundamental disagreement, and we are going to continue to fight and oppose each other's points of view, but I have been around here long enough to know that there are people of goodwill on both sides of the aisle, some of whom I disagree with strenuously, but by working together, we can find ways to solve problems and help move the country's agenda forward. But somewhere along the way, the President forgot that, and so I suspect he will be talking about some of

his Executive orders, which have been a terrible mistake.

First of all, on his Executive order for immigration, there was a lawsuit. A Federal judge issued an injunction, which has been upheld so far. It bars implementation of his Executive order. So what did the President accomplish other than to enrage and polarize people and poison the well when it comes to actually trying to begin the process of solving and fixing some of our broken immigration system? The President has poisoned the well and made it virtually impossible for us to work with him on solving or fixing our broken immigration system because of what? Because of an Executive order that was subsequently enjoined by a Federal court. So he wasn't able to accomplish his goal, but he was able to kill meaningful immigration reform debate in the Senate.

Of course, as we have on the Iranian nuclear negotiation, the President seems content not to engage in a treaty process, which is actually binding on his successor. It is simply a political document which is not even in writing. It tries to freeze out the American people, whom we represent, and the sort of educational and consensus-building process that is good for our country. I mean, that is how we have become unified as a country—by looking at the things we can work together on and not just focusing on our differences. If we are just going to focus on our differences, we are never going to get anything done. There are some people who may be OK with that, but, frankly, I think the American people voted for Republicans and a new leadership in the last election not because they didn't want to get anything done, but because they wanted to give us the responsibility for setting the agenda and doing the things that were their priorities, which doesn't entail doing nothing. That entails doing those things that reflect the priorities of the American people and by working together where we can.

Nobody here is a dictator, not even the President of the United States. It is shortsighted. It is a mistake, and it is in contravention of the whole constitutional framework that was set up 230-something years ago.

We saw it most recently on the President's announcement on gun issues where he, again, ignored Congress and said: Well, I am going to do it my way. Maybe he is impatient. Maybe he doesn't believe in consensus building. Maybe he just doesn't like his job very much. Sometimes I think that is true. Temperamentally, I think the President may not be suited for the kind of consensus building and legislative process that is necessary to actually get important things done.

I was thinking, as we were celebrating the 50th anniversary of the Civil Rights Act a short time back, do

you actually think we could do something like that, given this polarized political environment and a President unwilling to work with Congress? I would say Lyndon Baines Johnson was a lot of things, but he knew how to get things done. He was the antithesis of this President when it came to rolling up his sleeves and working with Congress and people with different points of view and actually trying to find the possible and the doable—not to focus on failure but to focus on where we can make progress.

Unfortunately, as a result, I think the President's legacy is going to be discussed in a way that he probably isn't going to fully appreciate.

I was reading the Wall Street Journal this morning and was reminded of how his political legacy will be remembered. Since President Obama took office, his party has lost 13 Senate seats, 69 House seats, 910 State legislative seats, and has lost majority party status in 30 State legislatures. Those are amazing statistics, given that the President came out of the starting gate so strong. Unfortunately, he used his political capital by passing legislation like ObamaCare with just Democratic votes. That is not a way to build durable or sustainable policy or to build consensus. That is a way of jamming it down the throat of the minority party and then saying: Well, you are just going to have to live with it. Well, that is not the case.

As we reflected on the recent vote we had on appealing ObamaCare, which the President vetoed, we have the political will and votes to change that ill-considered and misguided health care law and to replace it with something that makes more sense, is more affordable, and suits the needs of individual Americans. What we do need is a new President, and I think we have demonstrated that.

If you look at item after item and our struggling economy—after the terrible events of 2008, I admit the President had a tough hand because America's economy cratered, and we went into a recession. Typically what economists will tell us—and I take some of my economic advice from former Senator Phil Gramm who is a Ph.D. economist. He wrote in the Wall Street Journal, or maybe it was the Washington Post, that following recessions, typically what you have is a v-shaped bounce of the economy. But what we have had under this President's policy—because of overregulation and political uncertainty, just because of his unwillingness to work to build consensus to get things done, we have seen an economy struggling to recover with stagnant wages and slow economic growth.

Then there is the issue of foreign policy. I just had the privilege of meeting with a group of people, including the King of Jordan, where we talked about

the battle against the Islamic State and Syria, which is right outside the King's back door, and the work they have been doing with us to try and deal with the Russians that are taking advantage of the chaos. There is a lack of a master strategy or plan to deal with this threat. It is not just a threat over there, as we have learned; it is a threat over here because of the use of social media and the ability to radicalize people who live in the United States and convince them to commit acts of violence right here in our country. So we have a mess in Syria and no real strategy to fight ISIL.

I mentioned ObamaCare just a few moments ago because I can't help but remember when the President was selling ObamaCare and jammed it through on a purely partisan vote. I remember he said: If you like what you have, you can keep it. Well, that was not true. I was a former attorney general in Texas. We had a consumer protection division that sued people for consumer fraud. When people are lied to about what it is they are going to get in exchange for their hard-earned money and they don't get it because they have been deceived, that usually ends up in court, and you end up getting sued. Well, we know that premiums didn't come down an average of \$2,500 for a family of four. Instead, they skyrocketed. And we have been reading stories in the press which show that a lot of younger people who need to be part of the pool in order to keep rates down—because, frankly, you need young, healthy people as part of that insurance pool to hold down rates for the whole country—didn't buy it because they don't think it suits their needs, and it is too expensive. They are being forced to buy coverage that they can't use.

I say all of this because I think in some ways the President has squandered his mandate when he was elected. I remember in 2008 when the President talked about hope and change. I wasn't quite sure what he meant, but we all agree that hope is a good thing, and frequently change is a good thing. We were hopeful for the new President—the first African-American President elected in American history. It was a very positive thing for so many of us. It represented a huge transition for a country that unfortunately committed the original sin of treating African-Americans as less than fully human, and we paid a terrible price for it, and we continue to pay a terrible price. But I was hopeful, like many others were, that he would actually use his position as President to bring people together and work with us.

I will tell you that I am an optimistic person, and so despite the last 7 years, I hope the President talks tonight about what he plans to do in his last year in office. He still has one full year left in his two terms, or 8 years,

in office. He has a choice to make, just as we all have choices to make. The President can decide to double down on his go-it-alone strategy, which has proved to be a disaster. It doesn't work. It is not enduring, and it polarizes the political parties and the American people. I think, actually, the way this President has chosen to govern is more responsible for the polarization we see among the American people when it comes to politics and some of the sorts of craziness of our current political process, which we all talk about privately. I think he is actually largely responsible for that—maybe not entirely, but largely.

The President can decide whether he actually wants to do something during his last year in office. He can actually want to try to work with Congress.

I will suggest an area where we can find common ground and work together, and that is by reforming our criminal justice system. Actually, I have been involved for several years, as have many Members on the Democratic and Republican side, on looking at our criminal justice system and saying: How can we do better?

For example, for too long we have treated our prison system at the State and Federal levels as a warehouse for people, and we have forgotten some of the basic tenets of the goals of the criminal justice system, which is to rehabilitate people. You can't rehabilitate everybody. You have to have a willing heart, and you have to have people willing to change and take advantage of an opportunity to turn their lives around. There are people like that, and we have demonstrated that in many of our State penal systems, such as Texas, where we have seen that if you provide the right incentives, people will take advantage of opportunities to turn their lives around and deal with their addictions, lack of education, and lack of skills so they no longer have to live a life—as one person in Houston told me. He called himself a frequent flier in the criminal justice system. Every time he got out, he ended up coming back, until he finally took advantage of the opportunity to turn his life around. So we do have legislation that passed out of the Senate Judiciary Committee 15 to 5.

There are some things we still need to continue to work on with our colleagues. But I think it represents a great opportunity—something the President himself has said he wants to see us do—and I think it could be a genuine legacy item for him and something that offers hope to people without much hope. It is also good for the taxpayers. We have actually been able to shutter three different penitentiaries in Texas and save the taxpayers billions of dollars, so it strikes me that it is a win across the board. So I think reforming our criminal justice system is a great opportunity.

I also believe, as I mentioned yesterday when I spoke on the floor, that addressing our broken mental health system is another area that we could deal with productively on a bipartisan basis and that could be a legacy of this President and certainly of this Congress.

We know our mental health delivery system is broken. All we have to do is look at people living on our streets, homeless people. These people frequent our emergency rooms because they have various medical conditions, but because of their mental illness, they never get the treatment they need, so they go in and out of that turnstile.

We also know that some people tragically become a danger not only to themselves but to their loved ones and the communities where they live. I know it is a simple fact borne out by public opinion polls that most people understand that some of the acts—not all but some of the acts—in fact, public opinion in the polling I have seen said that 70 percent of respondents in public opinion polls said that mental illness is a factor in incidents of mass violence, including shootings in places such as Sandy Hook; Aurora, CO; Charleston; and others. We can name those incidents and those tragic circumstances, but until we get serious about working together to try to improve access to mental health services and give families the additional tools they need in order to get their loved ones compliant with their doctor's orders and their medication, we are never going to be able to make progress in this area.

I think about Adam Lanza, the shooter at Sandy Hook, who stole his mother's own gun, killed her with it, and then went on to that elementary school and killed those poor, innocent children—a horrific tragedy. But Adam Lanza's mother knew he was sick. She knew he was basically living downstairs and descending into his mental illness and getting sicker and sicker. She didn't have much in the way of options, so she tried to find common ground with him and work with him, but obviously that wasn't enough to overcome his mental illness. If we could just do some simple things, such as provide outpatient, court-ordered mental health treatment—that is something that is included in a piece of legislation on which we will be having a hearing in the Senate Judiciary Committee. That will provide families additional tools other than involuntary commitment, which is just temporary and doesn't serve the long-term problems.

One of the biggest problems, I have learned, with our mental health system is that so often people who need treatment refuse treatment. In other words, frequently they don't take their medication. As long as it is purely a voluntary matter, particularly for people who are a threat to their own safety as

well as the community's safety, then we are going to continue to see repetitions of this and more and more tragedies, more families torn apart by mental illness, when we could actually offer them some help and some hope.

There is a gentleman named Pete Earley who is an award-winning journalist who wrote a book called "Crazy." This is not about his son, although his son did suffer from mental illness; this is about our broken mental health system. He called it "Crazy." He wrote a book, which I would commend to anybody, about his own family's experience dealing with a mentally ill son and how hard it was to get him to comply with his doctor's orders and take his medication and the like.

I hope Pete Earley will come testify in front of the Senate Judiciary Committee later this month, along with some really innovative programs like those in San Antonio, TX, where they found a way to not just warehouse the mentally ill in our jails but to actually divert them for treatment and to get them in a better place and out of this turnstile of the criminal justice system.

So those are just a couple of ideas about what this President could do, and I hope they are areas he will perhaps address tonight that he would be willing to work with us on: criminal justice reform and mental health reform. I think if he were willing to do that, he would find Republicans and Democrats alike willing to work with him to try to build that common-ground consensus, and actually that would be one of the lasting legacies of his final year of his administration.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Iowa.

Mrs. ERNST. Mr. President, I ask unanimous consent to speak for up to 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCRUB ACT

Mrs. ERNST. Mr. President, I rise today to talk about the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act—more affectionately known as the SCRUB Act. This past summer, my colleague Senator HATCH and I introduced this legislation to help free American families and small businesses from the unnecessary burdens of our regulatory system. I am pleased to mention that the bill passed the House last week on a bipartisan basis.

For too long, our Nation's innovators and employers have been trying to comply with a swath of outdated, duplicative, or obsolete regulations that hamper their growth and creativity. Many of these regulations also come with stacks of paperwork requirements that force our small businesses to

spend time on filling in the blanks rather than filling in jobs. The SCRUB Act would peel back these types of regulations so our businesses can focus on doing what they know best: innovating and creating jobs.

The purpose of this bill is to take an objective and in-depth look at major regulations that are at least 15 years old and could be repealed because they have, No. 1, achieved their goal and there is no threat to the problem reoccurring; No. 2, technology or market changes have made the regulation unnecessary; or No. 3, they are ineffective or overlap with other Federal or State regulations.

For decades, lawmakers and Presidents on both sides of the aisle have recognized the need to unleash our small businesses and job creators from rules and regulations that don't make sense. When new rules are proposed, there is very little, if any, attention paid to how the new rule will work with the hundreds of other rules that came before it. This buildup of rules is a cumulative burden on our businesses which ultimately slows job growth and hits families even harder who are already struggling to make ends meet. In fact, according to one study, if the cost of all of these regulations was considered in an independent country—all of the costs of these rules and regulations—it would be about the 10th largest economy in the world.

Let's face it: The more expensive it becomes to make a product or deliver a service, the more money the consumer will have to dig out of their own pockets to pay for it. It is those families who are working multiple jobs to provide for their kids who are going to be hit the hardest.

This bill is how we start to solve that problem. The SCRUB Act establishes a bipartisan, blue ribbon commission to give a fair and thoughtful review of our Nation's existing regulations. Once the commission is finished with their review, they would provide recommendations to Congress and we would have an opportunity to vote on them.

If an agency wants to impose a new regulation, they can do that under the SCRUB Act, but they would have to offset the cost of that new regulation by repealing an existing one that is of equal cost and has been deemed unnecessary or outdated by the commission.

I know Iowa families do this. They know how to prioritize. Why can't our Federal agencies? We simply cannot allow the buildup of unnecessary and costly regulations over time.

I will end with just one last comment. Rules and regulations often have unintended consequences. It is our responsibility as lawmakers to not only recognize when this happens but to then proactively fix it.

The SCRUB Act is a commonsense solution that forces lawmakers and our agencies to be honest about their regulatory system by fixing the rules that

need fixing and dropping those that have outlived their useful purpose.

I thank Senator HATCH for his leadership on this, and I urge all of my colleagues to support this legislation.

RECESS

Mrs. ERNST. Mr. President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FEDERAL RESERVE TRANSPARENCY ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2232, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 289, S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from Kentucky.

Mr. PAUL. Mr. President, I rise today in opposition to secrecy. I rise today in support of auditing the Federal Reserve. I rise in opposition to the lack of accountability at the Reserve, an institution that has for too long been shrouded in secrecy. The objective of the Federal Reserve Transparency Act is simple: to protect the interests of the average American by finding out where hundreds of billions' worth of our dollars are going.

The Federal Reserve has the ability to create new money and to spend it on whatever financial assets it wants, whenever it wants, while giving the new money to whichever banks it wants. Yet if the average Joe and Jane from Main Street printed their own money, they would be imprisoned as counterfeiters.

Nowhere else but in Washington, DC, would you find an institution with so much unchecked power. Creating new money naturally lowers interest rates, or the price of using money. Put another way, the Federal Reserve's unchecked printing press creates a price control on the cost of using money.

Throughout our country's history, price controls have never worked, and the Fed's price control on interest rates has also not worked. Think back to the housing bubble. Artificially low interest rates led to many individuals buying, selling, and investing in the housing industry. This in turn led prices to soar, which ultimately led the economy to spiral down to the great recession of 2008.

Since the 2008 financial crisis, the Fed has increased its balance sheet from less than \$1 trillion to over \$4 trillion. Although the Fed has created trillions of new dollars, it has become apparent that most of this money is not finding its way into the hands of average Americans. From 2009 to 2012, the incomes of the top 1 percent increased by a whopping 31 percent, while everyone else's income increased by only 0.4 percent. The reason for this is simple: Big banks, corporations, and government entities receive the Federal Reserve's money long before anyone else, and they bid up the price of assets before any of the rest of us can get to purchase them.

Former Federal Reserve Governor Kevin Warsh once referred to the Fed's easy-money policies as the reverse Robin Hood effect. "If you have access to credit—if you've got a big balance sheet—the Fed has made you richer," he said in an interview. "This is a way to make the well-to-do even more well-to-do."

The side effect of this uneven distribution of money is painfully apparent to anyone who shops at a grocery store. Over the past 15 years, the price of white bread has increased by over 50 percent, while the price of eggs has more than doubled. The cost of housing has also appreciated significantly in many areas. When adjusting for inflation, the price of housing in San Francisco has increased by 58 percent over just 25 years.

Real household income for regular Americans has declined 10 percent over the past 15 years. Higher rent and higher grocery bills cause low-income workers to incur more loans and credit card debt, which involve far higher interest rates than what the banks and Wall Street are currently paying. These low-income workers do not get the luxury of receiving the Fed's newly created money first, nor do they have the luxury of receiving the near-zero interest rates the wealthy do. As a result, one thing is for certain: The Fed's price control on interest rates acts as a hidden tax on the less well-to-do.

The Fed also exacerbates income inequality by paying large commercial banks \$12 billion in interest. This is a departure from nearly a century of practice. While individual savers earn practically no interest, the big banks are given \$12 billion per year in interest. There often is a revolving door between the Fed, the Treasury, and Wall

Street. It is a revolving door in a building that is all too eager to enrich big banks and asset holders at the expense of everyone else.

I think it is about time we pull back the curtain to uncover this cloak of secrecy once and for all. Who is receiving the loans from the Fed today? To whom is the Fed paying interest? Are there any conflicts of interest about how these payments are determined? Are there any checks and balances on the size of these payments?

The Federal Reserve Act actually forbids the Fed from buying some of the troubled assets they bought in 2008; yet they did it anyway.

Given all of these unanswered questions and given the sharp increase in the risk of the Fed's balance sheet, it is unquestionably necessary for the Fed to be audited more thoroughly than it has been in the past. Audit the Fed is just 3 pages long, and it simply says that the Government Accountability Office, the GAO, which is a non-partisan, apolitical agency in charge—that they be allowed to audit the Fed, a full and thorough audit.

Currently the GAO is not allowed to audit the Fed's monetary policy deliberations or the Fed's Open Market Committee transactions. The GAO was also forbidden from reviewing agreements with foreign central banks. During the downturn in 2008, trillions of dollars were spent, much of it or quite a bit of it on foreign banks, and we are not allowed to know what occurred, to whom it was given, and for what purpose. The Fed audit in its current form is virtually futile.

When these restrictions were added to the audit in the 1970s, the GAO testified before Congress, saying: "We do not see how we can satisfactorily audit the Federal Reserve System without the authority to examine [its] largest single category of financial transactions and assets. . . ."

To grasp just how limited the current audit is, recall that in 2009 Democratic Congressman ALAN GRAYSON asked then-Fed Chairman Ben Bernanke which foreign countries received \$500 billion in loans from the Fed. Bernanke was unwilling to name which countries or banks received half a trillion dollars' worth of funds.

That is right. The Feds swapped half a trillion dollars to foreign countries in secret and did not even have the decency, under testimony before Congress, to report the details. But it gets worse. Democratic Senator BERNIE SANDERS asked Bernanke: Who received \$2.2 trillion that the Fed lent out during the financial crisis? Again, Bernanke refused to give an answer.

In the 2011 Dodd-Frank law, Congress ordered a limited, one-time GAO audit of Fed actions. During the financial crisis, that audit uncovered that the Fed lent out over \$16 trillion to domestic and foreign banks during the financial crisis.

Mr. President, I ask unanimous consent for an extra 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, does Senator PAUL—how much time do we have?

Mr. PAUL. I would be happy to ask unanimous consent for equal time.

The PRESIDING OFFICER. Senator PAUL's time has expired. The time of the majority has expired.

Mr. BROWN. Mr. President, I only need 5 minutes, so I am willing to cede whatever remains so he can have enough time, but I would like to reserve 5 minutes, and I lift my objection.

Mr. PAUL. Well, the unanimous consent would be to have 5 extra minutes and to give the Senator as much time as he needs to conclude.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky.

Mr. PAUL. Both Republicans and Democrats agree that it is absurd that we do not know where hundreds of billions of dollars' worth of our money is going. In fact, last year my audit the Fed bill received the support of nearly every Republican in the House and over 100 Democrats.

Some say an audit will politicize the Fed. I find this claim odd given the support of both sides of the aisle for the bill. The GAO is nonpartisan, independent, and works for Congress. It does not lean Republican or Democratic, and it is not interested in influencing policy. I can't seem to understand how a simple check by the GAO to ensure that there are no conflicts of interest will politicize anything.

Instead of criticizing a standard audit, though, maybe the individuals who work at the Fed and within our central bank should begin curbing their own actions. Unlike the actions of current Fed officials, my bipartisan bill will not politicize anything. I simply want the Fed overseen to ensure that our central bank isn't picking favorites, and I want to ensure that it remains solvent.

Like every agency, the Federal Reserve was created by Congress and is supposed to be overseen by Congress.

Auditing the Fed should not be a partisan issue. Regardless of one's monetary policy views, regardless of whether one thinks interest rates should be higher or lower, everyone can and should agree that for the sake of the country's economic well-being, we need to know what has been going on behind the Federal Reserve's cloak of secrecy. It is time we quit this guessing game. It is time we audit the Federal Reserve once and for all to restore transparency to our Nation's checkbook.

Mrs. BOXER. Mr. President, I do not support Senator PAUL's bill to audit the Federal Reserve.

In 2010, I supported an amendment to the Dodd-Frank financial reform legislation included in the final law which required an audit of the Federal Reserve's actions during the financial crisis. That report was released in 2011 and found no significant problems with the Fed's activities.

Dodd-Frank not only authorized the 2011 audit, it also expanded the scope for future GAO audits which any Member of Congress can request. Also, the Fed includes an independent audit of its financial statements within its annual report to Congress.

The Federal Reserve has taken independent actions in recent years to be more transparent about its operations. Since 2009, the Fed has publicly released its economic projections, and since 2011, the chairman has held quarterly press conferences following Federal Open Market Committee meetings. Two recent studies found the Fed to be one of the most transparent central banks in the world.

Transparency and openness in government is essential to a healthy democracy, but by requiring more audits and more disclosures, we risk politicizing a nonpartisan institution that plays a uniquely significant role in the global economy.

Fed Chairman Janet Yellen recently wrote that a similar bill that passed the House of Representatives "would politicize monetary policy and bring short-term political pressures in the deliberations of the FOMC by putting into place real-time second guessing of policy decisions. . . . The provision is based on a false premise—that the Fed is not subject to an audit."

Since there are already many means for audits, disclosure, and transparency at our disposal, I do not support Senator PAUL's bill.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise to oppose the audit the Fed bill.

One of the things that we learned around here as new Members of the House and Senate—and I served with the Presiding Officer almost my entire time in the House, and we learned this—is that if you can name the bills here, you have a tremendous advantage. You call the estate tax the death tax, even though about 1 percent of Americans pay it, and you may have won the debate. Calling this bill audit the Fed—and how can you be against auditing the Fed—may win the debate, but this time I don't think so.

I am concerned in this way. It won't make the Fed stronger. It won't make the Fed more effective. It won't make the Fed more accountable. It will impair the Fed's functions. It will give conservative Members of Congress more tools to second-guess the Fed's

decisionmaking. It will make the system ultimately less sound, flexible, and responsive.

Think about what happened in 2009. President Obama took office. We were losing 800,000 jobs a month. Congress passed the Recovery Act, passed the auto rescue, which mattered so much to the Presiding Officer's State, to my State, and, frankly, to the Senator from Kentucky and his State too, but then, with the changing time and the elections of 2010, this Congress engaged in austerity, and we saw what that meant. It took a Bush-appointed Federal Reserve Chair, Ben Bernanke, who engaged in enough pump priming, if you will, through low interest rates and then QE to get the economy going.

I think we asked ourselves, would we have wanted a Federal Reserve then where Congress had its tentacles in monetary policy? Congress failed on fiscal policy. Chairman Bernanke and now Chair Yellen have had to move on monetary policy in that way. I don't want to straitjacket this Congress and straitjacket the Federal Reserve by doing that with Congress.

I know some of you have supported audit bills in the past. Many supported the Dodd-Sanders amendment during Wall Street reform. But this one is different. It doesn't include provisions to review the Independent Foreclosure Review Program process, and it doesn't include protections on some of the sensitive information that GAO could review, such as transcripts.

What this is about, in addition to Congress meddling in monetary policy, is ultimately this: We know the Fed is charged with a dual mandate—to deal with the tension between combatting inflation and combatting unemployment. We know that in past years the Fed has leaned far more toward the bondholders and Wall Street in combatting inflation than it has toward Main Street in employment and combatting unemployment.

We also know that with the pressures in this town, when President Obama signed Wall Street reform, the chief lobbyist for the financial services industry said it is now half time, meaning that conservative Members of this Congress, people in this Congress influenced by Wall Street, would immediately go and try to weaken these rules going directly to the agencies.

We will see the same thing here. We will see many Members of Congress pushing the Fed to side with the bondholders and Wall Street on combatting inflation rather than siding with Main Street and small businesses and workers in dealing with unemployment. That is fundamentally the biggest problem with the Paul proposal. I ask my colleagues to defeat it.

I yield back my time.

The PRESIDING OFFICER. All time has been yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 289, S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mitch McConnell, John Barrasso, Roy Blunt, John Cornyn, Cory Gardner, David Vitter, Shelley Moore Capito, Rand Paul, Johnny Isakson, Steve Daines, Patrick J. Toomey, John Boozman, Chuck Grassley, Mike Crapo, Mike Lee, David Perdue, Rob Portman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS) and the Senator from Texas (Mr. CRUZ).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 44, as follows:

[Rollcall Vote No. 2 Leg.]

YEAS—53

Alexander	Flake	Perdue
Ayotte	Gardner	Portman
Baldwin	Graham	Risch
Barrasso	Grassley	Roberts
Blunt	Hatch	Rounds
Boozman	Heller	Rubio
Burr	Hoeben	Sanders
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott
Cochran	Johnson	Sessions
Collins	Kirk	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Vitter
Ernst	Murkowski	Wicker
Fischer	Paul	

NAYS—44

Bennet	Cardin	Durbin
Blumenthal	Carper	Feinstein
Booker	Casey	Gillibrand
Boxer	Cooms	Heinrich
Brown	Corker	Heitkamp
Cantwell	Donnelly	Hirono

Kaine	Mikulski	Shaheen
King	Murphy	Stabenow
Klobuchar	Murray	Tester
Leahy	Nelson	Udall
Manchin	Peters	Warner
Markley	Reed	Warren
McCaskill	Reid	Whitehouse
Menendez	Schatz	Wyden
Merkley	Schumer	

NOT VOTING—3

Coats	Cruz	Franken
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The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCRUB ACT

Mr. HATCH. Mr. President, I rise to urge my colleagues to take up a piece of legislation that I am sponsoring which has recently passed the House of Representatives, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act—or SCRUB Act.

Federal regulations today impose—by some estimates—a crushing burden of \$1.88 trillion on our economy. That is roughly \$15,000 per household and more than the entire country's corporate and individual income taxes combined. Excessive and often unnecessary rules imposed by unaccountable Washington bureaucrats strain family budgets and create conditions where small businesses struggle to create jobs.

Nevertheless, the regulatory burden keeps growing year after year. The Code of Federal Regulations is now more than 175,000 pages long and contains more than 200 volumes. Since 2008, regulators have added on average more than \$107 billion in annual regulatory costs. And as we near the end of President Obama's time in office, Americans should be prepared for a deluge of new rules. As has been widely reported, about 4,000 regulations are working their way through the Federal bureaucracy, with some experts predicting their costs to exceed well over \$100 billion.

Every President since Jimmy Carter has affirmed the need to review our existing regulations to make sure that they are efficient and no more intrusive and burdensome than is absolutely necessary. Nevertheless, administrations of both parties have failed to make meaningful reductions in the regulatory burden, with some retrospective review efforts even adding costs to the economy. Most notably, according to a study by the American Action Forum, the Obama administration's much-touted efforts to review old rules actually added more than \$23 billion in costs on the economy and mandated nearly 9 million additional hours of paperwork.

With family budgets stretched thin and our economy badly in need of job creation, we need to act to turn this longstanding bipartisan commitment to effective retrospective review into a reality. But to do so, we need to take the responsibility of reviewing old rules away from the bureaucrats who keep failing to make the reductions to the regulatory burden. That is why I have joined my colleagues, the junior Senators from Iowa and Missouri, to introduce the SCRUB Act.

The SCRUB Act establishes a bipartisan, blue-ribbon commission to review existing Federal regulations and identify those that should be repealed to reduce unnecessary regulatory burdens. It prioritizes for review regulations where major rules have been in effect more than 15 years, impose paperwork burdens that could be reduced substantially without significantly diminishing regulatory effectiveness, impose disproportionately high costs on small businesses, or could be strengthened in their effectiveness while reducing regulatory costs. It also sets other basic, commonsense criteria for recommending repeal of regulations, such as: whether they have been rendered obsolete by technological or market changes; whether they have achieved their goals and can be repealed without target problems recurring; whether they are ineffective; whether they overlap, duplicate, or conflict with other Federal regulations or with State and local regulations; or whether they impose costs that are not justified by benefits produced for society within the United States.

Once the commission develops a set of recommendations, our bill requires that these recommendations be presented to the House and the Senate for approval by joint resolution. If Congress votes to approve the commission's recommendations, repeal must take place.

Mr. President, I have served long enough to know that Washington's preferred solution to a tough problem is to create a commission that, once established, is rarely seen or heard from again, no matter how compelling its recommendations. Therefore, I want to lay out a few key features of how SCRUB avoids the pitfalls of so many do-nothing commissions as well as the problems encountered with other attempts to implement retrospective review.

First, our bill sets a hard target for the commission: the reduction of at least 15 percent in the cumulative costs of Federal regulation with a minimal reduction in the overall effectiveness of such regulation. The Obama administration's efforts at retrospective review—perhaps by mistake, perhaps by design—lacked a quantified cost reduction mandate. The result was the manipulation of the review process into a charade in which highly suspect new

benefits were touted as a reason for adding costs. Our bill structures the retrospective review process in a way that prioritizes cost cutting while maintaining a responsible respect for benefits by calling for a minimal reduction in general overall effectiveness.

Second, our bill does not artificially limit what costly and unjustified regulations could be repealed. Under some superficially similar but fundamentally unsound proposals for retrospective review, review would be arbitrarily limited by time or subject. Such limits would not only seriously hinder the prospect of meeting a meaningful cost reduction target, but also put numerous regulations off limits for review just because they have seen minor tweaks after a certain arbitrary cutoff.

Third, our bill guarantees an up-or-down vote on the Commission's package of recommendations as a single package. This element of our bill represents the single most important feature that distinguishes it from a do-nothing commission that far too often characterizes Washington's approach to intractable problems. We should be under no illusions that every single special interest in town is going to fight to preserve the favors they have won by manipulating the regulatory process over the years, and gathering the votes to get the Commission's recommendations enacted will certainly be a difficult endeavor.

Following the models of other successful means by which Congress has addressed situations in which the costs are concentrated but benefits are widely dispersed, it is absolutely vital that the Commission's recommendations be packed together as a single bill and not subject to dismemberment by amendment.

Further, to put it simply, an up-or-down simple majority vote requires an actual viable pathway to repealing these regulations. Subjecting the package to the supermajority threshold would represent nothing but a death knell for the prospect of repealing these onerous rules. Moreover, because extended debate in the Senate exists to allow Senators to modify a proposal under debate, the lack of amendment opportunities seriously undermines the rationale for subjecting it to the supermajority threshold typically required to end debate. And this carefully tailored exception to the cloture rule is hardly a wild departure from precedent; rather, it follows the precedents set by numerous other pieces of legislation such as trade promotion authority and the Congressional Review Act, both of which have long earned bipartisan support.

Fourth, for any given regulation, the Commission is authorized to recommend either immediate repeal or repeal through what we call cut-go procedures, whereby agencies, on a forward

basis, would have to offset the costs of new regulations by repealing Commission-identified regulations of equal or greater cost. These procedures allow immediate repeal in the most urgent cases and staggered repeals of other regulations to assure a smoother process for agencies and affected entities.

Mr. President, a process such as cut-go proves critical for two particular reasons. First, it provides an avenue for addressing the many regulations on the books that impose unjustifiable costs in pursuit of a legitimate goal. While some regulations on the books could undoubtedly be repealed without any meaningful negative consequences, numerous others provide important protections but in an inefficient and costly manner. The cut-go process allows agencies to repeal costly rules and replace them with more sensible ones—for example, prescribing performance standards instead of specific, oftentimes outdated technology—in a manner that reduces costs on the economy while maintaining or even improving regulatory effectiveness.

Second, the cut-go process holds agencies accountable to Congress's laws, a perennial problem in the regulatory process. Bureaucratic agencies—so often devoted to increasing their own power and insensitive to the costs they impose on the economy—frequently use the excuse of limited resources to avoid retrospective review. By imposing a reasonable limit on prospective rulemaking until an agency complies with congressionally enacted repeal recommendations, cut-go ensures that the agency cannot simply ignore its duty to repeal.

Mr. President, these are just a handful of the numerous reasons why the SCRUB Act provides a uniquely visible pathway to accomplishing the long-standing bipartisan goal of repealing outdated and ineffective regulations. I wish to thank my colleagues from both sides of the aisle—and both sides of the Capitol, by the way—who have joined in support of this bill, especially Senator ERNST for her leadership on this issue on the Homeland Security and Governmental Affairs Committee. Even though she has only been in the Senate for a year, her strong and effective leadership on this issue has been a model for how to hit the ground running. I call on my colleagues in the Senate to follow the House's lead and pass this effective, commonsense approach to rooting out unjustifiably burdensome regulations. Also, as I understand it, the House has passed this bill just today.

RELIGIOUS LIBERTY

Mr. President, I also wish to address another subject—the subject of religious liberty. Congress is convening for the second session of the 114th Congress at a moment in time rich with significance for religious freedoms. January 6, for example, marked the

75th anniversary of President Franklin Roosevelt's famous "Four Freedoms" speech. During the depths of World War II, President Roosevelt used his 1941 State of the Union Address to describe a world founded on what he called "four essential human freedoms." One of these is the "freedom of every person to worship God in his own way."

At the end of the week, on January 16, it is Religious Freedom Day. It commemorates the 230th anniversary of the Virginia General Assembly's enactment of the Virginia Statute for Religious Freedom. Thomas Jefferson authored the legislation and, after he left to serve as U.S. Minister to France, his colleague James Madison secured its enactment.

Of his many accomplishments—and Jefferson had a lot of accomplishments—Jefferson directed that three of what he called "things that he had given the people" be listed on his tombstone. One of them was the Virginia Statute for Religious Freedom, which laid the foundation for the protection of religious freedom in the First Amendment to the U.S. Constitution.

Mr. President, last fall I delivered a series of eight speeches on the Senate floor presenting the story of religious freedom. I explained why religious freedom itself is uniquely important and requires special protection. At no time in world history has religious freedom been such an integral part of a Nation's character as it is here in the United States.

The story of religious freedom includes understanding both its status and its substance. The status of religious freedom can be summarized as both inalienable and preeminent. As James Madison put it, religious freedom is "precedent, both in order of time and in degree of obligation, to the claims of civil society."

Madison also explained that religious freedom is the freely chosen manner of discharging a duty an individual believes he or she owes to God. As we have affirmed so many times in statutes, declarations, and treaties, it includes both belief and behavior in public and in private, individually and collectively.

Tonight, President Obama delivers his final State of the Union Address. According to the Washington Post this morning, President Obama will speak about unity, about coming together as one American family. Until very recently, religious freedom was such a unifying priority. Last month, I described to my colleagues the unifying statement about religious freedom called the Williamsburg Charter. Published in 1988, it brought together Presidents and other leaders in both political parties, the heads of business and labor, universities and bar associations, and diverse communities to endorse the first principles of religious freedom.

The charter boldly proclaims that religious freedom is an inalienable right that is “premised upon the inviolable dignity of the human person. It is the foundation of, and is integrally related to, all other rights and freedoms secured by the Constitution.” It asserts that the chief menace to religious freedom is the expanding power of government—especially government control over personal behavior and the institutions of society. And the charter also declares that limiting religious freedom “is allowable only where the State has borne a heavy burden of proof that the limitation is justified—not by any ordinary public interest, but by a supreme public necessity—and that no less restrictive alternative to limitation exists.”

Congress made these principles law 5 years later by almost unanimously enacting the Religious Freedom Restoration Act—an act that I had a great deal to do with. One way to know the value of something is by the effort made to protect it. In RFRA, government may burden the exercise of religion only if it is the least restrictive means of furthering a compelling government purpose. That is the toughest standard found anywhere in American law. By this statute, we declared that religious freedom is fundamental, it is more important than other values and priorities, and government must properly accommodate it. The Coalition for the Free Exercise of Religion supporting RFRA was the most diverse grassroots effort I have ever seen in all of my years in the U.S. Senate.

Five years after RFRA, Congress unanimously enacted the International Religious Freedom Act. Twenty-one Senators serving today voted for it—12 Republicans and 9 Democrats. So did Vice President JOE BIDEN and Secretary of State JOHN KERRY when they served here. That law declares that religious freedom “undergirds the very origin and existence of the United States.” It calls religious freedom a universal human right, a pillar of our Nation, and a fundamental freedom.

That is what unity looks like. With a Presidency no less than any other aspect of life, however, actions speak louder than words. While President Obama has paid lip service to religious freedom, as I assume he will in his annual Religious Freedom Day proclamation this week, the actions of his administration tell a different story.

In 2011, the Obama administration argued to the Supreme Court that the First Amendment provides no special protection for churches, even in choosing their own ministers. The Court unanimously rejected that bizarre theory. The administration ignored religious freedom and RFRA altogether when developing the Affordable Care Act and its implementing regulations. When religious employers argued that the administration’s birth control

mandate did not adequately accommodate their religious freedom, the administration fought them all the way to the Supreme Court. The Court again rejected the administration’s attempt to restrict religious freedom.

Yesterday, 32 Members of the Senate and 175 Members of the House of Representatives filed a legal brief with the Supreme Court supporting religious organizations that are again arguing that the Obama administration’s birth control mandate violates the Religious Freedom Restoration Act. I want to thank my friend from Oklahoma, Senator LANKFORD, for working with me on this important project. I know religious freedom was important to him when he served in the House and he is already a leader on this critical issue in the Senate and I am pleased to see him in the chair today.

This mandate requires religious organizations to violate their deeply held religious beliefs or pay crushing monetary fines. The plaintiffs in these cases include Christian colleges, Catholic dioceses, and many organizations that minister to the elderly and disadvantaged as part of their religious mission. They want to provide health insurance for their employees and students in a manner that is consistent with their religious beliefs.

The Obama administration, however, is working hard to make those religious groups knuckle under to its political agenda. It provides blanket exemptions for churches that do not object to the birth control mandate but denies exemption to religious employers that do object. The administration exempts for-profit companies employing more than 44 million workers, including some of America’s largest corporations, even if they have no objection to the mandate. Yet it is fighting to force compliance by religious non-profit organizations that do object to the mandate on the basis of deeply held religious beliefs. Not only is that policy simply irrational, but it treats religious freedom as optional.

Here is how I put it last month: Subjugating religious beliefs to government decrees is not the price of citizenship. To the contrary, respecting and honoring the fundamental rights of all Americans is the price our government pays to enjoy the continued consent of the American people.

If that is true, then religious freedom must be properly respected and accommodated. And I believe it is true.

Religious freedom should be a primary consideration, not an afterthought. Religious freedom should be given the accommodation that a pre-eminent right requires, rather than begrudgingly be given the least attention politically possible.

If our leaders wish to abandon the religious freedom that undergirds America’s origin and existence, they should say so. If Members of Congress now re-

ject what they once supported and insist that religious freedom is less important than the political reference of the moment, they should make that case.

If the Obama administration wants to repudiate treaties we have ratified, asserting that religious freedom is a fundamental human right, the President should be upfront about it.

As with many things that happen in the twilight of a Presidency, I expect to hear much in the State of the Union Address tonight that speaks to President Obama’s legacy. What will he be remembered for? What great principles or causes will be associated with the Obama Presidency?

Part of President Roosevelt’s legacy is that State of the Union Address 75 years ago that affirmed that practicing one’s faith is an essential human freedom. What a tragedy to have President Obama be remembered for hostility to—rather than protection of—religious freedom.

In the coming days, I will be presenting to each of my Senate colleagues the collection of speeches on religious freedom that I offered on the floor last fall. I hope they will encourage us in Congress, as well as our fellow citizens, to unite in our commitment to this fundamental right.

This is important. Even though we may agree or disagree with certain religious beliefs, they still ought to have the right to believe them. They still ought to have the right to worship the way they want to. The fact of the matter is that is what has made America the greatest country in the world—bar none. I don’t want to see it destroyed because we are doing everything we can to undermine religious freedom in this country. I refuse to allow that to happen, and I hope my colleagues will take this seriously as well. I know a number of them do, including the current Presiding Officer.

I just want everybody to know that as long as I am in the Senate, I am going to be fighting for religious freedom and I hope that all of us will also.

God bless America.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

MR. BARRASSO. Mr. President, tonight President Obama will be coming to Congress to deliver his final State of the Union Address. His advisers have been all over television talking about what the President is planning to say. Tonight, I expect President Obama will talk a little about the health care law.

Last year in his State of the Union Address, the President bragged—he actually bragged—that more people have insurance now than when he took office. I expect he will probably say something similar tonight.

I wish to talk a little bit about the other side of the story. I want to talk about what President Obama is not going to say tonight to the American people. The President is not going to admit that many Americans are actually worse under his health care law. He is not going to say that under the health care law there is a very big difference between health law insurance and being able to actually get health care. The President focuses on the word “coverage” and, as a doctor, I focus on the word “care.”

The New York Times had an article about this just the other day. The article on page 1 of Monday, January 4, says: “Many Holdouts Roll the Dice And Pay I.R.S., Not an Insurer.” They would rather pay the penalty to the Internal Revenue Service rather than pay the insurance company. Why?

Turn to page A9 of the same day, January 4, 2016: “Many Who Refuse Insurance See I.R.S. Penalty as Most Affordable Option.” The most affordable option for the American people is not the Obama health law insurance. It is actually paying the IRS the penalty. The article tells the story about a number of different people. One is named Tim Fescue from Culver City, CA. He and his wife had an insurance plan that cost them more than \$5,000 a year, but it came with a deductible of over \$6,000 for each of them—\$5,000 for the policy, \$6,000 for the deductible for him and another \$6,000 for her. Well, they decided to drop the insurance last year.

Mr. Fescue told the New York Times: “It literally covered zero medical expenses.”

I wonder if President Obama is going to talk about this man tonight, Tim Fescue. Will we hear anything about him in his speech tonight? Will the President point to him in the gallery as somebody who the President claims to have helped by making insurance so expensive and so unaffordable that it was much better to just pay the penalty than deal with what the mandates of the President’s health care law call into play? Is he going to talk about the deductibles and how the out-of-pocket costs have become so high for Americans all across the country?

The article also talks about Clint Murphy of Sulfur Springs, TX. Clint Murphy expects that he will have to pay a penalty of about \$1,800 for being uninsured this year. The article says that in his view, paying the penalty is worth it if he can avoid buying the President’s law health insurance, a policy that costs \$2,900 or more.

This man in Texas went on to say: “I don’t see the logic behind that, and I’m just not going to do it.”

Is President Obama going to talk about these people—people who think that it is better to pay the steep IRS penalty than buy the President’s expensive and, in many ways, useless insurance? There are millions of Americans in this same situation as Clint Murphy, as Tim Fescue, and other people who are mentioned in a story in the New York Times. If the New York Times is writing about it—they are supporters of the health care law—even they are pointing to the damage that this very unpopular law continues to do to the American people.

According to a report by the Kaiser Family Foundation, about 7 million Americans were finding it cheaper to pay the tax penalty than to pay for this unusable insurance. Look at this chart. Of those people who don’t get subsidies, 95 percent would pay—all of these people—less for the tax penalty than for an ObamaCare bronze plan, which is the cheapest level of plan that there is.

So for people who don’t get a subsidy from Washington, 95 percent of them would pay less by paying the tax penalty than they would for an ObamaCare bronze-level plan with high deductibles and high copays—so high that the people who look at it say: It is unusable.

Now, remember, again, these bronze plans are the cheapest option, and the people are just saying no because even the cheapest option under ObamaCare is more expensive than dropping insurance and paying the penalty. Bronze plans are the ones most likely to have a \$5,000 to \$6,000 deductible per individual on the plan.

Do we expect President Obama to talk about any of these things tonight or any of these people who have been harmed by his law?

After the President gives his State of the Union Address, much has been made that he is going on a tour of America. He is going to visit Baton Rouge, LA, and Omaha, NE. What the President may not know and certainly won’t mention is how much ObamaCare premiums have increased in those States he is going to visit.

In Louisiana, prices for the benchmark silver plan on the ObamaCare exchange went up over 9 percent this year. In Nebraska, the same benchmark silver plan rates went up almost 12 percent this past year. Now that is for the people who are willing to actually shop around and switch their insurance from last year to try to hold down the costs.

Remember when the President said this: If you like your plan, you can keep your plan. Well, if you only want a 9-percent or a 12-percent increase, you can’t keep your plan. You have to try to shop around and switch to a different plan, maybe even change your doctors and the hospital you go to. That is the only way you can find rates

of insurance that still go up a lot but don’t go up even higher by staying with what you had.

The President probably won’t mention that when he goes to Louisiana or Nebraska. He probably won’t mention either that the ObamaCare co-ops in both of the States that he is visiting collapsed last year—fundamentally collapsed. Tens of thousands of people lost the insurance they had in those States, and now the taxpayers are on the hook for over \$100 million.

The law has not come anywhere near what President Obama promised the people of Louisiana or the people of Nebraska or the people of America. All across the country, the American people know that ObamaCare was not what they wanted. They know that it has never been the right answer for the problems in our health care system. That is why majorities in both Houses of Congress voted recently to repeal the key parts of the Obama health care law. We passed the legislation, and we sent it to the President’s desk. When President Obama vetoed the bill, he rejected the judgment of the American people.

In his speech tonight, I expect the President to continue to pretend that there are no problems at all with American health care under his law. Well, Republicans are going to keep offering solutions to fix health care in America. Almost 6 years ago President Obama sat down with Members of Congress to try to sell us his health care law. I was part of that roundtable discussion. I told the President at the time that low-cost catastrophic plans could be a good option for people as long as they could use health savings accounts to help pay their day to day medical bills.

The President had no interest in that idea or in any of the Republican ideas that we brought forward that day.

So now, under his law, people are left with the equivalent of catastrophic coverage and they are paying far too much for it because of all of the law’s mandates. On top of that, the law cuts back on health savings accounts. The law specifically cut back on that so people all across the country have fewer options to help them pay for their care.

Republicans are going to continue to bring up better ideas. We will talk about real solutions that give people more options, not more mandates. We will talk about the ideas that help people get the care they need from a doctor they want at lower costs, not just as the President talks about coverage—coverage that most Americans find they cannot use.

Tonight President Obama is probably going to make a lot more promises. When he does, I think everybody should remember Clint Murphy from Sulfur Springs, TX, who doesn’t see the logic in paying for overpriced

ObamaCare insurance. They should remember all of the broken promises from the health care law and all of the hardworking Americans who have been hurt by the Obama health care law. Even though President Obama won't admit it tonight, America can do much better. If the President won't say it, then it will be up to Congress to lead on the issue. That is exactly what Republicans intend to do. President Obama's speech tonight will be looking to define his legacy. Tonight and for the rest of the year, Republicans will be offering solutions for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent to be able to enter into a colloquy with a number of my colleagues, including Senators from Virginia, Florida, and New Jersey.

The PRESIDING OFFICER. Without objection, it is so ordered.

DELEGATION TO THE MIDDLE EAST AND IMPLEMENTING THE NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, I have just returned from a trip to the Middle East—an absolutely important and eye-opening trip at this vital moment when the threat of extremism, the threat of violence, and the risks posed to regional stability by Iran and its regional ambitions could not be clearer. Senator GILLIBRAND of New York led this delegation, and a group of eight of us had an opportunity to visit Turkey, Saudi Arabia, Israel, and Austria.

Let me begin by saying that all of us were deeply moved and concerned when we heard this morning news of a terrorist attack in Istanbul, literally in an area we had just visited Saturday morning. I reached out, as have a number of others on this trip, to express our condolences and concerns both to the Turkish Ambassador, the American Ambassador, and to others we met with on our visit there.

This is just another brazen reminder of the instability raging throughout the Middle East and of the threats to our concerns and interests and to regional stability posed by terrorism.

I invite the Senator from Virginia to join me in making some comments based on his insights and his experience on this trip. The very first place we visited left an important and lasting impression on me. We visited with the IAEA, the International Atomic Energy Agency, in Vienna to hear about their progress towards implementing the nuclear deal with Iran and what they are going to be doing, now and in the future, to ensure full, thorough, and valuable inspections of the entire cycle of Iran's nuclear efforts.

If Senator Kaine would offer any additional comments as a member of the delegation and someone who joined in the trip, what were some of the things

that the Senator saw and what were some of the concerns that the Senator came home with that we ought to share with our constituents and colleagues?

Mr. Kaine. Mr. President, I thank the Senator from Delaware for the opportunity to engage in a colloquy. It was a remarkable visit with eight Senators to Israel, Vienna, Turkey, as well as Saudi Arabia, to dig into two issues that I would like to address. The issues are Iran and the war against ISIL.

With respect to Iran, since the conclusion of the negotiation and the green light for the deal to go forward, there have been some positive developments and there have been some troubling developments. I wish to spend time talking about both.

On the positive development side, because of the deal that the United States and other nations entered into with Iran, as of yesterday they have permanently decommissioned the plutonium reactor at Arak, which is one half for them to make a nuclear weapon. That is a very positive result of the negotiation.

Second, they have disabled a huge percentage of the centrifuges, which was also a requirement under the agreement—the centrifuges that are used to enrich uranium, another path to nuclear weapons.

Third, Iran has worked with the IAEA to structure the level of inspections. Under the inspections required by the agreement, Iran will be the most inspected nation in the world, because the inspections will not only go to nuclear sites, but they will go to the entire supply chain of uranium mills and uranium mines. Those are inspections not required of any other nation. The IAEA is ready to move forward on those inspections.

Finally, there is the last bit of positive news, which in my view, personally, is the most compelling. Iran took more than 28,000 pounds of low-enriched uranium, which is sufficient for multiple nuclear weapons. Because of this deal, they have shipped that uranium out of Iran. It is held in a facility in Russia that is closely monitored 24/7, 365 by the IAEA. So any movement of that material will be understood.

Having that nuclear material—sufficient for multiple nuclear weapons—out of Iran's hands and out of that country would not have happened without this deal, and it makes the world safer.

There are some challenges. In October, Iran fired a missile, and a number of us on the Foreign Relations Committee immediately wrote to the President and Secretary of State that we think this violates a separate U.N. Security Council resolution. The United Nations empaneled a team of experts to dig into the factual and technical evidence, and they concluded in mid-December that Iran had in fact fired a

missile in violation of a U.N. Security Council resolution separate from this deal. We all think it is very important—for both Congress and the administration and our global partners—to make sure that there is a consequence for that. Whether we supported the deal or didn't, the strategy should be strict enforcement and strict implementation, requiring that Iran meet every last detail—not only of the deal but of their other international obligations. We need to continue to press the administration and Congress to do that.

So on Iran, that was basically the gist of the conversation. We had a lengthy discussion with Prime Minister Netanyahu, where we said: Look, we disagreed on the deal. But now the important thing is to make sure we implement it and we are strong and united on implementation issues. I think that is critically important.

Finally, I have a word about ISIL. Everywhere we went in the region we heard about the threat of ISIL. The bombing this morning in a tourist square in Istanbul, where some of us were standing just 72 hours ago, although all of the investigative work hasn't yet been done, clearly has the earmarks of an ISIL-related bombing, much as the bombings in the Sinai, in Beirut, and the attacks in Paris. So it is very critical that we take this seriously because we are not only seeing ISIL extend their field of battle beyond Syria and Iraq; we are seeing them engage in one-off or rogue terrorist activities around the globe.

The U.S. is at war with ISIL, and we have been at war since August 8, 2014. We are in the 17th month of that war. We have spent billions of dollars, we have deployed thousands of troops, and we have seen both American hostages and servicemembers killed in this war. But as I hand it back to my colleague, I will conclude and say that Congress has been strangely silent during this war. It is Congress under article I that should declare war, and yet we have not been willing to have a debate and vote—even as we are deploying people, even as Americans are being killed, even as we are spending billions of taxpayer dollars. The only vote that has taken place in this body on the war directly on the authorization question was in the Senate Foreign Relations Committee in December of 2014. It was a vote to move forward to an authorization. But when it came to the floor, it got no action.

I am reminded of the great Irish poet W.B. Yeats, who talked about a time where “the best lack all conviction, while the worst are full of passionate intensity.” We see every day efforts that ISIL is, at worst, filled with passionate intensity. I believe America is the best. I believe Congress should be the best. Yet we have been strangely silent and have lacked conviction in

the face of an enemy that is dangerous and threatens us abroad and at home.

With that, I hand it back to my colleague, the Senator from Delaware.

Mr. COONS. Mr. President, I thank my colleague from Virginia for his service on the Foreign Relations Committee and for his real leadership on the question of our prosecution the war against ISIL and the roll of this Senate in confirming that we are in fact engaged in a conflict, for his role on the Armed Services Committee, and for the important and tough questions he asked on our visit to the four countries that I just referenced in opening. I appreciate the Senator detailing the four different, big positive moves forward that are happening as the JCPOA, the Iran nuclear deal, moves towards into full implementation.

I wish to encourage my colleague from Florida, the second-most senior Democrat on the Armed Services Committee, to also offer his thoughts on how this deal contributes to our security and what concerns are remaining.

Mr. NELSON. Mr. President and my fellow Senators, I just want to point out what the Senator has already brought up and underscore that the fact is that the plutonium reactor in Arak has now been filled with concrete. The fact is that 12 tons—or 24,000 pounds—of enriched uranium has been shipped out of Arak to another destination, mostly to Russia.

Before the agreement, it would only take 3 months to build a nuclear weapon. Now, it would take at least 12 months. So we would have a 1-year advance notice in order to determine what we needed to do to deter Iran.

May I say it is irritating that we are going to continue to deal with an Iran that is going to do things that are going to provoke us. And they have certainly done this in the Strait of Hormuz just a few days ago, doing a live-fire exercise while we have the aircraft carrier battle group going through the Strait of Hormuz—not even 29 miles wide. That is a provocation. There is the provocation of shooting off two missile tests, which is a violation of U.N. sanctions. I hope the President will follow through and sanction them for that, regardless of their protests that say: Oh well, then, you are violating our nuclear agreement.

No, it is a nuclear agreement. They have now stretched the time to 12 months before, if they decided today that they wanted to build a nuclear weapon. That was the whole purpose of the nuclear negotiations in the first place—to take off the table that Iran would be a nuclear power and upset the balance of power in that part of the world.

I thank my colleague for yielding. I thank all of my colleagues for making these insightful comments.

Mr. COONS. Mr. President, I thank my colleague from Florida.

I would invite my colleague from New Jersey, who also joined us in the Middle East and is on the homeland security committee, to offer his comments on how the Iran deal actually contributes to regional and global security, and I ask what remaining concerns there are that we have to tackle together.

Mr. BOOKER. Mr. President, first, I echo the concerns of my colleagues here. It was extremely valuable to be able to travel with Senators HEITKAMP, Kaine, and COONS as part of the eight-Member delegation to the IAEA, and meet with the individuals in charge of the inspections, as well as to go to Israel, and meet with Benjamin Netanyahu in a private setting about the concerns Senator Kaine articulated. In addition to that, we visited with other allies: Saudi Arabia, as well as Turkey.

Let's be clear. As has been said already, we are seeing important steps being taken that, in the immediate term, reduce the threat of a nuclear-armed Iran. The steps they are taking are definitive, measurable, and specifically aligned with the JCPOA.

It is important to understand—whether it is moving uranium out, blocking their plutonium pathway, and setting up the inspections regime along the entire supply chain—that these are all important steps toward implementing the JCPOA. But I want to make two very clear points.

The first point is that last summer, as I and many of my colleagues were immersed in evaluating the JCPOA, the Administration promised clear and firm responses to even the smallest violation. Like many of my colleagues, this played a role in my decision to support the nuclear agreement. We expect to see a follow-through on that promise of accountability. We expect enforcement. If we allow Iran—as this agreement goes on—to push the bounds and cross the lines laid out in this deal without a response, we are undermining the strength of this agreement and, I believe, actually putting in jeopardy the security of the region.

The second point I want to make relates to the provocative behavior Iran is engaging in right now. Separate and apart from the nuclear sanctions that will be lifted, there are other sanctions in place for other issues related to Iran's behavior. Iran is a dangerous actor and has proven so throughout that region. They are a state sponsor of terrorism and other destabilizing activities in that region. While the immediate threat of the nuclear issue might be off the table, they are still a regional threat.

So when we have clear transgressions that are measurable, that have been done in violation of international law—such as two separate instances of ballistic missile testing—there must be a response. I am calling on the adminis-

tration not to hesitate any longer. We must respond with sanctions appropriate to these violations of international law. To not do so, to me, is unacceptable.

The U.S. must make the consequences for Iranian regional aggression clear and follow with robust response, if necessary. We cannot lose sight of Iran's use of surrogates and proxies in Syria, Iraq, Lebanon, and Yemen to further undermine the security of the region. Let's not lose sight of the fact that there are Americans being held in Iran right now, such as Siamak Namazi, a graduate of Rutgers University in New Jersey, arrested in October, and being held by the Iranian Revolutionary Guard for, as of yet, unspecified reasons. Let's not forget about Jason Rezaian, who continues to languish in jail without a clear and justifiable rationale for his imprisonment, as well as Saeed Abedini, Amir Hekmati, and Robert Levinson. These Americans are being held by a regime for no justifiable reason.

These are particularly egregious violations. In my opinion, Iran should be held accountable. So I repeat, the Senate should collectively call on the administration to take action against Iran and to sanction Iran for their violation of Security Council Resolution 1929.

I want to finally say that my colleagues and I observed in our meetings with Israeli officials, as Senator Kaine mentioned, an Israeli administration that understands the nuclear deal will go into effect. Let's make sure it is enforced. Let's make sure we have the eyes and ears in place so we can make sure the nuclear threat is removed. But let's stay united with Israel and our other allies in holding this dangerous actor to account if they violate international law, if they threaten their neighbors, if they engage in destabilizing activities, if they support terrorism. We must share intelligence. We must double down our efforts to interdict the movement of arms. And we must work together for a larger piece in that region.

With that, I will turn it back to Senator COONS.

Mr. COONS. I wish to thank my colleague from the State of New Jersey and to briefly recognize a success in the fall, in September—a raid off the coast of Yemen that seized a large cache of Iranian arms destined for the Houthi rebels who are working to undermine the legitimate Government of Yemen. This massive weapons shipment of 56 tube-launched, optically tracked, wire-guided TOW missiles, and the associated sights, mounts, tubes, and batteries—those are all the different components for these advanced and sophisticated anti-tank weapons—was successfully interdicted in international water. This is an example of what my colleague the Senator from

New Jersey was just talking about, which is the need for more and more aggressive and more successful interdiction to push back on Iran's destabilizing actions in the region.

I am grateful now to be joined on the floor by my colleague from the State of New Hampshire, who is also my colleague on the Foreign Relations Committee, who wants to contribute to our conversation today about the positive progress that is being made in the implementation of this deal and what remains ahead in the work we have to do to make sure we are implementing it effectively.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleague Senator COONS and others on the floor today, especially those of you who had a chance to travel to the Middle East. I didn't get a chance to go with you on this trip. But, like Senator KAINE, I do serve on both the Armed Services and the Foreign Relations Committees, and I supported the nuclear deal with Iran because I was convinced and continue to be convinced that it is the best available option for preventing Iran from developing a nuclear weapon.

As my colleagues have already spoken to, to some extent, we already see the effects of this nuclear deal in Iran's actions. On December 28, Iran shipped over 25,000 pounds of low-enriched uranium to Russia, including the removal of all of Iran's nuclear material enriched to 20 percent that was not already fabricated into reactive fuel. We know this was one path for Iran to get a nuclear weapon. They have removed this low-enriched uranium. It is in Russia.

The IAEA has increased the number of its inspectors on the ground in Iran. They are deploying modern technologies to monitor Iran's nuclear facilities, and they have set up a comprehensive oversight program of Iran's nuclear facilities. The IAEA is now inspecting all of Iran's declared nuclear facilities 24 hours a day, 7 days a week, and they will have access not just to the facilities where we know Iran was trying to build a weapon but also to the uranium mines and mills, which will give the IAEA and the rest of the world complete access to the entire nuclear fuel cycle.

The Iraq reactor, which has been spoken to already, will be completely disabled. Its core is being filled with concrete. Once the IAEA verifies that Iran has completed the steps related to the Arak reactor, Iran's plutonium pathway to a bomb will have effectively been blocked. Iran has been dismantling its uranium enrichment infrastructure, including the removal of thousands of centrifuges.

Again, taken together, these and other steps will effectively cut off Iran's four pathways to a nuclear weapon,

and they will push its breakout time to at least a year for the next 10 years.

What should Congress be doing? My colleague from New Jersey, Senator BOOKER, was very eloquent in talking about some of the actions that we need to take, both Congress and the administration, to continue to address Iran's terrorist activities throughout the region. But I think one of the other things we ought to be doing as a Congress is confirming key Obama administration foreign policy and national security nominees because many of these nominees are critical as we look at the implementation of the Iran agreement. They are critical as we think about what we need to protect this country, to protect our national security.

I would ask my colleague on the Foreign Relations Committee, Senator MURPHY, what does it mean that we have failed to confirm Adam Szubin as the Treasury Department's Under Secretary for Terrorism and Financial Crimes? I was a cosponsor, with Senator RUBIO, of the Hezbollah sanctions bill, the additional sanctions we can put on Hezbollah to limit their activities, and yet we are still missing one of the key players in making that work at the Treasury Department. What does that mean, I ask Senator MURPHY, the fact that Congress has failed to confirm these nominees?

Mr. MURPHY. I thank Senator SHAHEEN for the question. I would hope that regardless of how any individual Senator voted on this deal, we would all be rooting for its success because success in the end is an assurance that Iran never obtains a nuclear weapon. But the results of this Senate failing to confirm Adam Szubin as the Under Secretary for Terrorism and Financial Crimes undermine the implementation of not only this important achievement but also of all our efforts to try to root out the financial sources of terrorism all around the world.

The fact is that this gentleman, Adam Szubin, is particularly qualified for the job. There is no one on the Republican side who has raised any individual objection to him. He has been doing the job very well for the United States under President Obama. He was the senior advisor to this appointee under President Bush's administration. He has done and worked in this field under both Republican and Democratic Presidents. It seems as if it is just politics that are holding this up. He is not the only one who is on that list. Laura Holgate has been appointed to be our U.S. Ambassador to the U.N. offices in Vienna, which includes the IAEA. She was nominated on August 5. Her nomination hasn't even gotten out of the Senate Foreign Relations Committee. Wendy Sherman's replacement, Tom Shannon, was nominated on September 18. His nomination is on the floor

today. We could vote on that this week if it was our pleasure.

If we want this agreement to succeed, if we want to make sure Iran does not get a nuclear weapon, if we want to cut off the flow of funds from Iran to groups like Hezbollah, then we actually have to have people in place to do those jobs.

I wanted to quickly come to the floor to make the point that in addition to the important points that are being made by my colleagues about the success so far of the agreement with respect to implementation, if we all are hoping that the end result of this is despite the predictions of many Republicans that Iran doesn't obtain a nuclear weapon, then we have to have these people in these important roles.

Mrs. SHAHEEN. Would my colleague yield for another question briefly? I didn't give the date that Adam Szubin was nominated, and he has been before the banking committee. Does the Senator have that information to share with everybody?

Mr. MURPHY. I said that Holgate was August 5, and Shannon was September 18. Adam Szubin has been before the banking committee since April 16. He is a few months away from being before the Senate for almost a full year in a job that we can all agree is one of the most important when it comes to protecting the national security of this country. That is pretty astounding.

Mrs. SHAHEEN. I thank all three of my colleagues on the Foreign Relations Committee. I will close and yield back to Senator COONS with saying that I would hope that one of the things we would all agree to, as Senator MURPHY has said, is that regardless of where we stood on the Iran nuclear agreement, the goal now is to make sure that is implemented in a way that makes sure that at least 10 years from now we have at least a year's breakout before Iran—if they decided to do that—could go back and have a nuclear weapon. I would hope that we all share that as our most important priority with respect to Iran.

I yield back to my colleague Senator COONS.

Mr. COONS. I thank my colleagues from Connecticut and from New Hampshire. I invite my colleague from North Dakota, who also serves on the homeland security committee and who was part of our delegation that just had the opportunity to travel to Israel, to Saudi Arabia, to Turkey, and to Austria, and in Austria to hear from the IAEA.

The references just made by my colleagues on the Foreign Relations Committee were in one part to the vacancy in the position of the U.S. Ambassador to the U.N. offices in Vienna. I want to reemphasize that. Ever since August 5 of last year, that mission the Senator from North Dakota and I just visited that is responsible for directing and

supporting the work of the IAEA to the extent the United States helps fund it and supports it and is a participating member—they have been waiting for a new confirmed ambassador for more than 6 months.

I wish to invite my colleague to make comments based on her experiences and her reflections based on this recent trip.

Ms. HEITKAMP. Mr. President, thank you to my great friend from the State of Delaware. I wish to first make a comment on Adam Szubin because I also serve on the banking committee and have had a chance not only to meet with him personally but to witness the excellent testimony he provided during his confirmation hearing.

We all see very smart people. They come through and they agree to serve their country in these appointed positions which frequently get bogged down here. And not taking anything away from anyone else who has ever appeared before the banking committee, I would say that he is one of the brightest America has to offer. He has a wonderful family, he is deeply devout in his religion—he is Jewish—and a friend to Israel, a friend to this country, using his enormous talents to keep this country safe. There is nothing that would recommend that we not confirm Adam Szubin in one of the most critical positions we have in the Treasury Department. If we are serious about stopping Iran from getting a weapon, if we are serious about enforcing a regime of sanctions, then we need our best and brightest. He clearly is our best and brightest.

One of the points I want to make coming to the floor is that we cannot allow incremental creep, incremental violations, small, little violations. You know how it is. We are all parents, and we watch kids take advantage and take advantage until pretty soon we don't really have the role anymore of a parent. We want to make sure that when we are enforcing this agreement and when we are looking at this agreement, we send a clear message from the very beginning, which is we will not tolerate a breach.

I think it is disturbing that somehow this has become such a partisan issue. We should all be on the floor today encouraging the administration to not let this agreement be eroded by the failure to enforce.

An agreement is only as good as the enforcement capability, and we need to fund the IAEA. We need to make sure they have adequate resources. My great friend from Delaware has suggested a long-term strategy for funding. We need to make sure they have the political support, not just in this body, but across the world to do the right thing.

We have been talking about the reason we, in fact, agreed to allow this agreement to go forward, and the big-

gest agreement was the enforcement regime. We believed that because of the unprecedented access that the IAEA would have in Iran, we would know more about this program and we would have access to more. We were reassured about that access when we went to Vienna. We were reassured that, yes, they were not going to back down, but if they do back down and don't give access, we need enforcement. We should all be joining together to talk about what that enforcement should look like, how we fund that enforcement, and what a difference it could make.

I share a level of optimism that we are moving in the right direction, but being someone who has negotiated deals, I know it is not over when you sign on to the agreement. It is never over when you sign on to the agreement. It is going to take a level of absolute myopic focus on enforcement to make sure we realize the promise of this international agreement and that we work with our allies and work with our colleagues. We can't do that if we don't have people in those positions who can have a dialogue and speak for the administration, and we certainly can't do it if we allow an incremental breach.

I am joining with my colleagues to provide a unified voice that says: We stand ready to do what it takes to enforce this agreement and prevent breach and make sure we realize the promise of the joint agreement.

Mr. BOOKER. Will the Senator yield for a question?

Ms. HEITKAMP. I will be glad to yield to the Senator from New Jersey.

Mr. BOOKER. I was with the Senator when you heard from Prime Minister Netanyahu about the priorities and the partnership between our two nations, including support for the Iron Dome and David's Sling. What was also critical, was our cooperation to prevent terror tunnels. One of the other challenges we had before this deal was even executed, was Hezbollah's vast arsenal of rockets that could be fired toward Israel. Those missiles are getting more sophisticated and their range is getting longer.

I don't think people put the connection together between the importance of us doing the work of the Treasury Department to stop the flow of money that can purchase those weapons and have Israeli citizens scrambling for bomb shelters. When we say a name like Adam Szubin, most folks in America have no idea who he is and the work that he is doing. Now that the Senator has been to Israel, I wonder if she can make the connection as to why the work he is doing is so important to stop the growing sophistication and source of those missiles.

Ms. HEITKAMP. I thank my good friend from New Jersey for that question. The surest way to prevent acts of terror is to make sure acts of terror

are never funded. That takes an international banking sophistication and an understanding of every potential loophole you have in every country out there, and that is what Adam Szubin does. He spends all day getting briefings and reports about where those potential failures could be and how to plug those holes. How do we do what is necessary to unfund terrorism? Whether it is ISIL—ISIS—Hezbollah or Hamas, we need to take away the money. That is the surest way toward success.

If we do not confirm someone in this critical position, what is the message? I will be the first person to say that if he is not up to the job, let's find somebody else, but after having met him and watched his testimony and the level of dialogue he has not only with the Democrats but also with the Republicans—this isn't about the caliber of this gentleman to serve our country. It is about a political fight over this deal. The deal is done—not done, but the deal is in its infancy. If we are going to realize the promise of this deal and the commitment this country made, we absolutely need people in place to make sure this deal is enforced, and that is in fact Adam Szubin.

My colleagues who were on the trip with me know we received a number of briefings that went to the heart of taking a look at the international banking system, where the weakest links are, and how we can attack those weakest links in shutting down the terrorist network for financing this terrible behavior.

Mr. COONS. Mr. President, I thank my colleagues who have come to the floor to join with one voice in recognizing the very strong progress that is being made so far in implementing the JCPOA, in implementing the nuclear deal with Iran.

I wish to particularly thank my colleague from North Dakota who has taken her experience on the banking committee to help us understand why it is so important to have confirmed senior administration figures who can enforce the sanctions that were on the books before this deal, were enforced during this deal, and should be enforced going forward.

In closing, let me briefly make some reference as to what that means. The JCPOA was an agreement about constraining Iran's nuclear program, but the sanctions the United States has on the books to stop Iran's support for terrorism, to stop Iran's ballistic missile program, and to stop Iran's human rights abuses or to hold them accountable and sanction them for those abuses will remain on the books.

I will briefly mention that during the negotiation of the JCPOA, the Treasury Department, where Adam Szubin is the nominee to be the top sanction enforcement person, utilized multiple authorities and sanctioned more than 100

Iranians and Iran-linked entities, including more than 40, under its ongoing terrorism sanction authorities.

Just this past July, three senior Hezbollah military officials were sanctioned in Syria and Lebanon because they provided military support to the Assad regime. In November, the Treasury Department designated procurement agents and companies in Lebanon, China, and Hong Kong, and just this last week, on January 7, the Treasury Department targeted a key Hezbollah support network by designating a Hezbollah financier and member, Ali Youssef Charara, and Spectrum Investment Group.

As my colleague from New Jersey has said, we are all optimistic that the administration will take the next step and soon impose sanctions in response to recent ballistic missile launches.

I celebrated earlier because I recognized the success the administration had in interdicting a weapons shipment from Iran to the Houthis rebels, their proxies in the region. The fundamental point is this. If we want to have the positive successes of the JCPOA, and if we want to continue to have the opportunity to constrain Iran's nuclear program and its bad behavior in the region, we have to be vigilantly engaged in oversight and in support for the enforcement of that agreement and for our exercise of the prerogatives and capabilities the American Government has to push back on Iran.

I think by working together in a bipartisan and responsible way, we can get this done. There are folks in this Chamber who opposed the deal and folks who supported it, but what we heard on our recent delegation trip to Israel, Saudi Arabia, and Turkey was that our regional allies are looking for clarity—clarity that the United States stands together in fighting Iran's regional ambitions to support terror and in constraining Iran's nuclear program. We can do that best by confirming these nominees, by funding the IAEA, by exercising the sanction authorities that this administration and this Congress have put in place, and by continuing to make progress under this agreement.

With that, I thank my colleagues and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

THE PRESIDENT'S ECONOMIC AND FOREIGN POLICIES

Mr. PERDUE. Mr. President, tonight President Obama will deliver his final State of the Union Address, a closing argument for his Presidency. This President, who promised change, will attempt to point to his administration's accomplishments, as many Presidents have done in the past. However, this will prove to be difficult because Georgians and Americans have seen change but in the wrong direction.

When President Obama took the White House, he promised fiscal re-

sponsibility, but right now he is on track to more than double the debt in his tenure. He promised to work together in a bipartisan way, but he used the Democratic supermajority in those first 2 years to force through ObamaCare and Dodd-Frank on the American people. He promised to bring us together, but he has served to divide us as a country. He promised to focus on defeating terrorism, but he created a power vacuum in the Middle East for others who wish to do us harm. There is no denying it, under this President's failed leadership, the American people have had a tough several years.

Today more Americans have fallen into poverty under this Presidency. Too many individuals and families have seen their health care premiums and their deductibles rise to points where they can no longer afford them. Our national debt is almost \$19 trillion, which is well past any reasonable tipping point, and we have a global security crisis on our hands that makes the world possibly more dangerous than at any point in my lifetime. These are all symptoms of the President's failed economic policies as well as a lack of leadership in foreign policy.

Even by his own accord, the President has saddled our country with an irresponsible amount of debt which he described in the past as unpatriotic. Before he took office, then-Senator Barack Obama reviewed President Bush's tenure in office saying:

The way Bush has done it over the last eight years is to take out a credit card from the Bank of China in the name of our children, driving up our national debt from \$5 trillion for the first 42 presidents—number 43 added \$4 trillion by his lonesome, so that we now have over \$9 trillion of debt that we are going to have to pay back—\$30,000 for every man, woman, and child. That's irresponsible. It's unpatriotic.

Those are the words of this President, Barack Hussein Obama.

Let's be clear, under this President, our national debt has ballooned to almost \$19 trillion from \$10 trillion. That means that President Obama has added almost \$9 trillion already and is on track to more than double this debt before he is through.

Before President Obama leaves office, he will have nearly added as much debt as all of the other Presidents before him. This is even more outrageous when you factor in how much revenue or tax dollars the Federal Government has collected.

In 2015, we collected over \$3.4 trillion in taxes for our Federal Government. This is more than any year in our history. Washington does not have a revenue problem, it has a spending problem, and it is focused on the wrong priorities.

Equally concerning, this massive debt isn't interest free. If interest rates were to rise to the 30-year average of only 5.5 percent, the interest on this debt would amount to over \$1 trillion

each year. That is more than twice what we spent on all nonmilitary discretionary spending. It is more than twice what we spend on our military and defending our country. It is totally out of control and this is unmanageable.

In reality, this debt crisis will only get worse because this President and Washington have not tackled the government's largest expense—mandatory spending programs such as Social Security and Medicare. This debt crisis does not only present a fiscal problem, it is inextricably linked to the global security concerns we are seeing today.

In order to have a strong foreign policy, we have to have a strong military, but to have a strong military we have to have a vibrant and growing strong economy. There is no secret that down through history the countries that have had the strongest militaries, and therefore the most secure foreign policy, are those that had the most vibrant economies of their day. Under this President's foreign policy decisions, he has created a power vacuum and put the country in a much weaker position.

Today our enemies don't fear us and our allies don't trust us. Just three decades ago we brought down the Soviet Union with the power of our ideas and the strength of our economy. Look at the world today. Over the past 7 years, we have seen the rise of a global security crisis that is unrivaled in my lifetime. We have seen the rise of traditional rivals such as China and Russia grow more aggressive. We have seen North Korea and Iran actually collaborate on nuclear proliferation. We have seen Syria cross red lines and terrorism fill power vacuums in the Middle East and around the world.

Last week North Korea claimed to have successfully completed its fourth nuclear weapons test with a much more powerful weapon than they possessed before. This is a sobering and stark reminder of the true consequences our country faces when our President shows weakness in the face of these radical regimes. And not only have we witnessed weaknesses, but we have also seen this President naively trust a country like Iran, the world's largest state sponsor of terrorism today.

Since President Obama announced his dangerous Iran deal in July despite strong bipartisan opposition, Iran has actively accelerated its ballistic missile program and continued financial support for terrorism in the region, in violation of the very sanction we just heard on this floor.

Iran has fired rockets near U.S. warships, fomented unrest in Yemen, taken more Americans hostages, refused to release an American passenger who has been held for 3 years, convicted an American journalist of spying, banned American products from

being sold in Iran, and renewed its support for Hamas and Hezbollah terrorists.

From the beginning, President Obama didn't listen to military advice and prematurely pulled our troops out of Iraq, creating another power vacuum. ISIS, of course, we now know, grew into that power vacuum and sprouted influence not only in the Middle East but in Africa and Asia as well.

Last November, this President told the American people in a news interview:

We have contained them. They have not gained ground in Iraq. And in Syria if they'll come in, they'll leave. But you don't see this systematic march by ISIL across the terrain.

Well, we now know ISIS is not being contained in their ability to wage war against the West and will stop at nothing to deliver terrorism even to the shores of America. The President's plan has failed, it is plain and simple, and we sit here today with no strategy to defeat ISIS.

The world needs to see decisive action from the United States, not empty rhetoric that can't be backed up. We need a new leader who takes every threat of any size seriously. Moving forward, nothing can go unchecked and unmet without relentless American resolve.

No matter how we measure it, President Obama's economic and foreign policies have indeed failed. Time and again, he has refused to change course when his policies didn't work, when they didn't help the American people, whom he claims to champion. Instead, this President has created the fourth arm of government—the regulators—and they are sucking the very life out of our free enterprise system today. Now, fewer people are working, wages are stagnant, incomes aren't growing, the debt is soaring, and the world is much more dangerous than it was 8 years ago.

But tonight we will also hear from this President about his optimism for the future. Well, I get that. I share that optimism but only because I believe we can do better. We can do a lot better. We can tackle our national debt crisis. We can save Social Security and Medicare. We can defeat terrorism once and for all. We cannot do it without bold leadership, however. We cannot do it without a sense of urgency or responsibility. We cannot do it unless the political class in this town—Washington, DC—finally puts national interests in front of self-interests. We cannot do it without the will and support of the American people.

I believe in America. Georgians believe in America. Americans believe in America. Americans have always risen to the crisis of the day, and I believe we will rise to this crisis. But Washington needs to really listen to the American people, focus on solutions they support, and unite our Nation to

make sure our best days are indeed ahead of us. We owe it to our children and our children's children, and the time to move is right now. The time for rhetoric has ended.

We need to face up to the two crises we have today: the global security crisis and our own debt crisis, which are interwoven together.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. McCONNELL. Madam President, I withdraw the motion to proceed to S. 2232.

The PRESIDING OFFICER. The motion is withdrawn.

AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015— MOTION TO PROCEED

Mr. McCONNELL. Madam President, I move to proceed to Calendar No. 300, H.R. 4038.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 300, H.R. 4038, a bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 300, H.R. 4038, an act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

Mitch McConnell, Rob Portman, John Thune, Tom Cotton, Steve Daines, James M. Inhofe, Mike Crapo, Thom Tillis, Roger F. Wicker, Lindsey Graham, Pat Roberts, John Cornyn, Shelley Moore Capito, John Boozman, Michael B. Enzi, James E. Risch, John McCain.

Mr. McCONNELL. Madam President, I ask unanimous consent that the mandatory quorum call be waived with respect to this cloture motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Madam President, I further ask unanimous consent that notwithstanding rule XXII, the cloture vote occur at 2:30 p.m. on Wednesday, January 20, and that if cloture is invoked, then the time be counted as if it had been invoked at 6 p.m. on Tuesday, January 19.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THOMAS BURR

Mr. HATCH. Madam President, today I wish to honor and congratulate Mr. Thomas Burr, the Salt Lake Tribune's Washington correspondent and newly inaugurated president of the National Press Club. Tommy has worked for the Salt Lake Tribune for 14 years, including 10 years as a correspondent here in Washington. Utah is privileged to have such a reputable journalist covering our Nation's capital.

In addition to his role as the Tribune's Washington correspondent, Tommy has also served as the president of the Regional Reporters Association and chairman of the Congressional Standing Committee of Correspondents. Moreover, he is one of the youngest members ever to join the Gridiron Club & Foundation.

Tommy is a native of Salina, UT, and the son of Ann Burr and the late James Burr. A graduate of Snow College and Southern Utah University, Tommy covered the Presidential campaigns of Mitt Romney and Jon Huntsman and was named the top regional reporter in Washington for a record three times by the National Press Club. He is the second Utahn to hold the title of press club president.

Founded in 1908, the National Press Club bills itself as the "World's Leading Professional Organization for Journalists." Since its inception, the organization has hosted monarchs, heads of state, U.S. Presidents, and prominent thought leaders such as Martin Luther King and the Dalai Lama. As president, Tommy will focus on building the press club's long-standing efforts to expand press freedoms worldwide. He also intends to boost membership and speak out for journalists who face government restraints.

I would like to take this opportunity to recognize the achievements of Tommy Burr and thank him for his contributions to the great State of Utah. On a personal note, I am grateful

for my friendship with Tommy and look forward to many more stories to come. I wish him the very best in his new role as president of the National Press Club.

REMEMBERING DIANA TABLER FORBES

Mr. McCAIN. Madam President, today I wish to pay tribute to a dedicated, long-time public servant, wife, and mother, Diana Tabler Forbes. Diana died peacefully at her home in Alexandria, VA, on December 28, 2015, after a courageous 3-year battle with esophageal cancer.

Diana was a truly remarkable public servant. For over three decades, she served senior government leaders from both the executive and legislative branches of government in the areas of military health and personnel policy.

Throughout her career, Diana often played a central role in responding to both international crises and domestic challenges. From 2004 until her retirement in 2013, she served as the senior professional staff member primarily responsible for oversight of the military health system on the Senate Armed Services Committee, serving me as ranking member and previously Chairman John Warner. In that role, she helped shape the legislative response to improving care and services to wounded, ill, and injured military servicemembers following a series of Pulitzer prize-winning Washington Post stories on health care support provided at Walter Reed Army Medical Center. Additionally, Diana played an instrumental role in developing legislation that established TRICARE benefits for military reservists and their families; provided community support for military families with disabilities; expanded combat casualty care research; and ensured access to healthcare services for servicemembers suffering from behavioral health conditions, like post-traumatic stress, and from traumatic brain injury.

In 2001, Diana was the senior health leader in the Pentagon on September 11. After relocating to other government buildings following the attack on the Pentagon, she oversaw the coordination of military medical support in both Washington, DC, and New York City.

Shortly after the U.S. invasion of Iraq and the toppling of Saddam Hussein's regime, Diana volunteered to serve in Iraq as a civilian in 2003, where she played a key role in the reconstruction of health systems in Iraq while serving as an adviser to the coalition provisional authority with U.S. and coalition forces in Iraq.

During the 1990s, Diana served in executive positions within the Office of the Assistant Secretary of Defense, Health Affairs, and helped oversee and implement many of the major compo-

nents of the military health system now in place today, to include the establishment of TRICARE—the military's global health benefit that serves 9.5 million Americans today.

Following her retirement from Federal service, Diana continued to serve others. She remained closely connected with the Department of Defense, and she supported military servicemembers and families on the board of the National Military Family Association.

Diana's limitless energy and passion for the well-being of servicemembers and their families was legendary. She ensured everyone in Congress remembered who we served and why we served them. She knew how to cut through the bureaucracy and provide real solutions for those in need.

I express my sympathy to her husband, Ripley Forbes; her daughter, Meredith, a schoolteacher in Alexandria; and son, Jonathan, a junior at Virginia Commonwealth University. As they mourn, they should know that Diana's legacy lives on in them and in the many thousands of servicemembers and their families that she selflessly served.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE STATE OF THE UNION DELIVERED TO A JOINT SESSION OF CONGRESS ON JANU- ARY 12, 2016—PM 36

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to lie on the table:

To the Congress of the United States:

Mr. Speaker, Mr. Vice President, Members of Congress, my fellow Americans:

Tonight marks the eighth year I've come here to report on the State of the Union. And for this final one, I'm going to try to make it shorter. I know some of you are antsy to get back to Iowa.

I also understand that because it's an election season, expectations for what

we'll achieve this year are low. Still, Mr. Speaker, I appreciate the constructive approach you and the other leaders took at the end of last year to pass a budget and make tax cuts permanent for working families. So I hope we can work together this year on bipartisan priorities like criminal justice reform, and helping people who are battling prescription drug abuse. We just might surprise the cynics again.

But tonight, I want to go easy on the traditional list of proposals for the year ahead. Don't worry, I've got plenty, from helping students learn to write computer code to personalizing medical treatments for patients. And I'll keep pushing for progress on the work that still needs doing. Fixing a broken immigration system. Protecting our kids from gun violence. Equal pay for equal work, paid leave, raising the minimum wage. All these things still matter to hardworking families; they are still the right thing to do; and I will not let up until they get done.

But for my final address to this chamber, I don't want to talk just about the next year. I want to focus on the next five years, ten years, and beyond.

I want to focus on our future.

We live in a time of extraordinary change—change that's reshaping the way we live, the way we work, our planet and our place in the world. It's change that promises amazing medical breakthroughs, but also economic disruptions that strain working families. It promises education for girls in the most remote villages, but also connects terrorists plotting an ocean away. It's change that can broaden opportunity, or widen inequality. And whether we like it or not, the pace of this change will only accelerate.

America has been through big changes before—wars and depression, the influx of immigrants, workers fighting for a fair deal, and movements to expand civil rights. Each time, there have been those who told us to fear the future; who claimed we could slam the brakes on change, promising to restore past glory if we just got some group or idea that was threatening America under control. And each time, we overcame those fears. We did not, in the words of Lincoln, adhere to the “dogmas of the quiet past.” Instead we thought anew, and acted anew. We made change work for us, always extending America's promise outward, to the next frontier, to more and more people. And because we did—because we saw opportunity where others saw only peril—we emerged stronger and better than before.

What was true then can be true now. Our unique strengths as a nation—our optimism and work ethic, our spirit of discovery and innovation, our diversity and commitment to the rule of law—these things give us everything we

need to ensure prosperity and security for generations to come.

In fact, it's that spirit that made the progress of these past seven years possible. It's how we recovered from the worst economic crisis in generations. It's how we reformed our health care system, and reinvented our energy sector; how we delivered more care and benefits to our troops and veterans, and how we secured the freedom in every state to marry the person we love.

But such progress is not inevitable. It is the result of choices we make together. And we face such choices right now. Will we respond to the changes of our time with fear, turning inward as a nation, and turning against each other as a people? Or will we face the future with confidence in who we are, what we stand for, and the incredible things we can do together?

So let's talk about the future, and four big questions that we as a country have to answer—regardless of who the next President is, or who controls the next Congress.

First, how do we give everyone a fair shot at opportunity and security in this new economy?

Second, how do we make technology work for us, and not against us—especially when it comes to solving urgent challenges like climate change?

Third, how do we keep America safe and lead the world without becoming its policeman?

And finally, how can we make our politics reflect what's best in us, and not what's worst?

Let me start with the economy, and a basic fact: the United States of America, right now, has the strongest, most durable economy in the world. We're in the middle of the longest streak of private-sector job creation in history. More than 14 million new jobs; the strongest two years of job growth since the '90s; an unemployment rate cut in half. Our auto industry just had its best year ever. Manufacturing has created nearly 900,000 new jobs in the past six years. And we've done all this while cutting our deficits by almost three-quarters.

Anyone claiming that America's economy is in decline is peddling fiction. What is true—and the reason that a lot of Americans feel anxious—is that the economy has been changing in profound ways, changes that started long before the Great Recession hit and haven't let up. Today, technology doesn't just replace jobs on the assembly line, but any job where work can be automated. Companies in a global economy can locate anywhere, and face tougher competition. As a result, workers have less leverage for a raise. Companies have less loyalty to their communities. And more and more wealth and income is concentrated at the very top.

All these trends have squeezed workers, even when they have jobs; even

when the economy is growing. It's made it harder for a hardworking family to pull itself out of poverty, harder for young people to start on their careers, and tougher for workers to retire when they want to. And although none of these trends are unique to America, they do offend our uniquely American belief that everybody who works hard should get a fair shot.

For the past seven years, our goal has been a growing economy that works better for everybody. We've made progress. But we need to make more. And despite all the political arguments we've had these past few years, there are some areas where Americans broadly agree.

We agree that real opportunity requires every American to get the education and training they need to land a good-paying job. The bipartisan reform of No Child Left Behind was an important start, and together, we've increased early childhood education, lifted high school graduation rates to new highs, and boosted graduates in fields like engineering. In the coming years, we should build on that progress, by providing Pre-K for all, offering every student the hands-on computer science and math classes that make them job-ready on day one, and we should recruit and support more great teachers for our kids.

And we have to make college affordable for every American. Because no hardworking student should be stuck in the red. We've already reduced student loan payments to ten percent of a borrower's income. Now, we've actually got to cut the cost of college. Providing two years of community college at no cost for every responsible student is one of the best ways to do that, and I'm going to keep fighting to get that started this year.

Of course, a great education isn't all we need in this new economy. We also need benefits and protections that provide a basic measure of security. After all, it's not much of a stretch to say that some of the only people in America who are going to work the same job, in the same place, with a health and retirement package, for 30 years, are sitting in this chamber. For everyone else, especially folks in their forties and fifties, saving for retirement or bouncing back from job loss has gotten a lot tougher. Americans understand that at some point in their careers, they may have to retool and retrain. But they shouldn't lose what they've already worked so hard to build.

That's why Social Security and Medicare are more important than ever; we shouldn't weaken them, we should strengthen them. And for Americans short of retirement, basic benefits should be just as mobile as everything else is today. That's what the Affordable Care Act is all about. It's about filling the gaps in employer-based care

so that when we lose a job, or go back to school, or start that new business, we'll still have coverage. Nearly eighteen million have gained coverage so far. Health care inflation has slowed. And our businesses have created jobs every single month since it became law.

Now, I'm guessing we won't agree on health care anytime soon. But there should be other ways both parties can improve economic security. Say a hardworking American loses his job—we shouldn't just make sure he can get unemployment insurance; we should make sure that program encourages him to retrain for a business that's ready to hire him. If that new job doesn't pay as much, there should be a system of wage insurance in place so that he can still pay his bills. And even if he's going from job to job, he should still be able to save for retirement and take his savings with him. That's the way we make the new economy work better for everyone.

I also know Speaker Ryan has talked about his interest in tackling poverty. America is about giving everybody willing to work a hand up, and I'd welcome a serious discussion about strategies we can all support, like expanding tax cuts for low-income workers without kids.

But there are other areas where it's been more difficult to find agreement over the last seven years—namely what role the government should play in making sure the system's not rigged in favor of the wealthiest and biggest corporations. And here, the American people have a choice to make.

I believe a thriving private sector is the lifeblood of our economy. I think there are outdated regulations that need to be changed, and there's red tape that needs to be cut. But after years of record corporate profits, working families won't get more opportunity or bigger paychecks by letting big banks or big oil or hedge funds make their own rules at the expense of everyone else; or by allowing attacks on collective bargaining to go unanswered. Food Stamp recipients didn't cause the financial crisis; recklessness on Wall Street did. Immigrants aren't the reason wages haven't gone up enough; those decisions are made in the boardrooms that too often put quarterly earnings over long-term returns. It's sure not the average family watching tonight that avoids paying taxes through offshore accounts. In this new economy, workers and startups and small businesses need more of a voice, not less. The rules should work for them. And this year I plan to lift up the many businesses who've figured out that doing right by their workers ends up being good for their shareholders, their customers, and their communities, so that we can spread those best practices across America.

In fact, many of our best corporate citizens are also our most creative.

This brings me to the second big question we have to answer as a country: how do we reignite that spirit of innovation to meet our biggest challenges?

Sixty years ago, when the Russians beat us into space, we didn't deny Sputnik was up there. We didn't argue about the science, or shrink our research and development budget. We built a space program almost overnight, and twelve years later, we were walking on the moon.

That spirit of discovery is in our DNA. We're Thomas Edison and the Wright Brothers and George Washington Carver. We're Grace Hopper and Katherine Johnson and Sally Ride. We're every immigrant and entrepreneur from Boston to Austin to Silicon Valley racing to shape a better world. And over the past seven years, we've nurtured that spirit.

We've protected an open internet, and taken bold new steps to get more students and low-income Americans online. We've launched next-generation manufacturing hubs, and online tools that give an entrepreneur everything he or she needs to start a business in a single day.

But we can do so much more. Last year, Vice President Biden said that with a new moonshot, America can cure cancer. Last month, he worked with this Congress to give scientists at the National Institutes of Health the strongest resources they've had in over a decade. Tonight, I'm announcing a new national effort to get it done. And because he's gone to the mat for all of us, on so many issues over the past forty years, I'm putting Joe in charge of Mission Control. For the loved ones we've all lost, for the family we can still save, let's make America the country that cures cancer once and for all.

Medical research is critical. We need the same level of commitment when it comes to developing clean energy sources.

Look, if anybody still wants to dispute the science around climate change, have at it. You'll be pretty lonely, because you'll be debating our military, most of America's business leaders, the majority of the American people, almost the entire scientific community, and 200 nations around the world who agree it's a problem and intend to solve it.

But even if the planet wasn't at stake; even if 2014 wasn't the warmest year on record—until 2015 turned out even hotter—why would we want to pass up the chance for American businesses to produce and sell the energy of the future?

Seven years ago, we made the single biggest investment in clean energy in our history. Here are the results. In fields from Iowa to Texas, wind power is now cheaper than dirtier, conventional power. On rooftops from Arizona to New York, solar is saving Americans

tens of millions of dollars a year on their energy bills, and employs more Americans than coal—in jobs that pay better than average. We're taking steps to give homeowners the freedom to generate and store their own energy—something environmentalists and Tea Partiers have teamed up to support. Meanwhile, we've cut our imports of foreign oil by nearly sixty percent, and cut carbon pollution more than any other country on Earth.

Gas under two bucks a gallon ain't bad, either.

Now we've got to accelerate the transition away from dirty energy. Rather than subsidize the past, we should invest in the future—especially in communities that rely on fossil fuels. That's why I'm going to push to change the way we manage our oil and coal resources, so that they better reflect the costs they impose on taxpayers and our planet. That way, we put money back into those communities and put tens of thousands of Americans to work building a 21st century transportation system.

None of this will happen overnight, and yes, there are plenty of entrenched interests who want to protect the status quo. But the jobs we'll create, the money we'll save, and the planet we'll preserve—that's the kind of future our kids and grandkids deserve.

Climate change is just one of many issues where our security is linked to the rest of the world. And that's why the third big question we have to answer is how to keep America safe and strong without either isolating ourselves or trying to nation-build everywhere there's a problem.

I told you earlier all the talk of America's economic decline is political hot air. Well, so is all the rhetoric you hear about our enemies getting stronger and America getting weaker. The United States of America is the most powerful nation on Earth. Period. It's not even close. We spend more on our military than the next eight nations combined. Our troops are the finest fighting force in the history of the world. No nation dares to attack us or our allies because they know that's the path to ruin. Surveys show our standing around the world is higher than when I was elected to this office, and when it comes to every important international issue, people of the world do not look to Beijing or Moscow to lead—they call us.

As someone who begins every day with an intelligence briefing, I know this is a dangerous time. But that's not because of diminished American strength or some looming superpower. In today's world, we're threatened less by evil empires and more by failing states. The Middle East is going through a transformation that will play out for a generation, rooted in conflicts that date back millennia. Economic headwinds blow from a Chi-

nese economy in transition. Even as their economy contracts, Russia is pouring resources to prop up Ukraine and Syria—states they see slipping away from their orbit. And the international system we built after World War II is now struggling to keep pace with this new reality.

It's up to us to help remake that system. And that means we have to set priorities.

Priority number one is protecting the American people and going after terrorist networks. Both al Qaeda and now ISIL pose a direct threat to our people, because in today's world, even a handful of terrorists who place no value on human life, including their own, can do a lot of damage. They use the Internet to poison the minds of individuals inside our country; they undermine our allies.

But as we focus on destroying ISIL, over-the-top claims that this is World War III just play into their hands. Masses of fighters on the back of pickup trucks and twisted souls plotting in apartments or garages pose an enormous danger to civilians and must be stopped. But they do not threaten our national existence. That's the story ISIL wants to tell; that's the kind of propaganda they use to recruit. We don't need to build them up to show that we're serious, nor do we need to push away vital allies in this fight by echoing the lie that ISIL is representative of one of the world's largest religions. We just need to call them what they are—killers and fanatics who have to be rooted out, hunted down, and destroyed.

That's exactly what we are doing. For more than a year, America has led a coalition of more than 60 countries to cut off ISIL's financing, disrupt their plots, stop the flow of terrorist fighters, and stamp out their vicious ideology. With nearly 10,000 air strikes, we are taking out their leadership, their oil, their training camps, and their weapons. We are training, arming, and supporting forces who are steadily reclaiming territory in Iraq and Syria.

If this Congress is serious about winning this war, and wants to send a message to our troops and the world, you should finally authorize the use of military force against ISIL. Take a vote. But the American people should know that with or without Congressional action, ISIL will learn the same lessons as terrorists before them. If you doubt America's commitment—or mine—to see that justice is done, ask Osama bin Laden. Ask the leader of al Qaeda in Yemen, who was taken out last year, or the perpetrator of the Benghazi attacks, who sits in a prison cell. When you come after Americans, we go after you. It may take time, but we have long memories, and our reach has no limit.

Our foreign policy must be focused on the threat from ISIL and al Qaeda, but

it can't stop there. For even without ISIL, instability will continue for decades in many parts of the world—in the Middle East, in Afghanistan and Pakistan, in parts of Central America, Africa and Asia. Some of these places may become safe havens for new terrorist networks; others will fall victim to ethnic conflict, or famine, feeding the next wave of refugees. The world will look to us to help solve these problems, and our answer needs to be more than tough talk or calls to carpet bomb civilians. That may work as a TV sound bite, but it doesn't pass muster on the world stage.

We also can't try to take over and rebuild every country that falls into crisis. That's not leadership; that's a recipe for quagmire, spilling American blood and treasure that ultimately weakens us. It's the lesson of Vietnam, of Iraq—and we should have learned it by now.

Fortunately, there's a smarter approach, a patient and disciplined strategy that uses every element of our national power. It says America will always act, alone if necessary, to protect our people and our allies; but on issues of global concern, we will mobilize the world to work with us, and make sure other countries pull their own weight.

That's our approach to conflicts like Syria, where we're partnering with local forces and leading international efforts to help that broken society pursue a lasting peace.

That's why we built a global coalition, with sanctions and principled diplomacy, to prevent a nuclear-armed Iran. As we speak, Iran has rolled back its nuclear program, shipped out its uranium stockpile, and the world has avoided another war.

That's how we stopped the spread of Ebola in West Africa. Our military, our doctors, and our development workers set up the platform that allowed other countries to join us in stamping out that epidemic.

That's how we forged a Trans-Pacific Partnership to open markets, protect workers and the environment, and advance American leadership in Asia. It cuts 18,000 taxes on products Made in America, and supports more good jobs. With TPP, China doesn't set the rules in that region, we do. You want to show our strength in this century? Approve this agreement. Give us the tools to enforce it.

Fifty years of isolating Cuba had failed to promote democracy, setting us back in Latin America. That's why we restored diplomatic relations, opened the door to travel and commerce, and positioned ourselves to improve the lives of the Cuban people. You want to consolidate our leadership and credibility in the hemisphere? Recognize that the Cold War is over. Lift the embargo.

American leadership in the 21st century is not a choice between ignoring

the rest of the world—except when we kill terrorists; or occupying and rebuilding whatever society is unraveling. Leadership means a wise application of military power, and rallying the world behind causes that are right. It means seeing our foreign assistance as part of our national security, not charity. When we lead nearly 200 nations to the most ambitious agreement in history to fight climate change—that helps vulnerable countries, but it also protects our children. When we help Ukraine defend its democracy, or Colombia resolve a decades-long war, that strengthens the international order we depend upon. When we help African countries feed their people and care for the sick, that prevents the next pandemic from reaching our shores. Right now, we are on track to end the scourge of HIV/AIDS, and we have the capacity to accomplish the same thing with malaria—something I'll be pushing this Congress to fund this year.

That's strength. That's leadership. And that kind of leadership depends on the power of our example. That is why I will keep working to shut down the prison at Guantanamo: it's expensive, it's unnecessary, and it only serves as a recruitment brochure for our enemies.

That's why we need to reject any politics that targets people because of race or religion. This isn't a matter of political correctness. It's a matter of understanding what makes us strong. The world respects us not just for our arsenal; it respects us for our diversity and our openness and the way we respect every faith. His Holiness, Pope Francis, told this body from the very spot I stand tonight that “to imitate the hatred and violence of tyrants and murderers is the best way to take their place.” When politicians insult Muslims, when a mosque is vandalized, or a kid bullied, that doesn't make us safer. That's not telling it like it is. It's just wrong. It diminishes us in the eyes of the world. It makes it harder to achieve our goals. And it betrays who we are as a country.

“We the People.” Our Constitution begins with those three simple words, words we've come to recognize mean all the people, not just some; words that insist we rise and fall together. That brings me to the fourth, and maybe the most important thing I want to say tonight.

The future we want—opportunity and security for our families; a rising standard of living and a sustainable, peaceful planet for our kids—all that is within our reach. But it will only happen if we work together. It will only happen if we can have rational, constructive debates.

It will only happen if we fix our politics.

A better politics doesn't mean we have to agree on everything. This is a big country, with different regions and attitudes and interests. That's one of

our strengths, too. Our Founders distributed power between states and branches of government, and expected us to argue, just as they did, over the size and shape of government, over commerce and foreign relations, over the meaning of liberty and the imperatives of security.

But democracy does require basic bonds of trust between its citizens. It doesn't work if we think the people who disagree with us are all motivated by malice, or that our political opponents are unpatriotic. Democracy grinds to a halt without a willingness to compromise; or when even basic facts are contested, and we listen only to those who agree with us. Our public life withers when only the most extreme voices get attention. Most of all, democracy breaks down when the average person feels their voice doesn't matter; that the system is rigged in favor of the rich or the powerful or some narrow interest.

Too many Americans feel that way right now. It's one of the few regrets of my presidency—that the rancor and suspicion between the parties has gotten worse instead of better. There's no doubt a president with the gifts of Lincoln or Roosevelt might have better bridged the divide, and I guarantee I'll keep trying to be better so long as I hold this office.

But, my fellow Americans, this cannot be my task—or any President's—alone. There are a whole lot of folks in this chamber who would like to see more cooperation, a more elevated debate in Washington, but feel trapped by the demands of getting elected. I know; you've told me. And if we want a better politics, it's not enough to just change a Congressman or a Senator or even a President; we have to change the system to reflect our better selves.

We have to end the practice of drawing our congressional districts so that politicians can pick their voters, and not the other way around. We have to reduce the influence of money in our politics, so that a handful of families and hidden interests can't bankroll our elections—and if our existing approach to campaign finance can't pass muster in the courts, we need to work together to find a real solution. We've got to make voting easier, not harder, and modernize it for the way we live now. And over the course of this year, I intend to travel the country to push for reforms that do.

But I can't do these things on my own. Changes in our political process—in not just who gets elected but how they get elected—that will only happen when the American people demand it. It will depend on you. That's what's meant by a government of, by, and for the people.

What I'm asking for is hard. It's easier to be cynical; to accept that change isn't possible, and politics is hopeless, and to believe that our voices and actions don't matter. But if we give up

now, then we forsake a better future. Those with money and power will gain greater control over the decisions that could send a young soldier to war, or allow another economic disaster, or roll back the equal rights and voting rights that generations of Americans have fought, even died, to secure. As frustration grows, there will be voices urging us to fall back into tribes, to scapegoat fellow citizens who don't look like us, or pray like us, or vote like we do, or share the same background.

We can't afford to go down that path. It won't deliver the economy we want, or the security we want, but most of all, it contradicts everything that makes us the envy of the world.

So, my fellow Americans, whatever you may believe, whether you prefer one party or no party, our collective future depends on your willingness to uphold your obligations as a citizen. To vote. To speak out. To stand up for others, especially the weak, especially the vulnerable, knowing that each of us is only here because somebody, somewhere, stood up for us. To stay active in our public life so it reflects the goodness and decency and optimism that I see in the American people every single day.

It won't be easy. Our brand of democracy is hard. But I can promise that a year from now, when I no longer hold this office, I'll be right there with you as a citizen—inspired by those voices of fairness and vision, of grit and good humor and kindness that have helped America travel so far. Voices that help us see ourselves not first and foremost as black or white or Asian or Latino, not as gay or straight, immigrant or native born; not as Democrats or Republicans, but as Americans first, bound by a common creed. Voices Dr. King believed would have the final word—voices of unarmed truth and unconditional love.

They're out there, those voices. They don't get a lot of attention, nor do they seek it, but they are busy doing the work this country needs doing.

I see them everywhere I travel in this incredible country of ours. I see you. I know you're there. You're the reason why I have such incredible confidence in our future. Because I see your quiet, sturdy citizenship all the time.

I see it in the worker on the assembly line who clocked extra shifts to keep his company open, and the boss who pays him higher wages to keep him on board.

I see it in the Dreamer who stays up late to finish her science project, and the teacher who comes in early because he knows she might someday cure a disease.

I see it in the American who served his time, and dreams of starting over—and the business owner who gives him that second chance. The protester determined to prove that justice matters,

and the young cop walking the beat, treating everybody with respect, doing the brave, quiet work of keeping us safe.

I see it in the soldier who gives almost everything to save his brothers, the nurse who tends to him 'til he can run a marathon, and the community that lines up to cheer him on.

It's the son who finds the courage to come out as who he is, and the father whose love for that son overrides everything he's been taught.

I see it in the elderly woman who will wait in line to cast her vote as long as she has to; the new citizen who casts his for the first time; the volunteers at the polls who believe every vote should count, because each of them in different ways know how much that precious right is worth.

That's the America I know. That's the country we love. Clear-eyed. Big-hearted. Optimistic that unarmed truth and unconditional love will have the final word. That's what makes me so hopeful about our future. Because of you. I believe in you. That's why I stand here confident that the State of our Union is strong.

Thank you, God bless you, and God bless the United States of America.

BARACK OBAMA.

THE WHITE HOUSE, January 12, 2016.

MESSAGE FROM THE HOUSE

At 10:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 1115. An act to close out expired grants.

S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 598. An act to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

H.R. 653. An act to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes.

H.R. 1069. An act to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

H.R. 1777. An act to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes.

H.R. 3231. An act to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harass-

ment and discrimination, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 653. An act to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes; to the Committee on the Judiciary.

H.R. 1777. An act to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4003. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinetoram; Pesticide Tolerances" (FRL No. 9933-39-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4004. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propiconazole; Pesticide Tolerances" (FRL No. 9940-01-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4005. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0682)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4006. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-3783)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4007. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-1048)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4029. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Registration and Marking Requirements for Small Unmanned Aircraft" (RIN2120-AK82) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4030. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE274) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4031. A communication from the Federal Register Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Protective Services Enforcement" (RIN2700-AE24) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4032. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Electronic Logging Devices and Hours of Service Supporting Documents" (RIN2126-AB20) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4033. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Improvements to Benchmarks and Related Requirements Governing Hearing Aid-Compatible Mobile Handsets and Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets" (WT Docket No. 15-285 and WT Docket No. 07-250) (FCC 15-155) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4034. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Telemarketing Sales Rule" (RIN3084-AB19) received in the Office of the President of the Senate on December 17, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4035. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Network Penetration Reporting and Contracting for Cloud Services" (RIN0750-AI61) (DFARS Case 2013-D018) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Armed Services.

EC-4036. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Taxes—Foreign Contracts in Afghanistan" (RIN0750-AI26) (DFARS Case 2014-D003) received during adjournment

of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Armed Services.

EC-4037. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Trade Agreements Thresholds" (RIN0750-AI79) (DFARS Case 2016-D003) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Armed Services.

EC-4038. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-4039. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Russian Sanctions: Addition of Certain Persons to the Entity List" (RIN0694-AG64) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-4040. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cyber-Related Sanctions Regulations" (31 CFR Part 578) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-4041. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation as an emergency requirement all funding so designated by the Congress in the Consolidated Appropriations Act, 2016, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the following accounts: "International Monetary Programs—United States Quota, International Monetary Fund—Direct Loan Program Account" and "Loans to the International Monetary Fund—Direct Loan Program Account"; to the Committee on the Budget.

EC-4042. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation of funding for Overseas Contingency Operations/Global War on Terrorism; to the Committee on the Budget.

EC-4043. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's competitive sourcing efforts for fiscal year 2015; to the Committee on Commerce, Science, and Transportation.

EC-4044. A communication from the Acting Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules for Interstate Inmate Calling Services" (RIN3060-AK08) (FCC 15-136) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4045. A communication from the Senior Assistant Chief Counsel for Hazmat Safety Law, Pipeline and Hazardous Materials Safety Administration, Department of Transpor-

tation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Requirements for the Safe Transportation of Bulk Explosives (RRR)" (RIN2137-AE86) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4046. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Passenger Train Exterior Side Door Safety" (RIN2130-AC34) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-4047. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report entitled "Assessment of Demand Response and Advanced Metering"; to the Committee on Energy and Natural Resources.

EC-4048. A communication from the Federal Register Certifying Officer, Bureau of the Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing United States Savings Bonds" (RIN1530-AA11) (31 CFR Parts 315, 353, and 360) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Finance.

EC-4049. A communication from the Federal Register Certifying Officer, Bureau of the Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Debt Collection Authorities Under the Debt Collection Improvement Act of 1996" (RIN1530-AA12) (31 CFR Part 285) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Finance.

EC-4050. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Payout Requirements for Type III Supporting Organization That Are Not Functionally Integrated" (RIN1545-BL44) (TD 9746) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-4051. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2015 Cumulative List of Changes in Plan Qualification Requirements" (Notice 2015-84) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-4052. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Claiming the Health Coverage Tax Credit for 2014 and 2015" (Notice 2016-02) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-4053. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Minimum Value of Eligible Employer-Sponsored Plans and Other Rules Regarding the Health Insurance

Premium Tax Credit" (RIN1545-BL43) (TD 9745)) received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2016; to the Committee on Finance.

EC-4054. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2013 Scientific and Clinical Status of Organ Transplantation"; to the Committee on Health, Education, Labor, and Pensions.

EC-4055. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Health Service Corps Report to the Congress for the Year 2014"; to the Committee on Health, Education, Labor, and Pensions.

EC-4056. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Coordination of Federal HIV Programs for Fiscal Years 2009-2013"; to the Committee on Health, Education, Labor, and Pensions.

EC-4057. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2011 Report to Congress on the Assets for Independence Program"; to the Committee on Health, Education, Labor, and Pensions.

EC-4058. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Prevention and Reduction of Underage Drinking"; to the Committee on Health, Education, Labor, and Pensions.

EC-4059. A communication from the Vice President (Acting) for Congressional and Public Affairs, Millennium Challenge Corporation, transmitting, pursuant to law, the Corporation's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4060. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Definition of 'Multiple-Award Contract'" (RIN9000-AM96) (FAC 2005-86)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4061. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Trade Agreement Thresholds" (RIN9000-AN16) (FAC 2005-86)) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4062. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Entity Compliance Guide" (FAC 2005-86) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4063. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Introduction" (FAC 2005-86) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4064. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Trademark Classification Changes" (RIN0651-AD06) received during adjournment of the Senate in the Office of the President of the Senate on December 30, 2015; to the Committee on the Judiciary.

EC-4065. A communication from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2015; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-126. A joint resolution adopted by the Legislature of the State of Illinois applying to the United States Congress, pursuant to Article V of the Constitution of the United States, for the calling of a convention for proposing amendments; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 42

Whereas, The first President of the United States, George Washington, stated in his Farewell Address: "The basis of our political systems is the right of the people to make and to alter their Constitutions of Government."; and

Whereas, It was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be "dependent on the people alone" (James Madison, *Federalist* 52); and

Whereas, That dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections, through campaigns or third-party groups; and

Whereas, The United States Supreme Court ruling in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), removed restrictions on amounts of independent political spending; and

Whereas, Article V of the United States Constitution requires the United States Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; and

Whereas, The State of Illinois sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in *Citizens United v. Federal Election Commission* and related cases and events, including those occurring long before or afterward, or for a substantially similar purpose, and desires that the convention should be so limited; and

Whereas, The State of Illinois desires that the delegates to the convention shall be com-

prised equally from individuals currently elected to State and local office, or be selected by election in each Congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the Convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed above; and

Whereas, The State of Illinois intends that this be a continuing application, considered together with applications calling for a convention currently pending in the 188th Massachusetts legislature as S.1727 and H.3190, the 2013-2014 Vermont legislature as J.R.S. 27, and the 2013-2014 California legislature as AJR 1, and all other passed, pending, and future applications, the aforementioned concerns of Illinois notwithstanding until such time as two-thirds of the several states have applied for a Convention and that Convention is convened by Congress; Now, therefore, be it

Resolved, by the Senate of the Ninety-Eighth General Assembly of the State of Illinois, the House Of Representatives concurring herein, that we, the legislature of the State of Illinois, hereby make application to the Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention for proposing amendments; and be it further

Resolved, That this application shall be deemed an application for a convention to address each and any of the subjects listed in this resolution; for purposes of determining whether two-thirds of the states have applied for a convention addressing any subject, this application is to be aggregated with the applications of any other state legislatures limited to one or more of the subjects listed in this resolution; and be it further

Resolved, That this resolution constitutes a continuing application and remains in effect until rescission by any sitting session of the legislature of this State; this application does not constitute a recognition that any particular activity or activities currently undertaken by the federal government is or are authorized by the Constitution; and be it further

Resolved, That suitable copies of this resolution be delivered to the President and Secretary of the United States Senate, the Speaker and Clerk of the House of Representatives of the United States Congress, and the Archivist of the United States; to the members of the United States Senate and House of Representatives from this State; and to the presiding officers of each of the legislative chambers in the several states, requesting their cooperation.

POM-127. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Senate to concur with the United States House of Representatives and repeal the country-of-origin labeling regulations; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 184

Whereas, The United States and Canada have the largest trading relationship in the world, with bilateral trade valued at \$759 billion in 2014, an association that benefits the economies of both countries. Michigan's merchandise exports to Canada in 2014 were valued at \$25.4 billion, and 259,000 Michigan jobs depend on trade and investment with Canada; and

Whereas, The U.S. has implemented mandatory country-of-origin labeling (COOL) rules requiring meats sold at retail stores to

be labeled with information on the source of the meat. The World Trade Organization (WTO) has repeatedly ruled that COOL discriminates against imported livestock and is not compliant with international trade obligations. Due to the WTO rulings, the U.S. may be subject to \$3.6 billion in retaliatory tariffs sought by Canada and Mexico; and

Whereas, COOL regulations also jeopardize the viability of the U.S. packing and feeding industries. The additional \$500 million in annual compliance costs could lead to significant job losses and plant closures with potentially devastating impacts to local and state economies. All this for an issue the United States Department of Agriculture has clearly indicated is not about food safety; and

Whereas, The U.S. House of Representatives passed H.R. 2393 to repeal the mandatory labeling for certain meats in June 2015 with 300 votes, showing a strong recognition across party lines, as well as regionally, that COOL must be repealed. However, the U.S. Senate appears less inclined to repeal the COOL requirement, risking the American economy to billions of dollars in retaliatory tariffs; Now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Senate to concur with the United States House of Representatives and repeal the country-of-origin labeling regulations; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and the members of the Michigan congressional delegation.

POM-128. A petition by a citizen from the State of Texas urging the United States Congress to propose an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not immunize the President of the United States from any process of involuntary removal from the office of President that is contained within the Constitution; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2021. A bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes (Rept. No. 114-200).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

S. 1579. A bill to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States (Rept. No. 114-201).

S. 1761. A bill to take certain Federal land located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes (Rept. No. 114-202).

By Mr. BARRASSO, from the Committee on Indian Affairs, with an amendment:

S. 1822. A bill to take certain Federal land located in Tuolumne County, California, into

trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes (Rept. No. 114-203).

By Mr. BARRASSO, from the Committee on Indian Affairs, without amendment:

H.R. 387. A bill to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes (Rept. No. 114-204).

H.R. 487. A bill to allow the Miami Tribe of Oklahoma to lease or transfer certain lands (Rept. No. 114-205).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Robert McKinnon Califf, of South Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services.

By Mr. ISAKSON for the Committee on Veterans' Affairs.

Michael Joseph Missal, of Maryland, to be Inspector General, Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN:

S. 2438. A bill to amend titles XI and XIX of the Social Security Act to establish a comprehensive and nationwide system to evaluate the quality of care provided to beneficiaries of Medicaid and the Children's Health Insurance Program and to provide incentives for voluntary quality improvement; to the Committee on Finance.

By Mr. BURN (for himself, Mr. ISAKSON, Mr. ENZI, and Mr. HELLER):

S. 2439. A bill to amend the Internal Revenue Code of 1986 to prohibit the Commissioner of the Internal Revenue Service from rehiring any employee of the Internal Revenue Service who was involuntarily separated from service for misconduct; to the Committee on Finance.

By Mr. DAINES (for himself and Mr. TESTER):

S. 2440. A bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO:

S. 2441. A bill to provide that certain Cuban entrants are ineligible to receive refugee assistance, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 2442. A bill to authorize the use of passenger facility charges at an airport pre-

viously associated with the airport at which the charges are collected; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN:

S. 2443. A bill to support the establishment of a Standards Coordinating Body in Regenerative Medicine and Advanced Therapies; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself and Mr. WHITEHOUSE):

S. Res. 344. A resolution expressing the Sense of the Senate regarding the use of electronic devices on the floor of the Senate; to the Committee on Rules and Administration.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. Res. 345. A resolution congratulating the North Dakota State University football team for winning the 2015 National Collegiate Athletic Association Division I Football Championship Subdivision title; considered and agreed to.

ADDITIONAL COSPONSORS

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 358

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 358, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 553

At the request of Mr. CORKER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 681, a bill to amend title 38,

United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 697

At the request of Mr. UDALL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 793

At the request of Ms. WARREN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 793, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 1061

At the request of Ms. HIRONO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1061, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1106

At the request of Mr. WARNER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1106, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award Early College Federal Pell Grants.

S. 1214

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1771

At the request of Mr. DAINES, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1771, a bill to amend the Internal Revenue Code of 1986 to exempt Indian tribal governments and other tribal entities from the employer health coverage mandate.

S. 1774

At the request of Mr. BLUMENTHAL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1774, a bill to amend title 11 of the United States Code to treat Puerto Rico as a State for purposes of chapter 9 of such title relating to the adjustment of debts of municipalities.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 1945

At the request of Mr. CASSIDY, the names of the Senator from Illinois (Mr. KIRK) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1945, a bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes.

S. 1951

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1951, a bill to amend the Help America Vote Act of 2002 to require the availability of early voting or no-excuse absentee voting.

S. 2144

At the request of Mr. GARDNER, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 2144, *supra*.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2312

At the request of Mr. THUNE, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 2312, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs.

S. 2370

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2370, a bill to prohibit the Internal Revenue

Service from modifying or amending the standards and regulations governing the substantiation of charitable contributions.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2398

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2398, a bill to provide benefits and services to workers who have lost their jobs or have experienced a reduction in wages or hours due to the transition to clean energy, to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes.

S. 2429

At the request of Ms. AYOTTE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2429, a bill to require a report on the military dimensions of Iran's nuclear program and to prohibit the provision of sanctions relief to Iran until Iran has verifiably ended all military dimensions of its nuclear program, and for other purposes.

S. 2437

At the request of Ms. MIKULSKI, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

S.J. RES. 21

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 25

At the request of Mr. FLAKE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S.J. Res. 25, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Administrator of the Environmental Protection Agency relating to "National Ambient Air Quality Standards for Ozone".

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mr. TESTER):

S. 2440. A bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, in 2005, the Federal Government enacted the REAL ID Act, imposing Federal standards established by the Department of Homeland Security to the production and issuance of States' driver's licenses and identification cards.

This law was an underfunded, top down, Federal mandate, infringing on personal privacy and State sovereignty. Furthermore, a REAL ID compliant State ID will be required for all "official federal purposes," including boarding commercial aircraft.

Twenty States have implemented laws prohibiting the implementation of REAL ID. Montana led opposition to this Federal mandate. In 2007, Montana enacted a law, after both chambers of the State legislature unanimously passing legislation, refusing to comply.

That is why I am re-introducing the Repeal ID Act—to allow Montana and other States to implement their laws. Consistent with the Montana State legislature, this legislation will repeal the REAL ID Act of 2005.

Montanans are fully aware of the power that big data holds and the consequences when that data is abused. Montana has shown how States are best equipped to make licenses secure, without sacrificing the privacy and rights of their citizens. The Repeal ID Act will allow us to strike a balance that protects our national security, while also safeguarding Montanans' civil liberties and personal privacy.

I want to thank Senator TESTER for being original cosponsors of this bill and I ask my other Senate colleagues to join us in support of this legislation. I want to also thank Representative ZINKE for leading introduction of companion legislation in the House of Representatives.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2440

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Repeal ID Act of 2016".

SEC. 2. REPEAL OF REQUIREMENTS FOR UNIFORM STATE DRIVER'S LICENSES AND STATE IDENTIFICATION CARDS.

(a) REPEAL.—Title II of the Real ID Act of 2005 (division B of Public Law 109-13) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) CRIMINAL CODE.—Section 1028(a)(8) of title 18, United States Code, is amended by striking "false or actual authentication features" and inserting "false identification features".

(2) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) is amended to read as it did on the day before the date of the enactment of the Real ID Act of 2005.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 344—EX-
PRESSING THE SENSE OF THE
SENATE REGARDING THE USE
OF ELECTRONIC DEVICES ON
THE FLOOR OF THE SENATE

Mr. ENZI (for himself and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 344

Resolved, That it is the Sense of the Senate that—

(1) certain uses of electronic devices by Senators on the floor of the Senate are necessary and proper in the conduct of official Senate business, would not distract, interrupt, or inconvenience the business of Members of the Senate, and should therefore be permissible, including—

(A) delivering floor remarks from text displayed on personal digital assistant devices and tablet computers;

(B) reviewing and editing documents on personal digital assistant devices and tablet computers while seated or standing at a desk, except when the Senator who wishes to use the device holds the floor or seeks to be recognized; and

(C) sending email and other data communication using personal digital assistant devices and tablet computers while seated or standing at a desk, except when the Senator who wishes to use the device holds the floor or seeks to be recognized;

(2) necessary and proper uses of electronic devices on the floor of the Senate do not include—

(A) transmitting sound for any purpose other than through earphones or in such a manner as would not disturb proceedings on the floor of the Senate for the purpose of assisting a person with a disability;

(B) using telephones or other devices for voice communication; or

(C) using desktop computers, laptop computers, or other large devices;

(3) the Committee on Rules and Administration should consider an amendment to the Rules for the Regulation of the Senate Wing consistent with the principles stated above; and

(4) any amendment to the Rules for the Regulation of the Senate Wing should take into account possible future changes in technology.

SENATE RESOLUTION 345—CON-
GRATULATING THE NORTH DA-
KOTA STATE UNIVERSITY FOOT-
BALL TEAM FOR WINNING THE
2015 NATIONAL COLLEGIATE ATH-
LETIC ASSOCIATION DIVISION I
FOOTBALL CHAMPIONSHIP SUB-
DIVISION TITLE

Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted the following resolution; which was considered and agreed to:

S. RES. 345

Whereas the North Dakota State University (referred to in this preamble as "NDSU") Bison won the 2015 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Football Championship Subdivision title game in Frisco, Texas, on January 9, 2016, in a decisive victory over the Jacksonville State Gamecocks by a score of 37 to 10;

Whereas NDSU has now won 13 NCAA Football Championships;

Whereas NDSU has now won 5 consecutive NCAA Division I Football Championships, an extraordinary and record-setting achievement in modern collegiate football history;

Whereas the NDSU Bison have displayed tremendous resilience and skill over the past 5 seasons, with 71 wins to only 5 losses, including a streak of 33 consecutive wins;

Whereas an estimated 17,000 Bison fans attended the Championship game, reflecting the tremendous spirit and dedication of Bison Nation that has helped propel the success of the team; and

Whereas the 2015 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the North Dakota State University Bison football team as the 2015 champions of the National Collegiate Athletic Association Division I Football Championship Subdivision;

(2) commends the North Dakota State University players, coaches, and staff for—

(A) their hard work and dedication on a historic season; and

(B) fostering a continuing tradition of athletic and academic excellence; and

(3) recognizes the students, alumni, and loyal fans that supported the Bison while the Bison sought to capture a fifth consecutive Division I Football Championship Subdivision trophy for North Dakota State University.

AMENDMENTS SUBMITTED AND
PROPOSED

SA 2944. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2232, to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2944. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2232, to require a full audit of the Board of Governors of the Federal Reserve System and the

Federal reserve banks by the Comptroller General of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . REPEAL OF DUPLICATIVE MANDATORY INSPECTION PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 12, 2016, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 12, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on January 12, 2016, at 2:30 p.m., in room S-216 of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 12, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that at 5 p.m. on Tuesday, January 19, the Senate proceed to executive session to consider the following nomination: Calendar No. 305; that there then be 30 minutes of debate on the nomination;

that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 345, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 345) congratulating the North Dakota State University football team for winning the 2015 National Collegiate Athletic Association Division I Football Championship Subdivision title.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 345) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDER FOR RECESS AND ORDERS FOR FRIDAY, JANUARY 15, 2016, AND TUESDAY, JANUARY 19, 2016

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate recess until 8:25 p.m. tonight and upon reconvening proceed as a body to the Hall of the House of Representatives for the joint session of Congress provided under the provisions of H. Con. Res. 102; that upon dissolution of the joint session, the Senate adjourn until 11 a.m., Friday, January 15, for a pro forma session only, with no business conducted; further, that when the Senate adjourns on Friday, January 15, it next convene on Tuesday, January 19, at 2 p.m.; that following the prayer and pledge, the morning hour be

deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 5 p.m.; finally, that at 5 p.m., the Senate then proceed to executive session as under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 8:25 p.m. tonight.

Thereupon, the Senate, at 4:55 p.m., recessed until 8:25 p.m. and reassembled when called to order by the Presiding Officer (Mr. ROUNDS).

JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The PRESIDING OFFICER. The Senate will now proceed as a body to the Hall of the House of Representatives to hear the address by the President of the United States.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, James Morhard; the Secretary of the Senate, Julie E. Adams; and the Vice President of the United States, JOSEPH R. BIDEN, JR., proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, Barack H. Obama.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

ADJOURNMENT UNTIL FRIDAY, JANUARY 15, 2016, AT 11 A.M.

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 10:17 p.m., the Senate adjourned until Friday, January 15, 2016, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DONALD KARL SCHOTT, OF WISCONSIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE TERENCE T. EVANS, DECEASED.

MYRA C. SELBY, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE JOHN DANIEL TINDER, RETIRED.

WINFIELD D. ONG, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF INDIANA, VICE SARAH EVANS BARKER, RETIRED.

HOUSE OF REPRESENTATIVES—Tuesday, January 12, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAMALFA).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 12, 2016.

I hereby appoint the Honorable DOUG LAMALFA to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

VOTING RIGHTS ACTIVIST SHEYANN WEBB-CHRISTBURG JOINS CONGRESSWOMAN SEWELL AT PRESIDENT OBAMA'S FINAL STATE OF THE UNION ADDRESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise on Restoration Tuesday to honor my guest to tonight's State of the Union Address. Ms. Sheyann Webb-Christburg of Montgomery, Alabama, will be joining me as my special guest to President Obama's final State of the Union Address.

Sheyann was 8 years old and was one of the youngest foot soldiers who marched from Selma to Montgomery. I believe that Sheyann is the embodiment of the struggle for voting rights equality in Alabama and in America.

On this Restoration Tuesday, it is my sincere hope that her presence will remind us of the modern-day fight for ensuring that every American citizen has access to the ballot box.

At an early age, Sheyann recognized that America had failed to live up to its own promise by depriving African

Americans of their sacred right to vote. Sheyann's bravery reminded those around her that they are fighting for the next generation—her generation—as fervently as they were fighting for their own. Her courage also made it possible for me to represent our hometown of Selma in Congress.

On a personal level, I am thankful to call Sheyann my friend and mentor. She was my childhood babysitter, so I literally grew up in her shadow.

Her presence at President Obama's final State of the Union should once again remind us of the gravity of our responsibility to protect the vote for all Americans. Since the civil rights era ended, there are now modern-day barriers to voting. Since the Supreme Court struck down section 4 of the Voting Rights Act of 1965 in 2013, my office has made restoring this critically important section one of our top priorities.

For the past 3 years, my State of the Union guest has represented a different aspect of the voting rights movement:

In 2014, my guest to the State of the Union was Selma's mayor, George Evans. As mayor of the birthplace of the Voting Rights Act, he represented the dynamic role Selma and her leaders have played in the fight for voter equality.

In 2015, I invited the 104-year-old Amelia Boynton Robinson as my guest to the State of the Union. As the matriarch of the voting rights movement, Amelia challenged an unfair and unjust system that kept African Americans from exercising their constitutionally protected right to vote. I will always cherish the time we spent together when she honored me as my special guest.

I think it is befitting that since last year my special guest was the oldest living foot soldier, that my guest this year would be the youngest living foot soldier—Sheyann Webb.

All of these individuals have paved the way for me to accomplish all that I have today, and I am forever grateful. Their legacy should inspire us not to take for granted the very sacred vote, and that is the right to vote. Their sacrifices remind us that there is much more work to be done, and my hope is that this Chamber will take on the challenge of doing that work.

We should try to restore the Voting Rights Act of 1965. I think that our work begins even today. I hope that Sheyann Webb, as my special guest to the State of the Union, will remind all of us that it is really important that we protect the sacred right to vote.

DANGERS OF PRESIDENT OBAMA'S RECKLESS REFUGEE RESETTLEMENT AGENDA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I rise today to shed more light on President Obama's reckless refugee resettlement agenda and the danger that it poses to Americans.

In my office, we are getting many calls about this as you hear about the new plans that he has and also as our constituents watch the news of what is happening in Germany and what is happening in other communities. Let me cite just a couple of examples.

Last week, according to The Wall Street Journal and numerous media outlets, two refugees from Iraq were arrested for making false statements involving terrorism. These arrests took place one in California and one in Texas.

In the California arrest, one refugee came to the U.S. in 2012 and subsequently traveled to Syria in November 2013. He bragged in social media posts about fighting alongside terrorist groups such as Ansar al-Islam. This refugee returned to the U.S. a few months later. When interviewed by the FBI in October 2014, he denied being a part of any extremist group and denied providing materiel support to terrorists.

What we found in Texas is this. The refugee was charged on three counts: attempting to provide materiel support to the Islamic State, procuring citizenship or naturalization unlawfully, and making false statements.

This is precisely why President Obama's plan to admit thousands of additional Syrian refugees into the country at a time of heightened jihadist threats and the San Bernardino massacre is beyond reckless and is dangerous to our communities.

There is no way to vet the refugees that are coming from Syria and Iraq and verify that they are the person represented on the documents that they carry. Are the documents false, or is the person who they say they are or someone else? It proves what many have been saying for months about Islamic extremists: they can and will exploit the refugee program.

These arrests showcase what is so painfully obvious to the American people: the President's agenda is endangering our national security, and it is costing our hardworking taxpayers millions of dollars.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Let me ask you a few questions:

Do you feel more or less safe than you did 8 years ago?

Do you fear the attack of terrorism in your community?

Do you question your safety when you go to a public event?

How does the President's foreign policy and our national security affect where you work and where you live?

How can the administration be so naive?

How can the administration continue to put partisan politics over the safety of the American people?

How can the administration continually refuse to name our enemy?

Yes, we are at war with radical Islamic extremism. We must confront the danger of radical extremism and check the President's irresponsible resettlement agenda.

I want to mention H.R. 4218. It is legislation that I drafted and introduced with Representatives BARLETTA, DESJARLAIS, and LAMAR SMITH. Under the bill, no funding would be made available for refugee resettlement operations until four conditions are met:

Number one, Congress passes a joint resolution approving of the President's refugee resettlement plan;

Number two, CBO provides a report to Congress scoring the long-term cost of the program;

Number three, DHS submits a report identifying all terrorists and criminal activity connected to refugees since 2001;

And number four, the President submits a report to Congress on the prior year's cost of admitting refugees and proposes offset spending cuts to pay for the resettlement program.

We must halt the President's refugee resettlement operations. It is simply too dangerous, and we cannot afford the risk to our Nation's security.

HUMAN TRAFFICKING MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. BASS) for 5 minutes.

Ms. BASS. Mr. Speaker, January is Human Trafficking Month, and I rise today to continue to be a voice for the countless victims of human trafficking in the United States.

If we, as Members of Congress, want to truly address the sex trafficking epidemic, we must face the facts. We must acknowledge and address the direct link between children in the foster care system and children who become victims of sex trafficking. For far too many children, the foster care system is an unwitting gateway to sex trafficking. This is a nationwide issue that requires a Federal response.

In 2010, 59 percent of the children arrested on prostitution-related charges in L.A. County were in the foster care system. A 2007 report from the U.S. Department of Justice found that 85 per-

cent of identified child sex trafficking victims in New York State also had contact with the child welfare system. Further, according to the FBI, an estimated 70 percent of child sex trafficking victims in Florida had histories with the child welfare system.

Children in the foster care system are our children. When they fall victim to trafficking, it means that all of us have failed. To help all victims of trafficking, including foster youth, we must change our mindset on how we address this horrific crime.

A child who cannot consent to sex should never be called a prostitute. The men who prey on them are not johns; they are child molesters.

"T" Ortiz Walker Pettigrew is a former foster care youth who became a sex trafficking victim. When she was 15 and still in foster care, "T," as she is called, was arrested for prostitution. While serving time in juvenile hall, she discovered that more than half of the girls serving with her were also charged with solicitation and, like her, forced to sell themselves.

She described her treatment in juvenile hall as how you would treat a dog in a kennel. She was put in a box and kept waiting. She was treated like a criminal and did not receive any counseling or support services. Because she was punished and not helped, she was arrested again when she was 16 years old, and she spent her 17th birthday in juvenile hall.

I am grateful that she found the strength and support to escape from her pimp. She now uses her voice to advocate for sex trafficking victims and to urge policymakers at all levels of government to do our jobs to prevent young girls from becoming sex trafficking victims.

Because of actions from women like "T," local officials in Los Angeles have changed their approach to addressing this issue. They haven't realized that arresting the victims won't solve the problem.

Last year, L.A. County Sheriff Jim McDonnell announced that his department will immediately stop arresting children on prostitution charges. This announcement was coupled by the L.A. County Board of Supervisors adopting a countywide effort to ensure that child victims of sex trafficking are truly treated as victims and receive the support services they need instead of punishment.

Last year, this Congress came together as Democrats and Republicans to pass comprehensive human trafficking legislation, but our work does not end when the bill is signed. We must also use our positions to urge local officials in our districts to follow the best practices used around the country.

To truly make a difference this Human Trafficking Awareness Month, I urge all Members to reach out to their

local sheriffs and local elected officials and urge them to learn from Los Angeles and begin treating sex trafficking victims as victims. Although the legislation is a great step forward, we should also use the power of our voices and our positions to ensure that more girls get the help they need instead of being treated as criminals.

CUBA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, as we get further away from December 17, 2014, the date that President Obama announced his change in U.S. policy toward Cuba, it has become apparent that there could be no abusive or provocative act committed by the tyrannical Castro regime that the Obama administration is not willing to overlook or willing to excuse.

Even after the Cuban regime was caught red-handed shipping surface-to-air missiles, two MiG aircraft, and tons of Cuban-made weapons and munitions to North Korea in violation of several U.N. Security Council resolutions, it could not stop President Obama's desire to placate the Castros.

This and the most recent revelation that the United States Government found out in June of 2014 that Cuba managed to come into possession of a U.S. Hellfire missile and continues, to this day, to turn over that sensitive military technology are not isolated events. Both incidents underscore exactly how egregiously the administration has erred and the extraordinary lengths to which the President will go in order to hide these transgressions from Congress and from the American people.

□ 1015

You see, Mr. Speaker, after the President made his December 17, 2014, announcement, it has been revealed that not only did the administration keep Congress uninformed of the negotiations, but the negotiations had been taking place for over a year and a half.

If we follow the timeline, that means that these secret negotiations were taking place after the administration was already made aware that the Castros were in possession of a U.S. Hellfire missile and after Havana sent the illicit shipment of arms to Pyongyang.

Even after the administration offered concession after concession to the Castros—the loosening of restrictions on travel, the opening of Embassies—the list goes on and on—the President refused to make the returning of sensitive missile technology a precondition to the negotiations or to the implementation of this misguided policy.

Let's stop and think about this for a second, Mr. Speaker.

The President has given the Castro regime almost everything it could have asked for. What did we ask for in return? Did we demand free and fair elections? Of course not. Did we demand the end of the persecution of dissidents and the release of political prisoners? You have got to be kidding. Of course not. Did we demand the regime stop the long list of human rights abuses? No.

In fact, just this past Sunday, over 200 people were arrested in Cuba because they were calling for religious tolerance. But never mind that. Let's look at the cool, classic Chevys that are all through the streets of Havana. That is what we are supposed to be talking about.

The President didn't even demand that the Communist regime, with known and close military ties to Russia, China, and North Korea, turn over to the U.S. the Hellfire missile it had been in possession of since June of 2014.

I don't need to remind my colleagues of how incredibly dangerous it is for the Castros to be in possession of this sensitive military technology or how incredibly damaging it could be to our own national security interests when, not if, the regime turns that technology over to one of our adversaries.

Last year both the Russian Minister of Defense and China's top military official visited Havana to discuss ways to strengthen their military cooperation efforts with Cuba, and a senior Castro regime official traveled to North Korea for military talks.

Mr. Speaker, not only has the President's Cuban policy been a disaster for the people of Cuba, it has been a disaster for our own safety and security. There should be—there must be—a full and thorough investigation into this Hellfire missile incident. If this administration won't do what is necessary to hold the Cuban regime accountable, then we in Congress must use every available tool in order to do so.

We cannot allow the administration's endless train of concessions to the tyrannical Cuban regime to continue while it turns its back on those who are suffering under the regime's oppression. This is not what America stands for, and we should not allow President Obama's misguided foreign policy objectives to ever change that.

SERGEANT MATTHEW MCCLINTOCK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, on the wall outside my office are the faces of 149 men and women from Washington State who were killed in action over the past 14 years in Afghanistan and in Iraq.

Today it is with reverence that I will add the 150th face: Sergeant Matthew McClintock's. Matthew was killed in Helmand Province in Afghanistan on the 5th of January.

Sergeant McClintock was a Green Beret, an engineer, a National Guardsman, as well as a dedicated friend, son, husband, and father.

He joined the Army in 2006 and served in both Iraq and Afghanistan over the course of three tours. On one of his tours, his best friend was killed. So you can imagine what was in his mind when he was now leading a group in Afghanistan and one of his men was on the ground, hit. He knew the danger, but he went out to try and save his teammate.

He epitomized everything we admire about our warriors: their skill, their mettle, their commitment to their teammates, to their families, and to us as a nation. The loss of a promising, smart, steadfast young man, whose devotion to family and country was freely given, should not and will not be accepted without sorrow and respect.

I had the chance to meet Matthew's wife, Alexandra, and their 3-month-old son, Declan, on Friday, when Matthew came back to Dover Air Force Base. Everything his family said about him speaks of a man I would like to have known.

It is said that the true soldier fights not because he hates what is in front of him but because he loves what is behind him. Matthew leaves behind a proud and beautiful family.

His wife asked that she have a chance to go up to Walter Reed to see the man her husband went out to save, who is still alive. That is the kind of family this is. We, as a nation, should be forever grateful that someone of his caliber—and his family—continues to choose to fight.

Mr. Speaker, we have entered the 15th year of this war, and it is easy to forget what is still going on in Iraq and Afghanistan and in other places where our soldiers are.

I became aware of this because somebody in my district was Matthew's father-in-law. He called me up and asked if I would be of help. I was glad to do it, but I realized I had not been aware of what had happened to him.

So I asked the Army press people: Was this reported in the press?

They said, yes, that it was on television for 45 seconds.

The American people are being allowed not to see and not to hear about Matthew McClintock. They are not being told what is going on.

We sent him there. We gave him the gun. We gave him the bullets. We gave him the body armor. We gave him everything and sent him over there and asked him to do this for us. He did it. He was willing to lay down his life for us.

We deserve more time with people like Matthew and like many of the sol-

diers who went before him. But for those who survive them—Matthew's teammates, his family—Alexandra and especially Declan—when this war finally ends, they deserve long and happy lives in peace.

WASP ARLINGTON INURNMENT RESTORATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DENHAM) for 5 minutes.

Mr. DENHAM. Mr. Speaker, I rise to discuss the contributions the WASPs have made to our great country. These are the Women Airforce Service Pilots, and they represent an elite group of female pilots.

They flew combat missions during World War II. These women displayed courage, valor, and a willingness to serve, and they made invaluable contributions to our Nation's efforts to battle on the world stage.

There were fewer than 1,100 WASPs, and 38 of them died during their service. But because the unit was created in 1942, the WASP group was never granted full military status.

In 1977, Congress retroactively granted Active-Duty status to these brave pilots to ensure that all VA policies, laws, and services would apply to them; yet, the Army recently denied the request of WASPs who were seeking a place in Arlington National Cemetery. They say they are running out of space.

This decision flies in the face of our Nation's efforts to recognize, reward, and treat honorably the contributions of all of our veterans. These women deserve the same honor that is bestowed upon hundreds of thousands of their fellow servicemembers.

So I urge my colleagues to join me in cosponsoring and supporting the bill.

I say this to the VA: Find the space.

SEXUAL HARASSMENT IN SCIENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, universities are supposed to be in the business of illumination, but as we have seen in recent cases at Cal Tech and at UC Berkeley, that is not always the case.

At UC, world-renowned astronomer Geoff Marcy sexually harassed students for years with no consequences. The light of knowledge can cast some dark shadows. Brave women recently alerted my office to still more harassment in astronomy, now at the University of Arizona.

Mr. Speaker, I include for the RECORD this report from the University of Arizona regarding Dr. Timothy Slater. This report was sealed for over a decade while Dr. Slater went on with his career. His example shows why so few women continue careers in science and in engineering.

CONFIDENTIAL

INVESTIGATIVE REPORT

Complaint No: 04-06A-MKM
 Complainant: Administrative Review
 Respondent: Dr. Timothy Slater
 Department: Department of Astronomy,
 Steward Observatory
 Date Complaint Received: August 2004
 Report Date: March 31, 2005

BACKGROUND

Prior to July 2004, several individuals approached the EOAAO to discuss sexually charged conduct they were experiencing in the College of Astronomy, and Steward Observatory. They stated that the conduct was occurring across ranks; some indicated the conduct was creating a sexually hostile work environment. Some indicated retaliation might be occurring. These individuals refused to file complaints against the department because they feared work-related repercussions, including unlawful retaliation. Consequently the EOAAO met with administrators in the Department of Astronomy and Steward Observatory to discuss initiating an investigation into sexual harassment, sexually hostile work environment. The department, in turn, formalized a request for investigation, such that this Administrative Review began in August 2004.

Responsive to evidence obtained in the early stages of investigation, the EOAAO named Dr. Tim Slater as a respondent in this case, on September 24, 2004. The EOAAO notified Dr. Slater of his respondent status in accordance with EOAAO procedures, identifying sexual harassment and retaliation as the relevant issues.

Dr. Slater was hired by the University of Arizona on August 6, 2001, as an Associate Professor of Astronomy. He received tenure standing in May 2004. He has a variety of duties at the university, including his post as the Conceptual Astronomy and Physics Education Research (CAPER) team leader.

SCOPE OF INVESTIGATION

In the course of the investigation, the investigator interviewed multiple individuals—some more than once—who were associated with the Department of Astronomy, Steward Observatory, and/or the CAPER team. Witnesses were selected either randomly, or with an effort to cross-section levels of authority and closeness, professional and/or personal, with the respondent. All efforts were made to get a comprehensive point of view.

ISSUE

Did Dr. Slater violate the University's Sexual Harassment Policy, as well as the policy's Retaliation component?

Witness B stated that Dr. Slater and Witness J make a lot of sexual jokes and create sexual banter on a regular basis. She noted a lot of the women tend to ignore this when it is occurring around them.

On a regular basis, Dr. Slater has told Witness B she would teach better if she did not wear underwear.

On at least one occasion he grabbed her underwear through her dress, stretched it and snapped it, and said, "You'd look a whole lot better without these on," or words to that effect. That same day he invited her to attend a lunch with a visiting female graduate student from [redacted] and Witness J. Dr. Slater indicated they would be lunching at a local topless bar. At lunch both Dr. Slater and Witness J paid for and received lap dances. Dr. Slater offered to purchase a lap dance for Witness B; she declined and he did not push the issue further.

Witness B reported that during the semester the sexual conduct occurs daily.

Witness C provided the following information:

Witness C stated that she has continual but infrequent interaction with Dr. Slater during the course of her work. She stated that her concern regarding Dr. Slater reflects sexual conduct occurring on one day: [redacted] Witness C traveled with Dr. Slater to [redacted] by car, in the company of a female graduate student.

During the car trip, Witness C told Dr. Slater some work she had completed for CAPER. He responded by saying, "Awesome! I could just kiss you full on the mouth," or words very close to those. Witness C stated she found this response distasteful.

Later he asked her, "How bad can I be with you?" When she asked him what he meant, he asked her if she would be reporting his comments back to her supervisor.

Dr. Slater went on to relate that when he goes to academic conferences out of town he goes online to set up "hook-ups" (sexual dates) with women in the geographic area. He told Witness C that his personal (sexual) record was four (4) women in twenty-four (24) hours.

Dr. Slater also stated that he and his wife occasionally set up manage-a-trois.

Dr. Slater and the accompanying female graduate student discussed the upcoming visit of Dr. Slater's colleague. She asked Dr. Slater if she would have to sleep with him, to which Dr. Slater replied, "No, not this one." Witness C looked at them and exclaimed, "What?" whereupon Dr. Slater told her that occasionally he might have to ask her to take one for the team.

Talking about Witness J, Dr. Slater said, "Yeah, he likes the young ones. Witness C asked if that individual did not have a girlfriend. Dr. Slater replied that a girlfriend was one thing, but a student was another. Witness C asked if the students were minors, to which Dr. Slater responded that they were all probably over 18.

He added that he, Dr. Slater, preferred a more mature woman who knew "her way around the bedroom." Some minutes later he turned to Witness C and asked her if she knew "anything about or was any good at giving blowjobs, because (the accompanying female—name deleted) does not like to give or receive them—maybe you could give her some pointers."

Witness C then told Slater he was being completely inappropriate. She said, "You barely know me. I only started a couple of weeks ago, and you're already talking to me like this. Doesn't the U of A give sexual harassment training, or were you absent that day?" She went on to say that she has a particularly large boyfriend (whom she described, in part, as Black). She told Dr. Slater that he would not appreciate the manner in which Dr. Slater was speaking to her. Dr. Slater then asked Witness C if it were true that once you went Black, you'd never go back," or words to that effect.

Later Dr. Slater joked that he would pull off at a rest stop so they could have a threesome. Witness C responded by saying, "Like that's going to happen," or words to that effect. After that she tried changing the subject every time it turned sexual, and then she related a story of personal tragedy (non-sexual,) which she noted seemed to sober Dr. Slater and the other female right away.

Witness C stated that she reported Dr. Slater's conduct to the Principle Investigator (PI) on her project. The PI, in turn, told her she should report it to her supervisor, which she did.

[Relevant to Witness D's testimony] Witness C stated she was aware that Dr. Slater appeared to be trying to take [redacted] program [redacted] away from the department and bring it over to Steward Observatory where he also works. She stated he has been pulling funding from the program. Additionally he bad-mouths the Program Coordinator, Witness C's supervisor. He has also been giving responsibilities previously held by that supervisor to his various graduate students.

The witness recalled that other female graduate students had commented that their advisors, Dr. Slater and Witness J, were too sexual in their demeanor.

INFORMATION FROM RESPONDENT

On September 30, 2004 Dr. Tim Slater provided the following information:

He stated that he recalled two occasions on which individuals complained directly to him about his personal conduct.

In [redacted] talking about a bachelor party at a strip club, such that a graduate student commented, "That really creeps me out when you talk that way in front of me," or words to that affect. He recalled apologizing.

A graduate student and former CAPER team member telling him that it had made her uncomfortable when he massaged her shoulders publicly, while hosting a teacher workshop. Dr. Slater recalled that she was concerned others might misinterpret the nature of their relationship, were they to observe his gesture.

Dr. Slater characterized himself as a "touchy" person who often hugs people. He stated that he is a "flirtatious" person, and defined that as "friendly," and "flattering." He stated this is mostly with the CAPER group, since CAPER constitutes his primary professional and social interaction.

Dr. Slater stated that he hugs males as well as females, and that he brought many people on the team [CAPER] from Montana and Kansas [universities there]. Many had lived in his house with him and his wife from time to time, and some of the relationships were of 10-12 years' duration. He added they had been in each other's weddings. He stated that they all socialize together at someone's house (often his) on 2-3 occasions per month.

Dr. Slater stated that he and Witness J run the CAPER group, and that within the group they have a joke that he, Slater, is the "mom," and Witness J is the "dad." He stated that some of the CAPER team members were more like family than others; he listed the two groups.

Regarding reports that he had given out "sex toys" at social events; he recalled that he had given one female graduate student a pickle or cucumber-shaped vibrator at a "pre-marriage" party. He could not recall having given out chocolate handcuffs, as specifically alleged. Regarding the vibrator, he recalled that the recipient was a collector of the vegetable it represented, and that he was certain she was not offended by it. He recalled there were pickle or cucumber jokes going around the office for several days, thereafter.

Dr. Slater did not recall making the comment that he would have to install cameras in his home, as alleged, and referential to the alleged comment that everyone [in CAPER] had engaged in sexual activity in his home. Dr. Slater reiterated that many of the CAPER team members had, in fact, lived with him at his house over the years.

Regarding allegations that he stopped to look at women, and commented on their appearance, he stated this was common practice for him, and that he might have done it

anywhere from “one-to-ten-to-a-hundred times.” He denied that he had a rating system, but recalled saying things like, “You’re going to have to say that again, because that’s too distracting.” He confirmed he had made such comments to women in the department and often Witness J, who joked with him in a similar fashion.

Regarding allegations that he told a colleague he had a prohibition against “blue balls” in the office (referencing an exercise ball), he stated he did not recall making the comment, but that it was “consistent” with the kinds of comments he would make.

He believed he had not told a colleague he would have invited her to swim over the weekend but for the likelihood she would wear her swim suit. He stated he doubted that comment because he is not exclusionary by nature.

He did not recall telling a [subordinate female] colleague that she would teach better were she to stop wearing underwear, and did not recall snapping her underwear [through her T-shirt dress, as alleged]. However, he stated, he did tend to say a lot of sexual things.

Dr. Slater confirmed that he took a visiting female graduate student, as well as a male and a female [subordinate] colleague to lunch at a local strip club. He did not recall that specific event, but stated that he [and the accompanying male] usually purchase lap dances when they go. He usually offers to purchase lap dances for others, as well. He stated they go about once per month, and that it’s usually a mixed group (male and female.)

Dr. Slater recalled that a group of department women had gone to a male club in honor of a wedding or birthday, and reported having a terrible time. Somehow, as an offshoot to that situation, one of the women [Witness B] thought she might like female clubs better, and decided to join the men. He could not recall how many times she attended, but thought probably several. He stated that he has gone with his wife, and several of the graduate students and/or colleagues. He stated the tab is always collected for “Dutch” treat: departmental funds are never used.

For complete report go to <http://speier.house.gov>.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 11, 2016.

CATHERINE E. LHAMON,
Assistant Secretary for Civil Rights, Office of
Civil Rights, Department of Education,
Washington, DC.

DEAR ASSISTANT SECRETARY LHAMON: Thank you for your leadership and commitment to eradicating sexual harassment and assault on college campuses. Knowing your interest in this area, I wanted to bring the attached report to your attention, which details disturbing sexual harassment by a former faculty member at the University of Arizona. Despite finding that Dr. Timothy Slater committed a policy violation in the matter of “sexual harassment, hostile work environment,” the report and its incriminatory revelation were sealed, and Dr. Slater moved to a new job at the University of Wyoming, where he continues to supervise students and teach workshops. In light of this, I ask that the Office of Civil Rights clarify whether universities that find a Title IX violation by faculty or staff are required to disclose the results of their investigation to other educational institutions.

The incidents described in the report are alarming. One complainant said that Dr.

Slater told her on a regular basis that “she would teach better if she did not wear underwear” and “grabbed her underwear through her dress, stretched it and snapped it, and said ‘You’d look a whole lot better without these on,’ or words to that effect.” He asked another complainant “if she knew anything about or was any good at giving blow jobs, because (name deleted) does not like to give or received them—maybe you could give her some pointers.” Dr. Slater himself admitted that he gave an employee a vegetable-shaped vibrator, that he frequently commented to his employees and students about the appearance of passing women, and that he told one person “that his personal sexual record was four women in 24 hours.”

Staff spoke directly to a witness who recounted several inappropriate interactions. She observed Dr. Slater instructing an undergraduate student to “touch your elbows behind your back for me” in order to scrutinize the student’s breasts, and touching graduate students on the leg while making inappropriate statements. At a lab social event at the Slaters’ residence, video pornography was shown before dinner. She recounted hearing Dr. Slater tell male colleagues on more than one occasion that he enjoyed teaching large lectures in rooms with stadium seating because the female students in Arizona wear short skirts and often forget to cross their legs. Dr. Slater once required the witness to attend a lunch at a fully nude strip club with him in order to discuss her academic work, with the implied consequence that he would not discuss her work with her if she refused to go. While she was there, she was pressured to attend future lunches at the strip club. According to the witness, it was made clear to her, though never explicitly stated, that if she wanted to function in the lab that she had to take part in this sexualized culture. Because of these incidents, the witness left the field of astronomy.

Staff spoke directly to another witness, who experienced inappropriate comments and unwanted physical contact from Dr. Slater. At a one-on-one work meeting, he told her that all the other graduate students had sex at his house, that he had video cameras, and asked when she would also have sex at his house. During a lab social, she witnessed Dr. Slater and another lab supervisor stating that at this party, lab members were going to use the Slaters’ hot tub naked. Dr. Slater also touched her shoulders and stroked her back while she was teaching, until she sent him a formal email requesting that he stop. Due to the hostile work environment, the witness transferred out of Dr. Slater’s group, losing years of progress towards her graduate degree.

A third witness separately confirmed that Dr. Slater led laboratory outings to strip clubs.

The Slater report is disturbingly similar to the recent case at the University of California, Berkeley, in which Dr. Geoff Marcy, a prominent astronomer, violated campus sexual harassment policies with minimal consequences for 9 years until his story was publicized through the media. As the University of Arizona did with the Slater case, UC Berkeley kept the final report on Dr. Marcy’s behavior confidential, perhaps because, as *Science Magazine* put it, “[t]he details of UC Berkeley’s inquiry into Marcy’s conduct does not reflect well on the institution, with the process stretching for more than 4 years and Marcy given only weak sanctions after repeated promises to reform.” The final report from UC Berkeley

contained a sentence that could be applied equally to Dr. Marcy and Dr. Slater: “[i]t cannot be overstated how Respondent’s inherent influence and authority over the complainants, real or perceived, heightened the impact of his behavior on those experiencing or witnessing it.”

The Slater case, while lurid, is just a symptom of a much larger problem—how to prevent harassment, and effectively deal with it when it occurs. Dr. Slater states that he is now reformed, but there are still few consequences for faculty members who sexually harass students. In some ways, the situation is reminiscent of the Catholic Church’s coddling of child-molesting priests. As in the Church, universities protect perpetrators with slap-on-the-wrist punishment and secrecy, while victims are left alone to try to put their academic careers and lives back together. One peer-reviewed study found that over a quarter of women surveyed (and 6% of men) have been sexually assaulted while conducting scientific fieldwork, and 71% of women and 41% of men also reported that they were sexually harassed.

The profound effect of this dynamic on the participation of women in science cannot be overstated. From 2002 through 2012, women received one-third or fewer of the doctorates awarded in physical sciences, mathematics, engineering, and computer science, and as of 2013 one-third or fewer of all tenure or tenure track faculty positions in core STEM fields were held by women. Indeed, all of the victims we talked to suffered career consequences as a direct result of the harassment, including losing years of graduate work, forgoing professional opportunities, and changing fields of study. In the Marcy case, one of the victims, who had aspired to work at NASA, left astrophysics entirely as a direct result of being harassed.

When students found to have violated university policy through the Title IX disciplinary process transfer to another institution, the university that found the violation may inform the other institution, but is not obligated to do so. While this policy is vastly insufficient, it at least allows universities to have the option to inform other universities of the final results of a disciplinary proceeding. However, no similar guidance exists for faculty or staff. I ask that the Office of Civil Rights issue a clarification on the FERPA or Title IX disclosure requirements when faculty or staff whose conduct violated Title IX transfer to another institution.

Thank you for your prompt attention to this matter. I look forward to hearing from you soon.

Sincerely,

JACKIE SPEIER.

Ms. SPEIER. Mr. Speaker, some universities protect predatory professors with slaps on the wrist and secrecy, just like the Catholic Church sheltered child-molesting priests for many decades.

The incidents described in this report are lurid and disturbing. One graduate student was told regularly by Dr. Slater that she would teach better if she did not wear underwear. He asked another graduate student to give women pointers on oral sex techniques.

Dr. Slater himself admitted that he gave an employee a vegetable-shaped vibrator and that he frequently commented to his employees and students about the appearance of women.

My staff spoke with one female grad student who was required to attend a

strip club in order to discuss her academic work with Dr. Slater. The woman has since left the field of astronomy.

The second female grad student told us that, during a one-on-one work meeting with Dr. Slater, he told her that all of the other graduate students had had sex at his house, that he had video cameras, and asked when she would join him to have sex there. She transferred out of Dr. Slater's lab, losing years of work.

This is a significant reason as to why women hold fewer than one-third of the faculty positions in science and engineering.

Dr. Slater has said he is now reformed, which may be the case, but his actions, however lurid, are just symptoms of a larger problem of how to effectively deal with sexual harassment in academia.

I agree with Dr. Meg Urry, the president of the American Astronomical Society, who said: "In my view, this is what it would take to move the needle: severe and visible consequences for violating policies on harassment—and they do have to be visible."

That is why I plan to introduce legislation to require universities to inform other universities of the final results of a disciplinary proceeding. When students, faculty, or staff whose conduct has violated title IX transfer to another institution, the universities to which they are moving should be aware of their past conduct.

I encourage anyone who has experienced sexual harassment in science, whether it is related to this incident or another, to call my office.

Students enter astronomy to study the stars, not their professors' sex lives. It is time to stop pretending sexual harassment in science happened a long time ago in a galaxy far, far away.

BARBARA STOCKTON PERRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, on New Year's Day, we mourned the loss of a great lady, Barbara Stockton Perry. Today I rise to celebrate Barbara's 89 years of life that she devoted to her Christian faith, to her family, and to her community.

Barbara was born on November 3, 1926, in the town of Franklin, which is a small North Carolina mountain community that is tucked away under the Great Smoky Mountains.

Though the population was very small, Barbara had a large personality and a keen mind. She was the valedictorian of Franklin High School in 1943, and she graduated cum laude from Brenau College in 1947.

□ 1030

She then went on to the University of North Carolina in Chapel Hill School of

Law. She was the only woman in the class of 1950, and she was a member of the law review as well. This was classic Barbara, distinguishing herself as a highly intelligent woman who was not afraid to break glass ceilings.

Barbara's first position out of law school was as assistant legal counsel to the Belk Stores Corporation in Charlotte. Then, after marrying Warren Perry in June of 1951, she moved to Kinston, North Carolina, with him and became a partner at Perry, Perry and Perry law firm. There, she became involved in the State bar and the local bar and was named to the Board of Governors of the North Carolina Bar Association.

Community service was important to Barbara. So throughout her life, she donated her time and efforts to a long list of organizations, including the United Way, the North Carolina Symphony, the Kinston Arts Council, the Kinston-Lenoir County Bicentennial Commission, and the Pride of Kinston organization. A lifelong educational advocate, Barbara also served on the Board of Trustees of Parrot Academy, Lenoir Community College, Brenau University, and UNC-Chapel Hill, where she was elected to two terms on the Board of Governors of the entire 16-university UNC system.

In recognition of her contributions to North Carolina, she was honored by two North Carolina Governors, Jim Holshouser and Pat McCrory. Both of these Governors awarded her the Order of the Long Leaf Pine. If ever anyone instilled and fostered pride in the great State of North Carolina, certainly it was Barbara Stockton Perry.

Ever devoted to faith, Barbara served for many years on the board of Angel Ministries. She was a long-time member of the Gordon Street Christian Church and more recently joined the Faith Fellowship Church.

While her contributions to her community are beyond measure, Barbara's true joy was her family. She lost the love of her life, Warren, in 2003, but theirs was a life filled with adventure. By all accounts, they traveled the world together and shared a dance on all seven continents. At home, this extraordinary lady was known to her family simply as Mama Perry. She was happiest when she was surrounded by her children, grandchildren, and extended family.

Mr. Speaker, it is impossible to condense the life of this truly remarkable woman into a few short minutes. I will close in saying that I was honored and privileged to know her, and I give thanks to Barbara Perry for devoting her life to her family, her community, and her faith. She will be missed beyond measure. May God always bless her.

STATE OF THE ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for 5 minutes.

Mrs. CAROLYN B. MALONEY. Mr. Speaker, last Friday, the Bureau of Labor Statistics released the monthly jobs report for December. It was another in a long, uninterrupted string of good reports. The report showed that the economy gained 292,000 private sector jobs last month and that the unemployment rate fell to 5 percent.

During 2015, the economy added nearly 2.7 million jobs. Nevertheless, many of my colleagues across the aisle continue to talk as if the recovery under President Obama has been lackluster. They seem to forget the economic meltdown that occurred under the leadership of the prior administration. But the millions of Americans who lost their homes, their jobs, they haven't forgotten.

Let's look at how far we have come in the period after President Bush left office. The truth is, the record is pretty impressive. First, a reminder of where we started. Back in January of 2009, when President Bush left office and President Obama was sworn in, the economy shed nearly 820,000 private sector jobs in January in 1 month alone. As former Fed Chairman Ben Bernanke described it, we were facing the worst financial crisis in global history, including the Great Depression.

Between the end of 2007 and the second quarter of 2009, real GDP fell by 4.2 percent. Around \$17 trillion in household wealth evaporated during the Great Recession. To put that number in some perspective, \$17 trillion is about equal to our entire gross domestic product, the sum total of all the goods and services produced by the entire economy of the United States for all of 2014. That is a great deal of money to lose. In fact, it would be almost enough to pay off our entire national debt.

In July of 2009, there were about seven unemployed workers for every single job opening in the country, meaning that no matter how hard most unemployed people tried to get a job, six out of every seven of them were going to be just out of luck. You may recall that back then our colleagues across the aisle were adamantly opposed to extending jobless benefits.

By October of 2009, the unemployment rate had reached 10 percent. Housing prices were falling. Lending was frozen. The stock market had cratered. Businesses were failing. People all over the country were losing their jobs, their homes, their savings, and their hopes. It was a pretty terrible time for millions of Americans.

Now, much has changed. 2014 and 2015 were the strongest 2 years of job creation since 1998 to 2000, when Bill Clinton was President. The private sector

is powering the economy forward. Our businesses have added 14 million jobs over a record 70 consecutive months of job growth. Wages have finally begun to rise. Nominal average hourly earnings for all private employees have now risen 2.5 percent over the past year. The ratio of unemployment seekers to job openings has fallen from 7 to 1 to 1.5 to 1. That is about the lowest this ratio has been since early 2007.

Since the start of the Obama administration, our real GDP has increased by 14 percent. The U.S. auto industry, which was on death's door when President Obama took office, is now healthy, thriving, and enjoyed record sales in 2015. Our auto industry is now exporting and creating even more jobs. Oil and gas prices are low. Mortgage rates remain low. Inflation is simply not a factor. The dollar is strong, and housing prices are back up to where they were in 2007.

All of this recovery was not an accident, not a stroke of good luck. Things certainly would have been quite different if we had only listened to the counsel of our colleagues across the aisle. They vehemently opposed efforts taken by the Obama administration to stimulate the economy, and they opposed actions by the Federal Reserve that turned out to be very critically important.

What would have happened without these actions by the Federal Reserve and the Democrats in Congress? The recession would have lasted twice as long, according to a recent study by highly respected economists Alan Blinder and Mark Zandi. The Blinder-Zandi study found that without these actions, the unemployment rate would have reached nearly 16 percent, and we would have lost twice as many jobs, more than 17 million. It is a bit scary to even think about.

So the facts show that we have had a very strong recovery. Are we done? Absolutely not. There is much more work to do to ensure the recovery reaches everyone. Big challenges remain. Many families are struggling to make ends meet, to make the mortgage payment, to save for their children's education. We need faster wage growth, accessible child care, and higher education that is affordable to all families. It is time to pass comprehensive immigration reform and to protect Americans from gun violence.

I am excited about the opportunity to make real progress on these issues this year, and I look forward to working in a bipartisan way to continue to focus on the challenges facing middle class families.

PRO-LIFE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. RATCLIFFE) for 5 minutes.

Mr. RATCLIFFE. Mr. Speaker, the Declaration of Independence contains a

passage that every student in America learns at an early age. It explains that each of us are endowed by our Creator with certain inalienable rights, chief among them the right to life. This highlights and reminds us just how much our Founders valued the right to life.

As an elected Representative, the words in our Declaration that follow are equally compelling: To secure these rights, governments are instituted among men. How often we forget that government exists first and foremost to secure the right to life.

Now, this is an immense responsibility, one that I take very seriously, because one of the highest honors I have in representing the Fourth Congressional District of Texas is defending the most vulnerable among us, our unborn children. I am proud to have a voting record that reflects my unwavering commitment to protecting unborn life and ending taxpayer funding of abortion.

I will also be the first to tell you that legislators represent only one piece of the puzzle in the ongoing and vital effort to promote a culture of life. There are literally thousands of unsung pro-life heroes in the Fourth Congressional District of Texas, whose effort to promote a culture of life are not about gaining recognition or notoriety, but are simply rooted in an abiding sense of protecting the inalienable right to life, which our Founding Fathers spoke of.

I would like to take this opportunity to recognize a few of these pro-life heroes in my district, people like Melanie Grammar and Deborah Butts with the Texas Federation of Republican Women; Michelle Smith and Ann Hettinger in Rockwall, Texas; Chip Adami at the True Options Pregnancy Center in Sherman; Mason Randall and Robin Stevenson at Lake Pointe Church Adoption Ministry; Kristie Wright at the First Choice Pregnancy Resource Center in Texarkana; Threesa Sadler and Tim Stainback at the Raffa Center in Greenville; Joanne Vuckovic at the Rockwall Pregnancy Resource Center; and the great folks at both the Paris and Fannin Pregnancy Care Centers.

The dedication of individuals like these and thousands of others across the Fourth Congressional District of Texas is appreciated, it is necessary, and it certainly does not go unnoticed. Thank you all for your commitment to protecting the incredibly important cause of life.

BILL TO COMPREHENSIVELY ADDRESS COMPACT IMPACT IN AFFECTED JURISDICTIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Guam (Ms. BORDALLO) for 5 minutes.

Ms. BORDALLO. Mr. Speaker, today I introduced legislation that will help

address the impact of the Compact of Free Association—these are the Pacific Islands—on affected jurisdictions like Guam and the State of Hawaii.

I continue to support the intent of the Compact, and I do understand the benefits that these agreements have for our Nation and our security. However, the costs borne by our local governments amount to millions of dollars for providing social services to Compact migrants are unsustainable, and Congress must act to provide relief for affected jurisdictions who have spent millions of local funds to support the Compact and the migrants.

COFA migrants make positive contributions to our community, but insufficient support from the Federal Government causes a significant socioeconomic strain on our island communities. This strain only increases, especially with uncertain economic conditions in the Freely Associated States, as well as the impact climate change is having on Pacific Island nations.

The bill I am introducing, as well as proposals that I have made in the past, will provide relief and empower local jurisdictions with solutions to reduce the burden of the Compact.

The best solution to Compact impact would be an increase in annual mandatory funding from the current \$30 million to the \$185 million recommended by the GAO. However, the current budget environment makes appropriating this very difficult.

Nonetheless, I am proud to also cosponsor another bill, a bill introduced by Congressman TAKAI of the State of Hawaii, that would increase this annual appropriation, and I hope that we can at least have a debate on this measure.

However, as we work to find long-term solutions to Compact impact, I believe that there are important and innovative fixes that would provide much-needed relief to our local governments without much cost to taxpayers.

Now, this approach is a more budget-friendly way to address this challenge. The bill's provisions address four areas to reduce the burden.

□ 1045

First, my bill would permit the affected jurisdictions to use the amount that they have spent to provide social services to COFA migrants toward the non-Federal portion of providing Medicaid to their local residents. The bill proposes a new formula that would increase the Federal medical assistance percentage for each of the affected jurisdictions, and this would go a long way toward alleviating the burden on affected jurisdictions by increasing the percentage assistance provided by the Federal Government for Medicaid.

Secondly, the bill would categorize elementary and secondary education-aged COFA students as federally connected students and make them eligible for Impact Aid. I understand the

fiscal challenges that the Impact Aid community faces, and I am committed to working with them to address the effect this bill may have on them. The bill attempts to offset this effect by increasing funding authorization and ensures that we are not taking from one group just to pay another.

Thirdly, this legislation would clarify Congress' intent when we extended eligibility for housing assistance programs to the COFA migrants. This bill ensures that U.S. citizens, nationals, or lawful permanent residents are not displaced and are given priority when applying for housing benefits.

Lastly, Mr. Speaker, this bill would commission independent research on the viability of the current compacts and make recommendations on policy alternatives moving forward. I do hope that this research will provide strategic guidance as we move toward renewal of the compacts in 2023 and ensure that we are administering these agreements in the best way.

I am so very pleased to count the gentleman from Hawaii (Mr. TAKAI) as an original cosponsor of my bill.

As this Congress discusses solutions for the crisis in Puerto Rico, it is important that we also discuss challenges that the other territories face, especially the challenge of supporting the Compact of Free Association. While the challenges facing affected jurisdictions are nowhere near as serious as Puerto Rico, Mr. Speaker, doing nothing would only welcome economic and security challenges down the road.

I do look forward to this bill becoming law and it being a tremendous help to jurisdictions affected by the Compact impact.

INDEPENDENCE PLAZA HONORS AMERICA'S SPACE PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, in the summer of 1972, my dad was transferred from northwest Alabama to southeast Texas. I remember the first time I got off the Gulf Freeway, headed east down NASA Road 1, and saw the Johnson Space Center and the Nassau Bay resort hotel with an NBC studio on top. Right then, it hit me: my neighbors were astronauts, Moon walkers. My life was changed forever.

The next 9 years were rather dull. Three missions of Skylab and one handshake with the Russians on Apollo-Soyuz.

The excitement came back in 1981. The Space Shuttle *Columbia* flew for the first time. The space shuttle was the heart and soul of human spaceflight until July 21, 2011, when three words ended the program: "Houston, wheels stop."

Those words were heard in the dark, 4:57 a.m. Texas time. My home was

dark for 4½ years. That darkness will end on January 23 when Space Center Houston opens Independence Plaza right by the Johnson Space Center. Independence Plaza will have the Space Shuttle *Independence* atop the 747 transport carrier.

Our space shuttles flew 133 successful flights, with crews as small as two or as large as seven, with 55,000 pounds of payload. Our shuttles carried astronauts from 17 nations: Belgium, Canada, France, Israel, Germany, the Netherlands, Spain, Sweden, Switzerland, Japan, Mexico, Russia, Saudi Arabia, Slovakia, and America.

Our shuttle built the International Space Station, which has had a human being on board since November 2, 2000. Scott Kelly has been on board the ISS since March 27, 2015. Scott must love the view because he will come home after 1 year in orbit.

The Hubble Space Telescope would have been the biggest piece of space junk ever without the space shuttle. When it was launched in 1990, it was a telescope that needed glasses. Its vision was blurry. Five shuttle missions followed, fixed its vision, gave it decades of new life, and changed history.

But Independence Plaza will do more than remind us of the achievements of our space shuttle. This exhibit will ensure we never forget the two crews we lost on space shuttles. Dick, Michael, Judy, Ron, Ellison, Greg, and Christa touched the face of God when *Challenger* exploded after 73 seconds of flight on January 28, 1986. Eighteen years later, on February 1, 2003, we lost Rick, Willie, Michael, Kalpana, David, Laurel, and Ilan when *Columbia* returned mortally wounded and broke up over their home, my home State of Texas. Independence Plaza will ensure that these 14 heroes will always be revered, and a new, young generation of Americans will follow their lead and soar into the heavens.

PRESIDENT OBAMA'S FINAL STATE OF THE UNION MESSAGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, one recalls the state of the Union that President Obama inherited upon taking office: overwhelming problems occasioned by the near collapse of the economy, 700,000 jobs lost before he was even in office half a month. It would take many months more to arrest the slide. There were fierce battles, arguments about whether we should spend money to try to help people and industries.

His work was complicated by the announcement early on by the Republican leader in the Senate that his number one goal was not to fix the economy or deal with health care or

the environment or national security; it was to prevent President Obama from being reelected to a second term.

Time has shown that the money that was spent was critical, and most independent experts agree that we should have invested more heavily in things like rebuilding and renewing America. Even so, our performance has been better than any of the other developed economies.

Those results were achieved with divisions and arguments that continue to be played out today on the national political stage as there are people seeking the Presidency later this year. But my hope is that, as the President addresses this Chamber tonight, there might be an opportunity to move past some of the divisions and controversy.

My hope is, as the President looks up in the gallery and sees the First Lady, that he might pause and acknowledge her important work in health and nutrition; that he might spend just 3 minutes on a topic that can bring people together; that he would admit that we as a government still pay too much to the wrong people to grow the wrong crops in the wrong places, that we would be far better off if we weren't subsidizing people to grow food that actually makes Americans sick.

I would hope that he would propose that the Federal Government help more farmers and ranchers with research and market access at home and abroad. Let's pay those farmers and ranchers to protect water quality and water quantity.

I would hope that he would propose that we subsidize more healthy food in our schools and for senior citizens and low-income people.

I would hope that he would acknowledge the revolution that is taking place in food and agricultural thought and policy in this country, as documented in the recent PBS special, "In Defense of Food," with Michael Pollan.

There is an exciting national movement promoting value-added agriculture, healthy food, animal welfare, and environmental protection that will strengthen rural and small town America and provide more satisfaction for the men and women who work in agriculture.

It would only take 3 minutes, but it would be an important milestone for this revolution of food and farm policy that cannot happen soon enough.

RECOGNIZING COACH FRANK BEAMER ON HIS RETIREMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 5 minutes.

Mr. GRIFFITH. Mr. Speaker, I rise today to recognize Coach Frank Beamer on the occasion of his retirement as the head football coach at Virginia Polytechnic Institute and State University—more commonly known

and fondly known as Virginia Tech—located in Blacksburg, Virginia, as Coach Beamer concludes his highly successful career. For almost three decades, Coach Beamer has been a tremendous leader in Virginia and a mentor to hundreds of student athletes.

In 29 seasons under Coach Beamer's leadership, Virginia Tech football has enjoyed unprecedented success, notching 237 wins, three Big East championships, four Atlantic Coast Conference championships, and the opportunity to play for a national championship. His "Beamer Ball" style of play has led Virginia Tech to become one of the Nation's most respected college football programs.

In 1999, Coach Beamer was named the consensus Associated Press College Football Coach of the Year.

Coach Beamer's first postseason berth as head coach at Virginia Tech was a trip to the 1993 Independence Bowl game, which resulted in a victory for the Hokies. It was only fitting that Coach Beamer ended his coaching career with a 55-52 victory over the University of Tulsa in the 2015 Independence Bowl, capping off a school record 23 straight postseason bowl games.

Raised a short drive from Blacksburg, in Hillsville, Virginia, Coach Beamer graduated from Hillsville High School, where he earned 11 varsity letters as a three-sport athlete in football, basketball, and baseball. He went on to attend Virginia Tech as an undergraduate and started 3 years as a cornerback, playing on the Hokies' 1966 and 1968 Liberty Bowl teams.

While attending Radford University to receive his master's degree in guidance, he began his coaching career in 1969 as an assistant at southwest Virginia's Radford High School.

□ 1100

From there, he went on to work as a graduate assistant at Maryland for 1 year, followed by the Citadel for five seasons, where he was defensive coordinator for two of those.

In 1979, Coach Beamer joined Murray State University as defensive coordinator and was named head coach in 1981.

In 1987, he made his way back to his native southwest Virginia to take the reins at Virginia Tech. He has brought honor to southwest Virginia and Virginia Tech by always being the consummate Virginia gentleman and a darn good football coach to boot.

He has devoted his time and passion to the teams he has coached as well as the greater southwest Virginia community. In fact, in 2004, he was presented with a Humanitarian Award by the National Conference of Community and Justice for his contributions to fostering justice, equity, and community in the Roanoke Valley.

As evidenced by his incredible success, Coach Beamer has much to be

proud of and can look back on an honest and accomplished career. His passion for coaching led him to achieve what many coaches only dream of.

He has positively shaped the futures and touched the lives of the Virginia boys and girls that he has dealt with—particularly, the boys on his football team—and has made us a better State. This is truly the great measure of a great coach.

Mr. Speaker, I am honored to help commemorate the career of a remarkable man. After 29 years of dedicated leadership to Virginia Tech and the greater community, I would like to thank Coach Beamer for his service. I wish him and his family all of the best in his retirement.

TRIBUTE TO OTIS CLAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to Mr. Otis Clay, an outstanding international artist who lived, worked, and was intimately involved in the North Lawndale community of Chicago, which I am proud to represent.

Otis Clay was born in Waxhaw, Mississippi, and ultimately made his way to the west side of Chicago, where he made his home.

Otis began his musical career as a gospel singer and, like many other artists, switched over to rhythm and blues and recorded his first hit in 1967, "That's How it is When You're in Love," which reached number 34 on the national charts.

Otis performed and recorded in Europe, Japan, and Switzerland. Although Otis Clay reached national acclaim, he continued to live in the North Lawndale community, was a regular at local churches, festivals, and community events. He established his own recording studio, owned a local cleaners, and was known as a regular in the community.

I was fortunate to have Otis Clay attend and perform at many events that I sponsored over the years, and it was indeed an honor to be able to call him my personal friend.

Otis was involved with the Tobacco Road Project and was instrumental, along with Alderman Dorothy Tillman, in establishing the Harold Washington Cultural Center in the Third Ward on the south side of Chicago.

My neighborhood and our world community has lost a great artist and entertainer, but also a great human being. I extend condolences to his family. I know that, when the gates swing open, Otis Clay will come walking in.

E-FREE ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from

Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise to tell the story of Sabrina Fregoso of Diamond Springs, California. Sabrina is one of the tens of thousands of women harmed by the permanent sterilization device Essure.

In August of 2012, Sabrina welcomed her fourth child, at which time she discussed permanent sterilization with her physician. Her doctor recommended Essure and assured her that the procedure was safe.

Immediately following the Essure procedure, Sabrina began to notice a consistent and substantial decline in her health, including losing control of her bowels, extensive weight gain, severe bloating, hair loss, and sores covering her body. Her lower back, hips, and leg joints became painful. She experienced numbness in her feet and sharp heel pain that made it difficult to walk.

Mr. Speaker, today I rise again as their voice to tell this Chamber that their stories are real, their pain is real, and their fight is real.

My bill, the E-Free Act, can halt this tragedy by removing this dangerous device from the market. I urge my colleagues to join in this fight because stories like Sabrina's are too important to ignore.

KEMP FORUM: ANTIPOVERTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, this past weekend brought together a group of innovators at the Kemp Forum on Expanding Opportunity in South Carolina. This important forum highlighted new and creative ideas to address the stubborn problem of poverty in America.

The Federal Government spends more than half a trillion dollars each and every year on antipoverty measures. That is a significant devotion of resources. Yet, while some progress has been made in the last 50 years, today there are still nearly 50 million Americans living in poverty.

Nobody would deny that the results fall far short from where they need to be. This is because, at the end of the day, success in the war on poverty is measured not at the program level, but on the individual level. Success isn't about how many programs exist, but how many people can improve their lives by moving up and out of poverty.

Mr. Speaker, one of the fundamental principles of this great Nation is the idea of freedom of opportunity, the opportunity to find work, to support yourself, and to support your family.

By working with local community groups like YouthBuild and leaders like Bob Woodson, I have been able to see numerous success stories, like my

guest for tonight's State of the Union address, Lave'll Brown.

This young man has successfully worked with community groups in North Chicago to grow as an individual and to get on a path to a sustainable career, and he is now giving back to others at YouthBuild Lake County.

This model of empowering the individual and helping them develop the skills needed to escape poverty is what we need to replicate millions of times over. If we can combine the focus on individuals with a relentless drive to innovate, I am confident that, in the next 50 years, our efforts to end poverty and provide greater opportunities will be a success.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 8 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GRAVES of Louisiana) at noon.

PRAYER

Reverend Nathaniel Demosthene, First Timothy Christian Church, Spring Valley, New York, offered the following prayer:

Dear Heavenly Father, it is with thanksgiving and a mournful heart that we approach this day as we remember the lives lost and tragically affected by the earthquake in Haiti 6 years ago this day.

Today we are grateful, God, for the lives rescued by the actions of our President as well as the bipartisan endeavors of the Members of this Congress and the heroic men and women in the armed services.

We pray for our elected Representatives in this assembly and ask that You imbue them with wisdom as they face ever-increasing difficult and complex decisions concerning the direction of this country. Enable them to act responsibly and selflessly in the fulfillment of their oaths of office.

Bless our Nation and teach us to leverage our resources to ameliorate the lives of our global citizens, especially the most vulnerable among them, both domestic and abroad.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. KILMER) come forward and lead the House in the Pledge of Allegiance.

Mr. KILMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND NATHANIEL DEMOSTHENE

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Mrs. LOWEY) is recognized for 1 minute.

There was no objection.

Mrs. LOWEY. Mr. Speaker, I rise to thank Reverend Nathaniel "Nate" Demosthene of Nyack, New York, for offering today's opening prayer.

A graduate of Spring Valley High School and of Yale University, Pastor Nate teaches in the East Ramapo Central School District and at Rockland Community College.

For the last 5 years, he has led First Timothy Christian Church, which, under his guidance, has been a source of support for Haitian Americans in our community following the devastating earthquake in Haiti.

Together we will continue to work toward our shared goals of democracy, prosperity, and success for the Haitian people.

Again I thank Pastor Nate for his excellent work and for being here today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

REJECT EPA'S POWER GRAB OF THE WATERS OF THE UNITED STATES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week we will send a measure to the President that rejects the EPA's waters of the United States power grab, a measure that the Senate has already joined us in supporting.

The EPA's plan would grant it jurisdiction over fully 95 percent of my home State of California, allowing an unaccountable Federal agency to insert itself into land use decisions across the State. In my district, residents have

experienced Federal actions so ludicrous that I can't make them up.

In Tehama County, a farmer was fined for planting wheat in a manner that the government claimed damaged navigable waters. Never mind that the farm has been listed as a wheat allotment by the USDA for decades.

In another instance, the government used the Clean Water Act to attack a family farm for shifting to more efficient irrigation systems, this during a drought in California. Imagine getting fined for saving water.

In both instances, the government sanctioned farmers for activities that are clearly exempt under the Clean Water Act.

In fact, language I sponsored to defund the regulation of exempt activities was signed into law in December; yet, the EPA persists in these illegal activities.

When Congress can't trust Federal agencies to use the authority they already have and when we can't trust them to follow clear congressional direction, how can we possibly consider granting them more power and more responsibility?

IN HONOR OF U.S. ARMY STAFF SERGEANT MATTHEW MCCLINTOCK

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I rise to recognize U.S. Army Staff Sergeant Matthew McClintock, a fallen hero who answered the call to serve his country.

Last week I had the solemn honor of joining his family—his wife, Ali, his 3-month-old son, Declan, his parents, and others—at Dover Air Force Base for Sergeant McClintock's final trip home. It was an experience I will never forget. It is important that his service and the sacrifice that he and his family have made be acknowledged here in the House of Representatives.

Sergeant McClintock joined the Army in 2006, and he served in both Iraq and Afghanistan. On his most recent deployment, he was serving as a citizen soldier in a National Guard Special Forces unit.

Not only will he be remembered as a Green Beret and as a hero, he will be remembered as a loving son, husband, and father who was so proud to welcome his son into the world. That world is stronger and better because of his service.

Nothing we can say can ease his family's pain, but I can promise that the service of this hero and his sacrifice will not be forgotten. It will live on in the memories of those he called comrades and in the memories of his commanders, who routinely cite the example he set.

It will live on in the gratitude of this Nation. Most importantly, it will live on with his wife, son, and other family

members, who knew better than anyone else his love for his country and for the people in his life.

THE PRESIDENT'S PUSH ON GUN CONTROL

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise to discuss the President's proposed executive actions on gun control. And you will probably hear more about this tonight, right here in this Chamber.

The Second Amendment has been engrained in American life since 1791, and, since then, Congress has been committed to preserving those constitutional rights. However, the President has a different agenda.

His proposed plan on gun control is yet another example of his unconstitutional legislative strategy, using executive orders and circumventing Congress to get his way.

Recent events have shown us that Americans deserve the right to protect themselves, and stripping law-abiding citizens of their right to bear arms will not accomplish that.

The American people do not want to see their Second Amendment rights limited, and neither do I. I will do everything in my power to fight against this administration's gun grab.

For 225 years, Americans have had the right to bear arms, and I am not about to see this right be compromised for the sake of a political legacy. The Constitution is not merely a significance. It is the law of the land.

END THE OVER-PRESCRIPTION OF PAIN KILLERS

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, last month the Centers for Disease Control and Prevention issued guidelines that urge primary care physicians to think twice before prescribing opioids for pain relief. I strongly support their call. Last year I asked the Federation of State Medical Boards to encourage stronger guidelines as well.

New research suggests that the over-prescription of opioids may be widespread across the medical community. Pain management is an important part of a physician's practice, but it is critical that prescribers understand when options other than these highly addictive drugs are available.

Mr. Speaker, last year the number of fatal overdoses from prescription painkillers increased by 16 percent and, from heroin, 28 percent. There are 19,000 Americans who lost their lives, and more die every day.

I thank the Centers for Disease Control and Prevention for their work on

this issue, and I urge the administration, Congress, and the medical community to end the over-prescription of painkillers.

THE PRESIDENT'S LEGACY OF FAILURE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this evening the President will address Congress and the American people and will defend his legacy of failure in jobs, national defense, and more gun control.

The President's legacy has destroyed jobs and has increased regulations that cripple small business. He should change course to support creating jobs and reducing unnecessary regulations, and he should repeal ObamaCare.

The President's legacy overseas—abandoning Iraq, not upholding the red line in Syria, and opposing a NATO training force in Libya—allowed ISIS to grow, with children fleeing, drowning at sea.

The President should change course to actually destroy ISIS. American families need a positive plan for victory in the global war on terrorism.

The President's legacy of more gun control would not have stopped any of the mass attacks. The President should change course to reform mental health and to stop terrorists from attacking American families.

I join the rest of America in hoping the President offers a positive agenda for the American people tonight, not more Big Government failure.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

2015 NCAA FOOTBALL NATIONAL CHAMPIONSHIP VICTORY

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute.)

Ms. SEWELL of Alabama. Mr. Speaker, I rise today with Congressman ROBERT ADERHOLT, as well as with the rest of the Alabama delegation, to congratulate Coach Nick Saban and the Crimson Tide for a tremendous victory last night in the NCAA National Football Championship.

What can I say? Roll Tide.

The win represents the 16th National Football Championship for the Crimson Tide and the fourth national title in 7 years under the leadership of Coach Nick Saban. What an awesome record.

The State of Alabama and its delegation are extremely proud of the talented football players, coaches, students, and fans. From Heisman Trophy winner Derrick Henry, quarterback Jake Coker, and the tremendous 95-

yard run of Kenyan Drake, all of the players—the entire 2015 team—deserve our applause and congratulations. This team will join the annals of Tide history as one of the 16 national championship teams. What an honor.

We also acknowledge the Clemson University Tigers for a great season and a great championship game last night.

I want to personally acknowledge Representative JEFF DUNCAN and his staff for the friendly wager and the spirited banter on social media. I know that Congressman DUNCAN will look great on the Capitol steps in the Bear Bryant houndstooth hat and in the University of Alabama tie. Now bring on that South Carolina barbecue.

Once again, we, the Alabama delegation, stand here today with slight humility and great pride to congratulate the Crimson Tide of the University of Alabama as the 2015 National Football Champion.

What do we say collectively? Roll Tide.

SERVICEMEMBERS RETIREMENT IMPROVEMENT ACT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, most of America's Guard and Reserve forces also hold civilian jobs in addition to their military service; but, unfortunately, the IRS doesn't treat these heroes fairly when it comes to their retirement savings.

Right now, if a Guard or a Reserve servicemember decides to benefit from a Thrift Savings Plan, or TSP, match, then the IRS may limit the member's ability to save for retirement simply because he also has a civilian career.

This is wrong, which is why I will be introducing the Servicemembers Retirement Improvement Act. I am pleased that the bill is supported by a wide range of military and veteran advocacy groups.

Just because they happen to be serving our country, our servicemembers shouldn't be penalized when it comes to saving for their retirements. We are working hard to right this wrong.

THE STATE OF THE UNION'S EMPTY SEAT

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, tonight, for the first time, there will be one empty seat in our First Lady's box for the State of the Union Address. One seat will be left open next to Ryan Reyes, whose boyfriend, Daniel Kaufman, was shot and killed in the recent terrorist attack in San Bernardino. That open seat will represent Daniel and all of the

Americans who have lost their lives to gun violence.

Tonight, when I look at that empty chair, I am going to be thinking about Mary Matsumoto, a 72-year-old woman who was shot and killed in San Pedro last January; Armando Bejar, a 15-year-old boy who was shot and killed in Compton in September; Lucille Wills, a 74-year-old woman who was shot and killed in Carson in April; Emmanuel Sosa, an 18-year-old young man who was shot and killed in Wilmington, California, in June.

That seat will represent the 436 people who have been shot and killed in just Los Angeles County alone since the last State of the Union. Heartbreakingly, if we were to save empty seats for each one of those victims, every seat on the House floor tonight would be empty.

□ 1215

HONORING THE LIFE OF HOWARD GAMBLE

(Mr. GOSAR asked and was given permission to address the House for 1 minute.)

Mr. GOSAR. Mr. Speaker, I rise today to honor the life and memory of Dr. Richard Howard Gamble of Sheffield, Alabama, who passed away on Christmas Day.

Howard served as a giant in the field of dentistry where he held numerous leadership positions, including the president of the Academy of General Dentistry, president of the Alabama AGD chapter, and president of the Alabama Dental Association.

Additionally, Howard devoted 17 years of public service to the State of Alabama serving as mayor of Sheffield, police and fire commissioner, city councilman, and Colbert County commissioner.

However, I am sure that Howard would be most proud of his record serving our country in the United States Air Force.

Despite these impressive accomplishments, Howard didn't live to rack up titles or positions. He lived to fulfill his mission of making a difference in the lives of his patients and his community. In that regard, Howard was a huge success.

On a personal note, I am incredibly proud to follow in Howard Gamble's footsteps as a dentist who answered the call of public service and to call Howard a personal friend. His lifelong contributions to advancing the field of dentistry will not be forgotten.

Finally, I would like to honor Howard, a graduate of the University of Alabama School of Dentistry, by saying two words that Howard would want to hear more than anything else: "Roll Tide."

Thanks for all the smiles, Howard. You will be missed.

IN HONOR OF JOSEPH JACKSON, JR.

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in honor of Joseph Jackson, Jr., a resident of my hometown of Anaheim, California.

Mr. Jackson was born on April 14, 1937, to a domestic worker and a janitor in Memphis, Tennessee, during the height of segregation.

His tremendous civil rights contributions date back to 1960 when he was elected as the Youth Council president of the NAACP at Tougaloo College, Mississippi.

On March 27, 1961, as a young college student, Mr. Jackson participated in a peaceful civil rights movement with eight others. You see, he wanted to be able to go into the Jackson, Mississippi, Municipal Library. They did a sit in—a "read in," they called it. These nine civil rights students were recognized as the Tougaloo Nine.

Mr. Jackson's desegregation movement started small, but his efforts led our Nation to ultimately desegregate public institutions.

As we celebrate Martin Luther King, Jr.'s Day, he has had an incredible impact, but let us not forget the Tougaloo Nine.

We honor Mr. Joseph Jackson, Jr., and the Tougaloo Nine for their historic achievements, nonviolent activism, and their courage to advocate for a civil society.

HONORING THE LIFE OF JOHN BENTLEY

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute.)

Mr. WEBER of Texas. Mr. Speaker, I rise today to honor a dear friend and compatriot, John Bentley of League City. John lost his fight to cancer on December 20. He was a mere 73 years old.

John and his beloved Geri, his wife, moved to League City in 1999 where they immersed themselves into the community by getting involved in local politics, nonprofits, and the local church.

John served on the Galveston County Health District's United Board of Health and served as a chair for precinct 152 for the county Republican Party. He also helped form the Bay Area Pachyderm Club where he was the club's vice president this year.

John was very passionate about local politics and became a very influential figure in our county. Along with his wife Geri, they established the Clear Lake Tea Party in 2009 where John served as the group's chairman in 2010.

It is with great sadness I must say good-bye to my friend, but it is impor-

tant that we celebrate his life and be comforted in the fact that he is now with our Lord and Savior, Jesus Christ.

MARTIN LUTHER KING DAY

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise in advance of Martin Luther King Day to recognize Dr. King and the advocates of peace, equality, and social justice who continue his work today.

Dr. King spoke of a dream: that his children would grow up in a world where they would not be judged by the color of their skin, but by the content of their character. Thanks to his work and sacrifice, I have had the benefit of growing up in a changing world where our content is more important than the color of our skin.

We still have more work to do. I want my children to grow up in a changed world where, regardless of race, gender, or sexual orientation, we can all be treated equally.

I hope this Congress will remember Dr. King and will continue to work to ensure that all Americans have the right to vote, equality under the law, and the opportunity to succeed.

SANCTITY AND DIGNITY OF EVERY HUMAN LIFE

(Mr. POMPEO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMPEO. Mr. Speaker, during his visit this September, less than 20 feet from where I stand, Pope Francis stood before this Congress and encouraged us "to protect, by means of the law, the image and likeness fashioned by God on every human face." Throughout my time representing the people of Kansas, I have fought to defend the sanctity and dignity of every human life and to honor this Papal admonition.

Next week, on January 22, the anniversary of the Supreme Court's decision in *Roe v. Wade*, hundreds of young people from all across Kansas will come together at the March for Life, united in their mission to advocate for the unborn. They will come from Kapaun Mt. Carmel High School, from Bishop Carroll High School, from Conway Springs, from Colwich, from Chanute, and from all across the Fourth District of Kansas.

I am proud that despite the millions of abortions that have been performed in the United States since *Roe*, that these young people remain steadfast in their efforts to end this unspeakable violence which has acted as a scourge against the unborn for far too long.

As these young people march on America's front lawn, the National Mall, I am encouraged that together we

can secure the right for the life of the unborn and end a practice that runs contrary to the most sacred principles on which this Nation was founded.

RECOGNIZING THE LIFE OF GEORGE MACOMBER

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, as chair of the Congressional Ski and Snowboard Caucus, I rise today to recognize the life of George Macomber, an accomplished New England business leader, a mentor, and a very dear friend who passed away in December.

Throughout his career, George was stalwart in his business, his athletic prowess, and his philanthropy. He was an Olympic ski racer on the U.S. ski team in 1948 and 1952, an official for the Eastern Amateur Ski Association, and a leader in business and philanthropy as president of the George B.H. Macomber Corporation.

He loved the challenge and thrill of downhill ski racing, and he was a founder in 1957 of Wildcat Mountain Ski Area in my district in Pinkham, New Hampshire.

Yet, as George found such extraordinary success, he never forgot to give back to his community. Over the years, he was a fierce supporter and advocate for many important causes in Boston and throughout New England.

He was the father of three extraordinary ski racers and the grandfather of several more. He and his wife Andy masterfully balanced their ski racing careers, their successful business career, and their generous philanthropy.

George Macomber will be missed by many, but his legacy of generosity, entrepreneurship, and extraordinary athleticism will live on for years to come. He will be sadly missed.

EVERY LIFE IS PRECIOUS

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I stand today in defense of innocent life. My wife Jacquie and I are blessed with seven wonderful children, each with their own unique gifts that they bring to the world.

I am and always have been pro-life. I am also opposed to Federal funding of abortion.

On January 6, the House sent the Restoring Americans' Healthcare Freedom Reconciliation Act to the President's desk. This bill would have made Planned Parenthood, the largest abortion provider in the United States, ineligible for much of the Federal funding it receives, instead reallocating those funds to provide for other women's health centers.

Unfortunately, the President put politics ahead of policy and vetoed the bill. The fight is far from over.

This year on the 43rd anniversary of *Roe v. Wade*, I join many Americans in mourning the death of the more than 56 million babies who have been lost. The bill passed by Congress is proof the American public is determined now more than ever to maintain the standard and principle that every life is precious and must be protected.

CALIFORNIA WATER LEGISLATION

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to inform that even if the El Nino rains and snows continue, the drought crisis in California is not over. The need to get California water legislation passed and signed into law in Washington and Sacramento is more urgent now than ever.

While the people I represent are hurting and over 1 million acres of some of the most productive farmland in the world goes unplanted, people in our country and around the world, sadly, go hungry. If this El Nino effect continues, there will be an opportunity to move water to arguably the driest part of California, which I represent a part of. Therefore, Congress must pass legislation that can provide short-term relief so water can be delivered to the San Joaquin Valley, because the livelihood of our farmers, farm workers, and farm communities depend on it. There still is time.

We have a broken water system in California. It is time we fix it. Failing to pass legislation to fix our broken water system is irresponsible and a disservice to all Californians, including the people who I represent.

TERRORISTS ATTEMPTING TO COMMIT GENOCIDE AGAINST CHRISTIAN BELIEVERS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the most ancient Christian communities of all are in the Middle East where faith has been handed down in unbroken succession since the Apostles. It is there that terrorists are attempting to commit genocide against Christian believers.

To an alarming extent, they are succeeding. For the first time in 16 centuries, there is no Catholic Mass offered in Mosul. Christians were once 15 percent of the population in Syria. Now, they are less than 5 percent. The percent in Egypt has been cut in half. ISIS has over 100 Christians captive, even as we speak.

Christian refugees are often afraid to stay at United Nations camps due to

the threats of violence even there. As a result, there are disproportionately few Christians among those granted refugee status by the United States. Only about 3 percent of Syrian refugees admitted into the United States are Christians.

While Christians are perhaps the most threatened group of all in Syria, the United States must not allow another genocide to happen on our watch, and we must ensure that we are helping those who are most vulnerable.

SIXTH ANNIVERSARY OF HAITI EARTHQUAKE

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise to commemorate the sixth anniversary of the devastating earthquake that struck the nation of Haiti on January 12, 2010. Today marks 6 years since the magnitude 7.0 earthquake struck some 15 miles south of Port-au-Prince, which is Haiti's population center and the seat of its government.

The aftermath of the quake was unimaginable. It is estimated that as many as 316,000 people perished and nearly 1.3 million were displaced. This tragedy struck in a nation already hobbled by grinding poverty, health disparities, and food insecurity.

Today, there remain approximately 147,000 internally displaced people in Haiti with countless others remaining displaced outside of IDP camps.

The world and the American people, though, responded to the earthquake with compassion and generosity. To date, the U.S. has contributed billions to recovery efforts, along with donors from around the world.

The Assessing Progress in Haiti Act, which I introduced in the House—it was a bipartisan effort with Congresswoman ILEANA ROS-LEHTINEN—which President Obama signed into law 2 years ago, provides critical oversight and reporting to ensure that aid be delivered in the most effective way possible. Unfortunately, more work needs to be done.

□ 1230

PAYING RESPECTS TO NEIL RATCHFORD

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to pay respects to Neil Ratchford, who passed away peacefully on Sunday at the age of 87.

Mr. Ratchford was born on November 1, 1928. He grew up and lived his entire 87 years in Guyton, Georgia.

He will be remembered as the sausage man because he made hot meat sausage, a family tradition since 1898. He

continued this family tradition until 1999, when he passed along the business to his son-in-law.

Throughout his life, he stayed community- and family-minded, believing that the best committee meetings were those with three members and two absent.

For over 50 years, along with his friend Lawton Nease, he spearheaded the 5th Sunday Men's Breakfast, which brings fathers and their sons together for a morning of faithful worship at the Guyton United Methodist Church.

He was a man of few words but believed you should make your words count. In the end, he joins his wife, Mary Olive, having lived a long, fruitful life raising four children and two grandsons, who now attend my alma mater, the University of Georgia.

My thoughts and prayers go out to his family.

A BANNER YEAR FOR THE LAS VEGAS VALLEY

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, 2015 was a banner year for the Las Vegas Valley. We broke records by welcoming more than 42 million visitors from around the globe to enjoy all that Las Vegas has to offer, and that is thanks to the hardworking men and women at our hotels, our restaurants, shops, casinos, and the supporting industries and agencies.

In particular, I would like to acknowledge Rossi Ralenkotter and his team at the Las Vegas Convention and Visitors Authority. The LVCVA has made Las Vegas not just a great place to live and work and visit, but also a brand that is recognizable worldwide.

Last week I had the pleasure of hosting Transportation Secretary Anthony Foxx in my district for a tour of the Consumer Electronics Show and a roundtable with local government transportation, tourism, and economic development leaders. We discussed the intersection of transportation policy and the tourism industry, and we shared exciting new plans about how to revitalize our aging infrastructure.

With the passage of the FAST Act and provisions I helped secure to ensure travel and tourism are part of our transportation planning, we have in place a long-term bill that will help bring this vision to life.

Mr. Speaker, 2016 promises to be an even bigger and better year for Las Vegas. Come and see and enjoy it for yourself.

CONGRATULATIONS TO THE THUNDERING HERD

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Mr. Speaker, if it seems like I stand here every year around this same time giving the same speech congratulating the same football team on winning the same national championship, it is because I do.

I am here again to congratulate the North Dakota State University Bison on making football history by winning their unprecedented fifth FCS national championship, defeating Jacksonville State of, yes, Alabama, 37–10 in Frisco, Texas, last Saturday.

Mr. Speaker, Bismarck's own Carson Wentz, our quarterback, earned MVP status for the second year in a row, an accomplishment made more remarkable by the fact that he missed the last eight games with a broken wrist on his throwing arm. His backup, freshman Easton Stick, deserves credit for leading the Thundering Herd to eight consecutive victories en route to Frisco.

Excellence is never accidental, Mr. Speaker. The coaching staff and the athletes at Bison Nation earned their place in history through hard work and exceptional preparation. These are to be admired by our Nation and aspired to by our Nation.

I look forward to standing here next year to celebrate the green and gold on winning an FCS six-pack.

Go Bison.

WATERS OF THE UNITED STATES

(Mrs. ROBY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROBY. Mr. Speaker, this week we are again taking important and long-awaited action on behalf of farmers, foresters, and anyone who owns land by sending to the President's desk a joint resolution ending the aggressive overreach by the Environmental Protection Agency into private lands.

S.J. Res. 22 is a joint resolution with the U.S. Senate to end the EPA's ridiculous waters of the United States rule seeking to expand the definition of "navigable waters" to include puddles, ditches, and other small bodies of water, making them subject to inspection.

Of course, we all want to ensure that rules are followed to keep our waters clean, but making puddles and ditches subject to inspection just to expand the reach of Federal regulators has nothing to do with clean water.

Mr. Speaker, you might recall that the House voted to put a stop to the waters of the U.S. rule last year, and the U.S. Sixth Circuit Court of Appeals granted a nationwide stay on the rule. However, this joint resolution is the measure we needed to finally send this bill to the President and put the responsibility for this harmful rule on him.

I will continue to fight against this radical environmental agenda being

forced on Americans by this administration through executive overreach. The Congress is right to take steps to stop it.

HUMAN TRAFFICKING AWARENESS MONTH

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, recently the Harris County, Texas, Precinct 4 Constable's Office received a phone call from Alaska. The Anchorage Police Department was looking for a missing teenage girl. They knew that she had met some bad people on social media and believed she was in Houston. They were correct.

Human sex traffickers targeted her on social media because slave traders are on the prowl for young, impressionable girls at the mall and online. They act like a friend or a boyfriend until they trap the victim. Then they enslave and force these young girls to sell their bodies over and over again. Mr. Speaker, our kids are sold at the marketplace of sex slavery.

Why was this teenager trafficked from Alaska to Texas? Because of demand. People, sex deviants are willing to buy and force other humans into bondage. We cannot end human trafficking without ending demand.

As we recognize Human Trafficking Awareness Month, Americans must fight for our kids and combat this modern-day slavery. That includes sending the sellers and the buyers of kidnapped young girls to prison and rescuing the victims.

And that is just the way it is.

WELCOME TO HUNTINGTON, DR. GILBERT

(Mr. JENKINS of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to welcome Dr. Jerome "Jerry" Gilbert as the 37th president of Marshall University in my hometown of Huntington, West Virginia.

Dr. Gilbert has decades of experience in higher education. He comes to Marshall from Mississippi State University, where he served as provost and executive vice president for 6 years.

I have no doubt that Dr. Gilbert will carry on the legacy of the beloved late Dr. Stephen J. Kopp, whose vision for Marshall University has helped transform it into the tremendous institution that it is today. He will also build upon the work of interim president Gary White, who has faithfully guided Marshall through a difficult time in the institution's history.

I am sure Dr. Gilbert and his wife, Leigh, and his family will see the Huntington community is one that they will be proud to call home.

As the university continues to capitalize on recent successes, including the new Arthur Weisberg Family Applied Engineering Complex, I look forward to working with Dr. Gilbert during this exciting new chapter for Marshall University.

Welcome to Huntington. Welcome to Marshall University, Dr. Gilbert.
Go Herd.

WE MUST SOLVE THE CRIMINAL JUSTICE PROBLEM

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, this is an exciting day as the President presents to us his vision for the Nation. In addition, over the weekend, Speaker RYAN indicated his vision and the opportunity for Members of Congress to pass serious legislation, which includes criminal justice reform.

How exciting it is to be the ranking member on the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations and to work with my colleagues Mr. GOODLATTE and Mr. CONYERS and all of my colleagues on that committee to talk about important issues.

Just today, we passed a bill dealing with mental health programs. A DOJ report found that 64 percent of those in jail, 54 percent of State prisoners, and 45 percent of Federal prisoners have some form of mental illness. Jails and prisons now house more than three times the number of mentally ill individuals than do mental health facilities and hospitals.

It is clear that part of criminal justice reform deals with mental health, but it also deals with rehabilitation and reentry, which we are discussing in the Committee on the Judiciary. In addition, we are working on reforming the juvenile justice system.

My message, Mr. Speaker, is, as the President speaks, as the Speaker has spoken, it is time now that we come collaboratively, Republicans and Democrats, and truly end mass incarceration and find a way to solve the criminal justice problem both by reducing gun violence, reducing crime, and helping the people who need the help.

CRISIS IN MADAYA, SYRIA

(Mr. KINZINGER of Illinois asked and was given permission to address the House for 1 minute.)

Mr. KINZINGER of Illinois. Mr. Speaker, I want to turn your attention to the crisis in Madaya, Syria.

Since July 2015, this town has been under siege by the evil regime of Bashar al-Assad. It has deprived the citizens; it has starved them; and in the last month, at least 31 have died. Those who try to flee face indiscrimi-

nate barrel bombs and targets by the Assad regime.

Bill Clinton once said that the greatest regret of his Presidency was inaction in Rwanda. Mr. Speaker, I fear that our greatest regret, both of this President and of this House, will be inaction in Syria. There are over 250,000 dead men, women, and children by the evil regime of Assad because they believed that to target women and children puts more collective pain than to target just fighters.

Mr. Speaker, if we are going to destroy ISIS—and we all want to destroy ISIS—you cannot destroy ISIS with the existence of Assad. Assad is the greatest recruiter to ISIS that has ever existed. Whether it is ISIS today or the next iteration tomorrow, Assad must go for the sake of a free Syria.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 12, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 12, 2016 at 11:31 a.m.:

That the Senate agreed to (relative to the death of Dale Bumpers, former United States Senator from the State of Arkansas) S. Res. 343

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ISIS AND THE EXTREMIST SHIITE CABAL

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHERMAN. Mr. Speaker, I just want to further the remarks of the gentleman from Illinois who just spoke.

There are those who think we can just go after ISIS. Keep in mind, the Shiite extremist alliance of Tehran, of Assad, of Hezbollah has killed far more Americans than ISIS has, starting with our marines in the 1980s, and including hundreds of our servicepeople in Iraq and Afghanistan. They have killed far more civilians than ISIS ever aspired to, over 200,000 in Syria alone.

Finally, as long as Assad is in power in Syria, the Sunni community will be rising up in rebellion. Assad doesn't fight ISIS; but he did, in effect, by his policies, create ISIS.

In addition, the extremist Shiites around Maliki in Baghdad did the same in Iraq by oppressing the Sunni com-

munity of Iraq and giving rise to this ISIS scourge. Let us remember, we have got to go after ISIS and the extremist Shiite cabal.

HOURLY MEETING ON TOMORROW

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1644, SUPPORTING TRANSPARENT REGULATORY AND ENVIRONMENTAL ACTIONS IN MINING ACT; PROVIDING FOR CONSIDERATION OF S.J. RES. 22, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY; PROVIDING FOR CONSIDERATION OF H.R. 3662, IRAN TERROR FINANCE TRANSPARENCY ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JANUARY 14, 2016, THROUGH JANUARY 22, 2016

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 583 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 583

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be

considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to commit.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs; and (2) one motion to recommit.

SEC. 4. On any legislative day during the period from January 14, 2016, through January 22, 2016—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

□ 1245

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gen-

tleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 583, providing for consideration of three important pieces of legislation. Those are H.R. 1644, the STREAM Act; H.R. 3662, the Iran Terror Finance Transparency Act; and S.J. Res. 22, a joint resolution providing for congressional disapproval of the EPA and Army Corps of Engineers' rule relating to the definition of waters of the United States under the Clean Water Act.

The rule provides for consideration of H.R. 1644 under a structured rule, making four amendments in order, three from the Democrats and one from the Republicans, H.R. 3662 under a closed rule and S.J. Res. 22 also under a closed rule.

Mr. Speaker, like many Americans, I have grave concerns about the administration's nuclear agreement with Iran. Since the agreement's adoption in July, Iran has shown no goodwill or intention of improving its relationship with the West. In many ways, the Iranian regime has increased its aggressive attitude toward the United States and our allies.

Against U.N. Security Council resolutions, the rogue nation has expanded its ballistic missile program, testing two missiles as recently as last fall. Just on December 26 an Iranian military ship fired a rocket near U.S. and French military vessels in the Persian Gulf. These incidents occurred just months before crippling international sanctions against the country are scheduled to be lifted.

Further, Iran continues to be a state sponsor of terrorism, a direct threat to our closest ally in the region, Israel, continues rampant human rights abuses, and continues the wrongful imprisonment of five American citizens.

President Obama and senior administration officials have claimed that the nuclear agreement and lifting of economic sanctions, which could return as much as \$100 billion in frozen assets to Tehran, will help Iran down a more moderate path. However, reality appears to show the contrary is occurring.

Just weeks after the deal was signed, Supreme Leader Ayatollah Ali Khamenei stated that: We won't allow American political, economic, or cultural influence in Iran.

And just last week the Supreme Leader told a gathering of prayer leaders that: Americans have set their eyes covetously on elections, but the great and vigilant nation of Iran will act contrary to the enemies' will, whether it be in elections or on other issues, and, as before, will punch them in the mouth.

While President Obama may find something positive in Iran's actions and statements, I believe Congress owes it to the American people to view Iran with skepticism and concern.

H.R. 3662, the Iran Terror Finance Transparency Act, requires the President to certify that those individuals and entities receiving sanctions relief under the Iranian nuclear deal are not involved in Iran's support for terrorism, its human rights abuses, or its ballistic missile program.

By passing this legislation, Mr. Speaker, Congress can help ensure that the U.S. will continue to sanction and deter terrorism and illegal ballistic missile tests within the state of Iran.

In arguing for the nuclear deal's adoption, the President committed to Congress and to the American people that our "sanctions on Iran for its support of terrorism, its human rights abuses, its ballistic missile program, will continue to be fully enforced."

This legislation gives us the opportunity to hold the President to his word and conduct the necessary oversight to ensure that sanctions are enforced.

Additionally, this rule will provide for consideration of two other very critical measures that will help protect American businesses and families from the administration's regulatory overreach.

Mr. Speaker, this rule provides for consideration of H.R. 1644, legislation that was drafted in response to the Office of Surface Mining Reclamation and Enforcement's ongoing rulemaking process that seeks to govern the interaction between surface mining operations and streams. It is commonly referred to as the stream buffer zone rule.

In December 2008, the outgoing Bush administration published its final stream buffer zone rule. This rule was the product of over 5 years of deliberation, extensive scientific research, environmental analyses, public comment, and a concurrence from the Environmental Protection Agency.

Put simply, this rule was developed the right way, with transparency, unbiased research, scientific integrity, stakeholder engagement, and, most importantly, public involvement.

However, shortly after the final 2008 rule was released, several environmental groups filed a lawsuit against the OSM, ultimately leading to a settlement agreement between OSM and the environmental groups.

After numerous missed deadlines, the environmental organizations renewed

the litigation, the administration agreed with the complaint. As a result, the court vacated the 2008 rule and OSM subsequently restarted the rule-making process.

Since that time, the entire process has lacked transparency. Oversight conducted by the House Committee on Natural Resources, of which I am a member, revealed that the settlement agreement's expedited timeframe, coupled with an inexperienced contractor and gross mismanagement of the rule-making process, resulted in major issues with the administration's rule.

Now, this may sound just a little familiar. It is the very same sue and settle practice that the House addressed just last week with the passage of H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act.

The outcome is another example of why sue and settle leads to poor rulemakings and onerous regulations that significantly harm the people, businesses, and jobs they are supposed to be supporting.

Backroom deals between environmental groups and Federal agencies do not lead to sound regulations, but instead circumvent the rulemaking process to serve the interest of a select few, namely, special interests and environmental groups.

For 6 years, OSM has been rewriting this rule, and the ongoing process has now cost the taxpayers over \$10 million, though this is only a small fraction of the cost it will have on businesses and hardworking American families.

The stream protection rule will drastically reduce our access to coal, which accounts for nearly half of our country's electricity, leading to higher electricity costs and significant job losses.

According to a study from the National Mining Association, the number of direct mining jobs that could be lost is between 40,000 and 77,000 and the total job losses is between 112,000 and 280,000, a fact that is underscored by the Nation's second largest oil company, Arch Coal, filing for bankruptcy, largely due to the increased cost of Federal regulations. That happened just this week, Mr. Speaker.

For these reasons, it is imperative that we pass H.R. 1644, legislation that delays the rule's implementation, increases scientific transparency for rulemakings affecting mining, directs a transparent third party to evaluate the existing stream buffer zone rule, and reduces duplicative regulation.

This rule also makes in order legislation dealing with an issue that I hear about very often in my congressional district. It strikes the controversial waters of the United States, or WOTUS rule.

S.J. Res. 22 is a resolution of disapproval of the President's WOTUS rule that was passed by the Senate in bipartisan fashion, and it is now time

for the House to consider and pass this important measure.

This legislation was crafted in response to the WOTUS rule promulgated by the EPA and the Army Corps of Engineers, which redefines and vastly expands the scope of water subject to Federal jurisdiction under the Clean Water Act. By issuing this rule, these agencies have given themselves broad new power over water and land across the United States.

Like many of my constituents, I am very concerned with this massive Federal overreach. It goes far beyond the agencies' statutory authority and could impose significant costs not only on American farmers and small businesses, but on States and local governments. The rule is another Federal power grab that has more to do with controlling land use decisions than protecting access to clean water.

Mr. Speaker, S.J. Res. 22 utilizes the Congressional Review Act to block this harmful regulation, and it is time to send this critical measure to the President's desk. I urge my colleagues to support this commonsense legislation and the rule providing for its consideration.

Mr. Speaker, the rule we consider here today provides for the consideration of three bills that are critically important for the future of this country.

□ 1300

We must pass H.R. 1644 and S.J. Res. 22 to protect American families and businesses from the rampant executive overreach that will be the defining achievement of the Obama administration.

Furthermore, the United States must stand with our allies in the Middle East, as well as around the world, in the face of growing Iranian aggression, which threatens not only the stability of the region, but the strength of U.S. alliances and standing in the world.

I stand ready to work with my colleagues on both sides of the aisle to ensure that the Obama administration's shortsighted nuclear agreement does not unravel decades of work by the U.S. and our allies to impose meaningful sanctions on the country of Iran. These sanctions have restricted Iran's ability to spread its radical beliefs and inflict unknown damage on its neighbors in the region, and I urge my colleagues to support this rule, as well as the underlying legislation.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Washington (Mr. NEWHOUSE) for yielding me the customary 30 minutes.

Mr. Speaker, I rise in very strong opposition to this rule and the underlying legislation. The rule provides for consideration of three pieces of legislation, and two of these bills are under a

completely closed process. In fact, these are the 49th and 50th closed rules in this Congress.

Last year was the most closed session in the history of our country, and I think this year will probably beat last year. I don't think that is anything to be proud of.

This is supposed to be the greatest deliberative body in the world, but the problem is, we don't deliberate very much anymore. We don't pass legislation. Instead, we pass sound bites, and that is what we are doing here today.

This Chamber has become an echo chamber, if you will, for the Republican Congressional Campaign Committee and its priorities, and the people's business gets tossed to the side.

When Speaker RYAN took the gavel, he promised openness and a return to serious legislating. And my colleagues on the Rules Committee, we give them many opportunities to be more generous with granting more opportunities for Members of both sides to be able to offer amendments. And every time we do that, they vote "no." And every time we bring up an open rule, they vote "no."

Here we are, with two more bills that will be debated under a completely closed process this week. Things have to change here, and I hope my colleagues in the leadership on the other side will reflect on what the purpose of all of us being here is supposed to be.

I would say it is about trying to find ways to come together and to pass things that will help improve the quality of life for all the people of this country, as well as to ensure our security in this dangerous world.

Mr. Speaker, let me say a few words about H.R. 3662, the Iran Terror Finance Transparency Act. My Republican friends would have us believe that this bill is a serious effort to increase congressional oversight of sanctions relief under the terms of the Joint Comprehensive Plan of Action, commonly known as the Iran deal.

I wish that were true, Mr. Speaker. Such a bill could bring together a substantial number of Members from both parties. I would be even more confident about such a bill if it were crafted with input from the administration about how Congress could be most helpful and effective in monitoring the Iran nuclear deal.

Regrettably, what is coming before the House is another ultra-partisan bill that would shut down the ability of the United States to carry out its own obligations under the Iran deal.

Rather than the world closely monitoring Iran's compliance, this bill would make the United States a target of condemnation for failing to fulfill its commitments. In fact, it would be the United States that is the nation in noncompliance with the Iran nuclear deal.

Now, many of my colleagues who are critics of the Iran nuclear deal have already signaled that they cannot support this bill. House Republicans made no attempt whatsoever to make this bill a bipartisan bill. They made no attempt to draft a bill that might actually be signed by the President and worth the American taxpayers' time. This is political theater at its worst, plain and simple.

This latest House Republican bill is even more dangerous because it plays politics with our national security.

No one here wants to see Iran freed from its commitment not to develop a nuclear weapon, but that is exactly what this bill would do if it ever became law. It would make sure that the United States could not fulfill its part of the bargain, thus killing the nuclear agreement, and Iran would once again be free to pursue building nuclear weapons. That is insane.

How can my Republican friends possibly think that this is a good idea?

I believe that there are Members of Congress in both parties who want to work together with the administration in a bipartisan manner to build on the progress that they have made to prevent Iran from obtaining a nuclear weapon.

I do believe there are Democrats and Republicans in Congress who genuinely want to strengthen the ability of the U.S. and the international community to respond effectively to Iran's recent testing of ballistic missiles, hold Iran accountable for their support of militant and terrorist organizations in the Middle East, and secure the freedom of Americans currently imprisoned in Iran.

I also believe that achieving these goals may not require legislation, but strong bipartisan actions that increase U.S. leverage with our international partners and with Iran.

But playing dangerous political games with our national security by bringing legislation like this to the floor, legislation that would undermine and perhaps even kill the nuclear deal with Iran, is not the answer.

Now, luckily for the American people, this bill is not going to go anywhere. Even if it were actually passed by both Chambers of Congress and made its way to the President's desk, it would be vetoed, and I strongly doubt that the Congress would be able to overturn a Presidential veto in support of such a clearly partisan bill.

Last week, Congress voted for the 62nd time to repeal the Affordable Care Act, and soon afterward, that bill was vetoed by the President. That is 62 times that Republicans wasted the American people's time and taxpayer dollars trying to take health care away from millions of families, all to make a political point.

Congress has already voted on the Iran deal. My colleagues who opposed

the deal tried to kill it, and they failed. It is now official policy. Are House Republicans going to take us down the same path they did with the Affordable Care Act? Are we also going to vote on this bill 62 times, a bill that we know the President will veto, just so the Republicans can make a political point?

Let's stop wasting the American people's time on such bills. Let's put politics aside and actually work together to responsibly monitor implementation of the Iran deal and find ways to strengthen U.S. leverage in other areas of concern on Iran.

So I urge my colleagues to reject H.R. 3662 and reject this rule.

Mr. Speaker, today, the House is also taking up two Republican bills that would have devastating effects on the environment and our Nation's public health. The first piece of legislation, S.J. Res. 22, is the Republican majority's fifth attempt to get rid of the Clean Water Rule. Here we are, having the same discussion once again, wasting the American taxpayers' time and money.

The Clean Water Rule was created in response to the Supreme Court declaring that the Clean Water Act needed to be narrowed and more clearly defined. So the EPA and the Army Corps of Engineers did just that—they narrowed the scope and provided for much-needed clarification.

With the EPA and Army Corps of Engineers doing exactly what they were supposed to do, you would think that would be the end of it. The EPA's ability to protect our water from pollution has been narrowed and the industry received the clarification that they wanted.

Unfortunately, my Republican friends are pushing new legislation to further weaken vital environmental protections.

The final bill before us, H.R. 1644, the STREAM Act, is a bill that is going nowhere and is the same bill that Republicans brought up last year, with the only difference being—and this is a major difference, I guess—but the only difference is that they changed the name. Otherwise, it is the same thing.

Mr. Speaker, the sole purpose of this Republican bill is to reverse the rule that the Department of the Interior released last year that regulates the destructive practice of mountaintop removal mining.

It has long been known that mountaintop removal mining heavily pollutes drinking water, destroys wildlife habitats, and puts local communities at greater risk of contracting life-threatening diseases.

Keeping the American people healthy and safe should always be our first priority in Congress. Yet, this bill is more focused on making it easier for big energy companies to continue the destructive and dangerous practice of mountaintop removal and gives no

thought whatsoever to the risks it poses to the American families nearby.

Before the recent rule released by the Department of the Interior in July 2015, parts of the regulations for mountaintop mining were more than 30 years old. Updates were clearly long overdue, and the fact that House Republicans are now actively working against the safeguards established by the rule is astounding.

Are Republicans so beholden to big coal companies that they would put the health and safety of our country's families at risk? This bill clearly suggests that the answer is yes.

Mr. Speaker, we are only 2 weeks into the new year, and instead of House Republicans starting the year by working in a bipartisan way to bring serious legislation to the floor, we are, once again, debating political messaging bills that fail to address the most pressing issues we face in a constructive way.

There is so much we need to do, and I believe that there is so much that we can agree on and actually move forward that will get through both Chambers and go to the White House and be signed and become law and actually improve things for the people of this country. That is what we are supposed to be doing here.

Mr. Speaker, the American people deserve a lot better than this.

I reserve the balance of my time.

Mr. NEWHOUSE. I yield myself such time as I may consume.

Mr. Speaker, I have got several colleagues here that would like to weigh in on all three of these issues. But before I turn the floor over to them, I just wanted to make a comment about the fact that there are two closed rule bills in this.

All of these issues before us today have been thoroughly vetted. They have been through the committee process. They have had ample opportunity for people to weigh in.

In fact, one of the bills is in a structured rule. Actually, we are allowing four amendments. Three of those amendments are from the Democratic side. So I think that there is ample opportunity for all people to make their feelings known on this legislation in front of us.

I would suggest to you, Mr. Speaker, that transparency, public involvement, and anything that the administration, that this government does, is not a waste of time. In fact, it is our duty to make sure that the public has the ability to see what its government is doing, to make sure it is done in the light of day.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH), my good friend.

Mr. SMITH of Nebraska. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of this rule and, certainly, the underlying legislation.

Despite abundantly clear congressional intent to limit Federal jurisdiction under the Clean Water Act to only navigable waters, the waters of the United States rule will expand EPA's jurisdiction to nearly all areas with any hydrological connection to navigable waters.

This rule relied on—and I want to quote here General Peabody of the Army Corps of Engineers—“inappropriate assumptions with no connection to the data provided, misapplied data, analytical deficiencies, and logical inconsistencies.”

In fact, the Army Corps, the joint author of the rule, was so concerned about the EPA's methods, they wanted their name and logo removed from EPA documents.

Furthermore, it has now come to light that the EPA broke Federal law by engaging in a propaganda campaign to carry out this agenda behind their rule.

Congress has a responsibility to guard against these bureaucratic power grabs by executive agencies. This is why I introduced the companion bill to the underlying legislation immediately after the rule was finalized. The resolution has gained more than 70 cosponsors, with supporters from both sides of the aisle.

Thanks to the expedited procedures established under the Congressional Review Act, when we vote on this legislation tomorrow, the bill will proceed directly to the President's desk.

Tomorrow's vote will also mark the second time legislation has passed out of the House of Representatives to repeal the waters of the U.S. rule with bipartisan support.

My hope is the President will listen to the American people, listen to their concerns, local officials, small-business men and women, and begin pursuing policies which expand economic opportunity, and not stifle innovation with one regulation after another.

□ 1315

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to respond to something the gentleman from Washington said when he basically made the statement that as long as committees take action, we don't need open rules. That is a whole new approach to the way this place is being run. I thought the Speaker of the House made it very clear he wanted more open rules. The previous Speaker of the House did, too. He didn't do that.

The bottom line is just because a committee took action on it, there are 435 Members of this House, and not everybody is on the same committee. We ought to be able to have a free-flowing debate, and people ought to be able to offer amendments. We ought to deliberate.

I am going to make a prediction that, if we did have an opportunity to truly

be a deliberative body, you might get better legislation, and you might get legislation that gets lots of bipartisan support and actually gets signed into law and we get things done. Instead, we are stuck in this pattern where we really don't have regular order. We have order enforced with an iron fist where people are just locked out. It is not just Democrats that are locked out of the process; it is Republicans as well. When you close a rule down completely, it means nobody—nobody—has an opportunity to offer anything.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SHERMAN), the ranking member of the Foreign Affairs Subcommittee on Asia and the Pacific.

Mr. SHERMAN. Mr. Speaker, I rise to address the portion of the rule that deals with the Iran terrorism bill.

I have voted for every Iran sanctions bill to come to this floor. I helped draft many of them, and I am ready to draft, work on, and vote for Iran sanctions bills in the future even if they are opposed by the administration. Keep in mind, nearly every Iran sanctions bill, which has passed this House floor, became law, and gave us at least some leverage over Iran, was opposed by the then-George W. Bush administration and by this administration.

We need a good process to draft good legislation that will do what President Obama promised we would do, and that is adopt new sanctions designed to change Iran's behavior with regard to its nonnuclear wrongdoing, its support for terrorism, its missile test in violation of U.N. Security Council resolutions, its human rights record, and its seizure of American hostages.

Unfortunately, this is a flawed bill which is the product of a flawed process. Look at the process: 100 cosponsors, all from one party, with no Democrat on the Foreign Affairs Committee invited to help draft the bill or even invited to cosponsor it.

Now this process is epitomized by a closed rule. The gentleman from Washington offers a new definition of an open rule. An open rule is a closed rule on a bill that has been considered by a committee. That is the new definition of “open rule.” I suggest we keep the old definition.

This is a closed rule that prevents people from offering amendments that might have had a better chance of passing on the floor than they would have in committee. A Member should be free to offer amendments both on the floor and in committee if they are a member of the committee; but this is a closed rule, and this process of a closed rule prevents amendments to fix flaws in the bill.

There are at least two. The first is that the bill deprives the President of the authority to delist some 489 entities. It locks them on to the SDN list, but it leaves out 269 other entities, cre-

ating two classes of wrongdoing companies and other entities that sponsor and facilitate terrorism for no apparent reason. An entity stays on the list until the President issues a certification, a certification that no President could ever certify. You have to certify that we know that from the beginning of time the entity has not had any dealing with any of dozens of different terrorist organizations. That is a certification designed to be impossible and designed to lock entities in.

I look forward to a bipartisan process. For example, I have a bill that has been cosponsored by the current and immediate prior chair of the Foreign Affairs Committee. There are other bills subject to a bipartisan process because we do need new sanctions on Iran to change its nonnuclear wrongdoing. Those sanctions are warranted because Iran has engaged in the missile test in violation of the U.N. Security Council resolution, because its support for terrorism is responsible for the deaths of tens of thousands of people in Syria and Yemen, and because it used to hold four but now holds five American hostages, not to mention its other human rights records. It is consistent with administration policy that we have sanctions on Iran's nonnuclear behavior.

The negotiations in Vienna, the negotiations on this deal, left out all of Iran's nonnuclear behavior, not because it was intended to give them carte blanche, not because we were accepting their support for terrorism, but because these were to be the subject of other sanctions and other efforts to force a change in Iran's behavior.

Finally, the question is, well, do sanctions work? That is the one thing the opponents and proponents of the deal agreed on. The proponents of the deal said that the sanctions have brought us a very good deal. The opponents of the deal said that more sanctions will get us a better deal. So in a House that was divided on almost every aspect of Iran policy, the one thing we agreed on was that sanctions have the capacity to change Iran's behavior.

The SPEAKER pro tempore (Mr. POE of Texas). The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman from California an additional 1 minute.

Mr. SHERMAN. So the President promised that we would not abandon our efforts with regard to Iran's terrorism and with regard to Iran's hostage taking, and that we would not abandon the four hostages they had then or the additional hostage that they have taken since the deal, and that we would not turn a blind eye to the fact that Iran is the single most important ally of the butcher Assad, who has killed over 200,000 of his own people, not to mention Iran's support for terrorism in Yemen.

Mr. Speaker, we should not fail to do so simply because we have a deal that was exclusively, strictly, and explicitly limited to dealing with Iran's nuclear program. That said, the bill before this House today is a flawed bill that cannot be corrected because of a flawed process. We need a bipartisan process that crafts a policy toward Iran's non-nuclear wrongdoing that unites, if not all of this House, a large majority of this House.

Mr. NEWHOUSE. Mr. Speaker, I would just like to make the point that it is customary, whether Republicans are in control or whether Democrats control, that the CRAs, the Congressional Review Acts, come to the floor under a closed rule. I might also say that, regarding the STREAM Act, all amendments that were germane were made in order. As it comes to the bill pertaining to Iran, that bill was marked up in committee last week. No amendments were offered, and the bill passed on voice vote.

Having made those points, Mr. Speaker, I yield 1½ minutes to the good gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman from Washington for yielding.

Mr. Speaker, I rise in support of this rule.

Tonight President Obama will deliver his final State of the Union, where I expect he will celebrate his supposed achievements over the last 7 years. Outside the beltway, and especially in western Pennsylvania, there is little to celebrate about the Obama Presidency. The war on coal has been a central feature of Washington's misguided efforts over the past several years, and it has caused the loss of over 40,000 jobs in the coal industry across the country and economic hardship in coal country.

Later today we will vote on the STREAM Act, which challenges OSM's so-called stream protection rule. I am a cosponsor of this legislation, and I look forward to its passage.

The stream protection rule is yet another block in the wall of regulation that President Obama has been building the last 7 years. It will lead to the loss of thousands of jobs, and it will reduce coal reserves by 41 percent. That amounts to a \$20 billion loss to the economy.

Just yesterday we learned of the bankruptcy of yet another coal company. The job losses, firm closures, and disruptions to our communities are real, and they cannot be ignored any longer. This is an attack on cheap, plentiful, and reliable energy, and it will result in more control from Washington of the economy and the American people.

Mr. Speaker, I urge my fellow Members to support the passage of this rule and the associated bills.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I again continue to be amazed that the gentleman from Washington defends this process. I don't know how anybody can defend this process, it is so flawed. The end result is, again, bringing bills to the floor that are going nowhere and that are sound bites. They are not serious legislation.

Mr. Speaker, I include in the RECORD the Statement of Administration Policy on all three bills in which the White House says they will veto these bills.

STATEMENT OF ADMINISTRATION POLICY
H.R. 1644—STREAM ACT

(Rep. Mooney, R-WV, and 34 cosponsors,
Jan. 11, 2016)

The Administration strongly opposes H.R. 1644, which would delay for at least three years updated regulations, known as the Stream Protection Rule, to protect streams from the effects of destructive surface coal mining practices. Such a needless delay of these important safeguards would impact the communities and economies that depend on clean water and a healthy environment.

The current stream protection requirements governing surface mining activities are more than 30 years old and do not incorporate significant advances in scientific knowledge and mining and reclamation techniques. An arbitrary three year restriction to block the updated modern, science-based regulations would significantly impair the ability of the Office of Surface Mining Reclamation and Enforcement (OSMRE) to accomplish the mission and responsibilities the Congress laid out in the Surface Mining Control and Reclamation Act of 1977, including preserving clean water, human health, and the environment.

H.R. 1644 would prevent the restoration of hundreds of streams, result in deterioration of water quality for thousands of stream miles, and create sustained regulatory uncertainty, as well as public health impacts for downstream communities. In addition, the bill would impose arbitrary requirements and unnecessary processes that would seriously impede OSMRE's ability to use the best available science to protect public health and the environment.

If the President were presented with H.R. 1644, his senior advisors would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY
S.J. RES. 22—DISAPPROVING EPA/ARMY RULE ON
WATERS OF THE UNITED STATES

(Sen. Ernst, R-IA, and 49 cosponsors,
Nov. 3, 2015)

The Administration strongly opposes S.J. Res. 22, which would nullify a specified Environmental Protection Agency (EPA) and the Department of the Army (Army) final rule clarifying the jurisdictional boundaries of the Clean Water Act (CWA). The agencies' rulemaking, grounded in science and the law, is essential to ensure clean water for future generations, and is responsive to calls for rulemaking from the Congress, industry, and community stakeholders as well as decisions of the U.S. Supreme Court. The final rule has been through an extensive public engagement process.

Clean water is vital for the success of the Nation's businesses, agriculture, energy development, and the health of our communities. More than one in three Americans get their drinking water from rivers, lakes, and reservoirs that are at risk of pollution from

upstream sources. The protection of wetlands is also vital for hunting and fishing. When Congress passed the CWA in 1972 to restore the Nation's waters, it recognized that to have healthy communities downstream, we need to protect the smaller streams and wetlands upstream.

Clarifying the scope of the CWA helps to protect clean water, safeguard public health, and strengthen the economy. Supreme Court decisions in 2001 and 2006 focused on specific jurisdictional determinations and rejected the analytical approach that the Army Corps of Engineers used for those determinations, but did not invalidate the underlying regulation. This has created ongoing questions and uncertainty about how the regulation is applied consistent with the Court's decisions. The final rule was developed to address this uncertainty and it should remain in place.

If enacted, S.J. Res. 22 would nullify years of work and deny businesses and communities the regulatory certainty needed to invest in projects that rely on clean water. EPA and Army have sought the views of and listened carefully to the public throughout the extensive public engagement process for this rule.

Simply put, S.J. Res. 22 is not an act of good governance. It would sow confusion and invite conflict at a time when our communities and businesses need clarity and certainty around clean water regulation.

If the President were presented with S.J. Res. 22, his senior advisors would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY
H.R. 3662—IRAN TERROR FINANCE
TRANSPARENCY ACT

(Rep. Russell, R-OK, and 62 cosponsors,
Jan. 11, 2016)

The Administration strongly opposes H.R. 3662, the Iran Terror Finance Transparency Act, which would prevent the United States from implementing the Joint Comprehensive Plan of Action (JCPOA) by tying the Administration's ability to fulfill U.S. commitments under the deal to unrelated, non-nuclear issues.

H.R. 3662 includes provisions that connect the United States' JCPOA commitment to provide sanctions relief by delisting certain Iran-related individuals and entities, including banks, to non-nuclear issues outside of the scope of the JCPOA. In addition, certain provisions would effectively preclude delisting of individuals or entities on Implementation Day of the JCPOA—the day on which the International Atomic Energy Agency verifies that Iran has completed key nuclear-related steps that significantly dismantle and constrain its nuclear program—based on activity that may have taken place and ended long before Implementation Day and involving persons or activity that will no longer be sanctioned post-Implementation Day. By preventing the United States from fulfilling its JCPOA commitments, H.R. 3662 could result in the collapse of a comprehensive diplomatic arrangement that peacefully and verifiably prevents Iran from acquiring a nuclear weapon. Such a collapse would remove the unprecedented constraints on Iran's nuclear program that we achieved in the JCPOA, lead to the unraveling of the international sanctions regime against Iran, and deal a devastating blow to America's credibility as a leader of international diplomacy. This would have ripple effects, jeopardizing the hard work of sustaining a unified coalition to combat Iran's destabilizing activities in the region, calling into question the effectiveness of our sanctions regime and

our ability to lead the world on nuclear non-proliferation.

The Administration has consistently made clear that the purpose of the nuclear negotiations, and ultimately the JCPOA, was to address one issue only—the international community's concerns over Iran's nuclear program and to verifiably prevent Iran from acquiring a nuclear weapon. The JCPOA is the mechanism through which the United States was able to garner international support for our sanctions and achieve a diplomatic resolution.

As we address our concerns with Iran's nuclear program through implementation of the JCPOA, the Administration remains clear-eyed and shares the deep concerns of the Congress and the American people about Iran's support for terrorism. Powerful sanctions targeting Iran's support for terrorism, its ballistic missile activities, its human rights abuses, and its destabilizing activities in the region remain in effect. Anyone worldwide who transacts with or supports individuals or entities sanctioned in connection with Iran's support for terrorism or development of WMD and their means of delivery, including missiles—or who does the same with any Iranian individual or entity who remains on Treasury's Specially Designated Nationals and Blocked Persons List—puts themselves at risk of being sanctioned.

The President has made it clear that he will veto any legislation that prevents the successful implementation of the JCPOA. If the President were presented with H.R. 3662, he would veto the bill.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a statement from the Win Without War coalition, 11 million activists across the country in opposition to H.R. 3662.

A STATEMENT FROM DREW PROCTOR, ADVOCACY DIRECTOR OF "WIN WITHOUT WAR"

The Win Without War coalition, on behalf of our 11 million activists, urges your office to stand strong against all attempts to undermine the Joint Comprehensive Plan of Action in Congress.

In particular, we urge Representative McGovern to OPPOSE H.R. 3662, the Iran Terror Finance Transparency Act.

H.R. 3662, which would prohibit President Obama from delivering on sanctions relief, has the potential to damage the leadership and credibility of the United States at this critical moment just before the historic agreement is implemented. Furthermore, the timing of the House's vote—between President Obama's State of the Union speech and the deal's implementation date later this month—appears to be a deliberately partisan act designed to undermine the President and weaken his legacy. At a time when much of the Middle East is engulfed in war, the US has rightfully seized this opportunity to solve one of our most pressing national security threats without dropping a single bomb. We must not let political interests trump our national security goals. Huge progress has been made since the Iran deal was announced last July. Just yesterday, Iran reportedly took steps to remove the core of its plutonium reactor and fill it with concrete.

Sincerely,

DREW PROCTOR,
Advocacy Director,
Win Without War.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from 65 environmental organizations representing millions of members in opposition to H.J. Res. 22.

JANUARY 12, 2016.

REPRESENTATIVE: The undersigned organizations, and our millions of members and supporters, oppose the Dirty Water Resolution (S.J. Res. 22). The "Resolution of Disapproval" under the Congressional Review Act attacks the Clean Water Rule, the Obama administration's landmark initiative to restore safeguards against pollution and destruction for lakes, streams, wetlands and other water bodies.

The Clean Water Rule restores important safeguards that once existed for a variety of water bodies. Those safeguards were eroded after a pair of Supreme Court decisions and by policies the Bush administration adopted, which left many water bodies inadequately protected or lacking the pollution control requirements of the Clean Water Act. The rule restores prior protections for many critical wetlands, which curb flooding, filter pollution, and provide habitat for a wide variety of wildlife, including endangered species and wildfowl and fish prized by hunters and anglers.

The Dirty Water Resolution is an extreme action that seeks to kill the Clean Water Rule using the Congressional Review Act, which goes far beyond stopping a disapproved administrative action. The Congressional Review Act says that an agency may not adopt "a new rule that is substantially the same" as the disapproved rule, and the breadth of that requirement is very unclear.

In the context of the Clean Water Rule, it could be read to prohibit EPA and the Army Corps from issuing any rule that establishes protections for waters that the Clean Water Rule covers, like lakes, streams, and wetlands. The Dirty Water Resolution radically undermines the agencies' ability to clarify the jurisdiction of the Clean Water Act—despite urging from industry associations, conservation groups, members of Congress, state and local leaders, and Supreme Court justices for such a clarification.

By pursuing this anti-clean water resolution, pro-polluter members of the House of Representatives are seeking to kill a commonsense and modest rule containing scientifically-sound and legally-valid protections for the nation's waters, including critical drinking water supplies.

Restored clean water protections enjoy broad support. In polling for the American Sustainable Business Council, eighty percent of small business owners—including 91% of Democrats, 73% of Independents and 78% of Republicans—said they supported the then-proposed Clean Water Rule. A strong majority, 71%, also said that clean water protections are necessary to ensure economic growth; only six percent said they were bad for growth. Similarly, a bipartisan research team polled hunters and anglers nationwide and discovered that 83% surveyed thought that the Environmental Protection Agency should apply the rules and standards of the Clean Water Act to smaller, headwater streams and wetlands. Support for this policy was strong across the political spectrum, with 77% of Republicans, 79% of Independents and 97% of Democrats in favor.

We ask that you oppose the Dirty Water Resolution (S.J. Res. 22) because it will undermine protections for our drinking water supplies, flood buffers, and fish and wildlife habitat. This attack on clean water is not only a waste of the House's time but also an excessive and dangerous act that jeopardizes clean water for generations to come.

Sincerely,

Alliance for the Great Lakes, American Rivers, American Whitewater, Amigos Bra-

vos, Arkansas Public Policy Panel, BlueGreen Alliance, Central Minnesota Chapter of Audubon, Clean Water Action, Conservation Minnesota, Earthjustice, Endangered Habitats League, Environment America, Environment California, Environment Colorado, Environment Connecticut, Environment Florida, Environment Georgia, Environment Illinois, Environment Iowa, Environment Maine, Environment Maryland, Environment Massachusetts.

Environment Michigan, Environment Minnesota, Environment Montana, Environment New Hampshire, Environment New Jersey, Environment New Mexico, Environment New York, Environment North Carolina, Environment Oregon, Environment Texas, Environment Virginia, Environment Washington, Freshwater Future, Friends of the Cloquet Valley State Park, Friends of the Mississippi River, Great Lakes Committee—the Izaak Walton League, GreenLatinos, Greenpeace, Gulf Restoration Network, Hoosier Environmental Council, Iowa Environmental Council, Kentucky Waterways Alliance.

League of Conservation Voters, Michigan Wildlife Conservancy, Midwest Environmental Advocates, Minnesota Center for Environmental Advocacy, Minnesota Conservation Federation, Minnesota Environmental Partnership, Missouri Coalition for the Environment, Natural Resources Defense Council, Nature Abounds, Ohio Wetlands Association, PennEnvironment, Prairie Rivers Network, Religious Coalition for the Great Lakes, River Network, Save the Dunes, Shaker Lakes Garden Club, Sierra Club, Southern Environmental Law Center, Surfrider Foundation, Tennessee Clean Water Network, Wisconsin Environment, Wisconsin Wildlife Federation.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from eight sportsmen and conservation organizations in strong opposition to S.J. Res. 22.

JANUARY 11, 2016.

Re Hunters and Anglers Strongly Oppose S.J. Res. 22 Invalidating the Final Clean Water Rule

DEAR REPRESENTATIVE: The undersigned sportsmen and conservation organizations strongly oppose Senate Joint Resolution 22, which the House of Representatives may vote on this week and would invalidate the final Clean Water Rule. This important rule clarifies Clean Water Act jurisdiction in a manner that is both legally and scientifically sound.

This joint resolution is an extraordinary and radical action to overturn a fundamental, once-in-a-generation final rule that is critical to the effective implementation of the 1972 Clean Water Act, and that was adopted following an exhaustive public rule-making process. The resolution would overturn a rule that finally resolves longstanding confusion and debate, promotes clarity and efficiency for regulatory programs promoting river health, and preserves longstanding protections for farmers, ranchers, and foresters.

By using the Congressional Review Act, this joint resolution not only wipes out the final Clean Water Rule but also prohibits any substantially similar rule in the future. It locks in the current state of jurisdictional confusion and offers no constructive path forward for regulatory clarity or clean water. America's hunters and anglers cannot afford to have Congress undermine effective Clean Water Act safeguards, leaving communities and valuable fish and wildlife habitat at risk indefinitely.

This joint resolution dismisses the voices of the millions of Americans, including businesses that depend on clean water, who support the new rule and are eager to reap its benefits. The agencies engaged in a very transparent and thorough multi-year rule-making process that included over 400 stakeholder meetings and an extended public comment period that produced over one million comments. Nearly 900,000 members of the public commented in support of the Clean Water Rule. A recent poll found that 83 percent of sportsmen and women think the Clean Water Act should apply to smaller streams and wetlands, as the new rule directs.

The Clean Water Rule clearly restores longstanding protections for millions of wetlands and headwater streams that contribute to the drinking water of 1 in 3 Americans, protect communities from flooding, and provide essential fish and wildlife habitat that supports a robust outdoor recreation economy. The sport fishing industry alone accounts for 828,000 jobs, nearly \$50 billion annually in retail sales, and an economic impact of about \$115 billion every year that relies on access to clean water. The Clean Water Rule will translate directly to an improved bottom line for America's outdoor industry.

Opponents claiming the rule goes too far and protects water too much have filed a barrage of nearly identical legal challenges in numerous district and appellate courts across the country. On October 9, 2015, the 6th Circuit Court of Appeals temporarily stayed the Clean Water Rule nationwide. The Clean Water Rule and those who oppose it will have their day in court.

Meanwhile, we want Congress to know that despite these legal challenges, conservationists across the nation are steadfast in our support for the Clean Water Rule. After nearly 15 years of Clean Water Act confusion, further delay is unacceptable to the millions of hunters and anglers eager to have their local waters fully protected again. We are confident that, when the dust settles in the courts, the Clean Water Rule will withstand challenges saying it protects our water too much.

The Clean Water Act has always been about restoring and maintaining the chemical, physical, and biological integrity of the Nation's waters. It is bedrock support for America's more than 40 million hunters and anglers and for the 117 million Americans whose drinking water depends on healthy headwater streams.

We thank all of the members of Congress who stand with America's sportsmen and women to block attempts to derail the rule, and ask you to reject S.J. Res. 22 and any other legislative action against the rule that may follow this year.

Sincerely,

American Fisheries Society, American Fly Fishing Trade Association, Backcountry Hunters and Anglers, International Federation of Fly Fishers, Izaak Walton League of America, National Wildlife Federation, Theodore Roosevelt Conservation Partnership, Trout Unlimited.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from nine public interest, environmental, and labor organizations strongly opposing H.R. 1644.

JANUARY 11, 2016.

DEAR REPRESENTATIVE: On behalf of our millions of members and supporters we strongly urge you to oppose the stream pol-

lution bill, H.R. 1644, a bill expected on the House floor the week of January 11, 2016. This bill would put costly and unnecessary bureaucratic hurdles in the already overburdened regulatory process with the sole intent of ensuring that coal companies can continue to destroy streams with coal wastes.

The present rules protecting such streams date to 1983. After the Department of Interior took several years to develop the proposed Stream Protection Rule, this bill requires a new study, this time by the National Academy of Sciences, on the effectiveness of the current decades-old surface mining regulation. The bill carves out two years for the completion of that study and then bars DOI from updating the rule for an additional year after that. In the meantime, communities will continue to shoulder the burden of water pollution and mining abuses. The intent of these new delays is clear: let the mining companies continue unimpeded with sacrificing the streams and health of the communities that surround their mines.

Another section of the bill adds new procedural hurdles before DOI can act under the surface mining law. Today, the Secretary and the heads of all rulemaking agencies regularly make available all the information relied upon concurrently with the proposed or final rule. Doing so enables stakeholders to weigh in during the public comment period on the basis for the proposal. This bill requires DOI to publish all scientific data used in a proposed rule 90 days before publication. It is unclear what the intent of this redundant provision is other than to congest the regulatory system with even more process and delay. If the Agency fails to meet this new paperwork burden, the goal of the authors is met—the protections must be delayed even further.

Unfortunately, these types of delay tactics are becoming increasingly common across the regulatory spectrum as polluters attempt to dodge their responsibilities. Thus, H.R. 1644 continues a dangerous trend of undermining public health and environmental protections under the guise of transparency. We urge you to vote against this legislation, both to protect mining communities and to our reject attempts to delay and frustrate improved regulatory protections.

Sincerely,

Center for Biological Diversity, Center for Effective Government, Center for Science and Democracy at the Union of Concerned Scientists, Economic Policy Institute, Institute for Agriculture and Trade Policy, Natural Resources Defense Council, Public Citizen, United Auto Workers, United States Public Interest Research Group.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from the Union of Concerned Scientists in strong opposition to H.R. 1644.

UNION OF CONCERNED SCIENTISTS,

September 9, 2015.

DEAR REPRESENTATIVE: The Union of Concerned Scientists, with 450,000 members and supporters throughout the country, strongly opposes The Amendment in the Nature of a Substitute to H.R. 1644, the STREAM ACT. H.R. 1644, as amended, would require the public disclosure of any and all information used to promulgate rules, and even policy guidance, relating to the Surface Mining and Control Act.

As we highlighted in *Science*, this proposal is just another example of what's becoming an old and tired song: an attempt to cloak an effort to block common-sense regulation in the guise of transparency. Furthermore, as

we noted in a letter sent to the U.S. House of Representatives earlier this year opposing H.R. 1030, the Secret Science Reform Act, this type of proposal represents a solution in search of a problem and greatly impedes the agency's responsibility to protect public health and the environment.

The amended version improves the original bill by exempting certain types of data from public disclosure. However, the language is so vague, it will make it very difficult for scientists doing federally-funded research to know whether or not the data they have spent years collecting may be prematurely disclosed before they can publish their own studies. At the very least, this discourages scientists from doing any crucial research that may be required to be publicly disclosed.

Worse, by linking agency rulemaking to public disclosure, this bill risks the timely implementation of regulations and guidance documents that protect the public health and safety and our environment. Agency rules will be delayed if any piece of underlying data used to inform rules or guidance documents is not publicly disclosed 90 days before the proposed rule or guidance is published. This is flawed because the data is not owned by the Department of Interior and the release of the data is under the researcher's control. For each day the data is delayed, the comment period is extended by a day. If the delay lasts longer than six months, the rule must be withdrawn.

These restrictions apply even to emergency rules, unless a delay "will pose an imminent and severe threat to human life." Notably missing here however is the environment. For example, if a stream is polluted at a level that doesn't pose an immediate risk but may pose a long-term risk, under this proposal, the environmental pollution could not be stopped until it might be too late.

This proposal offers special interests a new way to game the system, by challenging the comprehensiveness of any data that the Department of Interior submits to fulfill the bill's requirements. Who decides when the data includes "all the data?" How much data, for example, must be released to justify an economic assessment, or an environmental analysis or a guidance document?

Unanswered, too, is the question whether a regulation or guidance document based on exempt information is considered valid for purposes of this bill. Could the use of exempt information itself be grounds for a challenge?

This bill would also expend taxpayer dollars by requiring the Department of Interior to spend \$2 million on a study to evaluate the "effectiveness" of 1983 regulation to protect perennial and intermittent streams through the use of stream buffer zones. But the goal of the study is not to actually help the Department of Interior become a better custodian of our environment.

The real goal is to impose a sweeping moratorium on all regulations related to stream buffer zones for the time it takes the National Academy of Sciences to complete the "comprehensive study" plus another year for review. Since the bill anticipates funding for the NAS in both 2016 and 2017, Interior regulations would be blocked for at least three years. If the study is never funded though, the rules would be indefinitely delayed.

We recommend that you oppose Representative Mooney's amendment to H.R. 1644, as well as the underlying bill. The proposal would inhibit the Department of Interior's ability to carry out its science and evidence-based responsibility to protect human health

and the environment. We strongly urge you not to report this proposal out of committee. Sincerely,

ANDREW A. ROSENBERG, PH.D.,
Director, Center for Science and
Democracy, Union of Concerned Scientists.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentlewoman from the great State of Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Speaker, for 20 years, Republican and Democratic administrations, alike, have effectively regulated navigable waters—which is the official term—under the Clean Water Act to protect both our environment and private property, but the Obama administration is trying to change all of that. The Obama Administration's new definition will give the EPA authority over every pond or seasonal stream, drainage ditch, or puddle in the United States—every single one. Every piece of land where water falls from the heavens, the EPA is claiming control over.

What does that mean if you want to put a deck on your house or move your driveway or build a shed or something similar? It means you are going to have to apply to the Federal Government for a permit.

What do those permits look like? They take upwards of 788 days to obtain, and they cost upwards of \$270,000 to get per permit, per puddle, per ditch, or per stream that you want to amend.

So I hope you are either really rich and have a ton of time on your hands or you don't want to ever change anything because this is almost impossible.

I would call this new change a solution in search of a problem, but it is a solution that is going to create a problem. There is no evidence that this is going to give us stronger environmental protections, that we are going to have cleaner water, or that we are even going to have a benefit. What is really going to happen is the EPA is going to be kingmaker; and you and I, as Americans, are going to be forced to grovel at their feet, begging for permits on our own land.

This really impacts those of us in the West tremendously. Every American should sit up and pay attention because this impacts everybody, including cities and counties.

I hope you don't need a new hospital in your area or you don't need a grocery store or perhaps your city needs to expand or grow or change, because this effectively says that one agency, headed by very political and liberal—at this point, very liberal—ideologues will get to make that decision, and they are not going to give us the benefit. That is the scary thing here.

So I look forward to joining with Republicans and commonsense Democrats, because believe it or not, just like in years past, Republicans and

Democrats are both opposed to this, to put this block in place and to move forward.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just simply say that there is a difference between Democrats and Republicans when it comes to the environment, protecting the health and well-being of the people of this country, especially from industry. I think we, on the Democratic side, have consistently been on the side of protecting people, and my friends on the other side have been consistently on the side of industry, no matter what it means to people.

We see what is going on in Flint, Michigan, right now and the terrible water crisis that is happening there and the Republican Governor who is part of what appears to be a coverup at the expense of those citizens. It really is quite astonishing.

□ 1330

Again, this bill is going nowhere. It is going to be vetoed by the White House. So we can go through this charade.

I would just conclude right now, at least this portion of my speech here, by saying that, as I said in the beginning, if, in fact, my friends on the other side of the aisle want to get serious about legislating, there are areas of agreement on these environmental issues, and certainly on this issue regarding Iran, where Democrats and Republicans can come together. But for whatever reason, I think my Republican friends have no interest in serious legislating. I think that is regrettable because what we are doing here is wasting taxpayer money and wasting the people's time here in this Congress. We could be doing other things that could actually be moving this country forward.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I thank my friend from Washington (Mr. NEWHOUSE) for yielding.

In my capacity as a member of the House Committee on Financial Services' Task Force to Investigate Terrorism Financing and as a businessperson with over three decades of experience in both international affairs and banking, I have carefully considered the testimony of leading foreign policy experts cautioning against America blindly putting its faith in a country that has never done anything to make them worthy of that trust.

The nuclear agreement has only emboldened the Iranian regime. And why wouldn't it? When one sees the recent results of President Clinton's agreement with North Korea and this administration's lack of resolve and realism, why not?

I remind this body, Secretary Kerry, and the President of the warning issued to the House of Commons by Winston Churchill: "An appeaser is one who feeds a crocodile hoping it will eat him last."

The Iranians have kidnapped another American, taken deliveries of missile technology from Russia, conducted missile tests in violation of U.N. Security Council resolutions, and ramped up the actions and rhetoric against our Arab allies. All of this is disturbing. This is all before Iran has even received a dime of up to \$100 billion in expected sanctions relief.

When he announced the nuclear agreement, the President said: "American sanctions on Iran for its support of terrorism, its human rights abuses, its ballistic missile program, will continue to be fully enforced."

The bill discussed in this rule, H.R. 3662, guarantees that. This bill removes the politicization of the listed entities in the nuclear agreement and forces this President to live up to his own rhetoric.

I am proud to support this critical piece of legislation. I call on all Members to support the rule and final passage of the bill and help guarantee the safety of the American people and our allies around the world from one of our most credible threats to our national security.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would just say to the gentleman that, if this were a serious effort to do something in response to Iran's behavior, this would be a bipartisan effort, but it isn't. It is clear what this is. This is a way to basically try to embarrass the President, I guess. That seems to be the motivation behind almost everything that is brought to this House floor.

Mr. Speaker, as I said before, we ought to be doing serious business here, and we are not. One of the things that we have been trying to do on our side is to bring to the floor legislation and amendments to deal with the terrible situation with regard to gun violence in our country. We are rebuffed at every moment. We can't bring anything to this floor with regard to guns, I guess because the Republican Congressional Campaign Committee doesn't want to tick off the National Rifle Association.

Be that as it may, I want to urge my colleagues to defeat the previous question. If we do, I will offer an amendment to the rule to bring up bipartisan legislation—this is actually Democrats and Republicans who support this—that would close a glaring loophole in our gun laws allowing suspected terrorists to legally buy firearms. This bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

Mr. Speaker, amidst gun violence in communities across our country and

global acts of terrorism, it is time for Congress to act and keep guns out of the hands of suspected terrorists.

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, for the life of me, I can't understand why somehow it is okay to bar suspected terrorists from flying on airplanes, but somehow it is this terrible infringement on their rights to say that they can't go out and buy a firearm. It makes absolutely no sense. I don't think the American people—whether you are Democrat or Republican or Independent—can figure out why people are so resistant to that here in this Congress.

Here is a novel idea, bring it to the floor. Allow us to have an up-or-down vote, not just a procedural vote, but a real up-or-down vote on this, and I am willing to bet that it will probably pass with a bipartisan vote.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, if it embarrasses the President to be held accountable for the very words that come out of his mouth, I guess there is not much we can do about that.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I thank my colleague from Washington for yielding me the time.

I guess if we want to advance policy around here, the rhetoric coming from across the aisle about it being a waste of time to legislate and put these ideas out in front of the American people and hold the President accountable for the runaway efforts by his administration and his agencies, then we are just not hearing an honest effort on the other side.

We have half-baked regulations that will damage sectors of our economy in this 262 pages of revised rules that are coming down from the Department of the Interior. Since 1983, the stream buffer zone rule has been a rule that has struck a pretty good balance between protecting water resources and mining. Adding 262 new pages effectively bans all mining within 100 feet of anything that they might define as a stream, which is going to have very detrimental effects on energy and our ability to conduct business in this Nation.

The new rule would lead to the loss of thousands of jobs, damage our Nation's ability to produce critical minerals, construction materials, and domestic energy, something that we have had an advantage on up until recently.

While Interior claims to have spent 6 years studying this rule, it managed to

completely ignore the views of the States impacted by the rule. I think we need to have more local input and support to H.R. 1644 and hold the administration accountable for what it does.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), my good friend.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise today in support of this rule and passage of S.J. Res. 22, which provides congressional disapproval on EPA's extreme overreach with their waters of the U.S. rule.

Last June, the EPA published its final orders of the U.S. rule that would virtually give them authority over any place water flows or accumulates. This would include driveways, ditches, man-made ponds, and even our watered lawns.

Currently, private and public entities spend an average of \$271,000 and wait an average of 788 days to obtain permits from the EPA for projects currently under its jurisdiction. Expanding EPA's authority in this unprecedented way would be extremely devastating to landowners, especially farmers, and make devastating statistics even worse.

With this bill, Congress would nullify this ridiculous rule and continue to provide Americans with personal control over their property. Property is not an asset that can be taken control of on the whim of a government agency. Property rights are an essential natural right of every American, and this fact has been embedded in our country's DNA since its beginning.

I urge my colleagues to support this rule and S.J. Res. 22 so we can prevent this terrible law from infringing on the natural rights of all Americans.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I have heard a couple of speakers now talk on this, and I think some of the confusion might be cleared up if they actually read the rule.

The gentlewoman from Washington who spoke earlier talked about that this would regulate puddles. Well, the clean water rule does not regulate puddles. In fact, numerous comments were submitted to EPA asking the Agency specifically to exclude puddles. I have got good news for you: the final rules does just that, and the clean water rule does not regulate most ditches either. We might as well get those facts on the table.

I would urge my colleagues on the other side that maybe they ought to read the rule before they come up with a bill like the one they came up with.

Mr. Speaker, I don't know what else to say, other than the fact that this process stinks. Again, two closed rules and a structured rule on the third bill.

We have a controversial bill on Iran that is one of the most partisan pieces

of legislation on foreign policy that has been brought to this floor by my Republican friends. It is really frustrating because I think there is a lot of common ground on holding Iran accountable where Democrats and Republicans could come together and actually craft something that had, if not unanimous support, almost unanimous support. I think that would be a powerful signal to send not only to Iran, but to the rest of the world. But instead of going down that road, my Republican friends decided to squander that opportunity and come up with a political sound bite.

The same goes for the two environmental bills that are being brought before this House. They are going nowhere, but they are nice sound bites, and they may please a particular special interest, but this is not serious legislating.

I am going to say to my colleagues again, I know you are going on your retreat this week, and maybe there ought to be a side meeting that some of my friends have about what it is that they think we ought to be doing here in this Chamber and what it is that they think that their job ought to be. I would suggest that it has to be about more than just political sound bites and messaging bills.

There is a lot that we need to get done. That requires us working together. I won't get everything I want and you may not get everything you want, but we need to figure out a way to make this place work because it is not working. There is a reason why the approval rating of Congress is like in the negative numbers. It is because people see consistently nothing but political sound bites and messaging bills come to the floor and get voted on and we debate them passionately, but they go nowhere. I think people would like us all better, Democrats and Republicans, if we actually accomplished something.

I hope you go on your retreat and you kind of reflect on that, and maybe you will come back the week after with a new outlook. Maybe all of these promises from the Speaker of the House and the previous Speaker of the House about a more open process about regular order will be more than words when you come back.

I would finally say again that I urge my colleagues to vote "no" on the previous question so we can bring up this commonsense bipartisan bill to basically prevent those who are on the terrorist watch list from being sold guns.

Again, I, for the life of me, don't understand why it is so controversial, but in this House of Representatives it is.

Vote "no" on the previous question. Vote "no" on this closed rule, and reject this closed process.

I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the good gentleman's wishes for a good retreat for the Republicans this coming next few days,

and I look forward to finding opportunities to work together with his side of the aisle on many important things facing our Nation.

I just would remind them, too, that there have been plenty of opportunities for all Members of this body to have input on these pieces of legislation before us through committee, here on the floor, in Rules. I think following regular order is proving exactly what we wanted it to do to give people that opportunity. I am very happy that we have been able to do that.

Mr. Speaker, this is a good, straightforward rule that we are considering today allowing for consideration of three very important pieces of legislation that I think will protect our national security interests abroad and hold the administration accountable for sanctions lifted under the Iran nuclear agreement. It will ensure that mining communities and hardworking families are not crushed by another crippling Federal regulation, and it will help protect our rural western communities by providing much-needed relief from the burdensome waters of the United States rule.

□ 1345

Although we may have different viewpoints and differences of opinion, I believe this rule and the underlying bills are strong measures that are important to our country's future.

I urge my colleagues to support House Resolution 583 as well as the underlying bills.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 583 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the

House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy impli-

cations. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 233, nays 173, not voting 27, as follows:

[Roll No. 36]

YEAS—233

Abraham	Flores	Lance
Aderholt	Forbes	Latta
Allen	Fortenberry	LoBiondo
Amash	Fox	Long
Amodei	Franks (AZ)	Loudermilk
Babin	Frelinghuysen	Love
Barr	Garrett	Lucas
Barton	Gibbs	Luetkemeyer
Benishek	Gibson	Lummis
Bilirakis	Gohmert	MacArthur
Bishop (MI)	Goodlatte	Marchant
Bishop (UT)	Gosar	Marino
Black	Gowdy	Massie
Blackburn	Granger	McCarthy
Blum	Graves (GA)	McCaul
Boustany	Graves (LA)	McClintock
Brady (TX)	Graves (MO)	McHenry
Brat	Griffith	McKinley
Brooks (AL)	Grothman	McMorris
Brooks (IN)	Guinta	Rodgers
Buchanan	Guthrie	McSally
Buck	Hanna	Meadows
Bucshon	Hardy	Meehan
Burgess	Harper	Mica
Byrne	Harris	Miller (FL)
Calvert	Hartzler	Miller (MI)
Carter (GA)	Heck (NV)	Moolenaar
Carter (TX)	Hensarling	Mooney (WV)
Chabot	Herrera Beutler	Mullin
Chaffetz	Hice, Jody B.	Mulvaney
Clawson (FL)	Hill	Murphy (PA)
Coffman	Holding	Neugebauer
Cole	Hudson	Newhouse
Collins (GA)	Huelskamp	Noem
Collins (NY)	Huizenga (MI)	Nugent
Conaway	Hultgren	Nunes
Cook	Hunter	Olson
Costello (PA)	Hurd (TX)	Palmer
Cramer	Issa	Paulsen
Crawford	Jenkins (KS)	Pearce
Crenshaw	Jenkins (WV)	Perry
Curbelo (FL)	Johnson (OH)	Peterson
Davis, Rodney	Johnson, Sam	Pittenger
Denham	Jolly	Pitts
Dent	Jones	Poe (TX)
DeSantis	Jordan	Poliquin
DesJarlais	Joyce	Pompeo
Diaz-Balart	Katko	Posey
Dold	Kelly (MS)	Price, Tom
Donovan	Kelly (PA)	Ratcliffe
Duffy	King (IA)	Reed
Duncan (TN)	King (NY)	Reichert
Ellmers (NC)	Kinzinger (IL)	Renacci
Emmer (MN)	Kline	Ribble
Farenthold	Knight	Rice (SC)
Fincher	Labrador	Rigell
Fitzpatrick	LaHood	Roby
Fleischmann	LaMalfa	Roe (TN)
Fleming	Lamborn	Rogers (AL)

Rogers (KY) Shuster
 Rohrabacher Simpson
 Rokita Smith (MO)
 Rooney (FL) Smith (NE)
 Ros-Lehtinen Smith (NJ)
 Roskam Smith (TX)
 Ross Stefanik
 Rothfus Stewart
 Rouzer Stivers
 Royce Thompson (PA)
 Russell Thornberry
 Salmon Tiberi
 Sanford Tipton
 Scalise Trott
 Schweikert Turner
 Scott, Austin Upton
 Sensenbrenner Valadao
 Sessions Wagner
 Shimkus Walberg

NAYS—173

Adams Foster
 Aguilar Frankel (FL)
 Ashford Fudge
 Bass Gabbard
 Beatty Gallego
 Becerra Garamendi
 Bera Graham
 Beyer Green, Al
 Bishop (GA) Green, Gene
 Blumenauer Grijalva
 Bonamici Gutiérrez
 Boyle, Brendan Hahn
 F. Hastings
 Brady (PA) Heck (WA)
 Brown (FL) Higgins
 Brownley (CA) Himes
 Bustos Honda
 Butterfield Hoyer
 Capps Huffman
 Capuano Israel
 Carney Jackson Lee
 Carson (IN) Jeffries
 Cartwright Johnson (GA)
 Castor (FL) Johnson, E. B.
 Castro (TX) Keating
 Chu, Judy Kelly (IL)
 Cicilline Kildee
 Clark (MA) Kilmer
 Clarke (NY) Kirkpatrick
 Clay Kuster
 Cleaver Langevin
 Clyburn Larsen (WA)
 Cohen Larson (CT)
 Connolly Lawrence
 Conyers Lee
 Cooper Levin
 Costa Lewis
 Courtney Lieu, Ted
 Crowley Lipinski
 Cuellar Loeb sack
 Cummings Takai
 Davis (CA) Lofgren
 Davis, Danny Lowenthal
 DeFazio Lowey
 DeGette Lujan Grisham
 DeLauro (NM)
 DelBene Luján, Ben Ray
 DeSaulnier (NM)
 Deutch Lynch
 Dingell Maloney,
 Doggett Carolyn
 Doyle, Michael Maloney, Sean
 F. Matsui
 Duckworth McCollum
 Edwards McDermott
 Ellison McGovern
 Engel McNeerney
 Esty Meeks
 Farr Meng
 Fattah Moore
 Moulton

NOT VOTING—27

Barletta Grayson
 Bost Hinojosa
 Bridenstine Hurt (VA)
 Cárdenas Kaptur
 Comstock Kennedy
 Culberson Kind
 Delaney Messer
 Duncan (SC) Palazzo
 Eshoo Rush

Walden
 Walker
 Walorski
 Walters, Mimi
 Webster (FL)
 Wenstrup
 Westerman
 Whitfield
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Young (IN)
 Zeldin
 Zinke

□ 1406

Mr. MACARTHUR changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mrs. COMSTOCK. Mr. Speaker, on rollcall No. 36, had I been present, I would have voted “yes.”

Mr. HURT of Virginia. Mr. Speaker, I was not present for roll call vote No. 36 on Ordering the Previous Question on H. Res. 583—The combined rule providing for consideration of H.R. 1644, H.R. 3662, and S.J. Res. 22. Had I been present, I would have voted “yea.”

Stated against:

Ms. ESHOO. Mr. Speaker, I was not present during rollcall vote number 36 on January 12, 2016. I would like to reflect that on rollcall vote number 36, I would have voted “no.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 183, not voting 11, as follows:

[Roll No. 37]

AYES—239

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Babin
 Barr
 Barton
 Benishkek
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Boustany
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Clawson (FL)
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Crawford
 Crenshaw
 Culberson

Curbelo (FL)
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Dold
 Donovan
 Duffy
 Duncan (TN)
 Ellmers (NC)
 Emmer (MN)
 Farenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Garrett
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guinta
 Guthrie
 Hanna
 Hardy
 Harper
 Harris
 Hartzler
 Heck (NV)

Massie
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meehan
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Moolenaar
 Mooney (WV)
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Newhouse
 Noem
 Nugent
 Nunes
 Olson
 Palmer
 Paulsen
 Pearce
 Perry
 Pittenger
 Pitts
 Poe (TX)
 Poliquin
 Pompeo
 Posey

Price, Tom
 Ratcliffe
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce
 Russell
 Salmon
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)

NOES—183

Adams
 Aguilar
 Ashford
 Bass
 Beatty
 Becerra
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (FL)
 Brownley (CA)
 Bustos
 Butterfield
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Cooper
 Costa
 Courtney
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 DeLauro
 DelBene
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Engel
 Esty
 Farr
 Fattah

Esty
 Farr
 Fattah
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Graham
 Grayson
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hahn
 Hastings
 Heck (WA)
 Higgins
 Himes
 Hinojosa
 Honda
 Hoyer
 Huffman
 Israel
 Jackson Lee
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kelly (IL)
 Kildee
 Kilmer
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 Loeb sack
 Lofgren
 Lowenthal
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Maloney,
 Carolyn
 Maloney, Sean
 Matsui

McCollum
 McDermott
 McGovern
 McNeerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Rourke
 Pallone
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Rangel
 Rice (NY)
 Richmond
 Roybal-Allard
 Ruiz
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Sinema
 Sires
 Slaughter
 Speier
 Swailwell (CA)
 Takai
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko

Torres	Velázquez	Watson Coleman
Tsongas	Visclosky	Welch
Van Hollen	Walz	Wilson (FL)
Vargas	Wasserman	Yarmuth
Veasey	Schultz	
Vela	Waters, Maxine	

NOT VOTING—11

Barletta	Kennedy	Smith (WA)
Conyers	Kind	Westmoreland
Delaney	Meadows	Williams
Duncan (SC)	Palazzo	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1429

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING TRANSPARENT REGULATORY AND ENVIRONMENTAL ACTIONS IN MINING ACT

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1644.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 583 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1644.

The Chair appoints the gentleman from Minnesota (Mr. PAULSEN) to preside over the Committee of the Whole.

□ 1431

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes, with Mr. PAULSEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Colorado (Mr. LAMBORN) and the gentleman from California (Mr. LOWENTHAL) each will control 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1644, the Supporting Transparent Regulatory and Environmental Actions in Mining Act, or the STREAM Act for short.

The STREAM Act has three goals. First, it establishes a requirement for scientific transparency and integrity in any rulemaking conducted by the Office of Surface Mining—we will be calling that OSM during our debate—under the authority of the Surface Mining Control and Reclamation Act of 1977. Some people call it SMCRA.

In the past, the Office of Surface Mining, or OSM, has sought to promulgate rules based on internal studies that are not made public. The first section of H.R. 1644, the STREAM Act, ensures transparency by requiring OSM to publish all scientific products it relies on in the rulemaking process.

For federally funded scientific products, the STREAM Act requires OSM to also publish raw data. If a scientific product is withheld from the public for more than 6 months, then the rule, environmental analysis, or economic assessment it supports will be withdrawn.

The second goal is to require an independent third-party assessment of the existing 1983 rule—which we are operating under right now—to determine if any deficiencies exist. The purpose of the independent study is to mitigate the polarization of this issue.

As such, the STREAM Act requires the Secretary of the Interior, in consultation with the Interstate Mining Compact Commission, to contract with the National Academy of Sciences to conduct a study of the 1983 stream buffer zone rule.

Mr. Chairman, this study will examine the effectiveness of the existing 1983 rule by the National Academy of Sciences and make recommendations for improving the rule, if necessary.

The Secretary is prohibited from issuing any regulations addressing stream buffer zones or stream protection until 1 year after the completion of the study and is required to take into consideration the findings or recommendations of the study.

This element of the STREAM Act is important because it ensures that the 24 States with primacy over surface mining will have input on the study. Unfortunately, beginning in 2011, OSM completely shut the States out of the rulemaking process, even though OSM had signed memoranda of understanding with 10 cooperating agency States in 2010 and one other State signing on as a commentator.

According to OSM, “States permit and regulate 97 percent of the Nation’s coal production. States and tribes also abate well over 90 percent of the abandoned mine lands problems.” That is in the words of OSM.

The expertise for understanding the stream protection rule and other regulations promulgated under the Surface Mining Control and Reclamation Act lies with the States, not with OSM. Yet, the States were completely cut out of the rulemaking process.

The third goal, finally, of H.R. 1644 is to inhibit OSM’s regulatory overreach by curtailing regulatory action that would duplicate, enforce, or determine compliance with laws that are outside of OSM’s jurisdiction.

An express concern related to the ongoing stream buffer zone rule rewrite is that OSM has sought to interpret and enforce the Clean Water Act, which is outside of its authority, by establishing a new set of water quality monitoring, evaluation standards, and procedures. In fact, the draft rule amends 475 existing rules promulgated under SMCRA, the Surface Mining Control and Reclamation Act.

OSM used the rulemaking process to rewrite the Surface Mining Control and Reclamation Act of 1977 and went well outside of Congress’ intent in writing that law.

Also—and this is amazingly short-sighted for our economic and energy future as a country—the draft rule released in July 2015 would freeze or sterilize more than 60 percent of the Nation’s coal reserves.

If the draft rule, as written, is finalized, the administration will expose the U.S. taxpayer to takings litigation. This has happened before. An example would be the Whitney Benefits case in Wyoming that involved a regulatory taking of coal reserves that underlie alluvial material.

Passage of the STREAM Act will halt this destructive rulemaking process and provide an avenue for a collaborative approach to address deficiencies in the existing rule, if any, with the primacy States. It will save and protect the American taxpayer.

Mr. Chairman, I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to the STREAM Act, or H.R. 1644, which is simply the latest attempt by the majority to prevent the implementation of new, commonsense rules to protect people and the environment from the destructive impacts of mountaintop removal coal mining.

Mountaintop removal mining is a serious environmental and health threat. It occurs throughout Appalachia. Countries literally blast the tops off of mountains, scoop out the coal, and dump what used to be the mountaintop into the valleys below.

In the process, landscapes are scarred, wildlife habitat is destroyed, mountain streams are buried, fish are killed, and the people living in the valleys suffer.

The impact on the landscapes, as you can see from this picture here, is obvious. It doesn’t take a rocket scientist to look at this photo of a mountaintop removal mine and understand the catastrophic impact to the environment. The impacts, however, to people are

not as obvious to the naked eye, but they are just as severe.

Several years ago there was an article titled "Mountaintop Mining Consequences," in the journal *Science*. As we all know, *Science* is one of the most preeminent scientific journals in the world.

In that paper, a dozen scientists from 10 institutions reported that mountaintop mining with valley filling "revealed serious environmental impacts that mitigation practices cannot successfully address."

They went on to write that "water emerges from the base of valley fills containing a variety of solutes toxic or damaging to biota," and that "recovery of biodiversity in mining waste-impacted streams has not been documented." Again, that is a direct quote.

But let's also talk about the impacts upon people. They write, "Adult hospitalizations for chronic pulmonary disorders and hypertension are elevated as a function of county-level coal production, as are rates of mortality; lung cancer; and chronic heart, lung, and kidney disease."

These are serious issues. They deserve a serious response. The current administration proposed such a response in July of last year with a new rule to govern mountaintop removal mining. Sadly, the majority is falling back on the same political playbook they have used time and time again: attack, obstruct, and delay.

What do I mean by that? As it was pointed out, the development of the stream buffer zone, which is what we are talking about, took place under the Reagan administration in 1983, in which the President and the administration proposed a buffer around streams to protect the valleys around it.

It was just the beginning. It gave the Office of Surface Mining oversight over the management, knowing that there are really some problems in there still to be worked out later in terms of how you regulate when this is done primarily by the States. This new buffer requirement that you have got to give these streams 100 feet on each side went on after 1983.

On December 18, 2008, at the very last moment—at midnight—in President Bush's term, he introduced a new stream buffer rule in which he basically eviscerated the old and gave many more exemptions and, as I quoted, put in a new rule in 2008 that said that not only did it loosen protection, it allowed for the dumping of this residue from mining into the streams if avoiding disturbance of the stream is not potentially or reasonably possible. So what it said is that you can dump. If you can't figure out what else to do, you can dump.

Immediately that was challenged in the courts. By 2014, the Federal courts overturned Bush's stream buffer rule.

That is where we were by 2014. It was overturned by the courts even though it was never fully implemented to change the Reagan rule.

Then what happened right after that, in February 2014, the majority party then said, "Let's put up the loosening of the buffer rule by having now put the Bush rule into legislation."

Well, that was voted down. That came out of this House, but never was voted upon and never got to the President's desk.

Then what happened in the omnibus bill is they decided to change from direct opposition by weakening the rule to delaying the rule. They said, "Well, let's put in a 1-year delay." This December that was one of the riders in the appropriations omnibus, but that was taken out at the last minute.

Then we held a hearing in Natural Resources on this new bill that is before us, H.R. 1644, which occurred, as we all know, in May of 2015. We held a hearing on this stream buffer rule to delay the new rule that was going to be coming out in 3 years. But we had the delay in it. We held that hearing 2 months before the rule was even proposed.

So we are delaying a rule that was first proposed months before we even actually saw what we were delaying in that rule. Then what happens is that we are now here to vote on a bill that delays the action for 3 years.

□ 1445

It is really all about delay. It is not about the policy, because the policy, we would give at least a chance to work with this new stream protection rule if we were really dealing with the policy and seeing what needs to be improved upon where we are. We are going back to delaying it, the new implementation.

Why did it take from 2008 until now to really come up with a new stream protection rule?

Well, in large part that was due to the majority party's multiyear investigation into the rule. We had various subpoenas and tens of thousands of pages of documents, but in the end we found no political misconduct. All we did was to delay the implementation of a new rule from even coming out and costing the taxpayers money.

There were political shenanigans going on in the rule, even though they found no real political shenanigans going on. However, we had 12 hearings to deal with political shenanigans. The administration's proposed rule comes out in July. It is now January, over 7 months.

How many hearings have we heard on the proposed rule? How many? I think the answer is zero. So we have never discussed the proposed rule. We are now voting to delay it, without ever discussing what it is, and it is just completely irresponsible to be now vot-

ing on something that stops a rule in its tracks that we have never had time to discuss.

Now, we know that this bill isn't going to go anywhere. Even if the Senate was to pass it, the President has already issued a veto threat.

So instead of this bad rerun, where the majority now is trying to evade and block this rule for the fourth time, maybe we should take a look at some of these environmental consequences and health impacts of mountaintop removal mining; look at the proposed rule and try to work with the administration to really come up with something that protects communities, instead of just attacking and, if that doesn't work, delaying.

I urge my colleagues to defeat this bill.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia (Mr. MOONEY) who has done an excellent job on the committee representing the folks of West Virginia.

Mr. MOONEY from West Virginia. Mr. Chairman, I thank Chairman LAMBORN and Chairman BISHOP for their leadership in getting this bill to the floor, and my friend, BILL JOHNSON, for his continued support on this issue.

It is imperative that we pass our bill, H.R. 1644, the Supporting Transparent Regulatory and Environmental Actions in Mining Act, also known as the STREAM Act.

My bill delays the implementation of the Obama administration's stream protection rule. When the rewrite of the rule was first proposed, the Office of Surface Mining described it as a "minor" regulation that would only impact one coal region. They could not be more wrong.

This rule contains sweeping changes that modify 475 existing rules and is over 2,500 pages in length. Taken together, these changes will destroy up to 77,000 coal mining jobs nationwide, including up to 52,000 in the Appalachian region.

This would be devastating to States, like my home State of West Virginia, that have already been hit hard by President Obama's continuous war on coal. Between 5,000 and 10,000 jobs in western mining States will be lost, between 5,000 and 14,000 jobs will be lost in the interior States, and between 30,000 and 50,000 jobs in the Appalachian region will be lost due to this new stream protection rule.

These new regulations would be catastrophic to the hardworking American families that depend on coal to keep their energy costs low. In my State, 90 percent of power is generated by coal-fired plants.

One recent study showed that if the Obama administration successfully implements its radical environmental policies, the average American family will experience a \$1,707-a-year increase

in their home energy costs by the year 2025.

The average American family earned \$53,657 last year. The average family in West Virginia earned \$41,059, which is \$12,598 under the national average. This home energy cost increase will be detrimental for all Americans, but especially for West Virginians.

When I campaigned to represent the people of the Second Congressional District of West Virginia, I promised that I would do all I could to fight for the coal industry and the hardworking men and women of our State. You have to understand that these jobs in West Virginia are good-paying jobs. These are jobs that families rely on to put food on the table and provide for the health and safety of their families.

This STREAM Act is completely unnecessary. Going after these jobs is callous and wrong.

West Virginia and our country need the STREAM Act to pass the House and the Senate and be signed into law. I urge my colleagues in the House to vote for this important bill today.

Mr. LOWENTHAL. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, not long ago, the Speaker of the House, PAUL RYAN, said that he wanted to make the House an "ideas factory." But with this bill today, it is clear that the only items being produced by the House are cookie-cutters, because we have done this before, again and again and again.

House Republicans have made it their mission to kill the stream protection rule and protect the ability of coal companies to dump their mining waste wherever they want. They didn't see the rule until last July, but that hasn't kept them from a 5-year crusade to prioritize mining company profits over the health and welfare of nearby communities, wildlife, and the environment.

First, they carried out a multiyear investigation into this rule, holding no less than 12 hearings and demanding tens of thousands of pages of documents, and ultimately coming up with nothing. Then they passed a bill last Congress to block the rule. Actually, they liked it so much, they passed the bill twice. Those bills, however, went nowhere.

This Congress, they included a rider on the appropriations bill to block this rule and voted down my amendment to strip the rider out. The rider was eventually removed before the bill became law.

This bill will suffer the same fate. It will not become law. President Obama has said he would rightly veto this bill, and there are not nearly enough votes to override that veto.

So why are we wasting this Chamber's time on this meaningless cookie-cutter legislation when we could be

facing the real energy crises confronting the Nation, such as admitting that climate change is real and helping coal mining regions make a smooth transition off dirty fuel?

But if we want to talk about the stream protection rule and the devastating impacts of mountaintop removal coal mining, we would have a hearing on it in the Natural Resources Committee, and I would welcome such a hearing.

But, as my colleague and friend from California has pointed out, despite the 12 hearings the majority held on this rule before they ever read it, they have not held one since it was published. It is almost as if their minds were made up about the rule before it even came out. That doesn't sound much like an idea factory to me, Mr. Chairman.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a member of the Natural Resources Committee.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank my colleague for the time to speak regarding this important legislation, which I believe would help relieve the overregulation that we have seen in recent years in the coal industry.

The coal mining industry has supported countless jobs in Pennsylvania's Fifth Congressional District for generations and continues to do so. In addition to jobs, coal also helps provide millions of Americans with affordable and reliable energy.

However, overregulation, such as the stream buffer rule, has taken a big toll on our region. Layoffs have affected miners and companies across Pennsylvania, as these job creators continue to face unprecedented regulatory challenges.

Reports have indicated that the rewrite of the stream buffer zone rule from the Office of Surface Mining Reclamation and Enforcement would lead to the elimination of 7,000 mining jobs and cause economic harm in 22 States.

With the rewritten regulations proposed, this bill introduces a bit of common sense, Mr. Chairman. It seeks to make sure that the regulation is based on proven science, requires a study on the strength of existing stream buffer rules, and, finally, seeks to end duplicative rulemaking. This is the least we can do to help limit the strain and provide some certainty for coal companies and, quite frankly, families who make their living in that industry where so many jobs are in the communities that we serve.

As a cosponsor of this legislation, I strongly support it, and I urge my colleagues to vote "yes" on final passage.

Mr. LOWENTHAL. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Chairman, I thank the gentleman for yielding.

In recent weeks, we have learned about the water contamination problems in Flint, Michigan. By now, many of us have seen angry mothers and fathers on local television there, holding up water that looks like this, demanding a response from government officials.

I think we all support the steps that the State and Federal Government are now taking to ensure that the water in Flint is safe for families to drink. But what if the legislation we are debating right now prevented government officials from taking that action? There would obviously be an outcry from Members on both sides of the aisle, and the bill would likely be defeated, as it should be.

I am here on the floor today to say that this bill does, in fact, block government officials from protecting the water supply, not for the people of Flint, but for families in Appalachia and other coal mining communities.

This water isn't from Flint, Michigan. It is from a well near a mountaintop removal site in eastern Kentucky. This orange water is what comes out of taps in much of Appalachia, where water is contaminated by toxic mine waste from the reckless practice of mountaintop removal mining.

I have talked to teachers in eastern Kentucky who tell me that when the children in their classes draw their environment, they draw the water orange because that is what they see. How tragic is that?

I have had the opportunity to fly over mountaintop removal sites and the areas around them, and the water looks a lot different than it should, a lot of colors that come out of Crayola boxes.

Explosives used in the MTR process pollute the air, and the exposed rock and particulate matter allow heavy metals and toxins to leach into and poison the water. The situation is made even worse by coal companies who are allowed to dump mining waste directly into waterways.

These actions, and the consequences of mountaintop removal, have created a public health crisis, with families living near or downstream of these mining sites experiencing higher rates of cancer, heart disease, kidney disease, cardiovascular disease, birth defects, and infant mortality.

More than 2,000 miles of Appalachian streams have been poisoned since mountaintop removal began about 40 years ago. The Obama administration is trying to respond to that crisis with the commonsense, scientifically sound stream buffer rule. This proposed rule would take some important, although modest, steps to limit mountaintop removal practices and protect the water supply in mining communities.

This bill would stop those efforts. It allows coal companies to continue to

destroy mountains, pollute water supplies, and endanger the health of families living in the surrounding communities.

Whether in Flint, Michigan, or eastern Kentucky, all families deserve water that is clean and safe and a government that cares and responds when their health is in jeopardy.

I, therefore, urge my colleagues to oppose this dangerous measure.

Mr. LAMBORN. I yield myself such time as I may consume.

Mr. Chairman, I am going to recognize a Member in just a second. But in response to Mr. YARMUTH, I would just like to point out that the Office of Surface Mining has left States out of the discussions. States like Kentucky are not allowed to collaborate in this process, and that is unfortunate, because I think Kentucky and other States have something to contribute to this dialogue and this issue. So that is what the STREAM Act that we are going to vote on in a little bit would accomplish.

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It brings the States back into the equation.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON). He has been a stalwart defender of the coal industry and the future that coal has in the energy and economy of our country.

Mr. JOHNSON of Ohio. I thank the chairman for those kind words.

Mr. Chairman, this is an extremely important topic, and I couldn't agree more with what the gentleman has just said.

This is largely an overreach by a Federal agency stepping all over the rights of the States to regulate their own use of their natural resources.

So, for that reason, I rise today in strong support of H.R. 1644, the STREAM Act, legislation that requires OSM to extend its new stream buffer rule while the National Academy of Sciences studies how current OSM rules affect the industry.

Mr. Chairman, OSM's rule will cost jobs, increase electricity prices, and jeopardize grid reliability, along with usurping states' rights. Stop and think about it for a second. Shouldn't Federal agencies understand what that all means before enacting a rule like this?

The Supreme Court certainly does. The Supreme Court has already told the EPA, for example, in one instance: You have got to consider the economic impacts of the rulemaking that you are doing.

According to recent studies, OSM's proposed rule will have several very negative impacts. Let's talk about how it is going to cost jobs. As many as 80,000 people could lose their jobs. Now, OSM said it is only 7,000, but a recent study says that it could be upwards of 80,000 people.

OSM denies this job loss because they say these jobs will be replaced by jobs created to comply with the rule. Something tells me that those supposed new jobs are not going to be in places where mining is going on, in places like eastern and southeastern Ohio.

You are talking about entire communities rolling up the sidewalks. It is going to raise electricity prices and affect the energy grid reliability.

Roughly 64 percent of Ohio's energy comes from coal. Ohio's electricity prices are currently below the national average. In total, 22 States rely on coal as their primary fuel source.

This is going to usurp states' rights. State regulators who perform 97 percent of regulatory activities are completely left out of this rulemaking process. In fact, all but two cooperating agency States have terminated their agreement because of OSM's actions.

Look, this administration and this rule reflect a callous disregard for American coal, American coal miners, their families, the businesses that rely on the energy, and the industry as a whole.

Mr. Chairman, I strongly urge my colleagues to put politics aside. This is about an industry. It is about people's lives. I urge my colleagues to support the STREAM Act.

Mr. LOWENTHAL. Mr. Chairman, I yield 5 minutes to the Member from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise in opposition to the STREAM Act. We should not willfully delay the stream protection rule. I have seen firsthand the impacts of coal mining, both positive and negative. I spent 9 years visiting the coal counties in Virginia: Buchanan, Dickenson, Lee, Wise, Russell, and others.

When times are good, there are good incomes and nice cars. When times are hard, times like today, when we are not mining much coal mostly because of the abundance of natural gas, then things are pretty sad.

When I was Lieutenant Governor of Virginia during the 1990s, mountaintop removal became the most prevalent coal mining technique in central Appalachia. Surely, coal can have a positive impact on local economies. But we also have to look at the impact it has on the environment and the health of these same communities.

My good friend, Mr. JOHNSON of Ohio, has said that these are about the lives of people. Absolutely right. And we have shown callous disregard for the health of the people who live in these communities.

The citizens of these same Virginia coal counties have by far the worst health outcomes of anybody in the Commonwealth of Virginia. The cost-benefit analysis, yes, but we are not doing anything to stop coal companies from mining coal or even mountaintop

removal. We are just demanding that it be done responsibly.

It takes tons of rocks and soil to expose underlying coal seams, but these are placed in valleys, headwater streams filled with all this displaced material. This can have significant impacts on water quality.

West Virginia University—not one of those liberal universities in New England—a West Virginia study in 2012 found that mountaintop coal mining has adverse impacts on surface and groundwater quality. The Congressional Research Service, nonpartisan, said, since 1992, almost 1,200 miles of streams were buried by surface coal mining practices.

The cumulative effects of such surface coal mining operations include, number one, deforestation, which has been linked to harming the aquatic community; two, accelerated sediment and nutrient transport; and, three, increased algae production.

Surface mining has also been responsible for most of the huge flooding in central Appalachia because, when you disturb natural streambeds, cover them with mine spoils, destroy the vegetation, all the topography is different.

Virginia Tech has been working with the coal industry for over 30 years to mitigate these effects, to reclaim the streams and lands that have been disturbed, and a lot of progress has been made. But we can and should do all that we can to protect our critical headwater and small streams before the impacts occur.

Water monitoring found that Kelly Branch Mine in Wise County, Virginia, dumped toxic pollutant selenium into streams at levels far above the State water quality standards and without a permit to allow such pollution.

As a result of a citizen suit, Southern Coal Corp. has since agreed to do the environmental cleanup, but we shouldn't need the lawsuits which too often lead to the bankruptcies of the coal companies.

Lawsuits like this make it unsurprising that a group of researchers from West Virginia University—again—and Washington State University published a study in 2011 on the association between exposure to mountaintop removal mining and the increased rate of birth defects in central Appalachia.

This again gets back to callous disregard for the people who live in central Appalachia. These people have been paying for the externalized costs of mountaintop removal for far too long, and local communities have been suffering life-threatening health problems and a damaged ecosystem.

This is why, with Congressman LOWENTHAL and Congresswoman ESTY, we offered an amendment to ensure that this bill paid attention to the negative health impacts. Unfortunately, the amendment was not made in order. But we can't continue to ignore this.

Adjusted for every other factor, overwhelming scientific evidence links the practice of surface coal mining with elevated rates of serious health problems, including cancer, cardiovascular disease, and pulmonary disease, and overall mortality rates are about 20 percent higher in the coalfields than the national average.

The ecological integrity of the streams is an indicator of the human cancer mortality rates. So the folks that live near these streams are much more likely to die and die young.

This bill destroys the proposed protection for the people who live in southwest Virginia and coalfields across the country.

Mr. Chairman, I urge my colleagues to vote against the STREAM Act. The people of Appalachia deserve better.

Mr. LAMBORN. Mr. Chairman, in response to a statement that was just made, let me point out that Johns Hopkins researchers—maybe one of the leading medical institutions in our country—found that “no increased risk of birth defects was observed from births from mountaintop mining counties after adjustment for or stratification by hospital of birth.”

So there are other issues going on that do affect the health in these areas. But you can't blame it on mountaintop mining, at least not according to Johns Hopkins.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS), who is a valuable member of the Committee on Natural Resources.

Mrs. LUMMIS. I thank the chairman for his leadership on this issue.

Mr. Chairman, if you have been listening to this debate thus far, you would believe that we are only talking about mountaintop mining.

Well, I want to assure you the bill that I support that is on the floor today is also trying to protect non-mountaintop mining because the rules that have been proposed by the Obama administration apply to all coal miners.

They apply to non-mountaintop mining as well, including mining in my State of Wyoming and the mining that can occur in the State of Montana, to my north, that has enormous undeveloped coal reserves.

My State of Wyoming has been the number one coal-producing State in this Nation since 1986, for 30 years. The reclamation of those mines is state of the art.

If you go to the top of the tipples at those mines and look around, you cannot tell, if you are an untrained eye, whether the land has been mined and reclaimed or undisturbed and unmined.

It is because the quality of reclamation that is required by the State of Wyoming is so state of the art that the water is clean, the land is reclaimed, the wildlife returns. In fact, the wild-

life prefers to graze on the land that has been reclaimed, as opposed to the land that has not been mined.

States have proven that they can regulate and return properties to a condition that Americans can be proud of and know that we will be safe. Yet, the States have been shut out of this regulatory process.

Legislation which we are discussing today, the STREAM Act, would allow and restore States their rightful place in this discussion.

Where the expertise lies is in the States. They are the ones that should be included in the crafting of any Federal legislation and, in my view, should be left to the States where the expertise lies and where the differences between mining on non-mountain property and a mountain property can be properly addressed.

Applying this stream buffer rule, which the administration proposes, to non-mountaintop mines is absurd. I would further assert that the expertise to deal with mountaintop mining lies in the States where that mining is currently occurring.

I thank the chairman for his leadership on this issue.

Mr. LAMBORN. Will the gentlewoman yield?

Mrs. LUMMIS. I yield to the gentleman from Colorado.

Mr. LAMBORN. I have seen some of the operations in the great State of Wyoming. Isn't it true that the reclaimed and restored land does not have the invasive species that we have unfortunately seen in this country in recent decades?

The Acting CHAIR (Mr. CURBELO of Florida). The time of the gentlewoman has expired.

Mr. LAMBORN. I yield the gentlewoman an additional 1 minute.

So without the invasive species in the restored land, you could almost say, couldn't you, that the land is better than it was before?

Mrs. LUMMIS. Reclaiming my time, the answer is yes, for several reasons. It is because the mix of grasses that are used to reseed the land that has been mined and reclaimed is a mix of grasses that provides for the health that allows for grasses that don't naturally clump, grasses that spread out, to be on the reclaimed land.

So when it rains, you don't have the kind of running off of the topsoil that would occur if the grasses are the type of grasses that tend to clump, instead of cover the ground uniformly.

So that is one of the reasons why the reclaimed land actually is a better trap for water. As we know, when water seeps into the ground, the ground naturally filters the water. So it allows for less runoff of topsoil and allows for the rain to seep into the ground.

The Acting CHAIR. The time of the gentlewoman has again expired.

Mr. LAMBORN. I yield the gentlewoman from Wyoming an additional 30 seconds.

Mrs. LUMMIS. The soil itself is a natural filter for this water. These are the kind of things that States' experts know, and their expertise should be inserted into any rulemaking process.

That is part of the reason that I support the STREAM Act. I support my colleagues from the East and appreciate their attention to this important piece of legislation.

Mr. LOWENTHAL. Mr. Chair, I would like to talk in response to some of the points raised by my esteemed colleagues from the other side about the doom and gloom of job loss numbers that they presented. I believe 70,000 jobs will be lost with the proposed rule or we just heard also possibly 80,000 direct mining jobs might be lost.

These are, indeed, frightening numbers. Unfortunately, they are not credible and not based upon any kind of evidence. Those estimates which we are hearing come from a study that was paid for by the National Mining Association, and those numbers are the same, that 70- or 80,000, as the total number of coal mining jobs currently in the United States, according to the Energy Information Administration.

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In fact, the National Mining Association study that we have heard about projects up to 52,000 coal mining job losses in Appalachia as a result of the administration's proposed rule. There are less than 50,000 coal miners in that entire region today, so apparently this rule creates jobs before it costs jobs.

We shouldn't be surprised that the industry would come up with such inflated numbers. After all, they don't need to be accurate. They just need to scare people, much in the same way as the American public was told that the Affordable Care Act is going to destroy an untold number of jobs, except that we have now added 14 million private sector jobs since that act was signed into law.

Today we should be extremely skeptical of industry scare tactics. Actually, the Regulatory Impact Analysis for the stream protection rule found, in fact, not 70,000, not 80,000, but there would be a net loss of only 10 jobs. This is a small price to pay for cleaner water and healthier communities.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

In response to my good friend and colleague Representative LOWENTHAL, I would like to say that just in today's Wall Street Journal, Arch Coal revealed that it has declared bankruptcy. They are one of the top coal producers in this country. I would say that the loss of jobs and this administration's war on coal is actually a staggering and frightening phenomenon, and that is why we need the STREAM Act.

Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. I thank the chairman.

I rise today in support of the pending legislation, H.R. 1644, the STREAM Act.

Appalachia is suffering. Years of burdensome regulations from this administration have had a devastating impact on coal. West Virginia miners, families, and businesses are paying the price.

Since 2012, according to The Wall Street Journal, 27 coal mining companies in Appalachia have filed for bankruptcy. In just the past 4 years, we have seen 7,000 coal miners lose their jobs in West Virginia. Why? Because each and every day, President Obama's EPA and the Office of Surface Mining are regulating coal mines out of business and putting miners on the unemployment line.

Coal miners are the heart and soul of communities in West Virginia, and the significant layoffs we are experiencing are simply heartbreaking. The President, the EPA, and the OSM continue to ignore the economic pain they are inflicting.

The stream buffer zone rule, which the STREAM Act would halt, is yet another example of unnecessary regulation, one that will increase energy costs for American families and businesses.

The OSM's new stream buffer zone rule will lead to thousands more job losses in West Virginia and across the Nation. An independent study found it would eliminate at least 40,000 direct coal mining jobs on top of the 42,000 indirect jobs and other jobs that have been lost just since 2011. Even OSM's own analysis estimates that this rule would result in the loss of thousands of jobs. That does not include the thousands of jobs that depend on coal indirectly: our Nation's small businesses, equipment manufacturers, transportation, and others.

Mr. Chairman, this is unacceptable. It is also the reason why I helped secure a provision in the omnibus that mandates that OSM work with the States. I support the STREAM Act, and I encourage its passage.

Mr. LOWENTHAL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from California has 8½ minutes remaining. The gentleman from Colorado has 9½ minutes remaining.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume, and I would like to respond to my colleague's comments about the lack of any health impacts of mountaintop mining, quoting a study from Johns Hopkins University about the lack of any identifiable birth defects that are correlated with coal mining or mountaintop mining.

I would like to again read from the Science article of January 8, 2010, called "Mountaintop Mining Con-

sequences," a collaborative effort of scientists from the University of Maryland; from Duke University; from the University of Minnesota; from West Virginia University; from Wake Forest University; from Miami University, Oxford, Ohio; from the University of California at Berkeley; from the University of North Carolina at Chapel Hill; and from the same Johns Hopkins University, Baltimore, Maryland. They found their results on the potential for human health impacts were this: adult hospitalizations for chronic pulmonary disorders and hypertension are elevated as a function of county level coal production, as are rates of mortality, lung cancer, and chronic heart, lung, and kidney diseases. That is what the scientists have found that are the result of a potential for human health impacts.

Mr. Chairman, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Chairman, I strongly support H.R. 1644. I think it is really important that sometimes we actually talk to people who work in coal country, people who live in coal country, people who have generationally been part of coal mining.

Too often I come to this floor in America's House and I hear all these different things that are going on. If you want to talk about health, let's talk about the health of our community. Let's talk about the tens of thousands of jobs that will be lost because of more regulations.

We know that commodity prices will fluctuate. The one thing we know for sure is that regulation will not. It will forever put a price tag on this product that will make it impossible for it to compete on the open market. Yet we will sit here and we will talk about things that really aren't true, and we will say it in a manner that we say this is so bad, this product is so horrible, do you realize what it is doing? And my answer is, yes, I do. It employees tens of thousands of Americans.

These are not, by the way, Republican jobs. These are Democrat jobs for the most part. These are American jobs. These are red, white, and blue jobs. This is about a product that has been the workforce of American energy. This makes it possible for America to compete anywhere in the world because of low energy costs.

I would just ask my friends, while it may become a political issue and it may seem like it is a great talking point, you need to walk in those communities. You need to go into those schools. You need to go into those towns. You need to go into those homes. You need to go into those mines. You need to look into the faces and the eyes of the people who bring

this tremendous product out of the ground and tell them what they have been doing generationally is horrible for the country. You need to tell them that the way they have been making a living, the way they have been putting a roof over the heads of their children, the way they have been putting food on the table for their kids, the way they have been putting clothes on their backs, and the way they have been preparing for their future is bad; you have acted terribly in doing this, and we need ought to spank you.

Really minor adjustments—475 modifications. That is not minor; that is major. That makes the cost of this product go off the charts. It doesn't matter that it changes anything. This is one promise the President kept.

When he was a candidate running for this office, he said: If you want to continue to make power, make electricity, by using coal-fired power plants, you can do that, but I will bankrupt you.

He has kept that promise. Promise made, promise kept. He has turned his back on over a quarter of a million people who depend on coal for their livelihood. He has turned his back on an America that is looking to take advantage of gifts that were given to us by God—natural resources.

We have not turned our back on health; we have not turned our back on the future of our children; but what we also will not do is we will not turn our back on onerous regulations that do nothing to make it better for our people.

All we are asking for is to take a really good look at this. The stream protection rule, that doesn't make sense. The Clean Power Plan didn't make sense. It makes sense to some because it will put them out of business to say: All right. Fine. We need to do this to really hurt these folks.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield an additional 1 minute to the gentleman.

Mr. KELLY of Pennsylvania. It really comes down to this. We are at a crossroads in this country. We have to present really bold visions of where we think the country should be going. We need to talk about policies that are going to make America stronger. We need to talk about policies that put Americans back to work. We need to talk about policies that the American people can look at and say: Do you know what? There is a clear difference. There is a new day coming for America. There is a new way to run the government. There is a new way to look at regulations and understand that these aren't helping; they are hurting.

I would just ask all of my colleagues very strongly to support H.R. 1644. Do the right thing for America. Forget about whether to wear a red shirt or a blue shirt. Think about the red, white, and blue that we stand for every day.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

I would just like to respond to some of the attacks from the other side that are supporting the STREAM Act that the administration's stream protection rule is really an attempt to destroy jobs, it is really part of, as one of my colleagues has said, the war on coal. But nothing could be further from the truth. What we are talking about are commonsense protections for communities.

Contrary to the Republican chorus that there is a war on coal, let me read to you, Members, that the Energy Information Administration estimates that U.S. coal production for 2014 was up 14 million short tons from 2013, and that this production growth is going to continue through 2030. While coal exports are predicted to drop in the short term, they are going to reach historic high grounds around 2030.

We are not talking about destroying these communities. We are talking about allowing these communities to thrive, to be healthy, to protect the valleys, to protect the streams, to protect the ecology, to protect the public health, and to allow us to have mountaintop mining, but safe and healthy mountaintop mining. That is what we are talking about.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank my colleague, Mr. LAMBORN.

This is a very important issue. I would like to thank my colleague, Mr. MOONEY, for sponsoring this piece of legislation that not only impacts his home State of West Virginia and the other coal-producing States in the Midwest, but also my home State of Illinois.

Coal production in my home State is a significant driver in our State's economy, particularly the part of the State that I represent. I would not be here today, Mr. Chairman, without what coal has meant to my hometown of Taylorville in my home county of Christian County.

I saw in the mid-nineties what a signature on a piece of paper right here in Washington, D.C., can do to destroy a local economy. In Illinois alone, today, coal jobs employ nearly 5,000 workers. Just a few short years ago, that was many more. The industry contributes \$2 billion to our State's economy.

Unfortunately, this proposed stream protection rule is another example of this Obama administration waging war on coal. By their own estimates, OSM claims this rule would kill 7,000 coal jobs. That is 2,000 more than exist in the State of Illinois today. Through independent analysis, it shows job losses may be even more in the tens of thousands.

This rule is not only going to hurt coal miners, but also those in my district and others that work at coal-fired power plants. It is going to hurt consumers. It is going to hurt the poorest of the poor in this country, who are going to have to pay higher rates when base load generation facilities that burn coal go offline.

□ 1530

These coal-fired power plants, Mr. Chairman, provide some of the best paying jobs in my district. Where are they going to go to find work when this administration's war on coal takes their jobs away?

I have advocated for important language in working with my colleagues Mr. MOONEY, Mr. LAMBORN, BILL JOHNSON from Ohio, JIM RENACCI, and others. We want to make sure that we have the States sign off on this OSM stream protection rule before the Federal Government can come in and take those coal mining jobs away.

Mr. Chairman, it is clear that this administration's war on coal isn't going to stop today. I urge all of my colleagues to vote for this legislation.

Mr. LAMBORN. Mr. Chairman, I am prepared to close as soon as the opposing side has closed.

I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, I yield myself such time as I may consume.

In closing, I would like to read a few lines from a letter that was sent from a coalition of 35 national and local groups which are strongly opposed to this bill.

They write:

"The proposed stream protection rule is essential to protect the waters in mining regions and to ensure that communities will have viable economies after the resource is extracted and mining ceases."

They go on to point out that mountaintop removal mining is "responsible for the destruction of over 500 mountains and approximately 2,000 miles of stream channels across central Appalachia. This form of coal mining devastates both the thriving natural ecosystems of the Appalachian Mountains as well as entire communities of residents who have lived on their homesteads for generations."

They conclude:

"Please oppose the STREAM Act, and allow the proposed stream protection rule to proceed without congressional interference so that communities living in the shadows of mining sites can have safe water resources."

I also have a letter of opposition from the United Auto Workers and eight other organizations, which state:

"This bill would put costly and unnecessary bureaucratic hurdles into the already overburdened regulatory process with the sole intent of ensuring that coal companies can continue to

destroy streams and coal wastes. We urge you to vote against this legislation both to protect mining communities and to reject attempts to delay and frustrate improved regulatory protections."

Mr. Chairman, I urge the opposition to H.R. 1644.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield myself such time as I may consume.

In my closing remarks, I would like to highlight the findings of an economic impact analysis of the draft stream buffer zone rule, released in 2015, issued against the Obama administration regulation. The study was done by the ENVIRON International Corporation.

ENVIRON found that 64 percent of the Nation's coal reserves would be sterilized, or frozen, resulting in an annual loss in value that ranges between \$14 billion to \$29 billion.

The proposed rule hits longwall mining particularly hard, causing a decrease of 47 to 85 percent in recoverable longwall coal reserves. Longwall mining is considered the safest, most efficient, and most profitable type of underground mining.

Sterilizing so much of the Nation's coal reserves will have a significant impact on employment, ranging from a loss of 40,000 to about 77,000 direct jobs and 112,000 to 280,000 indirect jobs from those businesses and industries that provide goods and services to the mining sector.

These jobs are high-paying, family-wage jobs, with excellent benefits, including health care. The economic impact to the coal-producing States and counties will be staggering.

The STREAM Act instills sanity into the Office of Surface Mining's rule-making process by requiring transparency in the scientific products used by OSM in any rulemaking that they have. It narrowly focuses the stream buffer zone rule to actual stream buffer zones and not 474 other regulations.

It also allows States with the expertise in regulating the Nation's coal mines to participate in the assessment of the effectiveness of the existing rule. Finally, it reins in OSM's overreach into areas outside of its statutory jurisdiction.

Mr. Chairman, there are two great ironies in this whole war on coal by the administration. Actually, it is a war on the American people. It is a war on working families because it not only costs high-paying jobs, but it drives up the cost of energy. When you drive up the cost of energy, that takes money out of people's pockets, and they have less money left over to take care of their families and to provide for their futures.

If the war on coal by this administration were successful, not only would you have those negative impacts, but

many of the environmentalists would just create another war.

There is already one major group that says, "Oh, we don't even like natural gas," which is being touted as the replacement for coal. They don't even like that.

There will be some other reason to which they will find objection with regard to whatever takes coal's place, would that day ever come.

When you run the numbers, the environmental impact of getting rid of coal completely for electrical generation would have a negligible impact on any future impact on the global climate.

Let's pass the STREAM Act as it protects jobs, it protects rural communities, and it protects the American taxpayer. I ask that my colleagues support this important piece of legislation and vote for its final passage.

Mr. Chairman, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I rise in opposition to the STREAM Act, which is a dangerous and unnecessary bill that would delay the finalization of the Department of Interior's Stream Protection Rule. This critical rule will improve methods for monitoring and preventing damage to surface and groundwater from mountaintop removal coal mining.

Surface mining in the steep slopes of Appalachia has disrupted the biological integrity of an area about the size of Delaware, buried approximately 2,000 miles of streams with mining waste, and contaminated downstream areas with toxic elements. Because of this dangerous practice, people have been drinking the byproducts of coal waste from mountaintop removal for more than two decades. Rather than clean and clear water running out of their faucets, the people of Appalachia are left with orange or black liquid instead.

The health problems caused by exposure to these chemicals and heavy metals include cancers, organ failure, and learning disabilities. Not only that, but there are multiple cases of children suffering from asthma, headaches, nausea, and other symptoms likely due to toxic contamination from coal dust. This is environmental injustice.

The people of Appalachia should have the right to send their children to a school not threatened by billions of gallons of coal slurry; the right to preserve the streams and valleys that have been part of their way of life; and the right to protect their own land, no matter how much coal might be underneath.

I have consistently introduced legislation, the Clean Water Protection Act, which would put a stop to mountaintop removal mining, and I plan to reintroduce the bill in the beginning of this year. I urge my colleagues to oppose the legislation before us today that will only perpetuate the dangerous practice of mountaintop removal mining.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the

amendment in the nature of a substitute, recommended by the Committee on Natural Resources, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1644

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Supporting Transparent Regulatory and Environmental Actions in Mining Act" or the "STREAM Act".

SEC. 2. PUBLICATION OF SCIENTIFIC PRODUCTS FOR RULES AND RELATED ENVIRONMENTAL IMPACT STATEMENTS, ENVIRONMENTAL ASSESSMENTS, AND ECONOMIC ASSESSMENTS.

(a) REQUIREMENT.—Title V of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1251 et seq.) is amended by adding at the end the following:

"SEC. 530. PUBLICATION OF SCIENTIFIC PRODUCTS FOR RULES AND RELATED ENVIRONMENTAL ANALYSES, AND ECONOMIC ASSESSMENTS.

"(a) REQUIREMENT.—

"(1) IN GENERAL.—The Secretary shall make publicly available 90 days before the publication of any draft, proposed, supplemental, final, or emergency rule under this Act, or any related environmental analysis, economic assessment, policy, or guidance, each scientific product the Secretary relied on in developing the rule, environmental analysis, economic assessment, policy, or guidance.

"(2) FEDERALLY FUNDED SCIENTIFIC PRODUCTS.—For those scientific products receiving Federal funds in part, or in full, the Secretary shall also make publicly available the raw data used for the federally funded scientific product.

"(b) COMPLIANCE.—

"(1) IN GENERAL.—Failure to make publicly available any scientific product 90 days before the publication of—

"(A) any draft, proposed, or supplemental rule, environmental analysis, economic assessment, policy or guidance shall extend by one day the comment period for each day such scientific product is not made available; or

"(B) any final or emergency rule shall delay the effective date of the final or emergency rule by 60 days plus each day the scientific product is withheld.

"(2) DELAY LONGER THAN 6 MONTHS.—If the Secretary fails to make publicly available any scientific product for longer than 6 months, the Secretary shall withdraw the rule, environmental analysis, economic assessment, policy, or guidance.

"(3) EXCEPTION.—This subsection shall not apply if a delay in the publication of a rule will pose an imminent and severe threat to human life.

"(c) DEFINITIONS.—In this section:

"(1) PUBLICLY AVAILABLE.—The term 'publicly available' means published on the Internet via a publicly accessible website under the Secretary's control.

"(2) ENVIRONMENTAL ANALYSIS.—The term 'environmental analysis' means environmental impact statements and environmental assessments prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(3) SCIENTIFIC PRODUCT.—The term 'scientific product' means any product that—

"(A) employs the scientific method for inventorying, monitoring, experimenting, studying, researching, or modeling purposes; and

"(B) is relied upon by the Secretary in the development of any rule, environmental analysis, economic assessment, policy, or guidance.

"(4) RAW DATA.—The term 'raw data'—

"(A) except as provided in subparagraph (B), means any computational process, or quantitative or qualitative data, that is relied on in a scientific product to support a finding or observation; and

"(B) does not include such data or processes—

"(i) that are protected by copyright;

"(ii) that contain personally identifiable information, sensitive intellectual property, trade secrets, or business-sensitive information; or

"(iii) to the extent that such data and processes are covered by the provisions of part C of title XI of the Social Security Act (42 U.S.C. 1320d et seq.), regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), and the provisions of subtitle D of title XIII of the Health Information Technology for Economic and Clinical Health Act (42 U.S.C. 17921 et seq.)."

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end of the items relating to such title the following:

"Sec. 530. Publication of scientific products for rules and related environmental analyses, and economic assessments."

SEC. 3. STUDY OF THE EFFECTIVENESS OF CERTAIN RULE.

(a) REQUIREMENT.—Title VII of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1291 et seq.) is amended by adding at the end the following:

"SEC. 722. STUDY OF THE EFFECTIVENESS OF CERTAIN RULE.

"(a) STUDY.—No later than 90 days after the date of the enactment of the STREAM Act, the Secretary of the Interior, in consultation with the Interstate Mining Compact Commission and its State members, shall enter into an arrangement with the National Academy of Sciences, for execution by the Board on Earth Sciences and Resources, to conduct a comprehensive study on the regulatory effectiveness of the 'Surface Coal Mining and Reclamation Operations Permanent Regulatory Program; Stream Buffer Zones and Fish, Wildlife, and Related Environmental Values' Final Rule published June 30, 1983 (48 Fed. Reg. 30312), and amended September 30, 1983 (48 Fed. Reg. 44777), in protecting perennial and intermittent streams through the use of stream buffer zones. If the study determines the existence of regulatory inefficiencies, then the study shall include suggestions and recommendations for increasing the effectiveness of the rule.

"(b) RESULTS OF THE STUDY.—Not later than 2 years after execution of the arrangements under subsection (a), the Board on Earth Sciences and Resources shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, appropriate Federal agencies, and the Governor of each of the States represented on the Interstate Mining Compact Commission the results of the study conducted under subsection (a).

"(c) FUNDING.—There is authorized to be appropriated to the Secretary of the Interior \$1,000,000 for fiscal year 2016 and \$1,000,000 for fiscal year 2017 for the purposes of this section.

"(d) PROHIBITION ON NEW REGULATIONS.—The Secretary shall not issue any final or other regulations pertaining to the proposed rule entitled 'Stream Protection Rule' (80 Fed. Reg. 44436) or relating to stream buffer zones, until one year after the Secretary has submitted the results of the study in accordance with subsection (b). If the Secretary proposes any such regulations

after such submission, the Secretary shall take into consideration the findings of the study.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in the first section of such Act is amended by adding at the end of the items relating to such title the following:

“Sec. 720. Subsidence.

“Sec. 721. Research.

“Sec. 722. Study of the effectiveness of certain rule.”.

SEC. 4. COMPLIANCE WITH OTHER FEDERAL LAWS.

Section 702 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1291) is amended—

(1) by redesignating subsections (c) and (d) as subsection (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) **COMPLIANCE WITH OTHER FEDERAL LAWS.**—Nothing in this Act authorizes the Secretary to take any action by rule, regulation, notice, policy, guidance, or order that duplicates, implements, interprets, enforces, or determines any action taken under an Act referred to in subsection (a) or any regulation or rule promulgated thereunder.”.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114-395. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. LAMBORN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-395.

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 17, strike “and”.

Page 5, line 20, strike the period and insert “; and”.

Page 5, after line 20, insert the following: “(C) is not protected under copyright laws.”.

Page 9, line 3, strike “1291” and insert “1292”.

The Acting CHAIR. Pursuant to House Resolution 583, the gentleman from Colorado (Mr. LAMBORN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I believe that this amendment is really technical in nature. It does two things.

First, we ensure that the legislation does not infringe on copyright laws.

According to the largest private publishers of scientific research, government-funded studies will be made publicly available “where the government has funded the publication of a private sector, peer-reviewed article or where the author of the article is a govern-

ment employee . . . we do not dispute that any such article couldn’t be made publicly available.”

We are addressing that concern that was raised during the markup of this bill.

Second, we identified a technical error in a U.S. Code citation and corrected it.

I ask for a “yes” vote on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LOWENTHAL. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment even though I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. LOWENTHAL. Mr. Chairman, this amendment makes a small change to section 2 to make the bill somewhat more palatable to scientific publishers.

So I will not oppose it, but it does nothing to actually improve the bill itself nor the requirement surrounding the advance publication of scientific data.

Today we received a letter from the Union of Concerned Scientists that says they are strongly opposed to H.R. 1644.

The scientists write: “This proposal is just another attempt of what is becoming an old and tired song, an attempt to cloak an effort to block commonsense regulations in the guise of transparency.”

They continue: “The amended version improves the original bill by exempting certain types of data from public disclosure. However, the language is so vague it will make it very difficult for scientists doing federally funded research to know whether or not the data they have spent years collecting may be prematurely disclosed before they can publish their own studies. At the very least, this discourages scientists from doing any crucial research that may be required to be publicly disclosed.”

They conclude: “If passed, H.R. 1644 would inhibit the Department of the Interior’s ability to carry out its science- and evidence-based responsibility to protect human health and the environment. We strongly recommend a ‘no’ vote on H.R. 1644.”

I agree with the scientists on this one.

Mr. Chairman, I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I thank the Member for not opposing this amendment, and I ask that we vote “yes” on it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-395.

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 3, before the period, insert “or improve drinking water quality”.

Page 8, line 16, before the period, insert “, unless such a rule will improve drinking water quality”.

The Acting CHAIR. Pursuant to House Resolution 583, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, first of all, the underlying bill is an attempt to delay the implementation of the stream protection rule, an important rule that protects our Nation’s rivers, our streams, and the nearby communities from the effects of mountaintop removal coal mining.

My amendment would not allow any rule that improves drinking water quality to be delayed. Ensuring that we protect our streams and rivers—often important sources of drinking water—is of vital importance.

Listen, I know firsthand something about what happens when regulations are not strong enough to protect drinking water.

Today, in my hometown of Flint, safeguards for better drinking water could have prevented the entire city and upwards of 10,000 children under the age of 6 from being exposed to dangerous levels of lead.

Lead is a deadly neurotoxin that is especially harmful to young children. It can permanently lower the IQ, increase disruptive behavior, and stunt neurological development.

These children in my hometown, many of whom already have great hurdles to overcome because of the misfortune of the ZIP code into which they were born—communities of very high poverty—now must endure another blow to their futures due to the decisions that were outside of their control and the lack of effective protection of their drinking water.

No other community should ever face that same danger, the danger of having their children literally poisoned by unsafe, contaminated drinking water. My amendment will ensure important protections for other communities.

Look, I have seen my community live through this. They continue to live through it. We should be doing everything we can not to weaken protections for drinking water, but to strengthen them to prevent this from ever happening anywhere else.

Mr. Chairman, I reserve the balance of my time.

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Mr. LAMBORN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chair, my heart goes out to my friend and colleague from Flint, Michigan. I share in the difficulties that they are suffering now in that city because of the water supply. I know that his intention is to do everything he can—and I appreciate his work—to help the people of his district, especially when it comes to water supply. I appreciate that.

I do have to point out that the issue that was raised there is not a mining issue. It is from other sources. It is pollution from pulp and paper mills, and it is not a mining issue.

Getting back to this amendment, I do have to point out that already under the law, permitted mines must already adhere to safe drinking water standards and are very heavily regulated by the EPA. The problem with the OSM, Office of Surface Mining, is that they are taking over—it is bureaucratic mission creep—they are taking over some of the EPA functions. Among other good things that the STREAM Act does is it prevents OSM from going down that road, and it leaves clean water issues under the jurisdiction of the EPA.

So we just need to make sure that the government agencies stick to what they know best. The STREAM Act does that. Water quality is really not an issue when it comes to nonmine issues.

I would ask for opposition to this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. KILDEE. Mr. Chairman, let me first thank the gentleman for his kind words and his concern over my hometown. It is an extraordinarily difficult situation.

Sadly, it is actually the creation of a series of decisions by our State government to switch from the freshest, cleanest water on the planet, the Great Lakes, to the Flint River in order to save a few dollars, and then the failure of the Michigan Department of Environmental Quality to enforce even the minor protections that it has available to it.

The reason I am offering this amendment and the reason that I offer it on this particular piece of legislation is that, in my hometown, it was led and it was a bad set of decisions made by an emergency financial manager. In another community, it may be another source.

My view—and the reason I offer this amendment—is that we ought to do everything within our power in this Congress to make sure that we protect our

environment and particularly protect drinking water. I believe my amendment would do that. I urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KILDEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-395.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

SEC. 5. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

Title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231, et seq.) is amended by adding at the end the following:

“SEC. 416. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

“Notwithstanding any other provision of this Act, amounts that would otherwise be provided under title IV to States certified under section 411(a) shall, subject to appropriations, be distributed to the States and Indian tribes for the purpose of promoting the economic revitalization, diversification, and development in economically distressed communities adversely affected by discharge from abandoned mine lands.”.

The Acting CHAIR. Pursuant to House Resolution 583, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chair, my amendment seeks to return abandoned mine lands funding to its originally intended focus, which is to support the communities that are struggling due to their legacy of mining.

This funding, roughly \$600 million over 10 years, will assist struggling coal communities in diversifying their economies, increasing human capital development, and stimulating economic growth. The funding for this investment in mining communities comes from States that have been certified by the Office of Surface Mining Reclamation and Enforcement as having already reclaimed their abandoned mines.

These States are, therefore, receiving money from a program dedicated to helping communities deal with the im-

pact of mining, but the Federal Government has certified that they have already dealt with those impacts. In fact, one State took \$10 million of this funding to renovate a basketball arena.

Meanwhile, States in Appalachia are facing the combined calamity of a collapsing coal industry and the environmental legacy of over a century of mining.

In Scranton, Pennsylvania, for example, that legacy includes 65 million gallons of acid mine runoff every day. Every day, there are 65 million gallons of acid mine runoff flowing into the river. Across northeastern Pennsylvania, there are thousands of miles of streams impacted by mine drainage, many of which are totally devoid of aquatic life.

On top of these environmental impacts, the decreased demand for Appalachian coal has devastated communities and workers who have built their lives and built their families around the coal industry. This amendment is for them and to help rejuvenate these small communities across Appalachia and in other regions.

Nearly all the biggest coal companies in the United States are teetering on the brink of collapse. Several have been removed from the New York Stock Exchange due to their valuations falling too low. Just yesterday, Arch Coal, one of the biggest coal companies in the country, filed for bankruptcy.

For the families that depend on these jobs, these benefits, and these pensions, we have to act. We cannot be dispassionate bystanders as the rug is pulled out from under these communities. They deserve our support.

Now, this amendment recognizes the fact that coal helped to build this country, coal spurred the industrial revolution and powered us through two world wars. The communities of Appalachia that proudly dug the coal that powered America through the 20th century have earned the support they need to diversify their local economies, and that is what this amendment works toward.

The sponsors of the underlying bill, the STREAM Act, purport to be concerned about jobs in the Appalachian regions. If that is their concern, then they should also support my amendment, which will create jobs in the communities that need them most and continue to have to spend money on reclaiming abandoned mines.

For that reason, I urge my colleagues—and especially those of you who represent mining areas, as I do—to vote “yes” on this amendment to revitalize historic mining communities.

Mr. Chairman, I reserve the balance of my time.

Mr. ZINKE. Mr. Chairman, I rise in strong opposition to the Cartwright amendment to the STREAM Act.

The Acting CHAIR. The gentleman from Montana is recognized for 5 minutes.

Mr. ZINKE. Mr. Chair, we in the coal-producing States in the West do pay the majority of AML fees every year, a reminder that Montana and Wyoming have more coal than anyone else in the world. Yet, this language would rip away funding of the AML from our coal-certified States like Montana, but also the tribes. The great Crow Nation depends on these funds.

How can you justify ripping and robbing certified States that pay the majority of the AML funds and tribes away? What does it do? It rips away money that is used for restoration and protects small communities.

Montana has been in the business of mining for over 100 years. We have over 6,700 known abandoned mines and mill sites across our State, and we have worked hard to reclaim many of these areas. Yet, removing the funds from those small communities poses a threat.

Governor Bullock, a Democrat, has also expressed his deep concerns about ending these payments and asked all of the Montana delegation, which there are three of us, to help safeguard this valuable program for the good of all Montanans and the great Crow Nation.

This amendment is disguised as a solution. It doesn't offer a solution. The underlying idea of it is to kill the coal industry. We have seen time and time again excessive overreach, not based on scientific data, but based on an agenda; and the agenda is to kill coal.

In Montana, we love coal. In Wyoming, our neighbor to the south, we understand that coal drives our economy. It helps fund our schools, our bridges, our roads, and our community.

I stand by Montana and I stand by the great Crow Nation and urge my colleagues to vote "no" on this amendment.

I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Chairman, I reserve the balance of my time.

Mr. ZINKE. Mr. Chairman, I yield the balance of my time to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, this is absolutely illustrative of the old adage: If it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.

So here is the deal: This country started mining a lot of coal, so the Federal Government taxed it in 1977 through SMCRA, the Surface Mining Control and Reclamation Act. They put a big tax on coal by the ton, not the Btus, by the ton.

Then the coal companies and the coal industry kept moving, and now they want to regulate it. In fact, this administration wants to regulate it out of existence and has said so. Rules are being proposed to regulate the coal industry out of existence. So that is the keep-moving part. Well, they are being very successful at regulating the coal industry out of existence.

Now, we are to step three. If it stops moving, subsidize it. That is what the amendment we are discussing would do. It is saying the coal industry is on its knees, not acknowledging that they are the ones that put it there. Then they are saying: So let's take money for all of those coal jobs that are being lost due to their policies and let's subsidize it. Let's give them economic development money. Further, let's give it to the administration in Washington to sprinkle about to whom they think it should go to, rather than letting the States that are producing this coal have a fraction of the money that is being produced from their States. This is the Federal Government's mentality run amok.

This is something that Ronald Reagan talked about when he said: If it moves, tax it. If it keeps moving, regulate it. If it stops moving, subsidize it.

These people don't want subsidies. They want their jobs. They want their communities. They don't want subsidies from the Federal Government.

That said, the omnibus bill that we just passed last month had \$90 million for economic development in areas that are losing jobs due to coal policies. For crying out loud, we have lost our minds.

I urge you to oppose the Cartwright amendment.

Mr. ZINKE. I yield back the balance of my time.

Mr. CARTWRIGHT. Mr. Chair, with all due respect—and I do have ample respect for my colleague from Wyoming—I will say this: Taxing it is not the issue here. Regulating it is not the issue here. Subsidizing it is not the issue here. We are talking about money that has already been allocated. In fact, Wyoming itself is slated to get \$53.8 million. The point here is that this is money that is going to States that are already certified as having properly finished their mine reclamation.

The proposal of this amendment is to take that money—it is not new tax, it is not new regulation, it is not a new subsidy—it is just take that money and spread it out among the States that are still reclaiming their mines, including northeastern Pennsylvania and all of Pennsylvania. We are talking about taking it from the four States that have been certified by the Federal Government as having completed their mine reclamation and spreading it out among the States that have not done so completely at this point and continue to work on it.

Further, this is money that is not being taken from the tribes. I am not sure where that idea came from. It is money that is given to the States, not the tribes. Therefore, it makes sense to send it to the communities where the mines are still causing trouble and are still being reclaimed.

Mr. Chair, I urge a "yes" vote on the Cartwright amendment to H.R. 1644.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

□ 1600

AMENDMENT NO. 4 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-395.

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 3, before the period insert "or cause or significantly contribute to the development of negative chronic or long-term health conditions".

The Acting CHAIR. Pursuant to House Resolution 583, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman.

Ms. SEWELL of Alabama. Mr. Chairman, my amendment is simple and straightforward. Moreover, I do not believe it conflicts with the intent of this legislation.

Alabama has a long and rich history of coal production that provides my constituents and Americans across the country with affordable and reliable energy as well as good-paying jobs.

As a representative of Alabama, I am a strong supporter of an all-of-the-above energy strategy. I support the development and use of renewable energy like wind and solar as well as the traditional sources of energy like coal. Coal is very important in my State.

However, I also believe that it is Congress' responsibility to ensure that energy is produced in a way that does not adversely impact the long-term safety or health of my constituents. That is why I have offered this amendment to H.R. 1644.

This amendment makes an important addition to the exception clause in section 2 of the bill. It simply ensures that rules will not be delayed if such a delay would cause or significantly contribute to the development of a negative, chronic, or long-term health condition.

We have an obligation as representatives of the people to ensure that regulations are not only sensible but also pragmatic. They must also not be threatened by the policies and regulations, those things that directly affect

the public health. I believe all of my colleagues share this belief. I know that my Republican colleagues share my concern for public health.

The legislation already includes an exception clause that says a rule cannot be delayed if it would pose an imminent and severe threat to human life. I strongly support this clause, but it is not enough to simply protect the public from imminent and severe health effects.

Cancer and lung disease are illnesses that are chronic and often not developed except over years. We should also ensure that the public's long-term health and well-being is protected.

This is a commonsense amendment that will protect the public health. I urge all of my colleagues to vote for it.

Mr. Chairman, I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, although this is a very well-intended amendment, the purpose of the section of the bill affected by this amendment is already to ensure that good science is used in the development of the rules by making the scientific products on which the rule is based publicly available for review and already provides for an emergency exemption if the delay in the publication of a rule during this public review will pose "an imminent and severe threat to human life." An imminent and severe threat to human life, that is already addressed in the text of the bill. Mr. Chairman, I believe that this is unnecessary.

We also have protection under the existing Surface Mining Control and Reclamation Act, SMCRA. It is to "establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations."

The law and the proposed bill that is before us today already are designed to help protect human health and the environment. So although this is a well-intended amendment, it is unnecessary, given this background.

Mr. Chairman, I oppose the amendment.

I reserve the balance of my time.

Ms. SEWELL of Alabama. Mr. Chairman, with all due respect, I think that the plain reading of the bill, the bill itself, talks about imminent and imminent threat. It doesn't necessarily deal with long-term effect.

My commonsense amendment would just make sure that any rules that actually affect public health that is chronic in nature and long term would also be covered with the exception.

I say to my colleagues on both sides of the aisle, I am from a pro-coal State, but I also think it is really important

to be pro-public health. I ask my colleagues to vote "yes" on the Sewell amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Ms. SEWELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. SEWELL of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-395 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. KILDEE of Michigan.

Amendment No. 3 by Mr. CARTWRIGHT of Pennsylvania.

Amendment No. 4 by Ms. SEWELL of Alabama.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. KILDEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. KILDEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 223, not voting 21, as follows:

[Roll No. 38]

AYES—189

Adams	Cárdenas	Curbelo (FL)
Aguilar	Carney	Davis (CA)
Ashford	Carson (IN)	Davis, Danny
Bass	Cartwright	DeFazio
Becerra	Castor (FL)	DeGette
Benishchek	Castro (TX)	Delaney
Bera	Chu, Judy	DelBene
Beyer	Cicilline	DeSaulnier
Bishop (GA)	Clark (MA)	Deutch
Bishop (MI)	Clarke (NY)	Dingell
Blumenauer	Clay	Dold
Bonamici	Cleaver	Doyle, Michael
Boyle, Brendan	Clyburn	F.
F.	Cohen	Duckworth
Brady (PA)	Connolly	Edwards
Brown (FL)	Conyers	Ellison
Brownley (CA)	Cooper	Engel
Bustos	Courtney	Eshoo
Butterfield	Crowley	Esty
Capps	Cuellar	Farr
Capuano	Cummings	Fattah

Fitzpatrick	Lujan Grisham (NM)	Ruppersberger
Foster	Luján, Ben Ray (NM)	Rush
Frankel (FL)	Lynch	Ryan (OH)
Fudge	Maloney, Carolyn	Sánchez, Linda T.
Gabbard	Maloney, Sean	Sanchez, Loretta
Gállego	Matsui	Sarbanes
Garamendi	McCollum	Schakowsky
Gibson	McDermott	Schiff
Graham	McGovern	Scott (VA)
Grayson	McNerney	Scott, David
Green, Al	Meeks	Sewell (AL)
Green, Gene	Meng	Sherman
Grijalva	Miller (MI)	Sinema
Gutiérrez	Moore	Sires
Hahn	Moulton	Slaughter
Hastings	Murphy (FL)	Speier
Heck (WA)	Nadler	Swalwell (CA)
Higgins	Napolitano	Takai
Himes	Neal	Takano
Hinojosa	Nolan	Thompson (CA)
Honda	Norcross	Thompson (MS)
Hoyer	Nugent	Titus
Huizenga (MI)	O'Rourke	Tonko
Israel	Pallone	Torres
Jeffries	Pascarella	Trott
Johnson (GA)	Payne	Tsongas
Johnson, E. B.	Pelosi	Upton
Kaptur	Perlmutter	Van Hollen
Keating	Peters	Vargas
Kelly (IL)	Pingree	Veasey
Kildee	Pocan	Vela
Kilmer	Poliquin	Velázquez
Kirkpatrick	Polis	Visclosky
Langevin	Price (NC)	Walberg
Larsen (WA)	Quigley	Walz
Lawrence	Rangel	Wasserman
Lee	Reichert	Schultz
Levin	Rice (NY)	
Lewis	Richmond	
Lieu, Ted	Ros-Lehtinen	
Lipinski	Roybal-Allard	
Loebsack	Ruiz	
Lofgren		
Lowenthal		
Lowey		

NOES—223

Abraham	DeSantis	Issa
Aderholt	DesJarlais	Jenkins (KS)
Allen	Diaz-Balart	Jenkins (WV)
Amash	Doggett	Johnson (OH)
Amodel	Donovan	Johnson, Sam
Babin	Duffy	Jolly
Barletta	Duncan (TN)	Jones
Barr	Ellmers (NC)	Jordan
Barton	Emmer (MN)	Joyce
Bilirakis	Farenthold	Katko
Bishop (UT)	Fincher	Kelly (MS)
Black	Fleischmann	Kelly (PA)
Blackburn	Fleming	King (IA)
Blum	Flores	King (NY)
Bost	Forbes	Kinzinger (IL)
Boustany	Fortenberry	Kline
Brady (TX)	Fox	Knight
Brat	Franks (AZ)	Labrador
Bridenstine	Frelinghuysen	LaHood
Brooks (AL)	Garrett	LaMalfa
Brooks (IN)	Gibbs	Lamborn
Buchanan	Gohmert	Lance
Buck	Goodlatte	Latta
Bucshon	Gosar	LoBiondo
Burgess	Gowdy	Long
Byrne	Granger	Loudermilk
Calvert	Graves (GA)	Love
Carter (GA)	Graves (LA)	Lucas
Carter (TX)	Graves (MO)	Luetkemeyer
Chabot	Griffith	Lummis
Chaffetz	Grothman	MacArthur
Clawson (FL)	Guinta	Marchant
Coffman	Guthrie	Marino
Cole	Hanna	Massie
Collins (GA)	Hardy	McCarthy
Collins (NY)	Harper	McCauley
Comstock	Harris	McClintock
Conaway	Hartzler	McHenry
Cook	Heck (NV)	McKinley
Costa	Hensarling	McMorris
Costello (PA)	Herrera Beutler	Rodgers
Cramer	Hice, Jody B.	McSally
Crawford	Hill	Meadows
Crenshaw	Holding	Meehan
Culberson	Hudson	Messer
Davis, Rodney	Hultgren	Mica
Denham	Hunter	Miller (FL)
Dent	Hurt (VA)	Moolenaar

Mooney (WV)	Rogers (AL)	Thornberry	Bishop (GA)	Garamendi	Neal	Hensarling	McKinley	Salmon
Mullin	Rogers (KY)	Tiberi	Blumenauer	Gibson	Nolan	Herrera Beutler	McMorris	Sanford
Mulvaney	Rohrabacher	Tipton	Bonamici	Graham	Norcross	Hice, Jody B.	Rodgers	Scalise
Murphy (PA)	Rokita	Turner	Boyle, Brendan F.	Grayson	O'Rourke	Hill	McSally	Schweikert
Neugebauer	Rooney (FL)	Valadao	Green, Al	Green, Gene	Pallone	Holding	Meadows	Scott, Austin
Newhouse	Roskam	Wagner	Brady (PA)	Griffith	Pascrell	Hudson	Messer	Sensenbrenner
Noem	Ross	Walden	Brown (FL)	Grijalva	Payne	Huelskamp	Mica	Sessions
Nunes	Rothfus	Walker	Brownley (CA)	Gutiérrez	Pelosi	Huizenga (MI)	Miller (FL)	Shimkus
Olson	Rouzer	Walorski	Bustos	Hahn	Peters	Hultgren	Miller (MI)	Simpson
Palmer	Royce	Walters, Mimi	Butterfield	Harris	Pingree	Hunter	Moolenaar	Smith (MO)
Paulsen	Russell	Weber (TX)	Calvert	Hastings	Pocan	Hurd (TX)	Mooney (WV)	Smith (NE)
Pearce	Salmon	Webster (FL)	Capps	Heck (WA)	Polis	Hurt (VA)	Mullin	Smith (NJ)
Perry	Sanford	Westerman	Capuano	Higgins	Price (NC)	Issa	Mulvaney	Smith (TX)
Peterson	Scalise	Whitfield	Cárdenas	Himes	Quigley	Jenkins (KS)	Neugebauer	Stefanik
Pittenger	Schweikert	Wilson (SC)	Carney	Hinojosa	Rangel	Johnson (OH)	Newhouse	Stewart
Pitts	Scott, Austin	Wittman	Carson (IN)	Honda	Reichert	Johnson, Sam	Noem	Stivers
Poe (TX)	Sensenbrenner	Womack	Cartwright	Hoyer	Rice (NY)	Jolly	Nugent	Stutzman
Pompeo	Sessions	Woodall	Castor (FL)	Huffman	Richmond	Jones	Nunes	Thornberry
Posey	Shimkus	Yoder	Castro (TX)	Israel	Roe (TN)	Jordan	Olson	Tiberi
Price, Tom	Shuster	Yoho	Chu, Judy	Jefferson Lee	Rogers (KY)	Joyce	Palmer	Tipton
Reed	Simpson	Young (AK)	Cicilline	Jeffries	Ros-Lehtinen	Kelly (MS)	Paulsen	Trott
Renacci	Smith (MO)	Young (IA)	Clark (MA)	Jenkins (WV)	Roybal-Allard	Kelly (PA)	Pearce	Turner
Ribble	Smith (NE)	Young (IN)	Clarke (NY)	Johnson (GA)	Ruiz	King (IA)	Perlmutter	Upton
Rice (SC)	Smith (TX)	Zeldin	Clay	Johnson, E. B.	Ruppersberger	King (NY)	Perry	Valadao
Rigell	Stefanik	Zinke	Cleaver	Kaptur	Rush	Kinzinger (IL)	Peterson	Wagner
Roby	Stewart		Clyburn	Cohen	Ryan (OH)	Kline	Pittenger	Walberg
Roe (TN)	Thompson (PA)		Connolly	Keating	Sánchez, Linda T.	Knight	Pitts	Walden
			Conyers	Kelly (IL)	Sanchez, Loretta	Labrador	Poe (TX)	Walker
			Cooper	Kildee	Sarbanes	LaHood	Poliquin	Walorski
			Costa	Kilmer	Schakowsky	LaMalfa	Pompeo	Posey
			Costello (PA)	Kirkpatrick	Schiff	Lamborn	Price, Tom	Weber (TX)
			Courtney	Langevin	Schrader	Lance	Ratcliffe	Webster (FL)
			Crowley	Larsen (WA)	Scott (VA)	Latta	Reed	Westerman
			Cuellar	Larson (CT)	Scott, David	LoBiondo	Renacci	Whitfield
			Cummings	Lawrence	Serrano	Long	Ribble	Wilson (SC)
			Curbelo (FL)	Lee	Sewell (AL)	Loudermilk	Rice (SC)	Wittman
			Davis (CA)	Levin	Sherman	Love	Rigell	Roby
			Davis, Danny	Lewis	Shuster	Lucas	Luetkemeyer	Rogers (AL)
			DeFazio	Lieu, Ted	Sinema	Lummis	MacArthur	Rohrabacher
			DeGette	Lipinski	Sires	Marchant	Rokita	Rooney (FL)
			Delaney	Lobsack	Slaughter	Marino	Ross	Rothfus
			DeLauro	Lofgren	Speier	Massie	Rouzer	Royce
			DeBene	Lowenthal	Swalwell (CA)	McCarthy	Russell	
			Dent	Lowe	Takai	McCaul		
			DeSaulnier	Lujan Grisham	Takano	McClintock		
			Deutch	(NM)	Thompson (CA)	McHenry		
			Dingell	Luján, Ben Ray	Thompson (MS)			
			Doggett	(NM)	Thompson (PA)			
			Dold	Lynch	Titus			
			Doyle, Michael F.	Maloney, Carolyn	Tonko			
			Duckworth	Maloney, Sean	Torres			
			Duffy	Matsui	Tsongas			
			Duncan (TN)	McCollum	Van Hollen			
			Edwards	McDermott	Vargas			
			Ellison	McGovern	Veasey			
			Engel	McNerney	Vela			
			Eshoo	Meehan	Velázquez			
			Esty	Meeks	Visclosky			
			Farr	Meng	Walz			
			Fattah	Moore	Wasserman			
			Foster	Moulton	Schultz			
			Frankel (FL)	Murphy (FL)	Waters, Maxine			
			Fudge	Murphy (PA)	Watson Coleman			
			Gabbard	Nadler	Welch			
			Gallego	Napolitano	Wilson (FL)			
					Yarmuth			

NOT VOTING—21

Beatty	Kennedy	Serrano
DeLauro	Kind	Smith (NJ)
Duncan (SC)	Kuster	Smith (WA)
Huelskamp	Larson (CT)	Stivers
Huffman	Palazzo	Stutzman
Hurd (TX)	Ratcliffe	Westmoreland
Jackson Lee	Schrader	Williams

□ 1628

Messrs. ROGERS of Alabama, LATTA, Mrs. McMORRIS RODGERS, Mr. McCLINTOCK, Ms. HERRERA BEUTLER, Messrs. MASSIE and WITTMAN changed their vote from “aye” to “no.”

Messrs. TROTT, GUTIÉRREZ, and HUIZENGA of Michigan changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HURD of Texas. Mr. Chair, on rollcall No. 38, I was unavoidably detained. Had I been present, I would have voted “nay.”

AMENDMENT NO. 3 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR (Mr. SIMPSON). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 219, not voting 11, as follows:

[Roll No. 39]

AYES—203

Adams	Barletta	Becerra
Aguilar	Barr	Bera
Ashford	Beatty	Beyer

Abraham	Byrne	Fincher
Aderholt	Carter (GA)	Fitzpatrick
Allen	Carter (TX)	Fleischmann
Amash	Chabot	Fleming
Amodei	Chaffetz	Flores
Babin	Clawson (FL)	Forbes
Barton	Coffman	Fortenberry
Bass	Cole	Foxx
Benishek	Collins (GA)	Franks (AZ)
Billrakis	Collins (NY)	Frelinghuysen
Bishop (MI)	Comstock	Garrett
Bishop (UT)	Conaway	Gibbs
Black	Cook	Gohmert
Blackburn	Cramer	Goodlatte
Blum	Crawford	Gosar
Bost	Crenshaw	Gowdy
Boustany	Culberson	Graves (GA)
Brady (TX)	Davis, Rodney	Graves (LA)
Brat	Denham	Graves (MO)
Bridenstine	DeSantis	Guinta
Brooks (AL)	DesJarlais	Guthrie
Brooks (IN)	Diaz-Balart	Hanna
Buchanan	Donovan	Hardy
Buck	Ellmers (NC)	Harper
Bucshon	Emmer (MN)	Hartzler
Burgess	Farenthold	Heck (NV)

NOES—219

NOT VOTING—11

Duncan (SC)	Kind	Smith (WA)
Granger	Kuster	Westmoreland
Grothman	Palazzo	Williams
Kennedy	Roskam	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1633

Messrs. DOLD and GALLEGO changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 8, as follows:

[Roll No. 40]

AYES—190

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Bass	Galleo	Norcross
Beatty	Garamendi	O'Rourke
Becerra	Gibson	Pallone
Bera	Graham	Pascarell
Beyer	Grayson	Payne
Bishop (GA)	Green, Al	Pelosi
Blumenauer	Green, Gene	Perlmutter
Bonamici	Grijalva	Peters
Boyle, Brendan	Gutiérrez	Pingree
F.	Hahn	Pocan
Brady (PA)	Hastings	Poliquin
Brown (FL)	Heck (WA)	Polis
Brownley (CA)	Higgins	Price (NC)
Bustos	Himes	Quigley
Butterfield	Hinojosa	Rangel
Capps	Honda	Reichert
Capuano	Hoyer	Rice (NY)
Cárdenas	Huffman	Richmond
Carney	Israel	Ros-Lehtinen
Carson (IN)	Jackson Lee	Roybal-Allard
Cartwright	Jeffries	Ruiz
Castor (FL)	Johnson (GA)	Ruppersberger
Castro (TX)	Johnson, E. B.	Rush
Chu, Judy	Kaptur	Ryan (OH)
Cicilline	Katko	Sánchez, Linda
Clark (MA)	Keating	T.
Clarke (NY)	Kelly (IL)	Sanchez, Loretta
Clay	Kildee	Sarbanes
Cleaver	Kilmer	Schakowsky
Clyburn	Kirkpatrick	Schiff
Cohen	Kuster	Schrader
Connolly	Langevin	Scott (VA)
Conyers	Larsen (WA)	Scott, David
Cooper	Larson (CT)	Serrano
Courtney	Lawrence	Sewell (AL)
Crowley	Lee	Sherman
Cuellar	Levin	Sinema
Cummings	Lewis	Sires
Curbelo (FL)	Lieu, Ted	Slaughter
Davis (CA)	Lipinski	Speier
Davis, Danny	Loebsock	Swalwell (CA)
DeFazio	Lofgren	Takai
DeGette	Lowenthal	Takano
Delaney	Lowe	Thompson (CA)
DeLauro	Lujan Grisham	Thompson (MS)
DelBene	(NM)	Titus
DeSaulnier	Luján, Ben Ray	Tonko
Deutch	(NM)	Torres
Dingell	Lynch	Tsongas
Doggett	Maloney,	Van Hollen
Dold	Carolyn	Vargas
Doyle, Michael	Maloney, Sean	Veasey
F.	Matsui	Vela
Duckworth	McCollum	Velázquez
Edwards	McDermott	Visclosky
Ellison	McGovern	Walz
Engel	McNerney	Wasserman
Eshoo	Meeke	Schultz
Esty	Meng	Waters, Maxine
Farr	Moore	Watson Coleman
Fattah	Moulton	Welch
Fitzpatrick	Murphy (FL)	Wilson (FL)
Foster	Nadler	Yarmuth
Frankel (FL)	Napolitano	

NOES—235

Abraham	Buck	Denham
Aderholt	Bucshon	Dent
Allen	Burgess	DeSantis
Amash	Byrne	DesJarlais
Amodei	Calvert	Diaz-Balart
Babin	Carter (GA)	Donovan
Barletta	Carter (TX)	Duffy
Barr	Chabot	Duncan (TN)
Barton	Chaffetz	Ellmers (NC)
Benishke	Clawson (FL)	Emmer (MN)
Bilirakis	Coffman	Farenthold
Bishop (MI)	Cole	Fincher
Bishop (UT)	Collins (GA)	Fleischmann
Black	Collins (NY)	Fleming
Blackburn	Comstock	Flores
Blum	Conaway	Forbes
Bost	Cook	Fortenberry
Boustany	Costa	Fox
Brady (TX)	Costello (PA)	Franks (AZ)
Brat	Cramer	Frelinghuysen
Bridenstine	Crawford	Garrett
Brooks (AL)	Crenshaw	Gibbs
Brooks (IN)	Culberson	Gohmert
Buchanan	Davis, Rodney	Goodlatte

Gosar	Luetkemeyer	Roskam
Gowdy	Lummis	Ross
Granger	MacArthur	Rothfus
Graves (GA)	Marchant	Rouzer
Graves (LA)	Marino	Royce
Graves (MO)	Massie	Russell
Griffith	McCarthy	Salmon
Grothman	McCaul	Sanford
Guinta	McClintock	Scalise
Guthrie	McHenry	Schweikert
Hanna	McKinley	Scott, Austin
Hardy	McMorris	Sensenbrenner
Harper	Rodgers	Sessions
Harris	McSally	Shimkus
Hartzler	Meadows	Shuster
Heck (NV)	Meehan	Simpson
Hensarling	Messer	Smith (MO)
Herrera Beutler	Mica	Smith (NE)
Hill	Miller (FL)	Smith (NJ)
Holding	Miller (MI)	Smith (TX)
Huelskamp	Moolenaar	Stefanik
Hudson	Mooney (WV)	Stewart
Huizenga (MI)	Mullin	Stivers
Hultgren	Mulvaney	Stutzman
Hunter	Murphy (PA)	Thompson (PA)
Hurd (TX)	Neugebauer	Thornberry
Hurt (VA)	Newhouse	Tiberi
Issa	Noem	Tipton
Jenkins (KS)	Nugent	Trott
Jenkins (WV)	Nunes	Turner
Johnson (OH)	Olson	Upton
Johnson, Sam	Palmer	Valadao
Jolly	Paulsen	Wagner
Jones	Pearce	Walberg
Jordan	Perry	Walden
Joyce	Peterson	Walker
Kelly (MS)	Pittenger	Walorski
Kelly (PA)	Pitts	Walters, Mimi
King (IA)	Poe (TX)	Weber (TX)
King (NY)	Pompeo	Webster (FL)
Kinzie (IL)	Posey	Wenstrup
Kline	Price, Tom	Westerman
Knight	Ratcliffe	Whitfield
Labrador	Reed	Wilson (SC)
LaHood	Renacci	Wittman
LaMalfa	Ribble	Womack
Lamborn	Rice (SC)	Woodall
Lance	Rigell	Yoder
Latta	Roby	Yoho
LoBiondo	Roe (TN)	Young (AK)
Long	Rogers (AL)	Young (IA)
Loudermilk	Rogers (KY)	Young (IN)
Love	Rohrabacher	Zeldin
Lucas	Rokita	Zinke
	Rooney (FL)	

NOT VOTING—8

Ashford	Kind	Westmoreland
Duncan (SC)	Palazzo	Williams
Kennedy	Smith (WA)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1636

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1644) to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes, and, pursuant to House Resolution 583, he reported the bill back to the House

with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILDEE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 1644 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Page 5, strike line 3 and insert "either an imminent or long-term threat to human life or increase the incidence or prevalence of lung cancer, heart or kidney disease, birth defects, or heavy metal contamination in communities in the vicinities of mountain-top removal coal mining projects."

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, this final amendment to the bill will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

The bill is yet another attempt to delay the issuance of new and updated regulations to protect our streams, our rivers, and our communities from mountaintop coal mining. These safeguards are important for protecting the health and safety of the drinking water in communities and of children living near mountaintop removal coal mining.

Mr. Speaker, my motion would prevent the stream protection rule from being delayed if there is an increase in the incidence or prevalence of lung cancer, heart or kidney disease, birth defects, or heavy metal contamination in these communities.

We cannot allow the underlying bill to further delay important protections of public health. I know, firsthand, what happens when protections are not strong enough to prevent heavy metals, mainly lead, from contaminating drinking water. I have seen thousands of kids in my hometown of Flint, Michigan, poisoned by lead-contaminated water.

Let me repeat: Today, in the 21st century, thousands of children being poisoned by lead in their drinking water due to the lack of effective enforcement.

For 14 months, in my hometown of Flint, children, citizens have been exposed to drinking water with very high levels of lead. These kids, especially, will face consequences.

This is not a problem without victims. Children will face cognitive difficulties, developmental problems, behavioral issues, all because in Michigan our Governor appointed an emergency financial manager to take over the city of Flint, and without any concern for health or the welfare of the people who live there, simply to save a few dollars, switched the city of Flint, not by the city itself, but the State of Michigan switched the city of Flint from Lake Huron to the Flint River as its primary drinking water source.

That highly corrosive river water led to lead leaching into the water system and, for 14 months, going into the bodies of people in my hometown, into children, all because of ineffective, lackluster enforcement of protections built into the law.

□ 1645

These kids in my hometown have a right to expect that the water coming through the faucet is safe for them to drink, and the Department of Environmental Quality in Michigan was warned—warned—by the EPA, warned by a researcher from Virginia Tech who came to Flint to study the water, and warned by a local pediatrician who saw elevated lead levels in the children's blood in Flint, Michigan.

What was the State's response? To try to discredit those claims that there were elevated lead levels, to actually—believe it or not—tell the people of the city of Flint that those researchers are wrong and they should just relax. That is what they were told. Relax.

This is the 21st century. We ought to have in place adequate protections to make sure that drinking water is safe. What has been the response, even now in my own hometown in the State of Michigan? There have been some news conferences, but from July, when the State was first made aware of this, until today, the State has yet to step in to even supply bottled water, relying on the generosity of corporations, of labor unions, and of citizens, neighbors helping neighbors.

Unfortunately, I think they see this more as a public relations problem than as a public health emergency. This is what happens when we don't recognize the importance of regulation to protect public health. This is what happens when we weaken protections for drinking water for our environment and for our land.

Is this really what we want to do? Or don't we have an obligation to do ev-

erything in our power to protect the people back home, to protect children from this terrible, terrible kind of contamination?

The steps that we are taking today that are on the floor of the House will simply be one more step to weaken those sorts of protections. My motion to recommit would correct that.

Mr. Speaker, I ask all my colleagues to please join me. Protect our people, protect our land, and protect our kids. Join me in supporting this motion.

Mr. Speaker, I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Speaker, I urge us to reject this motion. It is only going to delay passage of this excellent piece of legislation. We just rejected a very similar amendment moments ago, and that was a substantive amendment. This is a procedural—not even a substantive—amendment.

The bill does three great things, and that is why we need to pass the bill. It promotes transparency and scientific integrity. It requires an independent third-party review of the proposed OSM, Office of Surface Mining Bureau, rule. And it prevents OSM from regulatory overreach. So for those three important reasons, we should pass this bill.

When it comes to health in particular, let me read a sentence from the text of the bill: "This subsection shall not apply if a delay in the publication of a rule will pose an imminent and severe threat to human life."

So we do already address health. It is covered in the bill.

Mr. Speaker, I urge a rejection of the motion to recommit and the passage of H.R. 1644.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and pass H.R. 757.

The vote was taken by electronic device, and there were—ayes 186, noes 237, not voting 10, as follows:

[Roll No. 41]

AYES—186

Adams	Fudge	Neal
Aguilar	Gabbard	Nolan
Ashford	Gallego	Norcross
Bass	Garamendi	O'Rourke
Beatty	Graham	Pallone
Becerra	Grayson	Pascrell
Bera	Green, Al	Payne
Beyer	Green, Gene	Pelosi
Bishop (GA)	Grijalva	Perlmutter
Blum	Gutiérrez	Peters
Blumenauer	Hahn	Peterson
Bonamici	Hastings	Pingree
Boyle, Brendan	Heck (WA)	Pocan
F.	Higgins	Polis
Brady (PA)	Himes	Price (NC)
Brown (FL)	Hinojosa	Quigley
Brownley (CA)	Honda	Rangel
Bustos	Hoyer	Rice (NY)
Butterfield	Huffman	Richmond
Capps	Israel	Roybal-Allard
Capuano	Jackson Lee	Ruiz
Cárdenas	Jeffries	Ruppersberger
Carney	Johnson (GA)	Rush
Carson (IN)	Johnson, E. B.	Ryan (OH)
Cartwright	Jones	Sánchez, Linda
Castor (FL)	Kaptur	T.
Castro (TX)	Keating	Sanchez, Loretta
Chu, Judy	Kelly (IL)	Sarbanes
Cicilline	Kildee	Schakowsky
Clark (MA)	Kilmer	Schiff
Clarke (NY)	Kirkpatrick	Schrader
Clay	Kuster	Scott (VA)
Cleaver	Langevin	Scott, David
Clyburn	Larsen (WA)	Serrano
Cohen	Larson (CT)	Sewell (AL)
Connolly	Lawrence	Sherman
Conyers	Lee	Sinema
Cooper	Levin	Sires
Courtney	Lewis	Slaughter
Crowley	Lieu, Ted	Speier
Cuellar	Lipinski	Spaulwell (CA)
Cummings	Loeb sack	Takai
Davis (CA)	Lofgren	Takano
Davis, Danny	Lowenthal	Thompson (CA)
DeFazio	Lowey	Thompson (MS)
DeGette	Lujan Grisham	Titus
Delaney	(NM)	Tonko
DeLauro	Luján, Ben Ray	Torres
DelBene	(NM)	Tsongas
DeSaulnier	Lynch	Vn Hollen
Deutch	Maloney,	Vargas
Dingell	Carolyn	Veasey
Doggett	Maloney, Sean	Vela
Doyle, Michael	Matsui	Velázquez
F.	McCollum	Vislosky
Duckworth	McDermott	Walz
Edwards	McGovern	Wasserman
Ellison	McNerney	Schultz
Engel	Meeks	Waters, Maxine
Eshoo	Meng	Watson Coleman
Esty	Moore	Welch
Farr	Moulton	Wilson (FL)
Fattah	Murphy (FL)	Yarmuth
Foster	Nadler	
Frankel (FL)	Napolitano	

NOES—237

Abraham	Burgess	DeSantis
Aderholt	Byrne	DesJarlais
Allen	Calvert	Diaz-Balart
Amash	Carter (GA)	Dold
Amodei	Carter (TX)	Donovan
Babin	Chabot	Duffy
Barletta	Chaffetz	Duncan (TN)
Barr	Clawson (FL)	Elmiers (NC)
Barton	Coffman	Emmer (MN)
Benishek	Cole	Farenthold
Bilirakis	Collins (GA)	Fincher
Bishop (MI)	Collins (NY)	Fleischmann
Bishop (UT)	Comstock	Fleming
Black	Conaway	Flores
Blackburn	Cook	Forbes
Bost	Costa	Fortenberry
Boustany	Costello (PA)	Fox
Brady (TX)	Cramer	Franks (AZ)
Brat	Crawford	Frelinghuysen
Bridenstine	Crenshaw	Garrett
Brooks (AL)	Culberson	Gibbs
Brooks (IN)	Curbelo (FL)	Gibson
Buchanan	Davis, Rodney	Gohmert
Buck	Denham	Goodlatte
Bucshon	Dent	Gosar

[illegible]

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1653

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LOWENTHAL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 188, not voting 10, as follows:

[Roll No. 42]

AYES—235

NOES—188

Boyle, Brendan	Cartwright
F.	Castor (FL)
Brady (PA)	Castro (TX)
Brown (FL)	Chu, Judy
Brownley (CA)	Cicilline
Bustos	Clark (MA)
Butterfield	Clarke (NY)
Capps	Clay
Capuano	Clyburn
Carney	Cohen
Carson (IN)	Connolly

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1659

So the bill was passed.
The result of the vote was announced
as above recorded.

A motion to reconsider was laid on the table.

NORTH KOREA SANCTIONS
ENFORCEMENT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 757) to improve the enforcement of sanctions against the Government of North Korea, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr.

ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 2, not voting 13, as follows:

[Roll No. 43]

YEAS—418

Abraham	Cummings	Himes
Adams	Curbelo (FL)	Hinojosa
Aderholt	Davis (CA)	Holding
Aguilar	Davis, Danny	Honda
Allen	Davis, Rodney	Hoyer
Amodel	DeFazio	Hudson
Ashford	DeGette	Huelskamp
Babin	Delaney	Huffman
Barletta	DeLauro	Huizenga (MI)
Barr	DelBene	Hultgren
Barton	Denham	Hunter
Bass	Dent	Hurd (TX)
Beatty	DeSantis	Hurt (VA)
Becerra	DeSaulnier	Israel
Benishkek	DesJarlais	Issa
Bera	Deutch	Jackson Lee
Beyer	Diaz-Balart	Jeffries
Bilirakis	Dingell	Jenkins (KS)
Bishop (GA)	Doggett	Jenkins (WV)
Bishop (MI)	Dold	Johnson (GA)
Bishop (UT)	Donovan	Johnson (OH)
Black	Doyle, Michael	Johnson, E. B.
Blackburn	F.	Johnson, Sam
Blum	Duckworth	Jolly
Blumenauer	Duffy	Jones
Bonamici	Duncan (TN)	Jordan
Bost	Edwards	Joyce
Boustany	Ellison	Kaptur
Boyle, Brendan	Ellmers (NC)	Katko
F.	Emmer (MN)	Keating
Brady (PA)	Engel	Kelly (IL)
Brady (TX)	Eshoo	Kelly (MS)
Brat	Esty	Kelly (PA)
Bridenstine	Farenthold	Kildee
Brooks (AL)	Farr	Kilmer
Brooks (IN)	Fattah	King (IA)
Brown (FL)	Fincher	King (NY)
Brownley (CA)	Fitzpatrick	Kinzinger (IL)
Buchanan	Fleischmann	Kirkpatrick
Buck	Fleming	Kline
Bucshon	Flores	Knight
Burgess	Forbes	Kuster
Bustos	Fortenberry	Labrador
Butterfield	Foster	LaHood
Byrne	Fox	LaMalfa
Calvert	Frankel (FL)	Lamborn
Capps	Franks (AZ)	Lance
Capuano	Frelinghuysen	Langevin
Cárdenas	Fudge	Larsen (WA)
Carney	Gabbard	Larson (CT)
Carson (IN)	Gallego	Latta
Carter (GA)	Garamendi	Lawrence
Carter (TX)	Garrett	Lee
Cartwright	Gibbs	Levin
Castor (FL)	Gohmert	Lewis
Castro (TX)	Goodlatte	Lieu, Ted
Chabot	Gosar	Lipinski
Chaffetz	Gowdy	LoBiondo
Chu, Judy	Graham	Loeb
Cicilline	Granger	Lofgren
Clark (MA)	Graves (GA)	Long
Clarke (NY)	Graves (LA)	Loudermilk
Clawson (FL)	Graves (MO)	Love
Clay	Grayson	Lowenthal
Cleaver	Green, Al	Lowey
Clyburn	Green, Gene	Lucas
Coffman	Griffith	Luetkemeyer
Cohen	Grijalva	Lujan Grisham
Cole	Grothman	(NM)
Collins (GA)	Guinta	Luján, Ben Ray
Collins (NY)	Guthrie	(NM)
Comstock	Gutiérrez	Lummis
Conaway	Hahn	Lynch
Connolly	Hanna	MacArthur
Cook	Hardy	Maloney
Cooper	Harper	Carolyn
Costa	Harris	Maloney, Sean
Costello (PA)	Hastings	Marchant
Courtney	Heck (NV)	Marino
Cramer	Heck (WA)	Matsui
Crawford	Hensarling	McCarthy
Crenshaw	Herrera Beutler	McCaul
Crowley	Hice, Jody B.	McClintock
Cuellar	Higgins	McCollum
Culberson	Hill	McDermott

McGovern	Quigley	Smith (TX)
McHenry	Rangel	Stefanik
McKinley	Ratcliffe	Stewart
McMorris	Reed	Stivers
Rodgers	Reichert	Stutzman
McNerney	Renacci	Takai
McSally	Ribble	Takano
Meadows	Rice (NY)	Thompson (CA)
Meehan	Rice (SC)	Thompson (MS)
Meeks	Richmond	Thompson (PA)
Meng	Rigell	Thornberry
Messer	Roby	Tiberi
Mica	Roe (TN)	Tipton
Miller (FL)	Rogers (AL)	Titus
Miller (MI)	Rogers (KY)	Tonko
Mooleenaar	Rohrabacher	Torres
Mooney (WV)	Rokita	Trott
Moore	Rooney (FL)	Tsongas
Moulton	Ros-Lehtinen	Turner
Mullin	Roskam	Upton
Mulvaney	Ross	Valadao
Murphy (FL)	Rothfus	Van Hollen
Murphy (PA)	Rouzer	Vargas
Nadler	Roybal-Allard	Veasey
Napolitano	Royce	Vela
Neal	Ruiz	Velázquez
Neugebauer	Ruppersberger	Visclosky
Newhouse	Rush	Wagner
Noem	Russell	Walberg
Nolan	Ryan (OH)	Walden
Norcross	Salmon	Walker
Nugent	Sánchez, Linda	Walorski
Nunes	T.	Walters, Mimi
O'Rourke	Sanchez, Loretta	Walz
Olson	Sanford	Wasserman
Pallone	Sarbanes	Schultz
Palmer	Scalise	Waters, Maxine
Pascrell	Schakowsky	Watson Coleman
Paulsen	Schiff	Weber (TX)
Payne	Schrader	Webster (FL)
Pearce	Schweikert	Welch
Pelosi	Scott (VA)	Wenstrup
Perlmutter	Scott, Austin	Westerman
Perry	Scott, David	Whitfield
Peters	Sensenbrenner	Wilson (FL)
Peterson	Serrano	Wilson (SC)
Pingree	Sessions	Wittman
Pittenger	Sewell (AL)	Womack
Pitts	Sherman	Woodall
Pocan	Shuster	Yarmuth
Poe (TX)	Simpson	Yoder
Poliquin	Sinema	Yoho
Polis	Sires	Young (AK)
Pompeo	Slaughter	Young (IA)
Posey	Smith (MO)	Young (IN)
Price (NC)	Smith (NE)	Zeldin
Price, Tom	Smith (NJ)	Zinke

NAYS—2

Amash

Massie

NOT VOTING—13

Conyers	Kind	Swalwell (CA)
Duncan (SC)	Palazzo	Westmoreland
Gibson	Shimkus	Williams
Hartzler	Smith (WA)	
Kennedy	Speier	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1706

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses

meet tonight in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of purporting to reserve seats prior to the joint session by placement of placards or personal items will not be allowed. Chamber Security may remove these items from the seats. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

All Members are reminded to refrain from engaging in still photography or audio or video recording in the Chamber. Taking unofficial photographs detracts from the dignity of the proceedings and presents security and privacy challenges for the House.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 5 o'clock and 8 minutes p.m.), the House stood in recess.

□ 2033

JOINT SESSION OF CONGRESS PURSUANT TO HOUSE CONCURRENT RESOLUTION 102 TO RECEIVE A MESSAGE FROM THE PRESIDENT

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 33 minutes p.m.

The Assistant to the Sergeant at Arms, Ms. Kathleen Joyce, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint session will come to order.

The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from California (Mr. MCCARTHY);

The gentleman from Louisiana (Mr. SCALISE);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Oregon (Mr. WALDEN);

The gentleman from Indiana (Mr. MESSER);

The gentlewoman from Kansas (Ms. JENKINS);

The gentlewoman from North Carolina (Ms. FOXX);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from California (Mr. BECERRA);

The gentleman from New York (Mr. CROWLEY);

The gentleman from New York (Mr. ISRAEL); and

The gentlewoman from Connecticut (Ms. DELAUNO).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from South Dakota (Mr. THUNE);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from Missouri (Mr. BLUNT);

The Senator from Mississippi (Mr. WICKER);

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from Vermont (Mr. LEAHY);

The Senator from Montana (Mr. TESTER);

The Senator from Michigan (Ms. STABENOW); and

The Senator from Minnesota (Ms. KLOBUCHAR).

The Assistant to the Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Hersey Kyota, the Ambassador of the Republic of Palau.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 5 minutes p.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Mr. Speaker, Mr. Vice President, Members of Congress, my fellow Americans:

Tonight marks the eighth year I have come here to report on the State of the Union, and for this final one, I am going to try to make it a little shorter. I know some of you are antsy to get back to Iowa. I have been there. I will be shaking hands afterwards if you want some tips.

I understand that because it is an election season, expectations for what we will achieve this year are low. But, Mr. Speaker, I appreciate the constructive approach that you and other leaders took at the end of last year to pass a budget and make tax cuts permanent for working families. So I hope we can work together this year on some bipartisan priorities like criminal justice reform and helping people who are battling prescription drug abuse and heroin abuse. So who knows, we might surprise the cynics again.

But tonight, I want to go easy on the traditional list of proposals for the year ahead. Don't worry, I have got plenty, from helping students learn to write computer code to personalizing medical treatments for patients. And I will keep pushing for progress on the work that I believe still needs to be done: fixing a broken immigration system, protecting our kids from gun violence, equal pay for equal work, paid leave, and raising the minimum wage. All these things still matter to hard-working families. They are still the right thing to do, and I won't let up until they get done.

But for my final address to this Chamber, I don't want to just talk about next year. I want to focus on the next 5 years, the next 10 years, and beyond. I want to focus on our future.

We live in a time of extraordinary change—change that is reshaping the way we live, the way we work, our planet, and our place in the world. It is change that promises amazing medical breakthroughs, but also economic disruptions that strain working families. It promises education for girls in the most remote villages, but also connects

terrorists plotting an ocean away. It is change that can broaden opportunity or widen inequality. And whether we like it or not, the pace of this change will only accelerate.

America has been through big changes before: wars and depression, the influx of new immigrants, workers fighting for a fair deal, and movements to expand civil rights. Each time, there have been those who told us to fear the future, who claimed we could slam the brakes on change, who promised to restore past glory if we just got some group or idea that was threatening America under control; and each time, we overcame those fears. We did not, in the words of Lincoln, adhere to the "dogmas of the quiet past." Instead, we thought anew and acted anew. We made change work for us, always extending America's promise outward to the next frontier, to more people. Because we did, because we saw opportunity where others saw peril, we emerged stronger and better than before.

What was true then can be true now. Our unique strengths as a nation—our optimism and work ethic, our spirit of discovery, our diversity, and our commitment to rule of law—these things give us everything we need to ensure prosperity and security for generations to come.

In fact, it is in that spirit that we have made progress these past 7 years. That is how we recovered from the worst economic crisis in generations. That is how we reformed our healthcare system and reinvented our energy sector. That is how we delivered more care and benefits to our troops coming home and our veterans, and that is how we secured the freedom in every State to marry the person we love.

But such progress is not inevitable. It is the result of choices we make together, and we face such choices right now. Will we respond to the changes of our time with fear, turning inward as a nation and turning against each other as a people? Or will we face the future with confidence in who we are, in what we stand for, and the incredible things that we can do together?

So let's talk about the future and four big questions that I believe we as a country have to answer, regardless of who the next President is or who controls the next Congress.

First, how do we give everyone a fair shot at opportunity and security in this new economy?

Second, how do we make technology work for us and not against us, especially when it comes to solving urgent challenges like climate change?

Third, how do we keep America safe and lead the world without becoming its policeman?

And finally, how can we make our politics reflect what is best in us and not what is worst?

Let me start with the economy and a basic fact: the United States of America, right now, has the strongest, most durable economy in the world.

We are in the middle of the longest streak of private sector job creation in history: more than 14 million new jobs, the strongest 2 years of job growth since the 1990s, an unemployment rate cut in half. Our auto industry just had its best year ever. That is just part of a manufacturing surge that has created nearly 900,000 new jobs in the past 6 years. We have done all this while cutting our deficits by almost three-quarters.

Anyone claiming that America's economy is in decline is peddling fiction. Now, what is true and the reason that a lot of Americans feel anxious is that the economy has been changing in profound ways, changes that started long before the Great Recession hit and changes that have not let up. Today technology doesn't just replace jobs on the assembly line, but any job where work can be automated. Companies in a global economy can locate anywhere, and they face tougher competition. As a result, workers have less leverage for a raise, companies have less loyalty to their communities, and more and more wealth and income is concentrated at the very top.

All these trends have squeezed workers, even when they have jobs, even when the economy is growing. It has made it harder for a hardworking family to pull itself out of poverty, harder for young people to start their careers, and tougher for workers to retire when they want to. Although none of these trends are unique to America, they do offend our uniquely American belief that everybody who works hard should get a fair shot.

For the past 7 years, our goal has been a growing economy that also works better for everybody. We have made progress. But we need to make more. Despite all the political arguments that we have had these past few years, there are actually some areas where Americans broadly agree.

We agree that real opportunity requires every American to get the education and training they need to land a good-paying job. The bipartisan reform of No Child Left Behind was an important start, and together we have increased early childhood education, lifted high school graduation rates to new highs, and boosted graduates in fields like engineering.

In the coming years, we should build on that progress by providing pre-K for all, offering every student the hands-on computer science and math classes that make them job-ready on day one, and we should recruit and support more great teachers for our kids.

We have to make college affordable for every American because no hard-working student should be stuck in the red. We have already reduced student

loan payments to 10 percent of a borrower's income, and that is good. But now we have actually got to cut the cost of college.

Providing 2 years of community college at no cost for every responsible student is one of the best ways to do that, and I am going to keep fighting to get that started this year. It is the right thing to do.

But a great education isn't all we need in this new economy. We also need benefits and protections that provide a basic measure of security. It is not too much of a stretch to say that some of the only people in America who are going to work the same job in the same place with a health and retirement package for 30 years are sitting in this Chamber.

For everyone else, especially folks in their 40s and 50s, saving for retirement or bouncing back from job loss has gotten a lot tougher. Americans understand that, at some point in their careers in this new economy, they may have to retool and they may have to retrain. But they shouldn't lose what they have already worked so hard to build in the process.

That is why Social Security and Medicare are more important than ever. We shouldn't weaken them. We should strengthen them. For Americans short of retirement, basic benefits should be just as mobile as everything else is today.

That, by the way, is what the Affordable Care Act is all about. It is about filling the gaps in employer-based care so that, when you lose a job or you go back to school or you strike out and launch that new business, you will still have coverage.

Nearly 18 million people have gained coverage so far. In the process, healthcare inflation is slow. Our businesses have created jobs every single month since it became law.

Now, I am guessing we won't agree on health care anytime soon. But there should be other ways parties can work together to improve economic security. Say a hardworking American loses his job. We shouldn't just make sure that he can get unemployment insurance; we should make sure that program encourages him to retrain for a business that is ready to hire him. If that new job doesn't pay as much, there should be a system of wage insurance in place so that he can still pay his bills. Even if he is going from job to job, he should still be able to save for retirement and take his savings with him. That is the way we make the new economy work better for everybody.

I also know Speaker RYAN has talked about his interest in tackling poverty. America is about giving everybody willing to work a chance, a hand up. I would welcome a serious discussion about strategies we can all support, like expanding tax cuts for low-income workers who don't have children.

But there are some areas where we just have to be honest. It has been difficult to find agreement over the last 7 years. A lot of them fall under the category of what role the government should play in making sure the system is not rigged in favor of the wealthiest and biggest corporations. It is an honest disagreement, and the American people have a choice to make.

I believe a thriving private sector is the lifeblood of our economy. I think there are outdated regulations that need to be changed and there is red tape that needs to be cut.

But, after years now of record corporate profits, working families won't get more opportunity or bigger paychecks just by letting big banks or Big Oil or hedge funds make their own rules at everybody else's expense. Middle class families are not going to feel more secure because we allow attacks on collective bargaining to go unanswered.

Food stamp recipients did not cause the financial crisis. Recklessness on Wall Street did. Immigrants aren't the principal reason wages haven't gone up. Those decisions were made in the boardrooms that, all too often, put quarterly earnings over long-term returns. It is sure not the average family watching tonight that avoids paying taxes through offshore accounts.

The point is, I believe that in this new economy workers and startups and small businesses need more of a voice, not less. The rules should work for them. I am not alone in this. This year, I plan to lift up the many businesses which have figured out that doing right by their workers or their customers or their communities ends up being good for their shareholders, and I want to spread those best practices across America. That is a part of a brighter future.

In fact, it turns out many of our best corporate citizens are also our most creative. This brings me to the second big question we as a country have to answer: How do we reignite that spirit of innovation to meet our biggest challenges?

Sixty years ago, when the Russians beat us into space, we didn't deny Sputnik was up there. We didn't argue about the science or shrink our research and development budget. We built a space program almost overnight, and, 12 years later, we were walking on the Moon.

That spirit of discovery is in our DNA. America is Thomas Edison and the Wright Brothers and George Washington Carver. America is Grace Hopper and Katherine Johnson and Sally Ride. America is every immigrant and entrepreneur from Boston to Austin to Silicon Valley, racing to shape a better future. That is who we are, and over the past 7 years we have nurtured that spirit.

We have protected an open Internet and have taken bold new steps to get

more students and low-income Americans online. We have launched next-generation manufacturing hubs and on-line tools that give an entrepreneur everything that he or she needs to start a business in a single day.

But we can do so much more. Last year, Vice President BIDEN said that with a new moonshot, America can cure cancer. Last month, he worked with this Congress to give scientists at the National Institutes of Health the strongest resources that they have had in over a decade.

So, tonight, I am announcing a new national effort to get it done; and because he has gone to the mat for all of us on so many issues over the past 40 years, I am putting JOE in charge of mission control. For the loved ones we have all lost, for the families that we can still save, let's make America the country that cures cancer once and for all.

What do you say, JOE? Let's make it happen.

Medical research is critical. We need the same level of commitment when it comes to developing clean energy sources. Look, if anybody still wants to dispute the science around climate change, have at it. You will be pretty lonely because you will be debating our military, most of America's business leaders, the majority of the American people, almost the entire scientific community, and 200 nations around the world which agree it is a problem and intend to solve it.

But even if the planet wasn't at stake, even if 2014 wasn't the warmest year on record—until 2015 turned out to be even hotter—why would we want to pass up the chance for American businesses to produce and sell the energy of the future?

Listen, 7 years ago, we made the single biggest investment in clean energy in our history. Here are the results: in fields from Iowa to Texas, wind power is now cheaper than dirtier conventional power. On rooftops from Arizona to New York, solar is saving Americans tens of millions of dollars a year on their energy bills and employs more Americans than coal in jobs that pay better than average.

We are taking steps to give homeowners the freedom to generate and store their own energy, something, by the way, that environmentalists and tea partiers have teamed up to support. Meanwhile, we have cut our imports of foreign oil by nearly 60 percent and cut carbon pollution more than any other country on Earth.

Gas under two bucks a gallon ain't bad either.

Now we have got to accelerate the transition away from old, dirtier energy sources. Rather than subsidize the past, we should invest in the future, especially in communities that rely on fossil fuels. We do them no favor when we don't show them where the trends are going.

That is why I am going to push to change the way we manage our oil and coal resources, so that they better reflect the costs they impose on taxpayers and our planet. That way, we put money back into those communities and put tens of thousands of Americans to work in building a 21st century transportation system.

None of this is going to happen overnight, and, yes, there are plenty of entrenched interests who want to protect the status quo. But the jobs we will create, the money we will save, and the planet we will preserve, that is the kind of future our kids and our grandkids deserve, and it is within our grasp.

Climate change is just one of many issues where our security is linked to the rest of the world. That is why the third big question that we have to answer together is how to keep America safe and strong without either isolating ourselves or trying to nation-build everywhere there is a problem.

I told you earlier all of the talk of America's economic decline is political hot air. Well, so is all the rhetoric you hear about our enemies getting stronger and America getting weaker. Let me tell you something. The United States of America is the most powerful nation on Earth—period. It is not even close. We spend more on our military than the next eight nations combined.

Our troops are the finest fighting force in the history of the world. No nation attacks us directly or our allies because they know that is the path to ruin. Surveys show our standing around the world is higher than when I was elected to this office; and when it comes to every important international issue, people of the world do not look to Beijing or Moscow to lead. They call us. So it is useful to level set here, because when we don't, we don't make good decisions.

Now, as someone who begins every day with an intelligence briefing, I know this is a dangerous time, but that is not primarily because of some looming superpower out there, and it is certainly not because of diminished American strength. In today's world, we are threatened less by evil empires and more by failing states.

The Middle East is going through a transformation that will play out for a generation, rooted in conflicts that date back millennia. Economic headwinds are blowing in from a Chinese economy that is in significant transition. Even as their economy severely contracts, Russia is pouring resources in to prop up Ukraine and Syria, client states that they saw slipping away from their orbit. The international system we built after World War II is now struggling to keep pace with this new reality.

It is up to us, the United States of America, to help remake that system. And to do that well, it means that we have got to set priorities.

Priority number one is protecting the American people and going after terrorist networks. Both al Qaeda and, now, ISIL pose a direct threat to our people because in today's world, even a handful of terrorists who place no value on human life, including their own, can do a lot of damage. They use the Internet to poison the minds of individuals inside our country. Their actions undermine and destabilize our allies. We have to take them out.

But as we focus on destroying ISIL, over-the-top claims that this is world war III just play into their hands. Masses of fighters on the back of pickup trucks, twisted souls plotting in apartments or garages, they pose an enormous danger to civilians. They have to be stopped, but they do not threaten our national existence. That is the story ISIL wants to tell. That is the kind of propaganda they use to recruit. We don't need to build them up to show that we are serious, and we sure don't need to push away vital allies in this fight by echoing the lie that ISIL is somehow representative of one of the world's largest religions. We just need to call them what they are: killers and fanatics who have to be rooted out, hunted down, and destroyed. That is exactly what we are doing.

For more than a year, America has led a coalition of more than 60 countries to cut off ISIL's financing, disrupt their plots, stop the flow of terrorist fighters, and stamp out their vicious ideology. With nearly 10,000 airstrikes, we are taking out their leadership, their oil, their training camps, and their weapons. We are training, arming, and supporting forces who are steadily reclaiming territory in Iraq and Syria.

If this Congress is serious about winning this war and wants to send a message to our troops and the world, authorize the use of military force against ISIL. Take a vote.

But the American people should know that, with or without congressional action, ISIL will learn the same lessons as terrorists before them. If you doubt America's commitment—or mine—to see that justice is done, just ask Osama bin Laden. Ask the leader of al Qaeda in Yemen who was taken out last year, or the perpetrator of the Benghazi attacks who sits in a prison cell. When you come after Americans, we go after you. It may take time, but we have long memories, and our reach has no limit.

Our foreign policy has to be focused on the threat from ISIL and al Qaeda, but it can't stop there. For even without ISIL, even without al Qaeda, instability will continue for decades in many parts of the world: in the Middle East, in Afghanistan, in parts of Pakistan, in parts of Central America, in Africa and Asia. Some of these places may become safe havens for new terrorist networks. Others will just fall

victim to ethnic conflict or famine, feeding the next wave of refugees.

The world will look to us to help solve these problems, and our answer needs to be more than tough talk or calls to carpet bomb civilians. That may work as a TV sound bite, but it doesn't pass muster on the world stage.

We also can't try to take over and rebuild every country that falls into crisis, even if it is done with the best of intentions. That is not leadership. That is a recipe for quagmire, spilling American blood and treasure that ultimately will weaken us. It is the lesson of Vietnam; it is the lesson of Iraq; and we should have learned it by now.

Fortunately, there is a smarter approach, a patient and disciplined strategy that uses every element of our national power. It says America will always act—alone, if necessary—to protect our people and our allies.

But on issues of global concern, we will mobilize the world to work with us and make sure other countries pull their own weight. That is our approach to conflicts like Syria, where we are partnering with local forces and leading international efforts to help that broken society pursue a lasting peace.

That is why we built a global coalition with sanctions and principled diplomacy to prevent a nuclear-armed Iran. As we speak, Iran has rolled back its nuclear program, shipped out its uranium stockpile, and the world has avoided another war.

That is how we stopped the spread of Ebola in West Africa. Our military, our doctors, our development workers, they were heroic. They set up the platform that then allowed other countries to join in behind us and stamp out that epidemic. Hundreds of thousands, maybe a couple million, lives were saved.

That is how we forged a Trans-Pacific Partnership to open markets, protect workers and the environment, and advance American leadership in Asia. It cuts 18,000 taxes on products made in America, which will then support more good jobs here in America.

With TPP, China does not set the rules in that region. We do. You want to show our strength in this new century? Approve this agreement. Give us the tools to enforce it. It is the right thing to do.

Let me give you another example. Fifty years of isolating Cuba had failed to promote democracy. It set us back in Latin America. That is why we restored diplomatic relations, opened the door to travel and commerce, and positioned ourselves to improve the lives of the Cuban people. So if you want to consolidate our leadership and credibility in the hemisphere, recognize that the cold war is over. Lift the embargo.

The point is American leadership in the 21st century is not a choice between ignoring the rest of the world,

except when we kill terrorists, or occupying and rebuilding whatever society is unraveling. Leadership means a wise application of military power and rallying the world behind causes that are right. It means seeing our foreign assistance as a part of our national security, not something separate, not charity.

When we lead nearly 200 nations to the most ambitious agreement in history to fight climate change, yes, that helps vulnerable countries, but it also protects our kids. When we help Ukraine defend its democracy or Colombia resolve a decades-long war, that strengthens the international order we depend on. When we help African countries feed their people and care for the sick, it is the right thing to do, and it prevents the next pandemic from reaching our shores.

Right now we are on track to end the scourge of HIV/AIDS. That is within our grasp. And we have the chance to accomplish the same thing with malaria, something I will be pushing this Congress to fund this year.

That is American strength. That is American leadership. That kind of leadership depends on the power of our example. That is why I will keep working to shut down the prison at Guantanamo. It is expensive. It is unnecessary. It only serves as a recruitment brochure for our enemies. There is a better way.

That is why we need to reject any politics that targets people because of race or religion. Let me just say this: This is not a matter of political correctness. This is a matter of understanding just what it is that makes us strong. The world respects us not just for our arsenal. It respects us for our diversity and our openness and the way we respect every faith.

His Holiness, Pope Francis, told this body from the very spot that I am standing tonight that “to imitate the hatred and violence of tyrants and murderers is the best way to take their place.”

When politicians insult Muslims, whether abroad or our fellow citizens, when a mosque is vandalized, or a kid is called names, that doesn't make us safer. That is not telling it like it is. It is just wrong. It diminishes us in the eyes of the world. It makes it harder to achieve our goals. It betrays who we are as a country.

“We the People.” Our Constitution begins with those three simple words, words we have come to recognize mean all the people, not just some, words that insist we rise and fall together, that that is how we might perfect our Union.

That brings me to the fourth, and maybe the most important, thing I want to say tonight. The future we want, all of us want—opportunity and security for our families; a rising standard of living; a sustainable, peace-

ful planet for our kids—all that is within our reach. But it will only happen if we work together. It will only happen if we can have rational, constructive debates. It will only happen if we fix our politics.

A better politics doesn't mean we have to agree on everything. This is a big country with different regions, different attitudes, different interests. That is one of our strengths, too.

Our Founders distributed power between States and branches of government and expected us to argue, just as they did, fiercely over the size and shape of government, over commerce and foreign relations, over the meaning of liberty and the imperatives of security.

But democracy does require basic bonds of trust between its citizens. It doesn't work if we think the people who disagree with us are all motivated by malice. It doesn't work if we think that our political opponents are unpatriotic or are trying to weaken America. Democracy grinds to a halt without a willingness to compromise or when even basic facts are contested or when we listen only to those who agree with us.

Our public life withers when only the most extreme voices get all the attention. Most of all, democracy breaks down when the average person feels their voice doesn't matter, that the system is rigged in favor of the rich or the powerful or some special interest.

Too many Americans feel that way right now. It is one of the few regrets of my Presidency, that the rancor and suspicion between the parties has gotten worse instead of better. I have no doubt a President with the gifts of Lincoln or Roosevelt might have better bridged the divide, and I guarantee I will keep trying to be better so long as I hold this office.

But, my fellow Americans, this cannot be my task—or any President's—alone. There are a whole lot of folks in this Chamber, good people who would like to see more cooperation, would like to see a more elevated debate in Washington, but feel trapped by the imperatives of getting elected, by the noise coming out of your base.

I know. You have told me. It is the worst kept secret in Washington. And a lot of you aren't enjoying being trapped in that kind of rancor. But that means, if we want a better politics—and I am addressing the American people now—it is not enough to just change a Congressman or change a Senator or even change a President. We have to change the system to reflect our better selves.

We have got to end the practice of drawing our congressional districts so that politicians can pick their voters, and not the other way around. Let a bipartisan group do it.

I believe we have got to reduce the influence of money in our politics so

that a handful of families and hidden interests can't bankroll our elections. If our existing approach to campaign finance reform can't pass muster in the courts, we need to work together to find a real solution, because it is a problem. And most of you don't like raising money. I know. I have done it.

We have got to make it easier to vote, not harder. We need to modernize it for the way we live now. This is America. We want to make it easier for people to participate. Over the course of this year, I intend to travel the country to push for reforms that do just that.

But I can't do these things on my own. Changes in our political process, in not just who gets elected, but how they get elected, that will only happen when the American people demand it. It depends on you. That is what is meant by a government of, by, and for the people.

What I am suggesting is hard. It is a lot easier to be cynical, to accept that change is not possible and politics is hopeless and the problem is all the folks who are elected don't care, and to believe that our voices and our actions don't matter.

But if we give up now, then we forsake a better future. Those with money and power will gain greater control over the decisions that could send a young soldier to war, allow another economic disaster, or roll back the equal rights and voting rights that generations of Americans have fought, even died, to secure.

And then, as frustration grows, there will be voices urging us to fall back into our respective tribes, to scapegoat fellow citizens who don't look like us, pray like us, vote like we do, or share the same background. We can't afford to go down that path. It won't deliver the economy we want, it will not produce the security we want, but most of all, it contradicts everything that makes us the envy of the world.

So, my fellow Americans, whatever you may believe, whether you prefer one party or no party, whether you supported my agenda or fought as hard as you could against it, our collective future depends on your willingness to uphold your duties as a citizen. To vote. To speak out. To stand up for others, especially the weak, especially the vulnerable, knowing that each of us is only here because somebody, somewhere stood up for us.

We need every American to stay active in our public life, and not just during election time, so that our public life reflects the goodness and the decency that I see in the American people every single day.

It is not easy. Our brand of democracy is hard. But I can promise that a little over a year from now, when I no longer hold this office, I will be right there with you as a citizen, inspired by those voices of fairness and vision, of

grit and good humor and kindness that have helped America travel so far, voices that help us see ourselves not first and foremost as Black or White or Asian or Latino, not as gay or straight, immigrant or native born, not Democrat or Republican, but as Americans first, bound by a common creed, voices Dr. King believed would have the final word, voices of unarmed truth and unconditional love.

And they are out there, those voices. They don't get a lot of attention. They don't seek a lot of fanfare. But they are busy doing the work this country needs doing.

I see them everywhere I travel in this incredible country of ours. I see you, the American people. And in your daily acts of citizenship, I see our future unfolding.

I see it in the worker on the assembly line who clocked extra shifts to keep his company open and the boss who pays him higher wages instead of laying him off.

I see it in the DREAMer who stays up late at night to finish her science project, and the teacher who comes in early, maybe with some extra supplies that she bought, because she knows that that young girl might someday cure a disease.

I see it in the American who served his time and made bad mistakes as a child, but now is dreaming of starting over, and I see it in the business owner who gives him that second chance; the protester determined to prove that justice matters, and the young cop walking the beat, treating everybody with respect, doing the brave, quiet work of keeping us safe.

I see it in the soldier who gives almost everything to save his brothers, the nurse who tends to him till he can run a marathon, and the community that lines up to cheer him on.

It is the son who finds the courage to come out as who he is, and the father whose love for that son overrides everything he has been taught.

I see it in the elderly woman who will wait in line to cast her vote as long as she has to, the new citizen who casts his vote for the first time, the volunteers at the polls who believe every vote should count, because each of them, in different ways, knows how much that precious right is worth.

That is the America I know. That is the country we love. Clear-eyed. Big-hearted. Undaunted by challenge. Optimistic that unarmed truth and unconditional love will have the final word.

That is what makes me so hopeful about our future. I believe in change because I believe in you, the American people. And that is why I stand here as confident as I have ever been that the state of our Union is strong.

Thank you. God bless you. And God bless the United States of America.

(Applause, the Members rising.)

At 10 o'clock and 10 minutes p.m., the President of the United States, ac-

companied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet; the Chief Justice of the United States and the Associate Justices of the Supreme Court; the Dean of the Diplomatic Corps.

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 17 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. MCCARTHY. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

ADJOURNMENT

Mr. MCCARTHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 13, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4001. A letter from the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Payment Limitation and Payment Eligibility; Actively Engaged in Farming (RIN: 0560-AI31) received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4002. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Taxes-Foreign Contracts in Afghanistan (DFARS Case 2014-D003) [Docket No.: DARS-2014-0046] (RIN: 0750-AI26) received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

4003. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Trade Agreements Thresholds (DFARS Case 2016-D003) [Docket No.: DARS-2015-0066] (RIN: 0750-AI79) received January 5, 2016, pursuant

to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

4004. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's interim rule — Defense Federal Acquisition Regulation Supplement: Network Penetration Reporting and Contracting for Cloud Services (DFARS Case 2013-D018) [Docket No.: DARS-2015-0039] (RIN: 0750-AI61) received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

4005. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Truth in Lending Act (Regulation Z) Adjustment to Asset-Size Exemption Threshold received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4006. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Home Mortgage Disclosure (Regulation C) Amendment Adjustment to Asset-Size Exemption Threshold received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4007. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Treatment of Financial Assets Transferred in Connection With a Securitization or Participation (RIN: 3064-AE32) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4008. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Technical Amendments: FHFA Address and Zip Code Change (RIN: 2590-AA79) received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4009. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Suspended Counterparty Program (RIN: 2590-AA60) received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4010. A letter from the Program Specialist (Paperwork Reduction Act), Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's joint final rule — Community Reinvestment Act Regulations [Docket ID: OCC-2015-0025] (RIN: 1557-AE01) received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4011. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Commercial Preinse Spray Valves [Docket No.: EERE-2014-BT-TP-0055] (RIN: 1904-AD41) received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4012. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Small, Large, and Very Large Air-Cooled Commercial Package Air Conditioning and Heating Equipment [Docket No.: EERE-2015-BT-TP-0015] (RIN: 1904-AD54) received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4013. A letter from the Deputy Director, Office for Civil Rights, Department of Health and Human Services, transmitting the Department's final rule — Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule and the National Instant Criminal Background Check System (NICS) received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4014. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Hepatitis C Virus "Lookback" Requirements Based on Review of Historical Testing Records; Technical Amendment [Docket No.: FDA-1999-N-0114 (formerly 1999N-2337)] (RIN: 0910-AB76) received January 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4015. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Alabama: Nonattainment New Source Review [EPA-R04-OAR-2012-0079; FRL-9940-89-Region 4] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4016. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Infrastructure and Interstate Transport State Implementation Plan for the 2010 Sulfur Dioxide National Ambient Air Quality Standards [EPA-R06-OAR-2013-0388; FRL-9940-86-Region 6] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4017. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Mississippi; Memphis, TN-MS-AR Emissions Statements for the 2008 8-Hour Ozone Standard [EPA-R04-OAR-2015-0247; FRL-9940-87-Region 4] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4018. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Nebraska; Sewage Sludge Incinerators [EPA-R07-OAR-2015-0733; FRL-9941-06-Region 7] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4019. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Missouri's Air Quality Implementation Plans; Early Progress Plan of the St. Louis Nonattainment Area for the 2008 Ozone National Ambient Air Quality Standard [EPA-R07-OAR-2015-0587; FRL-9941-01-Region 7] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4020. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Missouri's Air Quality Implementation Plans; Reporting Emission Data, Emission Fees and Process Information [EPA-R07-OAR-2015-0790; FRL-9941-03-Region 7] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4021. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Nebraska's Air Quality State Implementation Plans (SIP); Infrastructure SIP Requirements for the 2008 Ozone National Ambient Air Quality Standard in Regards to Section 110(a)(2)(D)(i)(I) — Prongs 1 and 2 [EPA-R07-OAR-2015-0710; FRL-9941-04-Region 7] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4022. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; California; South Coast; Reclassification as Serious Nonattainment for the 2006 PM_{2.5} NAAQS [EPA-R09-OAR-2015-0204; FRL-9940-84-Region 9] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4023. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Third-Party Provision of Primary Frequency Response Service [Docket No.: RM15-2-000; Order No.: 819] received January 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4024. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Russian Sanctions: Addition of Certain Persons to the Entity List [Docket No.: 150825778-5999-01] (RIN: 0694-AG64) received January 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

4025. A letter from the Special Counsel, U.S. Office of Special Counsel, transmitting the Office's Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

4026. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific

Coast Groundfish Fishery; Process for Diver-ture of Excess Quota Shares in the Individual Fishing Quota Fishery [Docket No.: 150721634-5999-02] (RIN: 0648-BF11) received January 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4027. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole for Vessels Participating in the BSAI Trawl Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE312) received January 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4028. A letter from the Director, Office of Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Removal of Requirement to File Direct-Pay Fee Agreements with the Office of the General Counsel (RIN: 2900-AP28) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

4029. A letter from the Federal Register Certifying Officer, Office of the Chief Counsel, Department of the Treasury, transmitting the Department's interim final rule — Offset of tax refund payments to collect past-due support (RIN: 1510-AA10) received December 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 3584. A bill to authorize, streamline, and identify efficiencies within the Transportation Security Administration, and for other purposes; with an amendment (Rept. 114-396). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUDSON (for himself, Mr. BUTTERFIELD, Mr. COHEN, Mr. FARENTHOLD, Mr. HECK of Nevada, Mr. RUIZ, and Mr. WESTERMAN):

H.R. 4365. A bill to amend the Controlled Substances Act with regard to the provision of emergency medical services; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VALADAO:

H.R. 4366. A bill to affirm an agreement between the United States and Westlands Water District dated September 15, 2015, and

for other purposes; to the Committee on Natural Resources.

By Mr. PITTS:

H.R. 4367. A bill to amend title XIX of the Social Security Act to end the increased Federal funding for Medicaid expansion with respect to inmates; to the Committee on Energy and Commerce.

By Mr. PITTS (for himself and Mr. GUTHRIE):

H.R. 4368. A bill to amend title XIX of the Social Security Act to clarify the treatment of lottery winnings and other lump sum income for purposes of income eligibility under the Medicaid program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CALVERT (for himself, Mrs. TORRES, Mr. COOK, Mrs. NAPOLITANO, Mr. RUIZ, Mr. AGUILAR, and Mr. TAKANO):

H.R. 4369. A bill to authorize the use of passenger facility charges at an airport previously associated with the airport at which the charges are collected; to the Committee on Transportation and Infrastructure.

By Ms. BORDALLO (for herself, Mr. TAKAI, and Mr. SABLON):

H.R. 4370. A bill to comprehensively address the challenges of providing public services to citizens of the Freely Associated States in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Financial Services, Foreign Affairs, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCK:

H.R. 4371. A bill to amend the Consolidated Appropriations Act, 2016, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, Ways and Means, Foreign Affairs, Oversight and Government Reform, Natural Resources, the Judiciary, Homeland Security, Transportation and Infrastructure, Education and the Workforce, Agriculture, the Budget, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of New York (for himself, Mr. RANGEL, Mr. HIGGINS, Mr. DONOVAN, Mr. MEEKS, Mr. REED, Ms. SLAUGHTER, Mr. KING of New York, Ms. MENG, Mrs. LOWEY, Mr. JEFFRIES, Ms. VELÁZQUEZ, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mr. TONKO, Ms. CLARKE of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. ISRAEL, Mr. GIBSON, Mr. ENGEL, Mr. SERRANO, Miss RICE of New York, Mr. ZELDIN, Mr. HANNA, Mr. CROWLEY, Mr. KATKO, and Ms. STEFANIK):

H.R. 4372. A bill to designate the facility of the United States Postal Service located at 15 Rochester Street, Bergen, New York, as the Barry G. Miller Post Office; to the Committee on Oversight and Government Reform.

By Miss RICE of New York:

H.R. 4373. A bill to improve the safety of individuals by taking measures to end drunk driving; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself and Mr. TONKO):

H.R. 4374. A bill to amend the Public Health Service Act to improve mental and behavioral health services on college and university campuses; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ZINKE:

H.R. 4375. A bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

168. The SPEAKER presented a memorial of the Legislature of the State of Minnesota, relative to Resolution No. 5, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUDSON:

H.R. 4365.

Congress has the power to enact this legislation pursuant to the following:

Per the Section 8, Clause 3 of the Constitution, Congress shall have the power to regulate Commerce with foreign nations and among the several states.

By Mr. VALADAO:

H.R. 4366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. PITTS:

H.R. 4367.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which states that Congress shall have the power "to regulate commerce with foreign nations, and among the several states . . ."

By Mr. PITTS:

H.R. 4368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which states that Congress shall have the power "to regulate commerce with foreign nations, and among the several states . . ."

By Mr. CALVERT:

H.R. 4369.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18.

By Ms. BORDALLO:

H.R. 4370.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

By Mr. BUCK:

H.R. 4371.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ."

In addition, clause 1, section 8 of Article I of the United States Constitution of the United States which states: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States . . ."

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. COLLINS of New York:

H.R. 4372.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Miss RICE of New York:

H.R. 4373.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Ms. SCHAKOWSKY:

H.R. 4374.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and the general welfare of the United States.

By Mr. ZINKE:

H.R. 4375.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 204: Mr. SAM JOHNSON of Texas.

H.R. 317: Ms. VELÁZQUEZ.

H.R. 500: Ms. FRANKEL of Florida.

H.R. 524: Mrs. HARTZLER.

H.R. 546: Mr. FARR and Mr. FITZPATRICK.

H.R. 612: Mr. WALBERG.

H.R. 814: Mr. MULLIN and Mr. EMMER of Minnesota.

H.R. 911: Mr. NEWHOUSE and Mr. JOHNSON of Ohio.

H.R. 923: Mr. POE of Texas, Mr. PEARCE, Mrs. LUMMIS, Mr. WEBER of Texas, Mr. BRAT, Mr. GOSAR, Mr. ADERHOLT, Mr. GIBBS, and Mr. PITTENGER.

H.R. 953: Ms. KAPTUR.

H.R. 986: Mr. WOMACK.

H.R. 1076: Mr. TAKANO.

H.R. 1089: Mr. MCDERMOTT and Mr. HECK of Washington.

H.R. 1148: Mr. ZELDIN.

H.R. 1153: Mr. ZELDIN.

H.R. 1197: Mr. FORTENBERRY.

H.R. 1301: Mr. BRADY of Pennsylvania.

H.R. 1343: Mr. FATTAH.

H.R. 1397: Mr. DELANEY, Mr. POSEY, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. HARRIS, Mr. RODNEY DAVIS of Illinois, and Mr. FLORES.

H.R. 1427: Mr. YOHO.

H.R. 1550: Mr. QUIGLEY.

H.R. 1571: Mr. HIMES.

H.R. 1655: Mr. WELCH.

H.R. 1671: Mr. WOODALL and Mr. DESANTIS.

H.R. 1761: Mr. FATTAH.

H.R. 1818: Mr. PETERS.

H.R. 1854: Mr. SCALISE and Mr. GOODLATTE.

H.R. 2209: Mr. LATTI.

H.R. 2226: Ms. VELÁZQUEZ.

H.R. 2254: Mr. RUPPERSBERGER.

H.R. 2285: Mr. SCHIFF.

H.R. 2302: Ms. CLARK of Massachusetts and Ms. EDWARDS.

H.R. 2304: Mr. HONDA.

H.R. 2367: Ms. TITUS, Mr. VELA, and Mr. SERRANO.

H.R. 2380: Mr. KEATING.

H.R. 2411: Ms. KUSTER.

H.R. 2493: Mr. AGUILAR.

H.R. 2521: Ms. MENG.

H.R. 2602: Mr. DESAULNIER.

H.R. 2656: Mr. RANGEL.

H.R. 2663: Mr. COOPER.

H.R. 2666: Mr. ALLEN.

H.R. 2817: Mrs. BEATTY.

H.R. 2980: Mr. BEYER.

H.R. 3029: Ms. JUDY CHU of California and Mr. DESAULNIER.

H.R. 3061: Mr. DESAULNIER.

H.R. 3080: Mr. LUCAS, Mr. MULLIN, Mr. SMITH of Missouri, Mr. RUSSELL, Mr. KLINE, Mr. MCHENRY, Mr. COOK, Mr. CALVERT, Mr. DENHAM, Mr. BENISHEK, Mr. AMODEI, Mr. RENACCI, Mr. NUNES, and Mr. SIMPSON.

H.R. 3099: Mrs. DINGELL and Ms. LEE.

H.R. 3136: Mr. GOODLATTE.

H.R. 3209: Mr. KLINE.

H.R. 3226: Mr. TED LIEU of California and Ms. LOFGREN.

H.R. 3266: Ms. KELLY of Illinois.

H.R. 3268: Mr. PETERSON, Mr. GENE GREEN of Texas, Ms. CLARKE of New York, Mr. KENNEDY, Ms. BASS, and Mrs. MIMI WALTERS of California.

H.R. 3323: Mr. COLLINS of Georgia.

H.R. 3406: Mr. JEFFRIES and Mr. CICILLINE.

H.R. 3542: Mr. LANGEVIN.

H.R. 3575: Mr. ROONEY of Florida.

H.R. 3639: Mrs. BUSTOS.

H.R. 3640: Mr. SWALWELL of California.

H.R. 3666: Mr. TAKANO.

H.R. 3676: Mr. NORCROSS.

H.R. 3677: Mr. NORCROSS and Mr. SWALWELL of California.

H.R. 3713: Mr. KLINE, Mr. EMMER of Minnesota, and Mr. GENE GREEN of Texas.

H.R. 3714: Mrs. HARTZLER and Mr. RODNEY DAVIS of Illinois.

H.R. 3860: Mr. GRAVES of Louisiana.

H.R. 3861: Mr. SWALWELL of California.

H.R. 3886: Mr. CURBELO of Florida.

H.R. 3917: Mr. SWALWELL of California and Mr. COOK.

H.R. 3956: Mr. CURBELO of Florida.

H.R. 3982: Mr. LANCE.

H.R. 3998: Mr. SIREN, Mrs. WATSON COLEMAN, and Mr. PASCRELL.

H.R. 4007: Mr. ROHRBACHER.

H.R. 4018: Mrs. LOVE.

H.R. 4078: Mr. AUSTIN SCOTT of Georgia.

H.R. 4113: Mr. LIPINSKI.

H.R. 4126: Mr. DESANTIS.

H.R. 4144: Mr. SEAN PATRICK MALONEY of New York, Ms. DELBENE, and Mr. LYNCH.

H.R. 4148: Ms. MENG and Ms. JACKSON LEE.

H.R. 4210: Mr. WILLIAMS, Mr. ROSS, and Mr. EMMER of Minnesota.

H.R. 4247: Mr. VALADAO.

H.R. 4251: Mr. BENISHEK and Ms. KUSTER.

H.R. 4257: Mr. KINZINGER of Illinois.

H.R. 4262: Mr. GRIFFITH.

H.R. 4263: Mrs. KIRKPATRICK.

H.R. 4278: Ms. SLAUGHTER.

H.R. 4279: Mr. COOK and Ms. BROWNLEY of California.

H.R. 4281: Mr. HUIZENGA of Michigan, Mr. CARTWRIGHT, Mr. SWALWELL of California, and Mr. ROUZER.

H.R. 4298: Mr. POCAN.

H.R. 4319: Mr. LUETKEMEYER, Mr. FRANKS of Arizona, and Mr. MULLIN.

H.R. 4321: Mr. CRAMER, Mr. PEARCE, Mr. FLEMING, Mr. SALMON, Mr. MULVANEY, Mr. BRAT, Mr. SANFORD, Mr. PITTENGER, and Mr. MCKINLEY.

H.R. 4336: Ms. JACKSON LEE, Mr. LOBIONDO, Ms. ESTY, Mr. VAN HOLLEN, and Mr. YARMUTH.

H.R. 4342: Mr. RUPPERSBERGER, Mr. MULVANEY, and Mr. DAVID SCOTT of Georgia.

H.R. 4348: Mr. CRAMER.

H.R. 4354: Mr. GIBSON.

H.R. 4362: Mr. PEARCE.

H.J. Res. 52: Mr. HECK of Washington.

H.J. Res. 74: Mr. PALAZZO.

H. Con. Res. 50: Mr. SAM JOHNSON of Texas.

H. Con. Res. 75: Mrs. NAPOLITANO and Mr. JOYCE.

H. Con. Res. 89: Mr. HUDSON, Mr. FLORES, Mr. ROE of Tennessee, Mr. PEARCE, Mr. ROUZER, Mr. WILSON of South Carolina, Mr. MOOLENAAR, Mr. BABIN, Mr. GIBBS, and Mr. WILLIAMS.

H. Con. Res. 96: Mr. FLEMING.

H. Res. 209: Mr. FLEMING.

H. Res. 220: Mr. FRANKS of Arizona.

H. Res. 343: Mr. PERRY, Mr. GOODLATTE, and Mr. CHABOT.

H. Res. 393: Miss RICE of New York.

H. Res. 394: Mr. SCHIFF.

H. Res. 469: Mr. SCHIFF.

H. Res. 494: Mr. BRAT.

H. Res. 500: Mr. FLEMING.

H. Res. 551: Mr. RIBBLE, Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. GENE GREEN of Texas.

H. Res. 561: Ms. CLARK of Massachusetts.

H. Res. 567: Mr. VARGAS and Mr. BRADY of Pennsylvania.

H. Res. 569: Mr. PAYNE, Ms. VELÁZQUEZ, Mr. CÁRDENAS, and Mr. RUSH.

H. Res. 571: Mr. FRANKS of Arizona, Mr. LATTI, Mr. MARINO, Mr. DUNCAN of South Carolina, and Mr. NUGENT.

H. Res. 575: Mr. SERRANO, Mr. CARTWRIGHT, Ms. JACKSON LEE, Ms. SPEIER, Mr. TAKANO, and Mr. GRAYSON.

EXTENSIONS OF REMARKS

REMEMBERING THOSE WHO SUFFER FROM GLIOBLASTOMA

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to draw attention to the scourge of glioblastoma.

The glial cells are the glue of the brain. Glial tumors, which attack and destroy this glue, account for over eighty percent of all malignant brain tumors. Glioblastomas are both the most frequent and the most aggressive kind of glial tumor. Put simply, glioblastoma is the most malignant form of brain cancer known to medical science.

The suffering caused by glioblastoma is hard to overstate. As the glue of the brain breaks down, glioblastoma causes great difficulties for patients and their loved ones. Life expectancy after diagnosis is about three months without treatment, and even with treatment, typical life expectancy is between one and two years. The five-year survival rate for patients receiving treatment is less than ten percent.

Despite these enormous odds, many patients and their families continue to fight bravely and advocate for a cure. I would like to join them in that cause. The National Institutes of Health recently received a major funding increase, and I urge them, along with other centers of medical research, to take seriously the enormous importance of finding new and better treatments for glioblastoma, which represents such a challenge for so many Americans and their families.

I also want to recognize in particular Mr. Joseph J. Rullo, a constituent of mine from Beachwood, New Jersey, who passed away after his battle with this terrible disease. His son, Joe, is an active voice in the fight to combat glioblastoma, and I thank him—and all glioblastoma advocates—for their dedication to the hard work of advocacy on behalf of those who suffer from glioblastoma and their families. It's my honor to represent them in Congress as they continue fighting the good fight.

TRIBUTE TO MIKE GIBSON

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. TIPTON. Mr. Speaker, I rise today in honor of Mr. Mike Gibson. Mr. Gibson served as the manager of the San Luis Valley Water Conservancy District, and recently retired after serving 14 years to the area. He is a standout citizen, demonstrated by his hard work and dedication to his former job, and was recently

named Water Manager of the Year by the Colorado Division of Water Resources, Division 3 of the Rio Grande Basin. This is the second time he received this award in seven years. Mr. Gibson's ability to effectively manage water reinforces his commitment to excellent service to the people of Southern Colorado.

The Colorado Division of Water presents this award to a person involved in water management within the Rio Grande Basin who has shown outstanding effort in the management of their water, and demonstrated leadership in the larger water issues facing the basin. Water is a scarce resource in Colorado and the effective management of it is a top priority. Mr. Gibson has consistently demonstrated his ability to manage water and, as a result, has earned multiple Manager of the Year awards, respect from his colleagues, and the gratitude of the Southern Colorado communities which he serves.

Mr. Gibson's passion for water related issues was reflected not only by his work at the San Luis Valley Water Conservation District, but also by his leadership on other organizations, including the Rio Grande Basin Roundtable, Rio Grande Natural Area Commission, and his past duties as president of the Colorado Water Congress. His willingness to collaborate and volunteer speaks to his dedication not only to protecting the basin's water resources but to educating its citizens as well.

Mr. Speaker, Mike Gibson truly deserves the admiration he has received from the Colorado water community over the years. His services were immensely important for the communities in the San Luis Valley, and he is among the very best of the water managers in the Third Congressional District of Colorado. Mr. Gibson's work has been invaluable over the last several years. I applaud him for his outstanding accolades and his successful career, and I wish him well in his retirement.

HONORING THE LIFE OF PAT A. GENTILE

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Pat A. Gentile, 87, who passed away on Friday January 1, 2016. Pat was born on February 2, 1928 in Belltown, Pennsylvania, a son of Antonio and Liberta DelSignore Gentile.

Pat attended Struthers High School and graduated from the New Castle School of Trades. Pat enlisted in the U.S. Navy and was in the Sea Bee Division, from where he was honorably discharged in 1948.

Pat worked in the steel mills and Kaiser Refractories and then became a self-employed

carpenter for 50 years. One of his greatest accomplishments was the building of his children's homes. He was known as a jokester and loved to play tricks on the kids. Pat was an avid outdoorsman and enjoyed hunting and fishing. He loved spending time with his children and grandchildren, especially at his cabin in the Allegheny National Forest. He loved animals and music, especially his accordion. Pat was a member of the Christ Our Savior/St. Nicholas Church in Struthers.

Pat will be deeply missed by his family. He leaves behind his wife, Marian "Honey" Caggiano, whom he married on April 17, 1948, at St. Lucy's Church in Campbell. They raised four children, Patrick (Denise) Gentile of New Middletown, Michael (Lori) Gentile of Poland, Carole "Mimi" (Pat) Patterson of Fresno, Calif., and Laraine (Gary) Solvesky of Poland. He leaves one brother, Joseph P. (Eleanor) Gentile of Struthers; 12 grandchildren; and 31 great-grandchildren, with one on the way; and many nieces, nephews and cousins, all of whom adored him.

Pat was preceded in death by six brothers, Nick, Chris, Fred, Sam, William, and Dominic Gentile; five sisters, Emma Genova, Amelia Quatro, Mary Quattro, Anne Spano, and Anne Gentile; one great-grandson, Dylan Solvesky; and one daughter-in-law, Rochelle Hudock Gentile.

Losses like these are never easy, but we can all take solace in the fact that Pat led a long and fulfilling life. He will live on in the memory of his beautiful family.

HONORING THE LIFE OF ROOSEVELT D. ALLEN, JR.

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with deep sadness and the utmost respect that I take this time to remember a dear friend and one of Indiana's most distinguished citizens, Roosevelt D. Allen, Jr., Lake County Commissioner. On Saturday, January 9, 2016, Roosevelt Allen passed away at the age of 68. Commissioner Allen devoted his life to serving the people of Northwest Indiana, and he will be greatly missed by his family, friends, co-workers, and the many grateful constituents throughout the community whose lives he touched.

In 1965, Roosevelt Allen graduated from Roosevelt High School in Gary, Indiana, before continuing his studies at Howard University. From there, he graduated magna cum laude from Indiana University, receiving a bachelor's degree in accounting, before completing graduate classes at DePaul University. Roosevelt went on to become a successful and admired funeral director for the family

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

business, Guy & Allen Funeral Directors, Inc., in Gary, which has served the community for eighty years.

Public service was a way of life for Commissioner Allen. He served the community of Northwest Indiana because he wanted to make a difference, and he did so with passion and enthusiasm. Roosevelt served on the Calumet Township Advisory Board for twenty-seven years. In 2006, he was elected to serve as Lake County Commissioner for the first district. Commissioner Allen was in his third term, and was serving as President of the Board of Commissioners, at the time of his passing. Fellow officials remember him as a true gentleman, a mentor to all, and an exemplary government leader. During his time in office, Roosevelt also served as the commissioners' representative on the Northwestern Indiana Regional Planning Commission and was chairman of the Lake County Public Safety Communications Commission. Throughout his lifetime, Commissioner Allen also served in many capacities for numerous organizations. He was a life member of the NAACP, member of the Lake County Democratic Organization, a board member of Edgewater Systems for Balanced Living, and a board member of the Regional Bus Authority, among others. A faithful man, Roosevelt was a devout member of Saint Timothy Community Church in Gary, Indiana.

Roosevelt Allen is survived by his beloved daughters: Lisa, LaTrice, and Olivia. He also leaves to cherish his memory seven beautiful grandchildren, many dear friends and family members, and a saddened but indebted community.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in paying tribute to my dear friend, and a true public servant, Roosevelt Allen. For his tremendous contributions to the people of Northwest Indiana, his lifetime of service is worthy of the highest praise. Roosevelt's selfless and lifelong commitment to the people of his community will be forever remembered, and his legacy serves as an inspiration to us all.

HONORING MEDAL OF HONOR RECIPIENT CORPORAL HERSHEL "WOODY" WILLIAMS

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor Corporal Hershel "Woody" Williams, a lifelong West Virginian. When the freedom of the United States and the world was in peril during the Second World War, he gallantly heard the call to defend our nation and enlisted in the United States Marine Corps in 1943. After finishing his training in California, Cpl. Williams was stationed in the Pacific Theater and bravely fought in the Battle of Guam in 1944.

What truly distinguishes Cpl. Williams is the exceptional bravery he demonstrated during the battle of Iwo Jima. When tanks became ineffective on the beaches, he fought his way to destroy seven Japanese pillboxes while cov-

ered only by four riflemen. His bravery in taking out the pillboxes in the battle of Iwo Jima was a determining factor in turning the tide of the battle in favor of the Americans.

Cpl. Hershel "Woody" Williams was awarded the Medal of Honor by President Truman in 1945. The Medal of Honor was "For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as demolition sergeant serving with the 21st Marines, 3d Marine Division, in action against enemy Japanese forces on Iwo Jima, Volcano Islands, 23 February 1945." Cpl. Williams is the last living Medal of Honor recipient from the Battle of Iwo Jima.

Known by all as Woody, he had a distinguished career in the military and has spent his life tirelessly helping veterans and their families. His service to America and West Virginia is unparalleled. I have known Woody for decades and am proud to call him not only a constituent but a friend. On January 14, 2016, Woody Williams receives another honor: a ship in the United States Navy will bear his name. I congratulate and commend Cpl. Williams on a remarkable and admirable life. Woody Williams serves as a pillar for all Americans to aspire to, a brave man who put his fellow Americans before himself.

HONORING JOHN A. DILLINGHAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pleasure that I pause to honor a constituent of Missouri's 6th Congressional District and someone I am especially proud to call my friend, John A. Dillingham, upon being awarded as the 2015 Northlander of the Year by the Northland Regional Chamber of Commerce.

John Dillingham grew up with a strong 6th generation Missouri heritage in Clay and Platte County, Missouri, with an education from Wentworth Military Academy, Smithville High School, and my alma mater, the University of Missouri. John also enlisted in the U.S. Army and served with distinction in Korea as a 2nd Lt. in the Lacrosse Guided Missile Battalion of the U.S. Army, was the 2nd Lt. Aide-de-camp, Division Artillery Commander of the 1st Infantry Division, and was presented with the Army Commendation Medal for his service.

Corporately, John has been a Vice President of Loans for Traders Bank of Kansas City, Senior Vice President of Garney Companies for 16 years, President of Dillingham Enterprises and has served as an Independent Trustee of Waddell & Reed.

John is so widely respected throughout Missouri that he has served Republican and Democrat Governors, Senators, Congressmen and Mayors in positions such as the Kansas City Board of Police Commission, the University of Missouri of Extension Advisory Board, the Kansas City Agribusiness Council, Children's Mercy Hospital, and was a Charter Board Member of the Clay County Veteran's Memorial built in a park named after his good friend,

Anita Gorman. He has also served as an Honorary Director of the Heart of America Council of the Boy Scouts of America, the Freedoms Frontier National Heritage Area Chairman and the Governance Chairman of Harry S. Truman Library Institute, as well as serving on the Kansas City Crime Commission and the National World War I Museum National Advisory Board.

John has also been honored as a member of the Missouri Academy of Squires, an Outstanding Kansas Citizen by the Kansas City Native Sons & Daughters, an Outstanding Missourian by the Missouri State Legislature, the Silver Good Citizens Medal by the National Society of the Sons of the American Revolution, an Honorary Director for Life of the American Royal, the Meritorious Service Award from the Kansas City, Missouri, Police Department, as a Sachem in the Tribe of Mic-O-Say, the Silver Wreath Award from the National Eagle Scouts' Association, and the Silver Beaver Award from the Boy Scouts of America.

Mr. Speaker, I could list at least 50 more organizations that John has guided and worked with over his very distinguished lifetime. However, I ask that you join me, John's wife Nancy, their sons, Bill and Allen, their families and the entire Northland community in congratulating John A. Dillingham on this accomplishment wishing him God's blessings in the years to come.

RECOGNIZING MICHIGAN STATE UNIVERSITY'S UNDERGROUND RAILROAD MOVEMENT

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. TROTT. Mr. Speaker, I rise today to recognize Michigan State University's commitment to racial equality in our country through their integration efforts for sports programs in the 1960s.

In light of the College Football National Championship game last night, I want to take the time to remember another National Title game 50 years ago. In 1966, segregation was widespread in our country. It was a time of great struggle and injustice for African Americans. Michigan State football, however, became a bastion for integration and equality. University President John Hannah and Head Coach Duffy Daugherty had a long history of providing academic and athletic opportunity to African Americans who were denied access in their home states. Daugherty spearheaded a recruitment network throughout southern states that became known as the Underground Railroad Movement. He sought out black players who were not allowed to play in their own states due to their race. His efforts culminated with the 1966 team, which included 20 black players, 11 starters, and was led by one of the only black quarterbacks among major colleges at the time, Jimmy Raye. Raye led the Spartans to win the National Title in 1966, which was a victory for MSU, and a victory for equality across America.

The leadership shown by Michigan State University and the courage of the players

marked an important advancement for society. Their actions proved a catalyst for other teams to expand their recruiting profiles, and Americans to expand their perspective. The barriers that were broken in Michigan State's programs marked an important step toward full integration of collegiate sports in 1972. On this 50th anniversary of their National Title win, I commend Michigan State University for their legacy of providing opportunity for all Americans, regardless of race.

A BILL TO COMPREHENSIVELY ADDRESS COMPACT IMPACT IN AFFECTED JURISDICTIONS

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Ms. BORDALLO. Mr. Speaker, today I introduce legislation that will help address the impact of the Compacts of Free Association on affected jurisdictions like Guam and Hawaii. I continue to support the intent of the Compacts, and I understand the benefits these agreements have for our nation and our security. However, the costs borne by our local governments for providing social services to Compact migrants are unsustainable, and Congress must act to provide relief for affected jurisdictions who have spent millions of local funds to support the Compacts and migrants. COFA migrants make positive contributions to our communities, but insufficient support from the federal government causes a significant socioeconomic strain on our island communities.

This strain only increases, especially in the face of uncertain economic conditions in the Freely Associated States as well as the impact climate change is having on Pacific island nations. The bill I am introducing, as well as proposals that I have made in the past, will provide relief and empower local jurisdictions with solutions to reduce the burden of Compacts.

The best solution to Compact impact would be an increase in annual mandatory funding from the current \$30 million, divided among each of the affected jurisdictions, to the \$185 million recommended by the GAO. However, the current budget environment makes appropriating this difficult. Nonetheless I am proud to be a cosponsor of a bill introduced by Congressman TAKAI of Hawaii that would increase this annual appropriation, and I hope that we can at least have a debate on this measure.

However, as we work to find long-term solutions to Compact-impact, I believe that there are important fixes we can make that will provide much needed relief to our local governments without significant costs to taxpayers. The ideas that I incorporate into this bill are based on ways to reduce the burden with the in-kind contributions that our local governments have provided to support COFA migrants. This approach is a more budget-friendly way to address this daunting policy challenge. The bill's provisions address four areas where we can reduce the burden.

Firstly, my bill would permit the affected jurisdictions to use the cumulative amount that they have spent to provide social services to

COFA migrants, towards the non-federal portion of providing Medicaid to their local residents. The bill proposes a new formula that would increase the Federal Medical Assistance Percentage for each of the affected jurisdictions. This would go a long way towards alleviating the burden on affected jurisdictions by increasing the percentage assistance provided by the federal government for Medicaid.

Secondly, the bill would categorize elementary and secondary education-aged COFA students as federally connected students and make them eligible for Impact Aid. I understand the fiscal challenges that the Impact Aid community faces, and I am committed to working with them to address the effect this bill may have on them. The bill attempts to offset this effect by increasing funding authorization and ensures that we are not taking from one group to pay for another.

Thirdly, this legislation would clarify Congress's intent when we extended eligibility for housing assistance programs to COFA migrants. This bill ensures that U.S. citizens, nationals, or lawful permanent residents are not displaced when applying for housing benefits and that they are given priority when applying for these benefits.

Lastly, this bill would commission independent research on the viability of the current Compacts, and make recommendations on policy alternatives moving forward. I hope this research will provide strategic guidance as we move towards renewal of the Compacts in 2023 and ensure that we are administering these agreements in the best way moving forward.

I am pleased to count my colleague Mr. TAKAI from Hawaii as an original cosponsor. As this Congress discusses solutions for the crisis in Puerto Rico, it is important that we also discuss challenges that the other territories face, especially the challenge of supporting the Compacts of Free Association. While the challenges facing affected jurisdictions are nowhere near as serious as Puerto Rico, doing nothing would only welcome economic and security challenges down the road. I look forward to this bill becoming law and being a tremendous help to jurisdictions affected by Compact impact.

PERSONAL EXPLANATION

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. CARNEY. Mr. Speaker, I wish to clarify that on January 11, 2016 I was unable to vote on roll call votes 34 and 35 because I was attending to congressional business in my district.

On Roll Call Vote Number 34, on passage of H.R. 598, I did not vote. It was my intention to vote "Aye."

On Roll Call Vote Number 35, on passage of H.R. 3231, I did not vote. It was my intention to vote "Aye."

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,888,640,000,429.69. We've added \$8,261,762,951,516.61 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING STAFF SERGEANT JOSEPH LEMM

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mrs. LOWEY. Mr. Speaker, I rise to recognize the service and sacrifice of my constituent, New York Police Department (NYPD) Detective and Staff Sergeant Joseph Lemm of West Harrison. A 15-year veteran of the NYPD and member of the Air National Guard, Staff Sergeant Lemm was killed alongside five other Americans in Afghanistan on December 21, 2015.

Staff Sergeant Lemm was a true patriot who dedicated his life to protecting others. To quote New York City Police Commissioner William Bratton, "he chose selflessness; he chose sacrifice; he chose to serve."

Staff Sergeant Lemm is survived by his wife, Christine, and two children, Brooke and Ryan. Tonight, Christine will accompany me to President Obama's final State of the Union Address. I urge my colleagues to honor her sacrifice and remember that each service member who loses his or her life leaves behind a circle of loved ones to whom we are also indebted.

Mr. Speaker, I commend Staff Sergeant Lemm's exceptional service to our country. We offer his family, friends, and community our heartfelt sympathy and will work to ensure that the loss of Staff Sergeant Lemm will serve as a reminder of the heroic sacrifices of our service members. I offer my deepest condolences to Christine, Brooke and Ryan on the passing of their husband and father, and I ask my colleagues to join me in recognizing Staff Sergeant Lemm's service and sacrifice.

PERSONAL EXPLANATION

HON. GARRET GRAVES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. GRAVES of Louisiana. Mr. Speaker, on roll call nos. 34–35, my absence was attributable to numerous parish, legislative and state-wide inauguration ceremonies in Louisiana. In addition, I met with emergency response officials related to flood waters in the

Atchafalaya River system. Had I been present, I would have voted as follows:

On Roll Call Number 34: H.R. 598, Taxpayer Right to Know Act—yea.

On Roll Call Number 35: H.R. 3231, Federal Intern Protection Act of 2015—yea.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following Roll Call votes on January 11, 2016 and would like to reflect that I would have voted as follows:

Roll Call Number 34: YES

Roll Call Number 35: YES

TRIBUTE TO KATHY A. HOLTZMAN

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. ROTHFUS. Mr. Speaker, it is appropriate from time to time we take the opportunity to recognize contributions that everyday citizens have made to our community and our nation. It is in that spirit that today we remember Kathy A. Holtzman of Richland Township, Cambria County, Pennsylvania.

Kathy served her community, her church, and her family with dedication and joy. When she died at age 75 on December 6, 2015, she was survived by her husband, Robert, her daughter, Brenda, her grandchildren, Devin and Lea, her sister, Margery, and numerous nieces and nephews. She was preceded in death by her son, Brian.

Mrs. Holtzman was a devoted member of her parish, St. Benedict Catholic Church in Geistown, where she served as an usher.

A model citizen and public servant, she served as a Cambria County Commissioner for twelve years, four of those years as President Commissioner.

Before serving in this capacity, she fulfilled a variety of other important roles in her community: Co-Founder, along with Bill Stewart, of Penn Highlands Community College; Richland Township School Director; Republican State Committee Women; President of Cambria County Senior Citizens and Turner Apartments in Ebensburg; board member of the Salvation Army, Peniel Drug and Alcohol Program, and Johnstown Sportsmen's Club; and member of the Geistown-Richland Lions Club.

Mrs. Holtzman's family can be very proud of her legacy in the community where she without a doubt left a positive, lasting impact. Likewise, the citizens of Cambria County will continue to reap the benefits of Kathy's community engagements for years to come. Kathy Holtzman's life was a well-lived one in the service of others. It is an honor to recognize her today.

A TRIBUTE TO ROGER MAXWELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Roger Maxwell. Roger has been chosen for induction into the University of Northern Iowa (UNI) School of Music "Jazz Hall of Fame". He will be inducted on April 8, 2016 in Cedar Falls, Iowa.

Roger was a graduate of the Iowa State Teachers' College, now known as the University of Northern Iowa. His years as an advocate for music and higher education, his talents as a composer of music educational materials, and his hard work as a founding member of the jazz program at UNI are all examples of his dedication to the art of music. It is a great honor to be chosen as a member of the "Jazz Hall of Fame" at UNI.

Mr. Speaker, I applaud and congratulate Roger for this award and for sharing his musical talents and knowledge. I am proud to represent him in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Roger and wishing him nothing but continue success.

SIX-YEAR ANNIVERSARY OF HAITI EARTHQUAKE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mrs. LOWEY. Mr. Speaker, every year on January 12th we pause to remember the devastating earthquake that struck Haiti in 2010 and the 200,000 Haitians' lives claimed by the disaster. The United States has stood firmly with the people of Haiti as they have endeavored to recover and rebuild.

As the Ranking Member of the State and Foreign Operations Appropriations Subcommittee, I remain deeply committed to the close relationship between our two countries and to economic development, democratic governance, and the promotion of human rights on the island.

For these objectives to be achieved, the people of Haiti must have their voices heard through free, fair, and transparent elections. The current political impasse serves no one. Haiti's leaders and its people must work together to complete the electoral process and ensure a peaceful transfer of power next month.

I am proud to represent many Haitian Americans in Rockland and Westchester Counties, and I will continue to work with my constituents on our shared goals of democracy, prosperity, and success for the Haitian people.

PERSONAL EXPLANATION

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. HARPER. Mr. Speaker, on January 8, 2016, I was detained in my district attending a memorial service for Loyd Lewis Matthews who was killed while on active duty with the Air Force in 1952. His remains were only recently discovered.

On roll call numbers 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, had I been present, I would have voted NO. On roll call number 33, I would have voted YES.

IN HONOR OF NICHOLAS A. TOUMPAS, COMMISSIONER OF THE NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Ms. KUSTER. Mr. Speaker, I rise to recognize the significant contributions Nicholas A. Toumpas has made to the State of New Hampshire during his tenure as the Commissioner of the Department of Health and Human Services.

The New Hampshire Department of Health and Human Services is the states' largest department, and, as the agency responsible for many of the States' vulnerable citizens, one of its most important. During Nick's time as the commissioner, the Department faced many challenges, from shrinking budgets to growing demand for the Department's services. In true Granite State fashion, he saw these challenges as opportunities and tackled them straight on. Nick played a leading role in the implementation of Medicaid expansion, helping to increase access to health insurance for thousands of Granite Staters. New Hampshire is a healthier state because of Nick's time as commissioner.

Commissioner Toumpas' commitment to the Granite State has made it a better place for all of its residents. As one of New Hampshire's representatives in Congress, I am honored to commend him for his distinguished service, and wish him the best of luck in the next chapter of his life.

RECOGNIZING MR. GABRIEL CAMARILLO

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. O'ROURKE. Mr. Speaker, I rise today to recognize and congratulate Mr. Gabriel "Gabe" Camarillo, as he transitions to a new role as the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. In his new role, Mr. Camarillo will be responsible

for a four-division department that develops policy and provides oversight of manpower, military and civilian personnel, Reserve component affairs, and readiness support for the Department of the Air Force.

Mr. Camarillo has served in the office of the Assistant Secretary of the Army (Acquisition, Logistics, and Technology) since 2010, as a Special Assistant to the Honorable Heidi Shyu, and later as her Principal Deputy. In this role, he has been responsible for assisting the Assistant Secretary in overseeing the Army's 5,000-person acquisition workforce, managing over 600 Army programs, and overseeing contracts in excess of \$125 billion.

In addition to working for Assistant Secretary Shyu, Mr. Camarillo is also an adjunct professor at Georgetown University's Public Policy Institute where his classes focus on political participation.

Mr. Camarillo is a proud native of El Paso, Texas' Vista Hills neighborhood on El Paso's East side. He attended J.M. Hanks High School, where he was a debate champion.

As Mr. Camarillo transitions to his new role with the Department of the Air Force, I know that he will provide our nation's Airmen with the same quality support that he has provided to our Soldiers for the last six years. I am thankful for the service of this effective and capable leader and wish him the best of luck during his upcoming transition and in all future endeavors.

HONORING MR. TOM DeBLASS

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor Mr. Tom DeBlass of New Jersey's Third Congressional District, and to express my sincerest commendation as to all of his accomplishments.

Mr. DeBlass has been named to the New Jersey Martial Arts Hall of Fame as a Grappler. He has won titles such as the Pan American and World Championships. Beyond his personal feats on the mat, Mr. DeBlass has devoted his time to giving back to his community by opening his own Brazilian Jiu-Jitsu Academy.

Mr. DeBlass has used his expertise to produce his own world champion students. He has created a legacy of martial arts success in his community and has given young athletes the opportunity to develop and excel.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously proud to have Mr. Tom DeBlass as an involved member of their community. It is my honor to recognize both his personal athletic accomplishments and his lasting contributions to our community before the United States House of Representatives.

HONORING MAJOR GENERAL JAMES MONTGOMERY BREEDLOVE

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor the life and sacrifice of Major General James Montgomery Breedlove, who passed away on January 9, 2016 in Lubbock, Texas at the age of 93.

General Breedlove was a true American hero who dedicated his life to serving our nation. Upon graduating from the U.S. Military Academy at West Point, N.Y., General Breedlove attended pilot training at Randolph Air Force Base, Texas. After completing pilot training in 1948, General Breedlove married his wife Mary Ann Gossett.

General Breedlove's service in the Air Force took him all across the United States, as well as to England, Germany, Korea, Thailand, and the Canal Zone.

In 1951, during the Korean War, General Breedlove flew 39 combat missions and served with the 601st Aircraft Control and Warning Squadron at Kimp'o as a controller. General Breedlove went on to graduate from the Imperial Defence College in London, and in 1969, assumed command of the 388th Tactical Fighter Wing at Korat Royal Thai Air Force Base—flying 162 combat missions.

In 1970, General Breedlove assumed command of the 3500th Pilot Training Wing at Reese Air Force Base in Lubbock, Texas. He was promoted to Major General on May 1, 1973 and assumed command of the U.S. Air Forces Southern Command in the Canal Zone in 1974. In 1976, when the Tactical Air Command assumed responsibility for USAFSO, he was appointed commander, U.S. Air Force Southern Air Division of the Tactical Air Command and deputy commander in chief, U.S. Southern Command.

General Breedlove's military decorations and awards include the Legion of Merit with oak leaf cluster, Distinguished Flying Cross, Bronze Star Medal, Air Medal with nine oak leaf clusters, Air Force Commendation Medal with oak leaf cluster, Distinguished Unit Citation Emblem, Air Force Outstanding Unit Award Ribbon with oak leaf cluster, Republic of Korea Presidential Unit Citation Ribbon, and the Royal Thai Supreme Command Forward Master Badge.

General Breedlove leaves behind a proud and distinguished legacy of military service. His life's work has made America a safer and stronger nation for generations to come. I ask all of my colleagues in the House of Representatives to join me in honoring and remembering the life of this American patriot.

CONGRATULATIONS TO THE PERNER FAMILY

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. HURD of Texas. Mr. Speaker, I rise today to congratulate Melissa Williams Perner

and Paul Christian Perner IV of Ozona, Texas on the birth of their first-born son, Paul Christian Perner V. He was born on Thursday, December 24th, 2015, at 10:47 PM Central Time, just in time to give his parents the best Christmas present they could ever ask for. He was born at the San Angelo Community Medical Center, weighing 7 pounds, 2 ounces and was 20 inches long. His proud grandparents include Ginger and Paul Christian Perner III and Allen and Susan Williams, who also live in Ozona. This new addition to the Perner family is sure to be a blessing to the entire Ozona, Texas community. On behalf of the 23rd Congressional District of Texas, congratulations to Melissa and Paul Perner.

HONORING BARBARA A. BENNETT ON HER RETIREMENT FROM FEDERAL SERVICE AFTER 45 YEARS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mrs. LOWEY. Mr. Speaker, I rise today to honor a tireless civil servant and a true American patriot, Ms. Barbara A. Bennett of Virginia.

Barbara retired on December 31, 2015, after 45 years of Federal service. Most recently, Barbara served as Director of the Office of Legislative Affairs at the U.S. Agency for International Development (USAID). Those of us who had the opportunity to work with her during her long career witnessed first-hand Barbara's vast knowledge of foreign affairs and international development, her understanding of the detailed legislative processes, her unparalleled passion for the institution of Congress, and her singular dedication to the mission of USAID in uplifting those around the world from extreme poverty.

Arriving at USAID as a recent graduate of the College of Mary Washington in the fall of 1970, Barbara steadily rose through the ranks during her first 15 years at USAID while working on procurement, financial management, and management support in the Office of the Deputy Administrator.

In 1985, Barbara came to Capitol Hill to work for my former colleague David Obey (D-WI) during his tenure as Chairman of the House Appropriations Committee's Subcommittee on State-Foreign Operations. In 1988, Barbara returned to USAID and joined the Bureau for Legislative Affairs, where she served for 27 years prior to her retirement as Office Director.

Barbara has left an indelible impression on both the programmatic and management realms of USAID as well as the broader foreign affairs interagency collaborative process. Barbara's hard work is evident in the Agency's adoption of innovative approaches to development financing, increased global health investments, efforts to combat international tuberculosis, implementation of the President's Malaria Initiative, and the establishment of an HIV/AIDS Working Capital Fund. These are just some of the higher-profile issues to which Ms. Bennett contributed considerable experience and expertise.

Barbara's efforts have not only benefited recipients of USAID's investments abroad, but generations of our Nation's international development leaders have profited from her guidance and mentorship.

I urge my colleagues to join me in commending Barbara for her service as she pursues new opportunities in this new year.

A TRIBUTE TO VIOLET ANTISDEL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Violet Antisdel on the celebration of her 102nd birthday. Violet celebrated her birthday on December 24, 2015 in Creston, Iowa.

Our world has changed a great deal during the course of Violet's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones, and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism, and witnessed the birth of new democracies. Violet has lived through seventeen United States Presidents and twenty-one Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Violet in the United States Congress and it is my pleasure to wish her a very happy 102nd birthday. I ask that my colleagues in the United States House of Representatives join me in congratulating Violet for reaching this incredible milestone and in wishing her nothing but the best.

RECOGNIZING THE 60TH ANNIVERSARY OF ORLANDO SCIENCE CENTER

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to recognize Orlando Science Center as it celebrates 60 years.

Orlando Science Center has undergone many transformations over the past 60 years. In 1955, the Central Florida Museum, the original namesake of the Orlando Science Center, was officially chartered. The "museum without walls" borrowed spaces in bank lobbies, clubs, and the public library to host ex-

hibits. Interest in the museum grew after the arrival of the Glenn L. Martin Company, now known as Lockheed Martin, sparking the Central Florida community's interest in science and technology.

On July 2, 1960, the museum opened the first planetarium in Florida. The planetarium was a technological feat in its day; NASA astronauts used it for briefings. On March 23, 1970, the museum displayed a moon rock brought back by the crew of Apollo 11. The rock drew over 4,200 visitors making it the museum's largest single-day attendance to date. Over the past 60 years, Orlando Science Center has achieved significant growth and continues to inspire learning.

Today, Orlando Science Center hosts workshops to engage students in the Central Florida community. In partnership with Orlando Utilities Commission, Project AWESOME hosts STEM workshops for fifth grade students in Central Florida. The in-classroom workshops, focusing on renewable resources and water conservation, immerse students in real-life scenarios. Since 2010, Project AWESOME has reached 48,779 fifth graders. Sponsored by Siemens, Universal Studios, Bright House Networks and Northrop Grumman, Destination STEM is an 18-week program for middle school students focusing on STEM disciplines and career paths. The Young Entrepreneurs Academy (YEA!), a year-long program for middle and high school students, teaches them the tools and skills needed to start and manage their own business. In partnership with Orlando, Inc., Orlando Science Center is the first and foremost science center in the nation to facilitate such a program.

On behalf of the people of Central Florida, it is my pleasure to recognize and congratulate Orlando Science Center on this momentous occasion. May their 60 years of dedication to inspire science learning in the classroom and the community inspire many to follow in their footsteps.

RECOGNIZING GENERAL JOHN F. KELLY FOR 45 YEARS OF SERVICE TO THE U.S. MARINE CORPS

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 12, 2016

Mr. HUNTER. Mr. Speaker, I rise today to recognize a great American and fearless leader of Marines—General John Kelly, who is retiring this week after 42 years of honorable service to this nation. Few officers can claim General Kelly's long list of accomplishments,

but that's just a part of what he's known for. He's also one of the savviest and most proficient officers among a very deep bench of leaders within the American military. And because of his talents and acumen, he's also among the most respected.

I really got to know General Kelly during my first Iraq deployment in 2003. He had a reputation as someone who was willing to get his hands dirty, which isn't always true of many officers at that level. Looking back at that deployment, I am proud and honored to call General Kelly a mentor, and I am especially grateful that I was able to see up-close the value and significance of true leadership.

General Kelly also has a way with words. He can honor or even memorialize Marines in one breath, and then motivate and inspire in the next. In fact, in one of his many inspirational moments, General Kelly eulogized two Marines who died as a result of a suicide vehicle. That speech, now known by the title "Six Seconds to Live," is widely cited by Marines, military leaders and veterans alike, and exists as a testament to Marine combat ethos and dedication to duty.

General Kelly also experienced an enormous hardship of his own when his son, Marine First Lieutenant Robert Kelly, was killed in action in Sangin, Afghanistan. We know, Mr. Speaker, that there is no greater sacrifice a Marine and his or her family can make—and as a nation, we are forever grateful for such a sacrifice. Some people might have walked away from their military careers at that point, but not General Kelly, whose oldest son is also a Marine. The Kellys are a military family—more importantly, they are Marine Corps family, and service to the nation is in the Kelly bloodline. General Kelly's resolve and courage, during the toughest of times, is a testament to his character, his strength and his commitment to his nation and his family.

Mr. Speaker, the Marine Corps and the entire nation benefited from General Kelly's service and his many contributions, from a commander in Iraq to the head of U.S. Southern Command, where he's closing out his career. He leaves behind him a trail that he blazed over 40-plus years—and I can tell you, Mr. Speaker, there will continue to be many Marines who will aspire to walk down that same path. He would have been a great Marine Corps commandant, and he could have served anywhere and done anything—without limits. But as his Marine Corps career ends, knowing General Kelly, he'll be spending lots of quality time with friends and family—and it's time that's well deserved for his contributions as one of my generation's top military leaders.

To General Kelly, I say Semper Paratus. Thank you, on behalf of this entire institution and the nation. We are grateful for your service.

HOUSE OF REPRESENTATIVES—Wednesday, January 13, 2016

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, merciful God, for giving us another day.

As You make available to Your people the grace and knowledge to meet the needs of the day, we pray that Your spirit will be upon the Members of this people's House, giving them the richness of Your wisdom.

Bless the Members of the majority party as they gather these next days. May they, with those who accompany them, travel safely and meet in peace.

Bless also the minority party as they prepare for their own gathering. May these days be filled with hopeful anticipation.

May the power of Your truth and our faith in Your providence give them all the confidence they must have to do the good work required for service to our Nation. Give all Members the strength of purpose and clarity of mind to do those things that bring justice and mercy to people, and maintain freedom and liberty for our land.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

MORE EMPTY WORDS AT STATE OF THE UNION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, for the past 7 years, President Obama has given us 47,625 words of meaningless rhetoric. Last night's State of the Union address was more of the same empty words.

President Obama has never adequately focused on what really matters in this country: keeping America safe and defending our cherished freedoms.

Instead, he wants to maintain the status quo and continues to promote top-down, one-size-fits-all Federal dictates that stymie economic growth. It is clear he doesn't understand the solutions that will get our Nation back on track with the American people, not Washington bureaucrats.

President Obama promised hope and change, but his failed agenda has brought the wrong kind of change, and many North Carolinians are losing hope.

Fortunately, Republicans are committed to restoring confidence in America and empowering her people to make their own decisions and pursue their own dreams.

HONORING KOREAN AMERICAN DAY

(Mr. HONDA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HONDA. Mr. Speaker, I rise today to celebrate Korean American Day and to honor the 2 million Korean Americans across this country. January 13 is a day of celebration not just for the Korean Americans across this country; it is a celebration of America.

113 years ago, 102 men, women, and children traveled from the Korean Peninsula and landed in Hawaii. Since their arrival, the Korean American community has enriched and strengthened our Nation's society, culture, Armed Forces, economy, politics, education, and arts.

From serving in high-level posts in our government to making strides in entrepreneurship and medicine, Korean Americans continue to leave an indelible mark in our Nation's history and makeup. So to the Korean Americans across this great Nation, including those in my district, our Nation honors and celebrates you.

HONORING ETHAN EDELMAN

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to honor the life of United States Army veteran Ethan Edelman of Highlands Ranch, Colorado.

Ethan Edelman served for 3 years in the United States infantry. His military service included a combat tour of duty in Afghanistan. His personal awards include the United States Army Commendation Medal, the Army Achievement Medal, and the Army Good Conduct Medal.

Like so many other veterans before him, Ethan Edelman served his country with honor, with dedication, and with courage.

Ethan Edelman left the United States Army to enroll as a student at Metropolitan State University in Denver, Colorado.

Last year, Ethan Edelman, tragically, took his own life on Veterans Day, a day that carries so much emotion for those of us who have served this great Nation in uniform.

Ethan Edelman will always be remembered for his service to this country. He will forever be missed by his family, his friends, and by the soldiers who served by his side in combat.

RECOGNIZING GABRIELLA MELENDEZ, TORIANA CORNWELL, AND SHANIYLAH WELCH

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this afternoon, three students from the Hamlin Park Academy—Gabriella Melendez, Toriana Cornwell, and Shaniylah Welch—will participate in the Fourth Annual State of Science, Technology, Engineering, and Math Address hosted by the White House.

After months of planning, fundraising, and research, these three bright women partnered with Western New York STEM Hub to develop and fine-tune their experiment, "Tumor Growth in Microgravity," which earned them the nickname "Spud Launchers." Through collaborative efforts with NASA, these spud launchers will test the ability of potatoes to grow in microgravity, toward the goal of learning about how plants might grow on other planets.

Their experiment won the national competition held by the Student

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Spaceflight Experiments Program and will be conducted abroad at the International Space Station this year.

These three young women are role models to all of the bright young minds in our community. Their success is a result of their curiosity and their hard work. It is a testament to their families, the Buffalo Public Schools system, Western New York STEM Hub, and, most importantly, their teachers.

CONGRATULATING VINCENT "ZIPPY" DUVAL

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to congratulate my friend Vincent "Zippy" Duvall on his election yesterday as president of the American Farm Bureau Federation.

Zippy is a third-generation farmer from Greene County, Georgia, and has been a Farm Bureau member since 1977. For the past 9 years, he has served as president of the Georgia Farm Bureau, while producing poultry, cattle, and hay on his family farm.

I am so proud to have Zippy and his wife, Bonnie, as constituents of the Tenth District of Georgia. He has done an extraordinary job serving as the voice of agriculture in Georgia, and I can think of no better leader than Zippy Duvall to serve as the new president of the American Farm Bureau.

KOREAN AMERICAN DAY

(Ms. MENG asked and was given permission to address the House for 1 minute.)

Ms. MENG. Mr. Speaker, I rise today in honor of Korean American Day, a day that commemorates the first Korean immigrants to arrive in the United States on January 13, 1903. On that day, the S.S. *Gaelic* brought 56 men, 21 women, and 25 children across the Pacific Ocean from Korea to America in search of a better future.

On Korean American Day, our Nation celebrates a community that has made tremendous contributions to this country. Since 1903, the Korean American population has grown to almost 2 million and has become intricately woven in the fabric of our country.

Korean Americans have made contributions in all aspects of American life. They are our servicemembers, our doctors, businessmen, teachers, and community leaders. They are our neighbors and, most importantly, our friends.

For centuries, Korean immigrants and their descendants have helped build America's prosperity. Their culture enriches our lives in so many ways as they uphold the important values of community, hard work, and family that make America strong.

I am proud to be a part of New York State, which has the second largest Korean American population in the U.S. I am honored to join my colleagues and friends in celebrating all that the Korean Americans have done for our great Nation.

SMALL BUSINESS HURT BY FEDERAL OVERREACH

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, last night the President said that he is finally ready to work with us here in Congress. Today we will send him a measure blocking the EPA's waters of the United States power grab, a proposal rejected by both Houses of Congress, two Federal courts, the Government Accountability Office, and many States.

The EPA's plan would grant jurisdiction over fully 95 percent of my home State of California, allowing an unaccountable Federal agency to insert itself into land use decisions once again across our State.

Mr. Speaker, the President spoke glowingly of small business America last night. Between waters of the United States, his rejection of health options plans for Americans, and forcing minimum wage proposals upon small businesses and their employees, small businesses don't have a chance. They don't have a chance to survive and thrive in this country.

If the President really wants to work with Congress in a constructive way, he can start today by rejecting the waters of the United States policy that is hurting small businesses, farms, and ranches, and actually help us build the water supply we need in California and the Western States.

TIME FOR THE JUSTICE DEPARTMENT TO TAKE ACTION

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, well, the lights and the heat are on at the Malheur National Wildlife Refuge, illegally occupied by ultra rightwing, antigovernment extremists. But you have to wonder if the lights are on or anybody is home down there at the Justice Department. Hello? I don't think there is anybody there.

I believe that this illegal occupation, this destruction of Federal property, was directly emboldened by the fact that the father of the two leaders, Cliven Bundy, stood down the government 2 years ago when he owed \$1 million.

Other ranchers pay their grazing fees, and he refuses to do it. He was grazing in areas that were prohibited.

He stood down the government at the point of a gun, and he is still illegally grazing.

Nobody—nobody—at the Justice Department has seen fit to lift a finger against him. There is no ongoing prosecution. They haven't put a lien on his cattle.

He celebrated the anniversary of the takeover and said: This is how it is done.

Now his sons are replicating that in my State of Oregon, where we abide by the laws. Yes, we disagree over a lot of Federal policies, but we abide by the laws.

It is time for the Justice Department to take some action. Wake up down there.

RECOGNIZING LYNNEL RUCKERT

(Mr. SCALISE asked and was given permission to address the House for 1 minute.)

Mr. SCALISE. Mr. Speaker, when building a strong team, you need a strong leader. Lynnel Ruckert has been that strong leader.

As my chief of staff, Lynnel has also been an ally and a friend since the very first day I arrived in Congress. Whether it has been the whip team, the Republican Study Committee, or Louisiana's First Congressional District, under her guidance, strong leadership, and relentless drive, Lynnel played a crucial role in delivering countless conservative victories for both our country and Louisiana.

I wouldn't be where I am today without Lynnel Ruckert. I am and will forever be grateful for Lynnel's dedication and unwavering commitment to our Team Scalise family.

Every day, she made the extra effort to bring a little Louisiana to Washington. We call it lagniappe. There was not a day that went by where she didn't wear a fleur-de-lis or some other symbol of our great State of Louisiana that we both love.

Lynnel, you will be truly missed. I wish you, Kyle, and the whole Ruckert family all the best as you enter this new, exciting chapter in your life back home in Louisiana.

□ 0915

CONGRATULATIONS TO THE SEATTLE SEAHAWKS

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, I take the floor today to congratulate the fans of the Seattle Seahawks.

You see, I talked with my good friend Congresswoman SUZAN DELBENE and told her that the Minnesota Vikings were for sure going to beat the Seahawks.

She said: Well, if you really believe that, why don't you agree to come

down to the House floor if they don't, and I will come down to the House floor if they do.

For three quarters, I was right, Mr. Speaker. The Vikings shut the Seahawks out completely. But in the fourth quarter, through luck—and this is the real skill of the Seahawks, by the way—the center throws one over the head of the quarterback.

The quarterback runs 20 yards back. It looks like he is just going to fall on it, but he picks it up, finds an open man, hits him, and then the guy almost scores, and then, on the next play, they do.

Then, after that, the leading rusher in the NFL, A.P.—Adrian Peterson—drops a pass and fumbles it and then they get the ball and kick a field goal. We are now 9-10.

Even still, the Vikings were about to win, Mr. Speaker, but the lucky, lucky Seahawks saw our excellent field goal kicker miss one, although he has been making them all year long.

So I am here to congratulate the Seahawks as the luckiest team in the NFL.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY

Mr. GIBBS. Mr. Speaker, pursuant to House Resolution 583, I call up the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). Pursuant to House Resolution 583, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 22

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to "Clean Water Rule: Definition of 'Waters of the United States'" (80 Fed. Reg. 37054; June 29, 2015), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. GIBBS) and the gentleman from Oregon (Mr. DEFazio) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days to revise and extend their remarks and to include extraneous materials on S.J. Res. 22.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

The question of what is and is not waters of the United States has been the subject of debate for many decades. The reason this question is so important and contentious is because, if water or land is Federal, it is subject to regulation by the Federal Government.

The Clean Water Act was originally intended as a cooperative partnership between the States and the Federal Government, with the States being primarily responsible for the elimination and prevention of water pollution and the oversight of waters within their borders.

This successful partnership has given rise to monumental improvements in water quality throughout the Nation since the Clean Water Act's enactment in 1972 because not all waters need to be subject to Federal jurisdiction.

Following the Supreme Court's decision of *SWANCC* and *Rapanos*, determining the appropriate scope of jurisdiction on the Clean Water Act has been confusing and unclear. Both the regulated community and the Supreme Court called for a rulemaking that would provide this needed clarity. The EPA and the Army Corps of Engineers voluntarily undertook a rulemaking to respond to the need for clarity, and that is when things went terribly wrong.

If the agencies had taken the time to consult with the States and local governments and to actually listen up front to the issues that our States, counties, cities, and townships are facing, the agencies would not have had to admit to Congress in multiple hearings that their proposed rule created confusion and uncertainty, but they did not take this time for consultation.

If the agencies had followed the proper rulemaking process, we wouldn't have had a proposed rule that cut corners on the economic analysis, used incomplete data, and took a cursory look at the economic impacts of the rule on just one of the many regulatory programs under the Clean Water Act, but they did not follow the rulemaking process.

If the agencies had done things right, the substantive comments filed on the rule would not have been nearly 70 percent opposed to the rule.

If the agencies had done things right the first time, the Committee on Transportation and Infrastructure wouldn't have had to respond to the more than 30 States and almost 400 counties which requested the EPA withdraw or significantly revise the

proposed waters of the United States rule and move H.R. 1732, a bill the House passed in May of 2015 that was a bipartisan bill, that would have sent the rule back to the agencies so they would go through the correct process.

If the agencies had properly developed the rule in a joint fashion, the Army Corps of Engineers would not have been cut out of the process and would not have had to send last-minute letters through the chain of command that questioned decisions that were being made in the final rule and that pointed out multiple issues that would make the rule nearly impossible to implement and legally questionable.

If the agencies had actually set out to clarify jurisdiction and not to simply gift themselves unlimited discretion to regulate whatever they wanted, they would not have needed to have conspired to influence and skew the public comments during the open rulemaking process or to promote and justify an agenda that the majority of States opposed and have sued to stop.

Recently, the Government Accountability Office issued a legal opinion related to its investigation of the EPA regarding the waters of the United States rule that drastically increases the agencies' authority at the expense of the States.

The GAO's findings are plain and simple: The EPA broke the law. By using social media tactics, the GAO called "covert propaganda" and "grass-roots lobbying," the EPA undermined the integrity of the rulemaking process and violated the trust of the American people.

The agencies simply did not do things right. In fact, they did things very, very wrong. And now we have a rule on the books that is reflective of a completely flawed process.

Today the waters of the United States rule goes far beyond merely clarifying the scope of the Federal jurisdiction under Clean Water Act programs. It vastly expands Federal power. The clarity this rule provided is simple: Everything is Federal.

The rule misconstrues and manipulates the legal standards announced in the *SWANCC* and *Rapanos* Supreme Court cases, effectively turning those cases that placed limits on the Federal Clean Water Act jurisdiction into a justification for the agencies to expand their assertion of Federal authority over all waters and wet areas nationally.

The agencies chose to write many of the provisions in the proposed rule vaguely in order to give Federal regulators substantial discretion to claim Federal jurisdiction over most any water or wet area whenever they want.

This vagueness will continue to lead the regulated community without clarity and certainty as to their regulatory status and leaves them exposed to citizen lawsuits and massive government fines.

In addition, since many of these jurisdictional decisions will be made on a case-by-case basis, they will give the Federal regulators free rein to find jurisdiction.

This rule, in essence, establishes a presumption that all waters are jurisdictional and shifts the burden to prove they are not to the property owners and to others in the regulated community. This rule will set a very high bar for the regulated community to overcome.

The administration even explicitly acknowledged that it wants maximum jurisdiction in its Statement of Administration Policy for H.R. 1732, stating that it opposed the bill because it would constrain the agencies' regulatory discretion.

The rule undermines the successful Federal-State partnership and erodes State authority by granting sweeping, new Federal jurisdiction to waters never intended for regulation under the Clean Water Act.

In justifying the need for this rule, the agencies claimed that massive amounts of wetlands and stream miles are not being protected by the States and that this rule is needed to "protect" them.

Yet, the agencies continue to claim that no new waters would be covered by the rulemaking, which raises the question of how the rule can protect these supposedly unprotected waters without vastly expanding Federal jurisdiction over them. The agencies are talking out of both sides of their mouths.

The reality is that States care about and are protective of their waters, and wetlands and stream miles are not being left unprotected.

More than 30 States have sued the Federal Government over this rule. Who can blame them? States and local governments and the regulated community all repeatedly expressed concern that the agencies have cut them out of the process and have failed to consult with them during every step in the development of this rule.

The agencies engaged in a flawed process from the beginning, ignoring their State and local partners and ignoring each other, and gifted themselves virtually limitless authority over land in this country that could contain water.

Furthermore, they broke the law by illegally influencing both the public comment period and lobbying against congressional efforts to get them to change their course.

S.J. Res. 22 halts this appalling overreach by the executive branch. The stakes are simply too high not to act.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

We are ultimately here because of a failure by the United States Congress

to act. The last time Congress revisited the Clean Water Act was in 1987. There are very few Members here today who were elected at that time.

The reason we have the Clean Water Act is that—I remember a time when I was young when the Cuyahoga River caught fire because of industrial waste and when the Willamette River in my State was an open sewer because it was a convenient place to dump your municipal human waste.

It was a disaster for our country, and we decided to deal with that problem under Republican leadership, which we did quite successfully. But now we realize it is a little more complicated than just keeping out the point source pollution from industrial waste and/or municipal waste.

There are other threats to our clean water, one of the most precious things we have. Read the CIA documents or the planning by the Pentagon. Wars will be fought over water. We can't sully this precious resource, and I think there is pretty substantial agreement on that. The question is: What, where, and how do we protect the waters of the United States?

This is incredibly confusing. We have a split Supreme Court, with contradictory decisions out of the Supreme Court, and we are now, today, living under Bush-era guidance regarding the Clean Water Act.

That unfortunately is described by people from the extremes of the debate—from the American Farm Bureau Federation to the Natural Resources Defense Council—as totally unworkable, inconsistent, incomprehensible, and it provides no certainty to farmers or to conservationists or to developers or to anybody else. That is what we are living under. We are living under those rules today.

Here is a quote from the American Farm Bureau:

A hodgepodge of ad hoc and inconsistent jurisdictional theories, which, ultimately, will result—and is resulting—in increased delays and costs to the public at large.

That is what we are living under because this new rule, which the House today will act to overturn, is not in effect. What is in effect today is Bush-era guidance.

If this legislation were to pass and become law, which it won't because the Senate has already failed to muster a veto-proof majority over there on this issue—so this is all kind of a show—the provisions of this resolution or disapproval are so broad that all of the work that went into constructing this new rule could not be replicated in any manner.

Essentially, we would be stuck forever unless we change the law, and Congress hasn't acted on the Clean Water Act for 30 years. Unless we change the law, we would be stuck forever with an ad hoc, inconsistent hodgepodge of jurisdictional theories,

which are resulting in increased delays and costs to the public at large. That is the ultimate result, were this to pass and become law.

Now, I will admit that the administration caused a good deal of the problem here today. The rule, as initially promulgated by the EPA, was, I would say, turgid at best, and it caused incredible confusion. It seemed to have jurisdictional theories, et cetera, et cetera, very much like the Bush rule.

There was an uproar from Members of Congress, farmers, developers, and conservationists. Everybody had concerns about their initial rule. So what did they do? They went out and they listened. They had a massive number of comments to which they meaningfully responded, and then they found a few areas where they did make major improvements.

Do I think it is a perfect rule? No. But the courts will decide where it is adequate or inadequate, and then that would give direction to a future Congress to actually act and do its job on the Clean Water Act. That would be desirable.

It does deal with roadside ditches. There are huge concerns about roadside ditches. A good change. It has the explicit exemption of municipal separate storm sewers from the Clean Water Act. Again, that was the confusing part of their first rule.

It permanently exempts groundwater and water-filled depressions related to fill or gravel mining activities. There is a huge concern with gravel extraction activities in my State.

Also, a litany of erosional features, artificial ponds, and artificially irrigated areas were exempted from the Clean Water Act, which very explicitly and clearly benefit farmers and developers.

□ 0930

In fact, this subject came up at our joint hearing on this issue. Senator INHOFE brought this up. This was subjected to the Clean Water Act regulatory process. They wanted to turn this into a warehouse facility to develop the land. It is very marginal at best as farmland.

Army Assistant Secretary Darcy confirmed, upon a question from me, that, in fact, under her new rule and guidance, this property would be exempt; but under the Bush rule, it isn't. So they can't develop it under the Bush rule, but they could develop it under the new rule, which we seek today to overturn.

So this new rule is an improvement. Is it perfect, no. In fact, I think the courts might find it wanting in a number of ways, which would require further action by Congress. To merely say we reject it, we want to live under the Bush rule—which everybody hates and says doesn't work—forever doesn't make a lot of sense. Also, acting here

today, when the Senate has already made it clear that they don't have a veto-proof majority, shows that we are wasting time.

I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, just for a little bit of clarity, H.R. 7232 that was passed out of the House, it was to rescind this proposed rule and for the agencies to start over. That is actually the position of the American Farm Bureau. They do not support this proposal. They want to start over and get a rule that does have clarity.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I rise today in strong support of S.J. Res. 22, the resolution of disapproval for the waters of the United States rule. The ranking member pointed out that the Bush rule creates tremendous uncertainty. He is correct, absolutely correct. We need to make sure we change it.

This rule that the President has put forward has 32 States that have filed lawsuits against it. Thirty-two States have said: no, this doesn't work.

For decades, the Federal regulators worked as partners with the States to significantly improve water quality across this country. Those situations that the ranking member talked about that happened 40 and 50 years ago aren't happening today. The States have worked very closely with the Federal Government to make sure that we have clean water, that we are protecting that precious resource we have.

Now, I will say right up front, because I know someone is going to call me out on it, the Governor of Pennsylvania did not file a lawsuit. Well, he is a liberal Democrat who has an extreme environmental agenda. He doesn't really care about the farmers of Pennsylvania, nor does he care about the building industry in Pennsylvania. This Governor is wrong on this issue.

Again, 32 States have said "no" to this rule. The Federal Government shouldn't be regulating every drop of water. Again, Pennsylvania, like every other State, is supposed to bear primary responsibility for regulating the waters within its own borders, but that will change when the EPA and the Corps of Engineers blatantly ignore Pennsylvania and the other 49 States, the limits of the Federal jurisdiction published in this rule.

The gentleman knows full well, across this country, there are protests going on, and also in the State of Oregon. The Federal Government, again, has an overreach, keeps pushing out there. This rule will be the same thing. The Federal Government will push out and reach out and do things that weren't intended to be in the law.

Just about every wet area in the country is open to Federal regulation

under this rule. Jobs will be threatened, the rights of landowners and local governments will be trampled. That is the frustration out in America today. The Federal Government keeps pushing, pushing, pushing, and doing things that really don't have a significant impact on the environment or other areas of their jurisdiction, and they cause great harm to individuals out there. So that is why there is tremendous frustration in this country today.

There are clear problems with this rule. Again, the administration basically concocted this proposal in a vacuum. Pennsylvania and the other States were asked about this rule. As I said, 32 States have filed suit against it. That is significant. That is almost three-quarters of the States that have said "no" to this rule. That is a prime example, again, of why Americans are sick and tired of this.

Every day I hear from farmers, homebuilders, small businesses, and others in my district. Some farmers have said they won't be able to pass on their family farm because of the cost associated with this power grab. As I said, I have no doubt that is what is going to happen. This will continue to expand if we don't stop it here today and send a strong message to the President to, as the subcommittee chairman said, take this rule back.

Let's start over. Let's include the States in the development of this rule-making. The EPA and the Corps need to listen to the States as partners as they have done for many, many years.

Just last night, the President of the United States stood on this House floor and talked about the need for eliminating rules that are on the books. Well, how about let's not put rules on the books that are going to cause great harm and great damage to many sectors of the economy, to many American people. This is a time when the President can show us that those words last night weren't hollow, that they were meaningful, and that he wanted to reach across the aisle. Here is a chance.

There were a number of Senators on the other side of the aisle who voted for this. The last couple of times we have passed WOTUS bills here in the House, we have had bipartisan support. Here is an opportunity for us to work together.

Again, last night we listened to the President. We heard him say some words, some words good. Again, if they are not willing to listen to the Congress on this issue, the very first order of business after he stood there last night and talked about, as I said, the need to reduce rules, as I said, how about let's not put a rule in place that is going to cause great harm to this country.

The Congressional Review Act was put in place for just this very purpose.

This is an opportunity for us to all join and do exactly what the ranking member has asked for, certainty in the rule. Reject President Bush's rulemaking. Let's put a rule in place the States can support and the American people can support.

I urge all Members to support S.J. Res. 22.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Well, the chairman and I have established a good record of working together. I would love to get a commitment here to work together, to go through a full reauthorization of the Clean Water Act and clarify these many issues, what we want to protect and what we want to be excluded from the jurisdiction. The Congress has the authority to do that. I think we should undertake that. It would be very difficult.

To say that repealing this rule, which does have some clarifications of the Bush rule—that would return us to the Bush-era regulations, a hodgepodge of ad hoc and inconsistent jurisdictional theories that are resulting in an increase in delays caused to the public at large, doesn't seem like a good result. So unless we choose to act and clarify the law, that is what we are going to be stuck with.

Under this resolution, absent another specific action by Congress, they can't use any of the work that went into developing this rule or the data. It can't be substantially the same. We would have to further authorize them to begin a new rulemaking.

There was unprecedented public comment, 207 days of public comment. There were 1 million comments received. There were 400 public meetings. There was a special consultation process for the States and local officials. Now, my State and the State of Pennsylvania apparently were pretty satisfied with that. There are other States that weren't, but maybe they didn't go to the meetings.

I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I rise in opposition to S.J. Res. 22, the Congressional Review Act disapproval resolution on the EPA and Corps of Engineers clean water rulemaking.

I thank my ranking member, PETER DEFAZIO, for his strong advocacy and dedicated leadership in protecting the waters of the United States.

Congress has a long history in supporting the Clean Water Act. Back in 1972, Congress overrode President Nixon's veto of the Clean Water Act, demonstrating bipartisan support for the Federal regulation of our Nation's waters.

The message was very clear: Human health would no longer take a back seat to big business. We need to protect our people. Never mind business, agriculture, and some others, what about

the people who drink the water and use it for everyday purposes?

Now, more than 40 years later, we are set to vote to overturn the clean water protection rule, a rule that for the first time in over a decade provides clarity for regulated parties and protection for our Nation's rivers and streams.

What message are we sending out today? Clearly, we are not telling the American people that what water the American people have left is not worth protecting.

Mr. Speaker, when developing the clean water protection rule, the administration went to unprecedented lengths to engage with stakeholders, including ranchers, farmers, and municipalities. They held over 400 stakeholder meetings on the rule and reviewed close to a million public comments on the rule. I say public, because the public was also partly commenting on this.

It is evident that EPA and the Corps wholeheartedly considered these comments and concerns because many of the clean water rule's reforms benefit industry, agriculture, and municipalities. These reforms include limiting permits for ditches and municipal storm water sewers and codified exemptions for certain agriculture, construction, and mining activities.

Let us not forget that farmers and developers alike call the Clean Water Act's current—I am talking again about the current one—regulatory process ad hoc, inconsistent, and costly.

The rule we are attempting to overturn would keep the old Bush administration-era confusing regulations in place and potentially prohibit the President and his future successors from developing a clean water rule in the future.

As we stand here today, I can't think of one good reason to pass this resolution. The same groups that asked for this rule actually benefited from the rule, but they are now asking us to do away with that rule. The only thing I can surmise is that those who oppose this rule would oppose any rulemaking that did not drastically limit the application of the Clean Water Act or, to put it another way, these groups are simply opposed to the Clean Water Act entirely.

In California, 99.2 percent of the population gets its water from drinking water systems that rely on water bodies protected by this rule. With numbers like that on the line, intervening now is simply reckless.

Mr. Speaker, I urge all my colleagues to join me in strong opposition to the resolution.

Mr. GIBBS. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I thank Mr. GIBBS and certainly the entire committee, Chairman SHUSTER and others, for their work on this issue.

I rise today in strong support of this legislation. I certainly appreciate clean water.

However, the EPA's waters of the U.S. rule, or WOTUS, is one of the largest abuses of executive power in modern history and poses a significant threat to America's economy. Under the rule, the EPA and the Army Corps of Engineers will have the power to dictate land use decisions and farming practices of agricultural producers and businessowners all across the country.

To give you an idea of the scope of the overreach and to illustrate why my colleagues from urban districts should also be concerned about this rule, I want to share with you an example of EPA and the Army Corps' abuse in Douglas County, Nebraska, with a population of over 500,000, in my home State. The President also happens to be visiting this county today.

In 2005, the county began the process of submitting the proper environmental permit applications needed to extend a section of road about 1 mile. The project was designated as having the lowest level of environmental impact. However, construction is not slated to begin until at least 2019.

Why the delay? There is a small ditch which runs adjacent to the proposed project. Within the ditch, there is a small rut about 6 to 8 inches wide and no more than an inch deep. It has no ordinary high water mark, and there are no wetland plants growing in the ditch. However, the Corps declared this ditch a water of the United States, costing the county thousands of dollars and numerous years.

This was never the intent of Congress when the Clean Water Act was passed. The act clearly limits Federal jurisdiction to navigable waters. In fact, the term "navigable" appears more than 80 times in the Clean Water Act. There is no way one can tell me that an inch-deep ditch is a navigable water.

Congress has a responsibility to guard against these bureaucratic power grabs by executive agencies. This is why I introduced the companion bill to this legislation immediately after the rule was finalized. My resolution gained more than 70 cosponsors, with supporters from both sides of the aisle.

Thanks to the expedited procedures established under the Congressional Review Act, after we vote on this legislation the bill will proceed immediately to the President's desk. My hope is the President will listen to the American people and roll back this new rule.

Mr. DEFAZIO. Mr. Speaker, may I ask how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Oregon has 19½ minutes remaining. The gentleman from Ohio has 16 minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

The gentleman just made an excellent point. It is absolutely unbelievably stupid and absurd that that ditch should have held up a needed project in an urban area, but that is because of the Bush rule, the rule that today we are saying should be in place indefinitely or perhaps forever.

□ 0945

That ditch is specifically exempt under the newly adopted rule, which has been suspended by litigation. If the gentleman wants to deal with the ditch problem, it has been dealt with. Unfortunately, the courts have put a stay on it. But now the gentleman wants to throw out the new rule, which would exempt ditches like that, and go back to the Bush era rule, which is what caused that problem—cause and effect.

I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I would like to say, please, Members, vote "no" on this resolution. It is a very bad idea. What is happening here, for the folks listening, is that the EPA has come up with a rule that is going to strengthen protections for drinking water for 117 million people.

Our Republican colleagues have brought forth a resolution to disapprove of the rule, leaving people vulnerable to the status quo. This comes out to about one in three Americans across the country and perhaps one in five Minnesotans in my home State.

Now, I am critically concerned about all of America—I am a U.S. Congressman—which leads me to the situation in Flint. The fact is that, by clarifying that waters are protected under the Clean Water Act, the rule would reduce the amount of pollution entering major rivers and waterways. This would mean less corrosive water, which is part of what led to the water crisis being seen in Flint, Michigan, right now.

When the highly corrosive water of the Flint River passes through Flint's service pipes, it leaches lead out of the pipes and into residents' drinking glasses, bathtubs, and swimming pools. The water crisis in Flint reminds us that failure to step up and protect our water supply puts the lives of the public in danger. Eight thousand children are now facing poisoning because of this nasty situation.

In Flint, residents were forced to pay for water that was poisoning them, by an unelected emergency manager. A mother and Flint resident, Lee Ann Walters, started bathing her children with bottled water, as she learned that her children were showing signs of lead poisoning and that the lead levels in her tap water were seven times higher than the minimum safety standard. The entire city has been exposed to dangerous lead levels, including as many as 8- to 10,000 children.

If this does not compel us to stand up and fight for clean water, I don't know

what will. We absolutely need to say “no” to this resolution that would expose us to dirty water.

Mr. GIBBS. Mr. Speaker, I just want to go back down memory lane just a second. My good friend from Oregon, when we were debating H.R. 1732, the bill that said let’s stop this rule and work up a rule that will bring clarity, he said that was a bipartisan-supported bill. But the gentleman said we didn’t need to pass H.R. 1732 because whenever the rule comes out, we have the Congressional Review Act to take care of the problem. That is what we are doing today.

I yield 1 minute to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Mr. Speaker, Congress gave the EPA jurisdiction over navigable bodies of water large enough to support ship traffic. This EPA rule takes control over virtually every body of water in the United States, including many agricultural and drainage ditches, ornamental lakes, and small creeks and streams on private property.

Now, in 2010, Mr. Oberstar introduced a bill to grant them this power, and the Pelosi Congress refused to pass it; so the EPA simply decided to seize that power anyway.

This not only threatens to upend 150 years of State water and property rights laws, it also presents us with a grave challenge to our Constitution. If it is allowed to stand, this rule means that Congress’ exclusive legislative powers have now passed unrestricted to the executive, including the power to repeal existing laws that guarantee to States supremacy over their own waters and the power to amend laws to seize vast new executive authority in direct defiance of this Congress.

This rule must not stand. It cannot stand.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank my ranking member and the chair of the committee for their diligence in running this committee and overseeing some of the most important legislation for our Nation.

The Clean Water Act is the key Federal law used to protect our Nation’s waters and ensure that millions of Americans have access to clean water. The resolution of disapproval being considered today would block the implementation of important administrative reforms aimed at clarifying key components of this Clean Water Act. These reforms include considerations on how we define tributaries to traditionally navigable waters and sets out clear exclusions to the definition of waters of the United States, among other changes that will help streamline the regulatory process.

Countless municipalities, businesses, and industry stakeholders have ex-

pressed concern around the confusing and outdated regulations established under the Bush administration. In fact, more than a million public comments submitted to EPA and the U.S. Corps of Engineers have contributed to the formulation of this final rule. The final rule would provide much-needed predictability and clarity for these groups, and that has got my attention.

In my home State of Texas, 43 percent of the residents get their drinking water from sources that rely on small streams protected by the most recent Clean Water Act and rule. The rule also restores protections to more than 12,000 miles of streams that feed into Texas’ drinking water sources. Further delaying the implementation of this rule will continue to have a dramatic impact on my State of Texas and other States around the country.

I see a number of immediate problems with this resolution. For one, S.J. Res. 22 would block any future administration from ever clarifying the regulatory confusion related to the Clean Water Act unless Congress authorizes a new rule. In my opinion, that does not bode well for our ability to protect such an essential resource as clean water for Americans.

Thankfully, President Obama has already expressed his intention to veto this resolution if it were to reach his desk. Based on a vote on this resolution in the Senate last year, Congress lacks the support to override a veto.

This resolution is simply another attempt by this Congress to block this administration from carrying out its regulatory duties to protect Americans. I do not think that there is a single Member of this House who would disagree that access to clean water is absolutely essential for our well-being and health.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. EDDIE BERNICE JOHNSON of Texas. Here we are, dedicating even more time to consider legislation that would block our ability to protect important waterways and wetlands from pollution.

Mr. Speaker, this resolution amounts to nothing more than a misguided direction. No one thinks that any American should be subjected to a questionable quality of water. For this reason, I would urge my colleagues to vote “no” on this resolution.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

I am hearing a lot of comments made about the comment period. I just want to reiterate that, of the substantial comments made, 70 percent of them were opposed to the rule.

I think what is even more important and needs to really be made clear here, the Government Accountability Office,

the GAO, did an investigation, and they said the EPA broke the law because they used covert propaganda through social media to skew the comments and biased them to their agenda.

This creates a huge problem for me because this violates the integrity, goes to the integrity of the comment period. The reason we have a comment period is for stakeholders—in this case, States, farmers, developers—and a whole array of different people to have the ability to put comments in, and it’s up to the Agency to make the best rule possible that will work for everybody and protect the environment.

The GAO said they broke the law, so we need to make that clear. The comment period was flawed, and that is why we need to pass this bill and resend it.

I yield such time as he may consume to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, we are here today because the Supreme Court in 2001 and again in 2006 determined that the EPA and the Corps of Engineers’ definition of waters of the United States was too broad, and it directed them to narrow that rule, that definition, to bring it into compliance and within the four corners of the law.

This poster here indicates the absurdity of what we are dealing with. Clearly, you wouldn’t have folks out on a kayak in a field fishing. It is simply nonsensical. That is what we are facing today.

The EPA and the Corps of Engineers didn’t come back and say, “We are going to reduce the footprint. We are going to reduce the area that is now subject to the jurisdiction of the Corps under waters of the U.S.” They came out with a rule that actually expanded it. They came out with a rule that the cost of compliance didn’t decrease, as you would expect, based upon the rulings of the Supreme Court. The cost of compliance grew, and there were many reports about discourse within the Corps of Engineers and the EPA in regard to the approach that is being taken today. This is simply absurd to come in and attempt to regulate snow melt and drainage and things like that.

Mr. Speaker, in my home State of Louisiana, we drain about 42 percent of the contiguous landmass of North America. It is one of the largest watersheds in the world. You can’t take a definition of waters of the U.S. and try and apply it to Arizona and Louisiana. Waters of the U.S. is our State, based upon this definition. Much of the area of south Louisiana would be subject to this.

So what does this mean? It means it is an infringement upon our private property rights: homes, businesses, land that we bought, that we own. We can’t have the Federal Government come in and grow jurisdiction beyond the scope of the law.

I want to be clear. I am not talking about paving all the wildlands and open lands that we have in the United States. We certainly want to protect the environment, want to protect our water quality. But the irony here is that this is the U.S. Army Corps of Engineers and the EPA involved.

In my home State of Louisiana, we have the greatest rate of coastal wetlands loss in the United States, which I want to make note, Mr. Speaker, is the fault of the U.S. Army Corps of Engineers. It is their fault. The greatest rate of wetlands loss in the United States, their fault. Then here they are standing up saying: We want to protect the environment and be good stewards of the environment, and we are going to grow the jurisdiction of this amendment.

This is absurd. This is not anti-environmental. This is simply complying with the law, and this rule clearly goes beyond the scope of the law. You are not going to see scenarios like this because it is absurd. That is what we are facing today.

What is going to happen is this rule is once again going to be thrown out by the Supreme Court. It is once again going to be thrown out. But what Americans are going to face between now and when this is thrown out is they are going to be facing additional scrutiny. They are going to be facing the additional cost of compliance. They are going to face the additional encroachment and infringement upon their private property rights.

It is wrong. This isn't anti-environmental. This is within the four corners of the law.

I strongly urge you to support this resolution.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

I would like to refer back to the chairman's trip down memory lane. If he recalls the circumstance, we had not yet seen the revised rule. The initial rule, many of us had objected to, and we hadn't seen the revised rule. The majority wanted to stop the revised rule, again, sticking us with the Bush-era guidance. I guess they are in love with the Bush-era guidance, which everybody from the Farm Bureau to Natural Resources Defense Council hates and says doesn't work. The gentleman from Louisiana just referenced that.

In the interim, we will be under these really contradictory and unworkable rules of the Bush era. Congress should act to update the Clean Water Act, and then we can have a vigorous debate over what areas we want to cover and what areas we don't want to cover and perhaps get a little more clarity.

Today we are here because they have promulgated a rule. It is substantially different from the draft rule, and they made clear that many of the things that were discussed in the interim—it is going to regulate my bird bath, my

pond on my farm, the puddles on my farm, the ditches on my farm; it is going to preempt land use—all of those things are specifically addressed in the final rule, which we want to override, and they are exempt.

□ 1000

It does not change exemptions for agriculture. It doesn't regulate erosional features.

I am not going to read all the specific language, but it is all right here. The ditch issue in the urban area we heard about earlier is solved under this, but it is still a problem today under the Bush-era rule, which is still the law of the land because the new rule was stayed by the courts. And now we want to kill it.

So we don't want to fix the ditch issue, I guess, and live forever under the Bush-era rule. It doesn't regulate land use. If it did the things the people on the other side were saying, I think you would find 85, 90 percent of the Members of this House would be voting for this resolution of disapproval. The fact is it doesn't do those things and we have very specific references to demonstrate that.

And then, on this issue of the illegal actions, again, I was getting emails and phone calls from people saying, my bird bath; my pond; my puddles; my roadside ditches. The forest industry is saying our roadside ditches.

Well, those things are all exempt now. But these things were out there, and the EPA was trying to educate people and say: Here is what is in. Here is what is out. And they find the weeniest of little, stupid violations.

This isn't like lawbreaking. They used Thunderclap to actually tell people a few things about this rule. They forgot to put on a disclaimer. Oh, someone should go to jail for that. The right-wing nuts occupying the Malheur National Wildlife Refuge and Cliven Bundy violating Federal law, owing us a million dollars and not paying for grazing like other people, they shouldn't be prosecuted. In fact, the chairman referenced those nuts earlier.

I find it offensive and insulting to say that there is some sort of protest that relates to this discussion on the floor of the House by right-wing extremists who have taken over illegally and are destroying Federal property in my State.

And then, secondly, they had another violation beyond using Thunderclap. They had a link that went to someone else's site. And on that someone else's site, they were advocating for the rule. Wow. These are lawbreakers. These are the lawbreakers we want to go after.

This administration doesn't go after any lawbreakers, from Wall Street criminals under the collapse or these right-wing extremists in the West. I discussed that earlier in a 1-minute speech on the floor.

But the point here is that we have much better clarification now. The courts are going to rule whether this is adequate or inadequate, whether Congress needs to act further, whether the rule needs to be revised.

We should let that process go forward. That would give us some direction because we don't seem to be able to initiate on our own a reauthorization of the Clean Water Act and have a fair debate over what we want to cover and not cover. But the default action—repealing this rule, doing nothing—binds us to the Bush-era rule indefinitely.

Mr. Speaker, I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

Once again, Mr. Speaker, I want to make it clear. It was the Government Accountability Office investigation that said the EPA broke the law. Regardless of how you interpret what they said, they broke the law. I think that goes to the integrity of the whole rulemaking process, that that is a dangerous precedent, moving forward.

We had the talk about this rule brings clarity. Yes, it does bring clarity because it pretty much makes everything under water all under Federal jurisdiction. It is like going from the frying pan into the fire.

That is why the American Farm Bureau and a whole host of other entities and almost two-thirds or three-quarters of the States have sued or are opposed to that.

So we need clarity. That is why Congress needs to commit to work to fix that. But this rule, going forward, is more obtrusive and is a big problem. Like I said, it does mean that everything is under Federal jurisdiction.

There has been a lot of discussion about ditches. They exempted ditches, but they put five exemptions to put it back in. One I really like says that, if water in a ditch eventually flows out of that ditch and into a tributary—which they expanded the definition of tributaries into navigable waters—it is not exempt.

So tell me where in the United States there is a ditch that has water that doesn't eventually flow into waters of the United States.

Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of S.J. Res. 22, which vacates this overreaching and, frankly, unnecessary waters of the U.S. rule. It prevents the EPA and the Corps of Engineers from moving forward.

I think the problem that has made itself real prevalent—and the chairman just talked about this as well—is it is not what is on the top line. It is what is on the exemption line.

You can talk about whatever you want to talk about, but the problem I come to with this—because we have been dealing with this in my part of the world—and I appreciate the previous speaker from Louisiana talking about the watershed there—is that I am from northeast Georgia, where we are in the foothills of the mountains.

So, in the bottom, you have the creeks, the tributaries. We have Lake Lanier, the Chattahoochee River, Lake Hartwell. We have a lot of areas that fall here.

What is interesting to me—and what my friend from across the aisle basically said—and what is offensive to me is to come to a place and say that, just because we are going to work on a Clean Water Act, we are going to work on a reauthorization, we take it from Congress and say that people downtown in cubicles who do not know my district and who understand that they have an agenda to push will make rules and make regulations that affect the livelihood of people.

When you take it from Congress, where it should be, that is offensive. I agree with my friend. It should be here. But we have seen a pattern in the last 7 years that, if it is not moving fast enough in Congress, go around it. That is not possible. The Constitution is not something you can forget every once in a while.

Now, you can make arguments all day long. You can call it whatever you want to call it. I call it just plain dumb. Common sense, as my grandma told me one time, is not common. I see that in Washington all the time, especially in agencies.

We talk about why this is confusing. We had the EPA director sitting in committee last year asked these very questions about the rule. She answered them one way, and at the very same time, back in my district, the Ninth District of Georgia, they were being told a completely opposite answer.

Where she would say it is not affected, they would say: Oh, it is affected. They knew because they understood their district, and the Agency workers in the district understood what was going on.

So you can have this argument all you want. This needs to be vacated. As previously said, the courts have already made a statement on this. This is an overreach. This is a policy choice.

And I am sorry. The executive branch is to carry out the law, to work within the confines of the court ruling, not to determine that they have pins on their chests and that they are elected by the people that they represent. They are to follow the law.

If we need to continue on the Clean Water Act and to make arguments to say that, if you are against this, you want dirty water, you want bad pollution, you are against this, that is just a straw man that needs to be burned down and buried.

We are looking for commonsense regulation. We are looking for stuff that makes sense. I have a gentleman in my area whose land—100 acres—is his main asset. When you take these rules and set them on top of it and he has 18 usable acres, from dry ditches and gullies, that is a problem.

Don't hand me this, that this is going to destroy the world. Don't hand me this from the red hills of north Georgia, where just years ago it was the farmers and those who knew that living off the land meant conservation, who turned those red clay hills into green, lush farms. Don't tell me that Washington needs to be the one to tell them how to do conservation and to know what to do with a dry ditch on their land. This is ridiculous.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

It would be interesting if the gentleman invited the EPA to come out and look at that farmer's land. I think they would find that he is exempt and he isn't down to 18 acres. There are misunderstandings.

And, also, the gentleman did say something about the courts have already ruled. The courts haven't ruled. That is the problem. It is going to be 2 years before they get to the merits on this rule. And so they essentially have stayed the new rule from going into effect. So we don't have ditch exemptions.

It would be interesting to contrast the existing Bush rules—which will be in place for at least another 2 years—to the new rules and have someone come out and consult with that farmer and say: Actually, you are kind of screwed here because of the Bush rules. But if we had these new rules, we could just tell you to go ahead and farm on those 100 acres. On previously converted cropland, ditches are exempt. You have the agricultural exemptions. But sorry, you are stuck with something written in the Bush era.

That is the effect of Congress not acting. And I would agree with the gentleman. The fact is we should act and we could act. The gentleman has jurisdiction over the committee which could reauthorize the Clean Water Act.

It has not been reauthorized since 1987, which is why we are squabbling over administration interpretation of the Bush administration—I hate to have to be talking about George Bush—and the Obama administration as opposed to Congress having at some point done its job to reauthorize and clarify the Clean Water Act in those intervening 28 years.

I am not aware of any plans. The chairman has told me the agenda for the coming year, but rewriting the Clean Water Act and debating the merits and demerits of certain protections is not on that agenda, to the best of my knowledge.

So the effects of what the courts have done is to stick us with the Bush-

era rules for 2 more years, and the effect of what we are doing here would actually stick us with the Bush-era rules indefinitely. Pick your poison.

The bottom line is we are doing a disservice to the country by not getting these commonsense exemptions in place as soon as possible.

I have a number of letters from groups too numerous to reference that I will include in the RECORD. Being co-chair of the House Craft Brewers Caucus, there is a very strong representation by the craft brewing industry because of their concerns about the need for clean water to make good beer.

AMERICAN SUSTAINABLE
BUSINESS COUNCIL,

Washington, DC, January 11, 2016.

DEAR REPRESENTATIVE: On behalf of the 250,000 businesses, and more than 325,000 entrepreneurs, executives, managers and investors we represent, the American Sustainable Business Council (ASBC) urges you to vote against the Congressional Review Act (S.J. Res. 22) overturning the EPA's Clean Water Rule.

Clean water is good for business, and companies like the ones we represent know it. They need it for their operations and for the overall health of their communities. Repealing this rule would not protect economic growth; it would put it at risk.

The EPA's rule comes out of a broad desire among all stakeholders, following the Supreme Court's rulings in 2001 and 2006, to clarify what the EPA's jurisdiction is under the Clean Water Act. This ruling is based on sound science, and does not expand the agency's power under the Clean Water Act, only clarifying of what bodies of water it protects.

Of greatest concern to us, however, is the argument that this rule will jeopardize economic growth. From our experience, the real risk to our economy comes when clean water protections no longer exist, and businesses lose control over a crucial input in food and beverage production, tourism, manufacturing, and any number of industries.

The EPA's rule gives the business community more confidence that clean water sources, including streams and rivers, are protected, and removes uncertainty surrounding the agency's authority to protect our waterways. This is good for the economy, and vital for businesses that rely on clean water for their success.

The business community was given ample opportunity to share its concerns and inform the EPA of the rule's potential impact during the months-long comment period—as evidenced by the more than 1 million comments submitted during that time—and the EPA had abundant time to take any concerns into account and use them to improve the rule.

Clean water remains a necessity for so many American industries, from agriculture to manufacturing to tourism to food and drink production. And it's what businesses across the political spectrum want—national, scientific polling from the American Sustainable Business Council found 80% of small business owners favored rules protecting upstream headwaters, as the EPA's rule would do, and 71% said that clean water protections are necessary to ensure economic growth.

Congress needs to let this rule stand, not create more uncertainty for American businesses. We urge you to vote against Congressional Review Act (S.J. Res. 22). American

businesses are relying on you to keep this rule intact and ensure they can rely on this most crucial resource.

Sincerely,

RICHARD EIDLIN,
Vice President of Policy and Campaigns.

JANUARY 11, 2016.

Re Hunters and anglers strongly oppose S.J. Res. 22 invalidating the final Clean Water Rule

DEAR REPRESENTATIVE: The undersigned sportsmen and conservation organizations strongly oppose Senate Joint Resolution 22, which the House of Representatives may vote on this week and would invalidate the final Clean Water Rule. This important rule clarifies Clean Water Act jurisdiction in a manner that is both legally and scientifically sound.

This joint resolution is an extraordinary and radical action to overturn a fundamental, once-in-a-generation final rule that is critical to the effective implementation of the 1972 Clean Water Act, and that was adopted following an exhaustive public rule-making process. The resolution would overturn a rule that finally resolves longstanding confusion and debate, promotes clarity and efficiency for regulatory programs promoting river health, and preserves longstanding protections for farmers, ranchers, and foresters.

By using the Congressional Review Act, this joint resolution not only wipes out the final Clean Water Rule but also prohibits any substantially similar rule in the future. It locks in the current state of jurisdictional confusion and offers no constructive path forward for regulatory clarity or clean water. America's hunters and anglers cannot afford to have Congress undermine effective Clean Water Act safeguards, leaving communities and valuable fish and wildlife habitat at risk indefinitely.

This joint resolution dismisses the voices of the millions of Americans, including businesses that depend on clean water, who support the new rule and are eager to reap its benefits. The agencies engaged in a very transparent and thorough multi-year rule-making process that included over 400 stakeholder meetings and an extended public comment period that produced over one million comments. Nearly 900,000 members of the public commented in support of the Clean Water Rule. A recent poll found that 83 percent of sportsmen and women think the Clean Water Act should apply to smaller streams and wetlands, as the new rule directs.

The Clean Water Rule clearly restores longstanding protections for millions of wetlands and headwater streams that contribute to the drinking water of 1 in 3 Americans, protect communities from flooding, and provide essential fish and wildlife habitat that supports a robust outdoor recreation economy. The sport fishing industry alone accounts for 828,000 jobs, nearly \$50 billion annually in retail sales, and an economic impact of about \$115 billion every year that relies on access to clean water. The Clean Water Rule will translate directly to an improved bottom line for America's outdoor industry.

Opponents claiming the rule goes too far and protects water too much have filed a barrage of nearly identical legal challenges in numerous district and appellate courts across the country. On October 9, 2015, the 6th Circuit Court of Appeals temporarily stayed the Clean Water Rule nationwide. The Clean Water Rule and those who oppose it will have their day in court.

Meanwhile, we want Congress to know that despite these legal challenges, conservationists across the nation are steadfast in our support for the Clean Water Rule. After nearly 15 years of Clean Water Act confusion, further delay is unacceptable to the millions of hunters and anglers eager to have their local waters fully protected again. We are confident that, when the dust settles in the courts, the Clean Water Rule will withstand challenges saying it protects our water too much.

The Clean Water Act has always been about restoring and maintaining the chemical, physical, and biological integrity of the Nation's waters. It is bedrock support for America's more than 40 million hunters and anglers and for the 117 million Americans whose drinking water depends on healthy headwater streams.

We thank all of the members of Congress who stand with America's sportsmen and women to block attempts to derail the rule, and ask you to reject S.J. Res. 22 and any other legislative action against the rule that may follow this year.

Sincerely,

American Fisheries Society, American Fly Fishing Trade Association, Backcountry Hunters and Anglers, International Federation of Fly Fishers, Izaak Walton League of America, National Wildlife Federation, Theodore Roosevelt Conservation Partnership, Trout Unlimited.

LEAGUE OF CONSERVATION VOTERS,

Washington, DC, January 12, 2016.

Re Oppose extreme attack on clean water, S.J. Res. 22

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on S.J. Res. 22, the Congressional Review Act "Resolution of Disapproval" of the Clean Water Rule. This radical legislative measure would threaten critical clean water safeguards for the waterways that millions of Americans depend on for drinking water by permanently blocking the Environmental Protection Agency's and U.S. Army Corps of Engineers' final Clean Water Rule.

Since two confusing Supreme Court decisions over a decade ago, millions of acres of wetlands and thousands of miles of streams that contribute to the drinking water of one in three Americans have been left vulnerable to toxic dumping and destruction. After an extensive and thorough process, the final Clean Water Rule provides clarity and certainty on the waters covered under the Clean Water Act. These waterways serve as habitat for wildlife, guard against flooding, filter pollution, and help provide the clean water that our families, communities, and economy depend on. The Clean Water Rule enjoys wide support from businesses, conservationists, sportsmen, farmers, state and local leaders, and the public, including the over 800,000 people who weighed in during the comment period and 80% of voters from all sides of the political aisle.

S.J. Res. 22 is an extreme dirty water resolution that would not only stop the Clean Water Rule, but would prohibit the agencies from developing any "substantially similar"

measure in the future. This vague and harmful language could prevent the agencies from ever issuing rules that establish protections for the waters covered by the Clean Water Rule, leaving our streams, wetlands, lakes, and rivers vulnerable to pollution for generations to come.

We urge you to REJECT S.J. Res. 22 a dangerous bill that would block the Clean Water Rule and jeopardize the waterways our children and grandchildren drink, swim, and play in. We will strongly consider including votes on this bill in the 2016 Scorecard. If you need more information, please call my office at (202) 785-8683 and ask to speak with a member of our government relations team.

Sincerely,

GENE KARPINSKI,
President.

HEALING OUR WATERS-
GREAT LAKES COALITION,

January 11, 2016.

DEAR REPRESENTATIVE: On behalf of the Healing Our Waters-Great Lakes Coalition, I ask you to vote against S.J. Res. 22.

The U.S. Environmental Protection Agency and Army Corps have spent years talking to the public, including state and local governments, about providing clarity to which water bodies will be covered by federal law. After being asked to propose a rule by stakeholders from all sides, the EPA and Army Corps did so after receiving nearly one million comments regarding what they proposed. Many of these comments suggested substantive changes on how to define what a water of the United States is. The EPA and Army Corps incorporated many of the suggestions in the rule finalized last year.

S.J. Res. 22 stops these clean water protections from going into force. More radically, it prohibits the EPA and Army Corps from proposing anything that would be substantially the same as what has already been developed after years of deliberation.

For years the Clean Water Act protected all wetlands and tributaries in and around the Great Lakes. However, Supreme Court decisions in 2001 (SWANCC) and 2006 (Rapanos) left many of these wetlands, small streams, and lakes at increased risk of being polluted and destroyed. This lack of protection in particular left intermittent and headwater streams vulnerable to pollution and adjacent wetlands open to be filled and destroyed. Half of the streams in Great Lakes states do not flow all year, putting them, and adjacent wetlands, at risk of increased pollution and destruction. Over 117 million Americans get their drinking water from surface waters, including nearly 37 million people in Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, and New York. More importantly, 83 percent of the population in Great Lakes states are dependent on public drinking water systems that rely in intermittent, ephemeral, and headwater streams.

Protecting and restoring wetlands and streams is critical to the restoration and protection of the Great Lakes. According to a review of more than a thousand publications from peer-reviewed scientific literature conducted by an EPA Science Advisory Board, streams, tributaries (e.g., headwater, intermittent, ephemeral), and wetlands are connected to downstream waters. The science overwhelmingly concludes that upstream waters in tributaries (intermittent, ephemeral, etc.) exert strong influence on the physical, biological, and chemical integrity of downstream waters. Common sense

also tells us this is true. Pollution in a tributary is carried downriver into bigger and bigger waterways. Upstream waters also feed water to Great Lakes rivers and streams.

We need clean water protections now for our Great Lakes. Wetlands and tributaries provide vital habitat to wildlife, waterfowl, and fish; reduce flooding; provide clean water for hunting, fishing, swimming, and paddling; and serve as the source of drinking water for millions of Americans. Healthy waters around the Great Lakes also fuel tourism and other industries that sustain jobs because of clean Great Lakes water. The Clean Water Rule is an important part of our Great Lakes restoration efforts.

Please vote against S.J. Res. 22. For more information about our Coalition's position, please contact Chad Lord.

Sincerely,

TODD AMBS,
Coalition Director.

STATEMENT OPPOSING SENATE JOINT RESOLUTION 22 TO ROLL-BACK THE CLEAN WATER RULE, JANUARY 12, 2016.

Allagash Brewing Company (Maine), Andersonville Brewing Company (Illinois), Arbor Brewing Company (Michigan), Arcadia Brewing Company (Michigan), Bear Republic Brewing Company (California), Brewery Vivant (Michigan), Brooklyn Brewery (New York), Central Waters Brewing Company (Wisconsin), Corridor Brewery & Provisions (Illinois), DryHop Brewers (Illinois), Engrained Brewing Company (Illinois), Founders Brewing Company (Michigan), Great Lakes Brewing Company (Ohio), Greenstar Brewery (Illinois), Half Acre Beer Company (Illinois), Harmony Brewing Company (Michigan), Hops & Grain Brewing Company (Texas), Horse and Dragon Brewing Company (Colorado), KelSo Beer Company (New York), Lagunitas Brewing Company (California and Illinois), Lakefront Brewery (Wisconsin), Maine Beer Company (Maine), New Belgium Brewing Company (Colorado and North Carolina), Oak Park Brewing Company (Illinois), Odell Brewing Company (Colorado), Old Bust Head Brewery (Virginia), Portsmouth Brewery (New Hampshire), Revolution Brewing (Illinois), Right Brain Brewery (Michigan), Rising Tide Brewing Company (Maine), Sierra Nevada Brewing Company (California and North Carolina), Short's Brewing Company (Michigan), Smuttynose Brewing Company (New Hampshire), Temperance Beer Company (Illinois), Two Brothers Artisan Brewing (Illinois), Wild Onion Brewery (Illinois).

Our breweries cannot operate without a reliable, clean water supply. We strongly support the Clean Water Act, one of our nation's bedrock environmental laws, as well as the Clean Water Rule, which provides important clarity regarding which waterbodies are covered by the Act.

That is why we urge you to oppose Senate Joint Resolution 22, that would prohibit the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers from doing "a new rule that is substantially the same" as the Clean Water Rule. That could be read to prohibit EPA and the Army Corps from issuing any rule that establishes protections for waters that the Clean Water Rule protects, like lakes, streams, and wetlands.

Our breweries—and the communities in which we operate—need a strong Clean Water Act, as well as the clarity provided by the Clean Water Rule.

For more information, please see www.nrdc.org/brewers or call Karen Hobbs,

Senior Policy Analyst, Natural Resources Defense Council.

JANUARY 12, 2016.

REPRESENTATIVE: The undersigned organizations, and our millions of members and supporters, oppose the Dirty Water Resolution (S.J. Res. 22). The "Resolution of Disapproval" under the Congressional Review Act attacks the Clean Water Rule, the Obama administration's landmark initiative to restore safeguards against pollution and destruction for lakes, streams, wetlands and other water bodies.

The Clean Water Rule restores important safeguards that once existed for a variety of water bodies. Those safeguards were eroded after a pair of Supreme Court decisions and by policies the Bush administration adopted, which left many water bodies inadequately protected or lacking the pollution control requirements of the Clean Water Act. The rule restores prior protections for many critical wetlands, which curb flooding, filter pollution, and provide habitat for a wide variety of wildlife, including endangered species and wildfowl and fish prized by hunters and anglers.

The Dirty Water Resolution is an extreme action that seeks to kill the Clean Water Rule using the Congressional Review Act, which goes far beyond stopping a disapproved administrative action. The Congressional Review Act says that an agency may not adopt "a new rule that is substantially the same" as the disapproved rule, and the breadth of that requirement is very unclear.

In the context of the Clean Water Rule, it could be read to prohibit EPA and the Army Corps from issuing any rule that establishes protections for waters that the Clean Water Rule covers, like lakes, streams, and wetlands. The Dirty Water Resolution radically undermines the agencies' ability to clarify the jurisdiction of the Clean Water Act—despite urging from industry associations, conservation groups, members of Congress, state and local leaders, and Supreme Court justices for such a clarification.

By pursuing this anti-clean water resolution, pro-polluter members of the House of Representatives are seeking to kill a commonsense and modest rule containing scientifically-sound and legally-valid protections for the nation's waters, including critical drinking water supplies.

Restored clean water protections enjoy broad support. In polling for the American Sustainable Business Council, eighty percent of small business owners—including 91% of Democrats, 73% of Independents and 78% of Republicans—said they supported the then-proposed Clean Water Rule. A strong majority, 71%, also said that clean water protections are necessary to ensure economic growth; only six percent said they were bad for growth. Similarly, a bipartisan research team polled hunters and anglers nationwide and discovered that 83% surveyed thought that the Environmental Protection Agency should apply the rules and standards of the Clean Water Act to smaller, headwater streams and wetlands. Support for this policy was strong across the political spectrum, with 77% of Republicans, 79% of Independents and 97% of Democrats in favor.

We ask that you oppose the Dirty Water Resolution (S.J. Res. 22) because it will undermine protections for our drinking water supplies, flood buffers, and fish and wildlife habitat. This attack on clean water is not only a waste of the House's time but also an

excessive and dangerous act that jeopardizes clean water for generations to come.

Sincerely,

Alliance for the Great Lakes, American Rivers, American Whitewater, Amigos Bravos, Arkansas Public Policy Panel, BlueGreen Alliance, Central Minnesota Chapter of Audubon, Clean Water Action, Conservation Minnesota, Earthjustice, Endangered Habitats League, Environment America.

Environment California, Environment Colorado, Environment Connecticut, Environment Florida, Environment Georgia, Environment Illinois, Environment Iowa, Environment Maine, Environment Maryland, Environment Massachusetts, Environment Michigan, Environment Minnesota, Environment Montana.

Environment New Hampshire, Environment New Jersey, Environment New Mexico, Environment New York, Environment North Carolina, Environment Oregon, Environment Texas, Environment Virginia, Environment Washington, Freshwater Future, Friends of the Cloquet Valley State Park, Friends of the Mississippi River.

Great Lakes Committee—the Izaak Walton League, GreenLatinos, Greenpeace, Gulf Restoration Network, Hoosier Environmental Council, Iowa Environmental Council, Kentucky Waterways Alliance, League of Conservation Voters, Michigan Wildlife Conservancy, Midwest Environmental Advocates, Minnesota Center for Environmental Advocacy, Minnesota Conservation Federation, Minnesota Environmental Partnership, Missouri Coalition for the Environment.

Natural Resources Defense Council, Nature Abounds, Ohio Wetlands Association, PennEnvironment, Prairie Rivers Network, Religious Coalition for the Great Lakes, River Network, Save the Dunes, Shaker Lakes Garden Club, Sierra Club, Southern Environmental Law Center, Surfrider Foundation, Tennessee Clean Water Network, Wisconsin Environment, Wisconsin Wildlife Federation.

JANUARY 11, 2016.

Hon. PAUL RYAN,
Speaker of the House,
U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
U.S. Capitol, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: The undersigned public health organizations urge you to oppose a piece of harmful legislation: S.J. Res. 22, a Congressional Review Act resolution to block the Clean Water Rule proposed by the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers. This resolution is a sweeping attack on the Clean Water Act that could not only impair the Clean Water Rule, but also our ability to protect clean water in the future. The public health community recognizes that clean water and healthy populations are inextricably linked and that polluted water can expose Americans to harmful contaminants in numerous ways. The public depends on water not only for basic survival, but for recreation, bathing, cleaning and cooking. The EPA and Army Corps should be allowed to implement a rule that will improve water quality and protect the health of America's families and children.

The Clean Water Act was designed to keep pollution, including carcinogens, nutrient runoff, sewage and oil, out of the nation's water. The EPA and Army Corp's rule seeks to clarify the protection of streams and wetlands under the Clean Water Act, including

streams that provide some portion of water to drinking water systems that serve nearly 117 million people. The rule, which is based on peer reviewed science, clarifies which waters are protected and which are not, allowing EPA and the Army Corps to best protect water quality and public health. Unfortunately, this bill would block their efforts and prevent them from implementing the law and ensuring the protection of water quality for millions of Americans.

Clean water is one of our greatest necessities and a cornerstone of public health. EPA and the Army Corps should be allowed to better protect public health from water pollution through this important science-based rule.

Sincerely,

American Public Health Association, Physicians for Social Responsibility, Trust for America's Health.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I rise in support of this measure really for three reasons. One, I come from the Lowcountry of South Carolina. The First Congressional District is called the Lowcountry. It is called so for a reason, which is our land lies low.

I think of the farm I grew up on. My father got it about the time I was born. The reality of this measure, if these rules promulgated by the administration simply move forward, as has been referenced by several different speakers, that which he thought he got, he would have gotten a lot less of.

I think that, fundamentally, this is about private property rights. It is about what Philip Howard talked about years ago in his book "The Death of Common Sense." I don't think it makes common sense to classify as navigable waters of the U.S. so many of these dry streambeds or dry areas in any part of this country.

I also think that this is fundamentally about the rule of law. We have a real tension in this country, particularly during the time of this administration, on: Do we stick with this 200-year tradition we have had in place or do we move toward rule by edict?

I think it would be a huge mistake to go down the other avenue. But, fundamentally, that is what this debate is about. It is about how do we decide things? There will always be disagreement. But how do we decide things?

Finally, I think this is about taking something that wasn't partisan. I go back to the Clean Water Act, in its origination, was a bipartisan bill, but making it partisan by, again, executive overreach.

So my colleague from Oregon, who is a dear friend and I think a strong advocate, mentioned the fact that he has strongly advocated for craft brewers back home. It would take me many beers to buy into the notion of moving forward without change.

I think this is about upholding a 200-year tradition in this country on rule

of law. I think it is about protecting farmers, whether they be in Johns Island, South Carolina, or the outskirts of Texas, or, for that matter, it is about those of us who love the environment, but sticking with this tradition of deciding these things in this Chamber.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), the chairman of the Agriculture Committee.

Mr. CONAWAY. Mr. Speaker, I rise today in strong support of S.J. Res. 22, a resolution to disapprove the waters of the U.S. rule, a rule that amounts to a massive overreach by the Obama administration's EPA.

This rule and the process in which the EPA developed it ignored stakeholders, ignored States, and, as reports have shown, even ignored concerns from the Army Corps of Engineers, the Federal agency that was supposed to be co-developing the rule.

□ 1015

Through hearings, letters, and public forums, we repeatedly asked the administration to simply start over with a process that works with stakeholders to achieve the goals of the Clean Water Act, rather than act like a schoolyard bully. We all want clean water, and we can and should work together to achieve it.

Unfortunately, all of these requests fell on deaf ears, and the administration, in what has become an all-too-common pattern, moved forward to ram this bill through with little regard to the comments or the concerns of Americans.

The final rule ignores the spirit and the intent of the law in that EPA has claimed Federal jurisdiction over essentially any body of water, such as a farm pond, or even a ditch that is dry most of the year.

America's farmers and ranchers deserve a government that will review and consider their thoughts, not a government that refuses to engage stakeholders and hands down orders from on high.

The process of developing the rule was flawed from the get-go, and the final product was right on par with an administration that wants to impose its authoritarian will on every inch of this great land.

That is why the House voted overwhelmingly in favor of H.R. 1732, the Regulatory Integrity Protection Act of 2015. That is why I stand before you today to ask my colleagues to support S.J. Res. 22. Americans deserve better.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Again, we want to expedite this, but just really, I mean, we should deal with reality on the floor.

Rule text 230.3(S)(2)(iv)(B): "The following are not 'waters of the United

States' . . ."—to go to this—"artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds . . ."

There had been language in the original rule which said that they would have to be used exclusively for farm purposes. This rule said they can be used for farm purposes or any other beneficial purposes. So ponds are not regulated.

How many times do we have to say it?

There are questions and interpretations and problems and, again, Congress should act. Congress should have hearings and write legislation to reauthorize the Clean Water Act for the first time in 28 years. Otherwise, we are going to be waiting 2 years for the courts to make a decision and, in the interim, we are stuck with the Bush rule.

I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SMITH), chairman of the Committee on Science, Space, and Technology.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Ohio for yielding me time, and I support S.J. Res. 22, which rejects the Environmental Protection Agency's waters of the United States rule.

This rule is just another one of EPA's many attempts to expand its jurisdiction and increase its power to regulate American waterways, even if that means invading Americans' own backyards.

The Science, Space, and Technology Committee's oversight hearings revealed that the EPA made arbitrary decisions in writing this rule and justified it with phony science. And the Government Accountability Office found that the EPA's use of social media to promote the rule actually violated the law.

The Obama administration will do anything and say anything to impose its liberal agenda on the American people. I urge my colleagues to support S.J. Res. 22 and disapprove the waters of the United States rule.

Mr. GIBBS. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 2 minutes remaining.

Mr. GIBBS. I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Well, I think this is the fifth time we have debated this issue on the floor, clearly, subject to widely disparate interpretation in terms of where we are and how we best move forward.

I am not going to regurgitate the arguments. They have all been made. Not everybody has said it, but they have all been made.

But, again, I think that the best way forward—I mean, first off, this resolution is going to be vetoed. It will go

back to the Senate first because it is a Senate bill, and the Senate showed clearly that they are far, far short of a veto override. So that will be the end of it, unless we want to take it up for the sixth time in the House and pretend that somehow, by overriding a veto in the House, if that could happen, that we are going to compel the Senate to re-re-reconsider its failure to override the veto.

Hopefully we won't go through that charade. We don't have very many legislative days this year. I think that time would be better spent, perhaps, on initiating hearings and looking toward, in the next Congress, Congress exerting its constitutional authority to revisit the Clean Water Act, which hasn't been revisited in 27 years.

We have learned a lot about waters of the United States in the last 27 years, what needs to be protected and what can be exempted. We have certainly learned a lot since the Bush era when a rule was written that indiscriminately covers ditches, and other features of farms and roadwork. That was a mistake.

So we could, I believe, probably, like we did with the WRRDA bill in the last Congress, or the surface transportation bill in this Congress, have a pretty vigorous debate, but come up with a decent way forward, because nobody disagrees over the need for clean water in this country. It is a precious, precious commodity.

I yield back the balance of my time.

Mr. GIBBS. Mr. Speaker, we have had a lot of good discussion and debate today, and it is clear that we need to have clarity and certainty for all the stakeholders, while we protect the environment at the same time.

We tried to do that with H.R. 1732, which passed with bipartisan support here, and, obviously, it wasn't taken up in the Senate. So we are here with this Congressional Review Act.

I would like to talk about, if this rule goes through, what happens. Really, what happens is it greatly expands the power of the bureaucracy, and it gives them a lot of open, free discretion to make decisions on a case-by-case basis.

But it is going to do something else. It is going to require farmers, States, local governments, developers, homeowners to get permits from the Federal Government to do pretty much anything, because they are under Federal jurisdiction.

It also opens them up to citizens' lawsuits, frivolous lawsuits, but they will defend themselves because when the Clean Water Act was passed, it was passed with tough penalties to go after the polluters that we had back in the sixties and the seventies, and we have addressed a lot of that. So it is going to add costs, unnecessary costs.

And I would argue, and nobody has mentioned this, but I would argue that this rule can make us go backwards in

the improvements we have made in this country on water quality and protecting the environment. The reason we can go backwards is because most people want to do the right thing. Most people want to protect the water. Farmers, I am a farmer, I want to protect it because I am one of the first ones to drink it. So we want to protect that.

But when you add up so much red tape and bureaucracy and costs, they are not necessarily going to do what they might have done otherwise. They will just do what they have to do to get by. They won't put in buffer strips. They won't do grass waterways. They won't do things to protect the environment because they have got to get a permit to do everything. And they will just say: No, this is just ridiculous, the bureaucrats are going to come out here and hassle me. And they are just not going to do it.

So that is what this rule does. It actually has the potential to hurt the environment, and we need to protect the environment.

So we need to rescind this rule, revoke this rule, go back to the table, the drawing board, and instruct our agencies to come up with a common-sense rule, go through the process correctly, don't break the law when they do it, and talk to the States.

You know, it is incredible. As soon as they filed the new rule in the Federal Register, 20-some States immediately, almost 30 States immediately, within 24 hours, filed a lawsuit. That ought to be a red flag that there is a problem.

So I urge my colleagues to support this resolution. Let's go back to the drawing board and start over.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to S.J. Res. 22, a bill providing for Congressional disapproval of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to a "Clean Water Rule: Definition of Waters of the United States."

Today, the House is debating S.J. Res. 22, a resolution under the Congressional Review Act (CRA) to disapprove the Administration's Clean Water Act Rule issued in June 2015.

The CRA is a blunt instrument and the resolution would not only strike the rule in its entirety—throwing out decades of work and reigniting confusion and uncertainty among industry and conservation communities—it would block future administrations from ever resolving the confusion surrounding the Clean Water Act's definition of "waters of the United States."

This joint resolution is an extraordinary and radical action to overturn a fundamental, once-in-a-generation final rule that is critical to the effective implementation of the 1972 Clean Water Act, and that was adopted following an exhaustive public rulemaking process.

This joint resolution would overturn this rule that finally resolves longstanding confusion and debate, promotes clarity and efficiency for regulatory programs promoting river health,

and preserves longstanding protections for farmers, ranchers, and forester.

America's hunters and anglers cannot afford to have Congress undermine effective Clean Water Act safeguards, leaving communities and valuable fish and wildlife habitat at risk indefinitely.

Along the Texas Gulf Coast where Houston is located we have worked long and hard to protect essential habitats for fish, crabs and bird estuaries.

This joint resolution dismisses out of hand the voices of the millions of Americans, including businesses that depend on clean water, who support the new rule and are eager to reap its benefits.

The President has communicated that this bill will be vetoed if passed in its current form.

The "Resolution of Disapproval" under the Congressional Review Act attacks the Clean Water Rule, the Obama Administration's landmark initiative to restore safeguards against pollution and destruction for lakes, streams, wetlands and other water bodies.

The Clean Water Rule restores important safeguards that once existed for a variety of water bodies that are the breeding grounds for fish.

The rule restores prior protections for many critical wetlands, which curb flooding, filter pollution, and provide habitat for a wide variety of wildlife, including endangered species and wildfowl and fish prized by hunters and anglers.

We must reject this attempt to inject Congress into a regulatory process that is best managed by the agency experts who are well versed in the process and the objectives.

Although this issue of the children of Flint haven been poisoned by lead contamination of drinking water it is relevant to the broader debate on clean water and what we must remain focused upon.

The Clean Water Act (CWA) is the primary federal law in the United States governing water pollution.

It is credited for restoring clean water levels in the United States that were contaminated by chemicals and pollutants being dumped into fresh water sources.

The law maintains the chemical, physical, and biological integrity of the nation's waters by preventing point and nonpoint pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands.

It is one of the United States' first and most influential modern environmental laws.

The disapproval resolution would undo years of work by this and previous Administrations to clarify which waterways are covered by the Clean Water Act, reducing costly confusion and permitting delays and restoring protections for streams and wetlands across the country.

The confusion surrounding which waterways are covered by the Clean Water Act protections originates from two Supreme Court decisions (2001 and 2006) which called into question whether the Act protects isolated, intrastate, non-navigable waters and waters and tributaries in the upper portions of a watershed.

Subsequent interpretive guidance by the Bush Administration has led to an inconsistent, patchwork system frustrating the regulated community and general public concerned with health and safety of our waterways.

In April 2014, in response to requests from regulated industry and the conservation communities, the Obama Administration published a proposed rule, replacing the Bush Administration-era guidance documents, to reduce regulatory uncertainty and establish a clear process for asserting Clean Water Act jurisdiction over waters. The EPA held more than 400 public meetings and listened to a significant amount of public comment on the proposed rule. The final rule was issued on June 29, 2015.

In October 2015, the U.S. Court of Appeals for the Sixth Circuit stayed the Clean Water Act Rule nationwide. Accordingly, the rule is tied up in Federal and state courts and, therefore, is not in effect.

House Committee on Transportation and Infrastructure Ranking Member PETER DEFazio opposes this damaging disapproval resolution and is urging Members to vote NO.

The White House has threatened to veto this disapproval resolution if it reaches the President's desk: The Administration strongly opposes S.J. Res. 22, which would nullify a specified Environmental Protection Agency (EPA) and the Department of the Army (Army) final rule clarifying the jurisdictional boundaries of the Clean Water Act (CWA). The agencies' rulemaking, grounded in science and the law, is essential to ensure clean water for future generations, and is responsive to calls for rulemaking from the Congress, industry, and community stakeholders as well as decisions of the U.S. Supreme Court.

If enacted, S.J. Res. 22 would nullify years of work and deny businesses and communities the regulatory certainty needed to invest in projects that rely on clean water. S.J. Res. 22 is not an act of good governance. If the President were presented with S.J. Res. 22, his senior advisors would recommend that he veto the bill.

There is broad opposition to this disapproval resolution from the conservation, consumer, science, and recreational sports communities including: Clean Water Action, Earthjustice, Greenpeace, League of Conservation Voters, Natural Resources Defense Council, Sierra Club, Southern Environmental Law Center, Consortium of Aquatic Science Societies, American Fly Fishing Trade Association, International Federation of Fly Fishers, Backcountry Hunters & Anglers, The Izaak Walton League, National Wildlife Federation, Theodore Roosevelt Conservation Partnership, and Trout Unlimited.

I ask my colleagues to join me in opposing this bill.

Mr. BLUM. Mr. Speaker, I rise today in support of the Senate resolution S.J. Res. 22, introduced by my good friend and colleague from Iowa, Senator ERNST, to express my disapproval of the Environmental Protection Agency power grab through an expansive definition of the Waters of the United States (WOTUS).

The WOTUS rule gives more control to federal agencies, like the EPA and the Army Corps of Engineers, while stripping authority

from those who know our natural resources best such as farmers, ranchers, and state regulatory authorities. This is in direct contradiction of state laws, Supreme Court rulings, and existing compact agreements and has potentially devastating consequences on our economy, our farmers, and the small businesses that create jobs in the First District of Iowa.

I know the farmers and small businesses in my district do not want the heavy hand of Washington micromanaging their lands—especially without input from the state of Iowa. President Obama and the EPA must realize increasing regulatory burdens and compliance costs will fail to improve the water quality while only adding red tape for ordinary folks.

Last year I voted for H.R. 1732, the Regulatory Integrity Protection Act and I intend to vote again for S.J. Res. 22 to protect Iowa's land, water and resources and to stop the executive overreach of the suffocating Obama Administration.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 583, the previous question is ordered on the joint resolution.

The SPEAKER pro tempore. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GIBBS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

IRAN TERROR FINANCE TRANSPARENCY ACT

Mr. ROYCE. Mr. Speaker, pursuant to House Resolution 583, I call up the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 583, the bill is considered read.

The text of the bill is as follows:

H.R. 3662

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iran Terror Finance Transparency Act".

SEC. 2. CERTIFICATION REQUIREMENT FOR REMOVAL OF FOREIGN FINANCIAL INSTITUTIONS, INCLUDING IRANIAN FINANCIAL INSTITUTIONS, FROM THE LIST OF SPECIALLY DESIGNATED NATIONALS AND BLOCKED PERSONS.

(a) IN GENERAL.—On or after July 19, 2015, the President may not remove a foreign fi-

nancial institution, including an Iranian financial institution, described in subsection (b) from the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury unless and until the President submits to the appropriate congressional committees a certification described in subsection (c) with respect to the foreign financial institution.

(b) COVERED INSTITUTIONS.—A foreign financial institution, including an Iranian financial institution, described in this subsection is a foreign financial institution listed in Attachment 3 or Attachment 4 to Annex II of the Joint Comprehensive Plan of Action.

(c) CERTIFICATION.—The President may remove a foreign financial institution, including an Iranian financial institution, described in subsection (b) from the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury if the President submits to the appropriate congressional committees a certification that the foreign financial institution—

(1) has not knowingly, directly or indirectly, facilitated a significant transaction or transactions or provided significant financial services for or on behalf of—

(A) Iran's Revolutionary Guard Corps or any of its agents or affiliates whose property or interests in property are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(B) a foreign terrorist organization for or on behalf of a person whose property or interests in property have been blocked pursuant to Executive Order 13224 (66 Fed. Reg. 49079; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and

(C) a person whose property or interests in property are blocked pursuant to the International Emergency Economic Powers Act in connection with Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction, or to further Iran's development of ballistic missiles and destabilizing types and amounts of conventional weapons; and

(2) no longer knowingly engages in illicit or deceptive financial transactions or other activities.

(d) FORM.—A certification described in subsection (c) shall be submitted in unclassified form, but may contain a classified annex.

(e) DEFINITIONS.—In this section:

(1) FOREIGN FINANCIAL INSTITUTION.—The term "foreign financial institution" has the meaning given such term in section 1010.605 of title 31, Code of Federal Regulations.

(2) FOREIGN TERRORIST ORGANIZATION.—The term "foreign terrorist organization" means any organization designated by the Secretary of State as a foreign terrorist organization in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(3) IRANIAN FINANCIAL INSTITUTION.—The term "Iranian financial institution" has the meaning given the term in section 104A(d)(3) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)(3)).

SEC. 3. CERTIFICATION REQUIREMENT FOR REMOVAL OF CERTAIN FOREIGN PERSONS FROM THE LIST OF SPECIALLY DESIGNATED NATIONALS AND BLOCKED PERSONS.

(a) IN GENERAL.—On or after July 19, 2015, the President may not remove a foreign person described in subsection (b) from the list

of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury until the President submits to the appropriate congressional committees a certification described in subsection (c) with respect to the foreign person.

(b) **COVERED PERSONS AND ENTITIES.**—A foreign person described in this subsection is a foreign person listed in Attachment 3 or Attachment 4 to Annex II of the Joint Comprehensive Plan of Action.

(c) **CERTIFICATION.**—The President may remove a foreign person described in subsection (b) from the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury if the President submits to the appropriate congressional committees a certification that the foreign person—

(1) has not knowingly assisted in, sponsored, or provided financial, material, or technological support for, or financial or other services to or in support of terrorism or a terrorist organization; and

(2) has not knowingly engaged in significant activities or transactions that have materially contributed to the Government of Iran's proliferation of weapons of mass destruction or their means of delivery (including missiles capable of delivering such weapons), including any efforts to manufacture, acquire, possess, develop, transport, transfer, or use such item.

(d) **FORM.**—A certification described in subsection (c) shall be submitted in unclassified form, but may contain a classified annex.

(e) **DEFINITIONS.**—In this section:

(1) **FOREIGN PERSON.**—The term “foreign person”—

(A) means—

(i) an individual who is not a United States person;

(ii) a corporation, partnership, or other nongovernmental entity which is not a United States person; or

(iii) any representative, agent or instrumentality of, or an individual working on behalf of a foreign government; but

(B) does not include a foreign financial institution, including an Iranian financial institution, described in section 2(b).

(2) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 4. CERTIFICATION REQUIREMENT FOR REMOVAL OF DESIGNATION OF IRAN AS A JURISDICTION OF PRIMARY MONEY LAUNDERING CONCERN.

(a) **IN GENERAL.**—The President may not remove the designation of Iran as a jurisdiction of primary money laundering concern pursuant to section 5318A of title 31, United States Code, unless the President submits to the appropriate congressional committees a certification described in subsection (b) with respect to Iran.

(b) **CERTIFICATION.**—The President may remove the designation of Iran as a jurisdiction of primary money laundering concern if the President submits to the appropriate congressional committees a certification that the Government of Iran is no longer engaged in support for terrorism, pursuit of weapons of mass destruction, and any illicit and deceptive financial activities.

(c) **FORM.**—The certification described in subsection (b) shall be submitted in unclassified form, but may contain a classified annex.

(d) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 5. APPLICABILITY OF CONGRESSIONAL REVIEW OF CERTAIN AGENCY RULE-MAKING RELATING TO IRAN.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, any rule to amend or otherwise alter a covered regulatory provision as defined in subsection (c) that is published on or after the date of the enactment of this Act shall be deemed to be a rule or major rule (as the case may be) for purposes of chapter 8 of title 5, United States Code, and shall be subject to all applicable requirements of chapter 8 of title 5, United States Code.

(b) **QUARTERLY REPORTS.**—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, the head of the applicable department or agency of the Federal Government shall submit to the appropriate congressional committees a report on the operation of the licensing system under each covered regulatory provision as defined in subsection (c) for the preceding 2-year period, including—

(1) the number and types of licenses applied for;

(2) the number and types of licenses approved;

(3) a summary of each license approved;

(4) a summary of transactions conducted pursuant to a general license;

(5) the average amount of time elapsed from the date of filing of a license application until the date of its approval;

(6) the extent to which the licensing procedures were effectively implemented; and

(7) a description of comments received from interested parties about the extent to which the licensing procedures were effective, after the applicable department or agency holds a public 30-day comment period.

(c) **DEFINITION.**—In this section, the term “covered regulatory provision” means any provision of part 535, 560, 561, or 1060 of title 31, Code of Federal Regulations, as such part was in effect on June 1, 2015.

SEC. 6. PROHIBITIONS AND CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.

Section 104(c)(2)(A)(ii) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(c)(2)(A)(ii)) is amended by adding at the end before the semicolon the following: “, including Hezbollah, Hamas, the Palestinian Islamic Jihad, and any affiliates or successors thereof”.

SEC. 7. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given the term in section 14(2) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(2) **JOINT COMPREHENSIVE PLAN OF ACTION.**—The term “Joint Comprehensive Plan of Action” means the Joint Comprehensive Plan of Action, signed at Vienna July 14, 2015, by Iran and by the People's Republic of China, France, Germany, the Russian Federation, the United Kingdom and the United States,

with the High Representative of the European Union for Foreign Affairs and Security Policy, and all implementing materials and agreements related to the Joint Comprehensive Plan of Action, and transmitted by the President to Congress on July 19, 2015, pursuant to section 135(a) of the Atomic Energy Act of 1954, as amended by the Iran Nuclear Agreement Review Act of 2015 (Public Law 114-17; 129 Stat. 201).

The SPEAKER pro tempore. The gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to submit any extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I want to recognize Congressman RUSSELL for his work on this legislation, the Iran Terror Finance Transparency Act. I think we should all reflect on the reason for this resolution, one of the reasons, and that is that, since the Obama administration sealed the nuclear deal with Iran, Iran has been on a bit of a tear. It has accelerated its missile program at the request of President Rouhani. It has taken an additional American hostage. It has stepped up the slaughter in Syria.

Days after that agreement was finalized, you had Iranian rockets firing 1,500 yards off the U.S. aircraft carrier *Truman*. And just yesterday, Iran detained 10 U.S. sailors, which was not appreciated, especially coming on the aftermath of firing those rockets near the *Truman*.

Now, we are all relieved to learn this morning that the sailors have been released. Yet, in what could be a matter of days, Iran will cash in with \$100 billion-plus in sanctions relief of money which is now in escrow. And I am sure it has occurred to many of us that if Iran behaves this way now, in a few days, when it gets its hands on this bankroll, especially given the fact that that money is going to the IRGC, not to the Iranian people, what other actions are we going to see from the Iranian Revolutionary Guard Corps?

We had a story this weekend, front page, in the weekend edition of *The Wall Street Journal*, and the headline of that story is “Nuclear Deal Fuels Iran's Hard-Liners.” Iran's hard-liners will be the biggest winner out of this.

The Revolutionary Guards, the same radical forces that held these 10 U.S. sailors, that force and their proxies control many of the industries that will benefit from the influx of hard currency and new investment. Whether it is energy or construction, they control it. This ICBM program, they control it.

□ 1030

Just as many of us warned prior to this deal about the appetite for enforcement, once this deal gets underway, there is no pushback from the administration on this. Since the nuclear deal, Iran has tested two ballistic missiles. Now, that is in violation of the U.N. Security Council resolution. This administration's response was to announce and then abandon new sanctions within a very short timeframe, apparently to not offend the Supreme Leader, to not risk its flawed nuclear deal.

When it comes to Iran, we need a policy of more backbone, not more backing down, because it was not supposed to be this way with this deal. In announcing the nuclear deal, President Obama claimed that American sanctions on Iran for its support of terrorism, its human rights abuses, and its ballistic missile program will continue to be fully enforced. Those were the President's words, and just after that, with Secretary Kerry's argument testifying before the Foreign Affairs Committee.

This legislation is a first step in holding the administration to these commitments. Under the bill, before the President can lift sanctions on a particular person or bank or company to implement the nuclear deal, he must certify that their removal is related to Iran's nuclear program alone. That is who we were told would be getting the sanctions relief—not those tied to terrorism, not those tied to Iran's ballistic missile or other illicit weapons programs that were under sanction from the U.N. resolutions.

When the Treasury Department sanctioned Bank Melli in 2007, it noted that the institution had provided banking services to the Iranian Revolutionary Guard Corps and the Quds Force. The Quds Force is in charge of assassinations outside of Iran. As we all know, the Revolutionary Guards have committed acts of terrorism and committed those missile tests that we just recently saw. Why, then, is this bank set to receive sanctions relief in the coming days?

Bank Sepah, one of Iran's largest banks, will be another big winner of sanctions relief in the coming days. When that bank was designated, and that was January of 2007, then-Treasury Under Secretary Stuart Levey noted with this argument: "Bank Sepah is the financial linchpin of Iran's missile procurement network."

What we have to think about here is there is one reason—one reason—why a state develops ICBMs. It is to deliver a nuclear payload. It is to deliver a weapon. So, he says it is the financial linchpin and "has actively assisted Iran's pursuit of missiles capable of carrying weapons of mass destruction."

Indeed, Iran's ballistic missile program is advancing under President

Rouhani. He just called for the program to be accelerated. That is what we have in the face of this agreement. We should not be letting this bank off the ropes, opening it for business from Europe to Asia.

To be clear, those Iranian banks and individuals not supporting terrorism and not supporting ICBMs can be delisted—that was what was originally represented to this Congress—but not those threatening our national security, and not those making threats to us while the Ayatollah is saying "death to America," "death to Israel."

That is what this legislation does, and it is the policy that the administration explained to this House.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, January 8, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 757, the North Korea Sanctions Enforcement Act of 2015, and H.R. 3662, the Iran Terror Finance Transparency Act, both of which were referred to the Committee on Financial Services in addition to your Committee.

As a result of your having consulted with the Committee on Financial Services concerning provisions of the bills that fall within our Rule X jurisdiction, I agree to discharge our Committee from further consideration of the bills so that they may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 757 and H.R. 3662 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 757 and H.R. 3662 and would ask that a copy of our exchange of letters on this matter be included in your Committee's report to accompany the legislation and in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, January 8, 2016.

Hon. JEB HENSARLING,
Chairman, House Committee on Financial Services, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 3662, the Iran Terror Finance Transparency Act, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way dimin-

ish or alter the jurisdiction of the Committee on Financial Services, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 3662 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. I yield myself such time as I may consume.

Mr. Speaker, I rise to oppose this measure.

First, I do want to thank my good friend, Chairman ED ROYCE. It is not very often we find ourselves on different sides of foreign affairs issues, which is a credit to the way he runs our committee; but in this case, in my view, this bill isn't the right fit or the right approach.

We should go back to the drawing board, rather than ramming through a partisan measure that will never become law. We should go through our normal process of drafting legislation in a bipartisan way with input from both sides, rather than advancing something that was put together without a single Democrat having any input whatsoever. As a result, this bill does not have a single Democratic cosponsor.

If we are going to pass legislation like this, it only works if we do it in a bipartisan way—as Americans—not as Democrats or Republicans. We should come back here with a bipartisan bill that can actually move forward, just as we have done again and again and again on the Foreign Affairs Committee.

The question here is not whether Iran is a good player. Iran is a bad player. In fact, it is a terrible player. It is important that we do act on the challenge of Iran. Like Chairman ROYCE, I oppose the Iran deal, but our side lost the debate. The deal is in place. Now we need to make sure that Iran is living up to its commitments under that deal, that every word of the deal is enforced, that we crack down on Iran's other bad behavior, and that we take steps to shore up the security of Israel and our other allies in the region. That is the kind of bill I want to support, and we can do it together.

This bill doesn't address any of the issues. Instead, this bill would establish an impossible standard for the President. The bill says that, in order to remove a person or a company from the nuclear sanctions list, the President would have to certify that the person or company never, at any point, engaged in sanctionable behavior, including support for Iran's weapons of

mass destruction programs. Well, if they had never engaged in sanctionable behavior, why would they be on the sanctions list in the first place? It just doesn't make sense, Mr. Speaker.

Now, this could be a drafting flaw or it could be just about embarrassing the President, but it would make it impossible for the United States to meet its obligations under the JCPOA. That worries me because, rather than holding Iran's feet to the fire and strengthening oversight, we seem to be going down the same path we have taken with the Affordable Care Act. Sixty-two times we voted to repeal it. A couple of months ago, we had a vote which essentially repeals the JCPOA, and now we are doing it a second time. Will we do it 60 more times? It is a waste of all of our time. Let's put our heads together and come up with a bipartisan bill that really works.

Now, 62 times to vote to repeal the Affordable Care Act; my opinion is, those were symbolic votes because we knew the President would never repeal his own bill. Today, this is a symbolic vote because we know the President is never going to sink his own agreement. My constituents don't want symbolic votes, Mr. Speaker. They want results. Symbolic votes won't help us crack down on Iran's support for terrorism or their other dangerous behavior.

Again, I am confident that we can work in a bipartisan way to craft legislation. We have done it again and again and again on the Foreign Affairs Committee. Just look at the Iran sanctions bill that Chairman ROYCE and I wrote in 2013. It passed unanimously out of the Foreign Affairs Committee—unanimously. And we have people who believe in their politics from the right to the left and everywhere in between, but it was unanimous because we did it in a bipartisan way and it made sense. It came to the floor, and it passed by a vote of 400-8. That is the kind of thing we should be doing now on this very serious issue.

So if we are serious about this issue, that is the approach we need to take. I am confident that in the days ahead, I will be working with Chairman ROYCE and all of our Members to bring forward good, bipartisan legislation, but this bill is the wrong way to go.

I don't impugn anybody's motives. I know people worked hard on this. But this is just simply, in my opinion, the wrong way to go. So, Mr. Speaker, I will vote against it, and I urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. RUSSELL), the author of this legislation.

Mr. RUSSELL. Mr. Speaker, 19 August 2015, and I quote the President of the United States:

I made sure that the United States reserved its right to maintain and enforce ex-

isting sanctions and even to deploy new sanctions to address those continuing concerns, which we fully intend to do when circumstances warrant.

It is imperative that we take steps to deal with Iran's destabilizing activities and support for terrorism. This involves continued enforcement of international and United States law, including sanctions related to Iran's nonnuclear activities.

I am quoting the President:

We will maintain powerful sanctions targeting Iran's support for groups such as Hezbollah, its destabilizing role in Yemen, its backing of the Assad regime, its missile program, and its human rights abuses at home.

This was in direct response, Mr. Speaker, to the gentleman who is saying that he is not for upholding these things today. We had many in a bipartisan fashion who voted against this agreement. The President has stated clearly that, under the terms of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, he would not interfere with the terrorist list, that he would not interfere with the human rights list.

But the simple fact is—and I have read every single word of the joint agreement—there are hundreds of people in Annex II on that sanctions list. Among them are more than 50 that are on the terrorist list and the human rights list as violators. The President said that they will not be lifted off, and yet there they are. That is what this bill does.

It is interesting that last week—and I quote a letter by our esteemed colleagues on the other side of the aisle, Mr. Speaker—and here is the letter that they sent to the President of the United States reinforcing why this bill is such a good idea:

Iran's destabilizing behavior in the region and continued support for terrorism represent an unacceptable threat to our closest allies as well as our own national security. As the international community prepares for implementation of the joint agreement, Iran must understand that violating international laws, treaties, and agreements will have serious consequences. We call on the administration—this is their words, Mr. Speaker—to immediately announce new, U.S. sanctions against individuals and entities involved in Iran's ballistic missile program to ensure Iran is held accountable for its actions.

I continue to quote this letter:

Inaction from the United States would send the misguided message that, in the wake of the joint agreement, the international community has lost the willingness to hold the Iranian regime accountable for its support for terrorism and other offensive actions throughout the region—including Syria, Yemen, Lebanon, and the Gaza Strip. This behavior—including ballistic missile tests, as the chairman spoke about—poses a direct threat to American national security interests and those of our allies.

Mr. Speaker, this was signed by Representative LOWEY; our esteemed colleague that is at the podium now on the other side of the aisle, Mr. ENGEL;

the leader of the Democratic National Committee for Congress, DEBBIE WASSERMAN SCHULTZ; and our esteemed colleagues Mr. SIREN, Mr. CONNOLLY, Mrs. DAVIS of California, and Mr. NADLER.

Do you know what? We agree with them. We agree totally with them that these sanctions should be upheld, that the law is the law, and that the 2010 Iran Sanctions, Accountability, and Divestment Act is still the law. That is what this bill does.

There have been claims that it was not done in a bipartisan fashion, and I find this somewhat puzzling because I personally talked to Mr. ENGEL about this bill. I went item by item through it and what its content was. I reached out to the Democratic leadership in August. I have been working this bill since July. So, yes, we can do it in a bipartisan fashion.

I regret, because I am a freshman and only have fought on three continents and have a foreign affairs and national security background, that I am not on the Foreign Affairs Committee. But that doesn't denote, Mr. Speaker, a lack of understanding of the way the world works and what the threat is in the United States of America when we have made a law that says that, if you are a terrorist or a human rights violator, we are not going to allow you to have sanctions relief under the JCPOA. The President said that that is what he is going to do. Democrats and Republicans have said that is what they will uphold. That is what this bill does, and yet we see, puzzlingly, opposition to these very things.

Here is what the bill is: Annex II of the joint agreement lifts sanctions for hundreds of individuals for nuclear proliferation or human rights violation or terrorist violation. More than 50 of these individuals and entities have been identified on the joint agreement for sanctions relief. This simply requires that, before those are delisted, the President certify why. It doesn't say they can never come off. Read section 4. It is pretty clear. It says that the President must certify justification on why that is the case.

What this bill is not: a knee-jerk reaction, a partisan ploy that is quickly crafted due to recent events. We have been working for months on this.

The bill was crafted without major efforts—not true, as I have proven this morning. This is upholding the law.

Mr. Speaker, I urge that we have the discussion. I know my colleagues feel deeply about this. I know that they also would like to see this continued. Let's pass this bill.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DEUTCH), my friend and colleague. He is a very valued member of the Foreign Affairs Committee and ranking member of the Subcommittee on the Middle East and North Africa.

□ 1045

Mr. DEUTCH. Mr. Speaker, I thank my friend, the ranking member, Mr. ENGEL, for his leadership today.

I deeply appreciate the bipartisan way that he and Chairman ROYCE have run our committee when it comes to the goal that we all share of preventing Iran from acquiring nuclear weapons. I am also grateful for the commitment that my friend Mr. RUSSELL has made to this same issue and to his service to our country.

This legislation, unfortunately, doesn't advance this goal that we share, nor does it prevent Iran's other provocative, illegal, and destabilizing regional activities.

I opposed the nuclear deal. I have been clear about my concerns with the deal itself and with what Iran might try to do with billions of dollars in sanctions relief. I have also been clear about my frustration that the ballistic missile tests undertaken by Iran in violation of U.S. and international law have not yet resulted in sanctions either by the United Nations Security Council or by the administration.

Given the dangerous behavior that we have seen out of Iran in the past months and weeks with respect to its illicit ballistic missile program and its continued funding of Hezbollah in Syria, we should be working together to put forward legislation that strengthens the enforcement of the JCPOA and prevents Iran from continuing its sponsorship of terror, its illegal missile development, and its gross human rights violations. This bill, unfortunately, Mr. Speaker, doesn't do any of those things.

Some of my colleagues claim the bill will prevent entities from getting sanctions relief under the deal that have ties to terrorism or WMD proliferation. I expressed directly to the administration that they need to ensure that any entity that is subject to sanctions relief under the nuclear deal be carefully investigated and resanctioned if they are found to be engaging in support for terrorism or human rights abuses, but this bill doesn't do that.

Instead, it requires certification that the 400 entities named in the JCPOA have never engaged in activities related to terrorism or the development of weapons of mass destruction. This standard will result in the administration devoting significant time and resources to a certification that can never be met, while also preventing—importantly preventing—implementation of the JCPOA. Instead of devoting the necessary resources to sanctioning individuals and entities that support terrorism and violate human rights—dangerous activities that were never part of the nuclear deal—it devotes enormous resources to a process that won't accomplish that. Iran must pay the price for its continued bad behavior.

Furthermore, Mr. Speaker, the bill before us today adds several of Iran's terrorist proxies to the banking provisions of the Comprehensive Iran Sanctions, Accountability, and Divestment Act, one of our most important sanctions laws. Of course we want to stop banks from facilitating transactions to these terrorist organizations; but, unfortunately, some of our European friends attempt to distinguish between the military and political wings of terrorist groups. They shouldn't. There is no distinction. I have spoken out against this policy.

Nevertheless, because of this discrepancy, by naming these specific terrorist groups in CISADA, this bill has the potential to cut off European banks from the U.S. financial system. Now is the time, Mr. Speaker, for us to be working with our allies to craft the toughest international sanctions to crack down on Iran's dangerous activities.

Mr. Speaker, whether you supported this deal or not, as Mr. ENGEL said, it is going forward.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. I yield the gentleman from Florida an additional 1 minute.

Mr. DEUTCH. I thank my friend.

We should be looking for bipartisan ways to ensure that it is enforced with vigor and with the most stringent verification and compliance. If a violation occurs or if Iran continues to engage in illegal activities that were never a part of this nuclear deal, we must ensure that we have the tools to enact punishing new sanctions, hopefully, with the support of our international partners, but certainly with the full, bipartisan support of the United States Congress.

Finally, Mr. Speaker, I cannot speak about Iran on the floor of the U.S. House without making clear that every one of us—435 Members of the House of Representatives—stand united in our commitment to bringing home from Iran Jason Rezaian, Amir Hekmati, Saeed Abedini, Siamak Namazi, and, my constituent, Bob Levinson. They sit in Iran, but we look forward to welcoming them home.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE), chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I thank the chairman for yielding time and for his work on this legislation.

I do want to comment that the ranking member, Mr. ENGEL, I value his wisdom on the issue of Iran, and especially in defense of Israel. We happen to disagree on this specific legislation.

Mr. Speaker, the nuclear agreement that the administration made with Iran was still a bad deal for America. As a former judge down in Texas, I know that when the bad guys do bad things, you don't reward bad conduct.

At a time when the administration needs to be strong and firm, it seems to be showing wobbly knees on this deal. Now we are left with a deal where the world's largest state sponsor of terrorism is only a few small steps away from a nuclear bomb. The administration's continued leniency with Iran is conceding even more than what is required in the deal. The administration is making this bad deal even worse.

The President promised the American people that this bad deal still allows nonnuclear-related sanctions on Iran. Good for the President. Great promise.

Iran, not to the shock of any of us, has violated some of the rules that they are to abide by. They violated two U.N. resolutions restricting ballistic missile tests last month.

The Treasury Department told Congress it would levy new sanctions on Iran, primarily financial sanctions. That would support the President's promise to America. But at the last minute, the State Department got involved and said, whoa, no sanctions, not so fast—and no sanctions. More shaky knees, Mr. Speaker.

Why does the administration waffle on calling Iran out for violations? America's national security interests seem to take a backseat to confronting Iran politically.

I support H.R. 3662. This is an important bill to ensure the President can't lift sanctions on those institutions and individuals who are involved in terrorism. Remember, Mr. Speaker, Iran is still the number one world state sponsor of terrorism, and they are continuing their mischief throughout the world. We don't need to make it easier for Iran's terrorist proxies to get even more money than the \$150 billion that they are getting in the deal.

With this bill, the President must prove to Congress that a person or entity has not given financial or materiel support to a terrorist organization before removing them from the sanctions list. Sounds logical to me, Mr. Speaker.

Sanctions unrelated to the nuclear deal must remain in place. The national security of the United States is at stake.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), my friend and colleague, and a member of the Appropriations Committee.

Mr. PRICE of North Carolina. Mr. Speaker, I thank my colleague.

I rise in strong opposition to this deeply misguided legislation.

Reports from international experts, nuclear watchdogs, and representatives of our international coalition make clear that Iran is on its way to fully dismantling its nuclear weapons program. Breakout times at this moment have already been tripled and quadrupled.

We need to understand, just because the JCPOA does not deal with all of Iran's abuses doesn't mean that we shouldn't solve the nuclear issue. We have already had that debate. Iran is still a state sponsor of terrorism, and the proposed expansion of its ballistic missile program is particularly troubling. These issues must be addressed.

But a nuclear-armed Iran would only make these abuses more dangerous, and it would be wildly foolish to suggest that we must forego our only real opportunity to keep a nuclear weapon out of the regime's hands just because these ancillary issues remain. This bill would do exactly that. It would scuttle the JCPOA, the result of years of international negotiation and diplomacy in cooperation with our international partners. Absent the nuclear agreement, Iran could resume its nuclear program without international oversight, could go back to that 3-month breakout time, and, by the way, continue the state sponsorship of terrorism, continue its human rights abuses, and continue its ballistic missile expansion.

In short, this bill would snatch the feet from the jaws of victory as the dismantling of Iran's nuclear program proceeds. It would be reckless in the extreme, and I strongly urge my colleagues to reject it.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM), a member of the Committee on Ways and Means, and the cosponsor of this bill.

Mr. ROSKAM. Thank you, Chairman ROYCE, for your leadership on this issue.

Mr. Speaker, I rise in support of Mr. RUSSELL's initiative.

Last night, Mr. Speaker, there was a murmur throughout the room here when the President was giving the State of the Union message. I am paraphrasing, but when he made the assertion that essentially the United States is perceived well around the world and, in fact, better than ever before, there was an audible sense of outcry. People were really concerned about that assertion. Then the President went on to make his point.

I think it is an admonition for us all to recognize, as Judge POE said a couple of moments ago, there is a wobbliness in this administration. In other words, how many provocations are the Iranians able to move forward and the administration is inert? How many provocations can the Iranians push and the administration remains with no action?

I will tell you something. This is just off the news. Reuters is reporting that the Major General Hassan Firouzabadi, the head of the Iranian Armed Forces, says that the naval incident that is being reconciled today, that this should be a lesson to whom? To troublemakers in Congress—troublemakers

in Congress—who oppose Iranian aggression.

I think Mr. RUSSELL's approach here is very commonsense. It says those who have been complicit in sponsoring terror in the past ought not be getting the benefit of the sanctions regime being raised; they don't get the benefit of participating in that. This has to be certified clearly, according to Mr. RUSSELL's language, and it makes all the sense in the world.

The notion that somehow the administration is incapable of doing this I don't find persuasive. I think we need an administration that can make these certifications, that does make these certifications, and if they can't, then these terror financiers ought not be getting the benefit of sanctions relief.

I urge passage of this bill.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SHERMAN), a very valued member of our committee and ranking member on the Asia and the Pacific Subcommittee.

Mr. SHERMAN. Mr. Speaker, I voted for every sanctions bill on Iran that has come to this floor—I helped draft many of them—and I am ready to help draft, work on, and vote for sanctions bills on Iran because Iran continues its behavior in the area of missiles, and terrorism, and keeps seizing American hostages. I am ready to work on and support legislation to impose sanctions on Iran even if it is opposed by the administration. After all, almost every sanctions bill passed by this Congress was opposed either by the George W. Bush administration or this administration.

We need a good process to draft good legislation that will do what President Obama told us we would do, and that is use sanctions to deal with Iran's non-nuclear wrongdoing. But we need a good process that will get us good legislation. Unfortunately, this is a bill that is the product of a bad process, a flawed process, and the bill itself is flawed.

Let's look at the process.

Almost 100 cosponsors, but all of them from one party. No Democrat on the Foreign Affairs Committee was invited to help draft the legislation or even invited to cosponsor it. Now this bill comes to the floor under a closed rule, a rule that prevents us from offering amendments that will deal with the flaws in the bill. There are at least two such flaws.

The first is that the bill deprives the President of the authority to delist 489 entities. It locks those entities onto the SDN list, but it leaves out 269 other entities, creating two classes of entities: one which must stay on the list under almost any circumstance I can think of, the other which the President can remove. And there is no particular reason for the 269 entities to be treated differently than the 489. All of them

have been involved in supporting Iran's proliferation and terrorist efforts.

□ 1100

Second, this bill creates too high a standard for the President to be able to remove an entity. He has to certify that it has never at any time in history engaged in even the most trivial transaction with a whole list of terrorist entities. We need a better drafting of that portion of the bill that deals with delisting entities, perhaps entities that have changed their behavior for well over a decade.

I look forward to a bipartisan process and to, hopefully, an open rule. We see that reflected in the fact that I have introduced legislation, as just an example, that would impose additional sanctions on Iran's Revolutionary Guard Corps and that is sponsored by the chairman of our committee and by the immediate past chairman of our committee.

I know our committee can work in a bipartisan way to create better legislation than that which is before us, and we need additional sanctions on Iran drafted carefully because Iran has engaged in a missile test in violation of U.N. Security Council resolutions, because Iran's support for terrorism and Assad is responsible for the deaths of tens and tens of thousands—hundreds of thousands—of people in Syria and Yemen and because Iran used to hold four, but now holds five, American hostages. Fortunately, it does not hold our U.S. Navy sailors, but it holds five American civilians.

It is consistent with American policy and with this administration's policy. They negotiated a nuclear deal. They kept it only on the nuclear issue not because America has conceded and has accepted and has given Iran carte blanche to engage in terrorism and hostage-taking, but because the President's policy was that we would deal with these issues separately. It is time for us to deal with these issues separately through well-drafted, bipartisan legislation.

I am confident that, in the weeks to come, the administration will use its existing power to sanction additional entities as a result of Iran's illegal missile test, and I am confident that our committee will craft bipartisan legislation that will do what we know we need to do to deal with Iran's wrongdoing outside the nuclear area.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. TROTT), a member of the Committee on Foreign Affairs.

Mr. TROTT. I thank the chairman for yielding.

Mr. Speaker, I rise in support of H.R. 3662.

When President Obama announced the nuclear agreement, he promised that sanctions against Iran's support of terrorism, human rights abuses, and its

ballistic missile program would continue to be enforced. All this bill does is require the President to keep his word.

If the bill passes, the President won't be able to give Hezbollah, Hamas, and other terrorist groups billions of dollars. They will not be able to use billions of dollars to continue testing long-range missiles in violation of U.N. resolutions.

Who can disagree with this goal? The President probably disagrees.

Some suggest that, if the bill reaches his desk, he will veto it. All we in Congress can do is to try and remind the President about his promises surrounding this deal.

This might also be a good time to remind the President about Iran's behavior over the past 2 months. They convicted and imprisoned one of our journalists. They detained another American. They released five al Qaeda prisoners. They have not released the four Americans they have been holding for years. They have tested their ballistic missiles. They fired a missile that came close to one of our naval vessels. And in the last 24 hours, they held 10 American sailors.

It may well be true that neither Iran's behavior nor this bill will cause the President to realize he made a mistake in trusting Iran. I will rely on historians for that.

It is unfortunate that this debate and this bill are necessary to remind the President that we expect him to keep his promise, his promise to withhold billions of dollars in sanctions relief that Iran will otherwise use to spread terror and will use to develop ballistic missiles that are aimed at our shores.

Ranking Member ENGEL may be correct in that our actions today are symbolic, but we troublemakers in Congress have no choice. Whenever possible, we must try to remind the President that he cannot do a good deal with a bad guy.

I urge my colleagues to support H.R. 3662.

Mr. ENGEL. Mr. Speaker, I inquire as to how much time I have remaining.

The SPEAKER pro tempore (Mr. BYRNE). The gentleman from New York has 14½ minutes remaining.

Mr. ENGEL. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. SHIMKUS), the chairman of the Committee on Energy and Commerce's Subcommittee on the Environment and the Economy.

Mr. SHIMKUS. I appreciate the chairman's leadership. The gentleman knows how hard I work in supporting freedom and of my opposition to totalitarian regimes.

Yesterday, Mr. Speaker, we passed H.R. 757, the North Korea Sanctions Enforcement Act. Unfortunately, I missed that vote—that happens here

sometimes—and the gentleman knows how I fully support it.

Again today we address a problem with a rogue regime: Iran. I voted against the flawed Iranian deal. Iran still holds a marine veteran, a contractor, an American pastor, and a Washington Post reporter. They have tested two ballistic missiles. Sanctions should not be waived by the U.S. That is why I support this bill.

Mr. ENGEL. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. STEWART), a member of the Committee on Appropriations and of the Permanent Select Committee on Intelligence.

Mr. STEWART. I thank the chairman for yielding.

Mr. Speaker, in my work on the Permanent Select Committee on Intelligence, I have spent an awful lot of my time on these types of issues. I think there is much we can say about this bill, but at the end of the day, it comes down to two fundamental questions. They are really quite simple.

The first is: Do you believe that the President will hold Iran accountable?

In an interview yesterday, I challenged the other person to show me the President's foreign policy success because I believe in this administration there has been 7 years of foreign policy failure, from China, to Russia, to Afghanistan, to Syria. The list is long. We have to ask: Do we trust the President to implement policies that keep the world more or less safe?

The second question is just as simple: Do we trust Iran?

I asked Secretary Kerry to show me a single example of Iran working with us or with our allies in any positive fashion. They are, as has been said here, the world's greatest sponsor of terrorism.

Recently they broke U.N. agreements not to test ballistic missiles. They have held our soldiers. From Hezbollah, to Hamas, to Syria, they foster terror and darkness everywhere they go. Do we trust Iran? Very simply, the answer is no, which is why this bill is so important.

It helps us to hold Iran accountable. It helps us to hold their proxies accountable. It removes the incentives for them to continue to expand their power and their policies and their goals, which are counter to U.S. and Western goals throughout the world.

That is why I support this bill. I urge my colleagues to as well.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from New York for his kindness. I acknowledge the chairman of this committee for his courtesies in debating this legislation.

Mr. Speaker, first of all, I think it is important for all of us to acknowledge

the safe return of our United States sailors and to recognize that the United States was persistent and determined and, as well, made no apology and that the Iran Government moved quickly to return them.

Let it be very clear that our sailors did nothing wrong. Obviously, when other sailors are in trouble, let me thank those who remain, as our heroes do. They leave no person, in essence, behind. So I am very grateful, and I know their families are grateful that they are safe.

That, Mr. Speaker, is a distinctive point from where we are today. Everyone knows that Iran is a bad actor. Some of us on this floor voted for the Iran non-nuclear agreement while others did not. But I believe that we do ourselves harm when we continue to renegotiate or to re-vote, as we have continued to do 62 times with regard to ObamaCare.

This legislation would restrict the President's ability to lift sanctions on Iranian entities, thereby preventing the U.S. from carrying out its commitment under the Joint Comprehensive Plan of Action, signed in Vienna, Austria, on July 14, 2015.

Specifically, the bill would require the President to certify that the delisted entity has not knowingly facilitated a significant financial transaction or has provided significant financial services to the IRGC or to terrorist affiliates.

This, of course, would be a very difficult and hindering aspect of the President's responsibilities in his role as the Commander in Chief. It would specifically prevent the delisting of 400 banks, companies, and individuals that are engaged in Iran's nuclear program, particularly the Central Bank.

Section 2 would require the President to certify to Congress that any entity from the Office of Foreign Assets Control sanctions list has not ever knowingly facilitated a significant financial transaction.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. Mr. Speaker, this legislation impedes, prohibits, and stops the President and the next President, as our representative of the face of America internationally and who has the responsibility, from enforcing this agreement. It was done primarily to stop Iran's nuclear efforts.

I, too, as one who has supported this legislation, believes that sanctions should be increased and that we should respond to Iran's ballistic missile episode, but there are ways to do that by strengthening the sanctions, not by tying the hands of the Commander in Chief—the President of the United States—and not by renegotiating this on the floor of the House to the extent that we have, in essence, giving the

President no latitude with which to negotiate.

I ask my colleagues to oppose this legislation because it is not legislation that enhances our place. It takes away from the President's authority, and it makes it very difficult to interact with Iran. Let me be very clear: Iran has its troubles, and it is a bad actor, but I will tell you there are better ways to handle this situation.

I ask my colleagues to vote "no" on this legislation.

Mr. Speaker, I rise in strong opposition to H.R. 3662, the Iran Terror Finance Transparency Act.

We are here again wasting valuable time on measures we know have no real chance of survival beyond these debates.

I strongly oppose this futile measure to block all efforts to enforce the Joint Comprehensive Plan of Action (JCPOA).

H.R. 3662, would prevent the U.S. from implementing the JCPOA by tying the Administration's ability to fulfill U.S. commitments under this long negotiated deal to unrelated, non-nuclear issues.

The Administration strongly opposes H.R. 3662, the Iran Terror Finance Transparency Act, which would prevent the United States from implementing the Joint Comprehensive Plan of Action (JCPOA) by tying the Administration's ability to fulfill U.S. commitments under the deal to unrelated, non-nuclear issues.

This bill includes provisions that connect the United States' JCPOA commitment to provide sanctions relief by delisting certain Iran-related individuals and entities, including banks, to non-nuclear issues outside of the scope of the JCPOA.

Certain provisions would effectively preclude delisting of individuals or entities on Implementation Day of the JCPOA—the day on which the International Atomic Energy Agency verifies that Iran has completed key nuclear-related steps that significantly dismantle and constrain its nuclear program—based on activity that may have taken place and ended long before Implementation Day and involving persons or activity that will no longer be sanctioned post-Implementation Day.

By preventing the United States from fulfilling its JCPOA commitments, H.R. 3662 could result in the collapse of a comprehensive diplomatic arrangement that peacefully and verifiably prevents Iran from acquiring a nuclear weapon.

Such a collapse would remove the unprecedented constraints on Iran's nuclear program that we achieved in the JCPOA, lead to the unraveling of the international sanctions regime against Iran, and deal a devastating blow to America's credibility as a leader of international diplomacy.

This would have ripple effects, jeopardizing the hard work of sustaining a unified coalition to combat Iran's destabilizing activities in the region, calling into question the effectiveness of our sanctions regime and our ability to lead the world on nuclear non-proliferation.

The Administration has consistently made clear that the purpose of the nuclear negotiations, and ultimately the JCPOA—was to address one issue only: the international commu-

nity's concerns over Iran's nuclear program and to verifiably prevent Iran from acquiring a nuclear weapon.

The JCPOA is the critical mechanism through which the United States was able to garner international support for our sanctions and achieve a diplomatic resolution.

As we address our concerns with Iran's nuclear program through implementation of the JCPOA, the Administration remains clear-eyed and shares the deep concerns of the Congress and the American people about Iran's support for terrorism.

Powerful sanctions targeting Iran's support for terrorism, its ballistic missile activities, its human rights abuses, and its destabilizing activities in the region remain in effect.

Anyone worldwide who transacts with or supports individuals or entities sanctioned in connection with Iran's support for terrorism or development of WMD and their means of delivery, including missiles—or who does the same with any Iranian individual or entity who remains on Treasury's Specially Designated Nationals and Blocked Persons List, puts themselves at risk of being sanctioned.

Up until this point, Iran has been meeting all commitments under the JCPOA—any impediments to the United States ability to uphold its commitments jeopardizes the security of our nation.

The President has made it clear that he will veto any legislation that prevents the successful implementation of the JCPOA.

According to the Statement on Administrative Policy, if presented with H.R. 3662, the President will VETO this bill.

Let's just take a quick look back at some of the President's foreign policy achievements:

The capture and neutralization of Osama Bin Laden which brought an end to a nearly decade long manhunt.

The withdrawal of U.S. forces from Iraq which helped to bring an end to a costly war, helping our country save billions of dollars in U.S. taxpayer funds.

The current Joint Comprehensive Plan of Action, which has been instrumental in deterring and stemming Iran's nuclear ambitions and enabling security in the global society.

The repealing of Don't Ask, Don't Tell, an aspersion on the personal private matters of those who have dedicated their lives to protecting our nation.

Signing into law the New Strategic Arms Reduction Treaty (START), an important treaty that showcases how the U.S. leads by example by signing a treaty that requires both the United States and Russia to reduce their nuclear warhead arsenals to 1,550 each, a 30 percent reduction from the 2002 Treaty of Moscow and a 74 percent reduction from the 1991 START treaty.

Neutralization of al Qaeda propagandist and foreign fighter recruiter Anwar Al Awlaki, one of the main leaders in the Al Qaeda in the Arabian Peninsula (AQAP).

Indeed, under President Obama's leadership, our country's military aid to Israel has increased remarkably with the eye towards deepening and expanding U.S./Israeli relations—an important aspect of our nation's foreign policy and geopolitical efforts to promote peace in the region.

Not to mention historical deals on the environment vis a vis Cop 21, organizing over 200

nations on strategies to protect the environment and proposed trade deals that will organize and facilitate the United States stamp on the Asian economy.

This president's foreign policy achievements in promoting the security of our nation are irrefutable.

Any serious legislation addressing Iran should be done as it has been done up until now, in a bipartisan way.

H.R. 3662 is an entirely partisan bill that excluded the participation of all Democratic Members in drafting this measure or supporting it.

This bill is fundamentally flawed and I urge all Members to vote against it.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE), who is the cosponsor of this legislation.

Mr. LANCE. I thank Chairman ROYCE and Mr. RUSSELL for their tremendous leadership on this issue.

Mr. Speaker, I rise today in strong support of H.R. 3662, the Iran Terror Finance Transparency Act.

The detention and interrogation of 10 American sailors near the Strait of Hormuz is the latest in a significant list of Iranian acts of aggression against American interests since President Obama signed the Iran nuclear agreement in October. Thank God our sailors have been released. They never should have been detained.

In recent weeks, we have witnessed two reported long-range ballistic missile launches, the revelation by Iran of a new underground missile depot, the firing of rockets near U.S. Navy ships in the Strait of Hormuz, and the Tehran government continuing to hold American hostages. These provocations and the lack of response from the White House have merely emboldened Iran to increase its aggression. Iran believes it can act against American interests with impunity.

I urge my colleagues to support the underlying legislation and to stop the lifting of sanctions on Iran that would provide billions of dollars in economic relief.

Let's send a clear message that Iran's aggression against the United States and its allies will not go unchallenged by Congress. History will judge our actions on this issue as history will judge the President and the administration on their actions on this issue. Let history be the judge. Let's support H.R. 3662.

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Mr. ENGEL. I reserve the balance of my time.

Mr. ROYCE. I yield 3 minutes to the gentleman from Oklahoma (Mr. RUSSELL), author of this legislation.

Mr. RUSSELL. Mr. Speaker, I thank the chairman for his leadership on this bill.

There have been a lot of accusations about what is in this bill and the content. The fact of the matter is, what is being quoted is simply not in the bill.

It says that it would deprive the President of the authority to make decisions. That is simply not the case. Page 2, line 20; page 5, line 17; page 7, line 7: "The President may lift"—spelled out—if he meets the certification criteria. What is that criteria? That they are no longer conducting activity and they have justification for that relief.

Where this language "never at any time" is being quoted, Mr. Speaker, by my esteemed and caring colleagues on this issue—I know how they feel about this issue personally, and I commend them for it because we are on common ground here—but they are quoting something that is simply not in the bill. When they say "never at any time," that is simply not there.

The President may lift the sanctions. What we are calling for is a certification as to why. If he comes in and makes the case—look, this bank has corrected its behavior, General Soleimani has had some epiphany and he is no longer a terrorist—then, fine, we can have that certification, and the President does that.

Talking about several of them and that there was no bipartisan effort, every single speaker that has said that there was not a bipartisan effort I have personally been in contact with—personally—talking on this particular issue. So that is simply not the case. I am kind of hurt by that because I reached out to all of them, and I didn't deny any of them a chance for amendment, for dialogue, or discussion. I do think that we have much common ground to go on here.

I think it is also important that it says that it doesn't advance goals. It is upholding the law. The law, which is the Comprehensive Iran Sanctions and Divestment Act of 2010, says that if there are people on terror and human rights list, that they shouldn't come off without certification. We agree. That is why we are saying we have to have the similar certification for those that overlap on the joint agreement. That is why we have identified them.

The hundreds of others that were mentioned by the opponents of this measure, Mr. Speaker, they weren't on those lists. That is why they are not there. They weren't targeted for this. Only those that are on the terror and human rights or nuclear proliferation with missiles list, if they are there, then that is why they have been targeted.

This isn't apparently about the merit of the measure or how we feel about the national security of the United States. It has now become an issue about process. Well, I guess that experience doesn't matter. It is about process. We need to do what is right for the country, Mr. Speaker.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time to close.

Let me first clear up, I think, what is a misperception. There are roughly 700

Iranian entities on our sanctions list. Of those, only 200 are removed from sanctions and those are those who were involved in the nuclear program. It is not true that the JCPOA removed sanctions on entities that are engaged in terrorism or proliferation or human rights violations. This is black and white in the JCPOA.

Entity by entity, we know exactly who will be removed. None of them are involved in terrorism or other malign behavior. We know who will be removed. There is a list in the annex. I have it right here, every company that will be removed, and none of them are removed for terrorism or other malign behavior. So I want to make that very, very clear.

Let me say that I think everyone on both sides has good intentions, and I think that we don't disagree about Iran. The question here is not whether Iran is a bad player or a good player. I don't trust the Iranians. I voted against the deal, and I don't believe anything the government says. That is not the question here.

The question is, how do you combat it in a unified way? We are not interested in embarrassing the President, certainly not on this side of the aisle. We are not interested in playing gotcha with the President either. We want to have a bill that has input from both sides so we can accomplish what both of us say we want to accomplish, and that is to hold Iran's feet to the fire.

I want to make sure that the JCPOA—again, which I did not support, but again it is the law—that Iran is complying with everything it is supposed to be doing. And that is where our efforts should be, to make sure that they do that, and then to also make sure that our allies like Israel have the kind of help that they need to maintain their qualitative military edge and to have another memorandum of understanding with the United States that supports Israel. This is what we should be concentrating on, not embarrassing the President or playing gotcha. That doesn't do anything.

Mr. RUSSELL, the gentleman from Oklahoma, did come up to me and ask me if I would cosponsor the bill, but that was after it was already drafted, having no input into the bill. So that is not really a way of being collaborative, if you really want to be collaborative.

I appreciate what the gentleman from Oklahoma says. I don't doubt his sincerity, and he obviously worked very hard on this bill, but many of us have difficulties with it.

We don't have difficulties with the end goal, with what we want to accomplish. We have difficulties by the way this is done. This seems, again, more to us like embarrassing the President, calling him names, than really putting our heads together in a collaborative way and really doing something that will hold Iran's feet to the fire.

So I believe in the old adage that politics should stop at the water's edge when we are talking about foreign affairs. That is why I love the Foreign Affairs Committee.

Our Nation's security and our interests abroad are too important to let partisan politics get in the way. Ninety-nine times out of 100, the Foreign Affairs Committee operates in that spirit, and this bill is an exception to that. I think the lack of input from both sides of the aisle, the lack of time the Foreign Affairs Committee didn't spend working on it, is reflected in the final product. I am not pointing a finger at anybody. Again, I think Mr. RUSSELL is sincere about this. I think we want the same thing.

This bill is deeply flawed. It would force the President to meet an impossible standard on an issue where Congress had already spoken. That is no way to advance our interests abroad. That is no way to hold Iran accountable.

So let's vote down this bill, go back to the drawing board, and come back with bipartisan legislation that would actually help us achieve our aims. I urge a "no" vote.

Again, the question here is not whether Iran can be trusted. They cannot. Iran is a bad player. Three people on this side of the aisle who spoke against this bill voted against the JCPOA. So it is not a matter of just trying to rubberstamp what the administration wants or anything like that. No, we don't think that this bill goes in the right direction. We don't want to embarrass the President. We want to work with the President to make sure that Iran's feet are held to the fire.

Again, we had the vote on the Iran deal. I voted no, my friends on that side of the aisle voted no, but we lost. So let's not repeat what we have done with the Affordable Care Act, 62 times again and again and again playing gotcha with the President.

Let's do something that really works. Let's put our heads together to make it work. We can take parts of this bill and put it together into a bipartisan bill. I am not opposed to that. But we have got to do it together. Politics need to stop at the water's edge.

So let's now work together to ensure that Iran is complying with the JCPOA. That would be a positive step forward. Let's hold their feet to the fire. Let's make sure they do what they are supposed to do, because I don't trust them anymore than anybody on that side of the aisle.

So I urge a "no" vote. Let's go back to the drawing board. Let's do what the Foreign Affairs Committee is known for doing for the past 3 years under the leadership of Chairman ROYCE and myself. We believe that we are the most bipartisan committee in the Congress. We believe that is the way foreign policy should be created, and I know we

can do better. Again, I don't impugn anyone's motives. Let's all put our heads together and let's come up with a bill that we can pass and be proud of. I urge a "no" vote.

I yield back the balance of my time. Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate all the Members who have engaged in this debate. As Ranking Member ENGEL noted, this is not usually the place we find ourselves. What we have seen from Iran over the last few months is that the Iranian threat isn't going away. So we will have to keep working together to address the Iranian threat, and I look forward to that continuing collaboration.

As the Iran nuclear agreement gets set for implementation, some 500 specific individuals and companies and several banks are set to get relief for their ties to the nuclear program. This bill simply asks the President to ensure that those receiving this reprieve are not involved in Iran's support for terrorism, nor are they involved in the missile development program that Iran continues to push for intercontinental ballistic missiles.

Soon, maybe in a matter of days, Iran will get access to over \$100 billion in frozen oil assets, and this is not going to go to the Iranians on the street. This is not going to go to small business in Iran, to those that despise their government. It is going to go to the regime. It is going to go to the Iranian Revolutionary Guard Corps.

The reason it would work that way is because that is the entity that nationalized these businesses years ago, after 1979. They are the ones that right now control approximately a quarter of the entire economy, including the major businesses, such as, for example, energy or construction.

If we look at what the U.S. Department of Treasury says about this, they labeled the IRGC as the "most powerful economic actor" in the country. So this entity has deep reach into those critical sectors of the economic infrastructure, as the Treasury Department tells us. The IRGC's largest business is its construction arm, which controls 800 affiliated companies and billions of dollars in assets.

These activities, in turn—and here is the problem, here is the nexus of the problem—fund Iran's ballistic missile program. What we had hoped for was, of course, to temper the appetite of the regime to move forward with that ICBM program. Instead what we see is a huge step-up several weeks ago as the President of Iran announced this huge step-up.

Now we see these ICBMs that are being launched and tested. We also see the military activities, the regional aggression, the call for the overthrow of the governments in Yemen, which they actually carried out in Bahrain, and in Saudi Arabia. This is a huge problem because the IRGC are doing this.

Now, during our hearings, Members expressed concerns that there would be no pushback from the administration when it comes to Iran's aggressive behavior. This has, unfortunately, proven correct.

The response to two ballistic missile tests? The administration proposed a few modest sanctions. We were all notified about that. What happened? As soon as Iran pushed back, what happened? The administration pulled them back.

The Iranian President, Hassan Rouhani, ordered his Defense Ministry to accelerate its missile program just weeks after the Obama administration joined with his diplomatic partners to sweep Iran's past illicit nuclear weapons activities under the rug. Again, countries pursue ICBMs for one reason: to deliver a nuclear warhead.

I ask for an "aye" vote.

I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, today, I will vote against H.R. 3662—the most recent attempt to undermine the Iran nuclear agreement. This legislation would explicitly prevent the United States from implementing its obligations under the Joint Comprehensive Plan of Action (JCPOA).

We are all concerned about the prospects of a nuclear-armed Iran, given its history and nebulous relationship with the United States. This is why I have consistently supported a diplomatic solution with other world powers, as sanctions do not work when applied by the U.S. alone. The JCPOA is our best path forward to enforce a non-nuclear future for Iran, particularly as we have countries, including China and Russia, join with us.

We're going to need to be diligent. Iran does have a number of internal conflicts and bad actors. The clerics and some members of the Iranian Revolutionary Guard are destructive components within a country whose people have long suffered from the effects of sanctions. There is no indication that destroying this agreement would put us in a better position to prevent Iran from revitalizing its nuclear program. If the agreement falls apart, we can always sanction later. In the meantime, we ought to continue to give diplomacy a chance.

Mr. GOODLATTE. Mr. Speaker, this Administration is giving Iran another free pass. It is irresponsible for the Administration to lift sanctions on foreign financial institutions whose actions have knowingly resulted in support for terrorists or have contributed to Iran's proliferation of nuclear weapons. It floors me that we are even having a debate about this. We should all remember the attacks on September 11th very clearly as well as President Bush's words afterwards. He said, "We will make no distinction between the terrorists who committed these acts and those who harbor them." And that is true today.

Financial institutions that have assisted in transactions to support terrorism are not innocent bystanders, and I take our Constitution's directive to "provide for the common defense" very seriously. The Iran Nuclear Agreement was a bad deal, and it's clear that Iran has no intention to hold up its side of the bargain.

I am proud to be a cosponsor of this legislation, and I urge my colleagues to join me in voting for this important piece of legislation.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 3662.

The focus of the JCPOA is to achieve the long desired objective of preventing Iran from obtaining a nuclear weapon. We must be vigilant in our verification and enforcement of that agreement.

Iran's breach of the UN Resolutions regarding ballistic missiles is serious, but it is a distinct issue that requires its own targeted response. That is why President Obama was right to impose separate sanctions on Iran for its ballistic missile violations.

As Mr. ENGEL has indicated, this legislation is nothing but a blatantly partisan attempt to re-litigate the JCPOA. It was drafted without consulting a single Democrat on the House Foreign Affairs Committee, and passed out of Committee without a single Democratic vote.

Let us focus together on holding Iran accountable for all its actions—with respect to JCPOA, its ballistic missile program, and its support for groups in the region that have engaged in terrorism. But it is a sad day when our Republican colleagues play political games with important national security and foreign policy matters.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 583, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and a result was announced. The vote was subsequently vacated by order of the House, and pursuant to clause 8 of rule XX and by order of the House, further proceedings on the question of passage of the bill were postponed to January 26, 2016.

PERSONAL EXPLANATION

Mr. COURTNEY. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. RUSH. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. BISHOP of Utah. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. COHEN. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 44. We are at war. My top priority is to keep our families safe. We must hold Iran accountable for financing terrorism. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. RUIZ. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Ms. SEWELL of Alabama. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. MCNERNEY. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, during rollcall vote No. 44 on January 13, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Ms. WILSON of Florida. Mr. Speaker, during rollcall vote No. 44 on January 13th, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. KINZINGER of Illinois. Mr. Speaker, on rollcall No. 44, I was unavoidably detained and missed the vote. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, on January 13, 2016, I regret that I was otherwise detained and unable to cast a vote on rollcall vote No. 44, on passage of H.R. 3662, the Iran Terror Finance Transparency Act. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. LARSEN of Washington. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. BARLETTA. Mr. Speaker, on rollcall No. 44, I was unavoidably detained in a constituent meeting. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. RENACCI. Mr. Speaker, on rollcall No. 44, I was meeting with constituents and was detained. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mrs. WAGNER. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Ms. VELÁZQUEZ. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. MURPHY of Florida. Mr. Speaker, during rollcall vote No. 44 on January 13, 2016, I was unavoidably detained. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. CARTER of Georgia. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. ROUZER. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Mr. CURBELO of Florida. Mr. Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for one rollcall vote on Wednesday, January 13, 2016. Had I been present, I would have voted in this manner: Rollcall Vote Number 44—H.R. 3662—“no.”

PERSONAL EXPLANATION

Mr. GRAYSON. Mr. Speaker, during rollcall vote number 44 on January 13, 2016, I was unavoidably detained due to traffic delay. Had I been present, I would have voted “no.”

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (S.J. Res. 22) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 253, nays 166, not voting 14, as follows:

[Roll No. 45]

YEAS—253

Abraham	Graves (LA)	Perry
Aderholt	Graves (MO)	Peterson
Allen	Griffith	Pittenger
Amash	Grothman	Pitts
Amodei	Guinta	Poe (TX)
Babin	Guthrie	Poliquin
Barletta	Hanna	Pompeo
Barr	Hardy	Posey
Barton	Harper	Price, Tom
Benishek	Harris	Ratcliffe
Bilirakis	Hartzler	Reed
Bishop (MI)	Heck (NV)	Reichert
Bishop (UT)	Hensarling	Renacci
Black	Herrera Beutler	Ribble
Blackburn	Hice, Jody B.	Rice (SC)
Blum	Hill	Rigell
Bost	Holding	Roby
Boustany	Hudson	Roe (TN)
Brady (TX)	Huelskamp	Rogers (AL)
Brat	Huizenga (MI)	Rogers (KY)
Bridenstine	Hultgren	Rohrabacher
Brooks (AL)	Hunter	Rokita
Brooks (IN)	Hurd (TX)	Rooney (FL)
Buchanan	Hurt (VA)	Ros-Lehtinen
Buck	Issa	Roskam
Bucshon	Jenkins (KS)	Ross
Burgess	Jenkins (WV)	Rothfus
Byrne	Johnson (OH)	Rouzer
Calvert	Johnson, Sam	Royce
Carter (GA)	Jolly	Russell
Carter (TX)	Jones	Salmon
Chabot	Jordan	Sanford
Chaffetz	Joyce	Scalise
Clawson (FL)	Katko	Schrader
Coffman	Kelly (MS)	Schweikert
Cole	Kelly (PA)	Scott, Austin
Collins (GA)	King (IA)	Scott, David
Collins (NY)	King (NY)	Sensenbrenner
Comstock	Kinzinger (IL)	Sessions
Conaway	Kline	Sewell (AL)
Cook	Labrador	Shimkus
Cooper	LaHood	Shuster
Costa	LaMalfa	Simpson
Costello (PA)	Lamborn	Smith (MO)
Cramer	Lance	Smith (NE)
Crawford	Latta	Smith (TX)
Crenshaw	LoBiondo	Stefanik
Cuellar	Long	Stewart
Culberson	Loudermilk	Stivers
Curbelo (FL)	Love	Stutzman
Davis, Rodney	Lucas	Thompson (PA)
Denham	Luetkemeyer	Thornberry
Dent	Lummis	Tiberi
DeSantis	MacArthur	Tipton
DesJarlais	Marchant	Trott
Diaz-Balart	Marino	Turner
Dold	Massie	Upton
Donovan	McCarthy	Valadao
Duffy	McCaul	Veasey
Duncan (SC)	McClintock	Vela
Duncan (TN)	McHenry	Wagner
Ellmers (NC)	McKinley	Walberg
Emmer (MN)	McMorris	Walden
Farenthold	Rodgers	Walker
Fincher	McSally	Walorski
Fitzpatrick	Meadows	Walters, Mimi
Fleischmann	Meehan	Walz
Fleming	Messer	Weber (TX)
Flores	Mica	Webster (FL)
Forbes	Miller (FL)	Wenstrup
Fortenberry	Miller (MI)	Westerman
Fox	Moolenaar	Whitfield
Franks (AZ)	Mooney (WV)	Williams
Frelinghuysen	Mullin	Wilson (SC)
Garamendi	Mulvaney	Wittman
Garrett	Murphy (PA)	Womack
Gibbs	Neugebauer	Woodall
Gibson	Newhouse	Yoder
Gohmert	Noem	Yoho
Goodlatte	Nugent	Young (AK)
Gosar	Nunes	Young (IA)
Gowdy	Olson	Young (IN)
Graham	Palmer	Zeldin
Granger	Paulsen	Zinke
Graves (GA)	Pearce	

NAYS—166

Adams	Bera	Boyle, Brendan
Aguilar	Beyer	F.
Bass	Blumenauer	Brady (PA)
Beatty	Bonamici	Brown (FL)
Becerra		Brownley (CA)

Bustos	Hastings	O'Rourke
Butterfield	Heck (WA)	Pallone
Capps	Higgins	Pascarell
Capuano	Himes	Payne
Cárdenas	Hinojosa	Pelosi
Carney	Honda	Perlmutter
Carson (IN)	Hoyer	Peters
Cartwright	Huffman	Pingree
Castor (FL)	Israel	Pocan
Castro (TX)	Jackson Lee	Polis
Chu, Judy	Jeffries	Price (NC)
Cicilline	Johnson (GA)	Quigley
Clark (MA)	Johnson, E. B.	Rangel
Clarke (NY)	Kaptur	Rice (NY)
Clay	Keating	Roybal-Allard
Cleaver	Kelly (IL)	Ruiz
Clyburn	Kildee	Ruppersberger
Cohen	Kilmer	Rush
Connolly	Kind	Ryan (OH)
Courtney	Kirkpatrick	Sánchez, Linda
Crowley	Kuster	T.
Cummings	Langevin	Sanchez, Loretta
Davis (CA)	Larsen (WA)	Sarbanes
Davis, Danny	Larson (CT)	Schakowsky
DeFazio	Lawrence	Schiff
DeGette	Lee	Scott (VA)
Delaney	Levin	Serrano
DeLauro	Lewis	Sherman
DelBene	Lipinski	Sinema
DeSaulnier	Loeb sack	Sires
Deutch	Lofgren	Slaughter
Doggett	Lowenthal	Smith (NJ)
Doyle, Michael	Lowe y	Speier
F.	Lujan Grisham	Swallowell (CA)
Duckworth	(NM)	Takai
Edwards	Luján, Ben Ray	Takano
Ellison	(NM)	Thompson (CA)
Engel	Lynch	Thompson (MS)
Eshoo	Maloney,	Titus
Esty	Carolyn	Tonko
Farr	Maloney, Sean	Torres
Fattah	McCollum	Tsongas
Foster	McDermott	Van Hollen
Frankel (FL)	McNerney	Vargas
Fudge	Meeks	Velázquez
Gabbard	Meng	Visclosky
Gallego	Moore	Wasserman
Grayson	Moulton	Schultz
Green, Al	Murphy (FL)	Waters, Maxine
Green, Gene	Nadler	Watson Coleman
Grijalva	Napolitano	Welch
Gutiérrez	Nolan	Wilson (FL)
Hahn	Norcross	Yarmuth

NOT VOTING—14

Ashford	Knight	Palazzo
Bishop (GA)	Lieu, Ted	Richmond
Conyers	Matsui	Smith (WA)
Dingell	McGovern	Westmoreland
Kennedy	Neal	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1155

Mr. VEASEY changed his vote from "nay" to "yea."

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. YOHO. Mr. Speaker, on rollcall No. 45, on S.J. Res. 22, I missed the vote. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. KNIGHT. Mr. Speaker, on Wednesday, January 13th, I had to return to the district to attend to urgent constituent business related to the Aliso Canyon gas leak. Had I been present for the day's vote series, I would have voted "yea" on rollcall No. 44, the passage of S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental

Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act; and "yea" on rollcall No. 45, the passage of H.R. 3662 or the Iran Terror Finance Transparency Act.

□ 1200

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS PROCESS ON H.R. 3442, DEBT MANAGEMENT AND FISCAL RESPONSIBILITY ACT OF 2015

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, today the Rules Committee issued an announcement outlining the amendment process for H.R. 3442, the Debt Management and Fiscal Responsibility Act of 2015. An amendment deadline has been set for Thursday, January 21, 2016, at 12:00 p.m. That is also known as noon.

Amendments should be drafted to the text of the bill as reported by the Committee on Ways and Means, which is posted on the Rules Committee Web site. Please feel free to contact me or a member of the Rules Committee if we may be of assistance to any Member in their preparations.

VACATING VOTE ON H.R. 3662, IRAN TERROR FINANCE TRANSPARENCY ACT

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain terrorism financiers, and for other purposes, was passed and the motion to reconsider was laid on the table be vacated and that further proceedings on the question of passage of H.R. 3662 may be postponed through the legislative day of January 26, 2016, as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. HOYER. Mr. Speaker, reserving the right to object—and I do not intend to object—I want to thank the majority leader. I personally, as a former majority leader, appreciate the policy enunciated by the Speaker in turn to accommodate Members' schedules so that we vote on time. But this was an extraordinarily important vote. Large numbers of Members of both sides missed it, and I very much appreciate the majority leader's action and the Speaker's agreement to it to accommodate our Members so that, on this important bill, they will be able to vote on the 26th.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. The reservation of objection is withdrawn.

Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Proceedings whereby the motion to reconsider was laid on the table and by which the House passed H.R. 3662 are vacated, and further proceedings on the questions of passage of H.R. 3662 are postponed pursuant to clause 8 of rule XX and the order of the House of today.

ADJOURNMENT FROM WEDNESDAY, JANUARY 13, 2016, TO FRIDAY, JANUARY 15, 2016

Mr. HOLDING. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet at 1 p.m. on Friday, January 15, 2016.

The SPEAKER pro tempore (Mr. DONOVAN). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CONGRATULATING ZIPPY DUVALL, FARM BUREAU FEDERATION'S NEW PRESIDENT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, today I join my colleagues in the Georgia delegation, Representative AUSTIN SCOTT and Representative BUDDY CARTER, to recognize Zippy Duvall, the American Farm Bureau Federation's new president.

As a third-generation dairy farmer, who better than Zippy would know what our farmers and agriculture sector need to succeed?

Zippy and his wife, Bonnie, maintain a 300-head beef cow herd, produce quality hay, and have developed a very successful poultry production company, growing out over 75,000 broilers per year.

Zippy formerly served as president of the Georgia Farm Bureau, and will replace president Bob Stall, the national president, who is retiring after 16 years.

Zippy has a passion for agriculture like no other. It is in his blood.

Agriculture is Georgia's number one industry, and we are proud that a great Georgian has filled this national and important role.

As members of the House Committee on Agriculture, we look forward to working with Zippy, and wish him all the best as he begins this new journey in his life.

Congratulations to Zippy and Bonnie Duvall. I know the American Farm Bureau Federation will be served well with Zippy as president.

RECOGNIZING THE SERVICE OF THE WOMEN AIRFORCE SERVICE PILOTS

(Ms. LORETTA SANCHEZ of California asked and was given permission

to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize the female pilots who served during World War II, known as the Women Airforce Service Pilots, or the WASPs.

These brave and hardworking female pilots signed up, of their own volition, were trained in over 12,000 aircraft, and stepped up to the plate to fill the shortfall of male pilots.

Despite the fact that the WASPs were merely considered civilians, they served their country, delivering planes overseas in dangerous conditions and helping to train the male pilots for combat.

Thirty-eight of these WASPs died while serving their country, and their patriotic sense of duty is truly inspirational.

Unfortunately, these courageous women have been unjustly denied the honor of burial at the Arlington National Cemetery. Why? Because they were civilians.

As a cosponsor of H.R. 4336, I strongly urge the Secretary of the Army to change its policy and allow these female pilots to be honored at Arlington National Cemetery. It is the moral imperative of our country to honor them.

CONGRATULATING NASA FLIGHT DIRECTOR MARY LAWRENCE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Mary Lawrence, a native of Pennsylvania's Fifth Congressional District, who was named late last year as one of the five new flight directors to manage the operations of the International Space Station from NASA's Mission Control Center in Houston.

Mary grew up in Wattsburg, Erie County, earned a bachelor's degree in mechanical engineering from the Pennsylvania State University's Behrend campus in 2001. Following graduation, she worked for the U.S. Space Alliance, a NASA contractor, before joining NASA in 2007.

As a flight director, Mary will lead teams of flight controllers, research and engineering experts, along with support personnel, in ensuring the crew of the International Space Station have the tools that they need to conduct their important scientific research.

Mr. Speaker, Mary is hoping to be certified as a flight director in a few months, and will then be one of only 27 active flight directors for NASA.

Again, I congratulate Mary, her husband, Andrew, and their entire family on this commendable accomplishment. I wish her the best of luck as her career with NASA continues.

NORTH KOREA SANCTIONS ENFORCEMENT ACT

(Mr. CASTRO of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASTRO of Texas. Mr. Speaker, in the wake of North Korea's alleged hydrogen bomb test last week, the House of Representatives yesterday passed the North Korea Sanctions Enforcement Act and sent a strong signal that the United States will not tolerate such hostile behavior.

Yesterday's legislation strengthens and expands our existing sanctions against North Korea, increases our investigations into nefarious activities that support North Korea's weapons programs and human rights abuses, and holds bad actors accountable when they engage with North Korea to launder money, traffic narcotics, or carry out cybersecurity attacks.

I am glad that the final bill includes a measure I proposed stressing the strategic importance of U.S. trilateral cooperation and military intelligence-sharing with Japan and South Korea. The United States will uphold its commitment to Japan and South Korea, protect their security in the face of the North Korean threat, and work to preserve stability in the Asia-Pacific region.

□ 1215

THE WORLD IS NOT SAFE TODAY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, in his State of the Union message, President Obama claimed that America's standing as a world power is greater than when he first took office.

Let's see, Mr. Speaker. Iran just took 10 of our sailors hostage for 24 hours. Iran props up a dictator in Syria who has killed millions of his own citizens. Iran is the world's number one sponsor of terrorism. Iran is currently developing ICBMs and eventually will have nuclear weapons.

Russia invaded Ukraine, a country hungry for freedom. The Ukrainians looked to the United States for leadership, and the United States watched and basically did nothing. The Russians are still in Ukraine.

North Korea has nuclear weapons and ICBMs that can now reach the United States. ISIS and other terrorist groups control more territory and have more money than ever before in history. Last year was one of the deadliest years of terrorist violence on record.

The fact is the world is not safer today. It is not a more stable place than it was 8 years ago. The world is full of dangerous, rogue nations seeking to do harm. Our friends don't trust us, and our enemies scoff at us.

The administration's foreign policy is based on wobbly knees, not strength. And that is just the way it is.

RECOGNIZING COMBINED INSURANCE COMPANY OF AMERICA IN GLENVIEW, ILLINOIS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize Combined Insurance Company of America in Glenview, Illinois, for receiving an estimable award. GI Jobs magazine announced its Top 100 Military Friendly Employers for 2016, and for the second consecutive year, Combined Insurance was number one.

This is a prestigious honor, as Combined was ranked above 5,000 other organizations in the United States that were considered, and it marks the fifth straight year that they made the Top 100 organizations.

Since 2010, Combined Insurance has hired over 2,500 veterans or those with a military background. Their president, Brad Bennett, has committed to hiring an additional 2,800 more by the end of 2017.

Brad and his leadership team know that servicemembers at any rank offer employers skills such as discipline, independent work ethic, and commitment. They actively recruit from all levels of the military, offering opportunities for former officers and those from the enlisted ranks as well.

In addition to providing meaningful employment to our veterans, Combined also gives back to several veteran charities in both time and resources.

I hope more organizations will emulate Combined Insurance in their unwavering efforts to support our Nation's veterans.

RIGHT TO LIFE

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, the Declaration of Independence records for posterity the fact that we have been given by our Creator certain unalienable rights. Among these, of course, are life, liberty, and the pursuit of happiness.

These rights extend to all persons, even those who are physically with us, but yet unborn. Indeed, life inside a mother versus outside of her is ultimately a matter of geography.

The rights of the unborn must be protected, and I believe we can never speak too strongly for those who cannot speak for themselves. Protecting life must be our top priority.

This debate is more than a simple disagreement about making choices. It is a debate about fundamental, God-

given rights, the first of which, of course, is the right to life.

Mr. Speaker, I believe that this House, the people's House, has no higher duty than to protect human life, no matter how big or how small it is or where it may be located.

As we approach the 43rd anniversary of *Roe v. Wade*, I pray for all the families in our Nation who have chosen life and for all the life that we have lost.

IRAN TERROR FINANCE TRANSPARENCY ACT

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. Mr. Speaker, it seems we can't go more than a few days without the regime in Tehran once again making the headlines.

From violating U.N. Security Council resolutions to firing rockets dangerously close to one of our aircraft carriers, to detaining our sailors, Iran shows no interest in actually wanting to be part of the international community.

What is worse, Mr. Speaker, is that this administration seems all too willing to look the other way, with new sanctions being announced all for the sake of preserving a flawed nuclear agreement.

Later this month the House will consider again the Iran Terror Finance Transparency Act, legislation that, in light of Iran's recent actions, is absolutely necessary.

Mr. Speaker, now is the time for strong American leadership, leadership that stands up to rogue regimes bent on the destruction of America and our allies.

PAYING TRIBUTE TO DR. J.S. STONE OF HOUSTON, TEXAS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, it is with sadness in my heart that I rise to acknowledge the death of a great leader in our community, Dr. J.S. Stone, a graduate of Talladega College and a graduate of Meharry Medical School, who leaves his beloved wife, Gertrude, a dear friend, and three children.

This was a great leader and a great medical professional, committed to service in our community, serving on many, many boards and sharing his great brilliance with all of us.

He had a residency at Texas MD Anderson and hospitals in Philadelphia and became one of the first African Americans to participate in the Harris County Medical Society and to practice in hospitals that, for the first time, saw an African American doctor, such as St. Joseph, a community hos-

pital that has remained historic in our community.

Again, I want to pay tribute to him for his service in the United States military as captain.

This is the kind of African American leader and a kind of American leader that stood tall, being born in 1930 in the face of segregation, but he never let the ills of the world overcome him. He became a servant of the people—not elected—but he became a servant in medicine and serving them.

I honor him today and express my deepest sympathy to his family, his wife, his children, and to the entire community in Houston, for we have lost a fallen hero. He is a hero.

I say well done, good and faithful servant. May you rest in peace, Dr. J.S. Stone.

PROTECTING FAMILIES FROM CARBON MONOXIDE POISONING

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, every year carbon monoxide kills over 400 people and sends an additional 20,000 people to the emergency room. Carbon monoxide is a colorless, odorless gas, and poisoning from it most often occurs in households with a malfunctioning heat source.

Because of its nature, it can be extremely difficult to detect a carbon monoxide leak. Carbon monoxide detectors, however, are extremely effective in alerting families to a leak and have already saved lives.

I am introducing bipartisan legislation with Congresswoman ANN KUSTER to allow States to apply for grants to purchase and install carbon monoxide detectors in schools, in low-income homes, and, also, senior residences at no cost to the taxpayer.

The grants will also help and train local and State fire officials on the dangers of carbon monoxide and the best methods of prevention because, Mr. Speaker, it is important to educate the public on the risks of carbon monoxide poisoning and what people should do to protect themselves. This is one more way to do so.

OUR SECOND AMENDMENT RIGHTS

(Mr. CULBERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CULBERSON. Mr. Speaker, the Obama administration has just issued a series of executive actions attempting to limit our Second Amendment right to keep and bear arms.

As the new chairman of the Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee, I have been entrusted with the re-

sponsibility handed down to us by our Founding Fathers of the power of the purse.

The Department of Justice and the Department of Alcohol, Tobacco, Firearms and Explosives have already been put on notice that, if they attempt to interfere with our Second Amendment rights, I have the authority, as chairman, to block their ability to move money within the agency, to block their ability, for example, when they submit a spending plan. That is a very powerful tool of persuasion, not always guaranteed.

The Founding Fathers entrusted the power of the purse to the Congress as a way to give a check and balance to an out-of-control executive.

I don't need a bill. I don't need an amendment. And I don't need any new authority. The Congress has it.

I will execute that authority entrusted to me to protect our Second Amendment rights and to make sure that Americans always have the right to keep and bear arms in defense of our freedom.

If the Obama administration wants access to our hard-earned tax dollars, they are going to have to assure me and the American people that they will not interfere with our constitutional rights.

HONORING KOREAN AMERICAN DAY

(Mrs. COMSTOCK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COMSTOCK. Mr. Speaker, on January 13, 1903, 102 Korean immigrants first arrived in the United States. Today we celebrate Korean American Day and the contributions of our Korean American community. Earlier this week, we had a celebration right here on Capitol Hill, with many of my colleagues joining our local and national community.

When I previously served as the State delegate and now, as a Member of Congress, I have been privileged to work with our Korean American community in northern Virginia and throughout the 10th District through organizations such as the Korean American Association of the Washington Metropolitan Area; the Korean Medical Society; the Korean Women's Chamber of Commerce, which has worked with us tirelessly on battling the human trafficking issue. These are a few of the many organizations that serve in our area.

I have also been privileged to visit with the Korean faith community and attended many cultural festivals, such as the annual KORUS Festival, which I was honored to chair just last year, and Korean Independence Day, which we celebrate annually in August with our local community—and I know we celebrate it throughout our country—so

that we can all unite in our passion for freedom and for the “One Korea” cause, something we are all united on.

Near my home in the 10th District is Meadowlark Botanical Gardens, which is home to the Korean Bell Garden, a gift to the community and to our park system from the Korean American Cultural Committee, which serves our whole community as a beautiful symbol of goodwill towards all.

I am proud to be a member of the Korea Caucus, and I appreciate that goodwill and the goodwill that is found throughout our Korean American community. I join with them today in celebrating this anniversary.

STATE OF THE UNION ADDRESS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, having been the location for the State of the Union Address last night, we agree that we care deeply about this country, but there were some things that were said here from this lectern right here, where national and international leaders speak when they are invited to speak here in the House, that I felt needed some deliberation.

It is noteworthy. My late mother, English teacher that she was—if I had given this speech, the first thing she would have harassed me about was that you start the first five paragraphs—and this is the content: I have come, I know, I also, I hope, I will keep, I don’t, I want, I want.

My mother would have made big red circles around there and said: Eliminate the first person. It tells people that you care more about yourself. Get rid of that. Quit having so much first person.

Of course, she would have done the same thing toward the end of the speech when we have: I hold, I know, I intend, I can’t, I am asking, I see, I will be, I can, I travel, I see, I see, I know, I see, I see, I see, I see, I see, I see, I know, I believe, I stand.

No doubt my late mother would have taken a red pen and said: Son, if you want to give a great speech, quit talking about the first person “I” all the time. You have got to eliminate it if you want to give a great speech.

So, Mr. Speaker, since we care deeply about each other in this country, those who are in elected positions, I thought maybe, since the door is not always open to me at the White House—I know that going back to the ObamaCare days when the President said: If you have got better ideas, my door is always open.

I know my office kept trying to get me into that open door. I am sure the President was telling the truth. I am sure his door was open. But there were

so many Secret Service agents and staff members between me and that open door, I was not allowed to come present my better ideas on health care.

□ 1230

I still have them. Hopefully, we will get a chance to work those in. Some of the things, PAUL RYAN and I have been on the same page for years; some of them are a little different. TOM PRICE has had some great proposals, MIKE BURGESS. We have a lot of doctors here that have had some great ideas on how to fix it. From that experience, I know that the door is not always open, so this is the format in which I have to point these things out.

When the President said, “second, how do we make technology work for us and not against us,” what immediately comes to mind is what many Republicans have been concerned about and some of my Democrat friends have been very concerned about. Don’t seem quite as concerned under a Democratic President as they were under President Bush, but, nonetheless, still concerned that the President asked, perhaps rhetorically, how do we make technology work for us.

Mr. Speaker, I would humbly submit that the President has got technology working for the administration pretty well. You have got NSA that has been amazing in their ability to use algorithms and sort through emails. You have got the Federal Government, as we found after the Snowden revelations, after we had been told by both Bush and Obama administration officials that we are not checking people’s phone calls, we are not getting that information.

It turned out that, in the FISA court, both administrations had been seeking and getting blanket orders not consistent with the Constitution, which requires specificity. You have to specifically name what it is being searched for and specifically the reason you have for searching it. There is no specificity. They just said: We want every list of everybody’s phone call in your phone company. The judge said: Oh, sure, that is specific enough—every single phone call without any reason, just need the information. So you have got emails, you have got phone calls.

Then, of course, under ObamaCare, the Federal Government is going to get to have everybody’s medical records. It sounds like crony capitalism involved in having a deal with a private entity to gather everybody’s medical records. So you will have the Federal Government and a private company gathering everybody’s medical records.

Then we have the Consumer Financial Protection Bureau that, under the guise of trying to protect people from unscrupulous banks, you have the Consumer Financial Protection Bureau say: We want every debit and credit card record of everybody. That way we

can watch for unscrupulous banking practices and banks.

Well, that is not the way the Constitution requires things be done. As a judge, if you wanted somebody’s bank records, you had to come to a judge like me in a felony case and you had to have probable cause established under oath that there is probable cause to believe a crime was committed, this person committed it, and only then would I sign an order allowing them to get someone’s bank records. Not under the CFPB. Under the guise of helping people, they are gathering people’s bank records, whether they want them to have them or not. That needs to stop.

The President said: “We have done all this while cutting our deficits by almost three-quarters.” The trouble is I remember back in 2006 when Democrats were rightfully and righteously pointing out that with a Republican President, President George W. Bush, and Republicans in control of the House and Senate, they felt it was outrageous that we were going to have a \$160 billion deficit, that we would bring in \$160 billion less than we would spend.

They were right. We should have had a balanced budget then. We were trying to get there. We were pushing for cuts trying to get there. But they convinced the American public Republicans can’t be trusted; they have got you a \$160 billion deficit. You put us in charge, and we will cut that to get a balanced budget.

Then we got a Democratic President, a Democratic House, and a Democratic Senate, and what happened? The budget that they gave us created about a \$1.6 trillion deficit. So much for the \$160 billion that we were lambasted for allowing. They 10-times that right up to \$1.6 trillion or so.

People need to understand, when the President says we have cut the deficit by almost three-quarters, when you still haven’t gotten back to that \$160 billion deficit that we were lambasted for back in 2006, you still have not done an adequate job. We wish that the President and Democrats in the Senate would work better with us so that we can get back more to the kind of budget the Democrats promised Americans back in the fall of 2006.

Then the President said: “More and more wealth and income is concentrated at the very top.” I want to applaud the President, Mr. Speaker, for stating the truth. Under his watch, more and more wealth and income has been concentrated at the top. The President has actually admitted on the record a couple years or so ago that it is true that for the first time in American history—it has never happened before under any other President—the first time in American history, under President Obama’s watch, 95 percent of all income in America has been reported went to the top 1 percent of income earners in America. Ninety-five

percent of the country's income went to the top 1 percent. It never happened before, not under a Republican, not under a Democrat, not under anybody. That has never happened before.

In fact, we feel the middle class shrinking, and it is not in a good way where they are moving up to the rich. They are moving down to the poor, and the poor are getting poorer. It is not because a free market system doesn't work. It is because the government, under this President, blew past the 73- or 74,000-page-per-year record that President Bush finally reached and now is pushing toward 80,000 new pages of regulations every year that business has to live under.

The only chance you have is to be a big investment bank that got us into trouble, that nearly brought down the country, because the regulations of this administration and the push that this administration has had against community banks that did not get us in trouble is about to bring them under. We are losing them constantly, and the big banks are getting bigger and more powerful instead of getting lower to a point where they would not bring down the country as they nearly did previously.

The President says: "The bipartisan reform of No Child Left Behind was an important start." My understanding was he was promising that he would get rid of that. I thought when he got elected, okay, look for the silver lining. He is going to get rid of No Child Left Behind. Hallelujah, that is a good thing. Let's get the control back to the States and the people as the 10th Amendment requires, because education is not an enumerated power. It is reserved to the States and people.

Before the Federal Government got involved, I know in Texas—I have seen the stats—it was nearly 75 percent of all education employees were teachers in Texas. Makes sense. Then that year President Carter started the Department of Education. Now everybody has got to have a massive number of bureaucrats at the State level and at the local level.

You have got to have people at the local school district providing all the data that is being demanded at the State capitol because it is being demanded here in Washington. So we are now about 50 percent of our employees in Texas—about—are teachers. Why 70 to 75 percent down to 50? Because we have a Federal Department of Education. The emphasis is on being bureaucrats, not on education, and we need to get back to that. I sure wish that had been a promise the President had kept.

There are numerous promises and statements made. I am just highlighting some here, Mr. Speaker. But when the President says, "Nearly 18 million people have gained coverage so far," I am not sure where that number

is coming from. It may come from the same source that the President used to say: "Surveys show our standing around the world is higher than when I was elected to this office."

In both cases, I haven't been able to find any basis whatsoever for either of those statements and would welcome hard, factual evidence, not something they create and make up—it is easy to make things up—but an actual survey. Because I have seen surveys that show that, even though this President was raised as a child in a Muslim country back in Indonesia—he thought that that would get him more respect in Muslim countries—the surveys I have seen show he has less respect in Muslim countries than President Bush did, and that was bad enough. But at least the countries had more respect for President George W. Bush. They knew he was serious and meant business.

Unfortunately, Muslim countries actually believe that they could take—say, just hypothetically, Mr. Speaker—they could take 10 of the U.S. Navy sailors, just take them into custody, and this administration would do nothing, nothing to retaliate or respond. As President Reagan made clear and history showed, you get peace through strength. If you don't get peace through strength, then the only way you get peace is total subjugation to a tyrant.

The President said: "America is about giving everybody willing to work a chance, a hand up." Yet this is the very President that, with executive orders, changed—this administration at least—and violated the existing welfare reform laws because it was a requirement. If you could work, you had to work.

I was thrilled to see a graph that a professor at Harvard had at a seminar up there at Harvard back in 2005. He showed that for 30 years of the welfare system, '65 or '66 to '95 or '96, that single moms' income, when adjusted for inflation, was just flat-lined. Single moms' income was flat-lined. No increase over 30 years and spending trillions of dollars, they were no better off.

Yet, after the welfare reform, after the Republican revolution under Speaker Newt Gingrich, welfare reform required working, if people could. They had a graph that showed that, for the first time since we started having welfare, from '96 through 2005 or through 2004, single moms' income had a sharp increase over that period and was still headed up.

I am not sure if it was still headed up when this President took that requirement away, which no doubt put them back on a flat line again, making them worse off. I am sure it is not intentional that he would make single moms worse off; but when you have the data to show what happens, it is very unfortunate he put single moms back on a path to low income that never increases after adjusted for inflation.

The President said: "I think there are outdated regulations that need to be changed and there is red tape that needs to be cut. But, after years now of record corporate profits"—that is a problem.

Outdated regulations—I am asking rhetorically, Mr. Speaker. Is that the reason that he has set records with nearly 80,000 pages of new regulations where you have got the founders of some of the biggest businesses in the country saying: With all these regulations pouring out of Washington every year, I could never found the company that I have today. I could never get started today because of these massive, bloated regulations?

□ 1245

Here again, he takes a shot at big banks or Big Oil.

It is interesting, Mr. Speaker, if you look back at the President's proposal on his American Jobs Act—my American Jobs Act that I filed before his was a lot better, it would have stimulated the economy better—he said he was going to punish Big Oil.

But if you look at the deductions he was eliminating, they were basically deductions that only the smaller, independent oil producers could take, which kept them in business, and that Exxon—the big companies—didn't even take the deductions. They were not eligible to take those that the President was going to eliminate.

Therefore, it was going to put out of business the independent oil and gas producers, which would be a boon to the Big Oil that the President said he didn't like.

He has talked about and railed against the big banks and the fat cats on Wall Street, but it is as if there is a wink and a nod there: I am going to call you names, but I am going to let you make more money than you have ever made in your lives while the rest of those in the country make less money than they have ever made—because, under this President's policies and regulations, that is what happened.

He says that immigrants aren't the reason that wages haven't gone up enough. I hope that we will have a chance to show him the accurate data that show, yes, that is the biggest reason that wages haven't gone up. For all of the jobs that have been created, it looks like the number indicates it is the same number of immigrants that have taken jobs during that time.

The President said that he plans to lift up the many businesses. Mr. Speaker, that is the problem. This President thinks he is the one who lifts businesses or puts them down. It is true that he can destroy businesses, as he has done, but the fact that anyone thinks the government is the one that lifts businesses is at the heart of the problem with this administration, one of many.

The President says that, over the past 7 years, we have nurtured that spirit. He is talking about discoveries in DNA. Yet, with the 70,000 to 80,000 pages of new regulations every year, there is not much spirit there to nurture.

He said that we have protected an open Internet, but he failed to mention that the government took over the Internet. The FCC had said that they were not going to take it over. Then he gave a speech, saying that we were going to take it over. The next thing you know, they have taken it over.

He says that he is putting JOE in charge of mission control. He is talking about curing cancer. I love the idea that we are going to cure cancer. That would be fantastic. A lot of loved ones I have lost have died of cancer.

Then I heard he was going to put JOE in charge. Then I remembered, Mr. Speaker, wasn't it he that was going to stamp out all waste, fraud, and abuse in the Federal Government, so he was going to put JOE in charge, and we knew it could happen? It seems like he says he is going to put JOE in charge when he may not really be serious about doing anything or having any results. So we will see.

In any event, there are a lot of problems that he failed to address and the fact that he was being mocked by Iran as he was speaking about the higher respect that other countries have. Go back to President Reagan. The radical Islamists had so much more respect for President Reagan. They didn't like him, but they had respect and fear.

Proverbs said: "Fear of the Lord is the beginning of wisdom." There is a component of fear within respect. They had no fear of Carter, but they had so much fear and respect for Reagan that they released our hostages the day he was sworn in. I am hoping and praying that we get a leader elected who takes office a year from now who has that kind of respect.

He says that, when it comes to every important international issue, people of the world do not look to Beijing or to Moscow to lead—they call us.

I wish the President got more briefings or was able to attend more or got better information if he is not getting this, but we have had a real problem under his Presidency. People have been shocked, including some here in this body—I was not really shocked—when Egypt and some of our Muslim ally nations have done airstrikes.

The big news was they didn't consult Washington, and people in the administration were upset: Why didn't they check with us? I have met with those people. They said: We can't tell this administration, because they will leak it to our enemies. We can't trust them.

For heaven's sake, this administration has declassified information on nuclear weapons, trying to embarrass and harass Israel. They have taken

steps to try to prevent Israel from defending themselves.

Is it any wonder that Egyptian President el-Sisi—whom I have tremendous respect for—and other leaders, including Iran and other leaders in the Middle East, when they have got a problem, they don't talk to Washington except for the largest supporter of terrorism, Iran?

Iran knows they can push President Obama around and his administration, John Kerry. They can push them around, and they do. They can take our sailors and not have any consequences. But when they have got a real problem, they go to Moscow, because they know Putin is a man who means business. I don't think he can be trusted. I think he is one of those with whom anything should be verified and that he should be carefully watched.

Some people in this administration think Putin is an anathema and a mystery. They can't figure him out. He is one of the most transparent leaders in the world today. Those of us who know Russian history know you can read him like a book. You can anticipate what he is going to do. He is very transparent.

The President says that, as we focus on destroying ISIL, we don't have a plan. We don't have strategic orders for our military to take out ISIL, but, somehow, he is focused on them. In having been all over north Iraq myself and in having met with Iraqi leaders, especially Kurdish leaders—because they are the military leaders we can trust—I know what they say.

In having just heard another report in September again, we have U.S. military planes flying. They see trucks that are loaded with weapons and supplies for ISIL. We know they are going to ISIL as those are about the only people using some of these roads, with the big trucks.

One of our A-10 pilots said his rules of engagement allowed him to neither crater the road and stop the supplies to ISIL, nor did he have the authority to take out one of the trucks unless one of the trucks fired at him, and only then could they fire at that truck only. ISIL knows that, so they don't fire at A-10s or at any of our helicopters or aircraft. That is why most of the planes that go out with ordnance come back with most of their ordnance. It is because of this President's rules of engagement.

How else can you explain that, after 7½ years under Commander in Chief and President George W. Bush, we lost right around 500 precious American military lives in Afghanistan; and then, basically, when we were told the war was over, for 7 years now under Commander in Chief Obama, we have lost three to four times that many people and the peace?

When I talk to people privately—you won't get this in a public meeting but

in private meetings with our military—they indicate that it is our rules of engagement: We have to be worried that, if we defend ourselves and live, we will go to Leavenworth for 20 years; so a lot of us would rather die as somewhat of a hero than go home and go to Leavenworth for defending ourselves.

So we have lost three to four times as many under President Obama—in 3 months less time when the war was supposedly over—than we lost during the actual war in Afghanistan. The President says that our foreign policy must be focused on the threat from ISIL and al Qaeda. I agree it must be, but, unfortunately, it isn't at this time.

I will just finish with this, Mr. Speaker. He points out that we also can't try to take over and rebuild every country that falls into crisis. That is not leadership. That is a recipe for a quagmire, spilling American blood and treasure. Ultimately, it weakens us. It is the lesson of Vietnam and of Iraq that we should have learned by now.

Mr. Speaker, SAM JOHNSON—after 7 years in the Hanoi Hilton as a prisoner of war in North Vietnam—was beaten and tortured. If you remember the scenario, Nixon had promised in 1972 to get us out of Vietnam. He calls for the Paris peace negotiations. They start. North Vietnam makes this show about storming out. So Nixon ordered the carpet bombing of Hanoi and North Vietnam for 2 weeks. After 2 weeks of bombing, North Vietnam rushed back to the negotiating table and said: Let's get this done. And there was a peace deal.

As SAM JOHNSON and others were being taken to the bus to be taken to the military plane to leave North Vietnam, he said one of the meanest officers or higher officials there at the prison was laughing and said: You stupid Americans, if you had just bombed us for 1 more week, we would have had to surrender unconditionally.

Mr. Speaker, the lesson of Vietnam is this: If you are going to send American military men and women into harm's way, give them everything they need to win. Let them win, and then bring them home.

That is the lesson of Vietnam that this administration and many others have not learned. That is why, instead of 500 military heroes losing their lives in 7 years in Afghanistan, we have had three to four times that many lose their lives under President Obama. It is because this lesson of Vietnam has not been learned. Give our military what they need to win, and give them rules of engagement and orders to win, and then bring them home.

I hope and pray somebody gets that message in this administration so that we have no more needless loss of life in foreign countries by the heroic, patriotic men and women of our military.

Mr. Speaker, I yield back the balance of my time.

□ 1300

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. GOHMERT. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 107

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Wednesday, January 13, 2016, through Tuesday, January 19, 2016, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, January 25, 2016, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM WEDNESDAY, JANUARY 13, 2016, TO FRIDAY, JANUARY 15, 2016

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 1 p.m. on Friday, January 15, 2016, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 107, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNIGHT (at the request of Mr. MCCARTHY) for today on account of urgent constituent business in the district related to the Aliso Canyon gas leak.

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Friday, January 15, 2016, at 1 p.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 107, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4030. A letter from the Co-Chairs, National Commission on Hunger, transmitting the Commission's report entitled "Freedom from Hunger: An Achievable Goal for the United States of America" for 2015, pursuant to Public Law 113-76, div. A, title VII, Sec. 743(a)(3); (128 Stat. 40); to the Committee on Agriculture.

4031. A letter from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting the Department's notice of final directive — Ski Area Water Clause (RIN: 0596-AD14) received January 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4032. A letter from the Assistant Secretary, Legislative Affairs, Department of Defense, transmitting draft of proposed legislation entitled the "Military Justice Act of 2016"; to the Committee on Armed Services.

4033. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Amendments to the Capital Plan and Stress Test Rules [Regulations Y and YY; Docket No.: R-1517] (RIN: 7100-AE33) received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4034. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Regulatory Capital Rules: Regulatory Capital, Final Rule Demonstrating Application of Common Equity Tier 1 Capital Eligibility Criteria and Excluding Certain Holding Companies from Regulation Q [Docket No.: R-1506] (RIN: 7100-AE27) received January 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4035. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's Report to Congress on Preservation and Promotion of Minority Depository Institutions for 2014, pursuant to 12 U.S.C. 1463 note; Public Law 101-73, Sec. 367 (as amended by Public Law 111-203, Sec. 367(4)(B)); (124 Stat. 1556); to the Committee on Financial Services.

4036. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2009 — 2012, pursuant to 42

U.S.C. 2992-1; Public Law 88-452, Sec. 811A (as added by Public Law 102-375, Sec. 822(12)); (106 Stat. 1299); to the Committee on Education and the Workforce.

4037. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress on the Prevention and Reduction of Underage Drinking for December 2015, pursuant to 42 U.S.C. 290bb-25b(c)(1)(F); Public Law 109-422, Sec. 2; (120 Stat. 2892); to the Committee on Energy and Commerce.

4038. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2014 Report to Congress on the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances, pursuant to 42 U.S.C. 290ff(c)(2); July 1, 1944, ch. 373, title V, Sec. 565 (as amended by Public Law 106-310, Sec. 3105(c)) (114 Stat. 1175); to the Committee on Energy and Commerce.

4039. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "Report on the Multiagency Collaboration on Unconventional Oil and Gas Research", for December 2015, in response to the Explanatory Statement on H.R. 83, Consolidated and Further Continuing Appropriations Act of 2015; to the Committee on Energy and Commerce.

4040. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major final rule — Energy Conservation Program: Energy Conservation Standards for Ceiling Fan Light Kits [Docket No.: EERE-2012-BT-STD-0045] (RIN: 1904-AC87) received January 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4041. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Biennial Report to Congress entitled, "2013 Scientific and Clinical Status of Organ Transplantation", pursuant to Sec. 376 of the Public Health Service Act, as codified at 42 U.S.C. Sec. 274d; to the Committee on Energy and Commerce.

4042. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Indirect Food Additives: Paper and Paperboard Components [Docket No.: FDA-2015-F-0714] received January 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4043. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress on the Poison Help Campaign for Fiscal Year 2014, pursuant to 42 U.S.C. 300d-72; to the Committee on Energy and Commerce.

4044. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's annual report entitled, "Assessment of Demand Response and Advanced Metering", for December 2015, pursuant to Sec. 1252 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

4045. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Cote d'Ivoire that was

declared in Executive Order 13396 of February 7, 2006, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

4046. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Certification Related to Condition 7(C)(i) of Senate Executive Resolution 75 (1997) Concerning Advice and Consent to the Ratification of the Chemical Weapons Convention; to the Committee on Foreign Affairs.

4047. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training FY 2015 Annual Report, pursuant to 22 U.S.C. 2460(f) and (g); Public Law 87-256, Sec. 112(f) and (g); to the Committee on Foreign Affairs.

4048. A letter from the Auditor, District of Columbia Auditor, transmitting a report entitled, "Fiscal Year 2014 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Oversight and Government Reform.

4049. A letter from the Auditor, District of Columbia Auditor, transmitting a report entitled, "Advisory Neighborhood Commission Security Fund Annual Financial Report for Fiscal Year 2015"; to the Committee on Oversight and Government Reform.

4050. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report, "Training and Development for the Senior Executive Service: A Necessary Investment"; pursuant to 5 U.S.C. 1204(a)(3); Public Law 95-454, Sec. 202(a) (as amended by Public Law 101-12, Sec. 3(a)(7)); (103 Stat. 17); to the Committee on Oversight and Government Reform.

4051. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's Semi-annual Report to Congress for April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

4052. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final specifications — Pacific Island Pelagic Fisheries; 2015 U.S. Territorial Longline Bigeye Tuna Catch Limits for Guam [Docket No.: 150615523-5973-03] (RIN: 0648-XD998) received January 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4053. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #37 Through #39 [Docket No.: 150316270-5270-01] (RIN: 0648-XE259) received January 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4054. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Coastal

Fisheries Cooperative Management Act Provisions; American Lobster Fishery [Docket No.: 150610515-5999-02] (RIN: 0648-BF16) received January 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4055. A letter from the Acting Chief, Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting the Department's final rule — Commerce in Firearms and Ammunition — Reporting Theft or Loss of Firearms in Transit (2007R-9P) [Docket No.: ATF 40F; AG Order No.: 3607-2016] (RIN: 1140-AA41) received January 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4056. A letter from the Acting Commissioner, Social Security Administration, transmitting a letter stating that the Administration is in the process of drafting a proposed regulation, for publication, providing names of Social Security beneficiaries to the National Instant Criminal Background Check System; to the Committee on the Judiciary.

4057. A letter from the Senior Assistant Chief Counsel for Hazmat Safety Law Division, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Requirements for the Safe Transportation of Bulk Explosives (RRR) [Docket No.: PHMSA-2011-0345-(HM-233D)] (RIN: 2137-AE86) received December 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4058. A letter from the Deputy CFO, National Environmental Satellite, Data and Information Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services; Correction [Docket No.: 150202106-5999-03] (RIN: 0648-BE86) received January 11, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

4059. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Fiscal Year 2013 Annual Report to Congress on the Child Support Program, pursuant to 42 U.S.C. 652(a)(10); Aug. 14, 1935, ch. 531, title IV, Sec. 452 (as amended by Public Law 93-647, Sec. 101(a)); (88 Stat. 2352); to the Committee on Ways and Means.

4060. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress on the Treatment of Certain Complex Diagnostic Laboratory Tests Demonstration final report, pursuant to 42 U.S.C. 1395l note; Public Law 111-148, Sec. 3113(d); (124 Stat. 422); jointly to the Committees on Ways and Means and Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCOTT of Virginia:

H.R. 4376. A bill to amend the Fair Labor Standards Act of 1938 to require certain dis-

closures be included on employee pay stubs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NUNES (for himself, Mr. TIBERI, Mr. BOUSTANY, Mr. MARCHANT, Mr. HOLDING, Mr. PITTENGER, Mr. PALMER, Mr. RUSSELL, Mr. SIMPSON, Mr. FRANKS of Arizona, Mr. STEWART, Mr. CALVERT, Mr. KNIGHT, Mrs. MIMI WALTERS of California, Mr. VALADAO, Mr. ISSA, Mr. AMODEI, Mr. YOH, Mr. HARDY, Mr. COLE, Mr. POMPEO, Mr. ROE of Tennessee, Mr. FLEISCHMANN, Mr. EMMER of Minnesota, Mr. LONG, Mr. BRAT, and Mr. ROUZER):

H.R. 4377. A bill to amend the Internal Revenue Code of 1986 to tax business income on a cash flow basis, and for other purposes; to the Committee on Ways and Means.

By Mr. CARTWRIGHT (for himself, Mr. CONYERS, Mr. GRIJALVA, and Mr. BLUMENAUER):

H.R. 4378. A bill to amend the Public Health Service Act to provide grants for treatment of heroin, opioids, cocaine, methamphetamine, 3,4-methylenedioxymethamphetamine (ecstasy), and phencyclidine (PCP) abuse, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri:

H.R. 4379. A bill to prohibit the use of Federal funds to further restrict conduct in relation to firearms; to the Committee on the Judiciary.

By Mr. AMASH (for himself, Mr. CONYERS, Mrs. DINGELL, and Mr. MASSIE):

H.R. 4380. A bill to amend the Immigration and Nationality Act to remove limitations on the ability of certain dual citizens from participating in the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas:

H.R. 4381. A bill to amend the Internal Revenue Code of 1986 to allow members of the Ready Reserve of a reserve component of the Armed Forces to make elective deferrals on the basis of their service to the Ready Reserve and on the basis of their other employment; to the Committee on Ways and Means.

By Mr. MCNERNEY:

H.R. 4382. A bill to amend the Federal Food Donation Act of 2008 to require certain Federal contractors to submit a report on food waste, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. LORETTA SANCHEZ of California (for herself and Ms. MCSALLY):

H.R. 4383. A bill to require the Secretary of Homeland Security to enhance Department of Homeland Security coordination on how to identify and record information regarding individuals suspected or convicted of human trafficking, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUINTA (for himself and Ms. GABBARD):

H.R. 4384. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to preclude certain senior employees of the Veterans Health Administration from receiving bonuses when any employee of such Administration has not met certain wait-time goals; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H.R. 4385. A bill to amend the Higher Education Act to improve higher education programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KILMER:

H.R. 4386. A bill to amend the Higher Education Act of 1965 to make certain improvements in the Federal Pell Grant Program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMALFA:

H.R. 4387. A bill to establish the Tule Lake National Historic Site in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. LOEBSACK (for himself, Mr. TONKO, Mr. KENNEDY, and Ms. MATSUI):

H.R. 4388. A bill to amend the Public Health Service Act to authorize a primary and behavioral health care integration grant program; to the Committee on Energy and Commerce.

By Mr. LOWENTHAL (for himself and Mr. GRIJALVA):

H.R. 4389. A bill to amend the Mineral Leasing Act to ensure fair returns for Federal onshore oil and gas resources; to the Committee on Natural Resources.

By Ms. MCCOLLUM (for herself, Mr. COLE, Mr. HUFFMAN, and Mr. YOUNG of Alaska):

H.R. 4390. A bill to amend and reform the Johnson-O'Malley Act to award contracts to certain tribal organizations, Indian corporations, school districts, States, and consortia of tribal organizations, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROSS:

H.R. 4391. A bill to amend the Illegal Immigration and Immigrant Responsibility Act of 1996 to direct the Secretary of Homeland Security to complete the required 700-mile southwest border fencing by December 31, 2016, and for other purposes; to the Committee on Homeland Security.

By Mr. ROSS (for himself and Mr. JODY B. HICE of Georgia):

H.R. 4392. A bill to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees; to the Committee on Oversight and Government Reform.

By Mr. STIVERS (for himself and Ms. SINEMA):

H.J. Res. 81. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GOHMERT:

H. Con. Res. 107. Concurrent resolution providing for a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. FORBES (for himself, Mr. PRICE of North Carolina, Mr. GOODLATTE, and Mr. FORTENBERRY):

H. Con. Res. 108. Concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and is protected for all Americans by the text of the Constitution,

and recognizing the 230th anniversary of the enactment of the Virginia Statute for Religious Freedom; to the Committee on the Judiciary.

By Mr. HURT of Virginia (for himself, Ms. ADAMS, Mr. GOODLATTE, Mr. GRIFFITH, Mrs. COMSTOCK, and Mr. RICE of South Carolina):

H. Res. 585. A resolution expressing the sense of the House of Representatives regarding an Interstate 73 corridor transportation compact; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT (for himself, Ms. SPEIER, Mr. MCCAUL, Mr. VAN HOLLEN, Mr. CHABOT, Ms. ESHOO, Mr. CARDENAS, and Mr. CONYERS):

H. Res. 586. A resolution expressing support for designation of the fourth week in May as "DIPG Awareness Week" to raise awareness and encourage the research into cures for diffuse intrinsic pontine glioma (DIPG) and pediatric cancers in general; to the Committee on Energy and Commerce.

By Mr. SWALWELL of California (for himself, Mr. PEARCE, and Mrs. LUMMIS):

H. Res. 587. A resolution amending the Rules of the House of Representatives to permit absent Members to participate in committee hearings using video conferencing and related technologies and to establish a remote voting system under which absent Members may cast votes in the House on motions to suspend the rules; to the Committee on Rules.

By Mr. YOHO (for himself, Mr. WEBER of Texas, and Mr. RIGELL):

H. Res. 588. A resolution condemning and censuring President Barack Obama; to the Committee on the Judiciary.

By Mr. RUSH (for himself, Mrs. LAWRENCE, Mr. CUMMINGS, Mr. RANGEL, Mr. JOHNSON of Georgia, Mr. BISHOP of Georgia, Mr. CLAY, Mr. LEWIS, Mr. ELLISON, and Ms. MOORE):

H. Res. 589. A resolution establishing the Select Committee on Excessive Use of Police Force; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XII,

169. The SPEAKER presented a memorial of the General Assembly of the State of Indiana, relative to House Enrolled Concurrent Resolution No. 58, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SCOTT of Virginia:

H.R. 4376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. NUNES:

H.R. 4377.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. CARTWRIGHT:

H.R. 4378.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

Article I, Section 8; Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. GRAVES of Missouri:

H.R. 4379.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. AMASH:

H.R. 4380.

Congress has the power to enact this legislation pursuant to the following:

Congress has the implied power to repeal laws that exceed its constitutional authority as well as laws within its constitutional authority.

By Mr. SAM JOHNSON of Texas:

H.R. 4381.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MCNERNEY:

H.R. 4382.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Ms. LORETTA SANCHEZ of California:

H.R. 4383.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 18), which grants Congress the power to make all laws necessary and proper for carrying out the foregoing powers."

By Mr. GUINTA:

H.R. 4384.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. GRAYSON:

H.R. 4385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. KILMER:

H.R. 4386.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clauses 1 and 18 of Article I, Section 8 of the United States Constitution.

By Mr. LAMALFA:

H.R. 4387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. LOEBSACK:

H.R. 4388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. LOWENTHAL:

H.R. 4389.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Article I, Section 8, Clause 1 of the Constitution:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18 of the Constitution:

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. McCOLLUM:

H.R. 4390.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. ROSS:

H.R. 4391.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clause 1

By Mr. ROSS:

H.R. 4392.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. STIVERS:

H.J. Res. 81.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 583: Mr. ZELDIN.
H.R. 771: Mr. KATKO.
H.R. 775: Mr. YODER.
H.R. 790: Mr. POLIS.
H.R. 814: Mr. CARTER of Georgia and Mr. SENSENBRENNER.
H.R. 997: Mr. HUDSON.
H.R. 1057: Mr. FARENTHOLD.
H.R. 1076: Ms. MOORE.
H.R. 1130: Mr. LOEBSACK.
H.R. 1197: Mr. WILLIAMS.
H.R. 1283: Mrs. CAROLYN B. MALONEY of New York.
H.R. 1301: Ms. KAPTUR.
H.R. 1397: Mr. MOOLENAAR, Mr. BABIN, Mr. WEBSTER of Florida, Mr. COSTELLO of Pennsylvania, Mr. BRAT, and Mr. GRIFFITH.
H.R. 1460: Mr. KENNEDY.
H.R. 1475: Mr. FLEMING.
H.R. 1610: Mr. SAM JOHNSON of Texas.
H.R. 1769: Mr. COLLINS of Georgia and Mr. JEFFRIES.
H.R. 1779: Mrs. NAPOLITANO and Mr. JOLLY.
H.R. 2058: Mr. YOUNG of Alaska.
H.R. 2096: Mrs. BLACK.
H.R. 2226: Mr. JEFFRIES.
H.R. 2255: Mr. GOSAR.
H.R. 2278: Mr. ZELDIN and Mr. FORBES.
H.R. 2300: Mr. COFFMAN.
H.R. 2302: Mr. GRAYSON.
H.R. 2367: Mr. FARR and Mr. DOGGETT.
H.R. 2378: Mr. SMITH of Washington.
H.R. 2460: Ms. PLASKETT.
H.R. 2470: Mr. DAVID SCOTT of Georgia.
H.R. 2536: Mr. DESAULNIER.
H.R. 2633: Mr. RANGEL.
H.R. 2646: Mr. McDERMOTT.
H.R. 2663: Mr. PETERS, Mr. STIVERS, Mr. GALLEGO, and Ms. DEGETTE.
H.R. 2694: Mr. WELCH.
H.R. 2802: Mr. SENSENBRENNER.
H.R. 2805: Mr. DOLD.
H.R. 2817: Ms. BONAMICI.
H.R. 2894: Mr. KIND.
H.R. 2901: Mr. WILLIAMS.
H.R. 2956: Mr. CULBERSON.
H.R. 3036: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 3065: Mr. VISCLOSKEY.
H.R. 3119: Mr. JONES, Mr. PRICE of North Carolina, Mr. GUTHRIE, and Mr. BLUMENAUER.
H.R. 3222: Mr. BRAT and Mr. ROKITA.
H.R. 3223: Mr. HULTGREN, Mr. SHIMKUS, and Ms. KELLY of Illinois.
H.R. 3229: Mr. RIBBLE and Miss RICE of New York.
H.R. 3299: Mr. GUTHRIE.
H.R. 3323: Mr. SHUSTER.
H.R. 3513: Ms. TITUS and Mr. HUFFMAN.
H.R. 3546: Mr. TROTT, Mr. MCNERNEY, and Ms. TITUS.
H.R. 3684: Mr. LOWENTHAL.
H.R. 3713: Mr. TAKAI.
H.R. 3719: Mr. LARSEN of Washington and Mr. CARNEY.

H.R. 3765: Mr. COLE.

H.R. 3808: Mrs. BLACK.

H.R. 3846: Ms. BONAMICI.

H.R. 3953: Mr. DEUTCH, Mr. ROONEY of Florida, Mr. CRENSHAW, Mr. JOLLY, Ms. WASSERMAN SCHULTZ, Mr. NUGENT, Mr. MURPHY of Florida, Mr. MILLER of Florida, Mr. GRAYSON, Ms. BROWN of Florida, and Mr. BUCHANAN.

H.R. 4063: Mr. YOUNG of Iowa.

H.R. 4073: Mr. TAKANO.

H.R. 4084: Mr. PETERS.

H.R. 4087: Mr. PEARCE, Mr. ROE of Tennessee, Mr. MOOLENAAR, Mr. PITTENGER, Mr. HULTGREN, Mr. FLORES, Mr. ROUZER, Mrs. MCMORRIS RODGERS, and Mr. WILLIAMS.

H.R. 4094: Mr. WEBSTER of Florida and Mr. CLAWSON of Florida.

H.R. 4137: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4179: Mr. SARBANES.

H.R. 4185: Mr. FORTENBERRY.

H.R. 4197: Mr. WESTMORELAND, Mr. DUNCAN of Tennessee, Mr. GROTHMAN, Mr. BROOKS of Alabama, and Mr. SAM JOHNSON of Texas.

H.R. 4218: Mr. BRIDENSTINE and Mr. SALMON.

H.R. 4226: Mr. JOLLY.

H.R. 4229: Mr. GIBSON, Mr. DENT, and Mr. PETERS.

H.R. 4247: Mr. CRENSHAW and Mr. ROKITA.

H.R. 4262: Mr. GRAVES of Georgia.

H.R. 4263: Mr. DAVID SCOTT of Georgia.

H.R. 4266: Ms. SCHAKOWSKY, Ms. CLARKE of New York, Ms. LEE, Ms. NORTON, and Mr. SERRANO.

H.R. 4278: Ms. MOORE.

H.R. 4285: Mr. FLEISCHMANN.

H.R. 4291: Mr. POE of Texas.

H.R. 4333: Mr. CICILLINE, Ms. MENG, Ms. ESTY, and Mr. NORCROSS.

H.R. 4336: Mr. RENACCI, Mr. HONDA, and Mr. RYAN of Ohio.

H.R. 4342: Mr. PETERS, Ms. MENG, and Mr. WEBER of Texas.

H.R. 4364: Mr. GRIJALVA.

H. Con. Res. 75: Mr. FRELINGHUYSEN, Mr. DENT, and Mr. COLE.

H. Con. Res. 80: Mr. COHEN.

H. Con. Res. 105: Mr. BUCHSON, Mr. WILSON of South Carolina, Mr. WILLIAMS, Mr. PEARCE, Mr. ROUZER, and Mr. MULLIN.

H. Res. 110: Mr. MARCHANT.

H. Res. 289: Ms. LEE.

H. Res. 290: Mr. SMITH of New Jersey.

H. Res. 343: Mr. SAM JOHNSON of Texas.

H. Res. 400: Mr. JEFFRIES.

H. Res. 416: Mr. JOLLY.

H. Res. 501: Ms. ESHOO.

H. Res. 551: Mr. GRAYSON, Mr. CICILLINE, Mr. PAULSEN, and Mr. WESTERMAN.

H. Res. 569: Mr. COURTNEY, Mr. VARGAS, and Mrs. WATSON COLEMAN.

H. Res. 571: Mr. RIBBLE, Mr. LIPINSKI, and Mr. BRIDENSTINE.

EXTENSIONS OF REMARKS

HONORING LOGAN A. LITTLETON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Logan A. Littleton. Logan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1412, and earning the most prestigious award of Eagle Scout.

Logan has been very active with his troop, participating in many scout activities. Over the many years Logan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Logan has earned the rank of Brave in the Tribe of Mic-O-Say and has become a Brotherhood member of the Order of the Arrow. Logan has also contributed to his community through his Eagle Scout project. Logan organized and managed a community Haunted Campground event at Smithville Lake in Smithville, Missouri, that hosted nearly 400 kids and helped collect items for the local food pantry and animal shelter.

Mr. Speaker, I proudly ask you to join me in commending Logan A. Littleton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE 100TH EAGLE SCOUT OF TROOP 349 OF SMITHTOWN, NEW YORK

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to honor Boy Scouts of America Troop 349, which is based out of Smithtown, New York.

It is said that only four percent of all young men involved in Scouting earn the rank of Eagle Scout, which is part of the reason the rank is so prestigious. Recently, Troop 349 recognized its 100th Eagle Scout award over its 45 year history. Thanks to the countless hours volunteered by adult leaders investing in our leaders of tomorrow, the future is looking brighter than ever.

Again, I would like to congratulate the leaders of Troop 349, as well as the 100 young men who have earned the rank of Eagle Scout while in the troop, and thank them for their dedicated service to our community.

TRIBUTE TO HERB SPIEGEL

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose commitment to the Corona, California community is truly exceptional. Next week, on January 21, 2016, Herb Spiegel will be honored as a recipient of the Lifetime Achievement Award by the Corona Chamber of Commerce. Herb has dedicated himself to the Corona community.

Herb has been a citizen of Corona, California since 1958. His company, Corona Industrial Electric, Inc. is a fixture in the business community and was operated by Herb for 36 years. Herb retired in 1994, after receiving numerous awards and recognitions in the electrical contracting industry, and became actively immersed in the local community.

Wanting to give back and stay involved, Herb has been involved in numerous committees, clubs and organizations. Herb has remained active with the Corona Chamber of Commerce for 57 consecutive years. He has been involved as an active member of the Corona Host Lions for over 50 years, serving on the Board and in many other capacities. He is a member of the Corona Benevolent and Protective Order of Elks. He has been a member of the Masonic Lodge over 60 years; and an active member of Congregation Beth Shalom of Corona. Herb has also been active in philanthropy, community outreach, and local nonprofits for years including Corona Public Library, Corona Norco Unified School District, and as longtime judge for History Day.

Herb's tireless passion for his family, community service and giving back has contributed immensely to the betterment of the community of Corona, California. I am proud to call Herb a close friend, fellow community member and great American. Today, I add my voice to the many who will be congratulating Herb on achieving the Lifetime Achievement Award.

TRIBUTE TO EDWARD E. "GENE" EATON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gene Eaton of Sidney, Iowa, on his retirement as an attorney in Fremont County, Iowa, after serving for 53 years. For over 100 years, Gene, his father, and great-grandfather have been serving the Sidney community as attorneys.

In 1962 Gene joined the law practice that his great grandfather had begun in the 1800s. His father joined the practice in 1928. Gene has seen a number of changes in the legal profession over the last 50 years. The most significant change was the creation of the computer and how legal business is conducted today by e-filing casework, briefs, and files. Although there have been changes to the legal profession during his time as an attorney Gene's work ethic and dedication to upholding the law have stayed the same.

Mr. Speaker, Gene has made a difference in his community by serving others. It is with great honor that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in honoring his accomplishments. I thank him for his service to the city of Sidney and southwest Iowa and wish him and his family nothing but the best moving forward.

HONORING ADAM M. LARSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Adam M. Larson. Adam is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Adam has been very active with his troop, participating in many scout activities. Over the many years Adam has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Adam has led his troop as the Senior Patrol Leader, earned the rank of Warrior in the Tribe of Mic-O-Say, and has become a Brotherhood member of the Order of the Arrow. Adam has also contributed to his community through his Eagle Scout project. Adam renovated the Dog Park in Liberty, Missouri, removing the old, worn-down apparatuses and installing new equipment.

Mr. Speaker, I proudly ask you to join me in commending Adam M. Larson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CAPUANO. Mr. Speaker, I missed several votes last week to attend a funeral service

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

in Massachusetts. I wish to state how I would have voted had I been present: Roll Call No. 33—No; Roll Call No. 32—Yes; Roll Call No. 31—Yes; Roll Call No. 30—Yes; Roll Call No. 29—Yes; Roll Call No. 28—Yes; Roll Call No. 27—Yes; Roll Call No. 26—Yes; Roll Call No. 25—Yes; Roll Call No. 24—Yes; and Roll Call No. 23—Yes.

IN REMEMBRANCE OF CHARLES
RAMM HOLM, JR.

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CARTER of Georgia. Mr. Speaker, I rise today in remembrance of Charles Ramm Holm, Jr. who passed away on Monday, January 11, 2016.

Charlie was born in Savannah, Georgia, to Charles Ramm Holm, Sr. and Ruth Carr Holm. In 1961, Charlie moved away from South Georgia to Washington, D.C. to begin his distinguished 18 year career in the public service. His desire to assist the American people and the U.S. Congress led him to work for Congressman G. Elliot Hagan as well as the Congressional Liaison for the U.S. Department of Agriculture and the Congressional Liaison for the Executive Office of the President. His commitment to public service continued until his retirement in 1979 while working for the Select Committee on Outer Continental Shelf/Merchant Marine and Fisheries.

Charlie was a long time member of the Board of Directors for the Congressional Staff Club, Vice President of the Administrative Assistants Association for the U.S. House of Representatives, and President of the Administrative Assistants Association.

Charlie's efforts still did not end there as he became a mentor to young children and a committed father by coaching his son's Little League baseball teams.

Charlie is survived by his wife, Janet; his two sons, Charles R. Holm III and James Douglas Holm, Sr.; his two grandsons, Christian Clarke Holm and James Douglas "Jimmy" Holm, Jr.; and one great-grandson, Ashton Cross Holm.

PERSONAL EXPLANATION

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. HUELSKAMP. Mr. Speaker, on January 12, 2016, I was not present for rollcall vote number 38. If I had been in attendance, I would have voted no on roll call vote 38.

CONGRATULATING RALPH
FORQUERA ON HIS RETIREMENT
AS THE EXECUTIVE DIRECTOR
OF THE INDIAN HEALTH BOARD

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. McDERMOTT. Mr. Speaker, I rise to recognize the distinguished career of Ralph Forquera, a tireless champion of the health and welfare of American Indians and Alaska Natives living in urban areas.

As Ralph prepares to step down after more than two decades as executive director of the Seattle Indian Health Board, I commend him for his important work and wish him the very best on his next steps.

Under Ralph's direction, the Seattle Indian Health Board has become one of the nation's largest community health programs for urban American Indians and Alaska Natives. The Health Board now provides a full spectrum of clinical care, including direct primary medical, dental, mental health, and substance abuse services, to more than 7,000 individuals. Ralph's leadership has been essential to the Health Board's growth and continued successes.

Throughout his career, Ralph has been a champion of the Native American community, especially those who are Native American but not a member of or affiliated with a federally recognized tribe. Through his advocacy, Ralph never lets us forget about the challenges that urban Indians continue to face, including a 26 percent poverty rate as well as health disparities and chronic underfunding of health services.

Ralph knows it can take a long time for federal policy to be updated and changed, but he is steadfast in his efforts and never gives up. He participated in over a decade of discussions that ultimately led to reauthorization of the Indian Health Care Improvement Act. He played an important role in reauthorizing and making permanent the urban Indian health title of the Indian Health Care Improvement Act. And Ralph, to this day, continues to work to extend the 100 percent Federal Medical Assistance Percentage to urban Indian health programs.

I wish Ralph the best in retirement, and I congratulate him on an outstanding career.

HONORING MEDAL OF HONOR RECIPIENT CHIEF WARRANT OFFICER 4 (RET.) HERSHEL "WOODY" WILLIAMS

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor Chief Warrant Officer 4 Hershel "Woody" Williams, a lifelong West Virginian. When the freedom of the United States and the world was in peril during the Second World War, he gallantly heard the call to defend our nation and enlisted in the United

States Marine Corps in 1943. After finishing his training in California, CWO4 Williams was stationed in the Pacific Theater and bravely fought in the Battle of Guam in 1944.

What truly distinguishes CWO4 Williams is the exceptional bravery he demonstrated during the battle of Iwo Jima. When tanks became ineffective on the beaches, he fought his way to destroy seven Japanese pillboxes while covered only by four riflemen. His bravery in taking out the pillboxes in the battle of Iwo Jima was a determining factor in turning the tide of the battle in favor of the Americans.

Mr. Hershel "Woody" Williams was awarded the Medal of Honor by President Truman in 1945. The Medal of Honor was "For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as demolition sergeant serving with the 21st Marines, 3d Marine Division, in action against enemy Japanese forces on Iwo Jima, Volcano Islands, 23 February 1945." Mr. Williams is the last living Medal of Honor recipient from the Battle of Iwo Jima.

Known by all as Woody, he had a distinguished career in the military and has spent his life tirelessly helping veterans and their families. His service to America and West Virginia is unparalleled. I have known Woody for decades and am proud to call him not only a constituent but a friend. On January 14, 2016, Woody Williams receives another honor: a ship in the United States Navy will bear his name. I congratulate and commend Mr. Williams on a remarkable and admirable life. Woody Williams serves as a pillar for all Americans to aspire to, a brave man who put his fellow Americans before himself.

IN RECOGNITION OF PETTY
OFFICER DERRICK SUBA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize Petty Officer Derrick Suba, who will receive the Air Medal from the United States Coast Guard for his lifesaving actions on February 15, 2015.

A native of Attleboro, Massachusetts, Petty Officer Derrick Suba is a proud alumnus of Bourne High School. After enlisting in the U.S. Coast Guard in 2002 and graduating from Basic Training in March 2003, Petty Officer Suba began his career in the Coast Guard aboard the Coast Guard cutter, USCGC *Spencer*. After a brief tour, he attended Aviation Maintenance Technician School and received orders to report to Air Station Elizabeth City, North Carolina. A devoted husband and father of two boys, Petty Officer Suba has also been stationed at Air Station Kodiak in Alaska and Air Station Cape Cod in my district in Massachusetts. In addition to his designation as a MH-60 helicopter Flight Mechanic, Petty Officer Suba also has received advanced qualifications as a Flight Mechanic Examiner and is qualified in Vertical Surface, External Load and Advance Rescue Swimmer Operations.

On the morning of February 15, 2015, the Coast Guard Rescue Coordination Center in

Boston was alerted to a distress signal from the sailboat *Sedona*. Facing dangerous weather conditions, the onset of a severe winter storm, and no available escort aircraft for helicopter missions, the four-man crew of CGNR 6033 left Air Station Cape Cod to aid the *Sedona*. The pilot and copilot of CGNR 6033, Lieutenant John D. Hess and Lieutenant Matthew Vanderslice, expertly navigated despite deteriorating visibility, battling heavy snow, high winds, 25 to 35 foot seas, and severe thunderstorms to fly the over 300 nautical mile journey to and from the *Sedona*.

Hovering above the *Sedona*, Petty Officer Suba remained calm and professional in the face of life-threatening conditions and high-stake circumstances. Successfully, he hoisted his fellow crewman, Petty Officer Staph, seven times to rescue the two victims from the *Sedona*. His helmet visor became covered in snow and ice during the first hoist, so Petty Officer Suba continued to perform his duty without protective gear around his face despite gale force rotor wash and driving snow, sleet, and seawater.

During the third hoist, the hoisting system failed to function, forcing Petty Officer Suba to execute an emergency procedure. This complicated and dangerous maneuver forced Petty Officer Suba and Lieutenant Hess to carefully coordinate a constant change in aircraft altitude in order to successfully retrieve Petty Officer Staph and the two survivors from the crest of passing swells. This extraordinary communication and concentration ensured that neither survivor spent more than three minutes in the frigid waters—saving their lives. Further, Petty Officer Suba administered first aid to his crewman, Petty Officer Staph, and the two survivors following injuries from the rescue and risk of hypothermia.

Mr. Speaker, it is my great honor to recognize Petty Officer Derrick Suba as he is awarded the U.S. Coast Guard Air Medal. I ask my colleagues to rise and join me in recognizing this distinguished member of our Armed Services and wishing him the best of luck in his future endeavors.

TRIBUTE TO GEORGE MACOMBER

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Ms. KUSTER. Mr. Speaker, I submit this obituary for George Macomber that appeared in the Boston Globe on December 20, 2015. George was a cofounder of Wildcat Mountain with my father and a lifelong friend.

GEORGE MACOMBER, 88; OLYMPIC SKIER, BUILT FANEUIL HALL SHOPS
(By Bryan Marquard)

Mr. Macomber was named to the US Ski Team for the 1948 and '52 Olympics. He was also president of the George B.H. Macomber Co. and a philanthropist.

George Macomber was the third generation to run the construction company founded by his grandfather, but the initial appeal of his family's business had as much to do with how much time he could spend racing down ski slopes.

In his 1997 memoir, "Plunging In," he wrote that the Macomber contracting firm

"was the only company I could find that would let me take winters off! Otherwise I might never have been a builder—or a world-class skier."

He was both.

Competing in the upper echelons of both pursuits, often simultaneously, Mr. Macomber was named to the US Ski Team for the 1948 and '52 Olympics. And after succeeding his father as president at the age of 31, he led the company through major projects including Faneuil Hall Marketplace, Boston's Four Seasons Hotel, and Yale University buildings including the Center for British Art, and the hockey rink whose design inspired the Yale Whale nickname.

"My goal was to make a mark by building prestigious buildings," he wrote, adding that the company cemented a reputation as "the architects' contractor" through its can-do approach. "The George B.H. Macomber Company didn't say, 'Oh, you can't do that.' We said, 'Let's try it.'"

Mr. Macomber, a US Ski and Snowboard Hall of Fame member whose philanthropy reached from the slopes to Judge Baker Children's Center and cardiovascular research at Massachusetts General Hospital, died in his sleep Monday in his Westwood home. He was 88.

As a Massachusetts Institute of Technology student, Mr. Macomber envisioned a career at companies such as Lockheed or Boeing, writing that his passion "was for all things theoretical, things mechanical." Ultimately, that formed his intellectual path into George B.H. Macomber Co.

"Figuring out problems was what drew him to his life work," his son John of Cambridge said. "For him, the construction business was about building things. He liked figuring out multidimensional problems."

One of those dimensions was the boardroom, where proposals were conceived, bids prepared, deals sealed.

"He was one of those people who knew how to make a decision and knew how to make it stick," said Tom Cornu, a longtime friend and real estate development partner. "He was a very bright businessman. I sat in development meetings with him where he had his slide rule—before we had calculators—and he could evaluate a real estate transaction quicker than anyone else in the room. He was just brilliant at it."

Cornu, who served with Mr. Macomber on the board of trustees at Judge Baker Children's Center, added that "George was a man with a huge heart" who applied his business acumen to philanthropic ventures. "He was very careful and precise about where he chose to spend his business time and where he chose to spend his volunteer time, so not a minute was wasted. It all went in the right places for the right reasons."

Through personal example, Mr. Macomber also was an inspirational figure on and off the ski slopes, said US Representative Ann McLane Kuster, a New Hampshire Democrat and longtime friend whose father and Mr. Macomber were among the four founders of the Wildcat ski area in Pinkham Notch, next to Mount Washington.

"It was just always a thrill to be with him on the mountain and to ski with him," she said. "To be with him, you felt like a million dollars. You felt like you could do anything. I'm blessed to have known him. He was a mighty, mighty man."

Mr. Macomber was born in 1927 on the day of the funeral of his grandfather George B.H. Macomber, who founded the family business in 1904. "This coincidence left some members of the family touched by the thought of one

spirit leaving and another arriving in its place," he wrote.

He was the older of two children born to the former Jane Eaton and Charles Clark Macomber, who had been an All-American football player for Harvard College, playing offense and defense.

Mr. Macomber wrote that he was "a sickly child—asthmatic, and allergic to almost everything." Winters, free of pollen, provided a respite, and he learned to ski on the hill beside the family's Winchendon home.

He refined his skiing skills while attending Eaglebrook School in Deerfield, for which he later was a lifetime trustee, and Newton High School. His ski racing career blossomed during and after his years at MIT, from which he graduated in 1948 and where he would later endow a professorship. Though named to successive US Olympic ski teams, he was unable to participate in either Olympiad because of injuries. Mr. Macomber won national titles, however, and the prestigious Silver Belt race at Sugar Bowl Ski Resort in California. Decades later, he carried the Olympic Torch in 1984 on the leg through the Faneuil Hall Marketplace his company had built.

In 1947, he met Ann Drummond Leonard, who attended Smith College with his sister, when Ann visited the Macomber family's vacation home in Wolfeboro, N.H. They married in May 1953.

Three years earlier, in "the summer of 1950 I got a closer look at what building was all about when I took part in the project that had a lot to do with reawakening the George B.H. Macomber Company from its wartime doldrums: Shoppers' World in Framingham."

From that beginning, through the expansion Mr. Macomber led after taking over as president, the company was the contractor for some of the most recognizable projects in Boston and elsewhere, including the MIT biology center, the Harborside Hyatt at Logan Airport, the 775-unit Mission Park affordable housing development, and Robert Frost Library at Amherst College.

Then in 1987, a week before he planned to step aside as president of the company, L'Ambiance Plaza in Bridgeport, Conn., collapsed during construction, killing 28 workers. The Macomber company was a joint venture partner in the project, and the resulting settlement cost the firm millions.

Though the tragedy was heartbreaking, "George was absolutely about personally leading the investigation into what happened and what caused this unusual structural failure—being there himself and looking at the engineering reports, standing up and saying, 'My name's on the door. This is what you do,' his son John said.

He added that from his father's life, "the biggest lesson was: 'Here's how one should be. Here's how one should conduct oneself.'"

In addition to his wife and son, Mr. Macomber leaves a daughter, Grace Macomber Bird of Boston; another son, George of Park City, Utah; a sister, Gail Deaver of Stuart, Fla.; and eight grandchildren.

The family will announce a public service in the spring.

"The biggest thing my father and I ever built was a reputation for absolute integrity, from the top of the company to the bottom," Mr. Macomber wrote in his memoir, but he added that he "measured success a bit differently."

"I decided early on that I was going to do my best to balance family, business, and community service—in that order of priority. I did not want to be the biggest contractor in the city, because I couldn't do that without losing sight of my priorities."

TRIBUTE TO SALLY CARLSON

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose commitment to the Corona, California community is truly exceptional. Next week, on January 21, 2016, Sally Carlson will be honored as a recipient of the Lifetime Achievement Award by the Corona Chamber of Commerce. Sally has dedicated herself to the Corona community.

At her core, Sally prioritizes community service and her work. Sally is a mainstay at the Settlement House and has continually shown leadership and compassion to the many families who frequent the Settlement House. Many with whom Sally has worked have described her as a faithful servant that has been determined over the years to ensure children and families are clothed, fed and cared for. Additionally, through her work with Settlement House she has become involved with other similar local organizations to assist local families.

Sally's tireless passion for the families she serves and community outreach has contributed immensely to the betterment of the community of Corona, California. I am proud to call Sally a friend, fellow community member and great American. Today, I add my voice to the many who will be congratulating Sally for achieving the Lifetime Achievement Award.

TRIBUTE TO DEBORAH RUSHER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to recognize and congratulate Deborah Rusher of Council Bluffs, Iowa, for being honored by AARP for her service as a family caregiver during the National Family Caregivers Month. She is the only Iowan to receive this recognition in 2015.

Deborah serves as a professional and family caregiver. She started her career working in a nursing home at the age of 16. She then became a nursing assistant before continuing her education at Iowa Western Community College in nursing. Her training has been vital in providing hospice care for her mother. Currently, Deborah is caring for her 87-year old Father, Carl Belt. Deborah sees her work as a wonderful way to help loved ones and embraces her role as a family caregiver.

Mr. Speaker, I applaud and congratulate Deborah for earning this special recognition. It is because of Iowans like her that I'm proud to represent our great state. I ask that my colleagues in the United States House of Representatives join me in congratulating Deborah for receiving this outstanding recognition. I wish her nothing but continued success and the very best moving forward.

IN RECOGNITION OF PETTY
OFFICER EVAN STAPH**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize Petty Officer Evan Staph—the recipient of the Distinguished Flying Cross for his heroic actions on February 15, 2015.

It came as no surprise to those who know him, when Petty Officer Staph enlisted in the U.S. Coast Guard in the fall of 2007. A native of Dana Point, California, Petty Officer Staph was drawn to the water at a young age. Trained by his older brother, Brad, to swim in the ocean and surf before he could walk, he went on to excel on land—cross country and track and field—in high school and throughout his college career. The commitment and discipline he exhibited toward his athletic achievements strongly foreshadowed the determination Petty Officer Staph embodied when he joined the Coast Guard.

Petty Officer Staph transitioned to the U.S. Coast Guard airman program after a year aboard the Coast Guard cutter, USCGC *Maple*, where he graduated in 2010 with orders to report to Air Station Savannah, Georgia. Over the course of his four year tour, Petty Officer Staph flew more than 800 hours in the MH65 helicopter—saving numerous lives as an expert Rescue Swimmer. It was also during these four years that he met his wife, Kayla, whom he married on November 15, 2014.

Soon thereafter, Petty Officer Staph was relocated to Air Station Cape Cod. While stationed in Massachusetts, Petty Officer Staph has devoted much of his free time to spiritual pursuits and organizes frequent Bible study sessions. He also finds time to give back to his community as an active member of the Big Brother Big Sister program and mentors his “little brother,” Jamie. It is this strength of spirit and resolve that served Petty Officer Staph well nearly one year ago.

On the morning of February 15, 2015, the Coast Guard Rescue Coordination Center in Boston was alerted to a distress signal from the sailboat *Sedona*. Facing dangerous weather conditions, the onset of a severe winter storm, and no available escort aircraft for helicopter missions, the four-man crew of CGNR 6033 left Air Station Cape Cod to aid the *Sedona*. The pilot and copilot of CGNR 6033, Lieutenant John D. Hess and Lieutenant Matthew Vanderslice, expertly navigated the deteriorating visibility, battling heavy snow, high winds, 25 to 35 foot seas, and severe thunderstorms to fly the over 300 nautical mile journey to and from the *Sedona*.

Hovering above the *Sedona*, Petty Officer Staph was lowered into the water to retrieve the survivors when the primary hoist unit failed—forcing the crew to use a backup hoist and dangerously complicating the rescue mission. During this extended process, static electricity on the rescue basket from the helicopter, weather, and lightning reached life-threatening levels. Before the basket was lowered to retrieve the remaining men, the crew struggled to discharge it against the water. Yet

the buffeting winds blew the basket toward the second survivor. Heroically, Petty Officer Staph held himself between the victim and charged basket—and was struck by the static electricity with such intensity that he was knocked unconscious. Throughout the ordeal, Petty Officer Staph never let go of the survivor and completed his duty in rescuing the two mariners.

Mr. Speaker, please join me in honoring Petty Officer Staph for his exemplary dedication to his duty. I ask that my colleagues rise and join me in thanking him for his selfless actions and for his service in keeping our nation's citizens safe at sea.

CONCUR IN THE SENATE AMENDMENT TO H.R. 3762—RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. DESAULNIER. Mr. Speaker, I rise to express my strong opposition to the Senate amended budget reconciliation bill.

This vote represents House Republicans' 62nd attempt to repeal the Affordable Care Act (ACA). It's also the 11th vote to attack women's health care in the 114th Congress alone. This reconciliation package will undermine important patients' rights and take away critical benefits from Americans.

As we know, the Affordable Care Act has provided health security to nearly 18 million previously uninsured Americans since enacted in 2010. Nearly 9.9 million Americans have enrolled in the health insurance marketplaces, with millions more enrolled in expanded Medicaid programs, including an estimated 2.3 million in California alone.

In addition to repealing the ACA Medicaid coverage expansion, this bill eliminates ACA tax credits and cost-sharing subsidies for households with modest incomes. This poorly conceived bill terminates ACA tax credits available to small businesses, and undermines important community-based programs in the Prevention and Public Health Fund.

Overall, the Congressional Budget Office estimates this bill will take affordable health coverage away from 22 million Americans after 2017, without providing a workable alternative to help Americans secure health care coverage.

Additionally, the reconciliation package puts women's health at risk by defunding Planned Parenthood, a provider serving millions of men and women throughout the country, and in some cases serves as the only provider within a given community. Planned Parenthood offers preventive services to millions of women, such as screenings for cancer and sexually transmitted infections, and family planning services.

Mr. Speaker, this ill-conceived reconciliation bill increases the number of uninsured Americans and puts women's health at risk. I strongly oppose this measure that will harm my constituents and prevent millions of Americans from accessing affordable health care.

113TH ANNIVERSARY OF KOREAN
AMERICAN DAY**HON. TOM REED**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. REED. Mr. Speaker, I rise today to recognize the 113th anniversary of Korean American Day, which commemorates the start of Korean immigration to the United States.

On January 13, 1903, 102 brave souls set course from Korea and landed in Honolulu, Hawaii. Since then, the Korean American community has been a vital part of our country, serving with distinction in the Armed Forces during times of war as well as contributing in every field from science and medicine to entrepreneurship and the arts.

As their numbers have grown over the years, Korean Americans have become involved in local communities, organizations and politics. Our long-lasting and continued partnership has been and continues to be an extremely important one in today's world.

We continue to recognize the crucial role Korean Americans play in maintaining the strength and vitality of the partnership between our two countries and I congratulate and join in with the Korean American community today in celebrating this time-honored tradition and look forward to seeing the continued success of this vibrant community in our country.

TRIBUTE TO MARYANN SHERMAN

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose commitment to the Corona, California community is truly exceptional. Next week, on January 21, 2016, Maryann Sherman will be honored as the 2015 Citizen of the Year by the Corona Chamber of Commerce. Maryann has dedicated herself to the Corona community.

Maryann Sherman has been a pillar of the Corona, California community since 1966. She initially worked in her father's music store on Main Street, while she was an active parishioner and teacher at her church, St. Edwards Parish. Maryann later became employed with the Corona Norco Unified School District in the 1980s, and has recently retired as the Librarian at Jefferson Elementary School.

During her time as Librarian at Jefferson Elementary, Maryann developed ways to help engage and give back to the school community. She helped coordinate funding and programming for parents on how to use the computers, applications and a variety of other programs. Additionally, she always looked for ways to assist less fortunate students through finding resources for them. Maryann also helped serve her community while working as a Corona Public Library Trustee. She utilized the library's resources to help promote literacy to community individuals who may have not had the opportunity otherwise. Her commit-

ment to giving back to the community has followed her from Jefferson Elementary to her new project, heading a fruit and vegetable program for the needy in our city twice a month.

Maryann is also dedicated to her family. She has been married to her husband, Tom, for 43 years. Together they have two children, Colonel Thomas Sherman and a daughter, Nancy Sherman. Maryann is a devoted mother and was very active in both of her children's school Parent Teacher Organizations. It was this involvement that helped lead her to working full time with the Corona Norco Unified School District.

Maryann's tireless passion for her family, community service and giving back has contributed immensely to the betterment of the community of Corona, California. I am proud to call Maryann a friend, fellow community member and great American. Today, I add my voice to the many who will be congratulating Maryann achieving the Citizen of the Year award.

TRIBUTE TO KAY MOCHA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to recognize and congratulate Kay Mocha of Missouri Valley, Iowa, on her retirement as the Director of the Pottawattamie County Planning and Development Department. Kay has served in that capacity for over 30 years.

During her tenure Kay has seen a number of changes in the Planning and Development Department. Since she was appointed in 1984 the office has grown into a full service planning and development department that focuses on floodplain management, onsite wastewater treatment and disposal, private water wells, and the county's waste transfer station. Kay has served with 22 different county board members during her years of service.

Mr. Speaker, I congratulate Kay on her retirement and for her many years of dedicated and devoted service to the citizens of Pottawattamie County. It is because of Iowans like Kay that I am proud to represent our great state in the United States Congress. I ask that my colleagues join me in congratulating Kay and in wishing her and her family the very best moving forward.

HONORING MAE DUKE

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. DEUTCH. Mr. Speaker, I rise today to recognize Mae Duke, who is being recognized by the Century Village Democratic Club for her distinguished service to the West Palm Beach community.

As part of the "greatest generation," Mae's life embodied the American dream. Mae is a first generation Jewish immigrant raised on Coney Island, New York and overcame nu-

merous obstacles to complete her education and work as a laboratory technician. Mae married Sam Duke, a New York City Police officer, in 1947, and together they raised four children in Brooklyn.

Since her youth, Mae has believed in the importance of public service, civic duty, and participation in democracy. After her four children enrolled in public school, Mae ran for the local school board. Later, she and her husband started a youth league at their local synagogue. Today at age 89, Mae lives in West Palm Beach where she is admired by her children, grandchildren, and great-grandchildren. She is still active with local community groups and is the President of the Century Village Club.

Wherever her life has taken her, Mae Duke has selflessly volunteered her time and efforts to better her community. I am pleased to join in honoring Ms. Duke for her enriching, lifelong community service.

BAYLOR'S 2015 SEASON

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. POE of Texas. Mr. Speaker, the Baylor Bears football team entered into this season with lofty expectations to go along with a preseason top-5 ranking in the polls. The coach, the players, and the fans all expected the Bears to vie for a national championship or a berth in the College Football Playoff. However, it wasn't meant to be. Despite an 8-0 start, the Bears went on to drop 3 of their remaining 5 games, finishing with a record of 10-3.

At the start of the season, a 10-win season would have been a huge disappointment for the Bears. But given what happened in the last couple of months, 10 wins ain't so bad.

With an 8-0 record, one of the best offenses in recent memory, and perhaps the nation's best quarterback-receiver tandem, this team was looking more and more like a shoo-in for the Playoffs. But, that 8th win came with a price. Baylor's quarterback, Seth Russell, left the game in the third quarter with what appeared to be a strained back. As it turned out, Russell broke a bone in his neck, and would soon be ruled out for the rest of the season. The team now had to turn to a true freshman quarterback in Jarrett Stidham. Stidham—though a highly touted prospect with loads of talent—was still only a teenager and had never played in a meaningful college football game in his young career. His first start came on the road against Kansas State. Stidham would go on to have one of the best performances by a true freshman quarterback in NCAA history, going 23-33 for 419 yards and 3 touchdowns. As a reward for that performance, Stidham got to play top-10 Oklahoma the following week.

In his second career start, Stidham wasn't nearly as fortunate as he was in his first. He threw two interceptions in the game and was punished by the Sooners defense, often seen limping. Baylor would go on to lose on their home turf, 44-34. The season could still be salvaged, especially with a trip to Oklahoma

State coming up, ranked sixth in the nation. Stidham was only able to play a half as he left the game in the third quarter, but the Bears would wind up with a win on the road against the undefeated Cowboys, obliterating them 45–35, though the game was never as close as the final score indicated.

After leaving the Oklahoma State game early with an injury, Stidham was soon also ruled out for the rest of the season, meaning the Bears would have to turn to third-string quarterback, Chris Johnson, for the remainder of the season. Given how he played in relief of Stidham against Oklahoma State, the Bears felt pretty confident in Johnson's abilities. But in Johnson's first career start on the road against an equally battered and bruised TCU, he faced an additional opponent—the weather. Near freezing temperatures coupled with non-stop rain and gale-force winds messed up with both offenses, as the typically high-scoring Baylor Bears and TCU Horned Frogs were held to just 14 points each through 4 quarters. TCU would end up pulling off the win in double overtime, 28–21.

In the regular season finale, Baylor played an old rival at home, the Texas Longhorns. After Johnson, Baylor's third-string—and only remaining—quarterback left the game in the first quarter, Baylor was forced to play the remaining game with a receiver at quarterback, almost solely running the football. Baylor went on to lose that game 23–17, though it wasn't for a lack of effort. After falling behind 20–0 in the third quarter, the Bears came storming back with 17 unanswered points. After a Texas field goal made the score 23–17, Baylor would get the ball back with a chance to win the game in the closing minutes, though not having the ability to throw the ball competently made this prospect all the more daunting. After a failed Hail Mary attempt in the closing seconds—which was thrown by the team's third-string running back—the Bears fell to the Longhorns 23–17.

There they were, sitting at 9–3, after coming into the season hoping for a 12–0 record and a berth in the College Football Playoffs. As disappointing as 9–3 might have seemed, the team and its fans had to be proud of the way this team overcame the many obstacles put in front of it. Coach Briles and his team never gave up, despite all of their setbacks.

Riddled with injuries, the Bears were now looking forward to playing the top-10 ranked, 11–2 North Carolina Tar Heels in the Russell Athletic Bowl, fresh off a close loss to number 1 ranked Clemson in the ACC championship game. About a week before kickoff, the Bears learned that not only would they be without their first- and second-string quarterbacks, but that they would also be without their first-string running back and their best receiver, Biliitnekoﬀ winner and NFL-bound Corey Coleman. Nobody in the world of college football would have batted an eye if the Bears lost, as they were expected to. But, much to the chagrin of the number 10 team in the land, the Bears tossed out the script and wrote their own version of the game.

The Bears put together one of the best performances of the season, amassing a record-breaking 645 rushing yards against a previously stout defense. The Bears, known for their prolific pass offense, only threw for 111

yards. But with the way the team was running the ball they didn't need to throw it. The Tar Heels were no match for Baylor's quick running backs and powerful offensive line. The Bears' physicality and Coach Art Briles' ability to adapt to ever-changing circumstances led to the team's 49–38 victory in the Russell Athletic Bowl, but once again the game was never as close as the final score indicated. With the win, the Bears finished the season at 10–3, their third-straight 10-win season and fourth in the past five years. This is a far cry from where the program was 10 years ago.

Though the Bears came into the season with national title hopes, this team should be proud of what it accomplished. Given the hand it was dealt, nobody would have blamed the Bears if they finished at 8–4 or 8–5. But this team pushed through the pain and battled, defeating two top-10 teams in their last four games of the season, despite missing several of its best players.

I'd like to congratulate the Baylor Bears for their successful 2015 season and exhilarating win over the number 10 North Carolina Tar Heels in the 2015 Russell Athletic Bowl. They made the state of Texas proud. I look forward to watching the team play next season. If the Bears got the injury curse out of the way in 2015, then watch out. I'm not a betting man, but if I were, I wouldn't bet against a healthy Bears squad in 2016.

And that's just the way it is.

TRIBUTE TO CHAD CARLSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chad Carlson, Bondurant-Farrar Middle School Principal, on his recent award as Administrator of the Year from the Iowa Association of Student Councils. Chad has been a dedicated public servant helping to educate the future of Iowa—its students.

Chad was nominated for this award by the Bondurant-Farrar Middle School student council. Students cited his ability to integrate a number of programs to help the students: anti-bullying awareness, welcoming efforts for new students, and assisting with educational student travel to Washington, D.C. Through Chad's leadership, students were able to represent Iowa at the Leadership Excellence and Development Conference in the nation's Capital.

Mr. Speaker, it is an honor to represent dedicated public servants like Chad in the United States Congress. It is Iowans like Chad that make me proud to represent our great state. I ask that my colleagues in the United States House of Representatives join me in congratulating Chad on receiving this prestigious award, and wishing him and his students nothing but continued success in the years to come.

HONORING CHRISTENE CHADWICK MOSS

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. VEASEY. Mr. Speaker, I rise today to honor Christene Chadwick Moss for her 25 years of service to the students and schools of Fort Worth as a member of the Fort Worth ISD Board of Education.

Mrs. Moss is a product of the Fort Worth Independent School District, having attended Como Elementary School and graduated from Como High School. She continued her education at Tarrant County College, earning an ADA degree before going on to earn her Bachelor of Science at Texas Wesleyan University and a Master's degree from Texas Women's University.

First elected to the Fort Worth ISD Board of Education in 1990, Mrs. Moss's leadership has been critical to the continued success of Fort Worth's schools and students. Long committed to improving community and student input, she created the first FWISD Community and Student Forums in 1994 and 1995.

Additionally, Mrs. Moss was able to balance budget priorities while reinstating art and music into primary school curriculum as well as establishing Fort Worth ISD's first strategic performance plan with high standards and accountability measures.

The Fort Worth community has long recognized Mrs. Moss's contributions to the area's students. C.C. Moss Elementary School was named in her honor and the Salvation Army named its children's library in her honor to commemorate her assistance in establishing a facility for homeless students.

Along with her commitment to education, Mrs. Moss is an active member of the Ebenezer Missionary Baptist Church, singing in the church choir and participating in their health ministry. She serves on the Executive Manager's Board, Usher Board, the Nurses' Guild and is president of the Vision of Women Ministry.

As a registered nurse by training and vocation, Mrs. Moss currently works with the Texas Department of Aging and Disability Services. She has also served as an adjunct professor of financial management at Tarrant County College.

In honor of Mrs. Moss's 25 years of dedicated service to the Fort Worth community and its schools, this statement will be submitted on Wednesday, January 13, 2016.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,891,869,602,125.16. We've added \$8,264,992,553,212.08 to our debt in 6

years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO BOB HEMBORG

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose commitment to the Corona, California community is truly exceptional. Next week, on January 21, 2016, Bob Hemborg will be honored as a recipient of the Lifetime Achievement Award by the Corona Chamber of Commerce. Bob has dedicated himself to the Corona community.

Bob is the founder and owner of Hemborg Ford, a local business fixture. He initially purchased the Ford dealership in Corona and he quickly realized he wanted more land. He relocated his business to the neighboring community of Norco. Bob has worked tirelessly with a strong work ethic and business practices that have enabled his dealership to grow and thrive in the community. Bob prides himself on having many repeat and multi-generational clients.

Family is also very important to Bob. When it came time for him to retire, he entrusted the day-to-day operations to his son Tor, though he is quick to tell you he is in the office regularly. Since semi-retiring, Bob has become involved in philanthropic outreach and business-related groups.

Bob's tireless passion for his family, community service and giving back has contributed immensely to the betterment of the community of Corona, California. I am proud to call Bob a close friend, fellow community member and great American. Today, I add my voice to the many who will be congratulating Bob on receiving the Lifetime Achievement Award.

TRIBUTE TO CAREY CROWSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Carey Crowson of Ankeny, Iowa, for being selected to the Iowa Rock 'n Roll Hall of Fame.

This year, Carey Crowson, a 1972 Mount Ayr graduate, was honored with inclusion in the Rock Hall of Fame for his individual accomplishments in the music industry over the past 40 years. Crowson has performed as part of a duo Jackson/Crowson and has been a member of a number of local bands. Backfire, Cactus Killers, Uncle Walt, and the Cavaliers from 1984–1995. Carey has also written and sung jingles and promotional songs for many major corporations.

Mr. Speaker, it is truly an honor to recognize Carey for his accomplishments today. His

efforts embody the Iowa spirit and I am honored to represent him and Iowans like him in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Carey for his achievements and wish him nothing but continued success.

RECOGNIZING NATIONAL MOTIVATION DAY OF JANUARY 2, 2016

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. ZELDIN. Mr. Speaker, I rise today in honor of the 15th anniversary of National Motivation Day.

National Motivation Day was originally introduced by my predecessor, Congressman Felix Grucci, in 2001. The goal of National Motivation Day was to call for a renewed sense of national motivation shortly following the devastating terror attacks against our country on September 11, 2001.

As we enter into a new year, many of us will use this time as a moment of reflection. I ask my esteemed colleagues to keep in mind the goal of National Motivation Day and let it continue to inspire us.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Ms. KUSTER. Mr. Speaker, I wish to clarify my position on two votes cast on January 12th, 2016 on amendments to H.R. 1644, the STEAM Act.

On Roll Call Vote 38 on an amendment offered by Mr. KILDEE of Michigan, I did not vote. My intention was to vote "aye."

On Roll Call Vote 39 on an amendment offered by Mr. CARTWRIGHT of Pennsylvania, I did not vote. My intention was to vote "aye."

TRIBUTE TO NICOLE GRINDLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nicole Grindle of Malvern, Iowa, for her selection as the 2015 Shenandoah School System Teacher of the Year. Nicole is a teacher at the Shenandoah Middle School where she teaches chemistry, physics, AP chemistry, and AP physics.

Nicole is recognized by her peers as a teacher who has a passion to teach and one who reaches far beyond the status quo in teaching her students. She is committed to challenging her students in academics, leadership, accountability, and responsibility. Nicole has an outstanding skill in instructing her stu-

dents and building relationships of respect with them. When not teaching Nicole takes an active role in a number of school activities by helping her students develop their talents for the future.

Mr. Speaker, I commend Nicole's leadership and her thoughtful technique. Nicole is an Iowan who is making a lasting impact in the lives of her students and for that we are deeply proud. She has dedicated her life to helping and serving others and so it is with great honor that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in honoring her accomplishments. I thank her for her service and wish her and her family nothing but the best moving forward.

CELEBRATING THE BIRTHDAY AND PUBLIC SERVICE OF AGNES ZHELESNIK

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. LANCE. Mr. Speaker, I rise today to celebrate Agnes Zhelesnik, who this week celebrates her 102nd birthday.

Mrs. Zhelesnik holds a very special national distinction—she is the oldest working teacher in America. Mrs. Zhelesnik teaches home economics at The Sundance School in North Plainfield, New Jersey.

Two years ago I visited her at The Sundance School. I was happy to meet her, tour her classroom and get to know some of her colleagues and students. They shared with me how her warm and friendly personality has made The Sundance School a wonderful place to learn.

She is a favorite among the students and her enthusiasm for educating makes her a great teacher and staff member.

On this special occasion, I thank Mrs. Zhelesnik for her years of public service and wish her continued good health and happiness.

RECOGNIZING THE ACHIEVEMENTS OF KNEELAND YOUNGBLOOD

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I want to recognize the myriad accomplishments of a deeply curious and supremely impressive man—Kneeland Youngblood. Many people outside of the upper crust of Dallas' business community do not know the name Kneeland Youngblood, and until recently, he would have been satisfied with that fact. However, Youngblood recently decided to expose himself and his story to the greater Dallas community in order to inspire a new generation of leaders and entrepreneurs.

Kneeland Youngblood has found his success in founding Pharos Capital Group LLC.

However, his career and life took many steps and progressions before he settled on this career. Youngblood was born in the segregated neighborhood of Galena Park in Houston. His father and mother struggled to make ends meet supporting Youngblood and his six siblings.

From these humble beginnings, Youngblood made his way to Princeton University, and then to UT-Southwestern Medical School. He began his career in Dallas in emergency medicine, and planned to climb his way up in the medical field, until his tastes changed.

Youngblood was integral in organizing a diverse group of young professionals who were fundraising for Anne Richard's initial gubernatorial campaign. During this successful period, Youngblood was exposed to the business community in a way that wetted his appetite. In the impressive and forward way he now operates his business, he approached powerful people in the business community and asked them for help in a career transition. He was forty.

Now, only twenty years later, he has founded Pharos Capital Group LLC, which operated a \$525 million institutional fund in 2014. He serves on several local boards, and recently became the first black member of the Dallas Country Club, where his father waited tables decades ago.

Mr. Speaker, more important to Youngblood than all of these successes, is the success of his family. He has six kids who between them went to Stanford, Harvard, Yale, or Princeton. Today, I want to honor the incredible path Kneeland Youngblood has travelled, and recognize him formally to allow him to serve as the example to young leaders and entrepreneurs he knows he is.

TRIBUTE TO JOHN DOWNS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose commitment to the Corona, California community is truly exceptional. Next week, on January 21, 2016, John Downs will be honored as a recipient of the Lifetime Achievement Award by the Corona Chamber of Commerce. John has dedicated himself to the Corona community.

John is the second generation owner of local business icon Downs Energy. The business was started in 1962 by John's father, Elvin Downs. In 1976, Downs Energy made the decision to launch a key lock operation to sell fuel around the clock to trucking companies. John works closely on the day-to-day operations with his wife Catherine.

John is also a devoted father and husband. He and his wife Catherine have two children, Sherry Downs Messner and Mike Downs. John describes having his children follow in his footsteps as something that makes him smile.

John's tireless passion for his family and the community has contributed immensely to the betterment of the community of Corona, California.

I am proud to call John a friend, fellow community member and great American. Today, I add my voice to the many who will be congratulating John on achieving the Lifetime Achievement Award.

TRIBUTE TO GARY McCLANAHAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gary McClanahan upon his retirement from Central Campus in the Des Moines School System, where he served for 25 years.

Gary served as the director of the Central Campus for 18 years and spent 7 years as the school's supervisor of technology. Central campus is a career and technical education program that provides a diverse educational opportunity for students, from auto body repair to marine biology. Gary's commitment to excellence will be missed by all at Central Campus.

Mr. Speaker, I applaud and congratulate Gary on his retirement from the Des Moines Central Campus. It is because of dedicated Iowans like Gary that I'm proud to represent our great state. I ask that my colleagues in the United States House of Representatives join me in congratulating Gary on this incredible milestone and wishing him nothing but the best in his retirement.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mrs. HARTZLER. Mr. Speaker, on Tuesday, January 12, 2016, I was unable to vote. Had I been present, I would have voted as follows: on roll call no. 43, "yea."

TRIBUTE TO MARY LELIA ECKHART

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. WENSTRUP. Mr. Speaker, I rise today to honor the life of a valued constituent of mine in the second district of Ohio. Mary Lelia Eckhart, known by her friends as Lelia, will soon celebrate her 100th birthday on March 22, 2016.

Lelia Eckhart was born into a large farming family in 1916 with six siblings, in Lewis County, Kentucky. Beginning to learn the skills of a homemaker from the age of eight, she quickly became an integral member of her large and loving family.

As her family began moving away, Lelia decided to join her sister in Portsmouth, Ohio during the Great Depression in the 1930s. As

southern Ohio struggled along with the rest of the nation during the Depression, Lelia was soon in high demand by many families for her skills. Soon, Lelia was employed by the Bannon family of Portsmouth where she worked for nearly 60 years.

Lelia's significant talents include needlework of all types, from designing to tailoring her wardrobe, and her cooking abilities are legendary. When asked to reveal her secret to creating such great food, she faithfully replies "It tastes so good because I stirred it with my finger!"

Lelia developed many lasting friendships which remain to this day. Central to her life is her devotion to her faith. She worships to this day at Cornerstone Methodist Church, from which follows the guiding principles of her long and story-filled life.

I ask my colleagues to join me in celebrating the 100th birthday of Lelia Eckhart.

TRIBUTE TO RITA SCHROEDER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ms. Rita Schroeder for being chosen for induction into the Southwestern Community College Athletic Hall of Fame as a coach. She will be inducted on January 23, 2016 in Creston, Iowa.

Rita was a 1982 graduate of Southwestern Community College and provided leadership to the Spartan volleyball program from 1984–2009. Under her guidance, the Spartans had a record of 704–382. They competed in national championships five times. Under Rita's leadership, each student-athlete was required to put school first, and during her tenure her teams received ten NJCAA team academic awards.

Mr. Speaker, I applaud and congratulate Rita for her well-deserved induction into the Southwestern Community College Athletic Hall of Fame. It is because of Iowans like Rita that I am proud to represent our great state in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Rita for this achievement and in wishing her nothing but continued success.

HONORING JACQUELINE ANN BERRIEN

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring Jacqueline Ann Berrien, chair of the Equal Employment Opportunity Commission (EEOC) from 2010 to 2014, who passed away on November 9, 2015, at the age of 53. I was privileged to know Jacqueline Berrien and to work with her here in the Congress.

A native Washingtonian, Jacqueline graduated from Oberlin College and Harvard Law

School prior to beginning her career as a distinguished civil rights lawyer. Jacqueline cut her teeth while working with the Voting Rights Project of the Lawyers' Committee for Civil Rights Under Law in the District of Columbia and with the National Legal Department and Women's Rights Project of the American Civil Liberties Union in New York. After several successful years, Jacqueline became an assistant counsel to the National Association for the Advancement of Colored People's Legal Defense and Education Fund, where she focused on voting rights and school desegregation. She left the NAACP to become a program officer for the Ford Foundation's Peace and Social Justice Program, before returning as associate director-counsel of the NAACP's Legal Defense and Education Fund.

In 2010, President Barack Obama appointed Jacqueline Berrien as Chair of the EEOC, where she continued the work of combating discrimination, excelling as a public official in combating workplace discrimination. During her tenure, Jacqueline took on the new frontiers in employment discrimination, and despite budget shortfalls and a surge in cases, she helped the EEOC to significantly reduce its case backlog. As a civil rights lawyer and former chair of the EEOC myself, I worked with Jacqueline Berrien here in the Congress and greatly admired her many contributions to the work of the EEOC.

Jacqueline Berrien, in a life cut short by cancer, nevertheless managed to leave a rich civil rights legacy, consummated by a presidential appointment to do that work for the entire nation. Our country is fortunate that this champion for civil rights, rich in talent, short in time, managed to accomplish so much.

Mr. Speaker, I ask the House to join me in honoring Jacqueline Ann Berrien for her exceptional civil rights career, for her service to the United States of America, and for a life well lived.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. SWALWELL of California. Mr. Speaker, I missed the January 12 vote on Roll Call Number 43, regarding the question of passage of H.R. 757, the North Korea Sanctions Enforcement Act of 2015. Had I voted, I would have voted "yes."

TRIBUTE TO LYNN UBBEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ms. Lynn Ubben, Superintendent of Perry Community School District. Ms. Ubben has been named 2016 Iowa High School Athletic Association Outstanding School Administrator.

Ms. Ubben has been superintendent of the Perry Community School District for seven

years. She is a member of the Iowa High School Athletic Association Representative Council for Central Iowa and a previous Representative Council member of the Iowa Girls High School Athletic Union. The Perry Community School District superintendent also serves on the IHSAA Classification Committee. Ms. Ubben has also been an active participant for students in her own school district, as you will often see her at games and activities, showing her support whenever she can.

Mr. Speaker, I applaud and congratulate Lynn for receiving this award and thank her for her service to the students and families of Perry Community School District. It is because of Iowans like Lynn that I'm proud to represent our great state. I ask that my colleagues in the United States House of Representatives will join me in congratulating Ms. Ubben and wishing her nothing but continued success in the years to come.

PERSONAL EXPLANATION

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. WILLIAMS. Mr. Speaker, on Roll Call 42 on final passage of H.R. 1644, the Supporting Transparent Regulatory and Environmental Actions in Mining Act or the STREAM Act, I would have voted Aye, which is consistent with my position on this legislation.

H.R. 3662 AND S.J. RES. 22

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. CONYERS. Mr. Speaker, I was unable to make today's votes due to important business in my district. Had I been here, I would have voted against both H.R. 3662 and S.J. Res. 22.

S.J. Res. 22, the bill to kill the Waters of the United States rule, is a cynical attempt to endanger the public health to score points with anti-environmental interests.

At this very moment, parents in Flint, Michigan are worried about their children's future after toxic lead exposure in their water. The blame for their concerns belongs here and in Lansing where anti-environmental interests have co-opted elected leaders. Today, Republicans spoke about the governors who have not challenged the Waters of the United States rule, saying they were too afraid to stand up for corporate interests. Bills like S.J. Res. 22 leave me wondering when my colleagues across the aisle will have the courage to stand up to corporate interests and for their constituents.

H.R. 3662 is a similarly wrong-headed bill, which requires the President to certify things he cannot know or prove, and would have the effect of blocking the Iran Deal from going into place. Bills that serve no purpose other than inflaming tensions between the United States

and Iran have no place in this body, and I strongly condemn this attempt to derail the Iran Deal.

IN MEMORY OF TAMON ARENCE WILLIS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. POE of Texas. Mr. Speaker, "loving", "witty", "thoughtful", "prankster", "mama's boy".

These are a few words that came to mind instantly by those who knew and loved Tamon Arence Willis.

Eighteen years old, Tamon had just completed his first semester at the University of Houston. He was working two part time jobs to help ease the financial burden from his parents. Born in The Woodlands, Texas, Tamon graduated from New Caney High School at the top of the Class of 2015. He was proud of his Texas roots, and he held on to them. He lived in a small town, New Caney, just outside of Houston.

As a big brother, Tamon loved his four younger siblings. He was their protector. He was also a self-described prankster whose pranks were usually targeted at his younger brothers and sisters.

With the love and support of his family, at the start of his college career, Tamon had a bright future ahead of him. The world was his oyster. It was until this past Saturday morning, just five days before his 19th birthday. Tamon had woken up early to go to work when sadly and tragically, his life was cut short in a hit and run motorcycle crash.

Like a cold hearted coward, the driver who hit Tamon fled the scene. He had no remorse or compassion for what he did. He just left Tamon in the middle of the road. Another vehicle then came and hit Tamon again, causing the driver to lose control, where he crashed and ended up in the ditch. Tamon died at the scene.

Word spread fast in the small community; tragic events and loss have a way of bringing people together. The Willis family soon found themselves surrounded by friends and family members, while authorities released a surveillance video from the convenience store of the vehicle in question. The search for the cowardly driver was on.

The photo and video of the suspect's vehicle was quickly circulated to news media and shared via social media. By Sunday night, Texas DPS troopers arrested Eric Brian Ellison, an ex-con from nearby Crosby, Texas, and charged him with Accident Involving Death. May justice be swift for this heinous crime.

On Thursday, January 14, Tamon will be laid to rest on what would have been his 19th birthday. Tamon's parents have made the decision to have his funeral on his birthday as a way to celebrate his life. Although they mourn the loss of their son, they wish to celebrate his brilliant life and cherish their loving son.

On behalf of the constituents of the Second Congressional District, I extend my deepest

sympathies to the Willis family. Our thoughts and prayers go out to them during this most difficult time.

And that's just the way it is.

TRIBUTE TO GREASE MONKEY
AND PETE AND BRAD KRAUSE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pete and Brad Krause of Council Bluffs, Iowa. On December 2, 2015, Pete, Brad, and their staff celebrated 30 years in business at Grease Monkey, an auto shop that offers oil changes and other auto maintenance services.

Pete and his Grease Monkey franchise have become an institution in Council Bluffs, but if it weren't for some unfortunate circumstances, it may never have even been established. Pete became stranded in Council Bluffs in 1960 on his way home to Minnesota from college in South Carolina. He had run out of gas and money. He took a temporary job in Omaha, Nebraska, to make enough money to get back home, but he never made it there. Pete opened his business in 1985 and his son, Brad, joined the family business in 1991. Brad became an owner in 2013 after purchasing the business from his father. The company has 13 employees and serves over 500 vehicles weekly. Pete said the business has gone through many ups and downs, including surviving the 1988 tornado that caused extensive damage to the store. The Council Bluffs Grease Monkey is a very successful franchise and ranks third in sales among Grease Monkey franchises throughout the United States.

Mr. Speaker, I commend Pete and Brad Krause, along with their staff, for the dedicated service they provide to Council Bluffs and southwest Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating the Council Bluffs Grease Monkey on this momentous occasion and in wishing Pete, Brad, their families, and employees nothing but the best moving forward.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint commit-

tees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 14, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 19

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the near-term outlook for energy and commodity markets.

SD-366

JANUARY 20

10 a.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine improving the Federal response to challenges in mental health care in America.

SD-430

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine understanding the goals and ideology of ISIS to better protect the homeland.

SD-342

2:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.

SR-232A

JANUARY 21

9:30 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the status of innovative technologies within the automotive industry.

SD-366

JANUARY 26

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the role of the Service Chiefs in defense acquisi-

tion in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SD-G50

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the presidential memorandum issued on November 3, 2015 entitled, "Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment."

SD-366

JANUARY 27

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine the substandard quality of Indian health care in the Great Plains.

SD-628

JANUARY 28

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the status of innovative technologies within the nuclear industry.

SD-366

FEBRUARY 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine energy-related trends in advanced manufacturing and workforce development.

SD-366

FEBRUARY 23

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior.

SD-366

MARCH 3

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy.

SD-366

MARCH 8

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Forest Service.

SD-366

SENATE—Friday, January 15, 2016

The Senate met at 11 and 2 seconds a.m. and was called to order by the President pro tempore (Mr. HATCH).

The PRESIDENT pro tempore. The Senator from Arkansas.

—

**PROVIDING FOR A CONDITIONAL
ADJOURNMENT OF THE HOUSE
OF REPRESENTATIVES**

Mr. COTTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 107, which is at the desk.

The PRESIDENT pro tempore. The clerk will report the concurrent resolution by title:

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 107) providing for a conditional adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. COTTON. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 107) was agreed to.

—

**ADJOURNMENT UNTIL TUESDAY,
JANUARY 19, 2016, AT 2 P.M.**

Mr. COTTON. Mr. President, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 11:01 and 1 second a.m., adjourned until Tuesday, January 19, 2016, at 2 p.m.

**MESSAGE FROM THE HOUSE
RECEIVED DURING ADJOURNMENT**

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on January 14, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following joint resolution, without amendment:

S.J. Res. 22. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 107. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

SENATE—Tuesday, January 19, 2016

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Infinite Spirit, Your thoughts are too high for us to comprehend, and Your ways are past finding out. You transform our discordant notes into harmony as Your goodness and mercy pursue us.

Abide with our Senators. Lord, give them the insight to discern truth from falsehood, the high from the low, and the enduring from the transient. Impart to them a perspective that will enable them to find the right path.

God, bless America. May we not forget that without You, no nation can long endure.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader is recognized.

AMERICAN SAFE ACT

Mr. MCCONNELL. Mr. President, it is clear that many Americans are concerned about the administration's ability to properly vet thousands of individuals from Syria and Iraq. Elected officials in both parties have expressed concern, too, as have administration officials. That is why many Americans are asking us to take a step back and press pause on the program so we can ensure that we have the correct policies and security screenings actually in place. The Senate will consider balanced, bipartisan legislation tomorrow to do just that.

Passing the American SAFE Act, which the House has already done with a bipartisan veto-proof margin, would show Americans that their concerns are being heard here in Washington. The aim is to ensure that we have facts first so we can help advance America's tradition of compassion and address the legitimate concerns of her citizens at the same time.

I will have more to say on this legislation tomorrow, but I urge colleagues across the aisle to treat this issue with the seriousness it deserves. This debate should be driven by facts and common sense and not fear mongering about targeting widows and orphans or other straw man arguments the White House has made from time to time. Americans deserve a vetting process they can have confidence in, and frankly the refugees coming to this country deserve one too. Safeguards that weed out ISIL sympathizers can help ensure legitimate refugees to our country are not unfairly stigmatized.

The American people are concerned and looking to us to lead with both safety and compassion. I am calling on colleagues to help us do so tomorrow by advancing this balanced and bipartisan legislation.

MEETING WITH THE PRIME MINISTER OF AUSTRALIA

Mr. MCCONNELL. Also, Mr. President, later this afternoon I will be meeting with Malcolm Turnbull, the Prime Minister of one of our closest allies, Australia. Our alliance with Canberra is an important one, and our countries share many fundamental values. I am looking forward to meeting the Prime Minister.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

NUCLEAR DEAL WITH IRAN

Mr. REID. Mr. President, I will have more to say tomorrow about the legislation about which the Republican leader just spoke. Tomorrow afternoon we will have a vote as to whether we should move to the bill.

Along with the rest of the world, I was pleased to learn this weekend that five political prisoners were finally released from Iran and will soon be home with their families. These Americans were unjustly held, and I am glad they will soon be in the arms of their loved ones once again.

Preventing Iran from obtaining a nuclear weapon is one of the most pressing security challenges of our generation. A nuclear-armed Iran is a threat to the national security of the United States, the State of Israel, and the world.

Last summer I announced my support for the historic nuclear agreement the United States and the global com-

munity made with Iran. This agreement required Iran to take significant steps to ensure that its nuclear infrastructure could not be used to build a nuclear bomb. These steps include, among other things, dismantling thousands and thousands of centrifuges that are used to enrich uranium, removing from Iran its enriched uranium, thus reducing its stockpile and eliminating the core of its plutonium reactor. The end result of these steps is that Iran's breakout time—the time it takes to make enough fissile material to build a bomb—has been extended from a matter of a few months to a year, and some experts would say much, much longer.

Over the weekend, the International Atomic Energy Agency confirmed that Iran successfully implemented these initial requirements, an important next act in the implementation of the nuclear agreement.

I applaud President Obama, Secretary of State John Kerry, Secretary of Energy Dr. Ernest Moniz, and Under Secretary of State Wendy Sherman for using America's diplomatic power to make the world a safer place. This diplomatic approach also avoids the significant costs and risks a military option would pose. One need only look at Iraq to find out what military options cost—trillions of dollars—because of the worst foreign policy decision in the history of our country: the invasion of Iraq. Hundreds of thousands of people are dead, millions have been displaced, thousands of Americans are dead, and tens of thousands badly wounded. The diplomatic approach avoids the costs and risks the nuclear option poses.

No one should think all of the components of the Joint Comprehensive Plan of Action have been completed. They have not been. We are now at the beginning of a critical period where Iran must allow unprecedented inspections designed to allow the international community to know if Iran tries to break out and race toward building a nuclear weapon. We will know about it.

Iran poses a threat to our Nation's most supportive ally in the Middle East, the State of Israel. Over my four decades in Congress, the safety and security of the Israeli people have been of the utmost importance to me and to this Congress generally, as you can see with the results of the last four decades. We must do everything and we must strive to protect the Israeli people, and that is why Iran must be held accountable for any action it takes that poses a threat to that small, little democracy.

Iran must never obtain a missile capable of delivering a nuclear warhead.

I am pleased the administration announced it would impose sanctions on individuals and companies for providing support to Iran's ballistic missile program. These tests were in clear violation of the United Nations Security Council resolutions. One thing is clear: Iran must continue to be monitored with intense scrutiny.

I remain concerned about Iran's ongoing human rights abuses and political oppression. Iran also remains a state sponsor of terrorism, using its proxies against Israel and against our interests throughout the Middle East.

Congress must accept the critical role we play in providing vigorous oversight of the Iran agreement and Iran's compliance with the agreement, addressing Iran's ballistic missile program and monitoring Iran's actions in the region. This past weekend marked a key step forward to ensuring Iran never gains access to a nuclear weapon. We should always remember that the Iran deal, as it has been called, was to stop Iran from having nuclear weapon capability, and that has been accomplished.

I look forward to working with my colleagues to keep Iran accountable and preserving the national security of both this Nation and our ally, the State of Israel.

SUPREME COURT REVIEW OF IMMIGRATION RULING

Mr. REID. On another subject, Mr. President, this morning the Supreme Court announced its decision to review the Fifth Circuit Court's illogical ruling on President Obama's Executive actions on immigration. It was only a question of time as to when it would come up because the action of the appellate court was so out of line and unprecedented.

I am pleased with the Supreme Court's decision to take a look at this case. The President's Executive actions rely on well-established constitutional authority, and I have full confidence the Constitution will rule that these programs can be implemented.

While I was home recently, I met with undocumented parents of U.S. citizens and lawful permanent residents. Instead of having the peace of mind that comes with deferred action, these law-abiding men and women, young and old, continue to live in constant fear of being separated from their families. They must be allowed to vacate the shadows and fully contribute to the country they love and call home.

Mr. President, what is the schedule of the Senate this afternoon?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I see no one else on the floor, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRONES

Mr. NELSON. Mr. President, have you ever flown a drone? It used to be that you had to fly helicopters or it used to be that you would fly what we call unmanned aerial vehicles, the ones that have been so helpful to us in the war against terror. That would usually be an Air Force pilot. But now people can go to Best Buy or to Walgreens or to the hobby shop and buy a drone this big. If it is an older model, it would cost \$100. If it is a newer model, it would cost \$500. People can have a lot of fun. As a matter of fact, I can't wait until they finish development of the drones they are testing right now that I can sit on, and then I can go from point A to point B and avoid the red lights and the traffic jams and so forth.

Along with this new technology comes some, certainly, new challenges. So as our commerce committee is approaching work on the FAA bill, the Federal Aviation Administration reauthorization—otherwise, in a couple of months that authorization law expires—we are going to have to address the issue of drones because we have had now a number of near misses of drones.

A study in December came out: 241 near misses. As a matter of fact, the New York area airports clearly had the most with, in this study period, 86, but my State of Florida had both Miami and Orlando with a substantial number. At most of the major metropolitan area airports across the entire country—Los Angeles, 39 near misses, and Chicago and Boston; we can go over the entire country—there is a substantial number.

Another report that came out just at the end of last year pointed out that just in September there were 122 incidents and just in October there were 137 incidents. If a seagull sucked into the jet engines of US Airways could cause the complete loss of power so that Captain Sully Sullenberger—since he couldn't get to an emergency landing in a field—had to put it down in the Hudson River, and if a seagull with flesh and blood and seagull bones and webbed feet sucked into the engines

can stall out a jet engine, we can imagine what a drone that you buy at Best Buy this big made of plastic, but with metal parts such as the camera, what that would do, and it is just a matter of time, unless we take action.

Now, I have a picture here. I would like to zero-in on this. This is a drone, the size that I just showed with my arms, flying past a palm tree in my State of Florida. But if that drone goes higher—higher than the FAA limit right now of 400 feet—and gets into the flightpath of an incoming airliner or one that is outbound, then we have a major disaster on our hands.

We want creativity. We want inventiveness. This is a new technology and it is great. Look at what we can do now with aerial photography so we don't have to rent an airplane. Look, however, how it is being used. Did my colleagues know drones are being used to go over a prison wall and deliver contraband? How about the reverse: Getting messages out? So, obviously, the government is going to have to get into it one way or another.

Now, one thing that we could do with this technology is we could require the software to be put in these drones that would prohibit it from getting close to an airport. There is that kind of technology. I suppose we could put the software in it that would prohibit it from getting above a certain altitude. But the question is this: When somebody breaks those limits, how do we go about identifying them? Should there be some kind of registration number? Should there, in fact, even be licensure? We probably don't have to worry about commercial uses such as aerial photography because those users are going to be very careful. However, for the hobbyist or the kid who can now go and purchase a drone, we see the probabilities of an accident waiting to happen.

Now, I don't have the answer. But in the next two months, as we are getting ready on the FAA bill, we are going to have to come up with some answers.

So I raise this issue for the Senate. It is a real problem. We have to face it. We have to address it. We have to prevent these kinds of terrible accidents that can occur if we do nothing.

I intend to do something on the commerce committee.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAST ACT

Mr. BLUNT. Mr. President, I want to talk about something that was overlooked late in the year as we passed

the surface transportation bill—the highway bill. It was called the Fix America's Surface Transportation Act or the FAST Act. It wasn't very fast.

I am glad to see the President signed the law last month. It is one of the things people understand they can't do for themselves—along with defending the country—having a transportation system that works and taking advantage of who we are as a nation, being strategically located in as fine a place as you can be to do business, to create jobs and opportunity all over the world.

The FAST Act in my State would provide \$5 billion to Missouri over the next 5 years to improve our roads, bridges, and rail system. That is the amount of money we will send in over the next 5 years. We are either slightly a donee State or slightly a donor State. We might be better off if we kept all the money, but that is not what is happening right now.

We are certainly better off if we know what the highway program looks like for 5 years. An effective transportation plan is good for the country, but it is particularly good where I live. If you look at any map of the river structure of the country or any railroad map of the country or any highway map of the country, a significant part of coming together of all three of those—rail, water, and highways—all happens right where we live.

Because we are the hub of the railway, highway, and water systems, it is very important that we have a system that makes the most of that where we live. When I had a chance to speak to the Missouri House of Representatives in Jefferson City over the first week of the year, I told the Missouri General Assembly that this is a competitive advantage for us, but we need to make the most of it. When we had the highway bill that we have had in the 5 years the Presiding Officer and I have served in the Senate, nobody could rely on anything.

This is the first 5-year bill we have had in 17 years. But before 2009, we just ended a 4-year highway bill. Then, since 2009, we have had 37 short-term extensions of the highway bill. So if there is anything fast about the FAST Act, it certainly wasn't quickly getting to a highway bill that works. The longest of those 37 extensions was 2 years. I think the second longest may have been 6 months. Not only is that no way to build roads and bridges, but it is clearly no way for legislators to have an idea in our home States of how to respond to that plan. By the time you try to figure out how to respond to the plan, how you can maximize it to the advantage of your State—my State or anybody else's—and how we can maximize that plan to our advantage, the plan is over with.

By the time you have a legislative session, look at the plan, the State de-

partment of transportation analyzes it, and you start talking about it, the 6-month extension of the highway bill is over—or even the 2-year extension. There are all kinds of studies that indicate a significant loss of what you can buy with the money you are spending if the highway bill is 2 years or less. I think the discount is about 30 percent because people don't bid as competitively as they would bid to be part of those projects. They are not willing to move people to where a major project needs to occur. They cannot buy the equipment and plan to depreciate it out. So you wind up paying a lot more than you would have to pay. That is where we have been since 2009.

The States have been the place where they didn't have any way to maximize a Federal program because the Federal program was gone before they could really calculate how they could most take advantage of it.

So I hope that now we do one of the things that people really expect the government to do—one of the reasons they pay the taxes and one of the reasons the tax for transportation has always been pretty well received. People think: OK, I pay a tax when I fill up my car with gasoline, fill up my car with diesel, fill up my truck with diesel or fill up my truck with fuel. When I do that, I pay a tax and then I use the roads. So that seems fairer to people than most taxes, but we haven't had a system that allowed us to make the most of that.

In our State, 22 percent of the major roads of Missouri are now considered in poor condition. The American Society of Civil Engineers gives us a C, and this is one of the areas where we would want to be an A. If you are a C instead of an A, the average Missouri motorist pays about \$400 more a year in extra maintenance because we are trying to maintain a system that has gotten into poor condition.

Some 44 percent of our highways are congested. Congestion costs motorists a lot of money in just wasted fuel. You don't have to spend much time around Washington in a car to realize how much time you can waste in traffic, but we see that happening more and more all over the country.

In our State we have more bridges than any other State, and they are in among the worst conditions of the country, with 30 percent of our bridges rated as structurally deficient or functionally obsolete. There was just a TIGER grant awarded to replace the Champ Clark Bridge across the Mississippi River, which I believe was built in 1919. If that bridge has to be shut down before it can be replaced or would have been shut down, the detour to get to where that bridge gets you is 75 or 80 miles driving around to where that bridge currently takes people.

We have many bridges in our State that are county bridges; they are not

State bridges. I have talked to county commissioners, and one of their principal concerns is this: What about the fund that helps us with our off-system bridges? Senator CASEY and I created a fund to do this in 2012. We added it to the 2012 highway bill. Since then, it has provided about \$775 million annually to States. Out of that State fund, whenever you are part of the off-system road system, the State pays 85 percent of a bridge that the county otherwise in most cases wouldn't be able to replace. We have one county that I think has 4,000 people and 40 bridges. That is a lot of bridges for 4,000 people to try to be responsible for. It is our smallest county, and that is maybe a different debate, but they have 40 bridges. We have many bridges in our State.

The county road-county bridge system has about 50 percent of all the bridges we have in Missouri. The bridge system and the highway system are critical to us if we want to compete. As the middle of the country grows things and makes things, it is a great opportunity for us to get things—not just onto the river system and onto the railway system—all over the country and all other the world. Transportation really matters.

The FAST Act—and I have a hard time saying the FAST Act without thinking how slow the FAST Act really was in getting passed—creates two freight-based programs that allows States to compete for funding for major projects. In a world where we want to compete, we need to figure out how we can compete more effectively. How do you get things to places where they are made into products? How do you get things that are grown and need to be shipped to places? How do you get them to places in a better way? In the life of this bill, the State of Missouri should receive about \$150 million to look at those freight projects because those projects and the effective use of how you get things to places create jobs.

The Missouri Department of Transportation has already developed a State freight plan to encourage strategies. Now this bill makes that plan more of a reality.

The FAST Act also includes some help for our Nation's rail systems. I had a bill, the Track, Railroad, and Infrastructure Network Act, that when you are improving a railroad system, it allows you to have the same kind of streamlining that we were recently able to provide for highway construction. You don't get caught up on something that has to be needlessly litigated for long periods of time when, in fact, what you really need to be doing is getting that highway finished in the highway part of this bill or have the expedited ability for these issues to go to the top of the list and to get resolved so that people can get the things they make where they want to get

them. They can get the things they buy quicker than they would get them otherwise. They can get to work, they can get to school, and they can get to the hospital when somebody is sick.

I mentioned that, particularly because we just had floods in our State in the last few days. For a while, Interstate 70, Interstate 44, and Interstate 55—all three—were closed. There was a time when two of those were closed at the same time. They were closed for 24 to 36 hours, and it makes a difference in how people are able to live their lives.

The Federal Permitting Improvement Act that I cosponsored was also included in the bill. This is a piece of legislation that Senator PORTMAN and Senator MCCASKILL introduced. It will now allow better coordination between the deadline setting for permitting decisions—the same kind of thing for highways that we are also doing for railroads—to make this important transportation system work.

Looking at the United States, Winston Churchill once said we were the best located country in the world—an ocean on either side and neighbors that we could deal with north and south. And the ability to get anywhere would be another addition to that location advantage we have.

The FAST Act includes two important provisions to give relief to electricity providers. One is a law that creates emergency route working groups for electricity and other things. If you have a vehicle that needs to get from Oklahoma to Joplin, MO, after the tornado, you don't have to get it especially permitted and authorized to come across that State line in what has been declared an emergency.

The same thing would have happened in recent days in several places in our State close to a border, close to the equipment they need. The flood means there is an emergency. Now those vehicles can cross the State line without having to have the special permission that needed to be received in the past.

Secondly, the Grid Reliability Act that I introduced with my Missouri colleague Senator MCCASKILL simply improves reliability. If you have two conflicting Federal agencies—one saying you can only use that plant so much of the time and another saying we have an electric emergency—you have to use every facility you have to provide the electricity that is needed, and that can now be done.

There are many committees of jurisdiction here. The commerce committee that I am a member of is certainly the committee that is focused on infrastructure, focused on ports and other things that I haven't mentioned a lot but that are very important.

I have mentioned at other times on the floor of the Senate that this is one of the great accomplishments of the first year of this Congress that may

easily go overlooked, but I can tell you that county officials all over America and State legislative bodies all over America are looking at this bill and figuring out how do we use this as a way to move our transportation system into the 21st century, how do we use this to help provide opportunity, and how do we use this to help provide the kinds of jobs that provide the kind of pay that families need to live on and to live the kinds of lives they would like to live.

I look forward to seeing this bill implemented. I think all of us need to watch carefully to be sure that we are making the most of one of the responsibilities of government. Defending the country and having a transportation system that works are both things that individuals and families can't do for themselves. I believe the FAST Act gives us a better chance than we have had since 2009 to look at the future with a greater degree of certainty and to work in an area that is critically important for the country but even more important for Missouri and others who live in the middle of these transportation networks, where they come together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

AMERICAN SAFE ACT

Mr. GRASSLEY. Mr. President, tomorrow the Senate will vote on a motion to proceed to H.R. 4038, also known as the American Security Against Foreign Enemies Act. This bill would prohibit the admission into the United States of refugees from Iraq or Syria or any other refugee who has been present in those countries in the last 5 years unless that person receives a thorough background investigation.

The bill would require the Director of the FBI to certify to the Secretary of Homeland Security and also to the Director of National Intelligence that each of those persons has received a background investigation that is sufficient to determine whether he or she is a threat to the security of the United States. Then, as a second provision, the Secretary of Homeland Security, with the unanimous concurrence of the Director of the FBI and the Director of National Intelligence, would have to certify to Congress that each refugee is not a security threat; and finally, it requires the Homeland Security inspector general to conduct a risk-based review of all certifications for the admis-

sion of Iraqi and Syrian refugees made by the Department of Homeland Security, the FBI, and the Director of National Intelligence each year and provide an annual report to the Congress.

This bill passed the House overwhelmingly and in a bipartisan manner in November. I intend to vote on the motion to proceed tomorrow. This is a conversation we need to have in the Senate. This is not an issue we can take lightly, despite the plea from President Obama in his State of the Union Address. We cannot allow America's welcome mat to become a doormat for radicalized Islamic extremists who are hardwired to kill innocent people and destroy our way of life.

Unless and until the United States can figure out a foolproof screening process to prevent terrorists from masquerading as refugees to infiltrate our neighborhoods and our communities, President Obama needs to listen to the concerns voiced by more than half of the Nation's Governors, lawmakers on both sides of the aisle on both sides of Capitol Hill, and the American people from across the entire country.

After the September 11 attacks, we paused our refugee admission program to reassess its security vetting procedures, so there is precedent for suspending the refugee program, and this bill does not suspend the refugee program—only in regard to the single instance that I know; that is, we have been threatened that people were going to be snuck into the country under the umbrella of refugee, and of course that is from Iraq and Syria.

We need to move cautiously in accepting refugees from Iraq and Syria given the attacks in Paris and San Bernardino, CA, and even elsewhere around the world. We need to fully understand the risks and the schemes that these terrorists are using before we open our doors to 10,000 more Syrians. Other countries face the same challenge.

Just last week, the French Interior Minister warned his colleagues about the intent of the Islamic State to use authentic-looking Syrian and Iraqi passports to smuggle its operatives into Europe. There is no doubt that the group has obtained thousands of blank passports and intends to facilitate travel by counterfeiting those documents, but more importantly, we must consider a pause in accepting these refugees until we can be sure our background checks and investigations are the best they can be. However, today there is little doubt, even from our leading intelligence officials that we may not be able to stop a Paris-like attack because we cannot tell who among the thousands of Syrian refugees that the administration wishes to resettle here are terrorists.

The Director of the FBI, James Comey, said: "My concern is that there

are certain gaps . . . in the data available to us" in screening Syrian refugees. This data, such as fingerprints, background or biographic information, is crucial for adequate screening of potential refugees entering the United States. Director Comey also said: "There is risk associated with bringing anybody in from the outside, but especially from a conflict zone like that."

The United States has been successful in fighting off many large-scale terrorist attacks on our soil, but of course it only takes one mistake. Just last month, the FBI arrested two individuals who reside in the United States and entered the country as refugees, one of whom was arrested for attempting to knowingly and willfully provide material support and resources to the Islamic State of Iraq and Levant.

A Federal agent testified last week that one of the men charged planned to set off bombs at two Houston malls. I asked for the immigration and criminal histories of these individuals to investigate further and satisfy myself, and I am still waiting for their response. The concerns are real. The threats are real. We cannot jeopardize our national security simply by rolling out our welcome mat to these terrorists.

President Obama's lack of strategy in Syria has exacerbated this human catastrophe. Similarly, this administration has no inclination or strategy to create conditions where refugees can one day return home safely to their own homes. By housing these refugees, the United States is only aiding in a short-term treatment of this whole massive refugee problem and the problems of warfare in the Middle East while at the same time risking the safety of the American people. We must instead focus on defeating ISIS and alleviating the current humanitarian misery, all while creating a future for Syrian refugees in their homeland.

The No. 1 responsibility of the U.S. Federal Government is to protect the homeland and to secure the country against all threats. Moving this bill on our vote tomorrow is one step we can take to advance this principle and to show our concern that the No. 1 responsibility of the Federal Government is the defense of the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

ADOPTEE CITIZENSHIP ACT

Ms. KLOBUCHAR. Mr. President, I rise today to speak about the Adoptee

Citizenship Act, legislation that will secure citizenship for adopted children. I wish to thank Senator COATS for cosponsoring the bill with me, along with Senator MERKLEY, and Senator GILLIBRAND is also a cosponsor.

The Child Citizenship Act of 2000 guaranteed citizenship to most international adoptees. This was very important because sometimes children have been adopted, they come over to live in this country for years, and, in fact, for some reason—the paperwork wasn't filed—they do not actually have their citizenship. The problem with that law back in 2000 was that it did not apply to adoptees who were over 18 at the time the bill was passed. I am sure there were some reasons for that, but it really makes no sense because a kid who was 17 at the time and had been legally adopted was no different from a child who was 19 at the time who had been legally adopted.

What our bill does is very limited. It fixes that. The loophole denies some adult adoptees the right to citizenship even though they were legally adopted by U.S. citizens and raised in the United States. They are over 18, so they have for the most part lived in the United States for a very long period of time. In fact, they were over 18 back in the year 2000.

The bipartisan Adoptee Citizenship Act would fix this problem by giving citizenship to international adoptees—people who were legally adopted, who were 18 in the year 2000 or older—regardless of how old they were when the Child Citizenship Act passed. These adoptees grew up in American families, they went to American schools, they lead American lives, yet adopted children who are not covered by the Child Citizenship Act are not guaranteed citizenship. Because of their lack of citizenship, adoptees have been refused admission to college and turned down for jobs. This constant threat to the life they know is unjust, and this bill would simply ensure that international adoptees are recognized as the Americans they truly are.

The bill is especially important in my home State of Minnesota. Many people don't know this, but Minnesota actually has one of the highest rates of international adoption in the country. Minnesota families have opened their homes and their hearts to children from all over the world—from Vietnam, to Guatemala, to Nepal, to Haiti.

As cochair of the Congressional Coalition on Adoption, I have worked with my colleagues on both sides of the aisle to support adoptive families and children. Our children—all kids—deserve so much more than a roof over their heads and a bed to sleep in. Each and every child deserves a loving home, a nurturing family, and a brighter future. That is what this bill is all about. It fixes something. It closes a loophole. It has bipartisan support. I ask my col-

leagues to consider voting for it. There is obviously a lot of interest from adoptees all across the country who have been living with this, through no fault of their own, for years and years and years.

HONORING OUR ARMED FORCES

MAJOR ADRIANNA VORDERBRUGGEN

Ms. KLOBUCHAR. Mr. President, I rise today to honor U.S. Air Force Maj. Adrianna Vorderbruggen, who was tragically killed in the line of duty 4 days before Christmas when a Taliban suicide bomber rammed his motorcycle carrying explosives into a joint NATO-Afghan patrol near Bagram Air Force Base in Afghanistan. She was the highest ranking military officer there who was killed. There were several others who tragically lost their lives as well.

Today I had the honor of attending the major's funeral service at the Fort Myer Memorial Chapel. Senator FRANKEN was also there. She was laid to rest with full military honors at the Arlington National Cemetery. She is survived by her wife Heather, her son Jacob, her father Joseph, and her brothers, Dan, John, and Chris. I will note that three of the four members of the family—since I was just talking about adoption—were, in fact, adopted.

Adrianna was a native of my hometown of Plymouth, MN, where she attended my alma mater, Wayzata High School. She excelled in both academics and athletics and was a 3-year starter on the Wayzata High School women's soccer team. This is a very large suburban high school. The year she was a starter and captain, she led the team to the State championship. She was also the captain of the Wayzata High School hockey team.

She went on to the U.S. Air Force Academy in Colorado and graduated in 2002. In her senior year, she led the women's rugby team to the national championship title. She was their co-captain, so you can imagine. She was a starter on the soccer team and helped lead that team in high school to a State championship. She was the captain of the hockey team, which is a big deal in Minnesota, of a big high school, and she was also the cocaptain of the rugby team and helped lead that team to a national championship title in the Air Force. We can imagine the leadership Adrianna had shown through her life. She always loved sports—something that was talked about a lot today by her family.

After graduating, she attended the Air Force Special Investigations Academy and was deployed to Iraq until 2005. In 2009 she was selected as an Air Force Institute of Technology student in forensic sciences and earned a master's degree in forensic sciences at George Washington University. In 2010 she became a special agent for the Air Force Office of Special Investigations,

which investigates felony-level crimes committed by or against Air Force personnel in the United States and overseas.

Major Vorderbruggen was also an outspoken opponent to the military's former don't ask, don't tell policy. She and Heather, an Air Force veteran, were among the first servicemembers to marry after the policy was rescinded in 2010. Adrianna chose to serve her country in spite of the military's policy and fought for reform rather than hiding her identity. As her older brother Chris said, "She inspired us all, I think, by just being herself, and being proud to be who she was."

Adrianna was known by her family and friends for her positive attitude and her infectious smile. At the service this morning, her dad remembered Adrianna's ability to remain upbeat even under challenging circumstances. And she loved their little boy, Jacob, who was there today with a loving family around him.

Major Vorderbruggen will be remembered for the work she did in service to her country and the work she did to make sure all brave men and women in uniform receive the honor and the dignity they so rightfully deserve.

I am proud to call Maj. Adrianna Vorderbruggen a daughter of Minnesota. She gave her life for a country she loves.

Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Wilhelmina Marie Wright, of Minnesota, to be United States District Judge for the District of Minnesota.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am proud to rise in support of Justice

Wilhelmina Wright's confirmation as a district court judge for the District of Minnesota. Justice Wright, as the members of the Judiciary Committee learned during her fine hearing, is a dedicated public servant with a distinguished career spanning the State and Federal legal system. She is the first person in the history of Minnesota to serve at all three levels of the judiciary and receive this nomination. She served as a district court judge in Minnesota, she served for the Minnesota Court of Appeals, and she now serves on the Minnesota Supreme Court. Her 15 years of judicial experience make her ready to do this job on day one, and I can state that when you hear the statistics about the overload for the District of Minnesota, we need her to start tomorrow on day one.

Her qualifications are impeccable. Justice Wright has sat on panels deciding over 2,000 cases and presided over nearly 700. Yet with all those cases and all these opinions, there were no serious questions raised at all about her being biased or unfair in some way in her work as a judge. In fact, it was the opposite. She has the support of former Senator Norm Coleman, a Republican, and many others in our State who have served across the aisle. Her qualifications reveal a thoughtful and a talented jurist, one who applies the law to the facts of each case.

Justice Wright currently serves as associate justice of the Minnesota Supreme Court, a position she has had since her appointment in 2012. As the first African-American woman to serve on the court, Justice Wright has earned the respect of litigants, lawyers, and judicial colleagues alike.

Justice Wright was born in Norfolk, VA. She graduated from Yale College cum laude in 1986 and received her law degree from Harvard Law School in 1989. After law school, Justice Wright clerked for Judge Damon Keith of the Sixth Circuit Court of Appeals. She then went into private practice for 5 years at Hogan & Hartson. Before long she felt the pull of public service. She joined the Office of the U.S. Attorney for the District of Minnesota and has been a dependable and dedicated leader of the Minnesota legal system ever since that time. During her time as a Federal prosecutor, she received the U.S. Department of Justice Director's Award and the Department's Special Achievement Award.

If you look at her path before she became a judge, every step of the way she excelled. She excelled growing up. She excelled in college and law school in terms of her record. She excelled as a judicial clerk, she excelled in private practice, and she excelled in the U.S. attorney's office, where she received numerous awards. She was then appointed by, I believe, Gov. Jesse Ventura. She did not start her career as a political appointee. He was in the Inde-

pendent Party. She served as a Ramsey County district court judge from 2000 to 2002, when she was appointed to the Minnesota Court of Appeals.

She served for 10 years until her most recent appointment to the Minnesota Supreme Court. Justice Wright is also involved in a variety of civic and bar activities. She devotes 50 hours per year to educating the public on the law.

If that is not enough, Justice Wright has also worked to improve the legal system. She has been a member of the Minnesota Judicial Council, the Minnesota Courts Public Trust and Confidence Working Group, and the Minnesota State Bar Association Task Force on the Minnesota Bar Association Model Rules of Professional Conduct. In 2006, the Minnesota Women Lawyers honored her with the Myra Bradwell Award for her service, and in 2012 the Minnesota Association of Black Lawyers presented her with the President's Award.

The law has always been more than a profession for Justice Wright. It has been central to her own development. Growing up, she watched her parents fight the Norfolk, VA, school system to ensure her access to the same educational opportunities as everyone else. The protections enforced by the legal system were crucial to her family's struggle. As Justice Wright has said about the Supreme Court's decision in *Brown v. Board of Education*: "Aside from the Bible, that court order was the most important written document in my family's life."

The law worked for Justice Wright. In turn, she has dedicated her own life to the law and to fairness and impartiality.

Justice Wright deserves to be confirmed. As I said, the Judiciary Committee hearing went extremely well. She has the support of many members of the committee. In fact, her nomination went through without an objection when we had the vote. She explained any questions that the members of the Judiciary Committee had—and there were some, obviously. A very good Senator asked a lot of questions on the committee. She explained any question they had about past legal writings from law school and other issues. They felt secure in her nomination and passed her out of committee without any objection. No new issues have been raised since that time. There were no serious questions about the 2,300 cases she handled. I can't think of many nominees we have had with that kind of record.

I would add that this nomination is particularly important to the District of Minnesota. The U.S. Judicial Conference has deemed the current vacancy in our State to be a judicial emergency. Our district caseload has increased significantly in recent years. In 2014, the district saw a 57-percent

jump in case filings, with nearly 6,000 Federal cases currently pending. Judge Davis assumed senior status last August, vacating the position for which she has been nominated. Failing to fill this judicial vacancy is failing the people of Minnesota.

I am so proud of my colleagues and thank them for their support, both Democrats and Republicans on the Judiciary Committee who will be voting for her today. Justice Wright is the type of nominee we strive for—the best candidate for the job. We had a bipartisan committee led by two private practice lawyers, one having served as U.S. attorney for the State of Minnesota under the first President Bush and the second President Bush, Tom Heffelfinger. He chaired this committee which looked at so many qualified nominees and made this recommendation to Senator FRANKEN and myself. So this process from the beginning has been completely bipartisan and impeccable and we are proud of that process.

The ABA Standing Committee on the Federal Judiciary unanimously rated Justice Wright as “well qualified” to serve as a district court judge for the District of Minnesota, which is the highest rating the committee awards. It is based on a confidential peer review of Justice Wright’s professional competence, integrity, and judicial temperament.

As Senator Coleman, a former Senator from the State of Minnesota, a Republican Senator, said: “I fully support her nomination and have communicated that to my former colleagues.”

Why does Senator Coleman support this nomination? Because he looked at the record of a woman of integrity, a woman who had not one case questioned before the very thorough Judiciary Committee, who has the support of many of the Republican Senators—no objections raised when the vote was taken. This is exactly the kind of nominee we want.

Justice Wilhelmina Wright will make a fine Federal district court judge for the District of Minnesota. I urge all my colleagues to support this superb nominee. The people of Minnesota need and deserve a judge of Wilhelmina Wright’s caliber. We are proud of our Federal judges in Minnesota. Some came from Democratic administrations, some came out of Republican administrations, but they have always had the reputation of integrity. Justice Wright will continue to uphold that reputation of integrity.

I ask my colleagues to support her.

Thank you, Mr. President, and I yield the floor. I also see that my colleague Senator FRANKEN is here as well.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Thank you, Mr. President.

I thank the senior Senator from Minnesota for her remarks about Wilhel-

mina Wright. I join her in rising not just in strong support but enthusiastic support for Justice Wilhelmina Wright’s nomination to serve on the U.S. District Court for the District of Minnesota. We call her Justice Wright because she is on the Minnesota Supreme Court. She has been an excellent consensus nominee.

I would like to thank Chairman GRASSLEY and Ranking Member LEAHY for working to ensure that the Judiciary Committee reported out her nomination favorably. I would also like to thank Leader MCCONNELL for scheduling this afternoon’s vote.

As of today, Justice Wright’s nomination has been pending for 279 days—more than 9 months. The seat she has been nominated to fill has been declared a judicial emergency. So I am pleased the Senate is moving to confirm Justice Wright and that Minnesotans seeking justice will soon be able to have their day in court.

Justice Wright is, without question, the best candidate for this position. Not only did she earn a stellar reputation as a Federal prosecutor in Minnesota, but Justice Wright is the only person in our State’s history to serve as a judge at all three levels of Minnesota’s judiciary. In her 15 years on the bench, Justice Wright has heard more than 2,000 cases, and none of her rulings in those cases raised concern during her hearing, which is why her nomination was approved without objection by the Judiciary Committee in September. For those who have known her, this comes as no surprise. Justice Wright understands the role of a judge. Her unwavering commitment to fairness and impartiality, as well as her reputation for professionalism, explains why Justice Wright enjoys a deep well of support in Minnesota from both sides of the aisle, and I emphasize that.

Senator KLOBUCHAR and I formed a bipartisan selection committee to assist us in identifying a nominee for this vacancy. That committee was co-chaired by Tom Heffelfinger, a Republican former U.S. attorney for the District of Minnesota under Presidents George H.W. Bush and George W. Bush. They are two different people, H.W. and W. Bush, both Presidents.

In recommending Justice Wright to Senator KLOBUCHAR and to me, Mr. Heffelfinger said that her nomination “continues the long Minnesota tradition of selecting federal judges based on their professionalism and experience, rather than political connections. Justice Wright embodies everything one could look for in a federal judge: experience, intellectual firepower, a calm and patient demeanor, and a deep personal understanding of the issues facing the people of this country.”

I think everybody on that panel absolutely agreed with Tom Heffelfinger, who is a great public servant. If Tom

Heffelfinger, who is a great public figure himself, says those words, they are high praise indeed. And it was echoed by other conservative voices before Justice Wright’s hearing before the Judiciary Committee. Chairman GRASSLEY noted that several Republicans had called him to voice support for her nomination. One of those calls came from my colleague in the House, Representative ERIK PAULSEN, who represents Minnesota’s Third District.

It is clear to me why the people of my State, regardless of their political persuasion, support her nomination. Justice Wright’s integrity, her dedication to public service, and her commitment to equal justice reflect Minnesota values.

I strongly urge that all of my colleagues support Wilhelmina Wright, and I look forward to her confirmation. This is very important. We have other judges who are up for confirmation who come from States such as Iowa and Nebraska. They have been signed off by both of their Senators, including the Presiding Officer. This is a bipartisan commission with bipartisan support, and I urge all of my colleagues to vote for Justice Wilhelmina Wright, who now sits on the Minnesota Supreme Court, to sit on the Federal district court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, yesterday, our Nation celebrated the birthday of Dr. Martin Luther King, Jr. He is a hero to millions of Americans for helping to break down racial barriers in this country. It is fitting that today the Senate is turning to a confirmation vote that will increase racial diversity on our Federal bench. Justice Wilhelmina Wright is nominated to a judicial emergency vacancy on the U.S. District Court for the District of Minnesota. Justice Wright currently serves on the Minnesota Supreme Court. She is the first African-American woman to serve on that court and the first person in Minnesota history to serve as a judge at all three levels of the State judiciary.

I commend Senators KLOBUCHAR and FRANKEN for their tireless efforts in helping to move this nomination to a vote. A vote on her nomination is long overdue. Justice Wright was nominated in April 2015, over 9 months ago. She was reported out of the Judiciary Committee by unanimous voice vote over 4 months ago. After months of needless delay, we could and should have voted to confirm her at the end of the last session.

I know Justice Wright will make a superb Federal judge. Since 2012, she has served as an associate justice on the Minnesota Supreme Court. From 2002 to 2012, she served on the Minnesota Court of Appeals, and prior to her tenure on that court, she was the first African-American to serve as a judge on the district court in the second judicial district, Ramsey County, Minnesota, from 2000 to 2002. In her 15-year judicial career, Justice Wright has presided over or served on panels that decided more than 2,000 cases.

Prior to her appointment to the bench, she was a Federal prosecutor for the district of Minnesota for 5 years. Justice Wright graduated with her B.A., cum laude, from Yale University and earned her law degree from Harvard Law School. Upon graduating from law school, she clerked for Judge Damon J. Keith on the U.S. Court of Appeals for the Eighth Circuit. With her considerable professional experience, it is no surprise that the ABA Standing Committee on the Federal Judiciary has unanimously rated her "Well Qualified" to serve on the district court, its highest rating. She also has the enthusiastic support of her home State Senators, Senators FRANKEN and KLOBUCHAR.

Based on her wealth of judicial experience and broad support, I cannot think of any good reason why Justice Wright should not be confirmed with an overwhelming vote.

After Justice Wright is confirmed, there will be votes under a bipartisan agreement on three other district court nominees—one to the district of New Jersey, one to the southern district of Iowa, and one to the northern district of Iowa. These nominees will be confirmed by President's Day. After we return to session in February, I hope that Republican leadership will continue to schedule nominees for confirmation votes to address the 72 current judicial vacancies that we face today, 32 of which are judicial emergencies.

A Politico article last week discussed demands from certain extreme conservative groups for Republican leadership to shut down the confirmation process and block all judicial confirmations for the remainder of the year. I am hopeful that the majority leader will not let moneyed Washington interests decide whether we will uphold our Senatorial oath to provide advice and consent to the President on judicial nominations. Shutting down all judicial confirmations would be a dangerous departure from prior practice. In the last 5 Presidential election years, the Senate has confirmed an average of 30 judicial nominees in the final year prior to Election Day. As both chairman and ranking member of the Judiciary Committee, I have worked with Republicans to confirm judicial nominees, report nominees out of committee, and hold hearings for nominees well into

September of Presidential election years.

This was the case in 2008, when I was chairman of the committee with a Republican President, and we worked to confirm judicial nominees as late as September of the Presidential election year. In fact, Senate Democrats helped confirm all 10 of President Bush's district court nominees pending on the Senate floor in a single day by unanimous consent on September 26, 2008. This was similarly true in 2004, when I was ranking member of the committee with a Republican President, and we worked to confirm nominees as late as September of the Presidential election year.

Any attempt to shut down the judicial confirmation process to satisfy moneyed Washington interests groups would be wrong. It would only work to harm our justice system and the American people we were elected to represent. Outstanding nominees from Tennessee, Maryland, New Jersey, Nebraska, New York, and California have been pending on the floor for months. Nearly all of them would fill emergency vacancies. Votes on these nominees must be scheduled without further delay.

In addition to these pending nominees, there are also four Pennsylvania district court nominees and a Rhode Island nominee that the Senate Judiciary Committee is poised to report out this month. And in committee, nominees from States represented by Republican Senators—including Florida, Georgia, Oklahoma, Utah, Wisconsin, and Indiana—continue to wait for a hearing. It is up to the Senators from those States to urge their leadership to consider these nominees without delay so they can serve the people of those great States.

I urge a vote for her confirmation.

Mr. President, I ask unanimous consent that all time on both sides be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Wilhelmina Marie Wright, of Minnesota, to be United States District Judge for the District of Minnesota?

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 36, as follows:

[Rollcall Vote No. 3 Ex.]

YEAS—58

Alexander	Feinstein	Mikulski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Grassley	Peters
Booker	Hatch	Reed
Boxer	Heinrich	Reid
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Capito	Kaine	Shaheen
Cardin	King	Stabenow
Carper	Kirk	Tester
Casey	Klobuchar	Udall
Coats	Leahy	Vitter
Collins	Manchin	Warner
Coons	Markey	Warren
Corker	McCaskill	Whitehouse
Donnelly	McConnell	Wyden
Durbin	Menendez	
Ernst	Merkley	

NAYS—36

Barrasso	Heller	Portman
Blunt	Hoeven	Risch
Boozman	Inhofe	Roberts
Burr	Isakson	Rounds
Cassidy	Johnson	Sasse
Cochran	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	McCain	Sullivan
Daines	Moran	Thune
Enzi	Murkowski	Tillis
Fischer	Paul	Toomey
Gardner	Perdue	Wicker

NOT VOTING—6

Cornyn	Graham	Sanders
Cruz	Rubio	Scott

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative action.

The majority leader is recognized.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST INDIA

Mr. CORNYN. Mr. President, I condemn the recent terrorist attack on the Indian Pathankot Air Force Station, which took the lives of seven Indian security force personnel, as well as the attack on the Indian Consulate in Mazar-e-Sharif, Afghanistan. These deplorable acts of aggression threaten to undermine India's security and also

its peaceful activities in Afghanistan, which are in the interests of both nations, as well as the United States.

It is my understanding that a Pakistan-based terrorist group is likely responsible for the attack, and it is imperative that these terrorists be brought to justice. The United States must stand shoulder-to-shoulder with India in facing this common security threat. As violent, Islamic extremism emanating from Pakistan continues to threaten the long-term stability of the region, it is increasingly important that Pakistan reject such aggression and do everything in its power to root out and eliminate these terrorists.

THE CONTINUING CHALLENGE OF MARTIN LUTHER KING, JR.

Mr. DURBIN. Mr. President, yesterday Americans once again paused to remember a great and prophetic leader, the Rev. Dr. Martin Luther King, Jr. Chances are, you heard a snippet yesterday of Dr. King's immortal "I Have a Dream" speech.

Maybe you heard a tape of Dr. King dreaming of that day when "my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." That is the Martin Luther King, Jr., that we like to remember: the dreamer. But Dr. King did more than inspire us. He challenged us. And he challenges us still.

Dr. King told us about his dream for America in 1963. He was murdered in 1968. In the 5 years between the March on Washington and his death, Dr. King's mission—and his challenges to us—grew.

Like the prophet he was, in his final years, Dr. King spoke more and more frequently and forcefully about injustice. Many of the injustices that Dr. King spoke of remain with us today. Some are even greater today than when Dr. King died.

Three years after Dr. King's assassination, the writer Carl Wendell Hines penned a poem which he entitled, "A Dead Man's Dream." These are his words:

Now that he is safely dead let us praise him
Build monuments to his glory, sing hosannas
to his name.

Dead men make such convenient heroes.
They cannot rise to challenge the images we
would fashion from their lives.

And besides,
it is easier to build monuments
than to make a better world.

So now that he is safely dead

We, with eased consciences, can teach our
children that he was a great man,

Knowing that the cause for which he lived is
still a cause

And the dream for which he died is still a
dream

A dead man's dream.

So wrote the poet Carl Wendell Hines
45 years ago.

The Civil Rights Act of 1964 and the
Voting Rights Act of 1965 were two of

the most important laws passed in the last century. Dr. King's leadership and the sacrifices of millions of other men and women of good faith who believed in his mission were indispensable to the passage of those two historic laws.

But Dr. King knew that civil rights and voting rights were only partial victories without economic justice. As he, himself, said of the now iconic Greensboro lunch counter sit-ins: "What good is having the right to sit at a lunch counter if you can't afford to buy a hamburger?"

At the end of his life, Dr. King was planning what he called the Poor People's Campaign. He was challenging America to offer greater economic justice and opportunity to poor people of all races and backgrounds. We have much more work to do if we are going to make that part of Dr. King's dream a reality.

The Great Recession ended officially in 2009. Economic growth has returned to America. But for African Americans and many other Americans, economic fairness is farther out of reach than it's been in decades.

Wall Street has regained all of the value it lost in the Great Recession and then some. But middle-class and working-class Americans haven't recovered from that economic disaster.

When you factor in inflation, the average American family hasn't had a raise since 1971, shortly after Dr. King's death. A recent survey shows that 62 percent of Americans have less than \$1,000 in their savings accounts—and a third of those undersavers have no savings account at all.

In 1965, the average CEO was paid 20 times as much as the average worker in his or her—usually his—company. Today the average CEO earns more than 295 times as much as the average worker.

The economic disparities are even greater when you factor in race. Think about this: African Americans are almost three times more likely to live in poverty today than White Americans. And the median net worth of White households is 13 times the level for Black households.

We have a long way to go to achieve Dr. King's dream of economic justice and fairness in America. We should strengthen the Wall Street reforms that Congress passed to prevent a repeat of the kind of recklessness that caused the Great Recession, not gut those reforms.

Dr. King was murdered in Memphis, TN, where he had gone to show support for striking sanitation workers. Two months earlier, two black sanitation workers in Memphis had been crushed to death by faulty equipment. The city's sanitation workers organized a strike for job safety, better pay, and the right to unionize; and Dr. King took on their cause.

For years now, the rights of working people to band together and unionize

has been under attack—an attack financed by wealthy corporate interests.

Earlier this month, the U.S. Supreme Court heard arguments in *Friedrichs v. California Teachers' Association*, which asks the Court to overrule decades of precedent protecting the ability of working people to win fair wages and working conditions through effective unionizing.

If we truly believe in the America Martin Luther King gave his life for, we should protect the right of workers to form and join unions, not work to diminish and destroy that right.

The words that Dr. King spoke at the 1963 March on Washington have become part of our American creed. But the 1963 March was not the first time that Martin Luther King had spoken to a large crowd in Washington.

In 1957, on the third anniversary of the Supreme Court's historic *Brown v. Board of Education* decision that found segregated, "separate but equal" schools to be inherently unequal and unconstitutional, a 29-year-old Martin Luther King spoke in Washington at a rally billed as a Prayer Pilgrimage for Freedom. For 3 years, Southern States had engaged in what they called "massive resistance" to the Supreme Court's ruling.

Martin Luther King titled his remarks at the 1957 Prayer Pilgrimage Give Us the Ballot. His message was simple: If Congress and other elected officials will not enforce the law of the land, give African Americans the ballot, and "we will elect legislatures that will."

Eight years later, Congress passed the Voting Rights Act. For years, the Voting Rights Act was hailed by both parties as a great achievement. It was repeatedly reauthorized by large, bipartisan majorities in Congress.

In 2013, however, a slim conservative majority on the Supreme Court gutted the Voting Rights Act in *Shelby County v. Holder* by striking down the provision that required certain jurisdictions to preclear any changes to their voting laws with the Department of Justice.

If we truly believe in Dr. King's dream for America, let's work together to restore the Voting Rights Act this year.

One year to the day before he died, Dr. King delivered a sermon at Riverside Church in New York City that cost him the support of many old political allies. It was a speech condemning America's actions in the war in Vietnam.

If Dr. King were alive today, I think he would be heartbroken, and he would challenge us to confront the tidal wave of guns that have turned so many American neighborhoods into combat zones.

Yes, the Second Amendment speaks of a right to bear arms. But children ought to have a right to play on school

playgrounds without getting caught in gang crossfire.

Americans ought to be able to go to a movie or to a college lecture or a church Bible study class without risking being killed by someone who is too sick or too dangerous to have a gun but has one anyway.

Martin Luther King was taken from us by gun violence. If we truly believe in his dream, let's work together to find ways to keep guns out of the wrong hands.

"It is easier to build monuments than to make a better world." That is what the poet said. But people don't elect us to do the easy work. They expect us to do the hard work, the necessary work, of making America better, fairer, and more secure.

I ask my colleagues: Let's work together to advance economic justice, protect voting rights, and end the violence that is turning too many American neighborhoods into war zones. In short, let's work together to advance Dr. King's dream.

ADDITIONAL STATEMENTS

REMEMBERING AL WITTE

• Mr. BOOZMAN. Mr. President, today I wish to honor Albert Matthew Francis Witte, a University of Arkansas professor emeritus, former NCAA president, and World War II bombardier who recently passed away December 23, 2015, at the age of 92.

Witte, born in Pittsburgh, PA, enlisted in the U.S. Army Air Corps in November 1942 after graduating high school. His prominent military career included flying 35 missions with the 15th Air Force in Italy as a second lieutenant bombardier, and he was awarded the Distinguished Flying Cross for his service.

After earning his bachelor's and master's degrees from the University of Chicago, he went on to the University of Wisconsin School of Law, where he practiced law in Milwaukee. Witte spent the rest of his career at the University of Arkansas School of Law, where he officially retired in 1994, but continued teaching until the fall 2015 semester.

"He taught at the University of Arkansas School of Law for nearly six decades—that's almost two-thirds of the school's 91-year existence," Stacy Leeds, the dean of the University of Arkansas School of Law recently said of Witte.

His passion for law led to his involvement in many professional related projects, including member of the Fayetteville Planning Commission, member of the Arkansas Bar Association, a legal consultant to the Southern Governor's Conference, and a special assistant Arkansas attorney general, just to name a few.

Witte's experiences made him a trusted confidant and consult to many in the University of Arkansas's athletics department as well. Twenty years of service as the university's faculty athletic representative allowed him to work with the Southwest and Southeast Conferences, the College Football Association, and the National Collegiate Athletic Association. His NCAA involvement included terms as Division I vice president and the association president in 1989.

On behalf of the U.S. Congress, I am privileged to recognize the life of Albert Matthew Francis Witte. As a member of the Greatest Generation, he lived a life of service. He leaves a lasting legacy through his brave military service, countless efforts on behalf of the University of Arkansas, and the knowledge he shared with several generations of attorneys across the Nation.●

RECOGNIZING HECLA MINING COMPANY

• Mr. CRAPO. Mr. President, today I wish to recognize the 125th anniversary of Hecla Mining Company, which is celebrating a remarkable milestone in its long and important history in the State of Idaho.

Hecla Mining Company was formed in October of 1891 for the purposes of acquiring and trading mining claims in what was then north Idaho's newly discovered Silver Valley. Mining played an integral role in the settlement of the West and, in particular, north Idaho. The resulting mining boom employed thousands of people living in the region. The Silver Valley has produced more than 1.2 billion ounces of silver. Hecla is now the last of the area's pioneer mining companies and the largest primary silver producer in the United States.

Hecla has not just weathered the storms of the last 125 years; rather, it has been shaped by them. The company and its workers' grit and resolve enabled their perseverance through the Panic of 1893, the Great Depression, and two World Wars; and they have had many achievements worthy of reflection. The minerals produced by Hecla played a key role in our Nation's defense and continue to play an integral role in the pursuit of alternative energy sources and other essential uses. Silver is a key ingredient for solar voltaic cells and is important for modern electronic and medical applications.

Hecla also advanced techniques that improved mine worker safety and works to deepen its connection with the communities in which it operates, while resolving legacy environmental issues. Additionally, Hecla is currently taking the Lucky Friday mine to 10,000 feet below the surface—opening up more than 20 years of additional resources.

The company and its approximately 1,300 workers provide tremendous economic and charitable benefits to communities and our Nation. Hecla's charitable foundation has provided more than \$1.5 million in the last 7 years alone in support of education, youth activities, community health, and infrastructure. The company estimates that its Lucky Friday Mine in north Idaho has provided more than \$1 billion to the local and State economy in the last 5 years. Hecla's employees support numerous community needs, including serving on school boards and other elected positions, as emergency medical technicians and firemen.

Congratulations, Hecla Mining Company and employees, on 125 years of accomplishments. Thank you for your hard work and commitment to strengthening our communities, Idaho, and Nation. I wish you all the best for continued success.●

TRIBUTE TO SHERADIA LINTON

• Mr. DAINES. Mr. President, today I wish to recognize Sheradia Linton, a teenager from Havre, MT, who recently used her Make-A-Wish request to support an orphanage for special needs children in India. Sheradia and her family visited the Save the Children India School in Mumbai, where they delivered school supplies and nearly \$3,000 that they had raised to the orphanage. During the trip, the family also met with Save Our Sisters girls, who had been rescued from sex trafficking, and participated in a sports day for the special-needs children at the orphanage.

Sheradia has Burkitt Lymphoma, a form of non-Hodgkin's lymphoma that affects her immune cells. But despite all she has been through, she still has a desire to help others in need. I commend Sheradia and her family for their work to help and support the children at the Save the Children India School. Sheradia's heart for service and her dedication to improving the lives of others is something that all Montanans can be proud of.●

TRIBUTE TO ROSS BRYANT

• Mr. HELLER. Mr. President, today I wish to recognize Ross Bryant, the director of the University of Nevada, Las Vegas, UNLV, military and veteran services center. It gives me great pleasure to recognize Mr. Bryant who does so much for Nevada's veterans, active military members, and their families pursuing academic degrees.

Mr. Bryant served in the U.S. Army for 24 years before beginning his career to help fellow veterans and active servicemembers. He began working at UNLV 14 years ago, starting as commander of the UNLV Army ROTC program. He later took on the position of

deputy director of the Institute for Security Studies before accepting his current role as director of the military and veteran services center. As director, Mr. Bryant works to help active military members and veterans experience a fluid transition from the battlefield to college life. He also developed numerous university and community outreach programs for UNLV to help active military and veteran students be successful in their academic pursuits.

Through his tireless efforts, Mr. Bryant has contributed greatly to UNLV's achievement of being named a military friendly school by GI Jobs for 5 consecutive years, as well as making the Military Advanced Education's list of top military-friendly colleges in 2015. UNLV now educates over 1,475 Active-Duty military members, Reservists, National Guard members, veterans, and their families, in part due to the efforts of Mr. Bryant. I am grateful to have Mr. Bryant working on behalf of Nevada's brave men and women.

Through collaborative efforts during the last legislative session, Mr. Bryant was a key contributor in attaining passage of legislation for UNLV to waive fees for Active-Duty military members. The program also reinforces UNLV's presence at Nellis Air Force Base, where a classroom is available for Active-Duty military members and their families to take courses. His efforts have brought southern Nevada's military community the academic support that it deserves.

As a member of the Senate Veterans' Affairs Committee, I have had no greater honor than the opportunity to engage with the men and women who served in our Nation's military. I recognize Congress has a responsibility not only to honor the brave individuals who serve our Nation, but to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. I am grateful to have allies like Mr. Bryant working towards a common goal: fighting to ensure the needs of our veterans and Active-Duty military members are met.

Today I ask my colleagues and all Nevadans to join me in recognizing Mr. Bryant for all that he does for UNLV's military community.●

TRIBUTE TO WENDY DAMONTE

● Mr. HELLER. Mr. President, today I wish to recognize Wendy Damonte for her years of dedication to bringing northern Nevada in-depth news coverage. Wendy was an upstanding member of KTVN's news team for 21 years and an important face in Nevada journalism. While she will be departing from the anchor desk, Wendy's tireless dedication to the Reno community will continue as she embarks on a new journey as vice president of advocacy and

community partnership at Renown Health.

Wendy joined KTVN's news team in 1994, shortly after graduating from the University of Nevada, Reno with a broadcast journalism degree. Her passion in the newsroom quickly moved her up the ranks and led to her anchoring KTVN's evening news program, as well as reporting on medical information on her "Health Watch" segment. As part of KTVN's news team, Wendy went above and beyond in her career to bring Nevadans the most up-to-date and accurate news. Her work in our community is invaluable.

Throughout her tenure with KTVN, Wendy covered a variety of stories, including medical breakthroughs in Nevada, breaking news stories, and personal health stories. Specifically, Wendy shared an extremely personal story, covering the challenges her mother faced while fighting breast cancer. Wendy's coverage led to significant legislative changes in the fight against breast cancer. She was a key contributor in helping push legislation in Nevada mandating that doctors inform women about their breast density.

As someone whose family has been touched by cancer, I understand the difficulties that come with this terrible disease and am thankful to have people like Wendy working to eradicate cancer and increase awareness. I am pleased to say that I have worked with Wendy to raise awareness of the Breast Density and Mammography Act of 2015. I am proud to be a cosponsor of this legislation, which similarly requires mammography facilities to include up-to-date information about breast density. Wendy's work has truly touched the lives of many across northern Nevada, and we can't thank her enough.

I ask my colleagues and all Nevadans to join me in thanking Wendy for her years with KTVN and for her work to create a healthier northern Nevada. Although her time at KTVN may be coming to an end, her efforts to pursue her goals will continue. I wish her well in all of her future endeavors and at her new position at Renown Health.●

TRIBUTE TO GEORGE HEARTWELL

● Mr. PETERS. Mr. President, today I wish to recognize the remarkable achievements of George Heartwell who, after 20 years of service to the city of Grand Rapids, 12 of them as mayor, won the city international acclaim for environmental sustainability and artistic creativity.

Mayor Heartwell, an ordained minister in the United Church of Christ, has served the citizens of Michigan's second largest city with honor and distinction. A graduate of Michigan's Albion College, Mayor Heartwell served the public in a variety of roles prior to his city hall service. Mayor

Heartwell helped Grand Rapids achieve the American dream through his work as president of Heartwell Mortgage Corporation. Mayor Heartwell led Heartside Ministry, helping the homeless of Grand Rapids, and was also president and CEO of Pilgrim Manor Retirement Community.

Mayor Heartwell entered Grand Rapids City Hall in 1992, serving the first of four terms as a city commissioner representing Grand Rapids' Third Ward. He took office as mayor in January of 2004. Under his leadership, the city of Grand Rapids withstood the economic storms rattling the State of Michigan, finding methods to deliver city services in sustainable ways.

It is Mayor Heartwell's environmental sustainability efforts which have won the city international awards. During his tenure, city government implemented a variety of environmental measures, including purchase of renewable resource energy, use of alternative fuels in city vehicles, continued attention to water quality in the Grand River, and widespread implementation of energy conservation measures. In January 2007, the United Nations recognized Grand Rapids as a Regional Center of Expertise in Education for Sustainable Development.

Thanks to Mayor Heartwell's leadership, Grand Rapids is widely recognized as one of the most sustainable cities in America. In 2010, the U.S. Chamber of Commerce gave Grand Rapids the Nation's Most Sustainable City award, and in 2012, Mayor Heartwell was given the first place Climate Protection Award by the U.S. Conference of Mayors. More recently, Mayor Heartwell was one of only 20 individuals chosen to serve on President Obama's Task Force for Climate Preparedness and Resilience.

Mayor Heartwell has also focused on making Grand Rapids a more socially equitable city. Concurrently, the city has enjoyed a decrease in crime rates and an increase in its economic strength. Grand Rapids is widely recognized for its support of the arts and was recently named as number 20 of the 52 Places to Go in the World in 2016 by the New York Times.

It is my great pleasure to congratulate Mayor George Heartwell on the lasting impact he has made throughout his service to his hometown, the city of Grand Rapids.●

REMEMBERING PAUL KINSMAN

● Mr. ROUNDS. Mr. President, today I wish to commemorate the life and legacy of Paul Kinsman.

Paul was born in Watertown, SD, on September 7, 1958, and died in Pierre, SD, on January 10, 2016, at the young age of 57.

Paul was a lifelong South Dakotan and dedicated public servant to the citizens of our State. After earning his

law degree, Paul began 28 years of public service to the people of South Dakota. We are a better State and a better people because of his hard work and dedication.

As an administrative law judge, the deputy commissioner of administration, the director of property taxes and special taxes, the commissioner of Administration, and the secretary of Revenue, he inspired his coworkers with his intelligence, his humor, and his tenacity for getting things done.

During my 8 years working as Governor of South Dakota, Paul served as commissioner of the Bureau of Administration and secretary of Revenue. He was a burly teddy bear of a man. No matter how hard the problem or how challenging the issue, whenever we met, he had a gleam in his eyes and a smile on his face that told me without words that we were going to solve that problem or meet that challenge. And we did because of him.

As an administrative law judge and tax collector, he earned the respect and admiration of the public, even when his rulings and application of law were not in their favor. He was straightforward and fair, which South Dakotans appreciate.

As the head of Bureau of Administration, he led and championed many projects that increased the efficiency of State government to serve the people and preserved the heritage of South Dakota in the people's house—our State capitol.

But more important than all of his career accomplishments is the kind of person Paul Kinsman was. He was a loving husband, father, grandfather, and friend to all who knew him. He had a tremendously positive impact on the many thousands of people he met and touched with his kindness and generosity.

With this, I welcome the opportunity to recognize and commemorate the life and legacy of this public servant and my friend, Paul Kinsman.

Thank you.●

RECOGNIZING HANKO'S METAL WORKS, INC.

● Mr. VITTER. Mr. President, oftentimes small businesses have the unique ability to tackle economic problems in their communities head on, providing hands-on solutions through hard work and ingenuity. As we begin the new year, I would like to recognize Hanko's Metal Works, Inc., of Berwick, LA as small business of the week.

In the midst of economic hardship in 1985, Harry "Hanko" Hoffpauir opened Hanko's Metal Works with the goal of creating jobs and spurring economic activity in his community. With 27 years of experience in southern Louisiana's maritime industry, Hoffpauir began building aluminum boats, quickly developing a strong reputation for

durability and remarkable craftsmanship. Having started his career as a superintendent overseeing major maritime construction efforts, including building offshore platforms drilling for oil and natural gas, Hanko and his small business were poised for success.

Today Hanko's Metal Works, Inc., has grown from an operation of two employees to a team of over 35 individuals serving thousands of customers worldwide. Building upon a reputation for craftsmanship and ingenuity, Hanko's continues to develop innovative products, including developing the first oilfield gauging boats that were used to help in the recovery efforts following the 2010 Deepwater Horizon oil spill, which devastated Louisiana's vulnerable coastal wetlands and the Gulf of Mexico. Additionally, Hanko's Metal Work, Inc., has also developed vee barges, as well as high-performance fishing and family boats that are ranked as the best aluminum boats constructed in Louisiana.

Congratulations again to Hanko's Metal Work, Inc., for being selected as the small business of the week. Thank you for your commitment to economic development in the southern Louisiana region, and I look forward to your continued growth and success.●

RECOGNIZING STUDIO GEAUX

● Mr. VITTER. Mr. President, small businesses have the unique ability to challenge members of their community physically and intellectually, expanding the horizons of their neighbors and clients. It is especially noteworthy when these small businesses have the opportunity to use these talents to influence their communities. This week, I would like to recognize Studio Geaux of Jennings, LA, as small business of the week for its ongoing commitment to engage young folks in fun, physical activity in southwest Louisiana.

Louisiana native Caroline Cormier grew up dancing, and while pursuing a bachelor of arts in theatre and dance at Louisiana State University, she joined the school's elite dance team, the Golden Girls. Upon graduation, Cormier relocated to Atlanta, GA, to continue her studies at some of the most challenging and exclusive dance and fitness studios in the South. Three years later, Cormier gained the confidence and skills necessary to return to Louisiana and pursue her lifelong dream of launching her own dance studio and successfully did so, opening the doors to Studio Geaux in August 2014.

Today Studio Geaux offers classes in ballet, tap, jazz, hip hop, and physical conditioning for students aged 2-18. Additionally, Cormier and her team began Dance on the Geaux, a program that provides dance classes to young students in local schools. Cormier designed the program to help increase awareness of and participation in the

arts and also to help make the life of a busy parent a little easier.

Congratulations again to Studio Geaux for being selected as the Small Business of the Week. Thank you for your continued commitment to the arts community in Acadiana, and I look forward to your continued growth and success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on January 15, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. MESSER) had signed the following enrolled bills and joint resolution:

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 1115. An act to close out expired grants.

S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

S.J. Res. 22. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

MESSAGE FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 757. An act to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

H.R. 1644. An act to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development

of environmental regulations, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION
SIGNED

The President pro tempore (Mr. HATCH) announced that on today, January 19, 2016, he had signed the following enrolled bills and joint resolution, previously signed by the Speaker pro tempore (Mr. MESSER):

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 1115. An act to close out expired grants.
S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

S.J. Res. 22. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 757. An act to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; to the Committee on Foreign Relations.

H.R. 1644. An act to amend the Surface Mining Control and Reclamation Act of 1977 to ensure transparency in the development of environmental regulations, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE
CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 598. An act to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

H.R. 1069. An act to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes.

ENROLLED BILLS AND JOINT
RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, January 19, 2016, she had presented to the President of the United States the following enrolled bills and joint resolution:

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 1115. An act to close out expired grants.
S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

S.J. Res. 22. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4066. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled “Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants” (RIN3038-AC97) received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4067. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled “Records of Commodity Interest and Related Cash or Forward Transactions” (RIN3038-AE23) received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4068. A communication from the Assistant Secretary of Defense (Strategy, Plans, and Capabilities), transmitting, pursuant to law, an addendum to the fiscal year 2015 and fiscal year 2016 reports on the Plan for the Nuclear Weapons Stockpile, Complex, Delivery Systems, and Command and Control System; to the Committee on Armed Services.

EC-4069. A communication from the Program Specialist (Paperwork Reduction Act) of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Community Reinvestment Act Regulations” (RIN1557-AE01) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4070. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled “Regulatory Capital Rules: Regulatory Capital, Final Rule Demonstrating Application of Common Equity Tier 1 Capital Eligibility Criteria and Excluding Certain Holding Companies from Regulation Q” (RIN7100-AE27) received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4071. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC-4072. A communication from the Director, Office of Financial Research, Department of the Treasury, transmitting, pursuant to law, a report entitled “2015 Annual Report to Congress on Human Capital Plan-

ning”; to the Committee on Banking, Housing, and Urban Affairs; to the Committee on Banking, Housing, and Urban Affairs.

EC-4073. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to discretionary appropriations legislation; to the Committee on the Budget.

EC-4074. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Pennsylvania Regulatory Program” ((SATS No. MO-041-FOR) (Docket No. OSM-2013-0008)) received in the Office of the President of the Senate on January 11, 2016; to the Committee on Energy and Natural Resources.

EC-4075. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedures for Small, Large, and Very Large Air-Cooled Commercial Package Air Conditioning and Heating Equipment” ((RIN1904-AD54) (Docket No. EERE-2015-BT-TP-0015)) received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2016; to the Committee on Energy and Natural Resources.

EC-4076. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedures for Commercial Preinse Spray Valves” ((RIN1904-AD41) (Docket No. EERE-2014-BT-TP-0055)) received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2016; to the Committee on Energy and Natural Resources.

EC-4077. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedures for Ceiling Fan Light Kits” ((RIN1904-AD17) (Docket No. EERE-2014-BT-TP-0007)) received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2016; to the Committee on Energy and Natural Resources.

EC-4078. A communication from the Designated Federal Official, Department of Homeland Security, transmitting, pursuant to law, a report relative to the United States World War One Centennial Commission; to the Committee on Energy and Natural Resources.

EC-4079. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Ski Area Water Clause” (RIN0596-AD14) received in the Office of the President of the Senate on January 7, 2016; to the Committee on Energy and Natural Resources.

EC-4080. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Designation of Areas for Air Quality Planning Purposes; California; South Coast; Reclassification as Serious Nonattainment for the 2006 PM2.5 NAAQS” (FRL No. 9940-84-Region 9) received during adjournment of the

Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4081. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Nebraska's Air Quality State Implementation Plans (SIP); Infrastructure SIP Requirements for the 2008 Ozone National Ambient Air Quality Standard in Regards to Section 110 (a) (2) (D) (i) (I)—Prongs 1 and 2" (FRL No. 9941-04-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4082. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Missouri's Air Quality Implementation Plans; Reporting Emission Data, Emission Fees and Process Information" (FRL No. 9941-03-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4083. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Missouri's Air Quality Implementation Plans; Early Progress Plan of the St. Louis Nonattainment Area for the 2008 Ozone National Ambient Air Quality Standard" (FRL No. 9941-01-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4084. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Nebraska; Sewage Sludge Incinerators" (FRL No. 9941-06-Region 7) received in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4085. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; Memphis, TN—MS—AR Emissions Statements for the 2008 8-Hour Ozone Standard" (FRL No. 9940-87-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4086. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Infrastructure and Interstate Transport State Implementation Plan for the 2010 Sulfur Dioxide National Ambient Air Quality Standards" (FRL No. 9940-86-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4087. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Alabama; Non-attainment New Source Review" (FRL No.

9940-89-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Environment and Public Works.

EC-4088. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the annual report on the Child Support Program for fiscal year 2013; to the Committee on Finance.

EC-4089. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Treatment of Certain Complex Diagnostic Laboratory Tests Demonstration; to the Committee on Finance.

EC-4090. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Chemical Weapons Convention and the Australia Group; to the Committee on Foreign Relations.

EC-4091. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-114); to the Committee on Foreign Relations.

EC-4092. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-115); to the Committee on Foreign Relations.

EC-4093. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-084); to the Committee on Foreign Relations.

EC-4094. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-087); to the Committee on Foreign Relations.

EC-4095. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-104); to the Committee on Foreign Relations.

EC-4096. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-112); to the Committee on Foreign Relations.

EC-4097. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-154); to the Committee on Foreign Relations.

EC-4098. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Administrator, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2016; to the Committee on Foreign Relations.

EC-4099. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2014 Report to Congress on the Comprehensive Community Mental Health Services for Children with Emotional Disturbances"; to the Committee on Health, Education, Labor, and Pensions.

EC-4100. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Poison Help Campaign"; to the Committee on Health, Education, Labor, and Pensions.

EC-4101. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Paper and Paperboard Components" (Docket No. FDA-2015-F-0714) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4102. A communication from the Deputy Director, Office for Civil Rights, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule and the National Instant Criminal Background Check System (NICS)" (RIN0945-AA05) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4103. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-228, "TOPA Bona Fide Offer of Sale Clarification Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4104. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-229, "Closing of a Public Alley in Square 70, S.O. 15-23283, Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4105. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-230, "Closing of a Portion of Washington Avenue, S.W., and Portions of Ramps 5A and 5B to Interstate 395, and Transfer of Jurisdiction of the Closed Portions of Washington Avenue, S.W., and Ramps 5A and 5B to Interstate 395, and of Portions of U.S. Reservation 729, S.O. 14-16582A and 14-16582B, Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4106. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-231, "Early Learning Quality Improvement Network Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4107. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-232, "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4108. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-233, "Athletic Field Naming and Sponsorship Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4109. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-234, "Plaza West Disposition

Restatement Temporary Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4110. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-235, "Foster Care Extended Eligibility Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4111. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-236, "Local Jobs and Tax Incentive Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4112. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-228, "Health-Care Decisions Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4113. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-248, "Domestic Partnership Termination Recognition Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4114. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-249, "Uniform Interstate Family Support Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4115. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-250, "Higher Education Licensure Commission Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4116. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-251, "Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4117. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-252, "Fiscal Year 2016 Budget Support Clarification Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4118. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and the Semiannual Management Report for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4119. A communication from the Vice President (Acting) for Congressional and Public Affairs, Millennium Challenge Corporation, transmitting, pursuant to law, the Corporation's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-4120. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Africa, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the

Senate on January 5, 2016; to the Committee on Foreign Relations.

EC-4121. A communication from the Executive Secretary, U.S. Agency for International Development, transmitting, pursuant to law, the report relative to a vacancy in the position of Assistant Administrator, Bureau for Europe and Eurasia, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2016; to the Committee on Foreign Relations.

EC-4122. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled, "Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 2009 and 2010, 2011, and 2012"; to the Committee on Indian Affairs.

EC-4123. A communication from the Clerk of Court, United States Court of Federal Claims, transmitting, pursuant to law, the Court's annual report for the year ended September 30, 2015; to the Committee on the Judiciary.

EC-4124. A communication from the Chief of the Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Commerce in Firearms and Ammunition—Reporting Theft or Loss of Firearms in Transit (2007R-9P)" (RIN1140-AA34) received in the Office of the President of the Senate on January 12, 2016; to the Committee on the Judiciary.

EC-4125. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC-4126. A communication from the Chief Impact Analyst, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Automobile or Other Conveyance and Adaptive Equipment Certificate of Eligibility for Veterans or Members of the Armed Forces with Amyotrophic Lateral Sclerosis Connected to Military Service" (RIN2900-AP26) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Veterans' Affairs.

EC-4127. A communication from the Deputy Chief Financial Officer, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services: Correction" (RIN0648-BE36) received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4128. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice in Transportation: Investigative Hearings, Meetings, Reports, and Petitions for Reconsideration" (RIN3147-AA02) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2016; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 2444. A bill to amend title 18, United States Code, to provide for the disposition, within 60 days, of an application to exempt a projectile from classification as armor piercing ammunition; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mrs. FISCHER):

S. 2445. A bill to improve the effectiveness and coordination of nutrition education; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 2446. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. BOOZMAN, Mr. RUBIO, and Mr. CASSIDY):

S. 2447. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

By Mr. COONS:

S. 2448. A bill to provide for the appointment of additional Federal bankruptcy judges, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DAINES (for himself, Mr. HATCH, Mr. BLUNT, Mr. LANKFORD, Mr. LEE, Mr. SASSE, Mr. CASSIDY, Mr. RISCH, Mr. COTTON, Mr. COCHRAN, Mr. CORNYN, Mr. BOOZMAN, and Mr. INHOFE):

S. Con. Res. 27. A concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and is protected for all Americans by the text of the Constitution, and recognizing the 230th anniversary of the enactment of the Virginia Statute for Religious Freedom; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 71

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 314

At the request of Mr. CASEY, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 391

At the request of Mr. PAUL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 454

At the request of Mr. ALEXANDER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 454, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 678

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 678, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 708

At the request of Mr. KING, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 708, a bill to establish an independent advisory com-

mittee to review certain regulations, and for other purposes.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 901

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1377

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1377, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1567

At the request of Mr. PETERS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1683

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1683, a bill to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes.

S. 1747

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1747, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 1775

At the request of Mr. MURPHY, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of S. 1775, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1858

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1858, a bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1890

At the request of Mr. HATCH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 2144

At the request of Mr. GARDNER, the names of the Senator from South Dakota (Mr. ROUNDS), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2185

At the request of Ms. HEITKAMP, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2218

At the request of Mr. THUNE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2218, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 2223

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2223, a bill to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2263

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2263, a bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to private sector employers recognizing such investments, and for other purposes.

S. 2275

At the request of Ms. KLOBUCHAR, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2275, a bill to provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 2284

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2284, a bill to suspend the admission and resettlement of aliens seeking refugee status because of the conflict in Syria until adequate protocols are established to protect the national security of the United States and for other purposes.

S. 2337

At the request of Mrs. FEINSTEIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2337, a bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes.

S. 2377

At the request of Mr. REID, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

S. 2386

At the request of Mrs. GILLIBRAND, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2386, a bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes.

S. 2423

At the request of Mrs. SHAHEEN, the names of the Senator from Maine (Mr. KING), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Vermont (Mr. LEAHY) were added

as cosponsors of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2426

At the request of Mr. GARDNER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2427

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2427, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 2437

At the request of Ms. MIKULSKI, the names of the Senator from Virginia (Mr. Kaine), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Virginia (Mr. WARNER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 27—AFFIRMING THE IMPORTANCE OF RELIGIOUS FREEDOM AS A FUNDAMENTAL HUMAN RIGHT THAT IS ESSENTIAL TO A FREE SOCIETY AND IS PROTECTED FOR ALL AMERICANS BY THE TEXT OF THE CONSTITUTION, AND RECOGNIZING THE 230TH ANNIVERSARY OF THE ENACTMENT OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

Mr. DAINES (for himself, Mr. HATCH, Mr. BLUNT, Mr. LANKFORD, Mr. LEE, Mr. SASSE, Mr. CASSIDY, Mr. RISCH, Mr. COTTON, Mr. COCHRAN, Mr. CORNYN, Mr. BOOZMAN, and Mr. INHOFE) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 27

Whereas American democracy is rooted in the fundamental truth that all are created equal, endowed by our Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness;

Whereas few freedoms were more valued by those who settled this nation than the freedom of conscience, prompting Thomas Jefferson to declare in the Letter to New London Methodists, dated Feb. 4, 1809, that "no provision in our Constitution ought to be

dearer to man than that which protects the rights of conscience against the enterprises of the civil authority";

Whereas the Virginia Statute for Religious Freedom, which was drafted by Thomas Jefferson and considered by him to be one of his greatest achievements, was enacted on January 16, 1786, and became the forerunner of the Free Exercise Clause of the First Amendment to the United States Constitution;

Whereas "the right to freedom of religion undergirds the very origin and existence of the United States", a freedom which was established by our Nation's founders "in law, as a fundamental right and as a pillar of our Nation", as noted in section 2 of the International Religious Freedom Act of 1998;

Whereas the role of religion in American society and public life has a long and robust tradition;

Whereas those who have studied American democracy from an outside perspective, such as Alexis de Tocqueville, have noted that religion plays a central role in preserving our government because it provides a moral base that is required for democracy to succeed;

Whereas the Supreme Court has affirmed in *Town of Greece v. Galloway* that "people of many faiths may be united in a community of tolerance and devotion";

Whereas the principle of religious freedom "has guided our Nation forward", as expressed by the 44th President of the United States in his Presidential Proclamation on Religious Freedom Day in 2011, and "is a universal human right to be protected here at home and across the globe", as expressed by the 44th President of the United States on the same occasion in 2013;

Whereas "Freedom of religion is a fundamental human right that must be upheld by every nation and guaranteed by every government", as expressed by the 42nd President of the United States in his Presidential Proclamation on Religious Freedom Day in 1999;

Whereas the First Amendment protects the right of individuals to freely express and act on their religious beliefs, as well as the freedom of all individuals to not be coerced to profess or act on a religious belief to which they do not adhere;

Whereas "our laws and institutions should not impede or hinder but rather should protect and preserve fundamental religious liberties", as expressed by the 42nd President of the United States in his remarks on signing the Religious Freedom Restoration Act of 1993;

Whereas for countless Americans, their faith is an integral part of every aspect of their daily lives, and is not limited to their homes, to houses of worship, or to doctrinal creeds;

Whereas "religious faith has inspired many of our fellow citizens to help build a better Nation", where "people of faith continue to wage a determined campaign to meet needs and fight suffering", as expressed by the 43rd President of the United States in his Presidential Proclamation on Religious Freedom Day in 2003;

Whereas "from its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering refuge to those suffering religious persecution", as noted in section 2 of the International Religious Freedom Act of 1998;

Whereas Thomas Jefferson noted in 1822 that the constitutional freedom of religion is "the most inalienable and sacred of all human rights", and also wrote in 1798 that each right encompassed in the First Amendment is dependent on the others, "thereby

guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: inasmuch, that whatever violated either, throws down the sanctuary which covers the others";

Whereas religious freedom "has been integral to the preservation and development of the United States", and "the free exercise of religion goes hand in hand with the preservation of our other rights", as expressed by the 41st President of the United States in his Presidential Proclamation on Religious Freedom Day in 1993; and

Whereas we "continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear or intimidation", as expressed by the 42nd President of the United States in his Presidential Proclamation on Religious Freedom Day in 1998; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors the 230th anniversary of the passage of the Virginia Statute for Religious Freedom on Religious Freedom Day, January 16, 2016; and

(2) affirms that—

(A) religious freedom includes the right to live, work, associate, and worship in accordance with one's beliefs for people of any faith or of no faith;

(B) all Americans can be unified in supporting religious freedom, regardless of differing individual beliefs, because it is a fundamental human right; and

(C) "the American people will remain forever unshackled in matters of faith", as expressed by the 44th President of the United States in his Presidential Proclamation on Religious Freedom Day in 2012.

PRIVILEGES OF THE FLOOR

Mr. BLUNT. Mr. President, I ask unanimous consent that the privileges of the floor be granted to Benjamin Reinke, a congressional fellow with the Committee on Energy and Natural Resources, effective today through December 31, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that my detailee, Michael Kades, be granted floor privileges through March 21, 2016, while detailed to the U.S. Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, on behalf of Senator CANTWELL, I ask unanimous consent that privileges of the floor be granted to the following individuals with the Committee on Energy and National Resources: Frances Brie Van Cleve, a Democratic fellow, through December 31, 2016; Stephanie Teich-McGoldrick, a Democratic fellow, through December 31, 2016; and Betsy Rosenblatt, a Democratic detailee, through December 31, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2015 fourth quarter Mass Mailing report is Mon-

day, January 25, 2016. An electronic option is available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

ORDERS FOR WEDNESDAY, JANUARY 20, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, January 20; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m.; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that at 2:15 p.m. the Senate resume consideration of the motion to proceed to H.R. 4038, with the time until 2:30 p.m. equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank the majority leader for giving me an opportunity to say a few words before we adjourn this evening.

NUCLEAR AGREEMENT WITH IRAN

Mr. DURBIN. Mr. President, some months ago, in the midst of debate on the nuclear agreement with Iran, I came to the Senate floor to remind my colleagues of some recent history involving other negotiations undertaken with troubling regimes that turned out to serve our national security interests.

I reminded my Republican colleagues that John Kennedy negotiated with the Soviet Union during the Cuban missile crisis, saving us from nuclear war. I reminded them that Richard Nixon negotiated with the Chinese on normalizing relations, even while that Communist regime in China was providing weapons to the North Vietnamese, who were using them against American soldiers. I, of course, reminded them that Ronald Reagan negotiated with the Soviets while the Communist nation had thousands of nuclear weapons pointed at the United States, was occupying Eastern Europe, and was supporting troubling regimes around the world.

Let us also recall how many on the right in the political spectrum savaged then President Reagan for negotiating with the Soviets on nuclear arms. Let me read an excerpt from the January 17, 1988, New York Times about the opposition—eerily familiar to what we have been hearing in the debate on the Iran nuclear agreement—Reagan faced in negotiating an arms agreement with the Soviets:

Already, right-wing groups . . . have mounted a strong campaign against the INF treaty. They have mailed out close to 300,000 letters opposing it. They have circulated 5,000 cassette recordings of Gen. Bernard Rogers, former Supreme Commander of NATO, attacking it. And, finally, they are preparing to run newspaper ads this month savaging Reagan as a new Neville Chamberlain, signing an accord with Hitler and gullibly predicting "peace for our time."

Conservative Washington Post columnist George Will said in a 1987 Newsweek column of negotiating arms agreements with the Soviets, "Reagan has dramatically advanced the moral and psychological disarmament of the West by emphatically siding with those . . . who emphasize the role of ideology, and hence the radical differentness and dangerousness of the Soviet threat."

The conservative National Review's May 22, 1987, edition had the following cover entitled "Reagan's Suicide Pact" concerning Reagan's negotiation with the Soviets. While opposed by some at the time, few in this Chamber would look back today and say that these negotiations were a mistake or that the agreements that were reached between Reagan and the Soviets didn't actually serve long-term American national security interests.

So we are here today with the fulfillment of the first stage of a historic agreement between world powers and Iran that has effectively eliminated that country's ability to build a nuclear weapon—a weapon that could have threatened our close allies and the world.

Only a few months after this agreement was reached, Iran has met its critical commitments. It destroyed its only source of weapons-grade plutonium by literally pouring concrete into the heart of the reactor. It shipped 98

percent of its low-enriched uranium, at least 25,000 pounds—some 12 tons—of this low-enriched uranium out of the country. Recall that thanks to the interim agreement, Iran had already shipped out all of its more dangerous highly enriched uranium. It dismantled and removed two-thirds of its centrifuges—thousands of its centrifuges—and it has allowed international inspectors unprecedented access to its nuclear facilities and supply chain.

A simple question to the critics of the Iran nuclear agreement: Today, is Iran closer or further away from the development of a nuclear weapon? The answer is that it is further away. There is no other reasonable conclusion.

Do you remember the speeches given by Prime Minister Netanyahu and many of the critics of this agreement? They were telling us that Iran was weeks away from developing a nuclear weapon. Now by consensus we believe they are at least 1 year away from developing a nuclear weapon if they completely walked away from this agreement. Without a nuclear weapon, Iran is not the same kind of threat to the Middle East, Israel, or to the world.

All of what I said has been verified by international inspectors. Do you recall Ronald Reagan reminding us to trust but verify? We verified. The agreement gives inspectors continued access in perpetuity. In a few months, Iran has gone from a breakout time of a nuclear weapon from a month or 2 to at least 1 year. Quite simply, under Barack Obama's Iran nuclear weapon agreement, their program has finally been brought to a halt without firing a shot—something no previous administration had been able to accomplish. That such a difficult task was accomplished is a testament to the tireless work of our former colleague and current Secretary of State John Kerry and his team. This Senator thinks of all those who worked so hard on this for so many months to achieve it.

Tough diplomacy has also brought home a number of Americans who were unjustly held in Iran. These Americans had not even left Iranian airspace before many of the Republicans running for President unleashed another wave of worn-out rhetoric criticizing the President's effort that led to the release of these Americans being held prisoner. They also failed to offer a substantive alternative approach. Let me remind the naysayers that it was Ronald Reagan who traded weapons to Iran for seven American hostages being held by Iranian terrorists in Lebanon—not a handful of nonviolent sanctions violators but weapons to what was then our arch enemy who had only recently held more than 60 American diplomats as hostages for 444 days. By the time the sales were discovered, more than 1,500 missiles had been shipped by the Reagan administration to Iran and only 3 hostages had been released.

They in turn were replaced with three more, sadly, in what then-Secretary of State George Shultz called “a hostage bazaar.”

I have met the families of those held hostage, and I can't say what I would do in each case if I were President in those heartbreaking situations. But I do know it is far easier for these Republican Presidential candidates and critics of this administration to armchair the Secretary of State or President than to actually make the tough decisions that brought these men and women back home to the United States.

While I applaud the nuclear deal and the release of the detained Americans, I am under no illusions about the Iranian regime. I believe there is a faction in Iran that wants Iran to integrate into the global community and reject Iranian belligerence in the region. Certainly a large number of the Iranian people feel that way. But there are deeply troubling hardliners in Iran as well. They continue to support some of the most troubling groups in the region, from Hezbollah, to Hamas, to the Assad regime. They continue to imprison their own people for wanting more freedoms. They threaten Israel, our closest ally in the Middle East, and the region's broader security.

I hope that recent events mark the beginning of a gradual change away from these hardline policies and that we can continue to work with wiser voices on shared challenges such as Afghanistan and Syria. Until then, the administration has wisely maintained sanctions on Iran for its support of these terrorist groups and human rights violations.

I also strongly support the most recent sanctions related to Iran's ballistic missile testing announced by the Obama regime. The world will have ongoing, intensive inspection of Iran's remaining nuclear infrastructure to make sure there is no cheating on the agreement.

It is always easy to threaten force or simply say that troubling regimes must bow to a rhetorical demand. It is another thing to actually use diplomacy to reach these goals. Let's not forget the price in lives, treasure, and regional upheaval that the Iraq war caused us—prices we continue to pay to this day. To end Iran's nuclear weapons program without another devastating war is remarkable and worth the risk. We should follow the words of President Kennedy: “Let us never negotiate out of fear. But let us never fear to negotiate.”

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 6:23 p.m., adjourned until Wednesday, January 20, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

VIRGINIA LYNN BENNETT, OF VIRGINIA
JOHN T. BERNLOHR, OF VIRGINIA
DONALD A. BLOME, OF ILLINOIS
ANDREW BOWEN, OF TEXAS
PAUL A. BROWN, OF MARYLAND
TODD JAMES BROWN, OF VIRGINIA
IAN G. BROWNLEE, OF MARYLAND
RANDALL C. BUDDEN, OF FLORIDA
THOMAS E. COONEY, OF NEW YORK
MARY ELLEN COUNTRYMAN, OF WASHINGTON
JOHN F. DANILOWICZ, OF VIRGINIA
KENNETH E. DEKLEVA, OF TEXAS
KATHERINE DIMONDS DHANANI, OF FLORIDA
ROBERT JOSEPH FAUCHER, OF VIRGINIA
DANIEL L. FOOTE, OF VIRGINIA
PHILIP A. FRAYNE, OF NEW YORK
ROBERT S. GILCHRIST, OF FLORIDA
ETHAN AARON GOLDRICH, OF MARYLAND
CANDY GREEN, OF CALIFORNIA
LAWRENCE J. GUMBINGER, OF CALIFORNIA
HELEN H. HAHN, OF VIRGINIA
ANNE HALL, OF MAINE
SARAH C. HALL, OF NEW YORK
SCOTT IAN HAMILTON, OF COLORADO
ANDREW BAUER HAVILAND, OF VIRGINIA
DAVID ANDREW HODGE, OF TEXAS
RICHARD A. HOLTZAPPLE, OF VIRGINIA
ERIC A. JOHNSON, OF THE DISTRICT OF COLUMBIA
ARDESHIR F. KANGA, OF MARYLAND
KATHLEEN ANN KAVALEC, OF CALIFORNIA
ATUL KESHAP, OF VIRGINIA
KARIN MARGARET KING, OF OHIO
MARC E. KNAPPER, OF CALIFORNIA
DAVID J. KOSTELANCIK, OF ILLINOIS
DANIEL JOSEPH KRITENBRINK, OF VIRGINIA
MICHELLE A. LABONTE, OF VIRGINIA
YARL LEMPERT, OF NEW YORK
JAMES M. LEVY, OF VIRGINIA
PATRICIA A. MAHONEY, OF VIRGINIA
MONTE P. MAKOUS, OF PENNSYLVANIA
COLETTE MARCELLIN, OF VIRGINIA
ELIZABETH LEE MARTINEZ, OF OHIO
JOHN A. MATTEL, OF VIRGINIA
PATRICIA SHEEHAN MCCARTHY, OF VIRGINIA
CARYN R. MCCLELLAND, OF CALIFORNIA
RICHARD M. MILLS, JR., OF FLORIDA
PHILIP A. MIN, OF VIRGINIA
MATTHIAS J. MITMAN, OF FLORIDA
MICHAEL KENT MORROW, OF VIRGINIA
PETER F. MULREAN, OF NEW YORK
SEAN MURPHY, OF VIRGINIA
ROBERT STEPHEN NEEDHAM, OF FLORIDA
ERIC G. NELSON, OF TEXAS
WILLIAM A. OSTICK, OF VIRGINIA
NANCY BIKOFF PETTIT, OF VIRGINIA
LYNNE G. PLATT, OF FLORIDA
EMILIA A. PUMA, OF VIRGINIA
DAVID M. REINERT, OF THE DISTRICT OF COLUMBIA
TIMOTHY RILEY, OF GEORGIA
WILLIAM VERNON ROEBUCK, OF VIRGINIA
ANDREW J. SCHOFER, OF THE DISTRICT OF COLUMBIA
JUSTIN H. SIBERELL, OF MARYLAND
ERIC W. STROMAYER, OF VIRGINIA
MARY E. TARNOWKA, OF VIRGINIA
SUSAN ASHTON THORNTON, OF THE DISTRICT OF COLUMBIA
CONRAD ROBERT TRIBLE, OF CALIFORNIA
XAVIER VAZQUEZ, OF VIRGINIA
PATRICK WILLIAM WALSH, OF CONNECTICUT
STEPHANIE TURCO WILLIAMS, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

LUCY K. ABBOTT, OF MAINE
MARY EMMA ARNOLD, OF VIRGINIA
AMBER MICHELE BASKETTE, OF THE DISTRICT OF COLUMBIA
VALERIE LOUISE BELON, OF ALASKA
MARK J. BIEDLINGMAIER, OF FLORIDA
DREW G. BLAKENEY, OF TEXAS
TOBIN J. BRADLEY, OF THE DISTRICT OF COLUMBIA
KATHERINE ANN BRUCKER, OF CALIFORNIA
MICHELLE ANN BURTON, OF NORTH DAKOTA
MARK JOSEPH CASSAYRE, OF CALIFORNIA
CHRISTIAN M. CASTRO, OF VIRGINIA
KELLY S. CECIL, OF FLORIDA
FRANCES MARGARET CHISHOLM, OF NEW HAMPSHIRE

KAREN KW CHOE-FICHTE, OF NEW YORK
 MARK DANIEL CLARK, OF VIRGINIA
 CHERRIE S. DANIELS, OF TEXAS
 CHRISTOPHER J. DEL CORSO, OF VIRGINIA
 MARC DOUGLAS DILLARD, OF CALIFORNIA
 JAMES EDWARD DONEGAN, OF NEW YORK
 KURT D. DONNELLY, OF OREGON
 PATRICK M. DUNN, OF VIRGINIA
 CHRISTOPHER G. DUNNETT, OF FLORIDA
 ROBIN LISA DUNNIGAN, OF CALIFORNIA
 GABRIEL ESCOBAR, OF TEXAS
 NAN NIDA FIFE, OF VIRGINIA
 TAMARA K. FITZGERALD, OF TEXAS
 KATHLEEN A. FITZGIBBON, OF VIRGINIA
 JUSTIN FRIEDMAN, OF VIRGINIA
 HEIDE BRONKE FULTON, OF NEW YORK
 MICHAEL E. GARROTE, OF MARYLAND
 J. ROBERT GARVERICK, OF VIRGINIA
 JENNIFER GAVITO, OF MISSOURI
 CAROLYN B. GLASSMAN, OF CALIFORNIA
 JOHN T. GODFREY, OF CALIFORNIA
 MICHAEL C. GONZALES, OF MARYLAND
 CYNTHIA A. G. HALEY, OF TEXAS
 JENNIFER HALL GODFREY, OF VIRGINIA
 MICHAEL P. HANKEY, OF THE DISTRICT OF COLUMBIA
 ROBERT F. HANNAN, OF VIRGINIA
 MICHAEL G. HEATH, OF CALIFORNIA
 JAMES ROBERT HELLER, OF VIRGINIA
 DEBRA L. HEVIA, OF NEW YORK
 AMY ELIZABETH HOLMAN, OF MARYLAND
 BRYAN D. HUNT, OF VIRGINIA
 AUDREY B. HUON-DUMENTAT, OF VIRGINIA
 COLLEEN E. HYLAND, OF NEW HAMPSHIRE
 MARK COOLIDGE JOHNSON, OF NEW YORK
 DOUGLAS DAVID JONES, OF MARYLAND
 KRISTIN M. KANE, OF CALIFORNIA
 MELISSA J. KEHOE, OF WASHINGTON
 MICHAEL R. KELLER, OF VIRGINIA
 DAVID H. KENNEDY, OF WASHINGTON
 BRUCE P. KLEINER, OF WASHINGTON
 MARY ELLEN N. KOENIG, OF MARYLAND
 MARGARET KURTZ-RANDALL, OF VIRGINIA
 MARK B. LAMBERT, OF VIRGINIA
 CHRISTOPHER JOHN LAMORA, OF VIRGINIA
 STEPHAN ALLEN LANG, OF MISSOURI
 DANIEL J. LAWTON, OF VIRGINIA
 PATRICK A. LEONARD, OF THE DISTRICT OF COLUMBIA
 ALEXIS LUDWIG, OF CALIFORNIA
 RAFIK K. MANSOUR, OF CALIFORNIA
 PANFILO MARQUEZ, OF CALIFORNIA
 JONATHAN ROBERT MENNUTI, OF VIRGINIA
 MANUEL P. MICALLER, OF CALIFORNIA
 HERRO K. MUSTAFA, OF CALIFORNIA
 COURTNEY ROBIN NEMROFF, OF WASHINGTON
 DENISON KYLE OFFUTT, OF FLORIDA
 SANDRA SPRINGER OUDKIRK, OF VIRGINIA
 THOMAS ANDREW PALAIA, OF CONNECTICUT
 MATTHEW A. PALMER, OF VIRGINIA
 BRETT GEORGE POMAINVILLE, OF COLORADO
 WILLIAM W. POPP, OF VIRGINIA
 DALE T. PRINCE, OF MARYLAND
 BARTON J. PUTNEY, OF WISCONSIN
 JOHN THOMAS RATH, OF TEXAS
 RICHARD THOMAS REITER, OF MARYLAND
 ERICA ANN RENEW, OF VIRGINIA
 KAREN E. ROBBLEE, OF NEW YORK
 DANIEL ALAN ROCHMAN, OF NEBRASKA
 ABIGAIL MISCIAGNO RUPP, OF FLORIDA
 HOWARD T. SOLOMON, OF MICHIGAN
 JAMES BROWARD STORY, OF SOUTH CAROLINA
 KATHRYN TAYLOR CROCKART, OF TEXAS
 ELLEN BARBARA THORBURN, OF MICHIGAN
 MARI DIETERICH TOLLIVER, OF MICHIGAN
 JOHN C. VANCE, OF MONTANA

MARJA VERLOOP, OF WASHINGTON
 LESSLIE C. VIGUERIE, OF VIRGINIA
 ROBERT PATRICK WALLER, OF VIRGINIA
 JAMES L. WAYMAN, OF VIRGINIA
 MARK ALAN WELLS, OF VIRGINIA
 JAMES ANDREW WOLFE, OF CALIFORNIA
 JOY ONA YAMAMOTO, OF CALIFORNIA
 JOSEPH MICHAEL YOUNG, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE,
 CLASS OF COUNSELOR, AND CONSULAR OFFICER AND
 SECRETARY IN THE DIPLOMATIC SERVICE OF THE
 UNITED STATES OF AMERICA:

AYAN HUSSEIN AHMED NOOR, OF VIRGINIA
 ASSIYA ASHRAF-MILLER, OF VIRGINIA
 LANCE M. BAILEY, OF VIRGINIA
 ARTHUR J. BALEK, OF MARYLAND
 KEVIN WILLIAM BOHNE, OF TEXAS
 JAMES E. DICKEY, OF ALASKA
 CONSTANCE MARIE DIERMAN, OF MARYLAND
 PHILIP A. DUBOIS, OF FLORIDA
 TIMOTHY DUMAS, OF ILLINOIS
 KAREN A. FINER, OF MINNESOTA
 THOMAS JAMES FITZPATRICK, OF VIRGINIA
 KATHY A. GALLARDO, OF CALIFORNIA
 HOWARD K. GERSHENFELD, OF TEXAS
 DAVID S. GROCCIA, OF VIRGINIA
 ANDREW P. HYATT, OF UTAH
 DAVID R. JOHNSON, OF MINNESOTA
 STEVEN M. JONES, OF VIRGINIA
 KAREN A. LASS, OF VIRGINIA
 WADE C. MARTIN, OF VIRGINIA
 GLENN WAYNE MILLER, OF VIRGINIA
 MAKORI OSORO, OF TEXAS
 JUSTIN J. OTTO, OF WASHINGTON
 RICHARD D. OTTO, OF FLORIDA
 JOSE E. SALAZAR, OF NEW MEXICO
 RONALD W. STUART, OF TEXAS
 RAJESH VYAS, OF FLORIDA
 AZIZ Y. YOUNES, OF GEORGIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE
 FOREIGN SERVICE OF THE UNITED STATES DEPART-
 MENT OF AGRICULTURE FOR PROMOTION INTO THE
 CLASS INDICATED, EFFECTIVE APRIL 10, 2015:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE
 OF THE UNITED STATES OF AMERICA, CLASS OF COUN-
 SELOR:

SUSAN M. CLEARY, OF NEW YORK

THE FOLLOWING-NAMED CAREER MEMBER OF THE
 FOREIGN SERVICE OF THE UNITED STATES DEPART-
 MENT OF AGRICULTURE FOR PROMOTION WITHIN THE
 SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE
 OF THE UNITED STATES OF AMERICA, CLASS OF MIN-
 ISTER-COUNSELOR:

DARYL ARTHUR BREHM, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE
 FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR
 FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE
 OF THE UNITED STATES OF AMERICA, CLASS OF COUN-
 SELOR:

RICHARD A. DRENNAN, OF PENNSYLVANIA

MARK A. DRIES, OF VIRGINIA

MELINDA D. SALLYARDS, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE UNITED
 STATES AGENCY FOR INTERNATIONAL DEVELOPMENT
 FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS TO
 THE CLASSES INDICATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF
 CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE
 DIPLOMATIC SERVICE OF THE UNITED STATES OF AMER-
 ICA:

SCOTT D. HOCKLANDER, OF ALASKA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF
 CLASS TWO, CONSULAR OFFICER AND SECRETARY IN
 THE DIPLOMATIC SERVICE OF THE UNITED STATES OF
 AMERICA:

RANDY ALI, OF NEW YORK
 CARL J. ANDERSON, OF PENNSYLVANIA
 STEPHEN M. ANDOSEH, OF TEXAS
 THEODORA B. DELL, OF NEW JERSEY
 MARC L. DOUGLAS, OF FLORIDA
 STEPHEN F. GUDZ, OF FLORIDA
 GREGORY HOWELL, OF ARIZONA
 MUHAMMAD N. KHAN, OF COLORADO
 MITCHELL G. NELSON, OF WASHINGTON
 JONATHAN BRUCE PALMER, OF VIRGINIA
 DAVID RUSH, OF NEW YORK
 MARAM R. TALAAT, OF THE DISTRICT OF COLUMBIA
 EBONY BOSTIC TRAN, OF CALIFORNIA
 MICHAEL WYZAN, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF
 CLASS THREE, CONSULAR OFFICER AND SECRETARY IN
 THE DIPLOMATIC SERVICE OF THE UNITED STATES OF
 AMERICA:

ANTHONY E. AMERSON, OF THE DISTRICT OF COLUMBIA
 PATRICIA DARLENE FOOTE, OF WASHINGTON
 PAUL E. MARTIN, OF VIRGINIA
 ALYSON ANNE MCFARLAND, OF NEW YORK
 SANDRA SAVAGE, OF FLORIDA
 RODRIGO J. SEDA, OF FLORIDA
 JUDY JHINGORY WEBB, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBER OF THE
 FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR
 INTERNATIONAL DEVELOPMENT FOR PROMOTION WITH-
 IN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE
 OF THE UNITED STATES OF AMERICA, CLASS OF MIN-
 ISTER-COUNSELOR:

CATHERINE MARY TRUJILLO, OF TEXAS

THE FOLLOWING-NAMED CAREER MEMBER OF THE
 FOREIGN SERVICE OF THE UNITED STATES DEPART-
 MENT OF AGRICULTURE FOR PROMOTION INTO THE SEN-
 IOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE
 OF THE UNITED STATES OF AMERICA, CLASS OF COUN-
 SELOR:

ANTONIO J. ARROYAVE, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBER OF THE
 FOREIGN SERVICE OF THE UNITED STATES DEPART-
 MENT OF AGRICULTURE FOR PROMOTION WITHIN THE
 SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE
 OF THE UNITED STATES OF AMERICA, CLASS OF CAREER
 MINISTER:

HOLLY S. HIGGINS, OF IOWA

CONFIRMATION

Executive nomination confirmed by
 the Senate January 19, 2016:

THE JUDICIARY

WILHELMINA MARIE WRIGHT, OF MINNESOTA, TO BE
 UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF
 MINNESOTA.

SENATE—Wednesday, January 20, 2016

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, who has set our fragile years in the heart of Your eternity, we find gladness and peace under the shadow of Your wings.

Today provide our lawmakers with wisdom to embrace the right priorities. May they strive to sacrifice for the things that will live beyond their years so that history will celebrate their foresight and courage. Grant that their lives and labor will reflect Your greatness, compassion, and love. Lord, keep them from embracing a false patriotism that would render unto Caesar what belongs to You. Stir them to new heights of excellence as You open their eyes to the unfolding of Your loving providence.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 20, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

AMERICAN SAFE ACT

Mr. REID. Mr. President, the Republican leader has said that he is going to bring and, in fact, has brought to the floor the House-passed refugee bill, as he calls it. It is, of course, an immigration bill. Yesterday he said that the debate over the bill should be based on “facts and common sense.” I agree with that. The facts speak for themselves. Our enemy is clearly defined. ISIS is the defined organization. It is a terrorist organization that poses a threat to the United States, women, children, and families fleeing persecution. They are not the enemy; ISIS is the enemy. We should be focusing all of our efforts on defeating our real enemy, the brutal, evil ISIS. Yet the bill the Republican leader is bringing to the floor scapegoats refugees who are fleeing war and torture instead of creating real solutions to keep Americans safe.

You don’t have to take my word for it. The junior Senator from Arizona has said he will oppose the bill because it is “intended to knock out all refugee entrants and I’m not there.” So says the junior Senator from Arizona.

National security experts from Democratic and Republican administrations have warned against advancing bills such as this.

Former Secretary Gates is such a good person. I enjoyed working with him very much. Yesterday he said—in words much stronger than I am going to say right now—that the Republicans running for President don’t understand the issue. He is much stronger and more firm in saying that what they are talking about is ridiculous. By the way, he is a Republican.

President Obama has already made it very clear that he will veto this legislation. As written, this bill will not be signed into law. Some say it is a waste of our time. By advancing this bill, Republicans are creating a terrible distraction for the sake of embracing the hateful rhetoric, vitriol of the Republican Party’s standard bearers, Donald Trump and TED CRUZ.

I guess this should come as no surprise to anyone. Over and over again Republicans remain committed to pledging loyalty to the divisive platform that has been built by the Republican people running for President, led by, at this stage, Donald Trump.

We believe we must destroy ISIS. Everyone on this side of the aisle believes we should destroy ISIS and defend our Nation, but we believe we can accomplish this goal without compromising Americans’ core principles. Sadly, many leading Republicans have pro-

posed policies that compromise our fundamental values and threaten the identity of our great Nation. Democrats are committed to opposing the violent views of Donald Trump and providing the American people with solutions that make our Nation safer. We think it is way past time for the Senate to vote on these policies.

My friend, the Republican leader, has pledged over and over again that when the Republicans lead the Senate, they will thrive under an open amendment process. For example, he said the following: “I said at the beginning of my time as majority leader that the open amendment process was going to be the rule rather than the exception.”

My friend continued to say that tough votes should be expected, and I quote: “We’ll just take our chances. You know, we’re big men and women. We’re prepared to vote on proposals that are offered from both sides.”

If Senate Republicans are prepared to abide by this, Senate Democrats will seek to advance a limited number of amendments on this bill that is before this body. I am not talking about tons of amendments or scores of amendments, but four or five amendments. For example, we could have one that dramatically increases the funding for local police anti-terrorist efforts and airport security. That is one that we want. They are overworked and underresourced. We could close the terror gun loophole to prevent those on the no-fly list from being able to buy firearms, explosives, or radiological materials, as has been attempted. We would offer an amendment to denounce Donald Trump’s reprehensible proposal to impose a religious test on admission to the United States.

The Democratic ISIS security bill has been filed. It is a very important piece of legislation. It includes keeping guns out of the hands of terrorists and stopping radicalization here in the United States. It includes active shooter training. As I have already indicated, we are going to move our airport security substitute forward so we can prevent dirty bombs and work abroad to take care of refugees who are over there.

These are the amendments we feel confident about, based on the statements my friend has made. We are not asking for unlimited amendments. I have listed four amendments here.

The Republican leader here in the Senate and the Republican Speaker have pledged their loyalty to Donald Trump and his disgraced policies. They have said that if he is the nominee, they will, of course, support him.

As a frontrunner for the Republican nomination, Donald Trump and his proposals are leading the public debate in our country. Republicans who support these illogical plans should be prepared for the next logical step: voting on his vision of America.

Over here, we believe that all of these measures are deserving of a vote. I talked about four of them. We are ready to vote on the proposals now—this week. If for any reason the Republican leader needs more time to discuss the proposals with his caucus, we are happy to reschedule the vote.

Now, I know it is a big day in the Senate because during my news briefing on the way to work, I heard that the junior Senator from Florida is going to be here to vote—and the junior Senator from Texas. They will actually be in the Senate to vote. It is a big day. I know we have a tight schedule because they are going to be here for only an hour or two, but perhaps we could have a debate on the amendments we have suggested. I am sure that if we offer these amendments, the Republicans will offer amendments, and we could have some time here to deal with these amendments. But we will not allow Republicans to hijack the Senate floor to play politics with our Nation's security. The American people deserve better. I look forward to offering these amendments.

I publicly want everyone to know that I did not try to jump ahead of my friend the Republican leader. I was told by staff that I should go first. If I had known the Senator was going to be here so quickly, I would have waited, so I am sorry about that.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY—VETO

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the President's veto message on S.J. Res. 22, which the clerk will read and which will be spread in full upon the Journal.

The senior assistant legislative clerk read as follows:

Veto message to accompany S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the veto message on S.J. Res. 22 be considered as having been read; that it be printed in the RECORD, and spread in full upon the Journal.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The veto message ordered to be printed in the RECORD is as follows:

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 22, a resolution that would nullify a rule issued by the Environmental Protection Agency and the Department of the Army to clarify the jurisdictional boundaries of the Clean Water Act. The rule, which is a product of extensive public involvement and years of work, is critical to our efforts to protect the Nation's waters and keep them clean; is responsive to calls for rulemaking from the Congress, industry, and community stakeholders; and is consistent with decisions of the United States Supreme Court.

We must protect the waters that are vital for the health of our communities and the success of our businesses, agriculture, and energy development. As I have noted before, too many of our waters have been left vulnerable. Pollution from upstream sources ends up in the rivers, lakes, reservoirs, and coastal waters near which most Americans live and on which they depend for their drinking water, recreation, and economic development. Clarifying the scope of the Clean Water Act helps to protect these resources and safeguard public health. Because this resolution seeks to block the progress represented by this rule and deny businesses and communities the regulatory certainty and clarity needed to invest in projects that rely on clean water, I cannot support it. I am therefore vetoing this resolution.

BARACK OBAMA.

THE WHITE HOUSE, January 19, 2016.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

AMERICAN SAFE ACT

Mr. MCCONNELL. Mr. President, our country has a proud record of admitting the oppressed as refugees to our shores, yet the debate about how to safely admit refugees from Syria and Iraq is a serious conversation that deserves a serious response from Washington. It is difficult to effectively vet immigrants from a war-torn country

where records may sometimes no longer exist at all. Senior law enforcement and intelligence officials have expressed concerns and DHS Secretary Jeh Johnson has said organizations such as ISIL may like to try to exploit the refugee program. So is it any wonder that the citizens we represent are concerned?

According to one recent survey, nearly 80 percent of Americans and 77 percent of Democrats say refugees should go through a more robust security process. President Obama seemed to suggest these Americans were motivated by some animus toward widows and orphans. I would suggest they are motivated by a love for their families and communities. I remind the President that this country has a proud tradition of compassion, and we have settled millions of refugees from around the world. Many Americans are telling us they want to continue helping others, but they want to do it in a smarter and more secure way.

So I want to say this before moving forward. In his State of the Union Address, President Obama decried the political divisions that have widened during his Presidency. He called for cooperation and a more elevated debate. He warned that "democracy breaks down when the average person feels their voice doesn't matter."

"Democracy," he said, "doesn't work if we think the people who disagree with us are all motivated by malice."

I ask him to reflect on those words. We each have a choice in this discussion. We can glibly dismiss the sincere concerns of middle-class families or we can work to unify Americans by pursuing bipartisan and balanced solutions.

Democrats and Republicans in the House of Representatives chose bipartisan and balanced solutions when they worked together to pass the American SAFE Act a few weeks ago. Democrats and Republicans in the Senate should choose bipartisan and balanced solutions by working together to advance the American SAFE Act today.

This bipartisan bill would allow Washington to step back, take a breath, and ensure it has correct policies and security screenings in place before moving ahead with the refugee program for Iraq and Syria. No wonder dozens of Democrats joined with Republicans to pass this balanced bill with a veto-proof majority over in the House. It is certainly worrying to hear that Senate Democrats are now being pressured to block us from even debating it. I understand the political pressure to oppose this balanced bill may be intense, but it is also intensely shortsighted, and I urge our Democratic friends to resist it.

Boosting confidence in our Nation's vetting process is critical for our citizens, just as it is critical for every refugee who truly needs our help. Our

Democratic friends know a cloud of unfair stigmatization threatens to hang over legitimate refugees so long as Democrats block commonsense safeguards to weed out ISIL sympathizers.

If our Democratic friends are serious in what they imply about promoting tolerance for widows and orphans and in strengthening security for Americans, they will not vote to block the Senate from debating balanced, bipartisan legislation that can advance both priorities simultaneously.

Let's work together to enact the American SAFE Act and its reforms, and then let's work together on the root of the problem. Refugees are fleeing Syria because of a brutal civil war, and they are fleeing Iraq because the terrorist group Al Qaeda in Iraq has evolved into the largest terrorist group in history—ISIL—so the ultimate solution is to make the region somewhere they can return to.

Here is what hasn't helped: The precipitous withdrawal of our advise and assist force from Iraq, the indecision attached to drawing and erasing red lines in Syria, mocking the genuine concerns of American citizens here at home.

Here is what will help: the administration cooperating across the aisle to finally develop a serious plan to confront ISIL. That is what the American people continue to call for, that is what the American people deserve, and it is what the administration will pursue if it is truly serious about helping both our country and the victims escaping this brutal terrorist group.

The ACTING PRESIDENT pro tempore. The Democratic leader.

Mr. REID. Mr. President, I think we have the makings of an agreement here, at least the way I understood the Republican leader.

We agree that refugees should go through a robust screening process. The bill we are talking about before the Senate, though, is stressing bureaucracy and paperwork. Each refugee who comes to this country—and there are about 100 a day—would have to be signed off by three Cabinet Secretaries. That is 300 personal signatures a day. We don't want more paperwork.

What we have said is we want four amendments to change the underlying bill. We are not going to be demanding days of debate time. We would be happy—we would be very reasonable with whatever the leader felt appropriate. We believe we should move forward with real solutions, not paperwork.

We are not saying we don't want to get on the bill. We are willing to get on the bill. We want four amendments. That is it, four amendments. I am sure the leader will look this over and get back to me at the appropriate time, but we are willing to work on this bill.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. McCONNELL. Mr. President, I will obviously be talking to the Democratic leader on a way forward on the bill, and we will have those discussions and report back later.

Mr. REID. Thank you very much, Mr. President.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN SAFE ACT

Mr. THUNE. Mr. President, similar to most Americans listening to President Obama's State of the Union Address last week, I found his take on national security and world affairs rather surprising.

According to a poll in December, 60 percent of the American people see national security and terrorism as a major concern, and they have good reason to be worried.

As President Obama finishes his last year in office, Syria is wracked by civil war, Iraq is in turmoil, Russian aggression is growing, North Korea has tested yet another nuclear weapon, Saudi Arabia and Iran are immersed in a cold war, and ISIS continues its campaign of terror. Yet, according to the President, we have nothing to worry about; America's leadership is strong, and we are headed in the right direction.

Unfortunately, this fairytale version of our global situation stands in stark contrast with reality. In his State of the Union Address, the President did acknowledge: "The world will look to us to help solve these problems, and our answer needs to be more than tough talk."

Well, I couldn't agree more, but unfortunately tough talk with no action has been the hallmark of this administration. In 2011, after the onset of the Syrian civil war, both President Obama and then-Secretary of State Hillary Clinton stated unconditionally that Syrian President Bashar al-Assad had to go. The President drew a line in the sand: If Assad used chemical weapons, America would act. But when Assad flouted this red line, killing his own people—including women and children—with the large-scale use of sarin gas, the President chose to forgo a decided military response and instead pursue negotiations involving the Rus-

sians, working out a compromise that ultimately strengthened Assad's position, and the results of the President's decision have not been pretty.

In the wake of the negotiations, an emboldened Vladimir Putin invaded Crimea and eastern Ukraine, and the situation in Syria got worse. It appears now that the Assad administration will outlast Obama's. Worse, our allies in the Middle East no longer trust America to come to their aid. The President's failure to back up his tough talk with action has undermined American leadership, and this may take years, if not decades, to repair.

This week the Senate is taking up the American Security Against Foreign Enemies Act, which addresses the Syrian refugee crisis—another byproduct, I might add, of the President's failure to uphold his red line. With Syria, both the United States and the European powers have had to learn a lesson the hard way: If you don't take action to solve the problem, the people who are suffering will end up on your doorstep.

Hundreds of thousands of Syrians have been killed in this conflict. Assad continues to use chlorine bombs indiscriminately to kill his own people, and ISIS executes anyone who is not considered loyal. It is no wonder the Syrian people want out.

Yet, with the mass exodus of refugees come other security concerns, including the threat of ISIS infiltrating the refugee population. Senior and U.S. law enforcement and intelligence officials have made it clear they are concerned that we don't have the ability to adequately vet Syrian refugees. As we know from reports, at least one of the terrorists responsible for the deadly attacks in Paris passed through a refugee processing checkpoint in Greece.

To quote the Director of National Intelligence, James Clapper, "I don't . . . put it past the likes of ISIL to infiltrate operatives among those refugees . . . that's a huge concern of ours."

The American SAFE Act helps address this concern by requiring the FBI, the Department of Homeland Security, and the Director of National Intelligence to certify that Syrian and Iraqi refugees have been thoroughly vetted and do not pose a security risk before they are allowed to enter the country. This is a reasonable request, and if the administration wants to assure the American people that these refugees are not a threat, then it should have no problem providing such certifications.

I plan to file an amendment to this bill that would also give more authority to individual States when it comes to the resettlement of refugees. Last year, many Governors expressed a desire, shared by their constituents, that Syrian refugees not be resettled in their States. My amendment would grant Governors a presence at weekly

refugee resettlement meetings within the State Department and give those Governors veto power over the resettlement of certain refugees in their States. Under my amendment, if a Governor's office is not satisfied that its security concerns have been addressed by the required security checks, the Governor can veto the resettlement question. Any refugee, once admitted to the United States, would still be free to travel from State to State as he or she pleased. This amendment would simply increase States' rights by giving Governors a say in any decisions by the Federal Government to resettle large populations of refugees in their States. This is a reasonable solution to the concerns that were raised by the Governors of over 30 States, and I hope we can have a vote on this amendment.

Over the weekend, the world witnessed another byproduct of President Obama's failing foreign policy. Thanks to a provision of the President's flawed nuclear deal with Iran, more than \$100 billion of frozen Iranian assets and oil revenue were made available to the Islamic Republic of Iran. This means that Iran's Revolutionary Guard, including the Quds Force—which is responsible for the deaths of hundreds of American soldiers in Iraq—just received a big influx of cash. Again, this is thanks to the deal President Obama considers to be perhaps the major foreign policy achievement of his Presidency.

While I am glad that the hostages held by Iran are coming home to their families, it is a mistake to think this means Iran all of a sudden will now play nice. Iran's leadership knows very well that it won the lottery with this nuclear deal, and it desperately wants Iranian assets unfrozen and sanctions lifted. Now that the Iranian leadership has received its payout, Iran will be further emboldened.

When negotiating this deal, the Obama administration assured Congress that the United States would make sure Iran kept its end of the bargain. Well, it is already clear from October's ballistic missile test that Iran is determined to test the President's resolve and flout international restrictions. We cannot let those provocations go unanswered.

President Obama is right that when conflict arises, the world looks to the United States for leadership. However, it takes more than talk to provide the leadership the world needs. In his last year in office, I hope President Obama will move beyond rhetoric and start offering realistic solutions to the growing number of security concerns that face our Nation.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

35TH ANNIVERSARY OF THE IRANIAN HOSTAGE RELEASE

Mr. ISAKSON. Mr. President, I rise on January 20, 2016, on the floor of the Senate to acknowledge this day as the 35th anniversary of the return of 53 Americans by the Iranian Government to the shores of the United States of America after captivity for 444 days in Iran. As the Members of the Senate will remember, they were employees of the U.S. Embassy in Iran who were brutally attacked, sent through mock executions, subjected to beatings, subjected to brainwashing, subjected to torture, and for 444 days were out of communication with their loved ones and our country. Fortunately, we successfully negotiated their release, and on January 20, 1981, they were released back to the United States.

But that release included the execution of the Algerian Accords between the United States and the Iranians, which prohibited any hostage from suing the nation of Iran for compensation for their captivity. Since that release, many Americans in the House of Representatives and the Senate, including myself, have worked hard to try to right that wrong. I am very pleased to acknowledge that under the passage of the omnibus in December, we were able to secure funding to be able to compensate those hostages as they should have been compensated 35 years ago. We were able to take money from the Paribas bank forfeiture of Iranian funds to the U.S. Government to see to it that they were compensated in some measure for the sacrifice they made for our country.

A lot of people have written: Why would you compensate people for their captivity? Why would you go to the effort for 35 years to see to it these people got some amount of money to compensate them for their captivity? Why would we not do it? There are Americans all over the world serving in very dangerous places, serving as ambassadors and diplomats through the State Department. They should know we have their backs, not just on the days they are serving but 35 years later if they were tortured, beaten or if they were held captive.

We all rejoiced to see the Americans that were released by the Iranians. We know there were Americans taken hostage in Iraq and Baghdad 2 days later. Taking Americans hostage and using them as tools of war is something that has been happening for years and years, and the Iranian Government is at the head of it. These Americans deserve fair treatment, compensation,

and recompense for all they suffered, and I am proud to say that because of a bipartisan effort in the House and Senate, we were able to do so.

I want to thank Senator CORKER, the chairman of the Foreign Relations Committee; Senator CARDIN, the former chairman; Senator MENENDEZ from New Jersey; Senator REID from Nevada, who was instrumental in helping; and Senator BLUMENTHAL, my ranking member on the Veterans' Affairs Committee of the Senate, for help on this bill and for all the help they brought. I want to thank the entire body of the Senate, who in December voted unanimously to see to it that the Paribas money was made available to the survivors of the people who were taken hostage in 1979.

You might remember the show "Nightline" that we see on television started with the original report in 1979 by Ted Koppel about the hostage taking. It became a television show when they were held that long. I am glad now that the ending of that show is a successful ending, because we brought them home and we saw to it they were compensated. Some of them have passed away. Some of them had taken their own life. Some of them had difficulties. Some were never able to rid themselves of the scars of the torture and brainwashing. But this Senate and this Congress did what it was supposed to do, stood up for Americans and sent a signal to everybody who works in the State Department, who is a diplomat for our country, and who works overseas that if you are taken, we will stand behind you and we will never ever forget—whether it is 444 days or 35 years—once an American serving our country, always an American serving our country. We will always be there for you, and we will go to every effort and every length, even if it does take 35 years.

On the anniversary of their release in 1981 when they came back to the United States, we pay tribute to those great Americans who served our country and were held hostage in Iran. We give thanks that we have the kind of men and women who are willing, day in and day out, to sacrifice on behalf of our great country. May God bless each and every one of them, and may God bless the United States of America.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. Kaine. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN SAFE ACT

Mr. Kaine. Mr. President, I rise today to talk about a pending legislative matter we will be discussing later

in the day, the American Security Against Foreign Enemies Act of 2015. This is the title of the bill that was passed by the House in November. It is now pending before the Senate, and we will be discussing it later.

I am going to talk for a few minutes, but the punch line is as indicated on this board. We are talking about who are America's foreign enemies. This is a bill that deals with Iraqi and Syrian refugees. I assert that refugees are not our enemy; ISIL is our enemy. Yet, for some strange reason, in the 18th month of a war against ISIL, Congress has been unwilling to debate our real enemy.

First, refugees are not our enemies. The refugee crisis, with refugees coming from Syria and now Iraq, has been called the worst humanitarian crisis since World War II. Four million Syrians have left their native country because of being exposed to the atrocities of being barrel-bombed by Bashar al-Assad and now the atrocities of ISIL and other terrorist organizations. Those 4 million have left to find haven from this horrible violence, just as any family would. Over 200,000 Syrians have been killed by this violence, and now the number is probably approaching 300,000. In addition to the 4 million Syrian refugees who have left Syria to escape violence, there are an additional 8 million Syrians who have left their homes and been displaced within the country and who could leave the country at any moment as the violence continues. These refugees are victims of violence, victims of unspeakable atrocity first perpetrated by the horrible dictator Bashar al-Assad and second by terrorist groups such as ISIL. Yet this bill would say these refugees are enemies.

There is a story that means an awful lot to me personally, and I hope you will indulge me.

A Jewish man was traveling from Jerusalem down to Jericho, and he was attacked by bandits. They stripped him of his clothes, beat him up, and left him half dead beside the road.

By chance a priest came along, but when he saw the man lying there, he crossed to the other side of the road and passed him by. A Temple assistant walked over and looked at him lying there, but he also passed by on the other side.

Then a despised Samaritan came along, and when he saw the man, he felt compassion for him. Going over to him, the Samaritan soothed his wounds with olive oil and wine and bandaged them. Then he put the man on his own donkey and took him to an inn, where he took care of him. The next day he handed the innkeeper two silver coins, telling him, "Take care of this man. If his bill runs higher than this, I'll pay you the next time I'm here."

"Now which of these three would you say was a neighbor to the man who was attacked by bandits?" Jesus asked.

The man replied, "The one who showed him mercy."

Then Jesus said, "Yes, now go and do the same."

This is a story that was written 2,000 years ago, but it is not a story about yesterday, it is a story about every day of human life on this planet. They are beaten-up people lying by the side of the road, and the choice we have to make as individuals or as a society is do we pass by or do we act as the Good Samaritan did—in a compassionate way?

In fact, I would argue that the Good Samaritan story actually isn't tough enough. If we called the refugees of the worst humanitarian crisis since World War II our enemies, it is as if we were going over to the man and not passing by but kicking the man who had been beaten and robbed by bandits.

Let me move away from Scripture and talk about American values.

The Statue of Liberty that stands in New York Harbor is graced with a powerful poem, "The New Colossus," written by an American poet, Emma Lazarus. Emma Lazarus was a member of a very prominent, multigenerational Jewish family in New York. There was a fundraising campaign to build the pediment upon which the Statue of Liberty stands in New York Harbor. The Federal Government didn't have the money, so the fundraising was done privately. Emma Lazarus wrote a poem about the Statue of Liberty for a fundraising contest to help raise money, and that is why the statue is there now. The poem is called "The New Colossus." The Colossus references one of the wonders of the ancient world, the Colossus of Rhodes. Emma Lazarus wrote the poem about the Statue of Liberty, calling it the "New Colossus."

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;

Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame

Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes
command

The air-bridged harbor that twin cities
frame.
"Keep, ancient lands, your storied pomp!"

Cries she
With silent lips. "Give me your tired, your poor,

Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,

I lift my lamp beside the golden door!"

The debate that we will undertake about this bill, about whether we call refugees enemies is a debate about who we are as a nation. Let's honor our history, let's honor our values, and let's do what Americans have always done—been willing to extend a hand to those who are victimized by atrocity in other lands, rather than extend the back of our hand and label them as enemies.

Now, I don't dislike everything about this bill we are about to debate. I actually really like the title. The content,

I don't like. The title, "American Security Against Foreign Enemies Act of 2015." We have an enemy. We have been at war with ISIL for 18 months. We have spent \$5 billion in this war. We have deployed thousands of American troops in this war. Eleven members of the American Armed Services have been killed while on deployment in Operation Inherent Resolve. We have an enemy. The enemy is not refugees from Syria—the enemy is ISIL.

We all know the facts about ISIL, this organization that claims to be inspired to create a worldwide caliphate. They have slaughtered Christians and other religious minorities by the thousands. They have sold women into slavery by the thousands. They have beheaded American hostages, including American aid workers. If there is a modern-day equivalent of a Good Samaritan, it is an American aid worker who is trying to help somebody out. ISIL has kidnapped, captured, and beheaded American aid workers. The number of deaths just this weekend—400 more people kidnapped by ISIL in Iraq and Syria. The number of deaths have been in the tens of thousands by ISIL, and as I have said, beheading American hostages, 11 American servicemembers killed, but it is beyond Iraq and Syria. ISIL has claimed credit for bringing down an airliner, killing tourists in the Sinai. ISIL has claimed credit for bombing and shooting attacks, killing hundreds in Paris. ISIL has claimed credit for a bombing at a peace rally in Ankara, Turkey, that killed hundreds and then a bombing outside the Blue Mosque in Istanbul 2 weeks ago that killed 15 and injured dozens more. The shooters in San Bernardino were inspired by ISIL, even if they weren't directly connected to them. Within the last few days, we saw another attack and explosion in Jakarta that was claimed by ISIL. Now, that is who an enemy is—not a refugee who is fleeing ISIL. ISIL is the enemy. ISIL is the enemy. ISIL must be defeated. Yet we are not debating ISIL—and we haven't been willing to debate ISIL in 18 months. Instead, we are trying to claim that refugees are the enemies of this Statue of Liberty Nation.

Why has Congress been silent about ISIL for 18 months? Our President has asked Congress: Congress, do your job and declare war against ISIL. He even sent us a proposed authorization 11 months ago. Eleven months ago, the President sent to Congress a proposed authorization against ISIL. There has not been a vote on the floor in the House. There has not been a vote on the floor in the Senate. There has not been a debate on the floor of the House or Senate. There has not been a debate or vote in committees in the House or Senate. For 11 months, since the President asked us, "Let's get involved and take action against ISIL," there has been no action. And it is not just the

President. General Dunford, the Marine general, who is now head of the Joint Chiefs of Staff, testified before the Armed Services Committee. I asked him: Should we do an authorization against ISIL? He said it would send a strong message to ISIL. It would send a strong message to our allies. But here is what he said that really grabbed me, coming from a heavily military State. He said: Our troops deserve it. There are thousands deployed away from home risking their lives.

I asked General Dunford: Would it be good to have an authorization against ISIL? How would our troops respond? Here is what he said: What our young men and women need—and it is virtually all they need to do the job we asked them to do—is the sense that what they are doing has purpose, has meaning, and has the support of the American people. Our troops think Congress is indifferent to this.

Virginia is very military. We are very closely connected to it. I have a child in the military, one of my three kids. I know what our troops are thinking about Congress right now, which is, while we are deployed overseas, fighting this battle and risking our lives, Congress doesn't care and would rather not talk about it. Secretary Panetta has recently given a speech saying Congress should act.

So our President, the head of the Joint Chiefs of Staff, Secretary Panetta, and others have said: Congress have this debate. There is an enemy out there. Have the backbone to name it as an enemy and authorize action against this enemy.

Constitutionally, Congress should act. One of the most important powers in the Constitution is article 1, in the definition of the roles of Congress. It is Congress that declares war, not the President. That was put in the Constitution by the Framers—Virginians like James Madison—who knew that, before 1787, war was a matter for the Executive, the Monarch, the Emperor, and the Sultan. But he said, “In America, it is going to be different.” We are not going to make a declaration of war for the Executive. We are going to make a declaration of war for Congress. Once declared, the President can implement, but it is Congress's job. Congress is not doing what the Constitution commands.

Imagine one of the family members of the 11 servicemembers who have been killed while deployed in Operation Inherent Resolve—killed in combat, killed when their jet was taking off of an aircraft carrier and crashed into the ocean or otherwise killed during deployment. Imagine, our best and brightest are sent, as they volunteered for our American military. They were sent overseas to fight an enemy—who we all agree is an enemy, who we all agree is conducting atrocities—and that pride of your life is killed while

serving our country, and yet Congress will not even have a debate about whether ISIL is an enemy and whether we should declare war against ISIL and instead wants to have a debate about whether refugees from ISIL should be called our enemies. Imagine how you would feel if you were one of those families, and Congress was even unwilling to dignify the loss of your loved one by 2 minutes of debate or vote on the floor of either the Senate or the House.

David Ignatius wrote a piece yesterday in the Washington Post, “The ugly truth: Defeating the Islamic State will take decades.” The last line of his article says this:

The next President is going to inherit an expanding war against a global terrorist adversary. The debate about how best to fight this enemy hasn't even begun.

After 18 months, after deaths of American troops, after all these atrocities, after bombings in cities all over the world, the debate hasn't even begun because we refuse to have it in this Chamber.

As I conclude, why has Congress been silent about this, since we began military action against ISIL on August 8 of 2014? We will hit the 18-month anniversary in a couple weeks, in February.

I have a lot of criticisms of the administration's strategy. I think they waited too long to send the authorization to us. I don't think the authorization is particularly well-drafted, but that is no obstacle to us acting. Presidents send authorizations frequently and Congress redrafts them. So I am not light on criticism for the administration, but I am asking this question in this Chamber, where I am a Member, and so my question is actually critical, but it is also self-critical: Why has Congress been silent in the 18-month battle against ISIL? It is because of fear. Fear of not ISIL but fear of accountability. A war vote is hard. It is the hardest vote we will ever cast—and it should be. It should be.

How much easier is it to criticize the President and say: We don't like your strategy. You are doing it wrong. Why don't you do more airstrikes here or put more boots on the ground there? That is much easier for Congress to do than to actually have a debate about ISIL and craft a strategy, and then say we, Members of Congress, individually, are putting our names on this.

Members of Congress have been looking actively to avoid a vote on this for 18 months because a war vote is tough. Under the best of circumstances, there are going to be consequences that will be painful and tragic. There will be American lives lost, and that is under the best of circumstances. War isn't always fought under the best of circumstances. There will be surprises. There will be twists and turns. We will go down a path such as trying to train and equip a moderate Syrian opposition and find it doesn't work out the way we hope.

I think in Congress both Houses, both parties, have had a sense that, well, maybe if we don't vote and we just criticize the President and we just kind of turn our eyes while we are essentially forcing people to risk their lives in a war that we are not willing to declare, people will not hold us accountable. I have seen that tendency throughout my 21 years in elected service, when a tough vote is on the table, when something is hard and complicated—and this certainly is—if I can avoid it, well, I would like to avoid it, but that is so disrespectful to the oath we took, where we pledged to live up to the laws, including article 1 responsibilities of Congress. It is so disrespectful to the volunteer military deployed overseas, risking their lives, and the families of those who have already lost their lives.

After all, what is our fear of a tough vote, in the grand scheme of things, as against the sacrifice our troops are making overseas? Now, that is something that is really hard. Having to cast a tough vote is not that hard. It is not that hard. We can do this. We can do this.

The only action that has been taken since this war started 18 months ago was on a bill I introduced, an authorization for military force against ISIL. I introduced it in September of 2014, 1 month after the war started. It got a 10-to-8 vote in the Senate Foreign Relations Committee. Sadly, it was a partisan vote. It was right at the end of the previous Congress and expired with no action. A number of those who voted against it said: Look, the majority is about to change. Why do this now with 2 weeks left in the session? When the majority changes, we can take it up. Some said the President hasn't even sent a draft authorization yet. It is premature to do it.

Now we have the President's draft authorization. We have had it for 11 months and done nothing. Now we have seen—and there can be no doubt at this point—the evil nature of this threat we face and the expanding and complicating nature of this threat we face. Now is the time, finally, for Congress to step up to our responsibility and do our job.

I have used a couple of literary references, so let me close with one. A great Irish poet—I am biased—William Butler Yeats, wrote a poem at the end of World War I. He surveyed the wreckage of World War I, about 100 years ago.

In a lot of historians' views, World War I was kind of one of the most needless wars in some ways. It was unclear what it was about, but what it was really about was decaying monarchies that wouldn't change. Instead of changing, they let a terrorist action in the assassination of a nobleman—a leader in the Balkans—trigger the start of World War I. It was mechanized slaughter, and millions lost their

lives. The United States came in and played a very important role, and at the end of the day, they were the peacemaker who had to come in to resolve it.

Yeats wrote a poem after World War I surveying this wreckage of these societies. It is called "The Second Coming." He expressed a real concern about the state of society at the time because what he noticed at that time was that "the best lack all conviction and the worst are filled with passionate intensity."

We have an enemy, ISIL, and I think we can all agree that they are filled with a passionate intensity. They are the worst in their human rights violations, their atrocities, and their complete disrespect for human life. They are the worst. They are the enemy. We should be debating about them.

The best lack all conviction. We are the best Nation in the world. I firmly and deeply believe that. I have believed it every day of the 58 years that I have been alive. We are the best. We have the best system of government in the world. While that system of government is often described as three coequal branches, there is a reason they put the legislative branch in article I, the executive in article II, and the judiciary in article III. This is the first among the coequal branches because we are direct representatives of the people. That is how it was structured so that we would be the best of the best—the best branch in the best government in the best Nation in the history of the world.

Do we lack all conviction? If we are willing to call refugees fleeing from violence our enemies but we are afraid to take up a debate about whether ISIL is an enemy to support our troops in harm's way—that is the question I am asking today. I know we are the best. Where is our conviction?

So I ask my colleagues, in connection with this bill, let's keep the title to it. Let's secure America against foreign enemies. Let's secure America against ISIL. But let's not turn our backs on the victims of the worst humanitarian crisis since World War II.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The majority whip.

Mr. CORNYN. Mr. President, I am glad I happened to come to the floor when the Senator from Virginia was speaking on this topic. I didn't come to speak on the topic, but I know how passionately he feels about it. I find myself agreeing with much of what he has to say about what our military deserves in terms of the support not only of the President but also of the Congress and thus, through Congress, the American people. Whenever we send our troops into harm's way, our men and women in uniform deserve to know they have the unified support of the U.S. Government and hopefully the American people.

I wish to tell my friend from Virginia, who has been on this topic for some time, that I think there are some practical impediments to what the Senator is suggesting, and maybe we can find a way to work together to address them.

First of all, there is the question of what is the strategy. I think Congress is reluctant to issue an additional authorization for the use of military force until we know what the President's strategy is, not just in Syria, in Iraq, but also with the travel and the movement of people back and forth from those war-torn countries to the United States or to other parts of the world, including the visa waiver countries—the 38 of them—people who can travel freely from that area to those visa waiver countries and then come to the United States. The third part of it, which we have been addressing and which the FBI Director has brought to our attention on the Senate Judiciary Committee, has to do with radicalization of people back here at home through the use of social media or the Internet. I would say to my friend that this is a serious problem, and I find myself in sympathy with what he is trying to do. But, again, the practical problem is the absence of a real strategy.

I fear that with 1 year left for this President in office, one of the goals of some of the proponents—I am not casting aspersions; I am just saying I am concerned about this—one of the goals would be to issue an authorization for the use of military force that would actually tie the hands of future Presidents, because apparently this President thinks he has all the authority he needs. It is true, they just got a draft that they have sent over here for us to consider, but the President seems—at least to me—to be suggesting by his actions and most of what he is doing that he thinks he has all the authority he needs.

So I want to say to my friend that I don't doubt your sincerity, and I admire the point you are trying to make, but I do see those as practical problems: the absence of a strategy from the Commander in Chief and the proposal—one of the proposals; I think it came out of the Foreign Relations Committee—that would actually limit the options available to the next Commander in Chief were this to be passed. But those aren't insurmountable problems; those are things that, once identified, we can focus on and work a little bit more.

I thank the Senator for his continued advocacy on this issue, and I admire his determination to see this through to a good conclusion.

Mr. President, what I came to the floor to talk about is a bill we are going to be voting on this afternoon called the American Security Against Foreign Enemies Act and also called the American SAFE Act.

I wish he was still here. I know he just left, but I want to make one point on the chart the Senator from Virginia had where he suggested that some assert refugees are the enemy. That is not true. That is the opposite of true. The American people are the most generous people in the world when it comes to admitting refugees and naturalizing new American citizens. In the past few years—if my memory serves me correctly, we naturalize between 800,000 and 1 million new citizens a year. America is the most open, welcoming country in the world because we recognize this is a source of our great strength. The brains, the ambition, and the hard work that go together with people who are unhappy with their current circumstance and who are looking to live the American dream and what they have to do in order to come here to America to be a part of that through a legal system of immigration I think is something to be applauded and celebrated.

But this bill is about something else. This is about our national security. This is not an anti-refugee bill. That is immediately where the President went and where some of the other folks on the President's side of the aisle went, was suggesting that somehow, by being concerned about our own national security, we were somehow anti-refugee. That is demonstrably false. All we are asking for and all this legislation provides for—passed by a bipartisan vote of the House of Representatives—is to enhance the screening of refugees so that this system cannot be exploited by terrorists—a tactic ISIS has encouraged. Our adversaries, particularly the Islamic State, recognize the fact that they can't exploit our system to advance their cause, which is to kill innocent men, women, and children in this country.

This legislation doesn't close the door to refugees or go back on America's great traditions and who we are as a people. All it does is add safeguards to our refugee admissions process and updates it in light of the threats we currently face.

The distinguished Presiding Officer was probably in the same hearings I was in or the briefings with Jeh Johnson, the Director of Homeland Security, who said that following some of these threats, the administration unilaterally enhanced some of their screening mechanisms. I applaud them for that. That is important to do. But they can't sit here and tell us with all seriousness that Congress can't weigh in or we can't have a debate and we can't have an amendment process on legislation which is designed to do what they themselves said they are trying to accomplish, which is to protect public safety by enhancing some of the screening process.

All we are trying to do—and it is not a small thing; it is our No. 1 responsibility as part of the Federal Government—is protect our national security. Our chief goal in this legislation is pretty simple. It is to make sure we are doing everything we can to prevent terrorists from entering the country.

Why would our friends across the aisle want to filibuster this legislation by voting no this afternoon at 2:30 and deny us an opportunity to actually debate the legislation? Under the rules of the Senate, they are free to offer suggestions, by way of amendment, about how we can improve the legislation. I have heard a number of them, including from the ranking member of the Senate Intelligence Committee, Senator FEINSTEIN, among others, who said that what she would like to see us do is to beef up our protections to prevent people from exploiting the visa waiver system and coming into the United States without going through an adequate screening mechanism. I think there would be a lot of support on this side of the aisle and on a bipartisan basis to modify this legislation to include some of her ideas. At least we ought to have that debate. We shouldn't shut it down by a filibuster on the other side.

This bill would ensure that the FBI and other national security intelligence agencies have actually certified to the security of the refugee screening program. It is called accountability—something that people don't think we have enough of here in Washington, DC. Something bad happens, and there is some nameless, faceless bureaucrat who is blamed. What this would do is put the responsibility and accountability where it belongs.

There is no doubt that we live in turbulent times. Our national security experts tell us that they have never seen a more diverse, a more complex array of threats around the world. Our Refugee Admissions Program should be examined and updated to respond to those threats, and that is what this legislation attempts to do.

Unfortunately, we don't have to look very far to see examples of why this legislation is necessary. Earlier this year in Houston, a man born in Iraq entered the country as a refugee and was later charged with providing material support to ISIS. That is one example. I am sure it is not the only example of why this legislation is important. We are still learning more about that particular case, but what we already know is alarming.

According to media reports, he was associated with members and sympathizers of ISIS. We know that investigators found an ISIS flag at his home in Houston, TX. Just last week it was reported that his plans included setting off bombs at two popular malls in Houston, TX. Houston is one of our most populous metropolitan areas—

certainly in Texas—in the country. Can you imagine what kind of carnage two bombs going off at shopping malls could wreak? According to reports, this individual was communicating with another man, also born in Iraq, who entered the United States in 2012 as a refugee and who had ties to terrorist groups and fought twice in Syria and allegedly was trying to go back to Syria to fight alongside Islamic militants. This individual was communicating with another person with terrorist ties, and it certainly should raise all of our suspicion and concern.

Both of those men were refugees from Iraq. That doesn't mean the refugee program should be dismantled or abandoned entirely. What it should tell us is that we better be darned sure that whoever comes in through the refugee system has been adequately vetted to protect innocent potential victims here in the United States. Fortunately, in this instance, our law enforcement officers acted effectively and quickly to prevent a tragedy, but they can't be right 100 percent of the time. If they are right only 99 percent of the time and innocent people are hurt or killed, if we don't do everything in our power to stop it, then I think we are partially responsible. This is not a theoretical problem, and Congress has the opportunity to act to try to enhance public safety. So knowing all of this, it is baffling to hear the discussion among our Democratic colleagues that they may not even allow us to get on the bill this afternoon.

I have seen some news reports suggesting that the Democratic leader is saying: Well, if there is some sort of an amendment process that could be agreed to, then maybe they would allow us to do that. I would encourage those discussions to go forward, but we shouldn't just say: Well, you get three or four amendments on your side and we get four or five on our side. We ought to invite and welcome all constructive legislation to make this as good as it can be. We don't need a backroom deal to do that. We need to bring it to the floor and allow an open amendment process under the rules of the Senate.

This is a debate worth having, and this is one our constituents deserve to hear. I hope the latest news reports are some reason for encouragement that our Democratic colleagues are going to allow us to get on the legislation. Again, this is not a partisan issue—or it shouldn't be.

Last fall several Obama administration officials testified about their concerns about radicalized individuals and what threat they could pose, as a refugee, if they gain entry into the United States. Homeland Security Secretary Jeh Johnson testified before the Senate and House Homeland Security Committees and said: "I am concerned that we do the proper security vetting for refu-

gees we bring into the country." I agree with him. That is what this legislation addresses.

Madam President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. CORNYN. He went on to say: "It is true that we are not going to know a whole lot of the Syrians that come forth in this process, just given the nature of the situation." That is understandable. Syria has been engaged in a civil war over the last few years, and it is hard to imagine that we know a lot about those who want to come here as refugees. It doesn't mean they shouldn't come here, but we do need to enhance the security screening and make sure we are confident that the ones who do come will not be a threat to the public.

The Director of the FBI also shared his concerns by saying: "We see a risk there." So if you have the FBI Director and the Secretary of the Department of Homeland Security saying there are risks and concerns about refugees coming from Syria to the United States, I would say we ought to listen to them.

I hope our colleagues across the aisle will reconsider their purported plans to block this legislation. We vote on it at 2:30 p.m., so there is plenty of time to talk more about it and have discussions about how there is maybe a path forward. If, in fact, there is ultimately a filibuster and our friends across the aisle decide to block the American SAFE Act—and, again, I hope they don't do that—I don't think we are doing our job or doing everything in our power to enhance the public safety.

With that, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, the year was 1939, the Nazis were in control of Germany, and Kristallnacht had occurred. It was the night of broken glass. It was the night when the Nazi storm troopers literally invaded the shops and homes of the Jewish citizens who were living in Germany. They harassed, beat, and killed them. It was pretty clear where this was headed.

The Nazis had targeted Jewish people and those Jewish people—innocent people—were going to be their victims. Some of them decided the only place to go was to leave Germany and to come to the United States of America. They boarded a ship called the *SS St. Louis* and set sail for the United States. First, they arrived in Havana, Cuba, seeking refuge to escape the Nazis. The Cubans turned them away. They next came to Miami, FL, and asked the United States of America if these 900 innocent Jewish citizens of Germany could seek refuge and become refugees in the United States. They were turned away. With no other alternative, they went back to Germany.

The Holocaust Museum in Washington, DC, kept track of what happened to those passengers on the SS *St. Louis*—those people seeking refuge in the United States. At least one-third of them died in the Holocaust, killed by the Nazis. At that time, Senator Robert Wagner of New York came to the floor and asked: Couldn't we—at least as a nation—agree to allow 10,000 Jewish children to come to safety in the United States to escape the Nazis in Germany? His efforts were stopped and defeated. Even these children who would be Jewish victims of Nazi oppression were rejected by the U.S. Senate. It was a sad moment in the history of this Chamber and a sad moment in the history of the United States.

After the war, we reflected on what had happened. We realized that this great, strong, and caring Nation had made a serious mistake. Innocent people had died because we rejected these Jewish refugees from Germany. Therefore, after World War II, the United States decided to take a different approach and show leadership to the world when it came to accepting refugees, and since then we have. There have been exceptions, but we have said that our country is open—as most civilized countries on Earth are open—to those who face oppression, suffering, death, and are in need of safety. We have established a process for this, and it isn't easy. Each year it becomes more and more difficult and more and more challenging.

If you are a refugee wanting to come to the United States, be prepared. It will take at least 1 year of investigation—and sometimes up to 4 years of an investigation—before you might be allowed to come to this country. We go through background checks, fingerprints, biometric measurements, and photographs. It is a lengthy, frustrating, and difficult process. For people who come to our shores from foreign countries, there is no higher standard than the standard we apply to those who seek refugee status. Each year about 70,000 refugees are accepted in the United States. There are many more who want that opportunity, but only 70,000 can clear this process.

We come to this debate on the floor of the U.S. Senate aware of what has happened in Syria. Over the course of the last few years, the war that has raged in Syria has claimed over 200,000 lives. Half of Syria's 23 million people have been forced out of their homes—half of them.

I have a friend in Chicago. He is an extraordinary man. His name is Dr. Mohammed Sahloul. He is a well-respected practicing doctor. He came to the United States as an immigrant and now has an established medical practice. His family is from Syria—the Bahamut section of Syria. Because he feels so strongly about the war that is killing these innocent people in Syria,

Dr. Mohammed Sahloul literally risks his life every few months to go to Syria and treat the victims of that war and violence. His wife Suzanne Sahloul works with the Syrian refugees who come to Chicago. The two of them have made a personal commitment to Syria, which was the birthplace of their parents. Dr. Sahloul returns from his visits to Syria and asks to meet me regularly, and I always say yes. As painful as it is, I sit there, as I did yesterday in a restaurant in downtown Chicago, as Dr. Sahloul shows me the photos on his iPad, one after the other, of the children he treated in Syria. These children are the victims of barrel bombs by President Assad and now of Russian bombing.

He goes to communities where people are literally starving to death—starving to death in the year 2016—in Syria. He shows me their emaciated bodies until I turn away and can't look at it anymore.

I say to my colleagues in the Senate who follow this debate and know what we are voting on—the Syrian crisis we face today, I would argue, is the most serious humanitarian crisis of our time. What is happening to these people is unimaginable.

A few months ago I joined several of my colleagues and we went to an island in Greece called Lesbos. This is the stopping point for the refugees. Once the Syrian refugees have gone through Turkey, they cross a span of 8 to 10 miles of the Aegean Sea in plastic rafts. They put more passengers in those rafts than should be in there because the smugglers are getting paid 1,000 to 2,000 euros, or about \$2,000-plus, for each of the refugees they can cram into these boats. They push them off from the shore in Turkey and point them toward the island of Lesbos. There are babies in those boats. The passengers wear lifejackets, which everyone is familiar with, but what do the babies wear? You can't put a baby in a lifejacket. Well, I saw what they wore. Many of them were wearing plastic water wings, the kind we put on our little kids when we put them in wading pools, and off they go into the Aegean Sea. Some of them don't make it. Some of them drown and die.

What would cause a family to pick up and risk their lives and spend \$2,000 per person to take this deadly journey? It is because they are desperate and need a place to be safe. It is that basic.

So the President has said the United States will accept some of these refugees. Ten thousand is the number he said. Of course, each one of them has to go through a lengthy background check and will be asked all these important questions before they are allowed to come into our country—10,000. We know there are millions displaced and we know that that number continues to grow. Isn't it ironic that 10,000—the same number Senator Wag-

ner of New York asked for when it came to Jewish children in Germany—is the same number the President has asked for when it comes to Syrian refugees.

Sadly for these refugees, and many others, they couldn't have picked a worse time to come to the United States of America because, frankly, we are engaged in a Presidential campaign where many strong statements have been made about these Syrian refugees. It is hard for me to think about what I saw on the island of Lesbos—these families with children—and to square that with the descriptions I have heard from those who have called them terrorists in training. It couldn't be further from the truth.

So this afternoon, at 2:30 p.m. on the Senate floor, we will be asked to vote on a measure relative to the Syrian refugees. Let's call it for what it is. This is an effort to stop any Syrian refugee from coming to the United States regardless of whether it is a mother and a child because what it says is that before they can come to the United States, you have to have the personal signature and personal certification of the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of the Bureau of National Intelligence. It is physically impossible to ask the director of the FBI, who has the responsibility of monitoring FBI activities all across the Nation and around the world, to literally sit down and sign 100 personal certifications a day which would bring us to this goal.

This legislation is not designed to make us safer. It is designed to stop Syrian refugees from coming to the United States. I know we are living in a dangerous time in this world. I want us to do everything thoughtfully and sensibly and everything possible to protect the American people from any possibility of terrorism.

I still remember well when I was a Member of this body on September 11, 2001, and what America endured. I have not forgotten. I read, as all of us do, about terrorism in the United States and what it does to innocent people in San Bernardino and in many other places. But to exclude Syrian and Iraqi refugees and to say that we are not going to allow any of them to come in or put them through a standard of proof that we know makes it next to impossible is unfair and inconsistent with the values of the United States.

I made a point of meeting these Syrian refugees and their families who have made it here. I have invited my Governor in my State of Illinois and my colleagues to do the same: Get beyond the screaming rhetoric of the Presidential campaign and sit down and listen to their stories. They will realize that these are people who are desperate, who are looking for just an opportunity to be safe.

Yesterday, a number of them came to my office. Othman Al Ani, originally from Baghdad in Iraq, arrived in the United States in the year 2013. How long did it take him to clear the background check as a refugee? Four years—it took 4 years. He now works as a caseworker for the Iraqi Mutual Aid Society.

I met Wadad Elalzy and her mother, Mrs. Elalzy. In 2012, Wadad's father was killed by a sniper as he came home from work in Syria. The family moved out of the city for fear they would be the next victims. They went to Damascus, and then they waited, literally for over a year and a half, to go through the clearance.

Wadad is now a freshman in high school in the city of Chicago. She is a sweet, young girl who has seen more tragedy in her life than any of us would ever want to see. She and her mom want to make a life here, and she knows it is up to her to get a good education to make sure she can make that happen.

Mariela Shaker—an incredible story of a young girl who was growing up in the Homs section of Syria, whose parents were afraid that she was going to die from a bombing that was taking place. She applied and was accepted to go to a downstate college in Illinois, Monmouth College. She is a master violinist, a prodigy. She completed her degree there and now is at DePaul University working on a master's degree in music—an amazing young woman. A terrorist? No, just a young woman looking for safety and a future.

The stories go on and on. When I hear the statements made on the floor about potential terrorists, I think to myself: They haven't met these families, they haven't heard their stories, and if they did, they might reconsider.

I am opposed to this bill that came over from the House. I think this personal certification by the head of the FBI, certifying every single person, and a certification by the Director of National Intelligence and the Secretary of Homeland Security are just being put in the path of these people to slow them down and stop them again and again and again.

What we have said, not out of compassion but out of commonsense, is let's address the things that will make America safer. Instead of zeroing in on a handful of Syrian refugees who are no threat to the United States, let's look to those things that actually are a threat. Let me give an example. Do my colleagues believe that a person whose name is on the no-fly list, the terrorist suspect list, should be allowed to buy a firearm?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DURBIN. Madam President, I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Do my colleagues believe that a person who is on the terrorist watch list should be allowed to buy firearms in the United States? Do my colleagues believe that a person on the terrorist watch list should be allowed to buy explosives in the United States? How about dirty bomb components? I don't think there is any question about it. The answer the vast majority of Americans would give is no. That is one of our amendments.

Do my colleagues think we should put more resources into protecting the United States through the Department of Homeland Security and through law enforcement, even local law enforcement, and the FBI? I think so. That is another one of our amendments.

A third amendment is going to change the effort and zero in on what we consider to be gaps in the law that allow the possibility of foreign travelers to come to the United States and engage in violence and terrorism.

The fourth one is pretty controversial, but I think we need a vote in the Senate. There has been a proposal by one Republican Presidential candidate, for the first time in the history of the United States of America, to exclude any immigrant of a specific religion, and that religion, of course, is for those who are in adherence to the Muslim religion. We should have a vote on that. I think it is important for us to be on the record. Those are the amendments we would like to offer.

We said to Senator MCCONNELL: Bring up your Syrian refugee bill, if you wish, and give us these four votes. If you will give us these four votes—of course, you will want to offer some of your own amendments. Be our guest. But let's have a real debate about making America safe. Let's not just zero in on Syrian refugees. Let's zero in on ISIS, on terrorism, and on the real threat to the United States.

That is what we will decide between now and 2:30. Will Senator MCCONNELL, who has said over and over that he wants to open the Senate floor to an amendment process, allow our votes on these measures? If he will, we can engage in this debate. If he won't, then, frankly, there is going to be resistance to moving to this measure. I hope Senator MCCONNELL will join us and open this debate to a real sincere effort to stop the threat of terrorism in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise today to urge my colleagues to join me in passing the House bill to improve the Syrian refugee resettlement program and take at least a first really important step toward protecting Americans here at home with regard to this refugee and homeland security question. Frankly, I think we should be

going further, but given the gravity of the issue and the urgent need to address stated and documented shortfalls within the refugee program, I support passage of this bill as a start.

We can't just forget—ignore—the facts, and the fact is that those responsible, for instance, for the tragic attacks in Paris just a few short months ago took advantage of the influx of Syrian refugees into France, and at least one of them got in that way. If that isn't disturbing enough, we must also remember the fact that the majority of the 9/11 attackers were granted admission to the United States on temporary immigration status. There were holes and problems in that program. Clearly, we need to update and reform the current systems in place, and I assure my colleagues that I won't stop pressing for complete and adequate safeguards as the President continues to invite additional refugees onto American soil.

Voting in favor of the SAFE Act brings us one step closer to improving the security of our Nation. It would be a mistake to retreat to some sort of pre-9/11 posture or mindset. Eleven years ago, the "9/11 Commission Report" wrote that many of the vetting programs were "dysfunctional." They remain dysfunctional in far too many cases, and I am not willing to take on and continue the risk of that dysfunction. We need reforms. We need a far higher standard of safety and coordination.

Now, again, these are facts we need to look at. We have seen examples of the refugee situation and other situations directly impacting and threatening our security. What am I talking about?

Fact No. 1: On December 2 of last year, husband and wife Syed Farook and Tashfeen Malik attacked the Inland Regional Center in San Bernardino, and their coordinated attack inspired by ISIS caused the deaths of 14 people, and they wounded 21 others. As of now, it appears to be the most deadly terrorist attack on U.S. soil since 9/11.

Now, the wife, Tashfeen Malik, was not a U.S. citizen and was, in fact, in the United States on a visa related to her husband. Particularly troubling is the fact that the government didn't verify her address in Pakistan during the visa application process. There were reports that a full vetting was not completed, including checking for other possible signs that she had been radicalized or was a terrorist operative.

Fact No. 2: A recent FBI joint intelligence bulletin has confirmed that individuals resettled in the United States as refugees have already been arrested for willfully providing material support and resources to the Islamic State of Iraq and Syria, or ISIS. That is documented by an FBI report. Clearly, this program is a vulnerability.

Fact No. 3: The National Counterterrorism Center has identified individuals with ties to terrorists in Syria who attempted to enter the United States through the refugee program. Again, it has been verified that this is an entry point for possible terrorists.

Fact No. 4: The horrible and coordinated assault in Paris last fall, in the words of President Francois Hollande of France, was “planned in Syria, organized in Belgium, perpetrated on our soil with French complicity.” And a fact related to that is that at least one of those terrorists got in through the refugee resettlement program there.

Fact No. 5: FBI Director James Comey has testified that the Federal Government doesn’t have the ability to properly and fully vet 10,000 or more Syrian refugees. Recently, during a hearing before the House Committee on Homeland Security, he stated:

We can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing to show up because we have no record of them.

Fact No. 6: The “Reflections on the Tenth Anniversary of the 9/11 Commission Report,” released in 2014, states that “it is unclear whether the United States and its allies have sufficient resources in place to monitor foreign fighters’ activities in Syria (and neighboring Iraq) and to track their travel back to their home countries.”

Those are documented facts, which make perfectly clear what common sense should suggest. This refugee resettlement program is a vulnerability, and we need far better security to protect our homeland.

To do this, I have introduced a very strong bill to require a suspension of admissions of Syrian refugees until the Obama administration properly evaluates the protocols and procedures it has in place to relocate them here and to certify not just in the Department of Homeland Security and the Department of State but also with intelligence and law enforcement agencies that these procedures are adequate. My bill has seven cosponsors. I plan to continue to move it, hopefully, through an amendment process related to this bill so we can make sure we have proper, adequate reforms in place.

So that is today’s vote in simple, straightforward terms in terms of the real danger. We can’t properly vet all of these refugees right now. This is documented. This is from the experts. We need to put proper measures in place before we continue accepting this flood of refugees. We need to protect American families, secure our borders, and keep out all terrorists. Voting for the SAFE Act and voting to put it on the floor and engaging in this debate is an important first step in doing that. For that reason, I urge a positive vote

to put this important measure on the floor and to pass it.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PETERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. PETERS. Madam President, last week I was proud to host Hassan Jabber as my guest at the State of the Union Address. He is the director of the Arab Community Center for Economic and Social Services, founded in 1971 in Dearborn, MI. ACCESS is the largest Arab American human services nonprofit in the United States, providing health and wellness, education, employment, and youth services in its local communities, including support for refugees settling in America.

Hassan is a community leader and just one example of the many individuals who make up Michigan’s vibrant Arab American community, including some of the most patriotic people I know whose contributions to our culture and economy are invaluable.

That is why I am so concerned about the legislation we will be debating later today, which would impose significant barriers on our efforts to assist refugees fleeing violence and persecution in Iraq and Syria. I am a member of the Senate Homeland Security and Governmental Affairs Committee. Last November we held a hearing on refugee resettlement. We heard about the strict security checks involved in the Refugee Admissions Program, which could take 18 to 24 months.

The Refugee Admissions Program subjects refugees to the highest level of security checks of any category of traveler coming into the United States. They are screened by the National Counterterrorism Center, the FBI, the Department of Homeland Security, and the Department of Defense, as well as other agencies. Refugees considered for resettlement to the United States are subjected to biometric and biographic checks, as well as a lengthy in-person interview, all of which are conducted while the refugees are overseas, outside of the United States. Refugees are even required to repay loans to the International Organization for Migration to cover the cost of transportation and medical screening.

At the same hearing last November, we also heard how the Refugee Admissions Program prioritizes the most vulnerable refugees, including widows with children, victims of torture and trauma, persecuted religious minorities, and those who face death threats if they return home. These cases are

our country’s top priority for resettlement. I saw this for myself at the end of last year when I had an opportunity to travel to the Middle East with Senator MURPHY and meet members of this vulnerable population. Visiting the Zaatari Refugee Camp in Jordan, I saw the scale of the crisis that the world faces.

Talking to just some of the over 80,000 refugees at that camp, who are only a small fraction of the 11.6 million people who have been displaced from their homes over the past 4½ years during the brutal civil war in Syria, it was clear that none of those refugees were there by choice. Before anything else, they just wanted to return home.

In the end, however, returning home is not something that is going to happen. They are not going to be able to return to the life they had before. They certainly did not want to have the very dangerous journey to escape violence and security by going far away. Unfortunately, the possibility of their safe return is unlikely at any time in the near future. They struggle to survive every day, and they persevere. Many have been vetted by the United Nations as people who are qualified to resettle as refugees in countries like ours because they simply can’t return home.

The refugees I met are struggling to live on 50 cents a day to buy food and have only one propane bottle to provide cooking fuel for an entire month. Unfortunately, most of that aid is slated to end in the next couple of months. The people in the camps live on the edge of having nothing, and they rely on humanitarian aid to get by on a day-to-day basis. They are thankful, but in the end they are living in limbo, waiting and hoping for an interview with a U.S. official.

Today, at the Homeland Security and Governmental Affairs Committee hearing we focused on ISIS’s goals and ideology. We heard from experts that the United States should continue to welcome refugees. Proposals to block refugees based on their religious beliefs plays into the narrative that the United States and Muslims across the globe are in direct conflict. We heard that those who have left ISIS territory describe it as “a living hell,” and if we do not accept refugees, it harms our standing in the world and actually will weaken our national security.

The safety and security of the American people is always my top priority, but policies which alienate and divide, targeted at victims of terror and violence, do not support that mission. I am hopeful that this body will focus our efforts on the very real threat posed by terrorism and extremism, not on imposing unnecessary barriers that will prevent us from assisting the victims fleeing violence. I hope that we can stay true to the American values that make our country great.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUR "WE THE PEOPLE" DEMOCRACY

Mr. MERKLEY. Madam President, I rise today to kick off a series of speeches where I will come to the floor on a regular basis to address issues affecting Americans and propose ways to solve the challenges we face. These speeches will cover a variety of topics, but they will all link back to the fundamental theme of our "we the people" democracy.

In the summer of 1787, a group came together of patriots, farmers, and scholars. They gathered in Philadelphia, and after 4 months of fierce debate and enduring compromise, they agreed to a set of ideas and a system of governance. They signed their names to a document, our Constitution, which has guided our Nation's progress for over two centuries. They began that Constitution, that key document, with three simple words on parchment—"we the people"—and with that they launched our experience in democratic governance.

The Founders wrote this phrase in beautiful script, 10 times the size of the rest of the document, as if to say this is what it is all about, this is what America will be about—governance for "we the people."

They did not say at the start of this document "we the titans of industry." They did not say "we the titans of commerce." They did not say "we the rich and powerful." They said "we the people." As President Lincoln summarized, the genius of our governance is that it is of the people, by the people, and for the people.

With this guiding light America has been a great nation. Because of our "we the people" principle, we insisted on a better, fairer, and freer nation for all citizens—because we the people demanded that all Americans deserve a chance to pursue their full measure of happiness, because we the people never stopped reaching for greater prosperity and growth to the benefit of all.

In order to address the challenges of our times, we must recapture this "we the people" spirit. We must set aside politics in favor of progress. We must reform a broken system that favors the interests of the wealthy and well-connected over the interests of the American people. That is the framework, the theme that my regular floor speeches will be about.

In this Senate Chamber our priority should be to build an economy and a

government that works for working people, and, as Hubert Humphrey argued, a government that delivers for those "in the dawn of life . . . in the twilight of life . . . and those in the shadows of life."

We all know that our success is not measured by a soaring stock market. America is succeeding when a mom can earn enough not to worry about where her kids' next meal is coming from; when schools nurture the mind, the character, and the creative spirit of every child; when college is affordable to every family; when each individual in our Nation has peace of mind through access to quality and affordable health care; when no American who works full time lives in poverty; and when our economy creates good-paying jobs for American workers here in America rather than shipping those jobs overseas. To achieve these ends we have a lot of work to do.

We had after World War II three golden decades from 1945 to 1975. The middle class gained enormously in size and prosperity. During that period the bottom 90 percent received approximately 70 percent of all income growth. From 1975 until now, 2015, we have had four decades in which working Americans' experience has been flat or declining. What a difference that is from the three golden decades where workers fully shared in the prosperity they helped to create—the last four decades when they have not shared and gained over those decades. They received close to zero percent of all income growth. To put it differently, 100 percent of the growth went to the top 10 percent of Americans. We know that our families and our economy will never reach their full potential if growth benefits only those at the very top, if the growth is at best trickled down, coming from the top down, and not from the middle out.

So let's commit to changing the direction we are on, to recreating an economy more similar to those three golden decades after 1945, after the end of World War II, putting people back to work rebuilding America's roads and crumbling bridges, raising the minimum wage so that anyone who works hard can make ends meet, and keeping a cop on the beat to block predatory schemes preying on the middle class.

We have a lot to do to tackle the greatest challenge facing human civilization: saving our planet from the ravages of climate change. Today it was announced, as anticipated, that the final results are in and 2015 is the warmest year on record. This warmth and the changing weather is having profound consequences on our forestry, on our farming, and on our fishing. All of these are manifested in my home State of Oregon and virtually every State represented in this Chamber.

We have to have a "we the people" movement to take on the oil and the coal billionaires, cut carbon pollution,

and pivot rapidly to a clean energy economy. We certainly have a lot of work to do to make sure that folks who work hard all their lives can achieve a dignified and secure retirement as we watch the pensions in the private workplace melt away, slipping through our hands. We must set our children up for success and expand the promise of education, ensuring that our schools meet the demands of a new age and that all students can attend college without the fear of crushing debt.

To achieve these things through legislation is certainly possible. We can envision the pathway for each and every one of these objectives, but we cannot do it if this Chamber is essentially owned by the titans of commerce and industry. That, unfortunately, is what happened in 1976 when the Supreme Court under Buckley v. Valeo said that individuals can spend unlimited sums in the public marketplace and can do so even if they are drowning out the voices of the rest of America. Certainly a situation in which the 1 percent can drown out the voices of the 99 percent is not a "we the people" democracy; it is the opposite. It is a "we the titans" democracy. It is decisions made by and for the very best off, not decisions by and for the people of the United States of America.

This misguided 1976 decision sits right at that pivot point between the three golden decades from 1945 to 1975 and the last four decades of failed economic policy with workers' outcomes being flat or declining. This decision was doubled down on the Supreme Court just a few years ago in the Citizens United decision, which said that not only individuals but corporations would be treated the same. They could use their combined assets even if they had never disclosed to the owners of the corporation, the stockholders, how they intended to spend funds, putting billions of dollars in play with a few people sitting in a boardroom, completely shielded from any public witness.

That is why we have to change campaign finance as a way to reclaim our "we the people" democracy, to reclaim our Constitution, to fend off the titans who are insisting on grabbing everything for the few and not for the benefit of the public, the 90 percent.

We have to continue to look for ways to restore hope for our working families and ensure opportunity for each, to protect the middle class, to empower the middle class against forces that are threatening to overwhelm them, and to build an economy where everyone is sharing in the economic prosperity they are helping to create.

The bottom line is that we have to make a choice about the kind of country we want to live in. I don't choose a country in which the rules are made by and for the very few at the top. I choose a country embedded in the first

three words of our Constitution, where decisions are made by and for the people of our Nation. I choose a country that honors these Founding principles, that comes together to tackle the big challenges, that works not for the 1 percent or the 10 percent but for the 100 percent of Americans. Let us reclaim our “we the people” democracy, our “we the people” vision, and set our Nation back on track.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. LANKFORD. Madam President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. COATS).

AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 4038, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 300, H.R. 4038, a bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided between the two leaders or their designees.

Mr. LEAHY. Mr. President, it is unfortunate that the fear and xenophobia being peddled by some Republican candidates for President is now being given time on the Senate floor.

Instead of solving the real problems facing Americans—like the student debt crisis or our need for energy independence—or responding to real threats to our national security—like our failure to track visa overstays or prevent terrorists from buying guns—today we are debating a strawman inspired by Donald Trump’s baseless rhetoric.

The bill the Republican leader is asking us to consider will not make America safer. In fact, it is a dangerous distraction that plays into the hands of the ISIS propaganda machine.

Instead of demonizing refugees, who are the most thoroughly screened

group of people who enter the United States, we should take up and pass the Defeat ISIS and Protect and Secure the United States Act of 2015. That bill offers a comprehensive strategy to counter ISIS propaganda and violent extremism in the United States and abroad. It offers real solutions that will keep us safe rather than scapegoating refugees who are fleeing war and torture.

In contrast, the bill we are asked to consider has put forward fresh fodder for the false narrative that we are at war with Islam.

I will oppose this House bill.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent that the quorum call be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar No. 300, H.R. 4038, an act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

Mitch McConnell, Rob Portman, John Thune, Tom Cotton, Steve Daines, James M. Inhofe, Mike Crapo, Thom Tillis, Roger F. Wicker, Lindsey Graham, Pat Roberts, John Cornyn, Shelley Moore Capito, John Boozman, Michael B. Enzi, James E. Risch, John McCain.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 300, H.R. 4038, an act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—55

Alexander	Fischer	Paul
Ayotte	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shelby
Corker	Kirk	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—43

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	McCaskill	Udall
Casey	Menendez	Warner
Coons	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—2

Graham Sanders

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 43.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY—VETO—Continued

Mr. MCCONNELL. Mr. President, I call for regular order with respect to the veto message on S.J. Res. 22.

The PRESIDING OFFICER. The veto message is the pending business.

The Senate proceeded to reconsider the joint resolution.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the veto message.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the veto message on S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

Mitch McConnell, Tom Cotton, John Thune, Johnny Isakson, Steve Daines, Roy Blunt, Cory Gardner, Deb Fischer, Pat Roberts, Thom Tillis, John Cornyn, Joni Ernst, David Vitter, Lamar Alexander, John Barrasso, Ron Johnson, Thad Cochran.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, this cloture vote be set at 10:30 a.m. on Thursday, January 21; further, that if cloture is not invoked, the veto message be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, 6 months ago, world powers reached an agreement to constrain Iran's nuclear program and to give us a path forward toward constraining Iran's nuclear ambitions. While the international community has taken some positive steps to implement this agreement and to limit Iran's nuclear program and while Iran has recently taken positive steps to observe and to implement this agreement, we must do much more to strictly enforce this deal and aggressively push back on Iran's bad behavior outside the deal's parameters. If we don't, this nuclear agreement may not survive into next year.

This past weekend was an eventful one for U.S. foreign policy and, in particular, for U.S. policy toward Iran. Saturday marked implementation day of this nuclear deal, also known as the Joint Comprehensive Plan of Action, or JCPOA.

Implementation day is important because it means that the International Atomic Energy Agency, or the IAEA, has certified that Iran has completed a whole series of tasks required as part of the nuclear agreement. The four most important of those tasks are these:

First, it has shipped 12 tons of enriched uranium—nearly its entire stockpile, which took Iran a decade to amass—out of the country to a secure facility supervised by the IAEA around the clock.

Second, it means Iran has reduced the number of its functioning centrifuges—centrifuges it uses to enrich uranium—by nearly two-thirds, or from roughly 19,000 to a little more than 6,000, and it has accepted long-term limits on developing, testing, and deploying new centrifuges.

Third, it means that Iran has presented the IAEA with unprecedented 24/7 access to monitor all of its nuclear-related facilities. That is not only enrichment facilities. That is uranium mines, uranium mills, and centrifuge production facilities—every known and declared site within Iran connected to its nuclear program. This level of access far exceeds previous IAEA authorities in countries suspected of trying to develop a nuclear weapon.

Fourth—and to me, in ways most importantly—Iran has filled the core of its Arak heavy water reactor, pictured here, with concrete, permanently disabling the most likely short-term path that Iran had to producing weapons-grade plutonium. Had Iran proceeded and had Iran been able to produce significant quantities of weapons-grade plutonium, our ability to intervene and to prevent their march toward a nuclear weapon would have been significantly harder.

Plutonium is one of the most lethal toxic substances known to man, and any attack on a heavy water reactor producing plutonium would have had horrible consequences, not just in Iran but throughout the entire region. So blocking Iran's short-term pathway through uranium enrichment and through plutonium enrichment is a significant step forward and does reflect significant restraints on Iran's nuclear weapons program.

As a result of the conditions on this deal that I just referenced, the time it would take Tehran to break out and to dash toward a nuclear weapon, to amass all of the fissile material needed for a bomb has been extended significantly from just 2 months to 3 months to a year or more. But these positive developments come with substantial risks, principally among them is the tens of billions of dollars in sanctions relief that Iran will now receive for complying with the terms of the deal. Tens of billions of dollars of Iranian assets, which have long been frozen in bank accounts around the world through an American-led international sanctions effort will now be released.

That is why America and our international partners must continue to aggressively enforce the terms of the deal and to make sure that Iran remains in compliance with every aspect of the JCPOA. Our work in this area is more

urgent and more difficult than it has been at any point before. We can be confident that in the coming months and years the Iranians will test the boundaries of the deal and will probe our every response. Indeed, they already have.

If we fail to respond more swiftly and more vigorously to these Iranian provocations, Iran will nibble away at the deal's restrictions and gradually undermine the international coalition that put it together. Every minor violation that we permit, every violation that we tolerate damages our credibility and gives Iran tacit permission to continue its breaches of the agreement.

Given this stark, difficult reality, our efforts to deter Iranian aggression must not be limited to just enforcing the nuclear deal, or the JCPOA. Rather, our efforts must be part of a coherent, unified regional strategy to contain Iran and to push back on its bad behavior in the Middle East, a task made even more difficult because of its newfound access to assets previously frozen. That comprehensive effort to counter and contain Iran must include a willingness to take unilateral action by imposing new sanctions on Iran for destabilizing actions, both inside and outside the parameters of the nuclear agreement.

That brings me to the second important development of this past weekend—the designation of additional sanctions to punish Iran for its ballistic missile tests. Last fall, in clear violation of the United Nations Security Council Resolution 1929, Iran conducted two ballistic missile tests: one on October 10 and one on November 21. Since then, I and many of my colleagues have been calling on the Obama administration to punish Iran for these disruptive, dangerous, and blatantly illegal actions. Over the weekend, the administration took action by designating for sanctions 11 additional individuals and business entities involved in supporting Iran's ballistic missile program. These sanctions follow a series of steps previously taken by the Treasury Department last fall to sanction other Iranians, other Iranian-linked individuals and organizations for a litany of other dangerous and illegal activities: supporting Hezbollah officials and agents who threaten our vital ally, Israel; supplying financial and material aid to the Houthi rebels in Yemen; providing military support for the murderous Assad regime in Syria; and the list goes on. It is important for all of us, on a bipartisan basis, to remind our allies throughout the world that American-led sanctions against Iran—for its human rights violations, for its ballistic missile program, for its support of terrorism—remain in effect and will be vigorously enforced.

From conducting these missile tests to supporting terrorism, to continuing

to deny the very existence of some basic human rights, Iran has shown time and again it will continue to flout international rules and values. The United States must continue to maintain its unilateral sanctions in these areas, and we must not hesitate to use these authorities—not just to punish Iran for its immediate bad behavior but to send a clear signal to our allies in the region, throughout the world, and to Tehran that we are serious about holding Iran accountable.

Of course, implementation day and the imposition of sanctions and sanction designations for Iran's illegal ballistic missile tests weren't the only significant developments of the new year. We also learned this weekend that America would soon be able to welcome home five innocent Americans long held unlawfully by Iran. These Americans should never have been held in the first place and their release was long overdue. The negotiations to release these five Americans occurred outside the parameters of the JCPOA.

While we are grateful for their safe return, this release also raises some serious questions. We still don't know the status of retired FBI agent Robert Levinson or his whereabouts. We don't know the status of Siamak Namazi, an Iranian-American energy industry executive arrested in October. It is my hope there are equally ceaseless efforts by the administration to bring them home.

We have to ask: What did we give up? What were the terms of the agreement? How did we make possible this release? A key part that is public is that while none of the 7 Iranians released were convicted of violence, they were nonetheless convicted of criminal acts, and 14 Iranians who may have been convicted had the charges against them dropped. The question we are going to have to pursue is, What precedent did these prisoner swaps set for our future interactions with the Iranian regime? It is my hope that we are at the end of prisoner deals with the Iranian regime.

We must remember, though, that despite the limits imposed by the JCPOA, Iran continues to destabilize the Middle East and undermine America's goals for the region. Iran's behavior since the JCPOA was signed has made it crystal clear that Iran is neither America's friend nor ally. We must remain suspicious and distrustful of the Iranian regime.

In addition to its ballistic missile test I referenced before, the Iranian Revolutionary Guard has conducted dangerous military operations near U.S. ships, most recently threatening the safety of American sailors by conducting a live-fire exercise barely a mile from the aircraft carrier, the USS *Harry S. Truman*.

Iran also detained American sailors in the Arabian Gulf last week, and it did not treat them in a manner con-

sistent with naval forces rendering assistance at sea. While I am pleased our sailors were released safely, Iran did use the images of those sailors for propaganda purposes in an attempt to send a signal to the world about its capacity to sow chaos in the region. We must not turn a blind eye to provocations of Iran in the open seas of the Persian Gulf and throughout the region. I call on the administration and on my colleagues to support significantly increased efforts at maritime interdictions in the gulf and throughout the broader region. We should conduct more joint military exercises with our valued allies and partners in the region to make it clear to Iran that we will continue to pursue our interests, and we will counter Iran's malign activities. Again, to remain distrustful of Iran and push back on the regional ambitions I think is the only path toward a safer, stronger Middle East and an American presence as one of its regional leaders.

No one should mistake Tehran's compliance with the terms of the nuclear agreement for a broader willingness to respect human rights and engage with the international community in the rules-based order that we have helped lead since the Second World War. I have seen nothing to indicate that the regime in Tehran cares about the well-being of the Iranian people, much less the opinion of the world community. In October, for example, two Iranian poets each received 10-year sentences and 99 lashes for kissing members of the opposite sex and shaking their hands. That same month an Iranian award-winning filmmaker was sentenced to 6 years in prison and 200 lashes on the charge of insulting sanctities. The filmmaker was making a documentary about an Iranian artist, based in Europe, who had been accused of blasphemy.

Nearly two-thirds of the 12,000 candidates who applied to run in next month's parliamentary elections recently withdrew or were disqualified by Iran's Guardian Council. Iran's Supreme Leader said: "Americans have set their eyes covetously on elections, but the great and vigilant nation of Iran will act contrary to our enemies' will, whether it be in elections or on other issues, and as before we will punch them in the mouth." These are not the actions or the statements of a state that respects the rights of its people or seeks friendship with the United States in the near future.

Just 2 weeks ago I returned from a trip to Saudi Arabia, Turkey, Israel, and Austria. I am grateful to my colleague from New York, Senator GILLIBRAND, for organizing this trip, which included important meetings with nuclear inspectors from the IAEA. We met with their leadership headquartered in Vienna and had meetings with Israeli Prime Minister Benjamin Netanyahu, Minister of Defense

Ya'alon, and Turkish President Erdogan, as well as other vital regional leaders. The message my colleagues and I heard from these leaders was simple, powerful, and clear: America must reassure our allies that we will not waver in our commitment to push back on Iran, its nuclear program, and its destabilizing actions in the region. Our partners, our allies—and Iran—must know and believe through our words and our actions that we are serious about preserving the long-term stability of the Middle East and that Iran—a revolutionary regime—does not share our values or that goal.

As part of this effort, we must reassure, reaffirm, and strengthen our support for our vital ally, Israel. As the administration negotiates a new, long-term memorandum of understanding to provide Israel with the security assistance it needs to protect itself in the most dangerous neighborhood on Earth, we must insist that joint U.S. and Israeli strategic planning includes protection of Israel from threats it faces from neighboring instability in Syria. We must not allow Israel to be attacked by Iranian proxies, such as Hezbollah and Hamas. We must work closely with the Israelis to share intelligence and intercept any weapons shipments from Iran to its regional proxies.

If we fail to push back on Iran and enforce the terms of the nuclear deal, not only will the agreement collapse, but our efforts to show the world that diplomacy actually works will be dealt a dangerous blow as well.

In the weeks and months to come, I call on the administration to do more to push back on Iran, and I call on my colleagues—Republicans and Democrats alike—to come together, to be engaged, and to remain focused on enforcing the terms of this nuclear agreement, on containing Iran, and on deterring their bad behavior, their support for terrorism, their support for human rights violations, and their relentless effort to develop and advance ballistic missile capability.

As I said before on this floor, the Iranian Government has long paid close attention to everything America says and more closely to what America does. Never has it been more true than today. Never has it been more urgent than today. As the regime gains greater access to money and resources, we must not take our eye off of Iran.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Mr. President, as the Presiding Officer knows, throughout last year's session I would come to the Senate floor every week and talk about a waste of the week. That was in 2015. We did nearly 30 of those in the 30 weeks that the Senate was in session, maybe skipping one or two. It is 2016.

We are in a new year, and I am back for the 2016 version of "Waste of the Week."

The reason I am doing this is because I am trying to bring to the attention of my colleagues and the American people the fact that the government is not spending their hard-earned tax dollars in the most efficient and effective way that they could. By highlighting these various uses of expenditures in Washington and abuses of that spending, we alert them to the fact that there are significant savings that can be made.

In 2015, we totaled up to nearly \$130 billion of demonstrated examples of waste, fraud, and abuse—money that was spent for no purpose whatsoever or for a purpose that certainly didn't qualify for the use of taxpayer dollars and the abuse of that spending and the fraud that went along with it. This is just scratching the surface.

The Presiding Officer was very much a part of this and knows that since 2010 there has been a significant effort, much of it a bipartisan effort, to try to deal with the long-range plunge into evermore spending and evermore debt that is plaguing our country, holding down our ability to grow as an economy, and will have long-term negative consequences on our generation and particularly on future generations.

Whether it was Simpson-Bowles or Domenici-Rivlin or whether it was the Gang of 12, the Committee of 6 or the Vitter committee, many efforts were made to try to work with the administration to address the long-term problems. Eventually, each one of those failed. I am not here to impose blame on anyone. It would be easy to do. It is a very difficult problem working with the administration, and sometimes we have differences between our two parties here, but there was general recognition—universal recognition—that we couldn't continue down the same path of excessive spending, more than we received in revenues, year after year at a frightening pace to ever greater debt.

When this administration took office, the national debt—accumulated well over 200 years of the existence of this country—that debt has nearly doubled in the 8 years this administration has been in office and will virtually double before that term is up. It is unsustainable.

The Congressional Budget Office—a neutral agency that has nothing to do with Republicans or Democrats or politics. It simply gives us the numbers and the numbers tell the story. Those numbers are frightening when we look at the degree to which we continue to plunge into debt.

The Congressional Budget Office just released its latest report, which said coming deficits will be more than 20 percent larger than previously forecast—previously forecast, just last August. Depending on some of the actions

taken here in Congress regarding spending, the calculation has to be changed, and it is going to be 20 percent more than what they had projected just a few months ago. We are looking at trillion-dollar deficits on the horizon.

In my mind, here is the most startling of the 10 recommendations and notices to us: In 10 years, 99 percent of all revenue that comes in to the Federal Government—the cumulation of everyone's taxes and all the money that flows into Washington through user fees, excise fees, withholding taxes from our paycheck, the taxes we pay either every April or quarterly taxes, every tax out there accumulating, 99 percent will go to mandatory spending and net interest spending.

If you are for a stronger defense, if you are for better research at the National Institutes of Health, if you are for funding the Centers for Disease Control and Prevention, if your interest is education, social welfare, if you are looking at any of the hundreds, if not thousands, of programs that various interests have here, if 99 percent of the revenues coming in are going to things we have no control over—mandatory spending, which is Social Security, Medicare, Medicaid—essentially only 1 percent is left to divide up among everything else the Federal Government does; that is, building roads, fixing bridges, grants to cities, environmental interests, on and on we could go. If 99 percent is going to spending what we can't control—simply paying interest on the debt and covering the entitlement spending of Social Security, Medicare, and Medicaid—it is unsustainable. Those efforts have failed. It is a pox on all of our houses. We tried mightily and had no ability to bring it to conclusion.

That has been kind of pushed off the table. We didn't talk about that much in the last year of this Congress. The focus was on other issues. But this looming catastrophe that will happen based on nothing but numbers, arithmetic, and facts—will happen sooner than anybody anticipates—cannot be put aside. But having failed in those major efforts and as long as this President is in office, it appears that we are not going to be successful this year. This catastrophe will be dumped on the next President's lap, whoever that President might be, and I thought the very least we could do is continue to look at how to make government more efficient, how to prioritize our spending, and how to eliminate and address the issue of waste and fraud.

I started this program, waste of the week, trying to educate the public in terms of the fact that there is money out there that can be spent more wisely or that wouldn't have to be taken from them in the first place or that can be used to reduce our debt. I am now up to 30 examples of ways in which we can

address that. So today I am doing, I believe, No. 30. This is something that has to do with our foreign policy.

These wastes of the week have everything from the ridiculous, such as hundreds of thousands of dollars for a grant to a university to study whether massaging rabbits—after strenuous activity—allows for faster recovery from the strain of the rabbits' work. This is what they are spending your tax dollars on. I think you can ask any person—whether they are in Little League, high school, professional sports, or college—whether, after strenuous exercise, it helps if you have a massage. I think the answer would be yes, of course. Everybody knows that, but we had to issue a grant of almost \$400,000 to somebody who filled out a form and said: This is a great idea. Send us some Federal money, and we will produce this study, and then we will give you the conclusion.

There is everything from the ridiculous to issues that are very serious, such as the duplication of effort in two programs to help people who are out of work either because of disability or because they can't get a job. One is called unemployment insurance and the other is called Social Security disability. To qualify for Social Security disability, you have to prove you can't work. To get an unemployment insurance payment from the government, you have to prove you can work but there isn't a job. You don't get both. Yet we identified \$5.7 billion of expenditure in duplication—people who were getting a check for both being disabled and not being able to work and saying: I am able to work, but the job isn't there. So two checks arrive every month in the mailbox for these people—to the total amount of \$5.7 billion.

You would think that in this day and age where everything is computerized, it would be easy for the unemployment insurance agency to call up or to contact Social Security and say: You know, John Smith here is applying for unemployment insurance. Can you check your records to see whether he is also receiving Social Security disability? It would be easy to get their Social Security number and match. But, no, one agency is working over here and another agency is working over there. Both are sending out checks, one of which is illegal, and they are not communicating with each other. It ought to be an easy fix, but this is the Federal Government.

On and on it goes.

Let me talk about No. 30. No. 30 involves the Task Force for Business and Stability Operations in Afghanistan. It is a Pentagon business advocacy agency that was formed to provide contracting work in Afghanistan through rebuilding. We did this in Iraq, and now we are doing it in Afghanistan. It was established for a valid purpose: to encourage foreign investment. They have

a task force, and the task force lives over there. What we found through the inspector general—a special inspector to ensure that this money that is being spent over there is spent wisely has found that millions has been spent on private housing for the staff of this task force instead of allowing those people to utilize excess space at existing Department of Defense bases.

So here is a Department of Defense program. The Department of Defense has housing and provisions for food and shelter and so forth, and they have excess capacity because we have drawn down troops. But instead of putting those people in this area where they can occupy unoccupied space, where they can get food through the DOD process—a much cheaper process—they put them in specially furnished, privately owned villas and spent \$150 million doing it. They have also hired contractors to provide—because they are separate from the Department of Defense base, they have to have private security, they have to have food services provided to them, they have to have bodyguards for staff and visitors, and they have to have onsite laundry service, food and drink services, private transportation, cultural advisers, and housekeeping services. All of this could be avoided for this task force which is there to provide investment counsel and advice for Afghanistan.

Not surprisingly, reports of the spending drew the attention of the Special Inspector General for Afghanistan Reconstruction, who has spent time digging into finding out exactly what is happening here. He noted that the exorbitant cost of the villas is especially concerning, as I have said, because there are other facilities through the Department of Defense that have been planned for this specific purpose that are not being used and it would be much cheaper if they were used. Because they are already there, they don't have all this collateral support. He said that 20 percent of the task force budget provided housing and security for no more than 5 or 10 staffers.

Former task force employees told investigators that the inspector general estimates that housing a staff of 10 at the U.S. Embassy in 2014 in Kabul would have cost \$1.8 million and little or nothing if they had bunked with troops at a military base.

The IG also noted that poor oversight and the complete lack of coordination—where have we heard that before? Where have we heard about Federal programs with a complete lack of coordination with other programs to see if there is duplication, such as Social Security disability and the unemployment insurance as an example? That has not been provided, he said.

He is still investigating all of this, but what we are going to do today is take that \$150 million price tag for

these Afghanistan villas to the taxpayer, and we are going to add that.

By the way, I have a picture of the villas. I can see why people might want to live in something like this rather than an Army base. But this is tax dollars going over to Afghanistan. We have a mission over there to complete. I don't know—this could be in Washington, DC, or this could be in Indianapolis, IN. They are pretty nice digs. Is it really necessary to spend that kind of money when other facilities are available, when all the services and food are available to maintain these and the security is within a Department of Defense military base? Do we have to go to this level of support with taxpayer dollars?

We are adding \$150 million to our ever-growing list of waste, and our total is now well over \$130 billion of cost. That is this week's waste of the week.

SYRIAN REFUGEES

Mr. President, I also wish to talk about the Syrian refugee issue. I had the opportunity to spend some time in Jordan, as a member of the Intelligence Committee, and in Turkey looking at the situation as it exists in Syria. I also spent time in Italy and Greece relative to the humanitarian crisis that is taking place, with literally hundreds of thousands of people who are fleeing Iraq, northern Iraq, and fleeing Syria because it is a war-torn area, and their migration and all the issues involved with that migration and the implications and consequences it is having on Europe.

It is an issue here in the United States, resettlement of refugees. It is overwhelming. These countries cannot even begin to process people coming to their borders to determine whether they are legitimate or whether they are inserted terrorists who are using this flow of migration to gain access to Europe, to gain access to the United States, and to gain access to other places. They are legitimate people who are leaving with their families to avoid the consequences of this war; yet we know, because we have already ascertained this, that included in that effort are terrorists who want to insert themselves into that flow so they can come to Europe, come to our European capitals, come to the United States, and continue their brutality and jihad against Americans and against Western civilization.

I think the issue we just voted on here unfortunately fell short. We didn't get support from our colleagues across the aisle and didn't have the necessary number of votes to pass what the House has already passed, and that is to provide a suspension of time to comply with what our FBI Director has said needs to be done so that we can ensure that people in this refugee flow who are going to be admitted to America under the administration's plan are truly

war-torn refugees and not representing a terrorist threat to the American public. The FBI Director and our intelligence agencies have said we don't have the necessary tools in place to be able to ascertain this, and until we do, we cannot guarantee that these refugees do not include people who are not coming for asylum reasons but are connected in one way or another to terrorists. I thought it was a very reasonable thing to do to provide for security for Americans and assure them that we are not simply opening the gates here to terrorist access, to pause and get these screening procedures in place before we allow this to happen.

We just had this vote within an hour or so and came up short, which is unfortunate, and we did not gain the support we needed to get the necessary votes from our colleagues. So the effort the House has made once again dies in the Senate because while we had virtually every Republican vote, we couldn't get any other votes to get to the necessary level to take up the legislation and move forward. There may be another attempt to do that.

After going and looking and talking to U.N. associate officials, talking to our government officials, talking to officials from these various countries and particularly those entry points from northern Africa that come through Italy and from Greece, which comes from Syria and Iraq, the conclusion I came to was that this flow, which is now well over 1 million people—temporarily slowed here because of the weather, and it will start up again in the spring when it warms up—is overwhelming Europe. You don't have to watch too much cable news or read too much of a newspaper to see what is happening in Europe with the massive inflow of refugees, asylum seekers, and the incorporation of people who are not abiding by the laws, overwhelming the system.

So as open-arms welcome, as Germany was under the Chancellor's proclamation to "bring them here, and we will take care of them," even that is now under question in terms of Germany's capability of doing that. A number of other countries, including Denmark and Hungary, are basically saying: We can't handle all of this. It is just overwhelming us. The social and financial consequences of all of this are a great political, as well as a financial, threat to Europe, and we have seen evidence of that. No one is really talking about a possible alternative that can deal with this problem.

Several months ago, I came to the Senate floor and basically said: I think I have a better solution that is perhaps even more financially feasible. My solution is to provide safe havens for these people either within their country or simply across the border of other countries. Turkey and Jordan are taking in millions of refugees, but they are

overwhelmed. There is a precedent here in terms of providing safe havens.

I was serving in the Senate at the time of the Balkan war, and the brutality there was equal to some of the brutality that is taking place in Syria. It was a desperate situation, but through the U.N. agencies for refugee relief and the use of NATO to provide security, we created, as a coalition of nations, safe havens for people in the Balkans. There were a few mistakes, but in the end it worked very significantly.

These people wanted to go back to their homes. They wanted to stay citizens of their country. They had hundreds of years of history through the line of their families in these countries, and they didn't want to try to take on a different language and have to learn different skills in order to assimilate in other countries any more than we would want to move our people out to another country if we were in that situation.

By creating safe havens and having NATO provide the security to keep these safe havens from being attacked or misused and by providing a coalition of financial support and enough humanitarian support through the United Nations and through the world's nations, I said this is a better way to handle it, and we succeeded in that effort. So the precedent is there, and I thought: Why not use the same model for Syria? It solves the immigration issue because those people are housed in a humanitarian way, with NATO providing for their safety, which is what I suggested. After all, Turkey is part of NATO. It is a mission in which NATO would address the problem in Europe, where most of the NATO nations are housed. Obviously, the United States would take part in it.

It provides a financial situation to the issue. I haven't been able to calculate this, but the cost of providing those safe havens can't exceed the cost of all the transfer, movement, assimilation into the culture, training, education, learning the language, and everything that has to be provided for those who are going to foreign nations from their homeland.

So once again, I am bringing this suggestion to my colleagues' attention, and, hopefully, to the attention of NATO and other countries that are caught up in this refugee problem and asking: Why don't we reopen the discussion and debate about what the cost would be, what it would take to accomplish it in order to create these safe havens in areas close to or within the borders of the countries from which they are coming from? It addresses a multitude of problems that are overwhelming the capability of European nations and have created a political storm of opposition both in Europe as well as in the United States, and it legitimately gives those refugees safe

harbor, humanitarian support, and housing conditions. It gives them food, water, and humanitarian and medical support at their safe haven rather than have them flowing into other countries.

So, once again, I am calling for this. Germany estimates that last year alone the cost of the refugee crisis was 21 billion euros, and in dollars it would be even more. Italy spent 620 million euros in 2014 and more than 800 million euros in 2015. Individual islands in Greece spent between 1 and 1.5 billion euros last year, and they can't afford it. We all know that Greece can't begin to afford this. They have said: We have enough financial problems trying to take care of our own people, let alone the massive influx of refugees. Sometimes they get 10,000 refugees a day in their country who say: We are here, we want to eat, we want a place to sleep, and we need to be taken care of.

Greece is saying: We can't even take care of our own, let alone the refugees.

It is creating tremendous tension and tremendous political consequences for many European nations. The EU allocated 560 million euros for the crisis last year, which is far too short. But in that context, this money can be used to address the problem of funding for these safe havens, avoiding all of the cultural, political, and social dynamics that are a part of this refugee flow and creating so many problems there.

I have kind of given an outline here of what I think we ought to seriously consider as we are looking at the refugee crisis. For those who say America is not a welcoming country, that is not true.

My mother is an immigrant. I am the son of an immigrant. She came here as a young child with her sisters and brothers the legal way. My mother and father learned the language and worked hard so that we could get a good education and assimilate into the United States.

But now we simply don't have the capability. It is not wise to simply open our borders and say: Come one; come all. Maybe that was possible before ISIL, ISIS, Al Qaeda, and these other terrorist groups were formed, but today we have a major national security issue combined with the ability to assimilate refugees from other countries.

The security issue alone puts us in a position where we just simply can't provide the kind of security for the American people without screening and background checks because ISIL said: We are doing this. Look at California and these other places where they are inspired over the Internet or injected into our country. The FBI Director says: We are overwhelmed in terms of trying to keep track of people whom we suspect are trying to do harm to the American people. I think because of that issue alone, as well as the other

issues involved here, this is a model we ought to take a serious look at.

Once again, I am calling for that, and I will talk more about that as we go forward.

I am now finished with my two presentations.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

RIGHT TO LIFE FOR THE UNBORN

Mr. MORAN. Madam President, Kansans celebrate a rich history of protecting man-made laws that deny natural rights. We have protested many things over a long period of time, and our history is significant in that regard. After years of bloodshed leading to the Civil War, Kansas was born a free State. Though we lament the use of any violence, residents of our State have acted on the firm conviction that human beings, regardless of their stage or state in life, could not be regarded as property by other people.

We take pride in the fact that one of the first sit-ins of the civil rights movement took place at the Dockum Drugstore in Wichita, KS, leading the way for peaceful protests in the struggle for equality.

Today I wish to call attention to a somber anniversary in our Nation's history that will be observed this week. Forty-three years ago, the Supreme Court determined an unborn child has no guaranteed right to life under the Constitution, paving the way to destroy the lives of 57 million unborn children since 1973.

Many Kansans, most of them very young, will continue a decades-long tradition of standing up for the civil rights of an unprotected class of people as they come to Washington, DC. With their chaperones, they will comprise one of the Nation's largest groups attending the annual March for Life.

They come each January, when it is rarely warm, and, as is forecast for this Friday's march, it will be snowy, cold, and probably very miserable. Despite the elements—despite the weather—when the hundreds of thousands of youth walk down Constitution Avenue past the Capitol and the Supreme Court, they give witness to the sanctity of human life from the moment of conception. They protest abortion providers receiving taxpayer dollars. They object to government policies that violate freedom of conscience.

These Kansans have made a 20-hour bus ride and will yet again brave cold weather to demonstrate their commitment to the right to life—a right that those of us in positions of power have an obligation to protect.

When visiting with these young advocates, I have been struck by the clarity with which they march. Motivated by a joy for life, a love for life, they come to Washington, DC, not to condemn, but rather to affirm that all life is sacred and to encourage a broader realization of that in our Nation.

Every opportunity they have while they are here they will use to educate and to encourage a point of view that protects life. As other times in our struggle for civil rights in our country, they will make progress to pursue and secure the right to life, and none of those things have happened as quickly as we would like.

As we work to expedite the day when the unborn are protected under law, I welcome to our Nation's capital all Kansans, as well as the hundreds of thousands more who will join them as they march for life. Every great movement begins with the first step, and these young Kansans can be certain their march will not be in vain.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

PRICE SPIKES IN DECADES-OLD PRESCRIPTION
DRUGS

Ms. COLLINS. Madam President, I rise today with my friend and colleague, the Senator from Missouri, Mrs. MCCASKILL, to inform our colleagues of an important development in the investigation underway by the Special Committee on Aging as we examine the sudden and dramatic price hikes for certain decades-old prescription drugs.

First, let me provide the Presiding Officer and our colleagues with some background on our investigation to date. Given that 90 percent of seniors take at least one prescription drug every month, the egregious price increases we have witnessed on these older drugs that are no longer under patent protection could inflate the cost of health care by hundreds of millions of dollars each year. Concerned not only about the high costs but also about the potential risk that patients will not be able to access the prescription drugs they need, we launched a bipartisan investigation early last November into the causes, effects, and potential solutions to these massive and unjustified price increases.

Our investigation is focused on four companies that recently acquired six drugs that were decades old—drugs whose patents had expired long ago—and then these companies, after purchasing these drugs, dramatically hiked their prices. The four companies are Turing Pharmaceuticals, Valeant Pharmaceuticals, Retrophin, Incorporated, and Rodelis Therapeutics.

Of these four, Turing Pharmaceuticals, previously led by its founder Martin Shkreli, is the company that has received the most attention. In August of last year, Turing acquired the

drug Daraprim. Daraprim is considered to be the gold standard for the treatment of toxoplasmosis, a disease resulting from a parasite infection that can be particularly harmful to infants born to infected mothers.

Despite the fact that Daraprim has been on the market for 63 years, Turing bought the drug and then promptly raised its price from \$17.63 to a whopping \$750 per pill.

The other three companies also dramatically increased the prices of the drugs they acquired from between 300 to 2,000 percent.

On November 4, we wrote to the companies asking for detailed information regarding their pricing decisions. I ask unanimous consent that our letter be printed in the RECORD at the conclusion of my remarks.

Around the same time, Turing CEO Shkreli was actively engaged in online postings and other communications discussing Turing business, using what appeared to be his own personal electronic devices.

On November 12, 2015, the Aging Committee asked the counsel for Turing to take reasonable steps to ensure that any business records on Mr. Shkreli's personal devices be properly preserved and produced. Turing still has not provided the Aging Committee with clear assurances that it will do so, notwithstanding the fact that they have told us that Mr. Shkreli was "principally involved for Turing in all aspects of the transactions and the decisions covered by" our November 4 letter.

On December 9, 2015, we issued a subpoena for documents to Mr. Shkreli in his capacity as CEO, compelling Turing to produce the information that had been sought by our November 4 letter. On December 15, 2015, we learned that Mr. Shkreli had been indicted on seven counts unrelated to Turing and pre-dating the company's corporate existence. The next day Turing announced Mr. Shkreli's resignation as CEO but left unclear whether or not he remained on its board of directors.

The fact that the company has not made it clear that it would act to preserve Turing business records in its former CEO's possession left the committee deeply concerned that we might not receive all documents relevant to our investigation. Therefore, on December 21 of last year, the committee requested that Turing provide detailed information on the steps it was taking to preserve these records. Once again, however, Turing failed to produce an adequate response to our request.

Consequently, the Special Committee on Aging issued another document subpoena—this one directly to Martin Shkreli himself—on December 24. It directed him to produce substantially the same documents sought by the committee's December 9 subpoena. By a letter dated January 12, 2016, counsel

informed our committee that Mr. Shkreli was categorically invoking the act of production privilege under the Fifth Amendment to the Constitution and was therefore refusing to produce any documents in response to the December 24 subpoena. So this is the important new development. He has chosen, in response to a document subpoena for Turing documents that may be in his personal possession, to invoke the Fifth Amendment.

To be clear, Mr. Shkreli is essentially arguing that the very act of producing and authenticating documents that are seemingly unrelated to the charges filed against him may incriminate him. The committee has asked him through counsel for an explanation of the rationale for this argument, and we are awaiting a response. The committee is troubled by his unsupported invocation, given that the Turing documents we have requested appear to be unrelated to the charges brought against him. Absent a valid justification of the grounds for invoking the Fifth Amendment, Mr. Shkreli's assertion could hinder our important investigation.

Our committee is seeking to understand how companies can acquire prescription drugs—drugs for which they had nothing to do with the research and development, drugs that in some cases are more than half a century old—and then suddenly impose dramatic price increases on those drugs at the expense of infants, vulnerable seniors, and others with devastating diseases for which in some cases these drugs are the gold standard for treatment.

So far the Special Committee on Aging has received nearly 20,000 documents over the course of this investigation. The documents the Senator from Missouri and I are seeking on behalf of the committee likely include information that is essential in order for us to fully understand why this phenomenon is happening and to develop the legislative and regulatory solutions to end this disturbing practice.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
SPECIAL COMMITTEE ON AGING,
Washington, DC, November 4, 2015.

Mr. MARTIN SHKRELI,
Chief Executive Officer, Turing Pharmaceuticals LLC, Avenue of the Americas, 39th Floor, New York, NY.

DEAR MR. SHKRELI: The United States Senate Special Committee on Aging is conducting an investigation into the pricing of off-patent drugs in certain circumstances. We seek your cooperation with this investigation so that the Committee may better understand drug pricing and related regulatory and public policy concerns.

In particular, the Committee wishes to learn more about Turing Pharmaceuticals' recent acquisition of the rights to sell Daraprim, a drug used to treat and prevent infections, from Impax Laboratories and

Turing's subsequent decision to increase the price of Daraprim from \$13.50 per tablet to \$750.00.

In order to assist us in our investigation, we ask that you provide us with the documents set forth in Schedule A and the information set forth in Schedule B by December 2, 2015. Please submit the material responsive to this request as it becomes available, rather than waiting to provide it all at once. In order to facilitate this production, we request that you schedule a time to meet and confer on the Request with Committee Staff as soon as it is practicable for you to do so.

The jurisdiction of the Special Committee on Aging is set forth in Section 104 of S. Res. 4, agreed to February 4, 1977.

We appreciate your attention to this matter. Should you have any questions, please do not hesitate to have your staff contact Samuel Dewey of the Majority Staff at (202) 224-2798, or Cathy Yu of the Minority Staff at (202) 224-7752. Please direct all official correspondence to the Committee's Chief Clerk, Matt Lawrence.

Sincerely,

SUSAN M. COLLINS,
Chairman, U.S. Senate
Special Committee
on Aging.

CLAIRE MCCASKILL,
Ranking Member, U.S.
Senate Special Com-
mittee on Aging.

SCHEDULE A

1. Any analysis conducted by Turing relating to the price of Daraprim.

2. Any analysis in Turing's possession, custody, or control relating to the price of Daraprim; exclusive of documents responsive to Schedule A, Specification 1, herein.

3. My communications with Turing's Board of Directors relating to Daraprim.

4. Any documents generated by the Turing Board of Directors relating to Daraprim.

5. My projected or historical financial data relating to Daraprim, including, but not limited to, costs, revenues, profits, losses, and cash flows.

6. Any projected or historical financial data relating to Turing's research and development, including, but not limited to, research and development relating to Daraprim.

7. Any documents evaluating any product market that includes, directly or indirectly, Daraprim, regardless of the definition of the geographic market, including, but not limited to, analysis of barriers to entry thereto.

8. Any documents evaluating any market share that includes Daraprim, or the market power of that market share, for any product market or geographic market; exclusive of documents responsive to Schedule A, Specification 7, herein.

9. Any communications with Impax relating to Daraprim.

10. Any documents relating to Impax's sale of Daraprim to Turing.

11. Any contracts entered into by Turing that are related to the production, marketing, and sale of Daraprim.

12. Any marketing or pricing plans prepared for, or being used in, the sale or advertisement of Daraprim, including all documents related thereto.

13. My documents relating to Patient Assistance Programs relating to Daraprim.

14. My documents relating to Daraprim and Imprimis.

15. Any documents relating to the price of Daraprim that have been produced pursuant to an investigative inquiry by any federal, state, or local government entity.

16. My analysis relating to Daraprim and any statute or regulation administered by the FDA.

17. Any communications with the FDA relating to Daraprim; exclusive of documents responsive to Schedule A, Specifications 15 or 16, herein.

18. Any documents relating to Daraprim and the Health Resources and Services Administration's 340B Drug Discount Program; exclusive of documents responsive to Schedule A, Specifications 13, 16, or 17, herein.

19. Any projected or historical financial data related to Daraprim and Medicare or Medicaid; exclusive of documents responsive to Schedule A, Specifications 5, 6, or 15-18, herein.

20. Any documents notating, memorializing, or summarizing a communication, or a portion thereof, responsive to Schedule A, Specifications 3, 9, or 17, herein.

SCHEDULE B

1. State:

a. A list of all countries where Daraprim is sold (or is expected to be sold in the next two years from the date of this letter) and the corresponding price or planned price for each country.

b. In detail, how Turing reached the price for each country.

c. How the revenue, costs, and any discounts associated with international sales are accounted for within Turing.

2. State in detail any changes Turing has made, or plans to make, to Daraprim or the administration of the drug.

3. Identify the Turing employee responsible for setting the price of Daraprim.

4. Identify the names and addresses of all companies owned in whole or in part by Turing that are involved in the production, marketing, and sale of Daraprim and any of its components.

5. State the total expense to Turing related to the acquisition of Daraprim.

6. State in detail all known uses of Daraprim by medical professionals, including both on-label and off-label uses.

7. State in detail all known protocols, of which Daraprim is a component, used by medical professionals, including both on-label and off-label uses.

8. For each discrete communication that did not occur via document, but which would have been responsive to Specifications 1-19 of Schedule A if made via document, state:

(a) The method of communication.

(b) The date and time of the communication.

(c) The author and addressee of the communication.

(d) The relationship of the author and addressee to each other.

(e) A general description of the communication.

Information responsive to this question should be produced in a native Excel file.

Ms. COLLINS. Madam President, I yield now to the ranking member of the Special Committee on Aging, my colleague Senator MCCASKILL.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, first I want to compliment the chairman of the committee for her remarks, which presented, I think, a very thorough and complete look at what the committee is doing and why we are doing it.

There are different ways that people can do business in the Capitol. There is

the one-off press conference, there is the topic of the day that everyone scurries to get attention for, and then there is the professional, plodding, complete investigation into a very important public policy issue. That is the kind of investigation that Chairman COLLINS is leading—one that is responsible, thorough, and, frankly, grounded in a deep belief that the American people have the right to know why these obscure drugs and the companies that developed them were purchased, and then they exploded in price. This is something we need to understand. These drugs are lifesaving drugs. This is something that adversely affects many Americans with these drugs. But the problem that is represented here could have much broader implications.

Prescription drug prices have increased by 13 percent in 2015, and they are up 76 percent in the past 5 years—more than eight times the rate of inflation. A recent national poll shows that the affordability of prescription drugs was Americans' top health concern. This problem appears to continue unabated as we speak. Just last week, there were reports in the Wall Street Journal that several major drug companies have all raised prices on drugs, some by double digits in the last month alone.

We need to get to the bottom of why we are seeing such huge spikes in these drug prices. In the course of the investigation, we have received quite a bit of pushback from lobbyists and insiders. One industry lobbyist said if we wanted to cure cancer, we better leave the drug companies alone. That is absurd.

We want to encourage innovation, and that is why the investigation is being handled so responsibly by Senator COLLINS. We want to protect those in research and development, but we can do so while taking a hard look at price gouging and the hedge fund-like behavior of some pharmaceutical companies.

I believe Congress has both the ability and the duty to conduct a thorough investigation of this issue, and I am proud to be a part of this bipartisan investigation led by Chairman COLLINS so that we can find policy solutions that will help Americans. As she indicated, we have already requested and received over 20,000 documents from multiple sources and have conducted more than 60 interviews with relevant stakeholders, and we plan to continue our investigative efforts until we have assembled a sufficiently complete picture so that we can be confident that any proposed policy solutions are well informed and targeted to the specific problems we have identified. In order to do that, it is important that we get all of the documents that have been requested.

The privilege against self-incrimination is an extraordinarily important

and sacred constitutional right. It is a right that this body believes in protecting, and we in no way want to erode it. But as a former prosecutor, I am also very aware of its limitations. In order to invoke the Fifth Amendment, there needs to be a nexus between the documents and the information that one is refusing to provide under the privilege and an actual fear of self-incrimination in a criminal proceeding. We are asking for documents that on their face have no apparent connection to any ongoing criminal proceeding. If there is no connection between the documents and a criminal proceeding or if the documents are corporate documents, the courts are very clear that they should be turned over to authorities.

I appreciate the chairman's conscientious and dogged pursuit of this investigation. I will continue to cooperate and assist in any way possible. I look forward to continuing the important work of the Special Aging Committee's investigation into drug prices, and I can assure the public that with the work that Chairman COLLINS is doing along with our staffs and the other members of the committee, we will get some answers.

Thank you, Madam President.

Ms. COLLINS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

AMERICAN SAFE ACT

Mr. BENNET. Mr. President, all across the Middle East and Europe, hundreds of thousands of refugees are fleeing the medieval barbarism of ISIS and the violent cruelty of the Assad regime. Out of a population of 22 million, more than 4 million Syrians have fled to neighboring countries. These refugees—almost all of them women and children—have been living away from their homes for years in Jordan, Turkey, or other host countries, struggling to survive, struggling to be free. Hundreds of thousands have decided to make the dangerous journey to Europe. Many perish along the way. According to the United Nations, over 3,200 refugees attempting to reach Europe died or went missing in 2015 alone.

Throughout our history, when we have been at our best, the United States has accepted the world's most vulnerable seeking refuge from violence and murder. Our principles don't mean very much if we jettison them when we find them politically inconvenient or difficult to live by.

The legislation we voted on today represents a significant departure from our proud history. It would require the

Secretary of the Department of Homeland Security, the Director of the FBI, and the Director of National Intelligence to personally certify that each refugee from Syria and Iraq poses no security threat before admission into the United States and would effectively halt the refugee process. This is not the reason I opposed the legislation. It is worth noting it is likely those three officials would be able to do nothing else during the course of the day to keep us secure because they would be busy signing certifications.

It is very clear, from all the testimony we have heard at our committees and people who are experts in this area, that a blanket prohibition like this doesn't actually make us safe. Refugees are the most thoroughly vetted group of anyone entering the United States. Let's start with that. The United States first screens them and collects biometric data. Only those who pass are then referred to the United States—and refugees don't even know which country they are going to be referred to when they approach the United Nations. Then multiple agencies—including DHS, the FBI, the State Department, and our intelligence agencies—conduct a rigorous screening process. This includes health checks, repeated biometric checks, several layers of biographical and background screenings and interviews. Out of the 23,000 individuals referred to the United States, only about 2,000 have been accepted. It should be understood by people in this body—and I hope it is understood by the American people—that no refugee enjoys a presumption of acceptance into the United States. The reverse is true. They are required to pass the most stringent standards of any group seeking to enter the United States—a process applicants must endure with uncertainty for over 2 years.

So instead of playing politics, in my view we ought to be having a serious discussion about how actually to keep our country safe and what will make it safer. One of the things I learned when we were working on the immigration bill in the Senate—which still hasn't passed the House. I would remind everybody, the only bill to secure our border, the only bill to provide internal security when it comes to immigration was the bill that passed through the Senate that has never been taken up by the House in any form. One of the things I learned was that of the 11 million undocumented people in the United States, 40 percent of them—almost half—are people who came lawfully to the United States but overstayed their visa, and we have no way of tracking that. We have no way of understanding who those people are. This legislation would have fixed that. I would have loved to have seen the House pass a companion piece of legislation, but that concerns me because there are a bunch of people in here who

haven't been vetted at all. So instead of playing politics, we ought to figure out what we can do.

Another example. A group of us have introduced a bill that strengthens the Visa Waiver Program, which terrorists can exploit to enter the United States. Currently, over 25 million people come to the United States every year through this program. Our legislation addresses important security vulnerabilities and closes the program to foreign fighters. The omnibus we just passed in December included some important parts of our bill. It prevents people who have traveled to terrorist hot spots in the last 5 years—including Iraq and Syria—from even using the Visa Waiver Program. It also requires all travelers using the program to have electronic passports, which are harder to fake. These are big changes to make the American people safer. Together, these changes will help stop terrorists from coming to the United States, but there are still important parts of the bill we must pass, including requiring individuals using the Visa Waiver Program to submit biometric data such as fingerprints and photos before boarding a plane to the United States, working with our European partners to close their borders to the flow of foreign fighters heading to ISIS and back, requiring better information sharing on foreign fighters and dangerous individuals.

This is not to say that a refugee—or even a U.S. citizen—is not vulnerable to radicalization. We need to be vigilant about that. Americans are justifiably concerned about the reality of the threat and the dangerous world in which we live today. We must counter terrorist groups' ability to radicalize using social media, both here at home and abroad. Our country needs a much better strategy for countering and degrading ISIS propaganda and its recruitment machine. We have to develop creative and agile technologies to effectively degrade the ability of terrorist organizations like ISIS and others to persuade, inspire, and recruit by using social media. Congress should also pass the Senate immigration bill I mentioned earlier, which included a historic investment to secure our borders and enhance our interior enforcement.

As a reminder to everybody here, this bill would double the number of border agents, expand fencing, implement new technology and resources, address visa overstays, and provide for full monitoring of every inch of our southern border. By addressing real vulnerabilities and investing in smart security solutions, we can protect our borders and also—and also—live by our values.

We cannot allow ourselves to return to dark periods in our history when Americans debated turning away those fleeing cruelty around the world.

My mom who was born in Poland in 1938 while Nazi tanks amassed at the

borders—she and her parents miraculously survived—Polish Jews—miraculously survived one of the worst human events in human history, and they survived it in and around Warsaw. They lived there for 2 years after the war and then went to Stockholm for a year, Mexico City for a year, and then they came to New York City. They came to the one country in the world where they felt they could rebuild their shattered lives.

On my first birthday—when I was 1 year old, 1965, 15 years after my mom and her grandparents came to the country—my grandparents sent me a birthday card. This is what they said in that card. They wrote in English, by the way, 15 years after they came to the United States: The ancient Greeks gave the world the high ideals of democracy in search of which your dear mother and we came to the hospitable shores of beautiful America in 1950. We have been happy here ever since beyond our greatest dreams and expectations with democracy, freedom, and love and humanity's greatest treasure. We hope that when you grow up you will help to develop in other parts of the world a greater understanding of these American values.

We have very few opportunities to live by our values. This is one of those times. In this case it is not about developing them, as my grandparents worried during the Cold War, in other parts of the world. This is making sure that we hold on to the values that have defined us as a nation, that have separated us from so many other nations in the world and made this a place where my grandparents and my mom were able to come and achieve the American dream—a dream that would have seemed unimaginable to them during the Holocaust.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

OUR VALUE FOR LIFE

Mr. LANKFORD. Mr. President, it is a basic American value: Families.

America has gotten particular about our families. We love our families and we love our kids. It is one of the struggles we have had recently as a nation because we have seen this collapse of the American family, this basic value. We see that unit struggling. Families begin, a husband and a wife, in that incredible moment when a lady looks at a pregnancy test, sees that little line, and realizes there is a baby on the way.

Forty-three years ago as a country there was a decision made by the Supreme Court. That decision forever changed the structure of our families, forever changed the values within the country, because the values shifted 43 years ago, and it changed from there is a baby on the way to that family gets to choose if that is a baby or not. To literally be able to say, based on the preference of the mom, it is tissue or it

is a baby, we should handle those two things very differently.

I can remember distinctly in my family 19 years-plus ago now, when we saw that little line on the pregnancy test and we started getting a house ready and getting things organized and we started trying to figure out how to get our finances in order and everything ready to go because there was a baby on the way. In those first moments, before my wife could even feel that she was pregnant, we found out that she was. That was a child coming to our family. She has a name now. Her name is Hannah. With the first of our two daughters—Hannah and Jordan—we understand full well how things started and what things were like in those earliest days. It is remarkable to me that so much of the conversation now circles around preference. At that moment we knew that if we didn't do something right away to actually reach into the womb and take that child out of the womb—Planned Parenthood and other folks would say “just to remove the tissue”—that if something wasn't done from that moment on, there was a baby coming, a baby who would look up into our face and would smile and would have a name.

Americans have lost track of this basic principle. That is not tissue in the womb. When that pregnancy test comes up positive, that is a baby. Regardless of the preference of any individual, that is a baby on the way. Cells are dividing. For many they don't find out for maybe a couple of months even and begin to figure out something is really changing and they do a quick test. Sometimes by the time they even do a test there is a beating heart there. They look in with a sonogram and count 10 fingers, 10 toes. If you were to reach in and do a DNA test, you would find out that lump of tissue that is in there is not tissue. It has DNA different than the mom, different than the dad. That is a child. It is a unique life. That life is not determined based on a preference. That life is determined based on that dividing cell as a child with 10 fingers and toes.

I can't think of anything else we have in America where anyone can say, based on their preference, I choose for that to be alive or I choose for that not to be alive. I can't just look at this desk and say I choose to call that a life because we know life has basic criteria. It has dividing cells. It can function on its own. It can reproduce. It is life. We know what life is. We can't casually say one thing is life and one thing is not, just like we casually don't just try to fight off the destruction of tissue in other ways.

I always smile when I hear some folks on the other side of this argument say they want abortion to be safe, legal, and rare. I hear it all the time—safe, legal, and rare. When some-

one says that to me, I always ask the question: Why rare? I understand safe and legal. Why would you care if it is rare? If it is just tissue, why does it matter if you remove it?

No one has a big national movement to fight individuals from taking warts off their hands because everyone knows, if you have a wart on your hand, it is just tissue and no one cares if you take that off. They understand that really is your body. It is a wart on your hand and it doesn't look good, so take it off. Everyone is fine with that. For some reason there is a push to say safe, legal, and rare when it comes to abortion because I believe inherently even the individuals who say safe, legal, and rare understand it is not just tissue or you wouldn't say it has to be rare. You understand it is an incredibly painful, difficult decision that a mom is making because she knows in her gut that is not tissue. That is a child, a child who would one day have a name and a smile. That is a child.

In China the government gets to decide whether it is just tissue or a child because the government will step in and say: If you have a second child, you can't have that one. You have to destroy the second child. Now, in their benevolence, China has shifted to say you can have up to two children in certain areas and in certain regions, but if you have a third one, you have to destroy that child. In America, for whatever reason, we have individuals with the freedom to be able to say: I prefer for this not to be a child. Suddenly, somehow our culture says: OK. You can pick.

The Supreme Court in 1973 looked at this issue, and they argued a lot about viability, what they call quickening. This conversation about viability really circled around whether States could actually make laws protecting the lives of children once they reach viability. In 1973, viability was very different than what it is today. In the NICU units—neonatal intensive care units—you will find a very large area in most hospitals. You ought to go by and visit and walk into an NICU area because you will find many rooms and many beds there. Decades ago that wasn't true because children at 22 weeks and 24 weeks didn't survive before. Now a higher and higher percentage are.

There are children who are in Oklahoma City right now in NICU who weigh just a tiny bit more than two iPhones. That is their weight when they are born—just a tiny bit more than two iPhones in weight. Yet they are growing up to be healthy, productive kids. They are children.

We are getting better at NICU as well, learning how to provide oxygen so their lungs develop. I visited some of the physicians in the NICU at OU Children's Hospital over the Christmas break and said: What have we learned? What have we gained? Is this getting better?

They talked about how we feed differently now than we did decades ago. At NICU, we understand how they are developing and receive food, and we want their digestive systems to develop. Things are very different now in science. It is forcing the country to rethink an issue again: When is a child a child? And in our basic American values, should we stand up for them?

I believe we should. I am amazed at the number of moms who—if they will get a sonogram and see the picture of their child in their womb, they understand clearly that is not tissue; that is a face looking back at them. Those are fingers and toes that they can count. There is a beating heart there. That is not random tissue.

In fact, I don't know if you knew this, but they can now do 3-D sonograms and then send the sonogram to a 3-D printer and actually print out a model of what the child looks like in the womb in that exact position. Not only is that cool as a parent, to be able to say that I can actually hold a model of what my child looks like right now at 20 weeks of development, 28 weeks of development and to be able to see and look at their face, but it is revolutionary for physicians that at 20 weeks they are reaching into the womb, giving anesthetic to the child, and they can actually see exactly what the imperfections are so when they go in to do surgery, they can practice on the outside before they reach into the inside.

The technology continues to advance. I say to my colleagues, at what point will our laws catch up with our science? How long will we deny clear science and not understand that is a child?

I think in the decades ahead, our Nation will catch up to the science and will look back on a season in our country when we ignored the obvious: When a pregnancy test says positive, that is not positive for tissue; that is positive for a baby.

I also want to affirm thousands of volunteers around the country—many of them coming this week to the March for Life—who serve every single week in crisis pregnancy centers around the country, who lovingly walk with moms through some of the most difficult days of their lives as they make hard decisions. With great compassion, they walk them through a tough pregnancy. Then they are with them in the days after delivery, bringing diapers to them, bringing formula to them, helping them in those early moments. Thousands of volunteers around the country do that every single week. Good for them. Good for our country. Good for our value for life. I am always proud when Americans stand up for other Americans no matter how weak they are.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

AMERICAN SAFE ACT

Mr. CARPER. Mr. President, the terrorist attacks that we have seen over the last couple of months, including those tragically in Paris and San Bernardino, CA, have made it all too clear that terrorists' threats to Americans and to our allies are very real.

I believe the best way to combat the threat of ISIS across our globe is to continue to degrade and destroy their forces overseas and show the world that they are not as powerful as they claim to be. Our success will not only rob them of their safe haven but will also undercut their recruitment narrative that ISIS is on the rise. But in addition to destroying ISIS overseas, we must also focus on defeating the threat of ISIS here at home.

I realize that many Americans and many of our colleagues are concerned about terrorists traveling to our borders as refugees from Syria or maybe some other country. As many of my colleagues may recall, late last year we debated the question regarding the resettlement of 4 million Syrian refugees and whether we in this country should open our doors to even a small fraction of them. We debated it right here on the Senate floor, as some of you recall, and we debated it in our committees, including the Homeland Security and Governmental Affairs Committee, where I serve as the senior Democrat.

During that debate, I was reminded of the words of Pope Francis's historic and moving address to a joint session of Congress in the House Chamber last fall when he reminded us of the Golden Rule—to treat other people the way we want to be treated, to love our neighbors as ourselves. He also invoked Matthew 25, which deals with “the least of these”: When I was hungry, did you feed me? When I was naked, did you clothe me? When I was thirsty, did you give me drink? When I was a stranger in your land, did you take me in?

I think we have a moral imperative to provide for “the least of these,” but at the same time, we have a moral imperative to protect Americans from extremists who seek to come to the United States to cause us harm. As we learn to address this tension, our Nation has rigorous screening procedures in place for all refugees, as well as enhanced screening for refugees who might be coming here from Syria. It is a process that takes an average of 2 years to complete.

For those who aren't familiar with the process, people—in this case, 4 million refugees—are left for fighting in Syria to try to get away to save their lives. They are in refugee camps in that part of the world, and the United Nations has a special mission which includes to vet them, to get to know them, to talk with them, and to see if they would like to stay in a refugee camp or try to get settled into some other country.

In vetting the 4 million refugees, a small fraction of those are folks who indicated that they would be interested in maybe resettling in this country. At the end of the day, after winnowing down from 4 million refugees, I believe the U.N. sent us 7,000 names. Out of the 7,000, we selected 2,000—mostly kids, mostly young families, mostly old people, and not very many men of fighting age, if you will. But the President has called for increasing that 2,000 to something like 10,000 over the next year—of course, this year.

Think about that. Out of 4 million, what percentage of 4 million is 10,000 people? Even if we took all 10,000, it is one-quarter of 1 percent. That is what it is: one-quarter of 1 percent. There are obviously concerns about whether any of those people are dangerous—pose an imminent danger to our people. Keep in mind that 2,000 have come in the course of the last year, and not one has been arrested, not one has been convicted of plotting or trying terrorist activity. One of the reasons that happens is—if I were an ISIS person and I were in Syria and wanted to get over, I sure wouldn't spend 2 years trying to come through with the refugees.

That is the most stringent vetting of any group of people who want to come to this country. They have to undergo biometric checks. They are interviewed by people who are trained not just by the U.N. but also by us overseas, and they are vetted by people, interviewed by people who are trained to detect deception.

We have the ability to check these people against any number of the databases that relate to potential terrorist activity. If I were an ISIS person wanting to embed myself with a terrorist group, I am not going to wait 2 years to do that and face the most rigorous of vetting processes for anyone trying to come to this country.

For those of Syrian descent, the process could be even longer than that. It is a long time to wait for terrorists if they were going to try to use the refugee program to access the United States. If I were a terrorist trying to come here, the last thing I would do is go through those 2 years of vetting.

While I understand my colleagues' concerns, the refugee bill that we dealt with today would do little to address our Nation's security needs. That is why many of my colleagues joined me in opposing this bill. The bill that was before us would require the head of top national security agencies to personally certify that each refugee from Syria and Iraq poses no security threat before admission to the United States—not now, not ever.

If this bill had passed, it would have served as a backdoor way to shut off the refugee program by requiring our national security leaders—the head of the FBI, Director of National Intelligence, Secretary of Homeland Security—to promise something they would

never promise. As currently drafted, this bill would require these three national security leaders to guarantee that the refugee will never, never become a security threat. That is not how these leaders or their organizations evaluate security threats. They don't have a crystal ball, and they cannot predict the future.

Simply put, the SAFE Act would effectively stop the resettlement of fully vetted refugee women, children, families, and older folks from Syria and from Iraq and would weaken our national security. Again, that is one of the reasons I believe we must focus our attention on threats that pose a greater risk to our homeland.

Democrats put forward a series of commonsense solutions—alternatives, if you will—that will strengthen our security and help protect us against ISIS, a couple of which I had the pleasure of coauthoring. Instead of vilifying refugees, the proposals that we put forward impose tough new sanctions on financial institutions if they knowingly facilitate transactions with ISIS. That particular proposal closes loopholes that would let terrorists legally buy guns. This bill improves intelligence sharing with our allies who join us in the fight against ISIS.

The bill also includes several provisions to better protect the homeland. For example, the bill—our proposal—strengthens the security of our airports. The bill provides better training for law enforcement to respond to active shooter incidents. The legislation also makes several improvements to the security of low-level radiological material so that potentially dangerous material does not fall into the hands of terrorists who might use it to create a dirty bomb.

One particular area I want to focus on, though, is countering violent extremism. As the tragedy in San Bernardino, CA, underscores, some of the greatest threats we face are homegrown terrorism and self-radicalization. That is why the Democratic alternative includes language from the legislation I introduced that would strengthen the Department of Homeland Security's ability to counter violent extremism here in the United States.

This proposal authorizes a new office charged with helping communities across the country—Muslim communities across the country—stop their young people from being recruited by ISIS. The legislative proposal would also create a grant program that would help the Department of Homeland Security connect with nonprofits, with local officials, with religious leaders and youth groups to work together to counter the narratives proffered by terrorist groups like ISIS.

If you look in recent years at the folks in this country who are inspired by ISIS to commit terrorist activities

against those of us in this country, you will not find them having come over embedded, to my knowledge, with any refugee organization or any refugee group. The biggest threat to us is not necessarily the people coming through on the Visa Waiver Program, student visa programs, or tourist visa programs. The biggest threat to our security is from folks who in many cases were born here or in some cases folks who could have come from Syria, Iraq, or some other place, but they became radicalized after coming here—maybe after becoming a citizen here. Those are the threats that I think pose the greatest danger. We call them lone wolves.

One of the best ways to address those folks is to look around at maybe our history and look at what is going on in Arabic and other countries and ask if there is some way to reach out to those people who are actually in danger of becoming radicalized or a lone wolf, if someone could reach out to them and reduce the likelihood of having them become radicalized and prevent them from taking out their frustration or anger on people in this country in harmful ways.

In my last year as Governor of Delaware, I was involved in a foundation that was called the American Legacy Foundation. It was funded by a tobacco settlement between the tobacco industry and all 50 States. The idea behind the American Legacy Foundation was to use the \$1 billion that was provided to the American Legacy Foundation to develop ways to message and communicate with young people in this country who were either smoking or thinking about becoming smokers.

Some of us remember from our youth—and when I was a kid growing up, the idea of smoking was thought to be a desirable thing. Early on, we were not aware of the health consequences to it. We would see all kinds of people in commercials on television advertising smoking, and you would think that would be a cool thing to do. The American Legacy Foundation came along in 2001 and developed a counter-message to all of that, and we called it the Truth Campaign. The Truth Campaign was a multimedia campaign that was included in radio and TV commercials, as well as on the Internet and in magazines and that sort of thing, that young people read or listened to. The narratives and the messaging communications were not developed in boardrooms or by someone like me or the paid staff of the American Legacy Foundation; they were developed by young people who could have been 11, 12, 13, 14, 15, 16, 17, or 18 years old who developed an area and said: This is a message you need to send out through all of these different mediums to try to convince them not to smoke or if they are already smoking, to quit. And that is what we did.

If you look at the incidence of smoking for people who were preteens and teenagers in this country in 2001 and what it was by the end of the last decade, it is amazing how well it worked. It was called the Truth Campaign. The messaging and the messages developed by our target audience were hard-hitting. There was a saying when I went to business school: Talk to your customer and ask them what they want. And in this case, we talked to our customers. A lot of them were about the same age as our pages who are sitting here today.

The Department of Homeland Security is attempting to start up an office called the Office of Community Partnership. It is an office that would work with Muslim communities across the country, including families, religious leaders, and other young people, in order to try to make sure young people do not become radicalized and undertake activities that are going to harm other folks in this country. I think it is a very promising initiative. The folks leading this community partnership office at the Department of Homeland Security are going to work with the American Legacy Foundation to see what worked and really changed the game with respect to young people smoking and using tobacco in this country. We may be able to apply some of those lessons to deter the likelihood of people of Muslim faith who are somehow convinced that their faith directs them to undertake these violent activities. I am encouraged by this prospect.

The last thing I will say is that we have 1½ billion people around the world who are Muslims. I am Protestant, and there are people of different faiths in this body. There are Protestants, Catholics, Jews, and others. Among the things we have in common, as well as with the Muslim faith, is something I mentioned earlier—the Golden Rule. Almost every major religion on Earth has several things in common, but one of the things they have in common is the Golden Rule, which is to love your neighbor as yourself and treat other people the way you want to be treated. I don't care if you are Protestant, Catholic, Jewish, Buddhist, Hindu, or Muslim, somewhere in your Sacred Scripture is that idea, that notion, that directive.

There are some people who take my Christian faith and turn it on its head to say and do things that we would never do and should never do. We take the Bible, the Old Testament and the New Testament, and instead of embracing Matthew 25—the least of these, when I was a stranger in your land, did you take me in—we are basically saying: We are not going to let any people in this country who are, say, of the Muslim faith. That is not a Christian thing to say or do.

People take my religion, my faith and turn it into something that it is

not even close to being, and, not surprisingly, there are some people who do that with the Muslim faith. We need to counter that and help the vast majority of folks in this country who are Muslim to better counter them in ways which, frankly, I could never do but which people in Muslim communities and of that faith across the country would like to do and want to do. We need to be a good partner and help them to be successful in that effort. Frankly, that is a whole lot better alternative than the legislation that was before us today, and that is one thing we ought to be able to agree on. I hope my colleagues—Democratic, Republican, and Independent—will find a path to join me and others who think this is a good idea and make it happen.

With that, I will pass the baton to my friend from another big State, Rhode Island.

I thank the Presiding Officer for the opportunity to speak today.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 17 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise for "Time to Wake Up" speech No. 124.

Today, let's talk Texas. Polling from the University of Texas at Austin shows that more than three out of four Americans—or 76 percent—now believe that climate change is occurring. Fifty-nine percent of Republicans say it is happening. While most poll respondents say they would support a Presidential candidate who supports reducing coal as an energy source, the number goes up to 65 percent for voters under the age of 35. So we might expect Republican Presidential hopefuls to acknowledge the problem and incorporate climate action into their campaign platforms. We might, but we would be wrong.

Republican candidates for President have a key constituency: fossil fuel billionaire donors. So the candidates ignore the clear tide of public opinion, mock the warnings of our scientific and national security experts, dismiss climate disruptions in their own home States, and dismiss the world-class climate research of their own home State universities and scientists—even in Texas.

When asked if global warming is real, the junior Senator from Texas responds that the "data and facts don't support it. . . . Science should follow the facts." OK. Let's follow the data and facts.

NOAA and NASA just announced that 2015 was the warmest year ever recorded on Earth. That is a fact, and it is not an anomaly. It is the continu-

ation of a clear trend. Fifteen of the warmest 16 years ever recorded by humankind on this planet are the 15 years of this century.

Texas A&M has a department of atmospheric sciences. The faculty there have unanimously adopted this statement:

1. The Earth's climate is warming, meaning that the temperatures of the lower atmosphere and ocean have been increasing over many decades. Average global surface air temperatures warmed by about 1.5 degrees Fahrenheit between 1880 and 2012.

2. It is extremely likely that humans are responsible for more than half of the global warming between 1951 and 2012.

3. Under so-called "business-as-usual" emissions scenarios, additional global-average warming (relative to a 1986 to 2005 baseline) would likely be 2.5 to 7 degrees Fahrenheit by the end of this century.

That is Texas A&M's scientific assessment supported by the data and facts.

Go Aggies.

The Texas State climatologist, Dr. John Neilsen-Gammon, appointed to his position by Governor George W. Bush, has concluded that "fossil fuel burning and other activities are the primary cause of the global-scale increase in temperature over the past decades."

According to a Yale University poll released last fall, most Texans—61 percent of Texas adults—support setting stricter limits on coal-fired powerplants. Well, the President's Clean Power Plan would do just that. It is projected to both cut carbon emissions and save Americans money on their annual energy bills. Yet the junior Senator from Texas rails against the plan, urging people "to stand up against this administration's dangerous agenda of economic decline"—economic decline if you are a big polluter, maybe, used to polluting for free. The Clean Power Plan will save the average American family nearly \$85 on their annual energy bill by 2030, not to mention preventing death and disease through reduced soot, smog, and other harmful pollutants.

A 2014 study found that strong limits on carbon pollution similar to those in the Clean Power Plan would prevent 2,300 deaths in Texas between 2020 and 2030. Texas emits the highest amount of carbon pollution in the country. Yet Texas is well positioned to meet its Clean Power Plan targets.

An Environmental Defense Fund study based on data from Texas's primary electric grid operator shows that existing market trends alone will get Texas to 88 percent of its compliance with the plan as a result of increased wind power capacity, improved energy efficiency results, and switching from coal to natural gas. In fact, Texas's wind farms have become so good at generating power that some utilities are giving away energy.

Here is an article from the New York Times on this unique situation in

Texas with the headline "A Texas Utility Offers a Nighttime Special: Free Electricity."

Mr. President, I ask unanimous consent that this article be printed in the RECORD at the end of my remarks.

Scott Burns, the senior director of innovation at Reliant Energy, a Texas utility with plans to incentivize night and weekend electricity use, says: "You can be green and make green."

With Texas so strong in wind energy production and solar energy potential, Texas is actually in a position to use its clean energy resources to help other States comply with the Clean Power Plan, a win-win with even more Texas clean energy jobs.

So, in Texas, there is an overwhelming consensus of scientists at their own State universities, there is a desire for action among the majority of Texans, and there are vast economic opportunities from Texas renewable energy. But the junior Senator from Texas continues to rail against mainstream climate science. He claims that "according to the satellite data, there has been no significant global warming for the past 18 years." Eighteen years. What an interesting number to pick—18 years. If we go back 18 years, we start in 1998.

Why might the junior Senator from Texas start his assessment of satellite data in 1998? Well, look at this. When PolitiFact investigated the Senator's claim that global warming has paused, the Senator's office referred to the work of Dr. Carl Mears, a scientist who worked with satellite data temperature sets. This is a graph of that data. Look at 1998. The Earth was experiencing a large El Nino event in 1998, and the observed temperatures were substantially above normal. So if that is where we start the data set, of course it is going to look like a pause. As the Washington Post put it, "There is a reason why Cruz uses this particular year, and that reason is what makes this claim misleading." PolitiFact ruled him "mostly false," by the way.

The whole data set shows a clear, unequivocal, long-term global warming trend. As Dr. Mears himself said, "You can look at the data since 1980, and it's pretty clear that there's an ascending trend there. But if you look at any 15-year period, it's a lot less clear that the trend line that you drive might actually mean something." Dr. Mears also warns against drawing conclusions from just this one data set. "Look at all the different datasets," he said. "You don't want to trust only the satellite temperatures; you want to look at the surface temperatures and that sort of thing."

Scientists have known for some time that the oceans bear the brunt of global warming. The reason is simple: They can absorb more heat than the atmosphere, and they do. Peter Gleckler, an

oceanographer at the Lawrence Livermore National Laboratory, said, "Ninety, perhaps 95 percent of the accumulated heat is in the oceans."

A study released this month shows the world's oceans absorbed—I don't think this number has ever been said before on the Senate floor—approximately 150 zettajoules—that is a lot of zeroes; I don't even know how many zeroes that is—150 zettajoules of man-made heat energy between 1997 and 2015. What does that mean? Here is how the Washington Post described it. I will quote the Washington Post:

[I]f you exploded one atomic bomb the size of the one dropped on Hiroshima every second for a year, the total energy released would be 2 zettajoules. . . . Since 1997, Earth's oceans have absorbed man-made heat energy equivalent to a Hiroshima-style bomb being exploded every second for 75 straight years.

Yet the Senator from Texas would like us to base our calculation on a cherry-picked data set beginning in an outlier year.

The oceans aren't just warming, unfortunately. The warming in the oceans is accelerating. Paul Durack, coauthor of the study, notes, "After 2000 in particular the rate of change is really starting to ramp up."

People who insist that the climate has not warmed in recent decades ignore a lot, but one thing they particularly ignore is the oceans, and we measure this stuff. The oceans don't lie.

Here is another good one from the junior Senator. The Senator from Texas informs us that "history with markedly more CO₂ predated the Industrial Revolution, so it didn't come from automobiles or the burning of carbon fuels." What he omits is that this history with markedly more CO₂ occurred more than 800,000 years ago.

This chart shows that here is where we are right now. Here is the record of carbon in the atmosphere going back 800,000 years. Where in that period was it more than now? Never. Eight hundred thousand years, hundreds of thousands of years before humans even began to walk the Earth.

Greenhouse gases blanket our planet, absorbing the Sun's energy and preventing heat from escaping back into space. Ice sheets melt, seas warm and rise, and so since the late 1880s, sea level has risen 3 feet along the shores of Galveston, TX. None of that matters to the junior Senator from Texas.

In December he even convened a hearing protesting scientific consensus on climate change as "partisan dogma and ideology." Tell that to NASA and the U.S. Navy. At the time, more than 190 countries were negotiating the groundbreaking international climate agreement in Paris. Well, Texans were on hand in Paris too. Austin mayor Steve Adler signed the Compact of Mayors, a "global coalition of mayors pledging to reduce local greenhouse gas

emissions, enhance resilience to climate change, and report transparently." Katherine Romanak and Hilary Olson represented the University of Texas's Gulf Coast Carbon Center to share their expertise on carbon capture and storage. Professor Robert Bullard, dean of the School of Public Affairs at Houston's Texas Southern University, organized a delegation from the Historically Black Colleges and Universities Climate Change Consortium, and Dr. Katharine Heyhoe, director of the Climate Science Center at Texas Tech University, encouraged fellow evangelicals to join her in faith-inspired support for climate action.

On that subject, let me read into the RECORD the 2015 statement of the National Association of Evangelicals:

[T]he Earth belongs to God, not us. . . . Probably the most serious and urgent challenge faced by the physical world now is the threat of climate change. . . . We encourage Christians worldwide to . . . exert legitimate means to persuade governments to put moral imperatives above political expediency on issues of environmental destruction and potential climate change.

Well, as the President said last week, America "led nearly 200 nations to the most ambitious agreement in history to fight climate change."

The junior Senator from Texas would be President, yet he completely refuses to engage on climate change. He ignores Texas State universities, Texas scientists, Texas local officials, and the whole clean energy economy in Texas. He courts evangelicals. He associates himself with the evangelical movement, but he ignores the statement of their own national association.

Now, some say his candidacy is a danger to our distinct American heritage, the separation of church and state. But, really, it seems to me his problem is with the separation of oil and state.

The fossil fuel industry is the last bastion of climate denial. It funds a vast apparatus of climate denial. It also funds a lot of politics. You do the math.

It is time to wake up.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times,
November 8, 2015]

ENERGY & ENVIRONMENT
A TEXAS UTILITY OFFERS A NIGHTTIME
SPECIAL: FREE ELECTRICITY

(By Clifford Krauss and Diane Cardwell)

DALLAS.—In Texas, wind farms are generating so much energy that some utilities are giving power away.

Briana Lamb, an elementary school teacher, waits until her watch strikes 9 p.m. to run her washing machine and dishwasher. It costs her nothing until 6 a.m. Kayleen Willard, a cosmetologist, unplugs appliances when she goes to work in the morning. By 9 p.m., she has them plugged back in.

And Sherri Burks, business manager of a local law firm, keeps a yellow sticker on her townhouse's thermostat, a note to guests

that says: "After 9 p.m. I don't care what you do. You can party after 9."

The women are just three of the thousands of TXU Energy customers who are at the vanguard of a bold attempt by the utility to change how people consume energy. TXU's free overnight plan, which is coupled with slightly higher daytime rates, is one of dozens that have been offered by more than 50 retail electricity companies in Texas over the last three years with a simple goal: for customers to turn down the dials when wholesale prices are highest and turn them back up when prices are lowest.

It is possible because Texas has more wind power than any other state, accounting for roughly 10 percent of the state's generation. Alone among the 48 contiguous states, Texas runs its own electricity grid that barely connects to the rest of the country, so the abundance of nightly wind power generated here must be consumed here.

Wind blows most strongly at night and the power it produces is inexpensive because of its abundance and federal tax breaks. A shift of power use away from the peak daytime periods means lower wholesale prices, and the possibility of avoiding the costly option of building more power plants.

"That is a proverbial win-win for the utility and the customer," said Omar Siddiqui, director of energy efficiency at the Electric Power Research Institute, a nonprofit industry group.

For utilities, the giveaway is hardly altruistic. Deregulation in Texas has spurred intense competition for customers. By encouraging energy use at night, utilities reduce some of the burdens, and costs, that the oversupply of wind energy places on the power grid.

Similar experiments are underway elsewhere.

In Italy, customers of Enel, a leading utility, can receive incentives for keeping their electricity use below a predetermined level at times of highest demand.

In Maryland, Baltimore Gas & Electric allows customers to earn rebate credits on their bills for every kilowatt-hour less that they use during certain high-demand times. The program is run by Opower, which manages similar programs for several utilities.

And in Worcester, Mass., National Grid has installed a home energy management system from Ceiva Energy in about 11,000 homes, connecting a range of devices like smart plugs, high-tech thermostats and digital picture frames that display the home's energy use along with the photos.

But no major market has gone as far as Texas, which is conducting a huge energy experiment made possible by the nearly universal distribution in recent years of residential smart meters that can receive and transmit data on electricity.

"Texas is head and shoulders above everybody else with really unique packages for the consumer," said Soner Kanlier, a retail energy markets expert at DNV GL, a consulting firm based in Oslo, Norway.

Texas is a unique power market, one that makes it better suited for innovation than most others. It is by far the largest deregulated electricity market in the country, spawning scores of retail power competitors hungry to make new customers and keep old ones.

"You can be green and make green," said Scott Burns, senior director for innovation at Reliant Energy, which has plans to offer incentives to increase night and weekend electricity use.

Energy experts say smart meters have not yet reached their potential and have made

little difference in total power use. In many cases, utilities have monopolies and fixed rates, and they do not want to see customers bled away by renewable energy sources, so they have little incentive to use the new data source in creative ways, experts say. Texas is trying to be the exception, though experts say it will still take more time to assess the impact.

"The American consumer wants choice," said Jim Burke, TXU's chief executive. "Consumer choice, with its impacts and benefits, will drive the future of the power industry." But he quickly added a note of caution: "I think the pace at which it evolves is the unknown."

Executives freely acknowledge that the range of residential electricity plans they offer is overwhelmingly a marketing tool.

"We're all trying to grow, and it's a very competitive market," said Manu Asthana, president of the residential division of Direct Energy, which offers various plans.

Commercials on television and radio, billboards on highways, and aggressive social media campaigns promise joyful, or at least free, cooking, cooling and gadget-playing at certain hours.

"Every morning, every evening, ain't we got fun?" goes one TXU jingle, mimicking the jaunty song that became popular in the 1920s. When customers ask for information or complain on the phone or by Twitter post or Facebook comment, company agents go over their electricity needs and habits to find the right plan for them. Otherwise, power executives say, the customer can easily be lost.

"Time of use" plans are growing in popularity in Texas, according to figures compiled by the Electric Reliability Council of Texas, or Ercot, the operator of the power grid and the manager of the deregulated market for 75 percent of the state.

In June 2013, 135,320 households had enrolled in "time of use" plans in the Ercot region. That number climbed to 290,328—out of more than six million residences in September 2014. And although nearly 63,000 residences dropped out of the program over that time—in part because rates are typically higher under the plans at peak hours—Ercot officials believe that the number of households enrolled continues to grow.

Consumers estimated that the plans were saving them as much as \$40 or \$50 a month during the peak summer season.

"We are still in the formative stages of this," said Paul Wattle, an Ercot senior analyst for market design and development. "If we can reach critical mass—and 290,000 is already a pretty good number—but if that number started to double or triple, you could start seeing a significant shifting of load, and that is the whole point."

Ms. Burks, the law firm business manager, is part of that shift—and she is not motivated by environmental concerns.

"I never thought about it," she said. In fact, she leaves lights on and even the television on when she leaves the room.

"I'm really wasteful now," she said. "The first thing I tell my guests is my electricity is free after 9."

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

AMERICAN SAFE ACT

Mr. CARDIN. Mr. President, I take this time as a Senator from Maryland, as well as the ranking Democrat on the Senate Foreign Relations Committee, to talk about the bill we voted on earlier today—on the motion to proceed to the so-called SAFE Act dealing with

Syrian refugees. I like to call it the fear act because I think it really is an act that is misguided.

I will start by saying that the world looks to the United States, and when there are tough problems, they look to our leadership. They know this country is prepared to step forward and provide the international leadership to deal with the toughest problems we face as a global community.

The bill I call the fear act would jeopardize America's response to one of the greatest humanitarian crises of our time, it would jeopardize the U.S. leadership on humanitarian issues, and I think it would compromise U.S. security. Let me tell my colleagues why. We face the greatest crisis on refugees and displaced individuals since World War II. The number is about 60 million globally who are currently refugees or displaced. The largest numbers right now are coming out of Syria. Make no mistake about it—millions are coming out of Syria. They are escaping the Assad regime's barrel bombs and gases and starvation policies. These are victims. These are people who are losing their lives because of the barbaric regime of President Assad. Our values are that we respond to those issues, that we act in a responsible way, that we help the international community to help those people who are trying to escape the persecutions of oppressive regimes.

The fear act would shut down the U.S. process of accepting Syrian refugees. Why do I say it would shut it down? Because it would require the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Director of National Intelligence—all three—to certify, on an individual basis, the ability of these individuals to meet our standards to come into the United States. That would require 100 certifications per day, 300 certifications total.

What else would they be doing? I hope the Director of the FBI is working to keep our country safe and more than just dealing with the Syrian refugees. This would cut down and eliminate our ability to accept Syrian refugees.

Let me cite some of the numbers. The United States has accepted 2,000 Syrian refugees. There are millions of Syrian refugees. The total number the President has talked about is 10,000—a small fraction of the total numbers who are being relocated under the Syrian refugee program. We look at the neighboring countries alone, what is being done in Jordan, what is being done in Lebanon, and look at what Europe is accepting. We are taking a very small burden here, and it is individuals who do not pose a threat. I will explain that. Every one of us will do everything we can to make sure that our homeland is safe. I am prepared to do everything reasonable to make sure we keep Americans as safe as we possibly can from the threat of extremists.

So what do these Syrian refugees go through? By the way, there has not been a reported case of a Syrian refugee in regards to terrorism. What do they go through?

First, they are screened by the High Commissioner for Refugees of the United Nations. They screen the individuals who are considered eligible to come to the United States. They go through that screening process. Then they are fingerprinted and go through a biometric check. They go through several layers of biographical and background screenings. They are individually interviewed by U.S. officials. It takes about 18 to 24 months. If you are a terrorist, you are not going to go through this.

It is up to the potential individual who will come to the United States as a refugee to establish that they are a refugee. That means they must establish that they have been a victim of the terrorist activities in order to be able to get to the United States. It is up to them to establish that burden. We don't accept individuals who cannot establish that burden. This is not the target group that we should be concerned about.

The real threat to our homeland security—let's take a look at others who come to this country. We already did this in the omnibus bill, but we know under the Visa Waiver Program there are individuals who hold passports of countries with which we have the Visa Waiver Program. That means they are countries that have relations with the United States, and we generally accept their visitors without a visa. Many of these countries have foreign fighters who have gone to the affected areas that could very well be involved in terrorist activities and then come back to the European country and come to the United States under the Visa Waiver Program. Well, we took some action against that in last year's bill. That was good. We need to continue to scrutinize that.

What we saw happen in California was that we had a spouse who didn't come under a Syrian waiver program or a Syrian refugee program, but who came under other visa programs. That needs to be scrutinized. For people who come to America, we need to know that they are not connected to a terrorist organization.

But the greatest concern is the radicalization of Americans. We need to know why people do what they do. We need to have a better system to protect the homeland. Let's focus on the real problem areas in our country.

If this bill were to be passed, it would actually make us less safe. It would affect our national security. Let me tell you the reason why. First, it would clearly diminish U.S. leadership. When we go and seek international support, particularly for our coalition against ISIL, our failure to be willing to take

any of the Syrian refugees will certainly compromise America's credibility and ability to lead internationally.

It will be used by ISIL as propaganda. Make no mistake about that. They understand that. This is what they are saying about America.

It is against our values. It makes us weaker as a nation.

It is for those reasons that we found that national security professionals from both parties, including Henry Kissinger, David Petraeus, Brent Scowcroft, and Michael Chertoff, all have come out in opposition on the grounds that it would undermine our security and benefit ISIL. These are professionals. They understand the risk factors.

What we should be doing is everything we can to protect us from the threat of ISIL. That means let's figure out ways we can share intelligence information among all of our willing partners. Let's provide the leadership, particularly in those countries in which ISIL can operate, so that the governments represent all the communities, so that there is not a void where the Sunni minority population feels that their only safety is with ISIL.

Let's make sure we cut off all the financial support for ISIL, including their oil abilities and the transport of oil. This is what the Obama administration is doing. Let's make sure we do cut off any opportunities to expand their capacity.

Let's deal with foreign fighters—people who come from Western countries who go to these areas and train. Let's make sure that we know where they are, and when they try to come back into one of the Western countries, that they are apprehended and tried because of their affiliation with terrorists.

Let's help countries such as Jordan, Iraq, and Lebanon that are taking on the extreme burdens of the refugees so they can deal with their own crises that have been exaggerated because of the Syrian conflict and ISIL formation.

In other words, let us work in a coordinated way to root out the main cause of the terrorist activities; that is, ISIL's ability to attract supporters and to gain territory. Let's take away that territory, coordinate our airstrikes, and work with the local forces on the ground. All of that should be done, and we need to work together on that.

To concentrate on the few thousand Syrian refugees who have gone through this country's strictest vetting process makes little sense and will not keep us safer, but, as I indicated before, will actually compromise our national security.

In closing, let me state what makes this Nation the great Nation that it is. I think each of us knows that we are living in a special country—a country that has stood up for freedom, a coun-

try that has been looked upon as a beacon of hope around the world. Many of our parents and grandparents came from other countries in order to settle in this country because of its opportunity.

I am a student of history, not just because it is an effective, factual counterpart to the bluster of politicians and social media accounts. History can be a touchstone to remind us of who we are and a lens through which we can see who we are. Throughout our history, we have recognized that even in times of war we were fighting leaders of authoritarian regimes and not their victims. From 1945 to 1952, we resettled 400,000 displaced persons from Nazi-controlled areas in Europe. In the fall of Saigon in 1997, the United States rescued 883,000-plus refugees who fled Vietnam, a country with which we had been in a state of undeclared war that claimed 58,000 American lives. Between 1970 and 1991, we resettled 200,000 Jews from the Soviet Union, the very government which posed the greatest security threat the United States has ever known. In addition, we have resettled hundreds of thousands of refugees from Cuba and other countries behind the Iron Curtain.

This Republican bill we considered today dishonors our proud history of providing a safe haven. History can also be harsh and unsentimental. This bill risks repeating mistakes of the past when the United States tragically turned away Jewish refugees in World War II.

After the photo of Aylan Kurdi, the 3-year-old who was washed up on the beach, was published in the news media, the American people opened their hearts to the Syrian people. The American people recognize the distinction between those who are victims of terror and those who perpetrate it. We should not let knee-jerk reactions keep us from being the beacon of hope for Syrians and other refugees in the Middle East, Africa, and around the world. We should do what we do best—our values.

We should never compromise homeland security. We need to do everything we can to keep Americans safe. We need to make sure we have the strictest vetting procedures for anyone who wants to come to this country as a refugee or a visitor. We could always do a better job, and we have to do more to understand why Americans have been converted to radicalization through the Internet and what has happened on social media.

Yes, we need to do a much more effective job of keeping America safe and the homeland safe, but shutting down the Syrian refugee program would be a major mistake for our values of who we are as a nation and for our national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I ask unanimous consent to be allowed to speak as in morning business for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING PAUL KINSMAN

Mr. ROUNDS. Mr. President, I rise today to commemorate the life and legacy of Paul Kinsman. Paul was born in Watertown, SD, on September 7, 1958, and died in Pierre, SD, on January 10, 2016, at the young age of 57. Paul was a lifelong South Dakotan and a dedicated public servant to the citizens of our State.

After earning his law degree, Paul began 28 years of public service to the people of South Dakota. We are a better State and a better people because of his hard work and his dedication.

As an administrative law judge, the deputy commissioner of administration, the director of property taxes and special taxes, the commissioner of administration, and the secretary of revenue, he inspired his coworkers with his intelligence, his humor, and his tenacity for getting things done.

During my 8 years working as Governor of South Dakota, Paul served as commissioner of the Bureau of Administration and secretary of revenue. He was a burly, teddy bear of a man. No matter how hard the problem or how challenging the issue, whenever we met he had a gleam in his eyes and a smile on his face that told me without words that we were going to solve that problem or meet that challenge. And we did because of him.

As an administrative law judge and tax collector, he earned the respect and admiration of the public, even when his rulings and applications of law were not in their favor. He was straightforward and fair, which South Dakotans appreciate.

As the head of the Bureau of Administration, he led and championed many projects that increased the efficiency of State government to serve the people and preserve the heritage of South Dakota in the people's house, our State capitol.

But more important than all of his career accomplishments is the kind of person Paul Kinsman was. He was a loving husband, father, grandfather, and friend to all who knew him. He had a tremendously positive impact on the many thousands of people he met and touched with his kindness and generosity. With this, I welcome the opportunity to recognize and commemorate the life and legacy of this public servant and my friend, Paul Kinsman.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ENEMIES LIST REGULATION

Mr. MCCONNELL. Mr. President, news outlets reported something today that should worry all of us. Apparently, President Obama is again—one

more time—considering imposing his enemies list regulation by Executive order, just weeks after Congress voted overwhelmingly to pass, and the President signed into law, legislation prohibiting him from doing that very thing.

The enemies list regulation would inject partisan politics into the government contracting process by allowing an organization's political leaning and donations to be considered. Here is the practical effect: Administrations of either party could draw friends lists and enemies lists and then award contracts based upon whether an organization backed the right horse in the last election.

That is the kind of thing you would expect in some banana republic but not in the United States of America. So why would the President even attempt to impose such a bad idea?

Let me remind my colleagues of something the President's own Chief of Staff recently said. He implied that the central question President Obama will now ask himself before imposing a policy is—listen to this—“Why not?”

“Why not?” Think about that—not whether it is good for the country, not whether it is constitutional, just “why not.”

If future Republican Presidents lived by this “why not” standard, Democrats would be truly outraged. If future Republican Presidents ignored prohibitions passed by Democratic-controlled Congresses, Democrats would be outraged. When the legislature passes a prohibition and the President signs that prohibition into law, it is the law.

I hope every one of my colleagues, even those who support the idea of an enemies list, will join me in that sentiment at least. If it is the law, it is the law. We are always mindful that the precedents set today could be wielded by a different President tomorrow.

The intent of the prohibition Congress passed here is absolutely clear, regardless of creative arguments the administration might construct to justify skirting the law.

If President Obama's standard these days is “why not,” then here are a few reasons why not. Here is the first: He can't do it. That should really be the end of the discussion.

For the sake of argument, here is another reason: It is a terrible policy. Just listen to what members of the President's own party have said about it. One of our Democratic colleagues in the Senate said:

Under the Federal Acquisition Regulation, the award of contract must be based on the evaluation of quality, price, past performance, compliance with solicitation requirements, technical excellence and other considerations related to the merits of an offer. The requirement that businesses disclose political expenditures as part of the offer process creates the appearance that this type of information could become a factor in the award of Federal contracts.

She explained:

Requiring businesses to disclose their political activity when making an offer risks injecting politics into the contracting process.

The second-ranking Democratic in the House—not some back-bencher—said:

The issue of contracting ought to be on the merits of the contractor's application and bid and capabilities. . . . There are some serious questions as to what implications there are if somehow we consider political contributions in the context of awarding contracts.

He said he was “not in agreement with the administration” on this issue.

So, look, no one should have to worry about whether supporting a certain political party or a candidate will determine their ability to get a Federal contract or keep their job. I hope what we read in the papers is not accurate.

The President's enemies list proposal fails even the “why not” test on multiple levels:

No. 1, he can't.

No. 2, it is bad policy, as Democrats have reminded us.

If you need another reason, here is a third: No. 3, Congress has rejected these types of policies already.

There are plenty of reasons why the President should not attempt to impose this regulation, and the President should heed them.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

230TH ANNIVERSARY OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

Mr. LANKFORD. Mr. President, in 1992, the House and Senate joined together to pass a resolution designating January 16 as Religious Freedom Day to celebrate one of the most powerful and unique freedoms within our Nation's founding and fabric. This day is significant because it marks the passage of the 1786 Virginia Statute for Religious Freedom originally authored by Thomas Jefferson.

2016 marks the 230th anniversary of the passage of this statute that, as Congress recognized, “inspired and shaped the guarantees of religious freedom in the First Amendment.” It reads in part: “. . . no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced . . . in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to main-

tain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.”

The Founders understood that there is a direct connection between the prosperity and health of a nation and its respect for human rights and religious freedom. Individual faith grows when people live free of government coercion and control. In America, individuals can practice any faith or no faith. This is true religious freedom—having the freedom to practice a faith or to have no faith at all and to have that choice not only be respected, but protected.

Respecting and protecting this fundamental human right means that we cannot diminish it. The constitutional guarantee of the free exercise of religion means that people have a right to live their faith in public. Saying someone has the right to worship freely at the place of their choosing is not the same thing. Additionally, while one faith group should not be favored over another, so too should we not err on the side of removing faith from the public sphere and opting for no religion at all.

Thomas Jefferson left explicit instructions that his authorship of the Virginia Statute for Religious Freedom be included on his gravestone as one of only three things for which he wanted “most to be remembered.”

As we celebrate the 230th anniversary of the passage of this statute, what will we be most remembered for? I hope that we can be remembered for not only honoring this legacy of Thomas Jefferson, but for upholding a right that is fundamental to the core of this nation and to human dignity—religious freedom.

REMEMBERING OFFICER RICARDO GALVEZ

Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring the life of Downey police officer Ricardo Galvez, a devoted son and brother who was tragically killed in the line of duty on November 19, 2015.

Officer Galvez was born on April 2, 1986, and grew up in Whittier, CA. In 2006, he joined the Downey Police Department as a police aide and 2 years later decided to serve his country by joining the U.S. Marine Corps as a Reservist. After bravely serving in Iraq, Officer Galvez returned to Downey and became a police officer in 2010. He deployed again in December 2012 to Afghanistan during Operation Enduring Freedom.

Those who knew Officer Galvez fondly remember him as a caring man with an infectious smile, a person of great humility and kindness, and a trusted colleague and friend who was committed to his family and career.

The U.S. Marine Corps' motto, *Semper Fidelis*, is Latin for "always faithful" and truly embodied Officer Ricardo Galvez. He dedicated his entire adult life to public service, unwavering in his commitment to defend Americans abroad and safeguard his community at home. His devoted and courageous service earned the respect and affection of the colleagues he worked alongside, the community he served, and the family and friends he loved. He will be deeply missed.

On behalf of the people of California, for whom he served so bravely, I extend my gratitude and deepest sympathies to Ricardo's mother, Margarita; brother, Pedro; sisters, Nancy and Sandra; and his entire extended family.

TRIBUTE TO DIANNE BEECHER

Mr. CASEY. Mr. President, today I wish to commend Dianne Beecher who has honorably served the people of Pennsylvania for over 28 years, most recently as senior constituent advocate for my Senate office. Dianne has been a trusted member of my staff and a loyal friend over the 11 years we have worked together.

Before her years in public service, Dianne had already proven herself to be a kind of "Renaissance woman." She dabbled in entrepreneurship, worked as an entertainment promoter, and spent a period of time as a race car driver. While creating this unique resume, Dianne's most important and dearest role was that of a devoted mother to five children—Sharryl, Aileen, Jodi, Bradley, and Brandee. Carrying her compassion for people into her professional life, Dianne found her niche in the pursuit of helping others. She began her career in public service with the Democratic State Committee for Pennsylvania as its political director, eventually joining the Pennsylvania chapter of the AFL-CIO, serving as its political education coordinator.

Dianne originally joined my staff in the auditor general's office in 2004; when I became State treasurer, she moved with me. In that office, she assisted in creating one of the first constituent services operations within the treasury department. When I was later elected to the U.S. Senate, Dianne continued her dedication to the people of Pennsylvania as the senior constituent advocate on my constituent services team.

Early in my first term as a U.S. Senator, Dianne became a vital component in the establishment of my office's constituent services operation. Through her role as senior constituent advocate, Dianne has literally saved the lives of countless Pennsylvanians. Over the years, she managed hundreds of cases, specializing in Social Security and Medicare, while maintaining a genuine and unfailing commitment to each con-

stituent she encountered. Dianne has saved the health insurance coverage for individuals suffering from serious illnesses, allowing them to continue care and maintain their medications.

She is responsible for the financial stability of countless people unable to work due to their medical conditions. In one instance, Dianne's work was recognized by National Public Radio when she saved a family in the midst of the 2008 housing crisis by helping them finally receive retroactive benefits due from Social Security. Most constituent services work goes unacknowledged by the press; however, Dianne's commitment and compassion remains the same for every case in her portfolio. She works meticulously and regularly goes beyond the call of duty to provide the resources and support needed for the people of the Commonwealth.

Throughout her career, Dianne has served the people of Pennsylvania with distinction and diligence. Her compassion and commitment to helping others left a lasting impression not only within my office, but in the lives she touched through her good work. I wish her well in her retirement and hope she will have the opportunity to enjoy more time with her children, 10 grandchildren, and two great-grandchildren.

ADDITIONAL STATEMENTS

REMEMBERING CARL SHARIF

• Mr. BOOKER. Mr. President, today I wish to recognize the life and legacy of New Jersey and proud Newarker Carl Sharif, who passed away on September 30 at the age of 72. Carl was a dear friend and mentor to me at the dawn of my career in public service. He will be greatly missed by the city of Newark and by all who knew him.

A son of Newark, Carl began his career as an aide to Mayor Hugh Addonizio in the 1960s, and he remained a dedicated public servant for the rest of his life. During times of great tumult and change, Carl was a steady presence in Newark, working from within its government to strengthen the city's spirit and foundation. In 1970, Carl helped to lead the campaign to elect Kenneth Gibson, the first Black mayor of Newark. He served as an aide to Mayor Gibson and as a member of Newark's school board, quickly becoming its president.

Carl was incredibly generous with his time and with his tremendous political and institutional knowledge. He served as one of my earliest mentors in professional politics, and he led me through my first campaign for city council and my second campaign for mayor. It was Carl who insisted that the key to significant and lasting change in our city was through walking every street, knocking on every door, and talking with every Newarker. Carl reminded all

of us that we were never to forget the people we were elected to serve, and I will be forever grateful for his wisdom, support, and advice through the years. I cherish all that he taught me, and I will do everything I can to honor his legacy through my work and life.

Carl was committed to ensuring the best for Newark and all of its people. He devoted himself wholly to our city and its people, and they loved him in return. For his family, friends, our city, and our State, Carl leaves a legacy of public service and unwavering faith in the goodness of our community. As we reflect on this inheritance, I ask that my colleagues join me in honoring Carl Sharif's love for and service to his city and its people and in remembering his extraordinary life.●

TRIBUTE TO BLAKE WOMBOLD

• Mr. DAINES. Mr. President, I would like to honor Blake Wombold of Heart Butte, a staff sergeant in the U.S. Army Reserves, for his generous contribution of new shoes for the Heart Butte High School Boys basketball team.

Blake was born in Browning, MT, and is an alumnus of Heart Butte High School, where there were only 19 students in his graduating class. He played basketball throughout his high school career and truly feels basketball is "king" in Indian Country. Blake went on to graduate from Salish Kootenai College with a general science degree. He has been with the Army Reserves for 7 years, is a staff sergeant, E-6, as well as a combat trainer/biomedical equipment technician.

This year marks the second year that Blake has donated new shoes to Heart Butte's basketball team. Growing up, Blake witnessed the sacrifices his mother, a teacher at Heart Butte School, made to provide for him, and he wanted to be able to give back to the community that supported him.

Staff Sergeant Wombold is currently preparing to deploy overseas. His selfless heart is a true example of what it means to be a Montanan. On behalf of all Montanans, I am proud of his service to our community, State, and Nation.●

REMEMBERING ARCHBISHOP FRANCIS T. HURLEY

• Ms. MURKOWSKI. Mr. President, this week Alaska's faith communities are mourning the loss of Archbishop Emeritus Francis T. Hurley who passed on January 10, 2 days shy of his 89th birthday. Archbishop Hurley will be buried this weekend.

Archbishop Hurley was ordained a priest of the San Francisco Archdiocese in 1951. He came to Alaska in 1970 as the auxiliary bishop of Juneau and was elevated to archbishop of the

Archdiocese of Anchorage in 1976. He served a quarter century in that role until 2001. Archbishop Hurley remained active in the life of Alaska's Catholics until his death. He had a remarkable career that stretched 45 years.

Many come to Alaska from other places and leave a few years later because they failed to take Alaska on its terms. If there is one thing to be said about Archbishop Hurley it is that he understood what it took to be successful in our remote environment. He not only understood what it took to succeed in Alaska. He fully embraced it. He thrived on it.

No roads connect the island communities for which the auxiliary bishop of Juneau was responsible. Bishop Hurley might have stayed in Juneau and waited for his 4,000 parishioners to come to him. Instead he chose the road Alaskans would take. He learned to fly so that he could bring the church to the people, and he piloted the diocesan plane for more than 5,000 hours over the course of his career.

During his relatively brief tenure in Juneau, Archbishop Hurley created Trays on Sleighs, an Alaska centric interpretation of the senior feeding program known as Meals on Wheels.

He is responsible for three of the most important social service facilities in Anchorage; Covenant House, which serves homeless youth; the Brother Francis Shelter, which serves homeless men; and Clare House, an emergency shelter for women with children and expectant mothers.

All of these facilities exist today because Archbishop Hurley took the initiative to get them built. Near and dear to the archbishop's heart was the "Joy Community," which helped Catholics with developmental disabilities prepare to receive the sacraments. And these are just a few of many legacies he has left around the State. He also founded two Catholic newspapers: the Inside Passage in Juneau and the Catholic Anchor in Anchorage.

You might say that this is all part of a day's work for a Catholic bishop. But understand that Alaska is a very young State and lacks the infrastructure of more established provinces. What Archbishop Hurley did is identify the gaps in the social safety net and move forward with a single-minded determination to fill them.

Archbishop Hurley's contributions were international in scope. In December 1990, he traveled with Father Michael Shields to Magadan—a city in the Russian far east. In a theater, they offered Christmas mass—the first public mass in the city's history. Three hundred people attended.

In the following 3 weeks, signatures were gathered to register a new church, and on January 4, 1991, the Church of the Nativity of Jesus was founded. Across the years, Archbishop Hurley traveled there nine times and, on Janu-

ary 14, 2001, celebrated the parish's 10th anniversary.

As you can see, Archbishop Hurley's contributions were quite substantial. Yet he was much more than what he did. Archbishop Hurley was beloved for whom he was. He was a charming man with a tremendous sense of humor and a knack for remembering names. He was an engaging conversationalist. At times, it seemed like he was everywhere; at baptisms, at funerals, engaged in the political life of the community, tending to the needs of the homeless and the troubled. From the moment he came to Alaska, Archbishop Hurley was a man in motion, and even in retirement, he never slowed down.

Archbishop Hurley, respected by people of all faiths, was truly a central figure in the spiritual lives of Alaskans for nearly a half century. Every time I pass one of the churches that were built on his watch or the social services facilities he inspired, I will smile and reflect on how blessed I was to know him.●

CONGRATULATING VERMONT ESSAY WINNERS

● Mr. SANDERS. Mr. President, since 2010 I have sponsored a State of the Union essay contest for Vermont students. The contest, now in its sixth year, is an opportunity for Vermont's high school students to articulate what issues they would prioritize if they were President of the United States. A panel of Vermont teachers reviewed all of the essays submitted and selected the top 20. I am proud to say that nearly 800 students wrote essays for this year's State of the Union contest.

I would like to congratulate each and every finalist and to specifically acknowledge Meredith Holbrook as this year's winner of the contest. I would also like to recognize Vivian Huang for placing second and Ryan Racicot for placing third. I ask to have printed in the RECORD copies of the winning essays.

The material follows:

MEREDITH HOLBROOK, MILTON HIGH SCHOOL
(WINNER)

My fellow Americans, today the United States has the strongest military in the world. Our nation has the number one economy. We have the longest running democratic government in history. If we want to be considered the greatest in the world, the home of the free, the land of opportunity, then we must face the challenges before us.

In 2014, 48.1 million Americans lived in food insecure homes, of this, 15.3 million were children. This equates to 14 percent of households being food insecure. How can the wealthiest nation in the world be unable to feed its hungry? We have the full capability of providing for those in need. We should not allow politics to stop us from caring for our citizens in need. It is impossible to expect the people of this country to be functioning members of society without adequate nourishment. The solution to this problem is sim-

ple: feed America's hungry. I believe that if we were to create a cabinet level agency dedicated specifically to food-insecurity, we would be bettering the common good of America. Devoting ten billion dollars from the federal budget would make a tremendous improvement in the number of food-insecure homes. It may be a bold move to make, but our nation cannot move forward until our people are no longer hungry.

Alongside hunger is homelessness. On one given night in America, about 560,000 citizens are homeless, and about 200,000 of those people are in families. It should be the basic right of our people to have shelter and security. The wound of homelessness cannot be solved with night time shelters. Homeless people must be provided with long-term shelters if they are ever to be productive members of society. In order to solve this issue, we must invest in job counseling. Many homeless citizens are homeless due to the inability to acquire a job. If people had the chance to have a clean interview outfit, as well as proper interview instruction, there would not be as many people sleeping on the streets. In order to make this happen, we must have more people trained in the expertise of job counseling, and more programs helping to aid homeless citizens. Again, this would mean funding such programs. A small cost to pay to get Americans off the streets.

How a nation treats its elderly says a lot about its character. We will not be a nation that ignores the needs of its senior citizens. Today, many seniors cannot comfortably retire. They are often forced to choose between paying for food or, paying for medication. They will go without heat because they cannot afford to buy fuel. The source of this issue is Social Security. Although this retirement system has benefited many Americans, it needs to be changed. Social Security often does not change with inflation, or does not change enough to account for increased prices. While prices are rising, Social Security is not keeping up. This leaves seniors to make difficult choices regarding spending. Every year, Social Security should be assessed, and changed accordingly to inflation. To pay for this, we would need to raise the Social Security tax percentage to seven percent. This would allow America to adequately pay for the needs of our elderly.

This nation is nowhere near perfect. We have many issues we must address, domestic and foreign. We cannot expect to properly address issues overseas, until we fix the home we live in. We must fix America from within. Once we do this, we will truly be able to call ourselves the greatest nation in the world.

VIVIAN HUANG, SOUTH BURLINGTON HIGH
SCHOOL (SECOND PLACE)

The year of 2015 has been historic for the United States of America. We have signed a landmark agreement on climate change, enacted marriage equality, and become economically sound—marking greater economic growth rates than predicted and reaching a five percent unemployment rate. Still, we enter the year of 2016 with two pressing issues remaining on the global and the national scale: terrorism and healthcare. As we tackle these issues, we must remind ourselves that the United States of America is truly one nation, indivisible, with each citizen carrying responsibilities to support our nation's values, as well as one another.

First, following recent acts of terror around the world, it is top-priority for the United States to defeat the threat of ISIS. Enough is enough. Rest assured that rather than sending our troops to combat zones in

Iraq and Syria, we will take an active role in helping our European allies lead the battle. America must provide rigorous train-and-assist programs for Kurdish forces, exert a tight grip on ISIS-controlled territory, cut off supply lines, and implore the Gulf States to combat terrorism. Furthermore, previous experiences in Iraq and Afghanistan have revealed that merely destroying one source of terrorism will not suffice. To ultimately render counterterrorism and military action unnecessary in Iraq and Syria, we plan on developing political, economic, and educational reforms that will effectively respond to complex sectarian and ethnic divisions in the region.

Let's make it clear that the United States is not declaring a war against religion, but rather against the violence of extremism. As human beings, it is our responsibility to help the innocent Syrian families fleeing ISIS and Assad's brutal regime. Now is not the time to turn our backs, but to provide humanitarian aid and shelter, even though it requires extreme vigilance. Additionally, every American must confront the problem of bigotry, which only becomes exploited by ISIS for its own recruitment. We all have the duty to stand up against discriminatory rhetoric and hostile actions. We all have the duty to uphold the country's values by supporting each other—our friends, neighbors, co-workers, and fellow community members—with tolerance and respect.

Second, an important issue on the domestic front continues to be healthcare. Physical and mental wellness is a fundamental need for the American people. Over the past year, the Affordable Care Act has improved access to this basic human right for the uninsured. However, there is more to accomplish in 2016. Until completely comprehensive universal healthcare—namely, a single-payer system—is set into place, Medicaid must be expanded in 20 remaining states and community health clinics must be placed in underserved locations.

The Department of Health and Human Services must address the chief drivers of healthcare costs: hospital expenditures, physician and clinical services, and skyrocketing drug prices escalate the national health spending. To target this broad problem, a single-payer healthcare system will minimize unnecessary spending by requiring hospitals to operate on government-approved standardized billing procedures. Hence, hospitals and pharmaceutical companies will not be able to overcharge patients and run extortionate monopolies on essential medications.

Indeed, American citizens' rugged bravery, wise judgment, and drive for excellence have made this country great. But we can always progress forward, as long we stand united. Therefore, we will tackle the urgent issues of terrorism and healthcare not only with confidence, but also with the ambition to remain one nation, indivisible, with liberty and justice for all.

RYAN RACICOT, MILTON HIGH SCHOOL (THIRD PLACE)

The most pressing and immediate danger of today's society is the rapidly changing climate. The scientific community agrees virtually unanimously, that climate change is a very real and imminent concern. Continuation down the current path at this pace will eventually result in the ultimate demise of the human race.

This issue is not the United States' to tackle alone. In order to fully reverse the effects of climate change, it will take a worldwide collaborative effort unlike anything the

world has ever faced before. The United States' role going forward is to set an example for other first world countries. The United Nations' conference this year in Paris was a step in the right direction. But the United States needs to agree to a binding commitment to reduce emissions. Without a whole-hearted promise to abide to these reductions, the United States will not be taken seriously on this issue.

The United States government cannot expect corporations to make eco-friendly movements unprovoked, it is simply not worth the financial burden. The federal government needs to incentivize eco-friendly waste management for businesses, by making eco-friendly business more profitable than environmentally irresponsible business. As it stands now, no company has motivation to protect the environment. Doing so only hurts production and makes them less competitive. To reverse this trend, the federal government needs to enforce pre-existing environmental laws and spend more on environmental saving measures.

To convert all factories to updated standards for emissions, a large amount of money will be needed initially, but over time, a system in which clean energy is valued more than profit will result in a much more sustainable economy. Companies who destroy the environment and experience greater profit as a result will be forced to pay for their own pollution management systems. Greatly increasing taxes on environmentally irresponsible corporations will make clean energy more fiscally appealing than polluting means of energy. This is not stealing money from the American people or a redistribution of wealth. This is using money made by multi-billion dollar companies at the expense of the environment to help fix the problem they themselves helped to create. Also, by taking the charge on creating environmentally friendly products and machinery, the potential for the United States to make a profit is huge. By incentivizing other countries to go eco-friendly, and selling the materials and means to do so creates jobs and income, which boosts the U.S. economy, all without destroying the environment.

Unlike many other issues troubling the state of Vermont, the nation, and the world, climate change affects every single person. Regardless of race, gender, sexuality, socioeconomic status, religion, education or political affiliation, climate change affects all, especially the most disadvantaged. Because of this, it is everyone's personal responsibility to do their part in saving the planet. One cannot stand idle and expect other people do all of the dirty work. Helping to save the earth is not about how you can benefit, it is about how you can help the greater cause. We can no longer allow large corporations to prioritize making a profit over responsible waste management. The short-term profits for the rich are vastly outweighed by the long-term environmental consequences felt by all.●

TRIBUTE TO TERESA THOMPSON

● Mr. THUNE. Mr. President, today I recognize Teresa Thompson, an intern in my Rapid City, SD, office for all of the hard work she has done for me, my staff, and the State of South Dakota over the past few months.

Teresa is a graduate of Sturgis High School in Sturgis, SD. Currently, she is attending Black Hills State University

where she is majoring in history. She is a hard worker who has been dedicated to getting the most out of her experience while also raising her two children, Ben and Rachel.

I extend my sincere thanks and appreciation to Teresa Thompson for all of the fine work she has done and wish her continued success in the years to come.●

PRESIDENTIAL MESSAGE

REPORT OF THE VETO OF S.J. RES. 22, PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO THE DEFINITION OF "WATERS OF THE UNITED STATES" UNDER THE FEDERAL WATER POLLUTION CONTROL ACT, RECEIVED ON JANUARY 19, 2016—PM 37

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 22, a resolution that would nullify a rule issued by the Environmental Protection Agency and the Department of the Army to clarify the jurisdictional boundaries of the Clean Water Act. The rule, which is a product of extensive public involvement and years of work, is critical to our efforts to protect the Nation's waters and keep them clean; is responsive to calls for rulemaking from the Congress, industry, and community stakeholders; and is consistent with decisions of the United States Supreme Court.

We must protect the waters that are vital for the health of our communities and the success of our businesses, agriculture, and energy development. As I have noted before, too many of our waters have been left vulnerable. Pollution from upstream sources ends up in the rivers, lakes, reservoirs, and coastal waters near which most Americans live and on which they depend for their drinking water, recreation, and economic development. Clarifying the scope of the Clean Water Act helps to protect these resources and safeguard public health. Because this resolution seeks to block the progress represented by this rule and deny businesses and communities the regulatory certainty and clarity needed to invest in projects that rely on clean water, I cannot support it. I am therefore vetoing this resolution.

BARACK OBAMA.
THE WHITE HOUSE, January 19, 2016.

MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 29. Joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4129. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Community Facilities Technical Assistance and Training Grants" (RIN0575-AD02) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4130. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting proposed legislation entitled "Military Justice Act of 2016"; to the Committee on Armed Services.

EC-4131. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Energy, Installations, and Environment), Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Armed Services.

EC-4132. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Removal of Transferred OTS Regulations Regarding Management Official Interlocks and Amendments to FDIC's Rules and Regulations" (RIN3064-AE20) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4133. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Members of Federal Home Loan Banks" (RIN2590-AA39) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4134. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4135. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4136. A communication from the Regulatory Liaison, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Allocation and Disbursement of Royalties, Rentals, and Bonuses—Oil and Gas, Offshore" (RIN1012-AA11) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Energy and Natural Resources.

EC-4137. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Beverage Vending Machines" ((RIN1904-AD00) (Docket No. EERE-2013-BT-STD-0022)) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Energy and Natural Resources.

EC-4138. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting, pursuant to law, reports entitled "Report to the Congress: 2015 Compact Impact Analysis" and "Impact of the Compacts of Free Association on Guam FY (Fiscal Year) 2004 through FY 2014"; to the Committee on Energy and Natural Resources.

EC-4139. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Charleston Harbor Post-45 project in Charleston, South Carolina; to the Committee on Environment and Public Works.

EC-4140. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Leon Creek Watershed, San Antonio, Texas; to the Committee on Environment and Public Works.

EC-4141. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of the Modoc Sucker from the Federal List of Endangered and Threatened Wildlife" (RIN1018-AY78) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4142. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing Two Lion Subspecies" (RIN1018-BA29) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4143. A communication from the Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of *Frankenia johnstonii* (Johnston's frankenia) From the Federal List of Endangered and Threatened Plants" (RIN1018-AH53) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4144. A communication from the Chief of the Aquatic Invasive Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Injurious Wildlife Species; Listing Salamanders Due to Risk of Salamander Chytrid Fungus" (RIN1018-BA77) received during adjournment of the Senate in the Office of the President of the Senate on January 14, 2016; to the Committee on Environment and Public Works.

EC-4145. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Update of CC: International No-Rule Revenue Procedure 2015-7" (Rev. Proc. 2016-7) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4146. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-5" (Rev. Proc. 2016-5) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4147. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-3" (Rev. Proc. 2016-3) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4148. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Employee Plans Determination Letter Program Regarding Cycle A Elections, Determination Letter Expiration Dates, and Extension of Deadlines for Certain Defined Contribution Pre-Approved Plans" (Notice 2016-03) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4149. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2015 Retroactive Increase in Excludable Transit Benefits" (Notice 2016-6) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4150. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension of Import Restrictions Imposed on Archaeological Material Originating in Italy and Representing the Pre-Classical, Classical, and Imperial Roman Periods" (RIN1515-AE07) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4151. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "United States-Australia Free Trade Agreement" (RIN1515-AD59) received during adjournment of the Senate in

the Office of the President of the Senate on January 15, 2016; to the Committee on Finance.

EC-4152. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016-0001—2016-0011); to the Committee on Foreign Relations.

EC-4153. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Status Report on Implementation of District of Columbia Auditor Recommendations"; to the Committee on Homeland Security and Governmental Affairs.

EC-4154. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel's annual report for 2015; to the Committee on Commerce, Science, and Transportation.

EC-4155. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE344) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4156. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sculpins in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE337) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4157. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XE347) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4158. A communication from the Acting Director, Office of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Boundary Expansion of Thunder Bay National Marine Sanctuary; Correction and Expansion of Fagatele Bay National Marine Sanctuary, Regulatory Changes, and Sanctuary Name Change; Correction" (RIN0648-BF13) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4159. A communication from the Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2016-2018 Summer Flounder, Scup, and Black Sea Bass Specifications" (RIN0648-XE171) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4160. A communication from the Assistant Administrator for Fisheries, National

Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2016 Red Snapper Commercial Quota Retention" (RIN0648-BE91) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4161. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Greater Amberjack Management Measures" (RIN0648-BF21) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4162. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Smoothhound Shark Management Measures" (RIN0648-BB02) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4163. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Framework Amendment 3" (RIN0648-BF14) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4164. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Midwater Trawl Requirements" (RIN0648-BE29) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4165. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Seabird Avoidance Measures" (RIN0648-BD92) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4166. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Island Pelagic Fisheries; 2015 U.S. Territorial Longline Bigeye Tuna Catch Limits for the Commonwealth of the Northern Mariana Islands" (RIN0648-XD998) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4167. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Smoothhound Shark and Atlantic Shark Management Measures" (RIN0648-BB02) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4168. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XE327) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4169. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer" (RIN0648-XE321) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4170. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Central Regulatory Area of the Gulf of Alaska Management Area" (RIN0648-XE354) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4171. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for Commercial King Mackerel in the Florida West Coast Northern Subzone; Correction" (RIN0648-XE326) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4172. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Other Hook-and-Line Fishery by Catcher Vessels in the Gulf of Alaska" (RIN0648-XE358) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Michael Joseph Missal, of Maryland, to be Inspector General, Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FLAKE (for himself, Mr. DURBIN, and Mr. BOOKER):

S. 2449. A bill to amend the Immigration and Nationality Act to remove limitations on the ability of certain dual citizens from participating in the Visa Waiver Program; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. GRASSLEY, Mr. JOHNSON, and Mr. CARPER):

S. 2450. A bill to amend title 5, United States Code, to address administrative leave for Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 2451. A bill to designate the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, as "Liu Xiaobo Plaza", and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN:

S. 2452. A bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts; to the Committee on Foreign Relations.

By Mr. PAUL:

S. 2453. A bill to consolidate duplicative and overlapping Federal programs and reduce spending; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL (for himself, Mr. ENZI, and Mr. SESSIONS):

S. 2454. A bill to limit the period of authorization of new budget authority provided in appropriation Acts, to require analysis, appraisal, and evaluation of existing programs for which continued new budget authority is proposed to be authorized by committees of Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 2455. A bill to expand school choice in the District of Columbia; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. RUBIO):

S. 2456. A bill to simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. THUNE, and Mrs. CAPITO):

S. 2457. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans; to the Committee on Finance.

By Mr. CARDIN:

S. 2458. A bill to amend section 217(a)(12) of the Immigration and Nationality Act, relating to the restriction of the use of the Visa Waiver Program for aliens who travel to certain countries; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself, Mr. GRAHAM, Mr. COATS, Mr. HATCH, and Mrs. ERNST):

S.J. Res. 29. A joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RUBIO (for himself, Mr. WYDEN, and Mr. RISCH):

S. Res. 346. A resolution expressing opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine the Israeli-Palestinian peace process; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself, Ms. MIKULSKI, Mr. CARDIN, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. WARNER, Ms. BALDWIN, Mr. DURBIN, Mr. BLUMENTHAL, and Mr. COONS):

S. Res. 347. A resolution honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015; to the Committee on Foreign Relations.

By Mr. BLUNT (for himself and Mr. SCHUMER):

S. Con. Res. 28. A concurrent resolution to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017; considered and agreed to.

By Mr. BLUNT (for himself and Mr. SCHUMER):

S. Con. Res. 29. A concurrent resolution to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 383

At the request of Mr. CRAPO, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 383, a bill to provide for Indian trust asset management reform, and for other purposes.

S. 428

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment under Medicaid and the Children's Health Insurance Program, and for other purposes.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 624

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 720

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 720, a bill to promote energy savings in residential buildings and industry, and for other purposes.

S. 859

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 859, a bill to protect the public, communities across America, and the environment by increasing the safety of crude oil transportation by railroad, and for other purposes.

S. 1061

At the request of Ms. HIRONO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1061, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1473

At the request of Mr. MARKEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1473, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1567

At the request of Mr. PETERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1766

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1766, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1885

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1885, a bill to amend title 38, United States Code, to improve the provision of assistance and benefits to veterans who are homeless, at risk of becoming homeless, or occupying temporary housing, and for other purposes.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2144

At the request of Mr. GARDNER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2185

At the request of Ms. HEITKAMP, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2236

At the request of Mr. CRAPO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2236, a bill to provide that silencers be treated the same as long guns.

S. 2271

At the request of Ms. STABENOW, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2271, a bill to amend the Internal Revenue Code of 1986 to provide credits for the production of renewable chemicals and investments in renewable chemical production facilities, and for other purposes.

S. 2292

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2292, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2322

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a co-

sponsor of S. 2322, a bill to amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2429

At the request of Ms. AYOTTE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2429, a bill to require a report on the military dimensions of Iran's nuclear program and to prohibit the provision of sanctions relief to Iran until Iran has verifiably ended all military dimensions of its nuclear program, and for other purposes.

S. 2434

At the request of Mr. PAUL, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2434, a bill to provide that any executive action that infringes on the powers and duties of Congress under section 8 of article I of the Constitution of the United States or on the Second Amendment to the Constitution of the United States has no force or effect, and to prohibit the use of funds for certain purposes.

S. 2438

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2438, a bill to amend titles XI and XIX of the Social Security Act to establish a comprehensive and nationwide system to evaluate the quality of care provided to beneficiaries of Medicaid and the Children's Health Insurance Program and to provide incentives for voluntary quality improvement.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself, Mr. GRAHAM, Mr. COATS, Mr. HATCH, and Mrs. ERNST):

S.J. Res. 29. A joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 29

Whereas the terrorist organization referred to as the Islamic State of Iraq and the Levant and various other names (referred to in this joint resolution as "ISIL") has been systematically targeting, kidnapping, and killing innocent men, women, and children throughout Iraq and Syria, continues to expand its terror influence, and is responsible for recent attacks in Egypt, Lebanon, Tunisia, and France;

Whereas foreign fighters, undeterred by the more than 60-nation coalition operating against ISIL, continue to join the ranks of ISIL with the goal of establishing a caliphate;

Whereas, on June 19, 2014, President Barack Obama stated that "ISIL poses a threat to the Iraqi people, to the region, and to U.S. interests";

Whereas, on August 19, 2014, ISIL released a video of the beheading of an American journalist, James Foley, and threatened to kill more Americans;

Whereas, on September 2, 2014, ISIL released a second video, of the beheading of an Israeli-American journalist, Steven Sotloff, and again threatened to kill more;

Whereas a Central Intelligence Agency assessment in September 2014 estimated that ISIL can muster as many as 31,500 fighters in Syria and Iraq alone;

Whereas, on November 16, 2014, ISIL released yet another video of militant "Jihadi John" standing over the severed head of former Army Ranger Peter Kassig;

Whereas Master Sergeant Joshua Wheeler, a member of a United States Special Forces operations team, was killed during a daring raid on an ISIL stronghold in Iraq to rescue 70 prisoners who were slated to be executed;

Whereas American hostage Kayla Mueller, a 26-year-old female, was kidnapped and repeatedly raped for almost 18 months by the leader of ISIL, Abu Bakr al-Baghdadi;

Whereas, on November 13, 2015, ISIL carried out a coordinated attack on Paris, France, killing more than 129 people from at least 14 different countries, including American student Nohemi Gonzalez;

Whereas, on November 16, 2015, Central Intelligence Agency Director Brennan warned, following ISIL's horrific terrorist in Paris, that the attack was likely "not the only operation that ISIL has in the pipeline";

Whereas, on August 18, 2014, Pope Francis said that the international community would be justified in stopping ISIL;

Whereas, on August 21, 2014, former Chairman of the Joint Chiefs of Staff General Dempsey stated that ISIL "has an apocalyptic, end-of-days strategic vision and which will eventually have to be defeated";

Whereas, on September 16, 2014, former Secretary of Defense Hagel testified before the Committee on Armed Services of the Senate that "if left unchecked, ISIL will directly threaten our homeland and our allies";

Whereas, on September 17, 2014, during a hearing of the Committee on Foreign Relations of the Senate, Secretary of State Kerry stated that "ISIL must be defeated. Period. End of story.";

Whereas, on March 13, 2015, Central Intelligence Agency Director Brennan stated, "ISIL is well-armed and well-financed. Its fighters are disciplined, committed, and battle-hardened. Left unchecked, the group would pose a serious danger not only to Syria and Iraq, but to the wider region beyond, including the threat of attacks in the homelands of the United States and our partners.";

Whereas, on July 23, 2015, Federal Bureau of Investigation Director Comey stated that “[t]he threat that ISIL presents to the United States is very different in kind, in type, in degree than al Qaeda. ISIL is not your parent’s al Qaeda, it’s a very different model. And by virtue of that model, it’s currently the threat that we are worried about in the homeland most of all”;

Whereas, on November 16, 2015, following the attacks on Paris, France, ISIL released a video threatening to “strike America at its center in Washington”;

Whereas, on November 17, 2015, former Secretary of Defense Panetta warned that countering the threat posed by ISIL “isn’t about containment. It is about defeating ISIS. I think if there’s anything we ought to understand from these last events [in Paris], it’s that we have to go to war against this brutal enemy”;

Whereas after the terrorist attacks of September 11, 2001, Congress authorized the use of military force against al Qaeda;

Whereas ISIL poses a direct threat to the United States homeland that is equal to or greater than the threat posed by al Qaeda prior to the terrorist attacks of September 11, 2001;

Whereas, although nothing in this joint resolution limits the authorities of the President under article 2 of the Constitution of the United States, Justice Robert H. Jackson wrote in *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952) that “[w]hen the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate”;

Whereas ISIL, through the use of social media and its online magazine, *Dabiq*, seeks to radicalize Americans and to inspire attacks within the homeland: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the “Authorization for Use of Military Force Against the Islamic State of Iraq and the Levant and its Associated Forces”.

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL.—The President is authorized to use all necessary and appropriate force in order to defend the national security of the United States against the continuing threat posed by the Islamic State of Iraq and the Levant, its associated forces, organizations, and persons, and any successor organizations.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1457(a)(1)), Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supercedes any requirement of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 3. REPORTS TO CONGRESS.

(a) REPORTS.—Not less frequently than once every 60 days, the President shall submit a report to Congress on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted under section 2.

(b) SINGLE CONSOLIDATED REPORT.—To the extent that the submission of any report de-

scribed in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of the War Powers Resolution, all such reports may be submitted as a single consolidated report to Congress.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 346—EXPRESSING OPPOSITION TO THE EUROPEAN COMMISSION INTERPRETIVE NOTICE REGARDING LABELING ISRAELI PRODUCTS AND GOODS MANUFACTURED IN THE WEST BANK AND OTHER AREAS, AS SUCH ACTIONS UNDERMINE THE ISRAELI-PALESTINIAN PEACE PROCESS

Mr. RUBIO (for himself, Mr. WYDEN, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 346

Whereas the United States supports a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish State of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition;

Whereas a true and lasting peace between Israel and the Palestinians can only be established through direct negotiations regarding outstanding issues between Israel and the recognized leadership of the Palestinian people, the Palestinian Authority;

Whereas a true and lasting peace between Israel and the Palestinians is in the national security interests of the United States and necessary to ensure the safety and security of Israel;

Whereas the anti-Israel Boycott, Divestment and Sanctions (BDS) movement has called on the European Commission to go beyond labeling guidelines and implement a ban on the import of products of Israeli companies that operate in the West Bank and other areas;

Whereas politically motivated acts of boycott, divestment from, and sanctions against Israel represent a concerted effort to extract concessions from Israel outside of direct negotiations between the Israelis and Palestinians, and undermine efforts to achieve a negotiated two-state solution;

Whereas the United States has long opposed efforts to impose solutions to the Israeli-Palestinian conflict outside of direct negotiations between the two parties;

Whereas the United States has historically been at the forefront of combating economic pressure against Israel and has enacted legislation to counter both the Arab League Boycott of Israel and the BDS movement;

Whereas one-sided actions, such as singling out Israeli products, serves to encourage and prompt consumers to boycott Israeli products and goods manufactured in the West Bank and other areas;

Whereas section 102(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (title I of Public Law 114-26; 19 U.S.C. 4201(b)) states that the United States should discourage potential trading partners from adopting policies to limit trade or investment relations with Israel

when negotiating the Transatlantic Trade and Investment Partnership with European countries;

Whereas the United States and the European Union have historically worked in coordination to bring an end to the Israeli-Palestinian conflict; and

Whereas multiple United States legislatures have enacted measures to confront politically motivated acts of boycott, divestment from, and sanctions against Israel, including Tennessee, Indiana, Illinois, South Carolina, and New York: Now, therefore, be it

Resolved, That the Senate—

(1) expresses opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine efforts to achieve a negotiated Israeli-Palestinian peace process;

(2) opposes politically motivated acts of boycott, divestment from, and sanctions against Israel or Israeli-controlled territory;

(3) calls upon the European Commission, the Council of the European Union, and the European Parliament to oppose any boycott, divestment, or sanctions initiatives aimed at singling out Israel, to refrain from actions counterproductive to resolving the Israeli-Palestinian conflict, and to work on bringing the parties back to the negotiating table;

(4) encourages European Union member states to exert prudence in the implementation of the European Union labeling guidelines regarding Israeli products and goods manufactured in the West Bank and other areas;

(5) urges the President to increase the use of the voice, vote, and influence of the United States in international organizations and other appropriate international forums to actively oppose politically motivated acts of boycott, divestment from, and sanctions against Israel;

(6) supports efforts by United States State legislatures to enact measures that oppose politically motivated acts of boycott, divestment from, and sanctions against Israel; and

(7) reaffirms its strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish State of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition.

SENATE RESOLUTION 347—HONORING THE MEMORY AND LEGACY OF ANITA ASHOK DATAR AND CONDEMNING THE TERRORIST ATTACK IN BAMAKO, MALI, ON NOVEMBER 20, 2015

Mr. BOOKER (for himself, Ms. MIKULSKI, Mr. CARDIN, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. WARNER, Ms. BALDWIN, Mr. DURBIN, Mr. BLUMENTHAL, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 347

Whereas, on November 20, 2015, terrorists perpetrated an horrific attack at the Radisson Blu Hotel in Bamako, Mali, killing innocent civilians from 7 countries, including Mali, Russia, China, Belgium, Israel, Senegal, and the United States;

Whereas Anita Ashok Datar was the only citizen of the United States killed in the terrorist attack on November 20, 2015, in Bamako, Mali;

Whereas first responders, including Malian forces, United Nations staff, and French and United States security personnel, including agents of the Bureau of Diplomatic Security, bravely and quickly assisted with—

- (1) the evacuation of hostages; and
- (2) the transportation of hostages to safe locations;

Whereas Anita Ashok Datar—

- (1) resided in Takoma Park, Maryland;
- (2) was born in Pittsfield, Massachusetts; and

- (3) was raised in Flanders, New Jersey;

Whereas Anita Ashok Datar was an international public health and development worker, public health expert, mother, daughter, sister, and friend;

Whereas Anita Ashok Datar served as a volunteer of the Peace Corps in Senegal from 1997 through 1999;

Whereas Anita Ashok Datar was a graduate of—

- (1) Rutgers, The State University of New Jersey; and

- (2) Columbia University's—

- (A) Mailman School of Public Health; and

- (B) School of International and Public Affairs;

Whereas Anita Ashok Datar helped found a not-for-profit organization dedicated to connecting low-income women in underserved communities to quality health services;

Whereas, of all of the accomplishments of Anita Ashok Datar, she was most proud of her son, Rohan; and

Whereas the people of the United States stand united with the family, friends, and colleagues of Anita Ashok Datar—

- (1) to support the individuals touched by her life or affected by her death; and

- (2) to pray for healing, understanding, and peace: Now, therefore, be it

Resolved, That the Senate—

- (1) condemns the terrorist attack in Bamako, Mali, on November 20, 2015;

- (2) honors the memory of Anita Ashok Datar, the citizen of the United States that was killed in the terrorist attack on November 20, 2015, in Bamako, Mali;

- (3) recognizes and honors the commitment of Anita Ashok Datar to advance international development and public health, including her work to connect low-income women to quality health services;

- (4) extends heartfelt condolences and prayers to—

- (A) the family, friends, and colleagues of Anita Ashok Datar, particularly her son, Rohan; and

- (B) the individuals touched by the life of Anita Ashok Datar or affected by her death, including the dedicated development professionals and volunteers that continue to selflessly engage in critical humanitarian and development efforts; and

- (5) pledges to continue to work to counter violent extremism, including through education and health care, in the United States and abroad.

SENATE CONCURRENT RESOLUTION 28—TO ESTABLISH THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND VICE PRESIDENT-ELECT OF THE UNITED STATES ON JANUARY 20, 2017

Mr. BLUNT (for himself and Mr. SCHUMER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 28

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this resolution referred to as the “joint committee”) consisting of 3 Senators and 3 Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017.

SEC. 2. SUPPORT OF THE JOINT COMMITTEE.

The joint committee—

- (1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of those departments and agencies, in connection with the inaugural proceedings and ceremonies; and

- (2) may accept gifts and donations of goods and services to carry out its responsibilities.

SENATE CONCURRENT RESOLUTION 29—TO AUTHORIZE THE USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL BY THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES IN CONNECTION WITH THE PROCEEDINGS AND CEREMONIES CONDUCTED FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND THE VICE PRESIDENT-ELECT OF THE UNITED STATES

Mr. BLUNT (for himself and Mr. SCHUMER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 29

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL.

The Rotunda and Emancipation Hall of the United States Capitol are authorized to be used on January 20, 2017, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2945. Mr. THUNE submitted an amendment intended to be proposed by him to the

bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table.

SA 2946. Mr. THUNE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2947. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2948. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2949. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2950. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2951. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, supra; which was ordered to lie on the table.

SA 2952. Mr. MCCONNELL (for Mr. GRASSLEY (for himself, Mr. BENNET, Mr. ISAKSON, and Mr. SANDERS)) proposed an amendment to the bill S. 607, to provide for a five-year extension of the Medicare rural community hospital demonstration program.

TEXT OF AMENDMENTS

SA 2945. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REFUGEE RESETTLEMENT.

(a) IN GENERAL.—The governor of each State shall be permitted to advise the Secretary of State, on a weekly basis, of the willingness of such State to accept the resettlement of a refugee in such State.

(b) ADVISE.—The Secretary of State shall provide full information to a governor of any State if the Secretary resettles a refugee in that State.

SA 2946. Mr. THUNE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REFUGEE RESETTLEMENT VETO AUTHORITY.

(a) IN GENERAL.—The governor of each State shall be permitted to advise the Secretary of State, on a weekly basis, of the willingness of such State to accept the resettlement of a refugee in such State.

(b) VETO AUTHORITY.—The governor of any State may veto the resettlement of any refugee in that State.

SA 2947. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 14, insert “, and has provided support to any foreign terrorist organization, which may include publishing or otherwise engaging in social media to promote or otherwise support a foreign terrorist organization” before the period at the end.

Beginning on page 3, strike line 15 and all that follows through page 5, line 2, and insert the following:

SEC. 3. INADMISSIBILITY FOR USE OF SOCIAL MEDIA TO PROMOTE TERRORISM.

(a) IN GENERAL.—Section 212(a)(3)(B)(i)(VII) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(i)(VII)) is amended by inserting “, including through the use of social media” before the semicolon at the end.

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State, shall issue regulations, in accordance with section 553 of title 5, United States Code, to ensure that every covered alien who has violated section 212(a)(3)(B)(i)(VII) of such Act (8 U.S.C. 1182(a)(3)(B)(i)(VII))—

(1) does not receive an immigrant visa under section 203 of the Immigration and Nationality Act (8 U.S.C. 1153); and

(2) does not have his or her status adjusted to that of an alien lawfully admitted for permanent residence under section 245 of such Act (8 U.S.C. 1155).

(c) EFFECTIVE DATE.—The regulations issued under subsection (b) shall take effect on the date that is 30 days after the date on which such regulations are published in the Federal Register.

SEC. 4. DEFINITIONS.

(a) IN GENERAL.—In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Foreign Affairs of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) COVERED ALIEN.—The term “covered alien” means any alien who—

(A)(i) is applying for admission to the United States as a refugee; and

(ii) is a national or resident of Iraq or Syria;

(iii) has no known nationality and whose last habitual residence was in Iraq or in Syria; or

(iv) has been present in Iraq or in Syria at any time on or after March 1, 2011.

(B) is not a citizen of Iraq who—

(i) is or was employed by or on behalf of the United States Government in Iraq on or after March 20, 2003, for not less than 1 year; and

(ii) provided faithful and valuable service to the United States Government, which is documented in a positive recommendation or evaluation described in subsection (c), from the employer's senior supervisor in the United States Government or from a more senior person if the employee's senior supervisor cannot be located;

(C) is not the spouse or child of an alien described in subparagraph (B); and

(D) is not an infant child without living parents who is younger than 4 years of age, as certified under procedures promulgated by the Secretary of State under subsection (b).

(3) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” is a foreign organization that is designated as a foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(b) CERTIFICATION.—

(1) IN GENERAL.—The Secretary of State shall issue regulations establishing procedures for certifying that an alien is an alien child without living parents who is younger than 4 years of age, as described in subsection (a)(2)(D).

(2) SUBMISSION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit the regulations issued under paragraph (1) to the appropriate congressional committees.

(3) IMPLEMENTATION.—Not earlier than 90 days after the submission of regulations under paragraph (2), the Secretary of State shall implement the regulations issued under paragraph (1).

(c) APPROVAL BY CHIEF OF MISSION REQUIRED.—Each recommendation or evaluation required under subsection (a)(2)(B)(ii) shall be accompanied by approval from the appropriate Chief of Mission, or his or her designee, who shall conduct a risk assessment of the alien and an independent review of records maintained by the United States Government or hiring organization or entity to confirm the alien's employment and faithful and valuable service to the United States Government before the alien is exempted from definition of covered alien under subsection (a)(2)(B).

SA 2948. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. STATE NOTIFICATION REQUIREMENT. Section 412(b) of the Immigration and Nationality Act (8 U.S.C. 1522(b)) is amended by adding at the end the following:

“(9) Before a refugee is resettled in a State, the Secretary of State shall provide the governor of such State, or the governor's designee, with respect to the refugee—

“(A) the full, legal name;

“(B) a physical description, including biometric information;

“(C) relevant biographical information;

“(D) the country of origin; and

“(E) any prior citizenship.”.

SA 2949. Mr. KIRK (for himself, Mrs. CAPITO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. PRIORITIZING SPECIAL IMMIGRANT VISAS FOR IRAQI AND AFGHAN TRANSLATORS.

In allocating the resources of the Department of State, the Secretary of State shall prioritize the issuance of special immigrant visas authorized under—

(1) section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 8 U.S.C. 1101 note);

(2) section 1244 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note); and

(3) section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note).

SA 2950. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 3. ELIMINATION OF EXCLUSION OF CERTAIN DUAL NATIONALS FROM PARTICIPATION IN THE VISA WAIVER PROGRAM.

(a) SHORT TITLE.—This section may be cited as the “Equal Protection in Travel Act of 2016”.

(b) VISA WAIVER PROGRAM.—Section 217(a)(12) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(12)) is amended—

(1) in subparagraph (A)—

(A) by striking clause (ii);

(B) by striking “(C)—” and all that follows through “the alien has not been present” and inserting “(C), the alien has not been present”; and

(C) by redesignating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking “(A)(i)” and inserting “(A)”.

SA 2951. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4038, to require that supplemental certifications and background investigations be completed prior to the admission of certain

aliens as refugees, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, strike line 14 and insert the following:

(e) DELEGATION AUTHORIZED.—The Director of the Federal Bureau of Investigation and the Secretary of Homeland Security may delegate their respective responsibilities for issuing the certifications required under subsections (a) and (b) to an individual or individuals with the relevant authority and expertise within their respective agency.

(f) DEFINITIONS.—In this Act:

SA 2952. Mr. McCONNELL (for Mr. GRASSLEY (for himself, Mr. BENNET, Mr. ISAKSON, and Mr. SANDERS)) proposed an amendment to the bill S. 607, to provide for a five-year extension of the Medicare rural community hospital demonstration program; as follows:

Strike section 2 and insert the following:

SEC. 2. FIVE-YEAR EXTENSION OF THE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking “5-year extension period” and inserting “10-year extension period”; and

(2) in subsection (g)—

(A) in the subsection heading, by striking “FIVE-YEAR” and inserting “TEN-YEAR”; and

(B) in paragraph (1), by striking “additional 5-year” and inserting “additional 10-year”;

(C) by striking “5-year extension period” and inserting “10-year extension period” each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting “each 5-year period in” after “hospital during”; and

(ii) in clause (i), by inserting “each applicable 5-year period in” after “the first day of”; and

(E) by adding at the end the following new paragraphs:

“(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4).

“(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

“(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals located in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

“(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

“(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

“(ii) may consider—

“(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

“(II) the population density of the State in which the rural community hospital is located.”.

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking “Not later than 6 months after the completion of the demonstration program under this section” and inserting “Not later than August 1, 2018”; and

(2) by striking “such program” and inserting “the demonstration program under this section”.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on January 28, 2016, at 10 a.m. in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Generic Drug User Fee Amendments: Accelerating Patient Access to Generic Drugs.”

For further information regarding this meeting, please contact Jamie Garden of the committee staff on (202) 224-0623.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room 328A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 20, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 20, 2016, at 10:30 a.m., in room, SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room SD-406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., to conduct a hearing entitled “The Middle East after the JCPOA.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room SD-403 of the Dirksen Senate Office Building to conduct a hearing entitled “Improving the Federal Response to Challenges in Mental Health Care in America.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., to conduct a hearing entitled “Inside the Mind of ISIS: Understanding Its Goals and Ideology to Better Protect the Homeland.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 20, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 20, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Adequacy of Criminal Intent Standards in Federal Prosecutions.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. VITTER. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on January 20, 2016, at 11:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION AND THE
NATIONAL INTEREST

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest be authorized to meet during the session of the Senate on January 20, 2016, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Why is the Biometric Exit Tracking System Still Not in Place?"

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND
MANAGEMENT SUPPORT

Mr. VITTER. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on January 20, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 440.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Lisa S. Disbrow, of Virginia, to be Under Secretary of the Air Force.

Thereupon, the Senate proceeded to consider the nomination.

Mr. McCONNELL. Mr. President, I know of no further debate.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the Disbrow nomination?

The nomination was confirmed.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

RURAL COMMUNITY HOSPITAL
DEMONSTRATION EXTENSION
ACT OF 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 181, S. 607.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 607) to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Community Hospital Demonstration Extension Act of 2015".

SEC. 2. FIVE-YEAR EXTENSION OF THE MEDICARE
RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking "5-year extension period" and inserting "10-year extension period"; and

(2) in subsection (g)—

(A) in the subsection heading, by striking "FIVE-YEAR" and inserting "TEN-YEAR";

(B) in paragraph (1), by striking "additional 5-year" and inserting "additional 10-year";

(C) by striking "5-year extension period" and inserting "10-year extension period" each place it appears;

(D) in paragraph (3), by adding at the end the following new sentence: "Notwithstanding the preceding sentence, after the date of the enactment of this sentence, only hospitals described in paragraph (4) or (5) may participate in demonstration program under this section."

(E) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting "each 5-year period in" after "hospital during"; and

(ii) in clause (i), by inserting "each applicable 5-year period in" after "the first day of"; and

(F) by adding at the end the following new paragraph:

"(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4)."

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended by striking "Not later than 6 months after the completion" and inserting "Not later than August 1, 2018".

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Grassley amendment at the desk be agreed to; that the committee-reported amendment, as amended, be agreed to; that the bill, as amended, be read a third time and passed; that the title amendment be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2952) was agreed to, as follows:

(Purpose: To improve the bill)

Strike section 2 and insert the following:

SEC. 2. FIVE-YEAR EXTENSION OF THE RURAL
COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking "5-year extension period" and inserting "10-year extension period"; and

(2) in subsection (g)—

(A) in the subsection heading, by striking "FIVE-YEAR" and inserting "TEN-YEAR";

(B) in paragraph (1), by striking "additional 5-year" and inserting "additional 10-year";

(C) by striking "5-year extension period" and inserting "10-year extension period" each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting "each 5-year period in" after "hospital during"; and

(ii) in clause (i), by inserting "each applicable 5-year period in" after "the first day of"; and

(E) by adding at the end the following new paragraphs:

"(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4)."

"(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

"(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals located in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

"(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

"(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

“(ii) may consider—

“(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

“(II) the population density of the State in which the rural community hospital is located.”.

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking “Not later than 6 months after the completion of the demonstration program under this section” and inserting “Not later than August 1, 2018”; and

(2) by striking “such program” and inserting “the demonstration program under this section”.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 607), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 607

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Rural Community Hospital Demonstration Extension Act of 2015”.

SEC. 2. FIVE-YEAR EXTENSION OF THE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking “5-year extension period” and inserting “10-year extension period”; and

(2) in subsection (g)—

(A) in the subsection heading, by striking “FIVE-YEAR” and inserting “TEN-YEAR”; and

(B) in paragraph (1), by striking “additional 5-year” and inserting “additional 10-year”;

(C) by striking “5-year extension period” and inserting “10-year extension period” each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting “each 5-year period in” after “hospital during”; and

(ii) in clause (i), by inserting “each applicable 5-year period in” after “the first day of”; and

(E) by adding at the end the following new paragraphs:

“(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4).

“(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

“(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals lo-

cated in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

“(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

“(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

“(ii) may consider—

“(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

“(II) the population density of the State in which the rural community hospital is located.”.

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking “Not later than 6 months after the completion of the demonstration program under this section” and inserting “Not later than August 1, 2018”; and

(2) by striking “such program” and inserting “the demonstration program under this section”.

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: “A bill to provide for a five-year extension of the Medicare rural community hospital demonstration program.”.

FISCAL YEAR 2016 DEPARTMENT OF VETERANS AFFAIRS SEISMIC SAFETY AND CONSTRUCTION AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 2422 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2422) to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2422) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2422

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fiscal Year 2016 Department of Veterans Affairs Seismic Safety and Construction Authorization Act”.

SEC. 2. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) FINDINGS.—Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016, which was passed by the Senate on November 10, 2015, without a single vote cast against the bill, and the Consolidated Appropriations Act, 2016 include the following amounts to be appropriated to the Department of Veterans Affairs:

(A) \$35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) \$158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) \$161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) \$468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles,

California, in an amount not to exceed \$105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed \$150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$16,260,000.

(c) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, \$1,113,802,000 for the projects authorized in subsection (b).

(d) LIMITATION.—The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

ESTABLISHING THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 28, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 28) to establish the Joint Congressional Committee

on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 28) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 29, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 29) to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 29) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S.J. RES. 29

Mr. McCONNELL. Mr. President, I understand that there is a joint resolution at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the first time.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 29) to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

Mr. McCONNELL. I now ask for a second reading and, in order to place the joint resolution on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the joint resolution will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, JANUARY 21, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, January 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate then resume consideration of the veto message on S.J. Res. 22, with the time until 10:30 a.m. equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:37 p.m., adjourned until Thursday, January 21, 2016, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate January 20, 2016:

DEPARTMENT OF DEFENSE

LISA S. DISBROW, OF VIRGINIA, TO BE UNDER SECRETARY OF THE AIR FORCE.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 21, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 25

5 p.m.
Committee on Foreign Relations
To receive a closed briefing on the way forward in Syria and Iraq.

SVC-217

JANUARY 26

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the role of the Service Chiefs in defense acquisition in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SD-G50

10 a.m.
Committee on Environment and Public Works
To hold hearings to examine economic opportunities from land cleanup programs, including S. 2446, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, S. 1479, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and an original bill entitled, "Good Samaritan Cleanup of Orphan Mines Act of 2016".

SD-406

Committee on Finance
To hold hearings to examine helping Americans prepare for retirement, fo-

cusing on increasing access, participation and coverage in retirement savings plans.

SD-215

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Beth F. Cobert, of California, to be Director of the Office of Personnel Management for a term of four years.

SD-342

Committee on the Judiciary

To hold hearings to examine mental health and the justice system.

SD-226

10:30 a.m.

Committee on the Budget

To hold hearings to examine the Congressional Budget Office's budget and economic outlook, focusing on fiscal years 2016-2026.

SD-608

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine the future nuclear posture of the United States.

SR-222

JANUARY 27

9:30 a.m.

Committee on Armed Services

To hold hearings to examine military space programs and the use of Russian-made rocket engines.

SH-216

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine Canada's fast-track refugee plan, focusing on implications for United States national security.

SD-342

Committee on the Judiciary

To hold hearings to examine attacking America's epidemic of heroin and prescription drug abuse.

SD-226

2 p.m.

Committee on the Judiciary

To hold hearings to examine the nominations of Clare E. Connors, to be United States District Judge for the District of Hawaii, and Elizabeth J. Drake, of Maryland, Jennifer Choe Groves, of Virginia, and Gary Stephen Katzmann, of Massachusetts, each to be a Judge of the United States Court of International Trade.

SD-226

2:15 p.m.

Committee on Indian Affairs

To hold an oversight heading to examine the substandard quality of Indian health care in the Great Plains.

SD-628

JANUARY 28

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the status of innovative technologies within the nuclear industry.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine generic drug user fee amendments, focusing on accelerating patient access to generic drugs.

SD-430

FEBRUARY 2

2 p.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine occupational licensing and the state action doctrine.

SD-226

FEBRUARY 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine energy-related trends in advanced manufacturing and workforce development.

SD-366

FEBRUARY 9

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine Department of Defense nuclear acquisition programs and the nuclear doctrine in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SR-232A

FEBRUARY 23

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior.

SD-366

MARCH 3

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy.

SD-366

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

MARCH 8		POSTPONEMENTS		from Development and Encouraging Related Private Investment.”	
10 a.m.		JANUARY 26		SD-366	
Committee on Energy and Natural Resources		10 a.m.		Committee on Foreign Relations	
To hold hearings to examine the President’s proposed budget request for fiscal year 2017 for the Forest Service.		Committee on Energy and Natural Resources		To hold hearings to examine United States policy in Central Africa, focusing on the imperative of good governance.	
SD-366		To hold an oversight hearing to examine the presidential memorandum issued on November 3, 2015 entitled, “Mitigating Impacts on Natural Resources		SD-419	

SENATE—Thursday, January 21, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our rock, our strength, and our life, thank You for being our high tower and strong defense. Because of You, we can conquer all anxieties and fears, sins and follies, failures and doubts. May we never forget that our times are in Your hands.

Grant that this day our Senators will draw near to You and seek Your Divine guidance for the decisions they face. Lord, transform their lives, heal their wounds, and create in them clean hearts as You renew a right spirit within them. Fill their hearts with Your joy and give them Your peace.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. FLAKE). The majority leader is recognized.

ENERGY POLICY MODERNIZATION BILL AND WOTUS

Mr. McCONNELL. Mr. President, next week the Senate will turn to broad, bipartisan energy legislation. The Energy Policy Modernization Act will help bring our energy policies in line with the demands of today and the opportunities of tomorrow. It will help Americans produce more energy. It will help Americans pay less for energy. It will help Americans save energy. That is what the Energy Policy Modernization Act will do. Here is what the Energy Policy Modernization Act won't do: It won't raise taxes. It won't add a dime to the deficit.

The broad Energy bill is a result of a truly bipartisan process, and it shows, which is why it was supported in committee by a vote of 18 to 4.

I look forward to debating the bipartisan Energy bill starting next week, but we won't have to wait until then to consider bipartisan legislation. We will

consider a different bipartisan measure today. S.J. Res. 22 passed in November with the support of several Democratic colleagues, and it would have overturned the Obama administration's waters of the United States regulation.

Here is what our Democratic colleagues have had to say about WOTUS: A Democratic Senator from West Virginia has used phrases such as "completely unreasonable" and "dangerously overreaching" when discussing the issue. A Democratic Senator from North Dakota said that "there is not one single regulation in the entire country that has caused more concern" in her State. A Democratic Senator from Indiana said it was "incredibly important" that the rule be rewritten. That is just what the Democrats are saying.

The administration has tried to spin WOTUS as some kind of clean water measure, but a bipartisan majority of Congress understands it is really a Federal power grab clumsily masquerading as one. WOTUS would grant Federal bureaucrats dominion over nearly every piece of land that touches a pot-hole, ditch, or puddle. It would force the Americans who live there to ask Federal bureaucrats for permission to do just about anything with their very own property. That is why Congress sent bipartisan legislation to the President to overturn it. His decision to veto that bipartisan measure made a few things quite clear: No. 1, he apparently stands with Washington bureaucrats on this issue, not the American people. No. 2, he apparently thinks America's clean water rule should be based on Washington politics, not a scientific and truly collaborative process.

It was good to see Democratic colleagues stand with the American people when we first passed this bill. I ask the rest of the Democratic caucus to join with us now to do the right thing. Vote with us to override a veto that is about Federal power grabs and Washington politics, not clean water and the American people.

MEASURE PLACED ON THE CALENDAR—S.J. RES. 29

Mr. McCONNELL. Mr. President, I understand there is a joint resolution at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the second time.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 29) to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

Mr. McCONNELL. In order to place the joint resolution on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the joint resolution will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CLEAN WATER RULE

Mr. REID. Mr. President, we are 3 weeks into the new year, and already we are back to wasting the Senate's time to launch partisan attacks. Today my Republican colleagues have chosen to once again attack clean water protections that millions of Americans depend on.

On Tuesday President Obama vetoed the Republican attempt to roll back the clean water rule—a rule that basically restores important safeguards to shield our water sources from pollution and contamination. There are special interest groups who have tried to raise money based on this. Some of the groups who have tried to raise money on this with fallacious information are farm groups. They have gone out and said that this is terrible for agriculture. Agriculture is exempted, so anyone saying this is horrible for agriculture is simply wrong. Under the specific language of the legislation, agriculture is exempted.

The clean water rule resolves years of confusion and provides regulatory certainty for businesses, farmers, local governments, and communities. It creates no new permitting requirements and maintains all previous exemptions and exclusions.

Despite President Obama's veto, Republicans remain determined to undermine the environment. Safe water is critical to the health of our communities. One need go no further than Flint, MI, to find out that that is, in fact, the case. And it is important to our economy. At this very moment, as I have indicated, 100,000 people live in Flint, MI. All of those families—thousands of families—have been forced to worry about their children's health because of lead contamination in their drinking water. Their little brains are adversely affected by lead in the water. We have known that for a long time, but in an effort to save a buck, the Governor and others in Michigan decided they would try something else

and in the process have really drastically damaged the lives of little boys and girls in Flint, MI.

Our country is the wealthiest country in the world. No American should have to worry about whether they are drinking safe water in America. It is unconscionable to think that we would waste valuable time in the Senate attacking a rule dealing with clean water designed to keep our Nation's water safe. And while we are doing this—wasting time here in the Senate today—Flint, MI, is in a state of emergency.

Republicans are so wedded to ideological purity, they have lost touch with reality. They have somehow failed to recognize that clean water is a basic priority for all Americans. The reality is that the Federal funding and reasonable protections are necessary to ensure public health and safety.

The Governor of the State of Michigan is an anti-government person. That is his mark. He especially wants Washington to stay out of Michigan's government. But what is the first thing he does when he finds out he and his whole government have messed up the State of Michigan? He calls Washington for help. He, along with many of my friends on the other side of the aisle, disparage the Federal Government every chance they get, but when a crisis strikes, whom do they call upon to help? The Federal Government.

Rolling back clean water protections is the wrong thing to do, and Republicans should refocus their energy on solutions to keep America healthy and safe.

ANNIVERSARY OF CITIZENS UNITED DECISION

Mr. REID. Mr. President, a flood of dark money has engulfed the American political system and perverted our democracy. The voices of ordinary citizens are being drowned out by billionaires seeking to rig the system in their favor.

Americans should know that Democrats are fighting to restore their voice, which is being overshadowed by the billions of dollars being spent to push the Republican Presidential nominees, and on every level of the government, this dark money is there drowning out the voices of average Americans. Over here, we stand united in our commitment to advance the interest of the middle-class and working families. It is important to remember how we got to this point.

Yesterday I saw that the junior Senator from Florida and the former Governor of Florida have spent about \$150 million so far running for President. One of them is at 10 percent in the national polls and the other is at 6 percent. But they have the money to slosh around and spend.

We got here because 6 years ago today, the Supreme Court of our great

country erased a century of sound government regulations that protect the fairness and integrity of elections. It was determined during the Republican reign of Teddy Roosevelt that there was too much corporate money in American politics, and so under his leadership, it was eliminated. But the Supreme Court changed that in a very narrow decision of 5 to 4.

The disastrous Citizens United ruling opened the floodgates for these shadowy billionaires to influence our elections. Most of the spending is done in secret by special interest shell groups who refuse to disclose their donors to the American people. These billionaire donors stop at nothing to buy a government that favors them and their special interests.

There are two brothers who I believe are determined to buy America, and we will find out come election time. Maybe they have been able to do that. Charles and David Koch are shrewd business people. Their wealth is nearly unmatched anywhere in the world. They have amassed a fortune from inherited wealth that they have magnified that has come from oil, chemicals, and a lot of different places. They originally inherited this from their dad and built it into a multinational corporation. No one really knows their net worth, but some say it is \$100 billion, \$150 billion. No one really knows. They have become two of the wealthiest men in the entire world.

They seek more wealth, but that is not all they seek. A new book by Jane Myer—a dignified and renowned author and journalist—she reports in her book that immediately after the election of President Obama, the Koch brothers wanted to double down on what they had done before. They had been working on this for a while. They didn't like this man, Barack Obama, being President of the United States, so they gathered like-minded billionaires—it is in her book—and plotted to spend however much money it would take to get rid of him for a new term and basically undermine our democracy. You can't make up a story like this. These are the facts.

Capitalizing on the Citizens United decision, the Koch brothers have poured over \$1 billion into our political system to create a country that protects the wealthiest one-half of 1 percent. The America they envision is drastically different from the vision most Americans have for our country.

I have a list of some of the things they have advocated for decades. It used to be just the fringe, but now we have people running for President who agree with him. They want to abolish Social Security, eliminate minimum wage laws, dismantle Medicare as we know it, dismantle our public education system, dismantle protections for clean air and water, create tax breaks for themselves, and they have

done a pretty good job of that. They are prepared to use their enormous wealth to accomplish these goals. They really put their money where their mouth is. They spend it because they have it to spend. They have pledged to spend about \$1 billion this cycle, not counting all the money they have spent in years past.

They have been involved in years past to make sure the John Birch Society had a place in our society—the libertarians. They were libertarians for a while.

The Supreme Court has paved the way for greedy robber barons—robber barons like the Koch brothers—to create a government that works for the richest of the rich.

Democracy demands that every American has an equal opportunity to have his or her voice heard. It should not be dependent upon how much money one has.

I am sorry to say our Supreme Court has determined that your voice is going to be much louder if you have a lot of money. A democratic system should give every American a fair shot, but every time we have tried to make an effort to fix our broken finance system, the Republicans have said no.

We had a DISCLOSE Act. We brought it before this body. It would have passed the House at that time. There were 59 Democrats. We needed one Republican—one Republican—to make it more apparent so that the American people could see where this money was coming from. Not one Republican would join with us.

Now, I came to the House of Representatives with the senior Senator from Arizona. I admire him. He is an American hero, despite what Donald Trump says. He proved himself in battle and in the prison system set up in Vietnam. I admire JOHN MCCAIN. I can remember him working with Russ Feingold, the Senator from Wisconsin, and they passed the McCain-Feingold legislation. It became the law of this country. It was a really good, strong step forward. Citizens United wiped that out.

My friend, the senior Senator from Arizona, had an opportunity to help this bad financial system the Supreme Court has put forward, and he didn't step forward. He decided to take a pass on it. I am very disappointed. I have never forgotten what he didn't do or what he could have done with one vote. We only needed one vote. We had 59, and we only needed 1 more.

Rather than secret political spending, we should have immediate disclosure—some disclosure. Rather than corporations buying influence, we should restore laws that limit the power of special interests. Rather than empowering the wealthy, we should encourage small contributions.

We must make clear once and for all that the United States of America is not for sale.

We criticized and complained about the Soviet Union and how it was. We were so happy when the Soviet Union fell and Russia became a "democracy." Now people say that Russia is an oligarchy. What is an oligarchy? An oligarchy is a country run by a person who is controlled by wealth—the wealth of individuals and families. That is what we have in Russia, and that is what we are going to have in America if this is allowed to continue.

The Koch brothers and a few other billionaires will be in concert with—we see this line of characters running for President on the Republican ticket—it will be with them. It will be an oligarchy first class. It will match what is going on in Russia today.

We must make clear that the United States is not for sale. The Citizens United decision that we celebrate in a very adverse way today on its anniversary is bad for the country, and I hope the Supreme Court understands how bad it is for the country. It is one of the worst decisions in the history of the Supreme Court, if not the worst.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE CORPS OF ENGINEERS AND THE ENVIRONMENTAL PROTECTION AGENCY—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the veto message on S.J. Res. 22, which the clerk will report.

The legislative clerk read as follows:

Veto message to accompany S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

The PRESIDING OFFICER. Under the previous order, the time until 10:30 a.m. will be equally divided between the two leaders or their designees.

Mr. REID. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally between the majority and the minority.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BLUNT. Mr. President, I ask unanimous consent that on Tuesday, January 26, at 2:15 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 306; that there be 15 minutes of debate on the nomination, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote without intervening action or debate on the nomination; that if confirmed, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 2012

Mr. BLUNT. Mr. President, I ask unanimous consent that following morning business on Tuesday, January 26, the Senate proceed to Calendar No. 218, S. 2012, with a period of debate only until 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, I ask unanimous consent to engage in a colloquy with my Republican colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Thank you, Mr. President.

We are here today to vote in about half an hour on overriding the President's veto, a congressional action that would not have allowed the country to move forward with the so-called waters of the United States rule.

The waters of the United States sounds like a lot until you look at the map beside me. This is a map of the State of Missouri and of what would be covered under EPA jurisdiction, if this rule is allowed to go into effect.

This is a map from the Missouri Farm Bureau that nobody has taken issue with, and the red part of our State would be covered by Federal Government authority. So 99.7 percent of the State would suddenly be under the jurisdiction of the EPA on all things related to water: water running off the parking lot, water running off your driveway, water running off your roof, water falling into your yard, water falling into a vacant lot if someone wants to build a house on that vacant lot—all of those things in 99.7 percent of the State. I think that three-tenths of 1 percent may be some unusual seepage area where the water runs away in a way that the EPA hasn't yet figured out how to assert jurisdiction over.

The law passed in the early 1970s, the Clean Water Act, said that the EPA would have jurisdiction over navigable waters. So, if you believe the EPA and believe this rule and believe in the President's veto, navigable waters would apparently be every drop of water in 99.7 percent of Missouri.

If the President and the administration and the EPA want to change the law where it no longer says "navigable waters," but where it says virtually all the water, there is a way to do that: Introduce a bill, come to the Congress, and the Congress votes on that bill. If the House and Senate approve it—I know this sounds like it is a pretty pedestrian discussion. But apparently the President and EPA don't understand that it is the way to change the law. It is not just that somebody decides that all of the water in Missouri—or to be accurate, 99.7 percent of the water in our State, of the geography of our State on any water issue—suddenly becomes the jurisdiction of the EPA.

I will assure you that if the EPA gets this jurisdiction, there is no way that they can do what they say the Environmental Protection Agency should do. That is the case in Missouri.

I am joined by my colleagues from North Dakota and Wyoming to talk about this. Certainly, we have been on the floor repeatedly to talk about this. We also talked about remedies. A great remedy would be that any regulation that has significant economic impact should be voted on by the Congress. It is a bill we have all co-sponsored called the REINS Act. Now the analogy here is pretty good—to put the reins on government. But what would really happen in the REINS Act is that anybody who would vote for a rule like this would have to go home and explain it. Frankly, I think anybody who doesn't override the President's veto had better be prepared to go home and explain it.

Senator BARRASSO and Senator HOEVEN have been vigorous in this fight. As to Senator HOEVEN, I know this is something that matters where he lives and where we live, but it is also a great indication of what happens when the government somehow believes that no matter what the Constitution says or what the law says, the all-knowing Federal Government should be in charge of everything everywhere—in this case, virtually all the water in the country.

Mr. HOEVEN. Mr. President, that is absolutely right. I join my distinguished colleague from the State of Missouri, as well as my colleague from the State of Wyoming and our colleague from the State of Iowa.

This is an incredibly important issue. It is probably the No. 1 regulatory relief that all business sectors need. Starting with our farmers and ranchers, this is a huge issue. This crosses all sectors because this is a big-time overreach by the EPA, and it really affects all property owners. You are talking about private property rights that are at stake here.

There is a fundamental principle at stake in terms of how our government works, as well. The EPA has taken

through its own regulatory fiat additional authority that it does not legally possess. It has done so under a legal theory that it has advanced called "significant nexus." Essentially, it has gone beyond the jurisdiction it has, which is regulation with regard to navigable bodies of water, such as the Missouri River, for example, to, in essence, say it can now regulate all water wherever it finds it anywhere.

Now think about that. If part of the executive branch or a regulatory agency can unilaterally say, "You know what, we are not just going to operate under our legislative authority; we are just going to take additional authorities that we don't legally have in order to do what we think is our job," then we have a fundamental problem because that defies the underlying concepts of the checks and balances of our government, where the legislative, judicial, and executive all offset each other in order to protect private property rights. That is absolutely what is at stake here.

Essentially, the EPA has set a rule where they can regulate water anywhere in any capacity. So if a farmer, after a rain storm, goes out and wants to move water in a ditch, or even an individual private property owner wants to do that, do they have to apply to the EPA for a permit? How do they know? To whom do they go? Are they going to get consistent rulings? Why in the world should they be subject to an agency without legislative authority, just deciding that they are going to have jurisdiction or authority in cases where they don't have it? It is a very important principle in terms of protecting private property rights as well as the fundamental fact that it has a devastating impact on farmers, ranchers, and every sector of our society.

I would turn back to my colleague from Missouri and ask him to touch on, maybe for just a minute, what we can do about it. We are on the floor today to have a vote, and I think we need to point out how important it is that our colleagues join us in making sure that we override this Presidential veto.

Mr. BLUNT. Mr. President, I appreciate that. This is a bill that has been on the President's desk. It passed the Senate, which means that 60 Senators were supportive of this rule not being able to go forward in its current status. The President vetoed the bill. This would be a time for the Congress to stand up. If you didn't have any other interest in this fight, it is the time for the Congress to stand up and say: If you are going to change the law, the only way to change the law is for the Congress to change the law. The President appears to be willing to discover all sorts of ways that can't be found in the Constitution to change the law. But even if you were on the other side of this issue, even if you want to come to the floor of the Senate and vigor-

ously argue that the EPA needs the jurisdiction of all the water in the country, as a Member of the Senate, the Senate should do that, the House should do that, and the Constitution should work.

Senator BARRASSO, it is clearly not working here.

"Navigable waters" has been used in Federal law since about 1846, and until the last couple of years when the EPA asserted differently, everybody always thought they knew what that meant. If you could move something on it, navigate it, then the Constitution says the Federal Government has the obligation for interstate commerce. So debating how much of the Missouri River, as Senator HOEVEN brought up, is navigable is a constitutional debate to have because it is a commerce issue.

I say to Senator BARRASSO, suggesting that all the water in the country is navigable doesn't make sense. The Senator has been one of the leaders in trying to point out for months and years now that this rule will be ruinous to economic activity.

Mr. BARRASSO. Mr. President, I want to agree and second everything that my colleague from Missouri, Senator BLUNT, had to say—that 99.7 percent of his State is underwater according to the EPA.

We had a hearing, and I looked at a map of Wyoming that the EPA presented. It looked like the entire State of Wyoming was underwater, according to the EPA. This is an incredible overreach on the part of this administration, this EPA.

It is so interesting, because the President of the United States said: Well, if you have better ideas, bring them. If you have better ideas, bring them. Well, we did. A number of us co-sponsored bipartisan legislation—a number of Democrats supported it, as well—to allow for Congress to establish the principles of what a new EPA rule would look like. It didn't say to get rid of the whole thing. It said there are ways to make it better; let the people on the ground make those decisions.

Who are the best stewards of the land? Here we are. The Presiding Officer, the former Governor of South Dakota, knows that the people of his State have a much better love of the land of South Dakota, just as the former Governor of North Dakota, who is on the floor, knows that the people on the ground in North Dakota have a much greater love of the land and respect for the land and desire to protect the land and the water and to keep the water clean, just as we do in Wyoming and in Missouri. That is what this is about.

It is about letting people who have the best interests and who are the best stewards of the land make those decisions—not, again, a Federal grab. It is absolutely absurd, and it shows a President of the United States who is

acting in a way that I believe is lawless to the point that the courts have now weighed in.

The courts have begun to weigh in on the concerns with this rule that we are going to vote on today. We hope we override the veto of the President, because the courts have said: Hey, we need to take a pause. Judge Erickson of the District of North Dakota on August 27 issued an injunction that blocked the waters of the United States rule in 13 States because he said the rulemaking record was "inexplicable, arbitrary, devoid of a reasoned process"—devoid of a reasoned process. Yet the President is saying: Oh, no, they have got it all right. The President is wrong. The United States Sixth Circuit Court of Appeals put a nationwide stay on the rule in October. The court stated in granting the stay that "the sheer breadth of the ripple effects caused by the rule's definitional changes counsels strongly in favor of maintaining the status quo for the time being."

Yet the President of the United States ignores it all. Congress needs to have a say. The courts are having a say. The President needs to realize that his actions have huge impacts—negative impacts—on the economies of our States, our communities, and certainly of the entire country. So it is a privilege to be here to join my colleagues from South Dakota, North Dakota, Missouri, and soon my colleague from Iowa who will weigh in, supporting the effort to override the President of the United States on this specific piece of legislation.

Mr. BLUNT. Mr. President, we are urging our colleagues to do just exactly that—vote to override and reassert the constitutional authority of the Congress. To finish up our part of our discussion this morning is somebody who also understands the importance of the land, what it means to love and appreciate the land, how you can do that closer to the land than farther away, the Senator from Iowa, Mrs. ERNST.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, I want to thank my colleagues—the Senators from Missouri, North Dakota, and Wyoming—for their colloquy. This is a big deal, not just for those of us from these States but for all Americans. We have a choice today. We do have a choice. We can stand with our farmers, our ranchers, our small businessmen, our manufacturers, our homebuilders, or we can stand with an overreaching Federal agency that is committed to expanding its reach to over 97 percent of our lands in Iowa and, as my colleague from Missouri stated, 99.7 percent of the land in Missouri.

I know what I am going to do. I am going to stand with my constituents. I am going to stand with Iowans who

have told me time and again that their voices were not heard in this process and that their livelihoods are being threatened.

Instead of listening to those who will be most impacted by this rule, the EPA thought it would be better to use taxpayer dollars to illegally solicit comments in an effort to falsely justify their power grab.

A little over a week ago, President Obama, in his State of the Union Address, pledged a willingness to work with Congress on cutting redtape. This bipartisan legislation presented a great opportunity to do just that, but instead he sided with unelected bureaucrats and an unchecked Federal agency. So apparently he must have already forgotten what he had said.

I would also like to remind everyone that in November, 11 of my Democratic colleagues voted to uphold President Obama's rule at the behest of liberal special interests. Then immediately they ran for cover by sending a letter warning the EPA that they may oppose the rule in the future if it is not fixed. Only in Washington could someone reserve the right to do their job at a later time. Here we are 3 months later, and this rule is not fixed. Well, I say to those colleagues: Today is that later time. Join me in helping to fix this rule today.

In closing, we all want clean water. That is not disputable. I have continuously emphasized that the water we drink needs to be clean and safe. However, this rule is not about clean water; it is a regulatory power grab that harms our farmers, ranchers, small businesses, manufacturers, and homebuilders. Stand up for them today, not for a Federal agency gone wrong.

I urge all of my colleagues to vote to scrap this ill-conceived waters of the United States expansion.

With that, I yield the floor.

Mr. INHOFE. Mr. President, by vetoing Senator ERNST's Congressional Review Act resolution, President Obama is ignoring the pleas of States, local governments, farmers, small businesses, and property owners all over this country. He is ignoring the conclusion of legal counsel for the Corps of Engineers that the rule is "inconsistent with the Supreme Court's decisions in *Rapanos* and *SWANCC*."

He is ignoring determinations by two Federal courts that EPA's "waters of the United States" rule is likely illegal and therefore should not go into effect until the 32 States that have sued to stop this rule have their day in court. Finally, he is ignoring a legal decision issued by the Government Accountability Office that, in developing this rule, EPA broke the law.

According to GAO's December 14 decision, EPA's attempts to defend and promote their rule were not legitimate. In fact, GAO found that EPA's actions constituted illegal covert propaganda

and grassroots lobbying. EPA conducted covert propaganda when they drafted a message of support for the WOTUS rule and then convinced 980 people to send that message to their social media network. GAO estimates that this message reached about 1.8 million people who had no idea that they were receiving a message that was written by EPA. In fact, the public was encouraged to send the EPA-written message back to EPA—the ultimate echo chamber. This is covert propaganda taken to a new extreme.

EPA engaged in grassroots lobbying activity when they posted messages on their official government website that directed the public to visit the websites of environmental activist groups who were soliciting opposition to congressional efforts to send this WOTUS rule back to the drawing board. In fact, EPA linked their government website to "action alerts" issued by these activist groups.

Because EPA's covert propaganda and lobbying efforts are illegal, they also violated the Anti-Deficiency Act. This act prohibits the unauthorized use of taxpayer dollars.

EPA issued a statement disagreeing with GAO, but their opinion is irrelevant. We live in a world of law. Federal agencies don't get to decide what laws they chose to obey. EPA does not get to decide what constitutes a violation of the ban on propaganda and lobbying. EPA does not get to decide what constitutes a violation of the Anti-Deficiency Act. GAO does, and GAO has issued its legal decision.

If EPA continues with this illegal activity, they will do so knowing and in willful violation of the Anti-Deficiency Act, and a knowing and willful violation is a crime.

By vetoing S.J. Res. 22, President Obama is aligning himself with an illegal rule and is encouraging illegal agency activities and the unauthorized use of taxpayer dollars. This has to stop. No Member of this body should associate himself or herself with these activities.

Please join me in voting to override this veto.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to urge my colleagues to oppose the joint resolution that we will be voting on shortly, to support the Clean Water Act, and to support the clean water rule.

I was listening to my colleagues. First, let me say that the basis of the regulation issued by the Environmental Protection Agency is based upon the Clean Water Act. The Clean Water Act was passed by Congress because Congress recognized that it had a responsibility to the American people for clean water. For public health reasons, for economic reasons, for reasons of generations, we needed to make sure

we have clean water supplies for drinking, recreation, public health, and our environment. So the authority to issue this clean water rule comes from an act of Congress.

Administrations have been enforcing the Clean Water Act for many years. It was fairly well understood—the waters of the United States—until there were a couple of Supreme Court cases. The *Rapanos* case was in 2006. It required further clarification; otherwise, decisions were made on a case-by-case basis, giving great uncertainty as to what is covered and what is not covered. That was a decade ago. Congress could have acted during that decade, but Congress chose not to act. We could have clarified the law and therefore given EPA specific instructions, but instead the uncertainty has remained.

I have often listened to my colleagues talk about how one of the most demanding problems we have is that we create uncertainty—a short-term extension of tax provisions, a short-term CR—that we don't give predictability, and that is one of the things we need to do. For farmers and ranchers and developers and the American people to be able to take full advantage of the opportunities of this country, they need to know the ground rules.

That is exactly what this clean water rule does. It sets the parameters of what is going to be regulated and what is not. It uses the prior application—before the Supreme Court cases—as its guideline. It does not pave new ground. It is basically what the stakeholders and the public thought was the law before the Supreme Court cases, which added to the uncertainty.

If you listen to some of my colleagues, you would think they just pulled this regulation out of thin air. They had over 400 meetings with stakeholders—a 2-year process. Millions of comments were reviewed before the final regulation was issued. So this went through a very deliberative process.

First and foremost, it offers certainty on the application of the law and uses the prior application as the main way of determining what is covered, and it rejects the case-by-case uncertainty that is under existing law.

The rule protects public health, our environment, and our economy. Let me talk a little bit about that. One out of every three Americans would be getting drinking water that would not be covered if we don't get the Clean Water Act in full application—67 percent of Marylanders.

There are millions of acres of wetlands that are at risk of not being regulated. Wetlands are critically important for flood protection in many of our States, to recharge groundwater supplies—important to many of our States—to filter pollution. That is very important. It is important in Maryland. The Chesapeake Bay and the

Chesapeake Bay's environmental future very much depend upon the quality of the upstream waters and wetlands. It is at risk if we don't move forward with the full application of the Clean Water Act.

It is certainly important for wildlife habitat. I hear all of my friends talk about how important it is to preserve our wildlife. Well, that is very much engaged in what we are talking about. It also deals with our economy. Some of my colleagues have talked about that. Certainly I can talk about the wildlife recreation benefits in my State of Maryland—a \$1.3 billion-a-year industry in Maryland and over \$500 million in fishing alone. Well, let me tell you something. If you have polluted waters, you are going to lose your wildlife recreational industry. It is critically important for recreation. I think my colleagues understand that.

My colleagues talk about agriculture. Agriculture, of course, needs clean water. We would be the first to acknowledge that clean water is very important to agriculture. As it relates to the agricultural community, there are so many special exceptions in the clean water rule.

Let's at least be straight as to what is covered and what is not covered. Many of the examples that have been given on the floor of the Senate are not covered bodies of water under the clean water rule that is being proposed.

The bottom line is that this rule is not only good for our environment, it is not only good to make sure people have safe drinking water, it is not only good to make sure that we have clean streams, that wetlands are protected, and that water bodies that flow into navigable waters are protected so we have clean water for the purposes of our environment, but it is also important for our economy because of the direct impact it would have, and it is important to many industries that depend upon clean water supplies. Many of them are very much dependent upon clean water supplies in order to produce the products in agriculture that are critically important.

For the sake of our environment, for the sake of our economy, I urge my colleagues to reject this resolution.

Let me add one last point. We are all proud Members of the Senate. We are all proud Members of this Congress. I would hope one of the legacies we want to leave when this term is over is that we have added to the proud record of those who served before us in protecting our waters and in protecting our air because that has been the legacy of the Congresses before us—the Clean Air Act, the Clean Water Act, the Chesapeake Bay Program, the Great Lakes. Congress was responsible for many of these programs.

On the Chesapeake Bay, but for the actions of Congress, that program would not be what it is today. The

funds would not be there. We initiated it. It was not even in the administration's budget. We did that because we recognized that the Chesapeake Bay is a national treasure, the largest estuary in our hemisphere. We understood that, so we acted.

So what is going to be the legacy of this Congress? Is this going to be a Congress that moves in the backward direction in protecting our clean water? I hope that is not the legacy of this Congress.

I urge my colleagues to be on the right side of clean water, to be on the right side of what Americans expect us to do and to protect the water supply of our Nation and to vote against this joint resolution.

With that, Mr. President, I yield the floor.

I yield back our time.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the veto message on S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

Mitch McConnell, Tom Cotton, John Thune, Johnny Isakson, Steve Daines, Roy Blunt, Cory Gardner, Deb Fischer, Pat Roberts, Thom Tillis, John Cornyn, Joni Ernst, David Vitter, Lamar Alexander, John Barrasso, Ron Johnson, Thad Cochran.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the veto message on S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have vote "yea."

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Delaware (Mr. COONS), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 40, as follows:

[Rollcall Vote No. 5 Leg.]

YEAS—52

Ayotte	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Coats	Hoeven	Sasse
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Kirk	Thune
Crapo	Lankford	Tillis
Daines	Lee	Toomey
Donnelly	Manchin	Vitter
Enzi	McCain	Wicker
Ernst	McConnell	
Fischer	Moran	

NAYS—40

Baldwin	Heinrich	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Reid
Booker	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Markey	Stabenow
Carper	McCaskill	Tester
Casey	Menendez	Udall
Collins	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—8

Alexander	Cruz	Scott
Boxer	Rubio	Warner
Coons	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 40.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Cloture not having been invoked, under the previous order, the veto message on S.J. Res. 22 is indefinitely postponed.

The Senator from Kansas.

MORNING BUSINESS

Mr. ROBERTS. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Washington.

43RD ANNIVERSARY OF ROE V. WADE DECISION

Mrs. MURRAY. Madam President, thank you to my colleagues who are

joining me here today and so many other efforts to stand up for women. The 43rd anniversary of the Supreme Court's historic ruling in *Roe v. Wade* is tomorrow. This is an important time to remember how much this decision has meant for women's equality, opportunity, and health, why it is so important we continue defending the hard-won gains that women have made, and why we need to keep pushing for continued progress.

For anyone who supports a woman's constitutionally protected right to make her own health care choices, this has been a tough and trying Congress. To be honest, at the beginning of 2015, I gave my Republican colleagues the benefit of the doubt. I hoped that in the majority, they might focus more on governing and less on trying to get in between a woman and her rights. Unfortunately, that didn't last long.

Since this Congress began, more than 80 bills have been introduced in Congress that would undermine a woman's constitutionally protected right to make her own choices about her own body. The House and Senate have voted a total of 20 times on legislation to roll back women's health and rights.

That is not all. Republicans have pushed budget proposals that would dismantle the Affordable Care Act. After a summer of using deceptive, highly edited videos to discredit Planned Parenthood and try to take away health care services that one in five women rely on over their lifetimes, the House has doubled down by launching a special investigative committee to keep up the political attacks. Of course similar efforts to undermine women's constitutionally protected health care rights are underway across the country.

Nowhere is that clearer than in Texas, where an extreme anti-abortion law could force 75 percent of the clinics statewide to close. If that law stands, 900,000 women of child-bearing age will have to drive as far as 300 miles round trip to get the health care they need.

To be clear, a right means nothing without the ability to exercise that right. Laws like HB2 in Texas and many others like it across the country, driven by extreme conservative efforts to undermine women's access to care, are without question getting in between women and their rights, especially the rights of women who can't afford to take off work and drive hundreds of miles just to get health care.

Later this year, the Supreme Court will decide whether to uphold Texas's extreme anti-abortion law. In doing so, they will decide whether women can act on the rights they are afforded in the Constitution. This law puts women's lives at risk. It is the biggest threat to women's constitutional rights in over a decade. That is why I am working with many of my Democratic colleagues to call on the Su-

preme Court to uphold *Roe v. Wade* and protect a woman's right to make her own health care decisions.

Today, as we head into a year that is absolutely critical for women, I have a message for those who want to turn back the clock. Those efforts to undermine women's health care are nothing new. Women have been fighting them for generations, and we are going to keep fighting back today. We are not going to go back to the days when because women had less control over their own bodies, they had less equality and less opportunity.

As we defend the progress we have made, we will keep pushing for more, from continuing to expand access so that where a woman lives doesn't determine what health care she can get to expanding access to affordable birth control and family planning, to fighting back against domestic violence and sexual assault, which disproportionately impacts women.

We are going to keep pushing for progress because we believe strongly that the next generation of women—our daughters and our granddaughters—should have stronger rights and more opportunity, not less.

My colleagues and I in the Senate are going to keep working hard every day to bring women's voices to the Senate floor and show that when women are stronger, our country is stronger. Let's keep up the fight.

• Mrs. BOXER. Mr. President, *Roe v. Wade* became law of the land 43 years ago, taking women out of the back alleys and promising them the fundamental right to make their own choices about their health care and their futures.

As we mark this milestone, the GOP and their extreme allies are doing everything in their power to take away that promise. Since 2010, States have passed 288 new laws that are designed to place barrier upon barrier between women and their critical health care. These laws have piled on outrageous requirements for clinics, providers and the women they serve—making it harder for women to get the care they need.

Texas's extreme law, HB2, is no different. The Supreme Court recently agreed to hear *Whole Women's Health v. Cole*, a case challenging HB2, which is designed to close health clinics that provide safe, legal abortions. Its proponents claim to be protecting women. In what universe is it "protecting" women by making it harder for them to access critical health care?

The answer, of course, is it's not.

This law targets women's health care providers with intentionally burdensome requirements such as mandating that physicians gain admitting privileges at hospitals within a 30-mile radius of where they practice—a provision that has already forced more than half the clinics in Texas to close.

And let's be clear: that is their goal—to shut down clinics and deny rights. If

HB2 is upheld, it would reduce the number of providers from 40 to 10. Ten clinics for the second largest State in the country. This would force women to travel for hours or even to another State for care.

That is exactly what happened to Austin resident Marni, who was forced to fly to Seattle when her procedure was cancelled the night before it was scheduled because the clinic was forced to immediately discontinue providing these services after HB2 took effect. Muni said her first reaction was "to feel like my rights were being taken away from me, to feel very disappointed that elected officials had the ability to make decisions about my and my fiancé's life."

In some cases, forcing women to delay or cancel procedures could endanger their health and lives.

Vikki is a diabetic who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion. Fortunately, Vikki lived in a State where she was able to have the procedure she needed to protect her life and ensure she could have children in the future.

But GOP-led state legislatures are doing everything they can to pass laws designed to deny care to women like Vikki. There are currently laws across the country to: ban abortions; restrict the use of the abortion pill; ban the use of telemedicine—which allows doctors to treat patients who live far away or in rural areas and prescribe abortion medication; require women to wait a certain time between their first doctor visit and their procedure; and require women go through mandatory counseling and even require an ultrasound in which medical personnel describe the image of the fetus to the patient.

This crusade is also about denying access to family planning. Yes, in the year 2016, Republicans and their extreme allies are still on a crusade against contraception, which the Supreme Court deemed legal 50 years ago.

This is despite the fact that we know contraceptives are the best way to decrease unintended pregnancies and abortions.

This is despite the fact that 99 percent of American women who have ever been sexually active have used at least one contraceptive method—and not just to plan their families. Fifty-eight percent of women who take birth control do so at least in part to treat painful and difficult medical conditions. Of those, 1.5 million women take it solely as a medication to treat those conditions.

They are women like Sandra from Los Angeles, who suffers from polycystic ovary syndrome and has used

birth control since the age of 18 to treat her condition, which could otherwise render her infertile and put her at higher risk for complications like heart disease, diabetes, and cancer. For women like Sandra, access to birth control is essential.

In fact, contraception has had such a dramatic impact on women and families in this country that the Centers for Disease Control and Prevention declared it one of the greatest public health achievements of the 20th century. A 2012 study also found that access to affordable birth control led to a decline in teen births and reduced the rate of abortions by one-half, which is a goal we all should share.

So while many of us fight to expand access to affordable birth control, the GOP is trying to make contraception more expensive and harder to get.

Ironically, so many of those who want to overturn Roe and deny access to contraceptives are the same people who say they want limited government. There is nothing limited about inserting the government between a woman, her family and their most personal health care decisions.

This is the opposite of limited government—and it is wrong and dangerous. Leaving women with no other option for health care may force them to take matters into their own hands—and in Texas, it is already happening. A recent study by the University of Texas found that as many as 210,000 women tried to end their own pregnancies since HB2 took effect in 2013.

We cannot go back to the days of back alley abortions.

We cannot undermine the promise Roe made to women 43 years ago.

In the 21st century, we cannot deny women access to family planning and other reproductive care.

But that is exactly what the GOP and their right-wing allies are trying to do.

These shameful attacks are trying to take away the real, legal health care that millions of women depend on. This is a fight that has been picked before. We have won it before, and we will win it again.

We will fight this assault on women's health.

We will fight to make sure that women across America can continue to get the services they need—and deserve.

And, we will make sure the promise of Roe v. Wade is protected for the next generation of women.●

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise to mark the anniversary of Roe v. Wade. Forty-three years ago, within the lifetime of most of us here, the Supreme Court's decision effectively reversed draconian State laws prohibiting abortion and gave women power over their own health care decisions.

Before Roe v. Wade, nearly 5,000 American women died every year seek-

ing abortion care that was legally not available to them. That number dramatically dropped after the decision because women were able to get abortion care from trained medical professionals legally, out in the open. The Court found that a woman's right to access abortion care is a fundamental constitutional right. While as with many constitutional rights, not totally unfettered, this decision enabled women to gain control over their own bodies and in turn their futures.

If the government interfered in other patient-doctor decisions the way that State and local governments have interfered with women's reproductive rights, there would be a national uproar. Why is it different when we talk about a woman's body as opposed to a man's? Can you imagine if States passed laws restricting fundamental decisions about a man's medical care? Why is it that women have to defend deeply personal decisions over our own bodies in court and in legislatures?

I recognize that there are deeply held beliefs by good people on both sides of this issue, which is why the right to choose should be left to the individual woman and her doctor. Yet ever since the Roe v. Wade decision, State and Federal lawmakers have attempted to chip away at a woman's right to make her own health care decisions.

Hundreds of laws have been passed by States to place limitations and roadblocks to a woman's right to choose. Restrictions such as mandatory delays, unduly burdensome regulations, and unscientific 20-week bans are all attempts to undermine Roe v. Wade.

In Congress we continue to see unprecedented attacks on women's reproductive health—destructive policy riders in spending bills, attacks on providers, and efforts to reduce women's access to health care services—all in the name of prohibiting abortions.

These attempts are not based on facts or science. They do not advance any public policy goals in the interest of women, which is why many of us characterize these efforts as part of a deeply anti-women agenda. Moreover, these restrictions disproportionately impact women of color and low-income women. Apparently, it is not enough to remove funding from reproductive services. The anti-women agenda includes reducing funding from maternal health programs and services for infants and children.

The lawmakers writing these restrictions are not the ones who will have to live with their negative consequences. It is the women across the country who will have to live with these consequences.

Of course, the legal battles continue. For example, the U.S. Supreme Court will be hearing arguments later this year on a Texas law that severely restricts the ability of a woman to access safe reproductive health care. My col-

league from Washington touched on the problems and challenges that this Texas law imposes. This law, which disproportionately impacts low-income women, has already severely affected the ability of women in Texas to get the reproductive care they need. The rhetoric around this case, as well as the rhetoric employed by abortion foes, has become increasingly dangerous, leading to attacks on providers, clinics, and women seeking care.

I hope we can all agree to not return to the pre-Roe v. Wade landscape, where women endangered their lives seeking reproductive care and thousands died doing so. I urge my colleagues to join me in ensuring that women can continue to control their own destinies for the next 43 years and beyond.

I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, tomorrow marks the 43rd anniversary of the U.S. Supreme Court's ruling in Roe v. Wade recognizing a woman's constitutional right to liberty and personal autonomy in her decision of whether to have an abortion or not. This landmark case not only recognizes those rights, but it is also responsible for saving countless women across the country from the devastating and deadly outcomes of back-alley abortions. I want to speak to that because I have some personal knowledge here.

I was a young State's attorney in Vermont before Roe v. Wade, and I will never forget getting a call in the middle of the night from the police and going with them to the emergency room of the local hospital. The young woman who was there had nearly died from an unsafe, illegal abortion because she could not legally receive that care from a doctor. I want to speak of that tragic history today because I feel the current effort in many States to roll back Roe v. Wade by denying women access to doctors could drag women back to those dark and dangerous times.

In the years leading up to the Supreme Court decision of Roe v. Wade, I was the State's attorney in Chittenden County, VT. Abortion was illegal in my State of Vermont. Despite the State ban, many women desperately needed and sought this medical care, and some doctors risked their freedom and livelihood by providing women with abortions at local hospitals. These were safe abortions in medical facilities that saved women's lives and protected

their health. Knowing this, I made it clear to the doctors in my county that I would not prosecute any of them for providing this medical attention to women in a medical facility. I did, however, prosecute to the full extent of the law others who preyed upon women's fear and desperation by extorting them for unsafe, back-alley abortions.

There are 100 Senators in this body. I am the only U.S. Senator who has ever prosecuted somebody in an abortion case. I vividly remember that horrific case. It was the spring of 1968, and I was called to the hospital to see this young woman, as I mentioned. She had nearly died from hemorrhaging caused by the botched abortion. I prosecuted the man who had arranged for the unsafe and illegal abortion that nearly killed her.

After that case and after witnessing firsthand the tragic impact that the lack of safe and legal abortion care had on women and families in my State, I talked to the local doctors about challenging Vermont's abortion law. A year later, a group of women and doctors brought a class action case to overturn the law. The case was styled as a suit against me as a State prosecutor, but this was a test case against the law, and I publicly welcomed the case. Even when the office of the State attorney general told me that it lacked resources to devote to any defense in this case, I decided to file briefs of my own, but the case was unable to proceed because none of the plaintiffs were seeking abortions at the time. The particular nature of the constitutional claim to abortion, which by its nature is a time-limited claim, made it extremely difficult to bring actionable cases before the courts. But later that same year, we got another chance.

The case in which I represented the State and did the briefs was *Beecham v. Leahy*, and it quickly made its way to the Vermont supreme court. At that time, our State's high court was composed entirely of Republicans, but these conservative justices understood what we had been arguing all along—that a statute whose stated purpose was to protect women's health, yet denied women access to doctors for their medical care, was sheer and dangerous hypocrisy. The court's opinion rightly questioned: Where is that concern for the health of a pregnant woman when she is denied the advice and assistance of her doctors? The court's ruling in *Beecham v. Leahy*, that protecting women's health for required access to safe and legal abortions, ensured that the women of Vermont would no longer be subjected to the horrors of back-alley abortions. It was a victory for women's health in Vermont. Even though the attorney general moved for reargument, I told the court as the State's attorney that I had no objection to the ruling and concurred with it.

A year later the U.S. Supreme Court in *Roe v. Wade* held what is now the law of the land. Women have a constitutional right to their autonomy and bodily integrity that protects their decision to have an abortion and to make that decision with their doctors.

I recount this history not just to mark another year of women's rights and safety under both *Roe v. Wade* and *Beecham v. Leahy*, but also to connect the history to the attack today on women's access to safe and legal abortions that are threatening to take us back to those times. States looking to roll back women's rights have returned to penalizing doctors to deter them from providing women with safe health care. What I find most appalling is that States that are passing these laws claiming they somehow protect women's health. Yet these laws have nothing to do with women's health, and they have everything to do with shutting down women's access to safe and legal abortion. When you deny women access to doctors for medical services, you deny them their constitutional rights. You also deny them their safety and, in some cases, their lives. This is a fact that legislators passing these laws either callously ignore or willfully choose not to hear.

I still remember that case as though it was yesterday. I still remember that young woman, and I still remember the history of the person who was performing those illegal abortions. That is why I joined an amicus brief with 37 other Senators and 124 Members of the House in the *Whole Women's Health v. Hellerstedt* case currently before the Supreme Court. Our brief urges the Court to overturn a State law that requires doctors who provide abortions to meet onerous restrictions that apply to no other medical procedures and are completely unrelated to protecting women's health.

The Texas law at issue would have the effect of shuttering 75 percent of all women's health clinics that provide abortion services in the State if the full law were implemented, as well as possibly shuttering all the other services they provide. Already, parts of the law in effect have had a devastating impact on women's health. As a University of Texas study of women showed, after the law went into effect, an estimated 100,000 to 240,000 women have tried to end their pregnancies on their own without seeking medical attention. The study found that women, with nowhere to turn, resorted to herbs, illicit drugs, and even self-harm.

That this law was passed under the pretense of women's health is a travesty, and it should be struck down. The Supreme Court Justices cannot ignore the impact upholding this State law will have on hundreds of thousands of women in Texas and across the Nation.

When I see these efforts to prevent women's access to safe and legal med-

ical services, I think about all the young women in Vermont who have grown up knowing only that the U.S. Constitution and the Vermont Constitution protects their liberty and also recognizes that they are capable of deciding for themselves matters that control their lives and their destiny. I hope they and the generations after them never experience otherwise from the Supreme Court.

I will speak further on this subject another time, but when I think about what that young woman in Vermont turned to, I am glad our case to uphold our Constitution's right to privacy, *Beecham v. Leahy*, is on the books. I applaud the very conservative, very Republican Supreme Court Justices who wrote it in a nearly unanimous opinion.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING ZIPPY DUVALL

Mr. PERDUE. Madam President, we are celebrating a first in Georgia history today. Last week our State's Farm Bureau president, Zippy Duvall, was elected by the American Farm Bureau Federation to serve as its 12th president. I join my fellow Georgians in congratulating Zippy on this honor and look forward to working with him in this new role.

Zippy, as he is affectionately known—and that is his real name—first became a member of the Farm Bureau in 1977. He is a third-generation dairy farmer and currently maintains a beef cow herd and poultry production operation. To the Duvalls, farming is a business, a lifestyle, and a proud family tradition. As a dairyman, Zippy is accustomed to hard work, and he will be a tireless champion for the agricultural industry. He understands the importance of a safe and abundant food supply for consumers across the Nation and globe.

Zippy traveled over 55,000 miles and visited 29 States to meet with Americans and discuss his vision for the future of American agriculture. He heard from farmers and ranchers across our country—just as we have in the Senate—that something has to be done to defend citizens against a runaway government. From taking action against the EPA's power grab of our Nation's water, to promoting a climate of abundant trade and supporting a safety net—not a guarantee on farm prices—to pursuing policies that enhance the availability and affordability of all energy resources, I am glad to know

Zippy Duvall will be leading in these and many other areas.

Agriculture is a strategic industry not only for Georgia but also for our Nation. I join our country's farmers and ranchers in the pursuit of a strong, safe, and abundant industry. Our kids and our grandkids depend on this. I am very confident that with leaders like Zippy, we can actually do this.

Congratulations to Zippy, his wife Bonnie, and the entire Duvall family as they begin this exciting chapter together. This election is a great victory not only for Georgia but also for all of agriculture. I look forward to working with Zippy and the members of the American Farm Bureau Federation to promote a strong, safe, and abundant future for our agricultural industry in the United States.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

BIPARTISAN SPORTSMEN'S ACT

Mrs. FISCHER. Madam President, I rise to thank and congratulate my Environmental and Public Works Committee colleagues on the Bipartisan Sportsmen's Act. This legislation will now join the Senate Energy and Natural Resources Committee's sportsmen's package that was approved last fall. I hope this legislation can now swiftly advance to the Senate floor for consideration and approval.

As a member of the EPW Committee and vice chair of the Congressional Sportsmen's Caucus, I am grateful for the opportunity to work with my colleagues on legislation to promote our country's hunting, fishing, and conservation heritage. The Bipartisan Sportsmen's Act includes a broad array of bipartisan measures that enhance opportunities for hunters, anglers, and outdoor recreation enthusiasts by preserving our Nation's rich outdoor heritage.

This bill also expands and enhances hunting and fishing opportunities on Federal lands by establishing a more open policy for recreational activities to gain access on public lands. The bill also provides States with more flexibility to build and maintain public shooting ranges, allowing greater opportunities for more Americans to engage in recreational and competitive shooting activities.

It prevents groups from restricting ammunition choices, which would unnecessarily drive up costs, hurt participation in shooting sports, and con-

sequently decrease important conservation funding. I am especially encouraged by the fact that this bill includes a bipartisan amendment which is identical to the Sensible Environmental Protection Act that I promoted with Senators CARPER and CRAPO. It targets the duplicative permitting of pesticides under FIFRA and the Clean Water Act.

This duplicative process has created unnecessary burdens on resources for pesticide users such as private homeowners, businesses, golf courses, local water, and natural resource authorities, and of course the sportsmen's community.

All across the country sportsmen and outdoor enthusiasts utilize pesticides for critical habitat management by suppressing harmful pests and vector-borne diseases, which threaten outdoor activities of all kinds. Eliminating harmful and invasive pests is crucial to vegetation and ecosystem management.

This legislation clarifies that the NPDES permits should not be required for the application of pesticides that are already approved by the EPA authorized for sale, distribution or use under FIFRA. These products benefit outdoor recreation enthusiasts by protecting and maintaining natural habitats.

Another priority that I championed increases transparency for the Judgment Fund. This provision will help our efforts to track taxpayer-funded litigation that impacts public lands policies. As my colleagues may know, the Judgment Fund is administered by the Treasury Department and is used to pay certain court judgments and settlements against the Federal Government. Essentially, this fund is an unlimited amount of taxpayer dollars which is set aside for Federal Government liability.

The Judgment Fund is not subject to the annual appropriations process, and even more remarkably, the Treasury Department has no reporting requirements so these funds are paid out with very little oversight or scrutiny. This is no small matter, as the Judgment Fund disburses billions of dollars in payments every year. Since the Treasury Department is not bound by reporting requirements, few public details exist about where the funds are going and why.

The Public Lands Council has denounced the lack of oversight of the Judgment Fund, stating that "certain groups continuously sue the Federal Government and Treasury simply writes a check to foot the bill without providing Members of Congress and American taxpayers basic information about the payment." This kind of litigation can have a major impact on sportsmen and others who enjoy multiple uses of Federal lands. A GAO report regarding cases filed against the

EPA showed a disturbing pattern where groups and big law firms are suing under the same statutes to push a political agenda through the courts. The legislation I introduced with Senator GARDNER, known as the Judgment Fund Transparency Act, has been included as a provision in ENR's Sportmen's Act. It will bring these cases to light. Simply put, more transparency leads to greater accountability.

Members of Congress have worked hard on the Bipartisan Sportsmen's Act for the last 6 years. It is time for the Senate to take action. We have the opportunity to provide the sportsmen's community with the certainty that they need to allow important conservation work to thrive without fear of destructive Federal redtape.

I am proud to be the vice chair of the Sportsmen's Caucus, and I look forward to continuing our work to advance these important legislative measures.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold her suggestion?

Mrs. FISCHER. I will. I see Senator BLUMENTHAL on the floor.

I thank the Chair.

Mr. BLUMENTHAL. Madam President, I thank my colleague from Nebraska, and I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

43RD ANNIVERSARY OF ROE V. WADE DECISION

Mr. BLUMENTHAL. Madam President, I come to the floor on two issues of great importance to our Nation, both involving the rights and opportunities of individuals to live in the greatest, strongest Nation in the history of the world, with the tremendous opportunity to fulfill their dreams and their rights—rights to enhance themselves and rights of privacy.

Tomorrow we will celebrate the 43rd anniversary of the Supreme Court decision *Roe v. Wade*. As I recall well from my days as a law clerk to Justice Blackmun in the term following *Roe v. Wade*, that was a bitterly controversial decision, but it was one that we thought at the time would assure every woman of her constitutional right to make her own decision about whether and when to have a child, based on the fundamental right of privacy that decision enshrined and expressed and protected.

Unfortunately, those great hopes have been dashed. Over the last four decades, this constitutional right to reproductive care has been under attack throughout this country. Rather than advancing the health and well-being of women, legislators in a lot of States, and even in the Federal Government,

have put themselves squarely between women and their health care providers, denying that fundamental right of choice that *Roe v. Wade* guaranteed.

That practical reality means that *Roe v. Wade* has been far less effective than it could and should have been, because those opponents have advocated and implemented dangerous laws that undermine and violate a woman's right to privacy and diminish her access to constitutionally guaranteed reproductive health care services. These restrictions fall disproportionately on minorities and many who live in rural or medically underserved areas. I have great respect for my colleagues on the other side of the aisle, but we are jeopardizing the health care necessary for millions and millions of women and their right to privacy in this great country.

I have introduced a measure that would help prevent these violations of rights at the State level. The Women's Health Protection Act would invalidate not only extreme laws such as the Texas law that is now before the U.S. Supreme Court but dozens of other restrictive legislative steps that States have implemented and introduced to block women from accessing safe and legal health care.

I am happy to celebrate this anniversary of *Roe v. Wade*, but I think it is a moment to rededicate ourselves to the continuing task, more urgent and difficult than ever, to enable every woman to have the right of privacy, the right to make decisions about her own body, about whether and when to have children, and that fundamental right can help make abortion safe, legal, and rare.

DEBT-FREE COLLEGE

Mr. BLUMENTHAL. Madam President, I wish to speak now about what should be a right for young people and all people in this country, which is the goal of debt-free college.

Over the last months, I have held roundtables around the State of Connecticut—all around our State—with young people at the college as well as high school level who are in danger of losing the American dream—their dreams, their choices about where they want to go to school, because college for them has become unaffordable. For many who have already been to school, the debt is crushing—in fact, financially crippling. It is approaching \$1.3 trillion, which affects not only those students who have graduated and who may be seeking to go to college but also our entire economy. Someone graduating from college with \$30,000, \$40,000, \$50,000 or \$100,000 of debt and then from graduate school or law school or business school with that same kind of financial burden can't save for retirement, can't start a family, can't buy a home, can't begin a business that may employ people.

College affordability is essential to creating jobs and advancing and fueling economic growth. It is an engine of economic growth. It enhances the talents and the gifts that young people bring to the economy. It provides the skills that are needed now on the assembly line and in business. I encounter businesses across Connecticut—and I am sure it is true across the country—that tell me: We have jobs, we can't fill them, and we can't find young people with the right skills. That is why our community colleges play such an important role in our educational system.

The agenda that we have announced today as a caucus will meet this need in a number of important ways. It will make 2 years of community college tuition-free. It will enable students to refinance their debt when interest rates are lower, as they can now with a loan for a car or a loan for a home, but not for a Federal loan. It will assure that people are enabled a more affordable education by holding colleges accountable and make them responsible for the levels of debt their students incur, because they should be held accountable when those debts default.

It will take those measures and others that are part of a comprehensive agenda that will advance the affordability of college and make debt less burdensome, but it will also expand the availability of Pell grants and take other measures that will make debt less necessary, because the goal should be debt-free college.

Our ultimate aspiration is debt-free college. We are beginning with community colleges that are tuition free, but the ultimate goal ought to be debt-free college. That will require expanding Pell grants and other scholarship aids and financial assistance programs that now are available but simply unacceptably in too small amounts.

I have two measures that I have offered on my own to be taken as part of this total program although they are not part of the act. One would recognize students for the public service they perform. If they become firefighters or police officers or work at the YMCA or in local government, their community service ought to be recognized by reducing the debt they owe, not just at the end of 10 years as happens now but year by year, pro rata; not just if they stay in the same job but if they move from one job to another or even have to move homes, go across State lines, expanding the availability of public service recognition and credit to reduce college debt. It is much in the spirit of the GI Bill. I hope we will move forward to expand the availability of debt recognition and reduction for public service.

I also hope that when our needier students receive assistance for room and board when they go to college, they will not be taxed on that assist-

ance. That happens now. Why should they be taxed on the room and board they need and that assistance to go to college? That is wrong. And scandalously and outrageously, it is wrong that the U.S. Government makes money off the backs of our students. We should be investing in one of the greatest assets in a democracy—people who want to raise their skills and talents and education so they can better serve not just in the public sector but in the business world, so they can help create jobs themselves and become the entrepreneurs and the job creators. They can't do it if they are burdened with tens of thousands—some hundreds of thousands—in debt. The present levels of debt are a disservice to our Nation. They inhibit freedom, they undercut opportunity, and they destroy dreams.

Some of the most moving moments of my roundtables with young people are to hear them describe how they could not attend their dream school. They called their first choice their dream school and the reason it was their dream school is because they could pursue engineering or nursing or marketing or other kinds of vitally important skills at that place in the best way possible. That was their dream school not because the weather was good or because their friends were there but because the skill levels and the education offered was exactly the right fit for their aspirations. Some cried as they described the unbridgeable gap between what they could afford and what the school charged. With what they could afford—even with financial aid, even with help from their families, and even with debt—they still faced an unbridgeable gap. And those dreams dashed, deferred, destroyed for those students are a national tragedy. For them, it will shape their futures, although I have great confidence that their drive and perseverance will enable them to achieve great things. But for our Nation, it means a deferring and diminishing of our economy and our national quality of life.

We are the strongest, greatest Nation in the history of the world because we provide more opportunity and more freedom than any other country. We are stronger because of our diversity and because we create and we reward the dreamers who have the strength and the ability to set high standards, to aspire to be the best, and to want an education that enables them to achieve those goals.

The current levels of college debt are inconsistent with who we are as a Nation. That is why I am proud today to join my colleagues on this side of the aisle and to say to our friends across the way: Join us. Let's make it bipartisan. If you have a plan, if you have ideas, if you think there are other ways to accomplish things, let's work together, because those students, their

families, our Nation, the businesses that are creating jobs and want these young people to fill them so we can drive the economy forward all depend on us working together, reaching across the aisle and making sure that we enable every person, every student who wants to go to college to fulfill that dream without the financially crushing burden of current levels of debt.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMPAIGN FINANCE REFORM

Ms. WARREN. Madam President, we have a problem—money. Six years ago today, the U.S. Supreme Court made the problem worse, a lot worse. Thanks to the Supreme Court, our system of elections is riddled with corruption. Money floods our political system—money that lets a handful of billionaires shape who gets into Congress and may decide who sits in the White House.

As Congress has become more beholden to billionaires and less worried about the American people, look at what has happened in Washington. Armies of lawyers and lobbyists flood the hallways of Congress and regulatory agencies, urging just a little tilt for every law and every rule—a sentence here, an exception there, and always tilted in favor of the rich and powerful. Corporate executives and government officials spin through the revolving door, making sure the interests of powerful corporations are always carefully protected. Powerful Wall Street businesses pay barely disguised bribes, offering millions of dollars to trusted employees to go to Washington for a few years to make policies that will benefit exactly those same Wall Street businesses. Corporations and trade groups fund study after study that just so happen to support the special rule or the exception that the industry is looking for.

Washington works great for a handful of wealthy individuals and powerful corporations that manipulate the system to benefit themselves. It works great for the lobbyists and the lawyers who slither around Washington day in and day out, handsomely paid to troll for special deals for those who pay them. But for everyone else, Washington is not working so well, and if we don't change that, this rigged political game will break our country.

Change is needed in many areas, but we can start with how we fund elec-

tions. In 2012, about 3.7 million Americans gave modest donations—under \$200—to President Obama and Mitt Romney. Those donations added up to \$313 million. In the same election, 32 people gave monster donations to super PACs. Thirty-two people spent slightly more on the 2012 elections than the 3.7 million people who sent modest dollar donations to their preferred Presidential candidates. When 32 people can outspend 3.7 million citizens, it is pretty obvious that democracy is in real danger.

We are headed into another Presidential election, and I speak out today because I am genuinely alarmed for our democracy. I am genuinely alarmed because 6 years ago today the U.S. Supreme Court said that the privileged few are entitled under the Constitution to spend billions of dollars to swing elections and buy off legislators. Six years ago today the U.S. Supreme Court overturned a century of established law and in doing so unleashed a flood of secret corporate money into our political system.

The Supreme Court created a big problem, but that does not mean that anyone with any integrity must just roll over and play dead. No, it is time to fight back. Sure, the Supreme Court has a lot of power, and, yes, they have used it to do a huge amount of damage. But even under the Supreme Court ruling there is room to fight back against the complete capture of our government by the rich and powerful.

Let's start right here with three examples of what this Congress could do right now today—what this Congress could do if we had the political courage to stand up to the superwealthy few and a handful of corporations.

No. 1, pass Senator DURBIN's Fair Elections Now Act. This legislation would create public funding for congressional elections. Imagine the contributions of small donors so working families would have a louder voice and could begin to compete with the rich and powerful. This is a bipartisan solution—well, at least bipartisan outside Washington. According to a recent poll, Democrats and Republicans both agreed strongly with the idea of citizen-funded elections; 72 percent of Democrats and 62 percent of Republicans said yes.

No. 2, pass the DISCLOSE Act, Senator WHITEHOUSE's bill to force super PACs out of the shadows and make them tell where the money comes from. According to that same poll, 91 percent of Democrats and 91 percent of Republicans agree that super PACs and other special interests should have to disclose the source of their funding.

No. 3, pass the Shareholder Protection Act, Senator MENENDEZ's bill to force companies to tell their shareholders how much money they are giving to politicians and which politicians they are giving it to. This is the share-

holders' money, and they have a right to know how it is spent. If they don't like how the money is being spent, they can put somebody else in charge.

Those are three things Congress could do right now, but there is even more.

No. 4, the President could finalize an Executive order requiring government contractors to disclose their political spending. Why should companies that do business with the government be allowed to give money in secret to benefit elected officials? Seventy-eight percent of Democrats and 66 percent of Republicans want to see this done.

No. 5, the SEC has the authority right now to begin to put together rules that would require opinion corporations to disclose the money they spent in elections. Despite Republican efforts to try to block this rule through a rider in the recent government funding bill, legal experts agree that the agency still has all the authority it needs to prepare a disclosure rule.

The public demands action. The SEC has received more than a million comments from the people across this country urging the agency to issue this rule—88 percent of Democrats and 88 percent of Republicans. That is right, 88 percent of both sides support public disclosure of political spending.

Three former SEC Commissioners, one Republican, two Democrats, wrote a public letter to Chair Mary Jo White urging her to adopt this rule. It is time for the agency to stop making excuses and start doing its job.

No. 6, the FEC has the authority right now to require ads run by super PACs include disclosure of the main people or corporations that paid for them. If they want to run the country, then the billionaires shouldn't be allowed to hide in the shadows. Make them step out in the open where the American people can see who is calling the shots.

There is one more step we can take, a full-blown constitutional amendment, such as the one pushed forward by my colleague Senator UDALL to restore authority to Congress and to the States.

I have to say, I am reluctant to take on a constitutional amendment, but we need to defend our great democracy against those who would see it perverted into one more rigged game where the rich and the powerful always win, and that means taking every step possible, including amending the Constitution.

These are six ideas that would help bring an end to a corrupt political system; six ideas that Congress, the administration, the SEC, and the FCC could put together right now.

A seventh idea is a constitutional amendment that we could begin working on today. This Congress doesn't lack for workable ideas for how to root

out the influence of money in politics. This Congress just lacks a spine to do it.

Six years ago the U.S. Supreme Court turned loose a flood of hidden money that is about to drown our democracy. We can blame the Supreme Court—heck, we should blame the Supreme Court, but that is no excuse for doing nothing.

A new Presidential election is upon us. The first votes will be cast in Iowa in just 11 days. Anyone who shrugs and claims that change is just too hard has crawled into bed with the billionaires who want to run this country like some private club. All of us were sent here to do our best to make government work—to make it work not just for those at the top but to make government work for all people, and it is time we start acting like it.

Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Ohio.

VETERANS' ADMINISTRATION MODERNIZATION AND HEALTH INSURANCE CO-OPS

Mr. BROWN. Madam President, earlier today I attended two hearings. One was held by the Senate Finance Committee on Consumer Operated and Oriented Plans, or CO-OPs, created by the Affordable Care Act. The other was held by the Senate Committee on Veterans' Affairs, where Secretary McDonald, a son of Ohio, detailed his plan to modernize the Veterans' Administration.

Both of these hearings are a strong reminder of the importance of government in supporting public health and access to health care and services. We know the Veterans' Administration, with all its problems today, has provided extraordinary health care for millions of veterans all across our country for decades. It doesn't mean we sit back and don't make very important improvements that are necessary at the VA.

When we learned that shocking wait times at the VA were delaying veterans from getting the care they have earned, we took action and passed a new law to invest in better care and provide more health care choices to veterans, but we can't simply act in times of crisis and then turn our backs on those who served in our Nation's military. It is our responsibility to make sure VA facilities in Ohio, Connecticut, the Presiding Officer's State of Iowa, and all over—it is important that these facilities across the country have what they need to provide state-of-the-art medical care for our veterans.

I have been struck by my time on the Veterans' Affairs Committee—I am the only Ohio Senator to ever sit on that committee for a full term. I am struck

by how there are a whole lot of Members of Congress who are always happy to appropriate billions of dollars to send our men and women to war, but then when it comes time to take care of them when they come home, these same Members of Congress are not nearly as generous as let's say they were in sending them off to combat. That needs to change.

The same is true for health insurance CO-OPs or CO-OPs that face challenges. Twelve of these programs have failed. We can't sit back and let the remaining 11 CO-OPs meet the same fate. That is why I will continue to work with my colleagues to make sure CMS understands the importance and that they have the support and solvency they need to succeed.

When it comes to providing quality health care, the Ohio CO-OP is a success story worth telling. InHealth Mutual in Ohio covers approximately 25,000 people, 25,000 lives. It has enrolled individuals in each of Ohio's 88 counties. InHealth is doing some wonderful work, and it has taken it upon itself to be a major player in the community and in enhancing public health in Ohio.

One issue InHealth has chosen to highlight is health equity. InHealth is working to eliminate health disparities and is focusing on reducing barriers to care through its InHealth Cares Program.

To that end, InHealth started a faith-based initiative called Project REACH to address health disparities. Three years ago at a Martin Luther King celebration, a Martin Luther King breakfast in Cleveland, a minister told us something we perhaps already knew, but he said it so poignantly. He said: Your life expectancy is connected to your ZIP Code. Think about that. If you are born in Appalachia in Southeast Ohio or if you are born in East Cleveland versus if you are born in the more affluent suburbs of Shaker Heights or Bexley or Upper Arlington, your life expectancy can literally be a difference of 20 years. Imagine there are places in Cuyahoga County—one only 8 or 9 miles apart from the other—where a baby born has a life expectancy of literally 24 years less than a baby born in the more affluent suburb.

But one of the things these CO-OPs can do is—by involving trusted members of the faith community and focusing on issues such as infant mortality, asthma, and diabetes, InHealth is successfully utilizing key community players to strategically improve access to care in minority communities across Ohio, but despite InHealth's current success, they continue to experience significant challenges.

Earlier today, the Acting Administrator of the Centers for Medicare and Medicaid Services testified in front of our committee about the challenges facing CO-OPs. At the hearing, many of

my colleagues expressed significant concerns about the closure of the 12 CO-OPs that have pulled out of the market as well as the viability of the others that remain. I share those concerns, and I urge the Acting Administrator of CMS, Andy Slavitt, to work with Congress and the remaining CO-OPs, such as InHealth, to ensure their future viability. I commend him on his performance at this morning's hearing. I hope the committee will take the appropriate steps to confirm him so he is no longer an Acting Administrator but has the real job.

Congress and CMS must work together to find creative ways to ensure these CO-OPs that are negatively affected by the lower than expected risk corridor payments can find alternative ways to ensure financial stability.

We should work together to improve the current risk adjustment calculation, which is currently designed to favor the larger, more established health insurance carriers over new and significantly smaller health insurance plans, such as the CO-OPS, and improve provider cost transparency in the market. They must work together to support the alternative ways for CO-OP small businesses like InHealth to raise capital.

CO-OPs like InHealth in Ohio are putting customer service before profits in making a positive difference in patients' health and their pocketbooks. CO-OPs boost competition, they drive down prices for customers, and because they are locally run and operated by their own members, CO-OPs are invested in providing the best possible care for the communities they serve. CO-OPs like InHealth are working. We need to make sure they have the support they need to continue providing quality, affordable local insurance to thousands of people in my State of Ohio and across the country.

I look forward to working with my colleagues on the Finance Committee, on the floor, and with CMS on these important issues so the existing CO-OPs—like InHealth—can continue to pursue innovative approaches to affordable comprehensive health insurance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, let me thank my friend from Ohio for his very constructive remarks on the success of CO-OPs. We have a CO-OP in Connecticut that has been providing very good quality care at very reasonable rates. It is part of what helps make our marketplace function, and I will look forward to working with him as we try to sustain the success of CO-OPs across the country moving forward as an element of the Affordable Care Act which, as I have said many times on this floor, is working.

AUTHORIZATION FOR MILITARY FORCE

Mr. MURPHY. Madam President, today I have come to the floor to speak very briefly about a resolution that the majority leader introduced, I believe, yesterday. This is an authorization for military force that apparently purports to give the President legal authority to conduct military operations against ISIS. Before we break for the weekend, I thought it was important to come to the floor to explain very briefly to my colleagues what this resolution really is.

This resolution is a total rewrite of the war powers clause of the U.S. Constitution. Let's be clear about that. It is essentially a declaration of international martial law, a sweeping transfer of military power to the President that will allow him or her to send U.S. troops almost anywhere in the world for almost any reason with absolutely no limitations.

Article I, section 8, clause 11 of the Constitution vests in Congress the responsibility to declare war. Many of us on both sides of the aisle have been arguing for over a year that the President—right now—has exceeded his constitutional authority in continuing military operations against ISIS without specific authorization from Congress. I have been amongst those who have been calling on this body to debate authorization of military force. So in that sense I am pleased the introduction of this resolution may allow us to have a debate on the Senate floor about the right way to authorize war against our sworn enemy, ISIS, a terrorist organization that deserves to be degraded, defeated, and wiped off the map of this Earth.

While the ink is still wet on this resolution—so I will not endeavor to go into any detailed analysis of it—it is safe to say that this resolution is the wrong way to authorize war against ISIS. The language of this resolution is dangerous and it is unprecedented.

The American people want Congress to authorize war against ISIS, but they also want us to make sure we don't send hundreds of thousands of U.S. soldiers back into the Middle East to fight a war that has to be won first and foremost with regional partners, and they certainly don't want Congress to hand over the power to the President to send our troops into any country, anywhere in the world, for almost any reason.

That is what this resolution would do. It doesn't give the power to the President to deploy U.S. troops in Iraq and Syria. It gives the power to the President—without consulting Congress—to deploy U.S. forces in any one of the 60-plus countries where ISIS has a single sympathizer. Even worse, the language doesn't even require ISIS to be present in a country for the President to invade. All that is necessary for the President to be able to argue—

with a straight face—is that the threat of ISIS was present.

As we have seen in the United States, the threat of ISIS is present in virtually every corner in the world. Thus, this resolution would give the President total absolute carte blanche to send our young soldiers to any corner of the world without consulting Congress.

Now, we wouldn't have to worry about a President abusing this authority granted to him if an example of this abuse wasn't in our immediate rear-view mirror. This Congress gave President Bush sweeping authority in two resolutions to fight terrorism in the wake of September 11, and he manipulated and abused that authority to send millions of American troops into Iraq to fight a war under concocted, false pretenses. He got an open-ended authorization from Congress, and he ran with it. Now, what did we get for this colossal misrepresentation? Over 4,000 Americans dead, scores more than that crippled, and a region in chaos, in large part because of our disastrous invasion and occupation.

On the campaign trail today, several of the candidates for President talked with such irresponsible bravado about throwing around America's military might. The likely Republican nominee, as we sit here today, shows a blissful ignorance about U.S. military law and basic foreign policy that is truly frightening.

So given recent history and given the current rhetoric on the Presidential campaign trail today, why would we give the President such open-ended, sweeping authority ever again? And why would we even contemplate a resolution like this one that makes the 9/11 and Iraq war resolutions seem like exercises in thoughtful restraint? Why would we make the mistake of the Iraq war resolution again, especially when there is an alternative?

I know that we will likely have time to debate the question of how to properly authorize war against ISIS later. But in December of 2014, the Foreign Relations Committee did vote out an AUMF that gave the President all the power he needed to fight ISIS, while making sure that he had to come back to Congress if he wanted to dramatically expand the current conflict to other countries or to put hundreds of thousands of American troops into a new war in the Middle East. It is the only AUMF that has received a favorable vote by the Senate, and it is a template for how we can authorize a war that isn't totally and completely open-ended.

Several have argued for us to take up a debate on the AUMF because we believe that over the last 15 years, over the course of the War on Terror, Congress has basically abdicated its responsibility to be the voice of the people on the conduct of foreign policy.

Many of us think that a smart AUMF would get Congress back in the game when it comes to our constitutional responsibility to decide when and where our brave troops are sent into battle. But this resolution, as currently written, would do exactly the opposite. It would permanently hand over war-making power to the President, and Congress would never get it back. It would allow this President and the next President to send our troops almost anywhere in the world for virtually any justifiable reason, with no ability for the people's branch of the Federal Government—this Congress—to step in and to have our say.

I do look forward to this debate if it does come to the floor. I think it is an immensely important debate. Frankly, I will be glad to have it. The American public wants us to declare war on ISIS, but they want us to do it in a way that doesn't repeat the deadly, costly mistakes of the past.

I yield the floor.

The PRESIDING OFFICER (Mr. PORTMAN). The majority whip.

MENTAL HEALTH AND SAFE COMMUNITIES ACT

Mr. CORNYN. Mr. President, I come to the floor today to talk about the 800-pound gorilla in the room that people don't want to talk about, and that is our broken mental health treatment system in this country.

Years ago, we made the mistake of institutionalizing people with mental illness, and then we made the mistake of deinstitutionalizing people with mental illness, with nowhere to go and no access to treatment. But I have introduced legislation that I hope will help begin this conversation anew, one that we will have a hearing on next week in the Senate Judiciary Committee.

The legislation is called, simply, the Mental Health and Safe Communities Act. It has two overarching goals. First, it will help those suffering from mental illness and their families to find a way forward and to get the support that they need. Second, it will equip law enforcement, teachers, judges, and people with the knowledge and skill sets to spot the early signs of mental illness and give them the means by which to respond effectively.

Sadly, we know that mental illness is a common thread through many senseless acts of violence that we have witnessed across the country. But this problem is more than about just that. I know some of our colleagues say they don't want to talk about how to improve access to mental health treatment if it is going to involve any discussion of guns, but I don't think we can talk about this topic without talking about these incidents of mass violence. But I want to make sure I am very clear and to say it is much more than just that.

It is time for Congress to respond with proven solutions that actually work. The President, as is his habit, has offered controversial proposals that actually violate the Constitution and threaten our rights without solving the problem. To me that is one of the reasons why people get so frustrated with Washington, when people stand up and say that here is something we ought to do, when it really is symbolic in nature and it doesn't actually solve the problem they claim to be addressing. And that is true of the President's Executive actions on guns.

Indeed, the AP's headline, when the President made this announcement, read: "Obama measures wouldn't have kept guns from mass shooters." In other words, the Associated Press makes the point that none of this would have solved the actual problem. But the legislation I have introduced has a good chance to begin the effort to do that.

So since the President won't act responsibly and work with Congress, Congress must act by itself—first, to build consensus and offer solutions, and not just engage in symbolic gestures and more political talking points. It is time we focus our efforts on, first and foremost, providing support to the mentally ill and their families to make sure, first of all, that they are less likely to be a danger to themselves, and, secondly, that they won't be a danger to the communities in which they live.

Next Tuesday, we will have that hearing I mentioned at the outset in the Senate Judiciary Committee, and we will look at some of the successful models that have proven to be successful in places such as Bexar County, San Antonio, TX.

Like many of our colleagues, I have had the occasion to visit the sheriffs, police chiefs, and the jails in our major metropolitan areas. Virtually all of them have told me that our jails have become warehouses for people with mental illness. When they get out, unless their underlying symptoms are treated and unless they are on an enforceable treatment plan, compliant with their medication, and following the doctor's orders, they are going to end up right back where they were. In the absence of effective treatment of their mental illness, we know many people with mental illness will self-medicate with drugs or alcohol, compounding their problems and becoming what a young man in Houston called a "frequent flyer," when referring to himself. In other words, he would keep coming back again and again and again and again.

But there are some successful models we can look at, and the results are really impressive. Through the reform measures instituted in places such as Bexar County, overcrowded jails have been reduced in size, taxpayer dollars

have been saved, and many lives have been changed for the better. The secret is these jurisdictions have realized that we have to focus on treating the mentally ill, not just warehousing them in our prisons and jails. Criminologists and mental health experts will tell you that locking up a mentally ill person without treatment will make them even more dangerous to themselves and increase the risk to the community.

Experts will also agree that if we identify those with mental illness and divert them to treatment, many of them can be restored to mental health, saving lives, increasing public safety, and reducing costs to taxpayers.

There is a great book called "Crazy," written by a gentleman by the name of Pete Earley. Pete is a journalist. Unfortunately, he and his wife had a son that exhibited mental illness symptoms. It was as a result of their dealing with his illness and trying to help him get back onto a productive path in life that they encountered the broken mental health system that I have described a little bit about. The good news is Pete's son is doing well. But it is because he is taking his medications, and he recognizes that when he goes off of his medications he gets into trouble. Pete will be testifying at our hearing next week, and I think he will bring home in a very real way how mental illness affects so many lives around the country, and what we can do to actually equip those families with additional tools to help them help their loved ones.

The truth is, this all takes cooperation. Indeed, in the criminal justice context, it takes collaboration between Federal, State, and local law enforcement. It also takes judges, doctors, and families. But the good news is there are some models for success. We need to make this a priority because so many of the people we encounter today on our streets—the homeless—are people who are suffering from mental illness of some form or another that could be helped. So many people who are jailed for minor criminal offenses are people with mental illness that could be helped. I think it behooves all of us to do what we can to learn from what actually has proven to work in some of our cities around the country, and to try to implement this on a national level.

In addition to Mr. Earley, we are going to be hearing from Sheriff Susan Pamerleau, who has been a champion of mental health reform in the San Antonio area.

But even as the committee begins to consider long overdue mental health legislation, I have to confess that I have been disappointed at some of the responses by some of my colleagues on the other side of the aisle, because they say: We don't want to talk about the whole problem; we just want to talk about the part of the problem that we

want to talk about. So if this involves anything related to Second Amendment rights or guns, then they don't want to have that conversation. But you can't circumscribe the debate or the discussion by carving that out. That has to be a part of it. It will be a part of it, whether we like it or not.

Some of these colleagues on the other side of the aisle have cited a provision of my bill that would actually strengthen and clarify the definitions regarding the uploading of mental health records to the National Instant Criminal Background Check System. Why would anybody disagree with making sure that adjudication of mental illness be uploaded to the National Instant Criminal Background Check System? That is what happened with the Virginia Tech shooter, for example. He had been adjudicated mentally ill by Virginia authorities, but because the State didn't provide that information to the National Instant Criminal Background Check System operated by the FBI, he was able to buy a firearm without being disqualified, which he should have been, based on that adjudication.

My bill also reauthorizes and strengthens the National Instant Criminal Background Check System. This is something our colleagues across the aisle—and, indeed, all of us—have said we support—a background check system. It would work to clarify the scope of the mental health records that are required to be uploaded so that there is no longer mass confusion among State and local law enforcement as to what is required by Federal law. And, because we can't mandate that States do this, we need to provide incentives for them to encourage them to share these records, because these are a national resource. To me, this just makes common sense. Why wouldn't we want States to comply with current laws to keep the mental health background check records updated? I don't understand the controversy about that.

I would like to make clear that if there are Members on the other side of the aisle willing to work with me on this legislation and willing to work with the chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, and the ranking member, Senator MURRAY, and with TIM MURPHY in the House—who has an important piece of legislation that is much more comprehensive in nature but certainly deals with this issue as well—and along with Dr. BILL CASSIDY here in the Senate, there are many of us on a bicameral basis and on a bipartisan basis who have said we want to do something about this crisis in our country, and that is the mental health crisis.

What we ought to do is roll up our sleeves, sit down at the table, and begin to work through this. I know at

least five Democrats are cosponsoring legislation identical to mine in the House of Representatives, so it is up to us to start working to find consensus in the Senate.

This is one of those issues where Republicans have said they would like to see something get done, where the Democrats say they would like to get something done, and presumably the White House would too. How do you explain our not doing what we can do? Even if we can't do everything some of us would like to do, why don't we do what we can do?

I hope we can work together to deal with these reforms and to help make our communities safer. It is up to us to put our heads down and work diligently for the American people and come up with solutions for struggling families—families struggling with a loved one with mental illness and who don't know where to turn. I look forward to hearing more about some of the proposed solutions next week during this hearing of the Senate Judiciary Committee and working with all of our colleagues to try to come up with the best answers we can.

SIXTH ANNIVERSARY OF SUPREME COURT'S CITIZENS UNITED DECISION

Mr. DURBIN. Mr. President, today marks the 6-year anniversary of the Supreme Court's decision in *Citizens United v. Federal Election Commission*. In this far-reaching opinion, on a divided 5-4 vote, the Court struck down years of precedent and held that the First Amendment permitted corporations to spend freely from their treasuries to influence elections.

As a result of *Citizens United* and the series of decisions that followed in its wake, special interests and wealthy, well-connected campaign donors have so far poured more than \$2 billion into recent Federal elections, including 2016 races. About half of the total outside spending since *Citizens United* went toward the 2012 Presidential election. More than 93 percent of all Super PAC donations in 2012 came in contributions of at least \$10,000 from only 3,318 donors, who make up 0.0011 percent of the U.S. population. Of that group, an elite class of 159 people each contributed at least \$1 million—which was nearly 60 percent of all Super PAC donations that year.

In the lead-up to the 2016 Presidential primaries, we are once again witnessing an immense amount of spending. A New York Times investigation in October found that of approximately 120 million households in the United States, a mere 158 families, along with businesses they own or control, had already contributed \$176 million—nearly half of all funds raised to support the 2016 Presidential campaigns before a single primary vote has been cast.

Congressional races have been similarly flooded with outside spending. For example, in the 2014 midterm elections, outside groups spent more than \$560 million to influence congressional races—eight times the approximately \$70 million spent in 2006, the last midterm election cycle before *Citizens United*. And more than 30 percent of that spending came from tax-exempt, “dark money” groups that conceal their donors from the public.

The impact of this incredible spending stretches from races for the White House and Congress to Governors' mansions, State capitols, and city halls throughout the country. As in Federal campaigns, *Citizens United* has led to an explosion of outside spending at the State and local levels, with corporations and wealthy single spenders looking to play kingmaker, pouring cash into races for positions ranging from district attorney to school board members. One of the most startling examples occurred in 2014 in Richmond, CA, a city with a population of 107,000. Chevron—an energy company with more than \$200 billion in annual revenue—spent approximately \$3 million through campaign committees aimed at influencing the mayoral and city council races. That means Chevron spent at least \$33 per voting-age resident in Richmond.

The long-term damage to our political process from *Citizens United* is just beginning to reveal itself. Some scandals have already surfaced, and there will undoubtedly be more stories of corruption and corrosive influence ahead, further eroding public confidence in our government. I have worked with my colleagues on a number of solutions to stem this tidal wave of secret unlimited spending, including improving disclosure and creating a more transparent campaign finance system. I will continue my efforts to establish a public financing system for congressional elections through the Fair Elections Now Act, which I re-introduced last year.

We also must continue to push for a constitutional amendment that would protect and restore the First Amendment by overturning *Citizens United* and empowering Congress and State legislatures to set reasonable, content neutral limitations on campaign spending. In 2014, Justice John Paul Stevens discussed his support for an amendment to overturn *Citizens United* in testimony before the Senate Rules Committee. Here is what he said: “Unlimited campaign expenditures impair the process of democratic self-government. They create a risk that successful candidates will pay more attention to the interests of non-voters who provided them with money than to the interests of the voters who elected them. That risk is unacceptable.”

As we approach the sixth anniversary of the *Citizens United* decision, we

should heed Justice Stevens's words. It is unacceptable for politicians to feel more beholden to wealthy donors than their constituents. We must work to fix America's campaign finance system and overturn *Citizens United* so that elected officials listen to the everyday Americans who voted them into office—not just those who bankrolled their success.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. WARNER. Mr. President, I regret missing the vote on the motion to invoke cloture on the veto message on S.J. Res. 22, a bill that would block implementation of the Waters of the United States rule and prevent the Environmental Protection Agency and Army Corps of Engineers from reissuing a regulation that is substantially similar in the future. I voted against S.J. Res. 22 last fall and, had I been present, I would have voted to uphold the President's veto. While this rule is not perfect, it provides important environmental protection efforts.●

TRIBUTE TO MARGOT ALLEN

Mr. HELLER. Mr. President, today I wish to congratulate my longtime staffer Margot Allen on her retirement. Margot has been an essential part of my team since I became a U.S. Senator in 2011, and I am thankful for all of her hard work on behalf of the people of Nevada.

For the past 5 years, Margot has gone above and beyond not only working hard to help achieve my goals for Nevada's military community, but also to bring southern Nevada's active military members, veterans, and their families an unwavering ally in fighting bureaucratic red tape and various issues that often occur when working with the Department of Veterans Affairs.

From helping Nevadans receive the benefits they deserve, to personally meeting many serving at both Nellis Air Force Base and Creech Air Force Base, to welcoming a variety of veterans living throughout the southern Nevada community, Margot has been there to support those that have given so much for our freedoms. I extend my deepest gratitude to Margot for working with Nevada's military community and representing my office with such a genuine concern for Nevada's brave men and women. Not only has she gained my respect, but the respect of the military community across southern Nevada through her tireless resolve to bring these men and women the support they deserve.

Margot also served as my statewide coordinator for Nevada's U.S. service academies. It was through her efforts in working with Nevada's youth who

were interested in attending these important institutions that many achieved this goal and were accepted into the academies.

Along with helping Nevada's veterans and active military members, Margot also served as a point of contact to seniors across southern Nevada struggling with Social Security, Medicare, and other programs available to help our aging population. Throughout the last 5 years, Margot worked diligently to help seniors in need receive the help necessary to remain healthy and happy. This community is fortunate that Margot led the way to help southern Nevada's seniors.

Margot also contributed greatly to my team by utilizing a completely different skill set—a love of grammar and writing. Prior to working on behalf of the people of Nevada in my office, she served as a professor at the University of Alabama, as well as taught English-language skills in Panama while her husband, Leonard, worked abroad for the Department of Defense. To say I was privileged to have her in my office would be an understatement.

Above all else, I want to thank Margot for all of her hard work and devotion to the people of our great State. She wore many hats, working with veterans, seniors, and a variety of other Nevadans struggling to work with Federal agencies—we are very fortunate to have had someone willing to put forth such effort and compassion to help those in need. Her legacy of resilience and determination will never be forgotten.

Today I ask my colleagues and all Nevadans to join me in congratulating Margot on her retirement and in thanking her for all she has done for the people of our State.

ADDITIONAL STATEMENTS

TRIBUTE TO MORGAN WALLACE

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Morgan Wallace for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Morgan is a native of Teton Village, WY, and she currently attends the Madeira School. Morgan is involved with soccer, lacrosse, and basketball at school. She has also volunteered with the Special Olympics and the World Wildlife Fund. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several weeks.

I want to thank Morgan Wallace for the dedication she has shown while working for me and my staff. It was a

pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

REMEMBERING GLEN EDWARD MARTIN

• Mr. HELLER. Mr. President, today we honor the life and service of Glen Edward Martin, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife and all of Mr. Martin's family in this difficult time. Mr. Martin was a man truly committed to his family, country, State, and community. He will be sorely missed.

Mr. Martin was born in May 1918 in Council Bluffs, IA, where he remained until after graduation from Abraham Lincoln High School in 1937. He later received his bachelor's degree in economics from Colorado College in 1941 and a master's degree in public administration from the University of Southern California in 1984. Throughout his lifetime, Mr. Martin had four careers, all working in support of his country and local community.

Mr. Martin first served as a U.S. Marine Corps officer from 1938 to 1968. During this time, he served in World War II, the Korean war, and the Vietnam war, receiving numerous Silver and Bronze Stars for his efforts. He was also decorated with a Navy Cross in 1944 at the Battle of Eniwetok. His bravery and service to our country are invaluable. After retiring from the military, Mr. Martin turned his attention to serving the people of Nevada by working as a Nevada State employee. In 1968, Mr. Martin accepted his first role working for the State in comprehensive health planning and later focused on the extension service in civil defense. I am grateful that Mr. Martin dedicated more than a decade of service toward bettering the State of Nevada.

In his final career, beginning in 1983, Mr. Martin served Nevada's seniors, working as an advocate, teacher, and trainer for exercise and resistance training. In 2002, he received the Governor's Point of Lights Award for his unwavering dedication to seniors in Nevada who he helped keep strong and healthy. He also led a 40-participant resistance exercise class 3 days a week at the Carson City Senior Center to help those in need. Mr. Martin was a true role model, demonstrating genuine care for those around him.

No words can adequately thank Mr. Martin, who served not for recognition but because it was the right thing to do for both his country and community. As a member of the Senate Veterans' Affairs Committee, I recognize Congress has a responsibility not only to honor the brave individuals protecting our freedoms, but to ensure they are

cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. Mr. Martin's service to his country and dedication to his family and community earned him a place among the outstanding men and women who have valiantly defended our Nation.

I am honored to commend all of Mr. Martin's hard work. His patriotism and drive will never be forgotten. Today I join the Carson City community and citizens of the Silver State to celebrate the life of an upstanding Nevadan, Mr. Glen Edward Martin.●

BICENTENNIAL OF WELD, MAINE

• Mr. KING. Mr. President, today I wish to commemorate the 200th anniversary of Weld, ME, a small town set along Webb Lake in Franklin County. The town, with 419 inhabitants, has a long and proud history dating back to the 19th century, and I am pleased to join the people of Weld in celebrating their bicentennial and recognizing the town's cherished place in the State of Maine. The yearlong bicentennial celebration will kick off with an event on Saturday, February 6, at the newly renovated townhall.

First settled in 1800, Weld was incorporated in 1816 and named for its proprietor Benjamin Weld, of the well-known Boston family. Incidentally, the year of Weld's incorporation also marked the notorious Year Without A Summer in New England, with 6 inches of snow blanketing the land in June. Widespread crop failures and other hardships pushed many westward, but the town of Weld prevailed, establishing itself as the small but strong community it remains today.

Nestled in a valley created by Mount Blue and the Tumbledown Mountains, Weld has long been noted for its striking natural beauty. The area is rich with wildlife and home to many fish species, loons, moose, and even the occasional bald eagle. At the core of Weld's identity is Webb Lake, where many go to enjoy Maine's beloved outdoor traditions.

The historic Kawanhee Inn, a rustic log inn that dates back to the 1920's, has gained wide recognition for staying true to its origins and character. Along with Mount Blue State Park, Camp Kawanhee for Boys, and family cottages with deep historical roots, the inn attracts many visitors to Weld. In the summer months, the town's population swells to the thousands as people from Maine and all around the country flock to Weld to enjoy fishing, boating, hiking, and a respite from fast-paced lifestyles.

When the temperatures drop and campers and summer residents pack up to leave, there remains a close-knit and engaged year-round population.

The Congregational Church, Masonic Lodge, and the Weld Historical Society are bolstered by active community involvement. Additionally, the Webb Lake Association is a nonprofit organization that spearheads conservation efforts and raises awareness about water pollutants in the lake. The Webb Lake Association is but one example of the townspeople's commitment to preserving the area's unsurpassed beauty.

I commend all that the people of Weld have done to make their town such a special place to live and experience nature. Their shared love for their hometown has made them one of Maine's most cohesive and dedicated communities. This has been especially illustrated by the members of the Weld Bicentennial Committee, whose efforts have made this special celebration possible, and I am proud to recognize this milestone.●

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

S.J. Res. 29. Joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2464. A bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4173. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "VNT1 Protein in Potato; Amendment to a Temporary Exemption from the Requirement of a Tolerance" (FRL No. 9939-49-OCSP) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4174. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propyzamide; Pesticide Tolerances" (FRL No. 9940-90-OCSP) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4175. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methacrylate type copolymer, com-

pound with aminomethyl propanol; Tolerance Exemption" (FRL No. 9940-29-OCSP) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4176. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aspergillus flavus AF36; Time Limited Exemption from the Requirement of a Tolerance" (FRL No. 9939-53-OCSP) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4177. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Extensions of Credit by Federal Reserve Banks" (RIN100-AE08) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4178. A communication from the Secretary, Division of Corporate Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Simplification of Disclosure Requirements for Emerging Growth Companies and Forward Incorporation by Reference on Form S-1 for Smaller Reporting Companies" (RIN3235-AL88) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4179. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN3064-AD90) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4180. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order revoking Executive Orders 13574, 13590, 13622, and 13645 with respect to Iran and amending Executive Order 13628 with respect to Iran, received during adjournment of the Senate in the Office of the President of the Senate on January 16, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4181. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards for Small, Large, and Very Large Air-Cooled Commercial Package Air Conditioning and Heating Equipment and Commercial Warm Air Furnaces" ((RIN1904-AC95 and RIN1904-AD11) (Docket Nos. EERE-2013-BT-STD-0007 and EERE-2013-BT-STD-0021)) received in the Office of the President of the Senate on January 19, 2016; to the Committee on Energy and Natural Resources.

EC-4182. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Prod-

ucts: Test Procedures for Residential Furnaces and Boilers" ((RIN1904-AC79) (Docket No. EERE-2012-BT-TP-0024)) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Energy and Natural Resources.

EC-4183. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Ceiling Fan Light Kits" ((RIN1904-AC87) (Docket No. EERE-2012-BT-STD-0045)) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Energy and Natural Resources.

EC-4184. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Residential Boilers" ((RIN1904-AC88) (Docket No. EERE-2012-BT-STD-0047)) received in the Office of the President of the Senate on January 19, 2016; to the Committee on Energy and Natural Resources.

EC-4185. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Disapproval of Nevada Air Plan Revisions, Clark County" (FRL No. 9941-13-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Environment and Public Works.

EC-4186. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley; Reclassification as Serious Non-attainment for the 2006 PM2.5 NAAQS" (FRL No. 9940-83-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Environment and Public Works.

EC-4187. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Kansas; Annual Emissions Fee and Annual Emissions Inventory" (FRL No. 9940-97-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Environment and Public Works.

EC-4188. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arkansas; Crittenden County Base Year Emission Inventory" (FRL No. 9941-21-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Environment and Public Works.

EC-4189. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air

Quality Implementation Plans; Texas; Infrastructure and Interstate Transport for the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9941-29-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Environment and Public Works.

EC-4190. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County's Adoption of Control Techniques Guidelines for Four Industry Categories for Control of Volatile Organic Compound Emissions" (FRL No. 9941-36-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Environment and Public Works.

EC-4191. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age" (29 CFR Part 4044) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4192. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's annual report on the performance evaluation of FDA-approved mammography quality standards accreditation bodies; to the Committee on Health, Education, Labor, and Pensions.

EC-4193. A communication from the Executive Director of the Administrative Conference of the United States, transmitting, a report of three recommendations adopted by the Administrative Conference of the United States at its 64th Plenary Session; to the Committee on Homeland Security and Governmental Affairs.

EC-4194. A communication from the Acting Chief of the Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Machineguns, Destructive Devices and Certain Other Firearms; Background Checks for Responsible Persons of a Trust or Legal Entity with Respect to Making or Transferring a Firearm" (RIN1140-AA43) received in the Office of the President of the Senate on January 19, 2016; to the Committee on the Judiciary.

EC-4195. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE272) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4196. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE225) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4197. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for the Commonwealth of Massachusetts" (RIN0648-XE241) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4198. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Commercial Non-Blacknose Small Coastal Sharks in the Gulf of Mexico Region" (RIN0648-XE334) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4199. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-BF44) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4200. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for King Mackerel in Western Zone of the Gulf of Mexico" (RIN0648-XE290) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4201. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace, Neah Bay, WA" ((RIN2120-AA66) (Docket No. FAA-2015-3321)) received in the Office of the President of the Senate on January 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4202. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Low Power Television Digital Rules" ((MB Docket No. 03-185, GN Docket No. 12-268, and ET Docket No. 14-175) (FCC 15-175)) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4203. A communication from the Broadband Division Chief, Wireless Telecommunication Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions" ((GN Docket No. 12-268) (FCC 15-140)) received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4204. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a

Middle East country (OSS-2016-0029); to the Committee on Foreign Relations.

EC-4205. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2016-0028); to the Committee on Foreign Relations.

EC-4206. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2016-0052); to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. McCain for the Committee on Armed Services.

Marine Corps nominations beginning with George L. Roberts and ending with Stephen A. Ritchie, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Air Force nomination of Lt. Gen. Anthony J. Rock, to be Lieutenant General.

Air Force nomination of Col. James H. Dienst, to be Brigadier General.

Air Force nominations beginning with Col. John J. Degoes and ending with Col. Mark A. Koeniger, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nominations beginning with Brig. Gen. James R. Barkley and ending with Brig. Gen. Edward P. Yarish, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Air Force nomination of Col. Paige P. Hunter, to be Brigadier General.

Air Force nomination of Col. Thomas J. Owens II, to be Brigadier General.

Army nomination of Col. Robert G. Michnowicz, to be Brigadier General.

Army nomination of Col. Jeffrey C. Coggin, to be Brigadier General.

Army nomination of Col. Kevin C. Wulforth, to be Brigadier General.

Mr. McCain. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Peter L. Reynolds and ending with Christopher P. Calder, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nomination of Jeremy W. Cannon, to be Colonel.

Air Force nomination of Ted W. Lieu, to be Colonel.

Air Force nominations beginning with Jodene M. Alexander and ending with Deborah J. Robinson, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with John Louis Arendale II and ending with Minh-Tri Ba Trinh, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with Bonnie Joy Bosler and ending with Liane L. Weinberger, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with Arden B. Andersen and ending with Mark A. Zelkovic, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nomination of Todd Andrew Luce, to be Colonel.

Air Force nominations beginning with Lebane S. Hall and ending with David F. Pendleton, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with William Charles Dunlap and ending with Robert K. McGhee, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with Dawn D. Bellack and ending with Andrew J. Turner, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with Katherine E. Aasen and ending with Christopher M. Zidek, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nominations beginning with Bryan M. Barroqueiro and ending with Joseph Mannino, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Air Force nomination of Bryan M. Davis, to be Major.

Air Force nomination of Todd E. Combs, to be Colonel.

Air Force nominations beginning with Brett C. Anderson and ending with Shahid A. Zaidi, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Air Force nominations beginning with Stephen C. Arnason and ending with John R. Yancey, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Air Force nominations beginning with Eric E. Abbott and ending with Philip A. Wixom, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Air Force nominations beginning with Jane A. Alston and ending with Timothy J. Zielicke, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Army nominations beginning with David H. Aamidor and ending with D012522, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Army nominations beginning with Yonatan S. Abebie and ending with D012158, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Army nomination of Peter J. Koch, to be Colonel.

Army nominations beginning with Derek P. Jones and ending with William J. Rice, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Army nominations beginning with Michael S. Abbott and ending with D011609, which

nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Army nomination of Denny L. Winningham, to be Colonel.

Army nomination of John C. Baskerville, to be Colonel.

Army nomination of Mark L. Coble, to be Colonel.

Army nominations beginning with Craig A. Holan and ending with Eric E. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Army nomination of Steven R. Berger, to be Colonel.

Army nomination of Richard M. Hawkins, to be Major.

Army nomination of Martin S. Kendrick, to be Lieutenant Colonel.

Marine Corps nominations beginning with William T. Hennessy and ending with James R. Lenard, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2015.

Marine Corps nominations beginning with Jeremy D. Adams and ending with Angela S. Zunic, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Navy nominations beginning with James E. O'Neil III and ending with Keith M. Roxo, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

Navy nominations beginning with Denise M. Veyvoda and ending with Robert G. West, which nominations were received by the Senate and appeared in the Congressional Record on January 11, 2016.

Navy nomination of James A. Trotter, to be Lieutenant Commander.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCONNELL (for himself, Mr. PAUL, Mr. BOOKER, and Mr. LEE):

S. 2459. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. ROUNDS:

S. 2460. A bill to amend title 10, United States Code, to require reports to Congress on matters of the military departments and Defense Agencies in support of the biennial strategic workforce plans of the Department of Defense; to the Committee on Armed Services.

By Mr. CRAPO (for himself, Mr. WHITEHOUSE, Mr. RISCH, Mr. BOOKER, and Mr. HATCH):

S. 2461. A bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL:

S. 2462. A bill to amend section 117 of the Internal Revenue Code of 1986 to exclude Federal student aid from taxable gross income; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Ms. WARREN):

S. 2463. A bill to amend the Higher Education Act of 1965 to provide for a percentage of student loan forgiveness for public service employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. INHOFE, Mr. RISCH, and Mr. CRAPO):

S. 2464. A bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LANKFORD:

S. Res. 348. A resolution supporting efforts to place a woman on the currency of the United States; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 524

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 979

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1086

At the request of Mr. HELLER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1086, a bill to establish an insurance policy advisory committee on international capital standards, and for other purposes.

S. 1175

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1175, a bill to improve the safety of hazardous materials rail transportation, and for other purposes.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1783

At the request of Mr. HATCH, the name of the Senator from Utah (Mr.

LEE) was added as a cosponsor of S. 1783, a bill to amend the Omnibus Public Land Management Act of 2009 to clarify a provision relating to the designation of a northern transportation route in Washington County, Utah.

S. 1874

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 2051

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 2051, a bill to improve, sustain, and transform the United States Postal Service.

S. 2053

At the request of Mr. VITTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2053, a bill to require the Secretary of Energy to award grants to expand programs in maritime and energy workforce technical training, and for other purposes.

S. 2144

At the request of Mr. GARDNER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2386

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2386, a bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes.

S. 2418

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2418, a bill to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists.

S. 2426

At the request of Mr. GARDNER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

At the request of Mr. CARDIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2426, *supra*.

S. 2437

At the request of Ms. MIKULSKI, the names of the Senator from Maine (Ms. COLLINS), the Senator from South Da-

kota (Mr. ROUNDS), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

S. RES. 340

At the request of Mr. CASSIDY, the names of the Senator from Michigan (Mr. PETERS), the Senator from Michigan (Ms. STABENOW) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. Res. 340, a resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks.

S. RES. 347

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 347, a resolution honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself, Mr. PAUL, Mr. BOOKER, and Mr. LEE):

S. 2459. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2459

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Prisons Accountability Act of 2016".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Director of the Bureau of Prisons leads a law enforcement component of the Department of Justice with a budget that exceeds \$6,900,000,000 for fiscal year 2015.

(2) With the exception of the Federal Bureau of Investigation, the Bureau of Prisons has the largest operating budget of any unit within the Department of Justice.

(3) The Director of the Bureau of Prisons oversees 122 facilities and is responsible for the welfare of more than 208,000 Federal inmates.

(4) The Director of the Bureau of Prisons supervises more than 39,000 employees, many of whom operate in hazardous environments that involve regular interaction with violent offenders.

(5) The Director of the Bureau of Prisons also serves as the chief operating officer for Federal Prisons Industries, a wholly owned government enterprise of 78 prison factories that directly competes against the private sector, including small businesses, for Government contracts.

(6) Within the Department of Justice, in addition to those officials who oversee litigating components, the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, the Director of the Community Relations Service, the Director of the Federal Bureau of Investigation, the Director of the National Institute of Justice, the Director of the Office for Victims of Crime, the Director of the Office on Violence Against Women, the Administrator of the Drug Enforcement Administration, the Deputy Administrator of the Drug Enforcement Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Director of the United States Marshals Service, 94 United States Marshals, the Inspector General of the Department of Justice, and the Special Counsel for Immigration Related Unfair Employment Practices, are all appointed by the President by and with the advice and consent of the Senate.

(7) Despite the significant budget of the Bureau of Prisons and the vast number of people under the responsibility of the Director of the Bureau of Prisons, the Director is not appointed by and with the advice and consent of the Senate.

SEC. 3. DIRECTOR OF THE BUREAU OF PRISONS.

(a) IN GENERAL.—Section 4041 of title 18, United States Code, is amended by striking "appointed by and serving directly under the Attorney General." and inserting the following: "who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall serve directly under the Attorney General."

(b) INCUMBENT.—Notwithstanding the amendment made by subsection (a), the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act may serve as the Director of the Bureau of Prisons until the date that is 3 months after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the ability of the President to appoint the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act to the position of the Director of the Bureau of Prisons in accordance with section 4041 of title 18, United States Code, as amended by subsection (a).

(d) TERM.—

(1) IN GENERAL.—Section 4041 of title 18, United States Code, as amended by subsection (a), is amended by inserting after "consent of the Senate." the following: "The Director shall be appointed for a term of 10 years, except that an individual appointed to the position of Director may continue to serve in that position until another individual is appointed to that position, by and with the advice and consent of the Senate. An individual may not serve more than 1 term as Director."

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply to appointments made on or after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 348—SUPPORTING EFFORTS TO PLACE A WOMAN ON THE CURRENCY OF THE UNITED STATES

Mr. LANKFORD submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 348

Whereas Andrew Jackson, though a military hero in the War of 1812, as President, instated Federal policies, including the Act of May 28, 1830 (4 Stat. 411, chapter 148) (commonly known as the “Indian Removal Act”), to remove millions of American Indians from their historic homelands to what is now the State of Oklahoma, which accelerated the settlement of Indian lands across the Great Plains and throughout the West;

Whereas the removal policies enforced by Andrew Jackson led to the reductions of the homelands, and ultimately the deaths, of thousands of American Indians across the continent;

Whereas the forced removal of American Indians by Andrew Jackson and the subsequent inhumane settlement of Indian lands represent a major blight on the proud history of the United States; and

Whereas, beginning prior to the founding of the United States and continuing through the present day, the women of the United States, including American Indian women, have worked without due recognition and should be provided the necessary respect and gratitude by all people of the United States for innumerable contributions to the culture, families, economy, innovation, military, and way of life of the United States: Now, therefore, be it

Resolved, That the Senate supports—

(1) efforts to recognize the contributions of countless women to the history of the United States by placing a woman on the currency of the United States;

(2) the removal of Andrew Jackson from the \$20 Federal reserve note; and

(3) the placement of a significant woman from the history of the United States on the \$20 Federal reserve note.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 21, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on January 21, 2016, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on January 21, 2016, at 9:30 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Healthcare Co-Ops: A Review of the Financial and Oversight Controls.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 21, 2016, at 10:45 a.m., to conduct a hearing entitled “Political and Economic Developments in Latin America and Opportunities for U.S. Engagement.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 21, 2016, at 9:30 a.m., to conduct a hearing entitled “Laying Out the Reality of the United States Postal Service.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 21, 2016, at 10:45 a.m., in the President's Room in the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on January 21, 2016, at 10 a.m., in room SR-418 of the Russell Senate Office Building to conduct a hearing entitled “VA's Transformation Strategy: Examining the Plan to Modernize VA.”

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 2464

Mr. CORNYN. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 2464) to implement equal protection under the 14th Amendment to the Con-

stitution of the United States for the right to life of each born and preborn human person.

Mr. CORNYN. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR FRIDAY, JANUARY 22, 2016, AND TUESDAY, JANUARY 26, 2016

Mr. CORNYN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Friday, January 22, for a pro forma session only, with no business conducted; further, that when the Senate adjourns on Friday, January 22, it next convene on Tuesday, January 26, at 10 a.m.; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate then begin consideration of S. 2012, as under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. CORNYN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of the senior Senator from Utah.

The PRESIDING OFFICER. Without objection, it is so ordered.

The President pro tempore, the Senator from Utah.

VALUE OF HUMAN LIFE

Mr. HATCH. Mr. President, tomorrow is January 22. This is a date that has become known for two related but radically different reasons. First, it is the anniversary of the Supreme Court's infamous decision in *Roe v. Wade* that imposed on America the most permissive abortion regime in the world. That decision degraded human life by degrading the Constitution.

At the center of the debate over the morality, legality, or policy of abortion is the fact that each abortion kills a living human being. That this fact is inescapable does not prevent many from trying mightily to escape it, but it cannot be avoided, obscured, or ignored. Let me repeat: Each abortion

kills a living human being. That fact informed President Ronald Reagan when he wrote a moving essay in 1983 titled "Abortion and the Conscience of the Nation." He wrote: "We cannot diminish the value of one category of human life—the unborn—without diminishing the value of all human life." The real question, he said, is not about when human life begins but about the value of human life. I believe that remains the real question today.

Starting even before America's founding, the law had been on a steady march toward protecting human beings before birth. The 19th century movement that succeeded in prohibiting abortion except to save the life of the mother was led by medical professionals and civil rights activists. That consensus, however, began to unravel in the 20th century.

In 1948, the United States voted in favor of the Universal Declaration of Human Rights, which recognizes in its preamble the inherent dignity and inalienable rights of "all members of the human family." Like every Member of this body, I am a member of the human family because I am a living human being. So are you, Mr. President; so is each of us. Article 3 of the declaration states that "everyone has the right to life."

Words such as "universal" and "inherent" and "all" are unambiguous and clear. Only 25 years later, however, the Supreme Court's *Roe v. Wade* decision declared quite the opposite—that the right to life is actually not universal and does not belong to every member of the human family. The Court said, in effect, that some members of the human family get to determine whether others live or die.

The contradictions continued. On April 2, 1982, the U.S. Senate ratified the International Covenant on Civil and Political Rights. Article 6 declares:

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

This time, it took the Supreme Court just 88 days to send the opposite message. In *Planned Parenthood v. Casey*, the Court reaffirmed its decision that the U.S. Constitution protects the right to abortion. In other words, the right to life is not inherent, it cannot be protected by law, and it can be arbitrarily taken away.

This sort of confusion about the fundamental value of human life has put the United States in an appalling position. The United States is one of only seven nations in the world to allow abortion even into the sixth month of pregnancy. We join on that list China and North Korea, which are hardly champions of human rights. More children are killed by abortion in 2 days in America than all American servicemembers who have been killed in Iraq and Afghanistan.

Last year, we all witnessed the depths to which this degradation of human life leads. Planned Parenthood, the Nation's largest abortion provider, is in the dark business of trafficking in baby body parts and uses word games and spin to hide what it is actually doing. These aren't children or babies, says Planned Parenthood; they are products of conception. These aren't body parts; they are tissue specimens. This should come as no surprise. Stripped of inherent dignity and worth, human beings can easily become commodities.

Last week, in his final State of the Union Address, President Obama said that a future opportunity for our families and a peaceful planet for our kids are within our reach. How can that possibly occur without a basic commitment to the fundamental value of human life and the inherent dignity and worth of every human being?

Let me highlight one more contrast. Early feminists Susan B. Anthony and Elizabeth Cady Stanton published and edited a newspaper titled *The Revolution*. They editorialized against abortion and even rejected ads for abortifacient drugs, arguing that abortion was a tool for oppressing women. Elizabeth Blackwell, the first woman to receive a degree from an American medical school, strongly opposed abortion. Dr. Charlotte Denman Lozier, another trailblazer for women in the medical profession, helped and defended women who were pressured to have abortions. One writer described Dr. Lozier's work as "thoroughly woman-affirming and life-affirming."

These priorities of being both pro-women and pro-life have today been made enemies instead of allies. Today, the right to abortion and even its actual incidence have, for many, become signs or symbols of progress instead of oppression. This idea that the act of killing a living human being should be held up as a step forward, as a light to guide our way, strikes me as deeply misguided and as something to mourn rather than celebrate. We should instead deepen the conviction that all human beings have inherent dignity and worth. That once was, and should be again, the foundation for our culture, society, and, yes, even our politics.

The Supreme Court not only degraded human life in its *Roe v. Wade* decision but did so by degrading the Constitution. The Court found a right to abortion not in the real Constitution but in a constitution of its own making. The real Constitution would not allow the Court to impose its own values on the Nation, and so the Court simply created a different constitution that would. By claiming to find an unwritten right in our written Constitution, the Justices seized control of the Constitution that is supposed to control them.

If it is possible, I urge my colleagues to set aside the particular subject of abortion and consider what this really means. All public officials, including Supreme Court Justices, take an oath to support and defend the Constitution of the United States. That Constitution, the real Constitution, is supposed to be the primary way that the American people impose limits on government. In fact, as the Supreme Court recognized in the 1803 *Marbury v. Madison* decision, the Constitution is written down so that those limits on government will be neither mistaken nor forgotten. In his farewell address of 1796, President George Washington said that the people's control over the Constitution is the heart of our system of government. Our freedom depends on it.

With decisions like *Roe v. Wade*, however, the Supreme Court takes control of the Constitution away from the people, distorts our way of government, and compromises the freedom the system makes possible. Thomas Jefferson warned against allowing the Supreme Court to twist and shape the Constitution into any form it pleased. Yet that is exactly what the Court does in *Roe v. Wade*. Instead of conforming their decisions to the real Constitution, the Justices conform the Constitution to their own preferences, values, and agenda. They turn their oath to support and defend the Constitution into an oath to support and defend themselves.

January 22 is known for the decision in which the Supreme Court degraded human life by degrading the Constitution. The Court used judicially tragic means to achieve a morally and culturally tragic end. Thankfully, however, January 22 is also known for another, radically different, event known as the March for Life. Every year for decades, hundreds of thousands of our fellow citizens have come here to Washington to do just that—march for life. They represent what once was the norm: the belief that life itself is precious and that each human being has inherent dignity and worth. By coming to Washington year after year, they stake their claim that those principles can once again prevail.

There is reason for hope. More than 70 percent of Americans believe that abortion should be illegal in most or all circumstances. That figure has not changed in more than 40 years. What has changed is that more Americans today identify themselves as pro-life than as pro-choice. Large majorities favor a range of limitations on abortion and in 2014 elected scores of new pro-life legislators at both the State and Federal level. Perhaps most encouraging of all, the percentage of young people who believe that abortion should not be permitted in most or all circumstances has risen steadily and significantly. The number of abortions

reported each year to the Centers for Disease Control and Prevention has dropped by 50 percent in the last 25 years.

The organization Feminists for Life was founded in 1972 before *Roe v. Wade* sent us into this tailspin. They have said for years that women deserve bet-

ter than abortion. Life, not death, should be our priority.

I hope and pray that more and more of us will be—in large and small ways each and every day—marching for life.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 2:30 p.m., adjourned until Friday, January 22, 2016, at 10 a.m.

SENATE—Friday, January 22, 2016

The Senate met at 10 and 4 seconds a.m. and was called to order by the Honorable JEFF SESSIONS, a Senator from the State of Alabama.

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 22, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF SESSIONS, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SESSIONS thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL TUESDAY,
JANUARY 26, 2016, AT 10 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, January 26, 2016, at 10 a.m.

Thereupon, the Senate, at 10 and 36 seconds a.m., adjourned until Tuesday, January 26, 2016, at 10 a.m.

HOUSE OF REPRESENTATIVES—Monday, January 25, 2016

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 25, 2016.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Gene Hemrick, St. Joseph's Catholic Church, Washington, D.C., offered the following prayer:

Heavenly Father, in our Library of Congress, a beautiful lunette containing the words of Psalm 4 remind us of an enriching lifelong pursuit: "Wisdom is the principal thing. Therefore, get wisdom, and with all thy getting, get understanding."

In present times that are transitioning from a pre-technological age to a technological age at a torrid pace, we pray, Lord: Bless this Congress with the wisdom and understanding needed to effectively meet our post-modern challenges.

May its legacy be a nation that has blessed us and future generations with the beauty, goodness, and wholesome progress God intends for our world.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 15, 2016 at 11:18 a.m.:

That the Senate agreed to without amendment H. Con. Res. 107.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 21, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 21, 2016 at 10:50 a.m.:

That the Senate passed S. 607.
That the Senate passed S. 2422.
That the Senate agreed to S. Con. Res. 28.
That the Senate agreed to S. Con. Res. 29.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills and joint resolution were signed by Speaker pro tempore MESSER on Friday, January 15, 2016:

S. 142, to require special packaging for liquid nicotine containers, and for other purposes;

S. 1115, to close out expired grants;

S. 1629, to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes;

S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers

and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

POSTPONING FURTHER CONSIDERATION OF VETO MESSAGE ON H.R. 3762, RESTORING AMERICANS' HEALTH CARE FREEDOM RECONCILIATION ACT OF 2015

The SPEAKER pro tempore. Without objection, notwithstanding the order of the House of January 8, 2016, further consideration of the veto message and the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, is postponed until the legislative day of February 2, 2016.

There was no objection.

POSTPONING FURTHER PROCEEDINGS ON H.R. 3662, IRAN TERROR FINANCE TRANSPARENCY ACT

The SPEAKER pro tempore. Without objection, further proceedings on the question of passage of the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes, may be postponed through the legislative day of February 2, 2016, as though under clause 8 of rule XX. Pursuant to that order, further proceedings on H.R. 3662 are postponed.

There was no objection.

COMMUNICATION FROM CHIEF OF STAFF, THE HONORABLE ANN M. KUSTER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Abigail Curran Horrell, Chief of Staff, the Honorable ANN M. KUSTER, Member of Congress:

HOUSE OF REPRESENTATIVES,
January 15, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received two subpoenas, issued by the United States District Court for the District of Connecticut, in connection with a particular civil case. One of those subpoenas purports to require that I produce certain official documents, and the other purports to require that I both produce certain official documents and appear to testify at a deposition on official matters.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

ABIGAIL CURRAN HORRELL,
Chief of Staff, Hon. Ann McLane Kuster.

ADJOURNMENT FROM MONDAY,
JANUARY 25, 2016, TO THURSDAY,
JANUARY 28, 2016

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet at 2 p.m. on Thursday, January 28, 2016.

There was no objection.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 607. An act to provide for a five-year extension of the Medicare rural community hospital demonstration program; to the Committee on Ways and Means.

S. 2422. An act to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations are being made for fiscal year 2016; to the Committee on Veterans' Affairs.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The Speaker pro tempore, Mr. MESSER, on Friday, January 15, 2016, announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 1115. An act to close out expired grants.

S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

S.J. Res. 22. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of "waters of the United States" under the Federal Water Pollution Control Act.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 2 p.m. on Thursday, January 28, 2016.

There was no objection.

Thereupon (at 2 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until Thursday, January 28, 2016, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4061. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's Major final rule — Extensions of Credit by Federal Reserve Banks [Regulation A; Docket No.: R-1476] (RIN: 7100-AE08) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4062. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's Major interim final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 3064-AE21) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4063. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's Major final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 3064-AE21) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4064. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

4065. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major final rule — Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Beverage Vending Machines [Docket No.: EERE-2013-BT-STD-0022] (RIN: 1904-AD00) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4066. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Infrastructure and Interstate Transport for the 2008 Lead National Ambient Air Quality Standards [EPA-R06-OAR-2011-0864; FRL-9941-29-Region 6] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4067. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Disapproval of Nevada Air Plan Revisions, Clark County [EPA-R09-OAR-2015-0673; FRL-9941-13-Region 9] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4068. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Arkansas; Crittenden County Base Year Emission Inventory [EPA-R06-OAR-2015-0647; FRL-9941-21-Region 6] received January 13, 2016,

pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4069. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County's Adoption of Control Techniques Guidelines for Four Industry Categories for Control of Volatile Organic Compound Emissions [EPA-R03-OAR-2014-0475; FRL-9941-36-Region 3] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4070. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methacrylate type copolymer, compound with aminomethyl propanol; Tolerance Exemption [EPA-HQ-OPP-2015-0718; FRL-9940-29] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4071. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Annual Emissions Fee and Annual Emissions Inventory [EPA-R07-OAR-2013-0765; FRL-9940-97-Region 7] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4072. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — VNT1 Protein in Potato; Amendment to a Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0457; FRL-9939-49] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4073. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley; Reclassification as Serious Nonattainment for the 2006 PM2.5 NAAQS [EPA-R09-OAR-2014-0636; FRL-9940-83-Region 9] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4074. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* AF36; Time Limited Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0538; FRL-9939-53] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4075. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propyzamide; Pesticide Tolerances [EPA-HQ-OPP-2014-0680; FRL-9940-90] received January 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4076. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report prepared by the

Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

4077. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-267, "Encouraging Foster Children to Have Connections with Siblings Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4078. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-268, "Employees' Compensation Fund Clarification Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4079. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-269, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4080. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-270, "Classroom Animal for Educational Purposes Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4081. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-271, "Business Improvement Districts Charter Renewal Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4082. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-272, "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4083. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-259, "Access to Emergency Epinephrine in Schools Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4084. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-260, "Nuisance Abatement Notice Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4085. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-261, "Vending Regulations Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4086. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-262, "Workforce Job Development Grant-Making Reauthorization Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4087. A letter from the Chairman, Council of the District of Columbia, transmitting

D.C. Act 21-263, "Film DC Economic Incentive Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4088. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-264, "Extreme Temperature Safety Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4089. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-265, "Body-Worn Camera Program Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4090. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-266, "Omnibus Alcoholic Beverage Regulation Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4091. A letter from the Auditor, District of Columbia Auditor, transmitting a report entitled, "Status Report on Implementation of District of Columbia Auditor Recommendations"; to the Committee on Oversight and Government Reform.

4092. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Uniformed and Overseas Citizens Absentee Voting Act Annual Report to Congress for 2015, pursuant to 52 U.S.C. 20307(b); Public Law 99-410, Sec. 105 (as amended by Public Law 111-84, Sec. 587(2)); (123 Stat. 2333); to the Committee on House Administration.

4093. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XE347) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4094. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Other Hook-and-Line Fishery by Catcher Vessels in the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE358) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4095. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for Commercial King Mackerel in the Florida West Coast Northern Subzone; Correction [Docket No.: 101206604-1758-02] (RIN: 0648-XE326) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4096. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pa-

cific Cod in the Central Regulatory Area of the Gulf of Alaska Management Area [Docket No.: 140918791-4999-02] (RIN: 0648-XE354) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4097. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE344) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4098. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sculpins in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE337) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4099. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Pacific Island Pelagic Fisheries; 2015 CNMI Longline Bigeye Tuna Fishery; Closure [Docket No.: 130708597-4380-01] (RIN: 0648-XE329) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4100. A letter from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2016 Red Snapper Commercial Quota Retention [Docket No.: 150826781-5999-02] (RIN: 0648-BF33, 0648-BE91) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4101. A letter from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2016-2018 Summer Flounder, Scup, and Black Sea Bass Specifications [Docket No.: 150903814-5999-02] (RIN: 0648-XE171) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4102. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XE321) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4103. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule — Fisheries off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Midwater Trawl Requirements [Docket No.: 140703553-5999-02] (RIN: 0648-BE29) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4104. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Smoothhound Shark Management Measures [Docket No.: 110819516-5999-03] (RIN: 0648-BB02) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4105. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Framework Amendment 3 [Docket No.: 150603502-5999-02] (RIN: 0648-BF14) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4106. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Smoothhound Shark and Atlantic Shark Management Measures [Docket No.: 110819516-5913-02] (RIN: 0648-BB02) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4107. A letter from the Regulatory Liaison, Office of Natural Resources Revenue, Department of the Interior, transmitting the Department's final rule — Allocation and Disbursement of Royalties, Rentals, and Bonuses—Oil and Gas, Offshore [Docket ID: ONRR-2011-0024; DS63610000 DR2PS0000.CH7000 156D0102R2] (RIN: 1012-AA11) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4108. A letter from the Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of Frankenia johnstonii (Johnston's frankenia) from the Federal List of Endangered and Threatened Plants [Docket No.: FWS-R2-ES-2011-0084; 92220-1113-0000] (RIN: 1018-AH53) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4109. A letter from the Fish and Wildlife Service Chief, Branch of Aquatic Invasive Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's interim rule — Injurious Wildlife Species; Listing Salamanders Due to Risk of Salamander Chytrid Fungus [Docket No.: FWS-HQ-FAC-2015-0005] [FXFR13360900000-156-FF09F14000] (RIN: 1018-BA77) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4110. A letter from the Chief, Branch of Recovery and State Grants, U.S. Fish and Wild-

life Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Modoc Sucker from the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R8-ES-2013-0133; 4500030113] (RIN: 1018-AY78) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4111. A letter from the Chief, Branch of Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing Two Lion Subspecies [Docket No.: FWS-R9-ES-2012-0025; 450-003-0115] (RIN: 1018-BA29) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4112. A letter from the Executive Director, Administrative Conference of the United States, transmitting recommendations adopted at the 64th Plenary Session; to the Committee on the Judiciary.

4113. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's "Clean Watersheds Needs Survey 2012 Report to Congress", pursuant to 33 U.S.C. 1375(b)(1); June 30, 1948, ch. 758, title V, Sec. 516(b)(1) (as amended by Public Law 100-4, Sec. 212(c)); (101 Stat. 50); to the Committee on Transportation and Infrastructure.

4114. A letter from the Chair, NASA Aerospace Safety Advisory Panel, transmitting the NASA Aerospace Safety Advisory Panel's Annual Report for 2015 to Congress and to the Administrator of the National Aeronautics and Space Administration, pursuant to 51 U.S.C. 31101(e); Public Law 109-155, Sec. 106(b) (as added by Public Law 111-314, Sec. 31101(e)); (124 Stat. 3373); to the Committee on Science, Space, and Technology.

4115. A letter from the Chief Impact Analyst, Office of Regulation Policy, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Automobile or Other Conveyance and Adaptive Equipment Certificate of Eligibility for Veterans or Members of the Armed Forces With Amyotrophic Lateral Sclerosis Connected to Military Service (RIN: 2900-AP26) received January 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

4116. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's semi-annual report to Congress entitled "Concerning Emigration Laws and Policies of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan", pursuant to 19 U.S.C. 2432(b); Public Law 93-618, Sec. 402(b) and Sec. 409(b) (88 Stat. 2064); to the Committee on Ways and Means.

4117. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — United States-Australia Free Trade Agreement [USCBP-2015-0007; CBP Dec. 16-01] (RIN: 1515-AD59) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4118. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension of Import

Restrictions Imposed on Archaeological Material Originating in Italy and Representing the Pre-Classical, Classical, and Imperial Roman Periods [CBP Dec. 16-02] (RIN: 1515-AE07) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4119. A letter from the Assistant Secretary for Insular Areas, Department of the Interior, transmitting the Department's "Report to the Congress: 2015 Compact Impact Analysis", along with the related report "Impact of the Compacts of Free Association on Guam FY 2004 through FY 2014" by the Governor of Guam and the report of the Governor of Hawaii in the form of a letter dated August 27, 2015, on the impact of the Compacts of Free Association in Hawaii for FY 2011 through FY 2014, pursuant to 48 U.S.C. 1921c(e)(8); Public Law 108-188, Sec. 104(e)(8); (117 Stat. 2741); jointly to the Committees on Natural Resources and Foreign Affairs.

4120. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's letter informing of the termination and waiver of enumerated sanctions effective upon the Secretary of State's confirmation on Implementation Day that Iran has implemented all of the nuclear-related measures specified in Sections 15.1-15.11 of Annex V of the Joint Comprehensive Plan of Action; jointly to the Committees on Foreign Affairs, the Judiciary, Oversight and Government Reform, Ways and Means, and Financial Services.

4121. A communication from the President of the United States, transmitting Revocation of executive orders 13574, 13590, 13622, and 13645 with respect to Iran, amendment of executive order 13628 with respect to Iran, and provision of implementation authorities for aspects of certain statutory sanctions outside the scope of U.S. commitments under the Joint Comprehensive Plan of Action of July 14, 2015 (H. Doc. No. 114-92); jointly to the Committees on Foreign Affairs, Financial Services, Ways and Means, Oversight and Government Reform, and the Judiciary and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. CASTOR of Florida (for herself and Mr. HANNA):

H.R. 4393. A bill to advance the integration of clean distributed energy into electric grids, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself and Mr. GRIJALVA):

H.R. 4394. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Natural Resources.

By Mr. WALKER:

H. Res. 590. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. CASTOR of Florida:

H.R. 4393.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the U.S. Constitution.

By Mr. HUFFMAN:

H.R. 4394.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence

and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 333: Ms. ADAMS.

H.R. 448: Mrs. DAVIS of California and Mr. KEATING.

H.R. 500: Mr. MACARTHUR.

H.R. 563: Mr. DANNY K. DAVIS of Illinois, Mr. WESTMORELAND, and Mr. COHEN.

H.R. 835: Ms. CLARKE of New York.

H.R. 840: Mr. JEFFRIES.

H.R. 1391: Ms. KELLY of Illinois and Mr. DESAULNIER.

H.R. 2050: Mr. COSTA.

H.R. 2102: Mr. HECK of Washington.

H.R. 2170: Mr. LOWENTHAL.

H.R. 2526: Mr. BOST.

H.R. 2622: Mr. DEFazio.

H.R. 2894: Mr. GRIJALVA.

H.R. 3185: Mr. DOLD.

H.R. 3423: Mr. CICILLINE and Mr. TAKAI.

H.R. 3514: Mr. COURTNEY.

H.R. 3706: Mr. DOLD, Ms. BONAMICI, Mr. YOUNG of Iowa, and Mr. VEASEY.

H.R. 3870: Mr. GRIJALVA, Mr. CARTWRIGHT, Mr. LOWENTHAL, and Mr. CÁRDENAS.

H.R. 4073: Mr. LOWENTHAL.

H.R. 4114: Mr. CARNEY, Mr. BISHOP of Michigan, and Mr. COSTELLO of Pennsylvania.

H.R. 4249: Ms. JACKSON LEE, Mr. MEEKS, Mr. COHEN, Mr. RUSH, Mr. RICHMOND, Mr. ENGEL, and Mr. GRAYSON.

H. Res. 506: Mr. CARTWRIGHT.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Mr. LARSON of Connecticut. Mr. Speaker, on January 12, 2016, I was not present for roll call vote 38. Had I been present, I would have voted Yay on roll call vote 38.

IN MEMORIAM, DR. MARY JO FRANCO FRENCH, MD, JANUARY 4, 1936–DECEMBER 31, 2015

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Ms. SINEMA. Mr. Speaker, I rise today to remember Dr. Mary Jo Franco French, M.D., (Mary Jo), who passed away on December 31, 2015. A native Phoenician, Mary Jo was a revered leader in the Latino community, whose imprint on the city touched a countless number of people. She was the daughter of the Mexican Consul to Arizona, attended Xavier College Prep, ASU and medical school in Mexico City. From 1970–1980, Mary Jo was the editor of *El Sol*, the first Phoenix Spanish newspaper, which her parents launched in the 1930's. Mary Jo served on the Board of Directors of Alma de la Gente, the El Mirage Diabetes Coalition, Vesta Club, and Friends of Mexican Art. As the Executive Director of Hispanic Health Coalition, Mary Jo addressed critical health issues confronting the Valley's Latino families.

In 1981, President Ronald Reagan appointed Mary Jo to the Defense Advisory Committee on Women in the Services (DACOWITS). As an Honorary General, Mary Jo met with service women throughout the world, discussing the challenges faced by our enlisted women. Mary Jo chaired the Veterans Day Parade and the Grand Army Ball; in 1988 she received the George Washington Award for distinguished civil service. For her years of leadership, Valle del Sol honored Mary Jo with the Profiles of Success Award in 1994. She was a principal strategist behind Pope John Paul II's visit to Phoenix in 1987.

Above all else, Mary Jo was Alfred's wife for over 43 years, she was mother to Laura and Alfred Jr. and grandmother to Maya and Aran. Members, please join me in extending condolences to the Franco French family, as they mourn the loss of Mary Jo, an iconic woman, trailblazer and role model and who will be dearly missed and fondly remembered by all whose lives were made better because of her.

THE PASSING OF ASHLEY GAMMON

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Ms. BASS. Mr. Speaker, it is with a heavy heart that I learned of the passing of Ashley Gammon, who served on my staff as my communications director before moving back to her home town of St. Louis, Missouri, most recently serving as the director of communications for the United Way of Greater St. Louis.

Like many of her generation, Ashley signed up to work on President Obama's first presidential campaign in 2008, and she believed that she could truly make a difference. And she did make a difference, both at the Department of Housing and Urban Development and in my own office on Capitol Hill helping to keep my constituents informed and continuing to promote the Democratic agenda.

I was most struck by how much she touched and stayed in touch with her former friends and colleagues in Washington. It is clear that her passing affected everyone very deeply. I will remember Ashley both for her tireless work and for her sweet and bright smile. She brought people together and was a true friend in life as is evident in the outpouring of sympathy in the Capitol Hill community. I join Ashley's friends and family in mourning her loss and celebrating a wonderful young woman who was taken from us too early.

RECOGNIZING THE OUTSTANDING SERVICE TO THE COMMUNITY OF TACOMA OF LINCOLN HIGH SCHOOL TEACHER NATHAN GIBBS-BOWLING

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Mr. KILMER. Mr. Speaker, I rise today to recognize Nathan Gibbs-Bowling of Tacoma, WA. Mr. Gibbs-Bowling has been an intrepid leader in the Tacoma community, where he grew up, through his excellent instruction of AP Government and Human Geography at Lincoln High School.

I am proud to offer my sincere congratulations on behalf of my district's constituency to Mr. Gibbs-Bowling for the recent announcement of his selection as a finalist for this year's National Teacher of the Year Award offered by the Council of Chief State School Officers.

For 10 years Nathan has exceeded expectations as an instructor and has become

known as the "cheerleader, college professor, and drill sergeant" for Lincoln High's student population. His dedication to his craft and his student's success has set him apart more than once in recent years.

Mr. Gibbs-Bowling has already received accolades for his teaching. He received the Washington State Milken Foundation Educator Award for 2013, and was named the Washington State Teacher of the Year by the Office of the Superintendent of Public Instruction in 2015. Yet, if you ask him, he will insist that he is not even the best teacher in his own household—his wife Hope also teaches at the high school.

Mr. Speaker, I have had the pleasure of attending Nathan's classroom to visit with his students. He has consistently impressed me with his control of the classroom and the respect that his students show him—it's clear that he is loved and appreciated within the halls of Lincoln High.

Nathan's service extends to efforts outside of the classroom, as well. He is the co-founder of the school's Professional Leadership Development Team, has created Teachers United—a research and advocacy group that engages with local community leaders and elected officials on important issues—and has helped develop curriculum on both Tacoma and Washington State history.

Mr. Speaker, it is truly an honor to represent a man of this caliber here in our nation's capital. I am truly humbled to be able to speak in recognition of the many achievements of Nathan Gibbs-Bowling today in the United States Congress.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Ms. DeLAURO. Mr. Speaker, I was unavoidably detained and so I missed Roll Call vote number 38 regarding the Kildee Amendment. Had I been present, I would have voted yea.

FUTURE LEGISLATORS: BRAINERD HIGH SCHOOL YOUTH IN GOVERNMENT CLUB

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Mr. NOLAN. Mr. Speaker, I rise today to recognize the students in the Youth in Government Club at Brainerd High School (BHS). Last week thirteen students in the club: Alison Jones, Sean Paulus, Thea Fisher, Ellen Hickman, Alyssa Neistadt, Emma Anderson, Nick

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Ashman, Rachel Cleveland, Marina Cruz, Caleb Meyer, Anthony Rice, Lillian Schmitz, and Claire Walton participated in a four-day assembly at the state Capitol in St. Paul.

During the assembly students from across Minnesota assumed roles of state legislators, executive branch staffers, lobbyists, and political reporters. Students then dealt with bills on topical issues such as: stricter sentences for drunk drivers, ratification of the Kyoto Protocol, and changes to state curriculum requirements for public secondary schools.

I would also like to recognize Amy Aho, the club's faculty advisor for all her hard work coordinating the club's participation in the assembly. As a teacher myself I admire her passion for helping her students pursue their interest in public policy. Amy's participation allowed students to take part in a unique, valuable, hands-on experience which will help them to become our future leaders.

The Youth in Government Club at BHS gives students experience in how government works and an opportunity to learn more about the legislative process. Their level of interest and engagement is very impressive and I would not be at all surprised to see any of them representing Minnesota in Congress one day.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 25, 2016

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Monday, January 11, 2016 and Tuesday, January 12, 2016. Had I been present, I would have voted aye on H.R. 598 (Roll no. 34), H.R. 3231 (Roll no. 35), Kildee Amendment Number 2 to H.R. 1644 (Roll no. 38), Cartwright Amendment Number 3 (Roll no. 39), Sewell Amendment Number 4 (Roll no. 40), motion to recommit with instructions (Roll no. 41), and H.R. 757 (Roll no. 43).

I would have voted no on ordering the previous question (Roll no. 36), H. Res. 583 (Roll no. 37), and H.R. 1644 (Roll no. 42).

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks

section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 26, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 27

9:30 a.m.

Committee on Armed Services

To hold hearings to examine military space launch and the use of Russian-made rocket engines; with the possibility of a closed session in SVC-217 following the open session.

SH-216

10 a.m.

Committee on Environment and Public Works

To hold hearings to examine economic opportunities from land cleanup programs, including S. 2446, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, S. 1479, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and an original bill entitled, "Good Samaritan Cleanup of Orphan Mines Act of 2016".

SD-406

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine Canada's fast-track refugee plan, focusing on implications for United States national security.

SD-342

Committee on the Judiciary

To hold hearings to examine attacking America's epidemic of heroin and prescription drug abuse.

SD-226

2 p.m.

Committee on the Judiciary

To hold hearings to examine the nominations of Clare E. Connors, to be United States District Judge for the District of Hawaii, and Elizabeth J. Drake, of Maryland, Jennifer Choe Groves, of Virginia, and Gary Stephen Katzmman, of Massachusetts, each to be a Judge of the United States Court of International Trade.

SD-226

2:15 p.m.

Committee on Indian Affairs

Business meeting to consider S. 1125, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation, the State of Montana, and the United States, and S. 1983, to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement; to be immediately followed by an oversight hearing to examine the substandard quality of Indian health care in the Great Plains.

SH-216

JANUARY 28

10 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine generic drug user fee amendments, focusing on accelerating patient access to generic drugs.

SD-430

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine the Department of Health and Human Services's placement of migrant children, focusing on vulnerabilities to human trafficking.

SD-342

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, H.R. 1428, to extend Privacy Act remedies to citizens of certified states, S. 483, to improve enforcement efforts related to prescription drug diversion and abuse, S. 1890, to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, S. 2040, to deter terrorism, provide justice for victims, and the nominations of Mary S. McElroy, to be United States District Judge for the District of Rhode Island, and Susan Paradise Baxter, and Marilyn Jean Horan, both to be a United States District Judge for the Western District of Pennsylvania.

SD-226

Committee on Small Business and Entrepreneurship

To hold hearings to examine reauthorization of the Small Business Innovation Research/Small Business Technology Transfer programs, focusing on the importance of small business innovation to national and economic security.

SR-428A

2:15 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

FEBRUARY 2

2 p.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine occupational licensing and the state action doctrine.

SD-226

FEBRUARY 9

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine Department of Defense nuclear acquisition programs and the nuclear doctrine in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SR-232A

FEBRUARY 23		cal year 2017 for the Department of En- ergy.	POSTPONEMENTS
10 a.m.	Committee on Energy and Natural Re- sources	SD-366	JANUARY 28
To hold hearings to examine the Presi- dent's proposed budget request for fis- cal year 2017 for the Department of the Interior.			10 a.m.
			Committee on Energy and Natural Re- sources
			To hold hearings to examine the status of innovative technologies within the nuclear industry.
			SD-366
MARCH 3		10 a.m.	
10 a.m.	Committee on Energy and Natural Re- sources	SD-366	FEBRUARY 4
To hold hearings to examine the Presi- dent's proposed budget request for fis- cal year 2017 for the Forest Service.			10 a.m.
			Committee on Energy and Natural Re- sources
			To hold hearings to examine energy-re- lated trends in advanced manufac- turing and workforce development.
			SD-366

SENATE—Tuesday, January 26, 2016

The Senate met at 10 a.m. and was called to order by the Honorable SUSAN M. COLLINS, a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the superintendent of life's seasons, thank You for the gift of this day.

Lord, the paralyzing snow reminds us that to everything there is a season, a time for every matter and purpose under Heaven. Give our lawmakers the wisdom to seize the opportunities of the myriad seasons. May it never be said about their labors that the harvest has passed but the work has been left undone. Lord, inspire them to seize the seasons of planting and reaping, of removing and building, of speaking and listening, of weeping and laughing, of dividing and uniting, of scattering and gathering. May the opportunities provided in this season enable our Senators to be Your ambassadors on Earth.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 26, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SUSAN M. COLLINS, a Senator from the State of Maine, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Ms. COLLINS thereupon assumed the Chair as Acting President pro tempore.

MORNING BUSINESS**RECOGNITION OF THE ACTING MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

MEASURE PLACED ON THE CALENDAR—S. 2464

Ms. MURKOWSKI. Madam President, I understand there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2464) to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

Ms. MURKOWSKI. Madam President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

ORDER OF PROCEDURE

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for today with respect to the consideration of S. 2012 and the nomination in executive session be modified for tomorrow's session as follows: consideration of S. 2012 be for debate only until 2:15 p.m.; and that at 5:15 p.m. the Senate proceed to executive session to consider calendar No. 306 as under the previous order.

The ACTING PRESIDENT pro tempore. Is there objection?

Hearing none, it is so ordered.

BLIZZARD OF 2016

Ms. MURKOWSKI. Madam President, before I complete the following close-out here, I want to make a comment this morning. What we have just done is move consideration of the energy bill—the Energy Policy Modernization Act—from today to tomorrow. It is a little bit unusual, but given what we have seen here, not only in Washington, DC, but all around the East Coast with the weather, the blizzard of 2016, it is understandable that we would allow for a period of time for our colleagues to return to the U.S. Senate.

I think it is more than an understatement to say that it has been challenging to travel, challenging to move. I think it is worth noting, however, that the Acting President pro tempore, the Senator from Maine, and myself, the Senator from Alaska—both kind of the bookends of the country, arctic States, if you will; certainly Alaska is, and Maine is right up there—are here braving the elements.

I might also note for a little historical perspective that as we convene this morning, and you look around the Chamber, the Acting President pro tempore is female, our Parliamentarian and all of our clerks are female, our floor managers are female, and all of our pages are female. This was not orchestrated in any way, shape or form. We came in this morning, looked around and thought: something is different this morning—different in a good way, I might add. But something is genuinely different, and I think it is genuinely fabulous. Perhaps it speaks to the hardiness of women who put on their boots and put on their hat and get out and slog through the mess that is out there.

I don't know about you all, but I spent a good portion of my weekend shoveling. I feel stronger today, but I am ready to be back at work where it is a little less rigorous. It has been an interesting weekend with, again, the extent of the blizzard. I have been asked numerous times: Well, this must just be a normal day for you in Alaska. We haven't had the snow that we would like back home. In fact, we got as much snowfall here in the D.C. metropolitan area as Anchorage, my hometown, has had accumulated over the course of this season.

We have been feeling a little left out of the weather events. I was looking at Facebook over the weekend. There is one post out there that I thought was pretty Alaskan. It said: "Not to be outdone in winter, #Alaska sees East Coast blizzard and raises it with major #earthquake."

We had a little bit of excitement back home with a 7.1 earthquake. But the good news for us throughout the State is that while it certainly got everyone's attention at 1 o'clock in the morning, it did not cause significant damage. We are thankful for that.

We are also thankful that as we are digging out of the snowstorms here and throughout the East, people are making it through. But our thoughts and our prayers are for those who have suffered as a consequence of this weather-related tragedy in many, many cases.

TRIBUTE TO DAVID GRANNIS

• Mrs. FEINSTEIN. Madam President, today I wish to pay tribute and offer my heartfelt thanks to one of my most trusted advisers, David Grannis. David has served me on the Senate Select Committee on Intelligence for over a decade, beginning as my designee in March of 2005, then as my staff director from January of 2009 when I took over as chairman of the Committee. Over this decade, I have grown to trust his expertise and advice on all aspects of our oversight of the Intelligence Community and to rely on David's keen abilities to manage the committee in a fair and bipartisan manner, while shepherding through some of the Nation's most important and sometimes controversial legislation.

Prior to joining the Intelligence Committee in 2005, David worked on the House Select Committee on Homeland Security and was the senior policy adviser to Representative Jane Harman on matters of national security. Before coming to Congress, David worked for 2 years at the National Research Council's Board on Chemical Sciences and Technology on projects studying the ability to make explosives more detectable and identifiable. He has a master's of public policy from the Kennedy School of Government at Harvard University, where he worked for now-Secretary of Defense Ash Carter, who I understand recommended him to Representative Harman. David is a proven expert on both process and substance, which I am certain he developed by applying his characteristic analytic approach to everything, a skill he developed while a student in chemistry at Cornell University.

David's accomplishments on the Intelligence Committee are extensive, so I will mention only a few of the highlights today. As staff director, David played a central role in assisting and guiding me and the committee through all stages of the committee's study of the CIA's detention and interrogation program, where a deft hand was required to negotiate numerous aspects of the review with the CIA and the administration. He played a significant role in prodding the administration to provide information and access to critically important material. He worked with the committee study team to declassify and secure release of a 500-page executive summary of the full 6,700-page report, a process that required months of excruciatingly detailed negotiations. The report is believed to be the largest review in congressional history. After the release of the declassified summary, David helped me and Senator McCain draft and pass legislation that will help ensure these types of harsh interrogation techniques will never be used again by the CIA or any other agency or representative of the U.S. Government.

David also managed the bipartisan committee staff as it helped pass seven

straight intelligence authorization bills from 2009 to the most recent one, which was signed by the President last month under the leadership of Chairman BURR. This effort, which helps ensure proper oversight of the intelligence community, was a significant achievement as no legislative guidance had been provided to the intelligence community during the previous 5 years prior to 2009. I thank David for leading the staff development of these bills and helping to successfully push them through Senate passage to bring them to the President's desk.

Another recent significant accomplishment in which David's steady hand and expert advice helped achieve success is his work on the Cybersecurity Information Sharing Act of 2015. This act, which was signed by the President last month, will help this Nation defend itself from cyber attacks by encouraging increased information sharing on cyber intrusions between private industry and the government.

As staff director, David also oversaw the completion of two important committee reviews. The first one was a committee report on the 2009 Christmas Day attempted bombing of flight 253 over Detroit, and the second one was a bipartisan report on the 2012 Benghazi attacks. Each unflinchingly laid out the facts and helped determine what changes should be made as an appropriate response. David also worked to improve oversight of counterterrorism operations that helped assure the American public that Congress knew the details of what was being done by the executive branch, as well as provided recommendations for improvements.

In 2007, David worked on the committee's investigation into prewar intelligence regarding Iraq. David served as the co-lead for the committee's sixth and final report on this topic, which dealt with the subject of prewar statements by senior policymakers. This was an important and sensitive subject, and David and his staff colleagues handled it with objectivity and professionalism. The report, approved by a bipartisan majority of the committee in June 2008, helped resolve a number of important questions regarding the run-up to the Iraq War. The great work that David and his colleagues did on this project ensured that the public finally received the facts and helped conclude what had at times been a contentious chapter in the committee's history.

I also want to echo many of the comments that our committee staff has made about David including one that was passed onto me where a colleague said that he "has been the rock upon which the staff's foundation is built." He has been a solid and stable leader that has provided the confidence that the staff needs to flourish. David's intellect and knowledge of the intel-

ligence community and his communication skills in conveying that knowledge to committee members has gained him the respect and admiration of the entire committee. Finally, his demeanor and behavior in dealing with people, both inside and outside the committee, on both sides of the aisle and in both bodies of Congress, as well as with leaders of the intelligence community and the executive branch, is an example to be emulated.

As I mentioned earlier, these are just a few of David's traits and accomplishments that I have come to rely upon while he served on the Senate Select Committee on Intelligence. And I thank him for them. I also want to thank David's wife, Kerry Searle Grannis, for enduring the long hours and time away from home that is often a part of life in the Senate; and to acknowledge their three beautiful children—Owen, Amelia, and Nathaniel—who I hope now will have more time with their father, who can help them achieve more Boy Scout badges, excel in drama classes, and perfect that high board dive and soccer goal. Kerry has mentioned how wonderful a husband and father David has been, supporting her as she completed her Ph.D. and sharing all household chores, driving duties, and doctors' appointments for his busy crew.

I know David will thrive as he begins a new set of challenges as the Principal Deputy Under Secretary at the Department of Homeland Security's Office of Intelligence and Analysis. I wish him the very best and thank him for his many years of service and dedication to this country and to me. •

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2464. A bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2953. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2953. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Energy Policy Modernization Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—EFFICIENCY**Subtitle A—Buildings**

Sec. 1001. Greater energy efficiency in building codes.

Sec. 1002. Budget-neutral demonstration program for energy and water conservation improvements at multifamily residential units.

Sec. 1003. Coordination of energy retrofit-fitting assistance for schools.

Sec. 1004. Energy efficiency retrofit pilot program.

Sec. 1005. Utility energy service contracts.

Sec. 1006. Use of energy and water efficiency measures in Federal buildings.

Sec. 1007. Building training and assessment centers.

Sec. 1008. Career skills training.

Sec. 1009. Energy-efficient and energy-saving information technologies.

Sec. 1010. Availability of funds for design updates.

Sec. 1011. Energy efficient data centers.

Sec. 1012. Weatherization Assistance Program.

Sec. 1013. Reauthorization of State energy program.

Sec. 1014. Smart building acceleration.

Sec. 1015. Repeal of fossil phase-out.

Sec. 1016. Federal building energy efficiency performance standards.

Sec. 1017. Codification of Executive Order.

Sec. 1018. Certification for green buildings.

Sec. 1019. High performance green federal buildings.

Sec. 1020. Evaluation of potentially duplicative green building programs within Department of Energy.

Sec. 1021. Study and report on energy savings benefits of operational efficiency programs and services.

Subtitle B—Appliances

Sec. 1101. Extended product system rebate program.

Sec. 1102. Energy efficient transformer rebate program.

Sec. 1103. Standards for certain furnaces.

Sec. 1104. Third-party certification under Energy Star program.

Sec. 1105. Energy conservation standards for commercial refrigeration equipment.

Sec. 1106. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.

Subtitle C—Manufacturing

Sec. 1201. Manufacturing energy efficiency.

Sec. 1202. Leveraging existing Federal agency programs to assist small and medium manufacturers.

Sec. 1203. Leveraging smart manufacturing infrastructure at National Laboratories.

Subtitle D—Vehicles

Sec. 1301. Short title.

Sec. 1302. Objectives.

Sec. 1303. Coordination and nonduplication.

Sec. 1304. Authorization of appropriations.

Sec. 1305. Reporting.

PART I—VEHICLE RESEARCH AND DEVELOPMENT

Sec. 1306. Program.

Sec. 1307. Manufacturing.

PART II—MEDIUM- AND HEAVY-DUTY COMMERCIAL AND TRANSIT VEHICLES

Sec. 1308. Program.

Sec. 1309. Class 8 truck and trailer systems demonstration.

Sec. 1310. Technology testing and metrics.

Sec. 1311. Nonroad systems pilot program.

PART III—ADMINISTRATION

Sec. 1312. Repeal of existing authorities.

Subtitle E—Short Title

Sec. 1401. Short title.

TITLE II—INFRASTRUCTURE**Subtitle A—Cybersecurity**

Sec. 2001. Cybersecurity threats.

Sec. 2002. Enhanced grid security.

Subtitle B—Strategic Petroleum Reserve

Sec. 2101. Strategic Petroleum Reserve modernization.

Subtitle C—Trade

Sec. 2201. Action on applications to export liquefied natural gas.

Sec. 2202. Public disclosure of liquefied natural gas export destinations.

Sec. 2203. Energy data collaboration.

Subtitle D—Electricity and Energy Storage

Sec. 2301. Grid storage program.

Sec. 2302. Electric system grid architecture, scenario development, and modeling.

Sec. 2303. Technology demonstration on the distribution system.

Sec. 2304. Hybrid micro-grid systems for isolated and resilient communities.

Sec. 2305. Voluntary model pathways.

Sec. 2306. Performance metrics for electricity infrastructure providers.

Sec. 2307. State and regional electricity distribution planning.

Sec. 2308. Authorization of appropriations.

Sec. 2309. Electric transmission infrastructure permitting.

Sec. 2310. Report by transmission organizations on distributed energy resources and micro-grid systems.

Sec. 2311. Net metering study guidance.

Subtitle E—Computing

Sec. 2401. Exascale computer research program.

TITLE III—SUPPLY**Subtitle A—Renewables****PART I—HYDROELECTRIC**

Sec. 3001. Hydropower regulatory improvements.

Sec. 3002. Hydroelectric production incentives and efficiency improvements.

Sec. 3003. Extension of time for a Federal Energy Regulatory Commission project involving Clark Canyon Dam.

Sec. 3004. Extension of time for a Federal Energy Regulatory Commission project involving Gibson Dam.

PART II—GEOTHERMAL**SUBPART A—GEOTHERMAL ENERGY**

Sec. 3005. National goals for production and site identification.

Sec. 3006. Priority areas for development on Federal land.

Sec. 3007. Facilitation of coproduction of geothermal energy on oil and gas leases.

Sec. 3008. Noncompetitive leasing of adjoining areas for development of geothermal resources.

Sec. 3009. Large-scale geothermal energy.

Sec. 3010. Report to Congress.

Sec. 3011. Authorization of appropriations.

SUBPART B—GEOTHERMAL EXPLORATION

Sec. 3012. Geothermal exploration test projects.

PART III—MARINE HYDROKINETIC

Sec. 3013. Definition of marine and hydrokinetic renewable energy.

Sec. 3014. Marine and hydrokinetic renewable energy research and development.

Sec. 3015. National Marine Renewable Energy Research, Development, and Demonstration Centers.

Sec. 3016. Authorization of appropriations.

PART IV—BIOMASS

Sec. 3017. Bio-power.

Subtitle B—Oil and Gas

Sec. 3101. Amendments to the Methane Hydrate Research and Development Act of 2000.

Sec. 3102. Liquefied natural gas study.

Sec. 3103. FERC process coordination with respect to regulatory approval of gas projects.

Sec. 3104. Pilot program.

Subtitle C—Helium

Sec. 3201. Rights to helium.

Subtitle D—Critical Minerals

Sec. 3301. Definitions.

Sec. 3302. Policy.

Sec. 3303. Critical mineral designations.

Sec. 3304. Resource assessment.

Sec. 3305. Permitting.

Sec. 3306. Federal Register process.

Sec. 3307. Recycling, efficiency, and alternatives.

Sec. 3308. Analysis and forecasting.

Sec. 3309. Education and workforce.

Sec. 3310. National geological and geophysical data preservation program.

Sec. 3311. Administration.

Sec. 3312. Authorization of appropriations.

Subtitle E—Coal

Sec. 3401. Fossil energy.

Sec. 3402. Establishment of coal technology program.

Subtitle F—Nuclear

Sec. 3501. Report on fusion and fission reactor prototypes.

Sec. 3502. Next generation nuclear plant project.

Subtitle G—Workforce Development

Sec. 3601. 21st Century Energy Workforce Advisory Board.

Sec. 3602. Energy workforce pilot grant program.

Subtitle H—Recycling

Sec. 3701. Recycled carbon fiber.

Sec. 3702. Energy generation and regulatory relief study regarding recovery and conversion of nonrecycled mixed plastics.

Sec. 3703. Eligible projects.

TITLE IV—ACCOUNTABILITY**Subtitle A—Loan Programs**

Sec. 4001. Terms and conditions for incentives for innovative technologies.

Sec. 4002. State loan eligibility.

Sec. 4003. GAO Study on fossil loan guarantee incentive program.

Sec. 4004. Program eligibility for vessels.

Sec. 4005. Additional reforms.

Sec. 4006. Department of Energy Indian energy education planning and management assistance program.

Subtitle B—Energy-Water Nexus

Sec. 4101. Nexus of energy and water for sustainability.

Sec. 4102. Smart energy and water efficiency pilot program.
 Subtitle C—Innovation
 Sec. 4201. America COMPETES programs.
 Sec. 4202. Inclusion of early stage technology demonstration in authorized technology transfer activities.
 Sec. 4203. Supporting access of small business concerns to National Laboratories.
 Sec. 4204. Microlab technology commercialization.
 Subtitle D—Grid Reliability
 Sec. 4301. Bulk-power system reliability impact statement.
 Sec. 4302. Report by transmission organizations on diversity of supply.
 Subtitle E—Management
 Sec. 4401. Federal land management.
 Sec. 4402. Quadrennial Energy Review.
 Sec. 4403. State oversight of oil and gas programs.
 Sec. 4404. Under Secretary for Science and Energy.
 Subtitle F—Markets
 Sec. 4501. Enhanced information on critical energy supplies.
 Sec. 4502. Working Group on Energy Markets.
 Sec. 4503. Study of regulatory framework for energy markets.
 Subtitle G—Affordability
 Sec. 4601. E-prize competition pilot program.
 Subtitle H—Code Maintenance
 Sec. 4701. Repeal of off-highway motor vehicles study.
 Sec. 4702. Repeal of methanol study.
 Sec. 4703. Repeal of authorization of appropriations provision.
 Sec. 4704. Repeal of residential energy efficiency standards study.
 Sec. 4705. Repeal of weatherization study.
 Sec. 4706. Repeal of report to Congress.
 Sec. 4707. Repeal of report by General Services Administration.
 Sec. 4708. Repeal of intergovernmental energy management planning and coordination workshops.
 Sec. 4709. Repeal of Inspector General audit survey and President's Council on Integrity and Efficiency report to Congress.
 Sec. 4710. Repeal of procurement and identification of energy efficient products program.
 Sec. 4711. Repeal of national action plan for demand response.
 Sec. 4712. Repeal of national coal policy study.
 Sec. 4713. Repeal of study on compliance problem of small electric utility systems.
 Sec. 4714. Repeal of study of socioeconomic impacts of increased coal production and other energy development.
 Sec. 4715. Repeal of study of the use of petroleum and natural gas in combustors.
 Sec. 4716. Repeal of submission of reports.
 Sec. 4717. Repeal of electric utility conservation plan.
 Sec. 4718. Emergency Energy Conservation repeals.
 Sec. 4719. Energy Security Act repeals.
 Sec. 4720. Nuclear Safety Research, Development, and Demonstration Act of 1980 repeals.
 Sec. 4721. Elimination and consolidation of certain America COMPETES programs.

Sec. 4722. Repeal of state utility regulatory assistance.
 Sec. 4723. Repeal of survey of energy saving potential.
 Sec. 4724. Repeal of photovoltaic energy program.
 Sec. 4725. Repeal of energy auditor training and certification.
 Sec. 4726. Repeal of authorization of appropriations.
 Sec. 4727. Repeal of Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989.
 Sec. 4728. Repeal of hydrogen research, development, and demonstration program.
 Sec. 4729. Repeal of study on alternative fuel use in nonroad vehicles and engines.
 Sec. 4730. Repeal of low interest loan program for small business fleet purchases.
 Sec. 4731. Repeal of technical and policy analysis for replacement fuel demand and supply information.
 Sec. 4732. Repeal of 1992 Report on Climate Change.
 Sec. 4733. Repeal of Director of Climate Protector establishment.
 Sec. 4734. Repeal of 1994 report on global climate change emissions.
 Sec. 4735. Repeal of telecommuting study.
 Sec. 4736. Repeal of advanced buildings for 2005 program.
 Sec. 4737. Repeal of Energy Research, Development, Demonstration, and Commercial Application Advisory Board.
 Sec. 4738. Repeal of study on use of energy futures for fuel purchase.
 Sec. 4739. Repeal of energy subsidy study.

TITLE V—CONSERVATION REAUTHORIZATION

Sec. 5001. National Park Service Maintenance and Revitalization Conservation Fund.
 Sec. 5002. Land and Water Conservation Fund.
 Sec. 5003. Historic Preservation Fund.

SEC. 2. DEFINITIONS.

In this Act:
 (1) DEPARTMENT.—The term “Department” means the Department of Energy.
 (2) SECRETARY.—The term “Secretary” means the Secretary of Energy.

TITLE I—EFFICIENCY

Subtitle A—Buildings

SEC. 1001. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

“(14) MODEL BUILDING ENERGY CODE.—The term ‘model building energy code’ means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

“(A) the Council of American Building Officials, or its legal successor, International Code Council, Inc.;

“(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

“(C) other appropriate organizations.”; and

(2) by adding at the end the following:

“(17) IECC.—The term ‘IECC’ means the International Energy Conservation Code.

“(18) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in sec-

tion 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).”.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

“SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

“(a) IN GENERAL.—The Secretary shall—

“(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

“(2) support full compliance with the State and local codes.

“(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

“(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

“(A) IN GENERAL.—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

“(B) DEMONSTRATION.—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

“(i) the energy savings of the updated model building energy code; or

“(ii) the targets established under section 307(b)(2).

“(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

“(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

“(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

“(B) if the determination is positive, validate the certification.

“(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

“(1) REQUIREMENT.—

“(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

“(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

“(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

“(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

“(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

“(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

“(B) an alternative method that yields an accurate measure of compliance.

“(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

“(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

“(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

“(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

“(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

“(B) has met the most recent target under subparagraph (A).

“(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

“(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

“(B) if the determination is positive, validate the certification.

“(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

“(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

“(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

“(B) a plan for meeting the requirements and submitting the certification.

“(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

“(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

“(4) ANNUAL REPORTS BY SECRETARY.—

“(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

“(i) the status of model building energy codes;

“(ii) the status of code adoption and compliance in the States and Indian tribes;

“(iii) the implementation of this section; and

“(iv) improvements in energy savings over time as a result of the targets established under section 307(b)(2).

“(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

“(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

“(ii) resulting energy costs to individuals and businesses; and

“(iii) resulting overall annual building ownership and operating costs.

“(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

“(1) to improve and implement State residential and commercial building energy codes;

“(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

“(3) to document the rate of compliance with a building energy code; and

“(4) to otherwise promote the design and construction of energy efficient buildings.

“(f) AVAILABILITY OF INCENTIVE FUNDING.—

“(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

“(A) to implement the requirements of this section;

“(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, local, and tribal building code officials to implement and enforce the codes; and

“(C) to promote building energy efficiency through the use of the codes.

“(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

“(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

“(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

“(3) TRAINING.—Of the amounts made available under this subsection, the State or Indian tribe may use amounts required, but not to exceed \$750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

“(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

“(g) STRETCH CODES AND ADVANCED STANDARDS.—

“(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

“(A) an option for adoption as a building energy code by State, local, or tribal governments; and

“(B) guidelines for energy-efficient building design.

“(2) TARGETS.—The stretch codes and advanced standards shall be designed—

“(A) to achieve substantial energy savings compared to the model building energy codes; and

“(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

“(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

“(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

“(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

“(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

“(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section and section 307 \$200,000,000, to remain available until expended.”

(C) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking “voluntary building energy code” each place it appears in subsections (a)(2)(B) and (b) and inserting “model building energy code”.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

“SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

“(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

“(b) TARGETS.—

“(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

“(2) TARGETS.—

“(A) IN GENERAL.—The Secretary shall work with States, local governments, and Indian tribes, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing one or more aggregate energy savings targets to achieve the purposes of this section.

“(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

“(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1-2010 for commercial buildings.

“(D) SPECIFIC YEARS.—

“(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

“(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

“(II) is higher than the preceding target; and

“(III) promotes the achievement of commercial and residential high-performance buildings through high-performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

“(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

“(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

“(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rule-making, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104-121).

“(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

“(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

“(B) advancement of distributed generation and on-site renewable power generation technologies;

“(C) equipment improvements for heating, cooling, and ventilation systems;

“(D) building management systems and SmartGrid technologies to reduce energy use; and

“(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

“(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

“(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

“(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

“(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

“(A) evaluating code or standards proposals or revisions;

“(B) building energy analysis and design tools;

“(C) building demonstrations;

“(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

“(E) performance-based standards;

“(F) evaluating economic considerations under subsection (b)(4); and

“(G) developing model building energy codes by Indian tribes in accordance with tribal law.

“(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

“(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

“(d) DETERMINATION.—

“(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

“(A) improve energy efficiency in buildings compared to the existing model building energy code; and

“(B) meet the applicable targets under subsection (b)(2).

“(2) CODES OR STANDARDS NOT MEETING TARGETS.—

“(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

“(i) whether the modified code is technically feasible and life-cycle cost effective;

“(ii) available appliances, technologies, materials, and construction practices; and

“(iii) the economic considerations under subsection (b)(4).

“(B) INCORPORATION OF CHANGES.—

“(i) IN GENERAL.—On receipt of the proposed changes, the model building energy code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

“(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

“(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

“(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

“(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

“(f) VOLUNTARY CODES AND STANDARDS.—Notwithstanding any other provision of this section, any model building code or standard established under section 304 shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.”

SEC. 1002. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (referred to

in this section as the “Secretary”) shall establish a demonstration program under which, during the period beginning on the date of enactment of this Act, and ending on September 30, 2018, the Secretary may enter into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) **GEOGRAPHICAL DIVERSITY.**—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) **PLAN AND REPORTS.**—

(1) **PLAN.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives a detailed plan for the implementation of this section.

(2) **REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) **FUNDING.**—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

SEC. 1003. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) **DEFINITION OF SCHOOL.**—In this section, the term “school” means—

(1) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(2) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(3) a school of the defense dependents’ education system under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(4) a school operated by the Bureau of Indian Affairs;

(5) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(6) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(b) **DESIGNATION OF LEAD AGENCY.**—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) **REQUIREMENTS.**—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal

agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1) for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

SEC. 1004. ENERGY EFFICIENCY RETROFIT PILOT PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **APPLICANT.**—The term “applicant” means a nonprofit organization that applies for a grant under this section.

(2) **ENERGY-EFFICIENCY IMPROVEMENT.**—

(A) **IN GENERAL.**—The term “energy-efficiency improvement” means an installed measure (including a product, equipment, system, service, or practice) that results in a reduction in use by a nonprofit organization for energy or fuel supplied from outside the nonprofit building.

(B) **INCLUSIONS.**—The term “energy-efficiency improvement” includes an installed

measure described in subparagraph (A) involving—

(i) repairing, replacing, or installing—

(I) a roof or lighting system, or component of a roof or lighting system;

(II) a window;

(III) a door, including a security door; or

(IV) a heating, ventilation, or air conditioning system or component of the system (including insulation and wiring and plumbing improvements needed to serve a more efficient system);

(ii) a renewable energy generation or heating system, including a solar, photovoltaic, wind, geothermal, or biomass (including wood pellet) system or component of the system; and

(iii) any other measure taken to modernize, renovate, or repair a nonprofit building to make the nonprofit building more energy efficient.

(3) **NONPROFIT BUILDING.**—

(A) **IN GENERAL.**—The term “nonprofit building” means a building operated and owned by a nonprofit organization.

(B) **INCLUSIONS.**—The term “nonprofit building” includes a building described in subparagraph (A) that is—

(i) a hospital;

(ii) a youth center;

(iii) a school;

(iv) a social-welfare program facility;

(v) a faith-based organization; and

(vi) any other nonresidential and non-commercial structure.

(b) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program to award grants for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

(c) **GRANTS.**—

(1) **IN GENERAL.**—The Secretary may award grants under the program established under subsection (b).

(2) **APPLICATION.**—The Secretary may award a grant under this section if an applicant submits to the Secretary an application at such time, in such form, and containing such information as the Secretary may prescribe.

(3) **CRITERIA FOR GRANT.**—In determining whether to award a grant under this section, the Secretary shall apply performance-based criteria, which shall give priority to applications based on—

(A) the energy savings achieved;

(B) the cost-effectiveness of the energy-efficiency improvement;

(C) an effective plan for evaluation, measurement, and verification of energy savings;

(D) the financial need of the applicant; and

(E) the percentage of the matching contribution by the applicant.

(4) **LIMITATION ON INDIVIDUAL GRANT AMOUNT.**—Each grant awarded under this section shall not exceed—

(A) an amount equal to 50 percent of the energy-efficiency improvement; and

(B) \$200,000.

(5) **COST SHARING.**—

(A) **IN GENERAL.**—A grant awarded under this section shall be subject to a minimum non-Federal cost-sharing requirement of 50 percent.

(B) **IN-KIND CONTRIBUTIONS.**—The non-Federal share may be provided in the form of in-kind contributions of materials or services.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2016 through 2020, to remain available until expended.

SEC. 1005. UTILITY ENERGY SERVICE CONTRACTS.

Section 546 of the National Energy Conservation Policy Act (42 U.S.C. 8256) is amended by adding at the end the following:

“(f) UTILITY ENERGY SERVICE CONTRACTS.—“(1) IN GENERAL.—Each Federal agency may use, to the maximum extent practicable, measures provided by law to meet energy efficiency and conservation mandates and laws, including through utility energy service contracts.

“(2) CONTRACT PERIOD.—The term of a utility energy service contract entered into by a Federal agency may have a contract period that extends beyond 10 years, but not to exceed 25 years.

“(3) REQUIREMENTS.—The conditions of a utility energy service contract entered into by a Federal agency shall include requirements for measurement, verification, and performance assurances or guarantees of the savings.”.

SEC. 1006. USE OF ENERGY AND WATER EFFICIENCY MEASURES IN FEDERAL BUILDINGS.

(a) ENERGY MANAGEMENT REQUIREMENTS.—Section 543(f)(4) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by striking “Not later than” and inserting the following:

“(A) IN GENERAL.—Not later than”; and

(3) by adding at the end the following:

“(B) MEASURES NOT IMPLEMENTED.—Each energy manager, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall provide an explanation regarding any life-cycle cost-effective measures described in subparagraph (A)(i) that have not been implemented.”.

(b) REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8258(b)) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(5)(A) the status of the energy savings performance contracts and utility energy service contracts of each agency;

“(B) the investment value of the contracts;

“(C) the guaranteed energy savings for the previous year as compared to the actual energy savings for the previous year;

“(D) the plan for entering into the contracts in the coming year; and

“(E) information explaining why any previously submitted plans for the contracts were not implemented.”.

(c) DEFINITION OF ENERGY CONSERVATION MEASURES.—Section 551(4) of the National Energy Conservation Policy Act (42 U.S.C. 8259(4)) is amended by striking “or retrofit activities” and inserting “retrofit activities, or energy consuming devices and required support structures”.

(d) AUTHORITY TO ENTER INTO CONTRACTS.—Section 801(a)(2)(F) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)(F)) is amended—

(1) in clause (i), by striking “or” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(iii) limit the recognition of operation and maintenance savings associated with systems modernized or replaced with the implementation of energy conservation meas-

ures, water conservation measures, or any combination of energy conservation measures and water conservation measures.”.

(e) MISCELLANEOUS AUTHORITY.—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)) is amended by adding at the end the following:

“(H) MISCELLANEOUS AUTHORITY.—Notwithstanding any other provision of law, a Federal agency may sell or transfer energy savings and apply the proceeds of the sale or transfer to fund a contract under this title.”.

(f) PAYMENT OF COSTS.—Section 802 of the National Energy Conservation Policy Act (42 U.S.C. 8287a) is amended by striking “(and related operation and maintenance expenses)” and inserting “, including related operations and maintenance expenses”.

(g) DEFINITION OF FEDERAL BUILDING.—Section 551(6) of the National Energy Conservation Policy Act (42 U.S.C. 8259(6)) is amended by striking the semicolon at the end and inserting “the term does not include a dam, reservoir, or hydropower facility owned or operated by a Federal agency;”.

(h) DEFINITION OF ENERGY SAVINGS.—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) in subparagraph (A), by striking “federally owned building or buildings or other federally owned facilities” and inserting “Federal building (as defined in section 551)” each place it appears;

(2) in subparagraph (C), by striking “; and” and inserting a semicolon;

(3) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(E) the use, sale, or transfer of energy incentives, rebates, or credits (including renewable energy credits) from Federal, State, or local governments or utilities; and

“(F) any revenue generated from a reduction in energy or water use, more efficient waste recycling, or additional energy generated from more efficient equipment.”.

SEC. 1007. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b))) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the industrial research and assessment centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000, to remain available until expended.

SEC. 1008. CAREER SKILLS TRAINING.

(a) IN GENERAL.—The Secretary shall pay grants to eligible entities described in subsection (b) to pay the Federal share of associated career skills training programs under which students concurrently receive classroom instruction and on-the-job training for the purpose of obtaining an industry-related certification to install energy efficient buildings technologies, including technologies described in section 307(b)(3) of the Energy Conservation and Production Act (42 U.S.C. 6836(b)(3)).

(b) ELIGIBILITY.—To be eligible to obtain a grant under subsection (a), an entity shall be a nonprofit partnership described in section 171(e)(2)(B)(ii) of the Workforce Investment Act of 1998 (29 U.S.C. 2916(e)(2)(B)(ii)).

(c) FEDERAL SHARE.—The Federal share of the cost of carrying out a career skills training program described in subsection (a) shall be 50 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000, to remain available until expended.

SEC. 1009. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended by adding at the end the following:

“(h) FEDERAL IMPLEMENTATION STRATEGY FOR ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.—

“(1) DEFINITIONS.—In this subsection:

“(A) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

“(B) INFORMATION TECHNOLOGY.—The term ‘information technology’ has the meaning given the term in section 11101 of title 40, United States Code.

“(2) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this subsection, each Federal agency shall collaborate with the Director to develop an implementation strategy (including best-practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies.

“(3) ADMINISTRATION.—In developing an implementation strategy, each Federal agency shall consider—

“(A) advanced metering infrastructure;

“(B) energy efficient data center strategies and methods of increasing asset and infrastructure utilization;

“(C) advanced power management tools;

“(D) building information modeling, including building energy management; and

“(E) secure telework and travel substitution tools.

“(4) PERFORMANCE GOALS.—

“(A) IN GENERAL.—Not later than September 30, 2015, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance,

purchase, and use of energy-efficient and energy-saving information technology systems.

“(B) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall supplement the performance goals established under this paragraph with recommendations on best practices for the attainment of the performance goals, to include a requirement for agencies to consider the use of—

“(i) energy savings performance contracting; and

“(ii) utility energy services contracting.

“(5) REPORTS.—

“(A) AGENCY REPORTS.—Each Federal agency subject to the requirements of this subsection shall include in the report of the agency under section 527 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17143) a description of the efforts and results of the agency under this subsection.

“(B) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2015, the Director shall include in the annual report and scorecard of the Director required under section 528 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17144) a description of the efforts and results of Federal agencies under this subsection.

“(C) USE OF EXISTING REPORTING STRUCTURES.—The Director may require Federal agencies to submit any information required to be submitted under this subsection through reporting structures in use as of the date of enactment of the Energy Policy Modernization Act of 2016.”

SEC. 1010. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following:

“(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

“(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

“(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).”

SEC. 1011. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(D)(iv), by striking “the organization” and inserting “an organization”; and

(B) by striking paragraph (3); and

(2) by striking subsections (c) through (g) and inserting the following:

“(c) STAKEHOLDER INVOLVEMENT.—

“(1) IN GENERAL.—The Secretary and the Administrator shall carry out subsection (b) in consultation with the information technology industry and other key stakeholders,

with the goal of producing results that accurately reflect the best knowledge in the most pertinent domains.

“(2) CONSIDERATIONS.—In carrying out consultation described in paragraph (1), the Secretary and the Administrator shall pay particular attention to organizations that—

“(A) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, including representatives of hardware manufacturers, data center operators, and facility managers;

“(B) obtain and address input from the National Laboratories (as that term is defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)) or any institution of higher education, research institution, industry association, company, or public interest group with applicable expertise;

“(C) follow—

“(i) commonly accepted procedures for the development of specifications; and

“(ii) accredited standards development processes; or

“(D) have a mission to promote energy efficiency for data centers and information technology.

“(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

“(e) STUDY.—The Secretary, in consultation with the Administrator, not later than 18 months after the date of enactment of the Energy Policy Modernization Act of 2016, shall make available to the public an update to the report submitted to Congress pursuant to section 1 of the Act of December 20, 2006 (Public Law 109-431; 120 Stat. 2920), entitled ‘Report to Congress on Server and Data Center Energy Efficiency’ and dated August 2, 2007, that provides—

“(1) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2007 through 2014;

“(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

“(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

“(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

“(5) updated projections and recommendations for best practices through fiscal year 2020.

“(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—

“(1) IN GENERAL.—The Secretary, in consultation with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that provides for the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in Federal data centers.

“(2) EVALUATIONS.—Each Federal agency shall consider having the data centers of the agency evaluated once every 4 years by energy practitioners certified pursuant to the program, whenever practicable using certified practitioners employed by the agency.

“(g) OPEN DATA INITIATIVE.—

“(1) IN GENERAL.—The Secretary, in consultation with key stakeholders and the Director of the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making the data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation.

“(2) CONSIDERATION.—In establishing the initiative under paragraph (1), the Secretary shall consider using the online Data Center Maturity Model.

“(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in consultation with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

“(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate in the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

“(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.”

SEC. 1012. WEATHERIZATION ASSISTANCE PROGRAM.

(a) REAUTHORIZATION OF WEATHERIZATION ASSISTANCE PROGRAM.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking “appropriated—” and all that follows through the period at the end and inserting “appropriated \$350,000,000 for each of fiscal years 2016 through 2020.”

(b) GRANTS FOR NEW, SELF-SUSTAINING LOW-INCOME, SINGLE-FAMILY AND MULTIFAMILY HOUSING ENERGY RETROFIT MODEL PROGRAMS TO ELIGIBLE MULTISTATE HOUSING AND ENERGY NONPROFIT ORGANIZATIONS.—The Energy Conservation and Production Act is amended by inserting after section 414B (42 U.S.C. 6864b) the following:

“SEC. 414C. GRANTS FOR NEW, SELF-SUSTAINING LOW-INCOME, SINGLE-FAMILY AND MULTIFAMILY HOUSING ENERGY RETROFIT MODEL PROGRAMS TO ELIGIBLE MULTISTATE HOUSING AND ENERGY NONPROFIT ORGANIZATIONS.

“(a) PURPOSES.—The purposes of this section are—

“(1) to expand the number of low-income, single-family and multifamily homes that receive energy efficiency retrofits;

“(2) to promote innovation and new models of retrofitting low-income homes through new Federal partnerships with covered organizations that leverage substantial donations, donated materials, volunteer labor, homeowner labor equity, and other private sector resources;

“(3) to assist the covered organizations in demonstrating, evaluating, improving, and replicating widely the model low-income energy retrofit programs of the covered organizations; and

“(4) to ensure that the covered organizations make the energy retrofit programs of the covered organizations self-sustaining by the time grant funds have been expended.

“(b) DEFINITIONS.—In this section:

“(1) COVERED ORGANIZATION.—The term ‘covered organization’ means an organization that—

“(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code; and

“(B) has an established record of constructing, renovating, repairing, or making energy efficient a total of not less than 250 owner-occupied, single-family or multi-family homes per year for low-income households, either directly or through affiliates, chapters, or other direct partners (using the most recent year for which data are available).

“(2) **LOW-INCOME.**—The term ‘low-income’ means an income level that is not more than 200 percent of the poverty level (as determined in accordance with criteria established by the Director of the Office of Management and Budget) applicable to a family of the size involved, except that the Secretary may establish a higher or lower level if the Secretary determines that a higher or lower level is necessary to carry out this section.

“(3) **WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS.**—The term ‘Weatherization Assistance Program for Low-Income Persons’ means the program established under this part (including part 440 of title 10, Code of Federal Regulations, or successor regulations).

“(c) **COMPETITIVE GRANT PROGRAM.**—The Secretary shall make grants to covered organizations through a national competitive process for use in accordance with this section.

“(d) **AWARD FACTORS.**—In making grants under this section, the Secretary shall consider—

“(1) the number of low-income homes the applicant—

“(A) has built, renovated, repaired, or made more energy efficient as of the date of the application; and

“(B) can reasonably be projected to build, renovate, repair, or make energy efficient during the 10-year period beginning on the date of the application;

“(2) the qualifications, experience, and past performance of the applicant, including experience successfully managing and administering Federal funds;

“(3) the number and diversity of States and climates in which the applicant works as of the date of the application;

“(4) the amount of non-Federal funds, donated or discounted materials, discounted or volunteer skilled labor, volunteer unskilled labor, homeowner labor equity, and other resources the applicant will provide;

“(5) the extent to which the applicant could successfully replicate the energy retrofit program of the applicant and sustain the program after the grant funds have been expended;

“(6) regional diversity;

“(7) urban, suburban, and rural localities; and

“(8) such other factors as the Secretary determines to be appropriate.

“(e) **APPLICATIONS.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this section, the Secretary shall request proposals from covered organizations.

“(2) **ADMINISTRATION.**—To be eligible to receive a grant under this section, an applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(3) **AWARDS.**—Not later than 90 days after the date of issuance of a request for proposals, the Secretary shall award grants under this section.

“(f) **ELIGIBLE USES OF GRANT FUNDS.**—A grant under this section may be used for—

“(1) energy efficiency audits, cost-effective retrofit, and related activities in different climatic regions of the United States;

“(2) energy efficiency materials and supplies;

“(3) organizational capacity—

“(A) to significantly increase the number of energy retrofits;

“(B) to replicate an energy retrofit program in other States; and

“(C) to ensure that the program is self-sustaining after the Federal grant funds are expended;

“(4) energy efficiency, audit and retrofit training, and ongoing technical assistance;

“(5) information to homeowners on proper maintenance and energy savings behaviors;

“(6) quality control and improvement;

“(7) data collection, measurement, and verification;

“(8) program monitoring, oversight, evaluation, and reporting;

“(9) management and administration (up to a maximum of 10 percent of the total grant);

“(10) labor and training activities; and

“(11) such other activities as the Secretary determines to be appropriate.

“(g) **MAXIMUM AMOUNT.**—

“(1) **IN GENERAL.**—The amount of a grant provided under this section shall not exceed—

“(A) if the amount made available to carry out this section for a fiscal year is \$225,000,000 or more, \$5,000,000; and

“(B) if the amount made available to carry out this section for a fiscal year is less than \$225,000,000, \$1,500,000.

“(2) **TECHNICAL AND TRAINING ASSISTANCE.**—The total amount of a grant provided under this section shall be reduced by the cost of any technical and training assistance provided by the Secretary that relates to the grant.

“(h) **GUIDELINES.**—

“(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this section, the Secretary shall issue guidelines to implement the grant program established under this section.

“(2) **ADMINISTRATION.**—The guidelines—

“(A) shall not apply to the Weatherization Assistance Program for Low-Income Persons, in whole or major part; but

“(B) may rely on applicable provisions of law governing the Weatherization Assistance Program for Low-Income Persons to establish—

“(i) standards for allowable expenditures;

“(ii) a minimum savings-to-investment ratio;

“(iii) standards—

“(I) to carry out training programs;

“(II) to conduct energy audits and program activities;

“(III) to provide technical assistance;

“(IV) to monitor program activities; and

“(V) to verify energy and cost savings;

“(iv) liability insurance requirements; and

“(v) recordkeeping requirements, which shall include reporting to the Office of Weatherization and Intergovernmental Programs of the Department of Energy applicable data on each home retrofitted.

“(i) **REVIEW AND EVALUATION.**—The Secretary shall review and evaluate the performance of any covered organization that receives a grant under this section (which may include an audit), as determined by the Secretary.

“(j) **COMPLIANCE WITH STATE AND LOCAL LAW.**—Nothing in this section or any program carried out using a grant provided under this section supersedes or otherwise

affects any State or local law, to the extent that the State or local law contains a requirement that is more stringent than the applicable requirement of this section.

“(k) **ANNUAL REPORTS.**—The Secretary shall submit to Congress annual reports that provide—

“(1) findings;

“(2) a description of energy and cost savings achieved and actions taken under this section; and

“(3) any recommendations for further action.

“(l) **FUNDING.**—Of the amount of funds that are made available to carry out the Weatherization Assistance Program for each of fiscal years 2016 through 2020 under section 422, the Secretary shall use to carry out this section for each of fiscal years 2016 through 2020 not less than—

“(1) 2 percent of the amount if the amount is less than \$225,000,000;

“(2) 5 percent of the amount if the amount is \$225,000,000 or more but less than \$260,000,000; and

“(3) 10 percent of the amount if the amount is \$260,000,000 or more.”.

(c) **STANDARDS PROGRAM.**—Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) is amended by adding at the end the following:

“(f) **STANDARDS PROGRAM.**—

“(1) **CONTRACTOR QUALIFICATION.**—Effective beginning January 1, 2016, to be eligible to carry out weatherization using funds made available under this part, a contractor shall be selected through a competitive bidding process and be—

“(A) accredited by the Building Performance Institute;

“(B) an Energy Smart Home Performance Team accredited under the Residential Energy Services Network; or

“(C) accredited by an equivalent accreditation or program accreditation-based State certification program approved by the Secretary.

“(2) **GRANTS FOR ENERGY RETROFIT MODEL PROGRAMS.**—

“(A) **IN GENERAL.**—To be eligible to receive a grant under section 414C, a covered organization (as defined in section 414C(b)) shall use a crew chief who—

“(i) is certified or accredited in accordance with paragraph (1); and

“(ii) supervises the work performed with grant funds.

“(B) **VOLUNTEER LABOR.**—A volunteer who performs work for a covered organization that receives a grant under section 414C shall not be required to be certified under this subsection if the volunteer is not directly installing or repairing mechanical equipment or other items that require skilled labor.

“(C) **TRAINING.**—The Secretary shall use training and technical assistance funds available to the Secretary to assist covered organizations under section 414C in providing training to obtain certification required under this subsection, including provisional or temporary certification.

“(3) **MINIMUM EFFICIENCY STANDARDS.**—Effective beginning October 1, 2016, the Secretary shall ensure that—

“(A) each retrofit for which weatherization assistance is provided under this part meets minimum efficiency and quality of work standards established by the Secretary after weatherization of a dwelling unit;

“(B) at least 10 percent of the dwelling units are randomly inspected by a third party accredited under this subsection to ensure compliance with the minimum efficiency and quality of work standards established under subparagraph (A); and

“(C) the standards established under this subsection meet or exceed the industry standards for home performance work that are in effect on the date of enactment of this subsection, as determined by the Secretary.”.

SEC. 1013. REAUTHORIZATION OF STATE ENERGY PROGRAM.

Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking “\$125,000,000 for each of fiscal years 2007 through 2012” and inserting “\$90,000,000 for each of fiscal years 2016 through 2020, of which not greater than 5 percent may be used to provide competitively awarded financial assistance”.

SEC. 1014. SMART BUILDING ACCELERATION.

(a) DEFINITIONS.—In this section:

(1) PROGRAM.—The term “program” means the Federal Smart Building Program established under subsection (b)(1).

(2) SMART BUILDING.—The term “smart building” means a building, or collection of buildings, with an energy system that—

(A) is flexible and automated;

(B) has extensive operational monitoring and communication connectivity, allowing remote monitoring and analysis of all building functions;

(C) takes a systems-based approach in integrating the overall building operations for control of energy generation, consumption, and storage;

(D) communicates with utilities and other third-party commercial entities, if appropriate; and

(E) is cybersecure.

(3) SMART BUILDING ACCELERATOR.—The term “smart building accelerator” means an initiative that is designed to demonstrate specific innovative policies and approaches—

(A) with clear goals and a clear timeline; and

(B) that, on successful demonstration, would accelerate investment in energy efficiency.

(b) FEDERAL SMART BUILDING PROGRAM.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a program to be known as the “Federal Smart Building Program” —

(A) to implement smart building technology; and

(B) to demonstrate the costs and benefits of smart buildings.

(2) SELECTION.—

(A) IN GENERAL.—The Secretary shall coordinate the selection of not fewer than 1 building from among each of several key Federal agencies, as described in paragraph (4), to compose an appropriately diverse set of smart buildings based on size, type, and geographic location.

(B) INCLUSION OF COMMERCIALLY OPERATED BUILDINGS.—In making selections under subparagraph (A), the Secretary may include buildings that are owned by the Federal Government but are commercially operated.

(3) TARGETS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish targets for the number of smart buildings to be commissioned and evaluated by key Federal agencies by 3 years and 6 years after the date of enactment of this Act.

(4) FEDERAL AGENCY DESCRIBED.—The key Federal agencies referred to in this subsection shall include buildings operated by—

(A) the Department of the Army;

(B) the Department of the Navy;

(C) the Department of the Air Force;

(D) the Department;

(E) the Department of the Interior;

(F) the Department of Veterans Affairs; and

(G) the General Services Administration.

(5) REQUIREMENT.—In implementing the program, the Secretary shall leverage existing financing mechanisms including energy savings performance contracts, utility energy service contracts, and annual appropriations.

(6) EVALUATION.—Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies—

(i) are most cost-effective; and

(ii) show the most promise for—

(I) increasing building energy savings;

(II) increasing service performance to building occupants;

(III) reducing environmental impacts; and

(IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

(7) AWARDS.—The Secretary may expand awards made under the Federal Energy Management Program and the Better Building Challenge to recognize specific agency achievements in accelerating the adoption of smart building technologies.

(c) SURVEY OF PRIVATE SECTOR SMART BUILDINGS.—

(1) SURVEY.—The Secretary shall conduct a survey of privately owned smart buildings throughout the United States, including commercial buildings, laboratory facilities, hospitals, multifamily residential buildings, and buildings owned by nonprofit organizations and institutions of higher education.

(2) SELECTION.—From among the smart buildings surveyed under paragraph (1), the Secretary shall select not fewer than 1 building each from an appropriate range of building sizes, types, and geographic locations.

(3) EVALUATION.—Using the guidelines of the Federal Energy Management Program relating to whole-building evaluation, measurement, and verification, the Secretary shall evaluate the costs and benefits of the buildings selected under paragraph (2), including an identification of—

(A) which advanced building technologies and systems—

(i) are most cost-effective; and

(ii) show the most promise for—

(I) increasing building energy savings;

(II) increasing service performance to building occupants;

(III) reducing environmental impacts; and

(IV) establishing cybersecurity; and

(B) any other information the Secretary determines to be appropriate.

(d) LEVERAGING EXISTING PROGRAMS.—

(1) BETTER BUILDING CHALLENGE.—As part of the Better Building Challenge of the Department, the Secretary, in consultation with major private sector property owners, shall develop smart building accelerators to demonstrate innovative policies and approaches that will accelerate the transition to smart buildings in the public, institutional, and commercial buildings sectors.

(2) RESEARCH AND DEVELOPMENT.—

(A) IN GENERAL.—The Secretary shall conduct research and development to address key barriers to the integration of advanced building technologies and to accelerate the transition to smart buildings.

(B) INCLUSION.—The research and development conducted under subparagraph (A) shall include research and development on—

(i) achieving whole-building, systems-level efficiency through smart system and component integration;

(ii) improving physical components, such as sensors and controls, to be adaptive, anticipatory, and networked;

(iii) reducing the cost of key components to accelerate the adoption of smart building technologies;

(iv) data management, including the capture and analysis of data and the interoperability of the energy systems;

(v) protecting against cybersecurity threats and addressing security vulnerabilities of building systems or equipment;

(vi) business models, including how business models may limit the adoption of smart building technologies and how to support transactive energy;

(vii) integration and application of combined heat and power systems and energy storage for resiliency;

(viii) characterization of buildings and components;

(ix) consumer and utility protections;

(x) continuous management, including the challenges of managing multiple energy systems and optimizing systems for disparate stakeholders; and

(xi) other areas of research and development, as determined appropriate by the Secretary.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until a total of 3 reports have been made, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on—

(1) the establishment of the Federal Smart Building Program and the evaluation of Federal smart buildings under subsection (b);

(2) the survey and evaluation of private sector smart buildings under subsection (c); and

(3) any recommendations of the Secretary to further accelerate the transition to smart buildings.

SEC. 1015. REPEAL OF FOSSIL PHASE-OUT.

Section 305(a)(3) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)) is amended by striking subparagraph (D).

SEC. 1016. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) (as amended by section 1001(a)) is amended—

(1) in paragraph (6), by striking “to be constructed” and inserting “constructed or altered”; and

(2) by adding at the end the following:

“(19) MAJOR RENOVATION.—The term ‘major renovation’ means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.”.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305(a)(3) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)) (as amended by section 1015) is amended—

(1) by striking “(3)(A) Not later than” and all that follows through subparagraph (B) and inserting the following:

“(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

“(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Energy

Policy Modernization Act of 2016, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

“(I) new Federal buildings and alterations and additions to existing Federal buildings—

“(aa) meet or exceed the most recent revision of the International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the Energy Policy Modernization Act of 2016; and

“(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the International Energy Conservation Code or ASHRAE Standard 90.1, as applicable;

“(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

“(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is applied under subclause (I)(aa), including updates under subparagraph (B); and

“(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

“(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

“(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

“(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.

“(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, the Secretary shall determine whether the revised standards established under subparagraph (A) should be updated to reflect the revisions, based on the energy savings and life-cycle cost-effectiveness of the revisions.”; and

(2) in subparagraph (C), by striking “(C) In the budget request” and inserting the following:

“(C) BUDGET REQUEST.—In the budget request”.

SEC. 1017. CODIFICATION OF EXECUTIVE ORDER.

Beginning in fiscal year 2016 and each fiscal year thereafter through fiscal year 2025, the head of each Federal agency shall, unless otherwise specified and where life-cycle cost-effective, promote building energy conservation, efficiency, and management by reducing, in Federal buildings of the agency, building energy intensity, as measured in British thermal units per gross square foot, by 2.5 percent each fiscal year, relative to the baseline of the building energy use of the applicable Federal buildings in fiscal year 2015 and after taking into account the progress of the Federal agency in preceding fiscal years.

SEC. 1018. CERTIFICATION FOR GREEN BUILDINGS.

Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) (as amended by sections 1015 and 1016(b)) is amended—

(1) in subsection (a)(3), by adding at the end the following:

“(D) CERTIFICATION FOR GREEN BUILDINGS.—

“(i) SUSTAINABLE DESIGN PRINCIPLES.—Sustainable design principles shall be applied to the siting, design, and construction of buildings covered by this subparagraph.

“(ii) SELECTION OF CERTIFICATION SYSTEMS.—The Secretary, after reviewing the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)), in consultation with the Administrator of General Services, and in consultation with the Secretary of Defense relating to those facilities under the custody and control of the Department of Defense, shall determine those certification systems for green commercial and residential buildings that the Secretary determines to be the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.

“(iii) BASIS FOR SELECTION.—The determination of the certification systems under clause (ii) shall be based on ongoing review of the findings of the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) and the criteria described in clause (v).

“(iv) ADMINISTRATION.—In determining certification systems under this subparagraph, the Secretary shall—

“(I) make a separate determination for all or part of each system;

“(II) confirm that the criteria used to support the selection of building products, materials, brands, and technologies—

“(aa) are fair and neutral (meaning that the criteria are based on an objective assessment of relevant technical data);

“(bb) do not prohibit, disfavor, or discriminate against selection based on technically inadequate information to inform human or environmental risk; and

“(cc) are expressed to prefer performance measures whenever performance measures may reasonably be used in lieu of prescriptive measures; and

“(III) use environmental and health criteria that are based on risk assessment methodology that is generally accepted by the applicable scientific disciplines.

“(v) CONSIDERATIONS.—In determining the green building certification systems under this subparagraph, the Secretary shall take into consideration—

“(I) the ability and availability of assessors and auditors to independently verify the criteria and measurement of metrics at the scale necessary to implement this subparagraph;

“(II) the ability of the applicable certification organization to collect and reflect public comment;

“(III) the ability of the standard to be developed and revised through a consensus-based process;

“(IV) an evaluation of the robustness of the criteria for a high-performance green building, which shall give credit for promoting—

“(aa) efficient and sustainable use of water, energy, and other natural resources;

“(bb) the use of renewable energy sources;

“(cc) improved indoor environmental quality through enhanced indoor air quality, thermal comfort, acoustics, day lighting, pollutant source control, and use of low-

emission materials and building system controls; and

“(dd) such other criteria as the Secretary determines to be appropriate; and

“(V) national recognition within the building industry.

“(vi) REVIEW.—The Secretary, in consultation with the Administrator of General Services and the Secretary of Defense, shall conduct an ongoing review to evaluate and compare private sector green building certification systems, taking into account—

“(I) the criteria described in clause (v); and

“(II) the identification made by the Federal Director under section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)).

“(vii) EXCLUSIONS.—

“(I) IN GENERAL.—Subject to subclause (II), if a certification system fails to meet the review requirements of clause (v), the Secretary shall—

“(aa) identify the portions of the system, whether prerequisites, credits, points, or otherwise, that meet the review criteria of clause (v);

“(bb) determine the portions of the system that are suitable for use; and

“(cc) exclude all other portions of the system from identification and use.

“(II) ENTIRE SYSTEMS.—The Secretary shall exclude an entire system from use if an exclusion under subclause (I)—

“(aa) impedes the integrated use of the system;

“(bb) creates disparate review criteria or unequal point access for competing materials; or

“(cc) increases agency costs of the use.

“(viii) INTERNAL CERTIFICATION PROCESSES.—The Secretary may by rule allow Federal agencies to develop internal certification processes, using certified professionals, in lieu of certification by certification entities identified under clause (ii).

“(ix) PRIVATIZED MILITARY HOUSING.—With respect to privatized military housing, the Secretary of Defense, after consultation with the Secretary may, through rulemaking, develop alternative certification systems and levels than the systems and levels identified under clause (ii) that achieve an equivalent result in terms of energy savings, sustainable design, and green building performance.

“(x) WATER CONSERVATION TECHNOLOGIES.—In addition to any use of water conservation technologies otherwise required by this section, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost-effective.

“(xi) EFFECTIVE DATE.—

“(I) DETERMINATIONS MADE AFTER DECEMBER 31, 2015.—This subparagraph shall apply to any determination made by a Federal agency after December 31, 2015.

“(II) DETERMINATIONS MADE ON OR BEFORE DECEMBER 31, 2015.—This subparagraph (as in effect on the day before the date of enactment of the Energy Policy Modernization Act of 2016) shall apply to any use of a certification system for green commercial and residential buildings by a Federal agency on or before December 31, 2015.”; and

(2) by striking subsections (c) and (d) and inserting the following:

“(c) PERIODIC REVIEW.—The Secretary shall—

“(1) once every 5 years, review the Federal building energy standards established under this section; and

“(2) on completion of a review under paragraph (1), if the Secretary determines that

significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.”

SEC. 1019. HIGH PERFORMANCE GREEN FEDERAL BUILDINGS.

Section 436(h) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17092(h)) is amended—

(1) in the subsection heading, by striking “SYSTEM” and inserting “SYSTEMS”;

(2) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Based on an ongoing review, the Federal Director shall identify and shall provide to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), a list of those certification systems that the Director identifies as the most likely to encourage a comprehensive and environmentally sound approach to certification of green buildings.”; and

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “system” and inserting “systems”;

(B) by striking subparagraph (A) and inserting the following:

“(A) an ongoing review provided to the Secretary pursuant to section 305(a)(3)(D) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(D)), which shall—

“(i) be carried out by the Federal Director to compare and evaluate standards; and

“(ii) allow any developer or administrator of a rating system or certification system to be included in the review.”;

(C) in subparagraph (E)(v), by striking “and” after the semicolon at the end;

(D) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(G) a finding that, for all credits addressing grown, harvested, or mined materials, the system does not discriminate against the use of domestic products that have obtained certifications of responsible sourcing; and

“(H) a finding that the system incorporates life-cycle assessment as a credit pathway.”.

SEC. 1020. EVALUATION OF POTENTIALLY DUPLICATIVE GREEN BUILDING PROGRAMS WITHIN DEPARTMENT OF ENERGY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—The term “administrative expenses” has the meaning given the term by the Director of the Office of Management and Budget under section 504(b)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (31 U.S.C. 1105 note; Public Law 111-85).

(B) INCLUSIONS.—The term “administrative expenses” includes, with respect to an agency—

(i) costs incurred by—

(I) the agency; or

(II) any grantee, subgrantee, or other recipient of funds from a grant program or other program administered by the agency; and

(ii) expenses relating to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication regarding, promotion of, and outreach for programs and program activities administered by the agency.

(2) APPLICABLE PROGRAM.—The term “applicable program” means any program that is—

(A) listed in Table 9 (pages 348-350) of the report of the Government Accountability Office entitled “2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue”; and

(B) administered by the Secretary.

(3) SERVICE.—

(A) IN GENERAL.—Subject to subparagraph (B), the term “service” has the meaning given the term by the Director of the Office of Management and Budget.

(B) REQUIREMENTS.—For purposes of subparagraph (A), the term “service” shall be limited to activities, assistance, or other aid that provides a direct benefit to a recipient, such as—

(i) the provision of technical assistance;

(ii) assistance for housing or tuition; or

(iii) financial support (including grants, loans, tax credits, and tax deductions).

(b) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2016, the Secretary shall submit to Congress and make available on the public Internet website of the Department a report that describes the applicable programs.

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall—

(A) determine the approximate annual total administrative expenses of each applicable program;

(B) determine the approximate annual expenditures for services for each applicable program;

(C) describe the intended market for each applicable program, including the—

(i) estimated the number of clients served by each applicable program; and

(ii) beneficiaries who received services or information under the applicable program (if applicable and if data is readily available);

(D) estimate—

(i) the number of full-time employees who administer each applicable program; and

(ii) the number of full-time equivalents (the salary of whom is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the applicable program;

(E) briefly describe the type of services each applicable program provides, such as information, grants, technical assistance, loans, tax credits, or tax deductions;

(F) identify the type of recipient who is intended to benefit from the services or information provided under the applicable program, such as individual property owners or renters, local governments, businesses, nonprofit organizations, or State governments; and

(G) identify whether written program goals are available for each applicable program.

(c) RECOMMENDATIONS.—Not later than January 1, 2016, the Secretary shall submit to Congress a report that includes—

(1) a recommendation of whether any applicable program should be eliminated or consolidated, including any legislative changes that would be necessary to eliminate or consolidate applicable programs; and

(2) methods to improve the applicable programs by establishing program goals or increasing collaboration to reduce any potential overlap or duplication, taking into account—

(A) the 2011 report of the Government Accountability Office entitled “Federal Initiatives for the NonFederal Sector Could Benefit from More Interagency Collaboration”; and

(B) the report of the Government Accountability Office entitled “2012 Annual Report:

Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue”.

(d) ANALYSES.—Not later than January 1, 2016, the Secretary shall identify—

(1) which applicable programs were specifically authorized by Congress; and

(2) which applicable programs are carried out solely under the discretionary authority of the Secretary.

SEC. 1021. STUDY AND REPORT ON ENERGY SAVINGS BENEFITS OF OPERATIONAL EFFICIENCY PROGRAMS AND SERVICES.

(a) DEFINITION OF OPERATIONAL EFFICIENCY PROGRAMS AND SERVICES.—In this section, the term “operational efficiency programs and services” means programs and services that use information and communications technologies (including computer hardware, energy efficiency software, and power management tools) to operate buildings and equipment in the optimum manner at the optimum times.

(b) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study and issue a report that quantifies the potential energy savings of operational efficiency programs and services for commercial, institutional, industrial, and governmental entities, including Federal agencies.

(c) MEASUREMENT AND VERIFICATION OF ENERGY SAVINGS.—The report required under this section shall include potential methodologies or protocols for utilities, utility regulators, and Federal agencies to evaluate, measure, and verify energy savings from operational efficiency programs and services.

Subtitle B—Appliances

SEC. 1101. EXTENDED PRODUCT SYSTEM REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC MOTOR.—The term “electric motor” has the meaning given the term in section 431.12 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) ELECTRONIC CONTROL.—The term “electronic control” means—

(A) a power converter; or

(B) a combination of a power circuit and control circuit included on 1 chassis.

(3) EXTENDED PRODUCT SYSTEM.—The term “extended product system” means an electric motor and any required associated electronic control and driven load that—

(A) offers variable speed or multispeed operation;

(B) offers partial load control that reduces input energy requirements (as measured in kilowatt-hours) as compared to identified base levels set by the Secretary; and

(C)(i) has greater than 1 horsepower; and

(ii) uses an extended product system technology, as determined by the Secretary.

(4) QUALIFIED EXTENDED PRODUCT SYSTEM.—

(A) IN GENERAL.—The term “qualified extended product system” means an extended product system that—

(i) includes an electric motor and an electronic control; and

(ii) reduces the input energy (as measured in kilowatt-hours) required to operate the extended product system by not less than 5 percent, as compared to identified base levels set by the Secretary.

(B) INCLUSIONS.—The term “qualified extended product system” includes commercial or industrial machinery or equipment that—

(i)(I) did not previously make use of the extended product system prior to the redesign described in subclause (II); and

(II) incorporates an extended product system that has greater than 1 horsepower into redesigned machinery or equipment; and

(ii) was previously used prior to, and was placed back into service during, calendar year 2016 or 2017.

(b) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to provide rebates for expenditures made by qualified entities for the purchase or installation of a qualified extended product system.

(c) **QUALIFIED ENTITIES.**—

(1) **ELIGIBILITY REQUIREMENTS.**—A qualified entity under this section shall be—

(A) in the case of a qualified extended product system described in subsection (a)(4)(A), the purchaser of the qualified extended product that is installed; and

(B) in the case of a qualified extended product system described in subsection (a)(4)(B), the manufacturer of the commercial or industrial machinery or equipment that incorporated the extended product system into that machinery or equipment.

(2) **APPLICATION.**—To be eligible to receive a rebate under this section, a qualified entity shall submit to the Secretary—

(A) an application in such form, at such time, and containing such information as the Secretary may require; and

(B) a certification that includes demonstrated evidence—

(i) that the entity is a qualified entity; and

(ii) (I) in the case of a qualified entity described in paragraph (1)(A)—

(aa) that the qualified entity installed the qualified extended product system during the 2 fiscal years following the date of enactment of this Act;

(bb) that the qualified extended product system meets the requirements of subsection (a)(4)(A); and

(cc) showing the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity on which the qualified extended product system was installed; or

(II) in the case of a qualified entity described in paragraph (1)(B), demonstrated evidence—

(aa) that the qualified extended product system meets the requirements of subsection (a)(4)(B); and

(bb) showing the serial number, manufacturer, and model number from the nameplate of the installed motor of the qualified entity with which the extended product system is integrated.

(d) **AUTHORIZED AMOUNT OF REBATE.**—

(1) **IN GENERAL.**—The Secretary may provide to a qualified entity a rebate in an amount equal to the product obtained by multiplying—

(A) an amount equal to the sum of the nameplate rated horsepower of—

(i) the electric motor to which the qualified extended product system is attached; and

(ii) the electronic control; and

(B) \$25.

(2) **MAXIMUM AGGREGATE AMOUNT.**—A qualified entity shall not be entitled to aggregate rebates under this section in excess of \$25,000 per calendar year.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of the first 2 full fiscal years following the date of enactment of this Act, to remain available until expended.

SEC. 1102. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **QUALIFIED ENERGY EFFICIENT TRANSFORMER.**—The term “qualified energy efficient transformer” means a transformer that meets or exceeds the applicable energy conservation standards described in the tables in subsection (b)(2) and paragraphs (1) and (2) of subsection (c) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) **QUALIFIED ENERGY INEFFICIENT TRANSFORMER.**—The term “qualified energy inefficient transformer” means a transformer with an equal number of phases and capacity to a transformer described in any of the tables in subsection (b)(2) and paragraphs (1) and (2) of subsection (c) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act) that—

(A) does not meet or exceed the applicable energy conservation standards described in paragraph (1); and

(B)(i) was manufactured between January 1, 1985, and December 31, 2006, for a transformer with an equal number of phases and capacity as a transformer described in the table in subsection (b)(2) of section 431.196 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act); or

(ii) was manufactured between January 1, 1990, and December 31, 2009, for a transformer with an equal number of phases and capacity as a transformer described in the table in paragraph (1) or (2) of subsection (c) of that section (as in effect on the date of enactment of this Act).

(3) **QUALIFIED ENTITY.**—The term “qualified entity” means an owner of industrial or manufacturing facilities, commercial buildings, or multifamily residential buildings, a utility, or an energy service company that fulfills the requirements of subsection (d).

(b) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a program to provide rebates to qualified entities for expenditures made by the qualified entity for the replacement of a qualified energy inefficient transformer with a qualified energy efficient transformer.

(c) **REQUIREMENTS.**—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence—

(1) that the entity purchased a qualified energy efficient transformer;

(2) of the core loss value of the qualified energy efficient transformer;

(3) of the age of the qualified energy inefficient transformer being replaced;

(4) of the core loss value of the qualified energy inefficient transformer being replaced—

(A) as measured by a qualified professional or verified by the equipment manufacturer, as applicable; or

(B) for transformers described in subsection (a)(2)(B)(i), as selected from a table of default values as determined by the Secretary in consultation with applicable industry; and

(5) that the qualified energy inefficient transformer has been permanently decommissioned and scrapped.

(d) **AUTHORIZED AMOUNT OF REBATE.**—The amount of a rebate provided under this section shall be—

(1) for a 3-phase or single-phase transformer with a capacity of not less than 10 and not greater than 2,500 kilovolt-amperes, twice the amount equal to the difference in

Watts between the core loss value (as measured in accordance with paragraphs (2) and (4) of subsection (c)) of—

(A) the qualified energy inefficient transformer; and

(B) the qualified energy efficient transformer; or

(2) for a transformer described in subsection (a)(2)(B)(i), the amount determined using a table of default rebate values by rated transformer output, as measured in kilovolt-amperes, as determined by the Secretary in consultation with applicable industry.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2016 and 2017, to remain available until expended.

(f) **TERMINATION OF EFFECTIVENESS.**—The authority provided by this section terminates on December 31, 2017.

SEC. 1103. STANDARDS FOR CERTAIN FURNACES.

Section 325(f)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)(4)) is amended by adding at the end the following:

“(E) **RESTRICTION ON FINAL RULE FOR RESIDENTIAL NON-WEATHERIZED GAS FURNACES AND MOBILE HOME FURNACES.**—

“(i) **IN GENERAL.**—Notwithstanding any other provision of this Act, the Secretary shall not prescribe a final rule amending the efficiency standards for residential non-weatherized gas furnaces or mobile home furnaces until each of the following has occurred:

“(I) The Secretary convenes a representative advisory group of interested stakeholders, including the manufacturers, distributors, and contractors of residential non-weatherized gas furnaces and mobile home furnaces, home builders, building owners, energy efficiency advocates, natural gas utilities, electric utilities, and consumer groups.

“(II) Not later than 1 year after the date of enactment of this subparagraph, the advisory group described in subclause (I) completes an analysis of a nationwide requirement of a condensing furnace efficiency standard including—

“(aa) a complete analysis of current market trends regarding the transition of sales from non-condensing furnaces to condensing furnaces;

“(bb) the projected net loss in the industry of the present value of original equipment manufactured after adoption of the standard;

“(cc) the projected consumer payback period and life cycle cost savings after adoption of the standard;

“(dd) a determination of whether the standard is economically justified, based solely on the definition of energy under section 321; and

“(ee) other common economic principles.

“(III) The advisory group described in subclause (I) reviews the analysis and determines whether a nationwide requirement of a condensing furnace efficiency standard is technically feasible and economically justified.

“(IV) The final determination of the advisory group under subclause (III) is published in the Federal Register.

“(ii) **AMENDED STANDARDS.**—If the advisory group determines under clause (i)(III) that a nationwide requirement of a condensing furnace efficiency standard is not technically feasible and economically justified, the Secretary shall, not later than 180 days after the date on which the final determination of the advisory group is published in the Federal Register under clause (i)(IV), establish amended standards through the negotiated

rulemaking procedure provided for under subchapter III of chapter 5 of title 5, United States Code (commonly known as the ‘Negotiated Rulemaking Act of 1990’).’.

SEC. 1104. THIRD-PARTY CERTIFICATION UNDER ENERGY STAR PROGRAM.

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following:

“(e) THIRD-PARTY CERTIFICATION.—

“(1) IN GENERAL.—Subject to paragraph (2), not later than 180 days after the date of enactment of this subsection, the Administrator shall revise the certification requirements for the labeling of consumer, home, and office electronic products for program partners that have complied with all requirements of the Energy Star program for a period of at least 18 months.

“(2) ADMINISTRATION.—In the case of a program partner described in paragraph (1), the new requirements under paragraph (1)—

“(A) shall not require third-party certification for a product to be listed; but

“(B) may require that test data and other product information be submitted to facilitate product listing and performance verification for a sample of products.

“(3) THIRD PARTIES.—Nothing in this subsection prevents the Administrator from using third parties in the course of the administration of the Energy Star program.

“(4) TERMINATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), an exemption from third-party certification provided to a program partner under paragraph (1) shall terminate if the program partner is found to have violated program requirements with respect to at least 2 separate models during a 2-year period.

“(B) RESUMPTION.—A termination for a program partner under subparagraph (A) shall cease if the program partner complies with all Energy Star program requirements for a period of at least 3 years.”.

SEC. 1105. ENERGY CONSERVATION STANDARDS FOR COMMERCIAL REFRIGERATION EQUIPMENT.

(a) DEADLINE.—The requirements of the final rule entitled “Energy Conservation Program: Energy Conservation Standards for Commercial Refrigeration Equipment” (79 Fed. Reg. 17725 (March 28, 2014)), shall take effect on January 1, 2020, for equipment covered by the final rule that—

(1) uses natural refrigerants with a global warming potential of 10 or less that are approved for use by the Environmental Protection Agency under the Significant New Alternatives Program;

(2) is within 1 of the following product categories:

(A) VCT.SC.M vertical cooler with transparent door self contained medium temperature; or

(B) HCT.SC.M horizontal cooler with transparent door self contained medium temperature; and

(3) uses not more than 115 percent of the energy use allowed by applicable standards under Energy Star 3.0.

(b) FUTURE RULEMAKINGS.—Nothing in this section changes the criteria to be considered during future rulemakings undertaken by the Department under title III of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

(c) REVIEW.—Notwithstanding subsection (a), the next review required under section 342(c)(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6313(c)(6)(B)) shall be conducted based on an effective date of March 27, 2017.

SEC. 1106. VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.

Section 326(b) of the Energy Policy and Conservation Act (42 U.S.C. 6296(b)) is amended by adding at the end the following:

“(6) VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.—

“(A) RELIANCE ON VOLUNTARY PROGRAMS.—For the purpose of periodic testing to verify compliance with energy conservation standards and Energy Star specifications established under sections 324A, 325, and 342 for covered products described in paragraphs (3), (4), (5), (9), and (11) of section 322(a) and covered equipment described in subparagraphs (B), (C), (D), (F), (I), (J), and (K) of section 340(1), the Secretary and the Administrator of the Environmental Protection Agency shall rely on testing conducted by voluntary verification programs that are recognized by the Secretary in accordance with subparagraph (B).

“(B) RECOGNITION OF VOLUNTARY VERIFICATION PROGRAMS.—

“(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall initiate a negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the ‘Negotiated Rulemaking Act of 1990’) to develop criteria that have consensus support for achieving recognition by the Secretary as an approved voluntary verification program.

“(ii) MINIMUM REQUIREMENTS.—The criteria developed under clause (i) shall, at a minimum, ensure that the voluntary verification program—

“(I) is nationally recognized;

“(II) is operated by a third party and not directly operated by a program participant;

“(III) satisfies any applicable elements of—

“(aa) International Organization for Standardization standard numbered 17025; and

“(bb) any other relevant International Organization for Standardization standards identified and agreed to through the negotiated rulemaking under clause (i);

“(IV) at least annually tests independently obtained products following the test procedures established under this title to verify the certified rating of a representative sample of products and equipment within the scope of the program;

“(V) maintains a publicly available list of all ratings of products subject to verification;

“(VI) requires the changing of the performance rating or removal of the product or equipment from the program if testing determines that the performance rating does not meet the levels the manufacturer has certified to the Secretary;

“(VII) requires new program participants to substantiate ratings through test data generated in accordance with DOE regulations;

“(VIII) allows for challenge testing of products and equipment within the scope of the program;

“(IX) requires program participants to disclose the performance rating of all covered products and equipment within the scope of the program for the covered product or equipment;

“(X) provides to the Secretary—

“(aa) an annual report of all test results, the contents of which shall be determined through the negotiated rulemaking process under clause (i); and

“(bb) test reports, on the request of the Secretary or the Administrator of the Environmental Protection Agency, that note any instructions specified by the manufacturer or the representative of the manufacturer for the purpose of conducting the verification testing, to be exempted from disclosure to the extent provided under section 552(b)(4) of title 5, United States Code (commonly known as the ‘Freedom of Information Act’); and

“(XI) satisfies any additional requirements or standards that the Secretary and Administrator of the Environmental Protection Agency shall establish consistent with this subparagraph.

“(iii) FINDING REQUIRED FOR CESSATION OF RECOGNITION.—The Secretary may only cease recognition of a voluntary verification program as an approved program described in subparagraph (A) on a finding that the program is not meeting its obligations for compliance through program review criteria established under this subparagraph.

“(iv) REVISIONS.—

“(I) IN GENERAL.—Major revisions to voluntary verification program criteria established under this subparagraph shall only be made pursuant to a subsequent negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the ‘Negotiated Rulemaking Act of 1990’).

“(II) NONMAJOR REVISIONS.—

“(aa) IN GENERAL.—The Secretary may make all other nonmajor criteria revisions by initiating a direct final rule in accordance with section 553(b)(3)(B) of title 5, United States Code, on a determination published in the Federal Register that revisions to the criteria are necessary and that substantive opposition to the proposed revisions is not expected.

“(bb) CONDITIONS FOR EFFECTIVENESS.—If the Secretary does not receive adversarial comments with respect to the determination published under item (aa) during the 30-day period following publication of that determination in the Federal Register, the direct final rule shall have the force and effect of law.

“(cc) WITHDRAWAL OF FINAL RULE.—Receipt of any adversarial comment with respect to the determination published under item (aa) shall require the Secretary to withdraw the direct final rule and publish—

“(AA) a notice of proposed rulemaking pursuant to section 553 of title 5, United States Code; or

“(BB) a notice of proposed rulemaking pursuant to section 553 of title 5, United States Code, that includes a determination that revisions to the criteria are necessary.

“(C) ADMINISTRATION.—

“(i) IN GENERAL.—The Secretary and the Administrator of the Environmental Protection Agency shall not require—

“(I) manufacturers to participate in a voluntary verification program described in subparagraph (A); or

“(II) participating manufacturers to provide information that has already been provided to the Secretary or the Administrator.

“(ii) LIST OF COVERED PRODUCTS.—The Secretary or the Administrator of the Environmental Protection Agency may maintain a publicly available list of covered products and equipment that distinguishes between products that are, and are not covered products and equipment verified through a voluntary verification program described in subparagraph (A);

“(iii) PERIODIC VERIFICATION TESTING.—

“(I) IN GENERAL.—The Secretary—

“(aa) shall not subject products or equipment that have been verification tested under a voluntary verification program described in subparagraph (A) to periodic verification testing that verifies the accuracy of the certified performance rating of the products or equipment; but

“(bb) may test products or equipment described in subclause (I) if the testing is necessary—

“(AA) to assess the overall performance of a voluntary verification program;

“(BB) to address specific performance issues;

“(CC) for use in updating test procedures and standards; or

“(DD) for other purposes consistent with this title.

“(II) ADDITIONAL TESTING.—The Secretary may subject products or equipment described in subclause (I) to periodic verification testing outside the restrictions of subclause (I)(bb), if agreed to during the rulemaking described in subparagraph (B)

“(D) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph limits the authority of the Secretary or the Administrator of the Environmental Protection Agency to enforce compliance with any law.”.

Subtitle C—Manufacturing

SEC. 1201. MANUFACTURING ENERGY EFFICIENCY.

(a) PURPOSES.—The purposes of this section are—

(1) to reform and reorient the industrial efficiency programs of the Department;

(2) to establish a clear and consistent authority for industrial efficiency programs of the Department;

(3) to accelerate the deployment of technologies and practices that will increase industrial energy efficiency and improve productivity;

(4) to accelerate the development and demonstration of technologies that will assist the deployment goals of the industrial efficiency programs of the Department and increase manufacturing efficiency;

(5) to stimulate domestic economic growth and improve industrial productivity and competitiveness; and

(6) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

(b) FUTURE OF INDUSTRY PROGRAM.—

(1) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: “FUTURE OF INDUSTRY PROGRAM”.

(2) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) ENERGY SERVICE PROVIDER.—The term ‘energy service provider’ means any business providing technology or services to improve the energy efficiency, water efficiency, power factor, or load management of a manufacturing site or other industrial process in an energy-intensive industry, or any utility operating under a utility energy service project.”.

(3) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(C) in subparagraph (A) (as redesignated by subparagraph (A)), by inserting before the semicolon at the end the following: “, including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes”; and

(D) by adding at the end the following:

“(2) COORDINATION.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

“(A) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

“(B) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

“(C) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

“(D) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

“(E) identify opportunities for reducing greenhouse gas emissions; and

“(F) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

“(3) OUTREACH.—The Secretary shall provide funding for—

“(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

“(B) coordination activities by each industrial research and assessment center to leverage efforts with—

“(i) Federal and State efforts;

“(ii) the efforts of utilities and energy service providers;

“(iii) the efforts of regional energy efficiency organizations; and

“(iv) the efforts of other industrial research and assessment centers.

“(4) WORKFORCE TRAINING.—

“(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

“(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

“(5) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum extent practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).

“(6) ADVANCED MANUFACTURING STEERING COMMITTEE.—The Secretary shall establish an advisory steering committee to provide recommendations to the Secretary on plan-

ning and implementation of the Advanced Manufacturing Office of the Department of Energy.”.

(c) SUSTAINABLE MANUFACTURING INITIATIVE.—

(1) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

“SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

“(a) IN GENERAL.—As part of the Office of Energy Efficiency and Renewable Energy, the Secretary, on the request of a manufacturer, shall conduct on-site technical assessments to identify opportunities for—

“(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

“(2) preventing pollution and minimizing waste;

“(3) improving efficient use of water in manufacturing processes;

“(4) conserving natural resources; and

“(5) achieving such other goals as the Secretary determines to be appropriate.

“(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology, to accelerate adoption of new and existing technologies and processes that improve energy efficiency.

“(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the industrial efficiency programs of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial plants, reduce pollution, and conserve natural resources.”.

(2) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

“Sec. 376. Sustainable manufacturing initiative.”.

(d) CONFORMING AMENDMENTS.—

(1) Section 106 of the Energy Policy Act of 2005 (42 U.S.C. 15811) is repealed.

(2) Sections 131, 132, 133, 2103, and 2107 of the Energy Policy Act of 1992 (42 U.S.C. 6348, 6349, 6350, 13453, 13456) are repealed.

(3) Section 2101(a) of the Energy Policy Act of 1992 (42 U.S.C. 13451(a)) is amended in the third sentence by striking “sections 2102, 2103, 2104, 2105, 2106, 2107, and 2108” and inserting “sections 2102, 2104, 2105, 2106, and 2108 of this Act and section 376 of the Energy Policy and Conservation Act.”.

SEC. 1202. LEVERAGING EXISTING FEDERAL AGENCY PROGRAMS TO ASSIST SMALL AND MEDIUM MANUFACTURERS.

(a) DEFINITIONS.—In this section and section 1203:

(1) ENERGY MANAGEMENT SYSTEM.—The term “energy management system” means a business management process based on standards of the American National Standards Institute that enables an organization to follow a systematic approach in achieving continual improvement of energy performance, including energy efficiency, security, use, and consumption.

(2) INDUSTRIAL ASSESSMENT CENTER.—The term “industrial assessment center” means a center located at an institution of higher education that—

(A) receives funding from the Department;
 (B) provides an in-depth assessment of small- and medium-size manufacturer plant sites to evaluate the facilities, services, and manufacturing operations of the plant site; and

(C) identifies opportunities for potential savings for small- and medium-size manufacturer plant sites from energy efficiency improvements, waste minimization, pollution prevention, and productivity improvement.

(3) **NATIONAL LABORATORY.**—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) **SMALL AND MEDIUM MANUFACTURERS.**—The term “small and medium manufacturers” means manufacturing firms—

(A) classified in the North American Industry Classification System as any of sectors 31 through 33;

(B) with gross annual sales of less than \$100,000,000;

(C) with fewer than 500 employees at the plant site; and

(D) with annual energy bills totaling more than \$100,000 and less than \$2,500,000.

(5) **SMART MANUFACTURING.**—The term “smart manufacturing” means a set of advanced sensing, instrumentation, monitoring, controls, and process optimization technologies and practices that merge information and communication technologies with the manufacturing environment for the real-time management of energy, productivity, and costs across factories and companies.

(b) **EXPANSION OF TECHNICAL ASSISTANCE PROGRAMS.**—The Secretary shall expand the scope of technologies covered by the Industrial Assessment Centers of the Department—

(1) to include smart manufacturing technologies and practices; and

(2) to equip the directors of the Industrial Assessment Centers with the training and tools necessary to provide technical assistance in smart manufacturing technologies and practices, including energy management systems, to manufacturers.

(c) **FUNDING.**—The Secretary shall use unobligated funds of the Department to carry out this section.

SEC. 1203. LEVERAGING SMART MANUFACTURING INFRASTRUCTURE AT NATIONAL LABORATORIES.

(a) **STUDY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a study on ways in which the Department can increase access to existing high-performance computing resources in the National Laboratories, particularly for small and medium manufacturers.

(2) **INCLUSIONS.**—In identifying ways to increase access to National Laboratories under paragraph (1), the Secretary shall—

(A) focus on increasing access to the computing facilities of the National Laboratories; and

(B) ensure that—

(i) the information from the manufacturer is protected; and

(ii) the security of the National Laboratory facility is maintained.

(3) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study.

(b) **ACTIONS FOR INCREASED ACCESS.**—The Secretary shall facilitate access to the National Laboratories studied under subsection (a) for small and medium manufacturers so

that small and medium manufacturers can fully use the high-performance computing resources of the National Laboratories to enhance the manufacturing competitiveness of the United States.

Subtitle D—Vehicles

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the “Vehicle Innovation Act of 2016”.

SEC. 1302. OBJECTIVES.

The objectives of this subtitle are—

(1) to establish a consistent and consolidated authority for the vehicle technology program at the Department;

(2) to develop United States technologies and practices that—

(A) improve the fuel efficiency and emissions of all vehicles produced in the United States; and

(B) reduce vehicle reliance on petroleum-based fuels;

(3) to support domestic research, development, engineering, demonstration, and commercial application and manufacturing of advanced vehicles, engines, and components;

(4) to enable vehicles to move larger volumes of goods and more passengers with less energy and emissions;

(5) to develop cost-effective advanced technologies for wide-scale utilization throughout the passenger, commercial, government, and transit vehicle sectors;

(6) to allow for greater consumer choice of vehicle technologies and fuels;

(7) shorten technology development and integration cycles in the vehicle industry;

(8) to ensure a proper balance and diversity of Federal investment in vehicle technologies; and

(9) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

SEC. 1303. COORDINATION AND NONDUPLICATION.

The Secretary shall ensure, to the maximum extent practicable, that the activities authorized by this subtitle do not duplicate those of other programs within the Department or other relevant research agencies.

SEC. 1304. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary for research, development, engineering, demonstration, and commercial application of vehicles and related technologies in the United States, including activities authorized under this subtitle—

(1) for fiscal year 2016, \$313,567,000;

(2) for fiscal year 2017, \$326,109,000;

(3) for fiscal year 2018, \$339,154,000;

(4) for fiscal year 2019, \$352,720,000; and

(5) for fiscal year 2020, \$366,829,000.

SEC. 1305. REPORTING.

(a) **TECHNOLOGIES DEVELOPED.**—Not later than 18 months after the date of enactment of this Act and annually thereafter through 2020, the Secretary shall submit to Congress a report regarding the technologies developed as a result of the activities authorized by this subtitle, with a particular emphasis on whether the technologies were successfully adopted for commercial applications, and if so, whether products relying on those technologies are manufactured in the United States.

(b) **ADDITIONAL MATTERS.**—At the end of each fiscal year through 2020, the Secretary shall submit to the relevant Congressional committees of jurisdiction an annual report describing activities undertaken in the previous year under this Act, active industry participants, the status of public private partnerships, progress of the program in meeting goals and timelines, and a strategic plan for funding of activities across agencies.

PART I—VEHICLE RESEARCH AND DEVELOPMENT

SEC. 1306. PROGRAM.

(a) **ACTIVITIES.**—The Secretary shall conduct a program of basic and applied research, development, engineering, demonstration, and commercial application activities on materials, technologies, and processes with the potential to substantially reduce or eliminate petroleum use and the emissions of the Nation’s passenger and commercial vehicles, including activities in the areas of—

(1) electrification of vehicle systems;

(2) batteries, ultracapacitors, and other energy storage devices;

(3) power electronics;

(4) vehicle, component, and subsystem manufacturing technologies and processes;

(5) engine efficiency and combustion optimization;

(6) waste heat recovery;

(7) transmission and drivetrains;

(8) hydrogen vehicle technologies, including fuel cells and internal combustion engines, and hydrogen infrastructure, including hydrogen energy storage to enable renewables and provide hydrogen for fuel and power;

(9) natural gas vehicle technologies;

(10) aerodynamics, rolling resistance (including tires and wheel assemblies), and accessory power loads of vehicles and associated equipment;

(11) vehicle weight reduction, including lightweighting materials and the development of manufacturing processes to fabricate, assemble, and use dissimilar materials;

(12) friction and wear reduction;

(13) engine and component durability;

(14) innovative propulsion systems;

(15) advanced boosting systems;

(16) hydraulic hybrid technologies;

(17) engine compatibility with and optimization for a variety of transportation fuels including natural gas and other liquid and gaseous fuels;

(18) predictive engineering, modeling, and simulation of vehicle and transportation systems;

(19) refueling and charging infrastructure for alternative fueled and electric or plug-in electric hybrid vehicles, including the unique challenges facing rural areas;

(20) gaseous fuels storage systems and system integration and optimization;

(21) sensing, communications, and actuation technologies for vehicle, electrical grid, and infrastructure;

(22) efficient use, substitution, and recycling of potentially critical materials in vehicles, including rare earth elements and precious metals, at risk of supply disruption;

(23) aftertreatment technologies;

(24) thermal management of battery systems;

(25) retrofitting advanced vehicle technologies to existing vehicles;

(26) development of common standards, specifications, and architectures for both transportation and stationary battery applications;

(27) advanced internal combustion engines;

(28) mild hybrid;

(29) engine down speeding;

(30) vehicle-to-vehicle, vehicle-to-pedestrian, and vehicle-to-infrastructure technologies; and

(31) other research areas as determined by the Secretary.

(b) **TRANSFORMATIONAL TECHNOLOGY.**—The Secretary shall ensure that the Department continues to support research, development, engineering, demonstration, and commercial

application activities and maintains competency in mid- to long-term transformational vehicle technologies with potential to achieve reductions in emissions, including activities in the areas of—

(1) hydrogen vehicle technologies, including fuel cells, hydrogen storage, infrastructure, and activities in hydrogen technology validation and safety codes and standards;

(2) multiple battery chemistries and novel energy storage devices, including nonchemical batteries and electromechanical storage technologies such as hydraulics, flywheels, and compressed air storage;

(3) communication and connectivity among vehicles, infrastructure, and the electrical grid; and

(4) other innovative technologies research and development, as determined by the Secretary.

(c) **INDUSTRY PARTICIPATION.**—To the maximum extent practicable, activities under this Act shall be carried out in partnership or collaboration with automotive manufacturers, heavy commercial, vocational, and transit vehicle manufacturers, qualified plug-in electric vehicle manufacturers, compressed natural gas vehicle manufacturers, vehicle and engine equipment and component manufacturers, manufacturing equipment manufacturers, advanced vehicle service providers, fuel producers and energy suppliers, electric utilities, universities, national laboratories, and independent research laboratories. In carrying out this Act the Secretary shall—

(1) determine whether a wide range of companies that manufacture or assemble vehicles or components in the United States are represented in ongoing public private partnership activities, including firms that have not traditionally participated in federally sponsored research and development activities, and where possible, partner with such firms that conduct significant and relevant research and development activities in the United States;

(2) leverage the capabilities and resources of, and formalize partnerships with, industry-led stakeholder organizations, nonprofit organizations, industry consortia, and trade associations with expertise in the research and development of, and education and outreach activities in, advanced automotive and commercial vehicle technologies;

(3) develop more effective processes for transferring research findings and technologies to industry;

(4) support public-private partnerships, dedicated to overcoming barriers in commercial application of transformational vehicle technologies, that utilize such industry-led technology development facilities of entities with demonstrated expertise in successfully designing and engineering pre-commercial generations of such transformational technology; and

(5) promote efforts to ensure that technology research, development, engineering, and commercial application activities funded under this Act are carried out in the United States.

(d) **INTERAGENCY AND INTRAAGENCY COORDINATION.**—To the maximum extent practicable, the Secretary shall coordinate research, development, demonstration, and commercial application activities among—

(1) relevant programs within the Department, including—

(A) the Office of Energy Efficiency and Renewable Energy;

(B) the Office of Science;

(C) the Office of Electricity Delivery and Energy Reliability;

(D) the Office of Fossil Energy;

(E) the Advanced Research Projects Agency—Energy; and

(F) other offices as determined by the Secretary; and

(2) relevant technology research and development programs within other Federal agencies, as determined by the Secretary.

(e) **FEDERAL DEMONSTRATION OF TECHNOLOGIES.**—The Secretary shall make information available to procurement programs of Federal agencies regarding the potential to demonstrate technologies resulting from activities funded through programs under this Act.

(f) **INTERGOVERNMENTAL COORDINATION.**—The Secretary shall seek opportunities to leverage resources and support initiatives of State and local governments in developing and promoting advanced vehicle technologies, manufacturing, and infrastructure.

(g) **CRITERIA.**—When awarding grants under this program, the Secretary shall give priority to those technologies (either individually or as part of a system) that—

(1) provide the greatest aggregate fuel savings based on the reasonable projected sales volumes of the technology; and

(2) provide the greatest increase in United States employment.

SEC. 1307. MANUFACTURING.

The Secretary shall carry out a research, development, engineering, demonstration, and commercial application program of advanced vehicle manufacturing technologies and practices, including innovative processes—

(1) to increase the production rate and decrease the cost of advanced battery and fuel cell manufacturing;

(2) to vary the capability of individual manufacturing facilities to accommodate different battery chemistries and configurations;

(3) to reduce waste streams, emissions, and energy intensity of vehicle, engine, advanced battery and component manufacturing processes;

(4) to recycle and remanufacture used batteries and other vehicle components for reuse in vehicles or stationary applications;

(5) to develop manufacturing processes to effectively fabricate, assemble, and produce cost-effective lightweight materials such as advanced aluminum and other metal alloys, polymeric composites, and carbon fiber for use in vehicles;

(6) to produce lightweight high pressure storage systems for gaseous fuels;

(7) to design and manufacture purpose-built hydrogen fuel cell vehicles and components;

(8) to improve the calendar life and cycle life of advanced batteries; and

(9) to produce permanent magnets for advanced vehicles.

PART II—MEDIUM- AND HEAVY-DUTY COMMERCIAL AND TRANSIT VEHICLES

SEC. 1308. PROGRAM.

The Secretary, in partnership with relevant research and development programs in other Federal agencies, and a range of appropriate industry stakeholders, shall carry out a program of cooperative research, development, demonstration, and commercial application activities on advanced technologies for medium- to heavy-duty commercial, vocational, recreational, and transit vehicles, including activities in the areas of—

(1) engine efficiency and combustion research;

(2) onboard storage technologies for compressed and liquefied natural gas;

(3) development and integration of engine technologies designed for natural gas operation of a variety of vehicle platforms;

(4) waste heat recovery and conversion;

(5) improved aerodynamics and tire rolling resistance;

(6) energy and space-efficient emissions control systems;

(7) mild hybrid, heavy hybrid, hybrid hydraulic, plug-in hybrid, and electric platforms, and energy storage technologies;

(8) drivetrain optimization;

(9) friction and wear reduction;

(10) engine idle and parasitic energy loss reduction;

(11) electrification of accessory loads;

(12) onboard sensing and communications technologies;

(13) advanced lightweighting materials and vehicle designs;

(14) increasing load capacity per vehicle;

(15) thermal management of battery systems;

(16) recharging infrastructure;

(17) compressed natural gas infrastructure;

(18) advanced internal combustion engines;

(19) complete vehicle and power pack modeling, simulation, and testing;

(20) hydrogen vehicle technologies, including fuel cells and internal combustion engines, and hydrogen infrastructure, including hydrogen energy storage to enable renewables and provide hydrogen for fuel and power;

(21) retrofitting advanced technologies onto existing truck fleets;

(22) advanced boosting systems;

(23) engine down speeding; and

(24) integration of these and other advanced systems onto a single truck and trailer platform.

SEC. 1309. CLASS 8 TRUCK AND TRAILER SYSTEMS DEMONSTRATION.

(a) **IN GENERAL.**—The Secretary shall conduct a competitive grant program to demonstrate the integration of multiple advanced technologies on Class 8 truck and trailer platforms, including a combination of technologies listed in section 1308.

(b) **APPLICANT TEAMS.**—Applicant teams may be comprised of truck and trailer manufacturers, engine and component manufacturers, fleet customers, university researchers, and other applicants as appropriate for the development and demonstration of integrated Class 8 truck and trailer systems.

SEC. 1310. TECHNOLOGY TESTING AND METRICS.

The Secretary, in coordination with the partners of the interagency research program described in section 1308—

(1) shall develop standard testing procedures and technologies for evaluating the performance of advanced heavy vehicle technologies under a range of representative duty cycles and operating conditions, including for heavy hybrid propulsion systems;

(2) shall evaluate heavy vehicle performance using work performance-based metrics other than those based on miles per gallon, including those based on units of volume and weight transported for freight applications, and appropriate metrics based on the work performed by nonroad systems; and

(3) may construct heavy duty truck and bus testing facilities.

SEC. 1311. NONROAD SYSTEMS PILOT PROGRAM.

The Secretary shall undertake a pilot program of research, development, demonstration, and commercial applications of technologies to improve total machine or system efficiency for nonroad mobile equipment including agricultural, construction, air, and sea port equipment, and shall seek opportunities to transfer relevant research findings

and technologies between the nonroad and on-highway equipment and vehicle sectors.

PART III—ADMINISTRATION

SEC. 1312. REPEAL OF EXISTING AUTHORITIES.

(a) IN GENERAL.—Sections 706, 711, 712, and 933 of the Energy Policy Act of 2005 (42 U.S.C. 16051, 16061, 16062, 16233) are repealed.

(b) ENERGY EFFICIENCY.—Section 911 of the Energy Policy Act of 2005 (42 U.S.C. 16191) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by striking “vehicles, buildings,” and inserting “buildings”; and

(B) in paragraph (2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(2) in subsection (c)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) in paragraph (3) (as so redesignated), by striking “(a)(2)(D)” and inserting “(a)(2)(C)”.

Subtitle E—Short Title

SEC. 1401. SHORT TITLE.

This title may be cited as the “Portman-Shaheen Energy Efficiency Improvement Act of 2016”.

TITLE II—INFRASTRUCTURE

Subtitle A—Cybersecurity

SEC. 2001. CYBERSECURITY THREATS.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

“SEC. 224. CYBERSECURITY THREATS.

“(a) DEFINITIONS.—In this section:

“(1) BULK-POWER SYSTEM.—The term ‘bulk-power system’ has the meaning given the term in section 215.

“(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ‘critical electric infrastructure’ means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of those matters.

“(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

“(A) IN GENERAL.—The term ‘critical electric infrastructure information’ means information related to critical electric infrastructure, or proposed critical electric infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2).

“(B) INCLUSIONS.—The term ‘critical electric infrastructure information’ includes information that qualifies as critical energy infrastructure information under regulations promulgated by the Commission.

“(4) CYBERSECURITY THREAT.—The term ‘cybersecurity threat’ means the imminent danger of an act that severely disrupts, attempts to severely disrupt, or poses a significant risk of severely disrupting the operation of programmable electronic devices or communications networks (including hardware, software, and data) essential to the reliable operation of the bulk-power system.

“(5) ELECTRIC RELIABILITY ORGANIZATION.—The term ‘Electric Reliability Organization’ has the meaning given the term in section 215.

“(6) REGIONAL ENTITY.—The term ‘regional entity’ has the meaning given the term in section 215.

“(7) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy.

“(b) EMERGENCY AUTHORITY OF SECRETARY.—

“(1) IN GENERAL.—If the President notifies the Secretary that the President has made a determination that immediate action is necessary to protect the bulk-power system from a cybersecurity threat, the Secretary may require, by order and with or without notice, any entity that is registered with the Electric Reliability Organization as an owner, operator, or user of the bulk-power system to take such actions as the Secretary determines will best avert or mitigate the cybersecurity threat.

“(2) WRITTEN EXPLANATION.—As soon as practicable after notifying the Secretary under paragraph (1), the President shall—

“(A) provide to the Secretary, in writing, a record of the determination and an explanation of the reasons for the determination; and

“(B) promptly notify, in writing, congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, the directive or determination.

“(3) COORDINATION WITH CANADA AND MEXICO.—In exercising the authority pursuant to this subsection, the Secretary is encouraged to consult and coordinate with the appropriate officials in Canada and Mexico responsible for the protection of cybersecurity of the interconnected North American electricity grid.

“(4) CONSULTATION.—Before exercising authority pursuant to this subsection, to the maximum extent practicable, taking into consideration the nature of an identified cybersecurity threat and the urgency of need for action, the Secretary shall consult regarding implementation of actions that will effectively address the cybersecurity threat with—

“(A) any entities potentially subject to the cybersecurity threat that own, control, or operate bulk-power system facilities;

“(B) the Electric Reliability Organization;

“(C) the Electricity Sub-sector Coordinating Council (as established by the Electric Reliability Organization); and

“(D) officials of other Federal departments and agencies, as appropriate.

“(5) COST RECOVERY.—

“(A) IN GENERAL.—The Commission shall adopt regulations that permit entities subject to an order under paragraph (1) to seek recovery of prudently incurred costs required to implement actions ordered by the Secretary under this subsection.

“(B) REQUIREMENTS.—Any rate or charge approved under regulations adopted pursuant to this paragraph—

“(i) shall be just and reasonable; and

“(ii) shall not be unduly discriminatory or preferential.

“(c) DURATION OF EMERGENCY ORDERS.—An order issued by the Secretary pursuant to subsection (b) shall remain in effect for not longer than the 30-day period beginning on the effective date of the order, unless, during that 30-day-period, the Secretary—

“(1) provides to interested persons an opportunity to submit written data, recommendations, and arguments; and

“(2) affirms, amends, or repeals the order, subject to the condition that an amended order shall not exceed a total duration of 90 days.

“(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE.—

“(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE.—Critical electric infrastructure information—

“(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

“(B) shall not be made available by any State, political subdivision, or tribal authority pursuant to any State, political subdivision, or tribal law requiring disclosure of information or records.

“(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than 1 year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary—

“(A) to designate critical electric infrastructure information;

“(B) to prohibit the unauthorized disclosure of critical electric infrastructure information; and

“(C) to ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section;

“(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in—

“(A) reviewing the prudence and cost of investments;

“(B) determining the rates and terms of conditions for electric services; and

“(C) ensuring the safety and reliability of the bulk-power system and distribution facilities within the respective jurisdictions of the State commissions.

“(4) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section requires a person or entity in possession of critical electric infrastructure information to share the information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

“(5) DISCLOSURE OF NONCRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—In carrying out this section, the Commission shall segregate critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.”.

SEC. 2002. ENHANCED GRID SECURITY.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC UTILITY.—The term “electric utility” has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(2) ES-ISAC.—The term “ES-ISAC” means the Electricity Sector Information Sharing and Analysis Center.

(3) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SECTOR-SPECIFIC AGENCY.—The term “Sector-Specific Agency” has the meaning given the term in the Presidential policy directive entitled “Critical Infrastructure Security and Resilience”, numbered 21, and dated February 12, 2013.

(b) SECTOR-SPECIFIC AGENCY FOR CYBERSECURITY FOR THE ENERGY SECTOR.—

(1) IN GENERAL.—The Department shall be the lead Sector-Specific Agency for cybersecurity for the energy sector.

(2) DUTIES.—As the designated Sector-Specific Agency for cybersecurity, the duties of the Department shall include—

(A) coordinating with the Department of Homeland Security and other relevant Federal departments and agencies;

(B) collaborating with—

(i) critical infrastructure owners and operators; and

(ii) as appropriate—

(I) independent regulatory agencies; and

(II) State, local, tribal and territorial entities;

(C) serving as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities;

(D) carrying out incident management responsibilities consistent with applicable law (including regulations) and other appropriate policies or directives;

(E) providing, supporting, or facilitating technical assistance and consultations for the energy sector to identify vulnerabilities and help mitigate incidents, as appropriate; and

(F) supporting the reporting requirements of the Department of Homeland Security under applicable law by providing, on an annual basis, sector-specific critical infrastructure information.

(c) CYBERSECURITY FOR THE ENERGY SECTOR RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Secretary, in consultation with appropriate Federal agencies, the energy sector, the States, and other stakeholders, shall carry out a program—

(A) to develop advanced cybersecurity applications and technologies for the energy sector—

(i) to identify and mitigate vulnerabilities, including—

(I) dependencies on other critical infrastructure; and

(II) impacts from weather and fuel supply; and

(ii) to advance the security of field devices and third-party control systems, including—

(I) systems for generation, transmission, distribution, end use, and market functions;

(II) specific electric grid elements including advanced metering, demand response, distributed generation, and electricity storage;

(III) forensic analysis of infected systems; and

(IV) secure communications;

(B) to leverage electric grid architecture as a means to assess risks to the energy sector, including by implementing an all-hazards approach to communications infrastructure, control systems architecture, and power systems architecture;

(C) to perform pilot demonstration projects with the energy sector to gain experience with new technologies; and

(D) to develop workforce development curricula for energy sector-related cybersecurity.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$65,000,000 for each of fiscal years 2017 through 2025.

(d) ENERGY SECTOR COMPONENT TESTING FOR CYBERRESILIENCE PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a program—

(A) to establish a cybertesting and mitigation program to identify vulnerabilities of energy sector supply chain products to known threats;

(B) to oversee third-party cybertesting; and

(C) to develop procurement guidelines for energy sector supply chain components.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this subsection \$15,000,000 for each of fiscal years 2017 through 2025.

(e) ENERGY SECTOR OPERATIONAL SUPPORT FOR CYBERRESILIENCE PROGRAM.—

(1) IN GENERAL.—The Secretary may carry out a program—

(A) to enhance and periodically test—

(i) the emergency response capabilities of the Department; and

(ii) the coordination of the Department with other agencies, the National Laboratories, and private industry;

(B) to expand cooperation of the Department with the intelligence communities for energy sector-related threat collection and analysis;

(C) to enhance the tools of the Department and ES-ISAC for monitoring the status of the energy sector;

(D) to expand industry participation in ES-ISAC; and

(E) to provide technical assistance to small electric utilities for purposes of assessing cybermaturity level.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2017 through 2025.

(f) MODELING AND ASSESSING ENERGY INFRASTRUCTURE RISK.—

(1) IN GENERAL.—The Secretary shall develop an advanced energy security program to secure energy networks, including electric, natural gas, and oil exploration, transmission, and delivery.

(2) SECURITY AND RESILIENCY OBJECTIVE.—The objective of the program developed under paragraph (1) is to increase the functional preservation of the electric grid operations or natural gas and oil operations in the face of natural and human-made threats and hazards, including electric magnetic pulse and geomagnetic disturbances.

(3) ELIGIBLE ACTIVITIES.—In carrying out the program developed under paragraph (1), the Secretary may—

(A) develop capabilities to identify vulnerabilities and critical components that pose major risks to grid security if destroyed or impaired;

(B) provide modeling at the national level to predict impacts from natural or human-made events;

(C) develop a maturity model for physical security and cybersecurity;

(D) conduct exercises and assessments to identify and mitigate vulnerabilities to the electric grid, including providing mitigation recommendations;

(E) conduct research hardening solutions for critical components of the electric grid;

(F) conduct research mitigation and recovery solutions for critical components of the electric grid; and

(G) provide technical assistance to States and other entities for standards and risk analysis.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2017 through 2025.

(g) LEVERAGING EXISTING PROGRAMS.—The programs established under this section shall be carried out consistent with—

(1) the report of the Department entitled “Roadmap to Achieve Energy Delivery Systems Cybersecurity” and dated 2011;

(2) existing programs of the Department; and

(3) any associated strategic framework that links together academic and National Laboratory researchers, electric utilities, manufacturers, and any other relevant private industry organizations, including the Electricity Sub-sector Coordinating Council.

(h) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Federal Energy Regulatory Commission and the North American Electric Reliability Corporation, shall conduct a study to explore alternative management structures and funding mechanisms to expand industry membership and participation in ES-ISAC.

(2) REPORT.—The Secretary shall submit to the appropriate committees of Congress a report describing the results of the study conducted under paragraph (1).

Subtitle B—Strategic Petroleum Reserve

SEC. 2101. STRATEGIC PETROLEUM RESERVE MODERNIZATION.

(a) REAFFIRMATION OF POLICY.—Congress reaffirms the continuing strategic importance and need for the Strategic Petroleum Reserve as found and declared in section 151 of the Energy Policy and Conservation Act (42 U.S.C. 6231).

(b) SPR PETROLEUM ACCOUNT.—Section 167(b) of the Energy Policy and Conservation Act (42 U.S.C. 6247(b)) is amended to read as follows:

“(b) OBLIGATION OF FUNDS FOR THE ACQUISITION, TRANSPORTATION, AND INJECTION OF PETROLEUM PRODUCTS INTO SPR AND FOR OTHER PURPOSES.—

“(1) PURPOSES.—Amounts in the Account may be obligated by the Secretary of Energy for—

“(A) the acquisition, transportation, and injection of petroleum products into the Reserve;

“(B) test sales of petroleum products from the Reserve;

“(C) the drawdown, sale, and delivery of petroleum products from the Reserve;

“(D) the construction, maintenance, repair, and replacement of storage facilities and related facilities; and

“(E) carrying out non-Reserve projects needed to enhance the energy security of the United States by increasing the resilience, reliability, safety, and security of energy supply, transmission, storage, or distribution infrastructure.

“(2) AMOUNTS.—Amounts in the Account may be obligated by the Secretary of Energy for purposes of paragraph (1), in the case of any fiscal year—

“(A) subject to section 660 of the Department of Energy Organization Act (42 U.S.C. 7270), in such aggregate amounts as may be appropriated in advance in appropriations Acts; and

“(B) notwithstanding section 660 of the Department of Energy Organization Act (42 U.S.C. 7270), in an aggregate amount equal to the aggregate amount of the receipts to the United States from the sale of petroleum products in any drawdown and a distribution of the Reserve under section 161, including—

“(i) a drawdown and distribution carried out under subsection (g) of that section; or

“(ii) from the sale of petroleum products under section 160(f).

“(3) AVAILABILITY OF FUNDS.—Funds available to the Secretary of Energy for obligation under this subsection may remain available without fiscal year limitation.”.

(c) DEFINITION OF RELATED FACILITY.—Section 152(8) of the Energy Policy and Conservation Act (42 U.S.C. 6232(8)) is amended by inserting “terminals,” after “reservoirs.”.

Subtitle C—Trade

SEC. 2201. ACTION ON APPLICATIONS TO EXPORT LIQUEFIED NATURAL GAS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the

Federal Energy Regulatory Commission or the Maritime Administration to site, construct, expand, or operate liquefied natural gas export facilities, the Secretary shall issue a final decision on any application for the authorization to export natural gas under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) not later than 45 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the liquefied natural gas export facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) **CONCLUSION OF REVIEW.**—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be considered concluded when the lead agency—

(1) for a project requiring an Environmental Impact Statement, publishes a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, publishes a Finding of No Significant Impact; or

(3) determines that an application is eligible for a categorical exclusion pursuant to National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations.

(c) **JUDICIAL REVIEW.**—

(1) **IN GENERAL.**—Except for review in the Supreme Court, the United States Court of Appeals for the District of Columbia Circuit or the circuit in which the liquefied natural gas export facility will be located pursuant to an application described in subsection (a) shall have original and exclusive jurisdiction over any civil action for the review of—

(A) an order issued by the Secretary with respect to such application; or

(B) the failure of the Secretary to issue a final decision on such application.

(2) **ORDER.**—If the Court in a civil action described in paragraph (1) finds that the Secretary has failed to issue a final decision on the application as required under subsection (a), the Court shall order the Secretary to issue the final decision not later than 30 days after the order of the Court.

(3) **EXPEDITED CONSIDERATION.**—The Court shall—

(A) set any civil action brought under this subsection for expedited consideration; and

(B) set the matter on the docket as soon as practicable after the filing date of the initial pleading.

(4) **TRANSFERS.**—In the case of an application described in subsection (a) for which a petition for review has been filed—

(A) upon motion by an applicant, the matter shall be transferred to the United States Court of Appeals for the District of Columbia Circuit or the circuit in which a liquefied natural gas export facility will be located pursuant to an application described in section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)); and

(B) the provisions of this section shall apply.

SEC. 2202. PUBLIC DISCLOSURE OF LIQUEFIED NATURAL GAS EXPORT DESTINATIONS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

“(g) **PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.**—

“(1) **IN GENERAL.**—In the case of any authorization to export liquefied natural gas, the Secretary of Energy shall require the applicant to report to the Secretary of Energy the names of the 1 or more countries of des-

tinuation to which the exported liquefied natural gas is delivered.

“(2) **TIMING.**—The applicant shall file the report required under paragraph (1) not later than—

“(A) in the case of the first export, the last day of the month following the month of the first export; and

“(B) in the case of subsequent exports, the date that is 30 days after the last day of the applicable month concerning the activity of the previous month.

“(3) **DISCLOSURE.**—The Secretary of Energy shall publish the information reported under this subsection on the website of the Department of Energy and otherwise make the information available to the public.”.

SEC. 2203. ENERGY DATA COLLABORATION.

(a) **IN GENERAL.**—The Administrator of the Energy Information Administration (referred to in this section as the “Administrator”) shall collaborate with the appropriate officials in Canada and Mexico, as determined by the Administrator, to improve—

(1) the quality and transparency of energy data in North America through reconciliation of data on energy trade flows among the United States, Canada, and Mexico;

(2) the extension of energy mapping capabilities in the United States, Canada, and Mexico; and

(3) the development of common energy data terminology among the United States, Canada, and Mexico.

(b) **PERIODIC UPDATES.**—The Administrator shall periodically submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives an update on—

(1) the extent to which energy data is being shared under subsection (a); and

(2) whether forward-looking projections for regional energy flows are improving in accuracy as a result of the energy data sharing under that subsection.

Subtitle D—Electricity and Energy Storage

SEC. 2301. GRID STORAGE PROGRAM.

(a) **IN GENERAL.**—The Secretary shall conduct a program of research, development, and demonstration of electric grid energy storage that addresses the principal challenges identified in the 2013 Department of Energy Strategic Plan for Grid Energy Storage.

(b) **AREAS OF FOCUS.**—The program under this section shall focus on—

(1) materials and electrochemical systems research;

(2) power conversion technologies research;

(3) developing—

(A) empirical and science-based industry standards to compare the storage capacity, cycle length and capabilities, and reliability of different types of electricity storage; and

(B) validation and testing techniques;

(4) other fundamental and applied research critical to widespread deployment of electricity storage;

(5) device development that builds on results from research described in paragraphs (1), (2), and (4), including combinations of power electronics, advanced optimizing controls, and energy storage as a general purpose element of the electric grid;

(6) grid-scale testing and analysis of storage devices, including test-beds and field trials;

(7) cost-benefit analyses that inform capital expenditure planning for regulators and owners and operators of components of the electric grid;

(8) electricity storage device safety and reliability, including potential failure modes,

mitigation measures, and operational guidelines;

(9) standards for storage device performance, control interface, grid interconnection, and interoperability; and

(10) maintaining a public database of energy storage projects, policies, codes, standards, and regulations.

(c) **ASSISTANCE TO STATES.**—The Secretary may provide technical and financial assistance to States, Indian tribes, or units of local government to participate in or use research, development, or deployment of technology developed under this section.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each of fiscal years 2017 through 2026.

(e) **NO EFFECT ON OTHER PROVISIONS OF LAW.**—Nothing in this subtitle or an amendment made by this subtitle authorizes regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under section 215 of the Federal Power Act (16 U.S.C. 824o).

SEC. 2302. ELECTRIC SYSTEM GRID ARCHITECTURE, SCENARIO DEVELOPMENT, AND MODELING.

(a) **GRID ARCHITECTURE AND SCENARIO DEVELOPMENT.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary shall establish and facilitate a collaborative process to develop model grid architecture and a set of future scenarios for the electric system to examine the impacts of different combinations of resources (including different quantities of distributed energy resources and large-scale, central generation) on the electric grid.

(2) **MARKET STRUCTURE.**—The grid architecture and scenarios developed under paragraph (1) shall account for differences in market structure, including an examination of the potential for stranded costs in each type of market structure.

(3) **FINDINGS.**—Based on the findings of grid architecture developed under paragraph (1), the Secretary shall—

(A) determine whether any additional standards are necessary to ensure the interoperability of grid systems and associated communications networks; and

(B) if the Secretary makes a determination that additional standards are necessary under subparagraph (A), make recommendations for additional standards, including, as may be appropriate, to the Electric Reliability Organization under section 215 of the Federal Power Act (16 U.S.C. 824o).

(b) **MODELING.**—Subject to subsection (c), the Secretary shall—

(1) conduct modeling based on the scenarios developed under subsection (a); and

(2) analyze and evaluate the technical and financial impacts of the models to assist States, utilities, and other stakeholders in—

(A) enhancing strategic planning efforts;

(B) avoiding stranded costs; and

(C) maximizing the cost-effectiveness of future grid-related investments.

(c) **INPUT.**—The Secretary shall develop the scenarios and conduct the modeling and analysis under subsections (a) and (b) with participation or input, as appropriate, from—

(1) the National Laboratories;

(2) States;

(3) State regulatory authorities;

(4) transmission organizations;

(5) representatives of the electric industry;

(6) academic institutions;

(7) independent research institutes; and

(8) other entities.

SEC. 2303. TECHNOLOGY DEMONSTRATION ON THE DISTRIBUTION SYSTEM.

(a) IN GENERAL.—The Secretary shall establish a grant program to carry out eligible projects related to the modernization of the electric grid, including the application of technologies to improve observability, advanced controls, and prediction of system performance on the distribution system.

(b) ELIGIBLE PROJECTS.—To be eligible for a grant under subsection (a), a project shall—

(1) be designed to improve the performance and efficiency of the future electric grid, while ensuring the continued provision of safe, secure, reliable, and affordable power; and

(2) demonstrate—

(A) secure integration and management of 2 or more energy resources, including distributed energy generation, combined heat and power, micro-grids, energy storage, electric vehicles, energy efficiency, demand response, and intelligent loads; and

(B) secure integration and interoperability of communications and information technologies.

(c) PARTICIPATION.—Projects conducted under subsection (b) shall include the participation of a partnership consisting of 2 or more entities that—

(1) may include

(A) any institution of higher education;

(B) a National Laboratory;

(C) a representative of a State or local government;

(D) a representative of an Indian tribe; or

(E) a Federal power marketing administration; and

(2) shall include at least 1 of any of—

(A) an investor-owned electric utility;

(B) a publicly owned utility;

(C) a technology provider;

(D) a rural electric cooperative;

(E) a regional transmission organization;

or

(F) an independent system operator

(d) CYBERSECURITY PLAN.—Each demonstration project conducted under subsection (a) shall include the development of a cybersecurity plan approved by the Secretary.

(e) PRIVACY RISK ANALYSIS.—Each demonstration project conducted under subsection (a) shall include a privacy impact assessment that evaluates the project against the 5 core concepts in the Voluntary Code of Conduct of the Department, commonly known as the “DataGuard Energy Data Privacy Program”, or the most recent revisions to the privacy program of the Department.

SEC. 2304. HYBRID MICRO-GRID SYSTEMS FOR ISOLATED AND RESILIENT COMMUNITIES.

(a) DEFINITIONS.—In this section:

(1) HYBRID MICRO-GRID SYSTEM.—The term “hybrid micro-grid system” means a stand-alone electrical system that—

(A) is comprised of conventional generation and at least 1 alternative energy resource; and

(B) may use grid-scale energy storage.

(2) ISOLATED COMMUNITY.—The term “isolated community” means a community that is powered by a stand-alone electric generation and distribution system without the economic and reliability benefits of connection to a regional electric grid.

(3) MICRO-GRID SYSTEM.—The term “micro-grid system” means a standalone electrical system that uses grid-scale energy storage.

(4) STRATEGY.—The term “strategy” means the strategy developed pursuant to subsection (b)(2)(B).

(b) PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a program to promote the development of—

(A) hybrid micro-grid systems for isolated communities; and

(B) micro-grid systems to increase the resilience of critical infrastructure.

(2) PHASES.—The program established under paragraph (1) shall be divided into the following phases:

(A) Phase I, which shall consist of the development of a feasibility assessment for—

(i) hybrid micro-grid systems in isolated communities; and

(ii) micro-grid systems to enhance the resilience of critical infrastructure.

(B) Phase II, which shall consist of the development of an implementation strategy, in accordance with paragraph (3), to promote the development of hybrid micro-grid systems for isolated communities, particularly for those communities exposed to extreme weather conditions and high energy costs, including electricity, space heating and cooling, and transportation.

(C) Phase III, which shall be carried out in parallel with Phase II and consist of the development of an implementation strategy to promote the development of micro-grid systems that increase the resilience of critical infrastructure.

(D) Phase IV, which shall consist of cost-shared demonstration projects, based upon the strategies developed under subparagraph (B) that include the development of physical and cybersecurity plans to take appropriate measures to protect and secure the electric grid.

(E) Phase V, which shall establish a benefits analysis plan to help inform regulators, policymakers, and industry stakeholders about the affordability, environmental and resilience benefits associated with Phases II, III and IV.

(3) REQUIREMENTS FOR STRATEGY.—In developing the strategy under paragraph (2)(B), the Secretary shall consider—

(A) establishing future targets for the economic displacement of conventional generation using hybrid micro-grid systems, including displacement of conventional generation used for electric power generation, heating and cooling, and transportation;

(B) the potential for renewable resources, including wind, solar, and hydropower, to be integrated into a hybrid micro-grid system;

(C) opportunities for improving the efficiency of existing hybrid micro-grid systems;

(D) the capacity of the local workforce to operate, maintain, and repair a hybrid micro-grid system;

(E) opportunities to develop the capacity of the local workforce to operate, maintain, and repair a hybrid micro-grid system;

(F) leveraging existing capacity within local or regional research organizations, such as organizations based at institutions of higher education, to support development of hybrid micro-grid systems, including by testing novel components and systems prior to field deployment;

(G) the need for basic infrastructure to develop, deploy, and sustain a hybrid micro-grid system;

(H) input of traditional knowledge from local leaders of isolated communities in the development of a hybrid micro-grid system;

(I) the impact of hybrid micro-grid systems on defense, homeland security, economic development, and environmental interests;

(J) opportunities to leverage existing interagency coordination efforts and recommendations for new interagency coordination efforts to minimize unnecessary over-

head, mobilization, and other project costs; and

(K) any other criteria the Secretary determines appropriate.

(c) COLLABORATION.—The program established under subsection (b)(1) shall be carried out in collaboration with relevant stakeholders, including, as appropriate—

(1) States;

(2) Indian tribes;

(3) regional entities and regulators;

(4) units of local government;

(5) institutions of higher education; and

(6) private sector entities.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the efforts to implement the program established under subsection (b)(1) and the status of the strategy developed under subsection (b)(2)(B).

SEC. 2305. VOLUNTARY MODEL PATHWAYS.

(a) ESTABLISHMENT OF VOLUNTARY MODEL PATHWAYS.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall initiate the development of voluntary model pathways for modernizing the electric grid through a collaborative, public-private effort that—

(A) produces illustrative policy pathways that can be adapted for State and regional applications by regulators and policymakers;

(B) facilitates the modernization of the electric grid to achieve the objectives described in paragraph (2);

(C) ensures a reliable, resilient, affordable, safe, and secure electric system; and

(D) acknowledges and provides for different priorities, electric systems, and rate structures across States and regions.

(2) OBJECTIVES.—The pathways established under paragraph (1) shall facilitate achievement of the following objectives:

(A) Near real-time situational awareness of the electric system.

(B) Data visualization.

(C) Advanced monitoring and control of the advanced electric grid.

(D) Enhanced certainty for private investment in the electric system.

(E) Increased innovation.

(F) Greater consumer empowerment.

(G) Enhanced grid resilience, reliability, and robustness.

(H) Improved—

(i) integration of distributed energy resources;

(ii) interoperability of the electric system; and

(iii) predictive modeling and capacity forecasting.

(3) STEERING COMMITTEE.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a steering committee to facilitate the development of the pathways under paragraph (1), to be composed of members appointed by the Secretary, consisting of persons with appropriate expertise representing a diverse range of interests in the public, private, and academic sectors, including representatives of—

(A) the Smart Grid Task Force; and

(B) the Smart Grid Advisory Committee.

(b) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to States, Indian tribes, or units of local government to adopt 1 or more elements of the pathways developed under subsection (a)(1).

SEC. 2306. PERFORMANCE METRICS FOR ELECTRICITY INFRASTRUCTURE PROVIDERS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that includes—

(1) an evaluation of the performance of the electric grid as of the date of the report; and

(2) a description of the quantified costs and benefits associated with the changes evaluated under the scenarios developed under section 2302.

(b) CONSIDERATIONS FOR DEVELOPMENT OF METRICS.—In developing metrics for evaluating and quantifying the electric grid under subsection (a), the Secretary shall consider—

(1) standard methodologies for calculating improvements or deteriorations in the performance metrics, such as reliability, grid efficiency, power quality, consumer satisfaction, sustainability, and financial incentives;

(2) standard methodologies for calculating value to ratepayers, including broad economic and related impacts from improvements to the performance metrics;

(3) appropriate ownership and operating roles for electric utilities that would enable improved performance through the adoption of emerging, commercially available or advanced grid technologies or solutions, including—

- (A) multicustomer micro-grids;
- (B) distributed energy resources;
- (C) energy storage;
- (D) electric vehicles;
- (E) electric vehicle charging infrastructure;
- (F) integrated information and communications systems;
- (G) transactive energy systems; and
- (H) advanced demand management systems; and

(4) with respect to States, the role of the grid operator in enabling a robust future electric system to ensure that—

- (A) electric utilities remain financially viable;
- (B) electric utilities make the needed investments that ensure a reliable, secure, and resilient grid; and
- (C) costs incurred to transform to an integrated grid are allocated and recovered responsibly, efficiently, and equitably.

SEC. 2307. STATE AND REGIONAL ELECTRICITY DISTRIBUTION PLANNING.

(a) IN GENERAL.—Upon the request of a State or regional organization, the Secretary shall partner with States and regional organizations to facilitate the development of State and regional electricity distribution plans by—

(1) conducting a resource assessment and analysis of future demand and distribution requirements; and

(2) developing open source tools for State and regional planning and operations.

(b) RISK AND SECURITY ANALYSIS.—The assessment under subsection (a)(1) shall include—

(1) the evaluation of the physical and cybersecurity needs of an advanced distribution management system and the integration of distributed energy resources; and

(2) advanced use of grid architecture to analyze risks in an all-hazards approach that includes communications infrastructure, control systems architecture, and power systems architecture.

(c) TECHNICAL ASSISTANCE.—For the purpose of developing State and regional electricity distribution plans, the Secretary shall provide technical assistance to—

- (1) States;

- (2) regional reliability entities; and
- (3) other distribution asset owners and operators.

SEC. 2308. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out sections 2302 through 2307 \$200,000,000 for each of fiscal years 2017 through 2026.

SEC. 2309. ELECTRIC TRANSMISSION INFRASTRUCTURE PERMITTING.

(a) INTERAGENCY RAPID RESPONSE TEAM FOR TRANSMISSION.—

(1) ESTABLISHMENT.—There is established an interagency rapid response team, to be known as the “Interagency Rapid Response Team for Transmission” (referred to in this subsection as the “Team”), to expedite and improve the permitting process for electric transmission infrastructure on Federal land and non-Federal land.

(2) MISSION.—The mission of the Team shall be—

(A) to improve the timeliness and efficiency of electric transmission infrastructure permitting; and

(B) to facilitate the performance of maintenance and upgrades to electric transmission lines on Federal land and non-Federal land.

(3) MEMBERSHIP.—The Team shall be comprised of representatives of—

- (A) the Federal Energy Regulatory Commission;
- (B) the Department;
- (C) the Department of the Interior;
- (D) the Department of Defense;
- (E) the Department of Agriculture;
- (F) the Council on Environmental Quality;
- (G) the Department of Commerce;
- (H) the Advisory Council on Historic Preservation; and
- (I) the Environmental Protection Agency.

(4) DUTIES.—The Team shall—

(A) facilitate coordination and unified environmental documentation among electric transmission infrastructure project applicants, Federal agencies, States, and Indian tribes involved in the siting and permitting process;

(B) establish clear timelines for the review and coordination of electric transmission infrastructure projects by the applicable agencies;

(C) ensure that each electric transmission infrastructure project is posted on the Federal permitting transmission tracking system known as “e-Trans”, including information on the status and anticipated completion date of each project; and

(D) regularly notify all participating members of the Team involved in any specific permit of—

(i) any outstanding agency action that is required with respect to the permit; and

(ii) any approval or required comment that has exceeded statutory or agency timelines for completion, including an identification of any Federal agency, department, or field office that has not met the applicable timeline.

(5) ANNUAL REPORTS.—Annually, the Team shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the average completion time for specific categories of regionally and nationally significant transmission projects, based on information obtained from the applicable Federal agencies.

(6) USE OF DATA BY OMB.—Using data provided by the Team, the Director of the Office of Management and Budget shall prioritize inclusion of individual electric transmission

infrastructure projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(b) TRANSMISSION OMBUDSPERSON.—

(1) ESTABLISHMENT.—To enhance and ensure the reliability of the electric grid, there is established within the Council on Environmental Quality the position of Transmission Ombudsperson (referred to in this subsection as the “Ombudsperson”), to provide a unified point of contact for—

(A) resolving interagency or intra-agency issues or delays with respect to electric transmission infrastructure permits; and

(B) receiving and resolving complaints from parties with outstanding or in-process applications relating to electric transmission infrastructure.

(2) DUTIES.—The Ombudsperson shall—

(A) establish a process for—

(i) facilitating the permitting process for performance of maintenance and upgrades to electric transmission lines on Federal land and non-Federal land, with a special emphasis on facilitating access for immediate maintenance, repair, and vegetation management needs;

(ii) resolving complaints filed with the Ombudsperson with respect to in-process electric transmission infrastructure permits; and

(iii) issuing recommended resolutions to address the complaints filed with the Ombudsperson; and

(B) hear, compile, and share any complaints filed with Ombudsperson relating to in-process electric transmission infrastructure permits.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Interior, with respect to public lands (as defined in section 103(e) of the Federal Land Policy and Management Act (43 U.S.C. 1702(e)), and the Secretary of Agriculture, with respect to National Forest System land, shall provide for continuity of the existing use and occupancy for the transmission of electric energy by any Federal department or agency granted across public lands or National Forest System land.

(2) AGREEMENTS.—The Secretary of the Interior or the Secretary of Agriculture, as applicable, within 30 days after receiving a request from the Federal department or agency administering the electric energy transmission facilities, shall, in consultation with that department or agency, initiate agreements regarding the use and occupancy or right-of-way (including vegetation management agreements, where applicable).

SEC. 2310. REPORT BY TRANSMISSION ORGANIZATIONS ON DISTRIBUTED ENERGY RESOURCES AND MICRO-GRID SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) DISTRIBUTED ENERGY RESOURCE.—The term “distributed energy resource” means an electricity supply resource that, as permitted by State law—

(A)(i) is interconnected to the electric system operated by a transmission organization at or below 69kV; and

(ii) is subject to dispatch by the transmission organization; and

(B)(i) generates electricity using any primary energy source, including solar energy and other renewable resources; or

(ii) stores energy and is capable of supplying electricity to the electric system operated by the transmission organization from the storage reservoir.

(2) **ELECTRIC GENERATING CAPACITY RESOURCE.**—The term “electric generating capacity resource” means an electric generating resource, as measured by the maximum load-carrying ability of the resource, exclusive of station use and planned, unplanned, or other outage or derating, that is subject to dispatch by a transmission organization to meet the resource adequacy needs of the systems operated by the transmission organization.

(3) **MICRO-GRID SYSTEM.**—The term “micro-grid system” means an electrically distinct system under common control that—

(A) serves an electric load at or below 69kV from a distributed energy resource or electric generating capacity resource; and

(B) is subject to dispatch by a transmission organization.

(4) **TRANSMISSION ORGANIZATION.**—The term “transmission organization” has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(b) **REPORT.**—

(1) **NOTICE.**—Not later than 14 days after the date of enactment of this section, the Commission shall submit to each transmission organization notice that the transmission organization is required to file with the Commission a report in accordance with paragraph (2).

(2) **REPORT.**—Not later than 180 days after the date on which a transmission organization receives a notice under paragraph (1), the transmission organization shall submit to the Commission a report that—

(A)(i) identifies distributed energy resources and micro-grid systems that are subject to dispatch by the transmission organization as of the date of the report; and

(ii) describes the fuel sources and operational characteristics of such distributed energy resources and micro-grid systems, including, to the extent practicable, a discussion of the benefits and costs associated with the distributed energy resources and micro-grid systems identified under clause (i);

(B) evaluates, with due regard for operational and economic benefits and costs, the potential for distributed energy resources and micro-grid systems to be deployed to the transmission organization over the short- and long-term periods in the planning cycle of the transmission organization; and

(C) identifies—

(i) over the short- and long-term periods in the planning cycle of the transmission organization, barriers to the deployment to the transmission organization of distributed energy resources and micro-grid systems; and

(ii) potential changes to the operational requirements for, or charges associated with, the interconnection of distributed energy resources and micro-grid systems to the transmission organization that would reduce the barriers identified under clause (i).

SEC. 2311. NET METERING STUDY GUIDANCE.

Title XVIII of Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1122) is amended by adding at the end the following:

“SEC. 1841. NET ENERGY METERING STUDY.

“(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

“(1) issue guidance on criteria required to be included in studies of net metering conducted by the Department; and

“(2) undertake a study of net energy metering.

“(b) **REQUIREMENTS AND CONTENTS.**—The model guidance issued under subsection (a) shall clarify without prejudice to other study criteria that any study of net energy metering, including the study conducted by the Department under subsection (a) shall—

“(1) be publicly available; and

“(2) assess benefits and costs of net energy metering, including—

“(A) load data, including hourly profiles;

“(B) distributed generation production data;

“(C) best available technology, including inverter capability; and

“(D) benefits and costs of distributed energy deployment, including—

“(i) environmental benefits;

“(ii) changes in electric system reliability;

“(iii) changes in peak power requirements;

“(iv) provision of ancillary services, including reactive power;

“(v) changes in power quality;

“(vi) changes in land-use effects;

“(vii) changes in right-of-way acquisition costs;

“(viii) changes in vulnerability to terrorism; and

“(ix) changes in infrastructure resilience.”.

Subtitle E—Computing

SEC. 2401. EXASCALE COMPUTER RESEARCH PROGRAM.

(a) **RENAMING OF ACT.**—

(1) **IN GENERAL.**—Section 1 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5501 note; Public Law 108-423) is amended by striking “Department of Energy High-End Computing Revitalization Act of 2004” and inserting “Exascale Computing Act of 2016”.

(2) **CONFORMING AMENDMENT.**—Section 976(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16316(1)) is amended by striking “Department of Energy High-End Computing Revitalization Act of 2004” and inserting “Exascale Computing Act of 2016”.

(b) **DEFINITIONS.**—Section 2 of the Exascale Computing Act of 2016 (15 U.S.C. 5541) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(2) by striking paragraph (1) and inserting the following:

“(1) **DEPARTMENT.**—The term ‘Department’ means the Department of Energy.

“(2) **EXASCALE COMPUTING.**—The term ‘exascale computing’ means computing through the use of a computing machine that performs near or above 10 to the 18th power floating point operations per second.”; and

(3) in paragraph (6) (as redesignated by paragraph (1)), by striking “, acting through the Director of the Office of Science of the Department of Energy”.

(c) **DEPARTMENT OF ENERGY HIGH-END COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.**—Section 3 of the Exascale Computing Act of 2016 (15 U.S.C. 5542) is amended—

(1) in subsection (a)(1), by striking “program” and inserting “coordinated program across the Department”; and

(2) in subsection (b)(2), by striking “, which may” and all that follows through “architectures”; and

(3) by striking subsection (d) and inserting the following:

“(d) **EXASCALE COMPUTING PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall conduct a research program (referred to in this subsection as the ‘Program’) to develop 2 or more exascale computing machine architectures to promote the missions of the Department.

“(2) **IMPLEMENTATION.**—

“(A) **IN GENERAL.**—In carrying out the Program, the Secretary shall—

“(i) establish 2 or more National Laboratory partnerships with industry partners and

institutions of higher education for the research and development of 2 or more exascale computing architectures across all applicable organizations of the Department; and

“(ii) provide, as appropriate, on a competitive, merit-reviewed basis, access for researchers in industries in the United States, institutions of higher education, National Laboratories, and other Federal agencies to the exascale computing systems developed pursuant to clause (i).

“(B) **SELECTION OF PARTNERS.**—The Secretary shall select members for the partnerships with the computing facilities of the Department under subparagraph (A) through a competitive, peer-review process.

“(3) **CODESIGN AND APPLICATION DEVELOPMENT.**—

“(A) **IN GENERAL.**—The Secretary shall carry out the Program through an integration of applications, computer science, applied mathematics, and computer hardware architecture using the partnerships established pursuant to paragraph (2) to ensure that, to the maximum extent practicable, 2 or more exascale computing machine architectures are capable of solving Department target applications and broader scientific problems.

“(B) **REPORT.**—The Secretary shall submit to Congress a report on how the integration under subparagraph (A) is furthering application science data and computational workloads across application interests, including national security, material science, physical science, cybersecurity, biological science, the Materials Genome and BRAIN Initiatives of the President, advanced manufacturing, and the national electric grid.

“(4) **PROJECT REVIEW.**—

“(A) **IN GENERAL.**—The exascale architectures developed pursuant to partnerships established pursuant to paragraph (2) shall be reviewed through a project review process.

“(B) **REPORT.**—Not later than 90 days after the date of enactment of this subsection, the Secretary shall submit to Congress a report on—

“(i) the results of the review conducted under subparagraph (A); and

“(ii) the coordination and management of the Program to ensure an integrated research program across the Department.

“(5) **ANNUAL REPORTS.**—At the time of the budget submission of the Department for each fiscal year, the Secretary, in consultation with the members of the partnerships established pursuant to paragraph (2), shall submit to Congress a report that describes funding for the Program as a whole by functional element of the Department and critical milestones.”.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Section 4 of the Exascale Computing Act of 2016 (15 U.S.C. 5543) is amended—

(1) by striking “this Act” and inserting “section 3(d)”; and

(2) by striking paragraphs (1) through (3) and inserting the following:

“(1) \$272,000,000 for fiscal year 2016;

“(2) \$340,000,000 for fiscal year 2017; and

“(3) \$360,000,000 for fiscal year 2018.”.

TITLE III—SUPPLY

Subtitle A—Renewables

PART I—HYDROELECTRIC

SEC. 3001. HYDROPOWER REGULATORY IMPROVEMENTS.

(a) **SENSE OF CONGRESS ON THE USE OF HYDROPOWER RENEWABLE RESOURCES.**—It is the sense of Congress that—

(1) hydropower is a renewable resource for purposes of all Federal programs and is an

essential source of energy in the United States; and

(2) the United States should increase substantially the capacity and generation of clean, renewable hydropower resources that would improve environmental quality in the United States.

(b) MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE HYDROPOWER.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsection (a), by striking “the following amounts” and all that follows through paragraph (3) and inserting “not less than 15 percent in fiscal year 2016 and each fiscal year thereafter shall be renewable energy.”; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) RENEWABLE ENERGY.—The term ‘renewable energy’ means energy produced from solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or hydropower.”.

(c) LICENSES FOR CONSTRUCTION.—Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended, in the first proviso, by striking “deem” and inserting “determine to be”.

(d) PRELIMINARY PERMITS.—Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) in subsection (a), by striking “three” and inserting “4”; and

(2) in subsection (b)—

(A) by striking “Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years” and inserting the following: “Commission may—

“(1) extend the period of a preliminary permit once for not more than 4 additional years beyond the 4 years”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(2) after the end of an extension period granted under paragraph (1), issue an additional permit to the permittee if the Commission determines that there are extraordinary circumstances that warrant the issuance of the additional permit.”.

(e) TIME LIMIT FOR CONSTRUCTION OF PROJECT WORKS.—Section 13 of the Federal Power Act (16 U.S.C. 806) is amended in the second sentence by striking “once but not longer than two additional years” and inserting “for not more than 8 additional years.”.

(f) LICENSE TERM.—Section 15(e) of the Federal Power Act (16 U.S.C. 808(e)) is amended—

(1) by striking “(e) Except” and inserting the following:

“(e) LICENSE TERM ON RELICENSING.—

“(1) IN GENERAL.—Except”; and

(2) by adding at the end the following:

“(2) CONSIDERATION.—In determining the term of a license under paragraph (1), the Commission shall consider project-related investments by the licensee over the term of the existing license (including any terms under annual licenses) that resulted in new development, construction, capacity, efficiency improvements, or environmental measures, but which did not result in the extension of the term of the license by the Commission.”.

(g) OPERATION OF NAVIGATION FACILITIES.—Section 18 of the Federal Power Act (16 U.S.C. 811) is amended by striking the second, third, and fourth sentences.

(h) ALTERNATIVE CONDITIONS AND PRESCRIPTIONS.—Section 33 of the Federal Power Act (16 U.S.C. 823d) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “deems” and inserting “determines”;

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting “determined to be necessary” before “by the Secretary”;

(C) by striking paragraph (4); and

(D) by striking paragraph (5);

(2) in subsection (b)—

(A) by striking paragraph (4); and

(B) by striking paragraph (5); and

(3) by adding at the end the following:

“(c) FURTHER CONDITIONS.—This section applies to any further conditions or prescriptions proposed or imposed pursuant to section 4(e), 6, or 18.”.

(i) LICENSING PROCESS IMPROVEMENTS AND COORDINATION.—Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

“SEC. 34. LICENSING PROCESS IMPROVEMENTS.

“(a) LICENSE STUDIES.—

“(1) IN GENERAL.—To facilitate the timely and efficient completion of the license proceedings under this part, the Commission shall—

“(A) conduct an investigation of best practices in performing licensing studies, including methodologies and the design of studies to assess the full range of environmental impacts of a project;

“(B) compile a comprehensive collection of studies and data accessible to the public that could be used to inform license proceedings under this paragraph; and

“(C) encourage license applicants and co-operating agencies to develop and use, for the purpose of fostering timely and efficient consideration of license applications, a limited number of open-source methodologies and tools applicable across a wide array of projects, including water balance models and streamflow analyses.

“(2) USE OF EXISTING STUDIES.—To the maximum extent practicable, the Commission shall use existing studies and data in individual licensing proceedings under this part in accordance with paragraph (1).

“(3) NONDUPLICATION REQUIREMENT.—To the maximum extent practicable, the Commission shall ensure that studies and data required for any Federal authorization (as defined in section 35(a)) applicable to a particular project or facility are not duplicated in other licensing proceedings under this part.

“(4) BIOLOGICAL OPINIONS.—To the maximum extent practicable, the Secretary of Commerce shall ensure that relevant offices within the National Marine Fisheries Service prepare any biological opinion under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) that forms the basis for a prescription under section 18 on a concurrent rather than sequential basis.

“(5) WATER QUALITY CERTIFICATION DEADLINE.—

“(A) IN GENERAL.—For purposes of issuing a license under this part, the deadline for a certifying agency to act under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C. 1341(a)) shall take effect only on the submission of a request for certification determined to be complete by the certifying agency.

“(B) NOTICE OF COMPLETE REQUEST.—The certifying agency shall inform the Commission when a request for certification is determined to be complete.

“SEC. 35. LICENSING PROCESS COORDINATION.

“(a) DEFINITION OF FEDERAL AUTHORIZATION.—In this section, the term ‘Federal authorization’ means any authorization required under Federal law (including any li-

cense, permit, special use authorization, certification, opinion, consultation, determination, or other approval) with respect to—

“(1) a project licensed under section 4 or 15; or

“(2) a facility exempted under—

“(A) section 30; or

“(B) section 405(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705(d)).

“(b) DESIGNATION AS LEAD AGENCY.—

“(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of coordinating all applicable Federal authorizations.

“(2) OTHER AGENCIES.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission.

“(c) SCHEDULE.—

“(1) TIMING FOR ISSUANCE.—It is the sense of Congress that all Federal authorizations required for a project or facility, including a license or exemption order of the Commission, should be issued by the date that is 3 years after the date on which an application is considered to be complete by the Commission.

“(2) COMMISSION SCHEDULE.—

“(A) IN GENERAL.—The Commission shall establish a schedule for the issuance of all Federal authorizations.

“(B) REQUIREMENTS.—In establishing the schedule under subparagraph (A), the Commission shall—

“(i) consult and cooperate with the Federal and State agencies responsible for a Federal authorization;

“(ii) ensure the expeditious completion of all proceedings relating to a Federal authorization; and

“(iii) comply with applicable schedules established by Federal law with respect to a Federal authorization.

“(3) RESOLUTION OF INTERAGENCY DISPUTES.—If the Federal agency fails to adhere to the schedule established by the Commission under paragraph (2), or if the final condition of the Secretary under section 4(e) or prescription under section 18 has been unreasonably delayed in derogation of the schedule established under paragraph (2), or if a proposed alternative condition or prescription has been unreasonably denied, or if a final condition or prescription would be inconsistent with the purposes of this part or other applicable law, the Commission may refer the matter to the Chairman of the Council on Environmental Quality—

“(A) to ensure timely participation;

“(B) to ensure a timely decision;

“(C) to mediate the dispute; or

“(D) to refer the matter to the President.

“(d) CONSOLIDATED RECORD.—

“(1) IN GENERAL.—The Commission shall maintain official consolidated records of all license proceedings under this part.

“(2) SUBMISSION OF RECOMMENDATIONS.—Any Federal or State agency that is providing recommendations with respect to a license proceeding under this part shall submit to the Commission for inclusion in the consolidated record relating to the license proceeding maintained under paragraph (1)—

“(A) the recommendations;

“(B) the rationale for the recommendations; and

“(C) any supporting materials relating to the recommendations.

“(3) WRITTEN STATEMENT.—In a case in which a Federal agency is making a determination with respect to a covered measure (as defined in section 36(a)), the head of the

Federal agency shall include in the consolidated record a written statement demonstrating that the Federal agency gave equal consideration to the effects of the covered measure on—

“(A) energy supply, distribution, cost, and use;

“(B) flood control;

“(C) navigation;

“(D) water supply; and

“(E) air quality and the preservation of other aspects of environmental quality.

“SEC. 36. TRIAL-TYPE HEARINGS.

“(a) DEFINITION OF COVERED MEASURE.—In this section, the term ‘covered measure’ means—

“(1) a condition prescribed under section 4(e), including an alternative condition proposed under section 33(a);

“(2) fishways prescribed under section 18, including an alternative prescription proposed under section 33(b); or

“(3) any further condition pursuant to section 4(e), 6, or 18.

“(b) AUTHORIZATION OF TRIAL-TYPE HEARING.—The license applicant (including an applicant for a license under section 15) and any party to the proceeding shall be entitled to a determination on the record, after opportunity for a trial-type hearing of not more than 120 days, on any disputed issues of material fact with respect to an applicable covered measure.

“(c) DEADLINE FOR REQUEST.—A request for a trial-type hearing under this section shall be submitted not later than 60 days after the date on which, as applicable—

“(1) the Secretary submits the condition under section 4(e) or prescription under section 18; or

“(2)(A) the Commission publishes notice of the intention to use the reserved authority of the Commission to order a further condition under section 6; or

“(B) the Secretary exercises reserved authority under the license to prescribe, submit, or revise any condition to a license under the first proviso of section 4(e) or fishway prescribed under section 18, as appropriate.

“(d) NO REQUIREMENT TO EXHAUST.—By electing not to request a trial-type hearing under subsection (d), a license applicant and any other party to a license proceeding shall not be considered to have waived the right of the applicant or other party to raise any issue of fact or law in a non-trial-type proceeding, but no issue may be raised for the first time on rehearing or judicial review of the license decision of the Commission.

“(e) ADMINISTRATIVE LAW JUDGE.—All disputed issues of material fact raised by a party in a request for a trial-type hearing submitted under subsection (d) shall be determined in a single trial-type hearing to be conducted by an Administrative Law Judge within the Office of Administrative Law Judges and Dispute Resolution of the Commission, in accordance with the Commission rules of practice and procedure under part 385 of title 18, Code of Federal Regulations (or successor regulations), and within the timeframe established by the Commission for each license proceeding (including a proceeding for a license under section 15) under section 35(c).

“(f) STAY.—The Administrative Law Judge may impose a stay of a trial-type hearing under this section for a period of not more than 120 days to facilitate settlement negotiations relating to resolving the disputed issues of material fact with respect to the covered measure.

“(g) DECISION OF THE ADMINISTRATIVE LAW JUDGE.—

“(1) CONTENTS.—The decision of the Administrative Law Judge shall contain—

“(A) findings of fact on all disputed issues of material fact;

“(B) conclusions of law necessary to make the findings of fact, including rulings on materiality and the admissibility of evidence; and

“(C) reasons for the findings and conclusions.

“(2) LIMITATION.—The decision of the Administrative Law Judge shall not contain conclusions as to whether—

“(A) any condition or prescription should be adopted, modified, or rejected; or

“(B) any alternative condition or prescription should be adopted, modified, or rejected.

“(3) FINALITY.—A decision of an Administrative Law Judge under this section with respect to a disputed issue of material fact shall not be subject to further administrative review.

“(4) SERVICE.—The Administrative Law Judge shall serve the decision on each party to the hearing and forward the complete record of the hearing to the Commission and the Secretary that proposed the original condition or prescription.

“(h) SECRETARIAL DETERMINATION.—

“(1) IN GENERAL.—Not later than 60 days after the date on which the Administrative Law Judge issues the decision under subsection (g) and in accordance with the schedule established by the Commission under section 35(c), the Secretary proposing a condition under section 4(e) or a prescription under section 18 shall file with the Commission a final determination to adopt, modify, or withdraw any condition or prescription that was the subject of a hearing under this section, based on the decision of the Administrative Law Judge.

“(2) RECORD OF DETERMINATION.—The final determination of the Secretary filed with the Commission shall identify the reasons for the decision and any considerations taken into account that were not part of, or inconsistent with, the findings of the Administrative Law Judge and shall be included in the consolidated record in section 35(d).

“(i) LICENSING DECISION OF THE COMMISSION.—Notwithstanding sections 4(e) and 18, if the Commission finds that the final condition or prescription of the Secretary is inconsistent with the purposes of this part or other applicable law, the Commission may refer the matter to the Chairman of the Council on Environmental Quality under section 35(c).

“(j) JUDICIAL REVIEW.—The decision of the Administrative Law Judge and the record of determination of the Secretary shall be included in the record of the applicable licensing proceeding and subject to judicial review of the final licensing decision of the Commission under section 313(b).

“SEC. 37. PUMPED STORAGE PROJECTS.

“In carrying out section 6(a) of the Hydro-power Regulatory Efficiency Act of 2013 (16 U.S.C. 797 note; Public Law 113-23), the Commission shall consider a closed loop pumped storage project to include a project—

“(1) in which the upper and lower reservoirs do not impound or directly withdraw water from a navigable stream; or

“(2) that is not continuously connected to a naturally flowing water feature.

“SEC. 38. ANNUAL REPORTS.

“(a) COMMISSION ANNUAL REPORT.—

“(1) IN GENERAL.—The Commission shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives an annual report that—

“(A) describes and quantifies, for each licensed, exempted, or proposed project under this part or section 405(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2705(d)) (referred to in this subsection as the ‘covered project’), the quantity of energy and capacity authorized for new development and reauthorized for continued operation during the reporting year, including an assessment of the economic, climactic, air quality, and other environmental benefits achieved by the new and reauthorized energy and capacity;

“(B) describes and quantifies the loss of energy, capacity, or ancillary services as a result of any licensing action under this part or other requirement under Federal law during the reporting year;

“(C) identifies any application to license, relicense, or expand a covered project pending as of the date of the annual report, including a quantification of the new energy and capacity with the potential to be gained or lost by action relating to the covered project; and

“(D) lists all proposed covered projects that, as of the date of the annual report, are subject to a preliminary permit issued under section 4(f), including a description of the quantity of new energy and capacity that would be achieved through the development of each proposed covered project.

“(2) AVAILABILITY.—The Commission shall establish and maintain a publicly available website or comparable resource that tracks all information required for the annual report under paragraph (1).

“(b) RESOURCE AGENCY ANNUAL REPORT.—

“(1) IN GENERAL.—Any Federal or State resource agency that is participating in any Commission proceeding under this part or that has responsibilities for any Federal authorization shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that—

“(A) describes each term, condition, or other requirement prepared by the resource agency during the reporting year with respect to a Commission proceeding under this part, including—

“(i) an assessment of whether implementation of the term, condition, or other requirement would result in the loss of energy, capacity, or ancillary services at the project, including a quantification of the losses;

“(ii) an analysis of economic, air quality, climactic and other environmental effects associated with implementation of the term, condition, or other requirement;

“(iii) a demonstration, based on evidence in the record of the Commission, that the resource agency prepared the term, condition, or other requirement in a manner that meets the policy established by this part while discharging the responsibilities of the resource agency under this part or any other applicable requirement under Federal law; and

“(iv) a statement of whether the head of the applicable Federal agency has rendered final approval of the term, condition, or other requirement, or whether the term, condition, or other requirement remains a preliminary recommendation of staff of the resource agency; and

“(B) identifies all pending, scheduled, and anticipated proceedings under this part that, as of the date of the annual report, the resource agency expects to participate in, or has any approval or participatory responsibilities for under Federal law, including—

“(i) an accounting of whether the resource agency met all deadlines or other milestones

established by the resource agency or the Commission during the reporting year; and

“(i) the specific plans of the resource agency for allocating sufficient resources for each project during the upcoming year.

“(2) AVAILABILITY.—Any resource agency preparing an annual report to Congress under paragraph (1) shall establish and maintain a publicly available website or comparable resource that tracks all information required for the annual report.”.

(j) PILOT PROGRAM.—

(1) IN GENERAL.—The Commission (as the term is defined in section 3 of the Federal Power Act (16 U.S.C. 796)) shall establish a voluntary pilot program covering at least 1 region in which the Commission, in consultation with the heads of cooperating agencies, shall direct a set of region-wide studies to inform subsequent project-level studies within each region.

(2) DESIGNATION.—Not later than 2 years after the date of enactment of this Act, if the conditions under paragraph (3) are met, the Commission, in consultation with the heads of cooperating agencies, shall designate 1 or more regions to be studied under this subsection.

(3) VOLUNTARY BASIS.—The Commission may only designate regions under paragraph (2) in which every licensee, on a voluntary basis and in writing, agrees—

(A) to be included in the pilot program; and

(B) to any cost-sharing arrangement with other licensees and applicable Federal and State agencies with respect to conducting basin-wide studies.

(4) SCALE.—The regions designated under paragraph (2) shall—

(A) be at an adequately large scale to cover at least 5 existing projects that—

(i) are licensed under this part; and

(ii) the licenses of which shall expire not later than 15 years after the date of enactment of this section; and

(B) be likely to yield region-wide studies and information that will significantly reduce the need for and scope of subsequent project-level studies and information.

(5) PROJECT LICENSE TERMS.—The Commission may extend the term of any existing license within a region designated under paragraph (2) by up to 8 years to provide sufficient time for relevant region-wide studies to inform subsequent project-level studies.

SEC. 3002. HYDROELECTRIC PRODUCTION INCENTIVES AND EFFICIENCY IMPROVEMENTS.

(a) HYDROELECTRIC PRODUCTION INCENTIVES.—Section 242 of the Energy Policy Act of 2005 (42 U.S.C. 15881) is amended—

(1) in subsection (c), by striking “10” and inserting “20”;

(2) in subsection (f), by striking “20” and inserting “30”;

(3) in subsection (g), by striking “each of the fiscal years 2006 through 2015” and inserting “each of fiscal years 2016 through 2025”.

(b) HYDROELECTRIC EFFICIENCY IMPROVEMENT.—Section 243(c) of the Energy Policy Act of 2005 (42 U.S.C. 15882(c)) is amended by striking “each of the fiscal years 2006 through 2015” and inserting “each of fiscal years 2016 through 2025”.

SEC. 3003. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CLARK CAN-YON DAM.

Notwithstanding the time period described in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12429, the Federal Energy

Regulatory Commission (referred to in this section as the “Commission”) shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence construction of project works for the 3-year period beginning on the date of enactment of this Act.

SEC. 3004. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GIBSON DAM.

(a) IN GENERAL.—Notwithstanding the requirements of section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478-003, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for a 6-year period that begins on the date described in subsection (b).

(b) DATE DESCRIBED.—The date described in this subsection is the date of the expiration of the extension of the period required for commencement of construction for the project described in subsection (a) that was issued by the Commission prior to the date of enactment of this Act under section 13 of the Federal Power Act (16 U.S.C. 806).

PART II—GEOTHERMAL

Subpart A—Geothermal Energy

SEC. 3005. NATIONAL GOALS FOR PRODUCTION AND SITE IDENTIFICATION.

It is the sense of Congress that, not later than 10 years after the date of enactment of this Act—

(1) the Secretary of the Interior shall seek to approve a significant increase in new geothermal energy capacity on public land across a geographically diverse set of States using the full range of available technologies; and

(2) the Director of the Geological Survey and the Secretary should identify sites capable of producing a total of 50,000 megawatts of geothermal power, using the full range of available technologies.

SEC. 3006. PRIORITY AREAS FOR DEVELOPMENT ON FEDERAL LAND.

The Director of the Bureau of Land Management, in consultation with other appropriate Federal agencies, shall—

(1) identify high priority areas for new geothermal development; and

(2) take any actions the Director determines necessary to facilitate that development, consistent with applicable laws.

SEC. 3007. FACILITATION OF COPRODUCTION OF GEOTHERMAL ENERGY ON OIL AND GAS LEASES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

“(4) LAND SUBJECT TO OIL AND GAS LEASE.—Land under an oil and gas lease issued pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) that is subject to an approved application for permit to drill and from which oil and gas production is occurring may be available for noncompetitive leasing under this section to the holder of the oil and gas lease—

“(A) on a determination that—

“(i) geothermal energy will be produced from a well producing or capable of producing oil and gas; and

“(ii) national energy security will be improved by the issuance of such a lease; and

“(B) to provide for the coproduction of geothermal energy with oil and gas.”.

SEC. 3008. NONCOMPETITIVE LEASING OF ADJOINING AREAS FOR DEVELOPMENT OF GEOTHERMAL RESOURCES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) (as amended by section 3007) is amended by adding at the end the following:

“(5) ADJOINING LAND.—

“(A) DEFINITIONS.—In this paragraph:

“(i) FAIR MARKET VALUE PER ACRE.—The term ‘fair market value per acre’ means a dollar amount per acre that—

“(I) except as provided in this clause, shall be equal to the market value per acre (taking into account the determination under subparagraph (B)(iii) regarding a valid discovery on the adjoining land), as determined by the Secretary under regulations issued under this paragraph;

“(II) shall be determined by the Secretary with respect to a lease under this paragraph, by not later than the end of the 180-day period beginning on the date the Secretary receives an application for the lease; and

“(III) shall be not less than the greater of—

“(aa) 4 times the median amount paid per acre for all land leased under this Act during the preceding year; or

“(bb) \$50.

“(ii) INDUSTRY STANDARDS.—The term ‘industry standards’ means the standards by which a qualified geothermal professional assesses whether downhole or flowing temperature measurements with indications of permeability are sufficient to produce energy from geothermal resources, as determined through flow or injection testing or measurement of lost circulation while drilling.

“(iii) QUALIFIED FEDERAL LAND.—The term ‘qualified Federal land’ means land that is otherwise available for leasing under this Act.

“(iv) QUALIFIED GEOTHERMAL PROFESSIONAL.—The term ‘qualified geothermal professional’ means an individual who is an engineer or geoscientist in good professional standing with at least 5 years of experience in geothermal exploration, development, or project assessment.

“(v) QUALIFIED LESSEE.—The term ‘qualified lessee’ means a person that is eligible to hold a geothermal lease under this Act (including applicable regulations).

“(vi) VALID DISCOVERY.—The term ‘valid discovery’ means a discovery of a geothermal resource by a new or existing slim hole or production well, that exhibits downhole or flowing temperature measurements with indications of permeability that are sufficient to meet industry standards.

“(B) AUTHORITY.—An area of qualified Federal land that adjoins other land for which a qualified lessee holds a legal right to develop geothermal resources may be available for a noncompetitive lease under this section to the qualified lessee at the fair market value per acre, if—

“(i) the area of qualified Federal land—

“(I) consists of not less than 1 acre and not more than 640 acres; and

“(II) is not already leased under this Act or nominated to be leased under subsection (a);

“(ii) the qualified lessee has not previously received a noncompetitive lease under this paragraph in connection with the valid discovery for which data has been submitted under clause (iii)(I); and

“(iii) sufficient geological and other technical data prepared by a qualified geothermal professional has been submitted by

the qualified lessee to the applicable Federal land management agency that would lead individuals who are experienced in the subject matter to believe that—

“(I) there is a valid discovery of geothermal resources on the land for which the qualified lessee holds the legal right to develop geothermal resources; and

“(II) that thermal feature extends into the adjoining areas.

“(C) DETERMINATION OF FAIR MARKET VALUE.—

“(i) IN GENERAL.—The Secretary shall—

“(I) publish a notice of any request to lease land under this paragraph;

“(II) determine fair market value for purposes of this paragraph in accordance with procedures for making those determinations that are established by regulations issued by the Secretary;

“(III) provide to a qualified lessee and publish, with an opportunity for public comment for a period of 30 days, any proposed determination under this subparagraph of the fair market value of an area that the qualified lessee seeks to lease under this paragraph; and

“(IV) provide to the qualified lessee and any adversely affected party the opportunity to appeal the final determination of fair market value in an administrative proceeding before the applicable Federal land management agency, in accordance with applicable law (including regulations).

“(ii) LIMITATION ON NOMINATION.—After publication of a notice of request to lease land under this paragraph, the Secretary may not accept under subsection (a) any nomination of the land for leasing unless the request has been denied or withdrawn.

“(iii) ANNUAL RENTAL.—For purposes of section 5(a)(3), a lease awarded under this paragraph shall be considered a lease awarded in a competitive lease sale.

“(D) REGULATIONS.—Not later than 270 days after the date of enactment of the Energy Policy Modernization Act of 2016, the Secretary shall issue regulations to carry out this paragraph.”.

SEC. 3009. LARGE-SCALE GEOTHERMAL ENERGY.

Title VI of the Energy Independence and Security Act of 2007 is amended by inserting after section 616 (42 U.S.C. 17195) the following:

“SEC. 616A. LARGE-SCALE GEOTHERMAL ENERGY.

“(a) PURPOSES.—The purposes of this section are—

“(1) to improve the components, processes, and systems used for geothermal heat pumps and the direct use of geothermal energy; and

“(2) to increase the energy efficiency, lower the cost, increase the use, and improve and demonstrate the applicability of geothermal heat pumps to, and the direct use of geothermal energy in, large buildings, commercial districts, residential communities, and large municipal, agricultural, or industrial projects.

“(b) DEFINITIONS.—In this section:

“(1) DIRECT USE OF GEOTHERMAL ENERGY.—The term ‘direct use of geothermal energy’ means systems that use water that is at a temperature between approximately 38 degrees Celsius and 149 degrees Celsius directly or through a heat exchanger to provide—

“(A) heating to buildings; or

“(B) heat required for industrial processes, agriculture, aquaculture, and other facilities.

“(2) GEOTHERMAL HEAT PUMP.—The term ‘geothermal heat pump’ means a system that provides heating and cooling by exchanging heat from shallow ground or surface water using—

“(A) a closed loop system, which transfers heat by way of buried or immersed pipes that contain a mix of water and working fluid; or

“(B) an open loop system, which circulates ground or surface water directly into the building and returns the water to the same aquifer or surface water source.

“(3) LARGE-SCALE APPLICATION.—The term ‘large-scale application’ means an application for space or process heating or cooling for large entities with a name-plate capacity, expected resource, or rating of 10 or more megawatts, such as a large building, commercial district, residential community, or a large municipal, agricultural, or industrial project.

“(c) PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a program of research, development, and demonstration for geothermal heat pumps and the direct use of geothermal energy.

“(2) AREAS.—The program may include research, development, demonstration, and commercial application of—

“(A) geothermal ground loop efficiency improvements through more efficient heat transfer fluids;

“(B) geothermal ground loop efficiency improvements through more efficient thermal grouts for wells and trenches;

“(C) geothermal ground loop installation cost reduction through—

“(i) improved drilling methods;

“(ii) improvements in drilling equipment;

“(iii) improvements in design methodology and energy analysis procedures; and

“(iv) improved methods for determination of ground thermal properties and ground temperatures;

“(D) installing geothermal ground loops near the foundation walls of new construction to take advantage of existing structures;

“(E) using gray or black wastewater as a method of heat exchange;

“(F) improving geothermal heat pump system economics through integration of geothermal systems with other building systems, including providing hot and cold water and rejecting or circulating industrial process heat through refrigeration heat rejection and waste heat recovery;

“(G) advanced geothermal systems using variable pumping rates to increase efficiency;

“(H) geothermal heat pump efficiency improvements;

“(I) use of hot water found in mines and mine shafts and other surface waters as the heat exchange medium;

“(J) heating of districts, neighborhoods, communities, large commercial or public buildings (including office, retail, educational, government, and institutional buildings and multifamily residential buildings and campuses), and industrial and manufacturing facilities;

“(K) geothermal system integration with solar thermal water heating or cool roofs and solar-regenerated desiccants to balance loads and use building hot water to store geothermal energy;

“(L) use of hot water coproduced from oil and gas recovery;

“(M) use of water sources at a temperature of less than 150 degrees Celsius for direct use;

“(N) system integration of direct use with geothermal electricity production; and

“(O) coproduction of heat and power, including on-site use.

“(3) ENVIRONMENTAL IMPACTS.—In carrying out the program, the Secretary shall identify and mitigate potential environmental impacts in accordance with section 614(c).

“(d) GRANTS.—

“(1) IN GENERAL.—The Secretary shall make grants available to State and local governments, institutions of higher education, nonprofit entities, utilities, and for-profit companies (including manufacturers of heat-pump and direct-use components and systems) to promote the development of geothermal heat pumps and the direct use of geothermal energy.

“(2) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to proposals that apply to large buildings (including office, retail, educational, government, institutional, and multifamily residential buildings and campuses and industrial and manufacturing facilities), commercial districts, and residential communities.

“(3) NATIONAL SOLICITATION.—Not later than 180 days after the date of enactment of this section, the Secretary shall conduct a national solicitation for applications for grants under this section.

“(e) REPORTS.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section and annually thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on progress made and results obtained under this section to develop geothermal heat pumps and direct use of geothermal energy.

“(2) AREAS.—Each of the reports required under this subsection shall include—

“(A) an analysis of progress made in each of the areas described in subsection (c)(2); and

“(B)(i) a description of any relevant recommendations made during a review of the program; and

“(ii) any plans to address the recommendations under clause (i).”.

SEC. 3010. REPORT TO CONGRESS.

Not later than 3 years after the date of enactment of this Act and not less frequently than once every 5 years thereafter, the Secretary of the Interior and the Secretary shall submit to Congress a report describing the progress made towards achieving the goals described in section 3005.

SEC. 3011. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subpart—

(1) \$65,000,000 for fiscal year 2017; and

(2) \$75,000,000 for each of fiscal years 2018 through 2021.

Subpart B—Geothermal Exploration

SEC. 3012. GEOTHERMAL EXPLORATION TEST PROJECTS.

The Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) is amended by adding at the end the following:

“SEC. 30. GEOTHERMAL EXPLORATION TEST PROJECTS.

“(a) DEFINITIONS.—In this section:

“(1) COVERED LAND.—The term ‘covered land’ means land that is—

“(A) subject to geothermal leasing in accordance with section 3; and

“(B) not excluded from the development of geothermal energy under—

“(i) a final land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

“(ii) a final land and resource management plan established under the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); or

“(iii) any other applicable law.

“(2) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

“(B) the Secretary, with respect to land managed by the Bureau of Land Management (including land held for the benefit of an Indian tribe).

“(b) NEPA REVIEW OF GEOTHERMAL EXPLORATION TEST PROJECTS.—

“(1) IN GENERAL.—An eligible activity described in paragraph (2) carried out on covered land shall be considered an action categorically excluded from the requirements for an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation) if—

“(A) the action is for the purpose of geothermal resource exploration operations; and

“(B) the action is conducted pursuant to this Act.

“(2) ELIGIBLE ACTIVITY.—An eligible activity referred to in paragraph (1) is—

“(A) a geophysical exploration activity that does not require drilling, including a seismic survey;

“(B) the drilling of a well to test or explore for geothermal resources on land leased by the Secretary concerned for the development and production of geothermal resources that—

“(i) is carried out by the holder of the lease;

“(ii) causes—

“(I) fewer than 5 acres of soil or vegetation disruption at the location of each geothermal exploration well; and

“(II) not more than an additional 5 acres of soil or vegetation disruption during access or egress to the project site;

“(iii) is completed in fewer than 90 days, including the removal of any surface infrastructure from the project site; and

“(iv) requires the restoration of the project site not later than 3 years after the date of completion of the project to approximately the condition that existed at the time the project began, unless—

“(I) the project site is subsequently used as part of energy development on the lease; or

“(II) the project—

“(aa) yields geothermal resources; and

“(bb) the use of the geothermal resources will be carried out under another geothermal generation project in existence at the time of the discovery of the geothermal resources; or

“(C) the drilling of a well to test or explore for geothermal resources on land leased by the Secretary concerned for the development and production of geothermal resources that—

“(i) causes an individual surface disturbance of fewer than 5 acres if—

“(I) the total surface disturbance on the leased land is not more than 150 acres; and

“(II) a site-specific analysis has been prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) involves the drilling of a geothermal well at a location or well pad site at which drilling has occurred within 5 years before the date of spudding the well; or

“(iii) involves the drilling of a geothermal well in a developed field for which—

“(I) an approved land use plan or any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analyzed the drilling as a reasonably foreseeable activity; and

“(II) the land use plan or environmental document was approved within 10 years before the date of spudding the well.

“(3) LIMITATION BASED ON EXTRAORDINARY CIRCUMSTANCES.—The categorical exclusion established under paragraph (1) shall be subject to extraordinary circumstances in accordance with the Departmental Manual, 516 DM 2.3A(3) and 516 DM 2, Appendix 2 (or successor provisions).

“(c) NOTICE OF INTENT; REVIEW AND DETERMINATION.—

“(1) REQUIREMENT TO PROVIDE NOTICE.—Not later than 30 days before the date on which drilling begins, a leaseholder intending to carry out an eligible activity shall provide notice to the Secretary concerned.

“(2) REVIEW OF PROJECT.—Not later than 10 days after receipt of a notice of intent provided under paragraph (1), the Secretary concerned shall—

“(A) review the project described in the notice and determine whether the project is an eligible activity; and

“(B)(i) if the project is an eligible activity, notify the leaseholder that under subsection (b), the project is considered a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation); or

“(ii) if the project is not an eligible activity—

“(I) notify the leaseholder that section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) applies to the project;

“(II) include in that notification clear and detailed findings on any deficiencies in the project that prevent the application of subsection (b) to the project; and

“(III) provide an opportunity to the leaseholder to remedy the deficiencies described in the notification before the date on which the leaseholder plans to begin the project under paragraph (1).”.

PART III—MARINE HYDROKINETIC

SEC. 3013. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking “electrical”.

SEC. 3014. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

“SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

“The Secretary, in consultation with the Secretary of the Interior, the Secretary of Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including programs—

“(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

“(2) to establish critical testing infrastructure necessary—

“(A) to cost effectively and efficiently test and prove marine and hydrokinetic renewable energy devices; and

“(B) to accelerate the technological readiness and commercialization of those devices;

“(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

“(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

“(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

“(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

“(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment, and consider the protection of critical infrastructure, such as adequate separation between marine and hydrokinetic devices and projects and submarine telecommunications cables, including consideration of established industry standards;

“(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal agencies, including National Laboratories and to coordinate public-private collaboration in all programs under this section;

“(9) to identify opportunities for joint research and development programs and development of economies of scale between—

“(A) marine and hydrokinetic renewable energy technologies; and

“(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

“(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

“(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

“(B) to encourage the participation of international research centers and companies within the United States and the participation of United States research centers and companies in international projects.”.

SEC. 3015. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.

Section 634 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213) is amended by striking subsection (b) and inserting the following:

“(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

“(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

“(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

“(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

“(B) a variety of technologies in multiple test berths at a single location; and

“(C) arrays of technology devices; and

“(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all

areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.”.

SEC. 3016. AUTHORIZATION OF APPROPRIATIONS.

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking “\$50,000,000 for each of the fiscal years 2008 through 2012” and inserting “\$55,000,000 for each of fiscal years 2017 and 2018 and \$60,000,000 for each of fiscal years 2019 through 2021”.

PART IV—BIOMASS

SEC. 3017. BIO-POWER.

(a) WOODY BIOMASS HEAT AND BIO-POWER INITIATIVE.—

(1) DEFINITIONS OF WOODY BIOMASS HEAT AND BIO-POWER.—Section 9008(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(a)) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;

(B) by inserting after paragraph (1) the following:

“(2) BIO-POWER.—The term ‘bio-power’ means the use of woody biomass to generate electricity.

“(3) BOARD.—The term ‘Board’ means the Biomass Research and Development Board.”; and

(C) by adding at the end the following:

“(6) WOODY BIOMASS HEAT.—The term ‘woody biomass heat’ means the use of woody biomass to generate heat.”.

(2) BIOMASS RESEARCH AND DEVELOPMENT BOARD.—Section 9008(c)(3)(A) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(c)(3)(A)) is amended by striking “biofuels and biobased products” and inserting “biofuels, biobased products, bio-power, and woody biomass heat projects”.

(3) WOODY BIOMASS HEAT AND BIO-POWER GRANTS.—Section 9008 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108) is amended—

(A) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(B) by inserting after subsection (e) the following:

“(f) WOODY BIOMASS HEAT AND BIO-POWER GRANTS.—

“(1) ESTABLISHMENT.—The Secretary of Agriculture and the Secretary of Energy, in consultation with the Board, shall establish a program under which the Secretary of Agriculture and the Secretary of Energy shall provide grants to relevant projects to support innovation and market development in woody biomass heat and bio-power.

“(2) APPLICATIONS.—To be eligible to receive a grant under this subsection, the owner or operator of a relevant project shall submit to the Secretary of Agriculture and the Secretary of Energy an application at such time, in such manner, and containing such information as the Secretary of Agriculture and the Secretary of Energy may require.

“(3) ALLOCATION.—Of the amounts appropriated to carry out this subsection, the Secretary of Agriculture and the Secretary of Energy shall not provide more than—

“(A) \$15,000,000 for projects that develop innovative techniques for preprocessing biomass for woody biomass heat and bio-power, with the goals of lowering the costs of—

“(i) distributed preprocessing technologies, including technologies designed to promote densification, torrefaction, and the broader commoditization of bioenergy feedstocks; and

“(ii) transportation; and

“(B) \$15,000,000 for innovative woody biomass heat and bio-power demonstration projects, including—

“(i) district energy projects;

“(ii) innovation in transportation; and

“(iii) projects addressing the challenges of retrofitting existing coal-fired electricity generation facilities to use biomass.

“(4) REGIONAL DISTRIBUTION.—In selecting projects to receive grants under this subsection, the Secretary of Agriculture and the Secretary of Energy shall ensure, to the maximum extent practicable, diverse geographical distribution among the projects.

“(5) COST SHARE.—The Federal share of the cost of a project carried out using a grant under this subsection shall be 50 percent.

“(6) DUTIES OF RECIPIENTS.—As a condition of receiving a grant under this subsection, the owner or operator of a project shall—

“(A) participate in the applicable working group under paragraph (7);

“(B) submit to the Secretary of Agriculture and the Secretary of Energy a report that includes—

“(i) a description of the project and any relevant findings; and

“(ii) such other information as the Secretary of Agriculture and the Secretary of Energy determine to be necessary to complete the report of the Secretary under paragraph (9); and

“(C) carry out such other activities as the Secretary of Agriculture and the Secretary of Energy determine to be necessary.

“(7) WORKING GROUPS.—The Secretary of Agriculture and the Secretary of Energy shall establish 2 working groups to share best practices and collaborate in project implementation, of which—

“(A) 1 shall be comprised of representatives of projects that receive grants under paragraph (3)(A); and

“(B) 1 shall be comprised of representatives of projects that receive grants under paragraph (3)(B).

“(8) INCLUSION OF OILSEED CROPS.—A grant may be provided under this subsection to relevant projects to support innovation and market development in oilseed crops.

“(9) REPORTS.—Not later than 5 years after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of Energy shall submit to Congress a report describing—

“(A) each project for which a grant has been provided under this subsection;

“(B) any findings as a result of those projects; and

“(C) the state of market and technology development, including market barriers and opportunities.”.

(b) LOAN PROGRAMS; STRATEGIC ANALYSIS AND RESEARCH.—

(1) LOW-INTEREST LOANS.—

(A) ESTABLISHMENT.—The Secretary of Agriculture shall establish, within the Rural Development Office, a low-interest loan program to support construction of residential, commercial or institutional, and industrial woody biomass heat and bio-power systems.

(B) REQUIREMENTS.—The program under this subsection shall be carried out in accordance with such requirements as the Secretary of Agriculture may establish, by regulation, in taking into consideration best practices.

(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this subsection \$50,000,000.

(2) ENERGY EFFICIENCY AND CONSERVATION LOAN PROGRAM.—In addition to loans under paragraph (1), woody biomass heat residen-

tial, commercial or institutional, and industrial wood energy systems shall be eligible to receive loans under the energy efficiency and conservation loan program of the Department of Agriculture under section 2 of the Rural Electrification Act of 1936 (7 U.S.C. 902).

Subtitle B—Oil and Gas

SEC. 3101. AMENDMENTS TO THE METHANE HYDRATE RESEARCH AND DEVELOPMENT ACT OF 2000.

(a) METHANE HYDRATE RESEARCH AND DEVELOPMENT PROGRAM.—

(1) IN GENERAL.—Section 4 of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003) is amended by striking subsection (b) and inserting the following:

“(b) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, INTERAGENCY FUNDS TRANSFER AGREEMENTS, AND FIELD WORK PROPOSALS.—

“(1) ASSISTANCE AND COORDINATION.—In carrying out the program of methane hydrate research and development authorized by this section, the Secretary may award grants to, or enter into contracts or cooperative agreements with, institutions—

“(A) to conduct basic and applied research—

“(i) to identify, explore, assess, and develop methane hydrate as a commercially viable source of energy; and

“(ii) to identify the environmental, health, and safety impacts of methane hydrate development;

“(B) to identify and characterize methane hydrate resources using remote sensing and seismic data, including the characterization of hydrate concentrations in marine reservoirs in the Gulf of Mexico or the Atlantic Ocean Basin by the date that is 4 years after the date of enactment of the Energy Policy Modernization Act of 2016;

“(C) to develop technologies required for efficient and environmentally sound development of methane hydrate resources;

“(D) to conduct basic and applied research to assess and mitigate the environmental impact of hydrate degassing (including natural degassing and degassing associated with commercial development);

“(E) to develop technologies to reduce the risks of drilling through methane hydrates;

“(F) to conduct exploratory drilling, well testing, and production testing operations on permafrost and nonpermafrost gas hydrates in support of the activities authorized by this paragraph, including—

“(i) drilling of a test well and performing a long-term hydrate production test on land in the United States Arctic region by the date that is 4 years after the date of enactment of the Energy Policy Modernization Act of 2016;

“(ii) drilling of a test well and performing a long-term hydrate production test in a marine environment by the date that is 10 years after the date of enactment of the Energy Policy Modernization Act of 2016; and

“(iii) drilling a full-scale production test well at a location to be determined by the Secretary; or

“(G) to expand education and training programs in methane hydrate resource research and resource development through fellowships or other means for graduate education and training.

“(2) ENVIRONMENTAL MONITORING AND RESEARCH.—The Secretary shall conduct a long-term environmental monitoring and research program to study the effects of production from methane hydrate reservoirs.

“(3) COMPETITIVE PEER REVIEW.—Funds made available under paragraphs (1) and (2) shall be made available based on a competitive process using external scientific peer review of proposed research.”.

(2) CONFORMING AMENDMENT.—Section 4(e) of the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 2003(e)) is amended in the matter preceding paragraph (1) by striking “subsection (b)(1)” and inserting “paragraphs (1) and (2) of subsection (b)”.

(b) AUTHORIZATION OF APPROPRIATIONS.—The Methane Hydrate Research and Development Act of 2000 is amended by striking section 7 (30 U.S.C. 2006) and inserting the following:

“SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated to carry out this Act \$35,000,000 for each of fiscal years 2017 through 2021.”.

SEC. 3102. LIQUEFIED NATURAL GAS STUDY.

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the National Association of Regulatory Utility Commissioners and the National Association of State Energy Officials, shall conduct a study of the State, regional, and national implications of exporting liquefied natural gas with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting liquefied natural gas will have in regions that currently import liquefied natural gas;

(B) job creation in the manufacturing sectors; and

(C) such other issues as the Secretary considers appropriate.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under subsection (a).

SEC. 3103. FERC PROCESS COORDINATION WITH RESPECT TO REGULATORY APPROVAL OF GAS PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) FEDERAL AUTHORIZATION.—

(A) IN GENERAL.—The term “Federal authorization” means any authorization required under Federal law with respect to an application for authorization or a certificate of public convenience and necessity relating to gas transportation subject to the jurisdiction of the Commission.

(B) INCLUSIONS.—The term “Federal authorization” includes any permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law with respect to an application for authorization or a certificate of public convenience and necessity relating to gas transportation subject to the jurisdiction of the Commission.

(b) DESIGNATION AS LEAD AGENCY.—

(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of—

(A) coordinating all applicable Federal authorizations; and

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) OTHER AGENCIES.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission.

(c) SCHEDULE.—

(1) TIMING FOR ISSUANCE.—It is the sense of Congress that all Federal authorizations required for a project or facility should be issued by not later than the date that is 90 days after the date on which an application is considered to be complete by the Commission.

(2) COMMISSION SCHEDULE.—

(A) IN GENERAL.—The Commission shall establish a schedule for the issuance of all Federal authorizations.

(B) REQUIREMENTS.—In establishing the schedule under subparagraph (A), the Commission shall—

(i) consult and cooperate with the Federal and State agencies responsible for a Federal authorization;

(ii) ensure the expeditious completion of all proceedings relating to a Federal authorization; and

(iii) comply with applicable schedules established under Federal law with respect to a Federal authorization.

(3) RESOLUTION OF INTERAGENCY DISPUTES.—If the Federal agency with responsibility fails to adhere to the schedule established by the Commission under paragraph (2), or if a Federal authorization has been unreasonably denied, or if a Federal authorization would be inconsistent with the purposes of this section or other applicable law, the Commission shall refer the matter to the Chairman of the Council on Environmental Quality—

(A) to ensure timely participation;

(B) to ensure a timely decision;

(C) to mediate the dispute; or

(D) to refer the matter to the President.

(d) CONSOLIDATED RECORD.—The Commission shall maintain official consolidated records of all license proceedings under this section.

(e) DEFERENCE TO COMMISSION.—In making a decision with respect to a Federal authorization, each agency shall give deference, to the maximum extent authorized by law, to the scope of environmental review that the Commission determines to be appropriate.

(f) CONCURRENT REVIEWS.—Pursuant to the schedule established under subsection (c)(2), each agency considering an aspect of an application for Federal authorization shall—

(1) to the maximum extent authorized by law, carry out the obligations of that agency under applicable law concurrently and in conjunction with the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out those obligations;

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to complete the required Federal authorizations in accordance with the schedule described in subsection (c); and

(3) transmit to the Commission a statement—

(A) acknowledging notice of the schedule described in subsection (c); and

(B) describing the plan formulated under paragraph (2).

(g) FAILURE TO MEET DEADLINE.—If an agency does not complete a proceeding for an approval that is required for a Federal authorization in accordance with the schedule described in subsection (c), the head of the relevant Federal agency (including, in the case of a failure by the State agency or unit of local government, the Federal agency overseeing the delegated authority) shall—

(1) notify Congress and the Commission of the failure; and

(2) describe in that notification an implementation plan to ensure completion.

(h) ACCOUNTABILITY; TRANSPARENCY; EFFICIENCY.—

(1) IN GENERAL.—For applications requiring multiple Federal authorizations, the Commission, in consultation with any agency considering an aspect of the application, shall track and make available to the public

on the website of the Commission information relating to the actions required to complete permitting, reviews, and other requirements.

(2) INCLUSIONS.—Information tracked under paragraph (1) shall include the following:

(A) The schedule described in subsection (c).

(B) A list of all the actions required by each applicable agency to complete permitting, reviews, and other requirements necessary to obtain a final decision on the Federal authorization.

(C) The expected completion date for each action listed under subparagraph (B).

(D) A point of contact at the agency accountable for each action listed under subparagraph (B).

(E) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reason for the delay.

SEC. 3104. PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the “Director”), shall establish a pilot program in 1 State with at least 2,000 oil and gas drilling spacing units (as defined under State law), in which—

(1) 25 percent or less of the minerals are owned or held in trust by the Federal Government; and

(2) there is no surface land owned or held in trust by the Federal Government.

(b) ACTIVITIES.—In carrying out the pilot program, the Director shall identify and implement ways to streamline the review and approval of Applications for Permits to Drill for oil and gas drilling spacing units of the State in order to achieve a processing time for those oil and gas drilling spacing units similar to that of spacing units that require an Application for Permit to Drill and are not part of the pilot program in the same State.

(c) FUNDING.—Beginning in fiscal year 2016, and for a period of 3 years thereafter, to carry out the pilot program efficiently, the Director may fund up to 10 full-time equivalents at appropriate field offices.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Director shall submit to Congress a report on the results of the pilot program.

(e) WAIVER.—The Secretary of the Interior may waive the requirement for an Application for Permit to Drill if the Director determines that the mineral interest of the United States in the spacing units in land covered by this section is adequately protected, if otherwise in accordance with applicable laws, regulations, and lease terms.

Subtitle C—Helium

SEC. 3201. RIGHTS TO HELIUM.

(a) DEFINITION OF HELIUM-RELATED PROJECT.—The term “helium-related project” means a project—

(1) to explore or produce crude helium; and

(2) to sell crude or refined helium.

(b) EXPEDITED COMPLETION.—Notwithstanding any other provision of law, applicable environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for helium-related projects shall be completed on an expeditious basis and the shortest existing applicable process under that Act shall be used for such projects.

(c) REPEAL OF RESERVATION OF HELIUM RIGHTS.—The first section of the Mineral Leasing Act (30 U.S.C. 181) is amended by striking the flush text that follows the last undesignated subsection.

(d) RIGHTS TO HELIUM UNDER LEASES UNDER MINERAL LEASING ACT FOR ACQUIRED LANDS.—The Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) is amended by adding at the end the following:

“SEC. 12. RIGHTS TO HELIUM.

“Any lease issued under this Act that authorizes exploration for, or development or production of, gas shall be considered to grant to the lessee a right of first refusal to engage in exploration for, and development and production of, helium on land that is subject to the lease in accordance with regulations issued by the Secretary.”.

Subtitle D—Critical Minerals

SEC. 3301. DEFINITIONS.

In this subtitle:

(1) **CRITICAL MINERAL.**—

(A) **IN GENERAL.**—The term “critical mineral” means any mineral, element, substance, or material designated as critical pursuant to section 3303.

(B) **EXCLUSIONS.**—The term “critical mineral” does not include—

(i) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(ii) water, ice, or snow.

(2) **CRITICAL MINERAL MANUFACTURING.**—The term “critical mineral manufacturing” means—

(A) the production, processing, refining, alloying, separation, concentration, magnetic sintering, melting, or beneficiation of critical minerals within the United States;

(B) the fabrication, assembly, or production, within the United States, of equipment, components, or other goods with energy technology-, defense-, agriculture-, consumer electronics-, or health care-related applications; or

(C) any other value-added, manufacturing-related use of critical minerals undertaken within the United States.

(3) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) **STATE.**—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

SEC. 3302. POLICY.

(a) **IN GENERAL.**—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—

(1) by striking paragraph (3) and inserting the following:

“(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;”;

(2) in paragraph (6), by striking “and” after the semicolon at the end; and

(3) by striking paragraph (7) and inserting the following:

“(7) encourage Federal agencies to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;

“(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including regulations) and the issuance of per-

mits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;

“(9) strengthen educational and research capabilities and workforce training;

“(10) bolster international cooperation through technology transfer, information sharing, and other means;

“(11) promote the efficient production, use, and recycling of critical minerals;

“(12) develop alternatives to critical minerals; and

“(13) establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.”.

(b) **CONFORMING AMENDMENT.**—Section 2(b) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601(b)) is amended by striking “(b) As used in this Act, the term” and inserting the following:

“(b) **DEFINITIONS.**—In this Act:

“(1) **CRITICAL MINERAL.**—The term ‘critical mineral’ means any mineral or element designated as a critical mineral pursuant to section 3303 of the Energy Policy Modernization Act of 2016.

“(2) **MATERIALS.**—The term”.

SEC. 3303. CRITICAL MINERAL DESIGNATIONS.

(a) **DRAFT METHODOLOGY.**—Not later than 90 days after the date of enactment of this Act, the Secretary of the Interior (acting through the Director of the United States Geological Survey) (referred to in this subtitle as the “Secretary”), in consultation with relevant Federal agencies and entities, shall publish in the Federal Register for public comment a draft methodology for determining which minerals qualify as critical minerals based on an assessment of whether the minerals are—

(1) subject to potential supply restrictions (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, anti-competitive or protectionist behaviors, and other risks throughout the supply chain); and

(2) important in use (including energy technology-, defense-, currency-, agriculture-, consumer electronics-, and health care-related applications).

(b) **AVAILABILITY OF DATA.**—If available data is insufficient to provide a quantitative basis for the methodology developed under this section, qualitative evidence may be used to the extent necessary.

(c) **FINAL METHODOLOGY.**—After reviewing public comments on the draft methodology under subsection (a) and updating the draft methodology as appropriate, not later than 270 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a description of the final methodology for determining which minerals qualify as critical minerals.

(d) **DESIGNATIONS.**—

(1) **IN GENERAL.**—For purposes of carrying out this subtitle, the Secretary shall maintain a list of minerals and elements designated as critical, pursuant to the methodology under subsection (c).

(2) **INITIAL LIST.**—Subject to paragraph (1), not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register an initial list of minerals designated as critical pursuant to the final methodology under subsection (c) for the purpose of carrying out this subtitle.

(3) **INCLUSIONS.**—Notwithstanding the criteria under subsection (c), the Secretary

may designate and include on the list any mineral or element determined by another Federal agency to be strategic and critical to the defense or national security of the United States.

(e) **SUBSEQUENT REVIEW.**—

(1) **IN GENERAL.**—The Secretary shall review the methodology and designations under subsections (c) and (d) at least every 3 years, or more frequently as the Secretary considers to be appropriate.

(2) **REVISIONS.**—Subject to subsection (d)(1), the Secretary may—

(A) revise the methodology described in this section;

(B) determine that minerals or elements previously determined to be critical minerals are no longer critical minerals; and

(C) designate additional minerals or elements as critical minerals.

(f) **NOTICE.**—On finalization of the methodology under subsection (c), the list under subsection (d), or any revision to the methodology or list under subsection (e), the Secretary shall submit to Congress written notice of the action.

SEC. 3304. RESOURCE ASSESSMENT.

(a) **IN GENERAL.**—Not later than 4 years after the date of enactment of this Act, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary shall complete a comprehensive national assessment of each critical mineral that—

(1) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories; and

(2) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.

(b) **SUPPLEMENTARY INFORMATION.**—In carrying out this section, the Secretary may carry out surveys and field work (including drilling, remote sensing, geophysical surveys, geological mapping, and geochemical sampling and analysis) to supplement existing information and datasets available for determining the existence of critical minerals in the United States.

(c) **TECHNICAL ASSISTANCE.**—At the request of the Governor of a State or the head of an Indian tribe, the Secretary may provide technical assistance to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.

(d) **PRIORITIZATION.**—

(1) **IN GENERAL.**—The Secretary may sequence the completion of resource assessments for each critical mineral such that critical minerals considered to be most critical under the methodology established under section 3303 are completed first.

(2) **REPORTING.**—During the period beginning not later than 1 year after the date of enactment of this Act and ending on the date of completion of all of the assessments required under this section, the Secretary shall submit to Congress on an annual basis an interim report that—

(A) identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments; or

(B) describes the progress of the assessments if the Secretary does not sequence the assessments.

(e) **UPDATES.**—The Secretary may periodically update the assessments conducted under this section based on—

(1) the generation of new information or datasets by the Federal Government; or

(2) the receipt of new information or datasets from critical mineral producers, State geological surveys, academic institutions, trade associations, or other persons.

(f) **ADDITIONAL SURVEYS.**—The Secretary shall complete a resource assessment for each additional mineral or element subsequently designated as a critical mineral under section 3303(e)(2) not later than 2 years after the designation of the mineral or element.

(g) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of geological surveying of Federal land for any mineral commodity—

(1) for which the United States was dependent on a foreign country for more than 25 percent of the United States supply, as depicted in the report issued by the United States Geological Survey entitled “Mineral Commodity Summaries 2015”; but

(2) that is not designated as a critical mineral under section 3303.

SEC. 3305. PERMITTING.

(a) **PERFORMANCE IMPROVEMENTS.**—To improve the quality and timeliness of decisions, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) (referred to in this section as the “Secretaries”) shall, to the maximum extent practicable, with respect to critical mineral production on Federal land, complete Federal permitting and review processes with maximum efficiency and effectiveness, while supporting vital economic growth, by—

(1) establishing and adhering to timelines and schedules for the consideration of, and final decisions regarding, applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land;

(2) establishing clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals;

(3) engaging in early collaboration among agencies, project sponsors, and affected stakeholders—

(A) to incorporate and address the interests of those parties; and

(B) to minimize delays;

(4) ensuring transparency and accountability by using cost-effective information technology to collect and disseminate information regarding individual projects and agency performance;

(5) engaging in early and active consultation with State, local, and Indian tribal governments to avoid conflicts or duplication of effort, resolve concerns, and allow for concurrent, rather than sequential, reviews;

(6) providing demonstrable improvements in the performance of Federal permitting and review processes, including lower costs and more timely decisions;

(7) expanding and institutionalizing permitting and review process improvements that have proven effective;

(8) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(9) developing other practices, such as preapplication procedures.

(b) **REVIEW AND REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to Congress a report that—

(1) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness of permitting activities for the explo-

ration and development of domestic critical minerals;

(2) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land;

(3) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric under subsection (c); and

(4) describes actions carried out pursuant to subsection (a).

(c) **PERFORMANCE METRIC.**—Not later than 90 days after the date of submission of the report under subsection (b), the Secretaries, after providing public notice and an opportunity to comment, shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(d) **ANNUAL REPORTS.**—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under subsection (c), and annually thereafter, the Secretaries shall submit to Congress a report that—

(1) summarizes the implementation of recommendations, measures, and options identified in paragraphs (1) and (2) of subsection (b);

(2) using the performance metric under subsection (c), describes progress made by the executive branch, as compared to the baseline established pursuant to subsection (b)(3), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(3) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(e) **INDIVIDUAL PROJECTS.**—Using data from the Secretaries generated under subsection (d), the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(f) **REPORT OF SMALL BUSINESS ADMINISTRATION.**—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies with respect to—

(1) complying with chapter 6 of title 5, United States Code (commonly known as the “Regulatory Flexibility Act”), in promulgating regulations applicable to the critical minerals industry; and

(2) performing an analysis of regulations applicable to the critical minerals industry

that may be outmoded, inefficient, duplicative, or excessively burdensome.

SEC. 3306. FEDERAL REGISTER PROCESS.

(a) **DEPARTMENTAL REVIEW.**—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each Federal Register notice described in subsection (b) shall be—

(1) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and

(2) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice.

(b) **PREPARATION.**—The preparation of Federal Register notices required by law associated with the issuance of a critical mineral exploration or mine permit shall be delegated to the organizational level within the agency responsible for issuing the critical mineral exploration or mine permit.

(c) **TRANSMISSION.**—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(1) the documents or meetings are held; or

(2) the activity is initiated.

SEC. 3307. RECYCLING, EFFICIENCY, AND ALTERNATIVES.

(a) **ESTABLISHMENT.**—The Secretary of Energy (referred to in this section as the “Secretary”) shall conduct a program of research and development—

(1) to promote the efficient production, use, and recycling of critical minerals throughout the supply chain; and

(2) to develop alternatives to critical minerals that do not occur in significant abundance in the United States.

(b) **COOPERATION.**—In carrying out the program, the Secretary shall cooperate with appropriate—

(1) Federal agencies and National Laboratories;

(2) critical mineral producers;

(3) critical mineral processors;

(4) critical mineral manufacturers;

(5) trade associations;

(6) academic institutions;

(7) small businesses; and

(8) other relevant entities or individuals.

(c) **ACTIVITIES.**—Under the program, the Secretary shall carry out activities that include the identification and development of—

(1) advanced critical mineral extraction, production, separation, alloying, or processing technologies that decrease the energy consumption, environmental impact, and costs of those activities, including—

(A) efficient water and wastewater management strategies;

(B) technologies and management strategies to control the environmental impacts of radionuclides in ore tailings; and

(C) technologies for separation and processing;

(2) technologies or process improvements that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain;

(3) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals, and options for improving the rates of collection of products and scrap containing critical minerals from post-consumer, industrial, or other waste streams;

(4) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts;

(5) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and

(6) alternative energy technologies or alternative designs of existing energy technologies, particularly those that use minerals that—

(A) occur in abundance in the United States; and

(B) are not subject to potential supply restrictions.

(d) **REPORTS.**—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report summarizing the activities, findings, and progress of the program.

SEC. 3308. ANALYSIS AND FORECASTING.

(a) **CAPABILITIES.**—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary, in consultation with the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(1) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral domestically produced during the preceding year;

(B) the quantity of each critical mineral domestically consumed during the preceding year;

(C) market price data or other price data for each critical mineral;

(D) an assessment of—

(i) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;

(ii) the reliance of the United States on foreign sources to meet those needs during the preceding year; and

(iii) the implications of any supply shortages, restrictions, or disruptions during the preceding year;

(E) the quantity of each critical mineral domestically recycled during the preceding year;

(F) the market penetration during the preceding year of alternatives to each critical mineral;

(G) a discussion of international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(H) such other data, analyses, and evaluations as the Secretary finds are necessary to achieve the purposes of this section; and

(2) a comprehensive forecast, entitled the “Annual Critical Minerals Outlook”, of projected critical mineral production, consumption, and recycling patterns, including—

(A) the quantity of each critical mineral projected to be domestically produced over the subsequent 1-year, 5-year, and 10-year periods;

(B) the quantity of each critical mineral projected to be domestically consumed over the subsequent 1-year, 5-year, and 10-year periods;

(C) an assessment of—

(i) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States;

(ii) the projected reliance of the United States on foreign sources to meet those needs; and

(iii) the projected implications of potential supply shortages, restrictions, or disruptions;

(D) the quantity of each critical mineral projected to be domestically recycled over the subsequent 1-year, 5-year, and 10-year periods;

(E) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 5-year, and 10-year periods;

(F) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(G) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this section.

(b) **PROPRIETARY INFORMATION.**—In preparing a report described in subsection (a), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(f)), that—

(1) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;

(2) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and

(3) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information.

SEC. 3309. EDUCATION AND WORKFORCE.

(a) **WORKFORCE ASSESSMENT.**—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor (in consultation with the Secretary, the Director of the National Science Foundation, institutions of higher education with substantial expertise in mining, institutions of higher education with significant expertise in minerals research, including fundamental research into alternatives, and employers in the critical minerals sector) shall submit to Congress an assessment of the domestic availability of technically trained personnel necessary for critical mineral exploration, development, assessment, production, manufacturing, recycling, analysis, forecasting, education, and research, including an analysis of—

(1) skills that are in the shortest supply as of the date of the assessment;

(2) skills that are projected to be in short supply in the future;

(3) the demographics of the critical minerals industry and how the demographics

will evolve under the influence of factors such as an aging workforce;

(4) the effectiveness of training and education programs in addressing skills shortages;

(5) opportunities to hire locally for new and existing critical mineral activities;

(6) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602); and

(7) the potential need for new training programs to have a measurable effect on the supply of trained workers in the critical minerals industry.

(b) CURRICULUM STUDY.—

(1) **IN GENERAL.**—The Secretary and the Secretary of Labor shall jointly enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering under which the Academies shall coordinate with the National Science Foundation on conducting a study—

(A) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(B) to address undergraduate and graduate education, especially to assist in the development of graduate level programs of research and instruction that lead to advanced degrees with an emphasis on the critical mineral supply chain or other positions that will increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(C) to develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling; and

(D) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in subsection (c).

(2) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a description of the results of the study required under paragraph (1).

(c) PROGRAM.—

(1) **ESTABLISHMENT.**—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(A) startup costs for newly designated faculty positions in integrated critical mineral education, research, innovation, training, and workforce development programs consistent with subsection (b);

(B) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(C) equipment necessary for integrated critical mineral innovation, training, and workforce development programs; and

(D) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.

(2) RENEWAL.—A grant under this subsection shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under subsection (b)(1)(D).

SEC. 3310. NATIONAL GEOLOGICAL AND GEO-PHYSICAL DATA PRESERVATION PROGRAM.

Section 351(k) of the Energy Policy Act of 2005 (42 U.S.C. 15908(k)) is amended by striking “\$30,000,000 for each of fiscal years 2006 through 2010” and inserting “\$5,000,000 for each of fiscal years 2017 through 2026, to remain available until expended”.

SEC. 3311. ADMINISTRATION.

(a) IN GENERAL.—The National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—Section 3(d) of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5202(d)) is amended in the first sentence by striking “, with the assistance of the National Critical Materials Council as specified in the National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.),”.

(c) SAVINGS CLAUSES.—

(1) IN GENERAL.—Nothing in this subtitle or an amendment made by this subtitle modifies any requirement or authority provided by—

(A) the matter under the heading “GEOLOGICAL SURVEY” of the first section of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(B) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(2) POTASH.—Nothing in this subtitle affects any aspect of Secretarial Order 3324, issued by the Secretary of the Interior on December 3, 2012, with respect to potash and oil and gas operators.

SEC. 3312. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this subtitle \$50,000,000 for each of fiscal years 2017 through 2026.

Subtitle E—Coal

SEC. 3401. FOSSIL ENERGY.

Section 961(a) of the Energy Policy Act of 2005 (42 U.S.C. 16291(a)) is amended by adding at the end the following:

“(8) Improving the conversion, use, and storage of carbon dioxide produced from fossil fuels.”.

SEC. 3402. ESTABLISHMENT OF COAL TECHNOLOGY PROGRAM.

(a) REPEALS.—

(1) IN GENERAL.—

(A) Sections 962 and 963 of the Energy Policy Act of 2005 (42 U.S.C. 16292, 16293) are repealed.

(B) Subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) is repealed.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by paragraph (1), the Secretary shall continue to manage any program activities that are outstanding as of the date of enactment of this Act under the terms and conditions of sections 962 and 963 of the Energy Policy Act of 2005 (42 U.S.C. 16292, 16293) or subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) (as in effect on the day before the date of enactment of this Act), as applicable.

(3) CONFORMING AMENDMENTS.—

(A) Section 703(a)(3) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17251(a)(3)) is amended—

(i) in the matter preceding subparagraph (A), by striking the first and second sentences; and

(ii) in subparagraph (B), by striking “including” in the matter preceding clause (i) and all that follows through the period at

the end and inserting “, including such geologic sequestration projects as are approved by the Secretary”.

(B) Section 704 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17252) is amended in the first sentence by striking “under section 963(c)(3) of the Energy Policy Act of 2005 (42 U.S.C. 16293(c)(3)), as added by section 702 of this subtitle, and”.

(b) ESTABLISHMENT OF COAL TECHNOLOGY PROGRAM.—

(1) IN GENERAL.—The Energy Policy Act of 2005 (as amended by subsection (a)) is amended by inserting after section 961 (42 U.S.C. 16291) the following:

“SEC. 962. COAL TECHNOLOGY PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) LARGE-SCALE PILOT PROJECT.—The term ‘large-scale pilot project’ means a pilot project that—

“(A) represents the scale of technology development beyond laboratory development and bench scale testing, but not yet advanced to the point of being tested under real operational conditions at commercial scale;

“(B) represents the scale of technology necessary to gain the operational data needed to understand the technical and performance risks of the technology before the application of that technology at commercial scale or in commercial-scale demonstration; and

“(C) is large enough—

“(i) to validate scaling factors; and

“(ii) to demonstrate the interaction between major components so that control philosophies for a new process can be developed and enable the technology to advance from large-scale pilot plant application to commercial-scale demonstration or application.

“(2) PROGRAM.—The term ‘program’ means the program established under subsection (b).

“(3) TRANSFORMATIONAL TECHNOLOGY.—

“(A) IN GENERAL.—The term ‘transformational technology’ means a power generation technology that represents an entirely new way to convert energy that will enable a step change in performance, efficiency, and cost of electricity as compared to the technology in existence on the date of enactment of this Act.

“(B) INCLUSIONS.—The term ‘transformational technology’ includes a broad range of technology improvements, including—

“(i) thermodynamic improvements in energy conversion and heat transfer, including—

“(I) oxygen combustion;

“(II) chemical looping; and

“(III) the replacement of steam cycles with supercritical carbon dioxide cycles;

“(ii) improvements in turbine technology;

“(iii) improvements in carbon capture systems technology; and

“(iv) any other technology the Secretary recognizes as transformational technology.

“(b) COAL TECHNOLOGY PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a coal technology program to ensure the continued use of the abundant, domestic coal resources of the United States through the development of technologies that will significantly improve the efficiency, effectiveness, costs, and environmental performance of coal use.

“(2) REQUIREMENTS.—The program shall include—

“(A) a research and development program;

“(B) large-scale pilot projects; and

“(C) demonstration projects.

“(3) PROGRAM GOALS AND OBJECTIVES.—In consultation with the interested entities de-

scribed in paragraph (4)(C), the Secretary shall develop goals and objectives for the program to be applied to the technologies developed within the program, taking into consideration the following objectives:

“(A) Ensure reliable, low cost power from new and existing coal plants.

“(B) Achieve high conversion efficiencies.

“(C) Address emissions of carbon dioxide through high efficiency platforms and carbon capture from new and existing coal plants.

“(D) Support small-scale and modular technologies to enable incremental capacity additions and load growth and large-scale generation technologies.

“(E) Support flexible baseload operations for new and existing applications of coal generation.

“(F) Further reduce emissions of criteria pollutants and reduce the use and manage the discharge of water in power plant operations.

“(G) Accelerate the development of technologies that have transformational energy conversion characteristics.

“(H) Validate geologic storage of large volumes of anthropogenic sources of carbon dioxide and support the development of the infrastructure needed to support a carbon dioxide use and storage industry.

“(I) Examine methods of converting coal to other valuable products and commodities in addition to electricity.

“(4) CONSULTATIONS REQUIRED.—In carrying out the program, the Secretary shall—

“(A) undertake international collaborations, as recommended by the National Coal Council;

“(B) use existing authorities to encourage international cooperation; and

“(C) consult with interested entities, including—

“(i) coal producers;

“(ii) industries that use coal;

“(iii) organizations that promote coal and advanced coal technologies;

“(iv) environmental organizations;

“(v) organizations representing workers; and

“(vi) organizations representing consumers.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the performance standards adopted under subsection (b)(3).

“(2) UPDATE.—Once every 2 years after the initial report is submitted under paragraph (1), the Secretary shall submit to Congress a report describing the progress made towards achieving the objectives and performance standards adopted under subsection (b)(3).

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this Act, to remain available until expended—

“(A) \$610,000,000 for each of fiscal years 2017 through 2020; and

“(B) \$560,000,000 for fiscal year 2021.

“(2) ALLOCATIONS.—The amounts made available under paragraph (1) shall be allocated as follows:

“(A) For activities under the research and development program component described in subsection (b)(2)(A)—

“(i) \$275,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$200,000,000 for fiscal year 2021.

“(B) For activities under the demonstration projects program component described in subsection (b)(2)(C)—

“(i) \$50,000,000 for each of fiscal years 2017 through 2020; and

“(i) \$75,000,000 for fiscal year 2021.

“(C) For activities under the large-scale pilot projects program component described in subsection (b)(2)(B), \$285,000,000 for each of fiscal years 2017 through 2021.”

(2) **COST SHARING FOR LARGE-SCALE PILOT PROJECTS.**—Activities under subsection (b)(2)(B) shall be subject to the cost-sharing requirements of section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)).

Subtitle F—Nuclear

SEC. 3501. REPORT ON FUSION AND FISSION REACTOR PROTOTYPES.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the Committees on Energy and Natural Resources and Environment and Public Works of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report assessing the capability of the Department to host privately funded fusion and fission reactor prototypes up to 20 megawatts thermal output and related demonstration facilities at sites owned by the Department.

(b) **CONTENT.**—The report submitted under subsection (a) shall describe the results of an assessment of—

(1) the safety review, oversight capabilities, and potential liability of the Department;

(2) potential sites capable of hosting research, development, and demonstration of prototype reactors and related facilities for the purpose of reducing technical risk;

(3) the existing physical and technical capabilities of the Department and the National Laboratories relevant to research, development, and oversight;

(4) the efficacy of the available contractual mechanisms of the Department, including—

(A) cooperative research and development agreements;

(B) work for others agreements; and

(C) agreements for commercializing technology;

(5) potential cost structures relating to physical security, decommissioning, liability, and other long-term project costs;

(6) the feasibility of the Department providing technical assistance to developers of privately funded fusion and advanced fission reactors in connection with obtaining a license from the Nuclear Regulatory Commission for demonstration reactors or commercial reactors of varying size and readiness levels up to 2 gigawatts of thermal output; and

(7) other challenges or considerations identified by the Secretary, including issues relating to potential cases of demonstration reactors up to 2 gigawatts of thermal output.

SEC. 3502. NEXT GENERATION NUCLEAR PLANT PROJECT.

Section 642(b) of the Energy Policy Act of 2005 (42 U.S.C. 16022(b)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Subtitle G—Workforce Development

SEC. 3601. 21ST CENTURY ENERGY WORKFORCE ADVISORY BOARD.

(a) **ESTABLISHMENT.**—The Secretary shall establish the 21st Century Energy Workforce Advisory Board (referred to in this section as the “Board”), to develop a strategy for the support and development of a skilled energy workforce that—

(1) meets the current and future industry and labor needs of the energy sector;

(2) provides opportunities for students to become qualified for placement in traditional energy sector and clean energy sector jobs;

(3) aligns apprenticeship programs and workforce development programs to provide industry recognized certifications and credentials;

(4) encourages leaders in the education system of the United States to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the energy- and manufacturing-related industries of the United States;

(5) appropriately supports other Federal agencies;

(6) strengthens and more fully engages workforce training programs of the Department and the National Laboratories in carrying out the Minorities in Energy Initiative of the Department and other Department workforce priorities;

(7) supports the design and replication of existing model energy curricula, particularly in new and emerging technologies, that leads to industry-wide credentials;

(8) develops plans to support and retrain displaced and unemployed energy sector workers; and

(9) makes a Department priority to provide education and job training to underrepresented groups, including ethnic minorities, Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), women, veterans, and socioeconomically disadvantaged individuals.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Board shall be composed of 9 members, with the initial members of the Board to be appointed by the Secretary not later than 1 year after the date of enactment of this Act.

(2) **NOMINATIONS.**—Not later than 1 year after the date of enactment of this Act, the President’s Council of Advisors on Science and Technology shall nominate for appointment to the Board under paragraph (1) not less than 18 individuals who meet the qualifications described in paragraph (3).

(3) **QUALIFICATIONS.**—Each individual nominated for appointment to the Board under paragraph (1) shall—

(A) be eminent in the field of economics or workforce development;

(B) have expertise in relevant traditional energy industries and clean energy industries;

(C) have expertise in secondary and post-secondary education;

(D) have expertise in energy workforce development or apprentice programs of States and units of local government;

(E) have expertise in relevant organized labor organizations; or

(F) have expertise in bringing underrepresented groups, including ethnic minorities, women, veterans, and socioeconomically disadvantaged individuals, into the workforce.

(4) **REPRESENTATION.**—The membership of the Board shall be representative of the broad range of the energy industry, labor organizations, workforce development, education, minority participation, and economics disciplines related to activities carried out under this section.

(5) **LIMITATION.**—No individual shall be nominated for appointment to the Board who is an employee of an entity applying for a grant under section 3602.

(c) **ADVISORY BOARD REVIEW AND RECOMMENDATIONS.**—

(1) **DETERMINATION BY BOARD.**—In developing the strategy required under subsection (a), the Board shall—

(A) determine whether there are opportunities to more effectively and efficiently use the capabilities of the Department in the development of a skilled energy workforce;

(B) identify ways in which the Department could work with other relevant Federal agencies, States, units of local government, educational institutions, labor, and industry in the development of a skilled energy workforce;

(C) identify ways in which the Department and National Laboratories can—

(i) increase outreach to minority-serving institutions; and

(ii) make resources available to increase the number of skilled minorities and women trained to go into the energy- and manufacturing-related sectors;

(D) identify ways in which the Department and National Laboratories can—

(i) increase outreach to displaced and unemployed energy sector workers; and

(ii) make resources available to provide training to displaced and unemployed energy sector workers to reenter the energy workforce; and

(E) identify the energy sectors in greatest need of workforce training and develop guidelines for the skills necessary to develop a workforce trained to work in those energy sectors.

(2) **REQUIRED ANALYSIS.**—In developing the strategy required under subsection (a), the Board shall analyze the effectiveness of—

(A) existing Department directed support; and

(B) developing energy workforce training programs.

(3) **REPORT.**—Not later than 1 year after the date on which the Board is established under this section, and each year thereafter, the Board shall submit to the Secretary and Congress, and make public, a report containing the findings of the Board and model energy curricula with respect to the strategy required to be developed under subsection (a).

(d) **REPORT BY SECRETARY.**—Not later than 18 months after the date on which the Board is established under this section, the Secretary shall submit to the Committees on Appropriations of Senate and the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report that—

(1) describes whether the Secretary approves or disapproves the recommendations of the Board under subsection (c)(3); and

(2) provides an implementation plan for recommendations approved by the Board under paragraph (1).

(e) **CLEARINGHOUSE.**—Based on the recommendations of the Board, the Secretary shall establish a clearinghouse—

(1) to maintain and update information and resources on training and workforce development programs for energy- and manufacturing-related jobs; and

(2) to act as a resource, and provide guidance, for secondary schools, institutions of higher education (including community colleges and minority-serving institutions), workforce development organizations, labor management organizations, and industry organizations that would like to develop and implement energy- and manufacturing-related training programs.

(f) **SUNSET.**—The Board established under this section shall remain in effect until September 30, 2020.

SEC. 3602. ENERGY WORKFORCE PILOT GRANT PROGRAM.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Labor and the Secretary of Education, shall establish a pilot program to award grants on a competitive basis to eligible entities for job training programs that lead to an industry-recognized credential.

(b) **ELIGIBILITY.**—To be eligible to receive a grant under this section, an entity shall be a public or nonprofit organization or a consortium of public or nonprofit organizations that—

(1) includes an advisory board of proportional participation, as determined by the Secretary, of relevant organizations, including—

- (A) relevant energy industry organizations, including public and private employers;
- (B) labor organizations;
- (C) postsecondary education organizations; and

(D) workforce development boards;

(2) demonstrates experience in implementing and operating job training and education programs;

(3) demonstrates the ability to recruit and support individuals who plan to work in the energy industry in the successful completion of relevant job training and education programs; and

(4) provides students who complete the job training and education program with an industry-recognized credential.

(c) **APPLICATIONS.**—Eligible entities desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(d) **PRIORITY.**—In selecting eligible entities to receive grants under this section, the Secretary shall prioritize applicants that—

(1) house the job training and education programs in—

(A) a community college or institution of higher education that includes basic science and math education in the curriculum of the community college, institution of higher education; or

(B) an apprenticeship program registered with the Department of Labor or a State;

(2) work with the Secretary of Defense or veterans organizations to transition members of the Armed Forces and veterans to careers in the energy sector;

(3) work with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

(4) apply as a State or regional consortia to leverage best practices already available in the State or region in which the community college or institution of higher education is located;

(5) have a State-supported entity included in the consortium applying for the grant;

(6) include an apprenticeship program registered with the Department of Labor or a State as part of the job training and education program;

(7) provide support services and career coaching;

(8) provide introductory energy workforce development training;

(9) work with minority-serving institutions to provide job training to increase the number of skilled minorities and women in the energy sector; or

(10) provide job training for displaced and unemployed workers in the energy sector.

(e) **ADDITIONAL CONSIDERATION.**—In making grants under this section, the Secretary shall consider regional diversity.

(f) **LIMITATION ON APPLICATIONS.**—An eligible entity may not submit, either individually or as part of a joint application, more than 1 application for a grant under this section during any 1 fiscal year.

(g) **LIMITATIONS ON AMOUNT OF GRANT.**—The amount of an individual grant for any 1 year shall not exceed \$1,000,000.

(h) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of a job training and education program carried out using a grant under this section shall be not greater than 65 percent.

(2) **NON-FEDERAL SHARE.**—

(A) **IN GENERAL.**—The non-Federal share of the cost of a job training and education program carried out using a grant under this section shall consist of not less than 50 percent cash.

(B) **LIMITATION.**—Not greater than 50 percent of the non-Federal contribution of the total cost of a job training and education program carried out using a grant under this section shall be in the form of in-kind contributions of goods or services fairly valued.

(i) **REDUCTION OF DUPLICATION.**—Prior to submitting an application for a grant under this section, each applicant shall consult with the appropriate agencies of the Federal Government and coordinate the proposed activities of the applicant with existing State and local programs.

(j) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance and capacity building to national and State energy partnerships, including the entities described in subsection (b)(1), to leverage the existing job training and education programs of the Department.

(k) **REPORT.**—The Secretary shall submit to Congress and make publicly available on the website of the Department an annual report on the program established under this section, including a description of—

- (1) the entities receiving grants;
- (2) the activities carried out using the grants;

(3) best practices used to leverage the investment of the Federal Government;

(4) the rate of employment for participants after completing a job training and education program carried out using a grant; and

(5) an assessment of the results achieved by the program.

(l) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2020.

Subtitle H—Recycling**SEC. 3701. RECYCLED CARBON FIBER.**

(a) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall conduct a study on—

(A) the technology of recycled carbon fiber and production waste carbon fiber; and

(B) the potential lifecycle energy savings and economic impact of recycled carbon fiber.

(2) **FACTORS FOR CONSIDERATION.**—In conducting the study under paragraph (1), the Secretary shall consider—

(A) the quantity of recycled carbon fiber or production waste carbon fiber that would make the use of recycled carbon fiber or production waste carbon fiber economically viable;

(B) any existing or potential barriers to recycling carbon fiber or using recycled carbon fiber;

(C) any financial incentives that may be necessary for the development of recycled carbon fiber or production waste carbon fiber;

(D) the potential lifecycle savings in energy from producing recycled carbon fiber, as compared to producing new carbon fiber;

(E) the best and highest use for recycled carbon fiber;

(F) the potential reduction in carbon dioxide emissions from producing recycled carbon fiber, as compared to producing new carbon fiber;

(G) any economic benefits gained from using recycled carbon fiber or production waste carbon fiber;

(H) workforce training and skills needed to address labor demands in the development of recycled carbon fiber or production waste carbon fiber; and

(I) how the Department can leverage existing efforts in the industry on the use of production waste carbon fiber.

(3) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under paragraph (1).

(b) **RECYCLED CARBON FIBER DEMONSTRATION PROJECT.**—On completion of the study required under subsection (a)(1), the Secretary shall consult with the aviation and automotive industries and existing programs of the Advanced Manufacturing Office of the Department to develop a carbon fiber recycling demonstration project.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000, to remain available until expended.

SEC. 3702. ENERGY GENERATION AND REGULATORY RELIEF STUDY REGARDING RECOVERY AND CONVERSION OF NONRECYCLED MIXED PLASTICS.

(a) **DEFINITIONS.**—In this section:

(1) **ENGINEERED FUEL.**—The term “engineered fuel” means a solid fuel that is manufactured from nonrecycled constituents of municipal solid waste or other secondary materials.

(2) **GASIFICATION.**—The term “gasification” means a process through which nonrecycled waste is heated and converted to synthesis gas in an oxygen-deficient atmosphere, which can be converted into fuels such as ethanol or other chemical feedstocks.

(3) **PYROLYSIS.**—The term “pyrolysis” means a process through which nonrecycled plastics are heated in the absence of oxygen until melted and thermally decomposed, and are then cooled, condensed, and converted into synthetic crude oil or refined into synthetic fuels and feedstocks such as diesel or naphtha.

(b) **STUDY.**—With respect to nonrecycled mixed plastics that are part of municipal solid waste or other secondary materials in the United States (and are often deposited in landfills), the Secretary shall conduct a study to determine the manner in which the United States can make progress toward a cost-effective system (including with respect to environmental issues) through which pyrolysis, gasification, and other innovative technologies such as engineered fuels are used to convert such plastics, alone or in combination with other municipal solid waste or secondary materials, into materials that can be used to generate electric energy or fuels or as chemical feedstocks.

(c) **COMPLETION OF STUDY.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete the study described in subsection (b) and submit to the appropriate committees of Congress reports providing findings and recommendations developed through the study.

(d) FUNDING.—The Secretary may use unobligated funds of the Department to carry out this section.

SEC. 3703. ELIGIBLE PROJECTS.

Section 1703(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)(1)) is amended by inserting “(excluding the burning of commonly recycled paper that has been segregated from solid waste to generate electricity)” after “systems”.

TITLE IV—ACCOUNTABILITY

Subtitle A—Loan Programs

SEC. 4001. TERMS AND CONDITIONS FOR INCENTIVES FOR INNOVATIVE TECHNOLOGIES.

(a) BORROWER PAYMENT OF SUBSIDY COST.—(1) IN GENERAL.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by adding at the end the following:

“(1) BORROWER PAYMENT OF SUBSIDY COST.—

“(1) IN GENERAL.—In addition to the requirement in subsection (b)(1), no guarantee shall be made unless the Secretary has received from the borrower not less than 25 percent of the cost of the guarantee.

“(2) ESTIMATE.—The Secretary shall provide to the borrower, as soon as practicable, an estimate or range of the cost of the guarantee under paragraph (1).”.

(2) CONFORMING AMENDMENT.—Section 1702(b) of the Energy Policy Act of 2005 (42 U.S.C. 16512(b)) is amended—

(A) by striking “(1) IN GENERAL.—No guarantee” and inserting the following: “Subject to subsection (1), no guarantee”;

(B) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and indenting appropriately; and

(C) in paragraph (3) (as so redesignated)—

(i) by striking “subparagraph (A)” and inserting “paragraph (1)”; and

(ii) by striking “subparagraph (B)” and inserting “paragraph (2)”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on October 1, 2019.

(b) PROHIBITION ON SUBORDINATION OF DEBT.—Section 1702(d)(3) of the Energy Policy Act of 2005 (42 U.S.C. 16512(d)(3)) is amended by striking “is not subordinate” and inserting “(including any reorganization, restructuring, or termination of the obligation) shall not at any time be subordinate”.

(c) LOAN PROGRAM TRANSPARENCY.—Section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) is amended by adding at the end the following:

“(f) LOAN STATUS.—

“(1) REQUEST.—If the Secretary does not make a final decision on an application for a loan guarantee under this section by the date that is 270 days after receipt of the application by the Secretary, on that date and every 90 days thereafter until the final decision is made, the applicant may request that the Secretary provide to the applicant a description of the status of the application.

“(2) RESPONSE.—Not later than 10 days after receiving a request from an applicant under paragraph (1), the Secretary shall provide to the applicant a response that includes—

“(A) a summary of any factors that are delaying a final decision on the application; and

“(B) an estimate of when review of the application will be completed.”.

(d) TEMPORARY PROGRAM FOR RAPID DEPLOYMENT OF RENEWABLE ENERGY AND ELECTRIC POWER TRANSMISSION PROJECTS.—

(1) REPEAL.—Section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) is repealed.

(2) RESCISSION.—There is rescinded the unobligated balance of amounts made available to carry out the loan guarantee program established under section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) (before the amendment made by paragraph (1)).

(3) MANAGEMENT.—The Secretary shall ensure rigorous continued management and oversight of all outstanding loans guaranteed under the program described in subsection (b) until those loans have been repaid in full.

SEC. 4002. STATE LOAN ELIGIBILITY.

(a) DEFINITIONS.—Section 1701 of the Energy Policy Act of 2005 (42 U.S.C. 16511) is amended by adding at the end the following:

“(6) STATE.—The term ‘State’ has the meaning given the term in section 202 of the Energy Conservation and Production Act (42 U.S.C. 6802).

“(7) STATE ENERGY FINANCING INSTITUTION.—

“(A) IN GENERAL.—The term ‘State energy financing institution’ means a quasi-independent entity or an entity within a State agency or financing authority established by a State—

“(i) to provide financing support or credit enhancements, including loan guarantees and loan loss reserves, for eligible projects; and

“(ii) to create liquid markets for eligible projects, including warehousing and securitization, or take other steps to reduce financial barriers to the deployment of existing and new eligible projects.

“(B) INCLUSION.—The term ‘State energy financing institution’ includes an entity or organization established to achieve the purposes described in clauses (i) and (ii) of subparagraph (A) by an Indian tribal entity or an Alaska Native Corporation.”.

(b) TERMS AND CONDITIONS.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) (as amended by section 4001(a)(1)) is amended—

(1) in subsection (a), by inserting “or to a State energy financing institution” after “for projects”; and

(2) by adding at the end the following:

“(m) STATE ENERGY FINANCING INSTITUTIONS.—

“(1) ELIGIBILITY.—To be eligible for a guarantee under this title, a State energy financing institution—

“(A) shall meet the requirements of section 1703(a)(1); and

“(B) shall not be required to meet the requirements of section 1703(a)(2).

“(2) PARTNERSHIPS AUTHORIZED.—In carrying out a project receiving a loan guarantee under this title, State energy financing institutions may enter into partnerships with private entities, tribal entities, and Alaska Native corporations.

“(3) PROHIBITION ON USE OF APPROPRIATED FUNDS.—Amounts appropriated to the Department of Energy before the date of enactment of this subsection shall not be available to be used for the cost of loan guarantees made to State energy financing institutions under this subsection.”.

SEC. 4003. GAO STUDY ON FOSSIL LOAN GUARANTEE INCENTIVE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out, and submit to Congress a report describing the results of, a study on the effectiveness of the advanced fossil loan guarantee incentive program and other incentive programs for advanced fossil energy of the Department.

(b) CONTENTS.—In carrying out the study under subsection (a), the Comptroller General of the United States shall—

(1) solicit industry and stakeholder input;

(2) evaluate the effectiveness of the advanced fossil loan guarantee incentive program, alone or in combination with other incentives, in advancing carbon capture and storage technology;

(3) review each Federal incentive provided by the Department and other Federal agencies for carbon capture and storage demonstration projects to determine the adequacy and effectiveness of the combined Federal incentives in advancing carbon capture and storage and advanced fossil energy technologies;

(4) assess whether combinations of the incentive programs in existence as of the date of enactment of this Act could be effective to advance carbon capture and storage and advanced fossil energy technologies; and

(5) evaluate the impact and costs of implementing the recommendations described in the January 2015 National Coal Council report entitled “Fossil Forward: Revitalizing CCS, Bringing Scale and Speed to CCS Deployment” on the effectiveness of the advanced fossil loan guarantee program.

SEC. 4004. PROGRAM ELIGIBILITY FOR VESSELS.

Subtitle B of title I of the Energy Independence and Security Act of 2007 (42 U.S.C. 17011 et seq.) is amended by adding at the end the following:

“SEC. 137. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM ELIGIBILITY FOR VESSELS.

“(a) DEFINITION OF VESSEL.—In this section, the term ‘vessel’ means a vessel (as defined in section 3 of title 1, United States Code), whether in existence or under construction, that has been issued a certificate of documentation as a United States flagged vessel under chapter 121 of title 46, United States Code and that meets the standards established under section 4005(a) of the Energy Policy Modernization Act of 2016.

“(b) ELIGIBILITY.—Subject to the terms and conditions of subsections (d) and (f) of section 136, projects for the reequipping, expanding, or establishing of a manufacturing facility in the United States to produce vessels shall be considered eligible for direct loans under section 136(d).

“(c) FUNDING.—

“(1) PROHIBITION ON USE OF EXISTING CREDIT SUBSIDY.—None of the projects made eligible under this section shall be eligible to receive any credit subsidy provided under section 136 before the date of enactment of this section.

“(2) SPECIFIC APPROPRIATION OR CONTRIBUTION.—The authority under this section to incur indebtedness, or enter into contracts, obligating amounts to be expended by the Federal Government shall be effective for any fiscal year only—

“(A)(i) to such extent or in such amounts as are provided in advance by appropriation Acts; and

“(ii) if the borrower has agreed to pay a reasonable percentage of the cost of the obligation; or

“(B) if the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury.”.

SEC. 4005. ADDITIONAL REFORMS.

(a) ISSUANCE OF RULE.—Not later than 180 days after the date of enactment of this Act and after consultation with, and taking into account comments from, the vessel industry, the Secretary shall issue a rule that specifies which energy efficiency improvement standards shall apply to applicants for loans under

section 137 of the Energy Independence and Security Act of 2007 (as added by section 4004) for the manufacturing, retrofitting, or repowering vessels that have been issued certificates of documentation as United States flagged vessels under chapter 121 of title 46, United States Code.

(b) FEES.—Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended by striking subsection (f) and inserting the following:

“(f) FEES.—

“(1) IN GENERAL.—The Secretary shall charge and collect fees for loans provided under this section in amounts that the Secretary determines are sufficient to cover applicable administrative expenses associated with the loans, including reasonable closing fees on the loans.

“(2) AVAILABILITY.—Fees collected under paragraph (1) shall—

“(A) be deposited by the Secretary into the Treasury; and

“(B) remain available until expended, subject to such other conditions as are contained in annual appropriations Acts.”.

SEC. 4006. DEPARTMENT OF ENERGY INDIAN ENERGY EDUCATION PLANNING AND MANAGEMENT ASSISTANCE PROGRAM.

Section 2602(b)(6) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(6)) is amended by striking “2016” and inserting “2026”.

Subtitle B—Energy-Water Nexus

SEC. 4101. NEXUS OF ENERGY AND WATER FOR SUSTAINABILITY.

(a) DEFINITIONS.—In this section:

(1) ENERGY-WATER NEXUS.—The term “energy-water nexus” means the links between—

(A) the water needed to produce fuels, electricity, and other forms of energy; and

(B) the energy needed to transport, reclaim, and treat water and wastewater.

(2) INTERAGENCY COORDINATION COMMITTEE.—The term “Interagency Coordination Committee” means the Committee on the Nexus of Energy and Water for Sustainability (or the “NEWS Committee”) established under subsection (b)(1).

(3) NEXUS OF ENERGY AND WATER SUSTAINABILITY OFFICE; NEWS OFFICE.—The term “Nexus of Energy and Water Sustainability Office” or the “NEWS Office” means an office located at the Department and managed in cooperation with the Department of the Interior pursuant to an agreement between the 2 agencies to carry out leadership and administrative functions for the Interagency Coordination Committee.

(4) RD&D ACTIVITIES.—The term “RD&D activities” means research, development, and demonstration activities.

(b) INTERAGENCY COORDINATION COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of the Interior shall establish the joint NEWS Office and Interagency Coordination Committee on the Nexus of Energy and Water for Sustainability (or the “NEWS Committee”) to carry out the duties described in paragraph (3).

(2) ADMINISTRATION.—

(A) CHAIRS.—The Secretary and the Secretary of the Interior shall jointly manage the NEWS Office and serve as co-chairs of the Interagency Coordination Committee.

(B) MEMBERSHIP; STAFFING.—Membership and staffing shall be determined by the co-chairs.

(3) DUTIES.—The Interagency Coordination Committee shall—

(A) serve as a forum for developing common Federal goals and plans on energy-water

nexus RD&D activities in coordination with the National Science and Technology Council;

(B) not later than 1 year after the date of enactment of this Act, and biannually thereafter, issue a strategic plan on energy-water nexus RD&D activities priorities and objectives;

(C) convene and promote coordination of the activities of Federal departments and agencies on energy-water nexus RD&D activities, including the activities of—

(i) the Department;

(ii) the Department of the Interior;

(iii) the Corps of Engineers;

(iv) the Department of Agriculture;

(v) the Department of Defense;

(vi) the Department of State;

(vii) the Environmental Protection Agency;

(viii) the Council on Environmental Quality;

(ix) the National Institute of Standards and Technology;

(x) the National Oceanic and Atmospheric Administration;

(xi) the National Science Foundation;

(xii) the Office of Management and Budget;

(xiii) the Office of Science and Technology Policy;

(xiv) the National Aeronautics and Space Administration; and

(xv) such other Federal departments and agencies as the Interagency Coordination Committee considers appropriate;

(D)(i) coordinate and develop capabilities and methodologies for data collection, management, and dissemination of information related to energy-water nexus RD&D activities from and to other Federal departments and agencies; and

(ii) promote information exchange between Federal departments and agencies—

(I) to identify and document Federal and non-Federal programs and funding opportunities that support basic and applied research, development, and demonstration proposals to advance energy-water nexus related science and technologies;

(II) to leverage existing programs by encouraging joint solicitations, block grants, and matching programs with non-Federal entities; and

(III) to identify opportunities for domestic and international public-private partnerships, innovative financing mechanisms, information and data exchange;

(E) promote the integration of energy-water nexus considerations into existing Federal water, energy, and other natural resource, infrastructure, and science programs at the national and regional levels and with programs administered in partnership with non-Federal entities; and

(F) not later than 1 year after the date of enactment of this Act, issue a report on the potential benefits and feasibility of establishing an energy-water center of excellence within the National Laboratories (as that term is defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)).

(4) NO REGULATION.—Nothing in this subsection grants to the Interagency Coordination Committee the authority to promulgate regulations or set standards.

(5) REVIEW; REPORT.—At the end of the 5-year period beginning on the date on which the Interagency Coordination Committee and NEWS Office are established, the NEWS Office shall—

(A) review the activities, relevance, and effectiveness of the Interagency Coordination Committee; and

(B) submit to the Committee on Energy and Natural Resources of the Senate and the

Committees on Science, Space, and Technology, Energy and Commerce, and Natural Resources of the House of Representatives a report that—

(i) describes the results of the review conducted under subparagraph (A); and

(ii) includes a recommendation on whether the Interagency Coordination Committee should continue.

(c) CROSSCUT BUDGET.—Not later than 30 days after the President submits the budget of the United States Government under section 1105 of title 31, United States Code, the co-chairs of the Interagency Coordination Committee (acting through the NEWS Office) shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Science, Space, and Technology, Energy and Commerce, and Natural Resources of the House of Representatives, an interagency budget crosscut report that displays at the program-, project-, and activity-level for each of the Federal agencies that carry out or support (including through grants, contracts, interagency and intraagency transfers, and multiyear and no-year funds) basic and applied RD&D activities to advance the energy-water nexus related science and technologies—

(1) the budget proposed in the budget request of the President for the upcoming fiscal year;

(2) expenditures and obligations for the prior fiscal year; and

(3) estimated expenditures and obligations for the current fiscal year.

SEC. 4102. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.

Subtitle A of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16191 et seq.) is amended by adding at the end the following:

“SEC. 918. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a utility;

“(B) a municipality;

“(C) a water district;

“(D) an Indian tribe or Alaska Native village; and

“(E) any other authority that provides water, wastewater, or water reuse services.

“(2) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—The term ‘smart energy and water efficiency pilot program’ or ‘pilot program’ means the pilot program established under subsection (b).

“(b) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish and carry out a smart energy and water efficiency pilot program in accordance with this section.

“(2) PURPOSE.—The purpose of the smart energy and water efficiency pilot program is to award grants to eligible entities to demonstrate unique, advanced, or innovative technology-based solutions that will—

“(A) increase the energy efficiency of water, wastewater, and water reuse systems;

“(B) improve energy efficiency of water, wastewater, and water reuse systems to help communities across the United States make measurable progress in conserving water, saving energy, and reducing costs;

“(C) support the implementation of innovative and unique processes and the installation of established advanced automated systems that provide real-time data on energy and water; and

“(D) improve energy-water conservation and quality and predictive maintenance through technologies that utilize internet

connected technologies, including sensors, intelligent gateways, and security embedded in hardware.

“(3) PROJECT SELECTION.—

“(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

“(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Secretary shall consider—

“(i) energy and cost savings;

“(ii) the uniqueness, commercial viability, and reliability of the technology to be used;

“(iii) the degree to which the project integrates next-generation sensors software, analytics, and management tools;

“(iv) the anticipated cost-effectiveness of the pilot project through measurable energy efficiency savings, water savings or reuse, and infrastructure costs averted;

“(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented in a wide range of applications ranging in scale from small towns to large cities, including tribal communities;

“(vi) whether the technology has been successfully deployed elsewhere;

“(vii) whether the technology was sourced from a manufacturer based in the United States; and

“(viii) whether the project will be completed in 5 years or less.

“(C) APPLICATIONS.—

“(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

“(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

“(I) a description of the project;

“(II) a description of the technology to be used in the project;

“(III) the anticipated results, including energy and water savings, of the project;

“(IV) a comprehensive budget for the project;

“(V) the names of the project lead organization and any partners;

“(VI) the number of users to be served by the project;

“(VII) a description of the ways in which the proposal would meet performance measures established by the Secretary; and

“(VIII) any other information that the Secretary determines to be necessary to complete the review and selection of a grant recipient.

“(4) ADMINISTRATION.—

“(A) IN GENERAL.—Not later than 300 days after the date of enactment of this section, the Secretary shall select grant recipients under this section.

“(B) EVALUATIONS.—

“(i) ANNUAL EVALUATIONS.—The Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that meets performance measures and benchmarks developed by the Secretary, consistent with the purposes of this section.

“(ii) REQUIREMENTS.—Consistent with the performance measures and benchmarks developed under clause (i), in carrying out an evaluation under that clause, the Secretary shall —

“(I) evaluate the progress and impact of the project; and

“(II) assesses the degree to which the project is meeting the goals of the pilot program.

“(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical and policy assistance.

“(D) BEST PRACTICES.—The Secretary shall make available to the public through the Internet and other means the Secretary considers to be appropriate—

“(i) a copy of each evaluation carried out under subparagraph (B); and

“(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

“(E) REPORT TO CONGRESS.—The Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000, to remain available until expended.”.

Subtitle C—Innovation

SEC. 4201. AMERICA COMPETES PROGRAMS.

(a) BASIC RESEARCH.—Section 971(b) of the Energy Policy Act of 2005 (42 U.S.C. 16311(b)) is amended—

(1) in paragraph (6), by striking “and” at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(8) \$5,271,000,000 for fiscal year 2016;

“(9) \$5,485,000,000 for fiscal year 2017;

“(10) \$5,704,000,000 for fiscal year 2018;

“(11) \$5,932,000,000 for fiscal year 2019; and

“(12) \$6,178,000,000 for fiscal year 2020.”.

(b) ADVANCED RESEARCH PROJECTS AGENCY-ENERGY.—Section 5012 of the America COMPETES Act (42 U.S.C. 16538) is amended—

(1) in subsection (a)(3), by striking “subsection (n)(1)” and inserting “subsection (o)(1)”; and

(2) in subsection (i), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—To the maximum extent practicable, the Director shall ensure that—

“(A) the activities of ARPA-E are coordinated with, and do not duplicate the efforts of, programs and laboratories within the Department and other relevant research agencies; and

“(B) ARPA-E does not provide funding for a project unless the prospective grantee demonstrates sufficient attempts to secure private financing or indicates that the project is not independently commercially viable.”;

(3) by redesignating subsection (n) as subsection (o);

(4) by inserting after subsection (m) the following:

“(n) PROTECTION OF INFORMATION.—The following types of information collected by the ARPA-E from recipients of financial assistance awards shall be considered commercial and financial information obtained from a person and privileged or confidential and not subject to disclosure under section 552(b)(4) of title 5, United States Code:

“(1) Plans for commercialization of technologies developed under the award, including business plans, technology-to-market plans, market studies, and cost and performance models.

“(2) Investments provided to an awardee from third parties (such as venture capital firms, hedge funds, and private equity firms), including amounts and the percentage of ownership of the awardee provided in return for the investments.

“(3) Additional financial support that the awardee—

“(A) plans to or has invested into the technology developed under the award; or

“(B) is seeking from third parties.

“(4) Revenue from the licensing or sale of new products or services resulting from research conducted under the award.”; and

(5) in subsection (o) (as redesignated by paragraph (3))—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “paragraphs (4) and (5)” and inserting “paragraph (4)”; and

(ii) in subparagraph (D), by striking “and” at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(F) \$291,200,000 for fiscal year 2016;

“(G) \$303,600,000 for fiscal year 2017;

“(H) \$314,700,000 for fiscal year 2018;

“(I) \$327,300,000 for fiscal year 2019; and

“(J) \$340,600,000 for fiscal year 2020.”; and

(B) in paragraph (4)(B), by striking “(c)(2)(D)” and inserting “(c)(2)(C)”.

SEC. 4202. INCLUSION OF EARLY STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) EARLY STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out early stage and precommercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.”.

SEC. 4203. SUPPORTING ACCESS OF SMALL BUSINESS CONCERNS TO NATIONAL LABORATORIES.

(a) DEFINITIONS.—In this section:

(1) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(2) SMALL BUSINESS CONCERN.—The term “small business concern” has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ACTIONS FOR INCREASED ACCESS AT NATIONAL LABORATORIES FOR SMALL BUSINESS CONCERNS.—To promote the technology transfer of innovative energy technologies and enhance the competitiveness of the United States, the Secretary shall take such actions as are appropriate to facilitate access to the National Laboratories for small business concerns.

(c) INFORMATION ON THE DOE WEBSITE RELATING TO NATIONAL LABORATORY PROGRAMS AVAILABLE TO SMALL BUSINESS CONCERNS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Directors of the National Laboratories, shall—

(A) publish in a consolidated manner on the website of the Department information relating to National Laboratory programs that are available to small business concerns;

(B) provide for the information published under subparagraph (A) to be kept up-to-date; and

(C) include in the information published under subparagraph (A), information on each available program under which small business concerns are eligible to enter into

agreements to work with the National Laboratories.

(2) **COMPONENTS.**—The information published on the Department website under paragraph (1) shall include—

(A) a brief description of each agreement available to small business concerns to work with National Laboratories;

(B) a step-by-step guide for completing agreements to work with National Laboratories;

(C) best practices for working with National Laboratories;

(D) individual National Laboratory websites that provide information specific to technology transfer and working with small business concerns;

(E) links to funding opportunity announcements, nonfinancial resources, and other programs available to small business concerns; and

(F) any other information that the Secretary determines to be appropriate.

(3) **ACCESSIBILITY.**—The information published on the Department website under paragraph (1) shall be—

(A) readily accessible and easily found on the Internet by the public and members and committees of Congress; and

(B) presented in a searchable, machine-readable format.

(4) **GUIDANCE.**—The Secretary shall issue Departmental guidance to ensure that the information published on the Department website under paragraph (1) is provided in a manner that presents a coherent picture of all National Laboratory programs that are relevant to small business concerns.

SEC. 4204. MICROLAB TECHNOLOGY COMMERCIALIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **MICROLAB.**—The term “microlab” means a small laboratory established by the Secretary under subsection (b).

(2) **NATIONAL LABORATORY.**—The term “national laboratory” means—

(A) a National Laboratory, as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801); and

(B) a national security laboratory, as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

(b) **ESTABLISHMENT OF MICROLAB PROGRAM.**—

(1) **IN GENERAL.**—The Secretary, in collaboration with the directors of national laboratories, may establish a microlab program under which the Secretary establishes microlabs that are located in close proximity to national laboratories and that are accessible to the public for the purposes of—

(A) enhancing collaboration with regional research groups, such as institutions of higher education and industry groups;

(B) accelerating technology transfer from national laboratories to the marketplace; and

(C) promoting regional workforce development through science, technology, engineering, and mathematics (“STEM”) instruction and training.

(2) **CRITERIA.**—In determining the placement of microlabs under paragraph (1), the Secretary shall consider—

(A) the commitment of a national laboratory to establishing a microlab;

(B) the existence of a joint research institute or a new facility that—

(i) is not on the main site of a national laboratory;

(ii) is in close proximity to a national laboratory; and

(iii) has the capability to house a microlab;

(C) whether employees of a national laboratory and persons from academia, indus-

try, and government are available to be assigned to the microlab; and

(D) cost-sharing or in-kind contributions from State and local governments and private industry.

(3) **TIMING.**—If the Secretary, in collaboration with the directors of national laboratories, elects to establish a microlab program under this subsection, the Secretary, in collaboration with the directors of national laboratories, shall—

(A) not later than 60 days after the date of enactment of this Act, begin the process of determining the placement of microlabs under paragraph (1); and

(B) not later than 180 days after the date of enactment of this Act, implement the microlab program under this subsection.

(c) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 60 days after the date of implementation of the microlab program under subsection (b), the Secretary shall submit to the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report that provides an update on the implementation of the microlab program under subsection (b).

(2) **PROGRESS REPORT.**—Not later than 1 year after the date of implementation of the microlab program under subsection (b), the Secretary shall submit to the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report on the microlab program under subsection (b), including findings and recommendations of the Secretary.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—

There is authorized to be appropriated to carry out this Act \$50,000,000 for fiscal year 2016.

Subtitle D—Grid Reliability

SEC. 4301. BULK-POWER SYSTEM RELIABILITY IMPACT STATEMENT.

(a) **RELIABILITY REPORTS.**—Section 215(g) of the Federal Power Act (16 U.S.C. 824o(g)) is amended—

(1) by striking “The ERO” and inserting the following:

“(1) **IN GENERAL.**—The ERO”; and

(2) by adding at the end the following:

“(2) **REGIONAL ENTITIES.**—Not later than 180 days after the date of enactment of this paragraph and not less than every 3 years thereafter, each regional entity shall submit to the appropriate committees of Congress and the Commission a report that describes, as of the date of the report—

“(A) the state of and prospects for the reliability of electricity within the geographic area covered by the regional entity; and

“(B) the most significant risks to the reliability of the bulk-power system that might arise or need to be monitored within the geographic area covered by the regional entity, including risks from proposed or final Federal regulations.”.

(b) **RELIABILITY IMPACT STATEMENT.**—Section 215 of the Federal Power Act (16 U.S.C. 824o) is amended by adding at the end the following:

“(1) **RELIABILITY IMPACT STATEMENT.**—

“(1) **SOLICITATION BY COMMISSION.**—Not later than 15 days after the date on which the head of a Federal agency proposes a major rule (as defined in section 804 of title

5, United States Code) that may significantly affect the reliable operation of the bulk-power system, the Commission shall solicit from any applicable regional entity affected by the proposed rule a reliability impact statement with respect to the proposed rule.

“(2) **VOLUNTARY SUBMISSION BY REGIONAL ENTITY.**—A regional entity may prepare, on the initiative of the regional entity, a reliability impact statement for any proposed major Federal rule that the regional entity determines would significantly affect the reliable operation of the bulk-power system within the area covered by the regional entity.

“(3) **MULTIJURISDICTIONAL COORDINATION.**—If a proposed rule subject to a reliability impact statement under paragraph (1) or (2) affects an area broader than the area covered by a single regional entity, the ERO shall convene a committee of the affected regional entities to produce a single reliability impact statement that demonstrates for each affected area the reliability impact of the proposed rule.

“(4) **REQUIREMENTS.**—A reliability impact statement under paragraph (1) or (2) shall include a detailed statement on—

“(A) the impact of the proposed rule on the reliable operation of the bulk-power system;

“(B) any adverse effects on the reliable operation of the bulk-power system if the proposed rule was implemented; and

“(C) alternatives to cure the identified adverse reliability impacts, including, at the discretion of the regional entity, a no-action alternative.

“(5) **SUBMISSION TO COMMISSION.**—On completion of a reliability impact statement under paragraph (1) or (2), the regional entity or a committee of affected regional entities convened under paragraph (3) shall submit to the Commission the reliability impact statement.

“(6) **TRANSMITTAL TO HEAD OF FEDERAL AGENCY.**—On receipt of a reliability impact statement submitted to the Commission under paragraph (5), the Commission shall transmit to the head of the applicable Federal agency the reliability impact statement prepared under this subsection for inclusion in the public record.

“(7) **INCLUSION OF DETAILED RESPONSE IN FINAL RULE.**—With respect to a final major rule subject to a reliability impact statement prepared under paragraph (1) or (2), the head of the Federal agency shall—

“(A) consider the reliability impact statement;

“(B) give due weight to the technical expertise of the regional entity with respect to matters that are the subject of the reliability impact statement; and

“(C) include in the final rule a detailed response to the reliability impact statement that reasonably addresses the detailed statements required under paragraph (4).”.

SEC. 4302. REPORT BY TRANSMISSION ORGANIZATIONS ON DIVERSITY OF SUPPLY.

(a) **DEFINITIONS.**—In this section:

(1) **ELECTRIC GENERATING CAPACITY RESOURCE.**—

(A) **IN GENERAL.**—The term “electric generating capacity resource” means an electric generating resource, as measured by the maximum load-carrying ability of the resource, exclusive of station use and planned, unplanned, or other outage or derating subject to dispatch by the transmission organization to meet the resource adequacy needs of the systems operated by the transmission organization.

(B) **EFFECT.**—The term “electric generating capacity resource” does not address

non-electric generating resources that are qualified as capacity resources in the tariffs of various transmission organizations as of the date of enactment of this Act.

(2) **TRANSMISSION ORGANIZATION.**—The term “transmission organization” has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(b) **REPORT.**—

(1) **NOTICE.**—Not later than 14 days after the date of enactment of this Act, the Commission (as the term is defined in section 3 of the Federal Power Act (16 U.S.C. 796)) shall submit to each transmission organization that has a tariff on file with the Commission that includes provisions addressing the procurement of electric generating capacity resources, a notice that the transmission organization is required to file with the Commission a report in accordance with paragraph (2).

(2) **REPORT.**—Not later than 180 days after the date on which a transmission organization receives a notice under paragraph (1), the transmission organization shall submit to the Commission a report that, to the maximum extent practicable—

(A)(i) identifies electric generating capacity resources that are available to the transmission organization as of the date of the report; and

(ii) describes the primary energy sources and operational characteristics of electric capacity resources available, in the aggregate, to the transmission organization;

(B) evaluates, using generally accepted metrics, the current operational performance, in the aggregate, of electric capacity resources;

(C) identifies, for the aggregate of electric generating capacity resources available to the transmission organization—

(i) over the short- and long-term periods in the planning cycle of the transmission organization, reasonable projections concerning the operational and economic risk profile of electric generating capacity resources;

(ii) the projected future needs of the transmission organization for electric generating capacity resources; and

(iii) the availability of transmission facilities and transmission support services necessary to provide for the transmission organization reasonable assurances of essential reliability services, including adequate voltage support; and

(D) assesses whether and to what extent the market rules of the transmission organization—

(i) yield capacity auction clearing prices that promote necessary and prudent investment;

(ii) yield energy market clearing prices that reflect the marginal cost of supply, taking into account transmission constraints and other factors needed to ensure reliable grid operation;

(iii) produce meaningful price signals that clearly indicate where new supply and investment are needed;

(iv) reduce uncertainty or instability resulting from changes to market rules, processes, or protocols;

(v) promote transparency and communication by the market operator to market participants;

(vi) support a diverse generation portfolio and the availability of transmission facilities and transmission support services on a short- and long-term basis necessary to provide reasonable assurances of a continuous supply of electricity for customers of the transmission organization at the proper voltage and frequency; and

(vii) provide an enhanced opportunity for self-supply of electric generating capacity resources by electric cooperatives, Federal power marketing agencies, and State utilities with a service obligation (as those terms are defined in section 217(a) of the Federal Power Act (16 U.S.C. 824q(a))) in a manner that is consistent with traditional utility business models and does not unduly affect wholesale market prices.

Subtitle E—Management

SEC. 4401. FEDERAL LAND MANAGEMENT.

(a) **DEFINITIONS.**—In this section:

(1) **CADASTRE.**—The term “cadastre” means an inventory of buildings and other real property (including associated infrastructure such as roads and utility transmission lines and pipelines) located on land administered by the Secretary, which is developed through collecting, storing, retrieving, or disseminating graphical or digital data and any information related to the data, including surveys, maps, charts, images, and services.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(b) **CADASTRE OF FEDERAL REAL PROPERTY.**—

(1) **IN GENERAL.**—The Secretary is authorized—

(A) to develop and maintain a current and accurate multipurpose cadastre to support Federal land management activities for the Department of the Interior;

(B) to incorporate any related inventories of Federal real property, including any inventories prepared under applicable land or resource management plans; and

(C) to enter into discussions with other Federal agencies to make the cadastre available for use by the agency to support agency management activities.

(2) **COST-SHARING AGREEMENTS.**—

(A) **IN GENERAL.**—The Secretary may enter into cost-sharing agreements with other Federal agencies, and with States, Indian tribes, and local governments, to include any non-Federal land in a State in the cadastre.

(B) **COST SHARE.**—The Federal share of any cost agreement described in subparagraph (A) shall not exceed 50 percent of the total cost to a State, Indian tribe, or local government for the development of the cadastre of non-Federal land.

(3) **CONSOLIDATION AND REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the real property inventories or any components of any cadastre or related inventories that—

(A) exist as of the date of enactment of this Act;

(B) are authorized by law or conducted by the Secretary; and

(C) are of sufficient accuracy to be included in the cadastre authorized under paragraph (1).

(4) **COORDINATION.**—In carrying out this subsection, the Secretary shall—

(A) participate (in accordance with section 216 of the E-Government Act of 2002 (44 U.S.C. 3501 note; Public Law 107-347)) in the establishment of such standards and common protocols as are necessary to ensure the interoperability of geospatial information pertaining to the cadastre for all users of the information;

(B) coordinate with, seek assistance and cooperation of, and provide liaison to the Federal Geographic Data Committee pursuant to Office of Management and Budget Circular A-16 and Executive Order 12906 (43

U.S.C. 1457 note; relating to coordinating geographic data acquisition and access: the National Spatial Data Infrastructure) for the implementation of and compliance with such standards as may be applicable to the cadastre;

(C) make the cadastre interoperable with the Federal Real Property Profile established pursuant to Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management);

(D) integrate with and leverage, to the maximum extent practicable, cadastre activities of units of State and local government; and

(E) use contracts with the private sector, if practicable, to provide such products and services as are necessary to develop the cadastre.

(c) **TRANSPARENCY AND PUBLIC ACCESS.**—The Secretary shall—

(1) make the cadastre required under this section publically available on the Internet in a graphically geoenabled and searchable format; and

(2) in consultation with the Secretary of Defense and the Secretary of Homeland Security, prevent the disclosure of the identity of any buildings or facilities, or information related to the buildings or facilities, if the disclosure would impair or jeopardize the national security or homeland defense of the United States.

(d) **EFFECT.**—Nothing in this section—

(1) creates any substantive or procedural right or benefit;

(2) authorizes any new surveying or mapping of Federal real property, except that a Federal agency may conduct a new survey to update the accuracy of the inventory data of the agency before storage on a cadastre; or

(3) authorizes—

(A) the evaluation of any real property owned by the United States for disposal; or

(B) new appraisals or assessments of the value of—

(i) real property; or

(ii) cultural or archaeological resources on any parcel of Federal land or other real property.

SEC. 4402. QUADRENNIAL ENERGY REVIEW.

(a) **IN GENERAL.**—Section 801 of the Department of Energy Organization Act (42 U.S.C. 7321) is amended to read as follows:

“SEC. 801. QUADRENNIAL ENERGY REVIEW.

“(a) **QUADRENNIAL ENERGY REVIEW TASK FORCE.**—

“(1) **ESTABLISHMENT.**—The President shall establish a Quadrennial Energy Review Task Force (referred to in this section as the ‘Task Force’) to coordinate the Quadrennial Energy Review.

“(2) **COCHAIRPERSONS.**—The President shall designate appropriate senior Federal Government officials to be cochairpersons of the Task Force.

“(3) **MEMBERSHIP.**—The Task Force may be comprised of representatives at level I or II of the Executive Schedule of—

“(A) the Department of Energy;

“(B) the Department of Commerce;

“(C) the Department of Defense;

“(D) the Department of State;

“(E) the Department of the Interior;

“(F) the Department of Agriculture;

“(G) the Department of the Treasury;

“(H) the Department of Transportation;

“(I) the Department of Homeland Security;

“(J) the Office of Management and Budget;

“(K) the National Science Foundation;

“(L) the Environmental Protection Agency; and

“(M) such other Federal agencies, and entities within the Executive Office of the President, as the President considers to be appropriate.

“(b) CONDUCT OF REVIEW.—

“(1) IN GENERAL.—Each Quadrennial Energy Review shall be conducted to—

“(A) provide an integrated view of important national energy objectives and Federal energy policy; and

“(B) identify the maximum practicable alignment of research programs, incentives, regulations, and partnerships.

“(2) ELEMENTS.—A Quadrennial Energy Review shall—

“(A) establish integrated, governmentwide national energy objectives in the context of economic, environmental, and security priorities;

“(B) recommend coordinated actions across Federal agencies;

“(C) assess and recommend priorities for research, development, and demonstration;

“(D) provide a strong analytical base for Federal energy policy decisions;

“(E) consider reasonable estimates of future Federal budgetary resources when making recommendations; and

“(F) be conducted with substantial input from—

“(i) Congress;

“(ii) the energy industry;

“(iii) academia;

“(iv) State, local, and tribal governments;

“(v) nongovernmental organizations; and

“(vi) the public.

“(c) SUBMISSION OF QUADRENNIAL ENERGY REVIEW TO CONGRESS.—

“(1) IN GENERAL.—The President—

“(A) shall publish and submit to Congress a report on the Quadrennial Energy Review once every 4 years; and

“(B) more frequently than once every 4 years, as the President determines to be appropriate, may prepare and publish interim reports as part of the Quadrennial Energy Review.

“(2) INCLUSIONS.—The reports described in paragraph (1) shall address or consider, as appropriate—

“(A) an integrated view of short-term, intermediate-term, and long-term objectives for Federal energy policy in the context of economic, environmental, and security priorities;

“(B) potential executive actions (including programmatic, regulatory, and fiscal actions) and resource requirements—

“(i) to achieve the objectives described in subparagraph (A); and

“(ii) to be coordinated across multiple agencies;

“(C) analysis of the existing and prospective roles of parties (including academia, industry, consumers, the public, and Federal agencies) in achieving the objectives described in subparagraph (A), including—

“(i) an analysis by energy use sector, including—

“(I) commercial and residential buildings;

“(II) the industrial sector;

“(III) transportation; and

“(IV) electric power;

“(ii) requirements for invention, adoption, development, and diffusion of energy technologies as they relate to each of the energy use sectors; and

“(iii) other research that informs strategies to incentivize desired actions;

“(D) assessment of policy options to increase domestic energy supplies and energy efficiency;

“(E) evaluation of national and regional energy storage, transmission, and distribu-

tion requirements, including requirements for renewable energy;

“(F) portfolio assessments that describe the optimal deployment of resources, including prioritizing financial resources for energy-relevant programs;

“(G) mapping of the linkages among basic research and applied programs, demonstration programs, and other innovation mechanisms across the Federal agencies;

“(H) identification of demonstration projects;

“(I) identification of public and private funding needs for various energy technologies, systems, and infrastructure, including consideration of public-private partnerships, loans, and loan guarantees;

“(J) assessment of global competitors and an identification of programs that can be enhanced with international cooperation;

“(K) identification of policy gaps that need to be filled to accelerate the adoption and diffusion of energy technologies, including consideration of—

“(i) Federal tax policies; and

“(ii) the role of Federal agencies as early adopters and purchasers of new energy technologies;

“(L) priority listing for implementation of objectives and actions taking into account estimated Federal budgetary resources;

“(M) analysis of—

“(i) points of maximum leverage for policy intervention to achieve outcomes; and

“(ii) areas of energy policy that can be most effective in meeting national goals for the energy sector; and

“(N) recommendations for executive branch organization changes to facilitate the development and implementation of Federal energy policies.

“(d) REPORT DEVELOPMENT.—The Secretary of Energy shall provide such support for the Quadrennial Energy Review with the necessary analytical, financial, and administrative support for the conduct of each Quadrennial Energy Review required under this section as may be requested by the cochairpersons designated under subsection (a)(2).

“(e) COOPERATION.—The heads of applicable Federal agencies shall cooperate with the Secretary and provide such assistance, information, and resources as the Secretary may require to assist in carrying out this section.”

(b) TABLE OF CONTENTS AMENDMENT.—The item relating to section 801 in the table of contents of such Act is amended to read as follows:

“Sec. 801. Quadrennial Energy Review.”

(c) ADMINISTRATION.—Nothing in this section or an amendment made by this section supersedes, modifies, amends, or repeals any provision of Federal law not expressly superseded, modified, amended, or repealed by this section.

SEC. 4403. STATE OVERSIGHT OF OIL AND GAS PROGRAMS.

On request of the Governor of a State, the Secretary of the Interior shall establish a program under which the Director of the Bureau of Land Management shall enter into a memorandum of understanding with the State to consider the costs and benefits of consistent rules and processes for the measurement of oil and gas production activities, inspection of meters or other measurement methodologies, and other operational activities, as determined by the Secretary of the Interior.

SEC. 4404. UNDER SECRETARY FOR SCIENCE AND ENERGY.

(a) IN GENERAL.—Section 202(b) of the Department of Energy Organization Act (42 U.S.C. 7132(b)) is amended—

(1) in paragraph (1), by striking “for Science” and inserting “for Science and Energy (referred to in this subsection as the ‘Under Secretary’)”;

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “for Science”; and

(3) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking “for Science”;

(B) in subparagraph (F), by striking “and” at the end;

(C) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(D) by inserting after subparagraph (G) the following:

“(H) establish appropriate linkages between offices under the jurisdiction of the Under Secretary; and

“(I) perform such functions and duties as the Secretary shall prescribe, consistent with this section.”

(b) CONFORMING AMENDMENT.—Section 641(h)(2) of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231(h)(2)) is amended by striking “Under Secretary for Science” and inserting “Under Secretary for Science and Energy”.

Subtitle F—Markets

SEC. 4501. ENHANCED INFORMATION ON CRITICAL ENERGY SUPPLIES.

(a) IN GENERAL.—Section 205 of the Department of Energy Organization Act (42 U.S.C. 7135) is amended by adding at the end the following:

“(n) COLLECTION OF INFORMATION ON CRITICAL ENERGY SUPPLIES.—

“(1) IN GENERAL.—To ensure transparency of information relating to energy infrastructure and product ownership in the United States and improve the ability to evaluate the energy security of the United States, the Administrator, in consultation with other Federal agencies (as necessary), shall—

“(A) not later than 120 days after the date of enactment of this subsection, develop and provide notice of a plan to collect, in cooperation with the Commodity Futures Trade Commission, information identifying all oil inventories, and other physical oil assets (including all petroleum-based products and the storage of such products in off-shore tankers), that are owned by the 50 largest traders of oil contracts (including derivative contracts), as determined by the Commodity Futures Trade Commission; and

“(B) not later than 90 days after the date on which notice is provided under subparagraph (A), implement the plan described in that subparagraph.

“(2) INFORMATION.—The plan required under paragraph (1) shall include a description of the plan of the Administrator for collecting company-specific data, including—

“(A) volumes of product under ownership; and

“(B) storage and transportation capacity (including owned and leased capacity).

“(3) PROTECTION OF PROPRIETARY INFORMATION.—Section 12(f) of the Federal Energy Administration Act of 1974 (15 U.S.C. 771(f)) shall apply to information collected under this subsection.

“(o) COLLECTION OF INFORMATION ON STORAGE CAPACITY FOR OIL AND NATURAL GAS.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, the Administrator of the Energy Information Administration shall collect information quantifying the commercial storage capacity for oil and natural gas in the United States.

“(2) UPDATES.—The Administrator shall update annually the information required under paragraph (1).

“(3) PROTECTION OF PROPRIETARY INFORMATION.—Section 12(f) of the Federal Energy Administration Act of 1974 (15 U.S.C. 771(f)) shall apply to information collected under this subsection.

“(p) FINANCIAL MARKET ANALYSIS OFFICE.—

“(1) ESTABLISHMENT.—There shall be within the Energy Information Administration a Financial Market Analysis Office.

“(2) DUTIES.—The Office shall—

“(A) be responsible for analysis of the financial aspects of energy markets;

“(B) review the reports required by section 4503(c) of the Energy Policy Modernization Act of 2016 in advance of the submission of the reports to Congress; and

“(C) not later than 1 year after the date of enactment of this subsection—

“(i) make recommendations to the Administrator of the Energy Information Administration that identify and quantify any additional resources that are required to improve the ability of the Energy Information Administration to more fully integrate financial market information into the analyses and forecasts of the Energy Information Administration, including the role of energy futures contracts, energy commodity swaps, and derivatives in price formation for oil;

“(ii) conduct a review of implications of policy changes (including changes in export or import policies) and changes in how crude oil and refined petroleum products are transported with respect to price formation of crude oil and refined petroleum products; and

“(iii) notify the Committee on Energy and Natural Resources, and the Committee on Appropriations, of the Senate and the Committee on Energy and Commerce, and the Committee on Appropriations, of the House of Representatives of the recommendations described in clause (i).

“(3) ANALYSES.—The Administrator of the Energy Information Administration shall take analyses by the Office into account in conducting analyses and forecasting of energy prices.”

(b) CONFORMING AMENDMENT.—Section 645 of the Department of Energy Organization Act (42 U.S.C. 7255) is amended by inserting “(15 U.S.C. 3301 et seq.) and the Natural Gas Act (15 U.S.C. 717 et seq.)” after “Natural Gas Policy Act of 1978”.

SEC. 4502. WORKING GROUP ON ENERGY MARKETS.

(a) ESTABLISHMENT.—There is established a Working Group on Energy Markets (referred to in this section as the “Working Group”).

(b) COMPOSITION.—The Working Group shall be composed of—

- (1) the Secretary;
- (2) the Secretary of the Treasury;
- (3) the Chairman of the Federal Energy Regulatory Commission;
- (4) the Chairman of Federal Trade Commission;
- (5) the Chairman of the Securities and Exchange Commission;
- (6) the Chairman of the Commodity Futures Trading Commission; and
- (7) the Administrator of the Energy Information Administration.

(c) CHAIRPERSON.—The Secretary shall serve as the Chairperson of the Working Group.

(d) COMPENSATION.—A member of the Working Group shall serve without additional compensation for the work of the member of the Working Group.

(e) PURPOSE AND FUNCTION.—The Working Group shall—

(1) investigate the effect of increased financial investment in energy commodities on energy prices and the energy security of the United States;

(2) recommend to the President and Congress laws (including regulations) that may be needed to prevent excessive speculation in energy commodity markets in order to prevent or minimize the adverse impact of excessive speculation on energy prices on consumers and the economy of the United States; and

(3) review energy security implications of developments in international energy markets.

(f) ADMINISTRATION.—The Secretary shall provide the Working Group with such administrative and support services as may be necessary for the performance of the functions of the Working Group.

(g) COOPERATION OF OTHER AGENCIES.—The heads of Executive departments, agencies, and independent instrumentalities shall, to the extent permitted by law, provide the Working Group with such information as the Working Group requires to carry out this section.

(h) CONSULTATION.—The Working Group shall consult, as appropriate, with representatives of the various exchanges, clearinghouses, self-regulatory bodies, other major market participants, consumers, and the general public.

SEC. 4503. STUDY OF REGULATORY FRAMEWORK FOR ENERGY MARKETS.

(a) STUDY.—The Working Group shall conduct a study—

(1) to identify the factors that affect the pricing of crude oil and refined petroleum products, including an examination of the effects of market speculation on prices; and

(2) to review and assess—

(A) existing statutory authorities relating to the oversight and regulation of markets critical to the energy security of the United States; and

(B) the need for additional statutory authority for the Federal Government to effectively oversee and regulate markets critical to the energy security of the United States.

(b) ELEMENTS OF STUDY.—The study shall include—

(1) an examination of price formation of crude oil and refined petroleum products;

(2) an examination of relevant international regulatory regimes; and

(3) an examination of the degree to which changes in energy market transparency, liquidity, and structure have influenced or driven abuse, manipulation, excessive speculation, or inefficient price formation.

(c) REPORT AND RECOMMENDATIONS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives quarterly progress reports during the conduct of the study under this section, and a final report not later than 1 year after the date of enactment of this Act, that—

(1) describes the results of the study; and

(2) provides options and the recommendations of the Working Group for appropriate Federal coordination of oversight and regulatory actions to ensure transparency of crude oil and refined petroleum product pricing and the elimination of excessive speculation, including recommendations on data collection and analysis to be carried out by the Financial Market Analysis Office established by section 205(p) of the Department of Energy Organization Act (42 U.S.C. 7135(p)).

Subtitle G—Affordability

SEC. 4601. E-PRIZE COMPETITION PILOT PROGRAM.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by adding at the end the following:

“(g) E-PRIZE COMPETITION PILOT PROGRAM.—

“(1) DEFINITIONS.—In this section:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(i) a private sector for-profit or nonprofit entity;

“(ii) a public-private partnership; or

“(iii) a local, municipal, or tribal governmental entity.

“(B) HIGH-COST REGION.—The term ‘high-cost region’ means a region in which the average annual unsubsidized costs of electrical power retail rates or household space heating costs per square foot exceed 150 percent of the national average, as determined by the Secretary.

“(2) E-PRIZE COMPETITION PILOT PROGRAM.—

“(A) IN GENERAL.—The Secretary shall establish an e-prize competition or challenge pilot program to broadly implement sustainable community and regional energy solutions that seek to reduce energy costs through increased efficiency, conservation, and technology innovation in high-cost regions.

“(B) SELECTION.—In carrying out the pilot program under subparagraph (A), the Secretary shall award a prize purse, in amounts to be determined by the Secretary, to each eligible entity selected through 1 or more of the following competitions or challenges:

“(i) A point solution competition that rewards and spurs the development of solutions for a particular, well-defined problem.

“(ii) An exposition competition that helps identify and promote a broad range of ideas and practices that may not otherwise attract attention, facilitating further development of the idea or practice by third parties.

“(iii) A participation competition that creates value during and after the competition by encouraging contestants to change their behavior or develop new skills that may have beneficial effects during and after the competition.

“(iv) Such other types of prizes or challenges as the Secretary, in consultation with relevant heads of Federal agencies, considers appropriate to stimulate innovation that has the potential to advance the mission of the applicable Federal agency.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000, to remain available until expended.”

Subtitle H—Code Maintenance

SEC. 4701. REPEAL OF OFF-HIGHWAY MOTOR VEHICLES STUDY.

(a) REPEAL.—Part I of title III of the Energy Policy and Conservation Act (42 U.S.C. 6373) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94-163; 89 Stat. 871) is amended—

(1) by striking the item relating to part I of title III; and

(2) by striking the item relating to section 385.

SEC. 4702. REPEAL OF METHANOL STUDY.

Section 400EE of the Energy Policy and Conservation Act (42 U.S.C. 6374d) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 4703. REPEAL OF AUTHORIZATION OF APPROPRIATIONS PROVISION.

(a) REPEAL.—Section 208 of the Energy Conservation and Production Act (42 U.S.C. 6808) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94-385; 90 Stat. 1126) is amended by striking the item relating to section 208.

SEC. 4704. REPEAL OF RESIDENTIAL ENERGY EFFICIENCY STANDARDS STUDY.

(a) REPEAL.—Section 253 of the National Energy Conservation Policy Act (42 U.S.C. 8232) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95-619; 92 Stat. 3206) is amended by striking the item relating to section 253.

SEC. 4705. REPEAL OF WEATHERIZATION STUDY.

(a) REPEAL.—Section 254 of the National Energy Conservation Policy Act (42 U.S.C. 8233) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95-619; 92 Stat. 3206) is amended by striking the item relating to section 254.

SEC. 4706. REPEAL OF REPORT TO CONGRESS.

(a) REPEAL.—Section 273 of the National Energy Conservation Policy Act (42 U.S.C. 8236b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95-619; 92 Stat. 3206) is amended by striking the item relating to section 273.

SEC. 4707. REPEAL OF REPORT BY GENERAL SERVICES ADMINISTRATION.

(a) REPEAL.—Section 154 of the Energy Policy Act of 1992 (42 U.S.C. 8262a) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 154.

(2) Section 159 of the Energy Policy Act of 1992 (42 U.S.C. 8262e) is amended by striking subsection (c).

SEC. 4708. REPEAL OF INTERGOVERNMENTAL ENERGY MANAGEMENT PLANNING AND COORDINATION WORKSHOPS.

(a) REPEAL.—Section 156 of the Energy Policy Act of 1992 (42 U.S.C. 8262b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 156.

SEC. 4709. REPEAL OF INSPECTOR GENERAL AUDIT SURVEY AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY REPORT TO CONGRESS.

(a) REPEAL.—Section 160 of the Energy Policy Act of 1992 (42 U.S.C. 8262f) is amended by striking the section designation and heading and all that follows through “(c) INSPECTOR GENERAL REVIEW.—Each Inspector General” and inserting the following:

“SEC. 160. INSPECTOR GENERAL REVIEW.

“Each Inspector General”.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 160 and inserting the following:

“Sec. 160. Inspector General review.”.

SEC. 4710. REPEAL OF PROCUREMENT AND IDENTIFICATION OF ENERGY EFFICIENT PRODUCTS PROGRAM.

(a) REPEAL.—Section 161 of the Energy Policy Act of 1992 (42 U.S.C. 8262g) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 161.

SEC. 4711. REPEAL OF NATIONAL ACTION PLAN FOR DEMAND RESPONSE.

(a) REPEAL.—Part 5 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8279 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95-619; 92 Stat. 3206; 121 Stat. 1665) is amended—

(1) by striking the item relating to part 5 of title V; and

(2) by striking the item relating to section 571.

SEC. 4712. REPEAL OF NATIONAL COAL POLICY STUDY.

(a) REPEAL.—Section 741 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8451) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to section 741.

SEC. 4713. REPEAL OF STUDY ON COMPLIANCE PROBLEM OF SMALL ELECTRIC UTILITY SYSTEMS.

(a) REPEAL.—Section 744 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8454) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to section 744.

SEC. 4714. REPEAL OF STUDY OF SOCIO-ECONOMIC IMPACTS OF INCREASED COAL PRODUCTION AND OTHER ENERGY DEVELOPMENT.

(a) REPEAL.—Section 746 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8456) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to section 746.

SEC. 4715. REPEAL OF STUDY OF THE USE OF PETROLEUM AND NATURAL GAS IN COMBUSTORS.

(a) REPEAL.—Section 747 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8457) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to section 747.

SEC. 4716. REPEAL OF SUBMISSION OF REPORTS.

(a) REPEAL.—Section 807 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8483) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to section 807.

SEC. 4717. REPEAL OF ELECTRIC UTILITY CONSERVATION PLAN.

(a) REPEAL.—Section 808 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8484) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to section 808.

(2) REPORT ON IMPLEMENTATION.—Section 712 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8422) is amended—

(A) by striking “(a) GENERALLY.—”; and

(B) by striking subsection (b).

SEC. 4718. EMERGENCY ENERGY CONSERVATION REPEALS.

(a) REPEALS.—

(1) Section 201 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8501) is amended—

(A) in the section heading, by striking “FINDINGS AND”; and

(B) by striking subsection (a).

(2) Section 221 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8521) is repealed.

(3) Section 222 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8522) is repealed.

(4) 241 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8531) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Emergency Energy Conservation Act of 1979 (Public Law 96-102; 93 Stat. 749) is amended—

(1) by striking the item relating to section 201 and inserting the following:

“Sec. 201. Purposes.”; and

(2) by striking the items relating to sections 221, 222, and 241.

SEC. 4719. ENERGY SECURITY ACT REPEALS.

(a) BIOMASS ENERGY DEVELOPMENT PLANS.—Subtitle A of title II of the Energy Security Act (42 U.S.C. 8811 et seq.) is repealed.

(b) MUNICIPAL WASTE BIOMASS ENERGY.—Subtitle B of title II of the Energy Security Act (42 U.S.C. 8831 et seq.) is repealed.

(c) USE OF GASOLINE IN FEDERAL MOTOR VEHICLES.—Section 271 of the Energy Security Act (42 U.S.C. 8871) is repealed.

(d) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Security Act (Public Law 96-294; 94 Stat. 611) is amended—

(A) by striking the items relating to subtitle A and B of title II;

(B) by striking the item relating to section 204 and inserting the following:

“Sec. 204. Funding.”; and

(C) by striking the item relating to section 271.

(2) Section 203 of the Biomass Energy and Alcohol Fuels Act of 1980 (42 U.S.C. 8802) is amended—

(A) by striking paragraph (16); and

(B) by redesignating paragraphs (17) through (19) as paragraphs (16) through (18), respectively.

(3) Section 204 of the Energy Security Act (42 U.S.C. 8803) is amended—

(A) in the section heading, by striking “FOR SUBTITLES A AND B”; and

(B) in subsection (a)—

(i) in paragraph (1), by adding “and” after the semicolon at the end;

(ii) in paragraph (2), by striking “; and” at the end and inserting a period; and

(iii) by striking paragraph (3).

SEC. 4720. NUCLEAR SAFETY RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 1980 REPEALS.

Sections 5 and 6 of the Nuclear Safety Research, Development, and Demonstration Act of 1980 (42 U.S.C. 9704, 9705) are repealed.

SEC. 4721. ELIMINATION AND CONSOLIDATION OF CERTAIN AMERICA COMPETES PROGRAMS.

(a) ELIMINATION OF PROGRAM AUTHORITIES.—

(1) NUCLEAR SCIENCE TALENT EXPANSION PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION.—Section 5004 of the America COMPETES Act (42 U.S.C. 16532) is repealed.

(2) HYDROCARBON SYSTEMS SCIENCE TALENT EXPANSION PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION.—

(A) IN GENERAL.—Section 5005(e) of the America COMPETES Act (42 U.S.C. 16533(e)) is repealed.

(B) CONFORMING AMENDMENTS.—Section 5005(f) of the America COMPETES Act (42 U.S.C. 16533(f)) is amended—

(i) by striking paragraph (2);

(ii) by striking the subsection designation and heading and all that follows through “There are” in paragraph (1) and inserting the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are”; and

(iii) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively, and indenting appropriately.

(3) DISCOVERY SCIENCE AND ENGINEERING INNOVATION INSTITUTES.—Section 5008 of the America COMPETES Act (42 U.S.C. 16535) is repealed.

(4) ELIMINATION OF DUPLICATIVE AUTHORITY FOR EDUCATION PROGRAMS.—Sections 3181 and 3185 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381l, 42 U.S.C. 7381n) are repealed.

(5) MENTORING PROGRAM.—Section 3195 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381r) is repealed.

(b) REPEAL OF AUTHORIZATIONS.—

(1) DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE, ENGINEERING, AND MATHEMATICS RESEARCHERS.—Section 5006 of the America COMPETES Act (42 U.S.C. 16534) is amended by striking subsection (h).

(2) DISTINGUISHED SCIENTIST PROGRAM.—Section 5011 of the America COMPETES Act (42 U.S.C. 16537) is amended by striking subsection (j).

(3) PROTECTING AMERICA’S COMPETITIVE EDGE (PACE) GRADUATE FELLOWSHIP PROGRAM.—Section 5009 of the America COMPETES Act (42 U.S.C. 16536) is amended by striking subsection (f).

(c) CONSOLIDATION OF DUPLICATIVE PROGRAM AUTHORITIES.—

(1) UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.—Section 954 of the Energy Policy Act of 2005 (42 U.S.C. 16274) is amended—

(A) in subsection (a), by inserting “nuclear chemistry,” after “nuclear engineering,”; and

(B) in subsection (b)—

(i) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(ii) by inserting after paragraph (2) the following:

“(3) award grants, not to exceed 5 years in duration, to institutions of higher education with existing academic degree programs in nuclear sciences and related fields—

“(A) to increase the number of graduates in nuclear science and related fields;

“(B) to enhance the teaching and research of advanced nuclear technologies;

“(C) to undertake collaboration with industry and National Laboratories; and

“(D) to bolster or sustain nuclear infrastructure and research facilities of institutions of higher education, such as research and training reactors and laboratories.”.

(2) CONSOLIDATION OF DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE, ENGINEERING, AND MATHEMATICS RESEARCHERS PROGRAM AND DISTINGUISHED SCIENTIST PROGRAM.—

(A) FUNDING.—Section 971(c) of the Energy Policy Act of 2005 (42 U.S.C. 16311(c)) is amended by adding at the end the following:

“(8) For the Department of Energy early career awards for science, engineering, and mathematics researchers program under sec-

tion 5006 of the America COMPETES Act (42 U.S.C. 16534) and the distinguished scientist program under section 5011 of that Act (42 U.S.C. 16537), \$150,000,000 for each of fiscal years 2016 through 2020, of which not more than 65 percent of the amount made available for a fiscal year under this paragraph may be used to carry out section 5006 or 5011 of that Act.”.

(B) DEPARTMENT OF ENERGY EARLY CAREER AWARDS FOR SCIENCE, ENGINEERING, AND MATHEMATICS RESEARCHERS.—Section 5006 of the America COMPETES Act (42 U.S.C. 16534) is amended—

(i) in subsection (b)(1)—

(I) in the matter preceding subparagraph (A)—

(aa) by inserting “average” before “amount”; and

(bb) by inserting “for each year” before “shall”;

(II) in subparagraph (A), by striking “\$80,000” and inserting “\$190,000”; and

(III) in subparagraph (B), by striking “\$125,000” and inserting “\$490,000”;

(ii) in subsection (c)(1)(C)—

(I) in clause (i)—

(aa) by striking “assistant professor or equivalent title” and inserting “untenured assistant or associate professor”; and

(bb) by inserting “or” after the semicolon at the end;

(II) by striking clause (ii); and

(III) by redesignating clause (iii) as clause (ii);

(iii) in subsection (d), by striking “on a competitive, merit-reviewed basis” and inserting “through a competitive process using merit-based peer review.”;

(iv) in subsection (e)—

(i) by striking “(e)” and all that follows through “To be eligible” and inserting the following:

“(e) SELECTION PROCESS AND CRITERIA.—To be eligible”; and

(II) by striking paragraph (2); and

(v) in subsection (f)(1), by striking “non-profit, nondegree-granting research organizations” and inserting “National Laboratories”.

(3) SCIENCE EDUCATION PROGRAMS.—Section 3164 of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381a) is amended—

(A) in subsection (b)—

(i) by striking paragraphs (1) and (2) and inserting the following:

“(1) IN GENERAL.—The Director of the Office of Science (referred to in this subsection as the ‘Director’) shall provide for appropriate coordination of science, technology, engineering, and mathematics education programs across all functions of the Department.

“(2) ADMINISTRATION.—In carrying out paragraph (1), the Director shall—

“(A) consult with—

“(i) the Assistant Secretary of Energy with responsibility for energy efficiency and renewable energy programs; and

“(ii) the Deputy Administrator for Defense Programs of the National Nuclear Security Administration; and

“(B) seek to increase the participation and advancement of women and underrepresented minorities at every level of science, technology, engineering, and mathematics education.”; and

(ii) in paragraph (3)—

(I) in subparagraph (D), by striking “and” at the end;

(II) by redesignating subparagraph (E) as subparagraph (F); and

(III) by inserting after subparagraph (D) the following:

“(E) represent the Department as the principal interagency liaison for all coordination activities under the President for science, technology, engineering, and mathematics education programs; and”; and

(B) in subsection (d)—

(i) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(ii) by adding at the end the following:

“(2) REPORT.—Not later than 180 days after the date of enactment of this subparagraph, the Director shall submit a report describing the impact of the activities assisted with the Fund established under paragraph (1) to—

“(A) the Committee on Science, Space, and Technology of the House of Representatives; and

“(B) the Committee on Energy and Natural Resources of the Senate.”.

“(E) represent the Department as the principal interagency liaison for all coordination activities under the President for science, technology, engineering, and mathematics education programs; and”; and

(B) in subsection (d)—

(i) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(ii) by adding at the end the following:

“(2) REPORT.—Not later than 180 days after the date of enactment of this subparagraph, the Director shall submit a report describing the impact of the activities assisted with the Fund established under paragraph (1) to—

“(A) the Committee on Science, Space, and Technology of the House of Representatives; and

“(B) the Committee on Energy and Natural Resources of the Senate.”.

(4) PROTECTING AMERICA’S COMPETITIVE EDGE (PACE) GRADUATE FELLOWSHIP PROGRAM.—Section 5009 of the America COMPETES Act (42 U.S.C. 16536) is amended—

(A) in subsection (c)—

(i) in paragraph (1) by striking “, involving” and all that follows through “Secretary”; and

(ii) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) to demonstrate excellent academic performance and understanding of scientific or technical subjects; and”;

(B) in subsection (d)(1)(B)(i), by inserting “full or partial” before “graduate tuition”; and

(C) in subsection (e), in the matter preceding paragraph (1), by striking “Director of Science, Engineering, and Mathematics Education” and inserting “Director of the Office of Science.”.

(d) CONFORMING AMENDMENTS.—The table of contents for the America COMPETES ACT (Public Law 110-69; 121 Stat. 573) is amended by striking the items relating to sections 5004 and 5008.

SEC. 4722. REPEAL OF STATE UTILITY REGULATORY ASSISTANCE.

(a) REPEAL.—Section 207 of the Energy Conservation and Production Act (42 U.S.C. 6807) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94-385; 90 Stat. 1126) is amended by striking the item relating to section 207.

SEC. 4723. REPEAL OF SURVEY OF ENERGY SAVING POTENTIAL.

(a) REPEAL.—Section 550 of the National Energy Conservation Policy Act (42 U.S.C. 8258b) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the National Energy Conservation Policy Act (Public Law 95-619; 92 Stat. 3206; 106 Stat. 2851) is amended by striking the item relating to section 550.

(2) Section 543(d)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8253(d)(2)) is amended by striking “, incorporating any relevant information obtained from the survey conducted pursuant to section 550”.

SEC. 4724. REPEAL OF PHOTOVOLTAIC ENERGY PROGRAM.

(a) REPEAL.—Part 4 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8271 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95-619; 92 Stat. 3206) is amended—

(1) by striking the item relating to part 4 of title V; and

(2) by striking the items relating to sections 561 through 569.

SEC. 4725. REPEAL OF ENERGY AUDITOR TRAINING AND CERTIFICATION.

(a) REPEAL.—Subtitle F of title V of the Energy Security Act (42 U.S.C. 8285 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Security Act (Public Law 96-294; 94 Stat. 611) is amended by striking the items relating to subtitle F of title V.

SEC. 4726. REPEAL OF AUTHORIZATION OF APPROPRIATIONS.

(a) REPEAL.—Subtitle F of title VII of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8461) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95-620; 92 Stat. 3289) is amended by striking the item relating to subtitle F of title VII.

SEC. 4727. REPEAL OF RENEWABLE ENERGY AND ENERGY EFFICIENCY TECHNOLOGY COMPETITIVENESS ACT OF 1989.

(a) REPEAL.—The Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989 (42 U.S.C. 12001 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 6(b)(3) of the Federal Non-nuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905(b)(3)) is amended—

(A) in subparagraph (Q), by adding “and” after the semicolon;

(B) by striking subparagraph (R); and

(C) by redesignating subparagraph (S) as subparagraph (R).

(2) Section 1204 of the Energy Policy Act of 1992 (42 U.S.C. 13313) is amended—

(A) in subsection (b), in the matter preceding paragraph (1), in the first sentence, by striking “, in consultation with” and all that follows through “under section 6 of the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989,”; and

(B) in subsection (c), by striking “, in consultation with the Advisory Committee.”.

SEC. 4728. REPEAL OF HYDROGEN RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

The Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 (42 U.S.C. 12401 et seq.) is repealed.

SEC. 4729. REPEAL OF STUDY ON ALTERNATIVE FUEL USE IN NONROAD VEHICLES AND ENGINES.

(a) IN GENERAL.—Section 412 of the Energy Policy Act of 1992 (42 U.S.C. 13238) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 412.

SEC. 4730. REPEAL OF LOW INTEREST LOAN PROGRAM FOR SMALL BUSINESS FLEET PURCHASES.

(a) IN GENERAL.—Section 414 of the Energy Policy Act of 1992 (42 U.S.C. 13239) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 414.

SEC. 4731. REPEAL OF TECHNICAL AND POLICY ANALYSIS FOR REPLACEMENT FUEL DEMAND AND SUPPLY INFORMATION.

(a) IN GENERAL.—Section 506 of the Energy Policy Act of 1992 (42 U.S.C. 13256) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106

Stat. 2776) is amended by striking the item relating to section 506.

(2) Section 507(m) of the Energy Policy Act of 1992 (42 U.S.C. 13257(m)) is amended by striking “and section 506”.

SEC. 4732. REPEAL OF 1992 REPORT ON CLIMATE CHANGE.

(a) IN GENERAL.—Section 1601 of the Energy Policy Act of 1992 (42 U.S.C. 13381) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 1601.

(2) Section 1602(a) of the Energy Policy Act of 1992 (42 U.S.C. 13382(a)) is amended, in the matter preceding paragraph (1), in the third sentence, by striking “the report required under section 1601 and”.

SEC. 4733. REPEAL OF DIRECTOR OF CLIMATE PROTECTOR ESTABLISHMENT.

(a) IN GENERAL.—Section 1603 of the Energy Policy Act of 1992 (42 U.S.C. 13383) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 1603.

SEC. 4734. REPEAL OF 1994 REPORT ON GLOBAL CLIMATE CHANGE EMISSIONS.

(a) IN GENERAL.—Section 1604 of the Energy Policy Act of 1992 (42 U.S.C. 13384) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 1604.

SEC. 4735. REPEAL OF TELECOMMUTING STUDY.

(a) IN GENERAL.—Section 2028 of the Energy Policy Act of 1992 (42 U.S.C. 13438) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 2028.

SEC. 4736. REPEAL OF ADVANCED BUILDINGS FOR 2005 PROGRAM.

(a) IN GENERAL.—Section 2104 of the Energy Policy Act of 1992 (42 U.S.C. 13454) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 2104.

(2) Section 2101(a) of the Energy Policy Act of 1992 (42 U.S.C. 13451(a)) (as amended by section 1201(d)(3)) is amended, in the third sentence, by striking “2104.”.

SEC. 4737. REPEAL OF ENERGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION ADVISORY BOARD.

(a) IN GENERAL.—Section 2302 of the Energy Policy Act of 1992 (42 U.S.C. 13522) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 2302.

(2) Section 6 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), in the first sentence, by striking “, in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,”;

(B) in subsection (b)—

(i) in paragraph (1), in the first sentence, by striking “, in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,”; and

(ii) in paragraph (2), in the second sentence, by striking “, in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,”; and

(C) in subsection (c), in the first sentence, by striking “, in consultation with the Advisory Board established under section 2302 of the Energy Policy Act of 1992,”.

(3) Section 2011(c) of the Energy Policy Act of 1992 (42 U.S.C. 13411(c)) is amended, in the second sentence, by striking “, and with the Advisory Board established under section 2302”.

(4) Section 2304 of the Energy Policy Act of 1992 (42 U.S.C. 13523), is amended—

(A) in subsection (a), by striking “, in consultation with the Advisory Board established under section 2302,”; and

(B) in subsection (c), in the matter preceding paragraph (1), in the first sentence, by striking “, with the advice of the Advisory Board established under section 2302 of this Act,”.

SEC. 4738. REPEAL OF STUDY ON USE OF ENERGY FUTURES FOR FUEL PURCHASE.

(a) IN GENERAL.—Section 3014 of the Energy Policy Act of 1992 (42 U.S.C. 13552) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 3014.

SEC. 4739. REPEAL OF ENERGY SUBSIDY STUDY.

(a) IN GENERAL.—Section 3015 of the Energy Policy Act of 1992 (42 U.S.C. 13553) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102-486; 106 Stat. 2776) is amended by striking the item relating to section 3015.

TITLE V—CONSERVATION REAUTHORIZATION**SEC. 5001. NATIONAL PARK SERVICE MAINTENANCE AND REVITALIZATION CONSERVATION FUND.**

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code, is amended by adding at the end the following:

“§ 104908. National Park Service Maintenance and Revitalization Conservation Fund

“(a) IN GENERAL.—There is established in the Treasury a fund, to be known as the ‘National Park Service Critical Maintenance and Revitalization Conservation Fund’ (referred to in this section as the ‘Fund’).

“(b) DEPOSITS TO FUND.—Notwithstanding any provision of law providing that the proceeds shall be credited to miscellaneous receipts of the Treasury, for each fiscal year, there shall be deposited in the Fund, from revenues due and payable to the United States under section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) \$150,000,000.

“(c) USE AND AVAILABILITY.—

“(1) IN GENERAL.—Amounts deposited in the Fund shall—

“(A) be used only for the purposes described in subsection (d); and

“(B) be available for expenditure only after the amounts are appropriated for those purposes.

“(2) AVAILABILITY.—Any amounts in the Fund not appropriated shall remain available in the Fund until appropriated.

“(3) NO LIMITATION.—Appropriations from the Fund pursuant to this section may be made without fiscal year limitation.

“(d) NATIONAL PARK SYSTEM CRITICAL DEFERRED MAINTENANCE.—The Secretary shall use amounts appropriated from the Fund for high-priority deferred maintenance needs of the Service that support critical infrastructure and visitor services.

“(e) LAND ACQUISITION PROHIBITION.—Amounts in the Fund shall not be used for land acquisition.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code, is amended by inserting after the item relating to section 104907 the following:

“§104908. National Park Service Maintenance and Revitalization Conservation Fund.”.

SEC. 5002. LAND AND WATER CONSERVATION FUND.

(a) REAUTHORIZATION.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “During the period ending September 30, 2018, there” and inserting “There”; and

(2) in subsection (c)(1), by striking “through September 30, 2018”.

(b) ALLOCATION OF FUNDS.—Section 200304 of title 54, United States Code, is amended—

(1) by striking “There” and inserting “(a) In General.—There”; and

(2) by striking the second sentence and inserting the following:

“(b) ALLOCATION.—Of the appropriations from the Fund—

“(1) not less than 40 percent shall be used collectively for Federal purposes under section 200306;

“(2) not less than 40 percent shall be used collectively—

“(A) to provide financial assistance to States under section 200305;

“(B) for the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c);

“(C) for cooperative endangered species grants authorized under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535); and

“(D) for the American Battlefield Protection Program established under chapter 3081; and

“(3) not less than 1.5 percent or \$10,000,000, whichever is greater, shall be used for

projects that secure recreational public access to Federal public land for hunting, fishing, or other recreational purposes.”.

(c) CONSERVATION EASEMENTS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

“(c) CONSERVATION EASEMENTS.—The Secretary and the Secretary of Agriculture shall consider the acquisition of conservation easements and other similar interests in land where appropriate and feasible.”.

(d) ACQUISITION CONSIDERATIONS.—Section 200306 of title 54, United States Code (as amended by subsection (c)), is amended by adding at the end the following:

“(d) ACQUISITION CONSIDERATIONS.—The Secretary and the Secretary of Agriculture shall take into account the following in determining the land or interests in land to acquire:

“(1) Management efficiencies.

“(2) Management cost savings.

“(3) Geographic distribution.

“(4) Significance of the acquisition.

“(5) Urgency of the acquisition.

“(6) Threats to the integrity of the land to be acquired.

“(7) The recreational value of the land.”.

SEC. 5003. HISTORIC PRESERVATION FUND.

Section 303102 of title 54, United States Code, is amended by striking “of fiscal years 2012 to 2015” and inserting “fiscal year”.

ORDERS FOR WEDNESDAY, JANUARY 27, 2016

Ms. MURKOWSKI. Madam President, with that little update on the weather—and again, a recognition of the hardy souls who kind of like winter—I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Wednesday, January 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate begin consideration of S. 2012; finally, that the Senate recess from 12:30 p.m. until 2:15

p.m. to allow for the weekly conference meetings.

PROGRAM

Before we conclude, I do want to let Members know that we are very serious about moving quickly and aggressively on the Energy Policy Modernization Act when we take it up tomorrow. Given that we have a very shortened workweek and a lot to do, I am going to ask colleagues to engage with us. Senator CANTWELL and I have both been here all weekend working on this. I am not carrying this binder around because I want to keep my muscles in shape for the next shoveling. I am carrying it around because we have good stuff within this Energy Policy Modernization Act that we want to get moved through. It is going to require a great level of cooperation, but we are going to be ready to hit the ground running and try to move quickly through this very, very important legislation.

The ACTING PRESIDENT pro tempore. Is there objection to the Senator's request?

Hearing none, it is so ordered.

In my personal capacity as the Senator from Maine, I wish to commend the Senator from Alaska for her diligence and for being here today.

Ms. MURKOWSKI. The accolades go both ways, Madam President.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Ms. MURKOWSKI. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 10:10 a.m., adjourned until Wednesday, January 27, 2016, at 11 a.m.

SENATE—Wednesday, January 27, 2016

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of God, who brought creation out of the void, light from darkness, and order from chaos, may Your Name be praised. Inspire our Senators. Use their daily experiences of joy and sorrow, pleasure and pain, victory and defeat for Your glory. Remind them that no evil can stop the unfolding of Your purposes and providence, as You work through them to bring harmony where there is discord. May they find joy in Your faithfulness.

Lord, lead them with Your merciful hands as You continue to provide for their needs. Protect them and their loved ones with the shield of Your love.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader is recognized.

REMEMBERING U.S. CAPITOL POLICE OFFICER VERNON ALSTON

Mr. MCCONNELL. Mr. President, we were very saddened to hear of the loss of U.S. Capitol police officer Vernon Alston this past weekend.

Officer Alston served on the force for nearly two decades, working to protect all of us. Capitol police chief Kim Dine said that his passing, at the age of 44, was “truly a tragic loss for the Alston family and for the United States Capitol Police, which in fact is actually one and the same.”

I know his fellow officers would agree. I know his service and dedication will be remembered by all who knew him. I know our colleagues will join me in holding his family in our thoughts.

ENERGY POLICY MODERNIZATION BILL

Mr. MCCONNELL. Mr. President, the Energy Policy Modernization Act is the result of months of hard work across the aisle. It passed committee with overwhelming bipartisan support. Congress hasn't passed legislation to update America's energy policies in nearly a decade. It is time we change that.

This broad, bipartisan energy bill offers a good way forward. It will help Americans produce more energy. It will help Americans pay less for energy. It will help Americans save energy. Not only will this bipartisan legislation help bring our energy policies in line with the demands of today, it will also position us to benefit from the opportunities of tomorrow. So let's work together and pass it.

The Senators from Alaska and Washington are proven bill managers. I ask our colleagues who have amendments they would like to be considered to bring them to the managers. Let's get going and pass this important legislation for our country.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING U.S. CAPITOL POLICE OFFICER VERNON ALSTON

Mr. REID. Mr. President, Officer Alston was an exemplary police officer.

If his death accomplishes nothing more than the fact that people need to be very aware of what happens during times of exertion—there were 18 people who died during the snowstorm from shoveling snow.

Officer Alston was a picture of fitness. He was a weight lifter. He took care of himself as well as anybody could. It is such a shame that he is no longer going to be able to take care of his family. As Senator MCCONNELL said, our hearts go out to him.

But, as I said, if nothing else, please, everyone, focus on this: Be very careful. There is still lots of snow out there, and if there is not snow now, there will be at some subsequent time. Please be very careful. You may think that you are powerful and you lift weights and all of that stuff, but be careful because that snow is very hard to shovel. It is very heavy, and it can create problems.

My condolences go out to the family of Officer Alston. He was a police offi-

cer, and we look out for our own. I am very sorry he passed away.

ENERGY POLICY MODERNIZATION BILL

Mr. REID. Mr. President, making America's clean energy future sustainable for our children and grandchildren has long been a priority for Senate Democrats.

Today the Senate will begin consideration of a bipartisan bill that makes progress doable on this important goal. We have long sought to pass a number of priorities included in this bill. Through the stimulus package, we made one of the largest investments in clean energy in the entire history of the country. In fact, let me just say it this way: It is the largest investment in the history of the country in clean air energy.

When Democrats were in the majority, we fought valiantly to pass a bipartisan piece of legislation called Shaheen-Portman. It was an innovative efficiency bill that would have reduced carbon emissions, would have saved families and businesses huge amounts of money, and supported 200,000 jobs in America.

We tried to get this done. The Senator from Ohio came to me and said: We need to get this done. I said: I agree with you; so what do you need? He told me what he needed, and we agreed to that. But I am sorry to report that on at least two separate occasions, my Republican friends chose obstruction that prevented the Senate from passing this bipartisan piece of legislation. Then, even the Republican sponsor of the bill wouldn't vote for it—his own bill. He voted against it.

Today we have another opportunity. This is the third or fourth time that we are moving to this. I hope we can get this done. I think there is no reason we shouldn't be able to, because we are a responsible minority. We want to get things done. We want to pass legislation. We don't want to obstruct everything.

Senators MURKOWSKI and CANTWELL have worked very hard to pass this bill called the Energy Policy Modernization Act. They did it through the committee they are responsible for leading. I commend both Senators for their sound leadership.

I am also happy—and I will just mention a few other things that this legislation addresses. Part of it includes permanent authorization of the Land and Water Conservation Fund. We did some very good things in the omnibus that we passed to take care of the Land

and Water Conservation Fund. We funded it for 3 years, and that is more than we have done in a long time. But my Republican colleagues allowed the authorization legislation to expire last year for 3 months before we were able to finally renew it. So I hope we can pass this part of the bill untouched.

Most of the key provisions included in the Shaheen-Portman energy efficiency bill are in this bill. That is really important. There is \$40 billion in energy authorizations, including for basic research, home energy efficiency, and clean vehicles. Those are just a few of the items. Through these provisions, this legislation will save consumers as much as \$60 billion. And not only that, it reduces a significant amount of carbon pollution generated by dirty fossil energy sources.

It is estimated that passing the Energy Policy Modernization Act would reduce carbon emissions equal to taking every car and truck in the United States off the road for a year. That is a pretty big deal. Over the next 15 years, the energy sector will need to replace 2 million workers and hire an additional 1.5 million for new jobs. That is what this legislation will allow. This bill makes progress toward training a skilled workforce fully equipped to take advantage of high-paying job opportunities in the energy sector.

The Senate works best when Democrats and Republicans, the majority and the minority, work together on behalf of the American people. As written, the Murkowski-Cantwell energy bill could win bipartisan approval on the Senate floor, and we can do it right now.

As with all legislation, there is no question that the energy bill could be improved, and there will be efforts made to do that. I certainly solicit amendments, as did the Republican leader, but get them over here. It is my understanding the majority leader is now promising to allow amendments. That is what the Republican leader said a few minutes ago, and I am sure that is appropriate. Members of my caucus welcome opportunities to help strengthen the bill. However, we can't allow extreme Republican ideological amendments to poison this opportunity. The Murkowski-Cantwell energy bill must remain a bipartisan piece of legislation.

Clean energy, infrastructure, and conservation are priorities of the middle class and all Americans. So I urge my Republican colleagues to recognize the good work of Senators MURKOWSKI and CANTWELL and work with Democrats to pass this bipartisan legislation.

PUERTO RICO

Mr. REID. Mr. President, on another matter, the island of Puerto Rico continues to face billions of dollars of

debt. I don't know the number—\$17 billion. We hear all kinds of numbers. Puerto Rico is part of America. We must work together to address the severe economic and fiscal crisis that has gripped our fellow citizens.

I was in a meeting yesterday where I was told that on the island of Puerto Rico there is a shortage of suitcases—luggage—because people are leaving and most of them are coming to Florida. They are desperate. Many have said that the dire state of Puerto Rico's economy could become a humanitarian crisis, and that is really true.

The time to act is now. I joined Senator CANTWELL and all of my Democratic colleagues in calling on the Republican leader to advance legislation that gives Puerto Rico the protection it so desperately needs. We did send a letter to the Republican leader.

Any solution that doesn't provide Puerto Rico the ability to restructure debt would be an abject failure. Legislation that empowers Puerto Rico to adjust a significant portion of its debt would not cost the Federal Government a single penny. This is far from a bailout. It would save U.S. taxpayers from the growing cost of inaction.

Over 3 million Americans live on the island of Puerto Rico, and they are looking to Congress for help in their time of need.

I spoke to the Speaker myself, and he has made a commitment to address the economic emergency in Puerto Rico before the end of March. This has to be more than a hearing. We need to have something done substantively to help that territory.

Today Democrats call on the Republican leader to make the same commitment PAUL RYAN has made to address the economic emergency in Puerto Rico soon. There is really no time to spare. Republicans should join us in our commitment to assist our fellow Americans.

Earlier this month, I sent a letter separate and apart from the one all Democrats sent, outlining the steps the Senate can take to help Puerto Rico. If the Republican leader is unsure where to begin, he could heed what I have suggested and appoint a task force to find a bipartisan solution to this economic crisis. But as far as I am concerned, that is way down the list. I am not someone who favors task forces. I think the work should be done by committees and by our committee chairs and ranking members. I believe anything that one would try to do—that is, having another hearing, appointing a task force—is only an effort to stall the inevitable.

Puerto Rico needs help. They need to be treated as other American citizens and be able to file bankruptcy. It would not apply to any State. It would apply only to this territory. We must act now to relieve the hardships facing these

people and avoid additional costs to taxpayers because there will be additional costs if we don't resolve this now.

Mr. President, I ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 2:15 p.m. will be for debate only.

The Senator from the great State of Alaska.

Ms. MURKOWSKI. Mr. President, it is good to welcome the Presiding Officer back to Washington, DC. This Senator knows that the Presiding Officer was back home in Alaska, and while they may not have had snow, they got everybody else's attention with a 7.1 earthquake. I know it was an interesting weekend for the Presiding Officer as well.

Mr. President, I am on the Senate floor this morning with a fair amount of excitement and enthusiasm. We are beginning the debate on energy reform legislation, S. 2012, the Energy Policy Modernization Act. This is the first time the Senate has debated energy policy reform in more than 8 years. It has been more than 8 years since we have had this kind of debate.

I was here yesterday morning and had an opportunity to open the session. I opened the session and Senator COLLINS was the Presiding Officer in the chair. It was one of those interesting mornings where everybody else seemed to be female on the floor, and the press has taken note of that. But that is not my point.

I left the floor and went out in the hallway where there was a group of eight or nine young kids with a fellow who works on the House side. I think he was giving them a little bit of a field trip, but I think he had kid duty because so many schools were still closed on account of the incredible amount of snow we got in Washington. I had a fabulous conversation with the kids who at that age are excited about being in the Capitol and understanding the difference between a House Member and a Senate Member.

They asked: Well, what are you working on?

I said: It is really exciting because we are going to be taking up energy reform legislation that we have not done in a long time.

I asked the kids when they were born, and one little girl said 2007. I said that 2007 was the last time we had energy legislation on the floor.

And since it sometimes helps to understand the passage of time in relation to our kids I said: Look what has happened to you in the 8 years since you were born. You have grown, gotten smarter, and been exposed to a lot of things.

Debate on energy legislation is long overdue on the floor of this Senate. This is a good bill, it is a timely bill, and it is a bipartisan bill. It deserves overwhelming support from this Chamber. I was encouraged by the minority leader's comments and his encouragement that through the process that we have built on the energy committee to move out a bipartisan bill, it should enjoy the respect of good debate as we move forward to again attempt to modernize our energy policies.

At the beginning, I acknowledge the good and strong and very cooperative work I have received from my ranking member Senator CANTWELL from the State of Washington and thank her for helping me craft this bill because it was truly a joint effort. It was a very collaborative effort. I also thank the other members of the Senate Energy and Natural Resources Committee for all the ideas they brought to bear and the support we have received from them bringing the bill to this point.

To give folks a little bit of a background on how we came to have this Energy bill—the first real substantive legislation we have had here in 2016—it is worthwhile to talk about the process of how we got it because that in and of itself is a little bit unusual nowadays.

To segue just a moment, because it was last year at this time that Senator CANTWELL and I were managing the floor when we had the Keystone XL debate. It was the first time in a long time we had seen regular order with a full-on amendment process. A lot of people did not even know how to process these amendments. We worked through some 40-odd amendments, and got everybody's attention that we can actually move a bill. It had some level of controversy. We did not obviously agree with many aspects of it, but we moved through a process.

Well, it is January again, and the women are back at work. I am hopeful the collaborative effort that got this bipartisan bill to the floor today will be reflected in the debate that goes forward. Senator CANTWELL and I sat down last January, when I became the chairman of the committee, and we talked about goals and priorities—what we were looking for. We both said it was well past time to update our energy policies, to do a scrub, to do an

overhaul. We had a conversation about how we might go about it because there were a couple of ways we could proceed. I could have drafted my own bill with my own priorities and tried to get the votes that I needed to move it out of committee, but if you do not have the support beyond your side of the aisle, it is going to be tough to be able to advance it to the floor and get it enacted into law. Senator CANTWELL could have done the same. She could have moved her own bill. We could have done messaging bills, but we both agreed we are well past the time for messaging. We need to be legislating and governing in the energy space, and in order to do it, it is going to take some cooperation, collaboration, and conversation. That is where we started.

I went around to colleagues on the committee and began conversations with them about their energy-related priorities. These conversations continued between our staffs. Our staffs also held dozens of bipartisan listening sessions with stakeholders. We held them in Washington, DC. We held them in other parts of the country. We held one hearing in Kwigillingok, AK. The Presiding Officer knows where that is. Most others know it as only some far-away village in Alaska, but I mention this as it speaks to the level of outreach for which we strived.

After our listening sessions, we came back and really rolled up our sleeves. We held four oversight hearings and began with a 30,000-foot-look about where we are in different energy spaces. We had our oversight hearings.

Then we moved down to six legislative hearings on a total of 114 different bills. These were 114 different bills that were not necessarily introduced by just Members of the energy committee. These were bills that were introduced by Republicans and Democrats throughout the Senate and some House Members' bills that we had seen as well. We took the testimony that we received from experts, advocates, private citizens, administration officials, and from our home States and just about every other State. We gathered all the perspectives that we could about what Congress should do and what Congress needs to do to ensure that our Federal policies keep up with the years of change in energy markets and energy technologies.

One simple case in point that reminds us of this 8-year passage of time is this. Eight years ago when we talked about LNG, what we were talking about was seeing if we could structure our LNG terminals so they could be import terminals. Think about where we are now. We are talking about how we export our LNG, how we can move it to share our energy wealth with others. That is a prime example of making sure that what is happening within our energy markets, what is happening within our energy technologies is con-

sistent with what our policies, our laws, and our regulations allow.

After we did all this gathering of information, we entered weeks of bipartisan negotiations to determine which bills should be incorporated into our draft text. From the 114 measures, we took 50 different bills. As one flips through the 400-some-odd pages of this Energy Policy Modernization Act, you will see bits and pieces of 50 different measures offered by colleagues—Republicans and Democrats—offered throughout the Senate.

Senator PORTMAN and Senator SHAHEEN have been leaders on energy efficiency and we were able to incorporate a number of ideas in the energy efficiency title of our bill. You will also see incorporated in it the critical minerals bill that I have been working on for years now. Again, we are not just taking the ideas from this Senator from Alaska or the Senator from Washington and introducing a bill for consideration, we have solicited others for ideas and input as well.

The last step on the committee was when we went to markup. We held 3 days of markup, which is a pretty good time to spend in committee. We dispensed with nearly 59 amendments and because of that very collaborative process we solicited ideas from all sides. When it came to reporting the bill out of committee we ended up passing it out by a significant 18-to-4 vote. We agreed to report the Energy bill to the full Senate for further consideration, and that is how we got to where we are today.

I wish I could say we would see more of this type of collaborative effort in the Senate. We do not see this all the time. We did see it last year, and where we have seen legislative success is worth noting.

The Education bill that was shepherded by Senator ALEXANDER and Senator MURRAY was also a very collaborative process. I serve on the HELP Committee. I sat through the many hours of debate and oversight and markups. We were able to advance that bipartisan bill to the floor—a bill that moved out of the committee unanimously—and we were able to advance it to the floor where it enjoyed strong bipartisan support, went to conference with the House, and has now been signed into law.

Another area where the leaders worked cooperatively and collaboratively—I commend Senator BOXER and Senator INHOFE for what they did on the highway bill. They worked through the issues that were not easy but were absolutely necessary to get a longer term highway transportation bill. That does not happen if you just elbow your way through. It comes when you work together. I think we have demonstrated on the energy committee that we have done just that—working collaboratively.

I have said many times that the Energy Policy Modernization Act is not the bill I would have drafted if it were just up to me, and it is not the bill Senator CANTWELL would have drafted if it were just up to her. The bill is not exactly the way any one of us would have drafted it if it was up to just one of us. It is a bill we wrote together. We wrote it as a committee. We wrote it as a team and as a group of 22 Senators who care very deeply about our Nation's energy policies.

As Members are coming back, as they are looking at this bill, I urge them to look at what is in the bill and where we have been able to find the common ground. Look and analyze that because I can guarantee you are going to find things that are not in there that you wish were there and you are going to say: LISA, how come my X, Y, or Z is not part of this bill?

That is true. There is some X, Y, and Z that is not in this bill that I would really like. I know there are items the Presiding Officer would really like—the two of us being Senators from Alaska—but we do not have then opportunity to build a consensus on some of those issues right here, right now. So can we agree that what we have built with this bill advances our energy policies, brings us more up to speed, and loosens the choke hold we have in certain areas?

We spent months modernizing our energy policies and addressing both opportunities and challenges, and we found common ground in many areas. I think we found common ground in more areas than we actually expected when we started this process—certainly enough to write a good, solid bill. We ultimately organized our efforts into five main titles. We have efficiency, infrastructure, supply, accountability, and conservation.

We agreed to include the Energy Savings and Industrial Competitiveness Act. This is the efficiency measure which I mentioned just a moment ago which Senator PORTMAN and Senator SHAHEEN have been leading for years. I think it is very important that we were able to incorporate the good work of the Senators from Ohio and New Hampshire, along with the support of 13 other Members, for inclusion in this bill.

We also agreed to include the LNG Permitting Certainty and Transparency Act. This act was led by Senator BARRASSO, and 17 other Members joined with him on that very important measure.

We agreed to include my American Mineral Security Act, which is the critical minerals bill sponsored by Senator RISCH of Idaho, Senator CRAPO of Idaho, and Senator HELLER of Nevada. Again, it is a piece that I think many would agree is vitally important. Having greater control of these important minerals is critical to our country's en-

ergy security and we must not subject ourselves to complete reliance on others as sources for their supply. We do not want to go down the same road we have been down, for instance, with oil historically when we are talking about our critical minerals. This is a huge issue for us.

We agreed to promote the use of clean, renewable hydropower, which is a priority for Members from Western States, including Senator GARDNER, who helped lead, Senator DAINES, Senator CANTWELL, and me.

We agreed to expedite the permitting of natural gas pipelines without sacrificing any environmental review or public participation. This was an effort that was led by Senator CAPITO of West Virginia.

We agreed to a new pilot program for oil and gas permitting. This was one of many good ideas Senator HOEVEN of North Dakota advanced.

We took up a proposal from Senator COLLINS of Maine to boost efficiency within our schools. I think we all recognize this is an area where we can and should try to do a little bit more. It saves us in the long run.

Senator KLOBUCHAR of Minnesota had a measure to increase the efficiency of buildings that are owned by nonprofits.

We agreed to improve our Nation's cyber security—an issue we are all very keyed in on. This was from legislation that was originally presented by Senator RISCH of Idaho and Senator HEINRICH of New Mexico. We saw an amendment from Senator FLAKE on this topic as well.

We made innovation a key priority in our bill, with a recognition that there is a limited but very useful role for the Federal Government to play early on in the development of new technologies.

I just came from a meeting this morning, a summit on advanced nuclear technologies. We spent a good part of the summit recognizing that when you talk about nuclear and the future, innovation is key to what we are building.

We agreed to reauthorize many of the energy-related portions of the America COMPETES Act. You will recall that this was the measure Senator ALEXANDER has advanced in the past. We took those energy-related pieces and incorporated them in the bill.

In some of the areas of renewable, geothermal is one that I believe has enormous potential. We certainly have that potential in the State of Alaska, but we also have it in other Western States. This was a big priority for Senator WYDEN and Senator HELLER. Senator WYDEN's legislation and the ideas he has advanced have been key.

We agreed to promote vehicle innovation. This was a priority for Senator PETERS of Michigan, Senator STABENOW of Michigan, and Senator ALEXANDER of Tennessee so we were able to

enhance that discussion on vehicle innovation.

We agreed to renew the coal R&D program at the Department of Energy. This was based on a proposal that was advanced by the Senators from West Virginia, Senator MANCHIN and Senator CAPITO, but Senator PORTMAN was also key to helping advance this.

We agreed to help protect reliability within the electric sector—an incredibly important part of what we do within this legislation.

We reform the Loan Guarantee Program at the Department of Energy. Many of us believe strongly that reforms were necessary, and we have done just that to ensure that we do not have taxpayers at risk with certain aspects of that program.

We agreed to reauthorize the Land and Water Conservation Fund. As folks will recall, that authorization expired toward the end of last year. Within the omnibus, we successfully advanced a 3-year extension, but what we did within the committee was we advanced permanent authorization of LWCF with some reforms—reforms that were endorsed by the full committee.

We have a provision in there as well that helps to address the maintenance backlog within our national park system. People understand that this year is the 100th anniversary of the National Park Service. It is something worthy of celebration. Unfortunately, we have a real black eye when it comes to maintenance and upkeep of our parks, so we have reviewed that issue and said we need to make steps to help address that in a way that is constructive.

There is a section of the bill nobody will talk about. The press does not care to report about it, but I think it is a very good section. Recognizing the Presiding Officer's interest in regulatory reform, he will be pleased to know we cleaned up the United States Code. We deleted dozens of provisions within the Code that are either obsolete or duplicative. We get these programs on the books, we put requirements for a study into law, and as long as they are still there—even though no one is reading that report anymore, even though those programs are now obsolete because of what has gone on, they are still on the books. So if you are worried about government spending and you are looking at the conservative reason to embrace what we are doing, take a look at some of the provisions we got rid of. They are old, they are outdated, and they are obsolete.

This is just a sample of the good work we have included within the bipartisan bill.

Many of the Members I listed are responsible for not just one provision but for multiple provisions throughout the bill. It was truly a team effort as we worked this through. We were counting up different parts of the bill on which we have seen Members contribute, and

more than half of the Members of this Senate are sponsors or cosponsors of at least one provision in the bill as we stand here today. Again, I think that is representative of the process in which Senator CANTWELL and I have engaged.

You may say: OK, you had a very thorough process. What is in it? What good is it? What does it mean to me? How is this going to help our country from an energy policy perspective? How is it going to make sure that when we talk about energy security translating into economic security and national security—how does this all bind together? What does this do? How does this help our people?

There are many practical benefits to modernizing our energy policy, and I will start with the first obvious one. Every time you do upgrades, whether within your house or your business, you become more efficient. For example, we recently replaced the windows in our house. Not only did it make the house look a little bit better, but we are paying less on utility bills. My husband just found a good deal on LEDs, and he replaced all the lightbulbs in the house. He is all excited about it because it is going to reduce his costs. He is worried about costs. We should all be worried about costs. This bill helps us reduce our costs.

This bill also allows us a cleaner energy future because when you modernize your infrastructure, when you use less, you reduce much of your emissions. So for those who will be critical and say “By gosh, you didn’t fix the issue of climate change,” look through this bill and tell me it does not make for a cleaner energy future for this country.

This bill helps us to produce more energy and to be less reliant on others. It helps Americans save energy. Again, when we save energy, we save money and there is a more efficient environment. It will help ensure that our energy can be transported from where it is produced to where it is needed. That is a big challenge we have nowadays. It will bolster our status as the most innovative Nation in the world. Why shouldn’t we be the most innovative Nation in the world when it comes to energy? We have the resources here. Let us develop the technologies that will allow us to access them in a way that is responsible, with good environmental stewardship, that creates jobs, that creates economic opportunities, and that truly allows us to be more energy-resilient. Why shouldn’t we be the innovators and the leaders? Let us not cede that to anyone.

Our bill will allow manufacturers to thrive without the fear of high costs or crippling shortages, and it will cement our status as a global energy superpower as we provide a share of our surplus to our allies and trading partners. Is not that a nice thing to know, that not only can our energy be good for us

and for America, it can be good from a geopolitical perspective? That we can help our friends and allies?

When you think about the energy security, the economic security, and the national security that come with energy, that is where it all knits together. The Energy Policy Modernization Act will boost our economy, our security, and our international competitiveness all at the same time. It will help our families save money. It will help our businesses save hundreds of billions of dollars. It frees up budgets. It frees up our ability to place priorities elsewhere. It will help assure that our energy remains abundant and affordable, even as it becomes cleaner and more diverse in supply. And it will do all of this without raising taxes, without imposing new mandates, and without adding to the Federal deficit.

Again, we are getting great gains for our economy, good jobs, and security from a host of different ways. We are able to do this without raising taxes, without imposing new mandates, and without adding to the Federal deficit.

This is a good bill. This is a bill that is designed to go the distance. It is designed to make a difference. I am confident that we can proceed through this floor debate, and we can make it even better. For the half of the Senators who have participated in this one way or another, there is another half who want to weigh in, and I welcome that. I think that is part of this process. This is part of a commitment we are making to an open amendment process, but I hope we can focus on the good that is within this bill and work to make it better and avoid the gotchas and avoid the poison pills; avoid those things that are designed to do nothing more than to bring a bill down by perhaps making a political point. I ask my colleagues to treat this bill on the floor with the same seriousness that the Energy and Natural Resources Committee treated it throughout this month-long process. Let us come together as Senators in the United States Senate to truly help make a difference with our energy policies.

With that, I encourage Members to come down to the floor. We know there are a bunch of rumored amendments out there, and we welcome them. But we all know we have been delayed a couple of days by the snow, and we have work to do. So I would urge colleagues to come to the floor and file their amendments. I would also remind Members that if an amendment costs money, it is going to need to be paired with a viable offset.

I remind the Senate that we are considering Senate bill 2012. This is not a House shell. So we will need to table any tax amendments because we do not want to be in a situation where we have a blue slip that prevents us from advancing to conference. I am throwing that out there. You may have issues

that you would like to bring up, but if it costs money, we have to have an offset. We simply cannot do tax amendments, and I know that because there are actually some that I am interested in as well.

I think Senator CANTWELL and I are both in the same situation. We know an open amendment process on an energy bill that hasn’t seen floor action in a long time could have the effect of unkinking the hose. We know there are a lot of folks that have a lot of good ideas, and perhaps hundreds of ideas, that this bill could include. Our intent is to work as hard as we can and as fast as we can to process as many of these bills as possible.

Tomorrow we expect to have a busy day. Hopefully, by the end of today, we will have reached some consent agreement as to what the votes for tomorrow would look like, but my hope is that we will be voting, voting, voting tomorrow so as to process the many of the amendments we are expecting. It is unfortunate that we have lost a few working days to the snowstorm, but that is nothing compared to the 8 years we have lost as we have let our energy policies languish.

We know we are in a place and a space where our policies have failed to keep up with the changes in the market and the advances in technology. We know our policies in many areas are outdated, with opportunities being ignored and challenges going unaddressed. So we are here. It is time to have the debate. It is time to work through an amendment process. It is time to pass an energy bill in the U.S. Senate. And after the model of the highway bill, of the education reform, and the very good work that so many in this body have put toward this bipartisan effort, my hope is that the Energy Policy Modernization Act will be the next bipartisan accomplishment on behalf of the American people.

Mr. President, I yield to my ranking member and good partner in all things energy, Senator CANTWELL. A very sincere thank-you to her for a very cooperative and good working relationship throughout all of this. Thank you.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I, too, rise this morning to talk about the Energy Policy Modernization Act of 2015. Yes, sometimes we can be cynical about this place and what we can get done; then, all of a sudden, we have a great opportunity to move something forward.

The Senator from Alaska said it correctly. This is a milestone for the Senate. The fact that we are considering energy policy legislation on the Senate floor in a bipartisan bill, or any bill, for the first time since 2007 is a tremendous milestone. I thank her for her leadership and for her time and effort to put this legislation together in such

a bipartisan fashion through the processes that we went through shown on that chart—hearings, listening sessions, discussions, amendments.

I think it is appropriate to thank our staffs. Usually that is done at the end of a process, but when we have had a bill on the floor for the first time since 2007, we should herald them in advance. Angela Becker-Dippmann, Colin Hayes, and I know Karen also played a big role in this, so I thank them.

But my colleague is a partner, as she said, in all things energy. It is interesting that the other Senator from Alaska is presiding at this moment. We have all been working together. The Senator from Alaska, Ms. MURKOWSKI, and I participated in an Arctic summit just last week in Seattle, focusing on another policy for our Nation—the urgency of getting an icebreaker fleet for the United States of America and the other policies we need to do in the Arctic. So I have certainly enjoyed the many efforts that we in the Pacific Northwest region focus on. I think maybe that helped us a little bit in our outlook. It is not that we agree on everything. Certainly, we don't. But I think we know where we disagree, and we try not to let that get us held up. We try to find the commonality in what we are doing in moving forward on the modernization of our energy system and to make sure we are empowering the private sector to continue to move ahead on things by making sure that either the R&D investments or changes in policy get done on our watch. That is really what the Energy Policy Modernization Act is about.

I thank the Chair for her leadership on that effort and for steering us to this process that we have before us today. As she said, it is not a bill so perfect that we are not going to hear from our colleagues on it. Since it is the first major piece of energy legislation in a long time that we hope goes all the way to the President's desk, it is a process I am sure many of our colleagues are going to want to see amendments on. We will work through them to the best of our abilities to hopefully improve the bill, but also not sink the bill with poison pill amendments that we know either will get it vetoed or will not get it across the finish line where we need to take this legislation.

I am here this morning, along with the Chair of the committee, to thank our colleagues on the committee on both sides of the aisle for their leadership and input on this bill. Again, it was a process on which not everybody agreed, but the bill passed out of committee with well over a majority of votes in a bipartisan way. I think that signals it should have good support here on the Senate floor because we went through a very deliberative process in the committee, and that deliberative process means a lot of issues

were aired, and we know where we can go and where we can't go on this legislation.

Again, it doesn't mean we are not willing to consider a lot of debate; we are. It doesn't mean people aren't going to offer amendments that are going to be challenging; they are. But in the end, I think if we want to keep moving forward with empowering the kind of energy revolution that we are seeing, we need to keep up on our side of the ledger here in the Nation's Capital.

Much has changed in the last 9 years since the 2007 act. Before that, we had a small bill in 2005, so we have seen some very dramatic changes in energy. Clean energy has certainly weathered the storm and is not just a pipe dream anymore. It is a key driver of our economy, and it is helping us reduce our carbon emissions. Wind power has more than quadrupled since the last bill. Solar photovoltaic installations are up nearly 15 times. The number of LED lights—I am glad the Senator from Alaska's husband is such a cheerleader—has grown more than 90 times in since that bill. The reason is, just as the Senator from Alaska said, this is all about consumers who want to be able to save money on their energy costs. Senators from Alaska get that, and Senators from Washington get that as well. We get it in a different way. They get it because they are constantly battling the highest energy costs in the Nation, and we get it because we are constantly reaping the benefits from some of the lowest energy costs in the Nation.

We both have a great deal of concern here. We both want to protect the industries and the economic opportunities of our economy. We know that energy is the lifeblood of any economy.

The U.S. solar industry employed more than 200,000 Americans in 2015, which was a 20 percent growth in the industry in the last year. To put it into perspective, it has grown nearly 12 times faster than the national employment rate during that same time period. So we need to continue this effort to make investments in the right research and development, the right technologies, in order to empower homeowners, ratepayers, and even businesses to save billions of dollars in energy costs.

Why are we doing this bill? As I said, it is an important journey to update our antiquated energy policies when we want to modernize our infrastructure, and we want to maintain our global competitiveness. These are issues that are part of our energy debate today because we also want to reduce carbon pollution. As my colleague said, while this bill may not have everything we want to see from our side of the aisle in a carbon reduction plan, it certainly shows that we do want to see investments in clean energy.

It doesn't matter whether you are a Republican or Democrat, the people of this country have said clearly that they want to see clean energy and they want us to help curb climate change. We need to listen to our constituents, and that is why we are trying to move past some of the issues of policy and move forward on things that will empower our citizens.

The Senator from the State of Iowa, who is here, understands exactly what I am talking about because he, too—whether it is in wind or solar or biofuels—has seen the economic benefits of a changing energy landscape for our economy and wants to make sure that businesses and ratepayers are still empowered.

We are here because we need to update and modernize our energy policies. That is what we did when this bill came out of committee with an 18-to-4 vote. And we need to build on the momentum of the technologies and how their deployment reflect new market realities. A very important aspect of our energy debate is the Secretary of Energy's completion of what was called the Quadrennial Energy Review.

What are our Nation's energy challenges? It wasn't just an Energy Department discussion. It was the entire Federal Government weighing in on what are the energy needs of our Nation. It is done every 4 years. Basically, what Secretary Moniz said in that report is that we are at a crossroads, that the dynamic and changing nature of our domestic resource mix, expanded supplies of natural gas, and growth in distributed generation are creating opportunities and challenges.

As the Secretary put it, “the longevity and high capital costs of energy infrastructure mean that decisions made today will strongly influence our energy mix for the considerable part of the 21st century.”

What was he talking about? He was talking about the fact that we are at a crossroads and where we make investments will mean that we will either reap the benefits of making the right decisions or stymie our economy's economic growth by not making the right energy decisions.

When we talk about energy infrastructure, I try to remind my colleagues we are talking about 2.6 million miles of pipeline, 640,000 miles of transmission lines, 414 natural gas storage facilities, 330 ports with petroleum and crude, more than 140,000 miles of railroad, and a diverse mix of energy projects and obviously an electricity grid that runs from coast to coast.

The Quadrennial Energy Review talked about how we needed to modernize and upgrade that infrastructure and that the electricity grid was a key part of that. That is why you will see a lot in this bill about modernizing the electricity grid and why it is so important to our Nation—not only from an

economic perspective of having affordable, cheap, renewable, clean energy but also in making sure we modernize the grid to help us with cyber security.

Once again, a quote from the report:

Dramatic changes in the U.S. energy landscape have significant implications for . . . infrastructure needs and choices. Well-informed and forward-looking decisions that lead to a more robust and resilient infrastructure can enable substantial new economic, consumer service, climate protection, and system reliability benefits.

That is why you will see a significant focus in this bill on infrastructure, investing in technologies, cyber security, and making our grid more intelligent, efficient, and resilient—ways that we believe are going to help both businesses and consumers.

The bill includes investments in energy storage, which helps integrate renewable energy. It has provisions for advanced grid technologies, which help make our electricity grid smarter and more intelligent, to move energy around more efficiently. It has cyber security research and development. I don't think there will be anybody in the Senate who will not support this more robust effort on cyber security given the challenges and the threats we face.

It has a focus on new renewable technologies, which are great breakthroughs in helping to drive down costs. It has energy efficiency, which costs basically one-third to one-half less than new generation.

This chart shows the question of whether you want to pay 4.6 cents a kilowatt for production or 12 cents a kilowatt for production. I know this. I would rather pay 4.6 cents. I would rather drive the costs down for the consumer as a result of energy efficiency or renewable energy, as opposed to making investments in what we know is going to be more expensive energy for the future.

When it comes to R&D, we need to make sure we are making the right investments for the future and that we are sending the signals that capital markets will take as also a signal for continued investment.

We need to make investments in our workforce because as the Quadrennial Energy Review shows, we will need 1.5 million new workers by 2030 in the energy sector. That is a huge number. I will say that we do not have the right tools in place to quickly train as many people as necessary.

I am sure the Presiding Officer would attest to this just in the biofuels area. I am sure there are institutions in her State that are working hard to help describe, train, and educate those in the biofuels areas so we can have a robust infrastructure—the science, the R&D, the distribution, all of that. I know in our State we are working hard on this with our national laboratories and Washington State University on getting an advanced biofuels for the air-

plane sector because we want aviation to move forward on using those fuels and becoming even more efficient.

There is advanced manufacturing here where it is about making sure our trucks have the same efficiency opportunities that we were able to help usher through in 2007 with higher fuel efficiency standards for automobiles. Now we want to make sure we are investing in the same level of R&D for our advanced truck fleets in the United States so they can reap the same benefits as fuel-efficient automobiles.

As I mentioned, the Quadrennial Energy Review laid all of this out, and that is why we took an effort with the committee on hearings that my colleague already outlined with more than 100 different energy bills and a variety of input from our colleagues.

Yes, energy efficiency is front and center in this debate. In fact, I think there were 22 different energy efficiency bills from 30 different Senators as sponsors and cosponsors in the discussion. I think in 2007 we definitely talked about some smart grid demonstration projects and a few things, but nowhere was energy efficiency or the development of these policies—whether it is storage or distributed generation or protecting ratepayers—none of them were as front and center as they have been in this debate today. That is because energy efficiency not only makes sense in terms of the environmental benefits. People have seen that it makes sense for the economy, and it makes sense for our consumers. As I said, it drives down the cost of production and, obviously, when it integrates more sustainable resources, efficiency becomes a cheaper, better job creator and carries lower environmental costs than the alternative. Not only does it save consumers money, but it helps add to the flexibility of our grid and reduces carbon.

I want to thank a few of our colleagues who have worked so hard on helping us put this legislation together. My colleague from Alaska mentioned the Shaheen-Portman piece of legislation, which is a key cornerstone of this bill when it comes to the energy efficiency area. It encompasses much of their work. They have obviously been stalwarts for years trying to get energy efficiency legislation moved through the Senate. Many of the provisions they have sought in the past are now in this bill. I commend them for their efforts.

Residential and commercial buildings consume 40 percent of our U.S. energy. That is roughly \$430 billion. When you talk about focusing on making our buildings more efficient and addressing that sector of our energy needs, there are some true savings.

In the past, energy buildings and equipment standards have lowered the costs, and they expected to save roughly 3 billion metric tons of carbon emis-

sions, which is the equivalent of carbon emissions of 42 million vehicles in a 15-year period. Just by focusing on our buildings and making them more energy efficient, we can have a tremendous impact. That is why I worked with my colleague Senator MURKOWSKI in authorizing a section of this bill on smart buildings, and Senator WARREN joined us. Smart buildings really will help us manage our energy loads better, particularly focusing on lighting, heating, cooling systems, and communications between buildings. We heard from the Department of Energy that smart buildings really could be a game changer for the efficiency discussions. I thank my colleague from Alaska for working with me on that provision.

DOE has estimated that smart buildings can result in 30-percent additional efficiency in the way buildings are operated when they realize the full potential of these technologies. You can imagine that if you are an industry and you are trying to be competitive, what that is going to mean to have that level of efficiency. I know because with every sector of economy, they are constantly focusing on energy costs as a way to be competitive, particularly in an international market. I would say that one of the reasons we have so many server farms in the State of Washington—that is, storage data facilities—is because we have cheap electricity. When you start saying you are going to drive down the cost of electricity by such a significant margin, people are saying, “I want to locate there.”

We want to make sure we are empowering free capital and investments to help us reduce carbon emissions by focusing on giving those powers to help focus on smart buildings. This isn't just a U.S. strategy. This is something the United States could be world leaders in. The International Energy Agency says that the energy efficiency market in China alone is expected to total more than \$1.5 trillion between now and 2035. Think about it. They are building so rapidly, and yet they could be incented—that is, by the level of investment the United States is already making—to further their own efforts in smarter buildings, reducing carbon, building more efficiently. This is something where U.S. solutions could aid. I hope we will continue to focus on these kinds of innovations in the U.S. agreement with China.

My colleague mentioned infrastructure as a key theme of this bill and mentioned some of those provisions. As I mentioned, utilities and the fact that, on average, the United States spends nearly 29 percent of its total expenditures on utilities such as electricity and natural gas—we want to continue to make improvements there. Data-driven intensive industries also, as I mentioned a few minutes ago, are part

of the equation. We know as they continue to grow, we are going to want to make continued investments.

In the Pacific Northwest, the Bullitt Center, which has been an acclaimed building—probably one of the greenest commercial buildings in the entire world—is a net-zero building and shows how well you can build a building that both consumes less electricity and can actually put electricity back onto the grid.

We have many of these efforts in the Pacific Northwest where people have seen that smart building technology is expected to grow from \$7 billion now to \$17 billion in the next 4 years. It is a tremendous market opportunity for U.S. technology.

I wish to mention a couple of other provisions that our colleagues have worked on in the bill and thank them for that. I wish to thank Senator FRANKEN, Senator HEINRICH, Senator KING, and Senator HIRONO for their efforts on energy storage that we have included in this legislation. It includes a program that is focused on driving down the cost curve of ways to help with storing energy, whether you are talking about battery technology or large-scale storage. I also thank Senator WYDEN, Senator KING, and Senator HIRONO for their focus on advanced grid technologies—that includes demonstrating how multiple new technologies can be put into the electricity grid on a micro level. This is so important. My colleague from Alaska and my colleague from Hawaii both see the challenges of very different energy mixes than the rest of the United States and the challenges with transportation. Helping them on micro grid issues is critically important.

As I mentioned, making distributed generation more reliable and more intelligent is a very key factor in this bill. Senator WYDEN did incredible work on making sure we added new renewables in the area of marine hydrokinetic, geothermal, and biopower into this legislation. I thank him for that.

I know my colleagues Senator KING and Senator SANDERS—and I know we will be joined by Senator REID on the floor—are continuing to push the envelope on innovative ways to make sure distributed generation works for our citizens.

This is something we didn't get as much in the bill as we wanted. We certainly put some new authority to make sure we are protecting consumers. But I think we will probably see that people will want to go further to make sure we are empowering everybody—from members of the Tea Party to the environmentalists who want to be in the solar business to those who put solar panels on their roof or anyone else who doesn't want to be gouged for the cost of doing that by the utility. They want the utility to make the in-

vestment, and they want to get a return for participating in reducing energy costs.

I wish to thank all of those who worked on the cyber security section of the bill, which, as I mentioned, is very important. In 2003, more than half of the cyber incidents were directed at critical energy infrastructure. So the bill today basically says that the Department of Energy will be the lead role in coordinating our cyber response for the energy sector and that we will be working on the R&D in partnership with the private sector to make sure we have the right kind of information sharing to continue to make the kinds of investments for resiliency that we need to have for cyber security.

I would like to mention a few more items. The advanced vehicle technologies program—Senators STABENOW, PETERS, and ALEXANDER all worked on this section of the legislation to try to, as I mentioned earlier, take the same fuel efficiency we have in automobiles and do the same thing for trucks. Companies in my State, such as PACCAR and the Pacific Northwest National Laboratory, are already trying to drive down the cost of truck transportation. Why? Because they see how much freight the United States is moving to overseas markets. We see that we have products we are going to sell to a developing overseas world, but we have to move them cost-effectively, so we put a lot of work into making our truck transportation efficient.

I thank Senator WARREN for her work on the Energy Information Administration provisions and Senator MANCHIN for his work on workforce issues—which I am sure we will continue to hear about when we come to the floor as it relates to our mine workers and a variety of other people keep transitioning to new job training to make sure we have the workforce for tomorrow. Lastly, I also want to mention my colleague Senator HEINRICH, who has been very active on the workforce issues as well and making sure we have grants for work shortages and job training.

I think my colleague from Alaska said it best—that this is not a bill which is about what everybody wanted but about what we could do and that is important to move forward now. It was built on a good, bipartisan process, and people were able to have input. We hope to follow the same process here on the floor. I am sure my colleagues on this side of the aisle will want to talk about ways in which we could go further.

The American Energy Innovation Act we introduced last September has many of these provisions, such as having an energy efficiency resource standard at a national level and getting Senators BENNET and ISAKSON's SAVE Act, which makes sure consumers realize as homeowners the ben-

efits of the investments they make in energy efficiency.

I also mention my colleagues, Senator REID of Nevada and Senator KING of Maine, who have shared innovative ways to make sure consumers benefit from being in the solar business.

I am sure we will hear from many more people on both sides of the aisle about their ideas and how they would like to improve this bill.

As my colleague from Alaska said, it is important that we work together and not try to torpedo this bill but instead move forward on what has been a good, bipartisan process and continue to make investments for the future.

One of the last issues I wish to mention, as an investment for the future, is the success of the Land and Water Conservation Fund. I am so proud that the Land and Water Conservation Fund was original legislation by my predecessor, Scoop Jackson, a Senator who served our State for many years. I think the Land and Water Conservation Fund is one of the most successful conservation programs in our country's history. It had been successful for more than 50 years before it was dismantled, but we were able to reestablish it in the omnibus for the next 3 years. Obviously our committee came to a bipartisan decision on this issue, and we believe it should be made permanent. It was such a successful program, it should at least receive the same attention it did for the first 50 years so we can continue on the same journey we have been making so we can be sure we have open space in the United States of America as we continue to grow.

These are important outdoor spaces that have generated an incredible outdoor economy for the United States of America. It has generated economic revenue by providing the ability for people to go to the outdoors. I hope we will keep that as part of this legislation as it moves all the way through the U.S. Senate and the House and to the President's desk—permanent reauthorization of the Land and Water Conservation Fund.

At this time, I am going to turn the floor back over to our colleagues so they can discuss this bill or other issues, but before I yield, I will reiterate that this legislation is about the modernization of energy—the lifeblood of our economy—and driving down the costs through investments on a new strategy for the future. It is not about holding on to the past as much as moving forward to the future, and it will enable our businesses, our ratepayers, and all of those whom we care about in that economy to continue to reap the benefits of next-generation energy technology—renewable technology—that is cleaner, more efficient, and will keep our economy in the driver's seat for our own U.S. economy and be a game changer for us on an international basis so we can provide solutions that are cleaner, more efficient

for sure, and will help us deal with the carbon issues around the globe.

With that, I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Texas.

Mr. CORNYN. Madam President, I know we will be breaking at the regular time for our policy luncheons. When I am finished speaking, I will yield the floor so that the Senator from Arizona can make any comments he wishes before we go into recess.

I want to say a few words about this legislation. I know that amidst the polarization and the circus-like atmosphere of our politics these days, people are really surprised to find out we were able to get some important work done here in the U.S. Senate in the year 2015.

While this Presidential selection process goes forward in Iowa, New Hampshire, and South Carolina for both Democrats and Republicans, I think it is important that we continue to do the people's work here in the Senate. I can't think of any better subject for us to legislate on than this bipartisan Energy bill which was ably led by the chair of the energy committee, the Senator from Alaska, Senator MURKOWSKI, and our colleague, the Senator from Washington.

In my State and no doubt in other States, we have seen how important the energy sector can be to jobs. Texas is suffering a little bit, as are places such as North Dakota, Alaska, and other big energy States, because the price of oil is so low. Actually, it is good for consumers because gasoline prices are cheaper than they have been in a long time. We have been able to see how smart energy policies can have a positive influence on jobs and stronger economic growth not just in Texas but across the country. So taking advantage of our natural resources and diversifying our energy supply when we can is a win-win situation.

This legislation, the Energy Policy Modernization Act, will update our energy policies for the 21st century. I can't tell you how many times I have heard people say: Well, we don't have a national energy policy. Unfortunately, that is true, but this Energy Policy Modernization Act will go a long way toward developing sound energy policy that will help us produce more energy, help us use the energy we produce more efficiently, and it will allow consumers and businesses to save money.

This bill modernizes the U.S. electric grid—the infrastructure that provides us with electricity—which, of course, we don't think about too often until we have a brownout or a blackout as a result of some incident. It is very important that our electric grid be reliable and more economical in the long run.

This bill also seeks to diversify our energy supply, including promoting research on renewable energy options while updating our policies on mineral

extraction as well. I think this legislation promises to allow us to continue to be productive now in this new year, 2016.

I wish to add one other word about the Senator from Alaska, Ms. MURKOWSKI, the chair of this important committee. Thanks to her leadership, Congress was able to pass legislation to finally lift the export ban on crude oil—a ban that had been in place for 40 years. Really, that change was the most contentious part of this energy policy. I think she has wisely separated those two issues and left the Energy Policy Modernization Act as one that does enjoy broad bipartisan support.

We also need to continue to expedite our exporting of liquefied natural gas, which this bill does. It will help us to get more of our energy to international markets and will provide domestic suppliers a more reliable timeline for building the infrastructure—which is not cheap—to allow us to export more of our domestic resources.

This has really been the story of our energy resources here in America, where we have constantly underestimated the impact of technology and innovation when it comes to energy. Just a few years ago, we used to talk about something called peak oil, as if all the oil had been discovered and there wasn't any more there. Thanks to the innovative use of horizontal drilling, together with fracking, which had been around for 70 years or more, people realized that America holds the promise of being the next energy exporter in the not too distant future.

I have heard the senior Senator from Arizona, the chair of the Armed Services Committee, make this point, which I enthusiastically agree with: Our energy resources here in America are a natural security asset. What we see around the world, particularly in Europe, is that people like Vladimir Putin use energy as a weapon. Our willingness and ability to export energy will not only create jobs in America, but it will help grow our economy by making sure our small businesses have access to reasonably priced energy, and it will also help strengthen our friends and allies around the world.

I look forward to discussing the bill. I hope we can move on some of the amendments that have been brought up on both sides of the aisle and in so doing continue to strengthen America's hand as an energy powerhouse in the 21st century.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business for whatever time I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

OVERRULING THE AUTHORIZING COMMITTEE

Mr. MCCAIN. Madam President, last month I came to the floor and called

attention to a provision in the Consolidated Appropriations Act for fiscal year 2016. I will remind my colleagues about the 2,000-page omnibus bill that all of us had approximately 48 hours to view before voting yes or no on it. I specifically objected to a provision that, in an egregious exercise of pork barrel parochialism, reversed reasonable restrictions on the Air Force's use of the Russian-made RD-180 rocket engine for national security space launches. I explained how that provision was secretly airdropped into the 2,000-page omnibus bill and overruled the authorizing committee—in other words, an outrageous overruling of the authorizing committee. They dropped this provision into the middle of this 2,000-page bill while we had hearings, discussions, markups, and debates on the floor of the U.S. Senate which considered 100-and-some amendments. So what we saw buried in this 2,000-page bill was a direct contradiction to the authorizing process.

This process must stop. We have to stop allowing the appropriators to make policy. That should come from the authorizing committee. I tell my colleagues now: I will not stand for it any longer.

Sometimes we wonder why the Americans are angry and why they are supporting Trump, SANDERS, or some outsider. All they have to do is look at the process we went through with this 2,000-page bill. It wasn't just the rocket engines; it also included hundreds of millions of dollars in unnamed projects, including \$225 million for a ship that the Navy neither wants nor needs. By the way, that was the second one. We were supposed to build 10. So the appropriators—the Senator from Alabama—again added a \$225 million ship that the Navy neither wanted nor needed, which was made and manufactured in Mobile, AL. We can't do that. It has to stop.

Of course, they acted in a way that it now provides tens, if not hundreds, of millions of dollars to Vladimir Putin and his corrupt cronies. How do we justify such action?

The American taxpayers should be outraged to learn that some U.S. Senators want American taxpayers to continue subsidizing Russian aggression and comrade capitalism. But those very Senators thought that if they snuck their blank check to the Putin regime into an unamendable omnibus bill, no one would stop them. I rise in the hope that Congress will prove them wrong. That is why I will be joining with House majority leader KEVIN MCCARTHY to introduce legislation that would repeal this section of the omnibus bill and reassert the will of the Congress and the American people.

It is morally outrageous and strategically foolish to ask the American taxpayers to subsidize Russia's military industrial base when Vladimir

Putin, whom the Treasury Department has reportedly accused of being personally corrupt, occupies Crimea, destabilizes Ukraine, menaces our NATO allies in Europe, violates the Intermediate-Range Nuclear Force Treaty, sends weapons to Iran, and bombs U.S.-backed forces in Syria to prop up the murderous regime of Bashar Assad, and all for the benefit of a rocket plant in Alabama.

I won't go into too many details here, except to point out that after the United States imposed sanctions against Russia in March of 2014, Russian Deputy Prime Minister Dmitry Rogozin, who oversees the space industry in Russia, indicated several times that Russia expects that the United States will not use RD-180 engines for military launches and threatened to stop supplying them.

Rogozin declared: "We are not going to deliver the RD-180 engines if the United States will use them for non-civil purposes. We also may discontinue servicing the engines that were already delivered to the United States." He also threatened to deactivate all GPS sites in Russian territory and ban U.S. astronauts from the International Space Station by 2020. Rogozin suggested that in the future, the United States should deliver "its astronauts to the ISS with a trampoline."

Later that year, Rogozin appeared to reconsider. After all, in order to design and build more rocket engines in Russia, Rogozin said, "we need free money. This is why we are prepared to sell them . . . taking the sanctions very pragmatically."

So what are Russia's two desired outcomes? On the one hand, America continues its dependency on Russian rocket engines. On the other hand, America helps Putin go around sanctions by getting "free money" for rocket engines. And this is who ULA and its congressional sponsors want us to do business with?

At the same time, Russia has threatened to cut off supply, Energomash has pursued other business opportunities with other countries that would give Russia a freer hand in making good on its threats—most notably, China.

In July 2015, President Putin signed a new law that consolidated the Russian space industry under a single state corporation, an entity called Corporation Roscosmos. This was done to enhance the power of the Russian Government to better implement state-based policy and control the space industry. He signed an order that will effectuate this law.

In addition, Putin appointed Igor Komarov chief executive of the newly created Corporation Roscosmos. Komarov was the former chairman of one of Russia's largest carmakers and an adviser to Sergei Chemezov. Chemezov, who was also appointed to

the board, is said to have served as a KGB officer with Vladimir Putin in Germany back in the 1980s, and he has been targeted by our sanctions.

Under the same order, Putin also appointed Russian Deputy Prime Minister Dmitry Rogozin, and the list goes on and on.

So why do we want U.S. taxpayers sending millions of dollars to the Russian Government when Vladimir Putin occupies Crimea, destabilizes Ukraine, et cetera. To add insult to injury, this last year, on the defense bill, we had to legislate to stop—to stop—the U.S. Defense Department from giving \$800 million per year to ULA. That is the outfit that now launches using Russian rockets—ULA—with Russian rocket engines. We had to prohibit the continued payment of \$800 million a year they were paying them to stay in business. It is amazing. I figured out that roughly, since 2006, we have paid this ULA, which is a combination of Boeing and Lockheed Martin, some \$7 billion to stay in business. It used to be called the military industrial complex that Eisenhower warned us about when he was leaving office. It is now the military industrial congressional complex that puts in a 2,000-page bill a requirement to build a \$225 million ship that nobody wants and that the Navy doesn't need, for the second year in a row. That is \$450 million of your tax dollars that went to build two ships that the Navy neither needs nor wants.

My friends, do you wonder about the cynicism of the American people? Do you wonder why they think the way we are doing business in Washington is corrupt, when we spent \$240 million in 2 years on two ships that the Navy doesn't want or need and when we subsidize an outfit—the only one that until recently does space launches—and paid them \$800 million a year to stay in business, spend hundreds of millions of dollars on unspecified scientific programs, take hundreds of millions of dollars from medical research that has nothing to do with defense and take it out of defense? Would we wonder that the American people are angry and frustrated? Look at what we are doing with their tax dollars.

I don't know if it was 48 or 72 hours that we had to vote up or down on a 2,000-page, \$1.1 trillion document, and no amendments were allowed.

So I say to my colleagues: Do not wonder; do not be curious why they are out there flocking to the banner of Senator SANDERS, the only announced socialist in the U.S. Senate and on the other side people like Donald Trump, who has never had anything to do with Washington, DC. They should not be surprised.

Well, all I can say to my colleagues is that I am not going to stop, because I owe the people of Arizona a lot better than what we are giving them. We owe them an accountability of why we

would spend \$800 million a year to keep a company in business. We owe them an explanation of why we would over the last 2 years spend \$450 million for two ships that the Navy neither wants nor needs because they are made in Mobile, AL. We owe them a lot better than our performance on this omnibus appropriations bill.

I will be glad to talk more about how each individual was blocked by the other side and would not agree to move forward and the rules of the Senate and all that, but that really doesn't make much difference at the Rotary Club. What makes a difference is that we have wasted billions of dollars of the taxpayers that were neither wanted nor needed nor ever had a hearing in the authorizing committee.

I am proud of the work we do on the Armed Services Committee. We have literally a hearing every day. We spend hours and hours and hours in markups and debate and discussion on these various programs. We have hearings with administration officials. We have hearings in the subcommittees. I am so proud of the bipartisan approach that we take on our Defense authorization bill, working closely with Senator REID and my colleagues on the other side of the aisle. I am proud of the product, after literally thousands of hours of testimony, of study, of voting, and all of that. Then we get a 2,000-page omnibus appropriations bill stuffed with billions of dollars of projects that we never, ever would consider in the authorizing committee.

So the system is broken. The system is broken, and it better be fixed. I am telling my colleagues, especially those on the Appropriations Committee: This will not stand.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCOTT).

ENERGY POLICY MODERNIZATION ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Delaware.

TRIBUTE TO FEDERAL EMPLOYEES

Mr. CARPER. Mr. President, in 2014, I began coming to the Senate floor almost every month. I came here to highlight some of the great work done each and every day by the men and women who serve us in the Department of Homeland Security. I continued that effort throughout much of last year and plan on coming to the Senate floor every month in 2016 with a new story to share. There is simply so much good

being done across the Department by the employees, our public servants who work there. I don't think I am going to run out of material anytime soon.

As you know, the Department of Homeland Security is made up of some 22 component agencies and employs over 200,000 Americans. These men and women work around the clock to protect all of us, our families, and our country.

One part of the Department is called the Federal Emergency Management Agency. We call it FEMA. It has the unique task of keeping Americans safe when everything around them has been thrown into chaos. In times of crisis, the men and women at FEMA coordinate rescue operations, provide emergency medical care, and give shelter to those who lost their homes. Simply put, they bring hope back to Americans whose towns and cities have been swept away by floods, destroyed by a fire or torn apart by a tornado.

Ten years ago, in the days after Hurricane Katrina, Congress passed the Post-Katrina Emergency Management Reform Act. That law completely overhauled FEMA from top to bottom. It increased its authority and stature within the Department of Homeland Security and provided it with needed new resources. This legislation also required FEMA to bolster its regional offices and to build stronger relationships with State, local, and tribal governments. Taken together, these reforms have improved our capability at all levels of government to respond to disasters, while also improving FEMA's capacity to support State, local, and tribal governments as they rebuild.

Over the past 10 years, the men and women of FEMA have worked countless hours to improve our preparedness for, response to, and recovery from disaster. Bad things still happen. In the aftermath of a tornado, wildfire or even a snowstorm like the nor'easter we saw on the East Coast this week, we still see the images of destruction and lives turned upside down on our television screens. Most of the work that the men and women at FEMA do 365 days a year to prepare for these events and make them less damaging rarely ever get discussed.

Every day the men and women at FEMA create evacuation plans, stock emergency shelters with food and medical supplies, and they partner with law enforcement and first responders in every state to improve preparedness through exercises and drills. In addition to training first responders, one of FEMA's top priorities is to educate and train all of us on what to do in case of disaster. The more you and I and our families know, the more likely it is that we will be safe and will stay together during a disaster.

MILO BOOTH

One FEMA employee charged with helping some of our most vulnerable

communities prepare for disaster is a fellow named Milo Booth who serves as FEMA's tribal affairs officer. Milo is an Alaskan Native from Metlakatla, AK. It is an Indian community on the southernmost tip of Alaska.

After graduating from Oregon State University with a bachelor of science degree in forestry and minor in economics, Milo returned home to serve as the Metlakatla Indian community's director of forestry and land resources, working to protect his hometown for the next 16 years.

After 2 years with the U.S. Forest Service, Milo moved to FEMA to serve as the National Tribal Affairs Advisor, and that is what he does today. In this role, Milo works to communicate disaster preparedness to reservations, Alaskan Native villages, and tribes across the country. These communities, some of the most remote and isolated in the country, are also most at risk in times of disasters. Ensuring that these communities are educated in preparedness helps some of the most vulnerable among us.

As a FEMA liaison and an advisor to Indian Country, Milo doesn't just help the communities prepare for disaster. He also educates senior FEMA officials in the Department of Homeland Security tribal affairs staff on how FEMA could better prepare for and respond to hazards. In times of planning, Milo leads workshops and trains FEMA staff. He advises the senior leadership on tribal policy, and he works every day to build strong relationships between FEMA and tribal leaders and their communities. In times of crisis, when disaster strikes, Milo coordinates with tribal emergency managers and FEMA regional managers on the best ways to help and support these communities. In only 2 years at FEMA, Milo has visited more than 2 dozen reservations and Alaskan Native villages and has met with more than 100 tribes at trainings and regional tribal meetings.

Perhaps more important than any of this technical work that Milo does in planning is the work he has done in building relationships and earning the trust of tribal leaders.

When asked their thoughts on Milo, tribal leaders described him as accessible, responsive, and understanding, but most importantly, they described him as trustworthy. They trust that in Milo, their communities have a voice at FEMA.

When Milo isn't working in Washington, DC, he returns home to Alaska with his wife and two children, where he enjoys spending time with them outdoors. One of his favorite activities these days is going trout fishing with his young son, who says he wants to grow up to be just like his dad.

Milo is just one shining example of the thousands of dedicated men and women at FEMA who work to protect hundreds of communities across our

Nation, treating every one of them as if it were their own hometown.

The Presiding Officer will remember that Pope Francis addressed a joint session of Congress last September at the other end of this Capitol Building. He invoked the words of Matthew 25, which call for us to help the least among us, saying:

I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me, I was sick and you looked after me.

These have become known as the works of mercy or the acts of mercy. Milo Booth and all of his colleagues at FEMA perform these acts of mercy each and every day. They protect our children and our homes, saving lives and doing truly remarkable deeds. And for the thousands of civil servants at FEMA and the tens of thousands of others across the 22 components of the Department of Homeland Security, these acts of mercy are their life's work.

For all these things you do, for all these things all of you do, to each and every one of you, I wish to say thank you from all of us. God bless you.

The Senators from Alaska and Wyoming are on the floor. Good to see them both.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank my colleague.

AMENDMENT NO. 2953

(Purpose: In the nature of a substitute)

Ms. MURKOWSKI. Mr. President, at this time, I call up amendment No. 2953.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI] proposes an amendment numbered 2953.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of January 26, 2016, under "Text of Amendments.")

AMENDMENT NO. 2954 TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to call up Cassidy amendment No. 2954.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for Mr. CASSIDY, proposes an amendment numbered 2954 to amendment No. 2953.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve)

At the end of subtitle B of title II, add the following:

**SEC. 2102. STRATEGIC PETROLEUM RESERVE
DRAWDOWN AND SALE.**

Section 403 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 129 Stat. 589) is amended by adding at the end the following:

“(d) INCREASE; LIMITATION.—

“(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under paragraphs (1) through (8) of subsection (a) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

“(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of \$5,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.”.

Ms. MURKOWSKI. Mr. President, at this time, we will resume the consideration of S. 2012, which is the Energy Policy Modernization Act. Senator CANTWELL and I have had an opportunity to speak, as well as the Senator from Texas, and now the Senator from Wyoming has joined us. He has been a leader on these issues. He sits next to me on the energy committee and has worked on so many of the issues we have contained within this good bill, but the piece on which he has probably been most aggressive and shown his leadership is what we have done to help facilitate the export of our resources with regard to liquefied natural gas.

I am pleased to turn to my colleague from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I thank the distinguished chairman of the energy committee. She does a remarkable job, and she has brought many people together on this bipartisan piece of legislation. It passed the committee 18 to 4. People are energetic about this Energy bill because it is so critical and important to our communities and our economy.

As the Senate is discussing this important energy legislation, I come to the floor today because energy is one of those issues on which we should actually all be able to agree in terms of the basic idea. The basic idea and my goal for this Energy bill is that we make energy in America as clean as we can, as fast as we can, and do it in ways that don't raise costs on American families. I think most of us would consider that to be a worthy, commonsense goal. That is why the Energy bill before the Senate today is so important and why it has such broad bipartisan support. As I said, the bill passed the committee 18 to 4. And this is a bill that actually takes concrete steps to help our country produce the energy we need.

I think one of the good ideas in the bill is a provision to speed up permit-

ting for the exportation of liquefied natural gas. Six Democrats have cosponsored this language on the LNG exports as a separate piece of legislation, which is now incorporated into this Energy bill. That is because Senators on both sides of the aisle recognize the importance of natural gas to our economy and to our national security.

America has the world's largest supply of natural gas in terms of what we are able to produce today. We also have the resources to be a major exporter of this clean and versatile fuel. It is estimated that liquefied natural gas exports can contribute up to \$74 billion to America's gross domestic product by the year 2035. All we need is for Washington to give producers some regulatory certainty—certainty that is not there today.

To liquefy and to export natural gas requires special production and special export terminals, places to get it done. Under President Obama, the Department of Energy has been very slow and very unpredictable about approving these projects. The Energy bill would expedite the permit process for LNG exports to countries around the world and countries that right now do not have free-trade agreements with the United States. It opens it up to new markets, new customers, people who are friends and allies who want to buy a product we have right here for sale.

This legislation would require the Energy Secretary to make a final decision on an export application within 45 days after the environmental review process is completed. It would also provide for expedited judicial review of legal challenges to the LNG export projects because things can get tangled up in legal challenges that can go on for months and years.

Finally, the bill requires that exporters publicly disclose the countries to which the LNG is delivered so the American people know whom we are selling to.

This legislation doesn't force the administration to approve the projects, it doesn't shut down the environmental reviews, and it doesn't take away anybody's right to voice their opposition; it just says that the Obama administration should do its job in an accountable, timely, and predictable way.

This legislation would help create jobs. It would help to reduce our trade deficit, which is something President Obama has said is a priority of his. It would also help the security of America and our allies. That is something which should be a priority for all of us in this body. Speeding up American exports of liquefied natural gas will give our allies an alternative for where they can get the energy they need. It would help our allies reduce their dependence on gas from hostile places, many of whom are now getting it from Russia. Remember, Russia invaded Ukraine

largely to get control of the gas pipelines there.

Now Iran wants to step up its natural gas business as well—Iran. The Iranians have been working on a liquefied natural gas export plant that is almost complete. Construction had stalled a few years ago because of the economic sanctions against Iran. Now that the Obama administration has lifted the sanctions against Iran, Iran can start construction again. The managing director of the National Iranian Gas Export Company says that it could start shipping liquefied natural gas to Europe in 2 years. That was in an article in the Wall Street Journal today. The headline is “Iran Seeks Ways To Ship Out Gas As Sanctions Ease.” This is today. What we are discussing on the floor of the Senate is incredibly timely. When you read through the article, it says that European companies are promising billions in new deals in Iran as Iranian President Ruhani visits Europe this week to revive trade and political ties. So Iran is on the move.

The Obama administration, as of right now, is shackling American natural gas, shackling the production, shackling the export. At the same time, the President, through his agreement with Iran, is enabling Iran to move forward and seek ways to ship out gas as sanctions ease.

If our allies are dependent on gas from Russia or from Iran or from both, how does that make the world a safer place?

This administration has been dragging its feet on approving liquefied natural gas exports. It has blocked North American energy projects in the past, such as the Keystone XL Pipeline. That would have created thousands of jobs. Then, earlier this month, the Secretary of the Interior halted all new leases on mining coal on Federal land. This action by the administration is alarming, it is drastic, and it is destructive. Forty percent of all the coal produced in the United States comes from Federal land. The Interior Secretary wants the coal to stay in the ground, wants it to become a stranded asset. With this new rule, she took one more step toward wiping out the jobs of thousands of Americans, and then she staged a press conference to brag about it. If that weren't bad enough, last week the administration announced new restrictions on oil and gas operations on Federal land and on Indian land.

The unelected, unaccountable bureaucrats of the Obama administration have been relentlessly attacking American energy producers with new rules, new regulations—costly—hurting our economy, hurting jobs. They are costing American workers and families billions of dollars, and they will do great damage to American energy reliability. Reliability is key. We need a different approach.

It is essential that we create as much energy as possible here at home, and it is essential that we be able to export American energy to our allies as well, people who want to get it from us. That is why energy is called the master resource, and that is why this Energy bill is so important.

This legislation is a good start toward making sure America has the energy we need to keep our economy growing. There are things we could do to improve this legislation. We could use this bill to protect Americans from President Obama's reckless attempt to end coal leases on Federal lands. We can also make sure the Obama administration stops its unwise new rule on natural gas and oil operations. We can actually capture more energy while we reduce waste and emissions from this kind of oil and gas production.

I have introduced bipartisan legislation that is going to expedite the permitting process of natural gas gathering lines on Federal and Indian land. These are pipelines that collect unprocessed natural gas from oil and gas wells and ship it to a processing plant and then on to interstate pipelines. Today a lot of that gas is flared off right at the well. You can see that at the well, the flames. One of the reasons that is happening is because the Obama administration has been so slow in granting the permits for the natural gas gathering lines on Federal land. People want to build them; they want to use this natural gas. The President opposes the flaring. More gathering lines would mean less flaring. It is good for energy producers, it is good for the environment, and it is good for taxpayers.

We need the energy. Keeping it in the ground is not the answer. The answer is making energy as clean as we can, as fast as we can, without raising costs on American families. I believe that is a better approach. A bipartisan group of Members of this body knows it is a better answer. It is time for the Obama administration to join us.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today to discuss the Energy Policy Modernization Act. Along with a broad, bipartisan group of my colleagues, I supported this bill as a member of the Energy and Natural Resources Committee. I thank Chairman MURKOWSKI, Ranking Member CANTWELL, and their staff for their commitment and hard work in producing a bill that could earn a strong bipartisan vote in the committee.

There were other proposals that I would have liked to have seen included in the bill, such as the national Renewable Electricity Standard introduced by Senator UDALL, which I cosponsored, and there were other proposals included in the bill that I would not

have supported on their own. However, I was willing to support a compromise that provides positive direction for our country in the midst of an energy transformation.

Now that the full Senate is considering the bill, I would like to remind my colleagues of the effort that went into reaching this compromise. We should not squander the opportunity before us with amendments that will simply erode bipartisan support for the bill or draw a Presidential veto.

So much has changed in how energy is produced and consumed since the Senate passed its last energy bill in 2007. Our country is in the middle of a transformation toward cleaner sources of energy and greater energy efficiency in our vehicles, homes, and businesses. Hawaii is leading the way on many fronts in this transformation. Hawaii has already set the most ambitious electricity standard of any State, and that is 100 percent renewable electricity by 2045. Our State has already more than doubled its use of renewable electricity in 6 years to 21 percent.

Making sure that we have clean and affordable power for families and businesses will require a more modern and reliable electricity system. The Energy Policy Modernization Act tackles research, job creation, and innovation on a number of fronts. Let me highlight some of the bill's important provisions.

This bill includes provisions from my Next Generation Electric Systems Act that would establish a Department of Energy grant program for projects to improve the performance and efficiency of electrical grid systems. These grants could assist efforts in Hawaii and around the country to make greater use of renewable energy, energy storage systems, electric vehicles, and other innovative energy technologies.

The bill also provides \$500 million over 10 years to support the energy storage research, demonstration, and deployment program from Senator CANTWELL's Grid Modernization Act, which I cosponsored. Energy storage will help smooth the delivery of power from renewable sources so that it is available even when the sun is not shining or the wind is not blowing. Greater use of energy storage systems could help cut energy bills by reducing the need to build expensive powerplants that operate only at times of highest demand and avoiding blackouts.

Thanks to Chair MURKOWSKI, the bill also promotes the development of microgrid systems for communities that are not connected to the grid, so that isolated communities in places like Hawaii and Alaska can also use alternative energy and energy storage to secure more reliable and affordable sources of power.

The bill includes my amendment to ensure that the U.S. Territories and the District of Columbia can join Ha-

wai and other States in being eligible to participate in a Department of Energy loan guarantee program to help States support new investments in clean energy projects. For instance, Hawaii could expand its Green Energy Market Securitization—or GEMS—Program to make rooftop solar systems and other clean energy improvements more affordable for renters and other underserved consumers.

The bill authorizes research and development in promising renewable energy technologies like marine and hydrokinetic energy, which harness the power of the ocean's waves, heat, and currents. In partnership with the U.S. Navy, the Hawaii National Marine Renewable Energy Center at the University of Hawaii-Manoa is one of three federally funded centers for marine energy research and development in the Nation, including a wave energy test site at Kaneohe Bay on Oahu.

The bill will help people find well-paying jobs in the energy and energy efficiency fields by establishing a \$10 million grant program for nonprofit partnerships that train workers to earn energy efficient building certifications. It also creates a \$20 million energy workforce training grant program for colleges and workforce development boards. This program will focus on helping workers earn industry-recognized credentials. I will be offering amendments to ensure that our veterans can take full advantage of these programs to speed their transition into the civilian workforce.

The bill will also help boost energy efficiency. Hawaii set a goal requiring a 30-percent improvement in energy efficiency by 2030. According to the Hawaii State Energy Office, that standard has resulted in the equivalent of \$435 million in energy savings for Hawaii's homes, farms, and businesses.

Finally, the bill strengthens our protection of public lands by permanently reauthorizing the Land and Water Conservation Fund—LWCF—a fund that, throughout its 50-year history, has financed over 40,000 projects across all 50 States and protected public lands that support our Nation's \$646 billion outdoor recreational industry. In Hawaii alone, the LWCF has directly provided \$195 million to our local conservation efforts, and, as most people know, we in Hawaii go to great lengths to protect and conserve our native ecosystems. LWCF funds will support Hawaii's "Island Forests at Risk" proposal. These funds will expand Hawaii Volcanoes National Park and Hualalai National Wildlife Refuge by a total of 12,000 acres. These two locations host a total of nearly 2 million visitors each year and protect some of Hawaii's most beautiful and sensitive habitats. The bill also permanently reauthorizes the Historic Preservation Fund and creates a new National Park Maintenance and Revitalization Fund. The new national

park fund will help reduce the backlog of \$11.5 billion in repairs and maintenance needed in our national parks, including the \$127 million backlog of maintenance at Hawaii's national parks. This much needed new fund will ensure that people can enjoy the beauty of our parks for generations to come.

In addition to improving energy usage in our homes and businesses, we must ensure that government takes full advantage of new energy and energy efficient technologies. For the fourth consecutive year, the State of Hawaii led the Nation in per capita use of energy performance contracting for State and county buildings, resulting in the creation of over 3,000 jobs and an energy savings of over \$989 million.

I would like to expand the use of energy contracting at the Federal level to save taxpayer dollars and support the use of cleaner sources of energy. I will be offering an amendment to allow all Federal agencies to use long-term contracts to reduce their energy bills, as the Department of Defense is allowed to do under current law.

I also plan to offer an amendment to establish a pilot project to expand the use of Federal energy savings performance contracts to mobile sources such as federally-owned aircraft and vehicles. The guaranteed energy savings will mean taxpayer savings.

With oil accounting for 80 percent of the energy needs of our State, the people of Hawaii are acutely aware that there must be new alternatives to the volatile prices and vulnerable supply of the global oil trade. Hawaii, which for too long has been paying the highest electricity rates in the country, recognizes that we have renewable resources in our own State that should be developed so that we keep at home more of the \$5 billion per year we currently spend to import oil. That is more money circulating in Hawaii's economy, creating jobs, raising wages, and helping families make ends meet.

For all the reasons I have mentioned, I urge my colleagues to support this bill and those amendments that will be offered that move our country forward, not backward, to a future with affordable, clean, and reliable energy.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOLITARY CONFINEMENT

Mr. DURBIN. Mr. President, I believe it was in April of 2009 that I picked up

a New Yorker magazine and read an article that had a real impact on me. It was an article written by Dr. Atul Gawande, a practicing surgeon at Brigham and Women's Hospital in Boston, an amazing man. In addition to his medical responsibilities, he is a person with a very inquisitive mind and a real knack when it comes to investigating challenging issues.

The article that I read in the New Yorker by Dr. Gawande examined the human impact of long-term solitary confinement and asked, "If prolonged isolation is—as research and experience have confirmed for decades—so objectively horrifying, so intrinsically cruel, how did we end up with a prison system that may subject more of our own citizens to it than any other country in history has?"

Dr. Gawande's article inspired me—motivated me—to begin to look into the issue of solitary confinement in prisons. I was amazed to learn that the United States holds more prisoners in solitary confinement—about 100,000—than any other democratic nation in the world. So in 2012, as chairman of the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights, I held the first-ever congressional hearing on solitary confinement.

At the hearing, we took a look at the serious fiscal impact of solitary. We learned that it costs almost three times more to keep a Federal prisoner in segregation than in the general population. We also discussed the significant public safety consequences of widespread solitary confinement, given that the vast majority of inmates held in segregation will ultimately be released to the community someday. And we heard testimony about the human impact of holding tens of thousands of women, men, and children in small, windowless cells 23 hours a day—for days, months, even years—with very little, if any, human contact with the outside world. Clearly, such extreme isolation can have a serious, damaging psychological impact. I will never ever forget the compelling testimony of Anthony Graves. In the year 2010, after 18 years in prison—and 16 of those years in solitary confinement—Anthony Graves became the 12th death row inmate to be exonerated in the State of Texas.

At the hearing, Mr. Graves testified about his experience. The room was silent. He stated:

Solitary confinement does one thing, it breaks a man's will to live. . . . I have been free for almost two years and I still cry at night, because no one out here can relate to what I have gone through. I battle with feelings of loneliness. I've tried therapy but it didn't work.

In 2014, I held a follow-up hearing on the issue. I called for an end to solitary confinement for juveniles, pregnant women, and inmates with serious men-

tal illness. At the hearing, we heard from Damon Thibodeaux. He had spent 15 years in solitary confinement at the Louisiana State Penitentiary before being found not guilty and released. Mr. Thibodeaux testified:

I do not condone what those who have killed and committed other serious offenses have done. But I also don't condone what we do to them, when we put them in solitary for years on end and treat them as sub-human. We are better than that. As a civilized society, we should be better than that.

In recent years a number of experts and State and Federal officials across the country have questioned our Nation's overuse of solitary confinement. In 2014, Supreme Court Justice Anthony Kennedy testified to Congress: "Solitary confinement literally drives men mad."

Last year, Justice Kennedy again brought up the issue in a powerful concurring opinion. He wrote: "Research still confirms what this Court suggested over a century ago: Years on end of near-total isolation exacts a terrible price."

He went on to say:

The judiciary may be required . . . to determine whether workable alternative systems for long-term confinement exist, and, if so, whether a correctional system should be required to adopt them.

Pope Francis, who spoke to a joint session of Congress a few months ago, has also criticized solitary confinement. In a 2014 speech at the Vatican, he referred to the practice of extreme isolation as "torture" and "a genuine surplus of pain added to the actual suffering of imprisonment."

The Pope went on to say:

The lack of sensory stimuli, the total impossibility of communication and the lack of contact with other human beings induce mental and physical suffering such as paranoia, anxiety, depression, weight loss, and significantly increase the suicidal tendency.

In light of the mounting evidence of the dangerous and harmful impacts of solitary confinement, several States have led the way in reassessing the practice. Colorado has implemented a number of reforms, including no longer releasing offenders directly from solitary to the community, and ensuring that inmates with serious mental illness are not placed in solitary confinement. As a result of the reforms, inmate-on-staff assaults are at the lowest levels in Colorado in 10 years, incidents of self-harm have decreased among the inmates, and most inmates released from solitary do not return.

In the State of Washington, a focus on rehabilitation and programming for inmates in solitary confinement has led to a reduction of more than 50 percent in the segregated population.

The Association of State Correctional Administrators—a group representing the heads of all 50 State prison systems—recently called for limits on the use of long-term solitary confinement. In a statement, they said:

Prolonged isolation of individuals in jails and prisons is a grave problem in the United States. . . . Correctional leaders across the country are committed to reducing the number of people in restrictive housing. . . .

Progress has been made at the Federal level since our first hearing. A substantial percentage of those in solitary confinement are no longer serving in that situation. After my first hearing on the issue, I asked the Bureau of Prisons to submit to the first-ever independent assessment of its solitary confinement policies and practices.

The assessment, released last year, noted that some improvements have been made since the 2012 hearing, the initial hearing we had on the subject. The Federal Bureau of Prisons has reduced its segregated population by more than 25 percent and continues to look for more reductions.

Despite this, there is a lot of work to be done. That is why I was pleased to see President Obama's announcement this week that he has accepted a number of recommendations from the Department of Justice to reform and reduce the practice of solitary confinement in the federal prison system.

In an op-ed published yesterday in the Washington Post, the President explained how the Department of Justice's review of solitary confinement policy led to the conclusion that the practice should be used rarely, applied fairly, and subjected to reasonable constraints.

The President's recommendations included: banning solitary confinement for juveniles, diverting inmates with serious mental illness to alternative forms of housing, diverting inmates in need of protection from solitary confinement to less restrictive conditions, reducing the use of disciplinary segregation, and improving the conditions of solitary confinement by increasing inmates' out-of-cell time and access to services.

I welcome these changes. I commend the President for his actions. I look forward to working with the Bureau of Prisons and the Department of Justice on this issue.

In the course of studying this issue, I decided I had to see it firsthand. I went to Tamms prison in Southern Illinois. It was the maximum security State prison in the State. I went in, met with the warden, and I took my tour. Then I said to her: I want to see the most restrictive solitary confinement. She took me into an area where five men were in solitary confinement. I had a chance to speak to each of them. One of the men I will never forget. I asked him: How many years are you in for?

He said: Originally 20, but they added 50 to that.

I said: Fifty additional years?

He said: Yes. He said in a very calm voice: I told them that if they put another prisoner in my cell I would kill him, and I did.

I thought to myself, be aware, Senator, there are ruthless and vicious people and violent people who really need to be carefully scrutinized and carefully imprisoned in a situation where they can't harm other inmates or the personnel, but still, even in that circumstance, we have to look to the most humane way to treat them in the course of their imprisonment.

The President's decision to address the use of solitary represents a major step forward in protecting human rights, increasing public safety, and improving fiscal responsibility in our federal prisons. Still, we have the highest per capita rate of incarceration in the world—the United States, the highest rate of incarceration in the world.

President Obama noted yesterday that changing our approach to solitary confinement is just one part of a larger set of reforms we must pursue. Last year, the Senate Judiciary Committee chairman, CHUCK GRASSLEY of Iowa, and I worked with a bipartisan coalition of Senators to introduce the Sentencing Reform and Corrections Act. The bill passed the Senate Judiciary Committee in a 15-to-5 bipartisan vote several months ago.

In order to comprehensively address the problems facing our Federal prisons, we should bring this bipartisan criminal justice reform legislation to the Senate floor and work with our colleagues in the House to send a bill to the President this year.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARASSO). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, today marks the 125th time I have come to the Senate floor to ask this body to wake up to the threats of climate change. This week is a little different because we are currently debating the bipartisan Energy Policy Modernization Act. The bill was crafted by my colleagues, Senators MURKOWSKI and CANTWELL, and it may become our first comprehensive energy efficiency legislation since 2007. While the base bill is a good start, we have much work to do before we come anywhere near meeting the challenges we face as a result of our decades of carbon pollution.

As we begin debate on this legislation, calls for bold action on climate continue to mount. The World Economic Forum released its "Global

Risks Report 2016," which for the first time ranked an environmental risk—climate change—as the most severe economic risk facing the world. The report found that a failure to deal with and prepare for climate change is potentially the most costly risk over the next decade.

Cecilia Reyes, chief risk officer of Zurich Insurance Group, said: "Climate change is exacerbating more risks than ever before in terms of water crises, food shortages, constrained economic growth, weaker societal cohesion and increased security risks."

Some of my Republican colleagues have begun to wake up to these risks. It was just last year that Chairman MURKOWSKI said: "What I am hoping that we can do now is get beyond the discussion as to whether climate change is real and talk about what to do." The chairman deserves credit for reporting a bill that has solutions a broad majority of the Senate can support; however, she has been handicapped by the fact that many in her party still refuse to take seriously that human-caused climate change is real and that it presents a significant and growing risk to our economy, our national security, and our way of life.

Many of the provisions in this bill are not new. We saw much of it in the Shaheen-Portman Energy bill that Republicans twice before have filibustered. With so many Republicans seemingly incapable of supporting responsible energy legislation, those of us who want to promote energy efficiency and a clean energy economy sometimes feel a little bit like Charlie Brown, hoping that this time Lucy won't yank the ball away yet again. These issues are too important, and I am hoping this time will, in fact, be different.

The bill contains commonsense reforms, such as reforming building codes to improve energy efficiency and directing the Secretary of Energy to establish a Federal smart building program to demonstrate the costs and benefits of implementing smart building technology. It reauthorizes the weatherization and State energy programs that States such as Rhode Island rely on and the Advanced Research Projects Agency—Energy. That has shown the importance of government investment in new energy technologies. It will modernize and secure our electric grid and enhance cyber security safeguards.

My State, Rhode Island, is a national leader in promoting energy efficiency, so we know how programs like these are good for consumers, businesses, and the environment. In fact, I came here to the floor after a meeting with our grid operator. She said Rhode Island was the leading State when it comes to efficiency. Rhode Island has had energy policies guiding electricity and natural gas efficiency standards since 2006. We have consistently ranked in the top

five States when it comes to energy efficiency. We do this as one of the founding members of the Regional Greenhouse Gas Initiative—or RGGI for short—the Northeast's carbon pollution cap-and-trade program. States that belong to RGGI are proving that we can grow our economies at the same time we cut our emissions. Between its founding in 2005 and the report of 2012, emissions in the RGGI States decreased by 40 percent, while the regional economy grew by 7 percent, so we won on both sides. Putting a price on carbon and plowing that money back into clean energy projects is, in fact, saving us billions of dollars while helping to reduce carbon pollution.

I hope this bill will be a small step forward toward solutions that will begin to help reverse the devastation carbon pollution is wreaking on our climate and particularly on our oceans.

I have to ask my Republican friends, what is your best bet on whether this climate and oceans problem gets better or worse in the next 20 or 40 years? I ask this seriously because a great party's reputation is on the line here. How are you going to bet—with the 97 to 98 percent of the scientists and 100 percent of the peer research? Do you want to bet the reputation of the Republican Party that suddenly all of this is going to magically get better?

Right now the American public sees what is going on. The American public knows that the Republican Party in Washington has become the political wing of the fossil fuel industry. There has always been a bit of this within the Republican Party, but since the Republican appointees on the Supreme Court gave the fossil fuel industry that great, fat, juicy gift of its Citizens United decision, the fossil fuel industry menace looming over the Republican Party in Congress has become near absolute.

Trapped by the fossil fuel industry, the Republican vision for energy policy has been stuck in the past. Most of the time, it is just complaints and obstruction: Oh, the President's Clean Power Plan is no good. Oh, the States should engage in massive civil disobedience against the President's Clean Power Plan. Oh, we should defund the EPA.

It will be no surprise if they try to block the Department of Interior's plan to reform a coal leasing program that has not been updated in over 30 years. It doesn't matter to them that the way we price the extraction of fossil fuel on Federal lands is a massive taxpayer giveaway to fossil fuel companies and it is based on a market failure that ignores the costs those fuels impose on taxpayers and our climate. Conservative and progressive economists alike agree on that market failure point. Indeed, Republicans defend all the subsidies we give to the fossil fuel industry. There is no subsidy to the fossil fuel industry that does not earn constant Republican support.

Rather than gambling on more oil and gas production, I suggest we make the safe bet on a strategy that cuts emissions, encourages American investment in American clean energy, saves taxpayers billions of dollars, and creates and supports millions of jobs.

There is an old hymn that the Presiding Officer probably knows. It says: "Turn back, O man, forswear thy foolish ways." Well, it is time to turn back and forswear our foolish fossil fuel ways. If we don't, there will be a day of reckoning and a harsh price to pay.

Remember what Pope Francis told us:

God always forgives. We men forgive sometimes, but nature never forgives. If you give her a slap, she will give you one.

We have given our Earth one heck of a slap.

I will leave the Chamber with this: Last week, NASA and the National Oceanic and Atmospheric Administration reported that 2015 was the warmest year on record globally. That is not a fluke. Fifteen of the warmest 16 years recorded occurred during this century, which, by the way, has had 15 years. They are all in the warmest 16 years ever recorded. According to the World Meteorological Organization, the most recent 5-year period—from 2011 to 2015—was the warmest 5-year period ever recorded. You can see that the long-term trend is going in one direction and one direction only—hotter. There is no pause. The pause was a trick. These changes are primarily driven by the excessive carbon pollution we continue to dump into our atmosphere and oceans.

By the way, for all of this measured heat, 90-plus percent of the heat actually goes into the oceans. There is little change in the oceans but big changes here. As the oceans stop absorbing as much warmth, I don't know where that will lead.

As we bring our ideas to the floor during our discussion about modernizing our electric grid, we have an opportunity to also have a real conversation on climate change. We still have a real responsibility to act.

It is time for this body to wake up.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DONALD TRUMP

Mr. REID. Mr. President, there are some things I shouldn't joke about. I tried to be funny an hour ago at my weekly stakeout and I guess it wasn't very funny—at least I don't think so.

The danger Donald Trump's candidacy poses to our country is not a

joke. Since he launched his bid for the Republican nomination, Donald Trump has proven over and over again that he is a hateful demagogue who would do immeasurable damage to our country if elected. I have come to the Senate floor many times to decry his hateful comments.

Donald Trump threatens to diminish the integrity of our democracy around the whole world. If he wins the nomination of the Republican Party to run for President of the United States, the Republican Party will never recover from the damage he will inflict on conservatism.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ROBERT CALIFF

Mr. MANCHIN. Mr. President, I rise to voice my opposition to Dr. Robert Califf, the President's nominee to be the Commissioner of the FDA.

I do this with all respect for Dr. Califf, his expertise, and all the work he has done. He is a quality human being. I am sure the administration is going to be able to find a position for him that suits his background better than being the head of the FDA, and I say that with all due respect. We had a thoughtful conversation when he came to visit with me.

I do not believe he can be the leader we need to change the culture of the FDA. I say that coming from a State that has been ravaged by this opiate addiction. It is going to take someone who is totally committed through and through to make the changes that need to be made.

The No. 1 priority of the FDA and its Commissioner should be public health. It is inappropriate for the FDA Commissioner to have such close financial ties with the pharmaceutical industry. I will give a little bit of background on this because what he has done I think is what most of them do.

Between 2010 and 2014, Dr. Califf received money through his university salary as well as his consulting fees from 26 different pharmaceutical companies, including opioid manufacturers. Dr. Califf has described FDA regulations as a "barrier"—not a safeguard—to public health. That is troubling in itself.

In 2008, the FDA's approval of new marketing claims for existing drugs was 56 percent. In the first 8 months of 2015, it was 88 percent. This includes just last year approving OxyContin for children as young as 11 years old. At a time when opioid deaths are killing tens of thousands of Americans every day, our FDA would like to give these

dangerous drugs to kids. Someone at the FDA needs to change this way of thinking. They are giving all of the excuses in the world, and it makes no sense whatsoever to me.

Dr. Califf's past involvement with the pharmaceutical industry shows that he will not be able to be this person—the person of change who is needed. He will not have the impact or leadership capabilities that this Nation needs to stem the tide of the opioid crisis.

These are the facts of what this horrific pain reduction, if you will—pain suppressor, opiates—does to Americans. With 51 Americans dying every day due to an opioid overdose—51 Americans die every day—the FDA, now more than ever, needs a champion who is committed to dramatically changing the way this agency handles opioids. Every other Federal agency is fighting to address opioid addiction.

Let me tell my colleagues about addiction. There is not one of us in the Senate, there is not one person who works here who doesn't have someone in their immediate family or extended family or a close friend who has been affected by prescription drug abuse or illicit drugs, but the FDA continues to approve stronger and more dangerous opioid drugs, endangering the public.

In 2014, 18,893 people died due to a prescription opioid overdose. Again, as I have said, that is 51 people every day. That is a 16-percent increase from 2013 and it increased every year before that. We have lost almost 200,000 Americans to prescription opioid abuse since 1999.

The FDA Commissioner is an important figure in the fight against prescription drug abuse, and he or she must be a public health official whose top priority is stopping the opioid abuse epidemic.

We need to change the culture of the FDA to make them address the crisis seriously. That will not happen if the person at the helm is not a strong advocate—and I say a very strong advocate—who is committed to pushing back against the pressure to continually approve new opioid medications given the significant risks to public health, just for meeting a business model or a business plan.

I believe the FDA needs new leadership, a new focus, and a new culture. This is not disparaging anybody who is there or who wishes to be there. When I talked to Dr. Califf, I found him to be most qualified and will do a good job in some other position, I am sure.

I believe the FDA must break its close relationship with the pharmaceutical industry and instead start a relationship with the millions of Americans impacted by prescription drug abuse. It is just human nature for a person that basically has had all his research funded for many years from this industry, and it is going to be hard to change.

It is because of this that I will filibuster any effort to confirm Dr. Califf instead of voting to confirm a nominee who will not address the concerns of the people of West Virginia and all of America. I will come to the floor and read letters from those who have had their lives devastated by opiate addiction. I will read letters from children who have seen their parents die from an overdose. I will read letters from grandparents who have been forced to raise their grandchildren when their kids went to jail, rehab, or the grave. I will read letters from teachers and religious leaders who have seen their communities devastated by prescription drug abuse. I will read letters from West Virginians who need help from the FDA—not by putting more of these opiate killers on the market.

I urge all of my colleagues to examine the financial support Dr. Califf has received throughout his research career and ask themselves if he is the right person to change the culture of the FDA. This Senator is confident that when looking at all the facts, you will agree that we need a new nominee, one who will join us in the fight against this horrible epidemic affecting every nook and cranny of this country. I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I know we are waiting for other colleagues to come to the floor to speak to the Energy bill itself or perhaps to offer amendments. I certainly would encourage that, as we are trying to get the process going with the Energy Policy Modernization Act.

Before my colleague from West Virginia leaves the floor, I want to thank him for his leadership on this issue. We have had conversations. I traveled to West Virginia at his invitation to view how West Virginia deals with its energy issues. They have a little bit of everything there in West Virginia, and I was able to see that.

One of the sad stories I learned, though, is what we were seeing in his State as it relates to opioid abuse—OxyContin and meth at that time. Our States share some similarities in that there are very rural characteristics in both West Virginia and Alaska. Even though we are far removed from most of the other States in this country, we are not immune or insulated from what we are seeing with this epidemic of opioid abuse brought on initially by access to prescription drugs and now being replaced in a horrible way with heroin that is impacting our kids, young people, and folks who are ages that would surprise many. It is deeply troubling.

When you use words like “epidemic” or “pandemic,” those are very strong words, but I think that is what we are seeing in this country, and it is reach-

ing from one end of the country to the other.

I want to acknowledge my colleague for the issues he has raised.

Mr. MANCHIN. If I may, Mr. President, let me first of all thank the Senator from Alaska for her leadership on the Energy bill. It has been a long time since we have had one on the floor, working in a most rational, common-sense approach trying to bring all parties together. She has done a great job working with MARIA CANTWELL, the Democrat on our side from the State of Washington.

I think we are finding there is a little bit of something for everybody, understanding that the energy policy should be an all-in policy. I come from a fossil fuel State and she comes from a fossil fuel State, and people think they can live without it. I think they can live better with it if we use technology, and that is what we have tried to push in this piece of legislation.

On the opiate issue, I have a passion. I have watched it, and it is devastating. When you have young kids coming to you and telling you that they have watched their parents die of overdose, they have watched their families split up, with the kids taken in different directions, it makes your heart bleed and makes you think about future generations and what we are going to face.

Then to have the Food and Drug Administration—I will give one example. It took them working 3 years to get all opiates to be reclassified from a schedule III to a schedule II. It took 3 years to get that done. To show the success we have had, millions of prescriptions have been reduced because now it is a 30-day mandatory, but let me tell you, it is still a problem that we have. Not everybody needs 30 days. Unless we start doing a whole reeducation of the doctors who basically write the prescriptions to understand sometimes you need it only for 1 or 2 days of assistance, we are over-prescribing and the pharmaceuticals are over-enticing, if you will, with stronger and stronger medications.

This Senator believes we need an FDA cultural change. That is it. I think if we can't do it here, if we don't drive it on the inside, then there is no one expected to do it on the outside.

In States that do the heavy lifting—Alaska, West Virginia—people are going to get injured from time to time. They have pain, and they need help. There are other methods. We are trying to go in a different direction.

I thank the Senator for recognizing that, but I also thank the Senator for coming to our State. We enjoyed having her, and I enjoyed being in her State.

Ms. MURKOWSKI. Mr. President, my colleague from West Virginia is always welcome to come back and learn more.

On the issue of Dr. Califf, let it be known that I, too, have concerns about

his nomination, and it has nothing to do with opioids. It has everything to do with fish, and basically what we have referred to as a fake fish, a genetically engineered fish. All this Senator is looking for is an assurance from the FDA that if they are going to put this genetically engineered product out there for human consumption then there should be an appropriate labeling. I do not think that is too much to ask. I have asked for that, and the difficulty is getting folks within the FDA to have a full and important conversation about the import of that. So it is a different issue from what the Senator from West Virginia has discussed, but I think it goes to the issue of needing to have some communication within the FDA.

The FDA is an agency that has considerable authorities, and we in the Congress need to know that we can have a good level of dialogue and discussion going back and forth. I think we have seen a real lack or shortfall, and until I get certain assurances from the FDA as well, I am not planning on removing the hold that I currently have on this nominee, and we will be working with other colleagues on this.

My friend, the Senator from Colorado, has arrived to the floor, and I know he wishes to speak on the Energy Policy Modernization Act. The Senator from Colorado has been a great Member of the U.S. Senate since he came. He was a leader on energy issues when he was over at the House, and he has continued that in a very constructive and robust way. We can talk about energy matters that come from producing States like ours, but a recognition that Senator GARDNER's approach is not just that he comes from a fossil-fuel producing State; he is also looking to make sure that we move to a clean energy future. He is also very conscious and considerate about what we do with conservation. His leadership has been greatly appreciated.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I thank the Senator from Alaska for her leadership on the bipartisan Energy bill. It is a bill that came out of committee with an 18-to-4 vote, strong support on both sides of the aisle.

This is a bill that has components in it from grid reliability, to transparency, accountability, and clean energy. On the floor there are opportunities for amendments that will be discussed and brought out, including an amendment that is important to Senator SHAHEEN and I that will be discussing the impact the recreation economy has—the amount of dollars raised and generated through the recreation economy, spending money in the great outdoors, how it impacts our States, and the jobs it creates.

We know people come to States such as Colorado, New Hampshire, and Alas-

ka to hike, fish, climb, ski, and partake in all of the great incredible recreational benefits we have year-round in Alaska, Colorado, and the rest of our many States with so many recreational offerings. I look forward to these discussions, and over the next few days I look forward to coming back to the floor to discuss other ideas in the bill right now, such as renewable energy, energy efficiencies, including my legislation to expand the use of energy savings performance contracts which could save this country \$20 billion without spending a dime of taxpayer money. These are incredible opportunities.

At this time, Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING U.S. CAPITOL POLICE OFFICER
VERNON ALSTON, JR.

Mr. GARDNER. Mr. President, I rise today in memory of Vernon Alston. Vernon Alston, Jr., was a member of the U.S. Capitol Police. On Sunday, January 24, Officer Alston passed away after suffering from a heart attack. As was so common for Officer Alston, his concern had been for others that day. He spent the morning by serving those around him, helping those in his community shovel the incredible amounts of snow the area received.

Day after day, the men and women of the Capitol Police work to protect us all, not just the Members and staff, but anyone who comes to the Nation's Capitol to share in the history, heritage, and traditions of this place.

For two decades, Officer Alston dedicated himself to his work, and I am grateful for his many years of dedicated service on the Capitol grounds. This building stands as a representation of the values our Nation was founded on, and it is in this building that we continue to uphold the values of democracy.

The Capitol Police are often called America's police. They protect us as we carry out this work and safeguard those who travel from around the world to experience this living piece of American history which serves as the stage for our future. Their support for us is invaluable and unwavering, and this week it is our turn to support them as they mourn the loss of a dear colleague and friend.

Whether it is September 11 or the ricin attacks or anthrax or somebody who is here visiting who has a health issue, we know the support and the pride that every member of the Capitol Police Force brings to the job each and every day. They are never the first to flee, they are the last to leave, and for that we are eternally grateful.

My deepest condolences go to Officer Alston's wife Nicole, their children, and his family members. We will always honor his work and legacy. He is

a member of our Capitol community, and he will truly be missed.

I yield back.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Minnesota. TRIBUTE TO CANADIAN AMBASSADOR GARY DOER

Ms. KLOBUCHAR. Mr. President, I rise to honor the outgoing Canadian Ambassador to the United States, Gary Doer. Soon Ambassador Doer will return home to Manitoba, but, lucky for us, he will be a frequent visitor to Washington, DC, as the new cochair of the Wilson Center's Canada Institute Advisory Board. We are glad the Ambassador will continue to be an influential voice in shaping U.S.-Canada relations.

Over the last 6 years, I have had the privilege of getting to know the Ambassador. I knew we would get along well when I learned he was a longtime fan of Bud Grant, an incredible athlete who became the head coach of the Minnesota Vikings. From a Canadian perspective, he first coached the Winnipeg Blue Bombers of the Canadian Football League.

Bud Grant is adored in Minnesota and is still adored many years after he left coaching. In fact, it was during a recent playoff game that we remember well—in Minnesota versus the Seahawks—where Bud Grant came out in 17-below-zero weather and flipped the coin with no jacket on.

What I will also never forget is attending an event at the Ambassador's home. I walked in the door, and he had a framed photo of Coach Grant right next to a framed photo of the Prime Minister of Canada. We like that in Minnesota.

The Ambassador served for 6 years—or double-overtime, as he likes to call it. This is longer than his two predecessors combined. Ambassador Doer's long tenure and the fact that he served Prime Ministers from different political parties are testaments to his professionalism and character. Ambassador Doer is also well known in Washington for his humor and good nature, and I am sure that helps.

Minnesota shares a long border with Canada—in fact, about 547 miles. As I like to say, I can see Canada from my porch. That must be why early on in my Senate career Leader REID asked me to head up the Canada-United States Inter-Parliamentary Group, along with Senator MIKE CRAPO of Idaho. Together we have come to understand what an important geopolitical partner Canada is to the United States. I am a Minnesotan who is proud to share a border with Canada. I appreciate the country's friendship, culture, and beauty.

Not only is Canada America's biggest trading partner, but it is the only country with an embassy that at one point draped a sign that said "friends, neighbours, partners, allies." I will never forget how gracious Ambassador

Doer was for hosting my swearing-in celebration at the Canadian Embassy in 2013. I am the only Senator in recent history to choose the Canadian Embassy as a site for my Senate reelection swearing-in party, and a lot of that had to do with the Ambassador.

President Kennedy said this to the Canadian Parliament in 1961:

Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies.

During his tenure in Washington, Ambassador Doer has been a strong champion for Canada and Canadians and an effective diplomat who gets things done. Through his successful 10 years as Premier of Manitoba and his efforts as Ambassador to engage leaders and citizens across the United States, the Ambassador has strengthened the already robust friendship and partnership between our two great nations.

His list of accomplishments is impressive. He has worked tirelessly on tourism and trade while ensuring the safety and security of the border between our two countries.

The Ambassador championed the agreement on the new bridge that will link Detroit and Windsor. This bridge is destined to become the most important border crossing between our two countries. For too long there has been complete gridlock on the bridge linking our countries. I know how hard the Ambassador has worked on the Windsor bridge, and for a while it looked as though it wouldn't get done. But the Ambassador never stopped fighting for it and refused to be satisfied until the deal was done, often using an old Gordie Howe saying that "you don't put your hands in the air until the puck is in the net." That is a hockey analogy between Minnesota and Canada. The Ambassador made sure the puck was in the net.

The Ambassador was also instrumental in the U.S.-Canada preclearance agreement, a new agreement that will facilitate travel, create jobs, and encourage economic growth in both countries, while ensuring a secure border. This initiative reaffirms the commitment of the United States and Canada to enhancing security, while facilitating economic activity, and will help move more than \$2 billion in goods and services and an estimated 300,000 people across the longest border in the world.

I know that the Ambassador considers it an accomplishment that he helped to eliminate unnecessary bureaucratic redtape, making it easier for businesses and agencies to operate by working to align regulatory systems and practices in health, safety, and the environment.

The Ambassador also strengthened Canada's role as a world leader in renewable energy when he worked to harmonize vehicle emission standards between our two countries, which will ul-

timately improve air quality on both sides of the border. In addition, the Ambassador fought for the Environmental Protection Agency Clean Power Plan, which provides Canadian hydroelectricity as a renewable energy that U.S. States can import and use to comply with new Federal emission rules.

Ambassador Doer ensured that the surviving members of the World War II joint American-Canadian First Special Service Force, nicknamed the "Devil's Brigade," received the Congressional Medal of Honor for its part in ending World War II.

Like all friends, sometimes our nations have differences, but with his experience, tact, and plain-spoken pragmatism, Ambassador Gary Doer has ensured that these differences are bridged so that our two governments can move forward together.

In a 1943 address, President Roosevelt said this to the Canadian Parliament:

Your course and mine have run so closely and affectionately during these many long years that this meeting adds another link to that chain. I have always felt at home in Canada, and you, I think, have always felt at home in the United States.

Ambassador Doer, your service has added another strong and important link in the chain that connects our two countries. And as you have said many times in the past in Gordie Howe hockey terms, it is only safe to put your hands in the air after the puck is in the net.

Ambassador, you have put a lot of pucks in the net, and now you deserve a moment to put your hands in the air to celebrate your work. In hockey parlance, you have scored for your great country of Canada.

I am proud to have worked with the Ambassador during his time in the United States, and I hope he will always feel at home in our country.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent to engage in a colloquy with a number of Members.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, today I come again to the floor to speak about the ongoing challenges that we face in our relationship with Iran, about some of the benefits that we have seen through the JCPOA—the joint comprehensive agreement on the nuclear program that Iran has now significantly set back—and some of the challenges that we face going forward.

We will hear from a number of my colleagues in the next 45 minutes, and I am grateful that they, too, are coming to the floor today to talk about the balance, what there is that we can recognize about the progress we have made under the JCPOA and what there

is that remains to be done and that remains as a challenge.

There are some who believe that having reached so-called implementation day means that we have settled our scores with Iran, that there are no more concerns we have, and that we can now expect a complete and positive change in its behavior. But in my view this couldn't be further from the truth. Now more than ever, we cannot afford to take our attention away from Iran.

My colleagues and I are on the floor today to explain why we must do more to strictly enforce this deal and to aggressively push back on Iran's bad behavior outside of the parameters of the nuclear deal. My personal concern is that if we don't, if we don't do this effectively, this important landmark nuclear agreement may not survive even into next year.

Let me at the outset say that there have been some encouraging developments in recent days. It is hugely encouraging to see an American, a U.S. citizen such as Jason Rezaian from the Washington Post, return to United States soil and be reunited with his family. He is someone who had been unjustly detained and sentenced without foundation. He is now once again free. A journalist—the best and brightest of American journalism—is now free and back in the United States.

I also want to recognize former marine Amir Hekmati, who was arrested while visiting his grandmother in Iran. He was also unjustly arrested and detained and is now also free in the United States.

I wish to move to another topic by way of introduction. In the past week alone, the Iranians have signaled that Iran is open for business again as Iran's leaders have hosted Chinese's President Xi Jinping, and Iranian President Ruhani has traveled to Europe to meet with the Pope and with leading officials from the French Government and the Italian Government.

Just a few weeks ago, Iran was still an international pariah. Business deals with the Iranian Government were illegal. Today, some foreign governments—some who are supposed to be our vital partners in enforcing the JCPOA—at times seem all too eager to resume business ties with the regime. At the outset I might caution those allies of ours to be mindful that American sanctions remain in place against Iranian bad behavior—whether it is their support for terrorism, their human rights violations, such as arresting and detaining Americans without foundation, or their illicit ballistic missile program.

So to further expound on the challenges that we face and the importance of having the resources in the U.S. Government and in the international monitoring agency called the IAEA

that we need to be successful in enforcing this deal, I wish to invite my colleague from the State of New Hampshire to rise for a few minutes and to share with us her thoughts, having served on the Foreign Relations Committee, having closely studied this deal, and having looked forward to what the opportunities and challenges are for us in the weeks and months ahead.

Mrs. SHAHEEN. Mr. President, I am delighted to be able to be here to join my colleague from Delaware to talk about what is happening with enforcement of the Joint Comprehensive Plan of Action.

If we want this to succeed, one of the things we need to do is to make sure we support the IAEA, the international agency that is charged with monitoring and verifying Iran's compliance with the agreement. I want to address that first, and then I wish to talk about some national security nominees who are also critical as we think about how we enforce this deal.

First, we all know that the IAEA is absolutely critical to the international nonproliferation system and to the enforcement of the JCPOA. Their employees are working day in and day out to verify critical aspects of the implementation of the agreement that prevents Iran from developing a nuclear weapon.

For example, on December 28, Iran shipped more than 12 tons of low-enriched uranium to Russia, where the fuel is stored in a facility that is guarded by the IAEA. The IAEA has increased the number of its inspectors on the ground in Iran. They have deployed modern technologies to monitor Iran's nuclear facilities, and they have set up a comprehensive oversight program of Iran's nuclear facilities.

The IAEA is constantly enhancing and improving its efforts. For example, earlier this month they installed the online enrichment monitor, or OLEM, to verify that Iran keeps its level of uranium enrichment at up to 3.67 percent, as they committed to under the JCPOA to keep it at that 3.67-percent level. This prevents Iran from enriching uranium to a point where it could conceivably be used in a nuclear weapon.

This is new technology. It was developed by the IAEA with significant support from American scientists at our Department of Energy national labs.

As a result of the JCPOA, this new system can be used in Iran.

The IAEA resources devoted to verification and monitoring are also increasing considerably with personnel devoted to monitoring Iran's nuclear program increasing by 120 percent and the number of days monitors spend in the field by 100 percent. If we want the IAEA to be successful in making sure this agreement is successful, we need to provide robust financial support so

that they can deploy the best scientists in the world for inspections and so that they can deploy the best equipment to monitor Iran's compliance.

IAEA Director General Amano has called on member states to provide long-term funding for the IAEA's additional activities in Iran that are estimated at approximately \$10 million a year. If we think about this cost, that is a very good investment for America as we prevent Iran from getting a nuclear weapon.

I have other colleagues on the floor who wish to speak. So I can wait and talk about nominees after they have had a chance to speak, if that makes sense.

Mr. COONS. That would be fine. I think there is a strong point being made by my colleague from New Hampshire that I will just briefly expound upon and then invite my colleague from New Jersey to join in this conversation.

Earlier this month, I traveled with a number of my Senate colleagues to the headquarters of the International Atomic Energy Agency and heard from them directly the same sorts of concerns my colleague from New Hampshire just laid down. They are struggling with how to ensure that they have the resources, the staffing, and the equipment to take on this remarkably broadened scope of inspections.

One of the underappreciated, positive benefits of the JCPOA is that the IAEA now has unprecedented 24/7 access not just to Iran's nuclear enrichment sites but to its centrifuge production workshops, its uranium mines mills, the entire so-called fuel cycle for the production of nuclear material within Iran. So I believe, as does my colleague from New Hampshire, that the IAEA needs and deserves greater funding, more reliable funding, more robust and long-term funding.

The oversight and monitoring mechanisms of the JCPOA, if strictly enforced, can serve as a viable deterrent to Iran's cheating and, in a worst-case scenario, provide the international community with early warning and enough time to respond if Iran decides to break out and dash to a nuclear weapons capability. But access to all of these sites is only valuable if the IAEA has the resources it needs and has asked for to conduct thorough inspections.

So my colleagues and I will be working together with the administration and others of our colleagues in the months ahead to authorize not just an adequate level of funding of 1 year or 2 years in advance but to put in place a long-term, reliable source of funding. As my colleague from New Hampshire said, there could be no better investment than in ensuring deterrence through vigorous and comprehensive inspections to prevent Iran from ever renewing its dream of access to a nu-

clear weapon. We will press the administration to work with all of us on this and to make this a higher priority going forward.

The idea that we have world-class nuclear scientists in the United States and that the IAEA has world-class nuclear inspectors and together they have developed new technologies and can deploy highly skilled teams to do this monitoring in Iran is a great opportunity, but it is only meaningful if we contribute the resources to ensure that those inspectors do their jobs.

So let me turn to our colleague from the State of New Jersey who wants to speak about some of the pros and cons of this critical turning-point implementation.

Mr. BOOKER. I thank my colleague, and Senator SHAHEEN as well, for emphasizing what I think needs to be emphasized, which is that we have in the IAEA an ability to do the most intrusive inspections ever before seen on the planet Earth. That agency—an important point Senator SHAHEEN was making—needs to be funded and funded well. We need to make sure the international community is standing there, and America needs to lead in that way.

I anticipate hearing Senator SHAHEEN also make the point, though, that it is the height of malfeasance for us here in this country not to have people in the right places to do the other things necessary to hold Iran accountable. We can't sound like a hawk around the debate over the JCPOA and then sound like a chicken when it comes to putting the funding forward necessary to prevent them from engaging in destabilizing activities in the region. I am grateful Senator SHAHEEN will make that point further, but I just want to review again what has been accomplished come implementation date because it is still an extraordinary victory for diplomacy, taking the spectre of a nuclear-armed Iran and evaporating, eviscerating, pushing it back at least for 15 years.

In that region, we now have the spectre of a nuclear-armed Iran pulled back, and we have the ability of moving forward with greater diplomacy. In order to get there, some pretty extraordinary things have happened. We have now effectively blocked Iran's uranium pathway to a bomb, with 12 tons of enriched stockpile—virtually all of its stockpile—shipped out of its country, and two-third of Iran's centrifuges have been taken offline. So there has been a significant removal of Iran's pathway.

In addition, we have blocked the plutonium pathway. The heavy water reactor in Iran has been filled with concrete. It is no longer operational. It has been permanently disabled. This makes sure that pathway to producing weapons-grade plutonium has been eliminated for the foreseeable years in the future.

Again, it has established unprecedented monitoring. The IAEA has gained unprecedented 24/7 access to all of Iran's nuclear facilities, including the pathway toward a weapon. Now we have intrusive monitoring and intelligence-gathering capabilities we never had before.

Most recently, Secretary Kerry was able to call upon his Iranian counterpart to secure the release of sailors. The reason why I say that is the quick turnaround of the sailors being released shows that these historic steps of the JCPOA have put us in an environment where diplomacy works in other critical areas.

Now, let's be clear, and these are important points I want to make. We must remain vigilant as a Congress and we must be vigilant in this body to make sure that other areas of Iran's activities are being watched in every single way and that there are repercussions for any Iranian violations of its nuclear agreements. This first step is impressive and historic and has really done a lot of good in removing that nuclear threat for at least 10 to 15 years, but it must come with real repercussions for any violations. The only way to ensure that the path of diplomacy is validated is to hold Iran accountable. It must meet all of the commitments—not just those for implementation day but during the whole process of the JCPOA for the many years ahead.

Again, the oversight and engagement of Congress on monitoring provisions of this agreement are absolutely vital. That is in many ways a chorus of conviction amongst my colleagues speaking here tonight to make unmistakably clear that we have eyes and ears on this agreement. All of my colleagues are saying on the floor today that we expect Iran to test the bounds of the JCPOA, but if there are signs that Iran is not abiding by the terms of the agreement, we are firm in our conviction that Congress must not hesitate to levy new economic sanctions, isolate Iran diplomatically and financially, and use security and military measures if that is what it takes to keep them from obtaining a nuclear weapon.

Iran's obligations under the JCPOA are ongoing and must be continually verified. It is one thing for Iran to cooperate sufficiently to achieve the transfer of frozen assets and the dismantling of the international sanctions regime; it is quite another for it to cooperate in an ongoing basis after these aims have been achieved. That is the responsibility of the administration and this Congress.

The JCPOA must serve as one part of a larger strategy with Iran. This is about the nuclear agreement and pushing back the spectre of a nuclear-armed Iran. But this is just one part—it must be just one part of a larger strategy with Iran. The diplomatic success with the JCPOA is commendable,

but tensions between our closest partners in the region and Iran remain high. I was just there, and we saw the concerns of the Israelis, of Saudi Arabia, of Turkey. Iran is continuing its destabilizing activities, testing ballistic missiles, and further flaming tensions in the region. These events demand that we be even more attentive and engaged so that our allies and others know that the United States will not hesitate in the face of Iran's continued defiance of international rules. The implementation of the JCPOA is again an important step, but as a stand-alone strategy, it is just not enough.

In addition, Iran has been a bad actor in nonnuclear areas, and the United States needs to hold it responsible. Therefore, in addition to the accountability measures we are taking with the nuclear regime, there must be an understanding that we cannot allow the Iranians to grow the shadow of this agreement to cover all their other non-nuclear destabilizing activities. Congress and the administration must be prepared and must be willing to levy appropriate economic sanctions needed to respond robustly to these destabilizing activities.

I believe it is unacceptable for us to move forward in any way that allows Iran to flaunt international law to violate any of the balance of the agreements we have made. We need to make sure we meet them. Iran could try to use the additional funds they receive through this deal to do things that undermine regional security. That cannot be allowed. We must continue to work closely with our allies and respond to every single bit of Iranian aggression that undermines international order and violates international regions.

With that, I turn back to Senator COONS to continue this dialogue.

Mr. COONS. Mr. President, I thank my colleague from New Jersey.

I wish to emphasize a point he made. We need to remain vigilant. We need to remain ready to impose additional sanctions on those actions by Iran that are outside the JCPOA. We saw two launches of ballistic missiles by Iran late last year, designations recently having been made of those involved in supporting Iran's ballistic missile program.

There is other bad behavior by Iran—violations of human rights that led to the long and unjust detention of Amir Hekmati and also potentially their increased support for terrorism in the region.

I invite my colleague from New Hampshire to help us understand what barriers there might be to the administration vigorously enforcing the sanctions that remain on the books here in the United States if we as a body don't act to do our part in making sure the administration has the resources they need.

Mrs. SHAHEEN. I thank Senator COONS.

As we know, one of the challenges is having people in place in the various agencies who can enforce this agreement and hold Iran accountable. That is where I think we have a real challenge because we have a number of nominees who need to be approved, but there are three who stand out as particularly important. First is Tom Shannon, who was nominated to be the State Department's Under Secretary for Political Affairs. Second is Laura Holgate, who is nominated to be the U.S. Ambassador to U.N. offices in Vienna. Included in those offices is the IAEA. The third and maybe even the most important as we think about future sanctions on Iran is Adam Szubin, who has been nominated as the Treasury Department's Under Secretary for Terrorism and Financial Crimes.

Shannon was nominated on September 18. This nomination is currently on the floor. Holgate was nominated on August 5. Her nomination is pending in the Senate Foreign Relations Committee. Szubin was nominated on April 16, and his nomination has been held up in the Banking Committee despite the support he has from the chairman of the Foreign Relations Committee.

I know a number of my other colleagues are going to speak to these nominees, but I would like to point out that last week we had a hearing in the Foreign Relations Committee on the implementation of the JCPOA, and one of the witnesses who had not been a supporter of the agreement—Michael Singh—was a witness at that committee hearing. I asked him about Adam Szubin. He described him as a "good guy who had done great work for the country" and as someone whose nomination should go forward because it would allow us to continue to look at the sanctions regime and what we need to do.

The reality is—and I am sorry to say this because I think it contributes to what the American public is concerned about when they look at us in Washington and what we are doing. I think these nominations are being held up for purely political reasons. It has nothing to do with the background of these candidates, with their expertise, or with what they would do on the job; this is about individuals within this body who are trying to hold up these people for their own political gain. I think this delay is harming the national security interests of the United States. It is something every one of us ought to be concerned about, and we ought to be yelling about this because it is long past time that we confirm these individuals, let them do their jobs, and continue to do everything we can to protect this Nation's national security.

I thank Senator COONS for organizing all of us to come to the floor today to

talk about what we need to do as we are implementing the joint plan of action.

Mr. COONS. I thank the Senator from New Hampshire.

I want to emphasize again that these three nominees—Tom Shannon, Laura Holgate, and Adam Szubin—have been waiting for months. In particular, Adam Szubin is a nonpartisan career professional, having served in both the Bush and Obama administrations. Being the lead enforcer, the lead investigator in sanctions, he has now been nominated to take on the top role at the Department of Treasury in making sure our sanctions have bite and stick.

Why wouldn't we proceed on a bipartisan basis to give this administration the senior officials and the resources it needs to enforce sanctions, to keep us safe, to make sure this nuclear deal is enforced? Whether we voted for or against it, supported it or opposed it, I can't comprehend why any Senator would consent to the ongoing months-long delay in these vital nominees being confirmed so that the administration can do the job that I believe all of us want them to do, which is to enforce sanctions against Iran for its bad behavior.

Mrs. SHAHEEN. Will my colleague yield for a question?

Mr. COONS. Of course.

Mrs. SHAHEEN. It is my understanding that Adam Szubin has been held up and we have never heard a reason why he is being held up in that committee. Is that the Senator's understanding as well?

Mr. COONS. That is my understanding as well. There is no publicly articulated basis—certainly no basis that has anything to do with his qualifications, skills, experience or relevance to the job—as is the case with all three of these nominees.

There are many other nominees we could be talking about, whether for judgeships, ambassadorships or senior positions. These three we have chosen to focus on today because they are so directly relevant to America's national security and to the successful enforcement of this complex nuclear deal with Iran.

As I said, and Senator SHAHEEN and Senator BOOKER said earlier, the IAEA has incredibly broad scope to investigate what is going on in Iran, but if we don't have the senior people in our government, in the administration, that can take action when things are discovered in Iran that we want to be active in taking on or when there is bad behavior outside of this nuclear agreement, we have no one to blame but ourselves as a body for failing to provide our administration with the senior leadership and the skills and the resources needed to really defend America.

I wish to encourage and invite my colleague from the State of Con-

necticut to add, as he wishes today, both the positives about implementation day and the concerns he might have going forward, such as these vital national security nominees whom Senator SHAHEEN and I have been discussing.

Senator MURPHY.

Mr. MURPHY. Senator COONS, thank you for convening us.

I think it is important to restate the progress we have made. I know it has been said before, but frankly not enough attention has been paid to the fact that since implementation day Iran has shipped 12 tons of enriched uranium out of Iran and kept enrichment at that 3.67 level, which is significantly below what is necessary to create a bomb. They filled the core of the Iraq plutonium reactor with concrete, preventing them from producing weapons-grade plutonium. They started to allow the IAEA access to the entire nuclear fuel cycle or uranium enrichment, including their centrifuge production shops and uranium mines and mills.

Of course, as has been stated before, the IAEA has been given an unprecedented level of access to the entirety of the supply chain leading up to any future potential development of a nuclear weapon. That is an unprecedented level of access that will require an unprecedented level of support. We are talking about an additional \$10.6 million per year that the IAEA is going to need to carry out these oversight responsibilities. The United States puts up a percentage of IAEA's funding, but it is still the minority of funding.

One development that we need to guard against are attempts in Congress to undermine this agreement in very quiet, subtle ways. There is a bill that has been introduced in the House of Representatives that would disallow the United States from funding the IAEA unless it grants the United States access to the contents of proprietary bilateral arrangements. That would have the results of stripping the funding necessary to carry out this agreement. If the IAEA doesn't get U.S. funding, it simply can't have the purview it has been granted, by virtue of this agreement, of the entire field cycle throughout the country.

As important as it is to get the personnel in place who can enforce this agreement, who can root out the ways in which Iran may take money they get by virtue of this deal and support terrorism in the region, it is also important to make sure the IAEA is properly funded as well.

Senator COONS, the only comment I would add to this discussion is this. I think for those of us who supported this agreement—I will speak for myself. I supported it because this was the most effective way to stop Iran from obtaining a nuclear weapon—period, stop. With this agreement, we were

much more likely to prevent Iran from obtaining a nuclear weapon than we were without this agreement, but we certainly accepted the premise that it is in our long-term security and strategic interest as a country to facilitate the transition of power within Iran from the hardliners who have chosen a path of Iranian foreign policy to be simply a provocateur and an irritant in the region to the more moderate elements who would like to see Iran reengage on big questions of both regional and global security.

I don't think you can count on that happening. I don't think anybody should have voted for this agreement or supported this agreement because they were counting on that being the end result, but you have started to see a different level of engagement, whether it is with the release of the prisoners as you spoke about, whether it was about the resolution of the detainment of U.S. personnel, and we will shortly see whether this battle that plays out almost every day inside Iran is ultimately accruing to the benefit of the moderates. We will have elections next month in Iran.

I think we should support this agreement because it strips from Iran the ability to rush to a nuclear weapon, and you see the evidence already in the steps they have taken since the implementation agreement, but I think we should read with some level of positive interpretation some of the resolution of crises that we have seen just in the time passed over the course of 2016. That doesn't mean there aren't still enormous issues still at stake, but it is in our security interests, and it was part of the discussion of this agreement to ultimately bring Iran to a place in which the will of the vast majority of that country be expressed in the leaders who speak to the world community.

I thank Senator COONS for continuing to bring us down to the floor. I think as important as it is to talk about the positive steps that have been taken since implementation day, it is also important to note that we have a lot of work undone—whether it be funding the IAEA, confirming these important positions—and we have a lot of work to do in terms of remaining vigilant about the quiet, subtle ways that may be undertaken in this body and across the hall in the House of Representatives to try to undermine this deal that is working.

Thank you very much.

Mr. COONS. I wish to thank my colleague from Connecticut for his active leadership role on the Foreign Relations Committee and his deep interest in this topic.

By way of transition to my colleague from Pennsylvania, I briefly want to point out this picture of the Arak heavy water reactor in Iran. To me, it

is a symbol of both what implementation day and the JCPOA letter promises positively and the unresolved risks it presents.

Implementation day has only been reached because the IAEA—the International Atomic Energy Agency—certified to the world that Iran had taken the very core of this reactor, capable of producing weapons-grade plutonium, and filled it with concrete, rendering it useless for the production of significant quantities of plutonium. That is a significant step forward, but when a reporter asked me the other day: Does Iran still pose a nuclear threat to the United States and our vital ally Israel, I said: Of course. When asked why, I said because they still possess the knowledge, the resources, the engineering, the uranium in the ground, in the mines, in the mills of their country, and the engineers and the facilities to at some point enrich once again to weapons grade. If we don't stay on this, if we don't fund the IAEA effectively to conduct this oversight and these inspections, if we don't stay attentive to this issue, we will simply wake up again at a point 5, 10, 15 years from now and discover that what we have in Iran is a nation that has translated its natural resources, its rich uranium deposits, and its engineering know-how into once again being in a place to threaten the world.

I wish to invite my colleague from Pennsylvania to talk about how our regional vital allies perceive the path forward and what concerns he has and how he sees implementation day.

Mr. CASEY. Mr. President, I first of all thank Senator COONS and my other colleagues who are working on this. It is very important to walk through where we are in the process. If I had to step back at this moment and say: Well, now that the Joint Comprehensive Plan of Action is moving forward and we are beyond implementation day, what do we have to look for over time? If I had to boil that down to three words—really three goals we must work toward every day. On some days it has to be the United States on its own and other days working with allies, those who participated in this agreement and signed it and partners in the region—but the three words I guess would be as implementation is going forward, we have to focus on three goals: enforce, counter, and deter. Enforce, making sure the agreement is enforced at every step. I will get to the issue of the consequences for violations of the agreement. Counter, meaning countering the Iranian aggression in the region. That is why it was so important that the President and the administration he leads was very clear about the designation and the sanctioning of the Iranian regime as it relates to ballistic missile launches and their activity. The third is deter. We have to have a deterrence

policy that stays in place and, if anything, is strengthened over time.

If we do a good job on those three things over the next several decades—literally—enforcing the agreement, countering the aggression, and deterring them—we will have the result we want years from now.

First of all, on the question of consequences, similar to a lot of Members of the Senate when I made a decision about the agreement, I wrote down page after page walking through my reasons. At the time I wrote the following: “We have to prepare for the possibility that the Iranian regime may violate the agreement and may even engage in activity constituting significant non-compliance with the JCPOA.”

That is what I wrote several months ago. That still holds true today. We must not trust in Iran's compliance. In fact, some may say that using President Reagan's old formula, which was “trust but verify”—and I will be blunt about this, these are my words—in this case, until proven otherwise, we must mistrust and verify, mistrust the regime and verify. That is the nature of where things are right now.

We have to vigorously verify any asserted reason or action the Iranians would take. Also, in the process of doing that, we have to work with our partners to ensure that any violations will be met with swift multilateral consequences. That means we need other nations to help us. We can't do this on our own.

We cannot know whether and how the Iranian regime might violate the agreement. For example, we might see them drag their feet on allowing the IAEA access to certain nuclear sites, especially ones where covert activity may be suspected.

I firmly believe hardliners in Iran will be watching how we respond to any violation. The best way to condition behavior, the best way to impact what they might do, the best way to cause them a second thought down the road is to aggressively enforce violations of the agreement.

It is important we work in lock step with our European partners to prepare for these violations. I hope it doesn't come to pass, but I think we have to assume, and I will assume, that they will violate the agreement. Many of us met with our European friends before making decisions about the Joint Comprehensive Plan of Action. We need to continue these conversations to ensure that as businesses and business ties increase between the Iranian regime and Europe and other parts of the world, we have to remain unified in our stance on the potential Iranian violations of the deal. That is about violations.

The second and final point, briefly but so important to our deliberations and our actions, our friend and ally Israel, the relationship between the

United States and Israel is unbreakable. We have to make sure that as we move forward with the implementation of the agreement, we insist that our policy reflects that unbreakable relationship and also continues what has been very strong support for Israel for many years, if not generations, now. We have to recognize at the same time that Israel faces significant threats from Iran and its proxies, especially Hezbollah and Hamas. We also have to assume that Iran will continue its aggression in the region. That is why I talked about countering that aggression before. And we have to assume that Iran will try to expand its support for terrorism.

We have already taken some initial steps to expand cooperation with Israel on defense and homeland security, including beginning consultations toward a new 10-year memorandum of understanding, or MOU. That memorandum of understanding on defense cooperation is vital in initiating new efforts to address, among other threats, the terror tunnels Hamas has constructed, which threaten Israel all the time.

I urge the administration to focus on the capabilities Israel requires to face both conventional and asymmetric threats and to ensure that the new memorandum of understanding constitutes a transformational investment—not just one budget year to the next budget year or appropriation to appropriation year—in our bilateral relationship with Israel going forward. We should all meet with Israeli leaders to hear their firsthand assessments of the threats and to reassert our mutual interests in countering Iranian aggression.

I yield the microphone to my colleague Senator COONS again, but first I wish to thank the Senator from Delaware for his leadership and for what I believe is a bipartisan determination that we have to do everything possible to enforce this agreement aggressively, with consequences when there is a violation, counter Iranian aggression in the region and beyond, and deter, deter, deter over what will be more than one generation.

I yield the floor.

Mr. COONS. Mr. President, I thank my colleague from Pennsylvania for his clear-eyed assessment of the challenges that lie ahead as we try to move past implementation day and into a positive world where together we might be able to provide the administration with the resources they need to enforce the agreement, counter Iran's bad behavior, and deter Iran from any further illicit or bad behavior.

I wish to invite my colleague on the Foreign Relations Committee, Senator KAINE of Virginia, to offer any thoughts he might care to share at this point before we bring this colloquy to a close.

I know Senator KAINE has followed the importance of the inspections regime under the JCPOA closely. As Senator SHAHEEN and I both referenced earlier, full and robust funding of the IAEA is the only way to ensure they really have the ability to enforce this agreement and make sure this heavy water reactor does not somehow get redesigned, reengineered, and restarted in the future.

I invite my friend and colleague from Virginia to offer his thoughts on how to make sure we are effectively enforcing this deal.

Mr. KAINE. Mr. President, I thank my colleagues for taking the floor on this important matter. While I serve on the Senate Foreign Relations Committee, I actually want to talk about this issue from my standpoint on the Senate Armed Services Committee.

I happen to believe that one of the most valuable military assets we have as a nation is information intelligence. In that capacity, what we have under the JCPOA is the dramatic ability to learn, sadly, from tragic mistakes.

After more than a decade of war in Iraq and thousands of lives lost, we know that operating in an environment where we base national security decisions on what we don't know rather than what we do know can be tragically costly.

Over the weekend, there was press about a recently declassified report from the Joint Chiefs of Staff on weapons of mass destruction. It was submitted to former Secretary of Defense Donald Rumsfeld in September of 2002, around the time Congress and the administration were trying to decide whether to invade Iraq. The report that was given to the Secretary of Defense—and it was not widely shared with the administration or Congress at the time—confirmed that our officials at the very top levels of the intel and military community knew very little about the actual status of Iraq's WMD program. The report concluded that what we suspect is “based largely—perhaps 90 percent—on analysis of imprecise intelligence.”

While the national security apparatus was acknowledging that it was operating in the dark, it was nevertheless planning for war.

On March 7, 2003, 2 weeks before the beginning of the Iraq invasion, the IAEA presented to the U.N. an updated report on Iraq's nuclear activities. The report stated that they had conducted 218 nuclear inspections at 141 sites and concluded at the time that there was no indication of resumed nuclear activities since 1998, no indication that Iraq had attempted to import uranium since 1990, no indication that Iraq had imported aluminium tubes, and no indication that they had sought to import magnets for use in centrifuge enrichment. The IAEA said they had no information suggesting that Iraq had a

WMD program specifically with nuclear weapons.

We ignored what the IAEA told the U.N., the world, and us, and instead we went to war based upon a national intelligence estimate that said we didn't know what they were doing. That decision locked us into a decade of combat operations which resulted in a tragic cost. We know the rest of the story: 4,484 Americans lost their lives in connection with the war in Iraq from 2003 to 2011 and another 32,246 Americans were wounded. We also know that it turned out the IAEA was right. Once the war was waged and we got in and had our own ability to gather intelligence and information, we found out that Iraq didn't have a program of weapons of mass destruction, so we went to war based upon a faulty assessment and we didn't have the information we needed.

Let's contrast what happened in 2002 and 2003 with the opportunity we now have before us as a result of the JCPOA. The agreement of Iran to follow for the next 25 years an enhanced inspection regime and be inspected by the IAEA to a standard that no other country in the world must follow is very unique. It will provide us and all of our international partners with significant intelligence about Iran's program. After year 25, Iran has also agreed to submit and follow the additional protocol of the IAEA, which also guarantees significant intelligence and inspections.

What does that give us? It arms us with information. It arms us with facts. It arms us with intelligence. Those are some of the best military assets we can have. With intelligence, we obviously hope that Iran never makes a move to develop nuclear weapons, but if they do, with intelligence we can blow the whistle and inform the world that they are violating paragraph 1, page 1 of the agreement where they pledged never to seek, acquire, or develop nuclear weapons. With intelligence, we can make a wise decision rather than a blind decision as to whether we should send American men and women into war to try to stop a nuclear weapons program. With intelligence, we can even target military action to be more effective. That is what the JCPOA gives us that we didn't have before. That is what it gives us that we didn't have in Iraq, and we regret that we didn't have it.

I say to the Senator from Delaware that I noticed during our recent visit to Israel that the tone seems to be changing a little bit as far as our dialogue with our Israeli allies about this deal because the dramatic nature of the intelligence is now being seen by our strong allies in Israel as something that is potentially transformative.

Two days ago, the chief of staff of the Israeli Defense Forces gave a speech in Tel Aviv. Gadi Eizenkot spoke on Mon-

day at a national security conference in Tel Aviv and basically said that the nuclear deal with Iran constitutes a strategic turning point. He didn't whitewash it; he said “many risks but also opportunities.” What are the opportunities? He said the deal reduces the immediate Iranian threat to Israel because it rolls back Iran's nuclear capabilities and deepens the monitoring capabilities of the international community.

After all the drama about how it was a historic mistake, how refreshing it was to go to Israel a few weeks ago and hear security and intel officials talk about what this enhanced intelligence meant with respect to Israel's security.

We know there is no guarantee that a diplomatic deal will work out, and my colleagues have laid out the need for strict implementation, but we also know—and we have the scar tissue, so this is painful knowledge—that we are much safer if we have better information, we are much safer if we have better intel, and we will make much better decisions.

I certainly pray that we will never again send American men and women into war based on a false intelligence assessment. The only way we can guard against that eventuality is to have stronger intelligence. The IAEA inspections will give us better intelligence and should help us make better military decisions in the future.

With that, I yield the floor back to my friend from Delaware.

Mr. COONS. Mr. President, I thank the Senator from Virginia. We had a terrific experience traveling together to Israel, Turkey, Saudi Arabia, and Vienna. In Vienna, we met with the leadership of the IAEA. We asked tough questions and learned more about their needs and plans for thoroughly inspecting every aspect of Iran's nuclear program. We heard about the concerns of our close regional allies in Turkey and Saudi Arabia.

We need to strengthen our partnership with regional allies who are uncertain about the future with ISIS but who were, frankly, grateful for the increased intelligence partnerships between the United States, Turkey, and Saudi Arabia, but most importantly with our vital ally Israel, as the good Senator from Virginia has recounted. We heard from the Prime Minister, the Minister of Defense, opposition leadership, and intelligence and defense community leaders that the partnership with the United States is stronger than it has ever been and that they view this path forward with Iran as having challenges and opportunities—opportunities in terms of intelligence to be gained, opportunities in terms of pushing back on what was a rapidly advancing Iranian nuclear infrastructure and

program, and now a challenge—a challenge to work together and provide exactly the sort of oversight and engagement that only a duly-empowered and active Congress can take.

Let me close out the colloquy of six Senators by making a few simple observations, if I might. Congress has an essential role to play in ensuring that this nuclear deal with Iran moves forward and moves forward in our best national interest. Congress should not only provide oversight but also take action. The simplest is a point about which Senator SHAHEEN spoke at length—the importance of securing key national security nominees essential to the enforcement of sanctions.

We can also take proactive action here in this Chamber by passing the Iran Policy Oversight Act. Its drafting was led by Senator CARDIN of Maryland, but a dozen other colleagues—some who opposed and some who supported the deal—joined in as initial cosponsors. It is a bill that would clarify some ambiguous provisions of the JCPOA, establish in statute America's commitment to enforcing the deal, engage us in more comprehensive efforts to counter Iranian activity in the Middle East, and provide increased support to our allies in the region, especially our valued ally Israel. This is a step this body can and should take, and to do so would be much in the bipartisan spirit we saw in the Foreign Relations Committee between Chairman CORKER and Ranking Member CARDIN that produced the Iran Nuclear Agreement Review Act.

I think passing the Iran Policy Oversight Act would be a strong and important contribution by this Chamber.

Speaking for only myself, I will also say that I think we should reauthorize the Iran Sanctions Act, which is set to expire this year. Having that law reauthorized would provide a viable framework through which the United States could snap back sanctions if Iran violated the JCPOA.

Each of the ideas we have outlined—confirming vital national security nominees; passing enforcement legislation; and fully funding, reliably and for the long term, the IAEA, the inspections watchdog that is supposed to keep a close and persistent eye on Iran's nuclear facilities represents critical—these represent critical, concrete steps Congress can take.

If the United States alone cannot enforce this complex deal, we have to keep building international support for the imposition of new sanctions to punish Iran for its ongoing human rights abuses, its illegal ballistic missile activity, and its support for terrorism in the Middle East.

If we are going to be serious about our constitutional role to provide for the common defense and general welfare, I would argue that we here in the Senate have a sacred obligation to pro-

vide not only oversight of this deal but to also take action and enforce its terms and push back on Iran's bad behavior and to demonstrate to the world that the United States is serious about securing a peaceful, nuclear-free future, as difficult as that may be, for the Middle East.

With that, I thank my colleagues who joined me here on the floor and yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I wish to talk about the bill we have on the floor and how important I think it is not only to my State but to our United States in terms of our energy security and energy policy modernization.

I rise to support the Energy Policy Modernization Act of 2016. I think this legislation recognizes the critical need to improve our Nation's energy infrastructure and how we can use our natural resources.

I commend Chairman MURKOWSKI and Ranking Member CANTWELL for their hard work to get this bill on the floor. I am honored to be a member of the Energy and Natural Resources Committee. The open process they led in the Energy and Natural Resources Committee, as the Presiding Officer knows, resulted in a strong bipartisan vote of 18 to 4 in support of this bill.

I think it goes without saying, but this country needs an updated, comprehensive policy that brings an "all of the above" approach to the way we utilize energy. This is the first major energy legislation to be considered by the Senate since 2007. This bill will help make our homes, our cars, our public buildings—think about how old and inefficient a lot of our public buildings are, including our schools—more energy efficient. It will help improve our parks and lands through the reauthorization of the Land and Water Conservation Fund.

This bill will enhance our ability to fully utilize our vast natural resources so that we remain and become even more energy secure in the years to come.

There are few people who know energy potential better than the people of West Virginia. West Virginia's Marcellus region has the largest shale gas reserves in the United States. It is really a magnificent thing to watch as it is developing. It is a job creator, an excitement creator, and a revenue generator. It is a reason to have a revitalized part of our State come alive as we participate in the energy economy. Coupled with the nearby Utica region, these two shale formations have accounted for major increases in natural gas production since 2012.

West Virginia's natural gas production has nearly quadrupled between the years 2008 and 2014. As I said earlier, it has happened fast and quick, and it has really exploded throughout the region in terms of job creation.

Unfortunately, despite this unprecedented increase in natural gas recovery, our producers have been underserved by a lack of pipeline capacity. Nobody knew this existed until just in the last 10, 12 years. Our current permitting process for pipelines can take years. It is slow and uncertain, which means delayed construction, if we get to construction, and, in turn, delayed manufacturing projects and access to affordable energy. Many manufacturers across this country rely on cheap, affordable natural gas, not just as an energy producer but in our chemical industries as feedstock to create.

Last spring, the Charleston Daily Mail editorialized that "the big gas boom that has increased employment and tax revenue in West Virginia has slowed considerably less due to slowing markets than a lack of pipeline infrastructure to carry the burgeoning supplies."

Earlier this month, the Clarksburg Exponent Telegram, another fine newspaper in West Virginia, editorialized that "the promise of more than 18,000 jobs tied to the construction of six interstate gas pipelines is the last hope for prosperity for a generation of Mountain State residents." The paper continued that regulatory delays are slowing these important projects.

West Virginia has been hard hit by job loss in the energy sector. Just this week, more than 850 West Virginia coal miners received notices that their jobs may be at risk. They join more than 500 other West Virginia miners who were informed after the start of this year that they would be losing their jobs, not to mention that the whole total job loss in the coal economy in my State has been 10,000 direct jobs, as miners as well as some other indirect jobs that contribute to the mining industry, most recently CSX and Norfolk Southern, are announcing cutbacks.

Moving forward with improvements to our energy infrastructure will create construction jobs and economic opportunity in my State, where both are desperately needed. That is why I am pleased that this bill includes language that I introduced, along with Senators HEITKAMP and CASSIDY, that would address the fragmented and prolonged permitting process for pipelines. This provision will streamline the application process so pipelines can be constructed in a more timely and efficient manner and will meet our energy transportation needs, along with meeting the environmental requirements that we feel are proper in order to site the pipelines.

The provision establishes FERC as the lead agency for the permitting process. This helps to address any interagency squabbles or disputes that can lead to project delay.

We must make use of our natural resources to grow our domestic manufacturing. We should also use our abundant gas reserves to export liquefied

natural gas to our allies. A strong export policy will bring jobs and revenue to producing States such as my State of West Virginia and to many others across the country. It will also help with energy security for our allies in Europe and Japan at a time of growing instability around the globe.

This bill includes Senator BAR-RASSO's bill to expedite LNG export permitting so that natural gas produced here in America can be sold to our allies around the world. Going forward, innovation will be a key component in powering West Virginia's energy economy.

In addition to our rich natural gas reserves, West Virginia has been one of the major producers of coal for energy generation in this country for decades—centuries. My State and our Nation have faced an uphill battle in the administration's war on coal, despite the fact that coal still remains America's baseload energy source. We need a commonsense approach to coal-fired energy generation, one that doesn't simply try to eliminate it but instead incorporates it into a modern, innovative energy policy.

That is why I cosponsored language included in this bill, with Senators MANCHIN and PORTMAN, that will revitalize the fossil energy program at the Department of Energy. This program is critical to the research and development of new technologies that make fossil energy more efficient and more reliable, while at the same time reducing emissions.

One of the most promising advances in fossil energy technology is carbon capture utilization and storage. Not only will this technology ensure that our significant coal reserves are part of an overall strategy, but it could also be used for enhanced oil recovery that will further strengthen our energy security.

A modern energy policy must recognize that coal and natural gas will remain a key part of our Nation's energy portfolio for decades to come. I think everybody agrees that the baseload needs to be there. By acting now to support infrastructure and innovation, we can support jobs and grow our economy for future generations.

I started out my speech talking about the way this bill moved through the Energy and Natural Resources Committee and how bipartisan it was and how we worked out the wrinkles. I, again, wish to thank Chairwoman MURKOWSKI and Ranking Member CANTWELL for the way they wove through a very complicated procedure.

This bipartisan legislation is critical to all Americans and their families. It means more efficient, affordable, and reliable energy for millions of people. It makes us energy secure and more competitive with other countries in innovative energy and efficiency technologies.

These are the reasons why I support this important piece of legislation, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent to speak about an amendment I have filed and that will soon reach the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAPO. Mr. President, we don't yet know the exact number of the amendment because we are refiling a minor correction to it. However, I wish to talk about a very critical amendment that I and a number of our colleagues on both sides of the aisle are bringing to the legislation today dealing with nuclear energy. Nuclear energy is one of the key elements of our national energy policy, and it must be one that is strengthened and improved as we move forward into the new global energy climate that we are dealing with in this country.

I wish to start out, however, by going back in time. Sixty-four years ago, in a desert plain near Arco, ID, the Idaho National Reactor Testing Station used the Experimental Breeder Reactor, known as EBR-1, to light four lightbulbs. This was the first time in the history of the world that a nuclear reactor was used to generate electrical power. This singular event proved that atomic energy could be used to create commercial electricity.

After this momentous event, EBR-1 went on to serve its real purpose, proving it was possible to build a reactor that could create more fuel than it consumed. Breeder reactors were possible. Another reactor at the National Reactor Testing Station named BORAX-III went on to power the entire town of Arco, ID. Now, Arco is not a huge metropolis like New York City, but there, once again, a nuclear reactor was used to provide the electrical needs of an entire city—another energy first for nuclear energy in our history. So began the legacy of what would become the Idaho National Laboratory, which is now the home of over 50 one-of-a-kind nuclear reactors.

Everything the lab did was new. Everything was innovative. The lab in Idaho went on to achieve tremendous breakthroughs—breakthrough after breakthrough. The imagination, ingenuity and hard work of the scientists in Idaho's lab now, along with the same ingenuity of scientists at Argonne and Oak Ridge, ensured that the United States was the leader in the development and commercialization of nuclear energy.

Today, many in the industry are focusing on what it takes to keep a current fleet of reactors alive and operational. Industry leaders are worried about waste issues, the economics of operation, and navigating the require-

ments of the Nuclear Regulatory Commission. Understandably, many are not focused on the future of nuclear energy and what lies beyond the current generation of reactors.

Congress must find a way to help deal with the very real challenges that the current generation of nuclear reactors face. Congress must also address the waste issue, and we must evaluate the safety and cost benefits of regulations the government has placed on this industry. Many of the burdens on the nuclear industry are government created, and so they must be government solved. I look forward to working with my colleagues on the Environment and Public Works Committee to do our part in providing sound solutions.

Congress needs to find a way to multitask. Again, we can't ignore the challenges of the current fleet of reactors, but we must not allow these challenges to keep us from looking forward. The nuclear industry in America is, for better or worse, completely controlled by the government. Congress must lead in preparing government agencies to move forward into the future and to prepare for the next generation of our nuclear reactors. If our government is not able to create an environment in which the industry can grow and advance, companies will take their technologies overseas. We have seen this begin to happen already. Companies are now going to places such as China, Russia, South Korea, and India. These countries want to develop exportable nuclear technology. If we continue down our current path, these countries will take the lead in establishing non-proliferation norms and safety norms in the advanced nuclear industry. I would prefer that America continue to lead in this area.

Today, Senators WHITEHOUSE, RISCH, BOOKER, HATCH, KIRK, DURBIN, and I introduced the Nuclear Energy Innovation Capabilities Act, or NEICA, as an amendment to the Energy Policy Modernization Act of 2016. This measure is the Senate companion to the House measure of the same name, introduced by Representatives RANDY WEBER, EDDIE BERNICE JOHNSON, and LAMAR SMITH. I wish to thank my colleagues for their hard work on this measure. As my colleagues can tell from the list I gave, it is highly bipartisan. There is broad support for this legislation on both sides of the aisle and on both sides of the Rotunda.

We are all very excited by this legislation, and we all agree that innovation within the nuclear industry must continue. America's preeminence in all things nuclear must endure.

The Senate version of NEICA would do four very important things to encourage innovation in advanced nuclear.

No. 1, the bill directs the Department of Energy to carry out a modeling and

simulation program that aids in the development of new reactor technologies. This is an important first step that allows the private sector to have access to the capabilities of our national labs to test reactor designs and concepts.

No. 2, the measure also requires the DOE to report its plan to establish a user facility for a versatile reactor-based fast neutron source. This is a critical step that will allow private companies the ability to test the principles of nuclear science and prove the science behind their work.

No. 3, NEICA directs the Department of Energy to carry out a program to enable the testing and demonstration of reactor concepts proposed and funded by the private sector. This site is to be called the National Nuclear Innovation Center and will function as a database to store and share knowledge on nuclear science between Federal agencies and the private sector. The Senate version of NEICA encourages the Department of Energy and the Nuclear Regulatory Commission to work together in this effort. We would like to see the DOE lead the effort to establish and operate the National Nuclear Innovation Center while consulting with the NRC regarding safety issues. We would also like to see the NRC have access to the work being done by the center in order to provide its staff with the knowledge it will need eventually to license any new reactors coming out of the center. If these reactors are ever to get to the market, the NRC must be able to understand the ins and outs of the science and work behind their development. The NRC needs the data in order to make data-driven licensing requirements.

No. 4, the Senate version of the NEICA requires the NRC to report on its ability to license advanced reactors within 4 years of receiving an application. The NRC must explain any institutional or organizational barriers it faces in moving forward with the prompt licensing of advanced reactors.

As I said earlier, this bill is an important step forward in maintaining the United States' leadership in nuclear energy. It is my hope this bill will enable the private sector and our national labs to work together to create new mind-blowing achievements in nuclear science. This bill encourages the smartest, most innovative and creative minds in nuclear science to partner together to move the industry forward.

The NEICA is an exciting piece of legislation. I look forward to working with my congressional colleagues to help the American nuclear energy industry thrive today and prepare for the future.

Thank you, Mr. President, and I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Michael Vazquez, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes of debate equally divided in the usual form.

The Senator from Montana.

ENERGY POLICY MODERNIZATION BILL

Mr. DAINES. Mr. President, the Energy Policy Modernization Act of 2015 is a crucial step forward in modernizing our country's energy policy and public lands management for the first time in nearly a decade, and we are doing it in a strong, bipartisan fashion. Moreover, we are taking the necessary steps to secure our Nation's energy future, in turn increasing economic opportunity and protecting our Nation's security needs.

Here are a few important components of this bill that I would like to highlight.

No. 1, it permanently reauthorizes the Land and Water Conservation Fund. This is an important tool for increasing public access to public lands and one of the country's best conservation programs.

No. 2, this bill also streamlines the permitting for the export of liquefied natural gas, allowing more American energy to power the world.

Montana is the fifth largest producer of hydropower in the Nation, and we have 23 hydroelectric dams. This bill strengthens our Nation's hydropower development by streamlining the permitting process of new projects and finally defining hydropower as a renewable resource. Only Washington, DC, would not define hydropower as a renewable resource. This cleans that up by statute, allowing FERC to provide more time to construct new hydroelectric facilities on existing dams. It also extends construction licenses for Gibson Dam and Clark Canyon Dam, two projects critical to tax revenue and jobs for communities in Montana.

This energy bill establishes a pilot project to streamline drilling permits if less than 25 percent of the minerals within the spacing unit are federal minerals. The provision, sponsored by my good friend the senior Senator from North Dakota, Mr. HOEVEN, is of particular importance to Montana, given the patchwork of land and mineral ownership in the Bakken.

It also improves the Federal permitting of critical and strategic mineral production, which supports thousands

of good-paying Montana jobs and hundreds of millions of dollars in tax revenues for our State to support our infrastructure, our schools, and our teachers. Metal and nonmetal mining has created more than 8,500 good-paying Montana jobs. In fact, mining helps support more than 19,000 jobs in total across Montana. Metal mining in Montana has contributed \$403 million in taxes, and nonmetal mining produces \$128 million every year. This includes \$288 million of State and local taxes.

Finally, the Energy Policy Modernization Act of 2015 modernizes and strengthens the reliability and security of bulk power in America's electrical grid. In Montana, we know the important balance of responsibly developing our natural resources and serving as good stewards of our environment. Our energy sector supports thousands of good-paying jobs for union workers and tribal workers. Access to our State's one-of-a-kind public lands is critical to our State's tourism economy and our very way of life in Montana. This bill facilitates all these goals.

Given the overwhelming support this bill received in committee, I am hopeful that this bill will also receive strong bipartisan support as we work through the amendment process and take a final vote on this bill next week.

I also look forward to having the opportunity to make this bill even better for our Nation. This legislation makes important gains for Montana energy, but there is still work to do. We can't fully discuss our Nation's energy future without also addressing the President's moratorium on new Federal coal leases and royalty increase attempts for Federal coal, oil, and natural gas. I hope we can work together in a bipartisan fashion to address these important issues, which have a significant impact on jobs, tax revenue, and energy prices in Montana.

I would like to thank Chairman MURKOWSKI, Ranking Member CANTWELL, and their staffs for their work in getting us to this point. I look forward to seeing and voting on additional amendments from my colleagues in the coming days, and I look forward to getting this bill across the finish line, providing the American people with a comprehensive energy policy that works to support both our economic security as well as our national security.

Mr. LEAHY. Mr. President, today we will vote on the nomination of John Michael Vazquez to fill a judicial emergency vacancy in the Federal district court in the district of New Jersey. His confirmation is long overdue. He was nominated over 10 months ago and reported out of the Judiciary Committee by unanimous voice vote over 4 months ago.

Mr. Vazquez is an outstanding nominee who has experience both in private practice and in the public sector. Since 2008, he has practiced as a named partner at the law firm of Critchley, Kinum

& Vazquez in Roseland, NJ. He has also devoted a significant part of his career to public service, having worked for both the office of the attorney general for the State of New Jersey and as a Federal prosecutor in the district of New Jersey. During his tenure as a Federal prosecutor, Mr. Vazquez handled a wide array of Federal investigations and prosecutions while serving in the general crimes unit, the major narcotics unit, the terrorism unit, and the securities and health care fraud unit.

The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Vazquez "Well Qualified" to serve as a Federal district judge, its highest rating. He has the support of his home State Senators, Senators MENENDEZ and BOOKER.

Mr. Vazquez's nomination reflects the enormous progress that the Senate and this administration have made in making the Federal judiciary more diverse and more representative of the citizenry it serves. The fact that there are more women and minorities than ever before serving on our Federal bench is important. The result of this progress is that it increases public confidence in our justice system.

Unfortunately, Senate Republicans have stalled this progress by obstructing several highly qualified Hispanic nominees. For example, Senate Republicans delayed the confirmation of Judge Luis Felipe Restrepo, the first Hispanic judge from Pennsylvania nominated to the third circuit, for more than a year. This was the case despite his excellent legal and judicial career and the strong bipartisan support he had from his home State Senators.

In addition, the junior Senator from Arkansas continues to impose a wholesale blockade on the nominees to the U.S. Court of Federal Claims, including Armando Bonilla, a Cuban American who has devoted his entire career to public service at the U.S. Department of Justice. If confirmed, Mr. Bonilla would be the first Hispanic judge to hold a seat on that court, where he is urgently needed. The chief judge of the Court of Federal Claims has written to Chairman GRASSLEY and me to express the need to confirm the pending nominees; yet Senator COTTON is being allowed to hold up these well-qualified nominees.

And just last week, the junior Senator from Georgia announced that he was withdrawing his support for the nomination of a Hispanic nominee to a Federal district court in Georgia. Judge Dax Lopez has served as a distinguished State court judge in DeKalb County, GA, since 2010. With his experience, I was not surprised that the Georgia Senators submitted Judge Lopez's name to the White House for consideration to the Federal district court. After recommending him to the White House, it is unfortunate that the junior

Senator from Georgia is now blocking his nomination because of Judge Lopez's membership on the board of directors for the Georgia Association of Latino Elected Officials. This non-partisan organization's mission "is to increase civic engagement and leadership of the Latino/Hispanic community across Georgia." But some conservatives have focused only on the fact that the organization supported common sense immigration reform—something that a bipartisan majority of this body supported when we passed comprehensive immigration reform in 2013.

I have long noted that I do not vote to confirm individuals to the bench because I expect to agree with all of their views. My standard is whether the nominee would be the kind of independent judge who would be fair and impartial. There is nothing in Judge Lopez's record to suggest that he could not or would not be an impartial judge. Judge Lopez has been a State court judge for nearly 6 years. Those who oppose Judge Lopez have decided that, because he was on the board of directors of an organization that advocates certain policies with which they disagree, they refuse to even consider his record or his own merits. This new litmus test for his membership in a non-partisan organization sets a dangerous precedent that Senators should reject.

We also saw this unreasonable treatment from Senate Republicans with the nomination of Judge Edward Chen to the northern district of California. Despite having served as a Federal magistrate judge for a decade, Senate Republicans held up Judge Chen's nomination for years because Judge Chen had previously worked for the American Civil Liberties Union. According to one Republican Senator on the Judiciary Committee, Judge Chen had the "ACLU gene," and so somehow he could not possibly be a fair judge—even though Judge Chen had shown that he could be an independent and neutral arbiter over the 10-year period that he served as a Federal magistrate judge. This new litmus test is completely unfair. I am sorry that Senate Republicans have now subjected Judge Lopez to this.

This afternoon, I hope we do not see a repeat of what happened to Judge Wilhelmina Wright, who was confirmed last week to the district court in Minnesota with a large number of "no" votes from Republicans. Judge Wright was the first African-American woman to serve on the Minnesota Supreme Court and the first person to serve on all three levels of the Minnesota State judiciary; yet many Republicans chose to side with the moneyed Washington interest groups who unfairly attacked her nomination based on a writing assignment from her third year of law school. That a Washington political action committee is opposing a nominee should not prevent Senators from exer-

cising their own fair judgment. The resource needs of our independent judiciary should not be tainted by calls for a shutdown of our constitutional role as Senators.

I urge my fellow Senators to vote to confirm Judge Vazquez.

Mr. BOOKER. Mr. President, today I wish to support the nomination of John Michael Vazquez, whom the President nominated for a lifetime appointment as a United States district judge for the district of New Jersey.

I thank Majority Leader McCONNELL and Minority Leader REID for giving Mr. Vazquez a vote on the Senate floor. I appreciate Chairman GRASSLEY and Ranking Member LEAHY and their respective staffs for all their hard work on moving this well-qualified judicial nominee through the Judiciary Committee. I also want to thank Senator MENENDEZ, New Jersey's senior Senator, for his hard work on this judicial appointment.

The district of New Jersey currently has four judicial vacancies, all of which are judicial emergencies. This means that a very heavy caseload exists in that judicial district which, if left unremedied, undermines the quality and pace of access to justice for the people of New Jersey. According to the Administrative Office of the Courts, each judgeship in the district of New Jersey has over 650 weighted filings. That is unacceptable. Senator MENENDEZ and I are committed to breaking the logjam and ensuring New Jerseyans gain more access to justice.

Mr. Vazquez is a well-qualified nominee. He has worked in both public service and private practice and has experience in both criminal and civil cases. His time in public service includes stints as a Federal prosecutor in the U.S. attorney's office for the district of New Jersey and attorney in the New Jersey State attorney general's office where he rose up the ranks to become the first assistant attorney general. He is now a partner in private practice at a Roseland, NJ, law firm.

Mr. Vazquez has litigated both criminal and civil cases, which I am confident will make him a fine and well-balanced jurist. As a Federal prosecutor, he handled a wide variety of Federal criminal cases, including major narcotics prosecutions, as well as securities and health care fraud cases. In the state attorney general's office, he focused on criminal matters, including public corruption and financial fraud. In private practice, he specialized in criminal and civil law.

He has excellent credentials. He graduated *summa cum laude* from Seton Hall University School of Law and earned his undergraduate degree from Rutgers University—two prominent New Jersey educational institutions. He also clerked for a well-respected judge on the New Jersey Superior Court bench, appellate division.

Mr. Vazquez has also given back to his community. He won numerous awards for his dedication to his community and to law enforcement, including the Latino Legal Community Award from Seton Hall University School of Law's Latin American Law Students Association; the Excellence in Hispanic Leadership Award from the New Jersey Department of Community Affairs' Center for Hispanic Policy; and recognition from the New Jersey County Prosecutor's Association and the New Jersey State Police.

The American Bar Association Standing Committee on the Federal Judiciary has unanimously rated Mr. Vazquez well-qualified to be a district court judge, the highest possible rating. Last September, he was favorably reported out of the Judiciary Committee by a unanimous voice vote. I am confident this well-qualified nominee will serve honorably on the Federal bench.

I urge my fellow Senators today to confirm Mr. Vazquez as a United States district judge to the district of New Jersey. I look forward to continue working with Chairman GRASSLEY and Ranking Member LEAHY and Senate leadership to confirm more judicial nominees to fill vacancies in the district of New Jersey so that we can eliminate existing judicial emergencies.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I come before the Senate to express my enthusiastic recommendation for John Michael Vazquez's nomination and confirmation to the United States District Court for the District of New Jersey, which the Senate will be voting upon shortly.

Mr. Vazquez's credentials are impressive. He is a New Jerseyan who is eminently qualified and highly experienced, and I am confident that he will be an outstanding jurist whose judicial temperament, observance of precedent, and personal integrity will be beyond reproach.

There is an inscription over the 10th Street entrance to the Justice Department that I often am reminded of, and it can't be quoted too often when we are looking to perform one of our most vital duties, selecting those best qualified judicial nominees. It reads: "Justice in the life and conduct of the State is possible only as it first resides in the hearts and souls of its citizens." I believe that justice does, in fact, reside in the heart and soul of John Vazquez and that he will bring that judicial heart and soul to the task, as well as the benefit of a long and distinguished legal career in private and public service.

Mr. Vazquez began his legal career at the law offices of Michael Critchley & Associates after completing a clerkship with the Honorable Herman D. Michels of the New Jersey Appellate Division.

He graduated summa cum laude from Seton Hall University School of Law and from Rutgers College. His intellect is of the highest order. He would bring a long and distinguished career to the District of New Jersey bench if and when he is confirmed. He is currently a partner at Critchley, Kinum & Vazquez, practicing commercial, securities, and civil litigation, as well as white collar criminal defense.

Before his time in private practice, he served the people of New Jersey in the New Jersey Office of the Attorney General as the first assistant attorney general. As the second highest ranking law enforcement official in the State, Mr. Vazquez conducted the day-to-day operations of the 9,500-person department and various divisions within the department, including criminal justice, consumer affairs, civil rights, elections, and gaming enforcement divisions, to mention a few. He previously served in that particular office as a special assistant to the attorney general. Before that he was an Assistant U.S. Attorney, where he focused on health care fraud, securities fraud, and terrorism investigations. These experiences have given him a clear appreciation of the separation of powers, the importance of checks and balances, and I believe he will bring that view to the bench.

The American Bar Association rated him unanimously "well qualified" for the nomination, and I agree. He was voted out of the Judiciary Committee unanimously. When I think about the breadth and scope of what comes before a Federal district court judge, I can only think about the breadth and scope of his experience. He understands both sides of the legal equation—the prosecution and defense of the accused. He is a member of the Hispanic Bar Association of New Jersey, the Essex County Bar Association, the New Jersey State Bar Association, the Association of the Federal Bar of New Jersey, and the Association of Criminal Defense Lawyers of New Jersey.

Mr. President, I can say without equivocation that justice does indeed reside in the heart and soul of John Vazquez. He is an eminently qualified nominee with impressive credentials and experience who will fill a judicial emergency vacancy in the District of New Jersey. In addition to intellect, judgment, temperament, observance of the rule of law, and separation of powers, he diversifies our judiciary as a Hispanic American, which is something I think is also very important—to be able to have any American walk into any court in the land and believe the possibility that someone like them may very well be sitting in judgment of them. When you have all the elements of what we want in the Federal judiciary and we are able to achieve that element of diversity as well, I think it is the highest moment.

I urge the Senate to unanimously support him, and I yield the floor.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAPO. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Vazquez nomination?

Mr. CRAPO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. DAINES). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 2, as follows:

[Rollcall Vote No. 6 Ex.]

YEAS—84

Ayotte	Cornyn	Hoever
Baldwin	Cotton	Johnson
Barrasso	Crapo	Kaine
Bennet	Daines	King
Blumenthal	Donnelly	Kirk
Blunt	Durbin	Klobuchar
Booker	Enzi	Lee
Boozman	Ernst	Manchin
Brown	Feinstein	Markey
Burr	Fischer	McCain
Cantwell	Franken	McCaskill
Capito	Gardner	McConnell
Cardin	Gillibrand	Menendez
Carper	Graham	Merkley
Casey	Grassley	Moran
Cassidy	Hatch	Murkowski
Coats	Heinrich	Murphy
Cochran	Heitkamp	Murray
Collins	Heller	Paul
Coons	Hirono	Perdue

Peters	Schumer	Toomey
Portman	Scott	Udall
Reed	Sessions	Vitter
Reid	Shaheen	Warner
Risch	Shelby	Warren
Roberts	Tester	Whitehouse
Rounds	Thune	Wicker
Schatz	Tillis	Wyden

NAYS—2

Lankford Sullivan

NOT VOTING—14

Alexander	Inhofe	Rubio
Boxer	Isakson	Sanders
Corker	Leahy	Sasse
Cruz	Mikulski	Stabenow
Flake	Nelson	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ENERGY POLICY MODERNIZATION
ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. CASSIDY. Mr. President, in this Energy bill we are considering, we are going to offer an amendment regarding the renewable fuel standard—also called the RFS. The RFS requires that fuel sold in the United States contain a minimal amount of renewable fuels. You know it because when you go to the gas pump, it says: contains 10 percent ethanol.

The RFS is outdated. It was created in 2005—a time when American energy consumption relied heavily upon foreign imports. It was thought that the renewable fuel standard will be good for the environment by decreasing the carbon footprint, but in the last 10 years our energy landscape has changed dramatically. We now have more domestic oil than almost ever before, and the drawbacks of the RFS greatly outweigh its benefits.

For example, the Congressional Budget Office projects that Americans will be forced to pay \$0.13 to \$0.26 more per gallon if the RFS is not repealed. For a mom and dad with two teenage sons, this would be \$400 a year, but it doesn't stop at the pump.

Over the last 10 years, the price of corn has drastically fluctuated. Corn costs have approximately doubled since before the RFS began. The corn price increasing has increased the cost of food as much as 7 percent to 26 percent

it is estimated per year. It also raises costs all the way down. For example, your chain restaurants are estimated to spend \$3.2 billion more for the food they purchase and serve to their customers because of the RFS.

Perhaps paying more at the pump, paying more at the grocery store and more at the restaurant will be worth it if there are environmental benefits. Unfortunately, there is not only no environmental benefit, there is tremendous environmental harm.

To begin with, an increase in corn production means that there is an increase in fertilizer use across the Midwest. That fertilizer runs into the rivers, goes down into the Mississippi River, hits the Gulf of Mexico, and causes algae blooms because of the high nitrogen and phosphorous, and that decreases the oxygen in the water, thereby devastating the fish population. If you look at maps of the dead zone in the Mississippi River, they have continuously increased in size since the RFS was put into law.

But it is not just about our water quality. Let's talk about carbon footprint. One of the original rationales as to why we should have renewable fuels: The Union of Concerned Scientists state that certain types of ethanol have a worse carbon footprint than gasoline. So now we have something that not only increases the cost of food and hurts the water quality in the Gulf of Mexico and the rivers that feed it but also has a higher carbon footprint than the gasoline it dilutes.

By the way, it is not just the Union of Concerned Scientists; the National Academy of Sciences says that the renewable fuel standard has little or no environmental benefit and actually increases the particulate matter and sulfur that is in the atmosphere and harms water quality.

Let's just say that with the abundance of our domestic oil and increased vehicular efficiency standards, there is no need for the RFS. It is time to repeal the renewable fuel standard so that our farmers, anglers, ranchers, and consumers can reap the benefit.

In addition to this, I wish to mention another amendment I am offering with Senator MARKEY. This amendment would save taxpayer dollars and preserve oil reservoirs in the Strategic Petroleum Reserve. The Strategic Petroleum Reserve is located in my home State, in Harahan, LA. This amendment gives the Secretary of Energy the ability to sell Strategic Petroleum Reserve quantities of crude oil when the price goes up. Right now, he has been instructed to sell the oil to raise \$5 billion but without regard to price. We clearly don't want to sell it when the price of oil is at \$30. We want to wait until the price of oil goes back up and sell it then so we can reap multiple benefits. It will allow for more supply so consumers will have lower prices at

the pump, and it will also get more money for the oil we do sell, which will be good for taxpayers who bought the oil in the first place.

America is blessed with an abundance of oil. Taxpayers invested in this emergency oil stockpile. Yet some must be sold, and it should be sold at the highest price possible to get the best deal for the taxpayers.

I urge my fellow Senators to support both of these amendments. They are important to American families, critical to America's energy security, and in the case of the RFS, it is critical to our environmental hopes.

I yield back.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOMELAND SECURITY AND THE THREAT OF
VIOLENT EXTREMISM

Mr. CASEY. Mr. President, I rise today to discuss for a couple of moments the issue of homeland security and the threat of violent extremism in the United States.

In the last 2 months in the Commonwealth of Pennsylvania, we have experienced two very concerning incidents of violent extremism—first, in December, the arrest of a 19-year-old man in Harrisburg, PA, who allegedly used social media to propagandize and facilitate on behalf of the terrorist group ISIS. At the time of his arrest, law enforcement officers found ammunition and other signs that he might be preparing for an attack. Thank goodness law enforcement at the local and State level worked with the FBI and would have been able to thwart that attack if it were carried out.

The second incident, and the one I will focus more of my attention on today, was the shooting of Philadelphia police officer Jesse Hartnett while he was on patrol on January 7 of this year. The gunman ran up to Officer Hartnett's patrol car and fired 11 rounds at very close range. Officer Hartnett was hit three times in his left arm before the attacker fled. In a truly remarkable act of bravery, Officer Hartnett was able to radio for backup and pursue the attacker. The gunman was apprehended as a result of Officer Hartnett's heroic action and the quick response of his fellow officers.

Law enforcement professionals like Officer Hartnett and his colleagues are on the frontlines of protecting us and protecting our homeland every day. We have to remain vigilant against potential attacks from terrorist groups in foreign countries, of course, who seek to harm Americans, but we must also confront the threat of violent extremism here at home from individuals who are inspired by the hateful, evil ideology of terrorist groups such as

ISIS. These are individuals who can often be categorized as lone wolves, planning and plotting without the direction of a terrorist group necessarily but motivated by violent rhetoric they find online or by other means.

On January 18, I visited Officer Hartnett in the hospital to thank him for his bravery and his service. He was in much better shape that day than he was on the night of the attack. We are so happy that he continues to recover well from those injuries. Just last week he was able to leave the hospital in Philadelphia and go home.

At the same time, I also received a briefing on the investigation from the FBI and met with Mayor Jim Kenney, the newly elected mayor of Philadelphia, and Philadelphia Police Commissioner Ross to discuss this emerging threat in Philadelphia and certainly in other places as well.

What do lawmakers do, Members of this body and the other body as well, the House and the Senate? We have an abiding obligation to give our full support to local and State authorities confronting the threat of violent extremism whether it is in Pennsylvania or anywhere across the country.

According to a recent assessment from the Foreign Policy Initiative, 71 individuals have been charged with ISIS-related activities since March of 2014. The profiles and motivations of these individuals differ dramatically, making it even more difficult for law enforcement officials to investigate and prevent attacks. But I believe that as Members of Congress—and, I also would add, the administration as well—we all need to listen to the professional advice of law enforcement officials, homeland security experts, and others rather than simply engaging in categorical condemnation or, unfortunately, oversight by sound bite.

I have invited Homeland Security Secretary Jeh Johnson to Philadelphia to join me in a roundtable with community leaders and law enforcement officials in Pennsylvania so I can be briefed on and updated about homeland security issues in Philadelphia and throughout southeastern Pennsylvania.

A recent Politico survey of leading mayors around the country evaluated the city executives' perspective on the challenges they confront in addressing terrorism and violent extremism in their communities. The mayors have told us that they identified lack of overall funding as the biggest challenge facing their cities in the context of counterterrorism. And I have to say that for at least a decade, local law enforcement and the FBI have been badly underfunded. Let's ensure that these communities have what they need.

I will continue to urge the Departments of Homeland Security and Justice to communicate better with local and State authorities. I will also urge

the disbursement of Federal grant funding to support activities to counter violent extremism and to continue to train law enforcement in ways to help prevent and respond to complex terrorist attacks.

I am supporting and I hope others will support Senator CARPER's Community Partnerships Act of 2015, which is a piece of commonsense legislation that would bolster the Federal Government's support to local and State authorities. We owe it to our first responders, such as Officer Jesse Hartnett from Philadelphia, and we owe it to the communities they protect to give them the support and resources they need to help us confront and defeat violent extremism.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise this evening to talk about the Energy bill that is before the Chamber right now. I thank Senator MURKOWSKI and Senator CANTWELL for bringing us to this point.

This is called the Energy Policy and Modernization Act. It is my understanding that this is the first comprehensive Energy bill to come to the floor of the Senate in 7 or 8 years. It is something we ought to be focused on because it helps to create a better economy, and it helps to ensure that we do have a protected grid and that we can indeed improve our infrastructure around the country in terms of energy and improve the performance of Federal agencies.

The bill allows more exports of LNG—liquefied natural gas—which is important to our economy. By focusing on energy and taking commonsense steps to help in terms of making our economy more efficient, we will help to create more independence in this country and make America less dependent on foreign sources of energy as well. I commend them for that, and I am happy to support the broader legislation.

Tonight I would like to talk about title I of the bill. As those of you who have looked at the bill know, title I is about energy efficiency. I again thank Senators MURKOWSKI and CANTWELL for including the Portman-Shaheen Energy and Savings and Industrial Competitiveness Act in as title I of the legislation. This is energy efficiency legislation that has been to the floor a couple of times. We were not able to get it passed because of a disagreement over amendments, but it has come out of the committee with strong votes. In fact, the most recent vote was a few months ago when we reported the energy efficiency legislation out of our energy committee in the Senate by a vote of 20 to 2. That doesn't happen very often around this place. It is bipartisan because it makes sense.

Senator SHAHEEN and I have worked with Members on both sides of the aisle

and groups all around the country over the past 4 or 5 years to put this legislation together. It is part of what I think is the right philosophy which I see embodied in this overall legislation, which is that we ought to be producing more energy in this country, but we also ought to be using it more efficiently. Producing more and using less is a good combination. It creates jobs, creates the opportunity for us to be more competitive in global markets, it helps us to be less dependent on foreign oil, and it helps us to improve the environment.

This legislation we are looking at in title I is going to get across the finish line this year, I believe, because we do have strong support from not just Republicans and Democrats here in this Chamber but from people around the country who have helped us to put this together.

Those on this side of the aisle often talk about the need for an "all of the above" energy strategy. I like to talk about that. I think it is the right approach. I think we should be focusing on all of our energy resources. When you talk about "all of the above," though, one of the best sources of energy is the energy you don't use. It is the energy that is really economically viable, and that is energy efficiency. Sometimes we are pretty good at the produced part of the equation on my side of the aisle, but we need to focus more on the efficiency part.

This legislation also helps the environment, as I said. It is actually the equivalent of taking about 20 million cars off the road within 15 years. Think about that. Through energy efficiency, it is the equivalent of taking about 20 million cars off the road within 15 years.

By the way, it doesn't do it by over-regulating, it doesn't do it by killing jobs, and it doesn't do it by the heavy hand of government. It does it without any mandates. It does it by incentivizing less energy use, which will help to reduce emissions in a way that doesn't kill jobs. In fact, our legislation will create more jobs. We have a study of our legislation now showing that it will create 136,000 new jobs while saving consumers about \$13.7 billion a year in reduced energy costs within 15 years.

The bill is supported by 260 associations, businesses, advocacy groups, including the National Association of Manufacturers, the Sierra Club, the Alliance to Save Energy, and the U.S. Chamber of Commerce. It is supported by groups who don't normally get together to support legislation, but they are all together on this because they understand the importance of it. That is one of the reasons this passed the committee with big bipartisan numbers, and it is also why it actually works—because we got input from everybody. It makes good economic

sense, good energy sense, and good environmental sense.

In visiting with jobseekers around Ohio and going to businesses talking about this legislation, they are excited about it because it gives them the opportunity to have access to new energy efficiency technology that makes them more competitive. So it allows Ohio workers to be able to compete better with workers in places like Japan or Europe where there is more of a focus on energy efficiency, and it reduces the costs of production. This is why the manufacturing community in my home State of Ohio is really excited about it. They know this is going to help them to be competitive.

It also helps with regard to our Federal Government. The Federal Government ought to practice what it preaches. The Federal Government is the largest user of energy in the country—probably the largest user of energy in the world—and, by the way, one of the more inefficient users of energy. So our legislation specifically focuses on the Federal Government and talks about how we need to use less energy at our call centers and how we need to make sure Federal buildings are more energy efficient. Just by doing that alone, we are going to save taxpayers billions of dollars. That makes sense for taxpayers, and it also makes sense for reducing emissions, and it makes sense to have our Federal Government be more efficient.

The proposals contained in this bill are really commonsense reforms. There are no mandates on the private sector. They come as a result of direct conversations we have had with people at the local level and businesses to understand how we can actually help, without mandating, to create incentives.

Our legislation does focus on manufacturing, and it does focus on the government and the General Services Administration and buildings. It also focuses on buildings to ensure that buildings are more efficient, both residential and commercial buildings, which is where we are going to see a lot of our savings. Again, this is not only going to create more jobs but save consumers a lot of money.

It has been nearly 10 years since Congress passed legislation that focused on energy efficiency. A lot has changed and a lot needs to be updated. This legislation allows us to do that—to move forward in a smart way and in a bipartisan way to ensure that, yes, we are producing more energy, becoming less dependent on foreign sources and more independent here in this country, helping our economy but also doing so in a way that helps create a better environment for all of us.

This is a true, “all of the above” energy strategy.

Again, I applaud my colleagues for bringing forward the Energy Policy Modernization Act, and I thank them

for including the Shaheen-Portman legislation. I wish to thank my partner, JEANNE SHAHEEN from New Hampshire, for her hard work over the years on this legislation. It is time for us to get it done. It is time to provide this incentive and give this economy a shot in the arm to help ensure that we can take advantage of the energy resources in this country, use them more efficiently, and, by doing so, create more economic opportunity for everyone.

Thank you, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, we are at the end of the day after having turned to the Energy Policy Modernization Act. We have had some Members come to the floor to speak to the significance and the importance of finally, after almost 8 years now, updating and modernizing our energy infrastructure, our energy supply, our energy efficiency and accountability within the energy space.

I know that we are going to be continuing to work to address not only much of what is contained within the bill but also amendments from colleagues. We have solicited and have received a fair number of amendments today. The ranking member and I are processing these and looking, again, not only to set up a unanimous consent agreement here this evening, but I will take this opportunity to remind colleagues that if you have amendments that you wish to be brought up, please file them, and please come to the floor to speak to them. We will hopefully have a full opportunity tomorrow to do just that, but we do intend to work aggressively to get through this very important, very bipartisan measure.

AMENDMENTS NOS. 2968, 2963, 3017, 2982, 3021, AND 2965 EN BLOC TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, at this time I ask unanimous consent that the following amendments be called up en bloc and reported by number in the following order: amendment No. 2968, for Senator SHAHEEN; amendment No. 2963, for Senator MURKOWSKI; amendment No. 3017, for Senator BARRASSO; amendment No. 2982, for Senator MARKEY; amendment No. 3021, for Senator CRAPO; and amendment No. 2965, for Senator SCHATZ.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The bill clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for herself and others, proposes

amendments numbered 2968, 2963, 3017, 2982, 3021, and 2965 en bloc to amendment No. 2953.

The amendments are as follows:

AMENDMENT NO. 2968

(Purpose: To clarify the definition of the term “smart manufacturing”)

Beginning on page 132, strike line 22 and all that follows through page 133, line 4, and insert the following:

(5) SMART MANUFACTURING.—The term “smart manufacturing” means advanced technologies in information, automation, monitoring, computation, sensing, modeling, and networking that—

(A) digitally—

(i) simulate manufacturing production lines;

(ii) operate computer-controlled manufacturing equipment;

(iii) monitor and communicate production line status; and

(iv) manage and optimize energy productivity and cost throughout production;

(B) model, simulate, and optimize the energy efficiency of a factory building;

(C) monitor and optimize building energy performance;

(D) model, simulate, and optimize the design of energy efficient and sustainable products, including the use of digital prototyping and additive manufacturing to enhance product design;

(E) connect manufactured products in networks to monitor and optimize the performance of the networks, including automated network operations; and

(F) digitally connect the supply chain network.

AMENDMENT NO. 2963

(Purpose: To modify a provision relating to bulk-power system reliability impact statements)

Strike section 4301 and insert the following:

SEC. 4301. BULK-POWER SYSTEM RELIABILITY IMPACT STATEMENT.

Section 215 of the Federal Power Act (16 U.S.C. 824o) is amended by adding at the end the following:

“(1) RELIABILITY IMPACT STATEMENT.—

“(1) SOLICITATION BY COMMISSION.—Not later than 15 days after the date on which the head of a Federal agency proposes a major rule (as defined in section 804 of title 5, United States Code) that may significantly affect the reliable operation of the bulk-power system, the Commission shall solicit from the ERO, who shall coordinate with regional entities affected by the proposed rule, a reliability impact statement with respect to the proposed rule.

“(2) REQUIREMENTS.—A reliability impact statement under paragraph (1) shall include a detailed statement on—

“(A) the impact of the proposed rule on the reliable operation of the bulk-power system;

“(B) any adverse effects on the reliable operation of the bulk-power system if the proposed rule was implemented; and

“(C) alternatives to cure the identified adverse reliability impacts, including a no-action alternative.

“(3) SUBMISSION TO COMMISSION AND CONGRESS.—On completion of a reliability impact statement under paragraph (1), the ERO shall submit to the Commission and Congress the reliability impact statement.

“(4) TRANSMITTAL TO HEAD OF FEDERAL AGENCY.—On receipt of a reliability impact statement submitted to the Commission under paragraph (3), the Commission shall transmit to the head of the applicable Federal agency the reliability impact statement

prepared under this subsection for inclusion in the public record.

“(5) INCLUSION OF DETAILED RESPONSE IN FINAL RULE.—With respect to a final major rule subject to a reliability impact statement prepared under paragraph (1), the head of the Federal agency shall—

“(A) consider the reliability impact statement;

“(B) give due weight to the technical expertise of the ERO with respect to matters that are the subject of the reliability impact statement; and

“(C) include in the final rule a detailed response to the reliability impact statement that reasonably addresses the detailed statements required under paragraph (2).”.

AMENDMENT NO. 3017

(Purpose: To expand the authority for awarding technology prizes by the Secretary of Energy to include a financial award for separation of carbon dioxide from dilute sources)

At the end of subtitle G of title IV, add the following:

SEC. 46. CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) (as amended by section 4601) is amended by adding at the end the following:

“(h) CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.—

“(1) DEFINITIONS.—In this subsection:

“(A) BOARD.—The term ‘Board’ means the Carbon Dioxide Capture Technology Advisory Board established by paragraph (6).

“(B) DILUTE.—The term ‘dilute’ means a concentration of less than 1 percent by volume.

“(C) INTELLECTUAL PROPERTY.—The term ‘intellectual property’ means—

“(i) an invention that is patentable under title 35, United States Code; and

“(ii) any patent on an invention described in clause (i).

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy or designee, in consultation with the Board.

“(2) AUTHORITY.—Not later than 1 year after the date of enactment of this subsection, as part of the program carried out under this section, the Secretary shall establish and award competitive technology financial awards for carbon dioxide capture from media in which the concentration of carbon dioxide is dilute.

“(3) DUTIES.—In carrying out this subsection, the Secretary shall—

“(A) subject to paragraph (4), develop specific requirements for—

“(i) the competition process;

“(ii) minimum performance standards for qualifying projects; and

“(iii) monitoring and verification procedures for approved projects;

“(B) establish minimum levels for the capture of carbon dioxide from a dilute medium that are required to be achieved to qualify for a financial award described in subparagraph (C);

“(C) offer financial awards for—

“(i) a design for a promising capture technology;

“(ii) a successful bench-scale demonstration of a capture technology;

“(iii) a design for a technology described in clause (i) that will—

“(I) be operated on a demonstration scale; and

“(II) achieve significant reduction in the level of carbon dioxide; and

“(iv) an operational capture technology on a commercial scale that meets the minimum levels described in subparagraph (B); and

“(D) submit to Congress—

“(i) an annual report that describes the progress made by the Board and recipients of financial awards under this subsection in achieving the demonstration goals established under subparagraph (C); and

“(ii) not later than 1 year after the date of enactment of this subsection, a report that describes the levels of funding that are necessary to achieve the purposes of this subsection.

“(4) PUBLIC PARTICIPATION.—In carrying out paragraph (3)(A), the Board shall—

“(A) provide notice of and, for a period of at least 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in paragraph (3)(A); and

“(B) take into account public comments received in developing the final version of those requirements.

“(5) PEER REVIEW.—No financial awards may be provided under this subsection until the proposal for which the award is sought has been peer reviewed in accordance with such standards for peer review as are established by the Secretary.

“(6) CARBON DIOXIDE CAPTURE TECHNOLOGY ADVISORY BOARD.—

“(A) ESTABLISHMENT.—There is established an advisory board to be known as the ‘Carbon Dioxide Capture Technology Advisory Board’.

“(B) COMPOSITION.—The Board shall be composed of 9 members appointed by the President, who shall provide expertise in—

“(i) climate science;

“(ii) physics;

“(iii) chemistry;

“(iv) biology;

“(v) engineering;

“(vi) economics;

“(vii) business management; and

“(viii) such other disciplines as the Secretary determines to be necessary to achieve the purposes of this subsection.

“(C) TERM; VACANCIES.—

“(i) TERM.—A member of the Board shall serve for a term of 6 years.

“(ii) VACANCIES.—A vacancy on the Board—

“(I) shall not affect the powers of the Board; and

“(II) shall be filled in the same manner as the original appointment was made.

“(D) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

“(E) MEETINGS.—The Board shall meet at the call of the Chairperson.

“(F) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

“(G) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

“(H) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule for each day during which the member is engaged in the actual performance of the duties of the Board.

“(I) DUTIES.—The Board shall advise the Secretary on carrying out the duties of the Secretary under this subsection.

“(7) INTELLECTUAL PROPERTY.—

“(A) IN GENERAL.—As a condition of receiving a financial award under this subsection,

an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

“(B) RESERVATION OF LICENSE.—The United States—

“(i) may reserve a nonexclusive, non-transferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subparagraph (A); but

“(ii) shall not, in the exercise of a license reserved under clause (i), publicly disclose proprietary information relating to the license.

“(C) TRANSFER OF TITLE.—Title to any intellectual property described in subparagraph (A) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

“(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary.

“(9) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subsection shall terminate on December 31, 2026.”.

AMENDMENT NO. 2982

(Purpose: To require the Comptroller General of the United States to conduct a review and submit a report on energy production in the United States and the effects of crude oil exports)

At the appropriate place, insert the following:

SEC. . GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 2 years, the Comptroller General of the United States shall conduct a review of—

(1) energy production in the United States; and

(2) the effects, if any, of crude oil exports from the United States on consumers, independent refiners, and shipbuilding and ship repair yards.

(b) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (a), the Comptroller General of the United States shall submit to the Committees on Energy and Natural Resources, Banking, Housing, and Urban Affairs, Commerce, Science, and Transportation, and Foreign Relations of the Senate and the Committees on Natural Resources, Energy and Commerce, Financial Services, and Foreign Affairs of the House of Representatives a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to address any job loss in the shipbuilding and ship repair industry or adverse impacts on consumers and refiners that the Comptroller General of the United States attributes to unencumbered crude oil exports in the United States.

AMENDMENT NO. 3021

(Purpose: To enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science)

(The amendment is printed in today's RECORD under “Text of Amendments.”)

AMENDMENT NO. 2965

(Purpose: To modify the funding provided for the Advanced Research Projects Agency—Energy)

Strike section 4201(b)(5)(A)(iv) and insert the following:

(iv) by adding at the end the following:

“(F) \$325,000,000 for each of fiscal years 2016 through 2018; and

“(G) \$375,000,000 for each of fiscal years 2019 and 2020.”; and

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that at 12 noon tomorrow the Senate vote on the Crapo amendment No. 3021 and at 1:45 p.m. the Senate vote on the Schatz amendment No. 2965; that no second-degree amendments be in order to the Crapo or Schatz amendments prior to the votes; finally, that the time until 12 noon and following the disposition of the Crapo amendment until 1:45 p.m. be equally divided between the two managers or their designees.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Ms. CANTWELL. Mr. President, reserving the right to object, and I will not object, but I just want to point out to our colleagues that the chair has worked with us today to get a number of these pending amendments. I know she will probably express this, but it is our intent that hopefully we will have some votes on these other amendments either by voice or additional votes. So I hope colleagues who are interested in other amendments will come down. But I think this process gets us going on the voting and could be on some of these pending amendments as well.

So I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, Senators should be aware that we may add additional rollcall votes on amendments to both stacks of votes tomorrow, as the ranking member has said. It would certainly be our intent that we work to process as much as we can during the time that we have.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OFFICER DOUGLAS BARNEY

Mr. HATCH. Mr. President, today I wish to pay tribute to a beloved father, a loving husband, and a fallen hero: Officer Douglas Barney of the Unified Police Department. Officer Barney was killed in the line of duty last week when attempting to question a man at the scene of an accident. In the wake of

Doug's passing, the Barney family has experienced an outpouring of love and support from law enforcement officials not only in Utah, but across the Nation. As a testament to Doug's generosity and the many lives he touched, more than 10,000 people attended his funeral services on Monday. Today I join the many who mourn by honoring Officer Douglas Barney—a man of character, commitment, kindness, and courage.

Doug's dedication to law enforcement was matched by his zeal for life. As a teenager, he explored the outdoors, rode dirt bikes on the hills behind his home, and raced cars on Utah's old Bonneville Raceway. As a police officer, he loved the thrill of a high-speed chase and had a knack for defusing tense situations with a well-timed joke. An indomitable sense of humor endeared him not only to those he loved, but even to those he arrested.

On one particular occasion, he was tasked to handle a DUI situation involving a female arrestee whose behavior was growing increasingly erratic. Instead of reacting with force, Doug responded with humor by continuously joking with the arrestee. His off-the-cuff comedy replaced the woman's threats with smiles and her cries with laughter. Eventually, she calmed down enough to cooperate. As one of Doug's colleagues recalls, the two left “the best of friends.” Only Doug could have managed such a feat.

Doug's humor helped him cope with the rigors of a stressful career in law enforcement. It also helped him overcome serious illness. No stranger to adversity, Doug battled back from bladder cancer just a year before his death. Cancer could weaken his body, but it could do nothing to dampen his spirits. Throughout the ordeal, Doug maintained a cheerful disposition and refined his trademark sense of humor.

In addition to laughter, Doug drew strength from family. He befriended his wife, Erika, when they were growing up together in California. While Erika was studying at Brigham Young University, their relationship took a romantic turn, and Doug asked her to marry him. Erika was caught off guard by the proposal and was initially reluctant, but Doug persisted. Time and again, he asked Erika to be his wife. After several months, she finally accepted, and the two were married in 1996. Together, they had three beautiful children: Matilda, Meredith, and Jacob.

Shortly after their marriage, Doug told Erika that he dreamed of becoming a police officer. With her support, he began an 18-year career in law enforcement. Doug's fellow police officers will always remember him for his work ethic, gregariousness, and larger-than-life personality. Over many years of consistent, hard work, Doug won not only the love and friendship of his colleagues, but also their respect and admiration.

Like thousands across our Nation, I am deeply saddened by the passing of Officer Barney. I am immensely grateful for Doug's example and for the service of countless police officers like him. Each day, these selfless men and women risk their own well-being to ensure the safety of others. They are the most courageous of public servants, and I believe Doug was among the best of them. He was a man who lived and loved deeply. He made people laugh, he made them smile, and he helped them hope.

I pray that Doug's memory might continue to inspire and bless those he loved.

WILDFIRE FUNDING AND FOREST MANAGEMENT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to enter into a colloquy with the chairman of the Budget Committee, Senator ENZI of Wyoming, and the chairman of the Agriculture Committee, Senator ROBERTS of Kansas.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Last session, I came to the floor to speak about the significant wildfire provisions we included in the Omnibus appropriations bill, why Congress could not accept a flawed proposal supported by this administration and a handful of Senators, and to outline a path forward on this important issue in 2016.

As we begin consideration of the energy bill, I have come to the floor to add further definition to that path forward. As many of you know, wildfire budgeting and forest management overlap jurisdictionally with several other Committees so I want to thank my colleagues, Senators ENZI and ROBERTS, for joining me here.

In my view, the time has come to find real solutions to the challenges we face in each of these areas. This crisis has gone on for long enough. It has grown worse and worse. Our lands are burning. Communities are being devastated. And it is time for Congress to act.

I want to start first with wildfire budgeting. For some time now, Members of this Chamber have been talking past each other. Before we can come up with a solution, we have to at least agree on the problem we are trying to solve.

We have all been saying that we want to solve the problem of “fire borrowing”—the unsustainable practice of borrowing from non-fire government programs so that fire response activities can continue when wildfire suppression accounts are depleted.

One way to fix the problem of “fire borrowing” is to continue to fully fund the predictable costs of wildfire suppression, the 10-year rolling average, while allowing access to additional funds

through a limited cap adjustment when the agencies run out of suppression funds, for the emergency and unpredictable costs of wildfire suppression.

Another issue relating to wildfire budgeting is the percentage of the Forest Service's discretionary budget spent on wildfire. The Forest Service has said that it now spends nearly half of its discretionary budget on wildfire. Some of our colleagues and this administration have conflated the fire borrowing problem with this budgeting issue. They have sought to shift anticipated wildfire suppression costs off-budget to limit how much of the Forest Service's discretionary budget is spent on fire with the goal of "freeing up" dollars for other programs under the discretionary cap.

Cap adjustments and budgeting generally are within your committee's jurisdiction. I say to Senator ENZI. Have I properly characterized the wildfire budgeting issues we are wrestling with?

Mr. ENZI. I agree with Senator MURKOWSKI that fire borrowing has been mischaracterized and conflated with the Forest Service's overall concern about its discretionary budget. Although I recognize the fact that the Forest Service has serious management challenges, consensus doesn't exist in the Senate to adjust the caps so the Forest Service can spend more money on other programs within its discretionary budget.

That said, Congress must find a fiscally responsible solution to wildfire funding and fire borrowing. I welcome the opportunity to review the fire borrowing issue in my committee and how the unpredictable costs of wildfire suppression have forced Congress to appropriate emergency dollars in past years. We can find a solution to budgeting for wildfires. We cannot, however, only work on the budget issues without also making changes to the way we manage our forests. It is crucial to ensure taxpayer dollars are being used efficiently and effectively.

Just as there are many State, local, and Federal partners in the field when it comes to suppressing wildfires during the fire season, it is important that all the necessary committees in the Senate work together on this issue. I look forward to addressing these issues with Senator MURKOWSKI and Senator ROBERTS, with my committee members, and with other Western Senators interested in the outcome.

Mr. ROBERTS. Thank you to my colleagues, Senator ENZI and Senator MURKOWSKI, for their work on these important issues related to wildfire and forest management. I would like to echo their concerns and share with the rest of my colleagues that I agree with them entirely that this is a critical issue that needs to be addressed. Coming off the end of a catastrophic wildfire season with a record amount of acres burned, it is essential that the

Senate turn its attention to finding a wildfire solution in 2016—and through regular order.

As chairman of the Agriculture Committee, it is my first and foremost priority that the committee serve as the platform for America's farmers, ranchers, small businesses, rural communities—and forest land owners and forestry stakeholders, a constituency sometimes forgotten. As chairman of the Agriculture Committee, we intend to serve and represent all of agriculture, of which forestry plays an important role.

Last November, the Agriculture Committee held a hearing on the effects of wildfire and heard testimony from stakeholders on the budgetary impacts and threats to natural resources on Federal, State, and private forest lands. The message from that hearing was unanimous and clear: it is time for Congress to act and advocate for solutions that not only address funding fixes, but more importantly advocate for solutions that improve the management of our national forests.

H.R. 2647, the Resilient Federal Forests Act of 2015, which passed the House last summer, has been referred to the Senate Agriculture Committee. This legislation, while not perfect, includes provisions that attempt to address both the funding mechanism and incorporate meaningful forest management tools which are the paramount issues in the overall wildfire debate. I recognize the challenges that remain ahead with crafting such a legislative proposal that satisfies all interested parties involved in this larger debate. With that being said, I stand ready to work with my colleagues to find areas where common ground and consensus can be achieved to address the overall wildfire issues facing us today.

I look forward to working together with Senator MURKOWSKI, Senator ENZI, and others to provide the necessary tools to expedite the much needed work on not just Western forests, but also nationwide, encompassing Federal, State, and private forest lands.

Ms. MURKOWSKI. I thank Senator ROBERTS. I look forward to working with him as well. And he is right. The wildfire problem is not just a budgeting problem—it is also a management problem. Reforming the way we manage our forests is absolutely crucial. Healthy, resilient forests are fire-resistant forests; yet despite knowing the value of fuel reduction treatments in mitigating wildfire risks, increasing firefighter safety, and protecting and restoring the health of our forests, active management is still often met with a series of discouraging and near insurmountable obstacles.

High upfront costs, long planning horizons, and regulatory requirements—including what seem like unending en-

vironmental reviews—are impeding our ability to implement treatments at the pace and scale these wildfires are occurring. We must also work with our State agencies, local communities, and the public to increase community preparedness and install fuel breaks to break up fuel connectivity to keep fires small.

As you can see here, the chairmen of the committees with jurisdiction over the wildfire budgeting and forest management issues are ready to roll up our sleeves in 2016. We are going to work through regular order, in a transparent and collaborative manner, to come up with a legislative solution.

We look forward to the input of our colleagues, who also care deeply about these issues. My plan is to dedicate whatever time we have in February after this bill clears the floor—and the entire month of March—to producing this legislative product. I appreciate Members' willingness to work with us and believe we are on a good track to find real solutions to our wildfire challenges.

IMPROVING THE FEDERAL RESPONSE TO CHALLENGES IN MENTAL HEALTH CARE IN AMERICA

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks to the Senate Committee on Health, Education, Labor, and Pensions be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMPROVING THE FEDERAL RESPONSE TO CHALLENGES IN MENTAL HEALTH CARE IN AMERICA

Before we begin today's hearing, I want to briefly mention for the information of committee members one of the next items on the committee's agenda, and that's biomedical innovation. I was glad to announce yesterday our committee's plans to hold its first markup on Feb. 9 to consider the first set of bipartisan bills aimed at spurring biomedical innovation for American patients. Senators and staff on our committee have been working throughout 2015 to produce a number of bipartisan pieces of legislation that are ready for the full committee to consider.

The House has completed its work with its 21st Century Cures Act. The president announced his support for a precision medicine initiative and a cancer "moonshot." It is urgent that the Senate finish its work and turn into law these ideas that will help virtually every American.

The committee has also been working for months on legislation to help achieve interoperability of electronic health records for doctors, hospitals and their patients—and the committee will be releasing a bipartisan staff draft of that legislation later today for public comment.

This February markup will be the first of three committee meetings that we have planned to debate and amend bills as the committee moves forward on the bipartisan goal of modernizing the Food and Drug Administration and the National Institutes of

Health to get safe, cutting-edge drugs and devices to patients more quickly.

Last week, in his State of the Union address, the president reiterated his support for a Precision Medicine Initiative and announced the administration's cancer "moon-shot" initiative—and I look forward to working with the president and Vice President Biden.

In addition, this year the committee intends to be busy on oversight of the Every Student Succeeds Act. A law that's not implemented appropriately is not worth the paper it's printed on, and we will plan a series of hearings this year to make sure that it's implemented the way Congress wrote it and the president signed it.

And, of course, we've done a great deal of work on reauthorizing the Higher Education Act, which expired at the end of last year. We have a number of bipartisan proposals that will make it easier and simpler for students to attend college and for administrators to operate our 6,000 colleges and universities.

But, another priority of the committee is legislation dealing with the mental health crisis in America, which we are discussing today.

The committee has done a great deal of work on this subject. On September 30, 2015, this committee passed S. 1893, Mental Health Awareness and Improvement Act of 2015, introduced by Senator Murray and myself. This bill, cosponsored by many members of the committee, reauthorizes and improves programs administered by the Department of Health and Human Services related to awareness, prevention, and early identification of mental health conditions. The Senate passed this important piece of legislation on December 18, 2015. Senators Cassidy and Murphy have introduced legislation, and Sen. Murray and I have been working with them. We hope to move promptly to bring recommendations before the full committee.

Not everything the Senate may want to do is within the jurisdiction of this committee. We're working with Sen. Blunt, who is the chairman of the Senate's health appropriations subcommittee, on ideas that he's proposed—as well as with Sen. Cornyn on issues that the Judiciary Committee is considering and the Senate Finance Committee, which will also be involved.

Here is why there is such interest in the United States Senate in the mental health crisis in America today: A 2014 national survey from the Substance Abuse and Mental Health Services Administration found that about one in five adults had a mental health condition in the past year, and 9.8 million adults had serious mental illness, such as schizophrenia, bipolar disorder, or depression that interferes with a major life activity.

However, nearly 60 percent of adults with mental illness did not receive mental health services in 2014. Only about half of adolescents with a mental health condition received treatment for their mental health condition.

Mental health conditions that remain untreated can lead to dropping out of school, substance abuse, incarceration, unemployment, homelessness, and suicide. Suicide is the 10th leading cause of death in the United States, and 90 percent of those who die by suicide have an underlying mental illness.

I hear from many Tennesseans about the challenges faced by individuals and families living with mental illness. From 2010 to 2012, nearly 21 percent of adults in Tennessee reported having a mental illness—that's more than a million people—according to the Ten-

nessee Department of Mental Health and Substance Abuse Services. About 4 percent had a serious mental illness—that's nearly a quarter of a million Tennesseans.

According to a 2015 report from the Tennessee Suicide Prevention Network, the most recent data available shows Tennessee's rate of suicide reached its highest level in 5 years in 2013. Also in 2013, the Centers for Disease Control and Prevention reported that suicide was the second leading cause of death for Tennesseans between the ages of 15 and 34. Scott Ridgway, head of the Tennessee Suicide Prevention Network, last year stated that suicide "remains a major public health threat in the state of Tennessee."

At our October hearing on mental health, this committee heard from administration witnesses about what the federal government is already doing to address mental illness. Today, I look forward to hearing from the doctors, nurses, advocates and administrators who work every day with Americans who struggle with a mental health condition about how the federal government can help patients, health care providers, communities, and states to better address mental health issues.

One way is to ensure that the latest and most innovative research findings get translated into practice and can change the lives of individuals and families across the United States. For example, at our earlier hearing, the National Institute of Mental Health's then-director, Dr. Tom Insel, discussed the Recovery After an Initial Schizophrenia Episode, or RAISE study. The study found that identifying and treating psychosis early with a comprehensive, personalized treatment plan can significantly improve an individual's quality of life. Many states have begun implementing treatment programs based on this model—and it was called a "game changer" by the National Alliance on Mental Illness.

I am interested to hear from our witnesses how the federal government can support state efforts to implement innovative and evidence-based treatment programs—as well as their thoughts to help ensure that Washington is not getting in the way.

Strengthening our mental health care system will require modernizing the leading agency for mental health. It will also require involvement from patients, families, communities, health care providers, health departments, law enforcement, state partners, and others.

I look forward to hearing from our witnesses here today about the challenges we face and the solutions they believe are needed to address them head on.

200TH ANNIVERSARY OF WELD, MAINE

Ms. COLLINS. Mr. President, today I wish to commemorate the 200th anniversary of the Town of Weld, ME. Known today as a gateway to the rugged and beautiful Western Maine Mountains, Weld was built with a spirit of determination and resiliency that still guides the community today.

Weld's incorporation on February 8, 1816, was but one milestone on a long journey of progress. For thousands of years, Maine's Western Mountains were the hunting grounds of the Abenaki Tribe. The reverence the Abenaki had for the natural beauty and resources of

the region is upheld by the people of Weld today.

The early settlers at what was called Webb's Pond Plantation were drawn by fertile soil, vast forests, and fast-moving waters, which they turned into productive farms and busy mills. The wealth produced by the land and by hard work and determination was invested in schools and churches to create a true community.

Weld is a town of patriots. Its namesake, Benjamin Weld, was a hero of the American Revolution. Ninety-three townsmen answered freedom's call during the Civil War; more than 20 gave their lives preserving our great Nation. The veterans memorials at the town library stand in silent tribute to those who have defended America throughout our history.

Weld also is a town of involved citizens. The active historical society, volunteer fire department, and library are evidence of a strong community spirit. The planning and volunteerism that have gone into this yearlong bicentennial celebration are evidence that Weld's spirit grows only stronger.

This 200th anniversary is not just about something that is measured in calendar years; it is about human accomplishment and an occasion to celebrate the people who for more than two centuries have worked together and cared for one another. Thanks to those who came before, Weld has a wonderful history. Thanks to those who are there today, it has a bright future.

TRIBUTE TO DR. ALEXIS RUDD

Mr. THUNE. Mr. President, today I wish to recognize Dr. Alexis Rudd, a Knauss Sea Grant Fellow on the U.S. Senate Committee on Commerce, Science, and Transportation, for all of the hard work she has done for me, my staff, and other members of the committee over the past year.

Dr. Rudd received her Ph.D. in zoology from the University of Hawaii. In her postgraduate work, she has used her scientific expertise to inform public policy.

I would like to extend my sincere thanks and appreciation to Dr. Rudd for all of the fine work she has done. I wish her continued success in the years to come.

TRIBUTE TO RICHARD D. SPIEGELMAN

Mr. CASEY. Mr. President, today I wish to honor Richard D. Spiegelman. In a world of shifting alliances and temporary commitments, you occasionally come to know someone who epitomizes constancy, loyalty and devotion to the public good. And if you are very lucky, you get to work with him or her. I have had the good fortune of working with such a person, my former legislative director and counsel,

Dick Spiegelman. For 8 years, Dick brought to my Senate office a piercing intellect, an intense work ethic, an unfailing good nature, and a vast collection of colorful bowties.

I first came to know Dick when he worked for my father, Governor Casey, as Pennsylvania's general counsel, the highest ranking attorney in a Governor's administration. He had sterling academic credentials: an undergraduate degree from Williams College, as well as a master's degree and a law degree from the University of Pennsylvania. More importantly, he brought a wealth of experience in both the private and public sectors to the job. Following 8 years of service in Governor Casey's administration, Dick returned to private practice as a partner in the Dilworth Paxson law firm, representing a blue-chip clientele of major telecommunications companies. After I was elected Pennsylvania auditor general in 1996, my transition leaders broached the idea of luring Dick back into State government. The advice I got from everyone I asked was, "Get Spiegelman; he knows everything." Dick did join my team and served as my chief of staff and chief counsel for 8 years. Then, when I was elected State Treasurer, he served as my chief of staff.

Dick came to the U.S. Senate with me in 2007 as my legislative director and counsel. His intellect and encyclopedic knowledge soon led the younger members of my staff to begin referring to him as "Spiegeltron." During his 8 years as LD, Dick played a significant role in the big issues of our day, including the Affordable Care Act, TARP, Wall Street reform, and the American Recovery Act, as well as my legislative initiatives like the ABLE Act and pregnant women's support programs.

People from other Senate offices, the executive branch, and the lobbying world always remarked that Dick was unfailingly courteous, but always knew the substance of the matter at hand. No one could put one over on him. He supervised and mentored dozens of legislative staff members who worked under him and later moved on to key positions in government or the private sector. He was also known in the Senate for his sartorial splendor; few others could pull off a seersucker suit and a fedora.

A year ago, Dick decided to take a well-deserved retirement. Although no one believed that he would stay retired, he has confounded all of us by doing so—at least up to now. Dick's garden has expanded; he and his wife, Kathy, have dialed up their ballroom dancing skills to "Dancing with the Stars" levels; he sees his children, Alex and Margaret, more often; and he continues to offer wise counsel to those who seek it.

Dick Spiegelman represents the best in our American tradition of public

service. The work that he did over the course of a 40-year career will live on, often permanently, in the form of well-crafted legislation; more honest and more efficient government; and the many, many young men and women who worked with him and who will follow his example throughout their own careers.

I thank Dick Spiegelman for all he has done for me, for the Commonwealth of Pennsylvania, and for the United States of America.

ADDITIONAL STATEMENTS

REMEMBERING LIEUTENANT COLONEL KENNETH R. JOHNSON

• Ms. KLOBUCHAR. Mr. President, today I wish to celebrate the life and honor the service of Vietnam veteran Lt. Col. Kenneth R. Johnson. Lieutenant Colonel Johnson passed away on August 29, 2015, and was laid to rest January 14, 2016, at Arlington National Cemetery. Born and raised in Minneapolis, Lieutenant Colonel Johnson enjoyed playing music with his garage band, the Commodores, and studying airplanes. Upon graduating from Roosevelt High School in 1955, Johnson enlisted in the Minnesota Air National Guard, where he served for 2 years before entering the U.S. Air Force Academy to become an officer.

After he received his commission as a second lieutenant, Johnson went on to earn his wings and begin his career flying the F-100 Super Sabre, one of the planes that he would fly during the Vietnam war. It was in this plane that Johnson earned the Silver Star, defending the Tong Le Chan Special Forces camp, heroically making nine passes at low altitude against intense hostile fire in support of our troops. Later in the war, after being forced to eject over North Vietnam, Johnson would spend nearly 15 months as a POW in Hanoi. Despite this trying time, Johnson's resolve and the love he had for his country remained intact, and he continued to serve for many years after his release in 1973.

Our country will always need brave men like Lt. Col. Kenneth R. Johnson. He embodied our Nation's most cherished values and served as an example to us all. Today my thoughts and prayers are with his family, including his brother Phil; his two sons, Bradley and David; and his sister, Delores. May we always remember and cherish his memory. •

REMEMBERING DR. CARTER G. WOODSON

• Mr. MANCHIN. Mr. President, today I wish to honor Dr. Carter G. Woodson, a distinguished African-American civil rights activist, author, editor, publisher, and historian who left a remark-

able legacy across the Nation and in my home State of West Virginia.

Dr. Woodson was born in New Canton, Buckingham County, VA, in 1875 to former slaves Anne Eliza and James Henry Woodson. Taking care of the family farm often took priority over his education; nevertheless, his thirst for knowledge drove him forward during the course of his life. He was a very bright student when he was able to attend school. Despite being taught theories of African-American inferiority of that time period, his well-grounded beliefs, credited to his father, kept his spirits high and only added fuel to the influence he would one day share with the world.

James and Anne Eliza first moved into the region on the Ohio River that became Huntington, WV, in 1870. There, James Woodson worked with many other former slaves to complete the Chesapeake and Ohio railroad. Dr. Woodson and his older brother Robert Henry Woodson then delayed their move and took jobs working in the West Virginia coalfields of Fayette County. Here, Dr. Woodson, who had not yet attended high school, often read to his fellow coal miners who were illiterate, as he had been doing for his illiterate father. The collection of books and newspapers he accumulated for this task broadened his horizons about the world.

Ambitious for more education, the largely self-taught Dr. Woodson enrolled in 1895 at Douglas High School and received a diploma in less than 2 years. He began his teaching career in 1897 in Fayette County and would later return to Huntington to become the principal of Douglas High School. In the years to come, he continued to travel across the United States and throughout Europe and Asia. He received degrees in history from the University of Chicago and Harvard University. He became the second African American to earn a Ph.D. at Harvard.

Countless individuals inspired this great man. Whether citing a speech from Booker T. Washington or a friendship with a fellow coal miner, it is clear that Dr. Woodson saw education as the great equalizer. He could see beyond what he considered "miseducation" as a way to continually improve both the education of others and of himself—and ultimately generations of students of all races. He had fierce opinions and was unafraid to challenge what was then considered as "known" information.

Dr. Woodson continued to travel in later years, lecturing to various African-American organizations and institutions. In 1921, he created the Associated Publishers, which was dedicated to issuing books by African-American authors. In 1926, he orchestrated Negro History Week, held in connection with the birthdays of Abraham Lincoln and Frederick Douglass and later extended

to African-American History Month. Libraries and schools have been named in honor of this brilliant man—a testament to his commitment of embracing our knowledge of the history that shaped this great Nation. Particularly now, as we celebrate African-American History Month, it is fitting that we should honor such a man as Dr. Woodson. He has inspired countless leaders to fearlessly challenge what they believe is unjust and to inspire others to do the same. His legacy is one of constantly striving to better oneself and truly sets the standard for all leaders who have followed and will continue to follow in his footsteps.●

TRIBUTE TO ANN MARION FURUKAWA DONDERO

● Mr. MERKLEY. Mr. President, just about every successful person can point to a teacher or other adult who inspired and encouraged them as a child, a person who spurred curiosity and love of learning. Today I wish to recognize the hard work and dedication of one of my constituents who played that role for countless Oregonians Ann Marion Furukawa Dondero from Forest Grove.

Ann was raised in Sunnyside, WA, and graduated from Whitman College in 1966 with a psychology degree and a teacher's certificate. She taught first grade for 3 years in St. Paul, MN, while her husband, Russ, completed graduate school and later taught second and fourth grade in Boiling Springs, PA, when Russ started his political science teaching career.

When Ann and Russ moved their young family to Forest Grove, Ann continued her education and enrolled in night classes at Pacific University where Russ had started teaching. In addition to raising their two sons, Tony and Jason, Ann also began volunteering in Forest Grove's library across the street from her classes.

Eventually, Ann's enthusiasm to share her love of reading turned into a career spanning five decades. The library became Ann's classroom where she worked with parents and caregivers to help children become active readers.

In 1975, Ann and her former colleague Barbara Dunnette organized BEAR month—Be Enthusiastic About Reading—at the Forest Grove Library, and the tradition has continued ever since. January 2016 will be the 37th annual BEAR month at Forest Grove.

Ann's dedication and love of learning is an inspiration to our State and our Nation, and I have no doubt there are kids today who are better off because of Ann's selfless devotion. I thank Ann for her many years of hard work and for the great things she has done to promote reading and literacy in the Forest Grove community.●

TRIBUTE TO ANNE WOIWODE

● Mr. PETERS. Mr. President, today I wish to recognize Anne Woiwode of Okemos, MI, as she ends 35 years of service with the Sierra Club's Michigan chapter. Through her leadership, the organization's work has been critical in preserving numerous wilderness areas, tracking and curtailing pollution, and leading the fight for clean energy in the beautiful State of Michigan. I am honored to acknowledge Ms. Woiwode's career-long commitment to safeguarding the flourishing habitats and environmental wonders Michigan has to offer.

Ms. Woiwode began her involvement with the Sierra Club as a young mother after moving to Michigan with her husband, Tom, in 1980. Her impact was felt immediately, and the environmental community grew quickly. In 1983, Anne became the chapter chair, and in 1985 she became its first executive director. Knowing the power of collaboration in changing policy, she helped form the Michigan Environmental Council, MEC, in 1980, serving in many leadership roles over the years. Thanks to her direction, the MEC is a fully independent organization with over 70 member groups, and it continues to provide policy expertise to the environmental community.

Breathtaking wildernesses like the Nordhouse Dunes and Sturgeon River Gorge exist due in part to Ms. Woiwode's dedication. She was instrumental in the establishment of 90,000 acres of protected wilderness under the Michigan Wilderness Heritage Act of 1987. Today countless species of plants and animals flourish in these protected ecosystems.

In addition to working to preserve Michigan's diverse ecosystems, Ms. Woiwode also dedicated over a decade of work to reducing pollution from concentrated animal feeding operations, CAFOs, or animal factories. Ms. Woiwode came to listen when rural residents and small family farms reached out for help, even though they were too intimidated by their CAFO neighbors to provide names. Countless stories and evidence of animal waste carried into Michigan's waterways, toxic fumes from millions of gallons of raw sewage spread on massive farm fields, and sickness were responded to in attempts to reduce CAFO pollution. While it's still a problem in Michigan, thanks to Ms. Woiwode, the Sierra Club's Michigan chapter is recognized as the national expert in tracking CAFO pollution.

While her commitment to protecting Michigan's ecosystems and tracking pollution are worth acknowledging alone, Ms. Woiwode's leadership in turning Michigan toward a clean energy future is perhaps the most important step in preserving Michigan's environment. Through the Clean Energy NOW Coalition, she organized environ-

mental and citizens groups to protest the construction of eight proposed coal power plants in Michigan without additional review by the Governor. The coalition's emphasis on citizen pressure and legal avenues led to a Governor's executive directive requiring further review of the proposed plants and eventually a complete stop in construction.

I am honored to ask my colleagues to join me today in recognizing Ms. Anne Woiwode's service to the Sierra Club's Michigan Chapter. While her passion and leadership will be dearly missed, I know she has inspired future generations to continue fighting for the natural wonders and beautiful, vibrant ecosystems of Michigan.●

VERMONT ESSAY FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD copies of some of the finalist essays written by Vermont High School students as part of the sixth annual "What is the State of the Union" essay contest conducted by my office. These finalists were selected from nearly 800 entries.

The material follows:

FARYAL AFSAR, MOUNT MANSFIELD UNION HIGH SCHOOL (FINALIST)

"Whoever kills an innocent person it is as if he has killed all humanity"—Quran 5:32.

Being a Muslim girl in the world, I hear many bad things about my religion or my country. Sometimes when people come to know that I'm a Muslim girl they may think that I'm a terrorist, yet I wonder how only 0.03% extremists can represent 1.6 billion people of the world. As a child, I grew up in a loving Muslim family. My parents didn't even permit us to kill a spider or an ant. I was never told to spread violence in the world. I was never taught in my school or house to be an extremist. In my reading of our holy book, I only found words of wisdom and peace so then why are the extremists labeled as Muslims? How can we say they belong to a certain religious group if they kill innocent people?

As an exchange student from Pakistan coming to Vermont, I was first afraid of coming to a country that may see me as a terrorist since I am a Muslim. I thought I may be bullied or someone would call me a terrorist in school but the love I have received from people here is what I had never imagined. But still when I hear negative news about Muslims or my country on TV or the internet, it hurts me. I want to help people understand Islam and my country. A month ago after the ISIS attacks in Paris, this topic was raised again and political leaders started saying that Muslims shouldn't be allowed to enter the U.S. I ask, is this really the solution to the terrorist problem? How is it that I have been welcomed so warmly through this exchange program and yet there are those who generalize and state that Muslims are not welcome here?

Each year hundreds of exchange students from the Muslim world come to the U.S. and the students and their host families form a special bond. These relationships form strong connections and the memories live forever. Our country's leaders should look at what we are doing; young people can play

just as an important role as our current leaders. We are not spreading any violence; we are trying to know each other. We are humans and we care about each other. It's not because we're from the same background or religion. What matters the most is how strongly we are bonded to each other.

The problem of terrorism is not a problem for one country but for the whole world, and the solution to it is not blaming each other and closing boundaries but rather knowing and helping each other. I believe that if people open themselves to new experiences and start knowing each other, the world would be a good place.

MEGAN BROMLEY, MILTON SENIOR HIGH SCHOOL
(FINALIST)

My fellow Americans, sometimes overlooked are the basic human rights and needs of the people. While this may entail many topics, I would like to focus on a major issue that has slid under the radar for far too long. The epidemic of rape and sexual assault runs rampant through our country and not much has been done to change this continuing tragedy. Steps may be taken. The first step must address the unprocessed rape kits. Throughout our country there are over 20,000 unprocessed rape kits. Add to this the estimate that 68% of rapes or sexual assaults that occur go unreported. Imagine how large the number of unanalyzed kits there would then be if even 50% more were to be reported. This is a challenging issue and it cannot be solved overnight, however there are steps to take in the right direction aside from moral and ethical obligations.

One solution that could be enforced is a quota, by this I imply that every city must meet a certain number of kits processed in order to get the number of prosecutors facing jail time or other capital punishment inclining. Too many cases go without investigation even after the kit has been used and the victim has been tested, this crime is not fading away and must be faced head on not shied away from due to technical complications that can be entirely avoided. The federal government should follow through with a funded mandate to state and city law enforcement to help them process the kits and create additional lab facilities.

Now, as I have just said the number of people who have committed a sexual assault crime in prison would increase due to the processing of more rape kits, this leads into my next point of discussion—incarceration rates and funding for prisons. 12.7% of inmates are made up of those who are serving time for drug violations and marijuana expenses. We are pouring millions of dollars into our state and federal prison systems and too much of that is going towards people for up to twenty years for marijuana possession. However I propose to use the funding instead to evaluate something such as unprocessed rape kits and begin to treat minor drug use in a proactive manner. Marijuana possession should be removed as a state and federal crime and result in no jail time. Instead, as a nation we should implement counseling after a three strike policy or enter the convicted into a rehabilitation program if the drug use worsens. Many other countries decriminalized the use and/or possession of marijuana and they have some of the lowest rates regarding drug use and misdemeanor crimes. Just by reducing incarceration of people convicted of misdemeanor drug crimes, there would be an inclination of money to put forth on other issues at hand, not just processing rape kits. Taking one step at a time towards the issues that are more manageable such as the two I have just

discussed is how America can move forward, it doesn't need to be a leap of faith and a tackle at a major issue, one objective at a time culminates for a strong, prosperous country.

MIKAYLA CLARKE, BELLOWS FALLS UNION HIGH
SCHOOL (FINALIST)

There are many different issues that the U.S. is facing right now, but one of the most beneficial actions the U.S. could do right now is to legalize marijuana. By legalizing marijuana for recreational and medical uses the country would benefit in many different ways. The crime rate would dramatically decrease, the use of prescription drugs would decrease and the economy would greatly improve.

The economy is not in a great place in the U.S., as we are \$18.7 trillion in debt, and counting. In 2014 the Washington Post wrote that Colorado made \$700 million off of medical and recreational marijuana in the first year it was legal. By legalizing marijuana, many more job opportunities would open and a whole new industry is created. The amount that the whole country would make would be in the billions.

The use of prescription drugs such as painkillers and sleeping pills is greatly increasing. Those pills become addictive and many people use them to get high because they're legal and easy to obtain. Children are given those pills, and they may become addicted at a young age. While there is the ability to overdose on those pills, marijuana is almost impossible to overdose on and brings better relief than prescription drugs. Overdose deaths from prescription pills were significantly reduced in the 23 states that allow medical marijuana. By legalizing marijuana the dispensaries get different strains of marijuana to help people sleep or deal with pain. If it's being used in the medical form the THC can be extracted and the CBD's can be used for the pain. There are many different ways to consume marijuana, such as oils, creams, foods, and smokable. In the U.S. there are over one million people using medical marijuana, yet, it's still not legal in all states.

People all over the country are getting in legal trouble for using and possessing marijuana. Young people are getting criminal records for a non-violent civil offense, and as a result will potentially be not allowed to gain federal student loans or jobs. With our limited police and jail resources, there are more important and harmful substances to focus on. In April of 2014 MSNBC wrote an article, Study: Marijuana Legalization Doesn't Increase Crime, "Even after Colorado legalized the sale of small amounts of marijuana for recreational use on Jan. 1 of this year, violent and property crime rates in the city are actually falling." Since the government is regulating the marijuana, it will be safer. There won't be strands that are laced with other harmful drugs, such as heroin or cocaine. By legalizing marijuana, less people will get arrested for the use and possession.

As a country we should legalize marijuana. First we should start with medical, because medical patients are more important. Then as a country it should be decriminalized. Then, we should legalize recreational. By legalizing marijuana not only will marijuana users benefit, even non-users will benefit.

MADDIE COLLINS, CHAMPLAIN VALLEY UNION
HIGH SCHOOL (FINALIST)

The 2008 financial crisis should have paved the way for a new era of banking, for real reform and regulation, for much needed

change. The 2008 financial crisis should have forged the path for breaking up the nation's largest banks, but instead the crisis has taken a back seat to other, more heavily broadcasted issues. This back seat position has allowed the same Wall Street bankers who are to blame for the greatest recession since the Great Depression, to yet again be gambling with taxpayer money. In my opinion, it is of utmost importance to regulate our financial institutions in order to hinder their increasing ability to damage the global economy. We must understand that our country and the world as a whole would be devastated if another large bank were to go bankrupt.

In our country there are four banks that hold assets of more than \$1 trillion dollars. The largest, JP Morgan Chase and Company, holds \$1.8 trillion dollars in total assets, the equivalent of 14% of all total assets held by U.S. commercial banks. Comparatively, in 2001, the top asset holder was Bank of America with \$552 billion dollars. This increase is substantial, and will only continue to rise.

The problem with these large banks is that if they were to go unexpectedly bankrupt it would cause rippling effects on the economy, similar to what the world witnessed in 2008 with the bankruptcy of the Lehman Brothers. To give this some perspective, the Lehman Brothers' total assets were \$600 billion dollars, only one third of JP Morgan Chase and Company's current assets. These banks pose a real threat to the security of our financial system. As described by William C. Dudley, the president of the Federal Reserve Bank of New York, there are two big problems with these "too big to fail" banks. First, to combat the threat that they pose, the government intervenes and gives large banks a funding advantage over smaller banks, thus creating an unfair playing field. Secondly, this funding advantage creates incentives for financial firms to become larger and more complex. As the banking system becomes more and more complex, the risks dramatically increase, only furthering the problem.

In a time where our government officials are advocating for the creation of more jobs and placing greater value on small businesses, we need to be more aware of what is best for this type of business. We need smaller, community banks to serve small businesses for they do a better job of fulfilling their credit needs. Unlike with large institutions, community banks allow businesses to receive loans based on their reputation and reliability within the community that they serve, rather than basing it solely on their credit scores.

With a clear perspective and a shift in focus, it is certainly achievable to break up our nation's largest banks and ensure that greed and selfishness are no longer the ruling forces that drive our financial institutions.

OLIVIER ENWA, WINOOSKI HIGH SCHOOL
(FINALIST)

The country that you and I live in is fantastic and I am really proud of the things we are doing. I would like to address two problems, which are racism and prejudice. Specifically, there are people who are being judged by their skin color or their religion in the United States.

More people of color are being sent to jail than white people. More people of color are also being killed by the police and executed by the judicial system. Bryan Stevenson, a social justice activist, said "I think that every human being falters sometime; no one is perfect. Our mistakes require the mercy and understanding of others, which we can't

legitimately expect unless we offer the same to others". Innocent people are being killed for nothing. "Why do we want to kill all the broken people?"

The U.S. Constitution and the Bill of Rights protect people's rights, and we have the right to worship any religion. The First Amendment says that everyone in the United States has the right to worship any god or no religion at all. Over the years many Americans have forgotten the First Amendment when they think about Muslims. Innocent Muslims are blamed for things they didn't do, such as the attack in New York on September 11, 2001.

One cause of hatred against Muslims is the growth of ISIS, which uses Islam as an excuse to kill people and destroy land. Many Americans think that all Muslims are the same as ISIS, which is not true. I have friends who are Muslims and I definitely don't think they are terrorists. Innocent Muslims are being accused of terrorism and they are sent back to their countries. According to CNN, presidential candidate Donald Trump said that, "the United States should come to a complete shutdown of Muslims entering the United States." I think that innocent Muslims should be left alone.

Prejudice still exists in this amazing country because I've experienced it. One day I went to the store near my house with my friends. When we got there the cashier told us to put our backpacks down. As we were getting the stuff we wanted to buy, the manager came up to us and told us to "get out of my store" even though we hadn't done anything wrong. I was hurt that he had judged me by my appearance.

Better education in poor parts of the country and the education of police officers will help improve racism in the U.S. The United States should improve education for poor people. Most of the people being killed and put in jail are undereducated people of color. Speaking as a black man from Mozambique, I believe that if education is improved in poorer parts of the country our country will be a better place. Education is the key to everything.●

RECOGNIZING THE CLEMSON TIGERS FOOTBALL TEAM

● Mr. SCOTT. Mr. President, this month Clemson University played in the national championship game against the University of Alabama. Although they did not bring the championship title back home to South Carolina this year, I would like to congratulate them on an outstanding season. They are certainly champions in my eyes and in the eyes of South Carolina.

The Clemson Tigers football team ended their season with a 14-1 record, a reputation for one of the best offenses in college football, and an ACC championship. Coach Dabo Swinney has led this special group of young men to the top of the mountain, and all signs point to them staying at the top for years to come.

Therefore, I recognize and congratulate the entire Clemson Tigers football team for all the hard work they put into a successful season. I look forward to another great season from the team this year. Go Tigers.●

REMEMBERING RALPH EUGENE NIX

● Mr. SULLIVAN. Mr. President, today I wish to remember Ralph Eugene Nix, a beloved father and grandfather, a kind-hearted veteran, and a great Alaskan.

Mr. Nix served as a corporal in the Marine Corps during the Korean war, where he served as a gunner. The Korean war is often forgotten in our Nation's history. Because it was sandwiched between World War II and the Vietnam war, many in our country don't know much about the sacrifices made by so many—including Mr. Nix—during the war.

When I joined the Marine Corps, from officer candidate school on, I studied the war with great interest. Some call it the Forgotten War. I call it the Noble War. Tens of thousands of lives were lost, and the sacrifices were many in their effort to save the cause of freedom.

As the Korean War Memorial says, "Our nation honors her sons and daughters who answered the call to defend a country they never knew and a people they never met." Mr. Nix was one of those sons.

He answered that call as a young man and continued his patriotism by serving his country after the war. In 1976, he moved to Anchorage. He married and had children. He became active in his church and devoted much of his life to helping other veterans. As a member of the board of directors for the Alaska veteran support group, he worked to help veterans and their families with warm meals, clothing, household goods, and food.

His devotion to his country was recognized by his participation in an honor flight to Washington, DC, in April of 2015—an experience that I know meant very much to him.

For me, greeting his honor flight in DC was one of the highlights of my career, as was the trip that we made to the Veterans Administration together in Anchorage.

Last year, after Mr. Nix received a medal from Korean officials for his efforts during the war, Mr. Nix wrote, "To serve with you men and women is one of life's greater blessings. In some way—in some capacity we all are giving our lives for our fellow man."

Mr. Nix lived up to that statement. He also embodied another statement etched into the marble of the Korean War Memorial: "Freedom is not free." The defense of freedom comes with sacrifice. Ralph Nix knew this. Ralph Nix acted on this. Ralph Nix protected the freedom of America and our allies. His service to our country will not be forgotten.

I express condolences to his wife, Carol Nix; his son, Johnny Nix, and wife, Dawn; his grandson, Jacob Moser; his daughter, Jamie Nix, and husband, Aron Aguilar.●

We lost a great American, an Alaskan treasure, and a marine. Semper fidelis, Ralph.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4207. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propanoic acid, 2-methyl-, monoester with 2,2,4-trimethyl-1,3-pentanediol; Exemption from the Requirement of a Tolerance" (FRL No. 9941-17) received during adjournment of the Senate in the Office of the President of the Senate on January 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4208. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Exportation of Live Animals, Hatching Eggs, and Animal Germplasm From the United States" ((RIN0579-AE00) (Docket No. APHIS-2012-0049)) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4209. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Margin and Capital Requirements for Covered Swap Entities" (RIN3064-AE21) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4210. A communication from the President of the United States of America, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC-4211. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to Common Provisions and Regulation Number 3; Correction" (FRL No. 9941-

46-Region 8) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Environment and Public Works.

EC-4212. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; Rules, Public Notice and Comment Process, and Re-numbering; Utah" (FRL No. 9932-59-Region 8) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Environment and Public Works.

EC-4213. A communication from the Deputy Undersecretary for International Affairs, Department of Labor, transmitting, pursuant to law, a report entitled "Progress in Implementing Chapter 16 (Labor) and Capacity-Building under the Dominican Republic-Central America-United States Free Trade Agreement"; to the Committee on Finance.

EC-4214. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-259, "Access to Emergency Epinephrine in Schools Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4215. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-260, "Nuisance Abatement Notice Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4216. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-261, "Vending Regulations Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4217. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-262, "Workforce Job Development Grant-Making Reauthorization Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4218. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-263, "Film DC Economic Incentive Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4219. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-264, "Extreme Temperature Safety Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4220. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-265, "Body-Worn Camera Program Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4221. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-266, "Omnibus Alcoholic Beverage Regulation Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4222. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-267, "Encouraging Foster

Children to Have Connections with Siblings Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4223. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-268, "Employees' Compensation Fund Clarification Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4224. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-269, "Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4225. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-270, "Classroom Animal for Educational Purposes Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4226. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-271, "Business Improvement Districts Charter Renewal Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-4227. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-272, "Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Temporary Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND:

S. 2465. A bill to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 2466. A bill to amend the Safe Water Drinking Act to authorize the Administrator of the Environmental Protection Agency to notify the public if a State agency and public water system are not taking action to address a public health risk associated with drinking water requirements; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE:

S. 2467. A bill to reduce health care-associated infections and improve antibiotic stewardship through enhanced data collection and reporting, the implementation of State-based quality improvement efforts, and improvements in provider education in patient safety, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Ms. CANTWELL):

S. 2468. A bill to require the Secretary of the Interior to carry out a 5-year demonstra-

tion program to provide grants to eligible Indian tribes for the construction of tribal schools, and for other purposes; to the Committee on Indian Affairs.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. MARKEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KAINE, Mrs. MURRAY, Mr. WYDEN, and Mrs. GILLIBRAND):

S. 2469. A bill to repeal the Protection of Lawful Commerce in Arms Act; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 579

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 1062

At the request of Ms. HIRONO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1062, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1286

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1286, a bill to amend title 38, United States Code, to reduce the backlog of appeals of decisions of the Secretary of Veterans Affairs by facilitating pro bono legal assistance for veterans before the United States Court of Veterans Appeals and the Board of Veterans' Appeals, to provide the Secretary with authority to address unreasonably delayed claims, and for other purposes.

S. 1774

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1774, a bill to amend title 11 of the United States Code to treat Puerto Rico as a State for purposes of chapter 9 of such title relating to the adjustment of debts of municipalities.

S. 1890

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to

provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2185

At the request of Ms. HEITKAMP, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2295

At the request of Mr. COTTON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2295, a bill to extend the termination date for the authority to collect certain records and make permanent the authority for roving surveillance and to treat individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978, and for other purposes.

S. 2334

At the request of Mr. CASSIDY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2334, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes.

S. 2344

At the request of Mr. COTTON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2369

At the request of Mr. CARPER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2369, a bill to amend the Homeland Security Act of 2002 to establish an Office for Community Partnerships.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to

provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2418

At the request of Mr. BOOKER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2418, a bill to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists.

S. 2423

At the request of Mrs. SHAHEEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2457

At the request of Mr. WARNER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2457, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 2461

At the request of Mr. CRAPO, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2461, a bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes.

S. 2464

At the request of Mr. PAUL, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from South Dakota (Mr. THUNE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2464, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S.J. RES. 29

At the request of Mr. MCCONNELL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S.J. Res. 29, a joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2954. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes.

SA 2955. Mr. HATCH (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2956. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2957. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2958. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2959. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2960. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2961. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2962. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2963. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra.

SA 2964. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2965. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra.

SA 2966. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2967. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2968. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra.

SA 2969. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2970. Mr. GARDNER (for himself, Mr. COONS, Mr. PORTMAN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 2971. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

HATCH, Mr. KIRK, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra.

SA 3022. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3023. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3024. Mr. CORNYN (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3025. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3026. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3027. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3028. Mr. COATS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3029. Mr. BARRASSO (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3030. Mr. BARRASSO (for himself, Ms. HEITKAMP, Mr. ENZI, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3031. Mr. BARRASSO (for himself, Ms. HEITKAMP, Mr. CASSIDY, Mr. ENZI, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3032. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3033. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3034. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3035. Mr. MURPHY (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3036. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3037. Mr. HOEVEN submitted an amendment intended to be proposed to

amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3038. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3039. Mr. HOEVEN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3040. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3041. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2954. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

At the end of subtitle B of title II, add the following:

SEC. 2102. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

Section 403 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 129 Stat. 589) is amended by adding at the end the following:

“(d) INCREASE; LIMITATION.—

“(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under paragraphs (1) through (8) of subsection (a) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

“(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of \$5,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.”.

SA 2955. Mr. HATCH (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON SUSPENSION OF COAL LEASES.

(a) IN GENERAL.—The Secretary of the Interior shall not pause the issuance of Federal coal leases (as described in section 5 of the order of the Secretary of the Interior entitled “Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program”, numbered 3338, and dated January 15, 2016), unless—

(1) the Secretary completes, and submits to Congress—

(A) a study demonstrating that the action will not result in a loss to the Treasury of the United States of Federal revenue; and

(B) a study examining the economic impact the action will have on the relevant industry and jobs; and

(2) Congress approves the action.

(b) LEASING OF FEDERAL ASSETS UNDER MLA.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall begin leasing Federal assets in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.).

SA 2956. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

The Mineral Leasing Act is amended—

(1) by redesignating section 44 (30 U.S.C. 181 note) as section 45; and

(2) by inserting after section 43 (30 U.S.C. 226-3) the following:

“SEC. 44. STATE AUTHORITY FOR HYDRAULIC FRACTURING REGULATION.

“(a) DEFINITION OF HYDRAULIC FRACTURING.—In this section the term ‘hydraulic fracturing’ means the process by which fracturing fluids (or a fracturing fluid system) are pumped into an underground geologic formation at a calculated, predetermined rate and pressure to generate fractures or cracks in the target formation and, as a result, increase the permeability of the rock near the wellbore and improve production of natural gas or oil.

“(b) PROHIBITION.—The Secretary of the Interior shall not enforce any Federal regulation, guidance, or permit requirement regarding hydraulic fracturing, or any component of hydraulic fracturing, relating to oil, gas, or geothermal production activities on or under any land in any State that has regulations, guidance, or permit requirements for hydraulic fracturing.

“(c) STATE AUTHORITY.—The Secretary shall recognize and defer to State regulations, guidance, and permitting for all activities regarding hydraulic fracturing, or any component of hydraulic fracturing, relating to oil, gas, or geothermal production activities on Federal land regardless of whether the regulations, guidance, and permitting are duplicative, more or less restrictive, have different requirements, or do not meet Federal regulations, guidance, or permit requirements.”.

SA 2957. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31 _____. OIL SHALE, TAR SANDS, AND OTHER STRATEGIC UNCONVENTIONAL FUELS.

(a) REAFFIRMATION OF POLICY.—Congress reaffirms the continued need for the development of oil shale, tar sands, and other unconventional fuels as found and declared in section 369(b) of the Energy Policy Act of 2005 (42 U.S.C. 15927(b)).

(b) REQUIREMENT.—As soon as practicable after the date of enactment of this Act, the

Secretary of the Interior shall fully implement section 369(e) of the Energy Policy Act of 2005 (42 U.S.C. 15927(e)).

(c) **EXTENSION.**—Section 369(c) of the Energy Policy Act of 2005 (42 U.S.C. 15927(c)) is amended—

(1) by striking “In accordance” and inserting the following:

“(1) **IN GENERAL.**—In accordance”; and

(2) by adding at the end the following:

“(2) **EXTENSION.**—At the request of a holder of a lease issued under paragraph (1), the Secretary shall extend, for a period of 10 years, the term of the lease, unless the Secretary demonstrates that the lease holder requesting the extension has committed a substantial violation of the terms of the approved plan of development of the lease holder.”.

SA 2958. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PRIORITIZATION OF CERTAIN FEDERAL REVENUES.

Section 35 of the Mineral Leasing Act (30 U.S.C. 191) is amended—

(1) by striking the section designation and all that follows through “All money received” in the first sentence of subsection (a) and inserting the following:

“SEC. 35. DISPOSITION OF MONEY RECEIVED.

“(a) **DISPOSITION.**—

“(1) **IN GENERAL.**—All money received”; and

(2) in subsection (a)—

(A) in the second sentence, by striking “All moneys received” and inserting the following:

“(2) **AMOUNTS TO MISCELLANEOUS RECEIPTS.**—

“(A) **IN GENERAL.**—All money received”;

(B) in the third sentence, by striking “Payments to States” and inserting the following:

“(3) **DEADLINES.**—Payments to States”; and

(C) in paragraph (2) (as designated by subparagraph (A)), by adding at the end the following:

“(B) **PRIORITIZATION OF REVENUES.**—

“(i) **IN GENERAL.**—Notwithstanding any other provision of this Act, if, after the date of enactment of this subparagraph, the Secretary or Congress increases a royalty rate under this Act (as in effect on the day before the date of enactment of this subparagraph), of the amount described in clause (ii), there shall be deposited annually in a special account in the Treasury only such funds as are necessary to fulfill the staffing requirements of the agencies responsible for activities relating to—

“(I) coordinating or permitting Federal oil and gas leases;

“(II) permits to drill and applications for permits to drill (APDs);

“(III) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(IV) any other aspect of oil and gas permitting or leasing under this Act.

“(ii) **DESCRIPTION OF AMOUNT.**—The amount referred to in clause (i) is an amount equal to the difference between—

“(I) the amounts credited to miscellaneous receipts under paragraph (1), taking into account the increased royalty rate under this Act, as described in clause (i); and

“(II) the amounts credited to miscellaneous receipts under paragraph (1), as in effect on the day before the effective date of such an increased royalty rate.

“(iii) **MEMORANDA OF UNDERSTANDING.**—To carry out the staffing requirements prioritized under clause (i), the Director of the Bureau of Land Management may enter into memoranda of understanding for the provision of support work with—

“(I) the Administrator of the Environmental Protection Agency;

“(II) the Secretary of the Army, acting through the Chief of Engineers;

“(III) the Director of the United States Fish and Wildlife Service;

“(IV) the Chief of the Forest Service;

“(V) Indian tribes and tribal organizations; and

“(VI) Governors of the States.”.

SA 2959. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, between lines 21 and 22, insert the following:

(d) **WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS.**—Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) (as amended by subsection (c)) is amended by adding at the end the following:

“(g) **ADMINISTRATION.**—

“(1) **IN GENERAL.**—A State shall use up to 8 percent of any grant made by the Secretary under this part to track applicants for and recipients of weatherization assistance under this part to determine the impact of the assistance and eliminate or reduce reliance on the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), over a period of not more than 3 years.

“(2) **USE OF SAVINGS.**—Notwithstanding any other provision of law, of any savings obtained by the Secretary of Health and Human Services due to eliminated or reduced reliance on the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) as a result of the weatherization assistance provided under this part, as determined under paragraph (1)—

“(A) 50 percent shall be transferred to the Secretary to provide assistance to States under this part, to be reallocated to the States pro rata based on the savings realized by each State under this part; and

“(B) 50 percent shall be deposited into the general fund of the Treasury for purposes of reducing the annual Federal budget deficit.

“(3) **ANNUAL STATE PLANS.**—A State may submit to the Secretary for approval within 90 days an annual plan for the administration of assistance under this part in the State that includes, at the option of the State—

“(A) local income eligibility standards for the assistance that are not based on the formula that are used to allocate assistance under this part; and

“(B) the establishment of revolving loan funds for multifamily affordable housing units.

“(4) **EVALUATION.**—Of amounts appropriated for headquarters training and tech-

nical assistance for the Weatherization Assistance Program each fiscal year, the Secretary shall use not more than 25 percent—

“(A) to carry out a 3-year evaluation of the plans submitted under paragraph (3); and

“(B) to disseminate to each State weatherization program a report describing the results of the evaluation.

“(5) **REPORT TO CONGRESS.**—As soon as practicable, the Secretary shall submit to Congress a report describing the training and technical assistance efforts of the Department to assist States in carrying out paragraph (1).”.

SA 2960. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31 ____ . DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) **AMENDMENTS TO THE DENALI NATIONAL PARK IMPROVEMENT ACT.**—

(1) **PERMIT.**—Section 3(b)(1) of the Denali National Park Improvement Act (Public Law 113-33; 127 Stat. 516) is amended by striking “within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park”.

(2) **TERMS AND CONDITIONS.**—Section 3(c)(1) of the Denali National Park Improvement Act (Public Law 113-33; 127 Stat. 516) is amended—

(A) in subparagraph (A), by inserting “and” after the semicolon;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

(b) **AMENDMENT TO ANILCA.**—Section 1102(4)(B)(ii) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3162(4)(B)(ii)) is amended by inserting “(other than a high-pressure natural gas transmission pipeline (including appurtenances) that is issued a right-of-way in the Denali National Park and Preserve under section 3 of the Denali National Park Improvement Act (Public Law 113-33; 127 Stat. 516))” after “therefrom”.

SA 2961. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle A of title III, add the following:

SEC. 30 ____ . TERROR LAKE HYDROELECTRIC PROJECT UPPER HIDDEN BASIN DIVERSION AUTHORIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **TERROR LAKE HYDROELECTRIC PROJECT.**—The term “Terror Lake Hydroelectric Project” means the project identified in section 1325 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3212), and which is Federal Energy Regulatory Commission project number 2743.

(2) **UPPER HIDDEN BASIN DIVERSION EXPANSION.**—The term “Upper Hidden Basin Diversion Expansion” means the expansion of the Terror Lake Hydroelectric Project as generally described in Exhibit E to the Upper

Hidden Basin Grant Application dated July 2, 2014 and submitted to the Alaska Energy Authority Renewable Energy Fund Round VIII by Kodiak Electric Association, Inc.

(b) **AUTHORIZATION.**—The licensee for the Terror Lake Hydroelectric Project may occupy not more than 20 acres of Federal land to construct, operate, and maintain the Upper Hidden Basin Diversion Expansion without further authorization of the Secretary of the Interior or under the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

(c) **SAVINGS CLAUSE.**—The Upper Hidden Basin Diversion Expansion shall be subject to appropriate terms and conditions included in an amendment to a license issued by the Federal Energy Regulatory Commission pursuant to the Federal Power Act (16 U.S.C. 791a et seq.), including section 4(e) of that Act (16 U.S.C. 797(e)), following an environmental review by the Commission under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 2962. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle A of title III, add the following:

SEC. 30. STAY AND REINSTATEMENT OF FERC LICENSE NO. 11393 FOR THE MAHONEY LAKE HYDROELECTRIC PROJECT.

(a) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Federal Energy Regulatory Commission.

(2) **LICENSE.**—The term “license” means the license for Commission project number 11393.

(3) **LICENSEE.**—The term “licensee” means the holder of the license.

(b) **STAY OF LICENSE.**—On the request of the licensee, the Commission shall issue an order continuing the stay of the license.

(c) **LIFTING OF STAY.**—On the request of the licensee, but not later than 10 years after the date of enactment of this Act, the Commission shall—

(1) issue an order lifting the stay of the license under subsection (b); and

(2) make the effective date of the license the date on which the stay is lifted under paragraph (1).

(d) **EXTENSION OF LICENSE.**—On the request of the licensee and notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) for commencement of construction of the project subject to the license, the Commission shall, after reasonable notice and in accordance with the good faith, due diligence, and public interest requirements of that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods, notwithstanding any other provision of law.

(e) **EFFECT.**—Nothing in this section prioritizes, or creates any advantage or disadvantage to, Commission project number 11393 under Federal law, including the Federal Power Act (16 U.S.C. 791a et seq.) or the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), as compared to—

(1) any electric generating facility in existence on the date of enactment of this Act; or

(2) any electric generating facility that may be examined, proposed, or developed during the period of any stay or extension of the license under this section.

SA 2963. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

Strike section 4301 and insert the following:

SEC. 4301. BULK-POWER SYSTEM RELIABILITY IMPACT STATEMENT.

Section 215 of the Federal Power Act (16 U.S.C. 824a) is amended by adding at the end the following:

“(1) **RELIABILITY IMPACT STATEMENT.**—

“(1) **SOLICITATION BY COMMISSION.**—Not later than 15 days after the date on which the head of a Federal agency proposes a major rule (as defined in section 804 of title 5, United States Code) that may significantly affect the reliable operation of the bulk-power system, the Commission shall solicit from the ERO, who shall coordinate with regional entities affected by the proposed rule, a reliability impact statement with respect to the proposed rule.

“(2) **REQUIREMENTS.**—A reliability impact statement under paragraph (1) shall include a detailed statement on—

“(A) the impact of the proposed rule on the reliable operation of the bulk-power system; “(B) any adverse effects on the reliable operation of the bulk-power system if the proposed rule was implemented; and

“(C) alternatives to cure the identified adverse reliability impacts, including a no-action alternative.

“(3) **SUBMISSION TO COMMISSION AND CONGRESS.**—On completion of a reliability impact statement under paragraph (1), the ERO shall submit to the Commission and Congress the reliability impact statement.

“(4) **TRANSMITTAL TO HEAD OF FEDERAL AGENCY.**—On receipt of a reliability impact statement submitted to the Commission under paragraph (3), the Commission shall transmit to the head of the applicable Federal agency the reliability impact statement prepared under this subsection for inclusion in the public record.

“(5) **INCLUSION OF DETAILED RESPONSE IN FINAL RULE.**—With respect to a final major rule subject to a reliability impact statement prepared under paragraph (1), the head of the Federal agency shall—

“(A) consider the reliability impact statement;

“(B) give due weight to the technical expertise of the ERO with respect to matters that are the subject of the reliability impact statement; and

“(C) include in the final rule a detailed response to the reliability impact statement that reasonably addresses the detailed statements required under paragraph (2).”.

SA 2964. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PHASE OUT OF TAX PREFERENCES FOR FOSSIL FUELS.

(a) **FINDINGS.**—Congress finds the following:

(1) United States tax policy has provided tax breaks for oil and gas production for 100 years.

(2) United States tax policy has provided tax breaks for coal production for over 80 years.

(3) A substantial majority of the American public, including majorities from both political parties, support the repeal of tax preferences for fossil fuels.

(4) A substantial majority of the American public, including majorities from both political parties, favor Federal support for renewable energy.

(5) In order to ensure that all sources of energy compete on an equal footing, as tax credits for renewable energy are phased out over the next 4 years, fossil fuel tax preferences should be phased out on the same schedule.

(b) **EXPENSING OF INTANGIBLE DRILLING COSTS.**—Section 263 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (c), by striking “subsection (i)” and inserting “subsections (i) and (j)”, and

(2) by adding at the end the following new subsection:

“(j) **PHASE OUT OF DEDUCTION FOR INTANGIBLE DRILLING COSTS.**—In the case of intangible drilling and development costs paid or incurred with respect to an oil or gas well, the amount of such costs allowed as a deduction under subsection (c) shall be reduced by—

“(1) in the case of any costs paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any costs paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any costs paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any costs paid or incurred after December 31, 2019, 100 percent.”.

(c) **PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS WELLS.**—Section 613A(d) of such Code is amended by adding at the end the following new paragraph:

“(6) **PHASE OUT OF PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS WELLS.**—The amount allowed as a deduction for the taxable year which is attributable to the application of subsection (c) (determined after the application of paragraphs (1) through (5) of this subsection and without regard to this paragraph) shall be reduced by—

“(A) in the case of any crude oil or natural gas produced after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any crude oil or natural gas produced after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any crude oil or natural gas produced after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any crude oil or natural gas produced after December 31, 2019, 100 percent.”.

(d) **DOMESTIC MANUFACTURING DEDUCTION FOR FOSSIL FUELS.**—Section 199(d)(9) of such Code is amended by adding at the end the following new subparagraph:

“(D) **PHASE OUT OF DEDUCTION FOR OIL RELATED QUALIFIED PRODUCTION ACTIVITIES INCOME.**—The amount allowable as a deduction under subsection (a) (determined after the application of subparagraph (A) and without regard to this subparagraph) shall be reduced by—

“(i) in the case of any oil related qualified production activities income received or accrued after December 31, 2016, and before January 1, 2018, 20 percent,

“(ii) in the case of any oil related qualified production activities income received or accrued after December 31, 2017, and before January 1, 2019, 40 percent,

“(iii) in the case of any oil related qualified production activities income received or accrued after December 31, 2018, and before January 1, 2020, 60 percent, and

“(iv) in the case of any oil related qualified production activities income received or accrued after December 31, 2019, 100 percent.”.

(e) AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.—Section 167(h) of such Code is amended by adding at the end the following new paragraph:

“(6) PHASE OUT OF AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.—The amount of geological and geophysical expenses paid or incurred by a taxpayer which are allowed as a deduction under this subsection (without regard to this paragraph) shall be reduced by—

“(A) in the case of any such expenses paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any such expenses paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any such expenses paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any such expenses paid or incurred after December 31, 2019, 100 percent.”.

(f) PERCENTAGE DEPLETION FOR HARD MINERAL FOSSIL FUELS.—Section 613 of such Code is amended by adding at the end the following new subsection:

“(f) PHASE OUT OF PERCENTAGE DEPLETION FOR HARD MINERAL FOSSIL FUELS.—In the case of coal, lignite, or oil shale, the allowance for depletion determined under this section (without regard to this subsection) shall be reduced by—

“(1) in the case of any income received or accrued from the property after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any income received or accrued from the property after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any income received or accrued from the property after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any income received or accrued from the property after December 31, 2019, 100 percent.”.

(g) EXPENSING OF EXPLORATION AND DEVELOPMENT COSTS FOR HARD MINERAL FUELS.—Section 617 of such Code is amended—

(1) by redesignating subsection (i) as subsection (j), and

(2) by inserting after subsection (h) the following new subsection:

“(i) PHASE OUT OF EXPENSING OF EXPLORATION AND DEVELOPMENT COSTS FOR HARD MINERAL FUELS.—In the case of coal, lignite, or oil shale, the amount of expenditures which are allowed as a deduction under subsection (a) shall be reduced by—

“(1) in the case of any such expenditures paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any such expenditures paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any such expenditures paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any such expenditures paid or incurred after December 31, 2019, 100 percent.”.

(h) CAPITAL GAINS TREATMENT FOR ROYALTIES OF COAL.—Section 631 of such Code is amended by adding at the end the following new subsection:

“(d) PHASE OUT OF CAPITAL GAINS TREATMENT FOR ROYALTIES OF COAL.—In the case of coal (including lignite), the amount of gain or loss on the sale of such coal to which subsection (c) applies shall be reduced by—

“(1) in the case of any such gain or loss after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any such gain or loss after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any such gain or loss after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any such gain or loss after December 31, 2019, 100 percent.”.

(i) DEDUCTION FOR TERTIARY INJECTANTS.—Section 193 of such Code is amended by adding at the end the following new subsection:

“(d) PHASE OUT OF DEDUCTION FOR TERTIARY INJECTANTS.—The amount of qualified tertiary injectant expenses allowable as a deduction under subsection (a) shall be reduced by—

“(1) in the case of any such expenditures paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any such expenditures paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any such expenditures paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any such expenditures paid or incurred after December 31, 2019, 100 percent.”.

(j) EXCEPTION TO PASSIVE LOSS LIMITATION FOR WORKING INTERESTS IN OIL AND NATURAL GAS PROPERTIES.—Section 469(c) of such Code is amended by adding at the end the following new paragraph:

“(8) PHASE OUT OF EXCEPTION TO PASSIVE LOSS LIMITATION FOR WORKING INTERESTS IN OIL AND NATURAL GAS PROPERTIES.—In the case of any loss from a working interest in any oil or gas property, the amount of such loss to which paragraph (3) applies shall be reduced by—

“(A) in the case of any such loss after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any such loss after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any such loss after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any such loss after December 31, 2019, 100 percent.”.

(k) MARGINAL WELLS CREDIT.—Section 45I(d) of such Code is amended by adding at the end the following new paragraph:

“(4) PHASE OUT OF MARGINAL WELLS CREDIT.—The amount of the credit determined under subsection (a) shall be reduced by—

“(A) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2019, 100 percent.”.

SA 2965. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

Strike section 4201(b)(5)(A)(iv) and insert the following:

(iv) by adding at the end the following:

“(F) \$325,000,000 for each of fiscal years 2016 through 2018; and

“(G) \$375,000,000 for each of fiscal years 2019 and 2020.”; and

SA 2966. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . METHANE EMISSIONS STANDARDS.

Not later than 240 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall issue a proposed rule to amend the existing source performance standards for the oil and natural gas source category by setting standards for methane emissions.

SA 2967. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle F—Heat Efficiency Through Applied Technology

SEC. 2501. SHORT TITLE.

This subtitle may be cited as the “Heat Efficiency through Applied Technology Act” or the “HEAT Act”.

SEC. 2502. FINDINGS.

Congress finds that—

(1) combined heat and power technology, also known as cogeneration, is a technology that efficiently produces electricity and thermal energy at the point of use of the technology;

(2) by combining the provision of both electricity and thermal energy in a single step, combined heat and power technology makes significantly more-efficient use of fuel, as compared to separate generation of heat and power, which has significant economic and environmental advantages;

(3) waste heat to power is a technology that captures heat discarded by an existing industrial process and uses that heat to generate power with no additional fuel and no incremental emissions, reducing the need for electricity from other sources and the grid, and any associated emissions;

(4) waste heat or waste heat to power is considered renewable energy in 17 States;

(5)(A) a 2012 joint report by the Department of Energy and the Environmental Protection Agency estimated that by achieving the national goal outlined in Executive Order 13624 (77 Fed. Reg. 54779) (September 5, 2012) of deploying 40 gigawatts of new combined heat and power technology by 2020, the

United States would increase the total combined heat and power capacity of the United States by 50 percent in less than a decade; and

(B) additional efficiency would—

(i) save 1,000,000,000,000 BTUs of energy; and

(ii) reduce emissions by 150,000,000 metric tons of carbon dioxide annually, a quantity equivalent to the emissions from more than 25,000,000 cars;

(6) a 2012 report by the Environmental Protection Agency estimated the amount of waste heat available at a temperature high enough for power generation from industrial and nonindustrial applications represents an additional 10 gigawatts of electric generating capacity on a national basis;

(7) distributed energy generation, including through combined heat and power technology and waste heat to power technology, has ancillary benefits, such as—

(A) removing load from the electricity distribution grid; and

(B) improving the overall reliability of the electricity distribution system; and

(8)(A) a number of regulatory barriers impede broad deployment of combined heat and power technology and waste heat to power technology; and

(B) a 2008 study by Oak Ridge National Laboratory identified interconnection issues, regulated fees and tariffs, and environmental permitting as areas that could be streamlined with respect to the provision of combined heat and power technology and waste heat to power technology.

SEC. 2503. DEFINITIONS.

(a) IN GENERAL.—In this subtitle:

(1) COMBINED HEAT AND POWER TECHNOLOGY.—The term “combined heat and power technology” means the generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(2) OUTPUT-BASED EMISSION STANDARD.—The term “output-based emission standard” means a standard that relates emissions to the electrical, thermal, or mechanical productive output of a device or process rather than the heat input of fuel burned or pollutant concentration in the exhaust.

(3) QUALIFIED WASTE HEAT RESOURCE.—

(A) IN GENERAL.—The term “qualified waste heat resource” means—

(i) exhaust heat or flared gas from any industrial process;

(ii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iii) a pressure drop in any gas for an industrial or commercial process; or

(iv) any other form of waste heat resource as the Secretary may determine.

(B) EXCLUSION.—The term “qualified waste heat resource” does not include a heat resource from a process the primary purpose of which is the generation of electricity using a fossil fuel.

(4) WASTE HEAT TO POWER TECHNOLOGY.—The term “waste heat to power technology” means a system that generates electricity through the recovery of a qualified waste heat resource.

(b) PURPA DEFINITIONS.—Section 3 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602) is amended by adding at the end the following:

“(22) COMBINED HEAT AND POWER TECHNOLOGY.—The term ‘combined heat and

power technology’ means the generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

“(23) QUALIFIED WASTE HEAT RESOURCE.—

“(A) IN GENERAL.—The term ‘qualified waste heat resource’ means—

“(i) exhaust heat or flared gas from any industrial process;

“(ii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

“(iii) a pressure drop in any gas for an industrial or commercial process; or

“(iv) any other form of waste heat resource as the Secretary may determine.

“(B) EXCLUSION.—The term ‘qualified waste heat resource’ does not include a heat resource from a process the primary purpose of which is the generation of electricity using a fossil fuel.

“(24) WASTE HEAT TO POWER TECHNOLOGY.—The term ‘waste heat to power technology’ means a system that generates electricity through the recovery of a qualified waste heat resource.”

SEC. 2504. UPDATED INTERCONNECTION PROCEDURES AND TARIFF SCHEDULE.

(a) ADOPTION OF STANDARDS.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) UPDATED INTERCONNECTION PROCEDURES AND TARIFF SCHEDULE.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the Commission and other appropriate agencies, shall establish, for generation with nameplate capacity up to 20 megawatts using all fuels—

“(i) guidance for technical interconnection standards that ensure interoperability with existing Federal interconnection rules;

“(ii) model interconnection procedures, including appropriate fast track procedures; and

“(iii) model rules for determining and assigning interconnection costs.

“(B) STANDARDS.—The standards established under subparagraph (A) shall, to the maximum extent practicable, reflect current best practices (as demonstrated in model codes and rules adopted by States) to encourage the use of distributed generation (such as combined heat and power technology and waste heat to power technology) while ensuring the safety and reliability of the interconnected units and the distribution and transmission networks to which the units connect.

“(C) VARIATIONS.—In establishing the model standards under subparagraph (A), the Secretary shall consider the appropriateness of using standards or procedures that vary based on unit size, fuel type, or other relevant characteristics.”

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

“(7)(A) Not later than 90 days after the date on which the Secretary completes the standards required under section 111(d)(20), each State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in that

section, or set a hearing date for such consideration, with respect to each standard.

“(B) Not later than 2 years after the date on which the Secretary completes the standards required under section 111(d)(20), each State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) and each nonregulated electric utility shall—

“(i) complete the consideration under subparagraph (A);

“(ii) make the determination referred to in section 111 with respect to each standard established under section 111(d)(20); and

“(iii) submit to the Secretary and the Commission a report detailing the updated plans of the State regulatory authority for interconnection procedures and tariff schedules that reflect best practices to encourage the use of distributed generation.”

(2) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: “In the case of each standard established under paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).”

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

“(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to a standard established under paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

“(1) the State has implemented for the electric utility the standard (or a comparable standard);

“(2) the State regulatory authority for the State, or the relevant nonregulated electric utility, has conducted a proceeding after December 31, 2013, to consider implementation of the standard (or a comparable standard) for the electric utility; or

“(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.”

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: “In the case of each standard established under paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).”

SEC. 2505. SUPPLEMENTAL, BACKUP, AND STANDBY POWER FEES OR RATES.

(a) ADOPTION OF STANDARDS.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) (as amended by section 2504(a)) is amended by adding at the end the following:

“(21) SUPPLEMENTAL, BACKUP, AND STANDBY POWER FEES OR RATES.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the Commission and other appropriate agencies, shall establish model rules and procedures for determining fees or rates for supplementary power, backup or standby power, maintenance power, and interruptible power supplied to facilities that operate combined heat and power technology and waste heat to power technology that appropriately allow for adequate cost recovery by an electric utility but are not excessive.

“(B) FACTORS.—In establishing model rules and procedures for determining fees or rates

described in subparagraph (A), the Secretary shall consider—

“(i) the best practices that are used to model outage assumptions and contingencies to determine the fees or rates;

“(ii) the appropriate duration, magnitude, or usage of demand charge ratchets;

“(iii) the benefits to the utility and ratepayers, such as increased reliability, fuel diversification, enhanced power quality, and reduced electric losses from the use of combined heat and power technology and waste heat to power technology by a qualifying facility; and

“(iv) alternative arrangements to the purchase of supplementary, backup, or standby power by the owner of combined heat and power technology and waste heat to power technology generating units if the alternative arrangements—

“(I) do not compromise system reliability; and

“(II) are nondiscretionary and nonpreferential.”.

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) (as amended by section 2504(b)(1)) is amended by adding at the end the following:

“(8)(A) Not later than 90 days after the date on which the Secretary completes the standards required under section 111(d)(21), each State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in that section, or set a hearing date for such consideration, with respect to each standard.

“(B) Not later than 2 years after the date on which the Secretary completes the standards required under section 111(d)(21), each State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) and each nonregulated electric utility shall—

“(i) complete the consideration under subparagraph (A);

“(ii) make the determination referred to in section 111 with respect to each standard established under section 111(d)(21); and

“(iii) submit to the Secretary and the Commission a report detailing the updated plans of the State regulatory authority for supplemental, backup, and standby power fees that reflect best practices to encourage the use of distributed generation.”.

(2) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) (as amended by section 2504(b)(2)) is amended by adding at the end the following: “In the case of each standard established under paragraph (21) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (21).”.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) (as amended by section 2504(b)(3)(A)) is amended by adding at the end the following:

“(h) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to a standard established under paragraph (21) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

“(1) the State has implemented for the electric utility the standard (or a comparable standard);

“(2) the State regulatory authority for the State, or the relevant nonregulated electric

utility, has conducted a proceeding after December 31, 2013, to consider implementation of the standard (or a comparable standard) for the electric utility; or

“(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.”.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2634) (as amended by section 2504(b)(3)(B)) is amended by adding at the end the following: “In the case of each standard established under paragraph (21) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (21).”.

SEC. 2506. UPDATING OUTPUT-BASED EMISSIONS STANDARDS.

(a) ESTABLISHMENT.—The Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall establish a program under which the Administrator shall provide to each State (as defined in section 302 of the Clean Air Act (42 U.S.C. 7602)) that elects to participate and that submits an application under subsection (b) a grant for use by the State in accordance with subsection (c).

(b) APPLICATION.—To be eligible to receive a grant under this section, a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(c) USE OF FUNDS.—

(1) IN GENERAL.—A State shall use a grant provided under this section—

(A) to update any applicable State or local air permitting regulations under this subtitle to incorporate environmental regulations relating to output-based emissions in accordance with relevant guidelines developed by the Administrator under paragraph (2); or

(B) if the State has already updated all applicable State and local permitting regulations to incorporate those output-based emissions environmental regulations, to expedite the processing of relevant power generation permit applications under this subtitle.

(2) GUIDELINES.—As soon as practicable after the date of enactment of this Act, the Administrator shall publish guidelines for updating State and local permitting regulations under this subtitle that—

(A) provide credit, in the calculation of the emission rate of the facility, for any thermal energy produced by combined heat and power technology or waste heat to power technology; and

(B) apply only to generation units that produce 5 megawatts of electrical energy or less.

(d) MAXIMUM AMOUNT.—The amount of a grant provided under this section shall not exceed \$100,000.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000.

SA 2968. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

Beginning on page 132, strike line 22 and all that follows through page 133, line 4, and insert the following:

(5) SMART MANUFACTURING.—The term “smart manufacturing” means advanced technologies in information, automation, monitoring, computation, sensing, modeling, and networking that—

(A) digitally—

(i) simulate manufacturing production lines;

(ii) operate computer-controlled manufacturing equipment;

(iii) monitor and communicate production line status; and

(iv) manage and optimize energy productivity and cost throughout production;

(B) model, simulate, and optimize the energy efficiency of a factory building;

(C) monitor and optimize building energy performance;

(D) model, simulate, and optimize the design of energy efficient and sustainable products, including the use of digital prototyping and additive manufacturing to enhance product design;

(E) connect manufactured products in networks to monitor and optimize the performance of the networks, including automated network operations; and

(F) digitally connect the supply chain network.

SA 2969. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—FOREST INCENTIVES PROGRAM

SEC. 6001. SHORT TITLE.

This title may be cited as the “Forest Incentives Program Act of 2016”.

SEC. 6002. FINDINGS.

Congress finds that—

(1) public and private forest land in the United States plays a crucial role in sequestering carbon and otherwise contributes to mitigation of greenhouse gas emissions;

(2) the Environmental Protection Agency has reported in the annual greenhouse gas inventory that United States forests and forest products sequester as much as 12 to 14 percent of annual United States carbon emissions, which makes forests one of the largest carbon sinks in the United States;

(3) according to the Environmental Protection Agency, carbon sequestration from forests and other land uses has grown by approximately 14 percent since 1990, largely as a result of afforestation and improved forest management;

(4) the use of forests products, such as wood products, in buildings and biobased products can also reduce carbon emissions when used in place of other, more carbon-intensive products;

(5)(A) in addition to the significant carbon mitigation benefits of using forests and forest products for carbon sequestration, the economic and societal cobenefits of forest carbon solutions are extraordinarily valuable; and

(B) incentivizing forest carbon activities, including through working forests, has the potential to provide timber and other forest commodities, improve air quality, enhance watershed function and water supply, create and sustain fish and wildlife habitat, contribute to scenic and aesthetic qualities, support historical and cultural resources, provide hunting, fishing, and recreational opportunities, and increase forest resiliency,

while also supporting rural jobs and local economies;

(6) despite positive recent trends in forest carbon, as documented by the annual greenhouse gas inventory of the Environmental Protection Agency, projections of the Forest Service indicate those forest carbon and other benefits are at risk in future decades due to development pressures and other factors;

(7) while the majority of the productive forest land of the United States is under private ownership, private landowners are facing increased pressure to convert their forest land to other uses;

(8) while some landowners are able to participate in various carbon markets, the transaction costs and restrictions of those programs are often prohibitive for private landowners, particularly smallholders; and

(9) creating incentives for private forest landowners to adopt best practices to maintain and increase carbon benefits from forest land through a streamlined program that avoids excessive transaction costs will help “keep forests as forests” and enhance forest carbon benefits by providing incentive payments for a suite of eligible practices throughout the lifecycle of forest management, including forest products that provide long-term carbon storage benefits.

SEC. 6003. FOREST INCENTIVES PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CARBON INCENTIVES CONTRACT; CONTRACT.—The term “carbon incentives contract” or “contract” means a 15- to 30-year contract that specifies—

(A) the eligible practices that will be undertaken;

(B) the acreage of eligible land on which the practices will be undertaken;

(C) the agreed rate of compensation per acre;

(D) a schedule to verify that the terms of the contract have been fulfilled; and

(E) such other terms as are determined necessary by the Secretary.

(2) CONSERVATION EASEMENT AGREEMENT; AGREEMENT.—The term “conservation easement agreement” or “agreement” means a permanent conservation easement that—

(A) covers eligible land that will not be converted for development;

(B) is enrolled under a carbon incentives contract; and

(C) is consistent with the guidelines for—

(i) the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c), subject to the condition that an eligible practice shall be considered to be a conservation value for purposes of such consistency; or

(ii) any other program approved by the Secretary for use under this section to provide consistency with Federal legal requirements for permanent conservation easements.

(3) ELIGIBLE LAND.—The term “eligible land” means forest land in the United States that is privately owned at the time of initiation of a carbon incentives contract or conservation easement agreement.

(4) ELIGIBLE PRACTICE.—

(A) IN GENERAL.—The term “eligible practice” means a forestry practice, including improved forest management that produces marketable forest products, that is determined by the Secretary to provide measurable increases in carbon sequestration and storage beyond customary practices on comparable land.

(B) INCLUSIONS.—The term “eligible practice” includes—

(i) afforestation on nonforested land, such as marginal crop or pasture land, windbreaks, shelterbelts, stream buffers, including working land and urban forests and parks, or other areas identified by the Secretary;

(ii) reforestation on forest land impacted by wildfire, pests, wind, or other stresses, including working land and urban forests and parks;

(iii) improved forest management through practices such as improving regeneration after harvest, planting in understocked forests, reducing competition from slow-growing species, thinning to encourage growth, changing rotations to increase carbon storage, improving harvest efficiency or wood use; and

(iv) such other practices as the Secretary determines to be appropriate.

(5) FOREST INCENTIVES PROGRAM; PROGRAM.—The term “forest incentives program” or “program” means the forest incentives program established under subsection (b)(1).

(6) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(b) SUPPLEMENTAL GREENHOUSE GAS EMISSION REDUCTIONS IN UNITED STATES.—

(1) IN GENERAL.—The Secretary shall establish a forest incentives program to achieve supplemental greenhouse gas emission reductions and carbon sequestration on private forest land of the United States through—

(A) carbon incentives contracts; and

(B) conservation easement agreements.

(2) PRIORITY.—In selecting projects under this subsection, the Secretary shall provide a priority for contracts and agreements—

(A) that sequester the most carbon on a per acre basis; and

(B) that create forestry jobs or protect habitats and achieve significant other environmental, economic, and social benefits.

(3) ELIGIBILITY.—

(A) IN GENERAL.—To participate in the program, an owner of eligible land shall—

(i) enter into a carbon incentives contract; and

(ii) fulfill such other requirements as the Secretary determines to be necessary.

(B) CONTINUED ELIGIBLE PRACTICES.—An owner of eligible land who has been carrying out eligible practices on the eligible land shall not be barred from entering into a carbon incentives contract under this subsection to continue carrying out the eligible practices on the eligible land.

(C) DURATION OF CONTRACT.—A contract shall be for a term of not less than 15 nor more than 30 years, as determined by the owner of eligible land.

(D) COMPENSATION UNDER CONTRACT.—The Secretary shall determine the rate of compensation per acre under the contract so that the longer the term of the contract, the higher the rate of compensation.

(E) RELATIONSHIP TO OTHER PROGRAMS.—An owner or operator shall not be prohibited from participating in the program due to participation of the owner or operator in other Federal or State conservation assistance programs.

(4) COMPLIANCE.—In developing regulations for carbon incentives contracts under this subsection, the Secretary shall specify requirements to address whether the owner of eligible land has completed contract and agreement requirements.

(c) INCENTIVE PAYMENTS.—

(1) IN GENERAL.—The Secretary shall provide to owners of eligible land financial incentive payments for—

(A) eligible practices that measurably increase carbon sequestration and storage over

a designated period on eligible land, as specified through a carbon incentives contract; and

(B) subject to paragraph (2), conservation easements on eligible land covered under a conservation easement agreement.

(2) COMPENSATION.—The Secretary shall determine the amount of compensation to be provided under a contract under this subsection based on the emissions reductions obtained or avoided and the duration of the reductions, with due consideration to prevailing carbon pricing as determined by any relevant or State compliance offset programs.

(3) NO CONSERVATION EASEMENT AGREEMENT REQUIRED.—Eligibility for financial incentive payments under a carbon incentives contract described in paragraph (1)(A) shall not require a conservation easement agreement.

(d) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations that specify eligible practices and related compensation rates, standards, and guidelines as the basis for entering into the program with owners of eligible land.

(e) SET-ASIDE OF FUNDS FOR CERTAIN PURPOSES.—

(1) IN GENERAL.—At the discretion of the Secretary, a portion of program funds made available under this program for a fiscal year may be used—

(A) to develop forest carbon modeling and methodologies that will improve the projection of carbon gains for any forest practices made eligible under the program;

(B) to provide additional incentive payments for specified management activities that increase the adaptive capacity of land under a carbon incentives contract; and

(C) for the Forest Inventory and Analysis Program of the Forest Service to develop improved measurement and monitoring of forest carbon stocks.

(2) PROGRAM COMPONENTS.—In establishing the program, the Secretary shall provide that funds provided under this section shall not be substituted for, or otherwise used as a basis for reducing, funding authorized or appropriated under other programs to compensate owners of eligible land for activities that are not covered under the program.

(f) PROGRAM MEASUREMENT, MONITORING, VERIFICATION, AND REPORTING.—

(1) MEASUREMENT, MONITORING, AND VERIFICATION.—The Secretary shall establish and implement protocols that provide monitoring and verification of compliance with the terms of contracts and agreements.

(2) REPORTING REQUIREMENT.—At least annually, the Secretary shall submit to Congress a report that contains—

(A) an estimate of annual and cumulative reductions achieved as a result of the program, determined using standardized measures, including measures of economic efficiency;

(B) a summary of any changes to the program that will be made as a result of program measurement, monitoring, and verification;

(C) the total number of acres enrolled in the program by method; and

(D) a State-by-State summary of the data.

(3) AVAILABILITY OF REPORT.—Each report required by this subsection shall be available to the public through the website of the Department of Agriculture.

(4) PROGRAM ADJUSTMENTS.—At least once every 2 years the Secretary shall adjust eligible practices and compensation rates for future carbon incentives contracts based on the results of monitoring under paragraph (1)

and reporting under paragraph (2), if determined necessary by the Secretary.

(5) **ESTIMATING CARBON BENEFITS.**—Any modeling, methodology, or protocol resource developed under this section—

(A) shall be suitable for estimating carbon benefits associated with eligible practices for the purpose of incentives under this section; and

(B) may be used for netting by States or emission sources under Federal programs relating to carbon emissions.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 6004. MATERIAL CHOICES IN BUILDINGS FOR SUPPLEMENTAL GREENHOUSE GAS EMISSION REDUCTIONS IN UNITED STATES.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE BUILDING.**—The term “eligible building” means a nonresidential building used for commercial or State or local government purposes.

(2) **ELIGIBLE PRODUCT.**—The term “eligible product” means a commercial or industrial product, such as an intermediate, feedstock, or end product (other than food or feed), that is composed in whole or in part of biological products, including renewable agricultural and forestry materials used as structural building material.

(3) **PROGRAM.**—The term “program” means the greenhouse gas incentives program established under this section.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(b) **SUPPLEMENTAL GREENHOUSE GAS EMISSION REDUCTIONS IN BUILDINGS.**—

(1) **IN GENERAL.**—The Secretary shall establish a greenhouse gas incentives program to achieve supplemental greenhouse gas emission reductions from material choices in buildings, based on the lifecycle assessment of the building materials.

(2) **FINANCIAL INCENTIVE PAYMENTS.**—The Secretary shall provide to owners of eligible buildings incentive payments for the use of eligible products in buildings for sequestering carbon based on a lifecycle assessment of the structural assemblies, as compared to a model building as a result of using eligible products in substitution for more energy-intensive materials in—

(A) new construction; or

(B) building renovation.

(c) **PROGRAM REQUIREMENTS.**—

(1) **APPLICATIONS.**—To be eligible to participate in the program, the owner of an eligible building shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) **COMPONENTS.**—In establishing the program, the Secretary shall require that payments for activities under the program shall be—

(A) established at a rate not to exceed the net estimated benefit an owner of an eligible building would receive for similar practices under any federally established carbon offset program, taking into consideration the costs associated with the issuance of credits and compliance with reversal provisions;

(B) provided to owners of eligible buildings demonstrating at least a 20-percent reduction in carbon emissions potential, based on a lifecycle assessment of the structural assemblies, as compared to the structural assemblies of a model building, subject to the requirements that—

(i) the Secretary shall identify a model baseline nonresidential building—

(I) of common size and function; and

(II) having a service life of not less than 60 years; and

(ii) applicants shall evaluate the carbon emissions potential of the baseline building and the proposed building using the same lifecycle assessment software tool and data sets, which shall be compliant with the document numbered ISO 14044; and

(C) provided on certification by the owner of an eligible building and verification by the Secretary, after consultation with the Secretary of Energy, that—

(i) the eligible building meets the requirements of the applicable State commercial building energy efficiency code (as in effect on the date of the applicable permit of the eligible building); and

(ii) the State has made the certification required pursuant to section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833).

(3) **INCENTIVE PAYMENTS.**—A participant in the program shall receive payment under the program on completion of construction or renovation of the applicable eligible building.

(d) **REPORTS.**—Not less frequently than once each year, the Secretary shall submit to Congress a report that contains—

(1) an estimate of annual and cumulative reductions achieved as a result of the program—

(A) determined by using lifecycle assessment software that is compliant with the document numbered ISO 14044; and

(B) expressed in terms of the total number of cars removed from the road;

(2) a summary of any changes to the program that will be made as a result of past implementation of the program; and

(3) the total number of buildings under carbon incentives contracts as of the date of the report.

(e) **ANALYTICAL REQUIREMENTS.**—For purposes of this section—

(1) any carbon emissions potential calculation shall—

(A) be performed in accordance with standard lifecycle assessment practice; and

(B) include removal and sequestration of carbon dioxide from the use of biobased products, as well as recycled content materials;

(2) a full lifecycle assessment shall be conducted taking into consideration all lifecycle stages, including—

(A) resource extraction and processing;

(B) product manufacturing;

(C) onsite construction of assemblies;

(D) transportation;

(E) maintenance and replacement cycles over an assumed eligible building service life of 60 years; and

(F) demolition;

(3) structural assemblies shall be considered to include columns, beams, girders, purlins, floor deck, roof, and structural envelope elements;

(4) primary materials shall be considered to include common products used as the structural system, such as wood, steel, concrete, or masonry; and

(5) the effects of recycling, reuse, or energy recovery beyond the boundaries of an applicable study system shall not be taken in account.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 2970. Mr. GARDNER (for himself, Mr. COONS, Mr. PORTMAN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment

SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 1006, strike subsection (a) and insert the following:

(a) **ENERGY MANAGEMENT REQUIREMENTS.**—Section 543(f)(4) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(4)) is amended by striking “may” and inserting “shall”.

SA 2971. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ REVIEW OF LONG-TERM IMPACTS OF PROPOSED DISPOSAL OF NUCLEAR WASTE AT THE BRUCE NUCLEAR POWER PLANT IN KINCARDINE, ONTARIO.

(a) **SENSES OF CONGRESS; FINDINGS.**—

(1) **SENSE OF CONGRESS THAT CANADA SHOULD NOT APPROVE NUCLEAR WASTE REPOSITORY.**—

(A) **IN GENERAL.**—It is the sense of Congress that the Government of Canada should not approve the construction of a permanent nuclear waste repository in Kincardine, Ontario, Canada (referred to in this section as the “repository”).

(B) **SUPPORTING FINDINGS.**—In support of the sense of Congress described in subparagraph (A), Congress finds that—

(i) the repository would be located less than 1 mile from the shores of the Great Lakes;

(ii) the repository could store up to 7,000,000 cubic feet of toxic nuclear waste; and

(iii) some of that nuclear waste will remain radioactive for over 100,000 years.

(2) **SENSE OF CONGRESS THAT A GROWING BODY OF ORGANIZATIONS OPPOSES THE REPOSITORY.**—

(A) **IN GENERAL.**—It is the sense of Congress that a growing body of lawmakers, officials, governments, and community organizations on the Federal, State, local, and international level publicly opposes the repository.

(B) **SUPPORTING FINDINGS.**—In support of the sense of Congress described in subparagraph (A), Congress finds that—

(i) the Committee on Appropriations of the Senate emphasized opposition to the repository in the report accompanying S. 1725 (114th Congress), as reported out on July 9, 2015—

(I) expressing concern with the proposal for the repository by Ontario Power Generation, “which could cause irreparable harm to the shared economic and ecological wellbeing of the Great Lakes”; and

(II) recommending that “the Department of State request an International Joint Commission review of the proposal and urge the Government of Canada to postpone its final decision until the review of the long-term impacts of locating a nuclear repository at the proposed site is complete and fully evaluated by both the Governments of the United States and Canada”; and

(ii) the Great Lakes and St. Lawrence Cities Initiative, a binational coalition of over

110 United States and Canadian mayors and local officials, formally opposes the repository;

(iii) the Great Lakes Legislative Caucus, comprised of State and local lawmakers from the 8 States bordering the Great Lakes, Ontario, and Quebec, opposes the repository;

(iv) 52 local units of government and communities in Canada and 128 units of local government and communities in the United States oppose the repository; and

(v) the State Senate of Michigan unanimously enacted a law and a series of resolutions calling on the International Joint Commission to stop the repository from moving forward.

(b) DEPARTMENT OF STATE ACTIONS.—The Department of State shall—

(1) request that, pursuant to Article IX of the Boundary Waters Treaty of 1909, the International Joint Commission conduct a review of the proposed repository; and

(2) urge the Government of Canada to postpone its final decision on the proposed repository until the review of the long-term impacts of the repository requested pursuant to paragraph (1) is complete and fully evaluated by both the Governments of the United States and Canada.

SA 2972. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REVIEW OF LONG-TERM IMPACTS OF PROPOSED DISPOSAL OF NUCLEAR WASTE AT THE BRUCE NUCLEAR POWER PLANT IN KINCARDINE, ONTARIO.

(a) SENSES OF CONGRESS; FINDINGS.—

(1) SENSE OF CONGRESS THAT CANADA SHOULD NOT APPROVE NUCLEAR WASTE REPOSITORY.—

(A) IN GENERAL.—It is the sense of Congress that the Government of Canada should not approve the construction of a permanent nuclear waste repository in Kincardine, Ontario, Canada (referred to in this section as the “repository”).

(B) SUPPORTING FINDINGS.—In support of the sense of Congress described in subparagraph (A), Congress finds that—

(i) the repository would be located less than 1 mile from the shores of the Great Lakes;

(ii) the repository could store up to 7,000,000 cubic feet of toxic nuclear waste; and

(iii) some of that nuclear waste will remain radioactive for over 100,000 years.

(2) SENSE OF CONGRESS THAT A GROWING BODY OF ORGANIZATIONS OPPOSES THE REPOSITORY.—

(A) IN GENERAL.—It is the sense of Congress that a growing body of lawmakers, officials, governments, and community organizations on the Federal, State, local, and international level publicly opposes the repository.

(B) SUPPORTING FINDINGS.—In support of the sense of Congress described in subparagraph (A), Congress finds that—

(i) the Committee on Appropriations of the Senate emphasized opposition to the repository in the report accompanying S. 1725 (114th Congress), as reported out on July 9, 2015—

(I) expressing concern with the proposal for the repository by Ontario Power Generation, “which could cause irreparable harm to the shared economic and ecological wellbeing of the Great Lakes”; and

(II) recommending that “the Department of State request an International Joint Commission review of the proposal and urge the Government of Canada to postpone its final decision until the review of the long-term impacts of locating a nuclear repository at the proposed site is complete and fully evaluated by both the Governments of the United States and Canada”;

(ii) the Great Lakes and St. Lawrence Cities Initiative, a binational coalition of over 110 United States and Canadian mayors and local officials, formally opposes the repository;

(iii) the Great Lakes Legislative Caucus, comprised of State and local lawmakers from the 8 States bordering the Great Lakes, Ontario, and Quebec, opposes the repository;

(iv) 52 local units of government and communities in Canada and 128 units of local government and communities in the United States oppose the repository; and

(v) the State Senate of Michigan unanimously enacted a law and a series of resolutions calling on the International Joint Commission to stop the repository from moving forward.

(b) DEPARTMENT OF STATE ACTIONS.—The Department of State shall—

(1) request that, pursuant to Article IX of the Boundary Waters Treaty of 1909, the International Joint Commission conduct a review of the proposed repository; and

(2) urge the Government of Canada to postpone its final decision on the proposed repository until the review of the long-term impacts of the repository requested pursuant to paragraph (1) is complete and fully evaluated by both the Governments of the United States and Canada.

SA 2973. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title of title III, add the following:

PART V—RENEWABLE ENERGY STUDY

SEC. 3021. GAO STUDY ON INCREASING THE PERCENTAGE OF ELECTRICITY PRODUCED USING RENEWABLE ENERGY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a study that describes the costs of increasing, by 2040, the percentage of electricity generated using renewable energy (including hydropower, wind, solar, geothermal, wood, wood waste, biogenic municipal waste, landfill gas, and other biomass) by each of the following percentages:

- (1) 25 percent.
- (2) 35 percent.
- (3) 50 percent.

SA 2974. Mr. CASSIDY (for himself, Mr. CORNYN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United

States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPORTS.

(a) DEFINITIONS.—In this section:

(1) BSEE.—The term “BSEE” means the Bureau of Safety and Environmental Enforcement.

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the BSEE is operating.

(b) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report containing an analysis of each proposed regulation and rule of the BSEE, including—

(1) a description of the current safety measures in place offshore—

(A) to demonstrate the extent to which industry and government have already effectively and comprehensively enhanced offshore safety; and

(B) to identify any existing gaps and the best manner with which fill those gaps; and

(2) identification of and justification for any improvements to safety claimed in the proposed regulations and rules.

SA 2975. Mr. CASSIDY (for himself, Mr. CORNYN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF.

The Secretary of the Interior (referred to in this section as the “Secretary”) shall not finalize, implement, or enforce the proposed rule entitled “Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Blow-out Preventer Systems and Well Control” (80 Fed. Reg. 21504 (April 17, 2015)) (referred to in this section as the “proposed rule”) unless and until the Secretary—

(1) issues a revised version of the proposed rule that incorporates the information learned from additional technical workshops conducted after the date of enactment of this Act with industry experts, focusing on mitigation of prescriptive requirements contained in the proposed rule, including those that adversely impact personnel safety;

(2) provides notice and an opportunity for public comment of not less than 90 days on the revised version of the proposed rule after completion of the technical workshops described in paragraph (1); and

(3) submits to Congress a report—

(A) after the technical workshops conducted under paragraph (1), that describes distinct changes made in the proposed rule based on the workshops; and

(B) after the period for public comment under paragraph (2), that describes distinct changes made in the proposed rule based on the comments.

SA 2976. Mr. CASSIDY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OZONE NATIONAL AMBIENT AIR QUALITY STANDARD DEADLINE HARMONIZATION.

(a) DEFINITIONS.—In this section:

(1) 2008 OZONE STANDARDS.—The term “2008 ozone standards” means the ozone standards described in the final rule entitled “National Ambient Air Quality Standards for Ozone” (73 Fed. Reg. 16436 (March 27, 2008)).

(2) 2015 OZONE STANDARDS.—The term “2015 ozone standards” means the ozone standards described in the final rule entitled “National Ambient Air Quality Standards for Ozone” (80 Fed. Reg. 65292 (October 26, 2015)).

(3) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(4) BEST AVAILABLE CONTROL TECHNOLOGY.—The term “best available control technology” has the meaning given the term in section 169 of the Clean Air Act (42 U.S.C. 7479).

(5) LOWEST ACHIEVABLE EMISSION RATE.—The term “lowest achievable emission rate” has the meaning given the term in section 171 of the Clean Air Act (42 U.S.C. 7501).

(6) PRECONSTRUCTION PERMIT.—

(A) IN GENERAL.—The term “preconstruction permit” means a permit that is required under part C or D of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) for the construction or modification of a major emitting facility or major stationary source.

(B) INCLUSION.—The term “preconstruction permit” includes a permit described in subparagraph (A) issued by the Administrator or a State, local, or tribal permitting authority.

(b) OZONE STANDARDS IMPLEMENTATION SCHEDULE HARMONIZATION.—

(1) DESIGNATION SUBMISSION.—Not later than October 26, 2024, the Governor of each State shall designate in accordance with section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) all areas (or portions of areas) of the State as attainment, nonattainment, or unclassifiable with respect to the 2015 ozone standards.

(2) DESIGNATION PROMULGATION.—Not later than October 26, 2025, the Administrator shall promulgate final designations under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) for all areas in all States with respect to the 2015 ozone standards, including any modifications to the designations submitted under paragraph (1).

(3) STATE IMPLEMENTATION PLANS.—Not later than October 26, 2026, notwithstanding the deadline specified in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(d)(1)), each State shall submit the plan required by that section for the 2015 ozone standards.

(c) CERTAIN PRECONSTRUCTION PERMITS.—

(1) IN GENERAL.—The 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application if—

(A) the Administrator or the State, local, or tribal permitting authority, as applicable, determines the application to be complete on or before the date of promulgation of final designations under subsection (b)(2); or

(B) the Administrator or the State, local, or tribal permitting authority, as applicable,

publishes a public notice of a preliminary determination or draft permit for the application before the date that is 60 days after the date of promulgation of final designations under subsection (b)(2).

(2) RULES OF CONSTRUCTION.—Nothing in this subsection—

(A) eliminates the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emissions rate technology, as applicable; or

(B) limits the authority of a State, local, or tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or tribal law than Federal national ambient air quality standards established by the Environmental Protection Agency.

(d) ADJUSTMENT OF 5-YEAR REVIEW CYCLE.—Notwithstanding section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)), the Administrator shall not—

(1) complete, before October 26, 2025, any review of the criteria for ozone published under section 108 of that Act (42 U.S.C. 7408) or the national ambient air quality standard for ozone promulgated under section 109 of that Act (42 U.S.C. 7409); or

(2) propose, before October 26, 2025, any revisions to those criteria or standards.

SA 2977. Mr. CASSIDY (for himself, Mr. VITTER, Mr. BARRASSO, Mr. LANKFORD, and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle A of title III, add the following:

SEC. 3018. REPEAL OF RENEWABLE FUEL STANDARD.

(a) IN GENERAL.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended—

(1) in subsection (d)—

(A) in paragraphs (1) and (2), by striking “(n), or (o)” each place it appears and inserting “or (n)”;

(B) in paragraph (1), in the second sentence, by striking “(m), or (o)” and inserting “or (m)”;

(2) by striking subsection (o); and

(3) by redesignating subsections (q) through (v) as subsections (o) through (t), respectively.

(b) ADDITIONAL REPEAL.—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) REGULATIONS.—Effective beginning on the date of enactment of this Act, the regulations contained in subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 2978. Mr. CASSIDY (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE VI—WATERWAY LNG PARITY ACT OF 2016

SEC. 6001. SHORT TITLE.

This title may be cited as the “Waterway LNG Parity Act of 2016”.

SEC. 6002. LIQUEFIED NATURAL GAS EQUIVALENT FOR PURPOSES OF INLAND WATERWAYS TRUST FUND FINANCING RATE.

(a) IN GENERAL.—Section 4042(b)(2)(A) of the Internal Revenue Code of 1986 is amended to read as follows:

“(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon (per energy equivalent of a gallon of diesel, in the case of liquefied natural gas).”

(b) ENERGY EQUIVALENT OF A GALLON OF DIESEL.—Section 4042(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“(5) ENERGY EQUIVALENT OF A GALLON OF DIESEL WITH RESPECT TO LIQUEFIED NATURAL GAS.—For purposes of paragraph (2)(A), the term ‘energy equivalent of a gallon of diesel’ means 6.06 pounds of liquefied natural gas.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale or use of fuel after December 31, 2015.

SA 2979. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. ADVISORY COUNCIL ON HISTORIC PRESERVATION.

(a) ADDITIONAL MEMBER.—Section 304101(a) of title 54, United States Code, is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (12), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) The General Chairman of the National Association of Tribal Historic Preservation Officers.”

(b) FULL-TIME CHAIRMAN.—Section 304101 of title 54, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as paragraphs (f) and (g), respectively; and

(2) by inserting after subsection (d) the following:

“(e) CHAIRMAN.—

“(1) IN GENERAL.—After January 1, 2016, the Chairman shall—

“(A) be appointed by the President;

“(B) serve full time; and

“(C) be compensated at a rate equal to the annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code.

“(2) INTERIM PROVISION.—The Chairman that is serving immediately before an appointment under paragraph (1) shall—

“(A) receive \$100 per day when engaged in the performance of the duties of the Council; and

“(B) receive reimbursement for necessary traveling and subsistence expenses incurred by the Chairman in the performance of the duties of the Council.”; and

(3) in subsection (f) (as redesignated by paragraph (1)), in the second sentence, by striking “may act in place” and inserting “shall perform the functions”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) POSITION AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to “Director

of the Office of Financial Research" the following:

"Chairman of the Advisory Council on Historic Preservation."

(2) ESTABLISHMENT; VACANCIES.—Section 304101 of title 54, United States Code, is amended—

(A) in subsection (b), by striking "(7) and (8)" and inserting "and (7) through (9)";

(B) in subsection (c)—

(i) in the first sentence, by striking "paragraphs (1) and (9) to (11)" and inserting "paragraphs (10) through (12)"; and

(ii) in the third sentence, by inserting "other than the Chairman of the Council," before "may not serve";

(C) in subsection (f) (as redesignated by subsection (b)(1)), in the first sentence, by striking "paragraph (5), (6), (9), or (10)" and inserting "paragraph (5), (6), (10), or (11)"; and

(D) in subsection (g) (as redesignated by subsection (b)(1)), by striking "Twelve members" and inserting "13 members".

(3) COMPENSATION OF MEMBERS OF THE COUNCIL.—Section 304104 of title 54, United States Code, is amended by inserting after the first sentence the following: "The Chairman of the Council shall be compensated as provided in section 304101(e) of this title."

(4) ADMINISTRATION.—Section 304105(a) of title 54, United States Code, is amended, in the second sentence—

(A) by striking "to the Council" and inserting "to the Chairman"; and

(B) by striking "the Council may" and inserting "the Chairman may".

(5) PRESERVE AMERICA PROGRAM.—Section 311103 of title 54, United States Code, is amended—

(A) in subsection (b), in the matter preceding paragraph (1), by striking "Council" each place it appears and inserting "Chairman of the Council"; and

(B) in subsection (d), by striking "Council" and inserting "Chairman of the Council".

SA 2980. Mrs. SHAHEEN (for herself and Mr. GARDNER) submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—OTHER MATTERS

SEC. 6001. ASSESSMENT AND ANALYSIS OF OUTDOOR RECREATION ECONOMY OF THE UNITED STATES.

(a) ASSESSMENT AND ANALYSIS.—The Secretary of Commerce, acting through the Director of the Bureau of Economic Analysis, shall conduct an assessment and analysis of the outdoor recreation economy of the United States and the effects attributable to such economy on the overall economy of the United States.

(b) CONSIDERATIONS.—In conducting the assessment required by subsection (a), the Secretary may consider employment, sales, and contributions to travel and tourism, and such other contributing components of the outdoor recreation economy of the United States as the Secretary considers appropriate.

(c) CONSULTATION.—In carrying out the assessment required by subsection (a), the Secretary shall consult with the following:

(1) The heads of such agencies and offices of the Federal Government as the Secretary considers appropriate, including the Secretary of Agriculture, the Secretary of the

Interior, the Director of the Bureau of the Census, and the Commissioner of the Bureau of Labor Statistics.

(2) Representatives of businesses, including small business concerns, that engage in commerce in the outdoor recreation economy of the United States.

(d) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Commerce shall submit to the appropriate committees of Congress a report on the findings of the Secretary with respect to the assessment conducted under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term "appropriate committees of Congress" includes the following:

(A) The Committee on Commerce, Science, and Transportation, the Committee on Environment and Public Works, the Committee on Energy and Natural Resources, and the Committee on Small Business and Entrepreneurship of the Senate.

(B) The Committee on Energy and Commerce and the Committee on Small Business of the House of Representatives.

(e) SMALL BUSINESS CONCERN DEFINED.—In this section, the term "small business concern" has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

SA 2981. Ms. MURKOWSKI (for Mr. INHOFE (for himself and Mr. CARPER)) submitted an amendment intended to be proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3001(b), strike paragraph (2) and insert the following:

(2) in subsection (a) (as amended by paragraph (1)), by inserting "a number equivalent to" before "the total amount of electric energy";

(3) in subsection (b), by striking paragraph (2) and inserting the following:

"(2) RENEWABLE ENERGY.—The term 'renewable energy' means energy produced or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by, solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or hydropower."; and

(4) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking "For purposes" and inserting the following:

"(1) IN GENERAL.—For purposes"; and

(C) by adding at the end the following:

"(2) SEPARATE CALCULATION.—

"(A) IN GENERAL.—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

"(B) DENIAL OF DOUBLE BENEFIT.—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with a Federal energy efficiency goal required under any other provision of law."

SA 2982. Mr. MARKEY (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 2 years, the Comptroller General of the United States shall conduct a review of—

(1) energy production in the United States; and

(2) the effects, if any, of crude oil exports from the United States on consumers, independent refiners, and shipbuilding and ship repair yards.

(b) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (a), the Comptroller General of the United States shall submit to the Committees on Energy and Natural Resources, Banking, Housing, and Urban Affairs, Commerce, Science, and Transportation, and Foreign Relations of the Senate and the Committees on Natural Resources, Energy and Commerce, Financial Services, and Foreign Affairs of the House of Representatives a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to address any job loss in the shipbuilding and ship repair industry or adverse impacts on consumers and refiners that the Comptroller General of the United States attributes to unencumbered crude oil exports in the United States.

SA 2983. Ms. MURKOWSKI (for Mr. INHOFE (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2309 (relating to electric transmission infrastructure permitting), add the following:

(d) GEOMATIC DATA.—If a Federal or State department or agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the department or agency—

(1) shall consider any such data gathered by geomatic techniques, including tools and techniques used in land surveying, remote sensing, cartography, geographic information systems, global navigation satellite systems, photogrammetry, geophysics, geography, or other remote means; and

(2) may grant a conditional approval for Federal authorization, subject to the verification of those data through a subsequent onsite inspection.

SA 2984. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, strike lines 3 through 7 and insert the following:

(A) in paragraph (2)—
(i) by redesignating subparagraph (E) as subparagraph (F); and

(ii) by inserting before subparagraph (F) (as so redesignated) the following:

“(E) water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and”;

(B) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(C) by inserting after paragraph (2) the following:

On page 129, strike line 4 and insert the following:

“(7) EXPANSION OF TECHNICAL ASSISTANCE.—The Secretary shall expand the institution of higher education-based industrial research and assessment centers, working across Federal agencies as necessary—

“(A) to provide comparable assessment services to water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and

“(B) to equip the directors of the centers with the training and tools necessary to provide technical assistance on energy savings to the water and wastewater treatment facilities.”.

SA 2985. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PIKE NATIONAL HISTORIC TRAIL STUDY.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

“(46) PIKE NATIONAL HISTORIC TRAIL.—The Pike National Historic Trail, a series of routes extending approximately 3,664 miles, which follows the route taken by Lt. Zebulon Montgomery Pike during the 1806-1807 Pike expedition that began in Fort Bellefontaine, Missouri, extended through portions of the States of Kansas, Nebraska, Colorado, New Mexico, and Texas, and ended in Natchitoches, Louisiana.”.

SA 2986. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . BOWHUNTING OPPORTUNITY AND WILDLIFE STEWARDSHIP.

(a) IN GENERAL.—Subchapter II of chapter 1015 of title 54, United States Code, is amended by adding at the end the following:

“§ 101513. Hunter access corridors

“(a) DEFINITIONS.—In this section:

“(1) NOT READY FOR IMMEDIATE USE.—The term ‘not ready for immediate use’ means—

“(A) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

“(B) with respect to a crossbow, uncocked.

“(2) VALID HUNTING LICENSE.—The term ‘valid hunting license’ means a State-issued hunting license that authorizes an individual to hunt on private or public land adjacent to the System unit in which the individual is located while in possession of a bow or crossbow that is not ready for immediate use.

“(b) TRANSPORTATION AUTHORIZED.—

“(1) IN GENERAL.—The Director shall not require a permit for, or promulgate or enforce any regulation that prohibits an individual from, transporting bows and crossbows that are not ready for immediate use across any System unit if—

“(A) in the case of an individual traversing the System unit on foot—

“(i) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

“(ii) the bows or crossbows are not ready for immediate use throughout the period during which the bows or crossbows are transported across the System unit;

“(iii) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located; and

“(iv)(I) the individual possesses a valid hunting license;

“(II) the individual is traversing the System unit en route to a hunting access corridor established under subsection (c)(1); or

“(III) the individual is traversing the System unit in compliance with any other applicable regulations or policies; or

“(B) the bows or crossbows are not ready for immediate use and remain inside a vehicle.

“(2) ENFORCEMENT.—Nothing in this subsection limits the authority of the Director to enforce laws (including regulations) prohibiting hunting or the taking of wildlife in any System unit.

“(c) ESTABLISHMENT OF HUNTER ACCESS CORRIDORS.—

“(1) IN GENERAL.—On a determination by the Director under paragraph (2), the Director may establish and publish (in accordance with section 1.5 of title 36, Code of Federal Regulations (or a successor regulation)), on a publicly available map, hunter access corridors across System units that are used to access public land that is—

“(A) contiguous to a System unit; and

“(B) open to hunting.

“(2) DETERMINATION BY DIRECTOR.—The determination referred to in paragraph (1) is a determination that the hunter access corridor would provide wildlife management or visitor experience benefits within the boundary of the System unit in which the hunter access corridor is located.

“(3) HUNTING SEASON.—The hunter access corridors shall be open for use during hunting seasons.

“(4) EXCEPTION.—The Director may establish limited periods during which access through the hunter access corridors is closed for reasons of public safety, administration, or compliance with applicable law.

“(5) IDENTIFICATION OF CORRIDORS.—The Director shall—

“(A) make information regarding hunter access corridors available on the individual website of the applicable System unit; and

“(B) provide information regarding any processes established by the Director for transporting legally taken game through individual hunter access corridors.

“(6) REGISTRATION; TRANSPORTATION OF GAME.—The Director may—

“(A) provide registration boxes to be located at the trailhead of each hunter access corridor for self-registration;

“(B) provide a process for online self-registration; and

“(C) allow nonmotorized conveyances to transport legally taken game through a hunter access corridor established under this subsection, including game carts and sleds.

“(7) CONSULTATION WITH STATES.—The Director shall consult with each applicable State wildlife agency to identify appropriate hunter access corridors.

“(d) EFFECT.—Nothing in this section—

“(1) diminishes, enlarges, or modifies any Federal or State authority with respect to recreational hunting, recreational shooting, or any other recreational activities within the boundaries of a System unit; or

“(2) authorizes—

“(A) the establishment of new trails in System units; or

“(B) authorizes individuals to access areas in System units, on foot or otherwise, that are not open to such access.

“(e) NO MAJOR FEDERAL ACTION.—

“(1) IN GENERAL.—Any action taken under this section shall not be considered a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) NO ADDITIONAL ACTION REQUIRED.—No additional identification, analyses, or consideration of environmental effects (including cumulative environmental effects) is necessary or required with respect to an action taken under this section.”.

(b) CLERICAL AMENDMENT.—The table of sections affected for title 54, United States Code, is amended by inserting after the item relating to section 101512 the following:

“§101513. Hunter access corridors.”.

SA 2987. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 3105. TREATMENT OF OIL SHALE RESERVE RECEIPTS.

Section 7439 of title 10, United States Code, is amended—

(1) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1) DISPOSITION.—

“(A) IN GENERAL.—Notwithstanding section 35 of the Mineral Leasing Act (30 U.S.C. 191), the amounts received during the period specified in paragraph (2) from a lease under this section (including moneys in the form of sales, bonuses, royalties (including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.)), and rentals) that do not exceed the sum of the amounts specified in subparagraphs (A) and (B) of paragraph (2)—

“(i) shall be deposited in the Treasury; and

“(ii) shall not be subject to distribution to the States pursuant to section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

“(B) MINERAL LEASING ACT.—Any amounts received during the period specified in paragraph (2) from a lease under this section (including moneys in the form of sales, bonuses, royalties (including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.)), and rentals) that exceed the sum of

the amounts specified in subparagraphs (A) and (B) of paragraph (2)—

“(i) shall be deposited in the Treasury; and
“(ii) shall be subject to distribution to the States pursuant to section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

“(C) NO IMPACT ON PAYMENTS IN LIEU OF TAXES.—Nothing in this paragraph impacts or reduces any payment authorized under section 6903 of title 31, United States Code.”; and

(B) in paragraph (2)—

(i) by striking “(2) The period” and inserting the following:

“(2) PERIOD.—The period”; and

(ii) in the matter preceding subparagraph (A), by striking “paragraph (1)” and inserting “paragraph (1)(A)”; and

(2) in subsection (g)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “subsection (f)(1)” and inserting “subsection (f)(1)(A)”; and

(B) in paragraph (2), in the first sentence, by striking “subsection (f)(1)” and inserting “subsection (f)(1)(A)”.

SA 2988. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CARBON DIOXIDE CAPTURE FACILITIES.

(a) **SHORT TITLE.**—This section may be cited as the “Carbon Capture Improvement Act of 2016”.

(b) **FINDINGS.**—Congress finds the following:

(1) Capture and long-term storage of carbon dioxide from coal, natural gas, and biomass-fired power plants, as well as from industrial sectors such as oil refining and production of fertilizer, cement, and ethanol, can help protect the environment while improving the economy and national security of the United States.

(2) The United States is a world leader in the field of carbon dioxide capture and long-term storage, as well as the beneficial use of carbon dioxide in enhanced oil recovery operations, with many manufacturers and licensors of carbon dioxide capture technology based in the United States.

(3) While the prospects for large-scale carbon capture in the United States are promising, costs remain relatively high. Lowering the financing costs for carbon dioxide capture projects would accelerate the deployment of this technology, and if the captured carbon dioxide is subsequently sold for industrial use, such as for use in enhanced oil recovery operations, the economic prospects are further improved.

(4) Since 1968, tax-exempt private activity bonds have been used to provide access to lower-cost financing for private businesses that are purchasing new capital equipment for certain specified environmental facilities, including facilities that reduce, recycle, or dispose of waste, pollutants, and hazardous substances.

(5) Allowing tax-exempt financing for the purchase of capital equipment that is used to capture carbon dioxide will reduce the costs of developing carbon dioxide capture projects, accelerate their deployment, and,

in conjunction with carbon dioxide utilization and long-term storage, help the United States meet critical environmental, economic, and national security goals.

(c) **CARBON DIOXIDE CAPTURE FACILITIES.**—
(1) **IN GENERAL.**—Section 142 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (a)—

(i) in paragraph (14), by striking “or” at the end,

(ii) in paragraph (15), by striking the period at the end and inserting “, or”, and

(iii) by adding at the end the following new paragraph:

“(16) qualified carbon dioxide capture facilities.”; and

(B) by adding at the end the following new subsection:

“(n) **QUALIFIED CARBON DIOXIDE CAPTURE FACILITY.**—

“(1) **IN GENERAL.**—For purposes of subsection (a)(16), the term ‘qualified carbon dioxide capture facility’ means the eligible components of an industrial carbon dioxide facility.

“(2) **DEFINITIONS.**—In this subsection:

“(A) **ELIGIBLE COMPONENT.**—

“(i) **IN GENERAL.**—The term ‘eligible component’ means any equipment installed in an industrial carbon dioxide facility that satisfies the requirements under paragraph (3) and is—

“(I) used for the purpose of capture, treatment and purification, compression, transportation, or on-site storage of carbon dioxide produced by the industrial carbon dioxide facility, or

“(II) integral or functionally related and subordinate to a process described in section 48B(c)(2), determined by substituting ‘carbon dioxide’ for ‘carbon monoxide’ in such section.

“(B) **INDUSTRIAL CARBON DIOXIDE FACILITY.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), the term ‘industrial carbon dioxide facility’ means a facility that emits carbon dioxide (including from any fugitive emissions source) that is created as a result of any of the following processes:

“(I) Fuel combustion.

“(II) Gasification.

“(III) Bioindustrial.

“(IV) Fermentation.

“(V) Any manufacturing industry described in section 48B(c)(7).

“(ii) **EXCEPTIONS.**—For purposes of clause (i), an industrial carbon dioxide facility shall not include—

“(I) any geological gas facility (as defined in clause (iii)), or

“(II) any air separation unit that—

“(aa) does not qualify as gasification equipment, or

“(bb) is not a necessary component of an oxy-fuel combustion process.

“(iii) **GEOLOGICAL GAS FACILITY.**—The term ‘geological gas facility’ means a facility that—

“(I) produces a raw product consisting of gas or mixed gas and liquid from a geological formation,

“(II) transports or removes impurities from such product, or

“(III) separates such product into its constituent parts.

“(3) **CAPTURE AND STORAGE REQUIREMENT.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the eligible components of an industrial carbon dioxide facility shall have a capture and storage percentage (as determined under subparagraph (C)) that is equal to or greater than 65 percent.

“(B) **EXCEPTION.**—In the case of an industrial carbon dioxide facility with a capture

and storage percentage that is less than 65 percent, the percentage of the cost of the eligible components installed in such facility that may be financed with tax-exempt bonds may not be greater than the capture and storage percentage.

“(C) **CAPTURE AND STORAGE PERCENTAGE.**—

“(i) **IN GENERAL.**—Subject to clause (ii), the capture and storage percentage shall be an amount, expressed as a percentage, equal to the quotient of—

“(I) the total metric tons of carbon dioxide annually captured, transported, and injected into—

“(aa) a facility for geologic storage, or

“(bb) an enhanced oil or gas recovery well followed by geologic storage, divided by

“(II) the total metric tons of carbon dioxide which would otherwise be released into the atmosphere each year as industrial emission of greenhouse gas if the eligible components were not installed in the industrial carbon dioxide facility.

“(ii) **LIMITED APPLICATION OF ELIGIBLE COMPONENTS.**—In the case of eligible components that are designed to capture carbon dioxide solely from specific sources of emissions or portions thereof within an industrial carbon dioxide facility, the capture and storage percentage under this subparagraph shall be determined based only on such specific sources of emissions or portions thereof.”.

(2) **VOLUME CAP.**—Section 146(g)(4) of such Code is amended by striking “paragraph (11) of section 142(a) (relating to high-speed intercity rail facilities)” and inserting “paragraph (11) or (16) of section 142(a)”.

(3) **CLARIFICATION OF PRIVATE BUSINESS USE.**—Section 141(b)(6) of such Code is amended by adding at the end the following new subparagraph:

“(C) **CLARIFICATION RELATING TO QUALIFIED CARBON DIOXIDE CAPTURE FACILITIES.**—For purposes of this subsection, the sale of carbon dioxide produced by a qualified carbon dioxide capture facility (as defined in section 142(n)) which is owned by a governmental unit shall not constitute private business use.”.

(4) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to obligations issued after December 31, 2015.

SA 2989. Mr. REED (for himself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Section 2301 is amended by adding at the end the following:

(f) **USE OF FUNDS.**—To the maximum extent practicable, in carrying out this section, the Secretary shall ensure that the use of funds to carry out this section is coordinated among different offices within the Grid Modernization Initiative of the Department and other programs conducting energy storage research.

SA 2990. Mr. REED (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. SEC INDUSTRY GUIDES.

(a) DEFINITION.—In this section, the term “Commission” means the Securities and Exchange Commission.

(b) UPDATES TO INDUSTRY GUIDES.—Not later than 180 days after the date of enactment of this Act, the Commission shall—

(1) update—

(A) the industry guides described in subsections (d) and (g) of section 229.801 of title 17, Code of Federal Regulations and section 229.802(g) of title 17, Code of Federal Regulations; and

(B) subpart 229.1200 of title 17, Code of Federal Regulations; and

(2) in making the updates required under paragraph (1), consider and incorporate appropriate recommendations made in the report entitled “Climate Strategies and Metrics: Exploring Options for Institutional Investors”, published in 2015 by the 2 Degrees Investing Initiative, the World Resources Institute, and the United Nations Environment Programme Finance Initiative.

(c) ENFORCEMENT.—If the Commission fails to meet the deadline under subsection (b), the Chairman of the Commission shall provide a report to and testify before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives explaining why the Commission failed to meet the deadline.

SA 2991. Ms. MURKOWSKI (for Mr. INHOFE (for himself, Mr. MARKEY, and Mr. BOOKER)) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —BROWNFIELDS REAUTHORIZATION

SEC. 01. SHORT TITLE.

This title may be cited as the “Brownfields Utilization, Investment, and Local Development Act of 2016” or the “BUILD Act”.

SEC. 02. EXPANDED ELIGIBILITY FOR NON-PROFIT ORGANIZATIONS.

Section 104(k)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(1)) is amended—

(1) in subparagraph (G), by striking “or” after the semicolon;

(2) in subparagraph (H), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(I) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

“(J) a limited liability corporation in which all managing members are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I);

“(K) a limited partnership in which all general partners are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I); or

“(L) a qualified community development entity (as defined in section 45D(c)(1) of the Internal Revenue Code of 1986).”.

SEC. 03. MULTIPURPOSE BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) by redesignating paragraphs (4) through (9) and (10) through (12) as paragraphs (5) through (10) and (13) through (15), respectively;

(2) in paragraph (3)(A), by striking “subject to paragraphs (4) and (5)” and inserting “subject to paragraphs (5) and (6)”; and

(3) by inserting after paragraph (3) the following:

“(4) MULTIPURPOSE BROWNFIELDS GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (D) and paragraphs (5) and (6), the Administrator shall establish a program to provide multipurpose grants to an eligible entity based on the considerations under paragraph (3)(C), to carry out inventory, characterization, assessment, planning, or remediation activities at 1 or more brownfield sites in a proposed area.

“(B) GRANT AMOUNTS.—

“(i) INDIVIDUAL GRANT AMOUNTS.—Each grant awarded under this paragraph shall not exceed \$950,000.

“(ii) CUMULATIVE GRANT AMOUNTS.—The total amount of grants awarded for each fiscal year under this paragraph shall not exceed 15 percent of the funds made available for the fiscal year to carry out this subsection.

“(C) CRITERIA.—In awarding a grant under this paragraph, the Administrator shall consider the extent to which an eligible entity is able—

“(i) to provide an overall plan for revitalization of the 1 or more brownfield sites in the proposed area in which the multipurpose grant will be used;

“(ii) to demonstrate a capacity to conduct the range of eligible activities that will be funded by the multipurpose grant; and

“(iii) to demonstrate that a multipurpose grant will meet the needs of the 1 or more brownfield sites in the proposed area.

“(D) CONDITION.—As a condition of receiving a grant under this paragraph, each eligible entity shall expend the full amount of the grant not later than the date that is 3 years after the date on which the grant is awarded to the eligible entity unless the Administrator, in the discretion of the Administrator, provides an extension.”.

SEC. 04. TREATMENT OF CERTAIN PUBLICLY OWNED BROWNFIELD SITES.

Section 104(k)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(2)) is amended by adding at the end the following:

“(C) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding any other provision of law, an eligible entity that is a governmental entity may receive a grant under this paragraph for property acquired by that governmental entity prior to January 11, 2002, even if the governmental entity does not qualify as a bona fide prospective purchaser (as that term is defined in section 101(40)), so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.”.

SEC. 05. INCREASED FUNDING FOR REMEDIATION GRANTS.

Section 104(k)(3)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(3)(A)(ii)) is amended by striking “\$200,000 for each site to be remediated” and inserting “\$500,000 for each site to be remedi-

ated, which limit may be waived by the Administrator, but not to exceed a total of \$650,000 for each site, based on the anticipated level of contamination, size, or ownership status of the site”.

SEC. 06. ALLOWING ADMINISTRATIVE COSTS FOR GRANT RECIPIENTS.

Paragraph (5) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 3(1)) is amended—

(1) in subparagraph (B)—

(A) in clause (i)—

(i) by striking subclause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(B) by striking clause (ii);

(C) by redesignating clause (iii) as clause (ii); and

(D) in clause (ii) (as redesignated by subparagraph (C)), by striking “Notwithstanding clause (i)(IV)” and inserting “Notwithstanding clause (i)(III)”; and

(2) by adding at the end the following:

“(E) ADMINISTRATIVE COSTS.—

“(i) IN GENERAL.—An eligible entity may use up to 8 percent of the amounts made available under a grant or loan under this subsection for administrative costs.

“(ii) RESTRICTION.—For purposes of clause (i), the term ‘administrative costs’ does not include—

“(I) investigation and identification of the extent of contamination;

“(II) design and performance of a response action; or

“(III) monitoring of a natural resource.”.

SEC. 07. SMALL COMMUNITY TECHNICAL ASSISTANCE GRANTS.

Paragraph (7)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 03(1)) is amended—

(1) by striking “The Administrator may provide,” and inserting the following:

“(i) DEFINITIONS.—In this subparagraph:

“(I) DISADVANTAGED AREA.—The term ‘disadvantaged area’ means an area with an annual median household income that is less than 80 percent of the State-wide annual median household income, as determined by the latest available decennial census.

“(II) SMALL COMMUNITY.—The term ‘small community’ means a community with a population of not more than 15,000 individuals, as determined by the latest available decennial census.

“(ii) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program to provide grants that provide,”; and

(2) by adding at the end the following:

“(iii) SMALL OR DISADVANTAGED COMMUNITY RECIPIENTS.—

“(I) IN GENERAL.—Subject to subclause (II), in carrying out the program under clause (ii), the Administrator shall use not more than \$600,000 of the amounts made available to carry out this paragraph to provide grants to States that receive amounts under section 128(a) to assist small communities, Indian tribes, rural areas, or disadvantaged areas in achieving the purposes described in clause (ii).

“(II) LIMITATION.—Each grant awarded under subclause (I) shall be not more than \$7,500.”.

SEC. 08. WATERFRONT BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended by inserting after paragraph (10) (as

redesignated by section ____03(1)) the following:

“(11) WATERFRONT BROWNFIELD SITES.—

“(A) DEFINITION OF WATERFRONT BROWNFIELD SITE.—In this paragraph, the term ‘waterfront brownfield site’ means a brownfield site that is adjacent to a body of water or a federally designated floodplain.

“(B) REQUIREMENTS.—In providing grants under this subsection, the Administrator shall—

“(i) take into consideration whether the brownfield site to be served by the grant is a waterfront brownfield site; and

“(ii) give consideration to waterfront brownfield sites.”.

SEC. ____09. CLEAN ENERGY BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as amended by section ____08) is amended by inserting after paragraph (11) the following:

“(12) CLEAN ENERGY PROJECTS AT BROWNFIELD SITES.—

“(A) DEFINITION OF CLEAN ENERGY PROJECT.—In this paragraph, the term ‘clean energy project’ means—

“(i) a facility that generates renewable electricity from wind, solar, or geothermal energy; and

“(ii) any energy efficiency improvement project at a facility, including combined heat and power and district energy.

“(B) ESTABLISHMENT.—The Administrator shall establish a program to provide grants—

“(i) to eligible entities to carry out inventory, characterization, assessment, planning, feasibility analysis, design, or remediation activities to locate a clean energy project at 1 or more brownfield sites; and

“(ii) to capitalize a revolving loan fund for the purposes described in clause (i).

“(C) MAXIMUM AMOUNT.—A grant under this paragraph shall not exceed \$500,000.”.

SEC. ____10. TARGETED FUNDING FOR STATES.

Paragraph (15) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section ____03(1)) is amended by adding at the end the following:

“(C) TARGETED FUNDING.—Of the amounts made available under subparagraph (A) for a fiscal year, the Administrator may use not more than \$2,000,000 to provide grants to States for purposes authorized under section 128(a), subject to the condition that each State that receives a grant under this subparagraph shall have used at least 50 percent of the amounts made available to that State in the previous fiscal year to carry out assessment and remediation activities under section 128(a).”.

SEC. ____11. AUTHORIZATION OF APPROPRIATIONS.

(a) BROWNFIELDS REVITALIZATION FUNDING.—Paragraph (15)(A) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section ____03(1)) is amended by striking “2006” and inserting “2018”.

(b) STATE RESPONSE PROGRAMS.—Section 128(a)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9628(a)(3)) is amended by striking “2006” and inserting “2018”.

SA 2992. Mr. CRAPO (for himself, Mr. WHITEHOUSE, Mr. RISCH, Mr. BOOKER, Mr. HATCH, Mr. KIRK, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2953 pro-

posed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3501 and insert the following:

SEC. 3501. NUCLEAR ENERGY INNOVATION CAPABILITIES.

(a) DEFINITIONS.—In this section:

(1) ADVANCED FISSION REACTOR.—The term “advanced fission reactor” means a nuclear fission reactor with significant improvements over the most recent generation of nuclear reactors, including improvements such as—

- (A) inherent safety features;
- (B) lower waste yields;
- (C) greater fuel utilization;
- (D) superior reliability;
- (E) resistance to proliferation;
- (F) increased thermal efficiency; and
- (G) ability to integrate into electric and nonelectric applications.

(2) FAST NEUTRON.—The term “fast neutron” means a neutron with kinetic energy above 100 kiloelectron volts.

(3) NATIONAL LABORATORY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(B) LIMITATION.—With respect to the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories, the term “National Laboratory” means only the civilian activities of the laboratory.

(4) NEUTRON FLUX.—The term “neutron flux” means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

(5) NEUTRON SOURCE.—The term “neutron source” means a research machine that provides neutron irradiation services for—

- (A) research on materials sciences and nuclear physics; and
- (B) testing of advanced materials, nuclear fuels, and other related components for reactor systems.

(b) MISSION.—Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities described in this subtitle, that take into consideration the following objectives:

- “(1) Providing research infrastructure—
- “(A) to promote scientific progress; and
- “(B) to enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

“(2) Maintaining nuclear energy research and development programs at the National Laboratories and institutions of higher education, including programs of infrastructure of National Laboratories and institutions of higher education.

“(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation.

“(4) Ensuring public safety.

“(5) Reducing the environmental impact of nuclear energy-related activities.

“(6) Supporting technology transfer from the National Laboratories to the private sector.

“(7) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the objectives described in this subsection.”.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) nuclear energy, through fission or fusion, represents the highest energy density of any known attainable source and yields low air emissions;

(2) nuclear energy is of national importance to scientific progress, national security, electricity generation, heat generation for industrial applications, and space exploration; and

(3) considering the inherent complexity and regulatory burden associated with nuclear energy, the Department should focus civilian nuclear research and development activities of the Department on programs that enable the private sector, National Laboratories, and institutions of higher education to carry out experiments to promote scientific progress and enhance practical knowledge of nuclear engineering.

(d) HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.—

(1) MODELING AND SIMULATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall carry out a program to enhance the capabilities of the United States to develop new reactor technologies and related systems technologies through high-performance computation modeling and simulation techniques (referred to in this paragraph as the “program”).

(B) COORDINATION REQUIRED.—In carrying out the program, the Secretary shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative established by Executive Order 13702 (80 Fed. Reg. 46177) (July 29, 2015).

(C) OBJECTIVES.—In carrying out the program, the Secretary shall take into consideration the following objectives:

(i) Using expertise from the private sector, institutions of higher education, and National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced fission reactor systems, nuclear fusion systems, and reactor systems for space exploration.

(ii) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

(iii) Increasing the utility of the research infrastructure of the Department by coordinating with the Advanced Scientific Computing Research program of the Office of Science.

(iv) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

(v) Ensuring that new experimental and computational tools are accessible to relevant research communities, including private companies engaged in nuclear energy technology development.

(2) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of the research facilities of the Department, including research—

(A) on physical processes to simulate degradation of materials and behavior of fuel forms; and

(B) for validation of computational tools.

(e) VERSATILE NEUTRON SOURCE.—

(1) DETERMINATION OF MISSION NEED.—

(A) IN GENERAL.—Not later than December 31, 2016, the Secretary shall determine the

mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility (referred to in this subsection as the “user facility”).

(B) CONSULTATION REQUIRED.—In carrying out subparagraph (A), the Secretary shall consult with the private sector, institutions of higher education, the National Laboratories, and relevant Federal agencies to ensure that the user facility will meet the research needs of the largest possible majority of prospective users.

(2) PLAN FOR ESTABLISHMENT.—On the determination of the mission need under paragraph (1), the Secretary, as expeditiously as practicable, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a detailed plan for the establishment of the user facility (referred to in this section as the “plan”).

(3) DEADLINE FOR ESTABLISHMENT.—The Secretary shall make every effort to complete construction of, and approve the start of operations for, the user facility by December 31, 2025.

(4) FACILITY REQUIREMENTS.—

(A) CAPABILITIES.—The Secretary shall ensure that the user facility shall provide, at a minimum—

(i) fast neutron spectrum irradiation capability; and

(ii) capacity for upgrades to accommodate new or expanded research needs.

(B) CONSIDERATIONS.—In carrying out the plan, the Secretary shall consider—

(i) capabilities that support experimental high-temperature testing;

(ii) providing a source of fast neutrons—

(I) at a neutron flux that is higher than the neutron flux at which research facilities operate before establishment of the user facility; and

(II) sufficient to enable research for an optimal base of prospective users;

(iii) maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible;

(iv) capabilities for irradiation with neutrons of a lower energy spectrum;

(v) multiple loops for fuels and materials testing in different coolants; and

(vi) additional pre-irradiation and post-irradiation examination capabilities.

(5) COORDINATION.—In carrying out this subsection, the Secretary shall leverage the best practices of the Office of Science for the management, construction, and operation of national user facilities.

(6) REPORT.—The Secretary shall include in the annual budget request of the Department an explanation for any delay in carrying out this subsection.

(F) ENABLING NUCLEAR ENERGY INNOVATION.—

(1) ESTABLISHMENT OF NATIONAL NUCLEAR INNOVATION CENTER.—The Secretary may enter into a memorandum of understanding with the Chairman of the Nuclear Regulatory Commission to establish a center to be known as the “National Nuclear Innovation Center” (referred to in this subsection as the “Center”)—

(A) to enable the testing and demonstration of reactor concepts to be proposed and funded, in whole or in part, by the private sector;

(B) to establish and operate a database to store and share data and knowledge on nuclear science between Federal agencies and private industry; and

(C) to establish capabilities to develop and test reactor electric and nonelectric integration and energy conversion systems.

(2) ROLE OF NRC.—In operating the Center, the Secretary shall—

(A) consult with the Nuclear Regulatory Commission on safety issues; and

(B) permit staff of the Nuclear Regulatory Commission to actively observe and learn about the technology being developed at the Center.

(3) OBJECTIVES.—A reactor developed under paragraph (1)(A) shall have the following objectives:

(A) Enabling physical validation of fusion and advanced fission experimental reactors at the National Laboratories or other facilities of the Department.

(B) Resolving technical uncertainty and increase practical knowledge relevant to safety, resilience, security, and functionality of novel reactor concepts.

(C) Conducting general research and development to improve novel reactor technologies.

(4) USE OF TECHNICAL EXPERTISE.—In operating the Center, the Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories—

(A) to minimize the time required to carry out paragraph (3); and

(B) to ensure reasonable safety for individuals working at the National Laboratories or other facilities of the Department to carry out that paragraph.

(5) REPORTING REQUIREMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report assessing the capabilities of the Department to authorize, host, and oversee privately proposed and funded reactors (as described in paragraph (1)(A)).

(B) CONTENTS.—The report shall address—

(i) the safety review and oversight capabilities of the Department, including options to leverage expertise from the Nuclear Regulatory Commission and the National Laboratories;

(ii) potential sites capable of hosting the activities described in paragraph (1);

(iii) the efficacy of the available contractual mechanisms of the Department to partner with the private sector and other Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

(iv) how the Federal Government and the private sector will address potential intellectual property concerns;

(v) potential cost structures relating to physical security, decommissioning, liability, and other long term project costs; and

(vi) other challenges or considerations identified by the Secretary.

(g) BUDGET PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives 3 alternative 10-year budget plans for civilian nuclear energy research and development by the Department in accordance with paragraph (2).

(2) DESCRIPTION OF PLANS.—

(A) IN GENERAL.—The 3 alternative 10-year budget plans submitted under paragraph (1) shall be the following:

(i) A plan that assumes constant annual funding at the level of appropriations for fiscal year 2016 for the civilian nuclear energy research and development of the Department, particularly for programs critical to advanced nuclear projects and development.

(ii) A plan that assumes 2 percent annual increases to the level of appropriations described in clause (i).

(iii) A plan that uses an unconstrained budget.

(B) INCLUSIONS.—Each plan shall include—

(i) a prioritized list of the programs, projects, and activities of the Department that best support the development, licensing, and deployment of advanced nuclear energy technologies;

(ii) realistic budget requirements for the Department to carry out subsections (d), (e), and (f); and

(iii) the justification of the Department for continuing or terminating existing civilian nuclear energy research and development programs.

(h) NUCLEAR REGULATORY COMMISSION REPORT.—Not later than December 31, 2016, the Chairman of the Nuclear Regulatory Commission shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report describing—

(1) the extent to which the Nuclear Regulatory Commission is capable of licensing advanced reactor designs that are developed pursuant to this section by the end of the 4-year period beginning on the date on which an application is received under part 50 or 52 of title 10, Code of Federal Regulations (or successor regulations); and

(2) any organizational or institutional barriers the Nuclear Regulatory Commission will need to overcome to be able to license the advanced reactor designs that are developed pursuant to this section by the end of the 4-year period described in paragraph (1).

SA 2993. Mr. HELLER (for himself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. CONSIDERATION OF ENERGY STORAGE SYSTEMS.

Section 111 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621) is amended by adding at the end the following:

“(20) CONSIDERATION OF ENERGY STORAGE SYSTEMS.—Each State shall consider requiring that, prior to undertaking investments in new generation, transmission, or other capital investments, an electric utility of the State demonstrate to the State that the electric utility considered an investment in an energy storage system based on appropriate factors, including—

“(A) total costs;

“(B) cost-effectiveness;

“(C) improved reliability;

“(D) security; and

“(E) system performance and efficiency.”.

SA 2994. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 33. PROHIBITION ON NEW FINANCIAL RESPONSIBILITY REQUIREMENTS BY THE ENVIRONMENTAL PROTECTION AGENCY.

Notwithstanding any other provision of law, effective beginning on the date of enactment of this Act, the Administrator of the Environmental Protection Agency may not develop, propose, finalize, implement, enforce, or administer any regulation that would establish a new financial responsibility requirement pursuant to section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)) or any other applicable provision of law.

SA 2995. Mr. HELLER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . INTERIM ASSESSMENT OF REGULATORY REQUIREMENTS AND APPLICABLE PENALTIES.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall ensure that the requirements described in subsection (b) are satisfied.

(b) **REQUIREMENTS.**—The Administrator shall satisfy—

(1) section 4 of Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and Executive Order 13563 (5 U.S.C. 601 note; relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order 13132 (5 U.S.C. 601 note; relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

SA 2996. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . REPEAL OF RULES REQUIRED BEFORE ISSUING OR AMENDING RULE.

(a) **DEFINITIONS.**—In this section—

(1) the term “agency” has the meaning given the term in section 551 of title 5, United States Code;

(2) the term “covered rule” means a rule of an agency that causes a new financial or administrative burden on businesses in the United States or on the people of the United States, as determined by the head of the agency;

(3) the term “rule”—

(A) has the meaning given the term in section 551 of title 5, United States Code; and

(B) includes—

(i) any rule issued by an agency pursuant to an Executive Order or Presidential memorandum; and

(ii) any rule issued by an agency due to the issuance of a memorandum, guidance document, bulletin, or press release issued by an agency; and

(4) the term “Unified Agenda” means the Unified Agenda of Federal Regulatory and Deregulatory Actions.

(b) **PROHIBITION ON ISSUANCE OF CERTAIN RULES.**—

(1) **IN GENERAL.**—An agency may not—

(A) issue a covered rule that does not amend or modify an existing rule of the agency, unless—

(i) the agency has repealed 1 or more existing covered rules of the agency; and

(ii) the cost of the covered rule to be issued is less than or equal to the cost of the covered rules repealed under clause (i), as determined and certified by the head of the agency; or

(B) issue a covered rule that amends or modifies an existing rule of the agency, unless—

(i) the agency has repealed or amended 1 or more existing covered rules of the agency; and

(ii) the cost of the covered rule to be issued is less than or equal to the cost of the covered rules repealed or amended under clause (i), as determined and certified by the head of the agency.

(2) **APPLICATION.**—Paragraph (1) shall not apply to the issuance of a covered rule by an agency that—

(A) relates to the internal policy or practice of the agency or procurement by the agency; or

(B) is being revised to be less burdensome to decrease requirements imposed by the covered rule or the cost of compliance with the covered rule.

(c) **CONSIDERATIONS FOR REPEALING RULES.**—In determining whether to repeal a covered rule under subparagraph (A)(i) or (B)(i) of subsection (b)(1), the head of the agency that issued the covered rule shall consider—

(1) whether the covered rule achieved, or has been ineffective in achieving, the original purpose of the covered rule;

(2) any adverse effects that could materialize if the covered rule is repealed, in particular if those adverse effects are the reason the covered rule was originally issued;

(3) whether the costs of the covered rule outweigh any benefits of the covered rule to the United States;

(4) whether the covered rule has become obsolete due to changes in technology, economic conditions, market practices, or any other factors; and

(5) whether the covered rule overlaps with a covered rule to be issued by the agency.

(d) **PUBLICATION OF COVERED RULES IN UNIFIED AGENDA.**—

(1) **REQUIREMENTS.**—Each agency shall, on a semiannual basis, submit jointly and without delay to the Office of Information and Regulatory Affairs for publication in the Unified Agenda a list containing—

(A) each covered rule that the agency intends to issue during the 6-month period following the date of submission;

(B) each covered rule that the agency intends to repeal or amend in accordance with subsection (b) during the 6-month period following the date of submission; and

(C) the cost of each covered rule described in subparagraphs (A) and (B).

(2) **PROHIBITION.**—An agency may not issue a covered rule unless the agency complies with the requirements under paragraph (1).

SA 2997. Mr. WYDEN (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1021, add the following:

(d) **INTERNET OF THINGS.**—

(1) **DEFINITION OF INTERNET OF THINGS.**—In this subsection, the term “Internet of Things” means a set of technologies (including endpoint devices such as cars, machinery or household appliances) that—

(A) connect to the Internet; and

(B) provide real-time and actionable analytics and predictive maintenance.

(2) **IMPACT OF INTERNET OF THINGS TECHNOLOGY.**—The report required under this section shall—

(A) analyze—

(i) the impact of Internet of Things technology on energy and water systems; and

(ii) the return on investment of installing Internet of Things technology solutions to increase water and energy efficiency, improve water quality, and support demand response and the flexibility and reliability of the electricity grid; and

(B) identify—

(i) ways in which to enable actionable analytics and predictive maintenance to improve the long-term viability of building systems and equipment; and

(ii) Internet of Things technology solutions that, through features embedded in hardware and software from the outset—

(I) are easily scalable; and

(II) promote security, privacy, interoperability, and open standards.

SA 2998. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 43. EFFICIENT CHARACTERIZATION AND VALUATION OF NEW GRID SERVICES AND TECHNOLOGIES.

The Secretary shall—

(1) evaluate the ability of distinct grid components to provide grid services and options for increasing the viability of grid components to provide grid services, with the goal of allowing market operators and regulators to have a more complete understanding of the range of technologies and strategies that can provide grid services;

(2) convene and work with stakeholders to—

(A)(i) define the characteristics of a reliable, affordable, and environmentally sustainable electricity system; and

(ii) create approaches for valuing the defined characteristics;

(B) develop a framework for identifying attributes of services provided to the grid by electricity system components; and

(C) develop approaches for incorporating the valuation of grid service attributes in different regulatory contexts; and

(3) not later than January 1, 2018, submit to the appropriate committees of Congress a report that describes the findings of the Secretary with respect to the issues evaluated under paragraphs (1) and (2).

SA 2999. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) DEFINITIONS.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C)—

(i) by striking “fiscal year 2012 and each fiscal year thereafter” and inserting “each of fiscal years 2012 through 2015”; and

(ii) by striking “year.” and inserting “year; and”;

(C) by adding at the end the following:

“(D) for each of fiscal years 2016 through 2025, the amount that is equal to the full funding amount for fiscal year 2011.”.

(2) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking “2015” each place it appears and inserting “2025”.

(3) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter” and inserting “August 1 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year)”; and

(ii) by adding at the end the following:

“(D) PAYMENT FOR FISCAL YEARS 2016 THROUGH 2025.—A county election otherwise required by subparagraph (A) shall not apply for fiscal years 2016 through 2025 if the county elects to receive a share of the State payment or the county payment in 2013.”; and

(B) in paragraph (2)(B)—

(i) by inserting “or any subsequent year” after “2013”; and

(ii) by striking “2015” and inserting “2025”.

(4) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking “not more than 7 percent of the total share

for the eligible county of the State payment or the county payment” and inserting “any portion of the balance”; and

(B) by striking subparagraph (C) and inserting the following:

“(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which \$350,000 or more is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

“(i) Reserve any portion of the balance for projects in accordance with title II.

“(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

“(iii) Return to the Treasury of the United States the portion of the balance not reserved under clauses (i) and (ii).”.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(ii) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking “purpose described in section 202(b)” and inserting “purposes described in section 202(b), section 203(c), or section 204(a)(5)”.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking “2015” and inserting “2025”.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking “subparagraph (B)” and inserting “subparagraph (B)(i)”.

(3) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking “2017” and inserting “2027”; and

(B) in subsection (b), by striking “2018” and inserting “2028”.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—

(1) FUNDING FOR SEARCH AND RESCUE.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(A) by striking paragraph (2) and inserting the following:

“(2) to reimburse the participating county or sheriff for amounts paid for by the participating county or sheriff, as applicable, for—

“(A) search and rescue and other emergency services, including firefighting and law enforcement patrols, that are performed on Federal land; and

“(B) emergency response vehicles or aircraft but only in the amount attributable to the use of the vehicles or aircraft to provide the services described in subparagraph (A);”;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

“(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and”.

(2) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Commu-

nity Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking “2017” and inserting “2027”; and

(B) in subsection (b), by striking “2018” and inserting “2028”.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

“SEC. 404. NO REDUCTION IN PAYMENTS.

“Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).”.

(e) AVAILABILITY OF FUNDS.—

(1) TITLE II FUNDS.—Any funds that were not obligated by September 30, 2014, as required by section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) (as in effect on the day before the date of enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10; 129 Stat. 87)) shall be available for use in accordance with title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.).

(2) TITLE III FUNDS.—Any funds that were not obligated by September 30, 2014, as required by section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) (as in effect on the day before the date of enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10; 129 Stat. 87)) shall be available for use in accordance with title III of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7141 et seq.).

SEC. _____. RESTORING MANDATORY FUNDING STATUS TO THE PAYMENT IN LIEU OF TAXES PROGRAM.

Section 6906 of title 31, United States Code, is amended in the matter preceding paragraph (1), by striking “of fiscal years 2008 through 2014” and inserting “fiscal year”.

In section 5002, add at the end the following:

(e) FULL FUNDING OF LAND AND WATER CONSERVATION FUND.—

(1) IN GENERAL.—Section 200303 of title 54, United States Code, is amended to read as follows:

“§ 200303. Availability of funds

“(a) IN GENERAL.—Amounts deposited in the Fund under section 200302 shall be made available for expenditure, without further appropriation or fiscal year limitation, to carry out the purposes of the Fund (including accounts and programs made available from the Fund under the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235; 128 Stat. 2130)).

“(b) ADDITIONAL AMOUNTS.—Amounts made available under subsection (a) shall be in addition to amounts made available to the Fund under section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) or otherwise appropriated from the Fund.

“(c) ALLOCATION AUTHORITY.—

“(1) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program, and project allocations to be funded under subsection (a) as part of the annual budget submission of the President.

“(2) ALTERNATE ALLOCATION.—

“(A) IN GENERAL.—Appropriations Acts may provide for alternate allocation of amounts made available under subsection

(a), including allocations by account and program.

“(B) ALLOCATION BY PRESIDENT.—

“(i) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations by the date that is 120 days after the date on which the applicable fiscal year begins, amounts made available under subsection (a) shall be allocated by the President.

“(ii) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations for amounts made available under subsection (a) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President.

“(3) ANNUAL REPORT.—The President shall submit to Congress an annual report that describes the final allocation by account, program, and project of amounts made available under subsection (a), including a description of the status of obligations and expenditures.”

(2) CLERICAL AMENDMENT.—The table of sections for title 54 is amended by striking the item relating to section 200303 and inserting the following:

“200303. Availability of funds.”

SA 3000. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 220. MARKET-DRIVEN REINSTATEMENT OF OIL EXPORT BAN.

(a) DEFINITIONS.—In this section:

(1) AVERAGE NATIONAL PRICE OF GASOLINE.—The term “average national price of gasoline” means the average of retail regular gasoline prices in the United States, as calculated (on a weekday basis) by, and published on the Internet website of, the Energy Information Administration.

(2) GASOLINE INDEX PRICE.—The term “gasoline index price” means the average of retail regular gasoline prices in the United States, as calculated (on a monthly basis) by, and published on the Internet website of, the Energy Information Administration, during the 60-month period preceding the date of the calculation.

(b) REINSTATEMENT OF OIL EXPORT BAN.—

(1) IN GENERAL.—Effective on the date on which the event described in paragraph (2) occurs, subsections (a), (b), (c), and (d) of section 101 of division O of the Consolidated Appropriations Act, 2016 (Public Law 114-113), are repealed, and the provisions of law amended or repealed by those subsections are restored or revived as if those subsections had not been enacted.

(2) EVENT DESCRIBED.—The event referred to in paragraph (1) is the date on which the average national price of gasoline has been greater than the gasoline index price for 30 consecutive days.

(c) PRESIDENTIAL AUTHORITY.—Notwithstanding subsection (b), the President may affirmatively allow the export of crude oil from the United States to continue for a period of not more than 1 year after the date of the reinstatement described in subsection (b), if the President—

(1) declares a national emergency and formally notices the declaration of a national emergency in the Federal Register; or

(2) finds and reports to Congress that a ban on the export of crude oil pursuant to this section has caused undue economic hardship.

(d) EFFECTIVE DATE.—This section takes effect on the date that is 5 years after the date of enactment of the Consolidated Appropriations Act, 2016 (Public Law 114-113).

SA 3001. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3005(2), insert “, through a program conducted in collaboration with industry, including cost-shared exploration drilling” after “available technologies”.

SA 3002. Mr. WYDEN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3017 (relating to bio-power) and insert the following:

SEC. 3017. BIO-POWER.

(a) DEFINITIONS.—In this section:

(1) BIO-POWER.—The term “bio-power” means the use of woody biomass to generate electricity.

(2) SECRETARIES.—The term “Secretaries” means the Secretary and the Secretary of Agriculture, acting jointly.

(3) WOODY BIOMASS THERMAL.—The term “woody biomass thermal” means the use of woody biomass—

(A) to generate heat; or

(B) for cooling purposes.

(b) WOODY BIOMASS THERMAL AND BIO-POWER.—The Secretaries shall coordinate research and development activities relating to bio-power and woody biomass thermal projects—

(1) between the Department of Agriculture and the Department; and

(2) with other departments and agencies of the Federal Government.

(c) WOODY BIOMASS THERMAL AND BIO-POWER GRANTS.—

(1) ESTABLISHMENT.—The Secretaries shall establish a program under which the Secretaries shall provide grants to relevant projects to support innovation, market development, and expansion of the commercial, institutional, industrial, and residential bio-energy sectors in woody biomass thermal and bio-power.

(2) APPLICATIONS.—

(A) IN GENERAL.—To be eligible to receive a grant under this subsection, the owner or operator of a relevant project shall submit to the Secretaries an application at such time, in such manner, and containing such information as the Secretaries may require.

(B) ADMINISTRATION.—In administering the application process under subparagraph (A)—

(i) the Secretary, in consultation with the Secretary of Agriculture, shall administer the process with respect to applications for grants under subparagraphs (A) and (C) of paragraph (3); and

(ii) the Secretary of Agriculture, in consultation with the Secretary, shall administer the process with respect to applications for grants under paragraph (3)(B).

(3) ALLOCATION.—Of the amounts appropriated to carry out this subsection, the Secretaries shall not provide more than—

(A) \$15,000,000 for projects that develop innovative techniques for preprocessing biomass for woody biomass thermal and bio-power, with the goals of lowering the costs of—

(i) distributed preprocessing technologies, including technologies designed to promote densification, torrefaction, and the broader commoditization of bioenergy feedstocks; and

(ii) transportation;

(B) \$15,000,000 for woody biomass thermal and bio-power demonstration projects, including—

(i) district energy projects;

(ii) combined heat and power;

(iii) small-scale gasification;

(iv) innovation in transportation; and

(v) projects addressing the challenges of retrofitting existing electricity generation facilities, including coal-fired facilities, to use biomass; and

(C) \$5,000,000 for demonstration projects and research and development of residential wood heaters towards meeting all targets established by the most recent standards of performance established by the Administrator of the Environmental Protection Agency under section 111 of the Clean Air Act (42 U.S.C. 7411).

(4) REGIONAL DISTRIBUTION.—In selecting projects to receive grants under this subsection, the Secretaries shall ensure, to the maximum extent practicable, diverse geographical distribution among the projects.

(5) COST SHARE.—The Federal share of the cost of a project carried out using a grant under this subsection shall be 50 percent.

(6) DUTIES OF RECIPIENTS.—As a condition of receiving a grant under this subsection, the owner or operator of a project shall—

(A) participate in the applicable working group under paragraph (7);

(B) submit to the Secretaries a report that includes—

(i) a description of the project and any relevant findings; and

(ii) such other information as the Secretaries determine to be necessary to complete the report of the Secretaries under paragraph (8); and

(C) carry out such other activities as the Secretaries determine to be necessary.

(7) WORKING GROUPS.—The Secretaries shall establish 3 working groups to share best practices and collaborate in project implementation, of which—

(A) 1 shall be comprised of representatives of projects that receive grants under paragraph (3)(A);

(B) 1 shall be comprised of representatives of projects that receive grants under paragraph (3)(B); and

(C) 1 shall be comprised of representatives of projects that receive grants under paragraph (3)(C).

(8) REPORTS.—Not later than 5 years after the date of enactment of the Energy Policy Modernization Act of 2015, the Secretaries shall submit to Congress a report describing—

(A) each project for which a grant has been provided under this subsection;

(B) any findings as a result of those projects; and

(C) the state of market and technology development, including market barriers and opportunities.

(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$35,000,000 for each

of fiscal years 2017 through 2026, to remain available until expended.

(d) **LOW-INTEREST LOAN PROGRAM.**—

(1) **ESTABLISHMENT.**—The Secretary of Agriculture shall establish, within the Rural Development Office, a low-interest loan program to support construction of residential, commercial or institutional, and industrial woody biomass thermal and bio-power systems.

(2) **REQUIREMENTS.**—The program under this subsection shall be—

(A) carried out in accordance with such requirements as the Secretary of Agriculture may establish, by regulation, taking into consideration best practices; and

(B) designed so that small businesses and organizations—

(i) can readily apply for loans with minimal paperwork burdens; and

(ii) shall receive a loan approval decision by not later than 90 days after the date of submission of the loan application.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of Agriculture to carry out this subsection \$100,000,000.

(e) **STATEWIDE WOOD ENERGY TEAMS.**—

(1) **ESTABLISHMENT.**—The Secretary of Agriculture shall establish a program, to be administered by the Chief of the Forest Service, to establish interdisciplinary teams, to be known as “Statewide Wood Energy Teams”, in eligible States interested in expanding woody biomass thermal and bio-power.

(2) **APPLICATION PROCESS.**—

(A) **IN GENERAL.**—A State desiring formal designation and funding for a Statewide Wood Energy Team shall submit to the Chief of the Forest Service an application at such time, in such manner, and containing such information as the Chief of the Forest Service may require.

(B) **APPLICATIONS FOR NEW TEAMS.**—

(i) **IN GENERAL.**—A State without a Statewide Wood Energy Team in existence as of the date of enactment of this subsection may apply for formal designation and funding in accordance with the process established under subparagraph (A).

(ii) **PREFERENCE.**—The Chief of the Forest Service shall give preference to applications that show interdisciplinary engagement by a diversity of stakeholders in States with significant forest health challenges.

(3) **PRIORITY OF FUNDING.**—A Statewide Wood Energy Team in existence as of the date of enactment of this subsection through cooperative agreements with the Forest Service shall receive highest priority as funds are allocated at the discretion of the Chief of the Forest Service.

(4) **REPORT.**—Once every 2 years, the Secretary of Agriculture shall submit to Congress a report on the progress of the Statewide Wood Energy Teams.

(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of Agriculture to carry out this subsection \$20,000,000.

(f) **PROMOTING BIOENERGY IN FEDERAL FACILITIES.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to fund bio-power and woody biomass thermal energy system installations at new or existing Federal facilities \$20,000,000.

(2) **CONSULTATION REQUIRED.**—The Secretary, the Secretary of Agriculture, and the Administrator of General Services shall consult regularly to ensure optimal success of the activities described in paragraph (1).

(g) **DOE CHP TECHNICAL ASSISTANCE PARTNERSHIPS.**—There is authorized to be appro-

priated to the Secretary to carry out the Combined Heat and Power Technical Assistance Partnerships of the Department \$5,000,000 to increase the capacity and expertise of the Department to provide technical and other assistance for combined heat and power systems that use wood as a fuel source.

(h) **DOE RESEARCH ON SMALL GASIFIER SYSTEMS.**—There is authorized to be appropriated to the Secretary to assess and develop market opportunities for small gasifiers, turbines, and other small scale energy thermal and combined heat and power systems that use wood as a fuel source \$5,000,000.

(i) **FUELS TO SCHOOLS AND BEYOND PROGRAM.**—

(1) **IN GENERAL.**—The Secretaries shall establish a program, to be known as the “Fuels for Schools And Beyond”, to convert public, tribal, or nonprofit facilities, such as hospitals, schools, clinics, prisons, and local government buildings, to woody biomass based heating, cooling, or electricity systems.

(2) **APPLICATIONS.**—To be eligible to receive funds under this subsection, the owner or operator of a relevant project shall submit to the Secretaries an application at such time, in such manner, and containing such information as the Secretaries may require.

(3) **PRIORITY.**—The program described in paragraph (1) shall give priority to facilities located in rural or economically disadvantaged areas of the United States.

(4) **USE OF FUNDS.**—Funds made available under the program described in paragraph (1) may be used for feasibility assessments, fuel supply assessments, engineering design, identifying financing and funding for infrastructure investments, and permitting of the systems described in that paragraph.

(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$15,000,000 for each of fiscal years 2017 through 2026.

(j) **WOOD ENERGY WORKS PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Agriculture shall grant funding to a non-Federal organization to create and deliver an initiative for the purpose of providing free project assistance from design through construction and education, training, and resources related to the design of wood energy systems for a wide range of building types including mid-rise, multi-residential, commercial, institutional, and industrial buildings.

(2) **REPORTS.**—

(A) **IN GENERAL.**—The initiative described in paragraph (1) shall report quarterly to the Secretary of Agriculture on the progress and accomplishments of the initiative.

(B) **REPORT TO CONGRESS.**—On receipt of a report under subparagraph (A), the Secretary of Agriculture shall submit to Congress a report on the progress and accomplishments of the initiative.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection—

(A) \$2,000,000 for fiscal year 2017; and

(B) \$5,000,000 for each of fiscal years 2018 through 2027.

(k) **COORDINATION OF EFFORTS TO CREATE INTERAGENCY WOOD ENERGY POLICY REPORT.**—

(1) **IN GENERAL.**—The Secretaries and the Administrator of the Environmental Protection Agency shall conduct an evaluation of Federal policies as of the date of the evaluation and make recommendations on how Congress can better support the industrial, commercial, and residential wood energy sectors in the United States.

(2) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Secretaries shall submit to Congress a report on the evaluation conducted under paragraph (1).

(3) **FUNDING.**—There is authorized to be appropriated to carry out this subsection \$500,000.

(l) **REGIONAL TECHNICAL ASSISTANCE PROGRAM.**—

(1) **IN GENERAL.**—The Secretaries shall establish a regional biomass energy program that provides technical assistance to install wood energy systems for heating, cooling, or electricity at new or existing facilities.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$200,000,000 for the period of fiscal years 2017 through 2026, of which—

(A) 50 percent shall be made available to the Secretary; and

(B) 50 percent shall be made available to the Secretary of Agriculture.

(m) **STRATEGIC ANALYSIS AND RESEARCH.**—

(1) **IN GENERAL.**—The Secretary, acting jointly with the Secretary of Agriculture (acting through the Chief of the Forest Service) and the Administrator of the Environmental Protection Agency, shall establish a woody biomass thermal and bio-power research program—

(A) the costs of which shall be divided equally between the Department, the Department of Agriculture, and the Environmental Protection Agency; and

(B) to carry out projects and activities—

(i) to advance research and analysis on the environmental, social, and economic costs and benefits of the United States bio-power and woody biomass thermal industries, including—

(aa) complete lifecycle analysis of greenhouse gas emissions;

(bb) net energy analysis;

(cc) integrated analysis of the impacts of spatial and temporal scales on greenhouse gas and net energy life cycle analysis;

(dd) stand- and landscape-level implications of biomass harvest on biodiversity, ecosystem function and ancillary benefits of forest; and

(ee) advanced modeling of coupled land use change and future climate impacts on future forest health and biomass production; and

(II) to provide recommendations for policy and investment in those areas; and

(ii) to identify and assess, through a joint effort between the Chief of the Forest Service and the regional combined heat and power groups of the Department and the Environmental Protection Agency, the feasibility of thermally led district wood energy opportunities in all regions of the Forest Service, including by conducting broad regional assessments, feasibility studies, and preliminary engineering assessments at individual facilities.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency—

(A) \$2,000,000 to carry out paragraph (1)(B)(i); and

(B) \$1,000,000 to carry out paragraph (1)(B)(ii).

SA 3003. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and

for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle A of title III, add the following:

SEC. 3004A. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CANNONS-VILLE DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b) REINSTATEMENT OF EXPIRED LICENSE.—

(1) IN GENERAL.—If the required date of the commencement of construction described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) EXTENSION.—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

SA 3004. Mrs. GILLIBRAND (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. USE OF FEDERAL DISASTER RELIEF AND EMERGENCY ASSISTANCE FOR ENERGY-EFFICIENT PRODUCTS AND STRUCTURES.

(a) IN GENERAL.—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

“SEC. 327. USE OF ASSISTANCE FOR ENERGY-EFFICIENT PRODUCTS AND STRUCTURES.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘energy-efficient product’ means a product that—

“(A) meets or exceeds the requirements for designation under an Energy Star program established under section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a); or

“(B) meets or exceeds the requirements for designation as being among the highest 25 percent of equivalent products for energy efficiency under the Federal Energy Management Program; and

“(2) the term ‘energy-efficient structure’ means a residential structure, a public facility, or a private nonprofit facility that meets or exceeds the requirements of Standard 90.1-2013 of the American Society of Heating, Refrigerating and Air-Conditioning Engineers or the 2015 International Energy Conservation Code, or any successor thereto.

“(b) USE OF ASSISTANCE.—A recipient of assistance relating to a major disaster or emergency may use the assistance to replace or repair a damaged product or structure with an energy-efficient product or energy-efficient structure.”.

(b) APPLICABILITY.—The amendment made by this section shall apply to assistance made available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) before, on, or after the date of enactment of this Act that is expended on or after the date of enactment of this Act.

SA 3005. Mr. MARKEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCLUSION OF OIL DERIVED FROM TAR SANDS AS CRUDE OIL.

This Act shall not take effect prior to 10 days following the date that diluted bitumen and other bituminous mixtures derived from tar sands or oil sands are treated as crude oil for purposes of section 4612(a)(1) of the Internal Revenue Code of 1986.

SA 3006. Ms. MURKOWSKI (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INDEPENDENT RELIABILITY ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC RELIABILITY ORGANIZATION.—The term “Electric Reliability Organization” has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) FINAL RULE.—The term “final rule” means the final rule of the Administrator entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015)).

(b) RELIABILITY ANALYSIS REQUIRED.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the final rule shall not go into effect until the date on which the Federal Energy Regulatory Commission, in consultation with the Electric Reliability Organization, conducts an independent reliability analysis of the final rule to evaluate anticipated effects of implementation and enforcement of the final rule on—

(A) electric reliability and resource adequacy;

(B) the electricity generation portfolio of the United States;

(C) the operation of wholesale electricity markets; and

(D) energy delivery and infrastructure, including electric transmission facilities and natural gas pipelines.

(2) AVAILABILITY.—Not later than 120 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall submit to Congress and make publicly

available the reliability analysis described in paragraph (1).

SA 3007. Ms. MURKOWSKI (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON CARBON POLLUTION EMISSION GUIDELINES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) FINAL RULE.—The term “final rule” means the final rule of the Administrator entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015)).

(b) REPORT REQUIRED.—Notwithstanding any other provision of law, the final rule shall not go into effect until the date on which the Administrator submits to Congress and makes available to the public a report that contains—

(1) an analysis of the expected environmental impacts of the final rule, including—

(A) a description of the quantity of greenhouse gas emissions the final rule is projected to reduce, as compared to overall domestic and global greenhouse gas emissions; and

(B) expected impacts of the final rule on the 30 climate change indicators described in the report of the Administrator entitled “Climate Change Indicators in the United States”;

(2) an independent analysis from the Secretary, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, to determine whether the final rule will cause—

(A) an increase in energy prices for consumers, including low-income households, fixed-income households, minority communities, small businesses (including women-owned businesses), veterans, and manufacturers;

(B) any impact on national, regional, or local electric reliability; or

(C) any other adverse effect on energy supply, distribution, or use; and

(3) an independent analysis from the Secretary, in consultation with the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, to determine whether the final rule will cause—

(A) reduced gross domestic product;

(B) unemployment;

(C) increased consumer prices;

(D) reduced business and manufacturing activity; or

(E) reduced foreign investment.

SA 3008. Ms. MURKOWSKI (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ANALYSIS OF EMPLOYMENT EFFECTS UNDER THE CLEAN AIR ACT.

The Administrator of the Environmental Protection Agency shall not propose or finalize any major rule (as defined in section 804 of title 5, United States Code) under the Clean Air Act (42 U.S.C. 7401 et seq.) until after the date on which the Administrator—

(1) completes an economy-wide analysis capturing the costs and cascading effects across industry sectors and markets in the United States of the implementation of major rules promulgated under the Clean Air Act (42 U.S.C. 7401 et seq.); and

(2) establishes a process to update that analysis not less frequently than semiannually, so as to provide for the continuing evaluation of potential loss or shifts in employment, pursuant to section 321(a) of the Clean Air Act (42 U.S.C. 7621(a)), that may result from the implementation of major rules under the Clean Air Act (42 U.S.C. 7401 et seq.).

SA 3009. Ms. MURKOWSKI (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PRESIDENT'S CLIMATE ACTION PLAN.

The Federal Government shall not take any action pursuant to the President's Climate Action Plan (published in June 2013), including implementation of the final rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (80 Fed. Reg. 64662 (October 23, 2015)), that would result in increased electricity prices that would cause unnecessary harm to low-income and fixed-income households, minority communities, minority-owned and women-owned businesses, veterans, and rural communities.

SA 3010. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 5002, strike subsection (a).

In section 5002(b), strike "(b) ALLOCATION OF FUNDS." and insert "(a) ALLOCATION OF FUNDS.".

In section 5002, strike subsection (c) and insert the following:

(b) **CONSERVATION EASEMENTS.**—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

"(c) **CONSERVATION EASEMENTS.**—

"(1) **IN GENERAL.**—The Secretary and the Secretary of Agriculture shall consider the acquisition of conservation easements and other similar interests in land where appropriate and feasible.

"(2) **REQUIREMENT.**—Any conservation easement or other similar interest in land acquired under paragraph (1) shall be subject to terms and conditions that ensure that—

"(A) the grantor of the conservation easement or other similar interest in land has

been provided with information relating to all available conservation options, including conservation options that involve the conveyance of a real property interest for a limited period of time; and

"(B) the provision of the information described in subparagraph (A) has been documented.".

In section 5002(d), strike "(d) ACQUISITION CONSIDERATIONS.—Section 200306" and insert "(c) ACQUISITION CONSIDERATIONS.—Section 200306".

SA 3011. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle A of title III, add the following:

SEC. 3004A. EXTENSION OF DEADLINE FOR CERTAIN HYDROELECTRIC PROJECTS.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the "Commission") projects numbered 12737 and 12740, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—If the period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

SA 3012. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. REMOVAL OF USE RESTRICTION.

Public Law 101-479 (104 Stat. 1158) is amended—

(1) by striking section 2(d); and

(2) by adding the following new section at the end:

"SEC. 4. REMOVAL OF USE RESTRICTION.

"(a) The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.

"(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a).".

SA 3013. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.

(a) **DEFINITION OF ARLINGTON RIDGE TRACT.**—In this section, the term "Arlington Ridge tract" means the parcel of Federal land located in Arlington County, Virginia, known as the "Nevius Tract" and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) **ESTABLISHMENT OF VISITOR SERVICES FACILITY.**—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services to include a public restroom facility on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

SA 3014. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. JUDICIAL REVIEW OF ENERGY RELATED ACTIONS.

(a) **TIME FOR FILING COMPLAINT.**—Any energy related action must be filed not later than the end of the 60-day period beginning on the date of the final agency action. Any energy related action not filed within this time period shall be barred.

(b) **DISTRICT COURT VENUE AND DEADLINE.**—All energy related actions—

(1) shall be brought in the United States District Court for the District of Columbia; and

(2) shall be resolved as expeditiously as possible, and in any event not more than 180 days after such cause of action is filed.

(c) **APPELLATE REVIEW.**—An interlocutory order or final judgment, decree or order of the district court in an energy related action may be reviewed by the United States Court of Appeals for the District of Columbia Circuit. The District of Columbia Circuit Court of Appeals shall resolve such appeal as expeditiously as possible, and in any event not more than 180 days after such interlocutory order or final judgment, decree or order of the district court was issued.

(d) **LIMITATION ON CERTAIN PAYMENTS.**—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States

Code, or under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections, to any person or party in an energy related action.

(e) **LEGAL FEES.**—In any energy related action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that party in connection with the energy related action, unless the court finds that the position of the plaintiff was substantially justified or that special circumstances make an award unjust. Whether or not the position of the plaintiff was substantially justified shall be determined on the basis of the administrative record, as a whole, which is made in the energy related action for which fees and other expenses are sought.

(f) **DEFINITIONS.**—For the purposes of this section, the following definitions apply:

(1) **AGENCY ACTION.**—The term “agency action” has the same meaning given such term in section 551 of title 5, United States Code.

(2) **INDIAN LAND.**—The term “Indian Land” has the same meaning given such term in section 203(c)(3) of the Energy Policy Act of 2005 (Public Law 109-58; 25 U.S.C. 3501), including lands owned by Native Corporations under the Alaska Native Claims Settlement Act (Public Law 92-203; 43 U.S.C. 1601).

(3) **ENERGY RELATED ACTION.**—The term “energy related action” means a cause of action that—

(A) is filed on or after the effective date of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing:

(i) any person or entity to conduct activities on Indian Land, which activities involve the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) any Indian Tribe, or any organization of two or more entities, at least one of which is an Indian tribe, to conduct activities involving the exploration, development, production or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of where such activities are undertaken.

(4) **ULTIMATELY PREVAIL.**—The phrase “ultimately prevail” means, in a final enforceable judgment, the court rules in the party’s favor on at least one cause of action which is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party, and does not include circumstances where the final agency action is modified or amended by the issuing agency unless such modification or amendment is required pursuant to a final enforceable judgment of the court or a court-ordered consent decree.

SA 3015. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. ENVIRONMENTAL REVIEWS OF MAJOR FEDERAL ACTIONS ON INDIAN LAND.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended—

(1) by inserting “(a) IN GENERAL.—” before the first sentence; and

(2) by adding at the end the following:

“(b) REVIEW OF MAJOR FEDERAL ACTIONS ON INDIAN LAND.—

“(1) REVIEW AND COMMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the statement required under subsection (a)(2)(C) for a major Federal action regarding an activity on Indian land of an Indian tribe shall only be available for review and comment by the members of the Indian tribe, other individuals residing within the affected area, and State, federally recognized tribal, and local governments within the affected area.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to a statement for a major Federal action regarding an activity on Indian land of an Indian tribe related to gaming under the Indian Gaming Regulatory Act.

“(2) REGULATIONS.—The Chairman of the Council on Environmental Quality shall develop regulations to implement this section, including descriptions of affected areas for specific major Federal actions, in consultation with Indian tribes.

“(3) DEFINITIONS.—In this subsection, each of the terms ‘Indian land’ and ‘Indian tribe’ has the meaning given that term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

“(4) CLARIFICATION OF AUTHORITY.—Nothing in this subsection gives the Secretary any additional authority over energy projects on Alaska Native Claims Settlement Act land.”.

SA 3016. Mr. TOOMEY (for himself, Mrs. FEINSTEIN, and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Renewable Fuel

SEC. 3801. ELIMINATION OF CORN ETHANOL MANDATE FOR RENEWABLE FUEL.

(a) **REMOVAL OF TABLE.**—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended by striking subclause (I).

(b) **CONFORMING AMENDMENTS.**—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(1) in clause (i)—

(A) by redesignating subclauses (II) through (IV) as subclauses (I) through (III), respectively;

(B) in subclause (I) (as so redesignated), by striking “of the volume of renewable fuel required under subclause (I);” and

(C) in subclauses (II) and (III) (as so redesignated), by striking “subclause (II)” each place it appears and inserting “subclause (I);” and

(2) in clause (v), by striking “clause (i)(IV)” and inserting “clause (i)(III)”.

(c) **ADMINISTRATION.**—Nothing in this section or the amendments made by this section affects the volumes of advanced biofuel, cellulosic biofuel, or biomass-based diesel that are required under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

SA 3017. Mr. BARRASSO (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

At the end of subtitle G of title IV, add the following:

SEC. 46. CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) (as amended by section 4601) is amended by adding at the end the following:

“(h) CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.—

“(1) DEFINITIONS.—In this subsection:

“(A) BOARD.—The term ‘Board’ means the Carbon Dioxide Capture Technology Advisory Board established by paragraph (6).

“(B) DILUTE.—The term ‘dilute’ means a concentration of less than 1 percent by volume.

“(C) INTELLECTUAL PROPERTY.—The term ‘intellectual property’ means—

“(i) an invention that is patentable under title 35, United States Code; and

“(ii) any patent on an invention described in clause (i).

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy or designee, in consultation with the Board.

“(2) AUTHORITY.—Not later than 1 year after the date of enactment of this subsection, as part of the program carried out under this section, the Secretary shall establish and award competitive technology financial awards for carbon dioxide capture from media in which the concentration of carbon dioxide is dilute.

“(3) DUTIES.—In carrying out this subsection, the Secretary shall—

“(A) subject to paragraph (4), develop specific requirements for—

“(i) the competition process;

“(ii) minimum performance standards for qualifying projects; and

“(iii) monitoring and verification procedures for approved projects;

“(B) establish minimum levels for the capture of carbon dioxide from a dilute medium that are required to be achieved to qualify for a financial award described in subparagraph (C);

“(C) offer financial awards for—

“(i) a design for a promising capture technology;

“(ii) a successful bench-scale demonstration of a capture technology;

“(iii) a design for a technology described in clause (i) that will—

“(I) be operated on a demonstration scale; and

“(II) achieve significant reduction in the level of carbon dioxide; and

“(iv) an operational capture technology on a commercial scale that meets the minimum levels described in subparagraph (B); and

“(D) submit to Congress—

“(i) an annual report that describes the progress made by the Board and recipients of financial awards under this subsection in achieving the demonstration goals established under subparagraph (C); and

“(ii) not later than 1 year after the date of enactment of this subsection, a report that describes the levels of funding that are necessary to achieve the purposes of this subsection.

“(4) PUBLIC PARTICIPATION.—In carrying out paragraph (3)(A), the Board shall—

“(A) provide notice of and, for a period of at least 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in paragraph (3)(A); and

“(B) take into account public comments received in developing the final version of those requirements.

“(5) PEER REVIEW.—No financial awards may be provided under this subsection until the proposal for which the award is sought has been peer reviewed in accordance with such standards for peer review as are established by the Secretary.

“(6) CARBON DIOXIDE CAPTURE TECHNOLOGY ADVISORY BOARD.—

“(A) ESTABLISHMENT.—There is established an advisory board to be known as the ‘Carbon Dioxide Capture Technology Advisory Board’.

“(B) COMPOSITION.—The Board shall be composed of 9 members appointed by the President, who shall provide expertise in—

“(i) climate science;

“(ii) physics;

“(iii) chemistry;

“(iv) biology;

“(v) engineering;

“(vi) economics;

“(vii) business management; and

“(viii) such other disciplines as the Secretary determines to be necessary to achieve the purposes of this subsection.

“(C) TERM; VACANCIES.—

“(i) TERM.—A member of the Board shall serve for a term of 6 years.

“(ii) VACANCIES.—A vacancy on the Board—

“(I) shall not affect the powers of the Board; and

“(II) shall be filled in the same manner as the original appointment was made.

“(D) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

“(E) MEETINGS.—The Board shall meet at the call of the Chairperson.

“(F) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

“(G) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

“(H) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule for each day during which the member is engaged in the actual performance of the duties of the Board.

“(I) DUTIES.—The Board shall advise the Secretary on carrying out the duties of the Secretary under this subsection.

“(7) INTELLECTUAL PROPERTY.—

“(A) IN GENERAL.—As a condition of receiving a financial award under this subsection, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

“(B) RESERVATION OF LICENSE.—The United States—

“(i) may reserve a nonexclusive, non-transferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subparagraph (A); but

“(ii) shall not, in the exercise of a license reserved under clause (i), publicly disclose proprietary information relating to the license.

“(C) TRANSFER OF TITLE.—Title to any intellectual property described in subparagraph (A) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

“(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary.

“(9) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subsection shall terminate on December 31, 2026.”.

SA 3018. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. STUDY OF JAMES K. POLK HOME IN COLUMBIA, TENNESSEE.

(a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the “Secretary”) shall conduct a special resource study of the site of the James K. Polk Home in Columbia, Tennessee, and adjacent property (referred to in this section as the “site”).

(b) CRITERIA.—The Secretary shall conduct the study under subsection (a) in accordance with section 100507 of title 54, United States Code.

(c) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the site;

(2) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(3) include cost estimates for any necessary acquisition, development, operation, and maintenance of the site;

(4) consult with interested Federal, State, or local governmental entities, private and nonprofit organizations, or other interested individuals; and

(5) identify alternatives for the management, administration, and protection of the site.

(d) REPORT.—Not later than 3 years after the date on which funds are made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings and conclusions of the study; and

(2) any recommendations of the Secretary.

SA 3019. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. PROMOTING USE OF RECLAIMED REFRIGERANTS IN FEDERAL FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the

Administrator of General Services shall issue guidance relating to the procurement of reclaimed refrigerants to service existing equipment of Federal facilities.

(b) PREFERENCE.—The guidance issued under subsection (a) shall give preference to the use of reclaimed refrigerants, on the conditions that—

(1) the refrigerant has been reclaimed by a person or entity that is certified under the laboratory certification program of the Air Conditioning, Heating, and Refrigeration Institute; and

(2) the price of the reclaimed refrigerant does not exceed the price of a newly manufactured (virgin) refrigerant.

SA 3020. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 229, after line 22, add the following:

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (b) has expired before the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SA 3021. Mr. CRAPO (for himself, Mr. WHITEHOUSE, Mr. RISCH, Mr. BOOKER, Mr. HATCH, Mr. KIRK, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

Strike section 3501 and insert the following:

SEC. 3501. NUCLEAR ENERGY INNOVATION CAPABILITIES.

(a) DEFINITIONS.—In this section:

(1) ADVANCED FISSION REACTOR.—The term “advanced fission reactor” means a nuclear fission reactor with significant improvements over the most recent generation of nuclear reactors, including improvements such as—

(A) inherent safety features;

(B) lower waste yields;

(C) greater fuel utilization;

(D) superior reliability;

(E) resistance to proliferation;

(F) increased thermal efficiency; and

(G) ability to integrate into electric and nonelectric applications.

(2) FAST NEUTRON.—The term “fast neutron” means a neutron with kinetic energy above 100 kiloelectron volts.

(3) NATIONAL LABORATORY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(B) LIMITATION.—With respect to the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the

Sandia National Laboratories, the term “National Laboratory” means only the civilian activities of the laboratory.

(4) **NEUTRON FLUX.**—The term “neutron flux” means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

(5) **NEUTRON SOURCE.**—The term “neutron source” means a research machine that provides neutron irradiation services for—

(A) research on materials sciences and nuclear physics; and

(B) testing of advanced materials, nuclear fuels, and other related components for reactor systems.

(b) **MISSION.**—Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities described in this subtitle, that take into consideration the following objectives:

“(1) Providing research infrastructure—

“(A) to promote scientific progress; and

“(B) to enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

“(2) Maintaining nuclear energy research and development programs at the National Laboratories and institutions of higher education, including programs of infrastructure of National Laboratories and institutions of higher education.

“(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation.

“(4) Ensuring public safety.

“(5) Reducing the environmental impact of nuclear energy-related activities.

“(6) Supporting technology transfer from the National Laboratories to the private sector.

“(7) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the objectives described in this subsection.”.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) nuclear energy, through fission or fusion, represents the highest energy density of any known attainable source and yields low air emissions;

(2) nuclear energy is of national importance to scientific progress, national security, electricity generation, heat generation for industrial applications, and space exploration; and

(3) considering the inherent complexity and regulatory burden associated with nuclear energy, the Department should focus civilian nuclear research and development activities of the Department on programs that enable the private sector, National Laboratories, and institutions of higher education to carry out experiments to promote scientific progress and enhance practical knowledge of nuclear engineering.

(d) **HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.**—

(1) **MODELING AND SIMULATION PROGRAM.**—

(A) **IN GENERAL.**—The Secretary shall carry out a program to enhance the capabilities of the United States to develop new reactor technologies and related systems technologies through high-performance computation modeling and simulation techniques (referred to in this paragraph as the “program”).

(B) **COORDINATION REQUIRED.**—In carrying out the program, the Secretary shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative established by Executive Order 13702 (80 Fed. Reg. 46177) (July 29, 2015).

(C) **OBJECTIVES.**—In carrying out the program, the Secretary shall take into consideration the following objectives:

(i) Using expertise from the private sector, institutions of higher education, and National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced fission reactor systems, nuclear fusion systems, and reactor systems for space exploration.

(ii) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

(iii) Increasing the utility of the research infrastructure of the Department by coordinating with the Advanced Scientific Computing Research program of the Office of Science.

(iv) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

(v) Ensuring that new experimental and computational tools are accessible to relevant research communities, including private companies engaged in nuclear energy technology development.

(2) **SUPPORTIVE RESEARCH ACTIVITIES.**—The Secretary shall consider support for additional research activities to maximize the utility of the research facilities of the Department, including research—

(A) on physical processes to simulate degradation of materials and behavior of fuel forms; and

(B) for validation of computational tools.

(e) **VERSATILE NEUTRON SOURCE.**—

(1) **DETERMINATION OF MISSION NEED.**—

(A) **IN GENERAL.**—Not later than December 31, 2016, the Secretary shall determine the mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility (referred to in this subsection as the “user facility”).

(B) **CONSULTATION REQUIRED.**—In carrying out subparagraph (A), the Secretary shall consult with the private sector, institutions of higher education, the National Laboratories, and relevant Federal agencies to ensure that the user facility will meet the research needs of the largest possible majority of prospective users.

(2) **PLAN FOR ESTABLISHMENT.**—On the determination of the mission need under paragraph (1), the Secretary, as expeditiously as practicable, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a detailed plan for the establishment of the user facility (referred to in this section as the “plan”).

(3) **DEADLINE FOR ESTABLISHMENT.**—The Secretary shall make every effort to complete construction of, and approve the start of operations for, the user facility by December 31, 2025.

(4) **FACILITY REQUIREMENTS.**—

(A) **CAPABILITIES.**—The Secretary shall ensure that the user facility shall provide, at a minimum—

(i) fast neutron spectrum irradiation capability; and

(ii) capacity for upgrades to accommodate new or expanded research needs.

(B) **CONSIDERATIONS.**—In carrying out the plan, the Secretary shall consider—

(i) capabilities that support experimental high-temperature testing;

(ii) providing a source of fast neutrons—

(I) at a neutron flux that is higher than the neutron flux at which research facilities operate before establishment of the user facility; and

(II) sufficient to enable research for an optimal base of prospective users;

(iii) maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible;

(iv) capabilities for irradiation with neutrons of a lower energy spectrum;

(v) multiple loops for fuels and materials testing in different coolants; and

(vi) additional pre-irradiation and post-irradiation examination capabilities.

(5) **COORDINATION.**—In carrying out this subsection, the Secretary shall leverage the best practices of the Office of Science for the management, construction, and operation of national user facilities.

(6) **REPORT.**—The Secretary shall include in the annual budget request of the Department an explanation for any delay in carrying out this subsection.

(f) **ENABLING NUCLEAR ENERGY INNOVATION.**—

(1) **ESTABLISHMENT OF NATIONAL NUCLEAR INNOVATION CENTER.**—The Secretary may enter into a memorandum of understanding with the Chairman of the Nuclear Regulatory Commission to establish a center to be known as the “National Nuclear Innovation Center” (referred to in this subsection as the “Center”)—

(A) to enable the testing and demonstration of reactor concepts to be proposed and funded, in whole or in part, by the private sector;

(B) to establish and operate a database to store and share data and knowledge on nuclear science between Federal agencies and private industry; and

(C) to establish capabilities to develop and test reactor electric and nonelectric integration and energy conversion systems.

(2) **ROLE OF NRC.**—In operating the Center, the Secretary shall—

(A) consult with the Nuclear Regulatory Commission on safety issues; and

(B) permit staff of the Nuclear Regulatory Commission to actively observe and learn about the technology being developed at the Center.

(3) **OBJECTIVES.**—A reactor developed under paragraph (1)(A) shall have the following objectives:

(A) Enabling physical validation of fusion and advanced fission experimental reactors at the National Laboratories or other facilities of the Department.

(B) Resolving technical uncertainty and increase practical knowledge relevant to safety, resilience, security, and functionality of novel reactor concepts.

(C) Conducting general research and development to improve novel reactor technologies.

(4) **USE OF TECHNICAL EXPERTISE.**—In operating the Center, the Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories—

(A) to minimize the time required to carry out paragraph (3); and

(B) to ensure reasonable safety for individuals working at the National Laboratories or other facilities of the Department to carry out that paragraph.

(5) **REPORTING REQUIREMENT.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National

Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report assessing the capabilities of the Department to authorize, host, and oversee privately proposed and funded reactors (as described in paragraph (1)(A)).

(B) CONTENTS.—The report shall address—

(i) the safety review and oversight capabilities of the Department, including options to leverage expertise from the Nuclear Regulatory Commission and the National Laboratories;

(ii) potential sites capable of hosting the activities described in paragraph (1);

(iii) the efficacy of the available contractual mechanisms of the Department to partner with the private sector and other Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

(iv) how the Federal Government and the private sector will address potential intellectual property concerns;

(v) potential cost structures relating to physical security, decommissioning, liability, and other long term project costs; and

(vi) other challenges or considerations identified by the Secretary.

(g) BUDGET PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives 3 alternative 10-year budget plans for civilian nuclear energy research and development by the Department in accordance with paragraph (2).

(2) DESCRIPTION OF PLANS.—

(A) IN GENERAL.—The 3 alternative 10-year budget plans submitted under paragraph (1) shall be the following:

(i) A plan that assumes constant annual funding at the level of appropriations for fiscal year 2016 for the civilian nuclear energy research and development of the Department, particularly for programs critical to advanced nuclear projects and development.

(ii) A plan that assumes 2 percent annual increases to the level of appropriations described in clause (i).

(iii) A plan that uses an unconstrained budget.

(B) INCLUSIONS.—Each plan shall include—

(i) a prioritized list of the programs, projects, and activities of the Department that best support the development, licensing, and deployment of advanced nuclear energy technologies;

(ii) realistic budget requirements for the Department to carry out subsections (d), (e), and (f); and

(iii) the justification of the Department for continuing or terminating existing civilian nuclear energy research and development programs.

(h) NUCLEAR REGULATORY COMMISSION REPORT.—Not later than December 31, 2016, the Chairman of the Nuclear Regulatory Commission shall submit to the Committee on Energy and Natural Resources and the Committee on Environment and Public Works of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report describing—

(1) the extent to which the Nuclear Regulatory Commission is capable of licensing advanced reactor designs that are developed pursuant to this section by the end of the 4-year period beginning on the date on which an application is received under part 50 or 52 of title 10, Code of Federal Regulations (or successor regulations); and

(2) any organizational or institutional barriers the Nuclear Regulatory Commission will need to overcome to be able to license the advanced reactor designs that are developed pursuant to this section by the end of the 4-year period described in paragraph (1).

SA 3022. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 424, strike lines 11 through 18.

SA 3023. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. . . . MODIFICATION OF AUTHORITY TO DECLARE NATIONAL MONUMENTS.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) EFFECTIVE DATE.—A proclamation or reservation issued after the date of enactment of this subsection under subsection (a) or (b) shall expire 3 years after proclaimed or reserved unless specifically approved by—

“(1) a Federal law enacted after the date of the proclamation or reservation; and

“(2) a State law, for each State where the land covered by the proclamation or reservation is located, enacted after the date of the proclamation or reservation.”.

SA 3024. Mr. CORNYN (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . TAXATION OF NATURAL GAS PIPELINE PROPERTY.

(a) LIMITATION ON DISCRIMINATORY TAXATION OF NATURAL GAS PIPELINE PROPERTY.—(1) DEFINITIONS.—In this section:

(A) ASSESSMENT.—The term “assessment” means valuation for a property tax that is levied by a taxing authority.

(B) ASSESSMENT JURISDICTION.—The term “assessment jurisdiction” means a geographical area used in determining the assessed value of property for ad valorem taxation.

(C) COMMERCIAL AND INDUSTRIAL PROPERTY.—The term “commercial and industrial property” means property (excluding natural gas pipeline property, public utility property, and land used primarily for agricul-

tural purposes or timber growth) devoted to commercial or industrial use and subject to a property tax levy.

(D) NATURAL GAS PIPELINE PROPERTY.—The term “natural gas pipeline property” means all property (whether real, personal, and intangible) used by a natural gas pipeline providing transportation or storage of natural gas subject to the jurisdiction of the Federal Regulatory Commission.

(E) PUBLIC UTILITY PROPERTY.—The term “public utility property” means property (excluding natural gas pipeline property) that is devoted to public service and is owned or used by any entity that performs a public service and is regulated by any governmental agency.

(2) DISCRIMINATORY ACTS.—A State, subdivision of a State, authority acting for a State or subdivision of a State, or any other taxing authority (including a taxing jurisdiction and a taxing district) may not do any of the following:

(A) ASSESSMENTS.—Assess natural gas pipeline property at value that has a higher ratio to the true market value of the natural gas pipeline property than the ratio that the assessed value of commercial and industrial property in the same assessment jurisdiction has to the true market value of such commercial and industrial property.

(B) ASSESSMENT TAXES.—Levy or collect a tax on an assessment that may not be made under subparagraph (A).

(C) AD VALOREM TAXES.—Levy or collect an ad valorem property tax on natural gas pipeline property at a tax rate that exceeds the tax rate applicable to commercial and industrial property in the same assessment jurisdiction.

(D) OTHER TAXES.—Impose any other tax that discriminates against a natural gas pipeline providing transportation or storage of natural gas subject to the jurisdiction of the Federal Energy Regulatory Commission.

(b) JURISDICTION OF COURTS; RELIEF.—

(1) GRANT OF JURISDICTION.—Notwithstanding section 1341 of title 28, United States Code, and without regard to the amount in controversy or citizenship of the parties, the district courts of the United States shall have jurisdiction, concurrent with other jurisdiction of the courts of the United States, of States, and of all other taxing authorities and taxing jurisdictions, to prevent a violation of subsection (a).

(2) RELIEF IN GENERAL.—Except as provided in this paragraph, relief may be granted under this section only if the ratio of assessed value to true market value of natural gas pipeline property exceeds by at least 5 percent the ratio of assessed value to true market value of commercial and industrial property in the same assessment jurisdiction. If the ratio of the assessed value of commercial and industrial property in the assessment jurisdiction to the true market value of commercial and industrial property cannot be determined to the satisfaction of the court through the random-sampling method known as a sales assessment ratio study (to be carried out under statistical principles applicable to such a study), each of the following shall be a violation of subsection (a) for which relief under this section may be granted:

(A) An assessment of the natural gas pipeline property at a value that has a higher ratio of assessed value to the true market value of the natural gas pipeline property than the ratio of the assessed value of all other property (excluding public utility property) subject to a property tax levy in the assessment jurisdiction has to the true

market value of all other property (excluding public utility property).

(B) The collection of an ad valorem property tax on the natural gas pipeline property at a tax rate that exceeds the tax rate applicable to all other taxable property (excluding public utility property) in the taxing jurisdiction.

SA 3025. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENERGY CONSUMERS RELIEF.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **DIRECT COSTS.**—The term “direct costs” has the meaning given the term in chapter 8 of the report of the Environmental Protection Agency entitled “Guidelines for Preparing Economic Analyses” and dated December 17, 2010.

(3) **ENERGY-RELATED RULE THAT IS ESTIMATED TO COST MORE THAN \$1,000,000,000.**—The term “energy-related rule that is estimated to cost more than \$1,000,000,000” means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than \$1,000,000,000.

(4) **INDIRECT COSTS.**—The term “indirect costs” has the meaning given the term in chapter 8 of the report of the Environmental Protection Agency entitled “Guidelines for Preparing Economic Analyses” and dated December 17, 2010.

(5) **RULE.**—The term “rule” has the meaning given to the term in section 551 of title 5, United States Code.

(b) **PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.**—Notwithstanding any other provision of law, the Administrator may not promulgate as final an energy-related rule that is estimated to cost more than \$1,000,000,000 if the Secretary determines under subsection (c)(2)(C) that the rule will cause significant adverse effects to the economy.

(c) **REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.**—

(1) **IN GENERAL.**—Before promulgating as final any energy-related rule that is estimated to cost more than \$1,000,000,000, the Administrator shall carry out the requirements of paragraph (2).

(2) **REQUIREMENTS.**—

(A) **REPORT TO CONGRESS.**—The Administrator shall submit to Congress and the Secretary a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule;

(iii) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(iv)(I) an estimate of the total benefits of the rule and when such benefits are expected to be realized;

(II) a description of the modeling, the calculations, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this clause; and

(III) a certification that all data and documents relied upon by the Environmental Protection Agency in developing the estimates—

(aa) have been preserved; and

(bb) are available for review by the public on the website of the Environmental Protection Agency, except to the extent to which publication of the data and documents would constitute disclosure of confidential information in violation of applicable Federal law;

(v) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(vi) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(B) **INITIAL DETERMINATION ON INCREASES AND IMPACTS.**—The Secretary, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause any—

(i) increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(ii) impact on fuel diversity of the electricity generation portfolio of the United States or on national, regional, or local electric reliability;

(iii) adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(iv) other adverse effect on energy supply, distribution, or use, including a shortfall in supply and increased use of foreign supplies.

(C) **SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.**—If the Secretary determines under subparagraph (B) that the rule will cause an increase, impact, or effect described in that subparagraph, the Secretary, in consultation with the Administrator, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(i) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(I) the costs and benefits of the rule and limitations in calculating the costs and benefits due to uncertainty, speculation, or lack of information; and

(II) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(ii) publish the results of the determination made under clause (i) in the Federal Register.

(d) **PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.**—

(1) **DEFINITION OF SOCIAL COST OF CARBON.**—In this subsection, the term “social cost of carbon” means—

(A) the social cost of carbon as described in the technical support document entitled “Technical Support Document: Technical Update of the Social Cost of Carbon for Reg-

ulatory Impact Analysis Under Executive Order 12866”, published by the Interagency Working Group on Social Cost of Carbon, United States Government, in May 2013 (or any successor or substantially related document); or

(B) any other estimate of the monetized damages associated with an incremental increase in carbon dioxide emissions in a given year.

(2) **PROHIBITION ON USE OF SOCIAL COST OF CARBON IN ANALYSIS.**—Notwithstanding any other provision of law or any Executive order, the Administrator may not use the social cost of carbon to incorporate social benefits of reducing carbon dioxide emissions, or for any other reason, in any cost-benefit analysis relating to an energy-related rule that is estimated to cost more than \$1,000,000,000 unless a Federal law is enacted authorizing the use.

SA 3026. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 4405. RED RIVER PRIVATE PROPERTY PROTECTION.

(a) **DISCLAIMER AND OUTDATED SURVEYS.**—

(1) **IN GENERAL.**—The Secretary hereby disclaims any right, title, and interest to all land located south of the South Bank boundary line of the Red River in the affected area.

(2) **CLARIFICATION OF PRIOR SURVEYS.**—Previous surveys conducted by the Bureau of Land Management shall have no force or effect in determining the current South Bank boundary line.

(b) **IDENTIFICATION OF CURRENT BOUNDARY.**—

(1) **BOUNDARY IDENTIFICATION.**—To identify the current South Bank boundary line along the affected area, the Secretary shall commission a new survey that—

(A) adheres to the gradient boundary survey method;

(B) spans the entire length of the affected area;

(C) is conducted by Licensed State Land Surveyors chosen by the Texas General Land Office; and

(D) is completed not later than 2 years after the date of the enactment of this Act.

(2) **APPROVAL OF THE SURVEY.**—The Secretary shall submit the survey conducted under this section to the Texas General Land Office for approval. State approval of the completed survey shall satisfy the requirements under this section.

(c) **APPEAL.**—Not later than 1 year after the survey is completed and approved pursuant to subsection (b), a private property owner who holds right, title, or interest in the affected area may appeal public domain claims by the Secretary to an Administrative Law Judge.

(d) **RESOURCE MANAGEMENT PLAN.**—The Secretary shall ensure that no parcels of land in the affected area are treated as Federal land for the purpose of any resource management plan until the survey has been completed and approved and the Secretary ensures that the parcel is not subject to further appeal pursuant to this section.

(e) **CONSTRUCTION.**—This section does not change or affect in any manner the interest

of the States or sovereignty rights of federally recognized Indian tribes over lands located to the north of the South Bank boundary line of the Red River as established by this section.

(f) SALE OF REMAINING RED RIVER SURFACE RIGHTS.—

(1) **COMPETITIVE SALE OF IDENTIFIED FEDERAL LANDS.**—After the survey has been completed and approved and the Secretary ensures that a parcel is not subject to further appeal under this section, the Secretary shall offer any and all such remaining identified Federal lands for disposal by competitive sale for not less than fair market value as determined by an appraisal conducted in accordance with nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisitions; and the Uniform Standards of Professional Appraisal Practice.

(2) **EXISTING RIGHTS.**—The sale of identified Federal lands under this subsection shall be subject to valid existing tribal, State, and local rights.

(3) **PROCEEDS OF SALE OF LANDS.**—Net proceeds from the sale of identified Federal lands under this subsection shall be used to offset any costs associated with this section.

(4) **REPORT.**—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of any identified Federal lands that have not been sold under paragraph (1) and the reasons such lands were not sold.

(g) **DEFINITIONS.**—For the purposes of this section:

(1) **AFFECTED AREA.**—The term “affected area” means lands along the approximately 116-mile stretch of the Red River from its confluence with the North Fork of the Red River on the west to the 98th meridian on the east between the States of Texas and Oklahoma.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of Bureau of Land Management.

(3) **SOUTH BANK.**—The term “South Bank” means the water-washed and relatively permanent elevation or acclivity, commonly called a cut bank, along the southerly or right side of the Red River which separates its bed from the adjacent upland, whether valley or hill, and usually serves to confine the waters within the bed and to preserve the course of the river; as specified in the fifth paragraph of the decree rendered March 12, 1923, in *Oklahoma v. Texas*, 261 U.S. 340, 43 S. Ct. 376, 67 L. Ed. 687.

(4) **SOUTH BANK BOUNDARY LINE.**—The term “South Bank boundary line” means the boundary between Texas and Oklahoma identified through the gradient boundary survey method; as specified in the sixth and seventh paragraphs of the decree rendered March 12, 1923, in *Oklahoma v. Texas*, 261 U.S. 340, 43 S. Ct. 376, 67 L. Ed. 687.

(5) **GRADIENT BOUNDARY SURVEY METHOD.**—The term “gradient boundary survey method” means the measurement technique used to locate the South Bank boundary line under the methodology established by the United States Supreme Court which recognizes that the boundary line between the States of Texas and Oklahoma along the Red River is subject to such changes as have been or may be wrought by the natural and gradual processes known as erosion and accretion as specified in the second, third, and fourth paragraphs of the decree rendered March 12,

1923, in *Oklahoma v. Texas*, 261 U.S. 340, 43 S. Ct. 376, 67 L. Ed. 687.

SA 3027. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 4405. APPROVAL OF CERTAIN SETTLEMENTS.

(a) **DEFINITIONS.**—Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating—

(A) paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(B) paragraphs (5) through (10) as paragraphs (7) through (12), respectively; and

(C) paragraphs (12) through (21) as paragraphs (13) through (22), respectively;

(2) by adding before paragraph (2) (as so redesignated) the following:

“(1) **AFFECTED PARTIES.**—The term ‘affected party’ means any person, including a business entity, or any State, tribal government, or local subdivision the rights of which may be affected by a determination made under section 4(a) in a suit brought under section 11(g)(1)(C).”; and

(3) by adding after paragraph (5) (as so redesignated) the following:

“(6) **COVERED SETTLEMENT.**—The term ‘covered settlement’ means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).”.

(b) **INTERVENTION; APPROVAL OF COVERED SETTLEMENT.**—Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540) is amended—

(1) in paragraph (3), by adding at the end the following:

“(C) **PUBLISHING COMPLAINT; INTERVENTION.**—

“(i) **PUBLISHING COMPLAINT.**—

“(I) **IN GENERAL.**—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

“(II) **FAILURE TO MEET DEADLINE.**—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

“(ii) **INTERVENTION.**—

“(I) **IN GENERAL.**—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

“(II) **REBUTTABLE PRESUMPTION.**—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that party would not be represented adequately by the parties to the action described in clause (i).

“(III) **REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.**—

“(aa) **IN GENERAL.**—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

“(AA) the mediation program of the court; or

“(BB) a magistrate judge.

“(bb) **PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.**—The settlement discussions described in item (aa) shall include each—

“(AA) plaintiff;

“(BB) defendant agency; and

“(CC) intervenor.”;

(2) by striking paragraph (4) and inserting the following:

“(4) **LITIGATION COSTS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the court, in issuing any final order in any suit brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

“(B) **COVERED SETTLEMENT.**—

“(i) **CONSENT DECREES.**—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

“(ii) **OTHER COVERED SETTLEMENTS.**—

“(I) **IN GENERAL.**—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

“(II) **MOTIONS.**—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.”; and

(3) by adding at the end the following:

“(6) **APPROVAL OF COVERED SETTLEMENT.**—

“(A) **DEFINITION OF SPECIES.**—In this paragraph, the term ‘species’ means a species that is the subject of an action brought under paragraph (1)(C).

“(B) **IN GENERAL.**—

“(i) **CONSENT DECREES.**—The court shall not approve a proposed covered settlement that is a consent decree unless each State and county in which the Secretary of the Interior believes a species occurs approves the covered settlement.

“(ii) **OTHER COVERED SETTLEMENTS.**—

“(I) **IN GENERAL.**—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

“(II) **MOTIONS.**—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) unless the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

“(C) **NOTICE.**—

“(i) **IN GENERAL.**—The Secretary of the Interior shall provide each State and county in which the Secretary of the Interior believes a species occurs notice of a proposed covered settlement.

“(ii) **DETERMINATION OF RELEVANT STATES AND COUNTIES.**—The defendant in a covered settlement shall consult with each State described in clause (i) to determine each county in which the Secretary of the Interior believes a species occurs.

“(D) **FAILURE TO RESPOND.**—The court may approve a covered settlement or grant a motion described in subparagraph (B)(i)(II) if, not later than 45 days after the date on which a State or county is notified under subparagraph (C)—

“(i)(I) a State or county fails to respond; and

“(II) of the States or counties that respond, each State or county approves the covered settlement; or

“(ii) all of the States and counties fail to respond.

“(E) PROOF OF APPROVAL.—The defendant in a covered settlement shall prove any State or county approval described in this paragraph in a form—

“(i) acceptable to the State or county, as applicable; and

“(ii) signed by the State or county official authorized to approve the covered settlement.”.

SA 3028. Mr. COATS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RELIEF PENDING REVIEW.

Section 705 of title 5, United States Code, is amended—

(1) by striking “When” and inserting the following:

“(a) IN GENERAL.—When”; and

(2) by adding at the end the following:

“(b) HIGH-IMPACT RULES.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Administrator’ means the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget; and

“(B) the term ‘high-impact rule’ means any rule that the Administrator determines may impose an annual cost on the economy of not less than \$1,000,000,000.

“(2) RELIEF.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an agency shall postpone the effective date of a high-impact rule of the agency pending judicial review.

“(B) FAILURE TO TIMELY SEEK JUDICIAL REVIEW.—Notwithstanding section 553(d), if no person seeks judicial review of a high-impact rule during the 60-day period beginning on the date on which the high-impact rule is published in the Federal Register, the high-impact rule shall take effect on the date that is 60 days after the date on which the high-impact rule is published.”.

SA 3029. Mr. BARRASSO (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION

SECTION 6001. SHORT TITLE.

This title may be cited as the “Indian Tribal Energy Development and Self-Determination Act Amendments of 2016”.

Subtitle A—Indian Tribal Energy Development and Self-determination Act Amendments

SEC. 6011. INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.

(a) IN GENERAL.—Section 2602(a) of the Energy Policy Act of 1992 (25 U.S.C. 3502(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (C), by striking “and” after the semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(E) consult with each applicable Indian tribe before adopting or approving a well spacing program or plan applicable to the energy resources of that Indian tribe or the members of that Indian tribe.”; and

(2) by adding at the end the following:

“(4) PLANNING.—

“(A) IN GENERAL.—In carrying out the program established by paragraph (1), the Secretary shall provide technical assistance to interested Indian tribes to develop energy plans, including—

“(i) plans for electrification;

“(ii) plans for oil and gas permitting, renewable energy permitting, energy efficiency, electricity generation, transmission planning, water planning, and other planning relating to energy issues;

“(iii) plans for the development of energy resources and to ensure the protection of natural, historic, and cultural resources; and

“(iv) any other plans that would assist an Indian tribe in the development or use of energy resources.

“(B) COOPERATION.—In establishing the program under paragraph (1), the Secretary shall work in cooperation with the Office of Indian Energy Policy and Programs of the Department of Energy.”.

(b) DEPARTMENT OF ENERGY INDIAN ENERGY EDUCATION PLANNING AND MANAGEMENT ASSISTANCE PROGRAM.—Section 2602(b)(2) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)(2)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “, intertribal organization,” after “Indian tribe”; and

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(3) by inserting after subparagraph (B) the following:

“(C) activities to increase the capacity of Indian tribes to manage energy development and energy efficiency programs;”.

(c) DEPARTMENT OF ENERGY LOAN GUARANTEE PROGRAM.—Section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)) is amended—

(1) in paragraph (1), by inserting “or a tribal energy development organization” after “Indian tribe”; and

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “guarantee” and inserting “guaranteed”; and

(B) in subparagraph (A), by striking “or”; and

(C) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(C) a tribal energy development organization, from funds of the tribal energy development organization.”; and

(3) in paragraph (5), by striking “The Secretary of Energy may” and inserting “Not later than 1 year after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, the Secretary of Energy shall”.

SEC. 6012. INDIAN TRIBAL ENERGY RESOURCE REGULATION.

Section 2603(c) of the Energy Policy Act of 1992 (25 U.S.C. 3503(c)) is amended—

(1) in paragraph (1), by striking “on the request of an Indian tribe, the Indian tribe” and inserting “on the request of an Indian tribe or a tribal energy development organization, the Indian tribe or tribal energy development organization”; and

(2) in paragraph (2)(B), by inserting “or tribal energy development organization” after “Indian tribe”.

SEC. 6013. TRIBAL ENERGY RESOURCE AGREEMENTS.

(a) AMENDMENT.—Section 2604 of the Energy Policy Act of 1992 (25 U.S.C. 3504) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “or” after the semicolon at the end;

(ii) in subparagraph (B)—

(I) by striking clause (i) and inserting the following:

“(i) an electric production, generation, transmission, or distribution facility (including a facility that produces electricity from renewable energy resources) located on tribal land; or”; and

(II) in clause (ii)—

(aa) by inserting “, at least a portion of which have been” after “energy resources”; and

(bb) by inserting “or produced from” after “developed on”; and

(cc) by striking “and” after the semicolon at the end and inserting “or”; and

(iii) by adding at the end the following:

“(C) pooling, unitization, or communitization of the energy mineral resources of the Indian tribe located on tribal land with any other energy mineral resource (including energy mineral resources owned by the Indian tribe or an individual Indian in fee, trust, or restricted status or by any other persons or entities) if the owner, or, if appropriate, lessee, of the resources has consented or consents to the pooling, unitization, or communitization of the other resources under any lease or agreement; and”; and

(B) by striking paragraph (2) and inserting the following:

“(2) a lease or business agreement described in paragraph (1) shall not require review by, or the approval of, the Secretary under section 2103 of the Revised Statutes (25 U.S.C. 81), or any other provision of law (including regulations), if the lease or business agreement—

“(A) was executed—

“(i) in accordance with the requirements of a tribal energy resource agreement in effect under subsection (e) (including the periodic review and evaluation of the activities of the Indian tribe under the agreement, to be conducted pursuant to subparagraphs (D) and (E) of subsection (e)(2)); or

“(ii) by the Indian tribe and a tribal energy development organization for which the Indian tribe has obtained a certification pursuant to subsection (h); and

“(B) has a term that does not exceed—

“(i) 30 years; or

“(ii) in the case of a lease for the production of oil resources, gas resources, or both, 10 years and as long thereafter as oil or gas is produced in paying quantities.”;

(2) by striking subsection (b) and inserting the following:

“(b) RIGHTS-OF-WAY.—An Indian tribe may grant a right-of-way over tribal land without review or approval by the Secretary if the right-of-way—

“(1) serves—

“(A) an electric production, generation, transmission, or distribution facility (including a facility that produces electricity from renewable energy resources) located on tribal land;

“(B) a facility located on tribal land that extracts, produces, processes, or refines energy resources; or

“(C) the purposes, or facilitates in carrying out the purposes, of any lease or agreement entered into for energy resource development on tribal land;

“(2) was executed—

“(A) in accordance with the requirements of a tribal energy resource agreement in effect under subsection (e) (including the periodic review and evaluation of the activities of the Indian tribe under the agreement, to be conducted pursuant to subparagraphs (D) and (E) of subsection (e)(2)); or

“(B) by the Indian tribe and a tribal energy development organization for which the Indian tribe has obtained a certification pursuant to subsection (h); and

“(3) has a term that does not exceed 30 years.”;

(3) by striking subsection (d) and inserting the following:

“(d) **VALIDITY.**—No lease or business agreement entered into, or right-of-way granted, pursuant to this section shall be valid unless the lease, business agreement, or right-of-way is authorized by subsection (a) or (b).”;

(4) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—

“(A) **AUTHORIZATION.**—On or after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, a qualified Indian tribe may submit to the Secretary a tribal energy resource agreement governing leases, business agreements, and rights-of-way under this section.

“(B) **NOTICE OF COMPLETE PROPOSED AGREEMENT.**—Not later than 60 days after the date on which the tribal energy resource agreement is submitted under subparagraph (A), the Secretary shall—

“(i) notify the Indian tribe as to whether the agreement is complete or incomplete;

“(ii) if the agreement is incomplete, notify the Indian tribe of what information or documentation is needed to complete the submission; and

“(iii) identify and notify the Indian tribe of the financial assistance, if any, to be provided by the Secretary to the Indian tribe to assist in the implementation of the tribal energy resource agreement, including the environmental review of individual projects.

“(C) **EFFECT.**—Nothing in this paragraph precludes the Secretary from providing any financial assistance at any time to the Indian tribe to assist in the implementation of the tribal energy resource agreement.”;

(B) in paragraph (2)—

(i) by striking “(2)(A)” and all that follows through the end of subparagraph (A) and inserting the following:

“(2) **PROCEDURE.**—

“(A) **EFFECTIVE DATE.**—

“(i) **IN GENERAL.**—On the date that is 271 days after the date on which the Secretary receives a tribal energy resource agreement from a qualified Indian tribe under paragraph (1), the tribal energy resource agreement shall take effect, unless the Secretary disapproves the tribal energy resource agreement under subparagraph (B).

“(ii) **REVISED TRIBAL ENERGY RESOURCE AGREEMENT.**—On the date that is 91 days after the date on which the Secretary receives a revised tribal energy resource agreement from a qualified Indian tribe under paragraph (4)(B), the revised tribal energy resource agreement shall take effect, unless the Secretary disapproves the revised tribal energy resource agreement under subparagraph (B).”;

(ii) in subparagraph (B)—

(I) by striking “(B)” and all that follows through clause (ii) and inserting the following:

“(B) **DISAPPROVAL.**—The Secretary shall disapprove a tribal energy resource agree-

ment submitted pursuant to paragraph (1) or (4)(B) only if—

“(i) a provision of the tribal energy resource agreement violates applicable Federal law (including regulations) or a treaty applicable to the Indian tribe;

“(ii) the tribal energy resource agreement does not include 1 or more provisions required under subparagraph (D); or”;

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking “includes” and all that follows through “section—” and inserting “does not include provisions that, with respect to any lease, business agreement, or right-of-way to which the tribal energy resource agreement applies—”;

(bb) by striking subclauses (I), (II), (V), (VIII), and (XV);

(cc) by redesignating clauses (III), (IV), (VI), (VII), (IX) through (XIV), and (XVI) as clauses (I), (II), (III), (IV), (V) through (X), and (XI), respectively;

(dd) in item (bb) of subclause (XI) (as redesignated by item (cc))—

(AA) by striking “or tribal”; and

(BB) by striking the period at the end and inserting a semicolon; and

(ee) by adding at the end the following:

“(XII) include a certification by the Indian tribe that the Indian tribe has—

“(aa) carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application without material audit exception (or without any material audit exceptions that were not corrected within the 3-year period) relating to the management of tribal land or natural resources; or

“(bb) substantial experience in the administration, review, or evaluation of energy resource leases or agreements or has otherwise substantially participated in the administration, management, or development of energy resources located on the tribal land of the Indian tribe; and

“(XIII) at the option of the Indian tribe, identify which functions, if any, authorizing any operational or development activities pursuant to a lease, right-of-way, or business agreement approved by the Indian tribe, that the Indian tribe intends to conduct.”;

(iii) in subparagraph (C)—

(I) by striking clauses (i) and (ii);

(II) by redesignating clauses (iii) through (v) as clauses (ii) through (iv), respectively; and

(III) by inserting before clause (ii) (as redesignated by subclause (II)) the following:

“(i) a process for ensuring that—

“(I) the public is informed of, and has reasonable opportunity to comment on, any significant environmental impacts of the proposed action; and

“(II) the Indian tribe provides responses to relevant and substantive public comments on any impacts described in subclause (I) before the Indian tribe approves the lease, business agreement, or right-of-way.”;

(iv) in subparagraph (D)(ii), by striking “subparagraph (B)(iii)(XVI)” and inserting “subparagraph (B)(iv)(XI)”;

(v) by adding at the end the following:

“(F) **EFFECTIVE PERIOD.**—A tribal energy resource agreement that takes effect pursuant to this subsection shall remain in effect to the extent any provision of the tribal energy resource agreement is consistent with applicable Federal law (including regulations), unless the tribal energy resource agreement is—

“(i) rescinded by the Secretary pursuant to paragraph (7)(D)(iii)(II); or

“(ii) voluntarily rescinded by the Indian tribe pursuant to the regulations promulgated under paragraph (8)(B) (or successor regulations).”;

(C) in paragraph (4), by striking “date of disapproval” and all that follows through the end of subparagraph (C) and inserting the following: “date of disapproval, provide the Indian tribe with—

“(A) a detailed, written explanation of—

“(i) each reason for the disapproval; and

“(ii) the revisions or changes to the tribal energy resource agreement necessary to address each reason; and

“(B) an opportunity to revise and resubmit the tribal energy resource agreement.”;

(D) in paragraph (6)—

(i) in subparagraph (B)—

(I) by striking “(B) Subject to” and inserting the following:

“(B) Subject only to”; and

(II) by striking “subparagraph (D)” and inserting “subparagraphs (C) and (D)”;

(ii) in subparagraph (C), in the matter preceding clause (i), by inserting “to perform the obligations of the Secretary under this section and” before “to ensure”; and

(iii) in subparagraph (D), by adding at the end the following:

“(iii) Nothing in this section absolves, limits, or otherwise affects the liability, if any, of the United States for any—

“(I) term of any lease, business agreement, or right-of-way under this section that is not a negotiated term; or

“(II) losses that are not the result of a negotiated term, including losses resulting from the failure of the Secretary to perform an obligation of the Secretary under this section.”;

(E) in paragraph (7)—

(i) in subparagraph (A), by striking “has demonstrated” and inserting “the Secretary determines has demonstrated with substantial evidence”;

(ii) in subparagraph (B), by striking “any tribal remedy” and inserting “all remedies (if any) provided under the laws of the Indian tribe”;

(iii) in subparagraph (D)—

(I) in clause (i), by striking “determine” and all that follows through the end of the clause and inserting the following: “determine—

“(I) whether the petitioner is an interested party; and

“(II) if the petitioner is an interested party, whether the Indian tribe is not in compliance with the tribal energy resource agreement as alleged in the petition.”;

(II) in clause (ii), by striking “determination” and inserting “determinations”; and

(III) in clause (iii), in the matter preceding subclause (I) by striking “agreement” the first place it appears and all that follows through “, including” and inserting “agreement pursuant to clause (i), the Secretary shall only take such action as the Secretary determines necessary to address the claims of noncompliance made in the petition, including”;

(iv) in subparagraph (E)(i), by striking “the manner in which” and inserting “, with respect to each claim made in the petition, how”; and

(v) by adding at the end the following:

“(G) Notwithstanding any other provision of this paragraph, the Secretary shall dismiss any petition from an interested party that has agreed with the Indian tribe to a resolution of the claims presented in the petition of that party.”;

(F) in paragraph (8)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively; and

(iii) in subparagraph (A) (as redesignated by clause (ii))—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by adding “and” after the semicolon; and

(III) by adding at the end the following:

“(iii) amend an approved tribal energy resource agreement to assume authority for approving leases, business agreements, or rights-of-way for development of another energy resource that is not included in an approved tribal energy resource agreement without being required to apply for a new tribal energy resource agreement;” and

(G) by adding at the end the following:

“(9) EFFECT.—Nothing in this section authorizes the Secretary to deny a tribal energy resource agreement or any amendment to a tribal energy resource agreement, or to limit the effect or implementation of this section, due to lack of promulgated regulations.”;

(5) by redesignating subsection (g) as subsection (j); and

(6) by inserting after subsection (f) the following:

“(g) FINANCIAL ASSISTANCE IN LIEU OF ACTIVITIES BY THE SECRETARY.—

“(1) IN GENERAL.—Any amounts that the Secretary would otherwise expend to operate or carry out any program, function, service, or activity (or any portion of a program, function, service, or activity) of the Department that, as a result of an Indian tribe carrying out activities under a tribal energy resource agreement, the Secretary does not expend, the Secretary shall, at the request of the Indian tribe, make available to the Indian tribe in accordance with this subsection.

“(2) ANNUAL FUNDING AGREEMENTS.—The Secretary shall make the amounts described in paragraph (1) available to an Indian tribe through an annual written funding agreement that is negotiated and entered into with the Indian tribe that is separate from the tribal energy resource agreement.

“(3) EFFECT OF APPROPRIATIONS.—Notwithstanding paragraph (1)—

“(A) the provision of amounts to an Indian tribe under this subsection is subject to the availability of appropriations; and

“(B) the Secretary shall not be required to reduce amounts for programs, functions, services, or activities that serve any other Indian tribe to make amounts available to an Indian tribe under this subsection.

“(4) DETERMINATION.—

“(A) IN GENERAL.—The Secretary shall calculate the amounts under paragraph (1) in accordance with the regulations adopted under section 6013(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016.

“(B) APPLICABILITY.—The effective date or implementation of a tribal energy resource agreement under this section shall not be delayed or otherwise affected by—

“(i) a delay in the promulgation of regulations under section 6013(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016;

“(ii) the period of time needed by the Secretary to make the calculation required under paragraph (1); or

“(iii) the adoption of a funding agreement under paragraph (2).

“(h) CERTIFICATION OF TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—

“(1) IN GENERAL.—Not later than 90 days after the date on which an Indian tribe submits an application for certification of a tribal energy development organization in accordance with regulations promulgated under section 6013(b) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, the Secretary shall approve or disapprove the application.

“(2) REQUIREMENTS.—The Secretary shall approve an application for certification if—

“(A)(i) the Indian tribe has carried out a contract or compact under title I or IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.); and

“(ii) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application, the contract or compact—

“(I) has been carried out by the Indian tribe without material audit exceptions (or without any material audit exceptions that were not corrected within the 3-year period); and

“(II) has included programs or activities relating to the management of tribal land; and

“(B)(i) the tribal energy development organization is organized under the laws of the Indian tribe;

“(ii)(I) the majority of the interest in the tribal energy development organization is owned and controlled by the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed; and

“(II) the organizing document of the tribal energy development organization requires that the Indian tribe with jurisdiction over the land maintain at all times the controlling interest in the tribal energy development organization;

“(iii) the organizing document of the tribal energy development organization requires that the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed own and control at all times a majority of the interest in the tribal energy development organization; and

“(iv) the organizing document of the tribal energy development organization includes a statement that the organization shall be subject to the jurisdiction, laws, and authority of the Indian tribe.

“(3) ACTION BY SECRETARY.—If the Secretary approves an application for certification pursuant to paragraph (2), the Secretary shall, not more than 10 days after making the determination—

“(A) issue a certification stating that—

“(i) the tribal energy development organization is organized under the laws of the Indian tribe and subject to the jurisdiction, laws, and authority of the Indian tribe;

“(ii) the majority of the interest in the tribal energy development organization is owned and controlled by the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed;

“(iii) the organizing document of the tribal energy development organization requires that the Indian tribe with jurisdiction over the land maintain at all times the controlling interest in the tribal energy development organization;

“(iv) the organizing document of the tribal energy development organization requires that the Indian tribe (or the Indian tribe and 1 or more other Indian tribes) the tribal land of which is being developed own and control at all times a majority of the interest in the tribal energy development organization; and

“(v) the certification is issued pursuant to this subsection;

“(B) deliver a copy of the certification to the Indian tribe; and

“(C) publish the certification in the Federal Register.

“(i) SOVEREIGN IMMUNITY.—Nothing in this section waives the sovereign immunity of an Indian tribe.”.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016, the Secretary shall promulgate or update any regulations that are necessary to implement this section, including provisions to implement—

(1) section 2604(e)(8) of the Energy Policy Act of 1992 (25 U.S.C. 3504(e)(8)), including the process to be followed by an Indian tribe amending an existing tribal energy resource agreement to assume authority for approving leases, business agreements, or rights-of-way for development of an energy resource that is not included in the tribal energy resource agreement;

(2) section 2604(g) of the Energy Policy Act of 1992 (25 U.S.C. 3504(g)) including the manner in which the Secretary, at the request of an Indian tribe, shall—

(A) identify the programs, functions, services, and activities (or any portions of programs, functions, services, or activities) that the Secretary will not have to operate or carry out as a result of the Indian tribe carrying out activities under a tribal energy resource agreement;

(B) identify the amounts that the Secretary would have otherwise expended to operate or carry out each program, function, service, and activity (or any portion of a program, function, service, or activity) identified pursuant to subparagraph (A); and

(C) provide to the Indian tribe a list of the programs, functions, services, and activities (or any portions of programs, functions, services, or activities) identified pursuant to subparagraph (A) and the amounts associated with each program, function, service, and activity (or any portion of a program, function, service, or activity) identified pursuant to subparagraph (B); and

(3) section 2604(h) of the Energy Policy Act of 1992 (25 U.S.C. 3504(h)), including the process to be followed by, and any applicable criteria and documentation required for, an Indian tribe to request and obtain the certification described in that section.

SEC. 6014. TECHNICAL ASSISTANCE FOR INDIAN TRIBAL GOVERNMENTS.

Section 2602(b) of the Energy Policy Act of 1992 (25 U.S.C. 3502(b)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) TECHNICAL AND SCIENTIFIC RESOURCES.—In addition to providing grants to Indian tribes under this subsection, the Secretary shall collaborate with the Directors of the National Laboratories in making the full array of technical and scientific resources of the Department of Energy available for tribal energy activities and projects.”.

SEC. 6015. CONFORMING AMENDMENTS.

(a) DEFINITION OF TRIBAL ENERGY DEVELOPMENT ORGANIZATION.—Section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501) is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively;

(2) by inserting after paragraph (8) the following:

“(9) The term ‘qualified Indian tribe’ means an Indian tribe that has—

“(A) carried out a contract or compact under title I or IV of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for a period of not less than 3 consecutive years ending on the date on which the Indian tribe submits the application without material audit exception (or without any material audit exceptions that were not corrected within the 3-year period) relating to the management of tribal land or natural resources; or

“(B) substantial experience in the administration, review, or evaluation of energy resource leases or agreements or has otherwise substantially participated in the administration, management, or development of energy resources located on the tribal land of the Indian tribe.”; and

(3) by striking paragraph (12) (as redesignated by paragraph (1)) and inserting the following:

“(12) The term ‘tribal energy development organization’ means—

“(A) any enterprise, partnership, consortium, corporation, or other type of business organization that is engaged in the development of energy resources and is wholly owned by an Indian tribe (including an organization incorporated pursuant to section 17 of the Indian Reorganization Act of 1934 (25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (25 U.S.C. 503) (commonly known as the ‘Oklahoma Indian Welfare Act’)); and

“(B) any organization of 2 or more entities, at least 1 of which is an Indian tribe, that has the written consent of the governing bodies of all Indian tribes participating in the organization to apply for a grant, loan, or other assistance under section 2602 or to enter into a lease or business agreement with, or acquire a right-of-way from, an Indian tribe pursuant to subsection (a)(2)(A)(i) or (b)(2)(B) of section 2604.”.

(b) INDIAN TRIBAL ENERGY RESOURCE DEVELOPMENT.—Section 2602 of the Energy Policy Act of 1992 (25 U.S.C. 3502) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “tribal energy resource development organizations” and inserting “tribal energy development organizations”; and

(B) in paragraph (2), by striking “tribal energy resource development organizations” each place it appears and inserting “tribal energy development organizations”; and

(2) in subsection (b)(2), by striking “tribal energy resource development organization” and inserting “tribal energy development organization”.

(c) WIND AND HYDROPOWER FEASIBILITY STUDY.—Section 2606(c)(3) of the Energy Policy Act of 1992 (25 U.S.C. 3506(c)(3)) is amended by striking “energy resource development” and inserting “energy development”.

(d) CONFORMING AMENDMENTS.—Section 2604(e) of the Energy Policy Act of 1992 (25 U.S.C. 3504(e)) is amended—

(1) in paragraph (3)—

(A) by striking “(3) The Secretary” and inserting the following:

“(3) NOTICE AND COMMENT; SECRETARIAL REVIEW.—The Secretary”; and

(B) by striking “for approval”;

(2) in paragraph (4), by striking “(4) If the Secretary” and inserting the following:

“(4) ACTION IN CASE OF DISAPPROVAL.—If the Secretary”;

(3) in paragraph (5)—

(A) by striking “(5) If an Indian tribe” and inserting the following:

“(5) PROVISION OF DOCUMENTS TO SECRETARY.—If an Indian tribe”; and

(B) in the matter preceding subparagraph (A), by striking “approved” and inserting “in effect”;

(4) in paragraph (6)—

(A) by striking “(6)(A) In carrying out” and inserting the following:

“(6) SECRETARIAL OBLIGATIONS AND EFFECT OF SECTION.—

“(A) In carrying out”;

(B) in subparagraph (A), by indenting clauses (i) and (ii) appropriately;

(C) in subparagraph (B), by striking “approved” and inserting “in effect”; and

(D) in subparagraph (D)—

(i) in clause (i), by striking “an approved tribal energy resource agreement” and inserting “a tribal energy resource agreement in effect under this section”; and

(ii) in clause (ii), by striking “approved by the Secretary” and inserting “in effect”; and

(5) in paragraph (7)—

(A) by striking “(7)(A) In this paragraph” and inserting the following:

“(7) PETITIONS BY INTERESTED PARTIES.—

“(A) In this paragraph”;

(B) in subparagraph (A), by striking “approved by the Secretary” and inserting “in effect”;

(C) in subparagraph (B), by striking “approved by the Secretary” and inserting “in effect”; and

(D) in subparagraph (D)(iii)—

(i) in subclause (I), by striking “approved”; and

(ii) in subclause (II)—

(I) by striking “approval of” in the first place it appears; and

(II) by striking “subsection (a) or (b)” and inserting “subsection (a)(2)(A)(i) or (b)(2)(A)”.

SEC. 6016. REPORT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that details with respect to activities for energy development on Indian land, how the Department of the Interior—

(1) processes and completes the reviews of energy-related documents in a timely and transparent manner;

(2) monitors the timeliness of agency review for all energy-related documents;

(3) maintains databases to track and monitor the review and approval process for energy-related documents associated with conventional and renewable Indian energy resources that require Secretarial approval prior to development, including—

(A) any seismic exploration permits;

(B) permission to survey;

(C) archeological and cultural surveys;

(D) access permits;

(E) environmental assessments;

(F) oil and gas leases;

(G) surface leases;

(H) rights-of-way agreements; and

(I) communization agreements;

(4) identifies in the databases—

(A) the date lease applications and permits are received by the agency;

(B) the status of the review;

(C) the date the application or permit is considered complete and ready for review;

(D) the date of approval; and

(E) the start and end dates for any significant delays in the review process;

(5) tracks in the databases, for all energy-related leases, agreements, applications, and permits that involve multiple agency review—

(A) the dates documents are transferred between agencies;

(B) the status of the review;

(C) the date the required reviews are completed; and

(D) the date interim or final decisions are issued.

(b) INCLUSIONS.—The report under subsection (a) shall include—

(1) a description of any intermediate and final deadlines for agency action on any Secretarial review and approval required for Indian conventional and renewable energy exploration and development activities;

(2) a description of the existing geographic database established by the Bureau of Indian Affairs, explaining—

(A) how the database identifies—

(i) the location and ownership of all Indian oil and gas resources held in trust;

(ii) resources available for lease; and

(iii) the location of—

(I) any lease of land held in trust or restricted fee on behalf of any Indian tribe or individual Indian; and

(II) any rights-of-way on that land in effect;

(B) how the information from the database is made available to—

(i) the officials of the Bureau of Indian Affairs with responsibility over the management and development of Indian resources; and

(ii) resource owners; and

(C) any barriers to identifying the information described in subparagraphs (A) and (B) or any deficiencies in that information; and

(3) an evaluation of—

(A) the ability of each applicable agency to track and monitor the review and approval process of the agency for Indian energy development; and

(B) the extent to which each applicable agency complies with any intermediate and final deadlines.

Subtitle B—Miscellaneous Amendments

SEC. 6201. ISSUANCE OF PRELIMINARY PERMITS OR LICENSES.

(a) IN GENERAL.—Section 7(a) of the Federal Power Act (16 U.S.C. 800(a)) is amended by striking “States and municipalities” and inserting “States, Indian tribes, and municipalities”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall not affect—

(1) any preliminary permit or original license issued before the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016; or

(2) an application for an original license, if the Commission has issued a notice accepting that application for filing pursuant to section 4.32(d) of title 18, Code of Federal Regulations (or successor regulations), before the date of enactment of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2016.

(c) DEFINITION OF INDIAN TRIBE.—For purposes of section 7(a) of the Federal Power Act (16 U.S.C. 800(a)) (as amended by subsection (a)), the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 6202. TRIBAL BIOMASS DEMONSTRATION PROJECT.

(a) PURPOSE.—The purpose of this section is to establish a biomass demonstration project for federally recognized Indian tribes and Alaska Native corporations to promote biomass energy production.

(b) TRIBAL BIOMASS DEMONSTRATION PROJECT.—The Tribal Forest Protection Act of 2004 (Public Law 108-278; 118 Stat. 868) is amended—

(1) in section 2(a), by striking “In this section” and inserting “In this Act”; and

(2) by adding at the end the following:

“SEC. 3. TRIBAL BIOMASS DEMONSTRATION PROJECT.”

“(a) STEWARDSHIP CONTRACTS OR SIMILAR AGREEMENTS.—For each of fiscal years 2017 through 2021, the Secretary shall enter into stewardship contracts or similar agreements (excluding direct service contracts) with Indian tribes to carry out demonstration projects to promote biomass energy production (including biofuel, heat, and electricity generation) on Indian forest land and in nearby communities by providing reliable supplies of woody biomass from Federal land.

“(b) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, at least 4 new demonstration projects that meet the eligibility criteria described in subsection (c) shall be carried out under contracts or agreements described in subsection (a).

“(c) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or agreement under this section, an Indian tribe shall submit to the Secretary an application—

“(1) containing such information as the Secretary may require; and

“(2) that includes a description of—

“(A) the Indian forest land or rangeland under the jurisdiction of the Indian tribe; and

“(B) the demonstration project proposed to be carried out by the Indian tribe.

“(d) SELECTION.—In evaluating the applications submitted under subsection (c), the Secretary shall—

“(1) take into consideration—

“(A) the factors set forth in paragraphs (1) and (2) of section 2(e); and

“(B) whether a proposed project would—

“(i) increase the availability or reliability of local or regional energy;

“(ii) enhance the economic development of the Indian tribe;

“(iii) result in or improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

“(iv) improve the forest health or watersheds of Federal land or Indian forest land or rangeland;

“(v) demonstrate new investments in infrastructure; or

“(vi) otherwise promote the use of woody biomass; and

“(2) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

“(e) IMPLEMENTATION.—The Secretary shall—

“(1) ensure that the criteria described in subsection (c) are publicly available by not later than 120 days after the date of enactment of this section; and

“(2) to the maximum extent practicable, consult with Indian tribes and appropriate intertribal organizations likely to be affected in developing the application and otherwise carrying out this section.

“(f) REPORT.—Not later than September 20, 2019, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

“(1) each individual tribal application received under this section; and

“(2) each contract and agreement entered into pursuant to this section.

“(g) INCORPORATION OF MANAGEMENT PLANS.—In carrying out a contract or agreement under this section, on receipt of a request from an Indian tribe, the Secretary shall incorporate into the contract or agree-

ment, to the maximum extent practicable, management plans (including forest management and integrated resource management plans) in effect on the Indian forest land or rangeland of the respective Indian tribe.

“(h) TERM.—A contract or agreement entered into under this section—

“(1) shall be for a term of not more than 20 years; and

“(2) may be renewed in accordance with this section for not more than an additional 10 years.”.

(c) ALASKA NATIVE BIOMASS DEMONSTRATION PROJECT.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL LAND.—The term “Federal land” means—

(i) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(ii) public lands (as defined in section 103 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(B) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(C) SECRETARY.—The term “Secretary” means—

(i) the Secretary of Agriculture, with respect to land under the jurisdiction of the Forest Service; and

(ii) the Secretary of the Interior, with respect to land under the jurisdiction of the Bureau of Land Management.

(D) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) AGREEMENTS.—For each of fiscal years 2017 through 2021, the Secretary shall enter into an agreement or contract with an Indian tribe or a tribal organization to carry out a demonstration project to promote biomass energy production (including biofuel, heat, and electricity generation) by providing reliable supplies of woody biomass from Federal land.

(3) DEMONSTRATION PROJECTS.—In each fiscal year for which projects are authorized, at least 1 new demonstration project that meets the eligibility criteria described in paragraph (4) shall be carried out under contracts or agreements described in paragraph (2).

(4) ELIGIBILITY CRITERIA.—To be eligible to enter into a contract or agreement under this subsection, an Indian tribe or tribal organization shall submit to the Secretary an application—

(A) containing such information as the Secretary may require; and

(B) that includes a description of the demonstration project proposed to be carried out by the Indian tribe or tribal organization.

(5) SELECTION.—In evaluating the applications submitted under paragraph (4), the Secretary shall—

(A) take into consideration whether a proposed project would—

(i) increase the availability or reliability of local or regional energy;

(ii) enhance the economic development of the Indian tribe;

(iii) result in or improve the connection of electric power transmission facilities serving the Indian tribe with other electric transmission facilities;

(iv) improve the forest health or watersheds of Federal land or non-Federal land;

(v) demonstrate new investments in infrastructure; or

(vi) otherwise promote the use of woody biomass; and

(B) exclude from consideration any merchantable logs that have been identified by the Secretary for commercial sale.

(6) IMPLEMENTATION.—The Secretary shall—

(A) ensure that the criteria described in paragraph (4) are publicly available by not later than 120 days after the date of enactment of this subsection; and

(B) to the maximum extent practicable, consult with Indian tribes and appropriate tribal organizations likely to be affected in developing the application and otherwise carrying out this subsection.

(7) REPORT.—Not later than September 20, 2019, the Secretary shall submit to Congress a report that describes, with respect to the reporting period—

(A) each individual application received under this subsection; and

(B) each contract and agreement entered into pursuant to this subsection.

(8) TERM.—A contract or agreement entered into under this subsection—

(A) shall be for a term of not more than 20 years; and

(B) may be renewed in accordance with this subsection for not more than an additional 10 years.

SEC. 6203. WEATHERIZATION PROGRAM.

Section 413(d) of the Energy Conservation and Production Act (42 U.S.C. 6863(d)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) RESERVATION OF AMOUNTS.—

“(A) IN GENERAL.—Subject to subparagraph (B) and notwithstanding any other provision of this part, the Secretary shall reserve from amounts that would otherwise be allocated to a State under this part not less than 100 percent, but not more than 150 percent, of an amount which bears the same proportion to the allocation of that State for the applicable fiscal year as the population of all low-income members of an Indian tribe in that State bears to the population of all low-income individuals in that State.

“(B) RESTRICTIONS.—Subparagraph (A) shall apply only if—

“(i) the tribal organization serving the low-income members of the applicable Indian tribe requests that the Secretary make a grant directly; and

“(ii) the Secretary determines that the low-income members of the applicable Indian tribe would be equally or better served by making a grant made to the State in which the low-income members reside.

“(C) PRESUMPTION.—If the tribal organization requesting the grant is a tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that has operated without material audit exceptions (or without any material audit exceptions that were not corrected within a 3-year period), the Secretary shall presume that the low-income members of the applicable Indian tribe would be equally or better served by making a grant directly to the tribal organization than by a grant made to the State in which the low-income members reside.”;

(2) in paragraph (2)—

(A) by striking “The sums” and inserting “ADMINISTRATION.—The amounts”;

(B) by striking “on the basis of his determination”;

(C) by striking “individuals for whom such a determination has been made” and inserting “low-income members of the Indian tribe”; and

(D) by striking “he” and inserting “the Secretary”; and

(3) in paragraph (3), by striking “In order” and inserting “APPLICATION.—In order”.

SEC. 6204. APPRAISALS.

(a) IN GENERAL.—Title XXVI of the Energy Policy Act of 1992 (25 U.S.C. 3501 et seq.) is amended by adding at the end the following:

“SEC. 2607. APPRAISALS.

“(a) IN GENERAL.—For any transaction that requires approval of the Secretary and involves mineral or energy resources held in trust by the United States for the benefit of an Indian tribe or by an Indian tribe subject to Federal restrictions against alienation, any appraisal relating to fair market value of those resources required to be prepared under applicable law may be prepared by—

“(1) the Secretary;

“(2) the affected Indian tribe; or

“(3) a certified, third-party appraiser pursuant to a contract with the Indian tribe.

“(b) SECRETARIAL REVIEW AND APPROVAL.—Not later than 45 days after the date on which the Secretary receives an appraisal prepared by or for an Indian tribe under paragraph (2) or (3) of subsection (a), the Secretary shall—

“(1) review the appraisal; and

“(2) approve the appraisal unless the Secretary determines that the appraisal fails to meet the standards set forth in regulations promulgated under subsection (d).

“(c) NOTICE OF DISAPPROVAL.—If the Secretary determines that an appraisal submitted for approval under subsection (b) should be disapproved, the Secretary shall give written notice of the disapproval to the Indian tribe and a description of—

“(1) each reason for the disapproval; and

“(2) how the appraisal should be corrected or otherwise cured to meet the applicable standards set forth in the regulations promulgated under subsection (d).

“(d) REGULATIONS.—The Secretary shall promulgate regulations to carry out this section, including standards the Secretary shall use for approving or disapproving the appraisal described in subsection (a).”.

SEC. 6205. LEASES OF RESTRICTED LANDS FOR NAVAJO NATION.

(a) IN GENERAL.—Subsection (e)(1) of the first section of the Act of August 9, 1955 (commonly known as the “Long-Term Leasing Act”) (25 U.S.C. 415(e)(1)), is amended—

(1) by striking “, except a lease for” and inserting “, including a lease for”;

(2) by striking subparagraph (A) and inserting the following:

“(A) in the case of a business or agricultural lease, 99 years;”;

(3) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(C) in the case of a lease for the exploration, development, or extraction of any mineral resource (including geothermal resources), 25 years, except that—

“(i) any such lease may include an option to renew for 1 additional term of not to exceed 25 years; and

“(ii) any such lease for the exploration, development, or extraction of an oil or gas resource shall be for a term of not to exceed 10 years, plus such additional period as the Navajo Nation determines to be appropriate in any case in which an oil or gas resource is produced in a paying quantity.”.

(b) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to Congress a report describing the progress made in carrying out the amendment made by subsection (a).

SEC. 6206. EXTENSION OF TRIBAL LEASE PERIOD FOR THE CROW TRIBE OF MONTANA.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting “, land held in trust for the Crow Tribe of Montana” after “Devils Lake Sioux Reservation”.

SEC. 6207. TRUST STATUS OF LEASE PAYMENTS.

(a) DEFINITION OF SECRETARY.—In this section, the term “Secretary” means the Secretary of the Interior.

(b) TREATMENT OF LEASE PAYMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2) and at the request of the Indian tribe or individual Indian, any advance payments, bid deposits, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian shall, upon receipt and prior to Secretarial approval of the contract or conveyance instrument, be held in the trust fund system for the benefit of the Indian tribe and individual Indian from whose land the funds were generated.

(2) RESTRICTION.—If the advance payment, bid deposit, or other earnest money received by the Secretary results from competitive bidding, upon selection of the successful bidder, only the funds paid by the successful bidder shall be held in the trust fund system.

(c) USE OF FUNDS.—

(1) IN GENERAL.—On the approval of the Secretary of a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1), the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be disbursed to the Indian tribe or individual Indian landowners.

(2) ADMINISTRATION.—If a contract or other instrument for a sale, lease, permit, or any other conveyance described in subsection (b)(1) is not approved by the Secretary, the funds held in the trust fund system and described in subsection (b), along with all income generated from the investment of those funds, shall be paid to the party identified in, and in such amount and on such terms as set out in, the applicable regulations, advertisement, or other notice governing the proposed conveyance of the interest in the land at issue.

(d) APPLICABILITY.—This section shall apply to any advance payment, bid deposit, or other earnest money received by the Secretary in connection with the review and Secretarial approval under any other Federal law (including regulations) of a sale, lease, permit, or any other conveyance of any interest in any trust or restricted land of any Indian tribe or individual Indian on or after the date of enactment of this Act.

SA 3030. Mr. BARRASSO (for himself, Ms. HEITKAMP, Mr. ENZI, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the

United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NATURAL GAS GATHERING ENHANCEMENT.

(a) CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.—

(1) IN GENERAL.—Subtitle B of title III of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 685) is amended by adding at the end the following:

“SEC. 319. CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.

“(a) DEFINITIONS.—In this section:

“(1) GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNITS.—

“(A) IN GENERAL.—The term ‘gas gathering line and associated field compression unit’ means—

“(i) a pipeline that is installed to transport natural gas production associated with 1 or more wells drilled and completed to produce oil or gas; and

“(ii) if necessary, 1 or more compressors to raise the pressure of that transported natural gas to higher pressures suitable to enable the gas to flow into pipelines and other facilities.

“(B) EXCLUSIONS.—The term ‘gas gathering line and associated field compression unit’ does not include a pipeline or compression unit that is installed to transport natural gas from a processing plant to a common carrier pipeline or facility.

“(2) FEDERAL LAND.—

“(A) IN GENERAL.—The term ‘Federal land’ means land the title to which is held by the United States.

“(B) EXCLUSIONS.—The term ‘Federal land’ does not include—

“(i) a unit of the National Park System;

“(ii) a unit of the National Wildlife Refuge System;

“(iii) a component of the National Wilderness Preservation System; or

“(iv) Indian land.

“(3) INDIAN LAND.—The term ‘Indian land’ means land the title to which is held by—

“(A) the United States in trust for an Indian tribe or an individual Indian; or

“(B) an Indian tribe or an individual Indian subject to a restriction by the United States against alienation.

“(b) CERTAIN NATURAL GAS GATHERING LINES.—

“(1) IN GENERAL.—Subject to paragraph (2), the issuance of a sundry notice or right-of-way for a gas gathering line and associated field compression unit that is located on Federal land or Indian land and that services any oil or gas well shall be considered to be an action that is categorically excluded (as defined in section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this section)) for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if the gas gathering line and associated field compression unit are—

“(A) within a field or unit for which an approved land use plan or an environmental document prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analyzed transportation of natural gas produced from 1 or more oil or gas wells in that field or unit as a reasonably foreseeable activity; and

“(B) located adjacent to or within—

“(i) any existing disturbed area; or

“(ii) an existing corridor for a right-of-way.

“(2) **APPLICABILITY.**—Paragraph (1) shall apply to Indian land, or a portion of Indian land, for which the Indian tribe with jurisdiction over the Indian land submits to the Secretary of the Interior a written request that paragraph (1) apply to that Indian land (or portion of Indian land).

“(C) **EFFECT ON OTHER LAW.**—Nothing in this section affects or alters any requirement—

“(1) relating to prior consent under—

“(A) section 2 of the Act of February 5, 1948 (25 U.S.C. 324); or

“(B) section 16(e) of the Act of June 18, 1934 (25 U.S.C. 476(e)) (commonly known as the ‘Indian Reorganization Act’);

“(2) under section 306108 of title 54, United States Code; or

“(3) under any other Federal law (including regulations) relating to tribal consent for rights-of-way across Indian land.”.

(2) **ASSESSMENTS.**—Title XVIII of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1122) (as amended by section 2311) is amended by adding at the end the following:

“SEC. 1842. NATURAL GAS GATHERING SYSTEM ASSESSMENTS.

“(a) **DEFINITION OF GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNIT.**—In this section, the term ‘gas gathering line and associated field compression unit’ has the meaning given the term in section 319.

“(b) **STUDY.**—Not later than 1 year after the date of enactment of this section, the Secretary of the Interior, in consultation with other appropriate Federal agencies, States, and Indian tribes, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a study identifying—

“(1) any actions that may be taken, under Federal law (including regulations), to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets; and

“(2) any proposed changes to Federal law (including regulations) to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets.

“(c) **REPORT.**—Not later than 1 year after the date of enactment of this section, and every 1 year thereafter, the Secretary of the Interior, in consultation with other appropriate Federal agencies, States, and Indian tribes, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

“(1) the progress made in expediting permits for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets; and

“(2) any issues impeding that progress.”.

(3) **TECHNICAL AMENDMENTS.**—

(A) Section 1(b) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594) is amended by adding at the end of subtitle B of title III the following:

“Sec. 319. Natural gas gathering lines located on Federal land and Indian land.”.

(B) Section 1(b) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594) is amended by adding at the end of title XXVIII the following:

“Sec. 1842. Natural gas gathering system assessments.”.

(b) **DEADLINES FOR PERMITTING NATURAL GAS GATHERING LINES UNDER THE MINERAL LEASING ACT.**—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended by adding at the end the following:

“(z) **NATURAL GAS GATHERING LINES.**—The Secretary of the Interior or other appropriate agency head shall issue a sundry notice or right-of-way for a gas gathering line and associated field compression unit (as defined in section 319(a) of the Energy Policy Act of 2005) that is located on Federal land not later than 90 days after the date on which the applicable agency head receives the request for issuance unless the Secretary or agency head finds that the sundry notice or right-of-way would violate division A of subtitle III of title 54, United States Code, or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).”.

SA 3031. Mr. BARRASSO (for himself, Ms. HEITKAMP, Mr. CASSIDY, Mr. ENZI, and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. . AUTHORITY TO APPROVE NATURAL GAS PIPELINES IN UNITS OF THE NATIONAL PARK SYSTEM.

Section 100902 of title 54, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking “Under regulations” and inserting “Notwithstanding section 28 of the Mineral Leasing Act (30 U.S.C. 185), under regulations”;

(B) in subparagraph (B), by striking “and” at the end;

(C) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(D) natural gas pipelines.”; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(D) natural gas pipelines.”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “A right of way under” and inserting “Except as provided in paragraph (5), a right-of-way granted under”; and

(C) by adding at the end the following:

“(5) **RIGHT-OF-WAY FOR NATURAL GAS PIPELINES.**—Notwithstanding paragraph (2), a right-of-way granted under paragraph (1)(D) shall—

“(A) be for a term of not more than 30 years; and

“(B) not exceed 50 feet in width after construction of the natural gas pipeline.”.

SA 3032. Mr. BARRASSO submitted an amendment intended to be proposed

to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 5002, strike subsections (a) and (b) and insert the following:

(a) **REAUTHORIZATION.**—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “September 30, 2018” and inserting “September 30, 2028”; and

(2) in subsection (c)(1), by striking “September 30, 2018” and inserting “September 30, 2028”.

(b) **ALLOCATION OF FUNDS.**—Section 200304 of title 54, United States Code, is amended—

(1) by striking “There” and inserting “(a) IN GENERAL.—There”; and

(2) by striking the second sentence and inserting the following:

“(b) **ALLOCATION.**—Of the appropriations from the Fund—

“(1) not more than 40 percent shall be used collectively for Federal purposes under section 200306;

“(2) not less than 60 percent shall be used collectively—

“(A) to provide financial assistance to States under section 200305;

“(B) for the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c);

“(C) for cooperative endangered species grants authorized under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535); and

“(D) for the American Battlefield Protection Program established under chapter 3081; and

“(3) not less than 1.5 percent or \$10,000,000, whichever is greater, shall be used for projects that secure recreational public access to Federal public land for hunting, fishing, or other recreational purposes.”.

SA 3033. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . REISSUANCE OF FINAL RULES REGARDING GRAY WOLVES IN THE WESTERN GREAT LAKES AND WYOMING.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall reissue—

(1) the final rule entitled “Endangered and Threatened Wildlife and Plants; Revising the Listing of the Gray Wolf (*Canis lupus*) in the Western Great Lakes” (76 Fed. Reg. 81666 (December 28, 2011)); and

(2) the final rule entitled “Endangered and Threatened Wildlife and Plants; Removal of the Gray Wolf in Wyoming from the Federal List of Endangered and Threatened Wildlife and Removal of the Wyoming Wolf Population’s Status as an Experimental Population” (77 Fed. Reg. 55530 (September 10, 2012)).

(b) **NO JUDICIAL REVIEW.**—The reissuance of the final rules described in subsection (a) shall not be subject to judicial review.

SA 3034. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON LISTING THE NORTHERN LONG-EARED BAT AS AN ENDANGERED SPECIES.

Notwithstanding any other provision of law, the Director of the United States Fish and Wildlife Service shall not list the northern long-eared bat as an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 3035. Mr. MURPHY (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 168, strike line 16 and insert the following:

“(4) USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), amounts in the Account may not be obligated by the Secretary of Energy for purposes of paragraph (1)(D) unless all of the iron, steel, and manufactured goods used for the construction, maintenance, repair, or replacement project are produced in the United States.

“(B) EXCEPTION.—Subparagraph (A) shall not apply in any case or category of cases in which the Secretary of Energy finds that—

“(i) applying subparagraph (A) would be inconsistent with the public interest;

“(ii) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(iii) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

“(C) JUSTIFICATION.—If the Secretary of Energy determines that it is necessary to waive the application of subparagraph (A) based on a finding under subparagraph (B), the Secretary of Energy shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

“(D) RELATIONSHIP TO OTHER LAW.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.”.

SA 3036. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 5002, strike subsection (c) and insert the following:

(c) CONSERVATION EASEMENTS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

“(c) CONSERVATION EASEMENTS.—

“(1) IN GENERAL.—The Secretary and the Secretary of Agriculture shall consider the acquisition of conservation easements and other similar interests in land where appropriate and feasible.

“(2) REQUIREMENT.—Any conservation easement or other similar interest in land acquired under paragraph (1) shall be subject to terms and conditions that ensure that—

“(A) the grantor of the conservation easement or other similar interest in land has been provided with information relating to all available conservation options, including conservation options that involve the conveyance of a real property interest for a limited period of time; and

“(B) the provision of the information described in subparagraph (A) has been documented.”.

SA 3037. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31 ____ . REGULATION OF OIL OR NATURAL GAS DEVELOPMENT ON FEDERAL LAND IN STATES.

(a) IN GENERAL.—The Mineral Leasing Act is amended—

(1) by redesignating section 44 (30 U.S.C. 181 note) as section 45; and

(2) by inserting after section 43 (30 U.S.C. 226-3) the following:

“SEC. 44. REGULATION OF OIL OR NATURAL GAS DEVELOPMENT ON FEDERAL LAND IN STATES.

“(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior shall not issue or promulgate any guideline or regulation relating to oil or gas exploration or production on Federal land in a State if the State has otherwise met the requirements under this Act or any other applicable Federal law.

“(b) EXCEPTION.—The Secretary may issue or promulgate guidelines and regulations relating to oil or gas exploration or production on Federal land in a State if the Secretary of the Interior determines that as a result of the oil or gas exploration or production there is an imminent and substantial danger to the public health or environment.”.

(b) REGULATIONS.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

“SEC. 1459. REGULATIONS.

“(a) COMMENTS RELATING TO OIL AND GAS EXPLORATION AND PRODUCTION.—Before issuing or promulgating any guideline or regulation relating to oil and gas exploration and production on Federal, State, tribal, or fee land pursuant to this Act, the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Act entitled ‘An Act to regulate the leasing of certain Indian lands for mining purposes’, approved May 11, 1938 (commonly known as the ‘Indian Mineral Leasing Act of 1938’) (25 U.S.C. 396a et seq.), the Mineral Leasing Act (30 U.S.C. 181 et seq.), or any other provision of law or Executive order, the head of a Federal department or agency shall seek comments from and consult with the head of each affected State, State agency, and Indian tribe at a location within the jurisdiction of the State or Indian tribe, as applicable.

“(b) STATEMENT OF ENERGY AND ECONOMIC IMPACT.—Each Federal department or agency described in subsection (a) shall develop a Statement of Energy and Economic Impact, which shall consist of a detailed statement and analysis supported by credible objective evidence relating to—

“(1) any adverse effects on energy supply, distribution, or use, including a shortfall in supply, price increases, and increased use of foreign supplies; and

“(2) any impact on the domestic economy if the action is taken, including the loss of jobs and decrease of revenue to each of the general and educational funds of the State or affected Indian tribe.

“(c) REGULATIONS.—

“(1) IN GENERAL.—A Federal department or agency shall not impose any new or modified regulation unless the head of the applicable Federal department or agency determines—

“(A) that the rule is necessary to prevent imminent substantial danger to the public health or the environment; and

“(B) by clear and convincing evidence, that the State or Indian tribe does not have an existing reasonable alternative to the proposed regulation.

“(2) DISCLOSURE.—Any Federal regulation promulgated on or after the date of enactment of the Energy Policy Modernization Act of 2016 that requires disclosure of hydraulic fracturing chemicals shall refer to the database managed by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission (as in effect on the date of enactment of the Energy Policy Modernization Act of 2016).

“(d) JUDICIAL REVIEW.—

“(1) IN GENERAL.—With respect to any regulation described in this section, a State or Indian tribe adversely affected by an action carried out under the regulation shall be entitled to review by a United States district court located in the State or the District of Columbia of compliance by the applicable Federal department or agency with the requirements of this section.

“(2) ACTION BY COURT.—

“(A) IN GENERAL.—A district court providing review under this subsection may enjoin or mandate any action by a relevant Federal department or agency until the district court determines that the department or agency has complied with the requirements of this section.

“(B) DAMAGES.—The court shall not order money damages.

“(3) SCOPE AND STANDARD OF REVIEW.—In reviewing a regulation under this subsection—

“(A) the court shall not consider any evidence outside of the record that was before the agency; and

“(B) the standard of review shall be *de novo*.”.

SA 3038. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____ —COAL COMBUSTION RESIDUALS

SEC. ____ 01. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the “Improving Coal Combustion Residuals Regulation Act of 2016”.

SEC. — 02. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

“SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

“(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt and implement a coal combustion residuals permit program in accordance with this section.

“(b) STATE ACTIONS.—

“(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section, the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

“(2) APPLICATION FOR, AND APPROVAL OF, STATE COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—

“(A) IN GENERAL.—Not later than 24 months after the date of enactment of this section, each State that has notified the Administrator that it will adopt and implement a coal combustion residuals permit program under paragraph (1) shall submit to the Administrator an application for such coal combustion residuals permit program for review and approval by the Administrator.

“(B) CONTENTS OF APPLICATION.—An application submitted under this paragraph shall include—

“(i) a letter identifying the lead State implementing agency, signed by the head of such agency;

“(ii) identification of any other State agencies to be involved with the implementation of the coal combustion residuals permit program;

“(iii) an explanation of how the State coal combustion residuals permit program will meet the requirements of this section, including—

“(I) a description of the State’s—

“(aa) process to inspect or otherwise determine compliance with such permit program;

“(bb) process to enforce the requirements of such permit program, including any enforcement of the requirements of subsection (c)(3)(A);

“(cc) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program;

“(dd) process for judicial review;

“(ee) proposed or existing statutes, regulations, or policies pertaining to public access to information, including information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies; and

“(ff) proposed coordination plan under subsection (c)(1)(C); and

“(II) if a State proposes to apply a definition different from a definition included in section 257.53 of title 40, Code of Federal Regulations, for purposes of the State coal combustion residuals permit program, an explanation of such application, including an explanation of the reasonable basis for applying such different definition, in accordance with subsection (i)(4);

“(iv) a statement that the State has in effect, at the time of application, statutes or regulations necessary to implement a coal combustion residuals permit program that meets the requirements described in subsection (c);

“(v) copies of State statutes and regulations described in clause (iv);

“(vi) copies of any proposed forms used to administer the coal combustion residuals permit program; and

“(vii) such other information as the Administrator may require.

“(C) APPROVAL.—

“(i) IN GENERAL.—The Administrator may approve an application for a State coal combustion residuals permit program only if the Administrator determines that such application demonstrates that the coal combustion residuals permit program meets the requirements described in subsection (c).

“(ii) EVIDENCE OF ADEQUACY.—In evaluating an application for a State coal combustion residuals permit program under this paragraph, the Administrator shall consider a State’s approved permit program or other system of prior approval and conditions under section 4005(c) or authorized program under section 3006 as evidence regarding the State’s ability to effectively implement a coal combustion residuals program.

“(iii) ADOPTION BY STATE.—A State may adopt and implement a coal combustion residuals permit program if, not later than 90 days after receipt of a complete application under this paragraph (including a revised application under subparagraph (D))—

“(I) the Administrator publishes in the Federal Register a notice of the Administrator’s decision to approve such application; or

“(II) the Administrator does not publish in the Federal Register a notice of the Administrator’s decision to approve or deny such application, in which case such application shall be deemed approved.

“(D) REVISED APPLICATION.—If the Administrator denies an initial application for a State coal combustion residuals program under this paragraph—

“(i) the Administrator shall notify the State of the reasons for such denial; and

“(ii) the State may, not later than 60 days after the date of such notification, submit to the Administrator a revised application for such coal combustion residuals permit program for review and approval by the Administrator.

“(c) REQUIREMENTS FOR A COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—A coal combustion residuals permit program shall consist of the following:

“(1) GENERAL REQUIREMENTS.—

“(A) PERMITS.—The implementing agency shall require that owners or operators of structures apply for and obtain permits incorporating the applicable requirements of the coal combustion residuals permit program.

“(B) PUBLIC AVAILABILITY OF INFORMATION.—The implementing agency shall ensure that—

“(i) documents for permit determinations are made publicly available for review and comment under the public participation process of the coal combustion residuals permit program;

“(ii) final determinations on permit applications are made publicly available; and

“(iii) information regarding the exercise by the implementing agency of any discretionary authority granted under this section and not provided for in the rule described in subsection (i)(1) is made publicly available.

“(C) COORDINATION PLAN.—The implementing agency shall develop and maintain a plan for coordination among States in the event of a release that crosses State lines.

“(2) CRITERIA.—The implementing agency shall apply the following criteria with respect to structures:

“(A) DESIGN REQUIREMENTS.—For new structures, including lateral expansions of

existing structures, the criteria regarding design requirements described in sections 257.70 through 257.72 of title 40, Code of Federal Regulations, as applicable.

“(B) GROUNDWATER MONITORING AND CORRECTIVE ACTION.—

“(i) IN GENERAL.—Except as provided in clause (ii), for all structures, the criteria regarding groundwater monitoring and corrective action requirements described in sections 257.90 through 257.98 of title 40, Code of Federal Regulations, including—

“(I) for the purposes of detection monitoring, the constituents described in appendix III to part 257 of such title; and

“(II) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents described in appendix IV to part 257 of such title.

“(ii) EXCEPTIONS AND ADDITIONAL AUTHORITY.—

“(I) ALTERNATIVE POINT OF COMPLIANCE.—Notwithstanding section 257.91(a)(2) of title 40, Code of Federal Regulations, the implementing agency may establish the relevant point of compliance for the down-gradient monitoring system as provided in section 258.51(a)(2) of such title.

“(II) ALTERNATIVE GROUNDWATER PROTECTION STANDARDS.—Notwithstanding section 257.95(h) of title 40, Code of Federal Regulations, the implementing agency may establish an alternative groundwater protection standard as provided in section 258.55(i) of such title.

“(III) ABILITY TO DETERMINE THAT CORRECTIVE ACTION IS NOT NECESSARY OR TECHNICALLY FEASIBLE.—Notwithstanding section 257.97 of title 40, Code of Federal Regulations, the implementing agency may determine that remediation of a release to groundwater from a structure is not necessary as provided in section 258.57(e) of such title.

“(C) CLOSURE.—For all structures, the criteria for closure described in sections 257.101, 257.102, and 257.103 of title 40, Code of Federal Regulations, except the criteria described in section 257.101(b)(1) of such title shall not apply to existing structures that comply with the criteria described in section 257.60 of such title by making a demonstration in accordance with subparagraph (E) of this paragraph.

“(D) POST-CLOSURE.—For all structures, the criteria for post-closure care described in section 257.104 of title 40, Code of Federal Regulations.

“(E) LOCATION RESTRICTIONS.—For all structures, the criteria for location restrictions described in sections 257.60 through 257.64 of title 40, Code of Federal Regulations, except—

“(i) for existing structures that are landfills, sections 257.60 through 257.63 shall not apply; and

“(ii) the owner or operator of an existing structure that is a surface impoundment may comply with the criteria described in section 257.60 of such title by demonstrating that—

“(I) the design and construction of the existing structure that is a surface impoundment will prevent an intermittent, recurring, or sustained hydraulic connection between any portion of the base of the structure and the upper limit of the uppermost aquifer; and

“(II) the existing structure that is a surface impoundment is designed and constructed to prevent the release of the constituents listed in appendices III and IV to part 257 of such title at levels above the

groundwater protection standards established under this section.

“(F) AIR CRITERIA.—For all structures, the criteria for air quality described in section 257.80 of title 40, Code of Federal Regulations.

“(G) FINANCIAL ASSURANCE.—For all structures, the criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations.

“(H) RECORDKEEPING.—For all structures, the criteria for recordkeeping described in section 257.105 of title 40, Code of Federal Regulations.

“(I) RUN-ON AND RUN-OFF CONTROLS.—For all structures that are landfills, sand or gravel pits, or quarries, the criteria for run-on and run-off control described in section 257.81 of title 40, Code of Federal Regulations.

“(J) HYDROLOGIC AND HYDRAULIC CAPACITY REQUIREMENTS.—For all structures that are surface impoundments, the criteria for inflow design flood control systems described in section 257.82 of title 40, Code of Federal Regulations.

“(K) STRUCTURAL INTEGRITY.—For structures that are surface impoundments, the criteria for structural integrity described in sections 257.73 and 257.74 of title 40, Code of Federal Regulations.

“(L) INSPECTIONS.—For all structures, the criteria described in sections 257.83 and 257.84 of title 40, Code of Federal Regulations.

“(M) PUBLIC AVAILABILITY OF INFORMATION.—For all structures, the criteria described in section 257.107 of title 40, Code of Federal Regulations.

“(N) NOTIFICATION.—For all structures, the criteria described in section 257.106 of title 40, Code of Federal Regulations.

“(3) PERMIT PROGRAM IMPLEMENTATION FOR EXISTING STRUCTURES.—

“(A) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

“(i) INITIAL DEADLINES.—The State, in the case of a State that has notified the Administrator under subsection (b)(1) that it will adopt and implement a coal combustion residuals permit program, or the Administrator, in the case of each other State, shall require owners or operators of existing structures to comply with—

“(I) as of October 19, 2015, the requirements under paragraphs (2)(F), (2)(H), and (2)(L);

“(II) not later than 6 months after the date of enactment of this section, the requirement under paragraph (2)(G); and

“(III) not later than 12 months after the date of enactment of this section, the requirements under paragraphs (2)(A), (2)(I), (2)(J), (2)(K), and the requirement for a written closure plan under the criteria described in paragraph 2(C).

“(ii) SUBSEQUENT DEADLINES.—The implementing agency shall require owners or operators of existing structures to comply with—

“(I) not later than 24 months after the date of enactment of this section, the requirements under paragraph (2)(B); and

“(II) not later than 36 months after the date of enactment of this section, the requirements under paragraph (2)(E).

“(B) PERMITS.—Not later than 72 months after the date of enactment of this section, the implementing agency shall issue, with respect to an existing structure, a final permit incorporating the applicable requirements of the coal combustion residuals permit program, or a final denial of an application submitted requesting such a permit.

“(C) EFFECT OF COMPLIANCE.—

“(i) INTERIM REQUIREMENTS.—Prior to the date on which a final permit or final denial

is issued under subparagraph (B), compliance with the requirements of subparagraph (A), as determined by the State or Administrator, as applicable, shall constitute compliance with the requirements of this section and the rule described in subsection (i)(1) for the purpose of enforcement.

“(ii) FINAL PERMIT.—Compliance with a final permit issued by the implementing agency, as determined by the implementing agency, shall constitute compliance with this section and the rule described in subsection (i)(1) for the purpose of enforcement.

“(4) REQUIREMENTS FOR INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS.—

“(A) NOTICE.—Not later than 2 months after the date of enactment of this section, each owner or operator of an inactive coal combustion residuals surface impoundment shall submit to the Administrator and the State in which such inactive coal combustion residuals surface impoundment is located a notice stating whether such inactive coal combustion residuals surface impoundment will—

“(i) not later than 3 years after the date of enactment of this section, complete closure in accordance with section 257.100 of title 40, Code of Federal Regulations; or

“(ii) comply with the requirements of the coal combustion residuals permit program applicable to existing structures that are surface impoundments (except as provided in subparagraph (C)(ii)).

“(B) FINANCIAL ASSURANCE.—The implementing agency shall require the owner or operator of an inactive surface impoundment that has closed pursuant to this paragraph to perform post-closure care in accordance with the criteria described in section 257.104(b)(1) of title 40, Code of Federal Regulations, and to provide financial assurance for such post-closure care in accordance with the criteria described in section 258.72 of such title.

“(C) TREATMENT AS STRUCTURE.—

“(i) IN GENERAL.—An inactive coal combustion residuals surface impoundment shall be treated as an existing structure that is a surface impoundment for the purposes of this section, including with respect to the requirements of paragraphs (1) and (2), if—

“(I) the owner or operator does not submit a notice in accordance with subparagraph (A); or

“(II) the owner or operator submits a notice described in subparagraph (A)(ii).

“(ii) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS THAT FAIL TO CLOSE.—An inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i) that does not close by the deadline provided under subparagraph (A)(i) shall be treated as an existing structure for purposes of this section beginning on the date that is the day after such applicable deadline, including by—

“(I) being required to comply with the requirements of paragraph (1), as applicable; and

“(II) being required to comply, beginning on such date, with each requirement of paragraph (2).

“(d) IMPLEMENTATION BY ADMINISTRATOR.—

“(1) FEDERAL BACKSTOP AUTHORITY.—The Administrator shall implement a coal combustion residuals permit program for a State if—

“(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a coal combustion residuals permit program;

“(B) the State fails to submit a notification or an application by the applicable deadline under subsection (b);

“(C) the Administrator denies an application submitted by a State under subsection (b)(2) and, if applicable, any revised application submitted by the State under subparagraph (E) of such subsection;

“(D) the State informs the Administrator, in writing, that such State will no longer implement such a permit program; or

“(E) the Administrator withdraws approval of a State coal combustion residuals program after the Administrator—

“(i) determines that the State is not implementing a coal combustion residuals permit program approved under this section in accordance with the requirements of this section;

“(ii) notifies the State of such determination, including the reasons for such determination and the particular deficiencies that need to be remedied; and

“(iii) after allowing the State to take actions to remedy such deficiencies within a reasonable time, not to exceed 90 days, the Administrator determines that the State has not remedied such deficiencies.

“(2) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1)(E)(iii) as if the determination were a final regulation for purposes of section 7006.

“(3) INDIAN COUNTRY.—The Administrator shall implement a coal combustion residuals permit program in Indian country.

“(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program under paragraph (1) or (3), the permit program shall consist of the requirements described in subsection (c).

“(5) ENFORCEMENT.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1) or in Indian country under paragraph (3)—

“(A) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals, structures, and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program; and

“(B) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State or Indian country.

“(6) PUBLIC PARTICIPATION PROCESS.—If the Administrator implements a coal combustion residuals permit program under this subsection, the Administrator shall provide a 30-day period for the public participation process required under subsection (c)(1)(B)(i).

“(e) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

“(1) NEW ADOPTION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subparagraphs (A) through (D) of subsection (d), the State may adopt and implement such a permit program through the application process described in subsection (b)(2) (notwithstanding the deadline described in subparagraph (A) of such subsection). An application submitted pursuant to this paragraph shall include a timeline for transition to the State coal combustion residuals permit program.

“(2) RESUMPTION AFTER REMEDYING DEFICIENT PERMIT PROGRAM.—

“(A) PROCESS.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subparagraph (E) of subsection (d)(1), the State may adopt and implement such a permit program if—

“(i) the State remedies only the deficiencies included in the notice described in such subparagraph; and

“(ii) by the date that is 90 days after the date on which the State notifies the Administrator that the deficiencies have been remedied—

“(I) the Administrator publishes in the Federal Register—

“(aa) a determination, after providing a 30-day period for notice and public comment, that the deficiencies included in such notice have been remedied; and

“(bb) a timeline for transition to the State coal combustion residuals permit program; or

“(II) the Administrator does not publish in the Federal Register a determination regarding whether the deficiencies included in such notice been remedied, in which case such deficiencies shall be deemed remedied.

“(B) REVIEW.—A State may obtain a review of a determination by the Administrator under this paragraph as if such determination were a final regulation for purposes of section 7006.

“(f) IMPLEMENTATION DURING TRANSITION.—

“(1) EFFECT ON ACTIONS AND ORDERS.—Program requirements of, and actions taken or orders issued pursuant to, a coal combustion residuals permit program shall remain in effect if—

“(A) a State takes control of its coal combustion residuals permit program from the Administrator under subsection (e); or

“(B) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (d).

“(2) CHANGE IN REQUIREMENTS.—Paragraph (1) shall apply to such program requirements, actions, and orders until such time as—

“(A) the implementing agency that took control of the coal combustion residuals permit program changes the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

“(B) with respect to an ongoing corrective action, the State or the Administrator, whichever took the action or issued the order, certifies the completion of the corrective action that is the subject of the action or order.

“(3) SINGLE PERMIT PROGRAM.—Except as otherwise provided in this subsection—

“(A) if a State adopts and implements a coal combustion residuals permit program under subsection (e), the Administrator shall cease to implement the coal combustion residuals permit program implemented under subsection (d) for such State; and

“(B) if the Administrator implements a coal combustion residuals permit program for a State under subsection (d)(1), the State shall cease to implement its coal combustion residuals permit program.

“(g) AUTHORITY.—

“(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

“(2) AUTHORITY OF THE ADMINISTRATOR.—

“(A) IN GENERAL.—Except as provided in subsections (d) and (f) of this section and section 6005, the Administrator shall, with respect to the regulation of coal combustion residuals under this Act, defer to the States pursuant to this section.

“(B) IMMINENT HAZARD.—Nothing in this section shall be construed as affecting the

authority of the Administrator under section 7003 with respect to coal combustion residuals.

“(C) ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State implementing agency, the Administrator may, including through the use of the authorities referred to in section 4005(c)(2)(A), provide to such State agency only the enforcement assistance requested.

“(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C) of this paragraph and subsection (f), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program, including during any period of interim operation described in subsection (c)(3)(C).

“(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

“(h) USE OF COAL COMBUSTION RESIDUALS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), use of coal combustion residuals in any of the following ways, and storage prior to such use, shall not be considered to be receipt of coal combustion residuals for the purposes of this section:

“(A) Use as—

“(i) engineered structural fill constructed in accordance with—

“(I) ASTM E2277 entitled ‘Standard Guide for Design and Construction of Coal Ash Structural Fills’, including any amendment or revision to that guidance;

“(II) any other published national standard determined appropriate by the implementing agency, including standards issued by the American Association of State and Highway Transportation Officials and the Federal Highway Administration; or

“(III) a State standard or program relating to—

“(aa) fill operations for coal combustion residuals; or

“(bb) the management of coal combustion residuals for beneficial use; or

“(ii) engineered structural fill for—

“(I) a building site or foundation;

“(II) a base or embankment for a bridge, roadway, runway, or railroad; or

“(III) a dike, levee, berm, or dam that is not part of a structure.

“(B) Beneficial use—

“(i) that provides a functional benefit;

“(ii) that is a substitute for the use of a virgin material; and

“(iii) that meets relevant product specifications and regulatory or design standards, if any, including standards issued by voluntary consensus standards bodies such as ASTM International and the American Concrete Institute.

“(2) EXCEPTION.—With respect to a use described in paragraph (1) that involves placement on the land of coal combustion residuals in non-roadway and non-highway applications, the implementing agency may, on a case-by-case basis, determine that long-term storage of coal combustion residuals at the generating facility for such a use or permanent unencapsulated use of very large volumes of coal combustion residuals constitutes receipt of coal combustion residuals for the purposes of this section if the storage or use results in releases of hazardous constituents to groundwater, surface water, soil, or air—

“(A) in greater amounts than those that would occur from long-term storage or use of a material that would be used instead of coal combustion residuals; or

“(B) that exceed relevant regulatory and health-based benchmarks, as determined by the implementing agency.

“(i) EFFECT OF RULE.—

“(1) IN GENERAL.—With respect to the final rule entitled ‘Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities’ and published in the Federal Register on April 17, 2015 (80 Fed. Reg. 21302)—

“(A) such rule shall be implemented only through a coal combustion residuals permit program under this section; and

“(B) to the extent that any provision or requirement of such rule conflicts, or is inconsistent, with a provision or requirement of this section, the provision or requirement of this section shall control.

“(2) EFFECTIVE DATE.—For purposes of this section, any reference in part 257 of title 40, Code of Federal Regulations, to the effective date of such part shall be considered to be a reference to the date of enactment of this section, except that, in the case of any deadline established by such a reference that is in conflict with a deadline established by this section, the deadline established by this section shall control.

“(3) APPLICABILITY OF OTHER REGULATIONS.—The application of section 257.52 of title 40, Code of Federal Regulations, is not affected by this section.

“(4) DEFINITIONS.—The definitions under section 257.53 of title 40, Code of Federal Regulations, shall apply with respect to any criteria described in subsection (c) the requirements of which are incorporated into a coal combustion residuals permit program under this section, except—

“(A) as provided in paragraph (1); and

“(B) a lead State implementing agency may apply different definitions if—

“(i) the different definitions do not conflict with the definitions in subsection (j); and

“(ii) the lead State implementing agency—

“(I) identifies the different definitions in the explanation included with the application submitted under subsection (b)(2); and

“(II) provides in such explanation a reasonable basis for the application of the different definitions.

“(j) DEFINITIONS.—In this section:

“(1) COAL COMBUSTION RESIDUALS.—The term ‘coal combustion residuals’ means the following wastes generated by electric utilities and independent power producers:

“(A) The solid wastes listed in section 3001(b)(3)(A)(i) that are generated primarily from the combustion of coal, including recoverable materials from such wastes.

“(B) Coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure.

“(C) Fluidized bed combustion wastes that are generated primarily from the combustion of coal.

“(D) Wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned.

“(E) Wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

“(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term ‘coal combustion residuals permit program’ means all of the authorities, activities, and procedures that comprise a system of prior approval and conditions implemented under this section to

regulate the management and disposal of coal combustion residuals.

“(3) **ELECTRIC UTILITY; INDEPENDENT POWER PRODUCER.**—The terms ‘electric utility’ and ‘independent power producer’ include only electric utilities and independent power producers that produce electricity on or after the date of enactment of this section.

“(4) **EXISTING STRUCTURE.**—The term ‘existing structure’ means a structure the construction of which commenced before the date of enactment of this section.

“(5) **IMPLEMENTING AGENCY.**—The term ‘implementing agency’ means the agency responsible for implementing a coal combustion residuals permit program, which shall either be the lead State implementing agency identified under subsection (b)(2)(B)(i) or the Administrator pursuant to subsection (d).

“(6) **INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENT.**—The term ‘inactive coal combustion residuals surface impoundment’ means a surface impoundment, located at an electric utility or independent power producer, that, as of the date of enactment of this section—

“(A) does not receive coal combustion residuals;

“(B) contains coal combustion residuals; and

“(C) contains liquid.

“(7) **INDIAN COUNTRY.**—The term ‘Indian country’ has the meaning given that term in section 1151 of title 18, United States Code.

“(8) **STRUCTURE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term ‘structure’ means a landfill, surface impoundment, sand or gravel pit, or quarry that receives coal combustion residuals on or after the date of enactment of this section.

“(B) **EXCEPTIONS.**—

“(i) **MUNICIPAL SOLID WASTE LANDFILLS.**—The term ‘structure’ does not include a municipal solid waste landfill meeting the revised criteria promulgated under section 4010(c).

“(ii) **COAL MINES.**—The term ‘structure’ does not include the location of surface coal mining and reclamation operations or surface coal mining operations (as those terms are defined in section 701 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1291)) or an active or abandoned underground coal mine.

“(iii) **DE MINIMIS RECEIPT.**—The term ‘structure’ does not include any landfill or surface impoundment that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the landfill or surface impoundment.

“(9) **UNLINED SURFACE IMPOUNDMENT.**—The term ‘unlined surface impoundment’ means a surface impoundment that does not have a liner system described in section 257.71 of title 40, Code of Federal Regulations.”

(b) **CONFORMING AMENDMENT.**—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

“Sec. 4011. Management and disposal of coal combustion residuals.”

SEC. 3039. EFFECT ON REGULATORY DETERMINATIONS.

Nothing in this title, or the amendments made by this title, shall be construed to alter in any manner the effect on coal combustion residuals (as defined in section 4011 of the Solid Waste Disposal Act, as added by this title) of the Environmental Protection Agency’s regulatory determinations entitled—

(1) “Notice of Regulatory Determination on Wastes From the Combustion of Fossil Fuels”, published at 65 Fed. Reg. 32214 (May 22, 2000); and

(2) “Final Regulatory Determination on Four Large-Volume Wastes From the Combustion of Coal by Electric Utility Power Plants”, published at 58 Fed. Reg. 42466 (August 9, 1993).

SEC. 4. TECHNICAL ASSISTANCE.

Nothing in this title, or the amendments made by this title, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 5. FEDERAL POWER ACT.

Nothing in this title, or the amendments made by this title, shall be construed to affect the obligations of an owner or operator of a structure (as such term is defined in section 4011 of the Solid Waste Disposal Act, as added by this Act) under section 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

SA 3039. Mr. HOEVEN (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle F—North American Energy Infrastructure Act

SEC. 2501. DEFINITIONS.

In this subtitle:

(1) **CROSS-BORDER SEGMENT.**—The term “cross-border segment” means the portion of an oil or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with Canada or Mexico.

(2) **ELECTRIC RELIABILITY ORGANIZATION.**—The term “Electric Reliability Organization” has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(3) **INDEPENDENT SYSTEM OPERATOR.**—The term “Independent System Operator” has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(4) **MODIFICATION.**—The term “modification” includes—

(A) a change in ownership;

(B) a volume expansion;

(C) a downstream or upstream interconnection; or

(D) an adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations).

(5) **NATURAL GAS.**—The term “natural gas” has the meaning given the term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

(6) **OIL.**—The term “oil” means petroleum or a petroleum product.

(7) **REGIONAL ENTITY.**—The term “regional entity” has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(8) **REGIONAL TRANSMISSION ORGANIZATION.**—The term “Regional Transmission Organization” has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

SEC. 2502. AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.

(a) **AUTHORIZATION.**—Except as provided in subsection (c) and section 2506, no person

may construct, connect, operate, or maintain a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico without obtaining a certificate of crossing for the construction, connection, operation, or maintenance of the cross-border segment under this section.

(b) **CERTIFICATE OF CROSSING.**—

(1) **REQUIREMENT.**—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment for which a request is received under this section, the relevant official identified under paragraph (2), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(2) **RELEVANT OFFICIAL.**—The relevant official referred to in paragraph (1) is—

(A) the Secretary of State with respect to oil pipelines; and

(B) the Secretary of Energy with respect to electric transmission facilities.

(3) **ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.**—In the case of a request for a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing for the request under paragraph (1), that the cross-border segment of the electric transmission facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(A) the Electric Reliability Organization and the applicable regional entity; and

(B) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(c) **EXCLUSIONS.**—This section shall not apply to any construction, connection, operation, or maintenance of a cross-border segment of an oil pipeline or electric transmission facility for the import or export of oil or the transmission of electricity to or from Canada or Mexico—

(1) if the cross-border segment is operating for the import, export, or transmission as of the date of enactment of this Act;

(2) if a permit described in section 2505 for the construction, connection, operation, or maintenance has been issued;

(3) if a certificate of crossing for the construction, connection, operation, or maintenance has previously been issued under this section; or

(4) if an application for a permit described in section 2505 for the construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(A) the date on which the application is denied; or

(B) July 1, 2016.

(d) **EFFECT OF OTHER LAWS.**—

(1) **APPLICATION TO PROJECTS.**—Nothing in this section or section 2506 affects the application of any other Federal law to a project for which a certificate of crossing for the construction, connection, operation, or maintenance of a cross-border segment is sought under this section.

(2) **ENERGY POLICY AND CONSERVATION ACT.**—Nothing in this section or section 2506

shall affect the authority of the President under section 103(a) of the Energy Policy and Conservation Act (42 U.S.C. 6212(a)).

SEC. 2503. IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking “(c) For purposes” and inserting the following:

“(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

“(1) IN GENERAL.—For purposes”; and

(2) by adding at the end the following:

“(2) DEADLINE FOR APPROVAL OF APPLICATIONS RELATING TO CANADA AND MEXICO.—In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall approve the application not later than 30 days after the date of receipt of the application.”.

SEC. 2504. TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.

(a) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202 of the Federal Power Act (16 U.S.C. 824a) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(b) CONFORMING AMENDMENTS.—

(1) STATE REGULATIONS.—Subsection (e) of section 202 of the Federal Power Act (16 U.S.C. 824a) (as redesignated by subsection (a)(2)) is amended in the second sentence by striking “insofar as such State regulation does not conflict with the exercise of the Commission’s powers under or relating to subsection 202(e)”.

(2) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-4(b)) is amended by striking “the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act” and all that follows through the period at the end of the second sentence and inserting “the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary.”.

SEC. 2505. NO PRESIDENTIAL PERMIT REQUIRED.

(a) IN GENERAL.—No Presidential permit (or similar permit) required under an applicable provision described in subsection (b) shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any cross-border segment of the pipeline or facility.

(b) APPLICABLE PROVISIONS.—Subsection (a) applies to—

(1) section 301 of title 3, United States Code;

(2) Executive Order 11423 (3 U.S.C. 301 note);

(3) Executive Order 13337 (3 U.S.C. 301 note);

(4) Executive Order 10485 (15 U.S.C. 717b note);

(5) Executive Order 12038 (42 U.S.C. 7151 note); and

(6) any other Executive order.

SEC. 2506. MODIFICATIONS TO EXISTING PROJECTS.

No certificate of crossing under section 2502, or permit described in section 2505, shall be required for a modification to the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility—

(1) that is operating for the import or export of oil or natural gas or the transmission of electricity to or from Canada or Mexico as of the date of enactment of the Act;

(2) for which a permit described in section 2505 for the construction, connection, operation, or maintenance has been issued; or

(3) for which a certificate of crossing for the cross-border segment of the pipeline or facility has previously been issued under section 2502.

SEC. 2507. EFFECTIVE DATE; RULEMAKING DEADLINES.

(a) EFFECTIVE DATE.—Sections 2502 through 2506, and the amendments made by those sections, take effect on July 1, 2016.

(b) RULEMAKING DEADLINES.—Each relevant official described in section 2502(b)(2) shall—

(1) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of section 2502; and

(2) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of section 2502.

SA 3040. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REGULATION OF TRANSPORTATION AND STORAGE OF PETROLEUM COKE.

This Act shall not take effect prior to the date that—

(1) the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Transportation, promulgates rules to ensure that all petroleum coke that results from the refining of oil transported by a pipeline in the United States is stored and transported in a manner that protects public and ecological health; and

(2) petroleum coke is no longer exempt from regulation under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(14)), which may be established either by an Act of Congress or any regulations, rules, or guidance issued by the Administrator of the Environmental Protection Agency.

SA 3041. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 320, strike line 22 and all that follows through line 25 on page 322 and insert the following:

(C) secondary and postsecondary education organizations; and

(D) workforce development boards;

(2) demonstrates experience in implementing and operating job training and education programs;

(3) demonstrates the ability to recruit and support individuals who plan to work in the energy industry in the successful completion

of relevant job training and education programs; and

(4) provides students who complete the job training and education program with an industry-recognized credential.

(c) APPLICATIONS.—Eligible entities desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(d) PRIORITY.—In selecting eligible entities to receive grants under this section, the Secretary shall prioritize applicants that—

(1) house the job training and education programs in—

(A) a community college or institution of higher education that includes basic science and math education in the curriculum of the community college, institution of higher education; or

(B) an apprenticeship program registered with the Department of Labor or a State;

(2) work with the Secretary of Defense or veterans organizations to transition members of the Armed Forces and veterans to careers in the energy sector;

(3) work with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

(4) apply as a State or regional consortia to leverage best practices already available in the State or region in which the community college or institution of higher education is located;

(5) have a State-supported entity included in the consortium applying for the grant;

(6) include an apprenticeship program registered with the Department of Labor or a State as part of the job training and education program;

(7) provide support services and career coaching;

(8) provide introductory energy workforce development training;

(9) work with not less than 1 local educational agency, area career and technical education school, or educational service agency (as such terms are defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)), that offers a relevant career and technical program of study (as described in section 122(c)(1)(A) of such Act (20 U.S.C. 2342(c)(1)(A)));

(10) work with minority-serving institutions to provide job training to increase the number of skilled minorities and women in the energy sector; or

(11) provide job training for displaced and unemployed workers in the energy sector.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 27, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 27, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Attacking America’s Epidemic

on Heroin and Prescription Drug Abuse.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 27, 2016, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on January 27, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. GARDNER. Mr. President, I ask unanimous consent that the following

members of Senator DAINES’ staff be granted floor privileges for the remainder of the 114th Congress: Ben Johnson, Amy Coffman, and James Fortner.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY,
JANUARY 28, 2016

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m., Thursday, January 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leaders remarks, the Senate resume consideration of S. 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:45 A.M.
TOMORROW

Ms. MURKOWSKI. Mr. President, if there is no further business to come be-

fore the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:26 p.m., adjourned until Thursday, January 28, 2016, at 9:45 a.m.

NOMINATIONS

Executive nomination received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

L.T. GEN. JOHN W. NICHOLSON, JR.

CONFIRMATION

Executive nomination confirmed by the Senate January 27, 2016:

THE JUDICIARY

JOHN MICHAEL VAZQUEZ, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 28, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 2

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the implementation of the decision to open all ground combat units to women.

SD-G50

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine frontline response to terrorism in America.

SD-342

Committee on the Judiciary

To hold hearings to examine the future of the EB-5 regional center program.

SD-226

2 p.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine occupational licensing and the state action doctrine.

SD-226

FEBRUARY 3

9:30 a.m.

Committee on Environment and Public Works

To hold hearings to examine the Stream Protection Rule, focusing on impacts on the environment and implications for Endangered Species Act and Clean Water Act implementation.

SD-406

10 a.m.

Committee on the Budget

To hold hearings to examine spending on unauthorized programs.

SD-608

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine Canada's fast-track refugee plan, focusing on implications for United States national security.

SD-342

Committee on the Judiciary

To hold hearings to examine the need for transparency in the asbestos trusts.

SD-226

2:15 p.m.

Committee on Indian Affairs

Business meeting to consider S. 1125, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation, the State of Montana, and the United States, and S. 1983, to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement; to be immediately followed by an oversight hearing to examine the substandard quality of Indian health care in the Great Plains.

TBA

2:30 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold closed hearings to examine counterterrorism strategy, focusing on understanding ISIL.

SVC-217

FEBRUARY 4

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Beth F. Cobert, of California, to

be Director of the Office of Personnel Management for a term of four years.

SD-342

FEBRUARY 9

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine Department of Defense nuclear acquisition programs and the nuclear doctrine in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SR-232A

FEBRUARY 23

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior.

SD-366

MARCH 3

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy.

SD-366

MARCH 8

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Forest Service.

SD-366

POSTPONEMENTS

FEBRUARY 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine energy-related trends in advanced manufacturing and workforce development.

SD-366

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HOUSE OF REPRESENTATIVES—Thursday, January 28, 2016

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. SENSENBRENNER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 28, 2016.

I hereby appoint the Honorable F. JAMES SENSENBRENNER, Jr. to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Dr. Kurt Gerhard, St. Patrick's Episcopal Church, Washington, D.C., offered the following prayer:

O merciful God, be with these United States and especially with the elected Representatives of this 114th Congress. As they debate and vote on legislation that will determine the future path of this country, open their hearts and minds to the needs of all people, but make them especially aware of those who are ignored or forgotten, the downtrodden and marginalized, those among our citizenry whose voices and needs are overwhelmed by the noisy clamor of the world because it is these people who most need the representation and leadership of this House.

We ask this all in the name of the one God: the Creator, redeemer, and sustainer of every nation.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT FROM THURSDAY, JANUARY 28, 2016, TO MONDAY, FEBRUARY 1, 2016

The SPEAKER pro tempore. Without objection, when the House adjourns today, it shall adjourn to meet on Monday, February 1, 2016.

There was no objection.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Monday next for morning-hour debate and 2 p.m. for legislative business.

There was no objection.

Thereupon (at 2 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until Monday, February 1, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4122. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Exportation of Live Animals, Hatching Eggs, and Animal Germplasm From the United States [Docket No.: APHIS-2012-0049] (RIN: 0579-AE00) received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4123. A letter from the Administrator, Rural Housing Service, Rural Development, Department of Agriculture, transmitting the Department's final rule — Community Facilities Technical Assistance and Training Grants (RIN: 0575-AD02) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4124. A letter from the Secretary, Bureau of Consumer Protection/Enforcement, Federal Trade Commission, transmitting the Commission's final rule — Administrative Debt Collection Procedures received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4125. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Members of Federal Home Loan Banks (RIN: 2590-AA39) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4126. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's Major interim final rules — Simplification of Disclosure Requirements

for Emerging Growth Companies and Forward Incorporation by Reference on Form S-1 for Smaller Reporting Companies [Release No.: 33-10003; File No.: S7-01-16] (RIN: 3235-AL88) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4127. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedures for Residential Furnaces and Boilers [Docket No.: EERE-2012-BT-TP-0024] (RIN: 1904-AC79) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4128. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress on the Performance Evaluation of Accreditation Bodies under the Mammography Quality Standards Act of 1992, as amended by the Mammography Quality Standards Reauthorization Acts of 1998 and 2004 for January 1, 2014 — December 31, 2014; to the Committee on Energy and Commerce.

4129. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to Common Provisions and Regulation Number 3; Correction [EPA-R08-OAR-2015-0493; FRL-9941-46-Region 8] received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4130. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of State Implementation Plan Revisions; Rules, Public Notice and Comment Process, and Renumbering; Utah [EPA-R08-OAR-2015-0371; FRL-9932-59-Region 8] received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4131. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propanoic acid, 2-methyl-, monoester with 2,2,4-trimethyl-1,3-pentanediol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0373; FRL-9941-17] received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4132. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations [MB Docket No.: 03-185]; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Auctions [GN Docket No.: 12-268]; Amendment of Part 15 of the Commission's Rules to Eliminate the Analog Tuner Requirement [ET Docket No.: 14-175] received January 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4133. A letter from the Division Chief, Broadband Division, Wireless Telecomm. Bureau, Federal Communications Commission, transmitting the Commission's final rule — Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions [GN Docket No.: 12-268] received January 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4134. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major final rule — Energy Conservation Program: Energy Conservation Standards for Residential Boilers [Docket Nos.: EERE-2012-BT-STD-0047] (RIN: 1904-AC88) received January 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4135. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major direct final rule — Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards for Small, Large, and Very Large Air-Cooled Commercial Package Air Conditioning and Heating Equipment and Commercial Warm Air Furnaces [Docket Nos.: EERE-2013-BT-STD-0007 and EERE-2013-BT-STD-0021] (RIN: 1904-AC95 and 1904-AD11) received January 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4136. A communication from the President of the United States, transmitting notification that the national emergency regarding terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2016, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 114—93); to the Committee on Foreign Affairs and ordered to be printed.

4137. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Iranian Transactions and Sanctions Regulations received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

4138. A letter from the Chairman of the Board of Trustees, Open World Leadership Center, transmitting the Center's 2014 Annual Report; to the Committee on Foreign Affairs.

4139. A letter from the Clerk, U.S. House of Representatives, transmitting a list of reports created by the Clerk, pursuant to Rule II, clause 2(b), of the Rules of the House (H. Doc. No. 114—94); to the Committee on House Administration and ordered to be printed.

4140. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final specifications — Pacific Island

Pelagic Fisheries; 2015 U.S. Territorial Longline Bigeye Tuna Catch Limits for the Commonwealth of the Northern Mariana Islands [Docket No.: 150615523-5911-02] (RIN: 0648-XD998) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4141. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Greater Amberjack Management Measures [Docket No.: 150817720-5999-02] (RIN: 0648-BF21) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4142. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2015-2016 Accountability Measure and Closure for King Mackerel in Western Zone of the Gulf of Mexico [Docket No.: 101206604-1758-02] (RIN: 0648-XE290) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4143. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE327) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4144. A letter from the Acting Director, Office of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Boundary Expansion of Thunder Bay National Marine Sanctuary; Correction and Expansion of Fagatele Bay National Marine Sanctuary, Regulatory Changes, and Sanctuary Name Change; Correction [Docket No.: 150821762-5762-01] (RIN: 0648-BF13) received January 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4145. A letter from the Ombudsman for Energy Employees, Occupational Illness Compensation Program, Department of Labor, transmitting the Department's 2014 Annual Report of the Ombudsman for the Energy Employees Occupational Illness Compensation Program of the United States Department of Labor, pursuant to 42 U.S.C. 7385s-15(e); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3161); (118 Stat. 2185); to the Committee on the Judiciary.

4146. A letter from the Acting Chief, Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting the Department's final rule — Machineguns, Destructive Devices and Certain Other Firearms; Background Checks for Responsible Persons of a Trust or Legal Entity With Respect To Making or Transferring a Firearm [Docket No.: ATF 41F; AG Order No.: 3608-2016] (RIN: 1140-AA43) received January 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4147. A letter from the Project Manager, Regulatory Coordination Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, transmitting the Department's final rule — Enhancing Opportunities for H-1B1, CW-1, and E-3 Non-immigrants and EB-1 Immigrants [CIS No.: 2515-11; DHS Docket No.: USCIS-2012-0005] (RIN: 1615-AC00) received January 20, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4148. A letter from the Deputy Undersecretary, International Affairs, Department of Labor, transmitting the Department's third biennial report to Congress on the Progress in Implementing Chapter 16 (Labor) and Capacity-Building under the Dominican Republic — Central America — United States Free Trade Agreement, pursuant to 19 U.S.C. 4111(a); Public Law 109-53, Sec. 403(a); (119 Stat. 496); to the Committee on Ways and Means.

4149. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Removal of Transferred OTS Regulations Regarding Management Official Interlocks and Amendments to FDIC's Rules and Regulations (RIN: 3064-AE20) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4150. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update of Revenue Procedure 2015-8 [RP-128881-15] (Rev. Proc. 2016-8) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4151. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2015 Retroactive Increase in Excludable Transit Benefits [Notice 2016-6] received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4152. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revisions to the Employee Plans Determination Letter Program Regarding Cycle A Elections, Determination Letter Expiration Dates, and Extension of Deadlines for Certain Defined Contribution Pre-Approved Plans [Notice 2016-03] received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4153. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure 2016-3 (RP-130776-15) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4154. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure 2016-5 (Rev. Proc. 2016-5) received January 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4155. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification to implement

commitments in the Joint Comprehensive Plan of Action by the P5+1 (the United States, the United Kingdom, France, China, Russia, and Germany) and Iran, pursuant to the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, Sec. 103(d)(2)(B); jointly to the Committees on Foreign Affairs and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 3700. A bill to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes; with an amendment (Rept. 114-397). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1675. A bill to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans (Rept. 114-398). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1965. A bill to exempt smaller public companies from requirements relating to the use of Extensible Business Reporting Language for periodic reporting to the Securities and Exchange Commission, and for other purposes (Rept. 114-399). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 686. A bill to amend the Securities Exchange Act of 1934 to exempt from registration brokers performing services in connection with the transfer of ownership of smaller privately held companies (Rept. 114-400). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2356. A bill to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes (Rept. 114-401). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 766. A bill to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes (Rept. 114-402). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2354. A bill to direct the Securities and Exchange Commission to review all its significant regulations to determine whether such regulations are necessary in the public interest or whether such regulations should be amended or rescinded; with an amendment (Rept. 114-403). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. MCCARTHY (for himself and Mr. HUNTER):

H.R. 4395. A bill to repeal the provision permitting the use of rocket engines from the Russian Federation for the evolved expendable launch vehicle program; to the Committee on Armed Services.

By Mr. PALLONE:

H.R. 4396. A bill to support a comprehensive public health response to the heroin and prescription drug abuse crisis; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND:

H.R. 4397. A bill to direct the Administrator of the Federal Emergency Management Agency to provide for caches of emergency response equipment to be used in the event of an accident involving rail tank cars transporting hazardous material, crude oil, or flammable liquids; to the Committee on Transportation and Infrastructure.

By Mr. CONAWAY (for himself, Mr. PETERSON, Mr. AUSTIN SCOTT of Georgia, and Mr. DAVID SCOTT of Georgia):

H. Res. 591. A resolution commending the cooperative owners and the employees of the Farm Credit System for their continuing service in meeting the credit and financial-services needs of rural communities and agriculture; to the Committee on Agriculture.

By Mr. LIPINSKI (for himself, Mr. BARLETTA, Mr. BENISHEK, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CHABOT, Mr. DANNY K. DAVIS of Illinois, Mr. RODNEY DAVIS of Illinois, Ms. ESHOO, Mr. FITZPATRICK, Mr. FRELINGHUYSEN, Mr. HIGGINS, Mr. JONES, Mr. JOYCE, Mr. KELLY of Pennsylvania, Mr. LANGEVIN, Mr. LATTA, Mr. NEAL, Mr. PASCRELL, Mr. REED, Ms. ROSELEHTINEN, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SENSENBRENNER, Mr. SMITH of New Jersey, Ms. SPEIER, Mr. TIBERI, and Mr. YARMUTH):

H. Res. 592. A resolution supporting the contributions of Catholic schools; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCCARTHY:

H.R. 4395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution states that Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PALLONE:

H.R. 4396.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KIND:

H.R. 4397.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 228: Mr. COFFMAN.

H.R. 470: Mr. JODY B. HICE of Georgia.

H.R. 539: Mrs. NAPOLITANO, Mr. AL GREEN of Texas, and Mr. YOUNG of Iowa.

H.R. 686: Mr. BRADY of Texas.

H.R. 768: Mr. FATTAH.

H.R. 814: Mr. CHABOT.

H.R. 911: Mr. TONKO.

H.R. 1019: Mr. FARR.

H.R. 1197: Mr. STEWART.

H.R. 1220: Mr. CAPUANO, Mr. CURBELO of Florida, Mr. KATKO, and Mr. ROGERS of Alabama.

H.R. 1342: Mr. NORCROSS.

H.R. 1457: Mr. CRENSHAW.

H.R. 1475: Ms. ESHOO, Mr. SCHIFF, Ms. MOORE, Mr. TONKO, Mr. JEFFRIES, Ms. DELAURO, Ms. LORETTA SANCHEZ of California, Ms. WASSERMAN SCHULTZ, Mr. MEADOWS, and Mr. GOHMERT.

H.R. 1854: Mr. POLIS, Ms. DELBENE, and Mr. GUTIERREZ.

H.R. 1856: Ms. KAPTUR.

H.R. 1942: Ms. GRAHAM.

H.R. 2005: Mr. HONDA.

H.R. 2096: Mr. ADERHOLT.

H.R. 2260: Mr. COHEN.

H.R. 2278: Mr. BRAT.

H.R. 2334: Mrs. HARTZLER.

H.R. 2646: Mr. COOK.

H.R. 2716: Mr. MULVANEY.

H.R. 2858: Ms. ADAMS, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SANCHEZ of California, Ms. SINEMA, and Mr. DOGGETT.

H.R. 2957: Mr. RUIZ.

H.R. 3092: Mr. RIGELL and Mrs. KIRKPATRICK.

H.R. 3123: Mr. CULBERSON.

H.R. 3268: Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Mr. RUPPERSBERGER, Ms. ADAMS, and Ms. BROWN of Florida.

H.R. 3323: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. RODNEY DAVIS of Illinois.

H.R. 3381: Mr. MESSER, Mr. SCHIFF, Mr. DENT, and Mr. LOBIONDO.

H.R. 3406: Mr. GRAVES of Louisiana, Mr. GUTIERREZ, and Mr. MCGOVERN.

H.R. 3521: Mr. ROSS.

H.R. 3542: TED LIEU of California, Mr. GRIJALVA, and Mr. GENE GREEN of Texas.

H.R. 3565: Mrs. NAPOLITANO and Ms. BROWNLEY of California.

H.R. 3665: Mr. CONNOLLY.

H.R. 3779: Mr. CURBELO of Florida and Mr. DUNCAN of Tennessee.

H.R. 3790: Mr. TAKAI.

H.R. 3846: Mr. HUIZENGA of Michigan, Mr. REICHERT, and Mrs. BEATTY.

H.R. 3863: Mr. HIMES.

H.R. 3970: Mr. NORCROSS.

H.R. 4002: Mr. GOHMERT.

H.R. 4007: Mr. PALAZZO.

H.R. 4065: Mr. ROONEY of Florida.

H.R. 4126: Mr. COLLINS of New York, Mr. PERRY, Mr. SAM JOHNSON of Texas, and Mr. MESSER.

H.R. 4183: Ms. KAPTUR and Mr. TURNER.

H.R. 4197: Mr. ALLEN and Mr. LUETKEMEYER.

H.R. 4226: Mr. ROONEY of Florida.

H.R. 4235: Mr. FATTAH, Mrs. WATSON COLEMAN, Ms. LEE, and Ms. WILSON of Florida.

H.R. 4240: Mr. KILDEE and Mrs. DINGELL.

H.R. 4247: Mr. ZELDIN.

H.R. 4257: Mr. CULBERSON and Mr. MCCLINTOCK.

H.R. 4275: Mr. HUIZENGA of Michigan.

H.R. 4305: Ms. ROS-LEHTINEN and Mr. KINZINGER of Illinois.

H.R. 4321: Mr. BARR.

H.R. 4336: Mrs. MILLER of Michigan, Mr. MCGOVERN, Mr. SARBANES, Ms. KAPTUR, Mr. NEWHOUSE, Mr. MCHENRY, Ms. FRANKEL of Florida, Ms. DELBENE, Mr. DEFazio, Mr. MURPHY of Florida, Mr. POCAN, and Mr. DESAULNIER.

H.R. 4342: Mr. RUIZ, Mr. O'ROURKE, Mr. SEAN PATRICK MALONEY of New York, and Mr. MCCLINTOCK.

H.R. 4364: Ms. MOORE, Mr. RANGEL, Mrs. WATSON COLEMAN, Ms. NORTON, and Ms. JUDY CHU of California.

H.R. 4377: Mr. RIBBLE.

H.R. 4380: Ms. DELBENE, Mr. KILDEE, Mrs. LAWRENCE, Mr. SMITH of Washington, Mr. COHEN, Mr. TAKANO, and Mr. CONNOLLY.

H.R. 4381: Mr. WILSON of South Carolina, Mr. GOSAR, and Mr. POE of Texas.

H. Con. Res. 89: Mr. POMPEO, Mr. RENACCI, and Mr. ABRAHAM.

H. Res. 374: Mr. SHERMAN.

H. Res. 501: Mr. LANCE and Mr. CARSON of Indiana.

H. Res. 567: Mr. PAULSEN, Ms. MENG, and Mr. ISRAEL.

H. Res. 571: Mr. ROONEY of Florida, Mr. AMODEI, Mr. STEWART, Mr. MULLIN, and Mr. MCCLINTOCK.

H. Res. 588: Mr. PALAZZO, Mr. RICE of South Carolina, Mr. GOHMERT, and Mr. MULLIN.

PETITIONS, ETC.

Under clause 3 of rule XII,

42. The SPEAKER presented a petition of the City Council of St. Petersburg, FL, relative to Resolution No. 2015-540, affirming the City Council's support of the Complete Streets Program, including City of St. Petersburg Administrative Policy #020400 regarding the Complete Streets Program; which was referred to the Committee on Transportation and Infrastructure.

SENATE—Thursday, January 28, 2016

The Senate met at 9:45 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Loving God, Your providence guides our going out and coming in, and we praise Your great Name.

Today, help our lawmakers to exercise that cool judgment that is worth far more than a thousand hasty words. Remind them that soft answers turn away anger and that humility precedes honor. As they work to do what is best for our Nation and world, use their lips to provide more light than heat, as their words build up instead of tearing down. May the words of their mouths and the meditations of their hearts glorify You.

And, Lord, bless the faithful members of our fall page class as they prepare to leave us.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 28, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. HELLER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ENERGY POLICY MODERNIZATION BILL

Mr. McCONNELL. Mr. President, the last time a broad energy bill was signed into law was back in 2007. It may as well have been a lifetime ago as far as America's energy situation is concerned. While we were once living in an era of energy scarcity, we are now living in an era of higher energy production and lower technology costs. It is change that represents many opportunities but also challenges—aging infrastructure, bureaucratic hurdles, outdated policies, and needless redtape. These are the kinds of challenges we will need to address if we want to support America's rise as one of the world's preeminent energy superpowers and if we want to support the accompanying potential for jobs, for growth, and for increased energy independence. That is why the Senate is considering the Energy Policy Modernization Act. It is broad, bipartisan legislation that will modernize our energy policies to keep pace with a changing world. It will help Americans produce more energy. It will help Americans pay less for energy. It will help Americans save energy.

This bipartisan bill builds on technological progress in order to strengthen and sustain America's energy advances while protecting our environment at the same time, all without raising taxes or adding to the deficit. It is the latest reminder of what is possible with cooperation in this Senate.

A huge majority of the Senate energy committee supported the bill when it came to a vote. The top Republican on the committee supported it and the top Democrat on the committee supported it. They are the managers of this bill today. They have worked with Members of both parties and have lined up amendments already. They are working with Members of both parties to schedule even more. If you have an amendment you would like considered, please work with them. Let's get this process moving. Let's get this bill passed so we can support more jobs, more growth, and more energy independence for our country.

TRIBUTE TO MIKE BRUMAS

Mr. McCONNELL. Mr. President, before I leave the floor, let me say this as well. The chair of the energy committee knows how to write good legislation. We have proof of that before us today. But here is something else: The chair of the energy committee also knows how to pick good staff. Take Mike Brumas as one example. He

served as her communications director. He served as communications director for the junior Senator from Alabama, too, and as chief of staff for the State's senior Senator. Mike also spent time covering Washington back when he was a reporter.

Mike Brumas obviously had a lot of experience under his belt by the time he came to work for me. Mike was an important part of my team, he worked hard, and he earned positions of trust among respected Members of our conference and among the Washington press corps. Mike was there both in the minority and in the majority as we made our way through many challenges, but he never let his good humor or his zest for life get lost along the way.

People will tell you that Mike loves history and political history in particular. It is a shared passion that kept me challenged and often entertained. People will tell you a few other things about Mike too. He is always smiling. He is always laughing. He always has a story to tell and a recipe to share. This aspiring chef and endeavoring fly fisherman is happiest when he is with his family—his delightful wife Ann and his sons Alex and Will—and Mike is at his best when he is outdoors camping or biking or just simply enjoying life beyond these walls.

When Mike told me it was his time to retire from the Senate, I was sad to see him go, but at the same time I was glad to see him able to spend more time around the people and things that make Mike, Mike.

Ronald Michael Brumas came to my office as a colleague and leaves as a friend. I thank him for his many years of dedicated service to me and to this body, and I send him best wishes for a retirement that promises to be anything but boring.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

ENERGY LEGISLATION

Mr. REID. Mr. President, I have joined with the Republican leader over the last couple of days saying good things about the bill that is on the floor. But today my friend the Republican leader stated that nothing has happened with energy in this country since 2007. That simply is not right. It is not true. We have done a lot of stuff in the Senate under President Obama to do good things about energy.

For example, the first major bill under President Obama was the so-called American Recovery Act, the stimulus bill. In that bill there was a lot of stuff to change the energy delivery system in this country to allow the creation of new power lines which were so badly needed all over America.

For those of us who represent Nevada, we have a power line that now goes from northern Nevada to southern Nevada, and it would never have happened but for that legislation we passed. And there was an announcement made 2 weeks ago that that line is now going to be taken even farther to make it easier to transport power to California—renewable energy power. I spoke to the owner of that line, who owns half of it with NV Energy, and soon they will be taking it clear to the Northwest.

Of course, in the stimulus bill, it was the first time there has been major legislation allowed for tax credits, tax incentives for doing renewable energy. And the bill we just passed, the omnibus bill, the tax extenders—there is tremendous stuff in that bill for renewable energy and other electricity initiatives.

So I like this bill that is on the floor. It is a good bill. But it simply is not valid to say that nothing has happened since 2007 because that is a gross understatement.

I really hope we can pass the bill that is on the floor. The vast majority of this bill contains the Shaheen-Portman legislation that we tried valiantly to get done in the past. It was blocked by Republican filibusters. Sadly, the co-sponsor of the bill twice voted against his own bill. The Senator from Ohio voted against his own legislation. I hope that doesn't happen again.

NOMINATIONS

Mr. REID. Mr. President, the President of the United States deserves the right to choose a team to carry out the work that is being done here, and the leader of that work to be done here is the President. It was the same way with President Bush, President Reagan, and President Clinton. They deserved a team—a team they chose—to help effectuate policies they saw as necessary for this country. The President of the United States deserves the right to choose a team to carry out his vision here at home and around the world—his vision. I am not alone in that belief. My friend, the senior Senator from Arizona, Mr. MCCAIN, said: “The President, in my view, has a clear right to put into place the team he believes will serve him best.”

Sadly, since President Obama was elected, Republicans have stopped at nothing to undermine the President's team—seeking to prevent progress by denying him the personnel he wants to carry out his agenda. Despite record

obstruction, President Obama has achieved remarkable progress. I talked about some of that just a minute ago. Imagine what President Obama could have accomplished if Republicans took their constitutional duties seriously.

Regrettably, during the Obama Presidency, Republicans have done everything within their power to block, obstruct, stonewall, hinder qualified public servants from serving. In the first year of Republican control, the Senate confirmed the fewest nominations of any first session in memory. This blatant strategy of obstruction is shameful and dangerous to our economy and the national security of our country.

Headlines around the world remind us each day of the turmoil that exists in the global financial market and terrorism that threatens the world. Today we learned of multiple bombings yesterday and last night in Nigeria—lots of people killed. We can only wait and see where else that turmoil will arise.

Most Americans agree that we need a full complement of appointees to address the challenges we face. Republicans are preventing our government from doing its job at home and around the world.

According to the Congressional Research Service, the Senate banking committee has reported out at least one nomination every year for the past 50 years, but not last year—last year, not a single nominee. Currently, nominees to the Federal Reserve Board, the Securities and Exchange Commission, and other important financial assignments are stalled in the banking committee. The committee has been operating under Republican leadership for the past 13 months, and they have yet to report a single nomination out of that committee. That is the definition of historic obstruction.

If there is any nominee who deserves to be confirmed immediately, it is a man by the name of Adam Szubin, whom the President nominated to combat terrorism financing—think about that—terrorism financing. He is desperately needed at the Treasury Department. Jack Lew has called me on many occasions talking about how this man needs to fill this assignment. He has expressed to me the importance of his job in trying to slow ISIS and their financial network and other terrorism activities around the country. As Under Secretary for Terrorism and Financial Crimes, Szubin would lead a team that disrupts terrorist financing networks, cutting off money for terrorists so they can't finance their evil deeds. He has served as a career civil servant under both Republican and Democratic Presidents.

Despite the importance of his work, Republicans are preventing a vote in the banking committee and thus preventing Adam Szubin from having a vote here on the Senate floor. He is currently acting—he is certainly act-

ing in a role that is not permanent, which is why they call him an acting member of the Treasury Department. He lacks the stature that his counterparts have around the world. So he is not able to do all that should be done to disrupt terrorist financial networks throughout the world.

In a September hearing on his nomination, the chairman of the banking committee, the senior Senator from Alabama said: “Mr. Szubin is eminently qualified for this [position].”

Eminently qualified, not reported out of the banking committee, no vote here on the Senate floor—why are we holding up this critical nomination? We all know why. Powerful rightwing groups have announced that they are scoring votes on Presidential nominations. In fact, Heritage Action, which is a front group for the tea party and the Koch brothers, said the Senate should only confirm nominees they deem worthwhile—they deem, not Senators but this rightwing cabal. This comes at the expense of the American people and our national security.

If the Republican leadership follows this weird plan, scores of Ambassadors charged with representing our interests around the world could be prevented from service. They have been prevented from service.

We have several credible nominees currently awaiting floor votes. Ms. Azita Raji, who has been nominated to represent America in Sweden, is an accomplished businesswoman who has lived and worked in Europe, Latin America, and Asia. There has been more than 300 Swedish citizens who have left Sweden to fight with ISIS in either Syria or Iraq, making this nation the second largest country of origin per capita for foreign fighters coming from Europe to the Middle East. We need to get this done. It is not right for America to not be able to deal, on a daily basis, with the authority to help Sweden with their issues. The Swedish Government is on heightened alert for an attack. Yet we don't have a Senate-confirmed ambassador to represent us in Stockholm. She was first nominated to be Ambassador in October 2014. We are now in 2016. We don't have an ambassador to Sweden.

We don't have an ambassador to Norway, and it has been that way for more than 2 years. President Obama nominated a person by the name of Samuel Heins, an accomplished lawyer and humanitarian from Minnesota. His nomination is not controversial. It is only controversial, I guess, to the Koch brothers, the tea party, and Heritage Action. He should be confirmed without delay, but it has been 2 years.

Other State Department nominations have been blocked for partisan reasons by the junior Senator from Texas. Tom Shannon has been nominated to be Under Secretary of State. We don't have an ambassador to Mexico. Tom

Shannon has been nominated to the fourth highest ranking position in the State Department. He would like to be serving. He would serve as the day-to-day manager of overall regional and bilateral policy issues and oversee State Department bureaus around the world. He is a career Foreign Service officer, having served under Presidents of both parties. If he is confirmed, he would be the highest ranking career diplomat in the State Department.

John Kerry called me saying: How can I continue this job I have? I don't have people to do the work. He doesn't even have a lawyer. The State Department doesn't have a lawyer. We have tried to confirm Brian Egan starting back in September 2014, but he has been held up for months and months.

Do you know what this is about? Clinton's emails—Secretary Clinton's emails. If the senior Senator from Iowa is interested in getting answers to his countless letters to the State Department, wouldn't a Senate-confirmed legal advisor be of some help?

Eric Fanning, the President's nominee to be the next Secretary of the Army, is being blocked by the senior Senator from Kansas, even though the senior Senator from Kansas, Mr. ROBERTS, said: "I think [Fanning's] a pretty good nominee." In spite of that, there is no vote on his nomination. The Army needs Mr. Fanning's leadership and responsibility for over a \$200 billion budget for more than 1 million servicemembers. Right now they are making do at the Pentagon, but we should have a Secretary of the Army.

Unless Republicans change course, these important vacancies will go unfilled for the rest of the Obama administration, and our diplomacy and relationships around the world will continue to suffer because of what is going on here. I do not understand what my Republican colleagues are doing. If Republicans had their way, they would stop confirming officials at just about every key agency.

According to the Congressional Research Service, the Senate has confirmed an average of 351 nominations during the first session of the Congress. Last year the Senate didn't even get to half of what it normally does. The Republicans should get to work and schedule votes on the President's nominees.

Valid concerns about the qualifications of these nominees should be brought forth. We haven't heard any, but denying a vote for partisan gain does nothing to strengthen America at home or around the world. The American people deserve better.

This Senator says America is less safe because of what is going on with the Republicans in the Senate. We are not as secure as we should be. We have vacancies for Ambassadors all over the world that are not being filled. People within the State Department, the

Treasury Department whose job is to deal with terrorism are being blocked. For the first time in 50 years we don't have anyone reported out of the banking committee. America is less safe because of what Republicans are doing to our country.

I yield the floor, Mr. President.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markey) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski (for Shaheen) amendment No. 2968 (to amendment No. 2953), to clarify the definition of the term "smart manufacturing."

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

Murkowski (for Barrasso/Schatz) amendment No. 3017 (to amendment No. 2953), to expand the authority for awarding technology prizes by the Secretary of Energy to include a financial award for separation of carbon dioxide from dilute sources.

Murkowski (for Markey) amendment No. 2982 (to amendment No. 2953), to require the Comptroller General of the United States to conduct a review and submit a report on energy production in the United States and the effects of crude oil exports.

Murkowski (for Crapo) amendment No. 3021 (to amendment No. 2953), to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science.

Murkowski (for Schatz) amendment No. 2965 (to amendment No. 2953), to modify the funding provided for the Advanced Research Projects Agency—Energy.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided between the managers or their designees.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, good morning. This morning we are on day 2 of the Energy Policy Modernization Act. Yesterday, we took up this broad, bipartisan energy bill, the first of its kind in more than 8 years. Taking this up was a good moment for the Senate. It was an important step. It is

the beginning of a series of steps that we will take to modernizing our Nation's energy as well as our mineral policies. I am hopeful we are going to have a good day of debate today.

As we begin this morning, I would like to summarize very briefly where we are in this process and what Members might expect over the course of the day. As of this morning, we have a total of 89 amendments that have now been filed to the underlying bill. We are already starting to process those amendments. We recognize that some will go by voice vote, some will of course need rollcall votes, and others simply will not be voted at all.

Right now we do have six amendments pending before the body. We have amendment No. 2963 that I have offered, which improves a provision in the underlying bill related to reliability impact statements. We have amendment No. 2968 from Senator SHAHEEN to clarify a definition for the term "smart manufacturing" that is contained within the underlying bill. We have an amendment from Senator MARKEY, amendment No. 2982, to require the Government Accountability Office to study the economic aspects of crude oil exports annually for 3 years. We have an amendment from Senator BARRASSO, amendment No. 3017, to establish a prize for technologies that can separate carbon dioxide molecules from dilute sources such as ambient air.

At noon we are scheduled to proceed to a rollcall vote on amendment No. 3021 to promote research into nuclear energy. There is a strong list of Members who are supporting this amendment: Senators CRAPO and RISCH from Idaho, along with Senator WHITEHOUSE of Rhode Island, Senator BOOKER of New Jersey, Senator HATCH of Utah, and Senators KIRK and DURBIN from Illinois. There is a good bipartisan mix of Senators from around the country coming together to promote nuclear research with this amendment.

At 1:45 p.m. we will proceed to amendment No. 2965. This has been offered by Senator SCHATZ, and it will increase the authorized funding levels for ARPA-E in the underlying Energy bill.

Senator CANTWELL and I are both working with our staffs to reach agreement on any additional amendments that can be brought up for votes today. We will try to keep Members apprised as to what they can expect. I think both of us are hopeful that we will see more votes added to the list I have just described. We may have one as early as 11:30 this morning. That has not been worked out yet, but there is an option of course for more amendments in the afternoon, if Members are willing to stick with us on this.

As I mentioned yesterday in terms of some housekeeping details, and it is worth repeating today, I would urge Members not to wait to file amendments. Get your amendments in so we

can be looking at them and assessing where they might fit, in terms of how we handle and process them. I think the earlier you are able to file these amendments the greater the likelihood that you will see a vote on them.

Again, as I mentioned yesterday, any amendments that cost money, any amendment that is going to score, you are going to need to find a viable offset in order for us to consider it. Further, if it is a measure that would result in a blue slip because it involves a tax provision or a tax amendment, know that is something we cannot consider.

Before I make some comments about some individuals, I want to make a few more brief remarks about the bill itself, this broad and bipartisan Energy Policy Modernization Act. I mentioned yesterday that we have a total of five titles within the bill, and we did not just construct them for organizational purposes. They represent some important themes in our policies within these areas.

The first title is "Efficiency." When you think about the importance of efficiency in the energy sector, it is a critical component. We should all always be looking for ways to be saving energy. It is just smart. It is smart from a cost perspective. It is smart from being a good steward perspective. It is just smart all the way around. It helps our businesses and our families save money. It makes our resources last longer. It is good for our environment. Efficiency is good overall.

"Infrastructure" is our second title. Typically, when we think about infrastructure, we think about the roads and bridges, but our energy infrastructure is integral to the daily operation of commerce that goes on around us when we are talking about energy infrastructure. It may be the big infrastructure such as the Hoover Dam. It is also the electric wires, pipelines, and it is the whole infrastructure package. We have a responsibility to keep our infrastructure in good shape so that we can reliably and safely transport energy from the place where it is produced to the place where it is needed.

I joke sometimes, saying it is frustrating because there is not more education or understanding about our energy and our energy resources and how they work as much as we would like. I have joked that some ascribe to this "immaculate conception" theory of energy—it just happens. The lights come on, the temperature is what we would like it to be, and we do not care how or why it came to us or the fact that we might not have that energy resource right here in our neighborhood. It is just here, and as long as we are not inconvenienced because it is not too expensive and it is reliable, we are good with it. We do not think about how it gets to us and the necessity of reliable, safe infrastructure to take that from the source to the customer.

The fourth title is accountability. Again, like efficiency, it just makes good sense to ensure that, as we are building out our energy policies, there is a level of accountability that comes with it—that our Federal agencies work efficiently and effectively as good stewards of taxpayer dollars. I think we have plenty of room for improvement when it comes to accountability right now.

I mentioned yesterday that in addition to a pretty robust accountability title, we remove some deadwood, some reports and requirements that have built up over the years that get incorporated into our United States Code, and then they just sit there.

As they sit there, it is not just that they are benign. The agencies still go ahead, and they have the reports that we here in Congress have required of them. That costs money. Nobody reads them. We have taken care of that within the accountability title.

Then the fifth title is the title that relates to conservation aspects as it relates to the Land and Water Conservation Fund, an issue that I know the Presiding Officer is very interested in and would like making sure there are reforms there. We want to work to make sure that the reforms are good and sound, also making sure that our national parks have the focus on maintenance that they need. We have a responsibility to ensure that we are taking care of our parks and public lands, to not let the addition of more parks come at the cost of not taking care of what we already have.

Rather than just kind of doing the 30,000-foot level on each of these various titles, I want to highlight today a little bit about the third title of this bill, the title that deals with energy supply.

Over the past few years, we have seen several things. We have seen a lot of good things that happen when we are producing our own energy here in this country and the benefits that accrue to us when our energy is abundant. It is not just access to energy, but it is also what allows us in terms of energy economic security, something that leads to the creation of good jobs. As the economy grows here, our security increases. Really, we become far more competitive.

So, again, when I talk about energy, strong energy policies, and an energy security focus, keep in mind these things reinforce one another. You have energy security leading to economic security, leading to national security. It moves all the way around. That, again, allows us to be more competitive over all other nations.

Our bill would help keep our Nation's oil and natural gas production going strong. We have included a pilot program from Senator HOEVEN for oil and gas permitting. We would expedite the process for liquefied natural gas ex-

ports, which could help us raise our domestic production levels. I want to say also that we did not just focus on oil and gas in this bill because we recognize drawing our energy from a variety of sources creates reliability and stability. We all know that Alaska is an oil-producing State. We focus a lot in our State on oil and being able to access it responsibly. We also know that when you are reliant on one source, there is a vulnerability. So when we talk about an "all of the above" approach to energy production, we mean it. This kind of approach just makes sense. It makes sense because it lessens your vulnerability. It increases not only your energy security, but your economic security and your national security as well.

So focusing on all aspects of our energy sources is key to what we do within this bill. We took some good steps to produce more hydropower in this country by helping to reduce the regulatory barriers and extending the licensing period for hydropower projects. This is important to us as a nation, especially when we think about resources that already exist through hydropower and the additional capacity that we could potentially gain from these already existing hydropower resources. This is significant.

Geothermal is another area where we have an emissions-free source of baseload energy. Again, so much of what we talk about with renewables and part of the big problem that we face is that some renewables are intermittent. The wind does not always blow and the sun is not always out, so you have to have a reliable baseload. Our reliable baseload for a century has been coal.

We have a reliable baseload with nuclear. When others think about those other areas where we have reliable baseloads, they also ought to think about the potential of geothermal. Our bill includes a number of provisions to help us expand the use and reduce the cost of this important renewable resource. We are doing some exciting things up in Alaska, as we are identifying sources to access geothermal energy resources.

In another area, in Alaska and in some of the other coastal States, whether it is Maine or down in Oregon, we are seeing some good progress, some interesting progress when it comes to marine hydrokinetic energy, which has the potential to draw the power from the movement of the oceans and river currents. I just mentioned reliable baseload. You need to have something that you can rely on.

The Presiding Officer comes from the interior part of the country. I come from a State that has almost 34,000 miles of coastline. One of the things that we know in Alaska is how the tides come and go. We can print up tide books because there is reliability as to when the tide is in and when the tide is

out. So think about the potential for energy resources from our oceans, from our river currents. What we do within the bill is help advance marine hydrokinetic energy. We are attempting to help move it out of its infancy and focus the DOE on some pretty critical research areas.

We also have a great subtitle on minerals. Oftentimes we forget about the strategic importance of critical minerals. Every one of us is walking around nowadays with a smartphone. Every one of us, therefore, is reliant on some form of critical mineral. For those who want to advance the energy future in the direction of renewables, well, in order for you to have a wind turbine, you are going to need some of these critical minerals from the Earth to allow us to really build out technologies.

Minerals are really the foundation of our modern society. We need them for everything, as I said, from our smartphones to our military assets. Yet, despite this importance, we have really failed as policymakers to focus on mineral security. We have not been thinking about it enough. We have been talking a lot about this: Oh, we do not want to be reliant on oil. We do not want to be reliant on OPEC, and we work to address that. In the meantime, we have taken our eye off the ball when it comes to mineral security. We now import 100 percent of 19 separate mineral commodities and more than 50 percent of some 24 additional commodities. This is happening despite the growing importance of those minerals in our everyday lives and despite what we have here in this country, which is a world-class mineral base. When we talk about energy security and making sure that we are able to produce more here to reduce our vulnerability, energy security also needs to include that mineral security.

We also have provisions to promote our domestic supply of helium. A lot of people do not think about helium in the energy space. We promote nuclear power, particularly our advanced nuclear power, to help foster a strong energy workforce. So when we talk about the direction that this energy bill goes, I mentioned yesterday that innovation is the key to so much of what we are trying to push out as we modernize our energy policies.

As important as innovation is, supply is a case where more really is better. As a result of this good title that we have contained in the Energy Policy Modernization Act, I think our energy and our mineral supplies will increase in the years ahead to the benefit of America.

TRIBUTE TO MIKE BRUMAS

Mr. President, I know my colleague from Hawaii is here on the floor, but I want to take just a few minutes to acknowledge something the leader mentioned regarding an individual in his

office, someone that has served him well, Mike Brumas. Mike has been working for Leader MCCONNELL now for a number of years and has done a great job in the communications department.

I too am very privileged to have had him leading my communications department between 2008 and 2010. Mike is one of those men whom you can call a southern gentleman. He has a little bit of a twang that did not quite fit with the Alaska reporters, but it did not matter because he was so knowledgeable on all issues—all issues that we dealt with, including some of the most parochial and local of Alaskan issues.

Mike Brumas embraced his job with an enthusiasm and a professionalism that was genuinely and sincerely appreciated. I know that he and his wife Ann are probably going to be spending a lot more time out on their bicycles and enjoying their time together. We happen to share timing; their two sons are just about the same age as the two sons that Vern and I have been raising. So we kind of shared parenting experiences as our sons grew into men.

It has just been a delight to spend the time getting to know Michael Brumas and seeing him as an exceptional professional here serving the Senate, both for me and for Leader MCCONNELL. So I wish him well and great adventures in his retirement.

TRIBUTE TO KAREN BILLUPS

Mr. President, as I am speaking about retirement, I must mention a woman who is not with us as we are debating and navigating this Energy Policy Modernization Act. That woman is a friend and an incredible professional who headed up the Energy and Natural Resources Committee for me for the majority of the past several years. After 25 years in the Senate, Karen Billups has said: I am moving on to more excitement, moving on to spend that time with a young son that she has.

Karen is an individual with an incredible reputation, incredible integrity, and a graciousness that will be long remembered on this floor and around this body. She first joined the Energy and Natural Resources Committee back in 1995. Before that, she had served with distinction at the Department of Energy during the first Bush administration. She was in private law practice, and she was also on the staff of the House Committee on Energy and Commerce. She has had a breadth of experience on the private side, within the Executive branch, in the House and then, of course, in the Senate. After joining the committee again in 1995, Karen served as counsel and then she came on as senior counsel.

I think it is worth noting that Karen has worked through—or perhaps lived through—two Murkowskis because when my father was the chairman of

the Energy and Natural Resources Committee, Karen Billups worked for him. And when I came to the Senate and had Karen at the helm working as counsel, I have to tell you it was extraordinarily reassuring. In those early years, she focused on a whole host of different issues that face our Nation, from energy to civilian and defense nuclear waste. She was also the troubleshooter. She mentored our younger committee staff and ensured that Members and senior staff were all in alignment and that the direction was clear. Again, this was with a focus that was firm but yet very appreciative of the different dimensions she had to deal with. She is a woman who was able to navigate with a level of finesse. She is a woman who is able to navigate with finesse.

After service in the private sector, Karen came back as deputy chief counsel in 2003, and I was very grateful when she accepted a promotion to be my chief counsel in 2009. Then in 2013 she agreed to step up to serve as my staff director and had been in that capacity until we concluded the end of 2015.

I think it is so important to acknowledge what Karen not only lent to the committee, to me, to my office, but also to the many on the floor who worked with her on energy issues. Karen set a standard for excellence and achievement, and she worked tirelessly—truly tirelessly—to improve our policies to upgrade and to improve our Nation's energy resource, lands, and forestry policies. You might say she was a policy wonk, but you didn't get that impression from her because she did it with a genuineness and a passion that clearly showed.

Karen steered a wide range of legislation into law, everything from boundary adjustments, to helping the economies of small western towns, to the landmark Energy Policy Act of 2005. Then as we wrapped up last year, she was able to pull together the end-of-year omnibus with the energy pieces that we had attached to that, the Transportation bill that had an energy title that had come over from the House side, and tax extenders. She worked in a way that was quiet and amenable but, again, firm and effective. In many ways her work continues today through this bipartisan Energy bill and the other legislation she guided to introduction. What we are seeing today has been done with the assistance—the mastermind, if you will—of Karen Billups.

As the ranking member and now chairman of the committee, I depended daily on Karen's thoughtful leadership, her patient counsel, and her wise judgment. I mean it when I say she was not only a trusted advisor but deeply skilled and motivated by the best traditions of service to the Senate and to the Nation on every issue that came

before the committee. She had an understanding of the operations of this body.

I know those who work the floor appreciated Karen's evenhanded skills. She helped point the way with a strategic vision for policy and oversight. I think she is probably one of the best lawyers I have ever met. Again, she was not just a leader for the staff, she was a mentor for them. She was an advocate for them. That is very telling of true leadership.

Karen's service to the Senate was marked not by length but by distinction and by grace. She has truly earned the tremendous respect that she enjoys here and all throughout our Nation's Capital. Her legacy speaks for itself—a stronger energy policy that benefits every American and an Energy and Natural Resources Committee that continues to work together to tackle our toughest challenges.

For all of these reasons and so many more, Karen truly stands out in my mind not only as a leader but as a real friend. As she embarks on this very well-deserved retirement, she knows that I wish her, her family, her husband Ray, and her great son Davis all the best as she goes off to her new endeavor. I wanted to take a moment to acknowledge the good work of a great lady who has helped shepherd this bill we have before us.

Mr. President, I notice that we have a couple of Members on the floor who I am assuming would like to speak to the Energy bill before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I wish to start by congratulating the chair of the Energy and Natural Resources Committee, the senior Senator from Alaska, for her leadership on this bill and so many other issues. She is a testament to how the Senate should operate. She is a testament to the tradition of bipartisanship that characterizes this body when it is behaving properly. I thank her and congratulate her for her leadership on this issue and many others.

I also thank the ranking member, Senator CANTWELL from Washington State, for her leadership on this and many other issues. They have formed a good and productive partnership.

Our energy system is undergoing a fundamental transformation. In the last 8 years, wind power capacity has grown by more than 400 percent, and solar capacity has grown by more than 2,500 percent. In 2015, wind and solar comprised 61 percent of new generation capacity. Last year in the United States, by far the majority of new generation was clean energy. So what has happened is that the clean energy revolution is no longer aspirational. It is no longer something people put in a bullet point in their campaign brochure or as

a talking point in a debate. It is actually happening. It is actually real, and it is across the country. We drive more hybrids and electric vehicles and increasingly use efficient appliances and manufacturing equipment. We have made incredible progress in driving down the costs of clean energy, but we cannot let this progress stall out. We need to modernize our infrastructure in order to integrate greater amounts of renewable energy and save money for consumers through energy efficiency.

This bill is a positive step in transitioning our energy system from the 19th and 20th centuries into the 21st. There are a number of provisions that are worth highlighting.

First, the bill proposes \$500 million in research and development for grid-scale storage. This will allow us to use even more electricity from renewable sources. There is no doubt we are going to continue to need baseload power, but the assumptions about the percentage of baseload power that we need in order to have good power quality across our grids are changing. For instance, in the State of Hawaii the basic assumption was that you couldn't have more than about 15 percent of penetration of intermittent renewable energy. Well, we now have parts of our grid that are 35 percent, 45 percent, renewable energy. So the old assumptions are being thrown out the window, but no doubt we are going to continue to need to have Federal research and private sector research into this question of how much intermittent renewable energy a grid can accommodate without sacrificing power quality. This \$500 million investment is going to be a big help toward that.

This bill will also continue investments in grid modernization that will help to smooth the integration of distributed renewable generation. This will make a real difference in improving reliability while reducing individuals' reliance on fossil fuels.

This bill would also permanently reauthorize the Land and Water Conservation Fund. This is not just the most successful conservation program in our Nation's history—and that would be a good enough reason to permanently reauthorize it—it is also an economic driver, returning \$4 in economic value for every \$1 invested.

AMENDMENT NO. 2965

Last, but certainly not least, this bill increases funding for energy research and development at the Advanced Research Projects Agency-Energy, which is desperately needed because only the Federal Government can undertake the kind of high-risk, high-reward research that will allow us to maintain our economic dominance in this space.

But I think we must do more on energy innovation, so I have offered an amendment to increase the authorization for ARPA-E above and beyond what is in this bill. Specifically, the

amendment sets forth authorization levels as follows: \$325 million for fiscal years 2016 to 2018 and \$375 million per year for fiscal years 2019 through 2020.

This is a relatively modest increase of just \$113 million over 4 years. It is important to remember that ARPA-E was the brainchild of a National Academies report which recommended to Congress that they establish an ARPA-E within the U.S. Department of Energy, modeled after a very successful program in the Department of Defense called DARPA. The agency was credited with such innovations as GPS, the stealth fighter, and computer networking.

In 2007, Congress passed and President George W. Bush signed into law the America COMPETES Act, which officially authorized the creation ARPA-E. In 2009, Congress appropriated and President Obama allocated \$400 million to the new agency, which funded ARPA-E's first projects.

In the years since, despite bipartisan support, ARPA-E has not received more than the \$280 million in funding. Yet this agency has had incredible success with even this modest amount of funding. For example, ARPA-E awardees have developed a 1-megawatt silicon carbide transistor the size of a fingernail and engineered microbes that use hydrogen and carbon dioxide to make liquid transportation fuel. They invest in pioneering research that is groundbreaking, transformative, and amazing. Think about what they could do with just a little more money.

Innovation in advanced energy technologies can be a significant part of the solution to any number of challenges: increasing the reliability of our grid, lowering our electricity rates, hardening our energy infrastructure against cyber attacks, and many others. ARPA-E is helping to fund projects at the cutting edge of all of these challenges—and more.

I encourage my colleagues on both sides of the aisle to continue to support ARPA-E and to vote for this amendment and to support the underlying bill, which is an important step to paving the way to a revolution in the way in which we produce and consume energy in the United States.

Mr. President, I ask unanimous consent that all time during the quorum calls be equally charged to each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I rise to praise the ranking member and the

chairman of the committee on the great job they have done on this legislation. I have worked for years with Senator MURKOWSKI. She is a real trooper and has done a great job for our country and for her State of Alaska. Senator CANTWELL of Washington is the same. I am pleased to work with them on this particular legislation, which I support today.

I am rising to talk for a minute about an amendment Senator BENNET of Colorado and I will be offering to the bill at the appropriate time called the SAVE Act.

The SAVE Act is a way to encourage people to finance and include in the purchase of a new home the right types of energy efficiency additions to that home, which will lower the cost of energy to the home, improve the rate of consumption of energy in the home, and make it easier for people to afford energy-saving R-factors for insulation, Thermopane for doors and windows, and other treatments they need to reduce costs.

I spent 33 years in residential real estate. I don't know much about anything, but I know a lot about people buying houses and about housing laws and about financing, and I know this: For the entry-level borrower—and this addresses only FHA loans—the most important thing to have the right type of energy efficiency is to be able to afford it, and the best way to be able to afford it is to be able to finance it. If you don't allow the incorporation of the value of the additional cost of the additional R-factor for insulation or Thermopane factor for windows and doors, then people don't end up choosing energy efficiency; they choose less efficient houses which last for 30 or 40 years and burn more energy in their lifetime than they would have if we had not had a way to incentivize people to incorporate energy efficiency into the purchase of their new home.

So my story is very simple. We are here today to encourage energy efficiency, encourage savings on energy, and encourage people to focus on energy, to be a more energy-independent country. The best way to do that is to make sure we take the mechanisms of purchase—being the FHA loan in this case—and incorporate and consider for financial value purposes, for the appraisal and for the loan-to-value ratio and for qualification purposes, the savings of the R-factor improvements, Thermopane improvements, and other energy efficiency improvements put in.

At the appropriate time—sometime today—I will ask the chairman to recognize me to set aside the pending amendment and make this amendment pending, but until that time, I wanted to come to the floor to let Members know we have an outstanding piece of legislation which scores at zero in terms of costs, applies only to FHA loans, encourages energy efficiency,

and allows people to afford to build it into the financing of the purchase of a house. It is a win-win-win. I am proud to work with Senator BENNET on this legislation.

I appreciate being recognized by the Chair.

Mr. President, I yield to the minority whip.

The PRESIDING OFFICER. The assistant Democratic whip.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, I rise today to speak to two separate issues. First, I wish to speak to the issue of for-profit colleges and universities.

Yesterday another for-profit college was accused by a Federal agency of misleading and deceiving students. The Federal Trade Commission announced it filed suit against DeVry University for advertisements that deceived consumers about the likelihood that students would find jobs and earn money after they graduated from DeVry.

DeVry's commercials and advertisements date back to at least 2008—about 9 years that they have been claiming that “since 1975, 90% of DeVry graduates system-wide in the active job market held positions in their fields of study within 6 months of graduation.” Starting in 2013, they also claimed that DeVry graduates “had 15 percent higher incomes one year after graduation on average than graduates of all other colleges and universities.”

The Department of Education started investigating these claims in August of last year. After asking DeVry for proof of their statements in these ads, the Department announced yesterday that the company was “unable to substantiate the truthfulness of those representations, as is required by federal law.” As such, the Department of Education ordered DeVry to stop making these false claims and required DeVry's future claims related to employability and income to be verified by an independent monitor. At the same time, it appears the Department will allow DeVry to continue to participate in Federal title IV programs—receiving taxpayer dollars and enrolling new students. How much Federal funding does DeVry receive? In 2013 and 2014, DeVry Education Group, brought in more than \$1 billion in taxpayer funding through title IV.

The company's president, Daniel Hamburger, received \$5.7 million in total compensation in 2014—\$5.7 million. If we compare the salary this president took from DeVry University—which receives the lion's share of all of its funds from the Federal Government—we will find he is compensated dramatically more than college presidents across the United States. The president of the University of Illinois—a major flagship institution and research university—makes a base salary in the neighborhood of \$600,000. By comparison, DeVry's president,

Daniel Hamburger, received \$5.7 million in total compensation thanks to the taxpayers and students.

Meanwhile, according to a recent study by Brookings, DeVry students cumulatively owe more than \$8.3 billion in federal student loan debt. It is no wonder considering the average cost of an associate's degree—a 2-year degree—at DeVry is about \$40,000. In 2009, DeVry's 5-year cohort default rate on student loans was 43 percent. That means that of the students who left DeVry in the year 2009, 43 percent—almost half of them—had defaulted within 5 years of leaving DeVry. I have said it before of Corinthian—a for-profit school that went out of business—and I will say it now of DeVry: Students shouldn't be left holding the bag for the misdeeds of these private, profit-making corporations that are skimming so much money from the taxpayers.

The Department of Education has found that DeVry's claims could not be substantiated as required by Federal law.

The Federal Trade Commission is also suing DeVry over claims of misleading students and consumers. Students who were harmed should be eligible for expedited Federal student loan relief through defense to repayment. But let me remind those who are following this debate: Follow the money. Taxpayers across America pay their taxes. The money goes into the Federal Treasury, and then the money goes—through the Treasury and through Pell grants and student loans—to students and their families, to these private, for-profit colleges and universities. The private, for-profit colleges and universities, such as DeVry, deceive and mislead the students about the value of their education and whether they will get a job after they graduate. The students end up wasting their time and their money because they end up with a huge student debt when it is all over. And what happens? They default on their debt, which means the taxpayers don't see the money going back to the Treasury, which we hope for, or in some cases the schools—like Corinthian—fail, and as a result the students are relieved of their debt obligations—as they should be, so the taxpayers again are the ultimate losers.

The for-profit colleges and universities of the United States of America are the most heavily subsidized private sector businesses in our country—not a defense contractor or a farm operation; for-profit colleges and universities.

The DeVry news follows a particularly bad year for this industry. In 2015 more misconduct and schemes were exposed when it came to for-profit colleges and universities than ever before. Enrollment across the industry is declining, as students and their parents finally realize that many of these schools are just bad news. State and

Federal regulators are shining a light on the illegal tactics of the for-profit college and university industry. Stock prices for these private, for-profit corporations are plummeting because investors realize that exploiting these students, misleading these students, and swindling taxpayers is not a sustainable business model.

Years of bad behavior are catching up with for-profit colleges and universities, and it shows in how for-profit education companies are closing their schools across the country. Even in my home state of Illinois, we have seen dramatic changes over the last year. It started with the collapse of Corinthian. This company was inflating its job-placement rates to lure in new students, defrauding the students, their families, and taxpayers, and lying to the accrediting agencies and Federal Government. When Corinthian collapsed, more than 70,000 students were left in the lurch, many with more debt than they could possibly repay and a Corinthian education that turned out to be virtually worthless.

In Illinois, the campuses Corinthian operated as Everest College in the villages and towns of Bedford Park, Burr Ridge, Melrose Park, Merrionette Park, and Skokie were then sold to ECMC. ECMC was a new creation. This company that created this new not-for-profit, in name at least, college, incidentally, is a major debt collector for the U.S. Department of Education and had no previous experience running an educational enterprise. What qualified them to start a college, I don't know. Unfortunately, ECMC maintained much of the old Corinthian leadership and maintained practices to keep students from suing them for misconduct. After the Illinois Board of Higher Education pushed them on some of these issues, ECMC decided to teach-out its newly acquired campuses in Illinois and leave the State, thank goodness.

Then there is Westwood. Illinois attorney general Lisa Madigan—whom I respect very much—sued Westwood College for engaging in deceptive practices. Attorney General Madigan's suit focused specifically on Westwood's criminal justice program. In order to lure students into the program, this private, for-profit college, Westwood, convinced the students they could get jobs with the Chicago Police Department or the Illinois State Police if they would just hang on and get a degree from Westwood. What happened when the students graduated and took their degrees and diplomas to employers and applied for a job? The employers laughed at them. They didn't recognize a Westwood degree.

In November, Attorney General Madigan reached a settlement with Westwood. It agreed to forgive \$15 million in private student loans for Illinois students—private loans, not federal loans. Shortly thereafter,

Westwood announced it would stop enrolling students and end operations at its campuses nationwide, including the four it operates in the Chicagoland area. Thank goodness and good riddance to Westwood.

Also in 2015, Career Education Corporation, which is another for-profit college, announced it would close its brands Sanford Brown, Harrington College of Design, and Le Cordon Bleu, all of which had campuses in Illinois. Thank goodness and good riddance. In Chicago, an associate's degree in culinary art at Le Cordon Bleu would have cost \$42,000, and students had a one-in-five chance of defaulting on any loans they took out for that associate's degree. If the students walked a few blocks away to Chicago City Colleges' Kennedy King Campus, in comparison, they could have received the same degree not for \$42,000 but for \$7,000. And the likelihood of defaulting on student loans at City Colleges is not 1 in 5, as it was at Le Cordon Bleu, it is 1 in 20.

Harrington—I have talked about them before. Harrington College of Design exploited Hannah Moore, a young woman from Chicago whom I have come to know. She got her degree at Harrington after transferring from a community college. She couldn't find a job in her field with her Harrington degree. It turned out to be worthless. What did it cost her to get the degree, this for-profit college degree that Harrington heavily marketed? Hannah paid \$125,000. She still carries that debt to this day, and it is growing. She can't pay it off fast enough, and it has ballooned to \$150,000. This poor young woman. Her life is compromised because of the exploitation of her ambition to do something important in life. She had to live in her parents' basement. Her dad came out of retirement to try to help his daughter pay off her students loans because, you see, the loans that are taken out to go to any institution of higher education are not like money borrowed for a car or a home; these student loans are not dischargeable in bankruptcy. What does that mean? You are going to carry them to the grave.

Many student loan debts that are in default are being collected in the most unusual places. Grandmothers who helped their granddaughters by co-signing their loan for college—when the granddaughter defaults, it is the grandmother and in some cases her Social Security payments that are withheld to pay off these student loans. These loans will haunt these students, many of them for a lifetime, particularly if they have gone to these for-profit schools.

Finally, even though it is not in Illinois, I want to mention Ashford University. On a campus in Clinton, IA, just across the Mississippi River, Ashford has shown itself to be one of the worst actors in the for-profit college industry.

A Bloomberg News story told of James Long, who suffered a brain injury when he was in service to his country in the Army, driving a humvee in Iraq that was attacked. An Ashford recruiter went after James Long and got him to sign up to use his military education benefits to enroll in classes that this individual, sadly, could not even remember because of the traumatic brain injury he had suffered.

In 2014, Iowa attorney general Tom Miller announced a \$7.25 million settlement with Ashford University. Miller accused the school of violating Iowa's Consumer Fraud Act after the Iowa attorney general received multiple complaints filed by current and former Ashford students. This included complaints that this for-profit school misled students to believe that an online Ashford education degree would allow students to become classroom teachers with no further certification.

I remember Ashford because our former colleague, Senator Tom Harkin of Iowa, held a hearing and talked about how Ashford bought what was a small Catholic college, took on their accreditation, and started peddling the for-profit education that was worthless. Do you know what the faculty of Ashford University consisted of at that time? One faculty member for every 500 students. Do you know what the people who were running this scam operation were paid? Millions—millions of dollars of taxpayers' money. The investigation found that Ashford recruiters, in addition, misled prospective students, used high-pressure sales tactics, and failed to disclose information about the cost and likelihood of obtaining a degree.

In 2015, Ashford announced it was going to close its Clinton, IA, campus—thank goodness and good riddance. It is for the students who could have been exploited by these companies that I say this: It is time for us to stand up as a Congress and Federal Government and put an end to this insidious scam of students, their families, and the taxpayers.

Thousands of students in Illinois and all across the Nation have been lured into attending these for-profit schools with lies or deception. Don't take this Senator's word for it. Take a look at the litany of schools that are under investigation by State and local authorities for fraud. Many students, such as Hannah, have so much debt that their lives and futures are compromised.

Over the last year, I have joined several of my Senate colleagues to push the Department of Education to provide Federal student loan debt relief to students who have been taken advantage of by the for-profit colleges. We have an obligation here. To think that we are shoveling \$25 billion into these for-profit schools every single year without asking the hard questions about whether taxpayers' dollars and student debt is justified by the results.

Shame on us—we can do so much better. The numbers tell the story. Ten percent, or 1 out of 10, of college students in this country attend for-profit colleges and universities, and 20 percent of all the Federal aid to education, or \$25 billion, goes to these for-profit colleges and universities. In spite of it only accounting for 10 percent of college students, these for-profit colleges and universities account for over 40 percent of student loan defaults. They charge too much, their diplomas are worth too little, and these students suffer as a result.

What is our obligation here? Is this a “buyer beware” situation when it comes to the students and their families or is it a situation where “Congress beware” if we aren’t more sensitive to the fact that we are propping up an industry that is exploiting these students and taxpayers.

With the closure of these campuses in Illinois and several of these companies moving out of the State all together, the educational landscape is a little safer for the thousands of Illinoisans trying to do the right thing—to get an education for themselves and their families. There is a sensible alternative in virtually every city and town in America—community colleges, city colleges. They are affordable, and in most cases the credits are transferrable to major universities and students don’t incur the kind of debt that can compromise their lives for years and years to come.

I have spoken on the floor many times about these for-profit colleges and universities. In one respect it is a fairly easy issue and easy topic. They need to be held accountable, as DeVry is being held accountable by the Department of Education and the Federal Trade Commission for their misconduct.

Now the question is this: Will the Congress step up to its responsibility to clean up this situation?

Mr. President, the Senate is currently considering a bipartisan energy bill that will help put our country on a pathway to build a 21st century economy. It contains several important provisions to develop domestic clean energy resources, and I look forward to working with my colleagues through the amendment process to strengthen it.

I wish to congratulate Senator LISA MURKOWSKI, a Republican from Alaska, and Senator MARIA CANTWELL, a Democrat from the State of Washington—the chair and ranking member of the Energy and Natural Resources Committee—and applaud them for their effort and thank them for bringing this bipartisan measure to the floor.

The Energy Policy Modernization Act is a result of the committee’s multiple hearings on over 100 individual bills. If passed, it will be the first major energy bill approved by Congress in 9 years.

A lot has changed in 9 years. The United States has dramatically increased natural gas and oil production. Renewable energy production has skyrocketed and the cost of this has decreased. More Americans are using it. We are also finding new and better ways to address our most pressing energy and climate change challenges.

The bill before us takes those new developments into account and updates our policies. The act strengthens energy efficiency measures for Federal buildings and multifamily homes and reauthorizes important programs such as weatherization and energy. In Illinois, that means tens of thousands low-income and elderly households will be able to receive critical upgrades that will make their homes more efficient, allowing them to spend less money to keep their homes cool and warm. It will also help maintain Illinois’ leadership as the top State for LEED-certified buildings as ranked by the U.S. Green Building Council.

The bill encourages the development of new energy resources such as geothermal and hydropower and better ways to store carbon dioxide, which will help us address the challenge of climate change. Most importantly, the bill makes a substantial commitment to supporting basic science research and innovation at universities and the Department of Energy’s laboratories. The Energy Policy Modernization Act authorizes 4-percent annual budget increases for the DOE Office of Science and the Advanced Research Projects Agency.

As cochair of the Senate National Laboratory Caucus, I strongly support these increases at DOE’s Office of Science because I know it will lead to new breakthrough scientific discoveries that will keep America competitive.

Since their creation in the 1940s, the national labs have really done some amazing things on energy innovation, scientific discovery, and national security. In Illinois, both Argonne and Fermi serve as a meeting place for the world’s best researchers. The work conducted at their labs leads to advances in alternative-fuel vehicles and improvements in energy efficiency. Universities from across the country use the labs to conduct research and train others. That is why earlier this year I introduced a bill, the American Innovation Act, to provide 5-percent real growth to DOE’s Office of Science.

I hope to offer an amendment on the floor. A 4-percent annual increase when it comes to the Office of Science in the Department of Energy, for example, is good, but that is not 4 percent over inflation. If inflation is running at 2 percent, it is merely a 2-percent real increase in research. I think we ought to err on the side of investing more into research. I think we should have 5-percent real growth in investment in the

National Institutes of Health, the Centers for Disease Control and Prevention, the Department of Defense medical research, and the Veterans Administration medical research. Then when it comes to this side of the ledger, such as innovations, let’s include the Office of Science and many other key agencies.

I visited the Department of Energy a few months ago, and I had breakfast with Ernest Moniz, who is the Secretary. I talked to him about biomedical research, and he said: There is something I need to share with you. The Office of Science in the Department of Energy is developing the technology for imaging the brain so we can detect early indications of Alzheimer’s. Currently, unfortunately, the only way to really say that a person is suffering from Alzheimer’s with any objective assurance is through an autopsy. If we can—through imaging devices, while a person is still alive and before they have really started to decline—detect and work on stopping the progress of Alzheimer’s, it would be an amazing achievement.

Once every 67 seconds in America someone is diagnosed with Alzheimer’s. I challenged my staff when they told me that, and they were right. Almost every single minute a person is diagnosed with Alzheimer’s.

Last year, in Federal funds, we spent in Medicare and Medicaid \$200 billion on Alzheimer’s patients. Imagine what was spent in the private sector, and imagine the kind of sacrifices and the spending that were made by families trying to maintain the care of a family member stricken with Alzheimer’s.

So putting a little extra money into biomedical research, or in this case research at the Office of Science, is money well invested. If we can slow down the progress of Alzheimer’s and find a way to delay it—even months—it will pay back this investment over and over. God willing, if we find a cure, it will justify every penny we put into this research.

I will offer an amendment, and what I am asking is basic. I am asking for authorization for 5-percent real growth that is over inflation. I think that is the least we can do, but I think it will be a significant commitment and substantially more than is currently in the bill.

The work at these labs has led to amazing advances, and I think there is more ahead of us. In addition to supporting basic science research, the act before us directs the Department of Education to build a research program to develop the next generation of computers—1,000 times faster than our current supercomputers. Is it possible? I believe it is. I am not an expert in this field, but you have to step back and say that it is amazing when they tell us that the cellphones we carry around have more computing power than the

early computers that Steve Jobs and others brought to market.

Currently, companies around the world use supercomputers to solve problems and answer important questions. Boeing and Cummins have both used DOE supercomputers to design better airplanes and trucks and use less energy so that they burn fuel more efficiently. This has led China, South Korea, and Europe to get into the competition. They are in the race, too, for the next generation of supercomputers. I want America to win that race. The bill before us, with its investment and research, can make a difference. The government should invest in these labs and in research to create jobs and competitive businesses. This bipartisan energy bill can achieve that and lead this country to a brighter future with greater energy resources that have a lighter impact on the environment and build a stronger economy. Because the energy choices we make now will determine the future of our children and grandchildren, we ought to be serious about it. We ought to make the investments for a sustainable planet and a promising, bright future.

I hope my colleagues will work together to improve this bill and help us create a 21st century energy economy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

Mr. GARDNER. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREA SANCTIONS AND POLICY ENHANCEMENT ACT

Mr. GARDNER. Mr. President, we just left the Senate Foreign Relations Committee, as the Presiding Officer knows as a member of the Foreign Relation Committee, where we passed, with overwhelming bipartisan support, legislation to increase our sanctions against the rogue regime in North Korea.

About a year ago I had a conversation with Senator CORKER, the chairman of the Senate Foreign Relations Committee, about the need for the legislation. We both agreed that North Korea poses a serious and growing threat to its neighbors, to the U.S. homeland, and to global security. We agreed we could not continue to ignore the forgotten maniac—the forgotten maniac who is Kim Jong Un.

This past August I had an opportunity to visit with South Korea personally to meet with the President of

South Korea, Mr. Park, and we agreed that the status quo with regard to North Korea was no longer sustainable and no longer responsible. That is why this past October I introduced S. 2144, the North Korea Sanctions and Policy Enhancement Act. I thank the sponsors of that bill—Senators RUBIO, RISCH, PERDUE, and ISAKSON—for co-sponsoring the legislation and the chairman and his staff for their encouragement and invaluable support to make that bill a reality today, along with Senators CARDIN and MENENDEZ, who worked so hard, and the work Senator MENENDEZ has been leading over the past year as well. This is a bipartisan product that came out of the committee. As the chairman announced today, we will most likely see floor time in just a couple of weeks.

On January 6, 2016, our worst fears were realized when North Korea conducted its fourth nuclear test. Moreover, North Korea has claimed this test was a hydrogen bomb, which is a vastly more powerful weapon. Even if the reports out of North Korea are not true that it is not such a weapon, it still represents a significant advancement in North Korea's nuclear weapons capability. We also know North Korea continues to advance its ballistic missile program. News reports recently out of both Japan and in the United States talk about the equipment being moved for a possible additional missile launch.

ADM Bill Gortney, the head of U.S. Northern Command based at Peterson Air Force Base in Colorado Springs, CO, has publicly stated on several occasions that North Korea may have already developed the ability to miniaturize a nuclear warhead, to mount it on their own intercontinental ballistic missile called the KN-08, and to “shoot it at the homeland.” Admiral Gortney reiterated those fears to me privately in our conversations numerous times as well, including his feeling—his concern—that the condition of the peninsula is perhaps at its most unstable point that it has been since the armistice.

North Korea continues to grossly abuse the rights of their own people. There are up to 200,000 men, women, and children in North Korea's vast prison systems. In fact, the United Nations Commission of Inquiry in 2014 found that North Korea's actions constituted a crime against humanity.

We have seen North Korea's cyber capabilities grow into an asymmetrical threat that they have utilized against its neighbors, South Korea and Japan, as well as the United States, as we all recall after the Sony Pictures hack in November of 2014. According to a November 2015 report by the Center for Strategic and International Studies, North Korea is emerging as a significant actor in cyber space with both its military and clandestine organizations

gaining the ability to conduct cyber operations.

All of these developments represent a failure of U.S. policy of strategic patience toward North Korea. That is why this bill out of committee, with the strong bipartisan support that it received today, represents a final change in that failed policy. It allows us to change course and, in just a couple of weeks, we can put that legislation into effect.

The House of Representatives, as we know, passed 418-to-2 their own version of a bill sanctioning North Korea just a few weeks ago, and I thank the chairman for moving forward on our very strong substitute amendment today.

The Gardner-Menendez substitute before us today represents a slightly modified version of S. 2144. In particular, this legislation mandates—not simply authorizes, it mandates—the President to impose sanctions against persons who materially contribute to North Korea's nuclear and ballistic missile development; import luxury goods into North Korea; enable its censorship and human rights abuses; engage in money laundering or manufacturing of counterfeit goods and narcotics trafficking; engaging in activities undermining cyber security; have sold, supplied or transferred to or from North Korea precious metals or raw metals, including aluminum, steel, and coal for the benefit of North Korea's regime and its illicit activities.

These are mandatory sanctions. It is a dramatic new direction from the discretionary sanctions of today. I would note that these mandatory sanctions on North Korea's cyber activities and mandatory sanctions on the minerals are unique to the Senate legislation.

This bill also codifies Executive Order Nos. 13687 and 13694, regarding cyber security as they apply to North Korea, which were enacted last year in the wake of the Sony Pictures hack and other cyber incidents. This is also a unique feature of the Senate bill, the Gardner-Menendez substitute amendment.

Lastly, the mandatory sanctions on cyber violators will break new ground for Congress if enacted and signed into law, perhaps providing precedent for future cyber violations around the globe.

We need to look for every way to deprive Pyongyang of income to build its weapons program, strengthen its cyber capabilities, and continue the abuse of its own people. We must stop this regime's abuse, and we must also send a strong message to China, North Korea's diplomatic protector and largest trading partner, that the United States will use every economic tool at its disposal to stop the forgotten maniac.

I urge my colleagues to support this legislation when it moves to the floor. I congratulate Senator CORKER and Senator MENENDEZ for coming together

with a bipartisan solution today so this body and the House of Representatives can pass this legislation and put it on the President's desk to be signed into law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I congratulate the Senator from Colorado for moving his amendment forward.

I am here on a different subject, which is to discuss an amendment that I submitted with Senator ISAKSON concerning residential energy efficiency. The so-called SAVE Act has always been thoroughly bipartisan, drawing the support of Senators ISAKSON, TOOMEY, MORAN, PORTMAN, BOXER, and others, and attracted support from groups all across the political spectrum from the U.S. Chamber of Commerce all the way to the Sierra Club.

Our amendment would allow for a home's energy efficiency to be considered when a borrower is applying for a loan by making a simple change to home underwriting and appraisal standards. Specifically, when you apply for a mortgage, you can request under this legislation an energy audit, and if you have a loan that is backed by the FHA, the energy efficiency of your home and your energy bills will be taken into account by your mortgage lender. Without this change, even though homeowners spend more on energy costs than taxes or home insurance, the amount you pay each month for energy is not taken into account.

This amendment isn't a mandate. It doesn't require anything. It simply allows mortgage lenders to account for energy costs in the same way they account for taxes and insurance. It makes no sense that cosmetic improvements like new countertops increase a house's value, but an energy-efficient furnace, which will actually save homeowners thousands of dollars, does not.

This amendment will create thousands of jobs in manufacturing, construction, and energy efficiency. It will save homeowners money on their energy bills, and it will decrease foreclosure risk. It will increase the energy efficiency of our homes. It does all this by giving consumers a choice they don't today have.

I have heard from builders all across Colorado who support this amendment—people like Gene Myers, who is the CEO and founder of Thrive Home Builders. He has built more than 1,000 energy-efficient homes in the Denver area, but he understands we will not fully attain the benefits of efficiency in the market until we properly value it.

For these reasons, a large and diverse coalition supports this amendment, including the National Association of Manufacturers, the National Association of Home Builders, the U.S. Chamber of Commerce, and the U.S. Defense Council, among others.

I urge my colleagues to support this bipartisan and commonsense amendment to improve energy efficiency and create American jobs. I thank the Senator from Georgia, Mr. ISAKSON, for his leadership and his sponsorship of this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to speak about the Energy Policy Modernization Act of 2015—legislation that has been advanced by our Energy and Natural Resources Committee chairman, Senator MURKOWSKI, along with the ranking member, Senator CANTWELL. As a member of the committee, I appreciate their leadership on this important issue and this legislation we are now considering on the floor.

I think Chairwoman MURKOWSKI is right when she speaks to the need to update our Nation's energy policy and, in that spirit, I filed several amendments designed to advance our Nation's energy policy in key areas. Today I wish to speak briefly about these three amendments. These amendments would help provide regulatory certainty for cross-border infrastructure projects, the regulation and recycling of coal ash, and reaffirm State primacy for energy development, particularly when it comes to hydraulic fracturing or fracking.

First, let me talk about the North American energy infrastructure amendment. One of the necessary components to leveraging our abundant energy resources and strengthening our energy security involves building the infrastructure to take energy from where it is produced to where it is consumed. Whether it is transporting crude oil or natural gas or modernizing and connecting our electric grid, these projects require long-term planning and investment, as well as a regulatory environment that promotes certainty and transparency, as well as impartial review.

That is why I have submitted an amendment which is identical to the North American Energy Infrastructure Act—S. 1228—that would modernize the existing Department of Energy Presidential permitting process for cross-border infrastructure projects.

This amendment, which is cosponsored by Senator DONNELLY of Indiana—it is a bipartisan measure—removes the need for a Presidential permit for the construction, operation or maintenance of a new oil or natural gas pipeline or electric transmission facility with Canada or Mexico and instead places the process in the proper Federal agencies.

While it does not alter the NEPA—again, I will repeat this. While it does not alter NEPA's—the National Environmental Policy Act—environmental review process, our amendment sets time limits for Federal agencies to

make a decision on projects once those necessary reviews are completed. This will add greater certainty to the permitting process, and that certainty will help attract the long-term investment necessary to help us build the energy infrastructure we need.

These projects are too important to our economy and to our national security to be dragged out virtually for years, such as in the case of the Keystone XL Pipeline—more than 7 years. We need a process that is fact-based, transparent, consistent, and non-partisan, that will help support the important energy relationship between the United States and our closest friend and ally—Canada.

The Energy Department publicly states that it requires approximately 6 to 18 months to issue a Presidential permit. However, there are numerous examples of pipelines and electric transmission applications languishing far beyond that timeline. The many inconsistencies involving these applications speak to the need to update this permitting process.

So let's start with crude oil pipelines. Take, for example, the bureaucratic delays for the Plains All American Pipeline, which secured a Presidential permit from the U.S. State Department for its crude oil pipeline in 2007. In February of 2013, the company sought a name change permit from the State Department. However, it took until August of 2015—2½ years—before a name change was approved.

The State Department informed the company that its application for a name change required a new National Environmental Policy Act—or NEPA—review because a separate pipeline, the Bakken North, based wholly within the United States, would connect to it. So to change the name, they had to do a NEPA review for 2½ years.

Electric transmission lines. There have also been many delays in siting electric transmission lines between the United States and Canada, and in a lot of cases that is for renewable energy. One example is the New England Clean Power Link, a 1,000-megawatt project delivering renewable energy spanning 154 miles between Vermont and Quebec. The company filed its application for a Presidential permit in May of 2014. Yet its application has been pending for over 20 months for a renewable energy electric transmission line.

Another example is the Great Northern Transmission Line, a 220-mile project that would connect Minnesota and Manitoba, bringing hydroelectricity and wind power across the border. The project's Presidential application was filed in April of 2014. While the review is ongoing and we hope an outcome will come soon, this application has been pending for almost 2 years.

The third example is the Champlain Hudson Power Express project, a 333-mile underground and underwater

project. It will bring 1,000 megawatts of hydroelectric power from Quebec to the New York City area. The application for a Presidential permit was initially filed in January 2010; yet it took almost 5 years—until October 2014—for the Presidential permit to be issued.

Inconsistent delays in the Federal review timelines, which last longer than the Energy Department's 6- to 18-month target—the target is 6 to 18 months, not 5 to 7 years—inject uncertainty, risk, and costs into all of these vital projects.

Commonsense reforms are needed so the project proponents and consumers can benefit. This is exactly what this legislation does. Specifically, this amendment would eliminate the Presidential permit requirement for construction or modification of new oil and natural gas pipelines, as well as electric transmission facilities, that cross the national boundary of the United States. Instead, it places the process in the proper agencies.

It would require that the certificate of crossing will be issued by the Secretary of State for oil pipelines, the Energy Department for electric transmission lines, and FERC and the Energy Department for cross-border natural gas pipelines, as currently configured.

It requires the State Department to issue a certificate of crossing on a cross-border pipeline permit within 120 days upon completion of a NEPA environmental review process. There is the NEPA environmental review process, but then 120 days after that, they have to make a decision and they have to issue a certificate of crossing unless the agency finds that construction of the cross-border segment is not in the public interest of the United States.

It would retain the NEPA review of the potential environmental impacts of a new project at a border crossing and leaves unchanged all other environmental, land, or wildlife reviews currently applying to any other pipeline constructed in the country. In other words, the States would still oversee the NEPA and permitting processes, as they do now.

It would provide for an open and transparent rulemaking process to determine the definition of "cross-border segment," which would be used to help determine the scope of the NEPA review process. That is because requiring a NEPA review for the entire pipeline project duplicates the multiple Federal, State, and local agencies' regulations, processes, and authorities already in place.

There are numerous existing State and Federal laws and regulations for the review and approval of siting, land acquisition, design, and construction of projects. Those remain unaffected by this amendment. For example—and this is important—State laws and regulations governing pipeline siting re-

main unchanged by this amendment. Federal laws and regulations governing design, construction, safety, and environmental review of the pipelines remain unchanged. State and local laws and regulations regarding land and rights-of-way acquisition for infrastructure projects, such as pipelines, would remain unchanged. Construction and operation of a pipeline in the United States must comply with the safety regulations of the Pipeline and Hazardous Materials Safety Administration. This is a separate process from the NEPA process and is also unchanged by this amendment.

The measure would provide appropriate authority and scope to the State Department for examination of border-crossing impacts of projects. Other reviews by the Department of Interior, Bureau of Land Management, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers for issues such as environmental, land, and wildlife impacts are appropriate and remain unchanged.

The amendment would require FERC to approve natural gas cross-border pipelines consistent with current policy. It also requires the Energy Department to issue a permit within 30 days of the receipt of the FERC action. Again, these are rational timelines, so there is some consistency and dependability in the process.

Finally, the amendment also specifies that existing projects do not need further approvals for new or revised Presidential permits for certain modifications. These include alterations such as volume expansion, adjustments to maintain flow, or changes in ownership.

This is commonsense legislation that can help us build the vital energy infrastructure we need for this country.

At this point, Mr. President, I would ask how much time I have remaining.

THE PRESIDING OFFICER. The Senator has 6 minutes remaining.

MR. HOEVEN. Mr. President, the next amendment I would like to review that I will be offering is identical to a bill introduced by Senator MANCHIN and myself. It is the Improving Coal Combustion Residuals Regulation Act of 2016, S. 2446. This legislation, which builds on our past efforts to find a bicameral, bipartisan approach to coal ash, ensures that there is safe disposal of coal ash and provides greater certainty for its recycling. This is a win from the industry standpoint of more energy, it is more cost-effective, but it is also an environmental win in terms of recycling coal ash, as well as making sure that when it is disposed of, it is done safely.

Coal ash is a byproduct of coal-based electricity generation that has been safely recycled for buildings, roads, bridges, and other infrastructure for years. In fact, I think it is important to take note of the environmental and

financial benefits of coal ash recycling. Over 60 million tons of coal ash were beneficially used in 2014, including over 14 million tons in concrete. It has been calculated that taxpayers save \$5.2 billion dollars per year thanks to the use of coal ash in federally funded road and bridge construction. Products made with coal ash are often stronger and more durable, and coal ash reduces the need to manufacture cement, which resulted in greenhouse gas emission reductions of 13 million tons in 2014.

In December of 2014, the EPA put forth new regulations for the management of coal ash. The regulations made clear—at least for the time being—that coal ash would continue to be treated and regulated as a nonhazardous waste consistent with EPA's earlier findings. However, the regulation has a major flaw: It relies solely on citizen lawsuits for enforcement. What this means is that neither the EPA nor the States can directly enforce the rules through a permit program with which owners and operators of coal ash disposal facilities must comply. Think about it. That means the regulation does not create the constructive regulatory guidance and oversight necessary to ensure the proper management of coal ash. Instead, the EPA regulation has created a situation whereby the only enforcement mechanism for the rule is that an operator of a coal ash site can be sued for not meeting the EPA's new Federal regulatory standards. Those subject to this regulation whose responsibility it is for keeping the lights on for our electricity consumers are themselves left in the dark about how the EPA standards will be defined in court cases across the Nation. Instead of direct oversight, we will have lawsuits brought by those who want to shut down coal production.

Imagine building an addition to your house and there being no building permit process to go through with your local government. Let's just take this as an analogy. You want to build a house, but there is no building permit process to go through with the local government. You call the city or the county, and they say: Well, you should just read the rules, and if you violate the rules, know that you can be sued at any time by anyone who thinks that maybe you didn't build that addition according to the law. This process would leave you without any sort of assurances that you actually built your addition in accordance with the law. Worse, you would have the threat of litigation hanging over your head. Does that make any sense?

Think about it. You build a house, a nice, beautiful house, in Phoenix, where it is nice and warm in the winter. You can't get a building permit. You build that house according to your interpretation of the regulations, but anybody—it might be your neighbor; it might be somebody who comes down

from the great State of North Dakota to enjoy your lovely winter—anybody may decide to sue you, and they would be able to do it. That is how the regulation of coal ash is set up. Come on. It makes no sense at all. That is how it has been done, and that is why we need to fix it.

Our amendment will directly address this problem by taking the best parts of our EPA rule—the standards for coal ash disposal—and incorporating all of them in EPA-approved State permit programs for both recycling and disposal. The States will have direct oversight over disposal sites' design and operation, including inspections, air criteria, run-on and run-off control, closure and postclosure care, and financial assurance. Meanwhile, we offer State regulators the same flexibility for implementing the groundwater monitoring and corrective action standards that are currently provided under existing municipal solid waste and hazardous waste regulations, allowing State regulators to make tailored, site-specific adjustments.

We have been listening to the issues the EPA has brought up about our previous versions of this legislation. In fact, we changed the legislation to include a more traditional EPA application process for the State permit programs. If the EPA finds that a State permit program is deficient—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HOEVEN. Mr. President, I ask unanimous consent for 2 minutes to finish my remarks, with the indulgence of the Senator from Massachusetts.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. If the EPA finds a State permit program deficient, then the EPA can take direct control over the State's permit program in that State. If a State doesn't want to have its own permit program, the EPA runs the permit program for the State.

Mr. President, our amendment is about responsible regulation. It is about certainty for recyclers and for the American public, who will know that State and Federal regulators are actually working with energy producers to ensure safe disposal of coal ash.

I urge my colleagues to support this commonsense, bipartisan approach by voting for the Hoeven-Manchin amendment.

I do have another amendment to speak on, but at this time, due to time constraints, I will defer to the Senator from Massachusetts, and I thank him for his courtesy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

REMEMBERING CHRISTA MCAULIFFE

Mr. MARKEY. Mr. President, I want to take a moment to acknowledge the life of Massachusetts' Christa

McAuliffe. She lost her life, along with six other crewmembers, 30 years ago today when the space shuttle *Challenger* exploded. She was an extraordinary teacher and was selected out of a pool of 11,000 applicants to lead the ultimate field trip as the first teacher in space. Her legacy lives on in many ways but especially at the Christa McAuliffe Center for Education and Teaching Excellence at her alma mater, Framingham State University.

AMENDMENT NO. 2982

Mr. President, the omnibus spending bill that was enacted into law in December lifted the 40-year-old restriction on exporting U.S. oil overseas. During that debate, concerns were raised regarding the impact that exporting American oil abroad could have on U.S. consumers and refining fuel prices, independent refineries, and other sectors of the U.S. economy, such as shipbuilding.

However, the final language that became law did not include any requirement for analyzing and reporting on any potential impacts that exports could have on the industry or on U.S. consumers. The Markey amendment No. 2982 to the Energy bill would create such a review. The amendment would require the GAO to review and report back annually for 3 years on the impacts of crude oil exports on U.S. consumers, independent refineries, shipbuilders, and energy production.

The language of my amendment is language that is bipartisan. The language of my amendment is identical to language included in legislation sponsored by Chairman MURKOWSKI. It is also identical to language included in legislation introduced by other Senators.

Exporting American crude oil could be a disaster for independent refineries in regions such as the east coast. Upwards of 55 percent of our refining capacity on the east coast could potentially close as a result of oil exports.

The Energy Department has said that exports could lead to as much as \$9 billion less investment and 1.6 million barrels less refining capacity in 10 years. It could lead to up to \$200 billion less revenue for the U.S. refining sector over the next decade.

It could raise prices for consumers, who are currently saving \$700 a year at the pump and \$500 a year on home heating oil this winter because of low prices.

It could harm U.S. shipbuilders. We have been having a shipbuilding renaissance in this country. We are currently seeing the biggest shipbuilding boom in 20 years, and it has been because of our increasing oil production and the Jones Act, which requires shipments between U.S. ports to be on U.S.-built, U.S.-flagged, and U.S.-crewed ships. This means that producing more oil is leading to investment in U.S.-built ships to move that oil around the country.

Right now, U.S. shipbuilders have orders to expand our domestic tanker fleet capable of transporting crude oil by 40 percent. Each oil tanker can represent an investment of \$100 to \$200 million. Five years ago there were zero orders. Now one company alone in Pennsylvania—Aker ASA—has nearly \$1 billion in back orders and has tripled employment over the last 3 years.

Exports could stop all of this in its tracks, so that GAO report is very important. I also want to compliment Chairman MURKOWSKI and Ranking Member CANTWELL for their excellent work in partnering to produce the legislation which we are considering here on the floor. It represents bipartisan ship in the way it is meant to operate.

Toward that goal, I have an amendment that I am going to speak to right now, which is one that Senator CASSIDY from Louisiana and I have introduced. It is an amendment to improve the way we are going to be selling oil from the Strategic Petroleum Reserve. Our Nation's oil stockpile is supposed to be there to protect American consumers and our security in the event of an emergency. We should not be using it as a piggy bank to pay for other priorities. But if we are going to sell oil from the Strategic Petroleum Reserve, we should at least make sure that we do so strategically, to get the best deal for taxpayers and American consumers. Last year, Senator CASSIDY and I offered a nearly identical amendment to the Transportation bill, which was adopted on the Senate floor and ultimately became law. That amendment protects taxpayers by improving the way the sales required under the bill—sales of oil from the Strategic Petroleum Reserve—are, in fact, conducted. The Cassidy-Markey fix gives the Secretary of Energy more flexibility to sell oil when prices are high and directs the Department to stop selling oil when the revenue targets required by the bill are reached.

This fix should allow us to sell fewer overall barrels from the Strategic Petroleum Reserve and get a better return on those sales. However, the roughly \$5 million worth of SPRO that was required to be sold as part of the Budget Act that passed in November did not include this commonsense fix. The current Cassidy-Markey amendment that is pending to the Energy bill contains language virtually identical to the amendment to the Transportation bill that was adopted on the Senate floor. It would apply the same fix to the sales required by the Budget Act in order to protect taxpayers.

Too often our policy with respect to SPRO has been to buy high and sell low. Taxpayers have paid an inflation-adjusted average of roughly \$75 a barrel for the oil that is in our Nation's stockpile. We should ensure that we get the best return for our taxpayers in those SPRO sales. That is what our amendment would do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, did my colleague from Alaska wish to intervene for a moment?

Ms. MURKOWSKI. Just an inquiry, Mr. President, into how much time the Senator is seeking at this moment.

Mr. MERKLEY. Yes, 10 minutes.

Ms. MURKOWSKI. I also understand that Senator WHITEHOUSE wishes to speak to an amendment that is pending. Is that correct?

Mr. WHITEHOUSE. Mr. President, I only wish for a moment to speak in favor of the Crapo-Whitehouse amendment. I could do that for a minute or for 10 seconds later on. I don't need the time now. We can get to the vote as the chairman wishes.

Ms. MURKOWSKI. Thank you. I am trying to make sure that we are going to commence the vote beginning at noon. Thank you.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

OUR "WE THE PEOPLE" DEMOCRACY

Mr. MERKLEY. Mr. President, the most important words in the crafting of our Constitution are the first three words. Those words are "We the People." As President Lincoln so eloquently put it, this is the notion that we would create a system of governance that would be governance of the people, by the people, and for the people. I will be rising periodically to address issues that affect American citizens across our Nation, that are important, that are urgent, and that this body should be addressing.

This week I am using my "We the People" speech to highlight excerpts from an article written by NASA scientist Piers Sellers. Piers Sellers was an astronaut. He has been a NASA scientist, and he shared this article from which I am taking portions. He says:

I'm a climate scientist who has just been told I have Stage 4 pancreatic cancer.

He continues:

This diagnosis puts me in an interesting position. I've spent much of my professional life thinking about the science of climate change, which is best viewed through a multidecadal lens. At some level I was sure that, even at my present age of 60, I would live to see the most critical part of the problem, and its possible solutions, play out in my lifetime. Now that my personal horizon has been steeply foreshortened, I was forced to decide how to spend my remaining time. Was continuing to think about climate change worth the bother?

He goes on to note that he examined his bucket list and he found only two things that really mattered: spending time with his family—as he put it, "with the people I know and love"—and then getting back to his office "as quickly as possible" to continue the work on climate science and addressing climate change.

He notes:

On the science side, there has been a steady accumulation of evidence from the

last 15 years that climate change is real and that its trajectory could lead us to a very uncomfortable, if not dangerous, place. On the policy side, the just-concluded climate conference in Paris set a goal of holding the increase in global average temperature to 2 degrees Celsius . . . above preindustrial levels.

He continues:

It's doubtful that we'll hold the line at 2 degrees . . . but we need to give it our best shot. With scenarios that exceed that target, we are talking about enormous changes in global precipitation and temperature patterns, huge impacts on water and food security, and significant sea level rise.

He continues, saying that "Pope Francis and a think tank of retired military officers have drawn roughly the same conclusion . . . The worst impacts will be felt by the world's poorest."

He continues to examine this and notes that while heavy lifting will have to be done by policymakers—and he is speaking to all of us—scientists can add a great deal, and scientists at NASA can help by keeping track of the changes in the Earth's system and using their powerful computer models to explore which approaches to addressing this problem are practical, trading off near-term impacts against longer term impacts.

He observes that engineers and industrialists must come up with new technologies to address the challenges of clean energy generation, storage, and distribution, and that they must be solved within a few decades.

Later in the article, he says:

History is replete with examples of us humans getting out of tight spots. The winners tend to be realistic, pragmatic, and flexible; the losers are often in denial of the threat.

He closes by saying this:

As for me, I have no complaints. I am very grateful for the experiences I have had on this planet. As an astronaut, I space-walked 220 miles above the Earth, floating alongside the International Space Station. I watched hurricanes cartwheel across the ocean, the Amazon snake its way through a sea of brilliant green carpeted forest, and gigantic nighttime thunderstorms flash and flare for hundreds of miles along the Ecuador. From this God's-eye-view, I saw how fragile and infinitely precious the Earth is, and I am hopeful for its future.

"And so," he concludes, "I am going to work tomorrow."

I simply want to thank Piers for his lifetime of commitment to science, his service as an astronaut, his continuing to work on this major challenge of addressing the planet, and that he would see—even in these days where he is fighting a battle against a forceful, powerful disease, he is dedicating his efforts to this challenge.

Is that not a call for all of us to see how important it is for us to dedicate our efforts to take on this challenge and to recognize, as he points out, that major strategies must be developed in a short period of time to avoid catastrophic consequences.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that following the disposition of the Crapo amendment, the Senate then vote on the Markey amendment with no second-degree amendments in order to the Markey amendment prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, now we are ready to dispose of a couple of amendments by voice vote.

AMENDMENT NO. 3017

I call for the regular order with respect to the Barrasso amendment No. 3017.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 3017, AS MODIFIED

Ms. MURKOWSKI. Mr. President, I send a modification to the desk for Barrasso amendment No. 3017.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At the end of subtitle G of title IV, add the following:

SEC. 46. CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) (as amended by section 4601) is amended by adding at the end the following:

"(h) CARBON DIOXIDE CAPTURE TECHNOLOGY PRIZE.—

"(1) DEFINITIONS.—In this subsection:

"(A) BOARD.—The term 'Board' means the Carbon Dioxide Capture Technology Advisory Board established by paragraph (6).

"(B) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

"(C) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

"(i) an invention that is patentable under title 35, United States Code; and

"(ii) any patent on an invention described in clause (i).

"(D) SECRETARY.—The term 'Secretary' means the Secretary of Energy or designee, in consultation with the Board.

"(2) AUTHORITY.—Not later than 1 year after the date of enactment of this subsection, as part of the program carried out under this section, the Secretary shall establish and award competitive technology financial awards for carbon dioxide capture from media in which the concentration of carbon dioxide is dilute.

"(3) DUTIES.—In carrying out this subsection, the Secretary shall—

"(A) subject to paragraph (4), develop specific requirements for—

"(i) the competition process;

"(ii) minimum performance standards for qualifying projects; and

"(iii) monitoring and verification procedures for approved projects;

"(B) establish minimum levels for the capture of carbon dioxide from a dilute medium that are required to be achieved to qualify for a financial award described in subparagraph (C);

"(C) offer financial awards for—

"(i) a design for a promising capture technology;

“(ii) a successful bench-scale demonstration of a capture technology;

“(iii) a design for a technology described in clause (i) that will—

“(I) be operated on a demonstration scale; and

“(II) achieve significant reduction in the level of carbon dioxide; and

“(iv) an operational capture technology on a commercial scale that meets the minimum levels described in subparagraph (B); and

“(D) submit to Congress—

“(i) an annual report that describes the progress made by the Board and recipients of financial awards under this subsection in achieving the demonstration goals established under subparagraph (C); and

“(ii) not later than 1 year after the date of enactment of this subsection, a report on the adequacy of authorized funding levels in this subsection.

“(4) PUBLIC PARTICIPATION.—In carrying out paragraph (3)(A), the Board shall—

“(A) provide notice of and, for a period of at least 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in paragraph (3)(A); and

“(B) take into account public comments received in developing the final version of those requirements.

“(5) PEER REVIEW.—No financial awards may be provided under this subsection until the proposal for which the award is sought has been peer reviewed in accordance with such standards for peer review as are established by the Secretary.

“(6) CARBON DIOXIDE CAPTURE TECHNOLOGY ADVISORY BOARD.—

“(A) ESTABLISHMENT.—There is established an advisory board to be known as the ‘Carbon Dioxide Capture Technology Advisory Board’.

“(B) COMPOSITION.—The Board shall be composed of 9 members appointed by the President, who shall provide expertise in—

“(i) climate science;

“(ii) physics;

“(iii) chemistry;

“(iv) biology;

“(v) engineering;

“(vi) economics;

“(vii) business management; and

“(viii) such other disciplines as the Secretary determines to be necessary to achieve the purposes of this subsection.

“(C) TERM; VACANCIES.—

“(i) TERM.—A member of the Board shall serve for a term of 6 years.

“(ii) VACANCIES.—A vacancy on the Board—

“(I) shall not affect the powers of the Board; and

“(II) shall be filled in the same manner as the original appointment was made.

“(D) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

“(E) MEETINGS.—The Board shall meet at the call of the Chairperson.

“(F) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

“(G) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

“(H) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule for each day during

which the member is engaged in the actual performance of the duties of the Board.

“(I) DUTIES.—The Board shall advise the Secretary on carrying out the duties of the Secretary under this subsection.

“(7) INTELLECTUAL PROPERTY.—

“(A) IN GENERAL.—As a condition of receiving a financial award under this subsection, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

“(B) RESERVATION OF LICENSE.—The United States—

“(i) may reserve a nonexclusive, non-transferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subparagraph (A); but

“(ii) shall not, in the exercise of a license reserved under clause (i), publicly disclose proprietary information relating to the license.

“(C) TRANSFER OF TITLE.—Title to any intellectual property described in subparagraph (A) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

“(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$50,000,000, to remain available until expended.

“(9) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subsection shall terminate on December 31, 2026.”.

Ms. MURKOWSKI. Mr. President, I know of no further debate on this amendment.

The PRESIDING OFFICER. Since there is no further debate, the question is on agreeing to amendment No. 3017, as modified.

The amendment (No. 3017), as modified, was agreed to.

AMENDMENT NO. 2968

Ms. MURKOWSKI. Mr. President, I call for the regular order with respect to the Shaheen amendment No. 2968.

The PRESIDING OFFICER. The amendment is now pending.

Ms. MURKOWSKI. Mr. President, I know of no further debate on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2968.

The amendment (No. 2968) was agreed to.

AMENDMENT NO. 3021

Ms. MURKOWSKI. Mr. President, I now ask unanimous consent that Senator CRAPO and Senator WHITEHOUSE each have 1 minute of debate prior to the vote on the Crapo amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Idaho.

Mr. CRAPO. Mr. President, in a few minutes we will vote on the adoption of the Nuclear Energy Innovation Capabilities Act, which we are seeking to add as an amendment to this important Energy bill. This amendment will do a number of very critical things to help the United States increase and maintain and keep its lead in nuclear energy development globally.

It will establish a modeling and simulation program that aids in the development of new reactor technologies, establish a user facility for a versatile reactor-based fast neutron source, and establish a national innovation center to help share this vital information between the government and the private sector.

It will allow the NRC to apprise the Department of Energy of regulatory challenges early in the development process and would require a report by the NRC on the licensing of non-light water reactors. This bill is a strong signal to the rest of the world that we intend to maintain U.S. leadership in nuclear technology.

This bill will enable the private sector and national labs to work together to create even greater achievement in nuclear science than in the last century.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, as the lead Democratic cosponsor of Senator CRAPO's amendment, I want to commend and salute him for his leadership. Senators DURBIN and BOOKER and I have all joined from our side. Senator CRAPO, Senator RISCH, Senator HATCH, and Senator KIRK are on the Republican side. This is truly a bipartisan amendment. I hope it will get a strong and positive vote.

It is very important that America continue its innovation in the area of advanced nuclear technologies. They continue to confer immense promise. We are seeing the promise of American innovation realized overseas, for instance, where the first traveling wave technologies are being constructed in China, not here.

We need to make sure we continue our investment. We need to make sure we are doing good regulation so that innovation can proceed to the market. We hope this amendment will help move that forward.

Once again, Senator CRAPO has shown great leadership with this. I am pleased to support him.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3021.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland

(Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 4, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—87

Alexander	Ernst	Murray
Ayotte	Feinstein	Perdue
Baldwin	Fischer	Peters
Barrasso	Flake	Portman
Bennet	Franken	Reed
Blumenthal	Gardner	Reid
Blunt	Gillibrand	Risch
Booker	Graham	Roberts
Boozman	Grassley	Rounds
Brown	Hatch	Sasse
Burr	Heinrich	Schatz
Cantwell	Heitkamp	Schumer
Capito	Heller	Scott
Cardin	Hoeven	Sessions
Carper	Isakson	Shaheen
Casey	Johnson	Shelby
Cassidy	Kaine	Stabenow
Coats	King	Sullivan
Cochran	Kirk	Tester
Collins	Lankford	Thune
Coons	Leahy	Tillis
Corker	Manchin	Toomey
Cornyn	McCain	Udall
Cotton	McCaskill	Vitter
Crapo	McConnell	Warner
Daines	Menendez	Warren
Donnelly	Moran	Whitehouse
Durbin	Murkowski	Wicker
Enzi	Murphy	Wyden

NAYS—4

Hirono	Markley
Lee	Merkley

NOT VOTING—9

Boxer	Klobuchar	Paul
Cruz	Mikulski	Rubio
Inhofe	Nelson	Sanders

The amendment (No. 3021) was agreed to.

VOTE ON AMENDMENT NO. 2982

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 2982.

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 29, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—62

Alexander	Feinstein	Murphy
Ayotte	Franken	Murray
Baldwin	Gillibrand	Peters
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Blunt	Hatch	Reid
Booker	Heinrich	Rounds
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Capito	Isakson	Shaheen
Cardin	Johnson	Stabenow
Carper	Kaine	Sullivan
Casey	King	Tester
Coats	Klobuchar	Udall
Cochran	Leahy	Vitter
Collins	Manchin	Warner
Coons	Markey	Warren
Cornyn	McCaskill	Whitehouse
Donnelly	Menendez	Wicker
Durbin	Merkley	Wyden
Ernst	Murkowski	

NAYS—29

Barrasso	Flake	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Sasse
Cassidy	Kirk	Scott
Corker	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	McCain	Thune
Daines	McConnell	Tillis
Enzi	Moran	Toomey
Fischer	Perdue	

NOT VOTING—9

Boxer	Inhofe	Paul
Cruz	Mikulski	Rubio
Gardner	Nelson	Sanders

The amendment (No. 2982) was agreed to.

The PRESIDING OFFICER. Under the previous order, the time until 1:45 p.m. will be equally divided between the managers or their designees.

The Senator from New Hampshire.

REMEMBERING THE CREWMEMBERS OF THE SPACE SHUTTLE "CHALLENGER"

Ms. AYOTTE. Madam President, today is the 30th anniversary of the tremendous loss of the Space Shuttle *Challenger* and of New Hampshire teacher in space Christa McAuliffe of Concord, NH.

Today I rise to honor the legacy of the *Challenger*. On this day 30 years ago, America was saddened by the tragic loss of seven brave crewmembers of the Space Shuttle *Challenger*: Commander Francis R. Scobee, Pilot Michael Smith, Mission Specialist Ellison S. Onizuka, Mission Specialist Ronald E. McNair, Mission Specialist Judith A. Resnik, Payload Specialist Gregory B. Jarvis, and, of course, our own New Hampshire teacher in space and payload specialist, S. Christa McAuliffe. Each of the members of the *Challenger* crew conducted themselves with such bravery, heroism, and a desire to reach beyond and into the stars that it inspired me.

As a high school student, I remember where I was that day. We were all watching as the *Challenger* was lifting off into the stars. I was a student at Nashua High School and Christa McAuliffe inspired all of us. She captured the Nation's imagination as she looked to be the first teacher in space.

That tragic day touched the lives of every man, woman, and child in New

Hampshire. It was one of those days in history when time stopped and everyone remembers what they were doing at that moment. I know I certainly do. You see, Christa was a role model, someone who lived among us and was able to achieve extraordinary things. She inspired young people across New Hampshire and the Nation to "touch the future."

She was a gifted educator and had such an infectious enthusiasm for teaching. She taught social studies at Concord High School and was selected from 11,000 applicants to be the first teacher in space.

When asked about the mission on national television, she said: "If you're offered a seat on a rocket ship, don't ask what seat. Just get on." It really shows her dedication to teaching, her bravery, and her commitment to inspiring the next generation of leaders, scientists, dreamers, and explorers, all of whom have made our Nation great.

Today, the McAuliffe-Shepard Discovery Center in Concord, NH, is named in her honor. This state-of-the-art facility not only provides a lasting tribute to the courage and bravery of Christa McAuliffe and all of the members of the *Challenger* crew, but it also helps educate visitors about the contributions of these extraordinary New Hampshire citizens—not just Christa McAuliffe but other New Hampshire citizens who have braved and explored space. The McAuliffe planetarium is doing amazing work by showing the next generation of scientists and leaders how exciting it is to study science, technology, engineering, and mathematics. It is a tremendous legacy to Christa McAuliffe and all who have traveled in space and explored the edges of the universe on our behalf so we can learn more about ourselves and new developments.

President Ronald Reagan eloquently said that frightful day 30 years ago:

The crew of the Space Shuttle *Challenger* honored us by the manner in which they lived their lives. We will never forget them, nor the last time we saw them, this morning, as they prepared for their journey and waved goodbye and "slipped the surly bonds of earth" to "touch the face of God."

Today we remember and honor the legacy of a great Granite Stater and great American, Christa McAuliffe, and all of the brave crewmembers of the Space Shuttle *Challenger* that day because their legacy continues to live on in our children and in our continuous focus on improving in science, technology, mathematics, and our continuous reach for the stars.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

HONORING NEBRASKA'S SOLDIERS WHO LOST
THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to pay tribute to the great men and women of Nebraska who have served and are serving in the U.S. military.

Our State has a rich and powerful history of answering the call to serve. For nearly 150 years, we have witnessed this bravery in each of America's wars. Over the past decade, the men and women of Nebraska have risen to defend our precious freedom against Islamic terrorists, primarily in Iraq and Afghanistan.

This year marks the 15th anniversary of the horrific terrorist attacks in New York and Washington, DC. These events changed the lives of Nebraskans and our Nation forever. Nebraskans stepped up, ready to fight. Those serving in uniform, be it Active Duty, the National Guard or the Reserves, knew they would likely wind up on the battlefield at some point in the future.

Many other Nebraskans enlisted after high school. ROTC units in Nebraska had no problem filling their ranks, and applications for military academy nominations poured in at record numbers. We should all be so thankful to this generation for answering the call and standing up to defend freedom across the globe.

Today, I begin a new initiative to honor this generation of Nebraska's heroes on the Senate floor, and I will focus on those who lost their lives in combat. All of our fallen Nebraskans have a special story. According to the Nebraska Department of Veterans Affairs, there are 77 Nebraskans who lost their lives to combat-related incidents in Iraq and Afghanistan. Throughout this year and beyond, I intend to devote time on the Senate floor to remember each of these heroes. Telling their stories keeps their service and their sacrifice alive in our hearts, while reminding us of the principles they fought and died for.

Time after time, Nebraska's Gold Star families tell me the same thing. They hope and pray that the supreme sacrifices of their loved ones will always be remembered. It is my hope that these presentations will allow us to pause and reflect on these brave Nebraskans. The freedoms they secured are personified by the courage they embody.

SPECIALIST JOSHUA A. FORD

Mr. President, today I wish to begin with SPC Josh Ford from Pender, NE. Joshua A. Ford was killed in Iraq on July 31, 2006. His parents, relatives, and high school classmates look back lovingly on the boy who quickly grew to be a courageous soldier.

As a young teenager, Josh was described as a couch potato who liked video games, painting, and watching

horror movies, but deep inside there grew a strong desire to serve his country in military uniform.

He joined the Nebraska Army National Guard between his junior and senior year at Pender High School in 2003. That same year he began basic training at Fort Jackson. He was just 17 years old, and it was a tough transition.

His dad Lonnie remembers Josh talking about being placed in "fat man's camp" at Fort Jackson. Josh was overweight by 35 pounds at the time. Lonnie and his wife Linda, along with classmates and friends, noticed how dramatically Josh had changed when he returned from basic training.

A year later, after graduating from Pender High School, Josh attended the Army's heavy vehicle driver school at Fort Leonard Wood. He was assigned to the 189th Transportation Company, Detachment No. 1, in Wayne, NE.

A senior sergeant remembers that Josh "grew up from a kid to a soldier almost overnight."

The 189th had just been recognized as a unit in April of 2003. Two years later, the 189th received orders to deploy to Iraq.

Following training at Fort Riley, the unit arrived at Tallil, Iraq, in October of 2005. For the next year they traveled over 2.5 million miles throughout the country. Specialist Ford became known as an energetic and reliable battle buddy. He was eager to tackle extra missions.

Josh came home on leave in April of 2006. He had a number of things on his mind. At the top of his list was his girlfriend Michelle, whom he proposed to that spring, and she happily accepted. He also kept things in order, leaving behind an audio will for his friends. According to Josh's father Lonnie, "he just wanted everyone to celebrate his life after he was gone."

Josh returned to Iraq with just 6 months to go in the deployment. In the early evening of July 31, 2006, the heat was unbearable but typical for a summer day in Iraq. Specialist Ford and his battle buddy, SPC Ben Marksmeier, were part of a 189th convoy that was driving through an area they had patrolled many times. Out of nowhere, an IED blast obliterated their vehicle. Unit members reached their truck immediately. Specialist Marksmeier was seriously injured, but Specialist Ford died at the scene.

Lonnie, Josh's dad, will never forget the day he heard the knock at the door. Three members of the Nebraska Army National Guard had arrived at his home in Pender, and he knew before he opened the door why they had come. The next day, Lonnie and his wife Linda traveled over 250 miles to tell Josh's grandmother and his three sisters of his death. One can only imagine the pain, sorrow, and agony they felt every step of the way.

SPC Josh Ford was buried in Pender, NE, on August 10, 2006. Pictures show the road from the church to the cemetery lined with people as the Patriot Guard veteran motorcycle group escorted Josh to his final resting place.

For his service to his country, SPC Josh Ford earned the Bronze Star, the Purple Heart, and the Combat Action Badge. He was promoted posthumously to the rank of sergeant.

His father Lonnie later retired from teaching, and he joined the Patriot Guard. Today, Lonnie ensures those who served and died are never forgotten. He attends funerals and events with his fellow Patriot Guard riders all across Nebraska. Josh's photo and his service information are proudly displayed on his rider's vest.

He recalls Josh saying to him, when he was home on leave in April before his death:

Old man, I now understand why you were so tough on me while I was growing up. You only wanted me to become the best person I could possibly be.

During his limited time on Earth, Josh did just that.

Our Nation and all Nebraskans are forever indebted to his service and sacrifice. SGT Josh Ford was a hero, and I am honored to tell his story lest we forget his life and the freedom he fought to defend.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING THE CREWMEMBERS OF THE
SPACE SHUTTLE "CHALLENGER"

Ms. WARREN. Mr. President, 30 years ago today millions of Americans gathered around their television sets in homes and classrooms all across the country to watch the Space Shuttle *Challenger* launch toward the stars. Seventy-three seconds later everything changed. We stared at our television sets, stunned and brokenhearted.

Today, on the 30th anniversary of that terrible tragedy, we remember the heroes we lost: Francis Scobee, Michael Smith, Ronald McNair, Ellison S. Onizuka, Judith A. Resnik, Gregory B. Jarvis; and we remember one more hero, the special person that so many little boys and girls tuned in that day to see, the very first U.S. civilian in space, Christa McAuliffe.

Christa was born in Boston, MA, and grew up in nearby Framingham. She attended Marian High School and attended Framingham State University. She married her high school sweetheart, Steve. They had two children, Scott and Caroline. She eventually became a high school social studies teacher in Concord, NH.

In 1984, Ronald Reagan announced that NASA would send its first private citizen into space, and that person would be a teacher. A few months later, Christa beat out over 11,000 other applicants to become the first teacher in space. Christa was thrilled. It was like a dream come true. She reportedly told Johnny Carson: "If you're offered a seat on a rocket ship, don't ask what seat. Just get on."

Mr. President, 30 years ago today Senator Ted Kennedy entered an excerpt of Christa McAuliffe's NASA application into the public record, and I would like to reenter it for the RECORD and read it again today.

When asked why she wanted to be the first private citizen in space, Christa McAuliffe wrote:

I remember the excitement in my home when the first satellites were launched. My parents were amazed and I was caught up in their wonder. In school my classes would gather around the TV and try to follow the rocket as it seemed to jump all over the screen. I remember when Alan Shepard made his historic flight—not even an orbit—and I was thrilled. John Kennedy inspired me with his words about placing a man on the moon and I still remember a cloudy, rainy night driving through Pennsylvania and hearing the news that the astronauts had landed safely.

As a woman, I have been envious of those men who could participate in the space program and who were encouraged to excel in areas of math and science. I felt that women had indeed been left outside of one of the most exciting careers available. When Sally Ride and other women began to train as astronauts, I could look among my students and see ahead of them an ever-increasing list of opportunities.

I cannot join the space program and restart my life as an astronaut, but this opportunity to connect my abilities as an educator with my interests in history and space is a unique opportunity to fulfill my early fantasies. I watched the space age being born and I would like to participate.

Mr. President, Christa McAuliffe never made it into orbit on January 28, 1986. She never got the chance to write in her journal about what it was like inside the space shuttle, how it feels to float around, and all the other sorts of things that people who are not astronauts have wondered about. She never got to go back to her classroom to tell her children about her magnificent journey.

But Christa McAuliffe still teaches. Since 1994, the Christa McAuliffe Center at Framingham State University has provided truly remarkable, innovative, integrated STEM education resources to 12,000 Massachusetts students each year. Christa McAuliffe's story of a little girl from Framingham who became a schoolteacher and got the chance to take the "ultimate field trip" into outer space keeps inspiring little boys and girls in Massachusetts and around the country, telling them all to reach for the stars.

Today, we remember Christa McAuliffe and the six others we lost on

the Space Shuttle *Challenger*. We remember that day as our country stared at our television sets, stunned and brokenhearted. We honor their memory by continuing, as Christa McAuliffe said, "to touch the future," to teach our children and our grandchildren "where we have been, where we are going, [and] why."

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today to speak in support of the Stabenow-Peters amendment package that will provide much needed assistance to Flint, MI. For decades Flint was known as the birthplace of General Motors and for playing a key role in the formation of the United Auto Workers.

Now national attention is trained on Flint not for its role in the creation of America's middle class but for the utter abandonment by the State government of a city where 40 percent of the population lives below the poverty line.

Nearly 2 years ago, an unelected emergency manager appointed by Michigan's Governor changed the city of Flint's water source to the Flint River in an attempt to save money while the city prepared to transition to a new regional water authority. The ultimate cost of this misguided, dangerous decision will not be known for decades.

After switching away from clean water sourced from the Detroit Water Authority, Flint residents began to receive improperly treated Flint River water, long known to be contaminated and potentially very corrosive. Water poured from Flint faucets and tasted and smelled terrible. It was discolored—brown or yellow in many cases. In fact, General Motors stopped using this water source for their Flint engine operations because the high chloride levels were corroding parts used during the manufacturing process.

The result of the State government decision was—and continues to be—catastrophic. Flint families were exposed to lead and other toxins that will have a lasting effect for generations.

The water crisis in Flint is an immense failure on the part of Michigan's State government to ensure the health and safety of the people of Flint and to provide the basic human right of clean water for drinking, bathing, and cooking. It is a failure that will cause Flint's children to suffer from the adverse health effects of lead exposure for years to come—a failure that has created the enormous challenge of fixing a water system that has had corrosive water flowing through its pipes for months.

Even after Flint has transitioned back to distributing water from Detroit that should be safe, unfortunately the potentially irreversible damage to

the waterlines will still require the use of filters. This ongoing crisis has left the city of 100,000 people drinking bottled water donated from across the Nation.

In light of the State government's failure, I am disappointed State government still has not sufficiently stepped up to provide the necessary resources to deal with the short and long term effects of water contamination in Flint.

While the cause of this crisis and the ultimate responsibility to fix it lies with State government, we need to bring resources from all levels of government to bear to address this unprecedented emergency. Along with my Michigan colleagues Senator STABENOW and Representative KILDEE, I have been working tirelessly to leverage all available resources for the people of Flint.

The effects of lead exposure on children are insidious, causing long-term developmental problems, nervous system damage, and decreased bone and muscle growth. There is no cure, but we can mitigate these problems with a commitment to delivering nutrition, education, health care, and other wrap-around services that a generation of Flint children now need more than ever.

My colleagues and I have requested that the U.S. Department of Agriculture allow existing programs to provide ready-to-feed infant formula that does not need to be mixed with water to all infants in Flint. We have urged the Department of Health and Human Services to make Head Start available for every eligible child in the city of Flint. We are working to make sure every Flint resident has access to affordable health care and are encouraging residents to purchase coverage through the open enrollment at healthcare.gov before the January 31 deadline or sign up for Medicaid if they are eligible.

I will continue to work with Congress, the administration, and leaders on the ground in Flint to secure any Federal support possible for Flint families and small businesses that have been harmed. As part of our efforts to support the people of Flint, Senator STABENOW and I are offering an amendment that will help begin the process to make Flint whole with substantial investments in fixing this problem in both the short and long term. Our amendment will assist the city of Flint in four ways.

First, the amendment would include my bill, the Improving Notification for Clean and Safe Drinking Water Act, or the INCASE Act, which would require the EPA to directly notify the public of dangerously high lead levels in drinking water if the local and State governments fail to do so within 15 days. The EPA repeatedly made recommendations to the State government, urging them to take steps to improve the

water and protect the people. Unfortunately, the State of Michigan failed to take action and failed to properly notify Flint residents of the health risks in the water system for months. The primary responsibility for notifying residents lies with the State government, but when you have a situation like Flint where the State was sitting on critical information, there has to be another level of accountability.

Second, our amendment will authorize EPA to issue direct grants to the State of Michigan and the city of Flint to hire new personnel, provide technical assistance, and, most importantly, replace and repair water service lines—the only long-term solution. These aging service lines were certainly a concern before the crisis, but now there is an urgent need to repair and to replace them. For nearly 2 years corrosive water flowed through the pipes leaching lead and other toxins. This provision will fund the repairs for the service lines that were severely and potentially permanently damaged as a result.

Third, our amendment includes a technical fix that will allow current Drinking Water State Revolving Funds to be used for loan forgiveness. This will provide upwards of \$20 million in relief to Flint and allow them to direct new funds for investment in water infrastructure and not interest payments. Earlier this year the EPA acknowledged that the State did not have the authority to forgive these loans. That is why this amendment includes a temporary technical fix to allow States to use the EPA's Drinking Water State Revolving Fund resources for loan forgiveness and debt relief on debt incurred before the current fiscal year.

Finally, our amendment will direct the U.S. Department of Health and Human Services to establish a Center Of Excellence on lead exposure in Flint, which will bring together local universities, hospitals, medical professionals, and the State and county public health departments in an effort to address the short and long-term health effects of lead exposure in the city.

Mr. President, it is important to remember that the children of Flint have been impacted the most by this crisis through no fault of their own. Whether in Flint or elsewhere in America, we have a responsibility to care for our children. We must repair the trust Flint residents have lost in the ability of government officials to protect them and to provide the most basic services.

I strongly urge my colleagues to join us in our effort to help Flint recover from this unnecessary manmade disaster. Standing up for children is not a Republican or a Democratic issue. I hope we all come together. This is common ground on which we can stand together and stand up for the people and the children of Flint.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise today to speak in support of a bipartisan amendment I have submitted with the senior Senator from California. It would enable Arizona, California, and other drought-stricken States to store more water in hydroelectric dams.

As everyone knows, water is a controversial issue in the West. Arizona and California have long been at odds on a number of water-related issues, particularly the very long-running Supreme Court case on the Colorado River. However, recognizing the importance of wisely managing water in the West is something on which we can all agree and look for ways to cooperate.

Today I am pleased to submit, along with Senator FEINSTEIN of California, one of these helpful management provisions to better use existing dams in our drought-stricken States. These dams are critical to water management in the West. We have to store water, obviously, in dry times. The Western United States relies on dams to produce clean, renewable hydropower, to deliver drinking water to growing cities, and to irrigate fields. Because these dams are large and expensive and increasingly difficult to have built, it is imperative that we make the most of those we have already.

In a bill introduced last year, Senator FEINSTEIN included a pilot program to allow the updating of how flood control operations are conducted at many dams. This very helpful provision allows the use of modern forecasting tools and better records of hydrology to reevaluate the flood control operations in order to create additional water storage space. Increased storage space would allow more water to be kept behind the dams, allowing more hydropower to be produced exactly when it is needed. This amendment simply expands on Senator FEINSTEIN's proposal broadening the scope to all drought-stricken States—not just California—increasing the number of projects in the pilot program, and allowing more types of facilities to opt into this pilot program.

This is a commonsense amendment. It will help us make the most of the capacity we have to store water and to produce hydropower. I urge its adoption.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 2965

The PRESIDING OFFICER. Under the previous order, the question now

occurs on agreeing to amendment No. 2965.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 37, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—55

Alexander	Feinstein	Nelson
Ayotte	Franken	Peters
Baldwin	Gillibrand	Portman
Bennet	Graham	Reed
Blumenthal	Heinrich	Reid
Blunt	Heitkamp	Risch
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Capito	Klobuchar	Stabenow
Cardin	Leahy	Sullivan
Carper	Manchin	Tester
Casey	Markey	Udall
Cochran	McCaskill	Warner
Collins	Menendez	Warren
Coons	Merkley	Whitehouse
Crapo	Murkowski	Wyden
Donnelly	Murphy	
Durbin	Murray	

NAYS—37

Barrasso	Grassley	Roberts
Boozman	Hatch	Rounds
Burr	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kirk	Thune
Cotton	Lankford	Tillis
Daines	Lee	Toomey
Enzi	McCain	Vitter
Ernst	McConnell	Wicker
Fischer	Moran	
Flake	Perdue	

NOT VOTING—8

Boxer	Inhofe	Rubio
Cruz	Mikulski	Sanders
Gardner	Paul	

The amendment (No. 2965) was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2452

Mr. MORAN. Mr. President, there are a lot of things that go on here in our Nation's capital, Washington, DC, that don't make sense to me. One of those things occurred about 10 days ago when the Obama administration announced it would pay \$1.7 billion to Iran in settlement of a financial dispute dating back to the days of the Shah of Iran. That \$1.7 billion was a payment to Iran for \$400 million that was held in escrow after the Shah's demise and fall from power, and the remaining \$1.3 billion was to pay interest on that \$400 million.

I think there are a number of reasons that this makes no sense. I will highlight the one that seems to me to be the least controversial or at least makes the most sense. We have American citizens who have claims against Iran. There are actual judgments entered by a court of law which determines that the country of Iran owes money to American citizens. The number that I was told that they owe is nearly \$10 billion in judgments.

What makes no sense to me is that the Obama administration would agree to pay the Iranian Government \$1.7 billion without concurrently resolving the issues of what Iran should pay U.S. citizens. It makes no sense to me that we are not withholding the payment of that \$1.7 billion until Iran pays American citizens the judgment amounts owed to them for their country's terrorist attacks.

Why would we unilaterally pay Iran money that we may or may not owe them without resolving the issue of money that we know Iran owes to U.S. citizens? This makes no sense. We could at least have a broader conversation and discussion about this issue, although I don't know that it is necessary to go further with a discussion to reach the conclusion that the Obama administration should not be doing this. We could also have a conversation about whether this payment of \$1.7 billion is ransom money. Was it paid because Americans were released from Iranian captivity on the same day? As the largest supporter and funder of terrorism and terrorist activity around the globe, we should have a discussion about whether we should be giving Iran any money at all.

We know that part of the Iranian agreement related to nuclear weapons has the United States releasing money to Iran, and we know—in fact, administration officials have admitted to it—that we expect that money, in part, to be used to sponsor additional terrorist acts. Well, in addition to the flawed, mistaken agreement with Iran related to nuclear capabilities, we are now pro-

viding Iran with another \$1.7 billion to use as they see fit, presumably with the admitted ability to use that money to further terrorist acts around the globe, including against U.S. citizens.

We could discuss whether this is ransom or whether we should be giving any money to Iran. But on the surface, you don't need to go further than, in my view, what ought to be easily agreed upon, which is that no money should go to Iran until the claims of American citizens are paid by Iran.

I am on the Senate floor to highlight to my colleagues that I have introduced legislation exactly to that effect: no money to Iran until the claims are paid to U.S. citizens by Iran. I encourage my colleagues to consider this legislation and join me in its sponsorship. It is S. 2452.

I am grateful for the opportunity to bring this issue to the attention of the Senate—one more instance of something that makes no sense to me that could be resolved with a firm statement by the U.S. Congress: Mr. President, you can't pay Iran until Iran meets its obligations to pay what it owes U.S. citizens.

Mr. President, I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNACCOMPANIED MINORS ENTERING THE UNITED STATES

Mr. CORNYN. Mr. President, if this sounds like a case of déjà vu, it is because we have been here before. I am talking specifically about the flow of unaccompanied minor children coming across our southwestern border, primarily through my State—the State of Texas—which shares a 1,200-mile common border with Mexico.

As the Presiding Officer knows, these children are coming not from Mexico but from Central America. This is a situation that about a year or so ago the President and his administration called a humanitarian crisis because we had this flow of unaccompanied children and some with their mothers, but mostly without, who came flooding across our border, and we were just simply struggling to keep up with them to deal with their safety, their health needs, and their security needs.

At that time we had a discussion about what we should do to protect these children to make sure they weren't victimized by human traffickers and other predators who might prey on their vulnerability when they get to the United States. Indeed, this morning, under the leadership of Chairman PORTMAN from Ohio, the Senate Permanent Subcommittee on Inves-

tigations held a hearing to explore a disturbing and tragic problem related to this flow of unaccompanied children coming across our Nation's southern border.

After these children are apprehended by the Border Patrol, they are placed in the hands of the Department of Health and Human Services to ensure they receive proper care. Many of these children are recovering from abuse, exploitation, exhaustion, exposure from this incredible trip they would make from their country in Central America through Mexico into the United States, many on the back of a train system known colloquially as The Beast. Many of us have seen pictures of this train with people on top of it, not necessarily inside of it, and falling off, being injured, people being assaulted. It is a terrible experience.

So many of these children come to the United States recovering from abuse and exploitation after traveling more than 1,000 miles. This is a very important point: These are not good people who are bringing them here. They are part of a transnational criminal organization—the cartels in Mexico, the gangs who help distribute drugs, traffic in human beings, help facilitate illegal immigration. This has become a huge international business. If you ask almost anybody who has had any experience in this area, it is not like the old days when coyotes, as we call them in Texas and elsewhere, smuggled people across in onesies and twosies. These are people who smuggle a lot of people for the money they are able to generate. They, frankly, don't care about the individuals, but they do care about the money, and that is why they are in the business of smuggling these children from Central America across Mexico and into the United States.

Here is the immediate problem that Senator PORTMAN's Subcommittee on Investigations revealed: Because the U.S. Government—the Department of Health and Human Services—does not adequately vet the sponsors with whom these children are placed once they come into the United States—we know, for example, they admit these sponsors do not have to be American citizens. They don't even have to be family members. Shockingly, Health and Human Services is releasing many of these children to sponsors who have been convicted of serious crimes, including human trafficking, sexual exploitation, and violent offenses.

Instead of using commonsense procedures as we see in place, for example, in international adoptions, including extensive background checks, thorough interviews, and multiple home visits to make sure a child is being placed in a safe and secure situation, the placement process for these migrant children is riddled with loopholes for those who want to exploit it, and unfortunately there are evil people who want

to exploit it and take advantage of these innocent children.

Some who may not have been following this issue may wonder: Why are we taking these children who are illegally entering the country and actually placing them with nonfamily member sponsors who haven't been vetted? The problem is that under current law, the Border Patrol cannot turn back people who enter the country illegally from noncontiguous countries. We can from Mexico, we can from Canada, but we can't if they come from a Central American country. So that is why they have to process them and get a placement for them as they issue a summons to them and say: You have a court date in front of an immigration judge in 3 months or 6 months or a year that is going to determine whether you have a legal basis upon which to stay in the United States.

Lo and behold, this should come as a surprise to no one. The vast majority of these people who illegally enter the country in this way never show up for their immigration hearing in front of a judge to determine whether they have a legal basis to stay. Indeed, because the Obama administration and ICE—Immigration and Customs Enforcement—that is responsible for enforcing our immigration laws—because they simply have quit enforcing our laws once people enter the country, unless of course you have been arrested for some serious crime, this is actually a way to thread the needle and to beat the system and to succeed in illegally staying—immigrating and then staying in the United States.

Here again today I wish to focus on once these children are here, and I would think every person with a heart would want to say: Well, we have a responsibility to take care of them, at least until we can return them back home.

So I am grateful to the junior Senator from Ohio, Mr. PORTMAN, for dedicating his time and energy into investigating such an important issue. I commend him for his leadership in doing so in a bipartisan way. I think most of us can agree with the main point that he raised this morning, which is that the administration has a duty to ensure the safety of these children once they are in the country. I would hope all people of good will would agree, whether they have a legal duty or not, they have a moral obligation to make sure these children are safe and not place them, because of negligence or inadvertence or just recklessness, in the hands of people who will exploit them and abuse them.

The subcommittee also released an important report in conjunction with this morning's hearing after a months-long investigation. The report confirms that HHS placement policies are—surprise—wholly insufficient and fail to adequately screen sponsors. They know

they have a problem. They just don't have the will to do anything about it.

This is unacceptable. This is unacceptable that Health and Human Services knows its own placement process does not even come close to foster care or international adoption standards. For the safety and protection of these children, the status quo cannot continue.

I hope somebody will ask the President of the United States about this, because when we tried to pass a piece of legislation called the HUMANE Act to deal explicitly with this issue to raise the screening standards for sponsors here in the United States for these unaccompanied children, the administration and the President of the United States opposed it, and this is what they get. This is what they get—certainly not what they deserve. This is something anybody could have predicted and indeed did predict at the time if we did nothing to address it.

So what these children need now, as Senator PORTMAN's report suggests, is certainly a more transparent process with robust oversight. That sounds kind of bureaucratic, but what we need is somebody who can make sure that no child is placed with somebody who is going to abuse them, exploit them or make their life a living hell while they are here. We also need to make sure they are given an opportunity to appear in front of an immigration judge because maybe they have some legal basis upon which to claim a right to stay in the United States under current law—but maybe not—and maybe the proper recourse is for these children to be returned to their home country. We have had this experience before, where there is no enforcement of our immigration laws when people know they can penetrate our border and come here and successfully stay, even though they don't comply with the law. Our laws lose all deterrent value; in other words, where there is deterrence, people don't come in the first place because they realize the likelihood is that they will be unsuccessful. That is an important goal of law enforcement. It is not necessarily to deal with every case once it is on our doorstep, but actually we want to deter people from breaking the law in the first place. That is why enforcement is so important.

So I wanted to come to the floor and express my appreciation to Senator PORTMAN and his subcommittee for highlighting this issue but even more importantly to make sure that somehow, some way, somebody in the press, in the media is going to keep writing about this and exposing the facts. I hope we can reawaken the conscience of the Congress and the U.S. Government and say that this is simply unacceptable and we can work together to address it.

We must do more to protect these children who are vulnerable to exploi-

tation. Back in November I joined the chairman of the Judiciary Committee in a letter to the Secretary of Homeland Security and Health and Human Services. This was in response to a whistleblower who indicated those Departments were releasing unaccompanied children to criminal sponsors, many with ties to sex trafficking and human smuggling enterprises.

Unfortunately, recent news reports have just reinforced how broken the system is. Earlier this week, the Washington Post published an in-depth account of several young Guatemalan children who were smuggled to a farm in Ohio to be used as slave labor after authorities released them from human traffickers. So these children from Guatemala went from being trafficked to being basically indentured servants for slave labor in Ohio. Instead of keeping them in protective custody in an HHS shelter or placing them in a suitable safe environment, these children were reportedly forced to live in roach-infested trailers and their lives were threatened if they attempted to escape.

This is a gut-wrenching story, but it is only one story. This Senator dares to say that the U.S. Government, Health and Human Services, and the Obama administration can't tell us how many other children have been exposed to such terrible abuse and mistreatment. We are now learning that these stories are not uncommon. Of course, given the process by which Health and Human Services and the administration place these children—not with American citizens, not with even family members without vetting them—what else would be expected?

The Associated Press recently reported similar stories from across the country, including accounts of teens forced to work around the clock just to stay in a safe place to live. One young girl was reportedly locked inside her house, basically kept in a prison, and there are reports of some unaccompanied children who had been sexually assaulted by their sponsors.

With more than 95,000 unaccompanied children crossing our southern border illegally over the last 2 years, these reports likely only scratch the surface of the horrors these children are enduring. And it is not over. There are more coming every day. Indeed, we have seen that the peaks and valleys of the flow of unaccompanied children across the border are seasonal. As we get out of the winter and into the warmer months, we will continue to see these children flow across at higher levels than they are now. But there were 95,000 in the past 2 years.

This surge of children coming across our border has exposed our Nation's vulnerability to human smugglers and these transnational criminal organizations. It has shown that inadequate border security can contribute to a humanitarian crisis that endangers the

lives of the children who are turned over by their parents to dangerous predators and smuggled into the United States.

Let's be clear on this point. Once these children arrive in the United States, our government has a duty to protect them and ensure they are no longer preyed upon by criminals and traffickers. But then we have a responsibility to make sure that if they can't legally stay in the United States because they have no valid claim to asylum or refugee status—our laws need to be enforced until those laws are changed by Congress.

The United States could see a new surge of these children pouring across our southern border in the coming months. In fact, I will predict here today that we will. We know from historical trends that these types of surges are not likely until the spring or summer months. We shouldn't just stand around here or sit on our hands and ignore this growing crisis.

There is a legislative response that I would recommend to my colleagues. I was proud to sponsor a piece of legislation last Congress called the Helping Unaccompanied Alien Minors and Alleviating National Emergency Act, or the HUMANE Act in short. This legislation would require all potential sponsors of unaccompanied children to undergo a rigorous biometric criminal history check. Let's check to make sure the government is not placing these kids with known criminals. There are records we could easily discover if we just bothered to check those records and to make sure we don't inadvertently place these children in the hands of sex offenders or people who will merely traffic them to someone else.

Given the clear threat these children face and the anecdotes which I have described here and which are described in horrific fashion in Senator PORTMAN's report, it is irresponsible for us not to do something about this while we can. There is more we can do and should do to ensure that these children are treated safely and securely while they are with us. I believe the provisions of my legislation would be a good start. If anybody has a better idea, I am certainly willing to hear and work with them.

Before we see another humanitarian crisis of huge proportion of young children coming across our borders, I hope the Senate will take a look at the concerns exposed in the Permanent Subcommittee on Investigations report led by Senator PORTMAN.

I look forward to reintroducing the HUMANE Act soon as a way to at least in part begin the process of addressing this new humanitarian crisis in the making.

Mr. President, I see no one wishing to speak, so I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, this morning I discussed two amendments that I have submitted in regard to the current energy legislation, the Energy Policy Modernization Act of 2015.

I would like to talk about a third amendment that I submitted as well. The amendment actually follows legislation that I introduced earlier entitled the "empower States amendment."

Essentially what the "empower States" legislation does is it ensures that States retain the right to manage oil and gas production in their respective State. It gives them the ability to develop hydraulic fracturing rules and to respond first to any violation that might occur, rather than having a Federal one-size-fits-all approach. This is very important, because how we produce oil and gas in States such as North Dakota is very different than how we might produce oil and gas in a State like Louisiana, for example, or some other State. So States have to have the flexibility to respond to their industry to provide regulatory certainty and to empower that investment that will help us produce more energy and do it with good environmental stewardship.

This amendment also allows States to regulate oil and gas development on Bureau of Land Management lands if the State has laws and regulations in place to protect both public health and the environment.

As I said, it takes a States-first approach because individual States are the first and best responders to oil and gas issues. They know their land, their geology, their water resources, and they have a primary stake in protecting their environment and their citizens.

States such as North Dakota have been successful in developing oil and gas production with good environmental stewardship. Right now our State produces about 1.2 million barrels of oil a day, second only to the State of Texas.

With that growth in development, our industry has had to work very closely with the State of North Dakota on a whole gamut of issues that are vitally important—not only, as I said a minute ago, in terms of producing more energy but doing it with good environmental stewardship. So that is what this legislation is all about.

At the same time, this amendment provides a safety net that allows the Environmental Protection Agency, or the EPA, to step in if there is a danger

to health or the environment. Again, it is about making sure that States have the primary role, but it still recognizes the EPA's role as well in terms of protecting the environment and good stewardship.

States would still be subject to the Safe Drinking Water Act and the Clean Water Act. These Federal laws have minimum standards for all States, and those minimum standards ensure consistent protection between and among the States for both the public and the environment.

Surface water is protected under the EPA's Clean Water Act surface water quality standards. Drinking water is protected by the Safe Drinking Water Act, which allows the EPA to act if a contaminant is present or likely will enter an underground drinking water source.

Hydraulic fracturing wastewater is regulated by the EPA's underground injection program, which is designated to the States to implement and enforce. That is what we are talking about, again—the State having the primary role in regulation of hydraulic fracturing.

The EPA requires a State to have a minimum requirement in terms of protecting underground injection from endangering drinking water sources. This concludes inspection, monitoring, recordkeeping, and reporting requirements. None of those requirements would change under this amendment.

Instead, this amendment gives the States and tribes more certainty about under what circumstances the EPA may withdraw or amend a State's regulation. Again, it is about making sure we have the regulatory certainty out there that actually empowers the very investment that helps us produce more energy and do it with good environmental stewardship. It ensures that if the EPA does decide to intervene, it must show that its action is necessary and that the decision takes into account factors such as job loss and energy supplies.

It will help States retain the right to regulate hydraulic fracturing within their borders. That makes sense, as I say, because States are the first and best responders to oil and gas issues and have been successful in developing oil and gas production regulations.

It would also allow a State to regulate hydraulic fracturing on Federal lands, such as BLM lands, as I mentioned earlier. In addition, though, the amendment would prohibit new burdensome Federal rules if a State or tribe already has those rules in place.

Again, the effort here is to make sure that we are empowering States to work with their industry and then, in turn, empowering those industries, through regulatory certainty, to help develop our energy future in this country and do it with good, consistent, common-sense regulation that empowers the

kind of investment that we want to see for job creation and economic growth.

Finally, the amendment allows for judicial review. It allows a State or tribe to seek redress for an agency's actions in a Federal court located within the State or the District of Columbia. Judicial review is very important in case there is a dispute in terms of what the EPA may require, what the State may require or what the industry feels is fair treatment.

In conclusion, the legislation recognizes that States have a long record of effectively regulating oil and gas development, including hydraulic fracturing, with good environmental stewardship. The measure works to ensure that the rules for hydraulic fracturing are certain, fair, effective, and environmentally sound. These are qualities we expect in good regulation.

As I said at the outset this morning in introducing a number of these amendments, to build the kind of energy plan for the future that we need we have to reduce the regulatory burden and at the same time empower the investment that will help us build the energy infrastructure we need to move energy safely and cost-effectively from where it is produced to where it is consumed in this country.

With that, I look forward to working with both the chairman of our Energy and Natural Resources Committee, who is bringing this legislation forward, and the ranking member in offering these amendments, voting on these and other amendments, and trying to get to the best product we can in terms of strengthening the energy plan for this country.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING SUSAN JORDAN

Mr. COATS. Mr. President, I come here during a sad time for Hoosiers. The beloved principal of Amy Beverland Elementary School in Lawrence Township, in the Indianapolis area, was seeing her students off after a day of school. A bus came around the corner to pick up the kids and accidentally lost control. The principal of Amy Beverland Elementary School, Susan Jordan, saw the bus coming, saw that it was going to hit the students, and put herself in front of them, and saved the lives of her young students. Two were injured seriously but will recover, but Principal Susan Jordan lost her life in doing this. The situation is still under investigation, but all elements and indications point to this as simply a tragic accident.

This story is not just one of tragedy, it is also one of heroism. As I said before, the bus struck her as Principal Jordan pushed several of her students out of harm's way. The principal, who came out of her office at school every day to help the students safely board the buses, lost her life in doing so. Those who knew her well—said that was not a surprising act. "It didn't surprise any of us Susan would sacrifice herself," said the district administrator for Lawrence Township. Shawn Smith, superintendent of the Lawrence Township schools, called Principal Jordan "a legend" and said that "we lost a great educator."

Susan Jordan served as principal of the school for 22 years. She was known for her cheery disposition and welcomed each classroom every morning.

The Gospel of John tells us that "greater love has no one than this: to lay down one's life for one's friends." The love that Susan Jordan had for her students should be an inspiration to us all.

We offer our deepest condolences to Principal Jordan's family and friends, to the students who were injured and their parents, and to all parents and students of the school. I know I join with all Hoosiers in mourning her loss and celebrating the life and impact of this talented, compassionate educator who paid the ultimate price for the students she loved so dearly.

WASTEFUL SPENDING

Mr. President, I rise to address something I have been doing on a weekly basis called "Waste of the Week." This is No. 31 of my visits down here to the floor to talk about the egregious waste, fraud, and abuse in spending by the Federal Government.

We hear so often that we just can't cut another penny, we just can't cut another dime out of this program because they have been subject to freezes or they have been subject to sequester, and, besides, we don't have the money to pay for it. Well, I have been highlighting small steps—because we haven't been able to achieve the big steps—small steps of ways that we can save taxpayer money and address Federal spending. So I have come down every week, and put up the board "Waste of the Week," and this week deals with a situation, once again, where we don't need to be in a position to spend taxpayers' dollars on what was already being done.

The Amtrak Police Department and the Drug Enforcement Administration participate in a joint task force that works to interdict passengers who are trafficking contraband on Amtrak trains. Amtrak information is available to the Drug Enforcement Agency at no cost from the Amtrak Police Department—two agencies that are working together. But despite this agreement, the DEA wasted hundreds of thousands of taxpayer dollars paying

just two Amtrak employees to do exactly what this task force was formed to do. So we have a task force of paid employees who are there for a specific purpose—providing information to DEA. The DEA says this is important information, but the task force also uses informants. These are people who work for Amtrak on the trains, and some of the information they provide is valuable.

According to an investigation by the Justice Department's inspector general, the DEA paid two Amtrak employees a total of—are you ready for this? Are you sitting down? Two paid Amtrak employees are getting a salary, they work for Amtrak, The DEA paid them a total of \$864,161 for information they have been providing to Amtrak and then giving to the DEA. The information probably was important, but over a period of 20 years, these payments went out to just two employees, this \$864,000-plus.

The IG's investigation concluded that when DEA officials sought approval to register these Amtrak employees as informants in the DEA's Confidential Source Program, the required documents did not indicate that these informants would be paid.

Let me stop for a minute and say that confidential sources are an important tool for our law enforcement agencies. Officials at the DEA actively use confidential informants to obtain information regarding drug trafficking or investigations. Some DEA officials have said they consider the information the confidential sources provide as the "bread and butter" of the agency.

My point today is not to question the use of confidential sources but to point out that Federal agencies like the DEA don't need to pay for information they already have access to. This is a waste of taxpayer dollars and poor stewardship of limited resources that fall in the category of "waste of the week."

Twenty years of the DEA paying for information that they were already supposed to receive at no cost without a second thought indicates a serious, systemic spending problem that spans multiple parties and Presidents. We must pull the plug on this type of waste. So today I add an additional \$864,161 to the taxpayer price tag for this already free information from Amtrak employees. We continue to add more, our gauge continues to rise, and we now are well over \$130 billion of waste, fraud, and abuse.

So let no one come down to this floor and say we can't take a penny away from this program or come down to the floor and say we don't have the money to pay for things that we ought to do or to return to the taxpayer. I am trying to show that government can be run much more efficiently and effectively.

I applaud the inspectors general and others who are looking into this waste,

but I want to bring to my colleagues' attention the fact that we have a lot of work to do, chipping away at this spending and waste and also looking at long-term, major financial fixes to our ever-careening plunge into debt and deficit.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that I be able to display for the Senate a model of the space shuttle.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that I be granted as much time as I might consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING THE CREWMEMBERS OF THE SPACE SHUTTLE "CHALLENGER", THE SPACE SHUTTLE "COLUMBIA", AND "APOLLO 1"

Mr. NELSON. Mr. President, 30 years ago today, it was very cold in Florida at the Kennedy Space Center. Both pads had been readied for the first time—a space shuttle on 39A and 39B—since the Space Shuttle *Columbia*, which was the 24th flight, was so late getting off the ground—indeed, for the better part of the month, from the first start and four scrubs starting December 19 but finally launching after the fifth try into a flawless 6-day mission on January 12, to return to Earth on January 18. In the meantime, on the other space shuttle launch pad, *Challenger*—the 25th flight—is being readied.

The night before the day of the launch, which is 30 years ago today, it was exceptionally cold in Florida. It got down to 25 degrees. Indeed, there were actually icicles hanging on the launch tower. As the crew arrived in the early morning hours—and there were holds all the way up until a little bit past 11 o'clock. At this point, the temperature had improved to 36 degrees. The icicles were still there, but it was above freezing. There was considerable consternation throughout the entire apparatus of NASA and its contractors—particularly the top managers, as well as the managers of the company that made the solid rocket boosters—as to whether there should be a launch, and the go was given.

Seventy-three seconds high into the sky above Florida, *Challenger* disintegrated. To a nation that had come to think that climbing in the space shuttle was like getting in your car and taking a Sunday afternoon drive, indeed this was quite a shock because the

entire technological prowess of the country 30 years ago was summed up in this magnificent flying machine that would go to orbit and would come back and would take 45,000 pounds of payload to orbit and would come back and land like an airplane, albeit without an engine. But that morning, it was to be different.

The only other astronauts we had lost were in getting ready for the Apollo program to go to the Moon. On the pad, in just a countdown test of the Apollo capsule—and the environment was an oxygen-rich environment. One of the three astronauts doing the practice countdown happened to kick a part of the spacecraft that had a wire that set an ignition, and in that oxygen-enriched environment, fire engulfed and claimed the lives of Gus Grissom, Ed White, and Roger Chaffee.

All those years when we did not even know what was going to happen when we went into space—when we launched John Glenn on that Atlas rocket that we knew had a 20-percent chance of failure—we didn't know enough about the human body in zero gravity and at those speeds to know what was going to happen to the human body. In all those years of experimentation and going to the Moon many times—even on the ill-fated *Apollo 13* where we thought we had three dead men in the Apollo capsule when that explosion occurred en route to the Moon, and yet miraculously this space industry and NASA apparatus came together and figured out real-time how to get them back and get them back safely, a crew headed by Jim Lovell. But it was not to be on the morning of January 28, 1986.

I have a scale model of 1 to 100 of the space shuttle, and I want to explain what happened that morning. As *Challenger* launched, it went through its sequence where they had to throttle back on the main engines as they went through part of the atmosphere getting maximum dynamic pressure, and then those famous words that came back from the crew that they were acknowledging: Go at throttle up.

The three main engines ignited a burning in the tail of the space shuttle, fueled by liquid hydrogen and liquid oxygen contained in the external fuel tank. They throttled up to 100 percent, and it was straight up and accelerating.

Here is what happened at 73 seconds. The solid rocket boosters are attached by struts to the external tank, which does not hold their fuel. Their fuel is a solid fuel. It has the consistency of the eraser on this pencil. Those ignite at T minus zero, each with about 3 million pounds of thrust. You definitely know you are going somewhere. But the cold weather had dealt us a devil's brew that day. These joints where they put together the solid rocket booster are sealed with a rubberized gasket, and

those rubber O-rings, because of the cold weather, had gotten stiff and brittle to the point at which it just so happened that at a point close to the external tank, the hot gases of thrust, instead of coming out the nozzle in the tail of the solid rocket booster, are coming out because the joint is not sealed because of that rubberized O-ring that has now become stiff and brittle from the cold weather, and the hot gases burned into the external tank, and that caused the explosion that all of us remember. That was played over and over on our television screens. That was what was such a shock to the American people.

Those seven souls—led by Dick Scobee as the mission commander, a test pilot; and by Mike Smith, the pilot in NASA terminology, the copilot, a test pilot; Christa McAuliffe, the schoolteacher from New Hampshire; Greg Jarvis, a payload specialist; Judy Resnik, a mission specialist; Ron McNair, a mission specialist; and Ellison Onizuka, a mission specialist—those seven souls perished as all of the explosion fell miles and miles down to the surface waters of the ocean and eventually the debris on the floor of the ocean.

There is a dramatic presentation at the Kennedy Space Center in the Atlantis exhibit showing a part of the *Challenger*, and I would urge anybody who goes to the Kennedy Space Center to go and see that. It is a very moving exhibit. It is an exhibit about the crew. That exhibit is not only about the *Challenger*, which was 30 years ago, that exhibit is about the next space shuttle that we lost. That was some 16, 17 years later, and it was on February 1, 2003. It was the Space Shuttle *Columbia*, the one that had launched just previous to the *Challenger* and the one on which this Senator was privileged to be a part of the crew, but this time it was destroyed for a different reason. It had launched a couple of weeks earlier and everything was fine, or so we thought, but it was not to be. During the launch, the external fuel tank that was carrying the very cold liquid hydrogen and liquid oxygen—in order to keep that cold, it is surrounded with insulation—had part of its insulation break off. It is about the size of an insulated Styrofoam tub. It is about this big, and that small piece of insulation broke off right here as *Columbia* was on ascent. As it accelerated and the speeds became very high, that piece of foam fell with high velocity right at the leading edge of the left wing. That is a carbon-carbon fiber very light in weight but very resistant to heat. Upon reentry, the front engines of the wing and the tip of the nose, all carbon-carbon fiber, get up to 3,000 degrees Fahrenheit. Of course everything was fine at that moment, even though there was a hole in the left leading edge of the wing during *Columbia's* 8½-minute ascent into orbit.

When it was time to go home on February 1, this crew of seven was about to meet their fate. As they were doing their deorbit burn, falling through space for half an hour and encountering the upper reaches of the atmosphere, the hot gases got in the leading edge of the wing—the orbiter had separated and was flying more like an airplane on descent—and heated it up, causing *Columbia* to burn up upon reentry. As a result, debris fell for miles and miles high over Texas.

Rick Husband, the commander; Willie McCool, the pilot; Mike Anderson, payload commander; David Brown, mission specialist; Kalpana Chawla, mission specialist; Laurel Clark, mission specialist; and Ilan Ramon, payload specialist. As the test pilot and hero of the Israeli Air Force that led the strike on Saddam Hussein's nuclear plant outside of Baghdad, Ilan Ramon had been chosen to fly on the space shuttle.

I remember when I met with the former President of Israel, Shimon Peres, the day before the reentry. He knew of my background, and he said: I want you to see this telecommunication that I got from Ilan Ramon. It said: Mr. President, on behalf of the Israeli people, I want to thank you for giving me this opportunity. The fact that you and then President Clinton have enabled me to be able to start in this astronaut program and fly in this mission is just incredible.

President Peres shared how that was so meaningful to him only a few hours before *Columbia* did its deorbit burn and went into the pages of history.

So it is with a heavy heart that I come to the Senate floor on the 30th anniversary of the *Challenger* tragedy to pay tribute to the *Challenger* crew and also to the *Columbia* crew. It is solemn, but what they and the *Apollo 1* astronauts sacrificed—and what so many other astronauts in training have sacrificed through training mishaps—is not forgotten and it is not in vain because we are going to Mars.

It is not going to look like this because we learned our lesson. This was a fantastic flying machine, but it was an inherently risky design because the crew in the orbiter is on the same side as the stack of explosives, which resulted in two terrible tragedies that occurred. The new American rockets that will fly in September of 2017—in less than 2 years—to and from the International Space Station look like they have gone back to the old *Apollo* design, but, in fact, the new rockets have updated crew compartments in the spacecraft that will sit on the top of the rocket so that in the event of an explosion, even on the pad or all the way into orbit, you can save the lives of the crew by detaching the explosive rockets from the spacecraft and getting them safely away from the explosion. It will save the crew either by

landing under its own power or having parachutes that will let it down gently.

The fact is that by our nature we are explorers and adventurers, and we never want to give that up. It is a part of our DNA, it is a part of our character, and it is a part of our vision. We used to go westward as we developed this country into that new frontier. Now we will continue to go upward. We are going to Mars in the 2030s, and that is going to be a great day in that decade.

You will see us build on that in 2 years. Americans will have launches on new spacecrafts which will be on the top of rockets and in 3 years a full-up test of the largest rocket ever put together by mankind on the face of this planet, the space launch system and its spacecraft, *Orion*. It will have its first up test flight in 2018.

So in the memory of the *Challenger* crew, the *Columbia* crew, and the *Apollo 1* crew, we stand on their shoulders as we continue to explore the heavens. We thank them for their courage, their sacrifice, and their pioneering spirit. That is what I wanted to share on this 30th anniversary of the tragedy of the Space Shuttle *Challenger*.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I ask unanimous consent that following my remarks, Senator BROWN of Ohio be permitted to speak.

THE PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT DEBT CRISIS

Ms. BALDWIN. Mr. President, I come to the floor today because I think that higher education should be a path to prosperity, not a path to suffocating debt; however, today in America we have a student debt crisis that demands action from Washington because it is holding back an entire generation and creating an economic drag on the growth of our country.

Unfortunately, the Republican majority here in the Senate continues to ignore this crisis at a time when we really should be working across the party aisle to put in reforms that make college more affordable for students and their families who are struggling and in desperate need of action. That is why last week Senate Democrats officially launched our “In the Red” campaign in order to confront the student debt crisis and address college affordability.

Our legislative reform package includes three commonsense initiatives that deserve to be debated and deserve a vote. First, we are calling for action to address the significant loss in value of Pell grants by adjusting them for inflation; second, we are pushing to allow borrowers to refinance their existing student loans at lower rates; and third, we are making 2 years of community college or technical school free for students who are willing to work for it.

In his State of the Union Address—not the one he gave a couple of weeks ago but the one he gave last January in 2015—President Obama called on us here in Congress to make a bold investment in our Nation's students, in our Nation's workforce, and in the future of our economy by making 2 years of community college free.

In July, I answered that call and introduced legislation, the America's College Promise Act, aimed at providing students with a stronger and more affordable opportunity to gain the skills they need to compete, succeed, and prosper by making an investment in our workforce readiness, our economy, and our future. I am proud that this legislation is a pillar of the Senate Democrats' effort to reduce student debt in 2016 and to put our country on a path toward debt-free college. Learning from successes in States such as Tennessee and Oregon, the America's College Promise Act will create a new partnership between the Federal Government and States to help them waive resident tuition for 2 years of community or technical college programs for eligible students. This new partnership will provide a Federal match of \$3 for every \$1 invested by the State to waive community college tuition and fees for eligible students. With this legislation, a full-time community college student could save an average of around \$3,800 in tuition per year.

As cochair of the Senate's career and technical education caucus, I am especially proud that this reform takes a critical step to strengthen workforce readiness at a time when America needs to out educate and compete with the rest of the world in a 21st century skills-based economy. The idea that the next generation will be able to go further and do better than the last is at the heart of the American dream, and the solutions that we are offering today deserve a vote in this Congress.

It is my hope that our colleagues on the other side of the aisle will join us in confronting the student debt crisis and supporting these commonsense reforms that not only make higher education affordable but can help give more Americans a fair shot at pursuing their dreams.

I thank the Presiding Officer, and I yield back my time.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator BALDWIN, especially for her terrific work on higher education. She knows the value of higher education to the residents of Wisconsin, Louisiana, and Ohio.

I ask unanimous consent that after my remarks, the next speaker be Senator REED of Rhode Island.

THE PRESIDING OFFICER. Without objection, it is so ordered.

EARNED INCOME TAX CREDIT AWARENESS DAY

Mr. BROWN. Mr. President, tomorrow is Earned Income Tax Credit

Awareness Day—a day, as we approach the tax season, for getting the word out about this tax credit that is a lifeline for working families.

The EITC provides an incentive to work. It puts thousands of dollars back into the pockets of low-wage and moderate-wage workers every year. President Reagan called it “the best anti-poverty measure to come out of Congress.”

The work that Senator REED and others and I did on the earned-income tax credit this year to permanently expand it was called by some organizations the most important anti-poverty initiative, except for the Affordable Care Act, in the last 20 years that Congress has done.

Last year 27 million American households—950,000 households just in my State alone, in Ohio—claimed the EITC and received an average refund of \$2,400. So for somebody making \$15,000 or \$20,000 or \$30,000 a year, when they file their taxes in February or March, they literally can get a check from the Federal Government, on average—I am not promising everybody specific amounts because each situation is different—on average, they will get a check for \$2,400.

One of the best things this body did last year was to permanently expand the earned-income tax credit, but there is still more we need to do. There is one glaring hole in the program we need to fix. Under current law—back up a little bit.

The earned-income tax credit was aimed primarily at families with children but not entirely. Under current law, workers without children, somebody making \$15,000 a year or somebody making \$11 an hour, making \$22,000, \$23,000 a year but having no children—no spouse, no children—those workers making minimum wage barely receive any earned-income tax credit. Childless workers under 25 don't qualify for these credits at all. That means that a young worker—somebody making \$9 or \$10 an hour without children—can actually be taxed deeper into poverty. Why is that? Well, if a worker is making \$9 an hour working full time—doing their best, not getting paid much—they are paying the payroll tax, the Social Security tax. The taxes they pay actually push them down below the poverty line. Why would we possibly in this country—we say in this body we value work. We say we care about people who are working hard and playing by the rules and we want them to get ahead, but then we fail to provide that earned-income tax credit and we tax them back below the poverty line. Why would we do that? Part of the reason is that last year when we were successful in expanding the earned-income tax credit permanently, there was resistance from some sort of ultraconservatives in this body—some tea party Republicans—there was resistance to ex-

panding it to these workers who are working hard but don't have children. How are they going to plan families or plan for the future if they are always struggling paycheck to paycheck and get no help?

We need to do more to ensure that families who are currently eligible know about the EITC. Right now, even with the discussion—I appreciate the Presiding Officer from Louisiana and his interest in this. I know people in Louisiana, like people in Ohio—not everybody knows about it. One-fifth of families in this country who are eligible, who can claim the earned-income tax credit when they file their taxes, 20 percent of them don't know and don't file for it. That means those 20 percent are leaving about \$2,000 on the table that they could use to fix their car or pay off a payday loan, buy their kids shoes or maybe occasionally go out to a restaurant once a month and get a nice dinner.

With Federal tax filing season opening last week, we need to make sure that every American gets as much of her hard-earned money back into her pocket as possible; that every American gets as much of his hard-earned money back in his pocket as possible. We need to get the word out about tax credits that working families can claim and the services available to help them get their maximum refund. Filing taxes is complicated, and it can be particularly challenging for families claiming the earned-income tax credit, but getting help doesn't need to be expensive. Here is how.

One tool that is available is the IRS Free File Program. If you go to the irs.gov Web site or, if you live in Ohio, go to the brown.senate.gov Web site and type in your ZIP Code, the commercial partners of the IRS offer free brand-name software to individuals and to families with incomes of \$62,000 or less.

For families claiming the EITC, they can visit what is called the Voluntary Income Tax Assistance—the VITA site—the Voluntary Income Tax Assistance site. Go into brown.senate.gov if you live in Ohio or go to irs.gov, type in your ZIP Code, and you can see what VITA sites are available.

Someone just told me yesterday they entered their ZIP Code and found out that a VITA site—the Voluntary Income Tax Assistance site—was within walking distance from her home. Ohioans, as I said, can go to my Web site, brown.senate.gov, type in their ZIP Code, and they will find a map and the nearest site.

VITA sites are not only free, they are more reliable. The majority of EITC errors result from returns filed by paid tax preparers. All VITA volunteers are trained by an organization partnering with the IRS.

So if you make less than \$60,000 a year, you can go to one of these VITA

sites, the Voluntary Income Tax Assistance sites, and you will find out—they will do your taxes with you for free, and they will find out if you are eligible for the earned-income tax credit. If you are eligible for the earned-income tax credit this year and you didn't file, it is possible you can claim your tax credit from calendar year or tax year 2014 also. So you may get a \$3,000 credit this year—a check. You may get another \$2,000 for last year. It is money you earned. It is money you earned because you worked hard, you did your best, you maybe only made \$25,000 a year, but you are eligible for this tax credit.

Millionaires and billionaires and Members of Congress and people who are doing pretty well financially in life, most people like that have an army of lawyers and accountants and people who do their taxes for them, and they claim every possible tax credit, every possible tax deduction, every possible tax advantage they can get. People who fill out their own earned-income tax credit—their own taxes, if they are making \$20,000 or \$30,000 a year, don't have that sophistication and don't have the money to hire those lawyers and accountants, so oftentimes they are not getting every tax credit or every tax deduction they can get. That is why it is so important for people to visit these VITA sites and it is why it is so important that people have that opportunity.

We need to ensure that working families know about the resources available to help them claim their refunds, including the earned-income tax credit and the child tax credit—refunds that, I repeat, they have earned. We reward work. We give people a little help when they are working hard for low wages. We should raise the minimum wage. We should do some other things. We should push the Department of Labor to move a little faster on its overtime rule so people who are working more than 40 hours are getting time and a half that they have earned. As much as wages have been stagnant in this country, I want to see people who are working hard be able to get ahead and get every advantage they possibly can.

This body took a strong stand in December in support of an expanded permanent earned-income tax credit and a permanent child tax credit. I hope on EITC Awareness Day we will recommit ourselves to doing the same thing this year.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first let me commend Senator BROWN for his very thoughtful and articulate comments on the earned-income tax credit.

Mr. President, I am very glad that the Senate is taking up the issue of energy this week. The bill we are debating takes positive steps forward to encourage energy efficiency in Federal

and commercial buildings, modernize the electric grid, and boost renewable sources of energy.

I am particularly pleased that provisions I have worked on, on a bipartisan basis with Senators COONS and COLLINS, to enhance the Weatherization Assistance Program and the State Energy Program are included. These provisions improve these programs that help low-income Americans reduce their energy bills by making their homes more energy efficient, and many of these individuals are senior citizens who are day-by-day struggling on fixed incomes, trying to pay not just a heating bill but the grocery bill and many other bills. I have long championed these cost-effective programs that are helping families across my State and across the Nation to provide a warm and safe home while also increasing energy efficiency.

Indeed, weatherization to me is one of the most sensible steps. It is in some respects the low-hanging fruit. If we can reduce demand, then we can go a long way not only in terms of our energy situation but also our environmental situation.

We are here today because of the great work of the Chairwoman, Senator MURKOWSKI, and the Ranking Member, Senator CANTWELL. They have done an extraordinary job. I am not surprised, as they are extraordinary Members of this body. I want to personally thank them and commend them for what they have done not just in this effort but in many other efforts. Indeed, I have joined Senator CANTWELL as a cosponsor of her bill that goes so much further than the current bill on the Senate floor to modernize our current electrical infrastructure and promote greater use of domestic energy and renewable energy. I would like to extend my thanks and commendations to both Senators.

One area that I believe needs further focus as we move forward is the issue of energy storage. I am glad to be working with my colleague from Nevada, Senator HELLER, on amendments that support more efficient use of Federal funding for energy storage research at the Department of Energy and encourage energy storage usage in public utilities.

Advances in energy storage, advances in batteries—and sometimes it is the same thing—can help improve the reliability, resiliency, and flexibility of the grid as well as reduce the potential for future rate increases, saving us all money on our utility bills.

Senator HELLER and I have submitted two amendments that we hope will spur action in this area. One amendment would give the Secretary of Energy the ability to coordinate energy storage research and development projects among the existing programs at DOE to maximize the amount of funding that goes toward research and

minimize administrative costs. We feel it does not have that flexibility at the moment.

I also joined Senator HELLER in offering another amendment, in which he is indeed the lead sponsor, which amends the Public Utility Regulatory Policies Act so industry and State regulators must consider energy storage when making their energy efficiency plans.

I also, in addition to these proposals, would like to use this opportunity to encourage greater attention to the financial impacts of climate change caused by energy consumption. It is clear not only that the SEC needs to do more when it comes to critically reviewing disclosures being filed by publicly traded companies, but also that the SEC's disclosure industry guides for mining companies and oil and gas companies should be updated to reflect the growing risk of climate change to these companies and, in effect, to their shareholders.

That is why I am offering an additional amendment that directs the SEC to update these industry guides as well as to consider and incorporate appropriate suggestions from the United Nations Environment Programme Finance Initiative's report entitled "Climate Strategies and Metrics: Exploring Options for Institutional Investors," which was published in 2015.

These disclosures are important to institutional investors such as Allianz Global Investors, for example, which is a global diversified active investment manager with \$477 billion in assets under management, which has specifically called for "achieving better disclosure of the effects of carbon costs on the oil and gas companies." What we are trying to do is respond to the growing demand of investors and shareholders so they can make better judgments about their investments.

It is also important for us to continue to invest in our energy infrastructure and support cutting-edge technological advancements while effectively monitoring the effects of our energy consumption on our economy and our environment. One way of doing this is once again to have assurances that investors have the knowledge they need to make wise decisions about their investments.

All told, this is very responsible and appropriate legislation. We can make improvements. I hope the amendments I have proposed, along with Senator HELLER, can get favorable consideration as we move forward.

Once again, let me thank Senators MURKOWSKI and CANTWELL for extraordinary leadership.

With that, Mr. President, I yield the floor.

Mr. DAINES. Mr. President, modernizing our Nation's energy policy is vital to protecting our national security. The bill that we are discussing today advances our Nation's energy

independence and provides for new measures to defend our critical infrastructure. Specifically, cyber threats challenge the security of our Nation and the integrity of our energy infrastructure. This bill will formally introduce the foundational principles of cyber security into our Nation's energy security calculus.

However, challenging the Department of Energy to enhance the cyber security of our Nation's electric grid is not enough if the Department of Energy does not have the requisite cyber experts to fulfill the mission. The amendment I submitted today, amendment 3119, will address the gap between the Department of Energy's mission to keep our Nation's energy infrastructure safe from cyber attacks and the Department of Energy's ability to actually do it.

Currently, the bill provides for a 21st Century Energy Workforce Advisory Board composed of nine members. The purpose of this board is to anticipate the needs of the future energy workforce. While the bill requires that the board members be representative of disciplines such as labor organizations, education, and minority parties, nowhere does the bill require that a single member of the board have any background on cyber.

My amendment requires the membership of the 21st Century Energy Workforce Advisory Board to include representation from the cyber security discipline. This amendment better positions the advisory board to integrate cyber security into the energy sector's workforce development strategy for the 21st Century and ultimately provides a mechanism to bring cyber security expertise to the energy sector.

Hardening the electric grid and the Nation's energy supply chains against cyber security threats is a critical component to protecting our national energy infrastructure. This amendment lays the foundation to ensure that the Department of Energy has the right cyber security experts to defend these vital national security assets.

I urge my colleagues to join me in supporting this important amendment.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMBASSADOR NOMINATIONS TO NORWAY AND SWEDEN

Ms. KLOBUCHAR. Mr. President, I came to the Senate floor earlier this month to talk about the importance of moving forward on the nominations of the Ambassadors to two important allies to the United States of America,

and that is Norway and Sweden. These are countries that have been our true friends through many wars. They have been our true friends economically—some of the top investors in America—and they have been countries that are good examples of democracy and good examples of countries that believe in human rights. Yet we have not been able to confirm an ambassador to either country.

I do want to, first of all, say that in the case of Sweden, it has been 462 days since the President nominated Azita Raji to be Ambassador, and in the case of Norway, it has been 853 days since that country has had a U.S. Ambassador. I will get to those details. In this case, the nominee is Sam Heins from the State of Minnesota, where, by the way, we have over 1 million people of Scandinavian descent—1.5 million people who do not understand why every major nation in Europe has an ambassador but not these two Scandinavian countries.

I thank Senator McCONNELL, the majority leader, and Senator REID for their work in trying to advance these nominees to the floor. They have negotiated. Senator CORKER and Senator CARDIN are both supportive of these nominees.

I think it is important to note that this is not a typical story of delay. These nominees went through the committee without any objection. They were not controversial, nor are they controversial today. It is a fact that Senator CRUZ has some issues that are completely unrelated to these nominees but also completely unrelated to Norway and Sweden. The issue is that while Senators do from time to time put temporary holds on nominees, this has gone on too long, and I am hopeful—in an article today in the Minneapolis Star Tribune about irked Scandinavians in our State, Senator CRUZ's staff has said that they are engaged in good-faith discussions with other Senators and have made clear there have been no issues raised with these particular nominees in this story. I think that is very important, and we hope we are going to move forward.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Minneapolis Star Tribune.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Star Tribune, Jan. 27, 2016]

MINNESOTAN SCANDINAVIANS IRKED AS TED CRUZ BLOCKS AMBASSADOR NOMINEES

(By Allison Sherry)

NORWAY HAS BEEN WITHOUT AN AMBASSADOR FOR MORE THAN 800 DAYS AND SWEDEN TOPS 400 DAYS WITHOUT A U.S. REPRESENTATIVE

WASHINGTON.—Presidential hopeful Sen. Ted Cruz is blocking a vote in the U.S. Senate to confirm the Norwegian and Swedish ambassador nominations.

The move by the Texas Republican has angered some members of Minnesota's sizable Scandinavian communities, as Norway has been without an ambassador for more than 800 days and Sweden tops 400 days without a U.S. representative.

Staffers from Cruz's office didn't say anything negative about the people appointed by President Obama to the posts, including Norway ambassador nominee Sam Heins from Minnesota. Cruz has continued to block the nominees as he has worked to build support for another initiative that is putting him at odds with the White House.

Cruz, who is critical of the Chinese government, has lobbied his Senate colleagues to rename a street in Washington, D.C., after a polarizing Chinese dissident—an idea that has been thwarted by fears of crippling diplomatic efforts between the two countries.

"Senator Cruz remains engaged in good-faith discussions with his colleagues regarding the holds he announced because of his serious concerns about the Obama administration's foreign policy," said Cruz spokesman Phil Novack.

The White House renewed its calls for a swift vote on the ambassador nominees.

"The president has nominated two unquestionably qualified individuals to be the U.S. ambassadors to Sweden and Norway," said White House press secretary Eric Schultz. "We urge the Senate to act."

Minnesotans closely watching the issue are angered by the delay, saying it is souring relations with two staunch U.S. allies.

"There's a crisis in a relationship between our two countries," said Bruce Karstadt, president and CEO of the Minneapolis-based American Swedish Institute. "I don't really quite understand that any statement is being made other than we're ignoring you."

Cruz's office says he remains in negotiations about lifting the procedural blocks on the nominations, citing a July 2015 letter to the Obama administration outlining concerns about the Iran nuclear deal as one of the reasons he is objecting to political appointments.

Since that letter, though, two political appointments—state appointees to Barbados and the U.N. Economic Council—have passed the Senate without Cruz's hold.

Temporary holds are relatively common and are also used by Democrats to protest administration policy. Earlier this week, for example, Massachusetts Democratic Sen. Edward Markey placed a hold on Obama's nominee to head the Food and Drug Administration unless the administration agrees to reform its process for approving painkiller medications.

Cruz's protests delaying votes on the Scandinavian ambassador nominations irks Democratic U.S. Sen. Amy Klobuchar, who points out that Minnesota is home to the second-largest number of Norwegians in the world, outside of Norway. The two nominees passed through the GOP-controlled Senate Foreign Relations Committee, so Klobuchar wants a vote on the Senate floor even if Cruz votes against them.

Klobuchar points out the business relationships between the countries and that Norway and Sweden have shouldered much of the burden of the European refugee crisis in recent years. "It's no way to treat your friends," she said. "The point is all these other European nations have ambassadors. Why would you put a hold on two of our best allies from having ambassadors?"

Democratic U.S. Sen. Al Franken said he also would increase pressure for a vote. "We need to move on ambassador openings for

both Norway—where there's a highly qualified Minnesota nominee who has yet to be confirmed—and Sweden," Franken said. "I'm going to continue pressing to get these positions filled."

Norway and Sweden are two of the largest investors in the U.S. economy. Norway is invested in more than 2,100 American companies, which amounts to about \$175 billion. It also has about \$94 billion in U.S. bonds and \$5 billion worth of U.S. real estate. Meanwhile, the U.S. exports \$9 billion in goods and services to Sweden, a country that supports about 330,000 American jobs annually, embassy officials said.

Leif Trana, a minister counselor at the Norwegian Embassy in Washington, pointed out that his country just committed to 52 fighter jets from Lockheed Martin—all of them made at a Lockheed plant in Cruz's home state of Texas.

"Norwegians have long had a great affinity for the United States," Trana said. "After the E.U., this is our place where most Norwegians both travel to [and] study."

The Norwegian post has been a beleaguered one for years.

President Obama first nominated businessman George Tsunis, a New York contributor who had raised more than \$1 million in campaign cash for him. Tsunis quickly proved unqualified for the job. During an appearance before the Senate Foreign Relations Committee, Tsunis referred to Norway's prime minister as "president" and could not identify potential U.S. trade opportunities with Norway. One member of the Norwegian parliament was so offended by Tsunis that he demanded an apology from Obama.

Minnesota's delegation, led by the Democrats, urged Obama to withdraw the nomination. He did, and in May 2015 he nominated Heins, a Minnesota lawyer and human rights advocate. Heins, too, was a major contributor and bundler for the president's election campaigns.

For the Sweden post, Obama nominated Azita Raji, an Iranian-born former Wall Street executive. Her nomination has been mostly uncontroversial and passed out of the Senate Foreign Relations Committee last summer.

Jon Pederson, board chairman of the Minneapolis-based Norway House, said it's shameful to play politics with the ambassador posts.

"This position is important," Pederson said. "Left unfilled like this is a slap in the face to Norway."

Ms. KLOBUCHAR. There are just a few quotes from people who are not in politics at all.

"There's a crisis in a relationship between our two countries," said Bruce Karstadt, president and CEO of the Minneapolis-based American Swedish Institute. "I don't really quite understand that any statement is being made other than we're ignoring you."

I will give another example. Leif Trana, a Minister Counselor at the Norwegian Embassy in Washington, pointed out that his country just committed to 52 fighter jets. I believe each one is over \$200 million. Norway is purchasing these jets from Lockheed Martin, a U.S. company, and all of them are going to be made in a Lockheed Martin plant in the State of Texas. Imagine how many jobs this provides and that we would consider not sending an ambassador to a country that not only sees us as an ally—and is allied,

by the way, in our issues we have in our conflict with Russia.

The Minister Counselor at the Norwegian Embassy goes on to say:

Norwegians have long had a great affinity for the United States. After the E.U., this is our place where most Norwegians travel to and study.

This is the last quote I will give you from this article today:

Jon Pederson, board chairman of the Minneapolis-based Norway House, said it's shameful to play politics with the ambassador posts. "This position is important," Pederson said. "Left unfilled like this is a slap in the face to Norway."

Let's go through what has been going on—853 days in the case of Norway. The first nominee who was nominated, as explained in this article, did not go well. There were issues on both sides of the aisle. That person withdrew his name. That is part of the delay, and we will acknowledge that, but a big chunk of the recent delay is because there has been a hold—not at the committee level—that went through quickly with Senator CORKER and Senator CARDIN's guidance—but on the floor. In the case of Sweden, it has been a delay of 462 days for a noncontroversial nominee. At the same time, in the last few months, Ambassadors have been confirmed for 38 countries. Two of those were actually political appointees. They were not career, as the rumor is; two were considered political appointees. Barbados, Ecuador, Poland, and Thailand all have Ambassadors. There is an ambassador from the United States in France, of course. There is an ambassador in England, of course. There is an ambassador in Italy. There is an ambassador in Germany. There is an ambassador in Bulgaria but not in Sweden and Norway. We, in fact, have an ambassador in nearly every European nation but not in these two Scandinavian countries.

There have been no questions about the qualifications of these two nominees. I will put those qualification on the record, but I wanted to focus more on the actual countries, Norway and Sweden. They are incredibly important allies and trading partners. They deserve to be treated like other European nations. They deserve to have an ambassador from the United States of America, and it is time to get this done.

Diplomatic relations between the United States, Norway, and Sweden are almost 200 years old. For 200 years we have had Ambassadors in these countries. Holding a vote to confirm frontline Ambassadors hostage is not in the best interest of our country.

Let's start with Norway. Norway was a founding member of the NATO alliance, and its military has participated in operations with the United States in the Balkans and in Afghanistan. Norwegians work alongside Americans in standing up to Russia's provocations in

Ukraine, in countering ISIS and the spread of violent extremism, and in strengthening regional cooperation in the Arctic. Norway has been especially strong on working to check Russian aggression against Ukraine.

Norway has also played an important role in the Syrian refugee crisis. Norway has a proud history of providing support to those fleeing conflict. It expects to take in as many as 25,000 refugees this year. It has already provided more than \$6 million to Greece to help respond to the influx of refugees seeking a way to enter Europe.

All of us on both sides of the aisle have talked about the importance of a strong Europe during these trying times. Yet now we have no Ambassadors in two of the countries that are on the frontlines of combatting extremism and addressing the refugee crisis.

Sweden, like Norway, plays an important role in national security and on the international stage. Sweden is a strong partner and close friend of the United States, helping in our fight against ISIS, promoting democracy and human rights, and cooperating on global initiatives related to clean energy and the environment.

Sweden is a partner in NATO and is an active global leader, from its long-term investment in Afghanistan, to its role as an international peacemaker. Sweden has supported Ukraine against Russian aggression, has made significant contributions in Afghanistan, and has aided in the fight against terrorism in Syria, Iraq, Kosovo, and the current fight against ISIS.

Sweden is a member of the counter-ISIL coalition and is on the frontlines of the Syrian refugee crisis. More than 1,200 refugees seek asylum in Sweden every day, and Sweden accepts more refugees per capita than any other country in the EU. That is what is happening right now. They are accepting more refugees per capita than any other country in the EU. Yet we don't have an ambassador to that country. We have an ambassador to Germany. We certainly know they are playing a role in this refugee crisis. We have an ambassador, of course, to Greece. But we don't have an ambassador to this country.

The United States has collaborated with Sweden to strengthen human rights, democracy, and freedom in countries emerging from oppressive and autocratic regimes. Sweden's commitment to promoting human democracy, human rights, gender equality, and international development and sustainability make it a respected leader in international affairs.

Now let's look at economic partnerships.

I do hope my colleagues on the other side of the aisle who have all been very supportive of this will talk to Senator CRUZ the next time they see him. I plan on asking for unanimous consent to get

these nominees through repeatedly in the next month. I am hoping Senator CRUZ will be here to explain this, and I am hoping we can find some agreement on this because, again, this is not a typical case where these nominees have been criticized or questioned, including by his own office. This is a case of simply some other issues that are not related to the nominees or to the countries, and these countries should not be held hostage.

Norway is an important economic partner. According to the American Chamber of Commerce, Norway represented the fifth fastest growing source of foreign direct investment in the United States between 2009 and 2013. Of course, visiting Senator HOEVEN's and Senator HEITKAMP's State of North Dakota, I have seen the investments in oil and in drilling in North Dakota from the Scandinavian countries because of their history in that industry.

Norway is the 12th largest source of foreign direct investment in the United States. Think about that. There are over 300 American companies with a presence in Norway, including 3M of Minnesota, Eli Lilly, General Electric, IBM, McDonald's, and others. By not having an ambassador to Norway, we are sending a message to some of the top investors in our own country. The Ambassadors in these countries, as we know, are our trading partners and help businesses in America do business in that country. While there are national security issues, there is also an economic purpose of having an ambassador.

In October, Norway reiterated its commitment to invest in American businesses by purchasing an additional 22 F-35s from Lockheed Martin. That is a total of 52 fighter jets Norway is committing to buy from Lockheed Martin. The first will arrive in 2018. This is the biggest investment Norway has ever made in the country's history, and they are investing in a company in our country, in the State of Texas. These are warplanes that will be built at Lockheed's facility in Fort Worth. I called attention to this fact. I know it is a cost of almost \$200 million per plane. This country is investing in American jobs—\$200 million per plane—and they are buying 22 more. You can do the math.

Lockheed Martin and other American companies that do business with Norway would like to see an ambassador there to help facilitate relations.

Now let's get to Sweden. Sweden, like Norway, is also one of the biggest investors in the United States. Sweden is actually the 11th largest direct investor in the United States, while Norway is 12th. I would think some people might be surprised by that fact that these two Scandinavian countries are that high on the list when you look in the world, but, in fact, it is true. They

are the 11th and 12th investors in the United States. Sweden's foreign direct investment in the U.S. amounts to roughly \$56 billion and creates nearly 330,700 U.S. jobs.

U.S. companies are the most represented foreign companies in Sweden. Swedish-Americans have contributed to the fabric of our great Nation and built successful companies such as Walgreens, Greyhound, and Nordstrom.

Economically, Sweden is highly dependent upon exports and is one of the most internationally integrated economies in the world. The United States is Sweden's fourth largest export market, with Swedish exports valued at an estimated \$10.2 billion. Now, does this sound like a country where we just decide we are not going to have an ambassador, yet we give ambassadors to all these other nations all across the world? That just doesn't seem right.

Sweden is a significant export market for my State of Minnesota, with \$131.5 million in sales through November of last year. Sweden, like Norway, deserves to have an ambassador.

Speaking of the Minnesota ties here, the economic and cultural influence of Norway and Sweden is strongly felt throughout the United States. I will say that Minnesota has a special one. In fact, one of the most notable attractions in Madison, MN, is a giant 25-foot-long fiberglass cod named "Mr. Lou T. Fisk." That is a little Scandinavian joke here late in the afternoon. That is a lutfisk—"Mr. Lou T. Fisk." Anyone from Norway or Sweden knows that lutfisk is a traditional Norwegian food. Madison, MN, is so proud of its Nordic heritage that they once took Lou, the giant fish, on a national tour in the back of a truck. That was many, many years ago, but the fiberglass cod—the largest fiberglass cod in the world—is still displayed in our State.

We have about 100,000 people of Norwegian heritage in Minnesota, second only to Norway itself. We have 500,000 Swedish Minnesotans. Think of how many. That is a good chunk of our population. So we are very proud of our Nordic heritage.

That is my State. I think you could go around any State in the United States and there you would find proud Norwegians and Swedes. They may not always be the loudest voices, and maybe that is part of the problem. Maybe they have been too nice. But I can tell you that these two countries are the 11th and 12th biggest investors in the United States of America. One of them has been willing to buy 52 fighter planes valued at nearly \$200 million each from our Nation.

They certainly deserve an ambassador. They have been very clear to me—the representatives of these companies—that they would like to see an ambassador. At some point this looks like a "dis" from our Nation—that we

are "dissing" them because we allow every other Nation to have an ambassador.

We look forward to working with Senator CRUZ. Again, I thank Senator MCCONNELL and Senator CORKER for their support. We haven't seen any other concerns that people have that have not been taken care of. So I am hopeful we can get Sam Heins and Azita Raji immediately confirmed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3029, 2984, 3001, 3063, 3020, AND 3067 TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, we are now ready to process a handful of amendments with a series of voice votes.

I ask unanimous consent that the following amendments be called up and reported by number: Barrasso amendment No. 3029; Baldwin amendment No. 2984; Wyden amendment No. 3001; Capito amendment No. 3063; Daines amendment No. 3020; and Hirono amendment No. 3067.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for others, proposes amendments numbered 3029, 2984, 3001, 3063, 3020, and 3067 to amendment No. 2953.

The amendments are as follows:

AMENDMENT NO. 3029

(Purpose: To provide for the modernization of the energy policy for Indian tribal land)

(The amendment is printed in the RECORD of January 27, 2016, under "Text of Amendments.")

AMENDMENT NO. 2984

(Purpose: To include water and wastewater treatment facilities among energy-intensive industries and to expand the role of the institution of higher education-based industrial research and assessment centers)

On page 125, strike lines 3 through 7 and insert the following:

(A) in paragraph (2)—

(i) by redesignating subparagraph (E) as subparagraph (F); and

(ii) by inserting before subparagraph (F) (as so redesignated) the following:

"(E) water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and";

(B) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(C) by inserting after paragraph (2) the following:

On page 129, strike line 4 and insert the following:

ment of Energy.

"(7) EXPANSION OF TECHNICAL ASSISTANCE.—The Secretary shall expand the institution of higher education-based industrial research and assessment centers, working across Federal agencies as necessary—

"(A) to provide comparable assessment services to water and wastewater treatment facilities, including systems that treat municipal, industrial, and agricultural waste; and

"(B) to equip the directors of the centers with the training and tools necessary to provide technical assistance on energy savings to the water and wastewater treatment facilities.".

AMENDMENT NO. 3001

(Purpose: To modify a provision relating to national goals for geothermal production and site identification)

In section 3005(2), insert " , through a program conducted in collaboration with industry, including cost-shared exploration drilling" after "available technologies".

AMENDMENT NO. 3063

(Purpose: To require a study of the feasibility of establishing an ethane storage and distribution hub in the United States)

At the end of subtitle B of title III, add the following:

SEC. 310 . . . ETHANE STORAGE STUDY.

(a) IN GENERAL.—The Secretary and the Secretary of Commerce, in consultation with other relevant Federal departments and agencies and stakeholders, shall conduct a study of the feasibility of establishing an ethane storage and distribution hub in the Marcellus, Utica, and Rogersville shale plays in the United States.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of, with respect to the proposed ethane storage and distribution hub—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above-ground storage capabilities;

(F) infrastructure needs; and

(G) other markets and trading hubs, particularly hubs relating to ethane; and

(2) the identification of potential additional benefits of the proposed hub to energy security.

(c) PUBLICATION OF RESULTS.—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of Commerce shall—

(1) submit to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate a report describing the results of the study under subsection (a); and

(2) publish those results on the Internet websites of the Departments of Energy and Commerce, respectively.

AMENDMENT NO. 3020

(Purpose: To provide for the reinstatement of the license for the Gibson Dam project)

On page 229, after line 22, add the following:

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (b) has expired before the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

AMENDMENT NO. 3067

(Purpose: To modernize certain terms relating to minorities)

At the end of subtitle H of title IV, add the following:

SEC. 47. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent” and inserting “Asian American, Native Hawaiian, a Pacific Islander, African-American, Hispanic, Puerto Rican, Native American, or an Alaska Native”.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended in the third sentence by striking “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts” and inserting “Asian American, Native Hawaiian, Pacific Islanders, African-American, Hispanic, Native American, or Alaska Natives”.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Ms. CANTWELL. Mr. President, reserving the right to object. I will not object. I just want to thank my colleague from Alaska for her hard work in working on both sides of the aisle today on these amendments: the Barrasso amendment about energy reported out of the Indian Affairs Committee, the Baldwin amendment about water treatment, the Wyden amendment on U.S. geothermal, the Capito amendment on ethane storage facilities, the Daines amendment on hydro license issues, and the Hirono amendment on removing offensive language in the DOE Organization Act.

Members have worked very hard throughout the day on these issues, and I just want to make this point, as my colleague and I try to finish working through the rest of this week and into next week to wrap up this bill, and thank all our colleagues for helping us on this.

I will not object and am glad we got to this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3029, 2984, 3001, 3063, 3020, and 3067) were agreed to en bloc.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY MODERNIZATION BILL

Ms. MURKOWSKI. Mr. President, I want to follow up on the comments of the Senator from Washington and thank her for her willingness as we have worked through several of these matters throughout the morning, into the afternoon, and now here at the 5 o'clock hour. You do not get to a place where you can voice vote six amendments without a level of cooperation, and I thank her for that.

I thank our Members, but I also want to do a specific shout-out to our staffs, who have been working through some of the language, some of the issues, and coming together to provide us with a path forward.

I think we are optimistic that given the pace and the trajectory that we are on, we will be able to come in on Monday and hopefully be able to alert Members to a longer queue of votes that we will have identified so they can come prepared when we take up votes on Tuesday.

We will again be asking Members to spend good, constructive time. If you want to speak to your amendments, we will be in session on Monday for at least a few hours, and that would not be a bad time to come and speak to any of the issues that are of importance to you. We really do hope to put in place a more defined schedule for next week so that colleagues know the trajectory that we are on.

I think it is the intention of both Senator CANTWELL and myself that we move aggressively so that we can complete this very important bill by the end of next week. I know that we have Members who are scheduled to come to the floor and speak to the Energy Policy Modernization Act.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKING THE SENATE PAGES

Ms. MURKOWSKI. Mr. President, as I was turning to go into the cloakroom, I saw the pages here in the corner. I have had an opportunity to visit with

several of them an hour or so ago. Tomorrow is the last day of the session for these young pages who have come to us from all around the country to be with us for a 5-month period. It is a long time to be away from your home, your family, your school, your community, to be here in a strange place with other strange people, to be living in a dormitory situation, to have a very aggressive academic schedule and, by the way, at 16 years old, you are working.

You are told what you can wear. You are told you cannot have your cell phone. There are a lot of rules. Being a page is not an easy thing. We have some of the brightest young men and young women who come to us through the Senate page program.

I want each of you to know how proud we are of the job you do. You do it with a smile. You do it with an enthusiasm that I think helps us. I think it helps remind us that this place is a special place, that it is a privilege to be serving in the Senate, whether it is as an elected Member or whether it is as a page or as those who are doing the transcription of Senators' comments or as staff. The fact that these men and women come here and help with the efficient operation of the day-to-day activities needs to be recognized. Our page class of 2015-2016 certainly deserves a shout-out.

I want to thank you for your work that you have given us, making us look a little more efficient and a little better at our job. Thank you for what you do and best wishes to you all.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT

Mr. PERDUE. Mr. President, Washington received a loud wake-up call this week. On Monday, the Congressional Budget Office, or the CBO, released its biannual “Budget and Economic Outlook” report and the projections for the next decade are very sobering. The nonpartisan study found that over the next decade our country will grow to nearly \$30 trillion in debt. Folks, that is \$30 trillion. This is unbelievable. It is unmanageable.

A number this large is nearly impossible to comprehend. Maybe that is why this seems to have gone unnoticed, buried under headlines about Presidential politics, Super Bowl 50, Snowzilla, and Apple's latest earnings statement. But what we can comprehend is who is responsible for paying off this debt eventually. We are—the American people.

With nearly \$19 trillion in debt today and over \$100 trillion in future unfunded liabilities, we are well past the tipping point. This means each American family is responsible today for nearly \$1 million of this debt. In addition, the Social Security and Medicare trust funds are expected to go to zero in roughly 15 short years.

According to an AEI analysis of this CBO report, spending on Social Security, Medicare, and other health care programs will grow at an average annual rate of 5½ percent from 2016 to 2026, pushing spending on Social Security and health care alone to upwards of \$4.1 trillion in 2026—just 10 short years from now.

This is more than we spent last year on the entire Federal Government. This is not 20 years from now. This is in the immediate future. We will be spending more on these items than we did last year on the entire Government.

My colleagues on the other side of the aisle recognize that we have a crisis. We all agree. However, their solution is simply to tax the working people of America more. That is exactly what we have been doing. It is not working.

In the last 15 years, our Federal Government spending has grown from \$2.4 trillion in the year 2000 to \$3.7 trillion in constant 2015 dollars last year. Because of that, over this same period—from 2000 to 2015—our Federal debt has grown from \$6 trillion in 2000 to \$19 trillion today. It is unbelievable.

However, last year the Federal Government collected \$3.2 trillion in taxes. This is the largest amount ever in our history. We have a spending problem, not a revenue problem. Furthermore, our country's debt is not interest-free. Taxpayers are already paying immensely for Washington's fiscal malfeasance.

Last month, interest rates increased one-quarter of a point—only one-quarter of a point. But this equates to almost \$50 billion of new interest expense every single year. Our country must borrow even more money to pay this additional interest expense. That is a true measure of total insolvency. This interest rate increase is widely suspected to be followed by another increase later this year.

Imagine if interest rates go up to just their 50-year average of 5½ percent, taxpayers would be paying almost \$1 trillion in interest. This is more than twice what we spent on our military. It is more than twice what we spend on our discretionary nonmilitary spending. It is unmanageable, and we have to deal with it right now.

Having been in the business world for over 40 years, there are four words that I used to hear often and we used them frequently: "We cannot afford it." I personally have not heard these words once in Washington over this past year,

my first year in the Senate. We simply cannot afford all we are spending today, and CBO says it will only get much worse.

Just look at Washington's grand bargain this past year. I voted against this bad policy because it significantly added to the national debt and eradicated the conservative budget we put in place last year, which did cut \$7 trillion out of the President's budget request of last year.

Additionally, President Obama's economic failures and disastrous health care law have dangerously set our debt up to soar even higher after he leaves office. CBO projects ObamaCare will enroll 40 percent less participants than expected in 2016. This will result in the Federal Government spending more money to support the failed marketplace exchange so it does not collapse. The Hill reports that "spending on the marketplace is expected to rise to \$56 billion next year, up from \$38 billion this year. Within a decade, that total is expected to double to more than \$109 billion." Plus, spending on health care programs has already jumped from \$671 billion in 2008 to over \$1.1 trillion this year. CBO projects that health care spending will nearly double in the next 10 years, reaching \$2 trillion in 2026. This is a train wreck, and it is here.

Clearly, Washington cannot continue spending like this, and we have to make the changes necessary today. We have already reached the point where our Federal debt has become the greatest threat to our national and global security. At this point, we cannot pay for the tools needed to defend our country.

Last year we spent nearly 3.2 percent of GDP on defense—less than the 30-year average of 4.2 percent of GDP. This is the lowest level in over a decade. We have been at war for more than a decade, and in the process we have totally worn out our military equipment and desperately need to recapitalize and update it. More concerning, we are wearing out our people and cannot fully support our women and men on the frontlines.

This crisis is here right now. It is real, and it is dangerous and threatens our very way of life. These are economic realities we must come to grips with quickly in order to turn things around and change the direction of our country. We can solve our national debt crisis, but Washington's business-as-usual approach must change and lawmakers must start saying: We cannot afford it.

Solving the debt crisis starts with totally reinventing the failed budget process, which has only worked four times in the past 40 years. We have to also reduce the size of our Federal bureaucracy and start with redundant agencies. Washington already has 256 government programs running on autopilot, costing taxpayers \$310 billion a

year, and there are hundreds of billions of dollars in duplicate programs and more opportunities to reduce waste.

It goes without saying that we need to get our economy growing again. We can do it by changing our archaic tax laws, by eliminating unnecessary regulations stifling our free enterprise system, and by finally unleashing the full potential of our energy resources here in America responsibly. We will not solve this debt crisis until we save Social Security and Medicare and address our spiraling health care costs.

The solutions to these will take decades, but we have to start now. The CBO report reveals a stark reality: We are simply out of time. This debt crisis can no longer be ignored. It is here now. Washington must face up to that stark reality. We simply must start making the tough decisions required to put a plan in place to reduce this outrageous debt. We must do this right now for our future, for our children, and for our children's children.

I yield my time.

The PRESIDING OFFICER. The Senator from Delaware.

DEFICIT REDUCTION

Mr. CARPER. Mr. President, I come to the floor this afternoon to talk a bit about developments that involve our Nation, Iran, and the other five nations that joined us in negotiating the joint agreement. And we are encouraged that it will reduce—maybe substantially—the likelihood that Iran will build a nuclear weapon in the near future or even a good deal beyond that.

I came to the floor to talk about that subject, but after hearing the previous speaker, I felt compelled to say a few things. I am a recovering Governor. I was the Governor of Delaware for 8 years, and we balanced our budget 8 years in a row, cut taxes. I have been told that more jobs were created during those 8 years than at any other time in Delaware history.

I chaired the Senate Committee on Homeland Security and Governmental Affairs. We worked closely with GAO. We actually worked very closely with the Bowles-Simpson folks about 5 or 6 years ago. They came up with three ideas for deficit reduction and to make sure that we do it for the long haul.

The Bowles-Simpson Commission was formed at a time when deficit was \$1.4 trillion. For those who are following it, the deficit is still too high, but it has been reduced by more than two-thirds—I think it may have even been close to three-quarters—and that is good.

There are things we need to do for further deficit reduction.

No. 1, we need to really consider what we do with our entitlement programs. The Bowles-Simpson Commission suggested that we make some changes and that we make them in

ways which do not harm older people and which will save these programs for our children and grandchildren. I think that is very important, and that is one thing we need to do.

No. 2, we need some additional revenues. We actually had four balanced budgets in a row during the last 4 years of the Clinton administration. If you look at revenues as a percentage of GDP in those 4 years, it was 20 percent. Revenues as a percentage of GDP for the 4 years we had a balanced budget was 20 percent. When you look at spending as a percentage of GDP during those 4 years, the last 4 years of the Clinton administration, it was 20 percent. During that time we had a balanced budget. In fact, we had a little surplus. But all of that got away from us in the 8 years that followed. After we had a change in administrations, the deficit piled up to \$1.4 trillion. Well, we have been ratcheting it down, and now we are recovering from the worst recession since the Great Depression. Can we do better than that? Sure we can do better than that.

In terms of deficit reduction, entitlement reform actually saves money, save these programs for our kids and our grandchildren, and doesn't harm old people and poor people.

The third thing we need is tax reform that generates revenues and hopefully reduces some rates, especially on the corporate side, where we are out of step with the rest of the world.

The fourth thing we need to do is look at everything we do in order to find ways to save money. I will always remember a woman who came to one of my townhall meetings early in my time as a Congressman years ago, and her message to me, which I have never forgotten, was "Congressman CARPER, I don't mind paying for additional taxes; I just don't want you to waste my money." That is what she said. "I don't mind paying for additional taxes; I just don't want you to waste my money." I think most people in this country feel that way.

As it turns out, one of the jobs of GAO—the Government Accountability Office—as a watchdog on spending for us is every 2 years they provide to the Congress a high-risk list of ways we are wasting money. When Tom Coburn and I led the Homeland Security and Governmental Affairs Committee, we used that as kind of our shopping list that we used to offer changes in spending and changes in revenues—especially in government collection—that would actually further reduce the deficit. We have taken action on a bunch of the ideas from GAO, and we need to find additional steps to take that provide part of the blueprint. Every major agency has inspectors general, and many of them regularly give us recommendations on how to save more money. Those reports should not just go up on a shelf somewhere but should

be an action plan for us. So there is work for all of us to do.

The last thing I will say is that health care costs as a percentage of GDP in my time as Governor—actually, after I stepped down as Governor in 2001—which was pretty flat during the mid-to-late 1990s, started to rise again and continued to rise until right around 2010, 2011. At that time health care costs as a percentage of GDP in this country had risen to 18 percent.

When I ask a friend of mine how he is doing, he says: Compared to what? Well, how about comparing it to Japan? In Japan health care costs as a percentage of GDP are about 8 percent. We were 18 percent and they are at 8 percent. They get better results, longer life expectancies, and lower rates of infant mortality. They cover everybody.

Four or 5 years ago, we had 40 million people going to bed without health care coverage at all, and we didn't get better results and we were spending 18 percent of GDP. The good news is that since the Affordable Care Act—I wrote parts of it, and I am proud of the part I worked on. But there are things we need to change, and my hope is that some day we get to a point in time where Democrats and Republicans, instead of just trying to kill and get rid of it, will say that there are some good things in this legislation and some good things that will be coming, and one of the good things that is coming is that health care costs as a percentage of GDP are not 18 percent anymore. They are coming down. The impact on deficit reduction is actually quite positive because of this legislation.

NUCLEAR AGREEMENT WITH IRAN

Mr. CARPER. Mr. President, those are some things I didn't plan to say but I felt compelled to say as a warmup to what I really wanted to say, and that is to talk about the agreement we struck with Iran and some of the things that have been happening since then with us, the United States, and five other nations.

Over the past couple of weeks, the Obama administration's decision to engage with Iran, along with these other five nations, through diplomacy instead of military action has faced key tests. The results are in, and the agreement that we struck—the United States, the Brits, the Germans, the French, the Chinese, the Russians, and the Iranians—appears to be working thus far, and, God willing, we may actually be on our way to being safe as a result.

This test began on the high seas 2 weeks ago when the United States and Iran faced a crisis that could have ended tragically. Two U.S. Navy vessels carrying a total of 10 crewmembers strayed into Iran's territorial waters. They were detained by Iran, and as many of us know, they appeared on Ira-

nian television. The American vessels were somewhere they should not have been. It was a mistake.

As a former naval flight officer who served 5 years in a hot war in Southeast Asia and another 18 years—right up to end of the Cold War—as a P3 aircraft mission commander, I know this is a mistake we never want to make. Defense Secretary Ash Carter acknowledged that the error had been made, and the sailors were released unharmed within 24 hours of being detained. Flashbacks of past hostage crises and destabilizing tensions were on all of our minds as we watched this story unfold. However, thanks to a more cooperative and productive diplomatic relationship with Iran, the sailors were released within 24 hours.

As the week came to a close, we saw additional encouraging validations that the administration's Iran strategy is beginning to bear fruit. Following months of the most intrusive nuclear inspections in history, international weapons inspectors concluded that Iran had indeed followed through on its pledge in the nuclear deal to dismantle the parts of its nuclear program that were clearly not intended for peaceful purposes.

The International Atomic Energy Agency certified that Iran had reduced its stockpile of enriched uranium by 98 percent and that the remaining uranium was only enriched to levels consistent with peaceful energy uses. The inspectors certified that nearly 15,000 centrifuges for enriching uranium have been dismantled. That leaves Iran with only its least sophisticated centrifuges, which can be used solely for peaceful purposes. The inspectors revealed that a special reactor for producing the kind of plutonium needed for a nuclear bomb in Iran will produce no more. It has been filled with concrete instead. Finally, the nuclear watchdogs certified that the inspections and monitoring systems of Iran's nuclear facility and nuclear supply chain have been stood up to ensure Iran's compliance with the nuclear deal.

All of this happened much faster than most of us would have expected. It certainly happened faster than I expected it would. In fact, some critics of the nuclear deal said that Iran would never live up to the promises it had made—never. Yet, despite that skepticism, today we see an Iran that has taken irreversible steps to dismantle its nuclear weapons program in order to make good on its pledges.

Amid the nuclear deal's implementation, the United States achieved another diplomatic breakthrough with Iran—one that I and a number of my colleagues had a hand in.

The Iranians released five individuals—all dual U.S.-Iranian citizens—that they had been detaining in Iran for some years. Their release was the result of intense diplomatic negotiations. Secretary Kerry and his team of

negotiators worked overtime to secure their freedom. They deserve our appreciation and our thanks.

I had never forgotten about these Americans, and neither had my colleagues. Whenever we spoke or met with senior Iranian officials in recent years, we consistently called on them to release our unjustly detained citizens. The end result is that these Americans are free to rejoin their families in America instead of rotting in an Iranian prison.

The events and achievements that occurred during these 6 days were a remarkable validation that the Obama administration and those of us in Congress who voted to support the nuclear deal had made the right choice. But our challenges with Iran have not vanished—not by a long shot. Iran continues to support terrorist organizations like Hezbollah. Iraq props up the Assad regime in Syria. Iran tests and develops ballistic missiles in defiance of U.N. Security Council resolutions. Another American, former FBI agent Bob Levinson, disappeared 8 years ago in Iran, and the Iranian government needs to do all it can to help return him to his family or, if they can't do that—if he is no longer alive—at least help find out what happened to this American. Also, of course, Iran refuses to recognize Israel's right to even exist.

Addressing these problems with Iran will not be easy. They will require the same kind of intense negotiations and pressure that helped to bring about an end to Iran's nuclear weapons program and the release of the detained Americans. That means our relationship with Iran will not always be composed of carrots. There may very well be times when sticks are needed to try to convince that Nation's regime to change its behavior toward us and our allies, including Israel.

Perhaps no action better illustrates these dynamics than the United States' recent move to increase sanctions on Iran for its illegal testing of ballistic missiles—something that is a clear violation of the sanctions. At the same time that the U.S. was lifting nuclear sanctions on Iran as part of the nuclear deal, the Obama administration was leveling sanctions against 11 entities for their role in supporting Iran's ballistic missile program.

Addressing our challenges with Iran over the long term will also require this administration, along with future administrations and Congress, to adopt a forward-thinking foreign policy that looks beyond the rhetoric of Iran's current regime.

I have a chart here that I want to share with everyone tonight. It is a collage of photographs. I believe these photographs were taken in the aftermath of the decision to approve the agreement—a decision reached by the United States and our five negotiating

partners and the government of Iran. This is a collage of photographs that indicates the measure of joy the Iranian people are reacting to this successful negotiation with.

I just want to say Iran is little understood by most Americans. They have 78 million people there today. The average age of those people is under the age of 25—a lot like the young people we see in these photographs. For the most part, they are all educated. The lion's share of them don't remember the Iranian revolution of 1979 and the taking of American hostages at our embassy or the cruel Shah whom we supported until his ouster. This is a population, reflected in these photographs, that appears more focused on building Iran's troubled economy than pursuing antagonizing military activities favored by the Supreme Leader and by many of the Revolutionary Guard.

In the weeks ahead, this new generation of young Iranians will head to the polls—sometime in the month of February—to choose the country's next parliament, as well as an entity called its Council of Experts, which I believe is the body that will help to choose the next Supreme Leader of Iran. At stake for these Iranians is the choice between the policies of engagement and economic revival being vigorously pursued by President Rouhani, Foreign Minister Zarif, and their supporters, as opposed to the politics of antagonism and destabilization that are apparently favored by the Supreme Leader and many in the Revolutionary Guard.

We have seen photographs this week of President Rouhani meeting not just with Pope Francis—the first meeting between the leader of Iran and the Pope in close to 20 years—but also of his meetings throughout Europe, calling on countries, calling on businesses in order to try to solicit and pave the way for investments not in weaponry, not in aid to Hezbollah, but investments in roads, highways, and bridges—things that we need, but they need them a whole lot worse. Their roads, their highways and bridges, their airports and trains make ours look like the 21st century. They need to invest in those things.

They have a lot of oil. They have the ability to pump a lot more. I think they pump about 300,000 barrels a day. By the end of this year, they will have the ability to pump as much as 1 million barrels of oil a day, and they are not going to do that without enormous investments in their oil infrastructure. They have a great need to do that. These young people know that. That is where they would like to spend that money.

We should help make the upcoming parliamentary elections in February for these voters and others an easy choice. We should continue to show the people of Iran that their cooperation and their commitment to peace will be

rewarded. How? With economic opportunity and the shedding of Iran's status as a pariah in the international community.

We ought to listen to these people. They are not much older than the pages who are sitting here in front of us this evening. They are interested in their country changing for the better. They are interested in reform. A number of them have relatives who live over here in our country, and there are a lot of Iranian Americans who live here. For the most part, they are very valued citizens, and people would be proud to call them Americans.

We need to listen to these young people who are calling for reform and who want to reconnect Iran to the international community. Frankly, it would be wise of us to do so for the sake of our security and for the sake of the security of our allies and for stability in the Middle East.

Mr. President, I see no one waiting to be recognized at this time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SULLIVAN. Mr. President, I ask unanimous consent to speak for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

OVERREGULATION OF THE AMERICAN ECONOMY

Mr. SULLIVAN. Mr. President, I rise in support of an amendment that I am hoping will be part of the Energy bill currently being debated on the floor and being shepherded through the Senate by my colleague from the great State of Alaska, Senator MURKOWSKI.

I commend Senator MURKOWSKI, the chair of the Energy and Natural Resources Committee, for the bill she has worked on for months—incredible hard work. It is great to have her as the chair of the committee, certainly for Alaska but for the entire country. States such as the Presiding Officer's recognize how important American energy is for all our citizens.

One of the many positive aspects of the bill we have been debating is that it is focused on cleaning up old regulations, cleaning up outdated programs, getting rid of some of the things we don't need.

The amendment that this Senator would like to offer as part of the Energy bill is based on a bill I recently introduced called the RED Tape Act of 2015. The R-E-D in RED Tape Act stands for Regulations Endanger Democracy Act, and this Senator believes

that is the case. The onslaught of regulations are not only threatening our economy but are actually threatening our form of government. That is why I am proposing a simple one-in, one-out bill that will cap Federal regulations—a simple commonsense approach to Federal regulations that will begin to address what I think the vast majority of Americans recognize as a monumental problem. What is that problem?

Economists around the country and many Members of this body believe that the overregulation of the American economy is why we can't grow this economy. This Senator thinks it is often looked at as a partisan issue. It is not a partisan issue. To the contrary, it is a consensus issue about the impact of regulations on the American economy.

To give a couple of examples, here is how *The Economist* put it in a 2012 cover story titled "Over-Regulated America." The redtape is right here. This lead article in *The Economist* said a couple of years ago that "America needs a smarter approach to regulations" that will "mitigate a real danger: that regulations may crush the life out of America's economy."

There is a real danger that regulations will crush the life out of the American economy. I think that is already happening. Again, this is not a partisan issue. Many Democrats in this body have called for a smarter approach to Federal regulations.

Governors, particularly Democratic Governors across the country, have also decried the overregulation of our economy. For example, the two-term Massachusetts Governor, Deval Patrick, made regulatory reform a hallmark of his administration's approach to growing their economy, and it is not just Democratic Governors. It is actually Democratic Presidents. In 2011, *Newsweek* featured a cover story with President Clinton's face on the cover that highlighted his 14 ideas to grow the economy and create jobs. In the article, President Clinton lamented the long wait time for permanent approvals for infrastructure projects throughout the country due to overregulation.

One of President Clinton's top recommendations to put hardworking Americans back to work was to speed up the regulatory approval process and grant States waivers on burdensome Federal environmental rules to hasten the time that construction projects can begin and real hardworking Americans can work.

Even President Obama in his recent State of the Union Address focused on regulations. The President of the United States said:

I think there are outdated regulations that need to be changed. There is red tape that needs to be cut.

President Obama stated this just a few weeks ago. As a matter of fact, it was the biggest applause line of the en-

tire evening. Democrats and Republicans roared at this. The President recognized what redtape is doing to this great economy.

So I took the liberty to write the President after his State of the Union Address, commending him for his focus on regulations, and asked him to get his administration to back my RED Tape Act and to follow through on his promise to reach across the aisle for good ideas to grow the economy. This is one that would strengthen our economy, create jobs for hard-working middle-class Americans, union workers, and pave the path for what we haven't seen in over a decade, a private sector that is thriving. That is the heart of the American dream.

Before I get into details, let me spend a few minutes on the economy and why I believe we must pass this amendment. Our debt is approaching \$20 trillion. The national debt of the United States has increased more under President Obama's two terms than it has under all previous administrations in U.S. history. Of course, one of the reasons is we are spending too much, but this Senator believes the biggest reason is that we cannot grow this economy.

The U.S. average economic growth rate for almost our entire history as a country, from 1790 to 2014, has averaged about 3.7 percent GDP growth. That is real American growth. For over 200 years there has been ups and downs, but the average has been about 4 percent GDP growth. This is what has made us great as a nation. The Obama administration's average GDP growth is about 1.5 percent—dramatically less than the traditional levels of American growth that we need. As a matter of fact, officially this recovery has been the weakest in over 70 years.

While the American people might not have all these specific numbers at hand, they know something is wrong. They know they are not finding the good jobs, that they are not getting the raises in the jobs they have. They know their family's budget isn't stretching as far as it used to stretch. This should not be the case.

We live in the greatest Nation in the world. We have so many advantages over other countries. Our high-tech sector is still the most innovative in the world, an efficient agriculture sector feeds the world, and our universities are the best universities in the world by far. We are in a renaissance in energy production with renewables, oil, and gas that have once again made us a superpower in the world, one of the best managed, highly productive fisheries in the world from my State in Alaska, and we certainly have the most professional, lethal military in the world. We have so many advantages over every other country in the world. So why aren't we growing our economy? Why can't our economy expand

at traditional levels of American growth?

Look at this chart behind me. This clearly to me and to many others is one of the reasons: new regulation on top of old regulation on top of old regulation—a steady increase year after year, starting here in 1976 with no end in sight, an explosion that is going to keep going until we do something about it. Through these regulations the Federal Government is looking to regulate every aspect of the American economy, and that is one of the main reasons why we can't grow.

When it was first published in 1936, the Federal Register, which contained a daily digest of proposed regulations from agencies and final rules and notices, was about 2,500 pages. By the end of 2014, the Federal Register had ballooned to close to 78,000 pages. What we are seeing is an explosion of regulations.

This chart relates directly to why I believe we can't grow our economy. Remember regulations are taxes. They cost American families, American consumers, and American small businesses. There are huge costs to this explosion, particularly when they accumulate like this.

President Obama's Small Business Administration puts the number of the annual cost of regulation that impacts the U.S. economy at about \$1.8 trillion per year. That is a number that would make it one of the largest economies in the world. That is about \$15,000 per American household, about 29 percent of the average American family budget. That is what we are doing to our families and our economy.

I believe a huge part of the problem of what is keeping our economy back and the opportunities for middle-class families is right here in this town. The Federal Government, with agencies and the alphabet soup of agencies—the IRS, the BLM, the EPA—are constantly promulgating new regulations. What they don't do is they never remove old regulations. From across the country, whether it is Alaska or Maine, our businesses, our citizens, and particularly the most vulnerable, our families, are being impacted by the explosion of regulations from the Federal Government right here in Washington, DC.

Let me give you a few examples. On the North Slope of Alaska they can't get small portable incinerators that comply with the upcoming EPA regulations, so the trash in these amazing communities in my State piles up until it is actually taken out by airplane. This is polar bear country. This is dangerous—trash everywhere. It is certainly harmful to the environment because regulations don't allow incinerators.

Because of the Federal roadless rule in Southeast Alaska, we can't even build new alternative energy plants for the citizens of my State who desperately need energy because we pay

some of the highest costs of any State in the country with regard to energy. Nationally, bridges are crumbling, and we cannot get them built, in large part because of the overburdensome Federal regulations.

On average, it takes over 5 years to permit a bridge in the United States—not to build a bridge, just to get the Federal Government's permission to build a bridge. Right now there are 61,000 bridges in our country in need of repair, but burdensome regulations delay commonsense repairs. These bridges are being crossed by our trucks, carrying the Nation's commerce, our children, schoolbuses, and parents trying to get home for dinner. Thousands of communities across the country are simply keeping their fingers crossed, hoping their current bridges last another year.

Let me provide one more example in terms of what is happening with regard to the overregulation of our economy. This involves one of the most important sectors of the U.S. economy—small community banks. Over 1,300 small community banks have disappeared since 2010, and only 2 new banks in the United States have been chartered in the last 5 years. If you ask any small community banker what is driving this, they will point to this chart. Regulations from Washington, DC, are driving our small community banks out of existence. Even during the Great Depression, we had on average 19 new banks a year. In the last 5 years, the United States has seen two new banks chartered in our country.

So what do we do? Well, the good news is that many colleagues in the Senate on both sides of the aisle have offered suggestions and introduced bills to stop the redtape, to stop this trajectory of Federal regulations from strangling our economy and our future. But we need something that is simple, something that hard-working Americans understand, and something that is bold to take on this challenge. I believe the amendment I have offered to the Energy bill, the RED Tape Act, is both simple and bold enough to take on this challenge. It is only 5 pages long. Using a simple one-in, one-out method, it caps Federal regulations. New regulations that cause a financial or administrative burden on the economy, on hard-working Americans, on middle-class families, on union workers would need to be offset by repealing an existing regulation. Simple—you issue a new regulation, you repeal an old regulation. People understand that and it makes sense.

This is not a radical idea. This is not some kind of poison pill that we want to attach to the Energy bill, because I think that is a good bill. It is an idea that is gaining consensus not only throughout the country but throughout the world. Other countries have actually taken up this idea to fix their

regulatory problems as well. In Canada, they recently put an administrative fix to their regulations that was one-in, one-out. In Great Britain they have done this to the point where it is viewed as so successful that they are not talking about one-in, one-out anymore, they are talking about maybe one-in, two-out. So I think this is an idea that both parties of the Senate, Members from both sides of the aisle, can get behind.

Even National Public Radio did a recent story about how well this one-in, one-out rule is working in Canada. It has freed up hundreds of thousands of hours of paperwork for small businesses in particular. Even the Canadian Socialists have backed this idea. I certainly hope Senator SANDERS is listening, and I hope I can get him and other Members of this body to support this amendment.

To be clear, I am certainly not against all regulations or permitting requirements. When I served as the commissioner of the Department of Natural Resources in Alaska, we worked with our bipartisan legislature to overhaul our permitting and regulatory system and to bring what we have seen on the Federal Government side—a huge backlog of permits—to get projects moving. We brought that backlog down by over 50 percent through regulatory and permitting reform, and we did so with the absolute understanding that protecting our environment and keeping our citizens safe was a fundamental precondition to any of our actions. But we can do both. We can bring down this huge burden and still make sure we have a clean environment and a strong, healthy economy.

There are simply too many Federal regulations out there, and the American people know it. It is time this body stops increasing this number of regulations and puts a cap on it.

Finally, if we do this, we will make sure that all of the comparative advantages we have in this country—so many that we have over so many other countries—will enable us to unleash the might of the U.S. economy, create better jobs, and create a brighter future for our children and their children.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

SENATE DEBATE

Mr. SASSE. Mr. President, one of the fundamental purposes of this body is to

debate some of the biggest issues facing this Nation and to do so in an honorable way. The Senate is for debate but not as an abstraction. It is to be addressing and ultimately solving the meatiest challenges the Constitution demands that we tackle. Unfortunately, a great deal of our debate is weak and embarrassing. Much of it falls off the trivial side of the cliff or the shrill side of the cliff.

During my time serving Nebraskans in this place, I hope to be aligned with those who want fighting and debating in this place, but it needs to be meaningful fighting. It needs to be honorable, honest debating.

To that end, there is a terrific column this week by Pete Wehner in Commentary magazine. Partly because the column is about Daniel Patrick Moynihan, at whose desk I intentionally sit, partly because it is about C.S. Lewis, a man whose writings have changed my life, and partly because it is just darn good exhortation to us, I would like to read a portion of this column into the Senate RECORD today.

Wehner begins:

While reading Gregory Weiner's fascinating book "American Burke," I came across this comment: "(Daniel Patrick) Moynihan's intellectual curiosity was such that he gravitated toward thinkers with whom he disagreed precisely because he disagreed with them and could consequently learn from them."

This observation reminded me of an incident in 1948 involving C.S. Lewis and Elizabeth Anscombe, a Catholic convert who was considered one of the most brilliant moral philosophers of her generation.

Lewis was president of the Oxford Socratic Club, an open forum that met every Monday evening and whose purpose was to discuss the intellectual difficulties connected with religion, and with Christianity in particular.

"In any fairly large and talkative community such as a university—

And, I would add, such as a Senate—there is always the danger that those who think alike should gather together into 'coteries' where they will henceforth encounter opposition only in the emasculated form of rumor that the outsiders say thus and thus." . . .

The absent are easily refuted, complacent dogmatism thrives, and differences of opinion are embittered by group hostility. Each group hears not the best, but the worst, that the other groups can say. . . .

On February 2, 1948, Anscombe and Lewis debated a portion of Lewis's book "Miracles," with Anscombe reading a paper pointing out "a fatal flaw in Lewis's argument." . . . (It was a complicated critique having to do with the conflation of irrational and nonrational factors in belief-formation.) The result of the debate, which Lewis himself felt he lost, was revisions to his book. Anscombe, while not convinced by the changes made by Lewis, did say "the fact that Lewis rewrote that chapter, and rewrote it so that it now has these qualities, shows his honesty and seriousness."

That's not all. When Lewis was asked to nominate speakers for the 1951 Socratic Club season, Anscombe was his first choice. "That lady is quite right to refute what she thinks bad theistic arguments, but does this not almost oblige her as a Christian to find good

ones in their place: having obliterated me as an Apologist ought she not to succeed me?"

There is something impressive in the qualities demonstrated by Moynihan and Lewis: a willingness to learn from others, including those with whom we disagree. There is in this an admirable blend of intellectual humility and self-confidence—the humility to know that at best we possess only a partial understanding of the truth, which can always be enlarged; and the self-confidence that allows for refinement and amendment of our views in light of new arguments, new circumstances, new insights.

Beyond that, it's a useful reminder that the quality we ought to strive for isn't certitude but to be a seeker of truth. That is, I think, what separates ideologues from true intellectuals. The former is determined to defend a pre-existing position come what may, interpreting facts to fit a worldview that is already well beyond challenge. The latter seeks genuine enlightenment and is eager to discard false notions they may hold—and values rather than resents those who help them on that journey.

The purpose of debating, then, isn't so much just to win an argument as it is to deepen our understanding of how things really and truly are. It isn't to out-shout an opponent but, at least now and then, to listen to them, to weigh their arguments with care, and even to learn from them. It's worth noting that Lewis warned about simply surrounding ourselves with like-minded people who reinforce our own biases and how debates conducted properly "helped to civilize one another."

What a quaint notion.

In saying all this, I'm not insisting that everyone you disagree with is someone you can learn from, nor that everyone's views contain an equal measure of wisdom. Some people really don't know what they're talking about, some people really do hold pernicious and false views, and some people really do deserve harsh criticism.

My point is simply that because the pull is so strong the other way—most of us use debates as a way to amplify pre-existing views rather than refine them; try to crush opponents rather than engage and understand them; and focus on the weakest rather than the strongest arguments found in opposing views—the Moynihan-Lewis model is a good one to strive for.

Wehner continues:

I understand that talking about such things can sound hopelessly high-minded and, for some, signal a mushy lack of conviction. When you're in a political death match with the other side, after all, the idea of learning from it seems either ridiculously naive or slightly treasonous. But of course, this reaction highlights just how much things have gone off track.

To be sure, American politics has always been a raucous affair. As Madison put it in *Federalist* #55, "Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob." The question is whether one stokes the passions of the mob or appeals to reason.

As someone who doesn't do nearly well enough in this regard, I rather admire the Lewis model. He was a better man, and *Miracles* was a better book, for having recognized he lost his debate with Ms. Anscombe. For Lewis to then promote her despite having been bested by her was doubly impressive, yet in some respects not surprising. After all, Lewis was a man who cared more about striving after truth than in attending to his pride. He cared more about learning from arguments than winning them.

So should we.

Again, this was Pete Wehner, *Commentary* Magazine, with some instructive words for all of us laboring here in this body.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY MODERNIZATION BILL

Ms. MURKOWSKI. Mr. President, we are winding down the day here. We have had a good opportunity for good discussion and debate about the Energy Policy Modernization Act. We took votes on three amendments, and we just concluded voice votes on six additional ones on top of the two voice votes that we had. So we are moving through some of the amendments, and I think that bodes well for us.

As I mentioned earlier, we will hopefully have an opportunity to line up a series of votes in advance so that when Members come back next week we all know where we will be going and the direction. I wish to take just a few minutes tonight, before we wrap things up, to talk about a section in the bill that I believe is very important—not only important to the Energy Policy Modernization Act but really very important to our Nation as a whole.

The Presiding Officer and I hail from a State that has been an oil producer for decades now. It is oil that sustains us, fills our coffers, and allows for us to have an economy that is thriving and strong. It is struggling right now as we look at low production combined with low cost, but we also are a State that enjoys great resources when it comes to our minerals.

We have long talked in this body over the course of years about the vulnerability that we have as a nation when we have to rely on others for our energy resources. We talk about energy independence, we talk about energy security, and, I think we recognize that when we can produce more on our own without others, it makes us less vulnerable.

Energy security translates to national security. I think we pretty much got that message around here, and we are doing more within this Energy Policy Modernization Act to make sure that we are less reliant on others for our energy sources, whether it is what we are doing to produce more fossil fuels or being able to leverage technologies that will allow us to access our renewable resources in a way that is stronger and more robust, again to

ensure we have greater energy security.

When we think about energy security, we should not forget mineral security—the minerals that also help to make us a great nation, and a nation that is less vulnerable when we are able to produce more of our own.

For several Congresses—this is actually the third consecutive Congress—I have introduced legislation on this subject. It is a bill that I have titled the "American Mineral Security Act." What we have done within the energy bill is take much of that legislation and include it as part of a subtitle on critical minerals. Maybe it is because I authored it, but I feel pretty strongly that this is a pretty good version. This is a pretty good title that is contained in the EPMA, and I think that passage of not only the critical minerals piece as part of EPMA is key for our economic security, energy security, and our national security. It is just the right thing for us to be doing.

We take for granted that our minerals and metals that we have available to us are going to continue to be available. Unfortunately, most of us do not really pay attention to the fact that so many of the things that we rely on for so much of what we need in our everyday world come from minerals. We just do not think about it. We assume that stuff just gets here. We do not think about where it comes from. We should not ever take for granted our mineral security. We should not ever take for granted what it is that we need.

People talk about rare earth elements, rare earth minerals. When we think "rare," what is "rare"? What exactly does that mean? Why do we need them? What do we use them in? Rare earth elements make many aspects of our modern life possible.

We talk a lot about how we are going to move to more renewable energy sources. You are going to need rare earth elements for wind turbines. You are going to need it for your solar panels. You are going to need it for your rechargeable batteries. You are going to need it for your hard drives, your smartphones, and the screens on your computer. You are going to need it for your digital cameras, for your defense applications, for audio amplification. That is just what we put on this particular chart.

It is important to recognize that so much of what allows us to do the good things that we do—to communicate, to help defend, to help power our country—comes to us because we have access to certain minerals.

According to the National Research Council, more than 25,000 pounds of new minerals are needed per person per year in the United States to make the items that we use for basic human needs, infrastructure, energy, transportation, communication, and defense. You might say: Whoa, 25,000 pounds per

person per year—I cannot possibly need all that stuff.

But, Mr. President, you and I fly back and forth to Alaska. Those airplanes we fly on need these minerals. Every one of these young people, as well as us sitting in here, all have a smartphone or some way we are communicating, and we all need this. All of the staff who are working on their computers need that screen to look at, and we all need this.

When you think about it, it is like OK, maybe that number is right. Bill Gates put it quite memorably last year. He wrote a blog post entitled: "Have You Hugged a Concrete Pillar Today?" It is really a very interesting read, and it reminds us that you take for granted the things that we need, the things that we use on a daily basis, the things that are under our feet as we are walking here to work.

Minerals and metals are really the foundation of our modern society. Our access to them enables a range of products and technologies that greatly add to our quality of life. Yet many of the trends are going in the wrong direction, which creates vulnerabilities for our country.

We have a real problem on our hands right now as a result of this reliance on minerals and the fact that so many of our minerals that we need today we must import. You are thinking: 25,000 pounds per person per year is a lot; where are we getting it from? How much of it are we relying on other countries, asking their permission to bring it in?

It is not just rare earth elements. The reality is that the United States now depends on many, many other nations for a vast array of minerals and metals. We have the numbers to back that up. In 1978 the U.S. Geological Survey reported that the United States was importing at least 50 percent of our supply of 25 minerals, and 100 percent of 7.

We recently got the latest figures from the USGS. Our foreign mineral dependence is now far deeper. In 2015, last year, we imported at least 50 percent of 47 different minerals, including 100 percent of 19 of them. On this list you have the minerals for which we are 100-percent reliant on foreign nations, whether it is bauxite, cesium—which we have in Alaska—graphite—which we have in Alaska—indium, iodine, manganese, mica, niobium, quartz, crystal. I am going to stop now because they get more difficult to pronounce.

These are the minerals that we are 100-percent reliant on other nations for. What do we use them in? We use them in transistors, electrical components, mirrors, rubber, vacuum tubes, photo cells, bicycles, fishing rods, golf iron shafts, baseball bats, defense applications, medical equipment, atomic clocks, aluminum, glass, enamel, batteries, gaskets, brake lining, fire re-

tardant, magnets. Again, that is just what we can put on the charts.

We are 100-percent reliant on other countries for some of the things that are basic everyday products that we do not think about. Again, we take for granted that these things are going to continue to be readily available—that it is always going to be there for us.

For example, look at the cell phone. Let us look at the elements that it takes to make a smartphone. When you look at what goes into the smartphone, for your screen, indium is part of the screen. Alumina and silica are part of the screen. It is a variety of rare earth. All of these rare earths that we are looking at are 100-percent reliant on other nations for what goes into the screen.

For the battery for your smartphone, we have lithium, graphite, and manganese. Manganese and graphite are 100-percent reliant on foreign sources. We are 50-percent reliant on lithium.

You have tantalum, and we are 100-percent reliant on that. There is tin, lead, copper, silver. We are 70-percent reliant on tin. It goes to show that the things that we take for granted, the things that we are all using all the time to communicate, to send messages home, to do our business, we cannot have them unless we get this from somebody else, from some other country. There are options for us though, just as there are options for us with energy sources. We can find ways to help us produce more when it comes to minerals and mineral capacity so that we are less reliant.

We had a hearing before our energy committee, and we had a witness by the name of Dan McGroarty, who leads the American Resources Policy Network. He provided some pretty good examples of our Nation's foreign mineral dependence. He pointed out that the minerals needed for clean energy technologies often come from abroad, threatening our ability to manufacture those technologies here at home. This is what he wrote in his prepared testimony:

Graphite is key to [electric vehicle] batteries and energy storage. The U.S. produces zero natural graphite—we are 100 percent import dependent.

Indium is needed for flat-screen TVs and solar photovoltaic panels. Most indium is derived from zinc mining—the U.S. is 81 percent dependent for the zinc we use, and we produce zero indium.

Thin-film solar panels are made of C-I-G-S materials—those letters stand for Copper, Indium, Gallium, and Selenium. We have a 600,000 metric ton copper gap at present—demand exceeding supply. Selenium is recovered from copper processing.

Gallium comes from aluminum processing—we are 99% import-dependent—and we are closing American aluminum smelters at a record pace.

Mr. McGroarty also highlighted the national security implications of our foreign mineral dependence, explaining:

We need rhenium for high-strength alloy in the jet turbines in the F-35 and other fighter aircraft. Rhenium is dependent on copper processing—and we are 83% import-dependent. Congress has directed the Defense Department to purchase electrolytic manganese, used in key super-alloys, for the [defense stockpile]—the U.S. produces zero manganese. We need rare earths in too many applications to list: Wind turbines, lasers for medical and national security applications, smart phones and smart bombs. We produce zero rare earths—and we are once again 100% dependent on China.

You may recall not too many years ago now when there was a little bit of an issue going on between Japan and China. China withheld delivery of certain rare earth elements that Japan needed for its manufacturing. China was holding the keys. China is holding the keys with many of these minerals.

Our foreign dependence is dangerous enough. You know that full well, Mr. President. The concentration of our foreign supply presents additional challenges. Our minerals often come from a handful of countries that are less than stable or that might be willing to cut off the supply to us to serve their own purposes or to meet their own needs. They are going to take care of themselves first. If they do not have much supply, they are going to help themselves first.

When I look at our foreign mineral dependence and where those minerals are coming from, I see reason after reason to be concerned. It is not hard to see the prospect of a day of reckoning when this will become real to all of us, when we simply cannot acquire a mineral or when the market for a mineral changes so dramatically that entire industries are affected.

To put it even more bluntly, our foreign mineral dependence is a mounting threat to our economy, to our national security, and to our international competitiveness. We cannot lose sight of that international competitiveness. The absence of just one critical mineral or metal could disrupt entire technologies, entire industries, and create a ripple effect throughout our entire economy.

I think it is well past time for us to be taking this seriously. We have seen some good signs from the administration. However, the reality is that our executive agencies are not as coordinated about this as they really should be. They do not have all of the statutory authorities needed to make the necessary progress on this issue.

There is just no substitute for legislation, and that is why I am very pleased that the members of the Energy and Natural Resources Committee accepted my language in our bill to rebuild this mineral supply chain. We did this in committee with almost no substantive changes.

When it comes to permitting delays for new mines—you have heard me say this before—our Nation is among the

worst in the world. We are almost dead last. We are stumbling right out of the gate, right out of the very start of the supply chain, and then we do not ever seem to be able to catch up.

Where do you place the blame? The fall begins with us here. When we decide that a mineral is critical, we need to understand what we have. We need to survey our lands. We need to determine the extent of our resource base so we know what we can produce right here at home. If we do not know, it makes it pretty difficult to get anybody interested in production. We should keep working on alternatives, on efficiency, and recycling options. That is not what this is about. We need to keep doing that, especially for those minerals where our Nation does not and will not ever have significant abundance there.

We should build out a forecasting capability so that we can gain a better understanding of mineral-related trends and also an early warning when we see that there might be issues arising. We also need to have a qualified workforce. We need to make sure that we have those that can access this mineral resource, this mineral wealth.

The United States right now is down to a handful of mining schools. A large share of their faculty will be eligible to retire in the near future. We need some smart, young people who are interested and want to go into these fields.

Provisions to tackle all of these challenges are contained within the bill. They have good support. The Director of the United States Geological Survey, the CEOs of the Alliance of Automobile Manufacturers, and the National Electrical Manufacturers Association are among some. State witnesses, former military officials, and many others have endorsed this approach. We have a good opportunity to bring our mineral policies into the 21st century, and the mineral subtitle in this bipartisan Energy bill offers us that chance.

I want to note the other members of the energy committee who have been very helpful in helping to advance this legislation. Senator RISCH was very helpful as was Senator CRAPO of Idaho and Senator HELLER. They were all cosponsors of the original bill with me. There were many other cosponsors from both sides of the aisle in recent Congresses, and we also thank the Presiding Officer for his support as well.

I also wish to acknowledge Secretary Moniz, the Secretary of Energy, and his team over there at DOE, and Director Kimball, who is the Director of the U.S. Geological Survey. They helped us a lot when it came to drafting this bill, and I thank them for that.

I have consumed more time than I should, but I hope everyone can hear the enthusiasm I have in ensuring that as we modernize our energy policies, we do not take a step forward to help

address what we need to do on the energy front and fail to bring along the growing concerns that we have in needing to modernize and understand our mineral resources and how we can ensure that there is that level of true energy security that helps us with our economic security and certainly our national security.

With that, I see that my colleague from Alabama is here, so I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the senior Senator from Alaska for her leadership and comments on this bill, and I will have thoughts on that subject as we go forward. We have had some good things happen in energy, and we need to keep having that happen. Energy serves the American people. A low cost of energy is a blessing, a high cost of energy is a detriment to working families.

I truly believe we need to make clear to the American people that those of us, like the Senator from Alaska who fought to increase production of energy, have done so not to provide a profit to private companies but to have created a situation in which the price of energy would decline. We have had a large surge in energy, and sure enough the prices have declined. I think that is a good thing.

TRANS-PACIFIC PARTNERSHIP AGREEMENT

Mr. SESSIONS. Mr. President, I wish to share some thoughts tonight, before we go out, about the trade issue this Nation is facing, and it is a highly significant issue. The President is expected to sign the Trans-Pacific Partnership on February 4. It is a historic event. It cannot become law of the United States of America. It is detrimental to this economy. It is particularly detrimental to people who go to work every day and would like more jobs. They would like higher paying jobs and better benefits. It is detrimental to that, and we are going to establish that point. We have a Presidential campaign going on today and people need to talk about it. The American people need to know where their candidates stand on it.

Well, let me share a few thoughts tonight and begin this discussion. The President is expected to sign the agreement on February 4. He negotiated this agreement with 11 different countries in the Pacific region. At some point he will implement legislation and then Congress will vote on whether to go forward. The legislation is part of the fast-track process, so it will not be filibustered. The bill will come up on a simple majority vote. No amendments will be allowed. It will simply be an up-or-down vote.

What is happening in the world trade market today? On Monday, January 25

of this week, Ford announced that they were leaving the Japanese and Indonesian markets. Indonesia and Japan are good friends of ours. They are good countries, but they are tough trading partners. Why did Ford leave Japan? They sell automobiles all over the world. They sell them in Europe, Mexico, and South America. Why are they not able to compete in Japan?

What did Ford say? They said that nontariff barriers have prevented them from selling cars in the market. In 2015, Ford sold less than 5,000 cars in Japan, representing six-tenths of 1 percent of the Japanese automobile market. In fact, only 6 percent of the automobiles sold in Japan are manufactured outside of Japan. It is not a question of tariffs. That is not the problem in dealing with Japan and importing cars into Japan. The Japanese have erected substantial nontariff barriers. In fact, Hyundai, a very fine South Korean automobile company in my state, attempted to sell in Japan for some time, and they recently gave up.

What is the policy of Japan? The truth is Japan talks about free trade, but like most of our Asian allies and trading competitors, they are mercantile. The essence of having a successful mercantile economy is to export more and import less. This is the reality we are dealing with. The people who are and have been negotiating our trade agreements don't seem to understand this or don't care. In fact, they basically say: Well, if someone sells a product cheaper here, we don't care. We will buy it. They don't worry if we can't sell products in their country.

A trading agreement is a contract between two nations—we were all taught that in law school—and it should serve the interests of both parties. When a contract ceases to advantage both parties, you abandon the contract. It shouldn't be signed or it should end.

What else about this agreement? It creates an international commission—a commission of the 11 or 12 countries, including the United States. The language, by definition of our own administration, is that the agreement is a living agreement.

The Presiding Officer is a fine lawyer. He has worked at the court of appeals. I know a living agreement makes the hair on the back of his neck stand up. It makes you nervous. A living agreement is no agreement at all. It can just be changed. They acknowledge and repeatedly say in the fast-track documents that nations can meet and change the agreement anytime they want. They can update it for changed circumstances, which is what activist judges say when they redefine the meaning of the U.S. Constitution. They like to say that they are updating it for changed circumstances.

Well, Congress is supposed to do that, it seems to me, but anyway this agreement is a living agreement. It contains

5,554 pages. It is twice the length of the Holy Scriptures. It includes section 27, which sets up an international commission with nearly unregulated power. In fact, our own U.S. Trade Representatives—our own Web site—states that the Commission is formed “to enable the updating of the agreement as appropriate to address trade issues that emerge in the future as well as new issues that arise with the expansion of the agreement to include new countries.” Congress would be launching such an event into the future. Well, what is our problem?

Well, what is one of the major problems that we have today? It is our substantial trade deficit. One report, which I think is probably conservative, says that one-half of 1 percent of the GDP has been lost in the United States as a result of our trade deficit. That is probably an acceptable economic estimate, and that is significant. When you have 2 percent GDP, you are losing 25 percent based on the trade deficit. We have to have growth in this country, more GDP, more Americans working, more people with better jobs and better pay, and part of that is manufacturing.

The final figures for 2015 are expected to show that the bilateral trade deficit with China is increased to 8 percent to a record of around \$365 billion. China is not a part of these 12 nations, but it has openly been said that they could be made a part of it in the future if countries vote them in.

According to the Economic Policy Institute, growing U.S. trade deficits with China through 2013 eliminated 3.2 million jobs. Is that an accurate figure? I don't know for sure, but no one disputes that trade deficits with China have cost more than 1 million jobs. When you lose 1 million jobs, people go on welfare, need unemployment compensation or retire early. All of these are damaging events to the American economy.

The White House claims that this Trans-Pacific Partnership Agreement—this trade agreement—is critical to limit China's economic influence. We are going to hear about that a lot. We are going to hear the national security argument. However, a new study just released this month by the World Bank shows that China will actually see an increase in export potential if the TPP is approved by Congress. It is not going to constrict China. The World Bank says it is going to increase China's ability to export.

The report by the World Bank stated that the overall impact on China would be “really negligible.” It is not a good argument to state that it is somehow going to boost other economies in the United States as it relates to China. China is not going to be hurt by this agreement.

The World Bank study further reports that Japan would see an extra economic growth of 2.7 percent by 2030

while the United States could expect only nominal growth of perhaps four-tenths of 1 percent.

Robert Scott of the Economic Policy Institute states that the TPP could slow the reshoring of American jobs, especially in the automobile sector.

We have had a nice development in recent years. My State has benefited so tremendously from foreign automobile investments. Instead of making automobiles in Korea, Germany, and Japan, they built plants around the country, and some were built in my home State of Alabama, and make the automobiles there.

I don't think there is any doubt that this agreement could reduce job reshoring because there is a small tariff on imported automobiles and that would be eliminated so that little advantage in moving a plant to the United States would be lost.

Get this. The Fact Checker at the Washington Post gave the President's claim that the Trans-Pacific Partnership would create 650,000 jobs four Pinocchios. That is a pretty bad falsehood. They ought to give it five Pinocchios.

Let's talk about reality. I have talked about trade agreements. Republicans favor trade agreements. I favor trade agreements, but they have to be good agreements. You have to be careful. What about this Korea trade agreement with our friends in South Korea. They are smart negotiators. Last year our trade deficit with South Korea from January to November—we don't have the numbers for December yet—was \$26 billion. Maybe the rest of the year will be about \$28 to \$29 billion. That would be about 15 percent higher than last year's trade deficit with South Korea.

President Obama signed the agreement in 2010. When he signed it, President Obama promised that the South Korea trade deal would increase American exports to South Korea by \$11 billion a year. All right. I want to be cooperative. We like our allies in South Korea, and I voted for the agreement. But what happened? Over 11 months of last year the United States exported 1.2 billion more than we did when the deal was signed in 2010—not \$10 or \$11 billion more, \$1.2 billion. The year before that it was \$0.8 billion. We haven't seen a surge of exports to South Korea. Didn't the negotiators know that? They told us differently.

What about South Korea's imports to the United States—their exports to the United States; what about them? They have risen not \$1 billion but instead \$20 billion. Since 2010 our trade deficit with South Korea has risen nearly 260 percent, from \$10 billion in 2010 to about \$28 billion last year. That is a stunning development.

So we are going to have to vote on this. And we have been told and we have beliefs that things are going to be

better than that. It is not happening in that way. I urge us to study the facts and figures to be realistic. Trade is a good thing, and I have been a supporter. But it is not a religion with me. It is a contract. It is a deal, and deals are to serve the interests of the American people. It has not been doing so. Even the Peterson Institute, which supports these trade agreements, said there would be 120,000 fewer manufacturing jobs over the next 9 years if this agreement takes place in the United States.

Mr. President, I see our leader. He has had a busy week. I appreciate the opportunity to share these remarks.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

FAREWELL TO MIKE BRUMAS

Mr. McCONNELL. Mr. President, before the Senator from Alabama leaves the floor, we had an opportunity this afternoon to say goodbye to a good man, Mike Brumas, who worked for both of us here in the Senate. It was a really good chance to thank an old friend of both of ours; didn't the Senator from Alabama think so?

Mr. SESSIONS. I think so. People wonder about whom we get to work for us up here and who is helping to run this government. But Mike Brumas—14 years at the Birmingham News. I don't think there is any doubt he was the most popular reporter in the State of Alabama for me and other people, and he was a great asset to me and to the majority leader.

Mr. McCONNELL. Mr. President, I particularly enjoyed the observation of the Senator from Alabama of taking the chance of bringing somebody over from the dark side and had some doubts about whether he could make the transition, but he obviously did it very well.

Mr. SESSIONS. He really did. He was loyal to me, and I know he was loyal to you, and he shared the visions we have tried to execute. I think the size of the crowd and the enthusiastic well wishes he got were a testament to the quality of his contribution.

I thank the majority leader for hosting that event.

TRIBUTE TO DR. JOHN CHOWNING

Mr. McCONNELL. Mr. President, I wish to pay tribute to a good friend of mine and a friend to the Commonwealth of Kentucky. Dr. John Chowning, who served as the vice president for church and external relations and executive assistant to the president at Campbellsville University, has recently retired from that post after more than a quarter century with that institution. I know he is going to be greatly missed by his colleagues, by the higher education community

across the State, and by all of us who work on and care about education issues.

Dr. Chowning first became involved in fundraising for Campbellsville University in 1989. He became a member of the university's board of trustees in 1992. He served on that board for 7 years, including service as board chair. Then he became a full-time employee in 1998. He taught at the school for several years as an adjunct in the political science department and served as chair of the university's diversity committee, strategic planning, and university council.

In his various roles throughout the years, Dr. Chowning has taken the lead or been a major influence on several important issues. He established a dialogue on race to foster racial reconciliation. He led Greater Campbellsville United, an organization that strives to create opportunity for all residents of the Campbellsville-Taylor County region. He helped found the Campbellsville-Taylor County Economic Development Authority and served as its chairman.

Working with the Economic Development Authority, he led the way to create a dislocated worker program in Campbellsville when a factory in the region closed and caused jobs to leave the area. And I am proud of the work he and I did together to help create the university's Technology Training Center, a partnership with local governments and Campbellsville University to provide training to the local workforce.

The list of people who are congratulating Dr. Chowning on a remarkable career of service is long, and I am proud to add my name to that list. I am pleased by the fact that Dr. Chowning will remain on in a part-time capacity so Campbellsville University and the Commonwealth can continue to reap the benefit of his knowledge, wisdom, and experience. I want to wish him and his family the very best as he begins this new chapter.

A local publication, the Greensburg Record-Herald, recently published an article extolling Dr. Chowning's life of accomplishment. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Greensburg Record-Herald,
Dec. 23, 2015]

CU'S JOHN CHOWNING ANNOUNCES RETIREMENT
AS OF JAN. 1

(By Joan McKinney)

Dr. John Chowning, vice president for church and external relations and executive assistant to the president at Campbellsville University and a former chair and board member of the Campbellsville University Board of Trustees, has announced his retirement effective Jan. 1, 2016.

Dr. Michael V. Carter, president of Campbellsville University, with whom Chowning

worked for 17 years, said, "John Chowning is one of the most gifted individuals I have ever met. He is a great thinker, and he is wise in his approach to topics across a broad spectrum."

"John is a very good writer, an accomplished speaker, teacher and preacher. He is detailed and is a well-read public policy analyst on a broad array of topics."

"We will miss him on a day-to-day basis, but we are so fortunate he is serving in a new part-time role for the university."

Chowning is retiring after 26 years of service to Campbellsville University. However, he will continue to work part time as executive assistant to the president for government, community and constituent relations beginning in January 2016.

Chowning became involved in fundraising with Campbellsville University in 1989 and became a member of the university's Board of Trustees in 1992.

He continued on the board for the next seven years, serving as chair in 1996 and 1997. He became a full-time employee in February 1998.

Dr. Joseph L. Owens, who is serving his fifth term as chair of the Campbellsville University Board of Trustees, said, "Dr. John Chowning is a shining example of selfless service that has made a difference in many lives at Campbellsville University. He is highly motivated, personable and a spirit-filled man of God."

"His love for the Lord is exemplified in his Christ-like character, as well as his concern for excelling in diversity, diplomacy and the development of bridge-building relationships."

Serving as executive vice president for church and external relations and executive assistant to the president has been "a very humbling and rewarding career path in which God's divine guidance has been evident in the progress CU has seen," Chowning said.

He taught as an adjunct for several years in Campbellsville University's political science department. He has served as chair of the university's diversity committee, strategic planning and University Council.

Chowning founded and has directed the Kentucky Heartland Institute on Public Policy at Campbellsville University which has hosted a wide array of speakers and forums on a host of public policy issues.

Chowning has been involved in many endeavors at Campbellsville University including race reconciliation, and establishing Dialogue on Race, a project dear to his heart. He has served as a leader of Greater Campbellsville United, the focus of which is to help create an environment of equality and opportunity for all residents of Campbellsville-Taylor County and the heartland region of Kentucky.

Chowning was one of the founding members of Team Taylor County (Campbellsville-Taylor County Economic Development Authority) and served for several years as chair and continues as a member of the board.

He received the Governor's Development Leadership Award in 1999 and was named Citizen of the Year for Campbellsville-Taylor County two separate years by the Campbellsville-Taylor County Chamber of Commerce.

Chowning was founding member of the Center for Rural Development and former chair; founding member of the Southern Kentucky Economic Development Corporation and former chair; and founding member and former board member and secretary of Forward in the Fifth education reform group.

With his work with the Economic Development Authority in Campbellsville, he was instrumental in organizing a dislocated worker program at Campbellsville when Fruit of the Loom closed in Campbellsville in 1997-98.

With the support of CU presidents Dr. Ken Winters and Carter, Chowning proposed the university's Technology Training Center and coordinated efforts to secure funding for the project by working with U.S. Sen. Mitch McConnell.

Chowning has left his mark on Campbellsville University with the naming of the Pence-Chowning Art Gallery, the Chowning Art Shop, the Chowning Executive Dining Room and the Chowning Patio.

He and his wife, Cathy Pence Chowning, have established an endowed scholarship fund at Campbellsville University that provides annual scholarship awards to qualifying minority students.

In his role as a pastor, Chowning is an active member and former secretary of Taylor County Ministerial Association and is a member of the executive boards of Taylor County Baptist Association and Zion District Association of Baptists.

He has led his church, Saloma Baptist Church of which he has served as senior pastor since 1994, to become a member of the General Association of Baptists in Kentucky, the state's historic black Baptist state convention—one of two historically Anglo Baptist churches to join the GABKY. He has been active in the life of the GABKY for the past several years.

Chowning has a master's of public administration (planning emphasis) from Eastern Kentucky University; a bachelor of arts in political science from Transylvania University, and an associate of arts from Lindsey Wilson College.

"From serving as trustee chair and vice chair and two terms as a board member to the past 18 years in my current role, my association with Campbellsville University has been one of the most rewarding and meaningful affiliations of my career," Chowning said.

SELECT COMMITTEE ON ETHICS ANNUAL REPORT FOR 2015

Mr. ISAKSON. Mr. President, I ask unanimous consent, for myself as chairman of the Select Committee on Ethics and for Senator BOXER as vice chairman of the committee, that the Annual Report of the Select Committee on Ethics for calendar year 2015 be printed in the RECORD. The Committee issues this report today, January 28, 2016, as required by the Honest Leadership and Open Government Act of 2007.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
SELECT COMMITTEE ON ETHICS,
Washington, DC, January 28, 2016.

ANNUAL REPORT OF THE SELECT COMMITTEE ON
ETHICS 114TH CONGRESS, SECOND SESSION

The Honest Leadership and Open Government Act of 2007 (the "Act") calls for the Select Committee on Ethics of the United States Senate to issue an annual report not later than January 31st of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing

the Committee's activities in 2015 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or staff of the Committee: 55. (In addition, 2 alleged violations from the previous year were carried into 2015.)

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 36.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 13.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 7. (This figure includes 2 matters from the previous calendar year carried into 2015.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit or because it was inadvertent, technical or otherwise of a de minimis nature: 5.

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2015, the Committee staff conducted seven new Member and staff ethics training sessions; 20 Member and committee office campaign briefings (includes one remedial training session); 20 employee code of conduct training sessions; 13 public financial disclosure clinics, seminars, and webinars; 27 ethics seminars and customized briefings for Member DC offices, state offices, and Senate committees; two private sector ethics briefings; and five international briefings.

In 2015, the Committee staff handled approximately 10,265 telephone inquiries and 2,784 inquiries by email for ethics advice and guidance.

In 2015, the Committee wrote approximately 930 ethics advisory letters and responses including, but not limited to, 793 travel and gifts matters (Senate Rule 35) and 83 conflict of interest matters (Senate Rule 37).

In 2015, the Committee received 3,179 public financial disclosure and periodic disclosure of financial transactions reports.

VOTE EXPLANATION

Mr. NELSON. Mr. President, I was necessarily absent for yesterday's vote to confirm the nomination of John Michael Vazquez of New Jersey to be U.S. district judge for the District of New Jersey. I would have voted yea.

Mr. President, I was necessarily absent for today's votes on Senator MARKEY's amendment, No. 2982, and Senator CRAPO's amendment, No. 3021, to the Energy Policy Modernization Act, S. 1012. I would have voted yea on both of these amendments.

HOLD ON S. 2415

Mr. GRASSLEY. Mr. President, I want to inform my colleagues that I have placed a hold on S. 2415, the EB-5 Integrity Act of 2015. I have been working for years to reform the EB-5 immigrant investor program, which is run by the U.S. Citizenship and Immigration Services, and have introduced legislation with Senator LEAHY to overhaul the program.

Our bill, S. 1501, is a comprehensive approach to dealing with the fraud, abuse, and national security vulnerabilities. Our bill also restores the program back to its original intent to ensure that rural and high unemployment areas have access to this source of capital.

S. 2415 is a bill that is modeled almost identically after S. 1501; yet it is weaker and leaves behind many provisions that would in fact bring integrity back into the program. Late last year, I objected to bringing S. 2415 up by unanimous consent and have placed a hold on the bill because I hoped we could consider more effective measures to root out fraud and abuse and create real jobs and do it in a comprehensive manner that ensures the program is able to work for every part of the country for years to come.

As I stated previously on this floor, the failure to include needed reforms last year means the program continues to pose risks to the homeland. I am not so sure reforms are possible anymore. It may be time to do away with it completely.

Nevertheless, if we pass legislation to extend the EB-5 program beyond this fiscal year, I hope to work with my colleagues to achieve true reform.

HONORING CHRISTA MCAULIFFE AND THE ENTIRE "CHALLENGER" CREW

Mrs. SHAHEEN. Mr. President, I wish to salute the memory of the seven brave crewmembers of Space Shuttle *Challenger*, who perished on a mission of exploration and discovery 30 years ago today, on January 28, 1986. I honor the memory of all seven *Challenger* crewmembers: Gregory Jarvis, Judith Resnik, Francis Scobee, Ronald McNair, Michael Smith, Ellison Onizuka, and Christa McAuliffe.

Indeed, Congress permanently honors the *Challenger* crew with a painted lunette medallion of the crew prominently placed in the Brumidi Corridor of the Capitol Building, one floor below this Chamber. In that painting, six of the crewmembers are depicted holding their helmets in their arms, but one crewmember, Christa McAuliffe, is holding in her arms not her helmet but a globe.

For Granite Staters and for teachers and educators all across America and the world, there is a very special place in our hearts for Christa McAuliffe, a

social studies teacher at Concord High School who was selected from more than 11,000 applicants to become the first NASA teacher in space.

During a year of extensive training at NASA before the mission, Christa created science lessons that she planned to teach from space while on board *Challenger*, broadcasting her lessons and observations to students all across Earth.

As a former teacher, I witnessed the impact that Christa's participation had on students and teachers. The *Challenger* was integrated into the classroom curriculum, allowing students to discover a passion for science. We continue to see the contributions of the *Challenger*'s crew in the students who pursue careers in the sciences and in the success of recent NASA missions.

I am especially pleased to witness Christa McAuliffe's continuing impact in advancing education in the STEM fields—science, technology, engineering, and math—and encouraging young people—especially young women—to pursue careers in STEM fields.

A few months after the accident, the families of the *Challenger*'s crew created the first Challenger Center for Space Science Education, a nonprofit that engages students and teachers in hands-on education in science, technology, engineering, and mathematics. Since then, 40 Challenger learning centers have opened their doors in the U.S. and other countries, and they are expanding opportunities for innovative programs and activities in STEM.

We all appreciate that this is a very difficult day for the many outstanding professionals at NASA. On that day, they lost seven wonderful colleagues. Our heart goes out to the NASA family and the families of all seven crewmembers on this day of remembrance.

As an astronaut, Christa McAuliffe was on a mission to outer space. But, as a teacher, she was also on a personal mission to educate and enlighten. She opened the eyes of young people around the world to the wonders of our planet and universe. Today, we remember and honor her bravery, her passion for teaching, and her tremendous legacy.

HONORING OFFICER DOUG BARNEY

Mr. LEE. Mr. President, on Sunday, January 17, 2016, this country lost an American hero—Officer Doug Barney of the Unified Police Department in Salt Lake County, Utah, was shot and killed in the line of duty. He died honorably, doing what he loved to do: serving and protecting his community.

Every day of his 18 years on the force, Officer Barney made his community not just safer but better. I know this not from personal experience—I was not one of those fortunate enough to have met Officer Barney—but from the community's response to his untimely death.

When the tragic news spread across Utah and the Nation, those who knew him or knew of him—and it was hard to live in Salt Lake County without knowing Officer Barney—sprung into action to support his family and to commemorate his life of service.

The most important step was taken first: to surround Officer Barney's wife and three teenage children with love, comfort, and assistance. The outpouring of support came not just from friends, family, and neighbors, but from strangers, too. Nanette Wride and Shante Johnson didn't know Officer Barney, but they were among the first to join his wife, Erika, on her long journey of healing. Indeed, Wride and Johnson came as fellow travelers on that journey—they, too, had suffered the loss of a husband serving on the front lines of law enforcement—knowing all too well the unique challenges facing the Barney family during this trying time.

Then there was the candlelight vigil honoring Officer Barney, hosted by the Salt Lake Valley Law Enforcement Association and the city of Holladay, UT. Despite bitterly cold temperatures, hundreds of friends and neighbors huddled to pay their respects to the man who had meant so much to so many.

That same night, another ceremony took place at the Utah State capitol, as firefighters, first responders, and police officers gathered to receive the U.S. honor flag at the end of its thousand-mile journey from Fort Worth, TX. The flag has flown over battlefields in Iraq and Afghanistan, as well as Ground Zero in New York City, and now, it is escorted by State troopers to communities across America that are mourning the loss and honoring the sacrifice of those who have been killed in the line of duty. It stayed with Officer Barney's body until his funeral, which brought together thousands from across the country.

This was not the first time Doug Barney galvanized his community. In 2010, the students, teachers, and administrators of Eisenhower Junior High School rallied behind Officer Barney who was in the middle of what would become a 12-year battle with cancer. To the students, Officer Barney, the school's resource officer, was "one of the good guys," so they organized a dodge-ball tournament—they called it the Battle for Barney—that raised over \$1,000 to help him pay for his medical treatment.

All of this stands as a testament to the profound impact Officer Barney had on the people and the community he dedicated his life to serve. Standing 6 feet, 5 inches tall, he had the physical attributes to be a good police officer, but as someone who genuinely respected and cared about everyone he met, he had the character to be a good person. And that is how Officer Barney will forever be remembered.

His death serves as a stark reminder of the dangers our law enforcement personnel face every single day. Living with the hazards of the job takes a tremendous amount of courage. And Officer Barney was as brave as they come. Whenever he had to take time off from work for his cancer treatments, he was always eager to return. In fact, he had not been scheduled to work on January 17—that fateful Sunday when he gave the ultimate sacrifice. But with medical bills to pay and a family to feed, he volunteered to work overtime—which is exactly what you would expect from a man like Officer Barney, who chose to enter the police force 18 years ago for just one reason, to help people.

Doug Barney was taken from this life tragically early, but he did more good in his 44 years on this Earth than most of us can hope to accomplish in a lifetime. May he rest in peace, and may God bless his family and the community he served. It will never be the same without him.

ADDITIONAL STATEMENTS

TRIBUTE TO MASTER SERGEANT RAYMOND E. KELLEY

• Mrs. CAPITO. Mr. President, I wish to recognize the exceptionally meritorious career of one of this Nation's finest, MSG Raymond E. Kelley, on his retirement after 26 years of sacrifice and selfless service to the United States of America and the State of West Virginia.

Master Sergeant Kelley's career began on February 12, 1983, and ended upon his retirement on December 28, 2015. He first enlisted in Parkersburg, WV, as a heavy equipment operator with Company C, 463rd Engineer Battalion in the U.S. Army Reserve. In 1985, Master Sergeant Kelley transferred to the Navy, serving as a Seabee, completing deployments to Somalia and Bahrain through October 1993.

After a break in service, Master Sergeant Kelley returned to the Navy Reserves in 1996 and later joined the West Virginia Army National Guard in February 2000 as a staff sergeant and was assigned as a combat engineer section leader. In 2003, Master Sergeant Kelley deployed to Iraq with the Headquarters and Support Company 1092nd Engineer Battalion as a construction foreman.

Following the deployment, Master Sergeant Kelley was promoted and served as a platoon sergeant for the 119th Engineer Support Company, Clarksburg, WV, and the 1st Detachment of the 1092nd, Headquarters and Support Company, Point Pleasant, WV.

In 2006, Master Sergeant Kelley was assigned to the 193rd Equipment Support Platoon in Moundsville, WV, where he served as the senior non-commissioned officer for the unit and

the unit full-time readiness non-commissioned officer.

In 2011, Master Sergeant Kelley was transferred to the 1092nd Engineer Battalion, Headquarters and Support Company as the assistant operations sergeant and was promoted in September 2012 as the battalion operations sergeant.

His awards and decorations include a Meritorious Service Medal, second award; Army Commendation Medal, third award; Army Reserve Component Achievement Medal, third award; Army Achievement Medal, third award; National Defense Service Medal, second award; Global War on Terrorism Expeditionary Medal; Global War on Terrorism Service Medal; Iraq Campaign Medal with Campaign Star; Armed Forces Reserve Medal with Mobilization Device; Army Service Ribbon; Non-Commissioned Officer Ribbon, third award; Overseas Service Ribbon; Combat Action Badge; Joint Meritorious Unit Award; Army Good Conduct Medal, second award; Army Meritorious Unit Commendation; United States Navy Presidential Unit Commendation; Navy Presidential Unit Citation; Navy Achievement Medal, third award; United States Navy Overseas Service Ribbon; Navy Good Conduct Award, second award; West Virginia Emergency Service Medal, third award; WV State Service Ribbon, third award; West Virginia Achievement Ribbon; and West Virginia National Guard Minuteman Ribbon, third award.

Master Sergeant Kelley made significant contributions to all of the units to which he has been assigned throughout his 26 years of service. As the platoon sergeant for the 193rd Equipment Support Platoon, his unit consistently maintained strength in excess of 100 percent and had the highest morale of any unit in the 1092nd Engineer Battalion. As the battalion operations sergeant, Master Sergeant Kelley managed all training events and training requirements, ensuring subordinate units were prepared for all potential missions.

Master Sergeant Kelley resides with his wife, Rhonda, in Parkersburg, WV. They have three children: Seth, Hanna, and Chance. Master Sergeant Kelley is a fellow runner, as well as an avid outdoorsman. I wish him a fond farewell and the best of luck in the next phase of his life. He has shown leadership and wisdom throughout his numerous assignments. He has made a difference in the readiness of the West Virginia National Guard, in the morale of his units, and most importantly, in the lives of thousands of servicemembers. He has been an asset and a treasure; his presence will be missed by many and by the West Virginia National Guard as a whole.

Master Sergeant Kelley, I am honored to call you a fellow West Virginian; but most of all, thankful for

your endless dedication that has meant so much, to so many.●

TRIBUTE TO JUDGE JOHN J. DRISCOLL

● Mr. CASEY. Mr. President, today I wish to recognize the distinguished career of the Honorable John J. Driscoll who retired on December 31, 2015, as a senior judge from the Westmoreland County Court of Common Pleas.

His distinctive career as an elected public official spans more than three decades and is marked by excellence, dedication, hard work, and a genuine love for serving others. Improving the lives of others has been of paramount importance throughout his career.

In 1984, Judge Driscoll served as the Westmoreland County district attorney. As a district attorney, Judge Driscoll was one of the first in Pennsylvania to have a victim witness coordinator, whose duties included informing victims of the case status, assisting eligible victims with obtaining funds under the Pennsylvania Victim Compensation Assistance Fund, and helping victims to receive restitution from defendants found guilty.

A decade later, he was appointed to an open seat on the Westmoreland County Court of Common Pleas and was elected in 1995 to continue his service. After a brief stint in criminal court, Judge Driscoll returned to family court because he believed it was the best way to help children, not only in custody cases, but also in other cases affecting juveniles. His work with juvenile offenders and exchanges with their parents played an important role in making lasting changes in their lives and reducing crime in the community. Furthermore, Judge Driscoll has been a strong advocate for offender rehabilitation as an effective way to reduce recidivism.

His commitment to the community has also been a constant throughout his career, including his work as a trustee on the Board of Excelsa Health, a Paul Harris Fellow from the Greensburg Rotary Club, and as a past chair of the Pennsylvania Supreme Court's criminal procedural rules committee. Judge Driscoll has received many rewards for his service including the Fred Funari Mental Health Association Award of Distinction from the Mental Health Association of Westmoreland County.

Judge Driscoll has also had a most distinguished career in the Navy and received several awards for service to his country. They include the Naval Achievement Medal, the Republic of Vietnam Campaign Medal, the Presidential Unit Citation, and the National Defense Service Medal for exceptionally meritorious service as part of U.S. naval support activity in Danang, Republic of Vietnam.

Although he officially retired on December 31, 2012, Judge Driscoll contin-

ued to serve the court during the past 3 years. Despite being paid for only 10 days of service each month, I understand he generally arrived to work early and often left well after closing time. I know his colleagues in the Westmoreland County courthouse will miss him.

Last, but not least, the gentle guiding force behind John is his beloved wife, Anne, and they cherish their five children and five grandchildren.

It is with great pride that I recognize Judge John Driscoll for his distinguished career in public service. I ask my colleagues to join me in wishing him the best of luck and a happy and healthy retirement.●

RECOGNIZING THE LOUISIANA MUNICIPAL ASSOCIATION

● Mr. CASSIDY. Mr. President, today I am honored to have the opportunity to acknowledge and express gratitude to the Louisiana Municipal Association, LMA, in recognition of their 90th anniversary.

Founded in 1926, the Louisiana Conference of Mayors was created with the purpose of providing a forum for mutual consultation and discussion of various topics affecting municipal government. The organization also aided the growth and development of each municipality through education about best practices problem solving. Shortly after the Louisiana Conference of Mayors was created, the Great Depression swept the Nation. In 1937, a handful of resilient mayors met to revive the organization, giving it new life as the Louisiana Municipal Association. They may not have foreseen that their tenacity in overcoming adversity during the Great Depression and taking proactive steps to keep Louisiana municipalities united and strong would form the basis for the core values to which the LMA still adheres today.

From its inception, the LMA has focused on helping local elected leaders create and maintain efficient and effective municipal governments. In 1987, the nonprofit, nonpartisan LMA created Risk Management, Inc., RMI, to address the insurance and liability demands of member municipalities through its inter-local risk pool. In 1999, the Louisiana Municipal Advisory and Technical Services Bureau, Inc., LaMATS, was created with the purpose of providing essential services to assist municipalities in their day-to-day operations.

In addition to these wholly owned subsidiaries, the LMA has three political subdivisions—Louisiana Municipal Gas Authority, Unemployment Compensation Fund, and Louisiana Community Development Authority; four advisory organizations—Louisiana Association of Chiefs of Police, Louisiana Rural Water Association, Louisiana Conference of Mayors, and Louisiana

Municipal Black Caucus Association; and nine affiliate organizations—Municipal Employees Retirement System, Louisiana City Attorneys Association, Louisiana Association of Municipal Secretaries and Assistants, Louisiana Recreation and Parks Association, Louisiana Association of Tax Administrators, Louisiana Municipal Clerks Association, Building Officials Association of Louisiana, Louisiana Airport Managers and Associates, and Louisiana Fire Chiefs Association.

For decades, the LMA has had tremendous success engaging with its State and Federal partners. In the Louisiana Legislature, the LMA has been a strong voice in the efforts to fight blight, promote law enforcement, and enhance economic growth. On the Federal level, the LMA joined forces with the National League of Cities and other coastal State municipal leagues to lead the charge in petitioning Congress to enact the Homeowners Flood Insurance Affordability Act of 2014, which enacted critical reforms to the Biggert Waters Act of 2012. I was proud to work with the LMA on the inclusion of the Grimm-Cassidy amendment to this legislation, thereby facilitating affordable homeowner flood insurance in Louisiana and across the country.

For 90 years, the LMA has worked to strengthen Louisiana through support and empowerment of municipal government. The organization has launched a yearlong celebration of this anniversary by naming 2016 the “Year of Education.” Opening festivities for this theme will commence in February under the auspices of the 2016 LMA executive board officers—President Mayor Carroll Breaux of Springhill, First Vice President Mayor Barney Arceneaux of Gonzales, Second Vice President Mayor Lawrence Henagan of DeQuincy, Immediate Past President Mayor David Camardelle of Grand Isle, and District A Vice President Mayor Jimmy Williams of Sibley. The executive director of LMA is Ronnie Harris, former 28-year mayor of Gretna.

What started out as a collection of 29 forward-thinking mayors seeking to empower their communities has evolved into a praiseworthy organization that has earned the esteem and trust of local, State, and Federal elected officials, as well as fellow municipal leagues.

I would like to congratulate the LMA on its 90th anniversary and wish them many more years of strength and excellence.●

REMEMBERING JACK REED, SR.

● Mr. COCHRAN. Mr. President, the State of Mississippi and the city of Tupelo lost a leader and model citizen with the passing of Jack Reed, Sr., on January 27. He led a remarkable life and earned an enviable reputation as a businessman, community leader, civil

rights advocate, and education reformer. His tireless work in these roles was felt throughout Mississippi and set an example for embracing our better nature in facing all challenges.

It has been a great privilege to have known Jack Reed. He was the epitome of a goodhearted man and my friend. I join a grateful State in expressing our appreciation for a life well lived that benefited us all.

I ask that a January 28, 2016, article titled "Tupelo Spirit loses a star: Reed remembered as one of Tupelo's best" from the Daily Journal newspaper be printed in the RECORD.

The material follows:

[From the Daily Journal, Jan. 28, 2016]

TUPELO SPIRIT LOSES A STAR: REED
REMEMBERED AS ONE OF TUPELO'S BEST

TUPELO.—Jack Raymond Reed, 91, Tupelo's pre-eminent civic leader, died Wednesday at his residence.

Reed was among the last of a Greatest Generation cadre of Tupelo's business and professional leadership who, after World War II, transformed a pleasant county-seat town into a thriving city which became a regional magnet for economic growth, employment, strong public education and a vigorous arts and cultural community.

Reed earned a national reputation as an eloquent advocate for racial fairness and reconciliation in Mississippi. He had served as a member of the United Methodist Church's Commission on Religion and Race, through which he became friends with key leaders in the national Civil Rights Movement.

"Of all the people I have known in our state of Mississippi, none has been more inspiring than Jack Reed. He was a leader in every way his whole lifetime," said former Mississippi Gov. William Winter. "He was right and generous and fair in his personal, private and public views. He was an inspiration to me in both political and personal relationships. Jack commanded respect. He did nothing that was detrimental to our state or the principles for which he stood. He was a Christian man, an active member of his beloved Methodist church. He has made a mark in Mississippi that will live forever."

Reed was chairman of R.W. Reed Co., the retail store founded by his father in the early 20th century, and he led Reed Manufacturing, which was a major force among Mississippi garment industry employers in its heyday.

Funeral services will be 11 a.m. Saturday at First United Methodist Church. Visitation will be from 4 to 7 p.m. Friday at the church.

Reed, born May 19, 1924, in Tupelo, was the son of Robert W. Reed Sr. and Hoyt Raymond Reed, herself a descendant of an early, influential Lee County family.

Reed and his brothers, R.W. Reed Jr. and William Reed, were high-profile leaders in the region's business and manufacturing community for more than 50 years.

Reed graduated from Tupelo High School with honors, attended Vanderbilt University and graduated with a bachelor's degree with honors in 1947, following an interruption of his college days for service in the South Pacific during World War II in the Signal Intelligence Service, U.S. Army of Occupation.

Following the war, Reed earned a master's degree in retailing from New York University and returned to Tupelo, where he joined the businesses founded by his father and his father's brothers.

"Since the 1950s, Jack was considered to be in the upper leadership tier of the Tupelo

area and from that platform, he really helped thousands of people by supporting numerous programs and initiatives," said Lewis Whitfield, senior vice president of the CREATE Foundation. "He cared deeply about all people everywhere, and he was of course a tremendous advocate for education. He saw education as not only the key to community and economic development, but as a way for people to improve themselves. Jack was a great man and he left his mark on virtually every good thing in this community."

Reed was a director emeritus of the Daily Journal's corporate board of directors, a position in which he served for a half century.

Reed had been a close friend, confidant and community builder with the late George McLean, the Daily Journal's executive editor, publisher and the founder of CREATE, the not-for-profit foundation which owns all stock in Journal Inc.

"Jack Reed lived a remarkable life, a life marked by love for his family, love for his community and really a love for all mankind," said former Daily Journal publisher Billy Crews, now a development officer at the University of Mississippi. "He is among the best businessmen I have ever known, in part because his trade was only a portion of his total business interest. His combination of intellect, humor and optimism influenced thousands of others and the very culture of Tupelo and Northeast Mississippi. He was a pioneering leader in education and race relations."

Reed was no stranger to community involvement. He was active in his whole career in the Mississippi Economic Council, of which he served as president in 1964; president of the Mississippi Retail Merchants in 1967; chair of the Tupelo Community Development Foundation in 1968; president of the Yocona Council of the Boy Scouts of America; national president of the Vanderbilt Alumni Association in 1972 and 1973; chair of the administrative board of the First United Methodist Church; chair of the Governor's Special Committee of Public Education in 1980 and 1981; chair of the State Board of Education; a member of the board of trustees of Millsaps College; a founding member of the executive committee of Lee United Neighbors; chair of the board of CREATE; founding director of LIFT Inc. and chair of the National Advisory Council on Education Research and Improvement from 1991 through 1994. In addition, he received Tupelo's Outstanding Citizen Award in 1971 and Lifetime Achievement Award in 2000.

"He was a very compassionate man, always willing to help those in troubling situations and people in every kind of life situation," said Guy Mitchell III, an attorney and confidant of Reed's. "He was a giant as far as our city is concerned."

He was married to Frances Purvis Reed, and they were the parents of four children, all of whom returned to Tupelo after college, three of them working for R.W. Reed Co. The fourth owns an investment firm in Tupelo. Jack Reed Jr. served as Tupelo mayor for one term, from 2009-13.

Reed was well known statewide and worked with other leaders of many political persuasions for causes held in common.

"He was a strong leader, not only on the local level but on the state level. A very open minded and fair thinking person," said Tupelo City Council member Nettie Davis, the longest serving council member and lifelong Tupelo resident. "He's one that stood out as far as providing unity and good leadership. I think it's going to be a great loss to

our city, our area and the state of Mississippi."

Reed chaired Mississippi's first lay State Board of Education from 1982-87, and later was tapped by President George H.W. Bush to head up the National Advisory Committee on Education Research and Improvement.

Reed's stance on public education was a dominating portion of his campaign as the Republican nominee for governor in 1987. Reed eventually lost that race to Democrat Ray Mabus.

Reed, in a 1999 archived interview for the University of Southern Mississippi, described his early years in Tupelo.

"Well, it was different. It was a good time for me," Reed said in the interview. "My father was a merchant here, and my mother was also a native of this area. I had two brothers; we had a nice home. And of course, in this area, if you had anything at all, servants were plentiful in those days. So, we always had a cook, and it was in the Depression. We were aware of the Depression, but my father, fortunately, sold his business at the . . . appropriate time, and just before the Depression hit its bottom. And he bought it back within a year for considerably less than he sold it for, and it gave him enough inventory to keep things going. So, we weathered the Depression better than most."

Reed also was an adolescent when the 1936 tornado—a deadly, devastating storm—struck, and he recalls its impact on the city.

"Our home was literally destroyed by the tornado," Reed said. "People were killed across the street, and next door and behind us, but we survived that. Interestingly, during that time of the tornado, the store was not damaged. So, [my father] opened the store, told his friends to take what they needed, pay him when they could. I don't think he lost any money on the basis of that."

But above all his civic, business and other contributions to Tupelo, Northeast Mississippi and the state, Reed said he always placed family as a top priority.

"The conclusion is family has been the most important thing in my life; remains so; has always been," Reed said. "I'm a privileged person. All four of my children, went away, out of this state to college. All four of them are living here, now. I see my four children and my grandchildren every day unless something exceptional [happens]. We work together. My brothers and I were business partners for 50 years."

"I've been in one church all of my life. All of my children went to Tupelo public schools. I know some people would think that that's pretty provincial, but there's a stability to it that I have found has been very satisfying to me. So, that's the conclusion to my memoir." ●

TRIBUTE TO GIL CARMICHAEL

● Mr. COCHRAN. Mr. President, this weekend, Disney Pictures will release "The Finest Hours," a cinematic retelling of a 1952 Coast Guard rescue mission off the New England coast. I am pleased to use its release as an opportunity to commend Mr. Gil Carmichael of Meridian, MS, an important participant in this mission, for his bravery during that storm and for a lifetime of service to the State of Mississippi and the Nation. Mr. Carmichael, an ensign in the U.S. Coast Guard at the time, was awarded the

Silver Life-Saving Medal for his heroic actions during that rescue mission.

A 1952 Coast Guard news release described the rescue:

FOR RELEASE AT 10:30 A.M., MAY 14, 1952

Twenty-one Coast Guardsmen were decorated today by Edward H. Foley, Under Secretary of the Treasury, and Vice Admiral Merlin O'Neill, Coast Guard Commandant, for the rescue of 70 men in a heavy storm at sea Feb. 18-19.

The rescued men were crew members of the tankers SS FORT MERCER and SS PENDELTON which broke in two in 70-knot winds and 60-foot seas off the coast of Cape Cod, Mass.

The group ceremony was held in the Treasury before members of Congress and high ranking Coast Guard officers. Members of Congress from the homes of each man decorated, and members of committees which handle Coast Guard legislation, also were invited.

Also present were William B. St. John of the National Bulk Carriers, Inc., owner of the PENDELTON, and C.A. Thomas, W.G. Johnson and P.J. Clausen of the Trinidad Corp., owner of the FORT MERCER.

Admiral O'Neill described the Cape Cod rescue operations as unique in Coast Guard history. With each tanker broken in two forty miles apart, four hulks with survivors aboard were left adrift in the mountainous seas.

He said all types of rescue equipment were used including large Coast Guard cutters, an airplane, an ocean-going tug, motor lifeboats, radar, rubber liferafts, scramble nets, lifelines and exposure suits.

"But most of all," said Admiral O'Neill, "the situation called for raw courage and skill of the highest order—backed by Coast Guard teamwork."

Five of the men received the Treasury's Gold Life-saving Medal for "extreme and heroic daring." Four others received the Treasury's Silver Life-saving Medal for "heroic action." Fifteen were cited for "courage, initiative and unswerving devotion to duty" and authorized to wear the Coast Guard Commendation ribbon. Those decorated were:

Gold Life-Saving Medal:

Andrew J. Fitzgerald, Engineman 2nd class; Ervin E. Maske, Seaman; Bernard C. Webber, Boatswain's Mate 1st class; Richard P. Livesey, Seaman; Ensign William R. Kiely, Jr.

Silver Life-Saving Medal:

Paul R. Black, Engineman 2nd class; Ensign Gilbert E. Carmichael; Edward A. Mason, Jr., Apprentice Seaman; Webster G. Terwilliger, Seaman

Coast Guard Commendation Ribbon:

Antonio F. Ballerini, Boatswain's Mate 3rd class provisional; Donald H. Bangs, Boatswain's Mate Chief; Richard J. Ciccone, Seaman; John J. Courtney, Boatswain's Mate 3rd class; John F. Dunn, Engineman 1st class; Philip M. Griebel, Radioman 1st class; Emory H. Haynes, Engineman 1st class; Roland W. Hoffert, Gunner's Mate 3rd class; Eugene W. Korpusik, Seaman Apprentice; Ralph L. Ormsby, Boatswain's Mate Chief; Dennis J. Perry, Seaman; Donald E. Pitts, Seaman; Alfred J. Roy, Boatswain's Mate 1st class; Herman M. Rubinsky, Seaman Apprentice; LCDR John N. Joseph

A nor'easter is a remarkable event in any era. The 1952 winter storm spawned hurricane-force winds and waves as tall

as most of the office buildings at the time. The brave members of our Coast Guard raced into this dangerous situation to locate two large tankers that had broken in two and to rescue 70 men facing nearly certain death.

When asked about the rescue, a selfless Mr. Carmichael, who was in charge of a rescue boat that rescued two men from the bow of the SS *Fort Mercer* that day, said, "I learned early in life how I would behave in crisis. I knew when we put the boat over we could be killed but all of us were just thinking about trying to save lives rather than of our own safety."

Gil Carmichael took the remarkable experience he gained in the Coast Guard and continued on the path of public service, later for statewide office in Mississippi in the 1960s, as a candidate for the U.S. Senate in 1972, twice for Governor in 1975 and 1979, and once for Lieutenant Governor in 1983. He also served as a delegate from Mississippi to the Republican National Convention. In 1973, he was appointed to the National Highway Safety Advisory Committee and became chairman of the advisory committee until 1976. From 1976 to 1979, he was a Federal commissioner for the National Transportation Policy Study Commission. He became Administrator of the U.S. Department of Transportation's Federal Railroad Administration in 1989 and served until 1993. He later served as chairman of the Amtrak Reform Council.

It is a pleasure to acknowledge Mr. Carmichael whose selfless personal qualities reflect a great deal of credit on my State and this Nation.●

TRIBUTE TO BRIGADIER GENERAL BRUCE BRAMLETTE

● Mr. DAINES. Mr. President, today I wish to recognize former BG Bruce Bramlette of Fort Benton, MT, on behalf of his lifetime of dedication to our Nation and his selfless service on congressional U.S. Military Academy nomination boards. Bruce has tirelessly served on nomination boards for 25 years, both as a member and board chairman, and has interviewed more than 1,000 young Montana students seeking a nomination to one of our Nation's service academies. Throughout his years of conducting interviews, he has had numerous opportunities to meet and interact with incredible students from all over Montana. Bruce said it was his pleasure to help these students pursue their dreams of becoming an officer in one of our Nation's military branches.

In addition to Bruce's tremendous volunteer hours for the nomination boards, he proudly served in the Montana Air National Guard for 34 years. He retired in 1994 as the assistant adjutant general for air for the State of Montana. As a National Guard fighter

pilot, Bruce successfully flew over 2,000 hours in the F106 Dart, F102 Dagger, and F89 Scorpion.

A graduate of Montana State University, Bruce has also been an active member in his community. He has served on the Highwood School Board for 9 years, is a lifelong member of the Air Force Association, and is an active member of Representative RYAN ZINKE's Veterans Advisory Board. Bruce and his wife of 43 years, Miriam, have three daughters and nine grandchildren.

Bruce recognizes the great value in supporting our next generation of leaders—especially those who will be defending and protecting our country. I am deeply thankful for Bruce's years of service to our State and Nation and his tireless work on behalf of Montana students.●

REMEMBERING BIG ED SMITH

● Mr. DAINES. Mr. President, I would like to honor Edward B. Smith—a man of great character and a dedicated public servant who was called home on January 25, 2016, at the age of 95.

"Big Ed" was born in Dagmar, MT, in 1920. He and his wife, Juliet, raised four children near the family homestead, where Ed helped manage the family farm and ranch. He was an avid hunter and sportsman and earned his nickname "Big Ed" while playing in the Big Muddy Baseball league. Ed was an active member of the Sheridan County community, serving as a member of the Sheridan County Stockman Association, Wool Growers, and the Sheridan County Fair board, as well as a 4-H leader.

Ed's heart for service led him to run for the Montana State Legislature in 1966, where he served for 20 years. In 1972, Ed ran as Montana's Republican candidate for Governor. He went on to serve on Montana's Highway Commission for several years after retiring from the State legislature.

Big Ed was a commonsense and independent leader and a man of great integrity. He made a lasting impact on Montana and will be truly missed. Cindy and I will keep his wife, Juliet; his four children; and his many grandchildren and great-grandchildren in our thoughts and prayers.●

TRIBUTE TO RANNA DAUD

● Mr. HELLER. Mr. President, today I wish to recognize Ranna Daud, executive director for the After-School All-Stars Las Vegas, ASASLV, for her tireless efforts in helping Las Vegas's youth achieve prosperous futures. Ms. Daud has contributed greatly to her community by working to make ASASLV the best it can be.

ASASLV was initially organized in 2003 to provide Las Vegas's youth with a variety of free academic, athletic,

and cultural afterschool programs, encouraging Nevada's students to maintain a successful and healthy lifestyle during afterschool hours. These programs are offered to students in pre-kindergarten through 8th grade at 13 different schools across the Clark County School District. To help students academically, ASASLV offers homework assistance, test preparation, and tutoring from certified teachers. It also offers classes in art, music leadership, cooking, business, and dance.

Aside from educational aid, the organization also emphasizes health and fitness. Activities such as soccer, volleyball, basketball, martial arts, yoga, and hiking are offered to students. Our State is fortunate to have someone such as Mrs. Daud leading this organization, which is critical in helping students across Las Vegas maintain a positive lifestyle.

Ms. Daud began working for ASASLV in 2004 as a program manager. She later returned to the organization in 2009 and served for 4 years before being selected as the executive director. In this role, Ms. Daud leads the organization in pursuit of its mission to help Nevada's youth. She also serves as the main voice in the community, working to build recognition for the program. Ms. Daud's work with ASASLV has contributed greatly in making the organization an invaluable resource to Las Vegas's youth. She has gone above and beyond to build a positive base for Nevada's future generations.

I extend my deepest gratitude to Ms. Daud for all of her hard work in encouraging our youth to have successful and active futures. She is a shining example of someone who strives for the betterment of her community and displays true selflessness in her work. I am thankful to have Ms. Daud serving as an ally to Las Vegas's students, providing them a safe, healthy, and ambitious environment.

I ask my colleagues and all Nevadans to join me in recognizing Ms. Daud and her work for ASASLV, a program that is so important for Nevada's youth. I wish Ms. Daud the best of luck in all of her future endeavors working to help students across southern Nevada.●

RECOGNIZING WESTERN GOVERNORS UNIVERSITY NEVADA

● Mr. HELLER. Mr. President, today I wish to recognize Western Governors University, WGU Nevada. I am proud to honor this institution that offers Nevadans a unique opportunity to learn and achieve successful and positive futures.

Established in 1997, WGU Nevada is an online institution designed to offer greater access and flexibility to higher education. This university provides 50 accredited bachelor's and master's degrees in business, information technology, K-12 teacher education, and

health professions, along with a variety of other tracks. WGU Nevada's mission to provide Silver State citizens with an opportunity to obtain an academic degree at their own pace will help enhance the lives of thousands of students, while also ensuring the needs of Nevada's employers are met.

WGU Nevada has gone above and beyond to help Nevadans obtain the tools they need to succeed. Recently, this institution provided 10 students in Nevada with the financial support needed to earn a degree that will advance their careers. I am grateful that WGU Nevada is working to create a brighter future for many across the Silver State.

As the husband of a teacher, I understand the important role academic institutions play in enriching the lives of Nevadans. Ensuring that students throughout Nevada are prepared to compete in the 21st century is critical for the future of our country. The State of Nevada is fortunate to be home to WGU Nevada.

I ask my colleagues and all Nevadans to join me in recognizing WGU Nevada. This institution is truly dedicated to enriching the lives of Nevadans, and I am honored to recognize its efforts.●

TRIBUTE TO COLONEL JOHN NOVAK

● Mr. ISAKSON. Mr. President, I wish to pay tribute to COL John Novak for his past year of exemplary dedication to duty and service as an Army congressional liaison for the Chief of Army Reserve. In that role, he managed the operations and readiness portfolio for the Army Reserve. I am grateful that he will continue to serve the Army and Congress in his new assignment as commander, 361st Civil Affairs Brigade, in Kaiserslautern, Germany. We wish him well in his new position.

A native of Ohio, Colonel Novak enlisted in the Army as a psychological operations specialist in the 21st Psychological Operations Company, Cleveland, OH. He graduated with honors from John Carroll University, magna cum laude, and the Reserve Officer Training Corps Program, distinguished military graduate, in 1991 and was commissioned into the infantry. Throughout his career, he also earned a master's degree in business and organizational security management from Webster University; a master's degree in legislative affairs from the George Washington University; a master's degree in strategic intelligence from the National Intelligence University, Defense Intelligence Agency; a master's degree in strategic studies from the U.S. Army War College; and associate of arts degrees in Russian studies and law enforcement.

As an officer in the U.S. Army Reserve, Colonel Novak served with military intelligence, logistics, psychological operations, and civil affairs

units at the platoon, detachment, company, battalion, group, and major command level as an executive officer, platoon leader, detachment commander, psychological operations officer, Product Development Center chief, logistics officer, assistant operations officer, S3, company commander, plans officer, operations officer, aide-de-camp, assistant chief of staff, and battalion commander.

His service in the Army Reserve is highlighted by his selection in 2009 to serve as an Army congressional fellow. While assigned to the Office, Chief of the Army Reserve from 2010 to 2012, Colonel Novak spent a year representing the Army to the Congress by working in the office of Senator Saxby Chambliss. Following the completion of battalion command, he returned once again to the Office, Chief Army Reserve to serve as a legislative liaison officer.

As with all our citizen soldiers, it is important that we acknowledge his service in the civilian sector. Colonel Novak has extensive law enforcement experience, serving as both a municipal police officer in Ohio and as a Federal civilian special agent with the U.S. Air Force Office of Special Investigations. It is because of their cooperation and understanding during his many tours on Active Duty that he is able to make such a positive impact on the Army Reserve.

John is accustomed to working long hours in all of his positions in the Army and civilian sector, so it is only fair and proper to acknowledge the tireless support of his wife Stacey and his children—Patrick John Novak and Caitlin Lynn Novak. I thank them for their sacrifices and wish them all the best for continued success in the future.

Throughout his 30-year career, COL John Novak has made positive impacts on the careers and lives of his soldiers, peers, and superiors; and I am grateful that he has chosen to serve as an Army leader. I join my colleagues today in honoring his dedication to our Nation and invaluable service to the U.S. Congress as an Army congressional liaison.●

TRIBUTE TO DAVID W. SCHEIBLE

● Mr. PERDUE. Mr. President, I wish to honor a great Georgian, David W. Scheible, chairman and CEO of Graphic Packaging International, Inc. David is retiring from Graphic Packaging after a decade of transforming the company.

Under David's leadership, Graphic Packaging has grown to become a Fortune 500 company with over 12,000 employees globally and a highly respected leader in the paper and packaging industry.

Last year, David was the recipient of the Executive Papermaker of the Year award, which is based on corporate vision, strategic objectives, and strong

leadership within the individual's company and the paper industry.

David is also a pillar in our community with a passion for education, sustainability, and feeding the hungry. He serves on the board of directors of Benchmark Electronics, the board of Cancer Treatment Centers of America, and the Metro Atlanta Chamber of Commerce, where he was chairman of the education committee for the last 5 years.

As the immediate past chairman of the American Forest & Paper Association, David was a powerful and visionary advocate working with Federal, State, and local officials on issues critical to the pulp and paper industry. David's charisma, focus, and quick intellect earned the respect of many legislators, including myself.

It is with great pleasure that I recognize David Scheible, a man who continues to make a difference, and I wish him well in his future endeavors.●

VERMONT ESSAY FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD copies of some of the finalist essays written by Vermont High School students as part of the sixth annual "What is the State of the Union" essay contest conducted by my office. These finalists were selected from nearly 800 entries.

The material follows:

ADAM FLEISCHMAN, SOUTH BURLINGTON HIGH SCHOOL (FINALIST)

The state of the union is strong. Americans are working hard, unemployment is down, the stock market is up, and the recession of 2008 feels like ancient history. Still, we face problems. Climate change is one of those issues, particularly because of the denial by politicians in our government that refuse to do anything, because their re-election campaigns rely on oil and gas companies' contributions.

In the 114th congress, 170 members deny that global warming is real. Many representatives receive huge donations, as much as \$63 million from big oil and gas companies, and in return, they support deregulation initiatives in Congress to protect the corporations. In other words, they prevent progress and obstruct a move away from non-renewable energy sources. In this way, they are not representing their constituents—they're representing the interests of the very wealthy corporations—and it's undermining the political system we have.

In a legislative body that is constantly blinded by the goal of staying in office, rather than passing comprehensive reforms to save our planet, the denial is rampant. Even though 97% of scientists agree that climate change is real, and manmade, these elected officials with no background in science choose to ignore it, and instead put trillions of taxpayer money into a defense budget that is bloated and unnecessary. For climate change to be properly addressed, it starts with Congress. If we invest money into clean energy—solar panels, wind turbines, natural gas—we will slowly be able to move away from non-renewable, dirty sources.

We also must take a stand against the corporations profiting off of non-renewable

sources, making it clear that their campaign contributions should not be the difference between whether or not we leave a healthier planet for future generations. If we wait long enough, it will be too late to do anything. It's not part of a "liberal agenda" that some in Congress like to criticize. It's a common problem that is hurting our common home, and it's up to all of humankind to deal with it. That can't happen if the political charades are continued in Washington, D.C.

ELLERY HARKNESS, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

My fellow Americans, there are many important issues burdening our world today; in order to fix these problems, we need an education system that produces well educated leaders to solve these issues. Our education system as it stands today needs to be modified and socioeconomic factors hindering education need to be addressed.

Education should be an equalizer, so that anyone, no matter their circumstances, can realize their potential; this isn't the reality though. The truth is that kids from disadvantaged families have a far lower chance for success. Inequality due to wealth and race are huge problems; the disturbing school to prison pipeline is one outcome of this. Only 1 in 12 children in poverty will graduate from college today and almost half won't graduate from high school. Studies have also found that African American and Hispanic high school graduation rates are 10% lower than the U.S. average. Education can raise people out of poverty, while ignoring these problems only continues to perpetrate a horrific cycle of poverty and create more economic problems.

Consider that by 2020, 65% of U.S. jobs will require a postsecondary education, according to Georgetown Public Policy Institute. Yet only 1 of 4 students are ready for college in the 4 core subjects when graduating high school, according to U.S. news. Regrettably, the education system not only isn't preparing students for college, it also forces students to bear an unreasonable financial burden in order to go to college. With free or reduced tuition programs, college education would be more accessible.

There is no single fix for the educational problems plaguing our country yet it is clear that major reforms need to take place. Potential solutions are policies that provide family support so that students grow up in places that encourage learning. Since teachers are the most important aspect of education, more resources could be put into teacher programs and salaries that incentivize job growth. Congress could also work towards bipartisan policies that ensure schools around the U.S. have equal quality and access to resources through more funding. In 2015, 55% of government funding went to the military, while only 6% went to education. An increase in education funding is a justifiable change that could dramatically help broken systems.

With a better educated workforce, people will have better jobs and rely on government less, benefiting the U.S. economy. Opportunity gaps in education would also decrease and the U.S. would become more competitive as a result. This is another incentive for making education a priority to those in Washington.

Our combined futures are dependent on the youth of today; but our nation's children are only as good as the education they are provided with. As Nelson Mandela said, "Education is the most powerful weapon which you can use to change the world." Let's take advantage of it.

MEGAN HUGHES, CANAAN MEMORIAL HIGH SCHOOL (FINALIST)

As many Americans know, we are very blessed to have colleges available in our country. College allows a young adult to further his or her knowledge of the world around them so they can be ready to enter the workforce. College tuition used to be affordable, so that everyone could further their education. This is important because more educated people means a stronger growing economy. At the same time, the cost of tuition rises dramatically each year, and families with more than one child find themselves in tough financial situations. Most of the time people use loans, and end up paying back student debt for years. Every American deserves to have a college education, which is why state colleges should be tuition free.

Elementary and high school is mandatory for all American citizens. Parents who refuse to send their children to school have to pay large fines or even serve jail time. If early education is this important to Americans, why is college not? Why should the emphasis just be on getting a primary or secondary education? More and more jobs today are requiring higher than just a high school diploma. In an article by Adam Davidson, he says that "Workers with more education are more productive, which makes companies more profitable and the overall economy grow faster." This is true, more educated people means more jobs are being done correctly and efficiently, and as a result boosting the economy.

In an article by Steven Goodman he said "Two-thirds of American undergraduates are in debt. This year, student loan debt will grow to more than a trillion dollars, outpacing credit card debt for the first time." This article was written in 2011, meaning only four years ago student debt was already in the trillions. When young adults leave home and enter the work force, they have to deal with adult responsibilities for the first time. On top of that, they usually need to pay off student debt. If college were to be tuition free these people would not have large debts. The money they make could go towards paying bills, and saving money for their future or retirement. It would also help attract those who were never thinking about going to college because of the high costs. All this leads to more people buying and selling goods which is important for a country to prosper.

State colleges should be free because the economy will grow faster with more educated people, and young adults will not be paying college debt for half their life. How exactly this would be done is simple, put higher taxes on the wealthy. With the top class distributing their money towards education, everyone can have the opportunity to further their education. People can use their hard working money on other things, like purchasing a house or providing for a child. That is why it is important to have free college tuition because it creates an educated population, less debt, and saving for other necessities.

TORI JARVIS, MISSISSQUOI VALLEY UNION HIGH SCHOOL (FINALIST)

Since the recent crimes committed by the terror group ISIS, hate crimes against Muslims have skyrocketed. Recently, "an Arab-American man was brutally attacked by two white men . . . (who) also taunted his daughter, who wears a hijab, making references to ISIS . . . The attackers called (them) 'r-head' and said, 'Go back to your country.'" Wrote Tom Carter for an article on the

World Socialist Website. Obviously, these men attacked the man and his daughter for their race and religion, equating the fact that they were Muslim with terrorism even though there was no sensible reason to. People are so scared of terrorism that they lash out at anything they can associate with it.

People in power or who wish to be in power are using this fear to convince them that Muslims are the ones to be feared. The most recent—and most dangerous—example is Donald Trump, who wants to ban Muslims from coming into the country. This move has not only heightened the fear of ISIS, but made people believe the Muslims currently in our country are associated with terrorism, creating more violence. Encouraged by Presidential candidates like Donald Trump, some Americans blame the entire religion of Islam, and anyone who follows it, for all of our country's problems. They believe that because these terrorists are following a distorted version of the Qu'ran and the religion of Islam, that anyone else who worships the peaceful religion is a terrorist as well. Unfortunately, people don't realize that Muslims are not terrorists. Muslim athlete Muhammad Ali once said; "Terrorists are not following Islam. Killing people and blowing up people and dropping bombs in places and all this is not the way to spread the word of Islam. So people realize now that all Muslims are not terrorists." Muslims are too often oppressed, even violently attacked by Americans who blame them for terrorism. Muslims in America today are now experiencing racism the way black people used to, and are violently and verbally abused by white people who are looking for someone to blame.

Jermaine Jackson, one of Michael Jackson's siblings, has pointed out "Muslims have become the new Negroes in America. They are being mistreated at airports, by the Immigration—everywhere. Islam is a religion of peace. They are wrong." People who wear hijabs seem to have a target placed on them. Muslims are "randomly selected" for full body searches at airports, forced to prove they're in this country legally, and attacked by people who have different religious opinions. The violence against Muslims must end, whether it physical or mental. As the civil war in the Middle East is creating unlivable conditions for its inhabitants, they're counting on us to take them in and keep them safe.

America is trying to divide and conquer—focusing on conquering Muslims as a whole rather than just ISIS. Rather than attacking the Muslims in our country, we should be focusing on the actual members of ISIS, and not people who have no association with the organization.

ALEXIS MANCHESTER, GREEN MOUNTAIN TECHNOLOGY AND CAREER CENTER (FINALIST)

Today in America, people are going to prison wasting countless economic resources and potentially ruining the lives of people all because of the recreational use of marijuana.

While people often say marijuana is a gateway drug, I strongly disagree. There are more people that drink a glass of milk per day and become addicted to more serious drugs, than those who use marijuana. It is not uncommon to hear echoes of this sentiment in other contexts as well, particularly, the media and Presidential candidates. In fact, Senator Sanders himself suggests that marijuana should be legalized: "I suspect I would vote yes. And I would vote yes because I am seeing in this country too many lives being destroyed for non-violent offenses. We have a criminal justice system that lets

CEOs on Wall Street walk away, and yet we are imprisoning or giving jail sentences to young people who are smoking marijuana. I think we have to think through this war on drugs which has done an enormous amount of damage." I strongly agree with this statement because there is not one reported death from an overdose of marijuana. In fact, 88,000 people have died from alcohol use. I personally have never heard of somebody murdering someone because they were under the influence of marijuana. Alcohol on the other hand, has been proven to impact our culture negatively.

Facts don't lie. 58% of Americans think marijuana should be legalized, including me. Around 40% of Americans admit to already using marijuana. If marijuana was legalized, we could tax it and allow citizens who choose to use it to benefit our communities in more effective ways than keeping it illegal. Marijuana is a safer drug than others and there is a very low risk of abuse. Marijuana can be safe and useful for instance. Legalizing marijuana will bring the nation's largest cash crop under the rule of law, creating jobs, and economic opportunities in the formal economy instead of the illicit market. Washington, Alaska, Oregon and Colorado haven't had any major issues with their legalization. Washington State raked in more than \$70 million in taxes its first year of legal regulated marijuana sales. In Colorado the total of marijuana tax and license cash funds is the total of \$11,290,012 annually. Alaska stands to make between \$5.1 million and \$19.2 million in tax revenue from commercial marijuana in 2016, according to the preliminary estimate by the Alaska Department of Revenue. Oregon's first week of recreational use of marijuana sales top \$11 million dollars. Clearly, the taxes incurred would positively benefit our state and country should we choose to jump on board.

In closing, I hope you can appreciate my ideas, although I am just one voice. America is a progressive kind of people and we must do what we can to continue to demonstrate the values that make us great. Thank you for your time.●

RECOGNIZING THE LOUISIANA MUNICIPAL ASSOCIATION

● Mr. VITTER. Mr. President, today my colleague Senator BILL CASSIDY and I are honored to have the opportunity to acknowledge and express gratitude to the Louisiana Municipal Association, LMA, in recognition of their 90th anniversary.

Founded in 1926, the Louisiana Conference of Mayors was created with the purpose of providing a forum for mutual consultation and discussion of various topics affecting municipal government. The organization also aided the growth and development of each municipality through education about best practices and problem solving. Shortly after the Louisiana Conference of Mayors was created, the Great Depression swept the Nation. In 1937, a handful of resilient mayors met to revive the organization, giving it new life as the Louisiana Municipal Association. They may not have foreseen that their tenacity in overcoming adversity during the Great Depression and taking proactive steps to keep Louisiana

municipalities united and strong would form the basis for the core values to which the LMA still adheres today.

From its inception, the LMA has focused on helping local elected leaders create and maintain efficient and effective municipal governments. In 1987, the nonprofit, nonpartisan LMA created Risk Management, Inc., RMI, to address the insurance and liability demands of member municipalities through its inter-local risk pool. In 1999, the Louisiana Municipal Advisory and Technical Services Bureau, Inc., LaMATS, was created with the purpose of providing essential services to assist municipalities in their day-to-day operations.

In addition to these wholly owned subsidiaries, the LMA has three political subdivisions—Louisiana Municipal Gas Authority, Unemployment Compensation Fund, and Louisiana Community Development Authority; four advisory organizations—Louisiana Association of Chiefs of Police, Louisiana Rural Water Association, Louisiana Conference of Mayors, and Louisiana Municipal Black Caucus Association; and nine affiliate organizations—Municipal Employees Retirement System, Louisiana City Attorneys Association, Louisiana Association of Municipal Secretaries and Assistants, Louisiana Recreation and Parks Association, Louisiana Association of Tax Administrators, Louisiana Municipal Clerks Association, Building Officials Association of Louisiana, Louisiana Airport Managers and Associates, and Louisiana Fire Chiefs Association.

To fulfill its mission of educating its membership and providing a forum for discussion about common issues, solutions, and problem solving, the LMA holds an annual convention, a mid-winter conference, 10 district meetings, a municipal day during the State's legislative session, and 15 or more webinars.

For decades, the LMA has had tremendous legislative success on both State and Federal levels. In the Louisiana Legislature, the LMA has been a strong voice for Louisiana municipalities in efforts to fight blight, promote law enforcement, maintain funding, and enhance economic growth. On the Federal level, the LMA joined forces with the National League of Cities and other coastal State municipal leagues to lead the charge in lobbying Congress to enact the Homeowners Flood Insurance Affordability Act of 2014, which enacted critical reforms to the Biggert Waters Act of 2012, thereby facilitating affordable homeowner flood insurance in Louisiana and across the country.

For 90 years, the LMA has worked to strengthen the backbone of Louisiana through support and empowerment of municipal government. The organization has launched a yearlong celebration of this anniversary by naming 2016 the Year of Education. Opening festivities for this theme will commence at

the midwinter conference in February under the auspices of the 2016 LMA Executive Board officers—President Mayor Carroll Breaux of Springhill, First Vice President Mayor Barney Arceneaux of Gonzales, Second Vice President Mayor Lawrence Henagan of DeQuincy, Immediate Past President Mayor David Camardelle of Grand Isle, and District A Vice President Mayor Jimmy Williams of Sibley. The executive director is Ronnie Harris, former 28-year mayor of Gretna.

What started out as a collection of 29 forward-thinking mayors seeking to empower their communities has evolved into a praiseworthy organization that has earned the esteem and trust of local, State, and Federal elected officials, as well as fellow municipal leagues.

We would like to congratulate the LMA on its 90th anniversary and wish them many more years of strength and excellence.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4228. A communication from the Acting Secretary of the Army, transmitting, pursuant to law, a report on gifts made for the benefit of military musical units; to the Committee on Armed Services.

EC-4229. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Iranian Transactions and Sanctions Regulations" (31 CFR Part 560) received in the Office of the President of the Senate on January 21, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4230. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's 2016 Report on Foreign Policy-Based Export Controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-4231. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Deputy Secretary, Department of Housing and Urban Develop-

ment, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA): Removal of 24 CFR 280—Nehemiah Housing Opportunity Grants Program" (RIN2502-AJ31) received in the Office of the President of the Senate on January 21, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4232. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4233. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-4" (Rev. Proc. 2016-4) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Finance.

EC-4234. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-4" (Rev. Proc. 2016-4) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Finance.

EC-4235. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2016-8" (Rev. Proc. 2016-8) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Finance.

EC-4236. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the use of the exemption from the antitrust laws provided by the Pandemic and All-Hazards Preparedness Act; to the Committee on Health, Education, Labor, and Pensions.

EC-4237. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2015-2016 amendment cycle; to the Committee on the Judiciary.

EC-4238. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Island Pelagic Fisheries; 2015 CNMI Longline Bigeye Tuna Fishery; Closure" (RIN0648-XE329) received in the Office of the President of the Senate on January 20, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4239. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services at Punta Gorda Airport (PGD); to the Committee on Commerce, Science, and Transportation.

EC-4240. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of Transportation for Policy, Department of Transportation, received in the Office of the President of the Senate on January 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4241. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-2714)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4242. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0648)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0083)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0675)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0076)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc." ((RIN2120-AA64) (Docket No. FAA-2015-8311)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0300)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0828)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4249. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-1281)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2014-0335)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4251. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-1199)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4252. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0625)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4253. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Alpha Aviation Concept Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3956)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4254. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Los Angeles, CA" ((RIN2120-AA66) (Docket No. FAA-2015-1139)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4255. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Removal of Jet Route J-477; Northwestern United States" ((RIN2120-AA66) (Docket No. FAA-2015-6002)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4256. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Areas R-2932, R-2933, R-2934 and R-2935; Cape Canaveral, FL" ((RIN2120-AA66) (Docket No. FAA-2015-7213)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4257. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Certain Flights in the Territory and Airspace of Somalia" ((RIN2120-AK75) (Docket No. FAA-2007-27602)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4258. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Certain Flights in Specified Areas of the Sanaa (OYSC) Flight Information Region" ((RIN2120-AK72) (Docket No. FAA-2015-8672)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 347. A resolution honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015.

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1890. A bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Laura S. H. Holgate, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Nominee: Laura S. H. Holgate.

Post: Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, and Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, Department of State.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and, donee:

1. Self/Joint: \$100, 6/1/12, Obama for America; \$200, 1/2/12, Obama for America.

2. Spouse.

3. Children and Spouses: N/A.

4. Parents: Susan Markley Hayes, Gilbert Franklin Hayes, N/A.

5. Grandparents: N/A.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Carolyn Gregg Hayes Butler, Steven A. Butler, N/A.

*Laura S. H. Holgate, of Virginia, to be the Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Nominee: Laura S. H. Holgate.

Post: Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, and Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, Department of State.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self/Joint: \$100, 6/1/12, Obama for America; \$200, 1/2/12, Obama for America.

2. Spouse

3. Children and Spouses: N/A.

4. Parents: Susan Markley Hayes, Gilbert Franklin Hayes: N/A.

5. Grandparents: N/A.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Carolyn Gregg Hayes Butler, Steven A. Butler: N/A.

*Scot Alan Marciel, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Burma.

Nominee: Scot Alan Marciel.

Post: Ambassador to the Union of Burma.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 0.

2. Spouse: Marie Earlynne Marciel: 0.

3. Children and Spouses: Lauren Marciel: 0; Natalie Marciel: 0.

4. Parents: Ronald Marciel: 0; Lorna Marciel: deceased; Grace Marciel (step-mother): 0.

5. Grandparents: Steve Marciel: deceased; Louise Lundy: deceased; Gordon McLellan: deceased; Helen McLellan: deceased.

6. Brothers and Spouses: Michael Marciel: 0; Keith Marciel deceased.

7. Sisters and Spouses: Rhonda Donhowe: 0.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nomination of Christopher Nairn Steel.

*Foreign Service nominations beginning with Christopher Alexander and ending with Tipton Troidl, which nominations were received by the Senate and appeared in the Congressional Record on September 10, 2015.

*Foreign Service nominations beginning with Virginia Lynn Bennett and ending with Susan M. Cleary, which nominations were received by the Senate and appeared in the Congressional Record on January 19, 2016.

By Mr. GRASSLEY for the Committee on the Judiciary.

Mary S. McElroy, of Rhode Island, to be United States District Judge for the District of Rhode Island.

Susan Paradise Baxter, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Marilyn Jean Horan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself and Mrs. ERNST):

S. 2470. A bill to repeal the provision permitting the use of rocket engines from the Russian Federation for the evolved expendable launch vehicle program; to the Committee on Armed Services.

By Mr. KIRK (for himself, Mr. HATCH, Mr. TOOMEY, and Mr. VITTER):

S. 2471. A bill to amend the Internal Revenue Code of 1986 to improve and expand Coverdell education savings accounts; to the Committee on Finance.

By Mr. MERKLEY:

S. 2472. A bill to establish an American Savings Account Fund and create a retirement savings plan available to all employees, and for other purposes; to the Committee on Finance.

By Mr. SULLIVAN (for himself, Mr. CASEY, Mr. HELLER, and Mr. TESTER):

S. 2473. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide veterans the option of using an alternative appeals process to more quickly determine claims for disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS (for himself, Ms. STABENOW, Mr. TILLIS, Mrs. ERNST, Mr. COCHRAN, Mr. BENNET, Ms. HEITKAMP, Mr. CASEY, and Mr. GRASSLEY):

S. Res. 349. A resolution congratulating the Farm Credit System on the celebration of its 100th anniversary; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. Res. 350. A resolution congratulating the University of Alabama Crimson Tide for winning the 2016 College Football Playoff National Championship; considered and agreed to.

By Mr. SCOTT (for himself, Mr. ENZI, Mrs. FEINSTEIN, Mr. CRUZ, Mr. ALEXANDER, Mr. JOHNSON, Mr. CASSIDY,

Mr. DAINES, Mr. CORNYN, Mr. VITTER, Mr. TILLIS, Ms. AYOTTE, Mr. HATCH, Mr. WICKER, Mr. PERDUE, Mr. CRAPO, Mr. GARDNER, Mr. BOOKER, and Mr. LANKFORD):

S. Res. 351. A resolution designating the week of January 24 through January 30, 2016, as "National School Choice Week"; considered and agreed to.

By Ms. AYOTTE (for herself, Mrs. SHAHEEN, Mr. NELSON, Mr. THUNE, Mr. CRUZ, Ms. MIKULSKI, Mr. SCHATZ, and Mr. PETERS):

S. Res. 352. A resolution commemorating the 30th anniversary of the loss of the Space Shuttle Challenger and of Teacher in Space S. Christa McAuliffe of Concord, New Hampshire; considered and agreed to.

ADDITIONAL COSPONSORS

S. 524

At the request of Mr. WHITEHOUSE, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 859

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 859, a bill to protect the public, communities across America, and the environment by increasing the safety of crude oil transportation by railroad, and for other purposes.

S. 974

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 974, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco-related agriculture by deeming such employment as oppressive child labor.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2021

At the request of Mr. BOOKER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal his-

tory record information before the applicant has received a conditional offer, and for other purposes.

S. 2144

At the request of Mr. GARDNER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2344

At the request of Mr. COTTON, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2423

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2452

At the request of Mr. MORAN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2452, a bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts.

S. 2466

At the request of Mr. PETERS, the names of the Senator from Delaware (Mr. COONS), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2466, a bill to amend the Safe Water Drinking Act to authorize the Administrator of the Environmental Protection Agency to notify the public if a State agency and

public water system are not taking action to address a public health risk associated with drinking water requirements.

S. 2469

At the request of Mr. BLUMENTHAL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2469, a bill to repeal the Protection of Lawful Commerce in Arms Act.

S. RES. 347

At the request of Mr. BOOKER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 347, a resolution honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015.

AMENDMENT NO. 2954

At the request of Mr. CASSIDY, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 2954 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 2989

At the request of Mr. REED, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 2989 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 2990

At the request of Mr. REED, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 2990 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

At the request of Mr. FRANKEN, his name was added as a cosponsor of amendment No. 2990 intended to be proposed to S. 2012, *supra*.

AMENDMENT NO. 3002

At the request of Mr. FRANKEN, his name was added as a cosponsor of amendment No. 3002 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3004

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 3004 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3005

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 3005 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3018

At the request of Mr. ALEXANDER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 3018 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3029

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 3029 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3035

At the request of Mr. MURPHY, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 3035 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3038

At the request of Mr. HOEVEN, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 3038 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 349—CONGRATULATING THE FARM CREDIT SYSTEM ON THE CELEBRATION OF ITS 100TH ANNIVERSARY

Mr. ROBERTS (for himself, Ms. STABENOW, Mr. TILLIS, Mrs. ERNST, Mr. COCHRAN, Mr. BENNET, Ms. HEITKAMP, Mr. CASEY, and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 349

Whereas on July 17, 1916, President Woodrow Wilson signed into law the Federal Farm Loan Act (39 Stat. 360, chapter 245), which established the Farm Credit System;

Whereas through the enactment of the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.), Congress—

(1) directed that the Farm Credit System be designed as a permanent system to support the well-being and prosperity of rural

communities and agricultural producers of all types and sizes in the United States; and
(2) recognized that a prosperous, productive agricultural sector is essential to a free country;

Whereas Congress designed the Farm Credit System as a network of independently owned cooperatives that are—

(1) controlled by borrowers; and
(2) responsive to the individual needs of borrowers for credit and financial services;

Whereas the Farm Credit System plays an important role in the success of United States agriculture and economic vibrancy of rural communities in all 50 States and Puerto Rico;

Whereas the Farm Credit System actively supports the next generation of agricultural producers—

(1) by annually providing billions of dollars for loans to young and beginning farmers and ranchers; and

(2) through ongoing financial support for organizations such as 4-H and the Future Farmers of America; and

Whereas Congress has provided for—

(1) the appropriate safety and soundness oversight of the Farm Credit System through the Farm Credit Administration, an independent Federal agency, the operating costs of which are funded by the Farm Credit System; and

(2) the protection of investors in Farm Credit System bonds through the Farm Credit System Insurance Corporation, funded by premiums paid by the Farm Credit System: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Farm Credit System on the celebration of the 100th anniversary of its founding; and

(2) commends the continued service of cooperative owners and employees of the Farm Credit System to help meet the credit and financial services needs of rural communities and agriculture.

SENATE RESOLUTION 350—CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE FOR WINNING THE 2016 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. SHELBY (for himself and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 350

Whereas the University of Alabama Crimson Tide won the 2016 College Football Playoff National Championship, defeating the Clemson University Fighting Tigers by a score of 45-40 at the University of Phoenix Stadium in Glendale, Arizona on January 11, 2016;

Whereas this victory marks the fourth college football national championship in the last 7 years for the University of Alabama and the 16th national championship overall;

Whereas the 2016 College Football Playoff National Championship Game was the 64th postseason bowl appearance and the 36th bowl victory for the University of Alabama, both of which extend existing National Collegiate Athletic Association records held by the University of Alabama;

Whereas running back Derrick Henry rushed for 158 yards and scored 3 touchdowns;

Whereas running back Kenyan Drake returned a kickoff 95 yards for a touchdown;

Whereas safety Eddie Jackson made 3 tackles and a key interception, earning the award for Defensive Player of the Game;

Whereas tight end O.J. Howard caught 5 passes for a career-high 208 yards and 2 touchdowns, earning the award for Offensive Player of the Game;

Whereas quarterback Jake Coker finished with 335 passing yards and 2 touchdowns;

Whereas, in 2015, Derrick Henry was awarded the Doak Walker Award as the best running back in the United States and the Heisman Trophy and the Maxwell Award as the best overall player in college football;

Whereas offensive lineman Ryan Kelly was awarded the 2015 Rimington Trophy as the top center in the United States;

Whereas the offensive line of the Crimson Tide won the 2015 Joe Moore Award, awarded to the top offensive line in the United States;

Whereas, in 2015, the Associated Press recognized Derrick Henry, A'Shawn Robinson, and Reggie Ragland as first-team All-Americans;

Whereas the leadership and vision of Head Coach Nick Saban has propelled the University of Alabama back to the pinnacle of college football;

Whereas Chancellor Robert Witt, President Stuart Bell, and Athletic Director Bill Battle have emphasized the importance of academic success to the Crimson Tide football team and to all student-athletes at the University of Alabama; and

Whereas the Crimson Tide football team has brought great pride and honor to the University of Alabama, the loyal fans of the Crimson Tide, and the entire State of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Alabama Crimson Tide for winning the 2016 College Football Playoff National Championship Game;

(2) recognizes the achievements of all the players, coaches, and staff who contributed to the championship season; and

(3) requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Stuart Bell;

(B) the Athletic Director of the University of Alabama, Bill Battle; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

SENATE RESOLUTION 351—DESIGNATING THE WEEK OF JANUARY 24 THROUGH JANUARY 30, 2016, AS “NATIONAL SCHOOL CHOICE WEEK”

Mr. SCOTT (for himself, Mr. ENZI, Mrs. FEINSTEIN, Mr. CRUZ, Mr. ALEXANDER, Mr. JOHNSON, Mr. CASSIDY, Mr. DAINES, Mr. CORNYN, Mr. VITTER, Mr. TILLIS, Ms. AYOTTE, Mr. HATCH, Mr. WICKER, Mr. PERDUE, Mr. CRAPO, Mr. GARDNER, Mr. BOOKER, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 351

Whereas providing a diversity of choices in K-12 education empowers parents to select education environments that meet the individual needs and strengths of their children;

Whereas high-quality K-12 education environments of all varieties are available in the

United States, including traditional public schools, public charter schools, public magnet schools, private schools, online academies, and home schooling;

Whereas talented teachers and school leaders in each of the education environments prepare children to achieve their dreams;

Whereas more families than ever before in the United States actively choose the best education for their children;

Whereas more public awareness of the issue of parental choice in education can inform additional families of the benefits of proactively choosing challenging, motivating, and effective education environments for their children;

Whereas the process by which parents choose schools for their children is non-political, nonpartisan, and deserves the utmost respect; and

Whereas hundreds of organizations, more than 9,000 schools, and millions of individuals in the United States celebrate the benefits of educational choice during the 6th annual National School Choice Week, held the week of January 24 through January 30, 2016: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of January 24 through January 30, 2016, as “National School Choice Week”;

(2) congratulates students, parents, teachers, and school leaders from K-12 education environments of all varieties for their persistence, achievements, dedication, and contributions to society in the United States;

(3) encourages all parents, during National School Choice Week, to learn more about the education options available to them; and

(4) encourages the people of the United States to hold appropriate programs, events, and activities during National School Choice Week to raise public awareness of the benefits of opportunity in education.

SENATE RESOLUTION 352—COMMEMORATING THE 30TH ANNIVERSARY OF THE LOSS OF THE SPACE SHUTTLE CHALLENGER AND OF TEACHER IN SPACE S. CHRISTA MCAULIFFE OF CONCORD, NEW HAMPSHIRE

Ms. AYOTTE (for herself, Mrs. SHAHEEN, Mr. NELSON, Mr. THUNE, Mr. CRUZ, Ms. MIKULSKI, Mr. SCHATZ, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 352

Whereas, on January 28, 1986, the 7 crew members of the Space Shuttle Challenger, Commander Francis R. Scobee, Pilot Michael J. Smith, Mission Specialist Ellison S. Onizuka, Mission Specialist Ronald E. McNair, Mission Specialist Judith A. Resnik, Payload Specialist Gregory B. Jarvis, and Teacher in Space and Payload Specialist S. Christa McAuliffe, were killed in a tragic explosion shortly after liftoff;

Whereas, for as long as there has been human consciousness, human beings have looked to the stars in curiosity, delight, and awe;

Whereas, throughout the course of human history, humankind was Earth-bound, yet spoke of visiting the celestial bodies;

Whereas the foundation and development of the United States were driven by a pioneering spirit;

Whereas reaching out into space exhibits the strength of the human capacity to engineer and persevere;

Whereas the people of the United States who have journeyed into space have personified the national pride of the United States;

Whereas, in 1986, a crew of individuals representing the best of the United States stepped forward to ride a rocket into space, knowing that explorers throughout the ages have put the need for knowledge above their own welfare;

Whereas, on January 28, 1986, the United States cried out in grief at the loss of those 7 most brave voyagers;

Whereas Christa McAuliffe, a teacher with an infectious spirit and tremendous bravery, not content to make the world her classroom, prepared to expand her schoolroom to the stars;

Whereas Christa McAuliffe, through her educational endeavor, sought to inspire adults and children alike by pushing the bounds of the human experience and by rousing all people to imagine the most of human potential;

Whereas the McAuliffe-Shepard Discovery Center in Concord, New Hampshire is a living memorial to embody the legacy of this intrepid woman; and

Whereas January 28, 2016, is a day on which the people of the United States should pause to remember those pioneers who lost their lives 30 years ago: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 30th anniversary of the loss of the Space Shuttle Challenger;

(2) encourages the people of the United States to preserve the legacy of the crew of the Challenger; and

(3) recognizes the inspiration provided by a teacher for all Earth, Christa McAuliffe.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3042. Mr. ISAKSON (for himself, Mr. BENNET, Mr. PORTMAN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3043. Mr. HELLER (for himself, Mr. HEINRICH, Mr. RISCH, Mr. WYDEN, Mr. UDALL, Mr. TESTER, Mr. BENNET, Mr. DAINES, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3044. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3045. Mr. ENZI (for himself, Mr. HATCH, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3046. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3047. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3048. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3109. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3125. Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. DURBIN, Mr. SANDERS, Mrs. SHAHEEN, Ms. BALDWIN, Mr. LEAHY, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. MENENDEZ) submitted an amendment intended to be pro-

SA 3141. Mr. THUNE submitted an amendment intended to be proposed to amendment

SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3142. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3042. Mr. ISAKSON (for himself, Mr. BENNET, Mr. PORTMAN, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle F—Housing

SEC. 1501. DEFINITIONS.

In this subtitle, the following definitions shall apply:

(1) **COVERED LOAN.**—The term “covered loan” means a loan secured by a home that is insured by the Federal Housing Administration.

(2) **HOMEOWNER.**—The term “homeowner” means the mortgagor under a covered loan.

(3) **MORTGAGEE.**—The term “mortgagee” means—

(A) an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated;

(B) any affiliate, agent, subsidiary, successor, or assignee of an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated;

(C) any servicer of a covered loan; and

(D) any subsequent purchaser, trustee, or transferee of any covered loan issued by an original lender.

(4) **SERVICER.**—The term “servicer” means the person or entity responsible for the servicing of a covered loan, including the person or entity who makes or holds a covered loan if that person or entity also services the covered loan.

(5) **SERVICING.**—The term “servicing” has the meaning given the term in section 6(i) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)).

SEC. 1502. ENHANCED ENERGY EFFICIENCY UNDERWRITING CRITERIA.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall, in consultation with the advisory group established in section 1505(b), develop and issue guidelines for the Federal Housing Administration to implement enhanced loan eligibility requirements, for use when testing the ability of a loan applicant to repay a covered loan, that account for the expected energy cost savings for a loan applicant at a subject property, in the manner set forth in subsections (b) and (c).

(b) **REQUIREMENTS TO ACCOUNT FOR ENERGY COST SAVINGS.**—The enhanced loan eligibility requirements under subsection (a) shall require that, for all covered loans for which an energy efficiency report is voluntarily provided to the mortgagee by the mortgagor, the Federal Housing Administration and the mortgagee shall take into consideration the estimated energy cost savings expected for the owner of the subject prop-

erty in determining whether the loan applicant has sufficient income to service the mortgage debt plus other regular expenses. To the extent that the Federal Housing Administration uses a test such as a debt-to-income test that includes certain regular expenses, such as hazard insurance and property taxes, the expected energy cost savings shall be included as an offset to these expenses. Energy costs to be assessed include the cost of electricity, natural gas, oil, and any other fuel regularly used to supply energy to the subject property.

(c) **DETERMINATION OF ESTIMATED ENERGY COST SAVINGS.**—

(1) **IN GENERAL.**—The guidelines to be issued under subsection (a) shall include instructions for the Federal Housing Administration to calculate estimated energy cost savings using—

(A) the energy efficiency report;

(B) an estimate of baseline average energy costs; and

(C) additional sources of information as determined by the Secretary of Housing and Urban Development.

(2) **REPORT REQUIREMENTS.**—For the purposes of paragraph (1), an energy efficiency report shall—

(A) estimate the expected energy cost savings specific to the subject property, based on specific information about the property;

(B) be prepared in accordance with the guidelines to be issued under subsection (a); and

(C) be prepared—

(i) in accordance with the Residential Energy Service Network’s Home Energy Rating System (commonly known as “HERS”) by an individual certified by the Residential Energy Service Network, unless the Secretary of Housing and Urban Development finds that the use of HERS does not further the purposes of this subtitle;

(ii) in accordance with the Alaska Housing Finance Corporation energy rating system by an individual certified by the Alaska Housing Finance Corporation as an authorized Energy Rater; or

(iii) by other methods approved by the Secretary of Housing and Urban Development, in consultation with the Secretary and the advisory group established in section 1505(b), for use under this subtitle, which shall include a third-party quality assurance procedure.

(3) **USE BY APPRAISER.**—If an energy efficiency report is used under subsection (b), the energy efficiency report shall be provided to the appraiser to estimate the energy efficiency of the subject property and for potential adjustments for energy efficiency.

(d) **REQUIRED DISCLOSURE TO CONSUMER FOR A HOME WITH AN ENERGY EFFICIENCY REPORT.**—If an energy efficiency report is used under subsection (b), the guidelines to be issued under subsection (a) shall require the mortgagee to—

(1) inform the loan applicant of the expected energy costs as estimated in the energy efficiency report, in a manner and at a time as prescribed by the Secretary of Housing and Urban Development, and if practicable, in the documents delivered at the time of loan application; and

(2) include the energy efficiency report in the documentation for the loan provided to the borrower.

(e) **REQUIRED DISCLOSURE TO CONSUMER FOR A HOME WITHOUT AN ENERGY EFFICIENCY REPORT.**—If an energy efficiency report is not used under subsection (b), the guidelines to be issued under subsection (a) shall require the mortgagee to inform the loan applicant

in a manner and at a time as prescribed by the Secretary of Housing and Urban Development, and if practicable, in the documents delivered at the time of loan application of—

(1) typical energy cost savings that would be possible from a cost-effective energy upgrade of a home of the size and in the region of the subject property;

(2) the impact the typical energy cost savings would have on monthly ownership costs of a typical home;

(3) the impact on the size of a mortgage that could be obtained if the typical energy cost savings were reflected in an energy efficiency report; and

(4) resources for improving the energy efficiency of a home.

(f) **PRICING OF LOANS.**—

(1) **IN GENERAL.**—The Federal Housing Administration may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of the loans.

(2) **IMPOSITION OF CERTAIN MATERIAL COSTS, IMPEDIMENTS, OR PENALTIES.**—In the absence of a publicly disclosed analysis that demonstrates significant additional default risk or prepayment risk associated with the loans, the Federal Housing Administration shall not impose material costs, impediments, or penalties on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(g) **LIMITATIONS.**—

(1) **IN GENERAL.**—The Federal Housing Administration may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of those loans.

(2) **PROHIBITED ACTIONS.**—The Federal Housing Administration shall not—

(A) modify existing underwriting criteria or adopt new underwriting criteria that intentionally negate or reduce the impact of the requirements or resulting benefits that are set forth or otherwise derived from the enhanced loan eligibility requirements required under this section; or

(B) impose greater buy back requirements, credit overlays, or insurance requirements, including private mortgage insurance, on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(h) **APPLICABILITY AND IMPLEMENTATION DATE.**—Not later than 3 years after the date of enactment of this Act, and before December 31, 2019, the enhanced loan eligibility requirements required under this section shall be implemented by the Federal Housing Administration to—

(1) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home;

(2) be available on any residential real property (including individual units of condominiums and cooperatives) that qualifies for a covered loan; and

(3) provide prospective mortgagees with sufficient guidance and applicable tools to implement the required underwriting methods.

SEC. 1503. ENHANCED ENERGY EFFICIENCY UNDERWRITING VALUATION GUIDELINES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall—

(1) in consultation with the Federal Financial Institutions Examination Council and

the advisory group established in section 1505(b), develop and issue guidelines for the Federal Housing Administration to determine the maximum permitted loan amount based on the value of the property for all covered loans made on properties with an energy efficiency report that meets the requirements of section 1502(c)(2); and

(2) in consultation with the Secretary, issue guidelines for the Federal Housing Administration to determine the estimated energy savings under subsection (c) for properties with an energy efficiency report.

(b) REQUIREMENTS.—The enhanced energy efficiency underwriting valuation guidelines required under subsection (a) shall include—

(1) a requirement that if an energy efficiency report that meets the requirements of section 1502(c)(2) is voluntarily provided to the mortgagee, such report shall be used by the mortgagee or the Federal Housing Administration to determine the estimated energy savings of the subject property; and

(2) a requirement that the estimated energy savings of the subject property be added to the appraised value of the subject property by a mortgagee or the Federal Housing Administration for the purpose of determining the loan-to-value ratio of the subject property, unless the appraisal includes the value of the overall energy efficiency of the subject property, using methods to be established under the guidelines issued under subsection (a).

(c) DETERMINATION OF ESTIMATED ENERGY SAVINGS.—

(1) AMOUNT OF ENERGY SAVINGS.—The amount of estimated energy savings shall be determined by calculating the difference between the estimated energy costs for the average comparable houses, as determined in guidelines to be issued under subsection (a), and the estimated energy costs for the subject property based upon the energy efficiency report.

(2) DURATION OF ENERGY SAVINGS.—The duration of the estimated energy savings shall be based upon the estimated life of the applicable equipment, consistent with the rating system used to produce the energy efficiency report.

(3) PRESENT VALUE OF ENERGY SAVINGS.—The present value of the future savings shall be discounted using the average interest rate on conventional 30-year mortgages, in the manner directed by guidelines issued under subsection (a).

(d) ENSURING CONSIDERATION OF ENERGY EFFICIENT FEATURES.—Section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339) is amended—

(1) in paragraph (2), by striking “; and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (3) the following:

“(4) that State certified and licensed appraisers have timely access, whenever practicable, to information from the property owner and the lender that may be relevant in developing an opinion of value regarding the energy- and water-saving improvements or features of a property, such as—

“(A) labels or ratings of buildings;

“(B) installed appliances, measures, systems or technologies;

“(C) blueprints;

“(D) construction costs;

“(E) financial or other incentives regarding energy- and water-efficient components and systems installed in a property;

“(F) utility bills;

“(G) energy consumption and benchmarking data; and

“(H) third-party verifications or representations of energy and water efficiency performance of a property, observing all financial privacy requirements adhered to by certified and licensed appraisers, including section 501 of the Gramm-Leach-Bliley Act (15 U.S.C. 6801).

Unless a property owner consents to a lender, an appraiser, in carrying out the requirements of paragraph (4), shall not have access to the commercial or financial information of the owner that is privileged or confidential.”.

(e) TRANSACTIONS REQUIRING STATE CERTIFIED APPRAISERS.—Section 1113 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3342) is amended—

(1) in paragraph (1), by inserting before the semicolon the following: “, or any real property on which the appraiser makes adjustments using an energy efficiency report”; and

(2) in paragraph (2), by inserting after before the period at the end the following: “, or an appraisal on which the appraiser makes adjustments using an energy efficiency report”.

(f) PROTECTIONS.—

(1) AUTHORITY TO IMPOSE LIMITATIONS.—The guidelines to be issued under subsection (a) shall include such limitations and conditions as determined by the Secretary of Housing and Urban Development to be necessary to protect against meaningful under or over valuation of energy cost savings or duplicative counting of energy efficiency features or energy cost savings in the valuation of any subject property that is used to determine a loan amount.

(2) ADDITIONAL AUTHORITY.—At the end of the 7-year period following the implementation of enhanced eligibility and underwriting valuation requirements under this subtitle, the Secretary of Housing and Urban Development may modify or apply additional exceptions to the approach described in subsection (b), where the Secretary of Housing and Urban Development finds that the unadjusted appraisal will reflect an accurate market value of the efficiency of the subject property or that a modified approach will better reflect an accurate market value.

(g) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 3 years after the date of enactment of this Act, and before December 31, 2019, the Federal Housing Administration shall implement the guidelines required under this section, which shall—

(1) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home; and

(2) be available on any residential real property, including individual units of condominiums and cooperatives, that qualifies for a covered loan.

SEC. 1504. MONITORING.

Not later than 1 year after the date on which the enhanced eligibility and underwriting valuation requirements are implemented under this subtitle, and every year thereafter, the Federal Housing Administration shall issue and make available to the public a report that—

(1) enumerates the number of covered loans of the Federal Housing Administration for which there was an energy efficiency report, and that used energy efficiency appraisal guidelines and enhanced loan eligibility requirements;

(2) includes the default rates and rates of foreclosures for each category of loans; and

(3) describes the risk premium, if any, that the Federal Housing Administration has priced into covered loans for which there was an energy efficiency report.

SEC. 1505. RULEMAKING.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall prescribe regulations to carry out this subtitle, in consultation with the Secretary and the advisory group established in subsection (b), which may contain such classifications, differentiations, or other provisions, and may provide for such proper implementation and appropriate treatment of different types of transactions, as the Secretary of Housing and Urban Development determines are necessary or proper to effectuate the purposes of this subtitle, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(b) ADVISORY GROUP.—To assist in carrying out this subtitle, the Secretary of Housing and Urban Development shall establish an advisory group, consisting of individuals representing the interests of—

- (1) mortgage lenders;
- (2) appraisers;
- (3) energy raters and residential energy consumption experts;
- (4) energy efficiency organizations;
- (5) real estate agents;
- (6) home builders and remodelers;
- (7) State energy officials; and
- (8) others as determined by the Secretary of Housing and Urban Development.

SEC. 1506. ADDITIONAL STUDY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Housing and Urban Development shall reconvene the advisory group established in section 1505(b), in addition to water and locational efficiency experts, to advise the Secretary of Housing and Urban Development on the implementation of the enhanced energy efficiency underwriting criteria established in sections 1502 and 1503.

(b) RECOMMENDATIONS.—The advisory group established in section 1505(b) shall provide recommendations to the Secretary of Housing and Urban Development on any revisions or additions to the enhanced energy efficiency underwriting criteria deemed necessary by the group, which may include alternate methods to better account for home energy costs and additional factors to account for substantial and regular costs of homeownership such as location-based transportation costs and water costs. The Secretary of Housing and Urban Development shall forward any legislative recommendations from the advisory group to Congress for its consideration.

SA 3043. Mr. HELLER (for himself, Mr. HEINRICH, Mr. RISCH, Mr. WYDEN, Mr. UDALL, Mr. TESTER, Mr. BENNET, Mr. DAINES, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 244, between lines 13 and 14, insert the following:

Subpart B—Development of Geothermal, Solar, and Wind Energy on Public Land
CHAPTER 1—EXTENSION OF FUNDING FOR GEOTHERMAL STEAM ACT OF 1970

SEC. 3011A. EXTENSION OF FUNDING FOR IMPLEMENTATION OF GEOTHERMAL STEAM ACT OF 1970.

(a) IN GENERAL.—Section 234(a) of the Energy Policy Act of 2005 (42 U.S.C. 15873(a)) is amended by striking “in the first 5 fiscal years beginning after the date of enactment of this Act” and inserting “through fiscal year 2020”.

(b) AUTHORIZATION.—Section 234(b) of the Energy Policy Act of 2005 (42 U.S.C. 15873(b)) is amended—

(1) by striking “Amounts” and inserting the following:

“(1) IN GENERAL.—Amounts”; and

(2) by adding at the end the following:

“(2) AUTHORIZATION.—Effective for fiscal year 2017 and each fiscal year thereafter, amounts deposited under subsection (a) shall be available to the Secretary of the Interior for expenditure, subject to appropriation and without fiscal year limitation, to implement the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and this Act.”.

CHAPTER 2—DEVELOPMENT OF GEOTHERMAL, SOLAR, AND WIND ENERGY ON PUBLIC LAND

Subchapter A—Environmental Reviews and Permitting

SEC. 3011B. DEFINITIONS.

In this subchapter:

(1) COVERED LAND.—The term “covered land” means land that is—

(A) public land administered by the Secretary; and

(B) not excluded from the development of geothermal, solar, or wind energy under—

(i) a land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(ii) other Federal law.

(2) DIRECTOR.—The term “Director” means the Director of the Bureau of Land Management.

(3) EXCLUSION AREA.—The term “exclusion area” means covered land that is identified by the Bureau of Land Management as not suitable for development of renewable energy projects.

(4) PRIORITY AREA.—The term “priority area” means covered land identified by the land use planning process of the Bureau of Land Management as being a preferred location for a renewable energy project.

(5) RENEWABLE ENERGY PROJECT.—The term “renewable energy project” means a project carried out on covered land that uses wind, solar, or geothermal energy to generate energy.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(7) VARIANCE AREA.—The term “variance area” means covered land that is—

(A) not an exclusion area; and

(B) not a priority area.

SEC. 3011C. LAND USE PLANNING; SUPPLEMENTS TO PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENTS.

(a) PRIORITY AREAS.—

(1) IN GENERAL.—The Director, in consultation with the Secretary of Energy, shall establish variance areas on covered land for geothermal, solar, and wind energy projects.

(2) DEADLINE.—

(A) GEOTHERMAL ENERGY.—For geothermal energy, the Director shall establish priority areas as soon as practicable, but not later than 5 years, after the date of enactment of this Act.

(B) SOLAR ENERGY.—For solar energy, the 2012 western solar plan of the Bureau of Land Management shall be considered to establish priority areas for solar energy projects.

(C) WIND ENERGY.—For wind energy, the Director shall establish priority areas as soon as practicable, but not later than 3 years, after the date of enactment of this Act.

(3) REVIEW AND MODIFICATION.—Not less frequently than once every 10 years, the Director shall—

(A) review the adequacy of land allocations for geothermal, solar, and wind energy priority and variance areas for the purpose of encouraging new renewable energy development opportunities; and

(B) based on the review carried out under subparagraph (A), add, modify, or eliminate priority, variance, and exclusion areas.

(b) COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT.—For purposes of this section, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

(1) for geothermal energy, by supplementing the October 2008 final programmatic environmental impact statement for geothermal leasing in the western United States;

(2) for solar energy, by supplementing the July 2012 final programmatic environmental impact statement for solar energy projects; and

(3) for wind energy, by supplementing the July 2005 final programmatic environmental impact statement for wind energy projects.

(c) NO EFFECT ON PROCESSING APPLICATIONS.—A requirement to prepare a supplement to a programmatic environmental impact statement under this section shall not result in any delay in processing an application for a renewable energy project.

(d) COORDINATION.—In developing a supplement required by this section, the Secretary shall coordinate, on an ongoing basis, with appropriate State, tribal, and local governments, transmission infrastructure owners and operators, developers, and other appropriate entities to ensure that priority areas identified by the Secretary are—

(1) economically viable (including having access to transmission);

(2) likely to avoid or minimize conflict with habitat for animals and plants, recreation, and other uses of covered land; and

(3) consistent with local planning efforts.

(e) REMOVAL FROM CLASSIFICATION.—In carrying out subsections (a), (b), and (c), if the Secretary determines an area previously suited for development should be removed from priority or variance classification, not later than 90 days after the date of the determination, the Secretary shall submit to Congress a report on the determination.

SEC. 3011D. ENVIRONMENTAL REVIEW ON COVERED LAND.

(a) IN GENERAL.—If the Director determines that a proposed renewable energy project has been sufficiently analyzed by a programmatic environmental impact statement conducted under section 3011C(b), the head of the applicable Federal agency shall not require any additional review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) ADDITIONAL ENVIRONMENTAL REVIEW.—If the Director determines that additional environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary for a proposed renewable energy project, the head of the applicable Federal agency shall rely on the analysis in the programmatic environmental

impact statement conducted under section 3011C(b), to the maximum extent practicable when analyzing the potential impacts of the project.

SEC. 3011E. PROGRAM TO IMPROVE RENEWABLE ENERGY PROJECT PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary shall establish a program to improve Federal permit coordination with respect to renewable energy projects on covered land.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section with—

(A) the Secretary of Agriculture;

(B) the Administrator of the Environmental Protection Agency; and

(C) the Chief of Engineers.

(2) STATE PARTICIPATION.—The Secretary may request the Governor of any interested State to be a signatory to the memorandum of understanding under paragraph (1).

(c) INTRADEPARTMENTAL COORDINATION.—The Secretary shall establish an ombudsperson in the Office of the Secretary, who shall be responsible for resolving intradepartmental disputes between 2 or more of the following agencies:

(1) The United States Fish and Wildlife Service.

(2) The National Park Service.

(3) The Bureau of Land Management.

(d) VARIANCE AREAS.—

(1) IN GENERAL.—In carrying out subsections (b) and (c), the heads of the Federal agencies described in those subsections shall consider entering into agreements and memoranda of understanding to expedite the environmental analysis of applications for projects proposed on covered land determined by the Secretary to be a variance area under section 3011C.

(2) AVAILABILITY FOR RENEWABLE ENERGY PROJECT DEVELOPMENT.—To the maximum extent practicable, the variance areas described in paragraph (1) shall be made available for renewable energy project development, after completion of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including an environmental assessment or finding of no significant impact under that Act, and subject to the policies and procedures set forth by the Secretary for evaluating variance applications in the programmatic environmental impact statement described in section 3011C(b).

(e) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 30 days after the date on which the memorandum of understanding under subsection (b) is executed, all Federal signatories, as appropriate, shall assign to each of the field offices described in subsection (f) an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) consultation regarding, and preparation of, biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a);

(E) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(F) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); and

(G) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to field managers of the Bureau of Land Management in the office to which the employee is assigned;

(B) be responsible for addressing all issues relating to the jurisdiction of the home office or agency of the employee; and

(C) participate as part of the team of personnel working on proposed energy projects, planning, monitoring, inspection, enforcement, and environmental analyses.

(f) FIELD OFFICES.—The field offices referred to in subsection (e)(1) shall include field offices of the Bureau of Land Management in, at a minimum, the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

(g) ADDITIONAL PERSONNEL.—The Secretary shall assign to each field office described in subsection (f) such additional personnel as are necessary to ensure the effective implementation of any programs administered by the field offices, including inspection and enforcement relating to renewable energy project development on covered land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(h) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act, and each February 1 thereafter, the Secretary shall submit to the Chairperson and Ranking Member of the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made pursuant to the program under this chapter during the preceding year.

(2) INCLUSIONS.—Each report under this subsection shall include—

(A) projections for renewable energy production and capacity installations; and

(B) a description of any problems relating to leasing, permitting, siting, or production.

Subchapter B—Revenues and Enforcement

SEC. 3011F. DEFINITIONS.

In this subchapter:

(1) COVERED LAND.—The term “covered land” means land that is—

(A)(i) public land administered by the Secretary; or

(ii) National Forest System land administered by the Secretary of Agriculture; and

(B) not excluded from the development of solar or wind energy under—

(i) a final land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(ii) a final land use plan established under the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); or

(iii) other Federal law.

(2) FEDERAL LAND.—The term “Federal land” means—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); or

(B) public land.

(3) FUND.—The term “Fund” means the Renewable Energy Resource Conservation Fund established by section 3011G(c)(1).

(4) PUBLIC LAND.—The term “public land” has the meaning given the term “public

lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(5) SECRETARIES.—The term “Secretaries” means—

(A) in the case of public land administered by the Secretary, the Secretary; and

(B) in the case of National Forest System land administered by the Secretary of Agriculture, the Secretary of Agriculture.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3011G. DISPOSITION OF REVENUES.

(a) DISPOSITION OF REVENUES.—Beginning on January 1, 2017, subject to the availability of appropriations, and without fiscal year limitation, of the amounts collected as bonus bids, rentals, fees, or other payments under a right-of-way, permit, lease, or other authorization (other than under section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g))) for the development of wind or solar energy on covered land—

(1) 25 percent shall be paid by the Secretary of the Treasury to the State within the boundaries of which the revenue is derived;

(2) 25 percent shall be paid by the Secretary of the Treasury to the 1 or more counties within the boundaries of which the revenue is derived, to be allocated among the counties based on the percentage of land from which the revenue is derived;

(3) to be deposited in the Treasury and be made available to the Secretary to carry out the program established by section 3011E, including the transfer of the funds by the Bureau of Land Management to other Federal agencies and State agencies to facilitate the processing of renewable energy permits on Federal land, with priority given to using the amounts, to the maximum extent practicable, to reducing the backlog of renewable energy permits that have not been processed in the State from which the revenues are derived—

(A) 25 percent for each of fiscal years 2016 through 2030;

(B) 22 percent for fiscal year 2031;

(C) 19 percent for fiscal year 2032;

(D) 16 percent for fiscal year 2033;

(E) 13 percent for fiscal year 2034; and

(F) 10 percent for fiscal year 2035 and each fiscal year thereafter; and

(4) to be deposited in the Renewable Energy Resource Conservation Fund established by subsection (c)—

(A) 25 percent for each of fiscal years 2016 through 2030;

(B) 28 percent for fiscal year 2031;

(C) 31 percent for fiscal year 2032;

(D) 34 percent for fiscal year 2033;

(E) 37 percent for fiscal year 2034; and

(F) 40 percent for fiscal year 2035 and each fiscal year thereafter.

(b) PAYMENTS TO STATES AND COUNTIES.—

(1) IN GENERAL.—Amounts paid to States and counties under subsection (a) shall be used consistent with section 35 of the Mineral Leasing Act (30 U.S.C. 191).

(2) PAYMENTS IN LIEU OF TAXES.—A payment to a county under paragraph (1) shall be in addition to a payment in lieu of taxes received by the county under chapter 69 of title 31, United States Code.

(c) RENEWABLE ENERGY RESOURCE CONSERVATION FUND.—

(1) IN GENERAL.—There is established in the Treasury a fund, to be known as the “Renewable Energy Resource Conservation Fund”, to be administered by the Secretary, in consultation with the Secretary of Agriculture, who may make funds available to Secretary

of Agriculture, Federal or State agencies, or qualified third parties, to be distributed in a region in which a renewable energy project is located on Federal land, for the purposes of—

(A) restoring and protecting—

(i) fish and wildlife habitat for affected species;

(ii) fish and wildlife corridors for affected species; and

(iii) water resources in areas affected by wind or solar energy development; and

(B) preserving and improving recreational access to Federal land and water in an affected region through an easement, right-of-way, or other instrument from willing landowners for the purpose of enhancing public access to existing Federal land and water that is inaccessible or significantly restricted.

(2) INVESTMENT OF FUND.—

(A) IN GENERAL.—Any amounts deposited in the Fund shall earn interest in an amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities.

(B) USE.—Any interest earned under subparagraph (A) may be expended in accordance with this subsection.

(3) INTENT OF CONGRESS.—It is the intent of Congress that the revenues deposited and used in the Fund shall supplement and not supplant annual appropriations for conservation activities described in subparagraphs (A) and (B) of paragraph (1).

SEC. 3011H. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 10 years after the date of enactment of this Act and every 10 years thereafter, the Secretary, in consultation with the Secretary of Agriculture, shall—

(1) complete a review of collections and impacts of the rents and fees provided under this subchapter; and

(2) submit to the Committees on Energy and Natural Resources and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Natural Resources and Agriculture of the House of Representatives a report describing the results of the review.

(b) TOPICS.—The report shall address—

(1) the total revenues received (by category) on an annual basis as rents from wind, solar, and geothermal development and production (specified by energy source) on covered land;

(2) whether the revenues received for the development of wind, solar, and geothermal development—

(A) ensure a fair return to the public comparable to the revenues received for similar development on State and private land;

(B) encourage production of solar or wind energy; and

(C) encourage the maximum energy generation while disturbing the least quantity of covered land and other natural resources, including water;

(3) any impact on the development of wind, solar, and geothermal development and production on covered land as a result of the rents; and

(4) any recommendations with respect to changes in Federal law (including regulations) relating to the amount or method of collection (including auditing, compliance, and enforcement) of the rents.

SEC. 3011I. ENFORCEMENT OF PAYMENT PROVISIONS.

(a) DUTIES OF THE SECRETARY.—The Secretary shall establish a comprehensive inspection, collection, fiscal, and production accounting and auditing system—

(1) to accurately determine rents, interest, fines, penalties, fees, deposits, and other payments owed under this subchapter; and

(2) to collect and account for the payments in a timely manner.

(b) ENFORCEMENT.—

(1) IN GENERAL.—Sections 302(c) and 303 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(c), 1733) shall apply to activities conducted on covered land under this subchapter.

(2) APPLICABILITY OF OTHER ENFORCEMENT PROVISIONS.—Nothing in this subchapter reduces or limits the enforcement authority vested in the Secretary or the Attorney General by any other law.

SEC. 3011J. SEGREGATION FROM APPROPRIATION UNDER MINING AND FEDERAL LAND LAWS.

(a) IN GENERAL.—On covered land identified by the Secretary or the Secretary of Agriculture for the development of renewable energy projects under this subchapter or other applicable law, the Secretary or the Secretary of Agriculture may temporarily segregate the identified land from appropriation under the mining and public land laws.

(b) ADMINISTRATION.—Segregation of covered land under this section—

(1) may only be made for a period not to exceed 10 years; and

(2) shall be subject to valid existing rights as of the date of the segregation.

On page 244, line 14, strike “**Subpart B**” and insert “**Subpart C**”.

SA 3044. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 304, strike line 11 and all that follows through page 311, line 7, and insert the following:

(b) ESTABLISHMENT OF COAL TECHNOLOGY PROGRAM.—The Energy Policy Act of 2005 (as amended by subsection (a)) is amended by inserting after section 961 (42 U.S.C. 16291) the following:

“SEC. 962. COAL TECHNOLOGY PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) LARGE-SCALE PILOT PROJECT.—The term ‘large-scale pilot project’ means a pilot project that—

“(A) represents the scale of technology development beyond laboratory development and bench scale testing, but not yet advanced to the point of being tested under real operational conditions at commercial scale;

“(B) represents the scale of technology necessary to gain the operational data needed to understand the technical and performance risks of the technology before the application of that technology at commercial scale or in commercial-scale demonstration; and

“(C) is large enough—

“(i) to validate scaling factors; and

“(ii) to demonstrate the interaction between major components so that control philosophies for a new process can be developed and enable the technology to advance from large-scale pilot plant application to commercial-scale demonstration or application.

“(2) NET-NEGATIVE CARBON DIOXIDE EMISSIONS PROJECT.—The term ‘net-negative carbon dioxide emissions project’ means a project—

“(A) that employs a technology for thermochemical coconversion of coal and biomass fuels that—

“(i) uses a carbon capture system; and

“(ii) with carbon dioxide removal, can provide electricity, fuels, or chemicals with net-negative carbon dioxide emissions from production and consumption of the end products, while removing atmospheric carbon dioxide;

“(B) that will proceed initially through a large-scale pilot project for which front-end engineering will be performed for bituminous, subbituminous, and lignite coals; and

“(C) through which each use of coal will be combined with the use of a regionally indigenous form of biomass energy, provided on a renewable basis, that is sufficient in quantity to allow for net-negative emissions of carbon dioxide (in combination with a carbon capture system), while avoiding impacts on food production activities.

“(3) PROGRAM.—The term ‘program’ means the program established under subsection (b)(1).

“(4) TRANSFORMATIONAL TECHNOLOGY.—

“(A) IN GENERAL.—The term ‘transformational technology’ means a power generation technology that represents an entirely new way to convert energy that will enable a step change in performance, efficiency, and cost of electricity as compared to the technology in existence on the date of enactment of this section.

“(B) INCLUSIONS.—The term ‘transformational technology’ includes a broad range of technology improvements, including—

“(i) thermodynamic improvements in energy conversion and heat transfer, including—

“(I) oxygen combustion;

“(II) chemical looping; and

“(III) the replacement of steam cycles with supercritical carbon dioxide cycles;

“(ii) improvements in turbine technology;

“(iii) improvements in carbon capture systems technology; and

“(iv) any other technology the Secretary recognizes as transformational technology.

“(b) COAL TECHNOLOGY PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a coal technology program to ensure the continued use of the abundant, domestic coal resources of the United States through the development of technologies that will significantly improve the efficiency, effectiveness, costs, and environmental performance of coal use.

“(2) REQUIREMENTS.—The program shall include—

“(A) a research and development program;

“(B) large-scale pilot projects;

“(C) demonstration projects; and

“(D) net-negative carbon dioxide emissions projects.

“(3) PROGRAM GOALS AND OBJECTIVES.—In consultation with the interested entities described in paragraph (4)(C), the Secretary shall develop goals and objectives for the program to be applied to the technologies developed within the program, taking into consideration the following objectives:

“(A) Ensure reliable, low-cost power from new and existing coal plants.

“(B) Achieve high conversion efficiencies.

“(C) Address emissions of carbon dioxide through high-efficiency platforms and carbon capture from new and existing coal plants.

“(D) Support small-scale and modular technologies to enable incremental capacity additions and load growth and large-scale generation technologies.

“(E) Support flexible baseload operations for new and existing applications of coal generation.

“(F) Further reduce emissions of criteria pollutants and reduce the use and manage the discharge of water in power plant operations.

“(G) Accelerate the development of technologies that have transformational energy conversion characteristics.

“(H) Validate geological storage of large volumes of anthropogenic sources of carbon dioxide and support the development of the infrastructure needed to support a carbon dioxide use and storage industry.

“(I) Examine methods of converting coal to other valuable products and commodities in addition to electricity.

“(4) CONSULTATIONS REQUIRED.—In carrying out the program, the Secretary shall—

“(A) undertake international collaborations, as recommended by the National Coal Council;

“(B) use existing authorities to encourage international cooperation; and

“(C) consult with interested entities, including—

“(i) coal producers;

“(ii) industries that use coal;

“(iii) organizations that promote coal and advanced coal technologies;

“(iv) environmental organizations;

“(v) organizations representing workers; and

“(vi) organizations representing consumers.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to Congress a report describing the performance standards adopted under subsection (b)(3).

“(2) UPDATE.—Not less frequently than once every 2 years after the initial report is submitted under paragraph (1), the Secretary shall submit to Congress a report describing the progress made towards achieving the objectives and performance standards adopted under subsection (b)(3).

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

“(A) \$632,000,000 for each of fiscal years 2017 through 2020; and

“(B) \$582,000,000 for fiscal year 2021.

“(2) ALLOCATIONS.—The amounts made available under paragraph (1) shall be allocated as follows:

“(A) For activities under the research and development program component described in subsection (b)(2)(A)—

“(i) \$275,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$200,000,000 for fiscal year 2021.

“(B) For activities under the demonstration projects program component described in subsection (b)(2)(C)—

“(i) \$50,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$75,000,000 for fiscal year 2021.

“(C) Subject to paragraph (3), for activities under the large-scale pilot projects program component described in subsection (b)(2)(B), \$285,000,000 for each of fiscal years 2017 through 2021.

“(D) For activities under the net-negative carbon dioxide emissions projects program component described in subsection (b)(2)(D), \$22,000,000 for each of fiscal years 2017 through 2021.

“(3) COST SHARING FOR LARGE-SCALE PILOT PROJECTS.—Activities under subsection

(b)(2)(B) shall be subject to the cost-sharing requirements of section 988(b).”.

SA 3045. Mr. ENZI (for himself, Mr. HATCH, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle —States

SEC. 3. STATE MINERAL REVENUE PROTECTION.

Section 35 of the Mineral Leasing Act (30 U.S.C. 191) is amended—

(1) in the first sentence of subsection (a), by striking “shall be paid into the Treasury” and inserting “shall, except as provided in subsection (e), be paid into the Treasury”;

(2) in subsection (c)(1), by inserting “and except as provided in subsection (e)” before “, any rentals”; and

(3) by adding at the end the following:

“(e) CONVEYANCE TO STATES OF PROPERTY INTEREST IN STATE SHARE.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, on request of a State and in lieu of any payments to the State under subsection (a), the Secretary of the Interior shall convey to the State all right, title, and interest in and to the percentage specified in that subsection for that State of all amounts otherwise required to be paid into the Treasury under that subsection from sales, bonuses, royalties (including interest charges), and rentals for all public land or deposits located in the State.

“(2) AMOUNT.—Notwithstanding any other provision of law, after a conveyance to a State under paragraph (1), any person shall pay directly to the State any amount owed by the person for which the right, title, and interest has been conveyed to the State under this subsection.

“(3) NOTICE.—The Secretary of the Interior shall promptly provide to each holder of a lease of public land to which subsection (a) applies that are located in a State to which right, title, and interest is conveyed under this subsection notice that—

“(A) the Secretary of the Interior has conveyed to the State all right, title, and interest in and to the amounts referred to in paragraph (1); and

“(B) the leaseholder is required to pay the amounts directly to the State.”.

SA 3046. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . PRIORITIZATION OF CERTAIN FEDERAL REVENUES.

Section 35 of the Mineral Leasing Act (30 U.S.C. 191) is amended—

(1) by striking the section designation and all that follows through “All money received” in the first sentence of subsection (a) and inserting the following:

“SEC. 35. DISPOSITION OF MONEY RECEIVED.

“(a) DISPOSITION.—

“(1) IN GENERAL.—All money received”; and

(2) in subsection (a)—

(A) in the second sentence, by striking “All moneys received” and inserting the following:

“(2) AMOUNTS TO MISCELLANEOUS RECEIPTS.—

“(A) IN GENERAL.—All money received”;

(B) in the third sentence, by striking “Payments to States” and inserting the following:

“(3) DEADLINES.—Payments to States”; and

(C) in paragraph (2) (as designated by subparagraph (A)), by adding at the end the following:

“(B) PRIORITIZATION OF REVENUES.—

“(i) IN GENERAL.—

“(I) DEPOSIT.—Notwithstanding any other provision of this Act, if, after the date of enactment of this subparagraph, the Secretary or Congress increases a royalty rate under this Act (as in effect on the day before the date of enactment of this subparagraph), of the amount described in clause (ii), there shall be deposited annually in a special account in the Treasury only such funds as are necessary to fulfill the staffing requirements of the agencies responsible for activities relating to—

“(aa) coordinating or permitting Federal oil and gas leases;

“(bb) permits to drill and applications for permits to drill (APDs);

“(cc) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(dd) any other aspect of oil and gas permitting or leasing under this Act.

“(II) USE OF FUNDS.—Funds deposited under subclause (I) shall only be available subject to appropriations.

“(ii) DESCRIPTION OF AMOUNT.—The amount referred to in clause (i)(I) is an amount equal to the difference between—

“(I) the amounts credited to miscellaneous receipts under paragraph (1), taking into account the increased royalty rate under this Act, as described in clause (i)(I); and

“(II) the amounts credited to miscellaneous receipts under paragraph (1), as in effect on the day before the effective date of such an increased royalty rate.

“(iii) MEMORANDA OF UNDERSTANDING.—To carry out the staffing requirements prioritized under clause (i)(I), the Director of the Bureau of Land Management may enter into memoranda of understanding for the provision of support work with—

“(I) the Administrator of the Environmental Protection Agency;

“(II) the Secretary of the Army, acting through the Chief of Engineers;

“(III) the Director of the United States Fish and Wildlife Service;

“(IV) the Chief of the Forest Service;

“(V) Indian tribes and tribal organizations; and

“(VI) Governors of the States.”.

SA 3047. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle A of title III, add the following:

SEC. 3018. PROHIBITION ON USE OF CERTAIN FUNDS FOR RENEWABLE FUEL BLENDER PUMPS.

Notwithstanding any other provision of law, the Secretary of Agriculture may not

use any funds of the Commodity Credit Corporation or any other funds to provide grants or otherwise support or assist the construction, maintenance, or use of renewable fuel blender pumps, including through the Biofuels Infrastructure Partnership.

SA 3048. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . NATIONAL AMBIENT AIR QUALITY STANDARDS.

(a) IN GENERAL.—Section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking “(d)(1) Not later than December 31, 1980, and at five-year intervals” and inserting the following:

“(d) REVIEW AND REVISION OF CRITERIA AND STANDARDS; INDEPENDENT SCIENTIFIC REVIEW COMMITTEE; APPOINTMENT; ADVISORY FUNCTIONS.—

“(1) REVIEW AND REVISION OF CRITERIA AND STANDARDS.—

“(A) IN GENERAL.—Not later than December 31, 1980, and at 10-year intervals”; and

(B) in the second sentence, by striking “The Administrator” and inserting the following:

“(B) EARLY AND FREQUENT REVIEW AND REVISION.—The Administrator”; and

(2) in paragraph (2)(B), by striking “(B) Not later than January 1, 1980, and at five-year intervals” and inserting the following:

“(B) REVIEW.—Not later than January 1, 1980, and at 10-year intervals”.

(b) NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE.—Notwithstanding any other provision of law (including the amendments made by subsection (a)), the final rule entitled “National Ambient Air Quality Standards for Ozone” (80 Fed. Reg. 65292 (October 26, 2015)) shall not take effect until February 1, 2018.

SA 3049. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . . INSTALLATION RENEWABLE ENERGY PROJECT REPORT.

(a) LIMITATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on installation renewable energy projects undertaken since 2011.

(b) ELEMENTS.—The report required under subsection (a) shall include, for each installation energy project with an output equal to or greater than one (1) megawatt—

(1) the estimated project costs;

(2) estimated power generation;

(3) estimated total cost savings;

(4) estimated payback period;

(5) total project costs;

(6) actual power generation;

(7) actual cost savings to date;

(8) current operational status; and

(9) any other matters the Secretary determines appropriate.

(c) NON-DISCLOSURE OF CERTAIN INFORMATION.—

(1) **IN GENERAL.**—The Secretary of Defense may, on a case-by-case basis, withhold from inclusion in the report submitted under subsection (a) information pertaining to individual projects if the Secretary determines that the disclosure of such information would jeopardize operational security.

(2) **REQUIRED DISCLOSURE.**—In the event the Secretary withholds information related to one or more renewable energy projects under paragraph (1), the Secretary shall include in the report—

(A) a statement that information has been withheld; and

(B) an aggregate amount for each of paragraphs (1), (2), (3), (5), (6), and (7) of subsection (b) that includes amounts for all renewable energy projects described under subsection (a), including those with respect to which information has been withheld under paragraph (1) of this subsection.

(d) **UPDATED REPORT.**—Not later than one year after the date the report is submitted under subsection (a), the Secretary of Defense shall submit an update to the report to the appropriate congressional committees.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees (as that term is defined in section 101(a) of title 10, United States Code;

(2) the Committee on Energy and Natural Resources of the Senate; and

(3) the Committee on Energy and Commerce of the House of Representatives.

SA 3050. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 4405. RESEARCH GRANTS DATABASE.

(a) **IN GENERAL.**—The Secretary shall establish and maintain a public database, accessible on the website of the Department, that contains a searchable listing of every unclassified research and development project contract, grant, cooperative agreement, task order for federally funded research and development centers, or other transaction administered by the Department.

(b) **CLASSIFIED PROJECTS.**—Each year, the Secretary shall submit to the relevant committees of Congress a report that lists every classified project of the Department, including all relevant details of the projects.

(c) **REQUIREMENTS.**—Each listing described in subsections (a) and (b) shall include, at a minimum, for each listed project, the component carrying out the project, the project name, an abstract or summary of the project, funding levels, project duration, contractor or grantee name, and expected objectives and milestones.

(d) **RELEVANT LITERATURE AND PATENTS.**—To the maximum extent practicable, the Secretary shall provide information through the public database established under subsection (a) on relevant literature and patents that are associated with each research and development project contract, grant, or co-

operative agreement, or other transaction, of the Department.

SA 3051. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXTENSION OF COMPLIANCE DEADLINE FOR CARBON DIOXIDE EMISSIONS RULE.

(a) **DEFINITION OF COMPLIANCE DATE.**—

(1) **IN GENERAL.**—In this section, the term “compliance date” means the date by which any State, local, or tribal government or other person is required to comply with any requirement in—

(A) the final rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015)); or

(B) a final rule that succeeds the proposed rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships” (79 Fed. Reg. 65482 (November 4, 2014)).

(2) **INCLUSION.**—The term “compliance date” includes the date by which State plans are required to be submitted to the Administrator of the Environmental Protection Agency under any final rule described in paragraph (1).

(b) **EXTENSIONS.**—If any person files a petition for review to challenge a final rule described in subsection (a)(1), each compliance date shall be extended by the time period equal to the period of days that—

(1) begins on the date that is 60 days after October 23, 2015, the date on which notice of promulgation of a final rule described in subsection (a)(1) appeared in the Federal Register; and

(2) ends on the date that is 60 days after the date on which judgment becomes final, and no longer subject to further appeal or review, in all actions (including any action filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607)) that—

(A) are filed during the time period described in paragraph (1); and

(B) seek review of any aspect of the rule.

SA 3052. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. LANKFORD, and Mr. SESSIONS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SUSPENSION OF SPECIFIED ENERGY GRANTS.

Section 1603 of division B of the American Recovery and Reinvestment Act of 2009 is amended by adding at the end the following new subsection:

“(k) **SPECIAL RULE.**—The Secretary of the Treasury shall not make any grant to any person under this section after the date of the enactment of this subsection and before the date that both the Inspector General of

the Department of the Treasury and the Treasury Inspector General for Tax Administration have completed and submitted to Congress a comprehensive investigation relating to fraud with respect to the grants allowed under this section, including fraud—

“(1) through overestimating the cost bases of property for purposes of collecting such grants, and

“(2) through claiming both tax benefits and grants with respect to the same property.”.

SA 3053. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CROSS-SUBSIDIZATION OF CUSTOMER-SIDE TECHNOLOGY.

(a) **CONSIDERATION OF IMPACT FROM CROSS-SUBSIDIZATION OF CUSTOMER-SIDE TECHNOLOGY.**—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) **CONSIDERATION OF IMPACT FROM CROSS-SUBSIDIZATION OF CUSTOMER-SIDE TECHNOLOGY.**—

“(A) **DEFINITION OF CUSTOMER-SIDE TECHNOLOGY.**—In this paragraph, the term ‘customer-side technology’ means a device connected to the electricity distribution system—

“(i) at, or on the customer side of, the meter; or

“(ii) that, if owned or operated by, or on behalf of, an electric utility, would otherwise be at, or on the customer side of, the meter.

“(B) **CONSIDERATION.**—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall consider, to the extent a State regulatory authority or nonregulated electric utility allows rates charged by any electric utility to include any cost, fee, or charge that directly or indirectly subsidizes the deployment, construction, maintenance, or operation of customer-side technology, whether subsidizing the deployment, construction, maintenance, or operation of a customer-side technology would—

“(i) result in benefits predominately enjoyed by only the users of the customer-side technology;

“(ii) shift costs of a customer-side technology to electricity consumers that do not use the customer-side technology, particularly in cases in which disparate economic or resource conditions exist among the electricity consumers cross-subsidizing the customer-side technology;

“(iii) negatively affect resource utilization, fuel diversity, grid reliability, or grid security;

“(iv) provide any unfair competitive advantage to market the customer-side technology, including an analysis of whether the State regulatory authority or other State authority has uncovered any fraudulent customer-side technology marketing practices within the State; and

“(v) be necessary to fulfill an obligation to serve electric consumers.

“(C) **PUBLIC NOTICE.**—At least 90 days before the date on which a State regulatory authority or nonregulated electric utility holds

a proceeding that would consider the cross-subsidization of a customer-side technology, the State regulatory authority or nonregulated electric utility shall make available to the public the results of the evaluation conducted under subparagraph (B)."

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

"(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority), and each nonregulated electric utility shall, with respect to the standard established by paragraph (20) of section 111(d)—

"(i) commence the consideration referred to in section 111; or

"(ii) set a hearing date for the consideration.

"(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority), and each nonregulated electric utility, shall—

"(i) complete the consideration required under subparagraph (A); and

"(ii) make the determination referred to in section 111 with respect to the standard established by paragraph (20) of section 111(d)."

(2) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: "In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph."

SA 3054. Mr. FLAKE (for himself, Mr. BENNET, Mr. MCCAIN, and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) IN GENERAL.—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in October 2013 in which there was a lapse in appropriations for the unit.

(b) FUNDING.—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SA 3055. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WESTERN AREA POWER ADMINISTRATION PILOT PROJECT.

(a) IN GENERAL.—The Administrator of the Western Area Power Administration (referred to in this section as the "Administrator") shall establish a pilot project, as part of the continuous process improvement program and to provide increased transparency for customers, to publish on a publicly available website of the Western Area Power Administration, a searchable database of the following information, beginning with fiscal year 2008, relating to the Western Area Power Administration:

(1) By power system, rates charged to customers for power and transmission service.

(2) By power system, the amount of capacity or energy sold.

(3) By region, a detailed accounting of the allocation of budget authority, including—

(A) overhead costs;

(B) the number of contractors; and

(C) the number of full-time equivalents.

(4) For the corporate services office, a detailed accounting of the allocation of budget authority, including—

(A) overhead costs;

(B) the number of contractors;

(C) the number of full-time equivalents; and

(D) expenses charged to other Federal agencies or programs for the administration of programs not related to the marketing, transmission, or wheeling of Federal hydro-power resources, including—

(i) overhead costs;

(ii) the number of contractors; and

(iii) the number of full-time equivalents.

(5) Capital expenditures, including—

(A) capital investments delineated by the year in which each investment is placed into service; and

(B) the sources of capital for each investment.

(b) REPORT.—Not less than once each year for the duration of the pilot project under this section, the Administrator shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report that—

(1) describes the annual estimated avoided costs and the savings as a result of the pilot project under this section; and

(2) includes a certification from the Administrator that—

(A) the rates for each power system do not recover costs and expenses recovered by other power systems; and

(B) each expense allocated by the corporate services office to an individual power system is only recovered once.

(c) TERMINATION.—The pilot project under this section shall terminate on the date that is 10 years after the date of enactment of this Act.

SA 3056. Mr. FLAKE (for himself, Mrs. MCCASKILL, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1020 (relating to an evaluation of potentially duplicative green building programs within the Department of Energy) and insert the following:

SEC. 1020. EVALUATION OF POTENTIALLY DUPLICATIVE GREEN BUILDING PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—The term "administrative expenses" has the meaning given the term by the Director of the Office of Management and Budget under section 504(b)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (31 U.S.C. 1105 note; Public Law 111-85).

(B) INCLUSIONS.—The term "administrative expenses" includes, with respect to an agency—

(i) costs incurred by—

(I) the agency; or

(II) any grantee, subgrantee, or other recipient of funds from a grant program or other program administered by the agency; and

(ii) expenses relating to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication regarding, promotion of, and outreach for programs and program activities administered by the agency.

(2) APPLICABLE PROGRAM.—The term "applicable program" means any program that is—

(A) listed in Table 9 (pages 348-350) of the report of the Government Accountability Office entitled "2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue"; and

(B) administered by—

(i) the Secretary;

(ii) the Secretary of Agriculture;

(iii) the Secretary of Defense;

(iv) the Secretary of Education;

(v) the Secretary of Health and Human Services;

(vi) the Secretary of Housing and Urban Development;

(vii) the Secretary of Transportation;

(viii) the Secretary of the Treasury;

(ix) the Administrator of the Environmental Protection Agency;

(x) the Director of the National Institute of Standards and Technology; or

(xi) the Administrator of the Small Business Administration.

(3) SERVICE.—

(A) IN GENERAL.—Subject to subparagraph (B), the term "service" has the meaning given the term by the Director of the Office of Management and Budget.

(B) REQUIREMENTS.—For purposes of subparagraph (A), the term "service" shall be limited to activities, assistance, or other aid that provides a direct benefit to a recipient, such as—

(i) the provision of technical assistance;

(ii) assistance for housing or tuition; or

(iii) financial support (including grants, loans, tax credits, and tax deductions).

(b) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall submit to Congress and make available on the public Internet website of the Department a report that describes the applicable programs.

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall—

(A) determine the approximate annual total administrative expenses of each applicable program;

(B) determine the approximate annual expenditures for services for each applicable program;

(C) describe the intended market for each applicable program, including the—

(i) estimated the number of clients served by each applicable program; and

(ii) beneficiaries who received services or information under the applicable program (if applicable and if data is readily available);

(D) estimate—

(i) the number of full-time employees who administer each applicable program; and

(ii) the number of full-time equivalents (the salary of whom is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the applicable program;

(E) briefly describe the type of services each applicable program provides, such as information, grants, technical assistance, loans, tax credits, or tax deductions;

(F) identify the type of recipient who is intended to benefit from the services or information provided under the applicable program, such as individual property owners or renters, local governments, businesses, non-profit organizations, or State governments; and

(G) identify whether written program goals are available for each applicable program.

(c) **RECOMMENDATIONS.**—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall submit to Congress a report that includes—

(1) a recommendation of whether any applicable program should be eliminated or consolidated, including any legislative changes that would be necessary to eliminate or consolidate applicable programs; and

(2) methods to improve the applicable programs by establishing program goals or increasing collaboration to reduce any potential overlap or duplication, taking into account—

(A) the 2011 report of the Government Accountability Office entitled “Federal Initiatives for the Nonfederal Sector Could Benefit from More Interagency Collaboration”; and

(B) the report of the Government Accountability Office entitled “2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue”.

(d) **ANALYSES.**—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall identify—

(1) which applicable programs were specifically authorized by Congress; and

(2) which applicable programs are carried out solely under the discretionary authority of the Secretary or any agency head described in clauses (ii) through (xi) of subsection (a)(2)(B).

SA 3057. Mr. FLAKE (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . HYDROPOWER RESERVOIR OPERATION IMPROVEMENT.

(a) **DEFINITIONS.**—In this section:

(1) **RESERVED WORKS.**—The term “reserved works” means any Bureau of Reclamation

project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Army.

(3) **TRANSFERRED WORKS.**—The term “transferred works” means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity, under the provisions of a formal operation and maintenance transfer contract.

(4) **TRANSFERRED WORKS OPERATING ENTITY.**—The term “transferred works operating entity” means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report including, for any State in which a county designated by the Secretary of Agriculture as a drought disaster area during water year 2015 is located, a list of projects, including Corps of Engineers projects, non-Federal projects, and transferred works, operated for flood control in accordance with rules prescribed by the Secretary pursuant to section 7 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 890, chapter 665), including, as applicable—

(1) the year the original water control manual was approved;

(2) the year for any subsequent revisions to the water control plan and manual of the project;

(3) a list of projects for which—

(A) operational deviations for drought contingency have been requested;

(B) the status of the request; and

(C) a description of how water conservation and water quality improvements were addressed; and

(4) a list of projects for which permanent or seasonal changes to storage allocations have been requested, and the status of the request.

(c) **PROJECT IDENTIFICATION.**—Not later than 60 days after the date of completion of the report under subsection (b), the Secretary shall identify any projects described in the report—

(1) for which the modification of the water operations manuals, including flood control rule curve, would be likely to enhance existing authorized project purposes for water supply benefits and flood control operations;

(2) for which the water control manual and hydrometeorological information establishing the flood control rule curves of the project have not been substantially revised during the 15-year period ending on the date of review by the Secretary; and

(3) for which the non-Federal sponsor or sponsors of a Corps of Engineers project, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, has submitted to the Secretary a written request to revise water operations manuals, including flood control rule curves, based on the use of improved weather forecasting or run-off forecasting methods, new watershed data, changes to project operations, or structural improvements.

(d) **PILOT PROJECTS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of identification of projects under subsection (c), if any, the Secretary shall carry out not more than 15 pilot projects, which shall include not less than 6 non-Federal projects, to implement revisions of water operations manuals, including flood

control rule curves, based on the best available science, which may include—

(A) forecast-informed operations;

(B) new watershed data; and

(C) if applicable, in the case of non-Federal projects, structural improvements.

(2) **CONSULTATION.**—In implementing a pilot project under this subsection, the Secretary shall consult with all affected interests, including—

(A) non-Federal entities responsible for operations and maintenance costs of a Federal facility;

(B) individuals and entities with storage entitlements; and

(C) local agencies with flood control responsibilities downstream of a facility.

(e) **COORDINATION WITH NON-FEDERAL PROJECT ENTITIES.**—If a project identified under subsection (c) is—

(1) a non-Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with the non-Federal project owner; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with the non-Federal project owner describing the scope and goals of the activity and the coordination among the parties; and

(2) a Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with each Federal and non-Federal entity (including a municipal water district, irrigation district, joint powers authority, transferred works operating entity, or other local governmental entity) that currently—

(i) manages (in whole or in part) a Federal dam or reservoir; or

(ii) is responsible for operations and maintenance costs; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with each such entity describing the scope and goals of the activity and the coordination among the parties.

(f) **CONSIDERATION.**—In designing and implementing a forecast-informed reservoir operations plan, the Secretary may consider—

(1) the relationship between ocean and atmospheric conditions, including—

(A) the El Niño and La Niña cycles; and

(B) the potential for above-normal, normal, and below-normal rainfall for the coming water year, including consideration of atmospheric river forecasts;

(2) the precipitation and runoff index specific to the basin and watershed of the relevant dam or reservoir, including incorporating knowledge of hydrological and meteorological conditions that influence the timing and quantity of runoff;

(3) improved hydrologic forecasting for precipitation, snowpack, and soil moisture conditions;

(4) an adjustment of operational flood control rule curves to optimize water supply storage and reliability, hydropower production, environmental benefits for flows and temperature, and other authorized project benefits, without a reduction in flood safety; and

(5) proactive management in response to changes in forecasts.

(g) **FUNDING.**—The Secretary may accept and expend amounts from non-Federal entities to fund all or a portion of the cost of carrying out a review or revision of operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves,

operational agreements with non-Federal entities, and any associated environmental documentation for—

- (1) a Corps of Engineers project;
- (2) a non-Federal project regulated for flood control by the Secretary; or
- (3) a Bureau of Reclamation transferred works regulated for flood control by the Secretary.

(h) EFFECT.—

(1) **MANUAL REVISIONS.**—A revision of a manual shall not interfere with the authorized purposes of a Federal project or the existing purposes of a non-Federal project regulated for flood control by the Secretary.

(2) **EFFECT OF SECTION.**—

(A) Nothing in this section authorizes the Secretary to carry out, at a Federal dam or reservoir, any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act.

(B) Nothing in this section affects or modifies any obligation of the Secretary under State law.

(3) **BUREAU OF RECLAMATION RESERVED WORKS EXCLUDED.**—This section—

(A) shall not apply to any dam or reservoir operated by the Bureau of Reclamation as a reserved work, unless all non-Federal project sponsors of a reserved work jointly provide to the Secretary a written request for application of this section to the project; and

(B) shall apply only to Bureau of Reclamation transferred works at the written request of the transferred works operating entity.

(i) **MODIFICATIONS TO MANUALS AND CURVES.**—Not later than 180 days after the date of completion of a modification to an operations manual or flood control rule curve, the Secretary shall submit to Congress a report regarding the components of the forecast-based reservoir operations plan incorporated into the change.

SA 3058. Mr. BLUNT (for himself, Mr. INHOFE, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —SOCIAL COST OF CARBON

SEC. 01. FINDINGS.

Congress finds that—

(1) the social cost of carbon is an estimate, used by Federal agencies in regulatory impact analyses, of damage caused by a 1-metric-ton increase in carbon dioxide emissions;

(2) between January 2008 and November 2015, various Federal agencies have cited the social cost of carbon in 125 different proposed rules, final rules, and other actions;

(3) between January 2008 and November 2015, by citing the social cost of carbon in 73 different proposed rules, final rules, and other actions, the Department has cited the social cost of carbon more than any other Federal agency;

(4) the social cost of carbon estimate was developed in a closed interagency working group without notice or public participation;

(5) the Administrator of the Office of Information and Regulatory Affairs agreed to public comment on the social cost of carbon estimate in 2013, only after written requests from Congress and the public; and

(6) the National Academy of Sciences recommended that the interagency working group that developed the social cost of carbon estimate increase transparency on the

ways in which the social cost of carbon estimate is used in the formulation of regulations.

SEC. 02. SUBMISSION OF RESULTS OF MODELING.

(a) **IN GENERAL.**—Not later than 60 days after date of enactment of this Act, the Director of the Office of Management and Budget (referred to in this section as the “Director”) shall submit to the Speaker of the House of Representatives and the President pro tempore of the Senate, at a minimum, the results of modeling that examines and determines the social cost carbon using the guidelines and discount rates described in Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) so as to conform with the base case analysis recommendations in Office of Management and Budget Circulars A-4 (as in effect on September 17, 2003) and A-94.

(b) **ADDITIONAL INFORMATION.**—The Director may include in the submission described in subsection (a) such other information as the Director considers to be appropriate.

SA 3059. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23 —REPEAL OF THIRD-PARTY FINANCE PROVISIONS.

Section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421) is repealed.

SA 3060. Mr. BOOZMAN (for himself, Mr. COTTON, Mr. BLUNT, and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23 —PROHIBITION ON EMINENT DOMAIN FOR CERTAIN PROJECTS.

Section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421) is amended—

(1) by redesignating subsections (d) through (g) as subsections (f) through (i), respectively; and

(2) by inserting after subsection (c) the following:

“(d) **PROHIBITION ON EMINENT DOMAIN.**—Notwithstanding any other provision of law (including regulations), the Secretary, SWPA, and WAPA may not carry out any Project under this section through the use of eminent domain, unless the use of eminent domain is explicitly authorized by—

“(1) the Governor and the head of each applicable public utility commission, public service commission, or other equivalent State agency exercising jurisdiction over electric transmission lines of the affected State; and

“(2) the head of the governing body of each Indian tribe the land of which would be affected.

“(e) **SITING REQUIREMENT.**—To the maximum extent practicable, a Project carried out under this section shall be sited on—

- “(1) an existing Federal right-of-way; or
- “(2) Federal land managed by—
- “(A) the Bureau of Land Management;
- “(B) the Forest Service;
- “(C) the Bureau of Reclamation; or
- “(D) the Corps of Engineers.”.

SA 3061. Mrs. CAPITO (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —EXTENSION OF COMPLIANCE DATES.

(a) **DEFINITIONS.**—In this section:

(1) **COMPLIANCE DATE.**—

(A) **IN GENERAL.**—The term “compliance date” means, with respect to any requirement of a final rule, the date by which any State, local, or tribal government or other person is first required to comply with the requirement.

(B) **INCLUSION.**—The term “compliance date” includes the date by which State plans are required to be submitted to the Administrator of the Environmental Protection Agency under any final rule.

(2) **FINAL RULE.**—

(A) **IN GENERAL.**—The term “final rule” means any proposed or final rule to address carbon dioxide emissions from existing sources that are fossil fuel-fired electric utility generating units under section 111 of the Clean Air Act (42 U.S.C. 7411).

(B) **INCLUSIONS.**—The term “final rule” includes—

(i) the rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015)); or

(ii) any final rule that succeeds—

(I) the proposed rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (79 Fed. Reg. 34830 (June 18, 2014)); or

(II) the supplemental proposed rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships” (79 Fed. Reg. 65482 (November 4, 2014)).

(b) **EXTENSIONS.**—Each compliance date of any final rule is deemed to be extended by the time period equal to the time period described in subsection (c).

(c) **PERIOD DESCRIBED.**—The time period described in this subsection is the period of days that—

(1) begins on the date that is 60 days after the day on which notice of promulgation of a final rule appears in the Federal Register; and

(2) ends on the date on which judgement becomes final, and no longer subject to further appeal or review, in all actions (including any action filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607)) that—

(A) are filed during the 60 days described in paragraph (1); and

(B) seek review of any aspect of the final rule.

SA 3062. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and

for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 002. DEFINITIONS.

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **BEST AVAILABLE CONTROL TECHNOLOGY.**—The term “best available control technology” has the meaning given the term in section 169 of the Clean Air Act (42 U.S.C. 7479).

(3) **LOWEST ACHIEVABLE EMISSION RATE.**—The term “lowest achievable emission rate” has the meaning given the term in section 171 of the Clean Air Act (42 U.S.C. 7501).

(4) **MAJOR EMITTING FACILITY; MAJOR STATIONARY SOURCE.**—The terms “major emitting facility” and “major stationary source” have the meaning given those terms in section 302 of the Clean Air Act (42 U.S.C. 7602).

(5) **NATIONAL AMBIENT AIR QUALITY STANDARD.**—The term “national ambient air quality standard” means a national ambient air quality standard for an air pollutant under section 109 of the Clean Air Act (42 U.S.C. 7409) that is finalized on or after the date of enactment of this Act.

(6) **PRECONSTRUCTION PERMIT.**—

(A) **IN GENERAL.**—The term “preconstruction permit” means a permit that is required under part C or D of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) for the construction or modification of a major emitting facility or major stationary source.

(B) **INCLUSIONS.**—The term “preconstruction permit” includes any permit described in subparagraph (A) that is issued by—

(i) the Environmental Protection Agency; or

(ii) a State, local, or tribal permitting authority.

(7) **RACT/BACT/LAER CLEARINGHOUSE DATABASE.**—The term “RACT/BACT/LAER Clearinghouse database” means the central database of air pollution technology information that is posted on the Internet website of the Environmental Protection Agency.

SEC. 003. BUILDING AND MANUFACTURING PROJECTS DASHBOARD.

(a) **IN GENERAL.**—For fiscal year 2008 and each fiscal year thereafter, the Administrator shall publish in a readily accessible location on the Internet website of the Environmental Protection Agency an estimate by the Administrator of, with respect to the applicable fiscal year—

(1) the total number of preconstruction permits issued by the Environmental Protection Agency;

(2) the percentage of those preconstruction permits issued by the date that is 1 year after the date of filing of completed applications for the permits; and

(3) the average length of time required for the Environmental Appeals Board of the Environmental Protection Agency to issue a final decision regarding petitions appealing decisions to grant or deny a preconstruction permit application.

(b) **INITIAL PUBLICATION; UPDATES.**—The Administrator shall—

(1) make the publication required by subsection (a) for fiscal years 2008 through 2014 by not later than 60 days after the date of enactment of this Act; and

(2) update that publication not less frequently than annually.

(c) **SOURCES OF INFORMATION.**—

(1) **FISCAL YEARS 2008 THROUGH 2014.**—In carrying out this section with respect to the in-

formation required to be published for fiscal years 2008 through 2014, the estimates of the Administrator shall be based on information in the possession of the Administrator as of the date of enactment of this Act, including information in the RACT/BACT/LAER Clearinghouse database.

(2) **NO REQUIREMENT TO COLLECT ADDITIONAL INFORMATION.**—Nothing in this section requires the Administrator to seek or collect any information in addition to the information that is voluntarily provided by States and local air agencies for the RACT/BACT/LAER Clearinghouse database with respect to the information required to be published under this section for any fiscal year.

SEC. 004. TIMELY ISSUANCE OF REGULATIONS AND GUIDANCE TO ADDRESS NEW OR REVISED NATIONAL AMBIENT AIR QUALITY STANDARDS IN PRECONSTRUCTION PERMITTING.

(a) **PROPOSED REGULATIONS.**—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines to be necessary and appropriate to assist States, permitting authorities, and permit applicants, concurrently publish proposed regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard.

(b) **APPLICABILITY OF STANDARD TO PRECONSTRUCTION PERMITTING.**—A new or revised national ambient air quality standard shall not apply to the review and disposition of a preconstruction permit application until the Administrator publishes final implementation regulations and guidance that include information relating to submission and consideration of a preconstruction permit application under the standard.

(c) **EFFECT OF SECTION.**—

(1) **IN GENERAL.**—After publishing regulations and guidance for implementing national ambient air quality standards under subsection (a), nothing in this section precludes the Administrator from issuing subsequent regulations or guidance to assist States and facilities in implementing those standards.

(2) **REQUIREMENTS OF APPLICANTS.**—Nothing in this section eliminates the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable.

(3) **STATE, LOCAL, AND TRIBAL AUTHORITY.**—Nothing in this section limits the authority of a State, local, or tribal permitting authority to impose emission requirements pursuant to State, local, or tribal law that are more stringent than the applicable Federal national ambient air quality standards established by the Environmental Protection Agency.

SEC. 005. REPORT TO CONGRESS REGARDING ACTIONS TO EXPEDITE REVIEW OF PRECONSTRUCTION PERMITS.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress a report that, with respect to the period covered by the report—

(1) identifies the activities carried out by the Environmental Protection Agency to increase the efficiency of the preconstruction permitting process;

(2) identifies the specific reasons for delays in issuing—

(A) preconstruction permits required under part C of the Clean Air Act (42 U.S.C. 7470 et seq.) beyond the 1-year deadline mandated by section 165(c) of that Act (42 U.S.C. 7475(c)); or

(B) preconstruction permits required under part D of the Clean Air Act (42 U.S.C. 7501 et seq.) beyond the 1-year period beginning on the date on which the permit application is determined to be complete;

(3) describes the means by which the Administrator is resolving—

(A) delays in making completeness determinations for preconstruction permit applications; and

(B) processing delays for preconstruction permits, including any increases in communication with State and local permitting authorities; and

(4) summarizes and responds to public comments received under subsection (b) concerning the report.

(b) **PUBLIC COMMENT.**—Before submitting a report required by subsection (a), the Administrator shall—

(1) publish on the Internet website of the Environmental Protection Agency a draft of the report; and

(2) provide to the public a period of not less than 30 days to submit comments regarding the draft report.

(c) **SOURCES OF INFORMATION.**—Nothing in this section compels the Environmental Protection Agency to seek or collect any information in addition to the information that is voluntarily provided by States and local air agencies for the RACT/BACT/LAER Clearinghouse database.

SA 3063. Mrs. CAPITO (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

At the end of subtitle B of title III, add the following:

SEC. 310. ETHANE STORAGE STUDY.

(a) **IN GENERAL.**—The Secretary and the Secretary of Commerce, in consultation with other relevant Federal departments and agencies and stakeholders, shall conduct a study of the feasibility of establishing an ethane storage and distribution hub in the Marcellus, Utica, and Rogersville shale plays in the United States.

(b) **CONTENTS.**—The study conducted under subsection (a) shall include—

(1) an examination of, with respect to the proposed ethane storage and distribution hub—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above-ground storage capabilities;

(F) infrastructure needs; and

(G) other markets and trading hubs, particularly hubs relating to ethane; and

(2) the identification of potential additional benefits of the proposed hub to energy security.

(c) **PUBLICATION OF RESULTS.**—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of Commerce shall—

(1) submit to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate a report describing the results of the study under subsection (a); and

(2) publish those results on the Internet websites of the Departments of Energy and Commerce, respectively.

SA 3064. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3602(d)(1)(B), after “State” insert the following: “(as defined in 202 of the Energy Conservation and Production Act (42 U.S.C. 6802)) (referred to in this section as the ‘State’)”.

SA 3065. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3602(d), strike paragraph (3) and insert the following:

(3) work with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), tribal organizations (as defined in section 3765 of title 38, United States Code), and Native American veterans (as defined in section 3765 of title 38, United States Code);

SA 3066. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3602(d), strike paragraph (2) and insert the following:

(2) work with the Secretary of Defense and the Secretary of Veterans Affairs or veteran service organizations recognized by the Secretary of Veterans Affairs under section 5902 of title 38, United States Code, to transition members of the Armed Forces and veterans to careers in the energy sector;

SA 3067. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

At the end of subtitle H of title IV, add the following:

SEC. 47. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent” and inserting “Asian American, Native Hawaiian, a Pacific Islander, African-American, Hispanic, Puerto Rican, Native American, or an Alaska Native”.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended in the third sentence by striking “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts” and inserting “Asian American, Native Hawaiian, Pacific Islanders, African-American, Hispanic, Native American, or Alaska Natives”.

SA 3068. Ms. HIRONO (for herself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 1022. CONTRACTS FOR FEDERAL PURCHASES OF ENERGY.

Part 3 of title V of the National Energy Conservation Policy Act is amended by adding after section 553 (42 U.S.C. 8259b) the following:

“SEC. 554. LONG-TERM CONTRACTS FOR ENERGY.

“(a) IN GENERAL.—Notwithstanding section 501(b)(1)(B) of title 40, United States Code, a contract for the acquisition of renewable energy or energy from cogeneration facilities for the Federal Government may be made for a period not to exceed 30 years.

“(b) STANDARDIZED ENERGY PURCHASE AGREEMENT.—Not later than 90 days after the date of enactment of this section, the Secretary, acting through the Federal Energy Management Program, shall publish a standardized energy purchase agreement setting forth commercial terms and conditions that agencies may use to acquire renewable energy or energy from cogeneration facilities.

“(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to assist agencies in implementing this section.”.

SA 3069. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 42. RESTORATION OF LABORATORY DIRECTED RESEARCH AND DEVELOPMENT PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) laboratory directed research and development (referred to in this subsection as “LDRD”) is an investment for the future;

(2) the purposes of LDRD are—

(A) to recruit, to develop, and to retain a creative workforce for a laboratory; and

(B) to produce innovative ideas that are vital to the ability of a laboratory to produce the best scientific work in accordance with the mission of the laboratory;

(3) LDRD has a long history of support and accomplishment since 1954, when Congress first authorized LDRD in the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

(4) formal requirements, external review, and oversight by the Secretary with respect to LDRD projects ensure that LDRD projects—

(A) are selected competitively; and

(B) explore innovative and new areas of research that are not covered by existing research programs;

(5) LDRD is a resource to support cutting-edge exploratory research prior to the identification and development of a research program by the Department or a strategic partner of the Department;

(6) LDRD projects in the same topic area may be funded at various laboratories to explore potential paths for a program in that topic area;

(7) LDRD projects provide valuable insights for peer-review strategic assessments conducted by the Department in the program planning process;

(8) LDRD is an important recruitment and retention tool for the National Laboratories;

(9) the recruitment and retention tool that LDRD provides is especially crucial for the laboratories operated by the National Nuclear Security Administration, which must attract new staff to the laboratories in order to maintain a highly trained workforce to support the missions of the National Nuclear Security Administration with respect to nuclear weapons and national security; and

(10) the October 28, 2015, Final Report of the Commission to Review the Effectiveness of the National Energy Laboratories—

(A) strongly endorsed LDRD programs both now and into the future; and

(B) supported restoration of the cap on LDRD to 6 percent unburdened or the equivalent of 6 percent unburdened.

(b) GENERAL AND ADMINISTRATIVE OVERHEAD FOR LABORATORY DIRECTED RESEARCH AND DEVELOPMENT.—The Secretary shall ensure that laboratory operating contractors do not allocate costs of general and administrative overhead to laboratory directed research and development.

SA 3070. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. EQUUS BEDS DIVISION EXTENSION.

Section 10(h) of Public Law 86-787 (74 Stat. 1026; 120 Stat. 1474) is amended by striking “10 years” and inserting “20 years”.

SA 3071. Mr. MORAN (for himself, Mr. COONS, Mr. GARDNER, Ms. STABENOW, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . EXTENSION OF PUBLICLY TRADED PARTNERSHIP OWNERSHIP STRUCTURE TO ENERGY POWER GENERATION PROJECTS, TRANSPORTATION FUELS, AND RELATED ENERGY ACTIVITIES.

(a) IN GENERAL.—Subparagraph (E) of section 7704(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking “income and gains derived from the exploration” and inserting “income and gains derived from the following:

“(i) MINERALS, NATURAL RESOURCES, ETC.—The exploration”;

(2) by inserting “or” before “industrial source”;

(3) by inserting a period after “carbon dioxide”; and

(4) by striking “, or the transportation or storage” and all that follows and inserting the following:

“(ii) RENEWABLE ENERGY.—The generation of electric power (including the leasing of tangible personal property used for such generation) exclusively utilizing any resource described in section 45(c)(1) or energy property described in section 48 (determined without regard to any termination date), or in the case of a facility described in paragraph (3) or (7) of section 45(d) (determined without regard to any placed in service date or date by which construction of the facility is required to begin), the accepting or processing of such resource.

“(iii) ELECTRICITY STORAGE DEVICES.—The receipt and sale of electric power that has been stored in a device directly connected to the grid.

“(iv) COMBINED HEAT AND POWER.—The generation, storage, or distribution of thermal energy exclusively utilizing property described in section 48(c)(3) (determined without regard to subparagraphs (B) and (D) thereof and without regard to any placed in service date).

“(v) RENEWABLE THERMAL ENERGY.—The generation, storage, or distribution of thermal energy exclusively using any resource described in section 45(c)(1) or energy property described in clause (i) or (iii) of section 48(a)(3)(A).

“(vi) WASTE HEAT TO POWER.—The use of recoverable waste energy, as defined in section 371(5) of the Energy Policy and Conservation Act (42 U.S.C. 6341(5)) (as in effect on the date of the enactment of the Energy Policy Modernization Act of 2015).

“(vii) RENEWABLE FUEL INFRASTRUCTURE.—The storage or transportation of any fuel described in subsection (b), (c), (d), or (e) of section 6426.

“(viii) RENEWABLE FUELS.—The production, storage, or transportation of any renewable fuel described in section 211(o)(1)(J) of the Clean Air Act (42 U.S.C. 7545(o)(1)(J)) (as in effect on the date of the enactment of the Energy Policy Modernization Act of 2015) or section 40A(d)(1).

“(ix) RENEWABLE CHEMICALS.—The production, storage, or transportation of any qualifying renewable chemical (as defined in paragraph (6)).

“(x) ENERGY EFFICIENT BUILDINGS.—The audit and installation through contract or other agreement of any energy efficient building property described in section 179D(c)(1).

“(xi) GASIFICATION WITH SEQUESTRATION.—The production of any product or the generation of electric power from a project that meets the requirements of subparagraphs (A) and (B) of section 48B(c)(1) and that separates and sequesters in secure geological storage (as determined under section 45Q(d)(2)) at least 75 percent of such project's total qualified carbon dioxide (as defined in section 45Q(b)).

“(xii) CARBON CAPTURE AND SEQUESTRATION.—

“(I) POWER GENERATION FACILITIES.—The generation or storage of electric power (including associated income from the sale or marketing of energy, capacity, resource adequacy, and ancillary services) produced from any power generation facility which is, or from any power generation unit within, a qualified facility described in section 45Q(c) which—

“(aa) in the case of a power generation facility or power generation unit placed in service after January 8, 2013, captures 50 percent or more of the qualified carbon dioxide (as defined in section 45Q(b)) of such facility and disposes of such captured qualified carbon dioxide in secure geological storage (as determined under section 45Q(d)(2)), and

“(bb) in the case of a power generation facility or power generation unit placed in service before January 9, 2013, captures 30 percent or more of the qualified carbon dioxide (as defined in section 45Q(b)) of such facility and disposes of such captured qualified carbon dioxide in secure geological storage (as determined under section 45Q(d)(2)).

“(II) OTHER FACILITIES.—The sale of any good or service from any facility (other than a power generation facility) which is a qualified facility described in section 45Q(c) and the captured qualified carbon dioxide (as so defined) of which is disposed of in secure geological storage (as determined under section 45Q(d)(2)).”.

(b) RENEWABLE CHEMICAL.—

(1) IN GENERAL.—Section 7704(d) of such Code is amended by adding at the end the following new paragraph:

“(6) QUALIFYING RENEWABLE CHEMICAL.—

“(A) IN GENERAL.—The term ‘qualifying renewable chemical’ means any renewable chemical (as defined in section 9001 of the Agriculture Act of 2014)—

“(i) which is produced by the taxpayer in the United States or in a territory or possession of the United States,

“(ii) which is the product of, or reliant upon, biological conversion, thermal conversion, or a combination of biological and thermal conversion, of renewable biomass (as defined in section 9001(13) of the Farm Security and Rural Investment Act of 2002),

“(iii) the biobased content of which is 95 percent or higher,

“(iv) which is sold or used by the taxpayer—

“(I) for the production of chemical products, polymers, plastics, or formulated products, or

“(II) as chemicals, polymers, plastics, or formulated products,

“(v) which is not sold or used for the production of any food, feed, or fuel, and

“(vi) which is—

“(I) acetic acid, acrylic acid, acyl glutamate, adipic acid, algae oils, algae sugars, 1,4-butanediol (BDO), iso-butanol, n-butanol, C10 and higher hydrocarbons produced from olefin metathesis, carboxylic acids produced from olefin metathesis, cellulosic sugar, diethyl methylene malonate, dodecanedioic acid (DDDA), esters produced from olefin metathesis, ethyl acetate, ethylene glycol, farnesene, 2,5-furandicarboxylic acid, gamma-butyrolactone, glucaric acid, hexamethylenediamine (HMD), 3-hydroxy propionic acid, isoprene, itaconic acid, levulinic acid, polyhydroxyalkonate (PHA), polylactic acid (PLA), polyethylene furanoate (PEF), polyethylene terephthalate (PET), polyitaconic acid, polyols from vegetable oils, poly(xylitan levulinate ketal), 1,3-propanediol, 1,2-propanediol, rhamnolipids, succinic acid, terephthalic acid, or *p*-Xylene, or

“(II) any chemical not described in clause (i) which is a chemical listed by the Secretary for purposes of this paragraph.

“(B) BIOBASED CONTENT.—For purposes of subparagraph (A)(iii), the term ‘biobased content percentage’ means, with respect to any renewable chemical, the biobased content of such chemical (expressed as a percentage) determined by testing representative samples using the American Society for Testing and Materials (ASTM) D6866.”.

(2) LIST OF OTHER QUALIFYING RENEWABLE CHEMICALS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in consultation with the Secretary of Agriculture, shall establish a program to

consider applications from taxpayers for the listing of chemicals under section 7874(d)(6)(A)(vi)(II) (as added by paragraph (1)).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, in taxable years ending after such date.

SA 3072. Mr. DONNELLY (for himself, Mr. GRASSLEY, Mrs. FISCHER, Mr. THUNE, Mrs. MCCASKILL, Ms. BALDWIN, Mr. KIRK, Ms. HEITKAMP, Ms. KLOBUCHAR, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ETHANOL WAIVER.

Section 211(h)(4) of the Clean Air Act (42 U.S.C. 7545(h)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “or more” after “10 percent”; and

(2) in subparagraph (C), by striking “additional alcohol or”.

SA 3073. Mr. KING (for himself, Ms. STABENOW, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 22 ____ . LIMITATION ON AUTHORITY OF SECRETARY OF ENERGY TO APPROVE CERTAIN LNG TERMINAL PROPOSALS.

(a) IN GENERAL.—Section 3(e) of the Natural Gas Act (15 U.S.C. 717b(e)) is amended by adding at the end the following:

“(5) AUTHORITY OF SECRETARY OF ENERGY OVER CERTAIN PROPOSALS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ADDITIONAL EXPORT PROPOSAL.—The term ‘additional export proposal’ means any proposal submitted to the Secretary by a new or existing LNG terminal—

“(I) to initiate the export of natural gas to a foreign country, with respect to a LNG terminal that does not so export natural gas as of the date of submission of the proposal; or

“(II) to increase the quantity of natural gas exported to a foreign country by the LNG terminal, with respect to a LNG terminal that exports natural gas as of the date of submission of the proposal.

“(ii) FOREIGN COUNTRY.—The term ‘foreign country’ means a nation in which there is not in effect a free trade agreement requiring national treatment for trade in natural gas.

“(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy, acting pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)).

“(B) LIMITATION.—

“(i) IN GENERAL.—Notwithstanding part 590 of title 10, Code of Federal Regulations (or successor regulations), or any other provision of law (including regulations), the Secretary may not take into consideration or

approve any additional export proposal if approving the additional export proposal would raise the total quantity of natural gas cumulatively approved for export to foreign countries from United States facilities above a level included in a study conducted under clause (ii).

“(ii) **STUDY.**—The Secretary shall conduct an economic impact study that includes an analysis of the impact of exporting natural gas on—

“(I) domestic natural gas prices;

“(II) regional domestic natural gas prices;

“(III) natural gas prices for domestic consumers, manufacturers, and other industries; and

“(IV) the global economic competitiveness of domestic manufacturers and other domestic industries.”

(b) **APPLICABILITY.**—The amendment made by subsection (a) shall not apply to any export proposal that received final approval from the Secretary before or on the date of enactment of this Act.

SA 3074. Mr. BLUNT (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —WITHDRAWAL OF CLEAN POWER PLAN

SEC. 01. FINDINGS.

Congress finds that—

(1) on October 23, 2015, the Administrator of the Environmental Protection Agency (referred to in this title as the “Administrator”) published in the Federal Register rules that are inextricably linked and collectively known as the “Clean Power Plan”, including—

(A) the final rule entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015));

(B) the final rule entitled “Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64510 (October 23, 2015)); and

(C) the proposed rule entitled “Federal Plan Requirements for Greenhouse Gas Emissions from Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations” (80 Fed. Reg. 64966 (October 23, 2015)); and

(2) the final rules described in subparagraphs (A) and (B) of paragraph (1)—

(A) materially depart from the proposed versions of those final rules and are not logical outgrowths of the proposed versions; and

(B) are legally deficient because the Administrator did not allow for adequate notice and opportunity for comment on the proposed rules that preceded those final rules.

SEC. 02. WITHDRAWAL OF CLEAN POWER PLAN.

The Administrator shall—

(1) withdraw each of the rules described in section 01(1); and

(2) reissue any of those rules only as a new proposed rule with a new notice and comment period.

SA 3075. Mr. VITTER submitted an amendment intended to be proposed to

amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. REVIEW OF ECONOMIC IMPACT OF BSEE RULE ON SMALL ENTITIES.

(a) **DEFINITIONS.**—In this section—

(1) the term “BSEE” means the Bureau of Safety and Environmental Enforcement;

(2) the term “Chief Counsel” means the Chief Counsel for Advocacy of the Small Business Administration;

(3) the term “covered proposed rule” means the proposed rule of the BSEE entitled “Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control” (80 Fed. Reg. 21504 (April 17, 2015)); and

(4) the term “small entity” has the meaning given the term in section 601 of title 5, United States Code.

(b) **REQUIREMENT TO CONDUCT REVIEW.**—

(1) **IN GENERAL.**—If the BSEE issues a final rule for the covered proposed rule, then not later than 1 year after the effective date of the final rule the BSEE, in consultation with the Chief Counsel, shall complete a review of the final rule under section 610 of title 5, United States Code.

(2) **ASSESSMENT OF ECONOMIC IMPACT.**—In conducting the review required under paragraph (1), the BSEE, in consultation with the Chief Counsel, shall assess the economic impact of the final rule on small entities in the oil and gas supply chain.

(3) **REPORT.**—Not later than 180 days after the date on which the review is completed under this subsection, the BSEE, in consultation with the Chief Counsel, shall submit to Congress a report on the findings of the review.

SA 3076. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. GROUND-LEVEL OZONE STANDARDS.

Notwithstanding any other provision of law (including regulations), in promulgating a national primary or secondary ambient air quality standard for ozone, the Administrator of the Environmental Protection Agency shall only consider all or part of a county to be a nonattainment area under the standard on the basis of direct air quality monitoring.

SA 3077. Mr. ROBERTS (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 4501 through 4503.

SA 3078. Mr. ROBERTS submitted an amendment intended to be proposed to

amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3017.

SA 3079. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. WAIVER OF JONES ACT REQUIREMENTS FOR OIL AND GASOLINE TANKERS.

(a) **IN GENERAL.**—Section 12112 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “A coastwise” and inserting “Except as provided in subsection (b), a coastwise”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) **WAIVER FOR OIL AND GASOLINE TANKERS.**—The requirements of subsection (a) shall not apply to an oil or gasoline tanker vessel and a coastwise endorsement may be issued for any such tanker vessel that otherwise qualifies under the laws of the United States to engage in the coastwise trade.”

(b) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Commandant of the United States Coast Guard shall issue regulations to implement the amendments made by subsection (a). Such regulations shall require that an oil or gasoline tanker vessel permitted to engaged in the coastwise trade pursuant to subsection (b) of section 12112 of title 46, United States Code, as amended by subsection (a), meets all appropriate safety and security requirements.

SA 3080. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. ARTIFICIAL REEF PROMOTION ACT OF 2016.

(a) **SHORT TITLE.**—This section may be cited as the “Artificial Reef Promotion Act of 2016”.

(b) **PERMITS FOR CONSTRUCTION AND MANAGEMENT OF ARTIFICIAL REEFS.**—Section 205 of the National Fishing Enhancement Act of 1984 (33 U.S.C. 2104) is amended—

(1) by redesignating subsections (b) through (e) as subsections (d) through (g), respectively; and

(2) by striking subsection (a) and inserting the following:

“(a) **ACTION ON PERMITS.**—

“(1) **IN GENERAL.**—In issuing a permit for an artificial reef under section 10 of the Act entitled ‘An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes’, approved March 3,

1899 (commonly known as the 'Rivers and Harbors Appropriation Act of 1899') (33 U.S.C. 403), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), or section 4(e) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(e)), the Secretary shall—

“(A) consult with and consider the views of appropriate Federal agencies, States, local governments, and other interested parties;

“(B) ensure that the provisions for siting, constructing, monitoring, and managing the artificial reef are consistent with the criteria and standards established under this Act;

“(C) ensure that the title to the artificial reef construction material is unambiguous, and that responsibility for maintenance and the financial ability to assume liability for future damages are clearly established;

“(D) ensure that a State assuming liability under subparagraph (C) has established an artificial reef maintenance fund; and

“(E) consider the plan developed under section 204 and notify the Secretary of Commerce of any need to deviate from that plan.

“(2) REGULATIONS.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Directors shall promulgate regulations that expedite the review of a final application such that a decision is rendered not later than 150 days after the date on which the application is submitted.

“(B) REGULATIONS PROMULGATED BY THE COMMANDING GENERAL.—Not later than 180 days after the date of enactment of the Artificial Reef Promotion Act of 2016, the Commanding General shall promulgate regulations that expedite the review of a final application by the Secretary such that a decision is rendered not later than 120 days after the date on which the application is submitted.

“(b) SITING.—

“(1) NUMBER.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Artificial Reef Promotion Act of 2016, the Commanding General shall, in consultation with the Directors and appropriate State agencies, designate not fewer than 20 artificial reef planning areas.

“(B) GULF STATES.—Of the artificial reef planning areas described in subparagraph (A)—

“(i) 6 shall be located outside the seaward boundary of the State of Texas;

“(ii) 6 shall be located outside the seaward boundary of the State of Louisiana;

“(iii) 3 shall be located outside the seaward boundaries of the State of Alabama and State of Mississippi; and

“(iv) 5 shall be located outside the seaward boundary of the State of Florida.

“(C) INCLUSIONS.—The sites described in subparagraph (A) include any artificial reef planning area existing on the day before the date of enactment of the Artificial Reef Promotion Act of 2016 if the boundaries and area of the site are modified to meet the requirements of this Act.

“(2) BOUNDARIES AND PROXIMITY TO SHORELINE.—

“(A) IN GENERAL.—The Directors shall, in consultation with the Commanding General and appropriate State agencies—

“(i) ensure that each artificial reef planning area described in paragraph (1)(A)—

“(I) is sited a reasonable proximity to the shoreline, as determined by the Directors; and

“(II) includes as many platforms as practical, as determined by the Directors; and

“(ii) determine the appropriate size and boundaries for each site.

“(B) MINIMUM AREA.—

“(i) IN GENERAL.—Each artificial reef planning area described in paragraph (1)(A) shall be not smaller than 12 contiguous lease blocks.

“(ii) APPLICATION.—Clause (i) shall apply to any artificial reef planning area existing before, on, or after the date of enactment of the Artificial Reef Promotion Act of 2016.

“(3) DISTANCE BETWEEN SITES.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Artificial Reef Promotion Act of 2016, the Director of the Bureau of Safety and Environmental Enforcement shall promulgate a regulation that regulates the distance between platforms used as artificial reefs.

“(B) MAXIMUM.—The distance contained in the regulation described in subparagraph (A) shall be not greater than 2 miles.

“(4) DEPTH.—

“(A) IN GENERAL.—Of the artificial reef planning areas described in paragraph (1)(A)—

“(i) not fewer than 10 shall be located at a water depth of—

“(I) not less than 100 feet; and

“(II) not greater than 200 feet; and

“(ii) not fewer than 10 shall be located at a water depth of greater than 200 feet.

“(B) SITES IN WATER DEPTH OF NOT GREATER THAN 100 FEET.—The Commanding General shall, in consultation with the Directors and appropriate State agencies, designate artificial reef planning areas, where practicable, at a water depth of not greater than 100 feet.

“(5) REQUIREMENTS FOR PERMITTEES.—

“(A) IN GENERAL.—A person to whom a permit is issued under subsection (a)(1) shall—

“(i) construct the artificial reef in an artificial reef site located in an artificial reef planning area described in paragraph (1)(A);

“(ii) comply with—

“(I) any regulation promulgated by the Director of the Bureau of Safety and Environmental Enforcement relating to reef planning;

“(II) the plan developed under section 204; and

“(III) any applicable plan developed by a State; and

“(iii) if the person owns platforms, not later than 180 days after the date on which the Commanding General designates the artificial reef planning areas under paragraph (1), submit to the Director of the Bureau of Safety and Environmental Enforcement and appropriate State agencies notice that identifies 20 percent of the platforms to be used as artificial reefs.

“(B) DONATED PLATFORMS.—

“(i) IN GENERAL.—A person described in subparagraph (A)(iii) shall include in a final application the artificial reef planning area and the artificial reef site in which the platforms described in subparagraph (A)(iii) will be located.

“(ii) DEPTH.—The area and site described in clause (i) shall be consistent with the depth requirements in paragraph (4).

“(iii) AREA OR SITE FILLED TO CAPACITY.—If the Director of the Bureau of Safety and Environmental Enforcement or appropriate State agency determines that the area or site chosen by the person under clause (i) is filled to capacity, the person shall choose a different area or site.

“(6) REGULATIONS.—

“(A) CAPACITY OF REEF SITES.—No regulation shall require that an artificial reef planning area described in paragraph (1)(A) be filled to capacity with platforms before another artificial reef planning area is established.

“(B) MINIMUM WATER DEPTH.—

“(i) IN GENERAL.—The Secretary shall, in consultation with the Secretary of the department in which the Coast Guard is operating, promulgate regulations for the minimum water depth required to cover an artificial reef.

“(ii) DEPTH NOT GREATER THAN 85 FEET.—If the minimum water depth described in clause (i) is not greater than 85 feet, the Secretary of the department in which the Coast Guard is operating shall—

“(I) evaluate each artificial reef site to ensure that the site is properly marked to reduce any navigational hazard;

“(II) not later than 30 days on which a final application is submitted, review the application to ensure that the artificial reef site will contain the markings described in subclause (I);

“(III) indicate on appropriate nautical charts the location of each artificial reef planning area and artificial reef site; and

“(IV) provide mariners with notice of the location of each artificial reef site in a manner that the Secretary of the department in which the Coast Guard is operating determines is appropriate.

“(7) REVIEW.—Not later than 3 years after the date of enactment of the Artificial Reef Promotion Act of 2016, the Director of the Bureau of Safety and Environmental Enforcement, shall review the artificial reef planning areas described in paragraph (1)(A) to determine the effectiveness of using decommissioned platforms as artificial reefs.

“(c) PREFERENCE GIVEN TO APPLICATIONS SEEKING TO USE DECOMMISSIONED PLATFORMS AS ARTIFICIAL REEFS.—The Regional Supervisor shall give preference to a final application.

“(d) REGULATIONS GOVERNING DECOMMISSIONED PLATFORMS.—Any regulation in effect on the date of enactment of the Artificial Reef Promotion Act of 2016 that governs the decommissioning or removal of a platform that is not being decommissioned for use as an artificial reef shall continue to govern the decommissioning or removal of the platform.”

(c) DEFINITIONS.—Section 206 of the National Fishing Enhancement Act of 1984 (33 U.S.C. 2105) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (11) and (12), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) ARTIFICIAL REEF.—The term ‘artificial reef’ means a structure that is constructed or placed in the Gulf of Mexico for the purpose of enhancing fishery resources and commercial and recreational fishing opportunities.

“(3) ARTIFICIAL REEF PLANNING AREA.—The term ‘artificial reef planning area’ means a designated area within which artificial reef sites may be located when—

“(A) a person obtains all appropriate permits; and

“(B) each platform located in the artificial reef site is appropriately prepared.

“(4) ARTIFICIAL REEF SITE.—The term ‘artificial reef site’ means an area within an artificial reef planning area that has been cleared to have decommissioned platforms placed in the boundaries of the artificial reef planning area to be used as an artificial reef.

“(5) COMMANDING GENERAL.—The term ‘Commanding General’ means the Commanding General of the Corps of Engineers.

“(6) DECOMMISSIONING.—The term ‘decommission’ includes removing and moving a platform to an artificial reef site.

“(7) DIRECTORS.—The term ‘Directors’ means—

“(A) the Director of the Bureau of Safety and Environmental Enforcement; and
 “(B) the Director of the Bureau of Ocean Energy Management.

“(8) FINAL APPLICATION.—The term ‘final application’ means a final application submitted to dispose of or remove a platform for use as an artificial reef under section 250.1727(g) of title 30, Code of Federal Regulations (or successor regulations).

“(9) PLATFORM.—The term ‘platform’ means an offshore oil and gas platform in the Gulf of Mexico.

“(10) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.”.

(d) SAVINGS CLAUSES.—Section 208 of the National Fishing Enhancement Act of 1984 (33 U.S.C. 2106) is amended by adding after subsection (b) the following:

“(c) MISCELLANEOUS.—Nothing in this Act shall—

“(1) hinder or invalidate—

“(A) the transfer of liability to the person to whom title of a platform is transferred when the platform is donated or becomes an artificial reef; and

“(B) any term or condition of any existing lease; and

“(2) require that—

“(A) a platform be left standing above the surface of the water; and

“(B) an owner of a platform notify any party, other than the Directors and the appropriate State agencies that coordinate with the Commanding General, of any plan to decommission a platform before abandonment operations commence.”.

SA 3081. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5004. PAYMENTS IN LIEU OF TAXES.

Section 6903 of title 31, United States Code, is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “A payment” and inserting “Except as provided in subsection (e), a payment”; and

(2) by adding at the end the following:

“(e) ALTERNATE PAYMENT.—

“(1) IN GENERAL.—A unit of general local government may opt out of the payment calculation that would otherwise apply under subsection (b)(1), by notifying the Secretary of the Interior, by the deadline established by the Secretary of the Interior, of the election of the unit of general local government to receive an alternate payment amount, as calculated in accordance with the formula established under paragraph (2).

“(2) FORMULA.—As soon as practicable after the date of enactment of this subsection, the Secretary of the Interior shall establish an alternate payment formula that is based on the estimated forgone property taxes, using a fair market valuation, due to the presence of Federal land within the unit of general local government.”.

SA 3082. Mr. BARRASSO (for himself, Mr. ENZI, Mr. INHOFE, Mr. DAINES, Mr. BLUNT, Mr. GARDNER, Mr. HATCH, and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the mod-

ernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 34. CERTIFICATION PRIOR TO ROYALTY RATE INCREASE.

Section 7 of the Mineral Leasing Act (30 U.S.C. 207) is amended by adding at the end the following:

“(d) CERTIFICATION PRIOR TO ROYALTY RATE INCREASE.—The Secretary of the Interior may not increase the royalty rate on coal under subsection (a) until the Secretary of the Interior, in consultation with the Secretary of Energy and the Federal Energy Regulatory Commission, certifies that the increased royalty rate would not—

“(1) contribute to higher electricity prices for consumers and businesses in the United States; and

“(2) adversely impact the reliability of the bulk-power system of the United States.”.

SA 3083. Mr. BARRASSO (for himself, Mr. ENZI, Mr. INHOFE, Mr. DAINES, Mr. BLUNT, Mr. GARDNER, Mr. HATCH, and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 34. EXPIRATION OF SECRETARIAL ORDER 3338.

The Secretary of the Interior may not implement or enforce Secretarial Order 3338, issued by the Secretary of the Interior on January 15, 2016 (or a substantially similar order), after January 20, 2017.

SA 3084. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3703 (relating to eligible projects) and insert the following:

SEC. 3703. ELIGIBLE PROJECTS.

Sec 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended—

(1) in paragraph (1), by inserting “(excluding the burning of commonly recycled paper that has been segregated from solid waste to generate electricity)” after “systems”; and

(2) by adding at the end the following:

“(11) Electric and advanced technology vehicle fleets.

“(12) Electricity storage technologies.”.

SA 3085. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled “Petersburg National Battlefield Boundary Expansion”, numbered 325/80,080, and dated June 2007. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—The Secretary of the Interior (referred to in this section as the “Secretary”) is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as “Area to be transferred to Fort Lee Military Reservation” on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as “Area to be transferred to Petersburg National Battlefield” on the map described in paragraph (2).

(2) MAP.—The land transferred is depicted on the map titled “Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction”, numbered 325/80,801A, dated May 2011. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) is subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer is without reimbursement or consideration.

(B) MANAGEMENT.—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of that park in accordance with applicable laws and regulations.

SA 3086. Mr. MURPHY (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(213) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—Segments of the main stem and its tributary, Salmon Brook, totaling approximately 62 miles, to be administered by the Secretary of the Interior as follows:

“(A) The approximately 27.2-mile segment of the Farmington River beginning 0.2 miles

below the tailrace of the Lower Collinsville Dam and extending to the site of the Spoonville Dam in Bloomfield and East Granby as a recreational river.

“(B) The approximately 8.1-mile segment of the Farmington River extending from 0.5 miles below the Rainbow Dam to the confluence with the Connecticut River in Windsor as a recreational river.

“(C) The approximately 2.4-mile segment of the main stem of Salmon Brook extending from the confluence of the East and West Branches to the confluence with the Farmington River as a recreational river.

“(D) The approximately 12.6-mile segment of the West Branch of Salmon Brook extending from its headwaters in Hartland, Connecticut to its confluence with the East Branch of Salmon Brook as a recreational river.

“(E) The approximately 11.4-mile segment of the East Branch of Salmon Brook extending from the Massachusetts-Connecticut State line to the confluence with the West Branch of Salmon Brook as a recreational river.”.

(b) MANAGEMENT.—

(1) IN GENERAL.—The river segments designated by subsection (a) shall be managed in accordance with the Lower Farmington River and Salmon Brook Management Plan, June 2011, prepared by the Lower Farmington River and Salmon Brook Wild and Scenic Study Committee (referred to in this section as the “management plan”) and such amendments to the management plan as the Secretary of the Interior (referred to in this section as the “Secretary”) determines are consistent with this subsection. The management plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(2) COMMITTEE.—The Secretary shall coordinate the management responsibilities of the Secretary under this subsection with the Lower Farmington River and Salmon Brook Wild and Scenic Committee, as specified in the management plan.

(3) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—In order to provide for the long-term protection, preservation, and enhancement of the river segment designated by subsection (a), the Secretary is authorized to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with—

- (i) the State of Connecticut;
- (ii) the towns of Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut; and
- (iii) appropriate local planning and environmental organizations.

(B) CONSISTENCY.—All cooperative agreements provided for under this paragraph shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) LAND MANAGEMENT.—

(A) ZONING ORDINANCES.—For the purposes of the segments designated by subsection (a), the zoning ordinances adopted by the towns in Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut, including provisions for conservation of floodplains, wetlands and watercourses associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) ACQUISITION OF LAND.—The provisions of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) that prohibit Federal acquisition of lands by condemnation shall apply to the segments designated by subsection (a). The authority of the Secretary to acquire lands for the purposes of the segments designated by subsection (a) shall be limited to acquisition by donation or acquisition with the consent of the owner of the lands, and shall be subject to the additional criteria set forth in the management plan.

(5) RAINBOW DAM.—The designation made by subsection (a) shall not be construed to—

- (A) prohibit, pre-empt, or abridge the potential future licensing of the Rainbow Dam and Reservoir (including any and all aspects of its facilities, operations and transmission lines) by the Federal Energy Regulatory Commission as a federally licensed hydroelectric generation project under the Federal Power Act, provided that the Commission may, in the discretion of the Commission and consistent with this subsection, establish such reasonable terms and conditions in a hydropower license for Rainbow Dam as are necessary to reduce impacts identified by the Secretary as invading or unreasonably diminishing the scenic, recreational, and fish and wildlife values of the segments designated by subsection (a); or
- (B) affect the operation of, or impose any flow or release requirements on, the unlicensed hydroelectric facility at Rainbow Dam and Reservoir.

(6) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Lower Farmington River shall not be administered as part of the National Park System or be subject to regulations which govern the National Park System.

(c) FARMINGTON RIVER, CONNECTICUT, DESIGNATION REVISION.—Section 3(a)(156) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended in the first sentence—

- (1) by striking “14-mile” and inserting “15.1-mile”; and
- (2) by striking “to the downstream end of the New Hartford-Canton, Connecticut town line” and inserting “to the confluence with the Nepaug River”.

SA 3087. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2201 (relating to action on applications to export liquefied natural gas).

SA 3088. Ms. KLOBUCHAR (for herself, Mr. SCHUMER, Mr. CASEY, Mr. BLUMENTHAL, Mr. MENENDEZ, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 427, after line 4, add the following:

**TITLE VI—CARBON MONOXIDE
POISONING PREVENTION**

SEC. 6001. SHORT TITLE.

This title may be cited as the “Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act of 2015”.

SEC. 6002. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Carbon monoxide is a colorless, odorless gas produced by burning any fuel. Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.

(2) Unintentional carbon monoxide poisoning from motor vehicles and improper operation of fuel-burning appliances, such as furnaces, water heaters, portable generators, and stoves, kills more than 400 people each year and sends approximately 15,000 to hospital emergency rooms for treatment.

(3) Research shows that installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress should promote the installation of carbon monoxide alarms in residential homes and dwelling units nationwide in order to promote the health and public safety of citizens throughout the United States.

SEC. 6003. DEFINITIONS.

In this title:

(1) CARBON MONOXIDE ALARM.—The term “carbon monoxide alarm” means a device or system that—

- (A) detects carbon monoxide; and
- (B) is intended to alarm at carbon monoxide concentrations below those that could cause a loss of ability to react to the dangers of carbon monoxide exposure.

(2) COMMISSION.—The term “Commission” means the Consumer Product Safety Commission.

(3) COMPLIANT CARBON MONOXIDE ALARM.—The term “compliant carbon monoxide alarm” means a carbon monoxide alarm that complies with the most current version of—

- (A) the Standard for Single and Multiple Station Carbon Monoxide Alarms of the American National Standards Institute and UL (ANSI/UL 2034) or successor standard; and
- (B) the Standard for Gas and Vapor Detectors and Sensors of the American National Standards Institute and UL (ANSI/UL 2075) or successor standard.

(4) DWELLING UNIT.—The term “dwelling unit” means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence (including apartment buildings) and each living unit in a mixed use building.

(5) FIRE CODE ENFORCEMENT OFFICIALS.—The term “fire code enforcement officials” means officials of the fire safety code enforcement agency of a State or local government or tribal organization.

(6) NFPA 720.—The term “NFPA 720” means—

- (A) the Standard for the Installation of Carbon Monoxide Detection and Warning Equipment issued by the National Fire Protection Association in 2012; and
- (B) any amended or similar successor standard pertaining to the proper installation of carbon monoxide alarms in dwelling units.

(7) STATE.—The term “State” has the meaning given such term in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) and includes the Northern Mariana Islands and any political subdivision of a State.

(8) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 6004. GRANT PROGRAM FOR CARBON MONOXIDE POISONING PREVENTION.

(a) IN GENERAL.—Subject to the availability of appropriations authorized under subsection (f), the Commission shall establish a grant program to provide assistance to eligible States and tribal organizations to carry out the carbon monoxide poisoning prevention activities described in subsection (e).

(b) ELIGIBILITY.—For purposes of this section, an eligible State or tribal organization is any State or tribal organization that—

(1) demonstrates to the satisfaction of the Commission that the State or tribal organization has adopted a statute or a rule, regulation, or similar measure with the force and effect of law, requiring compliant carbon monoxide alarms to be installed in dwelling units in accordance with NFPA 720; and

(2) submits an application to the Commission at such time, in such form, and containing such additional information as the Commission may require, which application may be filed on behalf of the State or tribal organization by the fire code enforcement officials for such State or tribal organization.

(c) GRANT AMOUNT.—The Commission shall determine the amount of the grants awarded under this section.

(d) SELECTION OF GRANT RECIPIENTS.—In selecting eligible States and tribal organizations for the award of grants under this section, the Commission shall give favorable consideration to an eligible State or tribal organization that—

(1) requires the installation of compliant carbon monoxide alarms in new or existing educational facilities, childcare facilities, health care facilities, adult dependent care facilities, government buildings, restaurants, theaters, lodging establishments, or dwelling units—

(A) within which a fuel-burning appliance is installed, including a furnace, boiler, water heater, fireplace, or any other apparatus, appliance, or device that burns fuel; or

(B) which has an attached garage; and

(2) has developed a strategy to protect vulnerable populations such as children, the elderly, or low-income households.

(e) USE OF GRANT FUNDS.—

(1) IN GENERAL.—An eligible State or tribal organization receiving a grant under this section may use such grant—

(A) to purchase and install compliant carbon monoxide alarms in the dwelling units of low-income families or elderly persons, facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers, or student dwelling units owned by public universities;

(B) to train State, tribal organization, or local fire code enforcement officials in the proper enforcement of State, tribal, or local laws concerning compliant carbon monoxide alarms and the installation of such alarms in accordance with NFPA 720;

(C) for the development and dissemination of training materials, instructors, and any other costs related to the training sessions authorized by this subsection; or

(D) to educate the public about the risk associated with carbon monoxide as a poison and the importance of proper carbon monoxide alarm use.

(2) LIMITATIONS.—

(A) ADMINISTRATIVE COSTS.—Not more than 5 percent of any grant amount received under this section may be used to cover administrative costs not directly related to training described in paragraph (1)(B).

(B) PUBLIC OUTREACH.—Not more than 25 percent of any grant amount received under

this section may be used to cover costs of activities described in paragraph (1)(D).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there is authorized to be appropriated to the Commission, for each of the fiscal years 2015 through 2019, \$2,000,000, which shall remain available until expended to carry out this Act.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amounts appropriated or otherwise made available to carry out this section may be used for administrative expenses.

(3) RETENTION OF AMOUNTS.—Any amounts appropriated pursuant to this subsection that remain unexpended and unobligated on September 30, 2019, shall be retained by the Commission and credited to the appropriations account that funds the enforcement of the Consumer Product Safety Act (15 U.S.C. 2051).

(g) REPORT.—Not later than 1 year after the last day of each fiscal year for which grants are awarded under this section, the Commission shall submit to Congress a report that evaluates the implementation of the grant program required by this section.

SA 3089. Ms. KLOBUCHAR (for herself, Mr. HOEVEN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. NORTH COUNTRY NATIONAL SCENIC TRAIL.

(a) ROUTE ADJUSTMENT.—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended in the first sentence—

(1) by striking “thirty two hundred miles, extending from eastern New York State” and inserting “4,600 miles, extending from the Appalachian Trail in Vermont”; and

(2) by striking “Proposed North Country Trail” and all that follows through “June 1975,” and inserting “‘North Country National Scenic Trail, Authorized Route’ dated February 2014, and numbered 649/116870.”

(b) NO CONDEMNATION.—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended by adding at the end the following: “No land or interest in land outside of the exterior boundary of any Federally administered area may be acquired by the Federal Government for the trail by condemnation.”

SA 3090. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 123, between lines 19 and 20, insert the following:

SEC. 1107. INCLUSION OF SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.

Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is amended by adding at the end the following:

“(J) SPECIAL NOTES ON SMART GRID CAPABILITIES.—

“(i) INITIATION OF RULEMAKING.—Not later than 1 year after the date of the enactment of this subparagraph, the Commission shall initiate a rulemaking to consider making a special note in a prominent manner on any Energy Guide label for any product that includes Smart Grid capability that—

“(I) Smart Grid capability is a feature of that product;

“(II) the use and value of that feature depend on the Smart Grid capability of the utility system in which the product is installed and the active utilization of that feature by the customer; and

“(III) on a utility system with Smart Grid capability, the use of the product’s Smart Grid capability could reduce the customer’s cost of the product’s annual operation by an estimated dollar amount range representing the result of incremental energy and electricity cost savings that would result from the customer taking full advantage of such Smart Grid capability.

“(ii) COMPLETION OF RULEMAKING.—Not later than 3 years after the date of the enactment of this subparagraph, the Commission shall complete the rulemaking initiated under clause (i).”

SA 3091. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 175, strike lines 7 through 12 and insert the following:

(9) standards for storage device performance, control interface, grid interconnection, and interoperability;

(10) maintaining a public database of energy storage projects, policies, codes, standards, and regulations; and

(11) electric thermal storage research.

SA 3092. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ENERGY ACTION PLAN FOR PUERTO RICO.

Section 9 of the Consolidated and Further Continuing Appropriations Act, 2015 (48 U.S.C. 1492a), is amended—

(1) in subsection (a), by striking paragraph (5) and inserting the following:

“(5) SECRETARY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term Secretary means the Secretary of the Interior.

“(B) APPLICATION TO PUERTO RICO.—With respect to Puerto Rico, the term ‘Secretary’ means the Secretary of Energy.”; and

(2) in subsection (b)—

(A) by inserting “, or, in the case of Puerto Rico, not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2015,” after “of this Act”; and

(B) by inserting “(except in the case of Puerto Rico)” after “Empowering Insular Communities activity”.

SA 3093. Mr. NELSON submitted an amendment intended to be proposed to

amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At end of subtitle B of title III, add the following:

SEC. 3105. EXTENSION OF MORATORIUM ON OIL AND GAS LEASING IN CERTAIN AREAS OF GULF OF MEXICO.

Section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended in the matter preceding paragraph (1) by striking “June 30, 2022” and inserting “June 30, 2027”.

SA 3094. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At end of subtitle B of title III, add the following:

SEC. 3105. MORATORIUM ON OIL- AND GAS-RELATED SEISMIC ACTIVITIES IN THE EXCLUSIVE ECONOMIC ZONE OFF THE COAST OF FLORIDA.

(a) IN GENERAL.—Except as provided in subsection (b) and notwithstanding any other provision of law, no person may conduct geological or geophysical activities (as those terms are described in the final programmatic environmental impact statement of the Bureau of Ocean Energy Management entitled “Atlantic OCS Proposed Geological and Geophysical Activities, Mid-Atlantic and South Atlantic Planning Areas” and completed February 2014) in support of oil or gas exploration and development in any area located within the exclusive economic zone (as defined in section 107 of title 46, United States Code) located off the coastline of the State of Florida.

(b) TERMINATION OF MORATORIUM.—The moratorium described in subsection (a) shall only be terminated if the Administrator of the National Oceanic and Atmospheric Administration determines that the reasonably foreseeable impacts of the geological or geophysical activities described in subsection (a) to individuals or populations of marine mammals, sea turtles, or fish are minimal.

SA 3095. Mr. DURBIN (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 352, strike lines 17 through 21 and insert the following:

- “(8) \$5,423,000,000 for fiscal year 2016;
- “(9) \$5,808,000,000 for fiscal year 2017;
- “(10) \$6,220,000,000 for fiscal year 2018;
- “(11) \$6,661,000,000 for fiscal year 2019; and
- “(12) \$7,134,000,000 for fiscal year 2020.”.

SA 3096. Mr. COONS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and

for other purposes; which was ordered to lie on the table; as follows:

On page 359, strike line 7 and insert the following:

SEC. 4204. FUNDING COMPETITIVENESS FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.

Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking “Except as provided in paragraphs (2) and (3)” and inserting “Except as provided in paragraphs (2), (3), and (4)”;

(2) by adding at the end the following:

“(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)).

“(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 6-year period beginning on the date of enactment of this paragraph.”.

SEC. 4205. MICROLAB TECHNOLOGY COMMERCIALIZATION.

SA 3097. Mr. COONS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 359, strike line 7 and insert the following:

SEC. 4204. PUBLIC-PRIVATE PARTNERSHIPS FOR COMMERCIALIZATION.

(a) DEFINITION OF NATIONAL LABORATORY.—

(1) IN GENERAL.—In this section, the term “National Laboratory” means a nonmilitary national laboratory owned by the Department.

(2) INCLUSIONS.—The term “National Laboratory” includes—

- (A) Ames Laboratory;
- (B) Argonne National Laboratory;
- (C) Brookhaven National Laboratory;
- (D) Fermi National Accelerator Laboratory;
- (E) Idaho National Laboratory;
- (F) Lawrence Berkeley National Laboratory;
- (G) National Energy Technology Laboratory;
- (H) National Renewable Energy Laboratory;
- (I) Oak Ridge National Laboratory;
- (J) Pacific Northwest National Laboratory;
- (K) Princeton Plasma Physics Laboratory;
- (L) Savannah River National Laboratory;
- (M) Stanford Linear Accelerator Center;
- (N) Thomas Jefferson National Accelerator Facility; and

(O) any laboratory operated by the National Nuclear Security Administration, with respect to the civilian energy activities conducted at the laboratory.

(b) PUBLIC-PRIVATE PARTNERSHIPS FOR COMMERCIALIZATION.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), the Secretary shall delegate to directors of the National Laboratories signature authority with respect to any agreement described in paragraph (2) the total cost of which (including the National Lab-

oratory contributions and project recipient cost share) is less than \$1,000,000, if the agreement falls within the scope of—

(A) a strategic plan for the National Laboratory that has been approved by the Department; or

(B) the most recent congressionally approved budget for Department activities to be carried out by the National Laboratory.

(2) AGREEMENTS.—Paragraph (1) applies to—

(A) a cooperative research and development agreement;

(B) a non-Federal work-for-others agreement; and

(C) any other agreement determined to be appropriate by the Secretary, in collaboration with the directors of the National Laboratories.

(3) LIMITATION.—Paragraph (1) does not apply to an agreement with a majority-foreign-owned company.

(4) ADMINISTRATION.—

(A) ACCOUNTABILITY.—The director of the affected National Laboratory and the affected contractor shall carry out an agreement under this subsection in accordance with applicable policies of the Department, including by ensuring that the agreement does not compromise any national security, economic, or environmental interest of the United States.

(B) CERTIFICATION.—The director of the affected National Laboratory and the affected contractor shall certify that each activity carried out under a project for which an agreement is entered into under this subsection does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this subsection.

(C) AVAILABILITY OF RECORDS.—On entering an agreement under this subsection, the director of a National Laboratory shall submit to the Secretary for monitoring and review all records of the National Laboratory relating to the agreement.

(D) RATES.—The director of a National Laboratory may charge higher rates for services performed under a partnership agreement entered into pursuant to this subsection, regardless of the full cost of recovery, if the funds are exclusively used to support further research and development activities at the applicable National Laboratory.

(5) CONFORMING AMENDMENT.—Section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended—

(A) in subsection (a)—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(ii) by striking “Each Federal agency” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), each Federal agency”; and

(iii) by adding at the end the following:

“(2) EXCEPTION.—Notwithstanding paragraph (1), in accordance with section 4204(b)(1) of the Energy Policy Modernization Act of 2015, approval by the Secretary of Energy shall not be required for any technology transfer agreement proposed to be entered into by a National Laboratory of the Department of Energy, the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than \$1,000,000.”; and

(B) in subsection (b), by striking “subsection (a)(1)” each place it appears and inserting “subsection (a)(1)(A)”.

(c) SAVINGS CLAUSE.—Nothing in this section abrogates or otherwise affects the primary responsibilities of any National Laboratory to the Department.

SEC. 4205. MICROLAB TECHNOLOGY COMMERCIALIZATION.

SA 3098. Mr. COONS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 359, strike line 7 and insert the following:

SEC. 4204. AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.

(a) DEFINITION OF NATIONAL LABORATORY.—In this section:

(1) IN GENERAL.—The term “National Laboratory” means a nonmilitary national laboratory owned by the Department.

(2) INCLUSIONS.—The term “National Laboratory” includes—

- (A) Ames Laboratory;
- (B) Argonne National Laboratory;
- (C) Brookhaven National Laboratory;
- (D) Fermi National Accelerator Laboratory;
- (E) Idaho National Laboratory;
- (F) Lawrence Berkeley National Laboratory;
- (G) National Energy Technology Laboratory;
- (H) National Renewable Energy Laboratory;
- (I) Oak Ridge National Laboratory;
- (J) Pacific Northwest National Laboratory;
- (K) Princeton Plasma Physics Laboratory;
- (L) Savannah River National Laboratory;
- (M) Stanford Linear Accelerator Center;
- (N) Thomas Jefferson National Accelerator Facility; and

(O) any laboratory operated by the National Nuclear Security Administration, with respect to the civilian energy activities conducted at the laboratory.

(b) AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this subsection.

(2) TERMS.—Each agreement entered into pursuant to the pilot program referred to in paragraph (1) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, indemnification, payment structures, performance guarantees, and multiparty collaborations.

(3) ELIGIBILITY.—

(A) IN GENERAL.—Notwithstanding any other provision of law (including regulations), any National Laboratory may enter into an agreement pursuant to the pilot program referred to in paragraph (1).

(B) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out subparagraph (A) and subject to subparagraph (C), the Secretary shall permit the directors of the National Laboratories to execute agreements with non-Federal entities, including non-Federal entities already receiving Federal funding that will be used to support activities under agreements executed pursuant to subparagraph (A).

(C) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the “Bayh-Dole Act”) shall apply if—

(i) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(ii) at least 1 of the parties to the funding agreement is eligible to receive rights under that chapter.

(4) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this subsection—

- (A) a summary of information relating to the relevant project;
- (B) the total estimated costs of the project;
- (C) estimated commencement and completion dates of the project; and
- (D) other documentation determined to be appropriate by the Secretary.

(5) CERTIFICATION.—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this subsection—

- (A) is not in direct competition with the private sector; and
- (B) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this subsection.

(6) EXTENSION.—The pilot program referred to in paragraph (1) shall be extended for a term of 3 years after the date of enactment of this Act.

(7) REPORTS.—

(A) INITIAL REPORT.—Not later than 60 days after the date described in paragraph (6), the Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that—

- (i) assesses the overall effectiveness of the pilot program referred to in paragraph (1);
- (ii) identifies opportunities to improve the effectiveness of the pilot program;
- (iii) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and
- (iv) provides a recommendation regarding the future of the pilot program.

(B) ANNUAL REPORTS.—Annually, the Secretary, in coordination with the directors of the National Laboratories, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements entered into under this subsection.

(c) SAVINGS CLAUSE.—Nothing in this section abrogates or otherwise affects the primary responsibilities of any National Laboratory to the Department.

SEC. 4205. MICROLAB TECHNOLOGY COMMERCIALIZATION.

SA 3099. Mr. COONS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 359, strike line 7 and insert the following:

SEC. 4204. IMPLEMENTING NEW NATIONAL OPPORTUNITIES TO VIGOROUSLY ACCELERATE TECHNOLOGY, ENERGY, AND SCIENCE.

(a) DEFINITION OF NATIONAL LABORATORY.—

(1) IN GENERAL.—In this section, the term “National Laboratory” means a nonmilitary national laboratory owned by the Department.

(2) INCLUSIONS.—The term “National Laboratory” includes—

- (A) Ames Laboratory;
- (B) Argonne National Laboratory;
- (C) Brookhaven National Laboratory;
- (D) Fermi National Accelerator Laboratory;
- (E) Idaho National Laboratory;
- (F) Lawrence Berkeley National Laboratory;
- (G) National Energy Technology Laboratory;
- (H) National Renewable Energy Laboratory;
- (I) Oak Ridge National Laboratory;
- (J) Pacific Northwest National Laboratory;
- (K) Princeton Plasma Physics Laboratory;
- (L) Savannah River National Laboratory;
- (M) Stanford Linear Accelerator Center;
- (N) Thomas Jefferson National Accelerator Facility; and

(O) any laboratory operated by the National Nuclear Security Administration, with respect to the civilian energy activities conducted at the laboratory.

(b) AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this subsection.

(2) TERMS.—Each agreement entered into pursuant to the pilot program referred to in paragraph (1) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, indemnification, payment structures, performance guarantees, and multiparty collaborations.

(3) ELIGIBILITY.—

(A) IN GENERAL.—Notwithstanding any other provision of law (including regulations), any National Laboratory may enter into an agreement pursuant to the pilot program referred to in paragraph (1).

(B) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out subparagraph (A) and subject to subparagraph (C), the Secretary shall permit the directors of the National Laboratories to execute agreements with non-Federal entities, including non-Federal entities already receiving Federal funding that will be used to support activities under agreements executed pursuant to subparagraph (A).

(C) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the “Bayh-Dole Act”) shall apply if—

(i) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(ii) at least 1 of the parties to the funding agreement is eligible to receive rights under that chapter.

(4) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this subsection—

(A) a summary of information relating to the relevant project;

(B) the total estimated costs of the project;

(C) estimated commencement and completion dates of the project; and

(D) other documentation determined to be appropriate by the Secretary.

(5) **CERTIFICATION.**—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this subsection—

(A) is not in direct competition with the private sector; and

(B) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this subsection.

(6) **EXTENSION.**—The pilot program referred to in paragraph (1) shall be extended for a term of 3 years after the date of enactment of this Act.

(7) **REPORTS.**—

(A) **INITIAL REPORT.**—Not later than 60 days after the date described in paragraph (6), the Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that—

(i) assesses the overall effectiveness of the pilot program referred to in paragraph (1);

(ii) identifies opportunities to improve the effectiveness of the pilot program;

(iii) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and

(iv) provides a recommendation regarding the future of the pilot program.

(B) **ANNUAL REPORTS.**—Annually, the Secretary, in coordination with the directors of the National Laboratories, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements entered into under this subsection.

(C) **PUBLIC-PRIVATE PARTNERSHIPS FOR COMMERCIALIZATION.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) through (4), the Secretary shall delegate to directors of the National Laboratories signature authority with respect to any agreement described in paragraph (2) the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than \$1,000,000, if the agreement falls within the scope of—

(A) a strategic plan for the National Laboratory that has been approved by the Department; or

(B) the most recent congressionally approved budget for Department activities to be carried out by the National Laboratory.

(2) **AGREEMENTS.**—Paragraph (1) applies to—

(A) a cooperative research and development agreement;

(B) a non-Federal work-for-others agreement; and

(C) any other agreement determined to be appropriate by the Secretary, in collaboration with the directors of the National Laboratories.

(3) **LIMITATION.**—Paragraph (1) does not apply to an agreement with a majority-for-foreign-owned company.

(4) **ADMINISTRATION.**—

(A) **ACCOUNTABILITY.**—The director of the affected National Laboratory and the affected contractor shall carry out an agreement under this subsection in accordance with applicable policies of the Department, including by ensuring that the agreement does not compromise any national security, economic, or environmental interest of the United States.

(B) **CERTIFICATION.**—The director of the affected National Laboratory and the affected contractor shall certify that each activity carried out under a project for which an agreement is entered into under this subsection does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this subsection.

(C) **AVAILABILITY OF RECORDS.**—On entering an agreement under this subsection, the director of a National Laboratory shall submit to the Secretary for monitoring and review all records of the National Laboratory relating to the agreement.

(D) **RATES.**—The director of a National Laboratory may charge higher rates for services performed under a partnership agreement entered into pursuant to this subsection, regardless of the full cost of recovery, if the funds are exclusively used to support further research and development activities at the applicable National Laboratory.

(5) **CONFORMING AMENDMENT.**—Section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended—

(A) in subsection (a)—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(ii) by striking “Each Federal agency” and inserting the following:

“(1) **IN GENERAL.**—Except as provided in paragraph (2), each Federal agency”; and

(iii) by adding at the end the following:

“(2) **EXCEPTION.**—Notwithstanding paragraph (1), in accordance with section 4204(c)(1) of the Energy Policy Modernization Act of 2015, approval by the Secretary of Energy shall not be required for any technology transfer agreement proposed to be entered into by a National Laboratory of the Department of Energy, the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than \$1,000,000.”; and

(B) in subsection (b), by striking “subsection (a)(1)” each place it appears and inserting “subsection (a)(1)(A)”.

(d) **FUNDING COMPETITIVENESS FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.**—

Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking “Except as provided in paragraphs (2) and (3)” and inserting “Except as provided in paragraphs (2), (3), and (4)”; and

(2) by adding at the end the following:

“(4) **EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.**—

“(A) **IN GENERAL.**—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)).

“(B) **TERMINATION DATE.**—The exemption under subparagraph (A) shall apply during

the 6-year period beginning on the date of enactment of this paragraph.”.

(e) **SAVINGS CLAUSE.**—Nothing in this section abrogates or otherwise affects the primary responsibilities of any National Laboratory to the Department.

SEC. 4205. MICROLAB TECHNOLOGY COMMERCIALIZATION.

SA 3100. Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. MENENDEZ, Mr. MURPHY, Mr. NELSON, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—PUERTO RICO EMERGENCY FINANCIAL STABILITY

SEC. 6001. SHORT TITLE.

This title may be cited as the “Puerto Rico Emergency Financial Stability Act of 2016”.

SEC. 6002. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds the following:

(1) The Commonwealth Government is confronted with a dire fiscal emergency and liquidity crisis that imminently threatens the welfare of the people of the Commonwealth, affecting the provision of essential public services including public safety, health care, and education that are needed both to sustain the welfare of the people and the economic ability of the Commonwealth to address any future resolution of debts and legal obligations.

(2) A temporary stay on litigation with respect to debt holders for the Commonwealth is essential to provide breathing space to the Commonwealth, creditors, and the Congress to determine an orderly process for the Commonwealth to address any future resolution of legal obligations and to provide the Commonwealth a path to sustainable growth; and thereby, protect the lives of more than 3,500,000 citizens of the United States living in the Commonwealth.

(3) The Commonwealth is in a state of fiscal emergency brought on by, among other things, a combination of accumulated operating deficits, cash shortages, management inefficiencies, and excessive borrowing.

(4) The Commonwealth Government's debt is unusually complex, with 18 different but inter-related issuers.

(A) There is an even larger number of creditor groups, each of which may have divergent interests.

(B) The debt's unusual complexity will substantially complicate any potential consensual restructuring in the absence of Federal legislation to facilitate the negotiations.

(5) This legislation, which includes a stay on litigation by debt holders, can protect essential government services and help the Commonwealth address its liabilities in an orderly fashion, benefitting all stakeholders.

(A) A temporary stay on litigation is essential to facilitate an orderly process for stabilizing, evaluating, and comprehensively resolving the Commonwealth's fiscal crisis.

(B) Avoiding a disorderly race to the courthouse will benefit creditors as well as other stakeholders.

(C) Furthermore, the stay is only temporary.

(b) **PURPOSES.**—The purposes of this title are to—

(1) provide a limited period of time to permit Congress to enact comprehensive relief for the Commonwealth, providing it the necessary tools to address its economic and fiscal crisis; and

(2) provide the Commonwealth Government with a tool it needs to address an immediate and imminent crisis that is unprecedented in the history of the United States.

SEC. 6003. EFFECTIVE DATE.

This title shall take effect as though enacted on December 18, 2015.

SEC. 6004. SEVERABILITY.

If any provision of this title or the application thereof to any person or circumstance is held invalid, the remainder of this title, or the application of that provision to persons or circumstances other than those as to which it is held invalid, is not affected thereby.

SEC. 6005. DEFINITIONS.

In this title:

(1) **BOND.**—The term “Bond” means a bond, loan, line of credit, note, or other borrowing title, in physical or dematerialized form, of which—

(A) the issuer, borrower, or guarantor is the Commonwealth Government; and

(B) the date of issuance or incurrence of debt precedes the date of enactment of this Act.

(2) **COMMONWEALTH.**—The term “Commonwealth” means the Commonwealth of Puerto Rico.

(3) **COMMONWEALTH GOVERNMENT.**—The term “Commonwealth Government” means the government of the Commonwealth, including all its political subdivisions, public agencies, instrumentalities, and public corporations.

(4) **COURT.**—The term “court” means the United States District Court for the District of Puerto Rico.

(5) **OTHER TERMS.**—Any other term that is used in section 6006 and is defined in title 11, United States Code, has the meaning given that term under title 11, United States Code.

SEC. 6006. AUTOMATIC STAY.

(a) Except as otherwise provided in this section, the enactment of this title operates with respect to any claim, debt, or cause of action related to a Bond as a stay, applicable to all entities (as such term is defined in section 101 of title 11, United States Code), of—

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Commonwealth Government or to recover a claim against the Commonwealth Government;

(2) the enforcement, against the Commonwealth Government or against property of the Commonwealth Government, of a judgment;

(3) any act to obtain possession of property of the Commonwealth Government or of property from the Commonwealth Government or to exercise control over property of the Commonwealth Government;

(4) any act to create, perfect, or enforce any lien against property of the Commonwealth Government;

(5) any act to create, perfect, or enforce against property of the Commonwealth Government any lien to the extent that such lien secures a claim;

(6) any act to collect, assess, or recover a claim against the Commonwealth Government; and

(7) the setoff of any debt owing to the Commonwealth Government against any claim against the Commonwealth Government.

(b) The enactment of this title does not operate as a stay under subsection (a) of this

section of the continuation of, including the issuance or employment of process, a judicial, administrative, or other action or proceeding against the Commonwealth Government that was commenced on or before the date of enactment of this Act.

(c) Except as provided in subsection (d), (e), or (f), a stay of an act under subsection (a) shall cease to have effect as of April 1, 2016.

(d) On motion of a party in interest and after notice and a hearing, the court may grant relief from a stay under subsection (a)—

(1) for cause, including the lack of adequate protection of a security interest in property of such party in interest; or

(2) with respect to a stay of an act against property under subsection (a), if—

(A) the debtor does not have an equity in such property; and

(B) such property is not necessary for the Commonwealth to provide essential services;

(e) Thirty days after a request under subsection (d) of this section for relief from the stay of any act against property of the Commonwealth Government under subsection (a) of this section, such stay is terminated with respect to the party in interest making such request, unless the court, after notice and a hearing, orders such stay continued in effect pending the conclusion of, or as a result of, a final hearing and determination under subsection (d) of this section. A hearing under this subsection may be a preliminary hearing, or may be consolidated with the final hearing under subsection (d) of this section. The court shall order such stay continued in effect pending the conclusion of the final hearing under subsection (d) of this section if there is a reasonable likelihood that the party opposing relief from such stay will prevail at the conclusion of such final hearing. If the hearing under this subsection is a preliminary hearing, then such final hearing shall be concluded not later than 30 days after the conclusion of such preliminary hearing, unless the 30-day period is extended with the consent of the parties in interest or for a specific time which the court finds is required by compelling circumstances.

(f) Upon request of a party in interest, the court, with or without a hearing, shall grant such relief from the stay provided under subsection (a) of this section as is necessary to prevent irreparable damage to the secured interest of an entity in property, if such interest will suffer such damage before there is an opportunity for notice and a hearing under subsection (d) or (e) of this section.

(g) No order, judgment, or decree entered in violation of this section shall have any force or effect.

(h) In any hearing under subsection (d) or (e) concerning relief from a stay—

(1) the party requesting such relief has the burden of proof on the issue of the debtor's equity in property; and

(2) the party opposing such relief has the burden of proof on all other issues.

SA 3101. Mr. UDALL (for himself, Mr. BENNET, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

PART V—RENEWABLE ELECTRICITY STANDARD

SEC. 3021. RENEWABLE ELECTRICITY STANDARD.

(a) IN GENERAL.—Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amended by adding at the end the following:

“SEC. 610. RENEWABLE ELECTRICITY STANDARD.

“(a) DEFINITIONS.—In this section:

“(1) BASE QUANTITY OF ELECTRICITY.—

“(A) IN GENERAL.—The term ‘base quantity of electricity’ means the total quantity of electric energy sold by a retail electric supplier, expressed in terms of kilowatt hours, to electric customers for purposes other than resale during the most recent calendar year for which information is available.

“(B) EXCLUSIONS.—The term ‘base quantity of electricity’ does not include—

“(i) electric energy that is not incremental hydropower generated by a hydroelectric facility; and

“(ii) electricity generated through the incineration of municipal solid waste.

“(2) BIOMASS.—

“(A) IN GENERAL.—The term ‘biomass’ means—

“(i) cellulosic (plant fiber) organic materials from a plant that is planted for the purpose of being used to produce energy;

“(ii) nonhazardous plant or algal matter that is derived from—

“(I) an agricultural crop, crop byproduct, or residue resource; or

“(II) waste, such as landscape or right-of-way trimmings (but not including municipal solid waste, recyclable postconsumer waste paper, painted, treated, or pressurized wood, wood contaminated with plastic, or metals);

“(iii) animal waste or animal byproducts; and

“(iv) landfill methane.

“(B) NATIONAL FOREST LAND AND CERTAIN OTHER PUBLIC LAND.—In the case of organic material removed from National Forest System land or from public land administered by the Secretary of the Interior, the term ‘biomass’ means only organic material from—

“(i) ecological forest restoration;

“(ii) precommercial thinnings;

“(iii) brush;

“(iv) mill residues; or

“(v) slash.

“(C) EXCLUSION OF CERTAIN FEDERAL LAND.—Notwithstanding subparagraph (B), the term ‘biomass’ does not include material or matter that would otherwise qualify as biomass if the material or matter is located on the following Federal land:

“(i) Federal land containing old growth forest or late successional forest unless the Secretary of the Interior or the Secretary of Agriculture determines that the removal of organic material from the land—

“(I) is appropriate for the applicable forest type; and

“(II) maximizes the retention of—

“(aa) late-successional and large and old growth trees;

“(bb) late-successional and old growth forest structure; and

“(cc) late-successional and old growth forest composition.

“(ii) Federal land on which the removal of vegetation is prohibited, including components of the National Wilderness Preservation System.

“(iii) Wilderness study areas.

“(iv) Inventoried roadless areas.

“(v) Components of the National Landscape Conservation System.

“(vi) National Monuments.

“(3) EXISTING FACILITY.—The term ‘existing facility’ means a facility for the generation of electric energy from a renewable energy resource that is not an eligible facility.

“(4) INCREMENTAL HYDROPOWER.—The term ‘incremental hydropower’ means additional generation that is achieved from increased efficiency or additions of capacity made on or after—

“(A) the date of enactment of this section; or

“(B) the effective date of an existing applicable State renewable portfolio standard program at a hydroelectric facility that was placed in service before that date.

“(5) INDIAN LAND.—The term ‘Indian land’ means—

“(A) any land within the limits of any Indian reservation, pueblo, or rancheria;

“(B) any land not within the limits of any Indian reservation, pueblo, or rancheria title to which on the date of enactment of this section was held by—

“(i) the United States for the benefit of any Indian tribe or individual; or

“(ii) any Indian tribe or individual subject to restriction by the United States against alienation;

“(C) any dependent Indian community; or

“(D) any land conveyed to any Alaska Native corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

“(6) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(7) RENEWABLE ENERGY.—The term ‘renewable energy’ means electric energy generated by a renewable energy resource.

“(8) RENEWABLE ENERGY RESOURCE.—The term ‘renewable energy resource’ means solar, wind, ocean, tidal, geothermal energy, biomass, landfill gas, incremental hydropower, or hydrokinetic energy.

“(9) REPOWERING OR COFIRING INCREMENT.—The term ‘repowering or cofiring increment’ means—

“(A) the additional generation from a modification that is placed in service on or after the date of enactment of this section, to expand electricity production at a facility used to generate electric energy from a renewable energy resource;

“(B) the additional generation above the average generation during the 3-year period ending on the date of enactment of this section at a facility used to generate electric energy from a renewable energy resource or to cofire biomass that was placed in service before the date of enactment of this section; or

“(C) the portion of the electric generation from a facility placed in service on or after the date of enactment of this section, or a modification to a facility placed in service before the date of enactment of this section made on or after January 1, 2001, associated with cofiring biomass.

“(10) RETAIL ELECTRIC SUPPLIER.—

“(A) IN GENERAL.—The term ‘retail electric supplier’ means a person that sells electric energy to electric consumers that sold not less than 1,000,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

“(B) INCLUSION.—The term ‘retail electric supplier’ includes a person that sells electric energy to electric consumers that, in combination with the sales of any affiliate organized after the date of enactment of this section, sells not less than 1,000,000 megawatt hours of electric energy to consumers for purposes other than resale.

“(C) SALES TO PARENT COMPANIES OR AFFILIATES.—For purposes of this paragraph, sales by any person to a parent company or to other affiliates of the person shall not be treated as sales to electric consumers.

“(D) GOVERNMENTAL AGENCIES.—

“(i) IN GENERAL.—Except as provided in clause (ii), the term ‘retail electric supplier’ does not include—

“(I) the United States, a State, any political subdivision of a State, or any agency, authority, or instrumentality of the United States, State, or political subdivision; or

“(II) a rural electric cooperative.

“(ii) INCLUSION.—The term ‘retail electric supplier’ includes an entity that is a political subdivision of a State, or an agency, authority, or instrumentality of the United States, a State, a political subdivision of a State, a rural electric cooperative that sells electric energy to electric consumers, or any other entity that sells electric energy to electric consumers that would not otherwise qualify as a retail electric supplier if the entity notifies the Secretary that the entity voluntarily agrees to participate in the Federal renewable electricity standard program.

“(b) COMPLIANCE.—For calendar year 2016 and each calendar year thereafter, each retail electric supplier shall meet the requirements of subsection (c) by submitting to the Secretary, not later than April 1 of the following calendar year, 1 or more of the following:

“(1) Federal renewable energy credits issued under subsection (e).

“(2) Certification of the renewable energy generated and electricity savings pursuant to the funds associated with State compliance payments as specified in subsection (e)(4)(G).

“(3) Alternative compliance payments pursuant to subsection (h).

“(c) REQUIRED ANNUAL PERCENTAGE.—For each of calendar years 2016 through 2039, the required annual percentage of the base quantity of electricity of a retail electric supplier that shall be generated from renewable energy resources, or otherwise credited towards the percentage requirement pursuant to subsection (d), shall be the applicable percentage specified in the following table:

Calendar Years	Required Amount Percentage
2016	7.5
2017	8.0
2018	9.0
2019	10.5
2020	12.0
2021	13.5
2022	15.0
2023	16.5
2024	18.0
2025	20.0
2026	22.0
2027	24.0
2028	26.0
2029	28.0
2030 and thereafter through 2039	30.0.

“(d) RENEWABLE ENERGY CREDITS.—

“(1) IN GENERAL.—A retail electric supplier may satisfy the requirements of subsection (b)(1) through the submission of Federal renewable energy credits—

“(A) issued to the retail electric supplier under subsection (e);

“(B) obtained by purchase or exchange under subsection (f); or

“(C) borrowed under subsection (g).

“(2) FEDERAL RENEWABLE ENERGY CREDITS.—A Federal renewable energy credit may be counted toward compliance with subsection (b)(1) only once.

“(e) ISSUANCE OF FEDERAL RENEWABLE ENERGY CREDITS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish by rule a program—

“(A) to verify and issue Federal renewable energy credits to generators of renewable energy;

“(B) to track the sale, exchange, and retirement of the credits; and

“(C) to enforce the requirements of this section.

“(2) EXISTING NON-FEDERAL TRACKING SYSTEMS.—To the maximum extent practicable, in establishing the program, the Secretary shall rely on existing and emerging State or regional tracking systems that issue and track non-Federal renewable energy credits.

“(3) APPLICATION.—

“(A) IN GENERAL.—An entity that generates electric energy through the use of a renewable energy resource may apply to the Secretary for the issuance of renewable energy credits.

“(B) ELIGIBILITY.—To be eligible for the issuance of the credits, the applicant shall demonstrate to the Secretary that—

“(i) the electric energy will be transmitted onto the grid; or

“(ii) in the case of a generation offset, the electric energy offset would have otherwise been consumed onsite.

“(C) CONTENTS.—The application shall indicate—

“(i) the type of renewable energy resource that is used to produce the electricity;

“(ii) the location at which the electric energy will be produced; and

“(iii) any other information the Secretary determines appropriate.

“(4) QUANTITY OF FEDERAL RENEWABLE ENERGY CREDITS.—

“(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Secretary shall issue to a generator of electric energy 1 Federal renewable energy credit for each kilowatt hour of electric energy generated by the use of a renewable energy resource at an eligible facility.

“(B) INCREMENTAL HYDROPOWER.—

“(i) IN GENERAL.—For purpose of compliance with this section, Federal renewable energy credits for incremental hydropower shall be based on the increase in average annual generation resulting from the efficiency improvements or capacity additions.

“(ii) WATER FLOW INFORMATION.—The incremental generation shall be calculated using the same water flow information that is—

“(I) used to determine a historic average annual generation baseline for the hydroelectric facility; and

“(II) certified by the Secretary or the Federal Energy Regulatory Commission.

“(iii) OPERATIONAL CHANGES.—The calculation of the Federal renewable energy credits for incremental hydropower shall not be based on any operational changes at the hydroelectric facility that is not directly associated with the efficiency improvements or capacity additions.

“(C) INDIAN LAND.—

“(i) IN GENERAL.—The Secretary shall issue 2 renewable energy credits for each kilowatt hour of electric energy generated and supplied to the grid in a calendar year through

the use of a renewable energy resource at an eligible facility located on Indian land.

“(i) BIOMASS.—For purposes of this paragraph, renewable energy generated by biomass cofired with other fuels is eligible for 2 credits only if the biomass was grown on the land.

“(D) ON-SITE ELIGIBLE FACILITIES.—

“(i) IN GENERAL.—In the case of electric energy generated by a renewable energy resource at an on-site eligible facility that is not larger than 1 megawatt in capacity and is used to offset all or part of the requirements of a customer for electric energy, the Secretary shall issue 3 renewable energy credits to the customer for each kilowatt hour generated.

“(ii) INDIAN LAND.—In the case of an on-site eligible facility on Indian land, the Secretary shall issue not more than 3 credits per kilowatt hour.

“(E) COMBINATION OF RENEWABLE AND NON-RENEWABLE ENERGY RESOURCES.—If both a renewable energy resource and a nonrenewable energy resource are used to generate the electric energy, the Secretary shall issue the Federal renewable energy credits based on the proportion of the renewable energy resources used.

“(F) RETAIL ELECTRIC SUPPLIERS.—If a generator has sold electric energy generated through the use of a renewable energy resource to a retail electric supplier under a contract for power from an existing facility and the contract has not determined ownership of the Federal renewable energy credits associated with the generation, the Secretary shall issue the Federal renewable energy credits to the retail electric supplier for the duration of the contract.

“(G) COMPLIANCE WITH STATE RENEWABLE PORTFOLIO STANDARD PROGRAMS.—Payments made by a retail electricity supplier, directly or indirectly, to a State for compliance with a State renewable portfolio standard program, or for an alternative compliance mechanism, shall be valued at 1 credit per kilowatt hour for the purpose of subsection (b)(2) based on the quantity of electric energy generation from renewable resources that results from the payments.

“(f) RENEWABLE ENERGY CREDIT TRADING.—

“(1) IN GENERAL.—A Federal renewable energy credit may be sold, transferred, or exchanged by the entity to whom the credit is issued or by any other entity that acquires the Federal renewable energy credit, other than renewable energy credits from existing facilities.

“(2) CARRYOVER.—A Federal renewable energy credit for any year that is not submitted to satisfy the minimum renewable generation requirement of subsection (c) for that year may be carried forward for use pursuant to subsection (b)(1) within the next 3 years.

“(3) DELEGATION.—The Secretary may delegate to an appropriate market-making entity the administration of a national tradeable renewable energy credit market for purposes of creating a transparent national market for the sale or trade of renewable energy credits.

“(g) RENEWABLE ENERGY CREDIT BORROWING.—

“(1) IN GENERAL.—Not later than December 31, 2016, a retail electric supplier that has reason to believe the retail electric supplier will not be able to fully comply with subsection (b) may—

“(A) submit a plan to the Secretary demonstrating that the retail electric supplier will earn sufficient Federal renewable energy credits within the next 3 calendar years that,

when taken into account, will enable the retail electric supplier to meet the requirements of subsection (b) for calendar year 2016 and the subsequent calendar years involved; and

“(B) on the approval of the plan by the Secretary, apply Federal renewable energy credits that the plan demonstrates will be earned within the next 3 calendar years to meet the requirements of subsection (b) for each calendar year involved.

“(2) REPAYMENT.—The retail electric supplier shall repay all of the borrowed Federal renewable energy credits by submitting an equivalent number of Federal renewable energy credits, in addition to the credits otherwise required under subsection (b), by calendar year 2023 or any earlier deadlines specified in the approved plan.

“(h) ALTERNATIVE COMPLIANCE PAYMENTS.—As a means of compliance under subsection (b)(4), the Secretary shall accept payment equal to the lesser of—

“(1) 200 percent of the average market value of Federal renewable energy credits and Federal energy efficiency credits for the applicable compliance period; or

“(2) 3 cents per kilowatt hour (as adjusted on January 1 of each year following calendar year 2006 based on the implicit price deflator for the gross national product).

“(i) INFORMATION COLLECTION.—The Secretary may collect the information necessary to verify and audit—

“(1)(A) the annual renewable energy generation of any retail electric supplier; and

“(B) Federal renewable energy credits submitted by a retail electric supplier pursuant to subsection (b)(1);

“(2) the validity of Federal renewable energy credits submitted for compliance by a retail electric supplier to the Secretary; and

“(3) the quantity of electricity sales of all retail electric suppliers.

“(j) ENVIRONMENTAL SAVINGS CLAUSE.—Incremental hydropower shall be subject to all applicable environmental laws and licensing and regulatory requirements.

“(k) STATE PROGRAMS.—

“(1) IN GENERAL.—Nothing in this section diminishes any authority of a State or political subdivision of a State—

“(A) to adopt or enforce any law (including regulations) respecting renewable energy, including programs that exceed the required quantity of renewable energy under this section; or

“(B) to regulate the acquisition and disposition of Federal renewable energy credits by retail electric suppliers.

“(2) COMPLIANCE WITH SECTION.—No law or regulation referred to in paragraph (1)(A) shall relieve any person of any requirement otherwise applicable under this section.

“(3) COORDINATION WITH STATE PROGRAM.—The Secretary, in consultation with States that have in effect renewable energy programs, shall—

“(A) preserve the integrity of the State programs, including programs that exceed the required quantity of renewable energy under this section; and

“(B) facilitate coordination between the Federal program and State programs.

“(4) EXISTING RENEWABLE ENERGY PROGRAMS.—In the regulations establishing the program under this section, the Secretary shall incorporate common elements of existing renewable energy programs, including State programs, to ensure administrative ease, market transparency and effective enforcement.

“(5) MINIMIZATION OF ADMINISTRATIVE BURDENS AND COSTS.—In carrying out this sec-

tion, the Secretary shall work with the States to minimize administrative burdens and costs to retail electric suppliers.

“(1) RECOVERY OF COSTS.—An electric utility that has sales of electric energy that are subject to rate regulation (including any utility with rates that are regulated by the Commission and any State regulated electric utility) shall not be denied the opportunity to recover the full amount of the prudently incurred incremental cost of renewable energy obtained to comply with the requirements of subsection (b).

“(m) PROGRAM REVIEW.—

“(1) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a comprehensive evaluation of all aspects of the program established under this section.

“(2) EVALUATION.—The study shall include an evaluation of—

“(A) the effectiveness of the program in increasing the market penetration and lowering the cost of the eligible renewable energy technologies;

“(B) the opportunities for any additional technologies and sources of renewable energy emerging since the date of enactment of this section;

“(C) the impact on the regional diversity and reliability of supply sources, including the power quality benefits of distributed generation;

“(D) the regional resource development relative to renewable potential and reasons for any investment in renewable resources; and

“(E) the net cost/benefit of the renewable electricity standard to the national and State economies, including—

“(i) retail power costs;

“(ii) the economic development benefits of investment;

“(iii) avoided costs related to environmental and congestion mitigation investments that would otherwise have been required;

“(iv) the impact on natural gas demand and price; and

“(v) the effectiveness of green marketing programs at reducing the cost of renewable resources.

“(3) REPORT.—Not later than January 1, 2019, the Secretary shall transmit to Congress a report describing the results of the evaluation and any recommendations for modifications and improvements to the program.

“(n) STATE RENEWABLE ENERGY ACCOUNT.—

“(1) IN GENERAL.—There is established in the Treasury a State renewable energy account.

“(2) DEPOSITS.—All money collected by the Secretary from the alternative compliance payments under subsection (h) shall be deposited into the State renewable energy account established under paragraph (1).

“(3) GRANTS.—

“(A) IN GENERAL.—Proceeds deposited in the State renewable energy account shall be used by the Secretary, subject to annual appropriations, for a program to provide grants—

“(i) to the State agency responsible for administering a fund to promote renewable energy generation for customers of the State or an alternative agency designated by the State; or

“(ii) if no agency described in clause (i), to the State agency developing State energy conservation plans under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

“(B) USE.—The grants shall be used for the purpose of—

“(i) promoting renewable energy production; and

“(ii) providing energy assistance and weatherization services to low-income consumers.

“(C) CRITERIA.—The Secretary may issue guidelines and criteria for grants awarded under this paragraph.

“(D) STATE-APPROVED FUNDING MECHANISMS.—At least 75 percent of the funds provided to each State for each fiscal year shall be used to promote renewable energy production through grants, production incentives, or other State-approved funding mechanisms.

“(E) ALLOCATION.—The funds shall be allocated to the States on the basis of retail electric sales subject to the renewable electricity standard under this section or through voluntary participation.

“(F) RECORDS.—State agencies receiving grants under this paragraph shall maintain such records and evidence of compliance as the Secretary may require.”.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. prec. 2601) is amended by adding at the end of the items relating to title VI the following:

“Sec. 609. Rural and remote communities electrification grants.

“Sec. 610. Renewable electricity standard.”.

SA 3102. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CLEAN ENERGY VICTORY BONDS.

(a) IN GENERAL.—Not later than July 1, 2016, the Secretary of the Treasury, in coordination with the Secretary of Energy and the Secretary of Defense, shall submit a report to Congress that provides recommendations for the establishment, issuance, and promotion of Clean Energy Victory Bonds by the Department of the Treasury (referred to in this section as the “Clean Energy Victory Bonds Program”).

(b) REQUIREMENTS.—For purposes of subsection (a), the Clean Energy Victory Bonds Program shall be designed to—

(1) ensure that any available proceeds from the issuance of Clean Energy Victory Bonds are used to finance clean energy projects (as defined in subsection (c)) at the Federal, State, and local level, which may include—

(A) providing additional support to existing Federal financing programs available to States for energy efficiency upgrades and clean energy deployment, and

(B) providing funding for clean energy investments by the Department of Defense and other Federal agencies,

(2) provide for payment of interest to persons holding Clean Energy Victory Bonds through such methods as are determined appropriate by the Secretary of the Treasury, including amounts—

(A) recaptured from savings achieved through reduced energy spending by entities receiving any funding or financial assistance described in paragraph (1), and

(B) collected as interest on loans financed or guaranteed under the Clean Energy Victory Bonds Program,

(3) issue bonds in denominations of not less than \$25 or such amount as is determined appropriate by the Secretary of the Treasury to make them generally accessible to the public, and

(4) collect not more than \$50,000,000,000 in revenue from the issuance of Clean Energy Victory Bonds for purposes of financing clean energy projects described in paragraph (1).

(c) CLEAN ENERGY PROJECT.—The term “clean energy project” means a project which provides—

(1) performance-based energy efficiency improvements, or

(2) clean energy improvements, including—

(A) electricity generated from solar, wind, geothermal, micro-hydropower, and hydrokinetic energy sources,

(B) fuel cells using non-fossil fuel sources,

(C) advanced batteries,

(D) next generation biofuels from non-food feedstocks, and

(E) electric vehicle infrastructure.

SA 3103. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REMOVAL OF LIMITS ON LIABILITY FOR OFFSHORE FACILITIES.

Section 1004(a)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(3)) is amended by striking “plus \$75,000,000” and inserting “and the liability of the responsible party under section 1002”.

SA 3104. Mr. MENENDEZ (for himself, Ms. WARREN, Mr. BOOKER, Ms. MIKULSKI, Mr. MARKEY, Mr. BLUMENTHAL, Mr. SANDERS, Mr. WHITEHOUSE, Mr. NELSON, and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31 ____ . PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

“(q) PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—Notwithstanding any other provision of this section or any other law, the Secretary of the Interior shall not issue a lease or any other authorization for the exploration, development, or production of oil, natural gas, or any other mineral in—

“(1) the Mid-Atlantic planning area;

“(2) the South Atlantic planning area; or

“(3) the North Atlantic planning area.”.

SA 3105. Mr. MENENDEZ (for himself, Mr. MARKEY, Ms. MIKULSKI, Mr. WHITEHOUSE, Mr. MERKLEY, Mrs. MURRAY, Mr. NELSON, Mr. LEAHY, Mr. CARDIN, Mrs. BOXER, Ms. KLOBUCHAR, and Mr. FRANKEN) submitted an

amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE VI—ELIMINATING TAX LOOPHOLES FOR BIG OIL

SEC. 6001. SHORT TITLE.

This title may be cited as the “Close Big Oil Tax Loopholes Act”.

Subtitle A—Close Big Oil Tax Loopholes

SEC. 6011. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)) to a foreign country or possession of the United States for any period shall not be considered a tax—

“(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

“(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

“(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘generally applicable income tax’ means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

“(i) persons who are not dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) **CONTRARY TREATY OBLIGATIONS UPHELD.**—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. 6012. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) **DENIAL OF DEDUCTION.**—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) **SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.**—In the case of any taxpayer who is a major integrated oil company (within the meaning of section 167(h)(5)) for the taxable year, the term ‘domestic production gross receipts’ shall not include gross receipts from the production, refining, processing, transportation, or distribution of oil, gas, or any primary product (within the meaning of subsection (d)(9)) thereof.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 6013. LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS; AMORTIZATION OF DISALLOWED AMOUNTS.

(a) **IN GENERAL.**—Section 263(c) of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) **INTANGIBLE DRILLING AND DEVELOPMENT COSTS IN THE CASE OF OIL AND GAS WELLS AND GEOTHERMAL WELLS.**—

“(1) **IN GENERAL.**—Notwithstanding subsection (a), and except as provided in subsection (i), regulations shall be prescribed by the Secretary under this subtitle corresponding to the regulations which granted the option to deduct as expenses intangible drilling and development costs in the case of oil and gas wells and which were recognized and approved by the Congress in House Concurrent Resolution 50, Seventy-ninth Congress. Such regulations shall also grant the option to deduct as expenses intangible drilling and development costs in the case of wells drilled for any geothermal deposit (as defined in section 613(e)(2)) to the same extent and in the same manner as such expenses are deductible in the case of oil and gas wells. This subsection shall not apply with respect to any costs to which any deduction is allowed under section 59(e) or 291.

“(2) **EXCLUSION.**—

“(A) **IN GENERAL.**—This subsection shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)).

“(B) **AMORTIZATION OF AMOUNTS NOT ALLOWABLE AS DEDUCTIONS UNDER SUBPARAGRAPH (A).**—The amount not allowable as a deduction for any taxable year by reason of subparagraph (A) shall be allowable as a deduction ratably over the 60-month period beginning with the month in which the costs are paid or incurred. For purposes of section 1254, any deduction under this subparagraph shall be treated as a deduction under this subsection.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2015.

SEC. 6014. LIMITATION ON PERCENTAGE DEPLETION ALLOWANCE FOR OIL AND GAS WELLS.

(a) **IN GENERAL.**—Section 613A of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) **APPLICATION WITH RESPECT TO MAJOR INTEGRATED OIL COMPANIES.**—In the case of

any taxable year in which the taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)), the allowance for percentage depletion shall be zero.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 6015. LIMITATION ON DEDUCTION FOR TERTIARY INJECTANTS.

(a) **IN GENERAL.**—Section 193 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) **APPLICATION WITH RESPECT TO MAJOR INTEGRATED OIL COMPANIES.**—

“(1) **IN GENERAL.**—This section shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (within the meaning of section 167(h)(5)).

“(2) **AMORTIZATION OF AMOUNTS NOT ALLOWABLE AS DEDUCTIONS UNDER PARAGRAPH (1).**—The amount not allowable as a deduction for any taxable year by reason of paragraph (1) shall be allowable as a deduction ratably over the 60-month period beginning with the month in which the costs are paid or incurred.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2015.

SEC. 6016. MODIFICATION OF DEFINITION OF MAJOR INTEGRATED OIL COMPANY.

(a) **IN GENERAL.**—Paragraph (5) of section 167(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) **CERTAIN SUCCESSORS IN INTEREST.**—For purposes of this paragraph, the term ‘major integrated oil company’ includes any successor in interest of a company that was described in subparagraph (B) in any taxable year, if such successor controls more than 50 percent of the crude oil production or natural gas production of such company.”

(b) **CONFORMING AMENDMENTS.**—

(1) **IN GENERAL.**—Subparagraph (B) of section 167(h)(5) of the Internal Revenue Code of 1986 is amended by inserting “except as provided in subparagraph (C),” after “For purposes of this paragraph.”

(2) **TAXABLE YEARS TESTED.**—Clause (iii) of section 167(h)(5)(B) of such Code is amended—

(A) by striking “does not apply by reason of paragraph (4) of section 613A(d)” and inserting “did not apply by reason of paragraph (4) of section 613A(d) for any taxable year after 2004”, and

(B) by striking “does not apply” in subclause (II) and inserting “did not apply for the taxable year”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

Subtitle B—Outer Continental Shelf Oil and Natural Gas

SEC. 6021. REPEAL OF OUTER CONTINENTAL SHELF DEEP WATER AND DEEP GAS ROYALTY RELIEF.

(a) **IN GENERAL.**—Sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904, 15905) are repealed.

(b) **ADMINISTRATION.**—The Secretary of the Interior shall not be required to provide for royalty relief in the lease sale terms beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published.

Subtitle C—Miscellaneous

SEC. 6031. DEFICIT REDUCTION.

The net amount of any savings realized as a result of the enactment of this title and

the amendments made by this title (after any expenditures authorized by this title and the amendments made by this title) shall be deposited in the Treasury and used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 6032. BUDGETARY EFFECTS.

The budgetary effects of this title, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 3106. Mr. CASSIDY (for himself, Mr. CORNYN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. REPORTS.

(a) **DEFINITIONS.**—In this section:

(1) **BSEE.**—The term “BSEE” means the Bureau of Safety and Environmental Enforcement.

(2) **PROPOSED RULE.**—The term “proposed rule” means the proposed rule of the BSEE entitled “Oil and Gas and Sulphur Operations in the Outer Continental Shelf – Blow-out Preventer Systems and Well Control” (80 Fed. Reg. 21504 (April 17, 2015)).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the BSEE is operating.

(b) **REPORT REQUIRED.**—Not later than the later of 90 days after the date of enactment of this Act or the day before the date of publication of the final version of the proposed rule, the Secretary shall submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report containing an analysis of the proposed rule—

(1) to demonstrate the extent to which industry and government have already effectively and comprehensively enhanced offshore safety;

(2) to identify any existing gaps and the best manner with which to fill those gaps; and

(3) to identify and provide justification for any improvements to safety claimed in the proposed regulations and rules.

SA 3107. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44 . . . NATIONAL SCENIC TRAILS.

(a) **NORTH COUNTRY NATIONAL SCENIC TRAIL.**—Section 5(a)(8) of the National Trails

System Act (16 U.S.C. 1244(a)(8)) is amended, in the third sentence, by inserting “as a unit of the National Park System” before the period at the end.

(b) ICE AGE NATIONAL SCENIC TRAIL.—Section 5(a)(10) of the National Trails System Act (16 U.S.C. 1244(a)(10)) is amended by striking the third and fourth sentences and inserting “The trail shall be administered by the Secretary of the Interior as a unit of the National Park System.”.

(c) NEW ENGLAND NATIONAL SCENIC TRAIL.—Section 5(a)(28) of the National Trails System Act (16 U.S.C. 1244(a)(28)) is amended, in the third sentence, by inserting “as a unit of the National Park System” after “administer the trail”.

SA 3108. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—FOREST WILDFIRE FUNDING AND FOREST MANAGEMENT

Subtitle A—Major Disaster for Wildfire on Federal Land

SEC. 6001. WILDFIRE ON FEDERAL LAND.

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended—

(1) by striking “(2)” and all that follows through “means” and inserting the following:

“(2) MAJOR DISASTER.—

“(A) MAJOR DISASTER.—The term ‘major disaster’ means”; and

(2) by adding at the end the following:

“(B) MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND.—The term ‘major disaster for wildfire on Federal land’ means any wildfire or wildfires, which in the determination of the President under section 802 warrants assistance under section 803 to supplement the efforts and resources of the Department of the Interior or the Department of Agriculture—

“(i) on Federal land; or

“(ii) on non-Federal land pursuant to a fire protection agreement or cooperative agreement.”.

SEC. 6002. DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

“TITLE VIII—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND

“SEC. 801. DEFINITIONS.

“In this title:

“(1) FEDERAL LAND.—The term ‘Federal land’ means—

“(A) any land under the jurisdiction of the Department of the Interior; and

“(B) any land under the jurisdiction of the United States Forest Service.

“(2) FEDERAL LAND MANAGEMENT AGENCIES.—The term ‘Federal land management agencies’ means—

“(A) the Bureau of Land Management;

“(B) the National Park Service;

“(C) the Bureau of Indian Affairs;

“(D) the United States Fish and Wildlife Service; and

“(E) the United States Forest Service.

“(3) WILDFIRE SUPPRESSION OPERATIONS.—The term ‘wildfire suppression operations’

means the emergency and unpredictable aspects of wildland firefighting, including support, response, emergency stabilization activities, and other emergency management activities of wildland firefighting on Federal land (or on non-Federal land pursuant to a fire protection agreement or cooperative agreement) by the Federal land management agencies covered by the wildfire suppression subactivity of the Wildland Fire Management accounts or the FLAME Wildfire Suppression Reserve Fund account of the Federal land management agencies.

“SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND.

“(a) IN GENERAL.—The Secretary of the Interior or the Secretary of Agriculture may submit a request to the President consistent with the requirements of this title for a declaration by the President that a major disaster for wildfire on Federal land exists.

“(b) REQUIREMENTS.—A request for a declaration by the President that a major disaster for wildfire on Federal land exists shall—

“(1) be made in writing by the respective Secretary;

“(2) certify that, in the current fiscal year, the amount appropriated for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, net of any concurrently enacted rescissions of wildfire suppression funds, increases the total unobligated balance of amounts available for wildfire suppression by an amount equal to at least 70 percent of the average total costs incurred by the Federal land management agencies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years;

“(3) certify that, in the current fiscal year, an amount equal to at least 30 percent of the average total costs incurred by the Federal land management agencies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years, has been appropriated for the Federal land management agencies under the jurisdiction of the respective Secretary for the purpose funding—

“(A) projects and activities on Federal land that improve the fire regime of areas that meet the desired future conditions of the applicable land and resource management plan or land use plan; or

“(B) restoration and resiliency projects and activities on Federal land that meet the desired future conditions of the applicable land and resource management plan or land use plan;

“(4) certify that, in the current fiscal year—

“(A) the total of the amounts certified under paragraphs (2) and (3) are equal to at least 100 percent of the average total costs incurred by the Federal land management agencies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years; and

“(B) the amount certified under paragraph (3) is in addition to and supplements other appropriations for the Federal land management agencies for projects and activities of the type described in subparagraphs (A) and (B) of paragraph (3) that equal or exceed the total amount appropriated for such projects and activities for fiscal year 2015, subject to the condition that such 2015 threshold amount shall be adjusted annually beginning

with fiscal year 2017 to reflect changes over the preceding fiscal year in the Consumer Price Index for all-urban consumers published by the Secretary of Labor;

“(5) certify that the amount available for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary will be obligated not later than 30 days after such Secretary notifies the President that wildfire suppression funds will be exhausted to fund ongoing and anticipated wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal land pursuant to this title is based; and

“(6) specify the amount required in the current fiscal year to fund wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal land pursuant to this title is based.

“(c) DECLARATION.—Based on the request of the respective Secretary under this title, the President may declare that a major disaster for wildfire on Federal land exists.

“(d) LIST OF PROJECTS REPORTING REQUIREMENT.—Not later than November 1 of each fiscal year, the Secretary of Agriculture and the Secretary of the Interior shall each submit to the Committees on Agriculture, Appropriations, and Natural Resources of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Appropriations, and Natural Resources of the Senate a list of projects and activities of the type described in subparagraphs (A) and (B) of subsection (b)(3) to be conducted using funds described in subsection (b)(3).

“SEC. 803. WILDFIRE ON FEDERAL LAND ASSISTANCE.

“(a) IN GENERAL.—In a major disaster for wildfire on Federal land, the President may direct the transfer of funds, only from the account established pursuant to subsection (b), to the Secretary of the Interior or the Secretary of Agriculture to conduct wildfire suppression operations on Federal land (and non-Federal land pursuant to a fire protection agreement or cooperative agreement).

“(b) WILDFIRE SUPPRESSION OPERATIONS DISASTER ACCOUNT.—

“(1) IN GENERAL.—There is established a specific account for the assistance available pursuant to a declaration under section 802.

“(2) USE.—The account established by paragraph (1) may only be used to fund assistance pursuant to this title.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the account established by paragraph (1) such sums as are necessary to carry out the purposes of a declaration under section 802, but not to exceed the limitations specified in subsection (c)(2).

“(c) LIMITATIONS.—

“(1) LIMITATIONS RELATED TO REQUEST AND ACCOUNT AMOUNTS.—The assistance available pursuant to a declaration under section 802 is limited to the transfer of the amount requested pursuant to section 802(b)(6). The assistance available for transfer shall not exceed the amount contained in the wildfire suppression operations account established pursuant to subsection (b).

“(2) MAXIMUM TRANSFER AMOUNT LIMITATION.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts of the Department of Agriculture or the Department of the Interior, then the total amount of assistance appropriated to and transferred from the account established

pursuant to subsection (b) and pursuant to a declaration under section 802 for wildfire suppression operations, to the Wildland Fire Management accounts of the Department of Agriculture and the Department of the Interior, for that fiscal year, shall not exceed \$1,647,000,000.

“(3) **TRANSFER OF FUNDS.**—Funds under this section shall be transferred from the wildfire suppression operations account to the wildfire suppression subactivity of the Wildland Fire Management Accounts. The transferred funds shall remain available until expended.

“(d) **PROHIBITION OF OTHER TRANSFERS.**—Except as provided in this section, no funds may be transferred to or from the account established pursuant to subsection (b) to or from any other fund or account.

“(e) **REIMBURSEMENT FOR WILDFIRE SUPPRESSION OPERATIONS ON NON-FEDERAL LAND.**—If amounts transferred under subsection (c) are used to conduct wildfire suppression operations on non-Federal land, the respective Secretary shall—

“(1) secure reimbursement for the cost of such wildfire suppression operations conducted on the non-Federal land; and

“(2) transfer the amounts received as reimbursement to the wildfire suppression operations disaster account established pursuant to subsection (b).

“(f) **ANNUAL ACCOUNTING AND REPORTING REQUIREMENTS.**—Not later than 90 days after the end of each fiscal year for which assistance is received pursuant to this section, the respective Secretary shall submit to the Committees on Agriculture, Appropriations, the Budget, Natural Resources, and Transportation and Infrastructure of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Appropriations, the Budget, Energy and Natural Resources, Homeland Security and Governmental Affairs, and Indian Affairs of the Senate, and make available to the public, a report that includes the following:

“(1) The risk-based factors that influenced management decisions regarding wildfire suppression operations of the Federal land management agencies under the jurisdiction of the Secretary concerned.

“(2) Specific discussion of a statistically significant sample of large fires, in which each fire is analyzed for cost drivers, effectiveness of risk management techniques, resulting positive or negative impacts of fire on the landscape, impact of investments in preparedness, suggested corrective actions, and such other factors as the respective Secretary considers appropriate.

“(3) Total expenditures for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, broken out by fire sizes, cost, regional location, and such other factors as such Secretary considers appropriate.

“(4) Lessons learned.

“(5) Such other matters as the respective Secretary considers appropriate.

“(g) **SAVINGS PROVISION.**—Except as provided in subsections (c) and (d), nothing in this title shall limit the Secretary of the Interior, the Secretary of Agriculture, Indian tribe, or a State from receiving assistance through a declaration made by the President under this Act when the criteria for such declaration have been met.”.

SEC. 6003. PROHIBITION ON TRANSFERS.

No funds may be transferred to or from the Federal land management agencies' wildfire suppression operations accounts referred to in section 801(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance

Act to or from any account or subactivity of the Federal land management agencies, as defined in section 801(2) of such Act, that is not used to cover the cost of wildfire suppression operations.

SEC. 6004. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect on October 1, 2016.

Subtitle B—Forest Management

SEC. 6011. EXPEDITED COLLABORATIVE FOREST MANAGEMENT ACTIVITIES.

(a) **DEFINITIONS.**—In this section:

(1) **COLLABORATIVE PROCESS.**—The term “collaborative process” means a process that relates to the management of National Forest System land or public land, by which a forest management activity is proposed—

(A) by a resource advisory committee through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C));

(B) by a collaborative that meets the requirements under section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303); or

(C) by a group not covered by subparagraph (A) or (B), but that—

(i) includes multiple individuals who provide balanced and broad representation of diverse interests, including, if relevant and interested, but not limited to—

(I) environmental organizations;

(II) timber and forest products industry representatives;

(III) State agencies;

(IV) units of local government;

(V) tribal governments; and

(VI) outdoor recreational representatives; and

(i) operates—

(I) in a transparent and nonexclusive manner; and

(II) by consensus or in accordance with voting procedures to ensure a high degree of agreement among participants and across various interests.

(2) **FOREST MANAGEMENT ACTIVITY.**—The term “forest management activity” means a project or activity carried out by the Secretary concerned on National Forest System land or public land in conjunction with the resource management plan covering the National Forest System land or public land.

(3) **RESOURCE ADVISORY COMMITTEE.**—The term “resource advisory committee” has the meaning given that term in section 201 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121).

(4) **RESOURCE MANAGEMENT PLAN.**—The term “resource management plan” has the meaning given that term in section 101(13) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(13)).

(5) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to public land.

(b) **COLLABORATIVE MANAGEMENT ACTIVITIES.**—

(1) **APPLICABILITY.**—This subsection may apply in any case in which the Secretary concerned prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a project for a forest management activity described in paragraph (2).

(2) **DESCRIPTION OF PROJECTS.**—A project for a forest management activity referred to in paragraph (1) is a project to carry out forest restoration treatments that—

(A) maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to uncharacteristic wildfire, insects, and disease;

(B) considers the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity; and

(C) is developed and implemented through a collaborative process.

(3) **CONSIDERATION OF ALTERNATIVES.**—In an environmental assessment or environmental impact statement described in paragraph (1), the Secretary concerned shall study, develop, and describe not more than the following alternatives:

(A) Carrying out the project for a forest management activity, as proposed under paragraph (1).

(B) The alternative of no action.

(4) **LIMITATIONS.**—Except as provided in this subsection, nothing in this subsection preempts or interferes with any obligation to comply with the provisions of any Federal law, including—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(C) any other Federal environmental law.

(c) **CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.**—

(1) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System land or public land in any case in which—

(A) the forest management activity is developed and recommended through a collaborative process; and

(B) the primary purpose of the forest management activity is—

(i) to reduce hazardous fuel loads on land in, or related to, a wildland-urban interface;

(ii) to protect a municipal water source, if the municipality is within 100 miles of the area to be treated; or

(iii) any combination of the purposes specified in clauses (i) and (ii).

(2) **REQUIREMENTS.**—A forest management activity covered by the categorical exclusion granted by paragraph (1) is a project to carry out forest restoration treatments that—

(A) may not contain harvest units exceeding a total of 3,000 acres;

(B) maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to uncharacteristic wildfire; and

(C) considers the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity.

(d) **CATEGORICAL EXCLUSION TO MEET RESOURCE MANAGEMENT PLAN GOALS FOR EARLY SUCCESSIONAL FORESTS.**—

(1) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System land or public land in any case in which—

(A) the forest management activity is developed and recommended through a collaborative process; and

(B) the primary purpose of the forest management activity is to modify, improve, enhance, or create early successional forests for wildlife habitat improvement and other

purposes, consistent with the applicable resource management plan.

(2) **PROJECT GOALS.**—To the maximum extent practicable, the Secretary concerned shall design a forest management activity under this subsection to meet early successional forest goals in such a manner so as to maximize production and regeneration of priority species, as identified in the resource management plan and consistent with the capability of the activity site.

(3) **REQUIREMENTS.**—A forest management activity covered by the categorical exclusion granted by paragraph (1) is a project that—

(A) consists of not more than 250 acres, comprised of noncontiguous units to create a mosaic of age classes in accordance with the resource management plan;

(B) contains harvest units, consistent with the applicable resource management plan;

(C) creates early seral habitat, consistent with the applicable resource management plan;

(D) assists in meeting resource management plan objectives for retention of old-growth stands and retention of old-growth trees, consistent with resource management plan objectives; and

(E) considers the best available scientific information to maintain or restore early seral habitat.

(e) **ROADS.**—

(1) **PERMANENT ROADS.**—A project carried out under this section shall not include the construction of new permanent roads.

(2) **EXISTING ROADS.**—The Secretary concerned may carry out necessary maintenance of, repairs to, or reconstruction of an existing permanent road for the purposes of this section.

(3) **TEMPORARY ROADS.**—The Secretary concerned shall decommission any temporary road constructed under a project under this section not later than 3 years after the date on which the project is completed.

(f) **EXCLUSIONS.**—This section does not apply to—

(1) a component of the National Wilderness Preservation System;

(2) any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation prohibited;

(3) a congressionally designated wilderness study area;

(4) an inventoried roadless area; or

(5) an area in which the activities authorized under this section would be inconsistent with the applicable resource management plan.

(g) **RESOURCE MANAGEMENT PLANS.**—All projects and activities carried out under this subsection shall be consistent with the resource management plan applicable to the National Forest System land or public land containing the projects and activities.

(h) **PUBLIC NOTICE AND SCOPING.**—The Secretary concerned shall conduct public notice and scoping for any project or action proposed in accordance with this section.

SEC. 6012. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.

(a) **DEFINITIONS.**—In this section:

(1) **COLLABORATIVE PROCESS.**—The term “collaborative process” means a process that relates to the management of National Forest System land or public land, by which a forest management activity is proposed—

(A) by a resource advisory committee through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C));

(B) by a collaborative that meets the requirements under section 4003 of the Omni-

bus Public Land Management Act of 2009 (16 U.S.C. 7303); or

(C) by a group not covered by subparagraph (A) or (B), but that—

(i) includes multiple individuals who provide balanced and broad representation of diverse interests, including, if relevant and interested, but not limited to—

(I) environmental organizations;

(II) timber and forest products industry representatives;

(III) State agencies;

(IV) units of local government;

(V) tribal governments; and

(VI) outdoor recreational representatives; and

(ii) operates—

(I) in a transparent and nonexclusive manner; and

(II) by consensus or in accordance with voting procedures to ensure a high degree of agreement among participants and across various interests.

(2) **COMMUNITY WILDFIRE PROTECTION PLAN.**—The term “community wildfire protection plan” has the meaning given that term in section 101(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(3)).

(3) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) a State or political subdivision of a State containing National Forest System land or public land;

(B) a publicly chartered utility serving one or more States or a political subdivision thereof;

(C) a rural electric company; and

(D) any other entity determined by the Secretary concerned to be appropriate for participation in the Fund.

(4) **FUND.**—The term “Fund” means the State-Supported Forest Management Fund established by subsection (b).

(5) **RESOURCE ADVISORY COMMITTEE.**—The term “resource advisory committee” has the meaning given that term in section 201 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121).

(6) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to public land.

(b) **STATE-SUPPORTED FOREST MANAGEMENT FUND.**—There is established in the Treasury of the United States a fund, to be known as the “State-Supported Forest Management Fund”, to cover the cost of planning (especially as relating to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2))), carrying out, and monitoring certain forest management activities on National Forest System land or public land.

(c) **CONTENTS.**—The Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or

(3) generated by forest management activities carried out using amounts in the Fund.

(d) **GEOGRAPHICAL AND USE LIMITATIONS.**—In making a contribution under subsection (c)(1), an eligible entity may—

(1) specify the National Forest System land or public land for which the contribution may be expended; and

(2) limit the types of forest management activities for which the contribution may be expended.

(e) **AUTHORIZED FOREST MANAGEMENT ACTIVITIES.**—In such amounts as may be provided in advance in appropriations Acts, the

Secretary concerned may use the Fund to plan, carry out, and monitor a forest management activity that is—

(1) developed through a collaborative process; or

(2) covered by a community wildfire protection plan.

(f) **IMPLEMENTATION METHODS.**—

(1) **IN GENERAL.**—A forest management activity carried out using amounts in the Fund may be carried out pursuant to—

(A) a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c);

(B) the good neighbor authority provided under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a);

(C) a contract under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a); or

(D) any other authority available to the Secretary concerned.

(2) **USE OF REVENUES.**—Any revenue generated by a forest management activity described in paragraph (1) shall be used to reimburse the Fund for planning costs covered using amounts in the Fund.

(g) **RELATION TO OTHER LAWS.**—

(1) **REVENUE SHARING.**—Subject to subsection (f), revenues generated by a forest management activity carried out using amounts from the Fund shall be considered monies received from the National Forest System.

(2) **KNUTSON-VANDENBERG ACT.**—The Act of June 9, 1930 (commonly known as the “Knutson-Vandenberg Act”) (16 U.S.C. 576 et seq.), shall apply to any forest management activity carried out using amounts in the Fund.

(h) **TERMINATION OF FUND.**—

(1) **TERMINATION.**—The Fund shall terminate on the date that is 10 years after the date of enactment of this Act.

(2) **EFFECT OF TERMINATION.**—On termination of the Fund under paragraph (1) or pursuant to any other provision of law, any unobligated contribution remaining in the Fund shall be returned to the eligible entity that made the contribution.

SEC. 6013. FOREST SERVICE LEGACY ROADS AND TRAILS REMEDIATION PROGRAM.

(a) **IN GENERAL.**—The Secretary of Agriculture shall establish and maintain a Forest Service Legacy Roads and Trails Remediation Program within the National Forest System—

(1) to carry out critical maintenance and urgent repairs and improvements on National Forest System roads, trails, and bridges;

(2) to restore fish and other aquatic organism passage by removing or replacing unnatural barriers to the passage of fish and other aquatic organisms;

(3) to decommission unneeded roads and trails; and

(4) to carry out associated activities.

(b) **PRIORITY.**—In implementing the Forest Service Legacy Roads and Trails Remediation Program, the Secretary of Agriculture shall give priority to projects that protect or restore—

(1) water quality;

(2) watersheds that feed public drinking water systems; or

(3) habitat for threatened, endangered, and sensitive fish and wildlife species.

(c) **NATIONAL FOREST SYSTEM.**—Except as authorized under section 323 of title III of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C.

1011a), all projects carried out under the Forest Service Legacy Roads and Trails Remediation Program shall be on National Forest System roads.

(d) NATIONAL PROGRAM STRATEGY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall develop a national strategy for implementing the Forest Service Legacy Roads and Trails Remediation Program.

SEC. 6014. WATER SOURCE PROTECTION PROGRAM AND WATERSHED CONDITION FRAMEWORK.

Subtitle A of title III of the Omnibus Public Land Management Act of 2009 (Public Law 111-11) is amended by adding at the end the following:

“SEC. 3002. WATER SOURCE PROTECTION PROGRAM FOR NATIONAL FOREST SYSTEM LAND.

“(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the ‘Secretary’), shall establish and maintain a Water Source Protection Program for National Forest System land derived from the public domain.

“(b) WATER SOURCE INVESTMENT PARTNERSHIPS.—

“(1) IN GENERAL.—In carrying out the Water Source Protection Program, the Secretary may enter into water source investment partnerships with end water users (including States, political subdivisions, Indian tribes, utilities, municipal water systems, irrigation districts, nonprofit organizations, and corporations) to protect and restore the condition of National Forest watersheds that provide water to the non-Federal partners.

“(2) FORM.—A partnership described in paragraph (1) may take the form of memoranda of understanding, cost-share or collection agreements, long-term match funding commitments, or other appropriate instruments.

“(c) WATER SOURCE MANAGEMENT PLAN.—

“(1) IN GENERAL.—In carrying out the Water Source Protection Program, the Secretary may produce a water source management plan in cooperation with the water source investment partnership participants and State, local, and tribal governments.

“(2) FIREWOOD.—A water source management plan may give priority to projects that facilitate the gathering of firewood for personal use pursuant to section 223.5 of title 36, Code of Federal Regulations (or successor regulations).

“(3) ENVIRONMENTAL ANALYSIS.—The Secretary may conduct—

“(A) a single environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for all or part of the restoration projects in the water source management plan; and

“(B) a statement or analysis described in subparagraph (A) as part of the development of the water source management plan or after the finalization of the plan.

“(4) ENDANGERED SPECIES ACT.—In carrying out the Water Source Protection Program, the Secretary may use the Manual on Adaptive Management of the Department of the Interior, including any associated guidance, for purposes of fulfilling any requirements under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

“(5) FUNDS AND SERVICES.—

“(A) IN GENERAL.—In carrying out the Water Source Protection Program, the Secretary may accept and use funding, services, and other forms of investment and assistance from water source investment partner-

ship participants to implement the water source management plan.

“(B) MANNER OF USE.—The Secretary may accept and use investments described in subparagraph (A) directly or indirectly through the National Forest Foundation.

“(C) WATER SOURCE PROTECTION FUND.—

“(i) IN GENERAL.—Subject to the availability of appropriations, the Secretary may establish a Water Source Protection Fund to match funds or in-kind support contributed by water source investment partnership participants under subparagraph (A).

“(ii) USE OF APPROPRIATED FUNDS.—The Secretary may use funds appropriated to carry out this subparagraph to make multiyear commitments, if necessary, to implement 1 or more water source investment partnership agreements.

“SEC. 3003. WATERSHED CONDITION FRAMEWORK FOR NATIONAL FOREST SYSTEM LAND.

“(a) IN GENERAL.—The Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the ‘Secretary’), shall establish and maintain a Watershed Condition Framework for National Forest System land derived from the public domain—

“(1) to evaluate and classify the condition of watersheds, taking into consideration—

“(A) water quality and quantity;

“(B) aquatic habitat and biota;

“(C) riparian and wetland vegetation;

“(D) the presence of roads and trails;

“(E) soil type and condition;

“(F) groundwater-dependent ecosystems;

“(G) relevant terrestrial indicators, such as fire regime, risk of catastrophic fire, forest and rangeland vegetation, invasive species, and insects and disease; and

“(H) other significant factors, as determined by the Secretary;

“(2) to identify for restoration up to 5 priority watersheds in each National Forest, and up to 2 priority watersheds in each national grassland, taking into consideration the impact of the condition of the watershed condition on—

“(A) wildfire behavior;

“(B) flood risk;

“(C) fish and wildlife;

“(D) drinking water supplies;

“(E) irrigation water supplies;

“(F) forest-dependent communities; and

“(G) other significant impacts, as determined by the Secretary;

“(3) to develop a watershed restoration action plan for each priority watershed that—

“(A) takes into account existing restoration activities being implemented in the watershed; and

“(B) includes, at a minimum—

“(i) the major stressors responsible for the impaired condition of the watershed;

“(ii) a set of essential projects that, once completed, will address the identified stressors and improve watershed conditions;

“(iii) a proposed implementation schedule;

“(iv) potential partners and funding sources; and

“(v) a monitoring and evaluation program;

“(4) to prioritize restoration activities for each watershed restoration action plan;

“(5) to implement each watershed restoration action plan; and

“(6) to monitor the effectiveness of restoration actions and indicators of watershed health.

“(b) COORDINATION.—Throughout the process described in subsection (a), the Secretary shall—

“(1) coordinate with interested non-Federal landowners and with State, tribal, and

local governments within the relevant watershed; and

“(2) provide for an active and ongoing public engagement process.

“(c) EMERGENCY DESIGNATION.—Notwithstanding subsection (a)(2), the Secretary may identify a watershed as a priority for rehabilitation in the Watershed Condition Framework without using the process described in subsection (a), if a Forest Supervisor determines that—

“(1) a wildfire has significantly diminished the condition of the watershed; and

“(2) the emergency stabilization activities of the Burned Area Emergency Response Team are insufficient to return the watershed to proper function.”

SEC. 6015. COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM.

(a) SELECTION PROCESS.—Section 4003(f)(4) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(4)) is amended by adding at the end the following:

“(C) PREQUALIFICATION.—

“(i) IN GENERAL.—Before awarding a contract funded by the Fund, the Secretary shall determine whether the contractor has the ability to complete the proposed restoration activities, including—

“(I) the financial ability to raise the funds necessary for the proposed restoration activities; and

“(II) sufficient capacity to perform the type and scope of the proposed restoration activities.

“(ii) CRITERIA.—If the Department does not have sufficient expertise to develop and evaluate criteria to make a determination under clause (i), the Secretary shall seek the assistance of other agencies or third-party consultants for purposes of developing and evaluating the criteria.”

(b) REAUTHORIZATION OF COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND.—Section 4003(f)(6) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(6)) is amended by striking “2019, to remain available until expended” and inserting “2014, and \$60,000,000 for each of fiscal years 2016 through 2024, to remain available until expended”.

SA 3109. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 171, between lines 15 and 16, insert the following:

(d) CONSIDERATION OF EFFECT ON AMERICAN CONSUMER PRICES.—Notwithstanding any other provision in this section, the Secretary may only approve an application for the exportation of natural gas as described in subsection (a) if the Secretary makes a determination that the exportation of natural gas will not cause an increase in the price of natural gas for American consumers.

SA 3110. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 34. SEVERE FUEL SUPPLY EMERGENCY RESPONSE.

The Federal Power Act is amended by inserting after section 215 (16 U.S.C. 824o) the following:

"SEC. 215A. EMERGENCY RESPONSE TO COAL SUPPLY DEFICIENCIES.

"(a) DEFINITIONS.—In this section:

"(1) BOARD.—The term 'Board' means the Surface Transportation Board.

"(2) BULK-POWER SYSTEM.—The term 'bulk-power system' has the meaning given the term in section 215.

"(3) ELECTRIC RELIABILITY ORGANIZATION.—The term 'Electric Reliability Organization' has the meaning given the term in section 215.

"(4) FORM OE-417.—The term 'Form OE-417' means the form entitled 'Electric Emergency Incident and Disturbance Report' and filed in accordance with the Federal Energy Administration Act of 1974 (15 U.S.C. 761 et seq.).

"(5) REGIONAL ENTITY.—The term 'Regional Entity' means an entity delegated authority by the Electric Reliability Organization to propose and enforce reliability standards in the region of the entity.

"(6) RELIABILITY COORDINATOR.—The term 'Reliability Coordinator' means an entity recognized by the Electric Reliability Organization as responsible for continually assessing transmission reliability and coordinating emergency operations to ensure the reliable operation of the bulk-power system.

"(7) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

"(8) SEVERE FUEL SUPPLY EMERGENCY.—The term 'severe fuel supply emergency' means a coal supply deficiency reported to the Department of Energy on Form OE-417.

"(b) COORDINATED RESPONSE TO EMERGENCIES.—

"(1) IN GENERAL.—The Secretary shall lead the Federal response to severe fuel supply emergencies.

"(2) DUTIES OF THE SECRETARY.—On the filing of a Form OE-417 that reports a severe fuel supply emergency, the Secretary shall—

"(A) promptly investigate the circumstances of the severe fuel supply emergency;

"(B) notify the Board and the Federal Energy Regulatory Commission of the existence of the severe fuel supply emergency;

"(C) convene a meeting with the Board, the Federal Energy Regulatory Commission, and, as appropriate, the Electric Reliability Organization and affected Regional Entities and Reliability Coordinators; and

"(D) submit in writing to the Board and the Federal Energy Regulatory Commission, and post publicly on the website of the Department of Energy, recommendations for actions the Board or Federal Energy Regulatory Commission should consider to alleviate the severe fuel supply emergency and prevent recurrences of the severe fuel supply emergency.

"(c) EFFECT ON OTHER LAWS.—Nothing in this section limits any existing authority of any Federal agency."

SA 3111. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2301, strike subsection (c) and insert the following:

(c) TECHNICAL ASSISTANCE AND GRANT PROGRAM.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary, in consultation with the Assistant Secretary for Electricity Delivery and Energy Reliability, shall establish a technical assistance and grant program (referred to in this subsection as the "program")—

(i) to disseminate information and provide technical assistance directly to eligible entities so the eligible entities can identify, evaluate, plan, and design energy storage systems; and

(ii) to make grants to eligible entities so that the eligible entities may contract to obtain technical assistance to identify, evaluate, plan, and design energy storage systems.

(B) TECHNICAL ASSISTANCE.—The technical assistance described in subparagraph (A) shall include assistance with 1 or more of the following activities relating to energy storage systems:

(i) Identification of opportunities to use energy storage systems.

(ii) Assessment of technical and economic characteristics.

(iii) Utility interconnection.

(iv) Permitting and siting issues.

(v) Business planning and financial analysis.

(vi) Engineering design.

(C) INFORMATION DISSEMINATION.—The information disseminated under subparagraph (A)(i) shall include—

(i) information relating to the topics described in subparagraph (B), including case studies of successful examples;

(ii) computer software for assessment, design, and operation and maintenance of energy storage systems; and

(iii) public databases that track the operation and deployment of existing and planned energy storage systems.

(2) ELIGIBILITY.—Any nonprofit or for-profit entity shall be eligible to receive technical assistance and grants under the program.

(3) APPLICATIONS.—

(A) IN GENERAL.—An eligible entity desiring technical assistance or grants under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(B) APPLICATION PROCESS.—The Secretary shall seek applications for technical assistance and grants under the program—

(i) on a competitive basis; and

(ii) on a periodic basis, but not less frequently than once every 12 months.

(C) PRIORITIES.—In selecting eligible entities for technical assistance and grants under the program, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—

(i) facilitating the use of renewable energy resources;

(ii) strengthening the reliability and resiliency of energy infrastructure to the impact of extreme weather events, power grid failures, and interruptions in supply of fossil fuels;

(iii) improving the feasibility of microgrids or islanding, particularly in rural areas, including high energy cost rural areas;

(iv) minimizing environmental impact, including regulated air pollutants and greenhouse gas emissions; and

(v) maximizing local job creation.

(4) GRANTS.—On application by an eligible entity, the Secretary may award grants to the eligible entity to provide funds to cover not more than—

(A) 100 percent of the costs of the initial assessment to identify energy storage system opportunities;

(B) 75 percent of the cost of feasibility studies to assess the potential for the implementation of energy storage systems;

(C) 60 percent of the cost of guidance on overcoming barriers to the implementation of energy storage systems, including financial, contracting, siting, and permitting issues; and

(D) 45 percent of the cost of detailed engineering of energy storage systems.

(5) RULES AND PROCEDURES.—

(A) RULES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the program.

(B) GRANTS.—Not later than 120 days after the date of issuance of the rules and procedures for the program, the Secretary shall issue grants under this subsection.

(6) REPORTS.—The Secretary shall submit to Congress and make available to the public—

(A) not less frequently than once every 2 years, a report describing the performance of the program under this subsection; and

(B) on termination of the program under this subsection, an assessment of the success of, and education provided by, the measures carried out by eligible entities under the program.

SA 3112. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

PART V—WIND**SEC. 30. DISTRIBUTED WIND ENERGY SYSTEMS.**

(a) DEFINITIONS.—In this section:

(1) MEDIUM-SIZED SYSTEM.—The term "medium-sized system" means a wind energy system that produces—

(A) greater than 100 kilowatts; and

(B) not greater than 1,000 kilowatts.

(2) SMALL SYSTEM.—The term "small system" means a wind energy system that produces not greater than 100 kilowatts.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish within the Wind Program of the Department an initiative to promote the development of distributed wind energy systems.

(2) REQUIREMENTS.—The initiative established under paragraph (1) shall—

(A) make grants available for research and development on—

(i) small systems; and

(ii) medium-sized systems; and

(B) provide technical assistance to, and serve as a clearinghouse of information for, Federal agencies and private sector entities seeking alternative means to produce energy.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section—

(1) for fiscal year 2017, \$15,000,000;

(2) for fiscal year 2018, \$20,000,000;

(3) for fiscal year 2019, \$25,000,000;

(4) for fiscal year 2020, \$30,000,000; and

(5) for fiscal year 2021, \$35,000,000.

SA 3113. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms.

MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Distributed Generation

SEC. 3801. DEFINITIONS.

In this subtitle:

(1) **COMBINED HEAT AND POWER SYSTEM.**—The term “combined heat and power system” means generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(2) **DEMAND RESPONSE.**—The term “demand response” means changes in electric usage by electric utility customers from the normal consumption patterns of the customers in response to—

(A) changes in the price of electricity over time; or

(B) incentive payments designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized.

(3) **DISTRIBUTED ENERGY.**—The term “distributed energy” means energy sources and systems that—

(A) produce electric or thermal energy close to the point of use using renewable energy resources or waste thermal energy;

(B) generate electricity using a combined heat and power system;

(C) distribute electricity in microgrids;

(D) store electric or thermal energy; or

(E) distribute thermal energy or transfer thermal energy to building heating and cooling systems through a district energy system.

(4) **DISTRICT ENERGY SYSTEM.**—The term “district energy system” means a system that provides thermal energy to buildings and other energy consumers from 1 or more plants to individual buildings to provide space heating, air conditioning, domestic hot water, industrial process energy, and other end uses.

(5) **ISLANDING.**—The term “islanding” means a distributed generator or energy storage device continuing to power a location in the absence of electric power from the primary source.

(6) **LOAN.**—The term “loan” has the meaning given the term “direct loan” in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) **MICROGRID.**—The term “microgrid” means an integrated energy system consisting of interconnected loads and distributed energy resources, including generators and energy storage devices, within clearly defined electrical boundaries that—

(A) acts as a single controllable entity with respect to the grid; and

(B) can connect and disconnect from the grid to operate in both grid-connected mode and island mode.

(8) **RENEWABLE ENERGY SOURCE.**—The term “renewable energy source” includes—

(A) biomass;

(B) geothermal energy;

(C) hydropower;

(D) landfill gas;

(E) municipal solid waste;

(F) ocean (including tidal, wave, current, and thermal) energy;

(G) organic waste;

(H) photosynthetic processes;

(I) photovoltaic energy;

(J) solar energy; and

(K) wind.

(9) **RENEWABLE THERMAL ENERGY.**—The term “renewable thermal energy” means heating or cooling energy derived from a renewable energy resource.

(10) **THERMAL ENERGY.**—The term “thermal energy” means—

(A) heating energy in the form of hot water or steam that is used to provide space heating, domestic hot water, or process heat; or

(B) cooling energy in the form of chilled water, ice, or other media that is used to provide air conditioning, or process cooling.

(11) **WASTE THERMAL ENERGY.**—The term “waste thermal energy” means energy that—

(A) is contained in—

(i) exhaust gases, exhaust steam, condenser water, jacket cooling heat, or lubricating oil in power generation systems;

(ii) exhaust heat, hot liquids, or flared gas from any industrial process;

(iii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iv) a pressure drop in any gas, excluding any pressure drop to a condenser that subsequently vents the resulting heat;

(v) condenser water from chilled water or refrigeration plants; or

(vi) any other form of waste energy, as determined by the Secretary; and

(B)(i) in the case of an existing facility, is not being used; or

(ii) in the case of a new facility, is not conventionally used in comparable systems.

SEC. 3802. DISTRIBUTED ENERGY LOAN PROGRAM.

(a) **LOAN PROGRAM.**—

(1) **IN GENERAL.**—Subject to the provisions of this subsection and subsections (b) and (c), the Secretary shall establish a program to provide to eligible entities—

(A) loans for the deployment of distributed energy systems in a specific project; and

(B) loans to provide funding for programs to finance the deployment of multiple distributed energy systems through a revolving loan fund, credit enhancement program, or other financial assistance program.

(2) **ELIGIBILITY.**—Entities eligible to receive a loan under paragraph (1) include—

(A) a State, territory, or possession of the United States;

(B) a State energy office;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

(D) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(E) an electric utility, including—

(i) a rural electric cooperative;

(ii) a municipally-owned electric utility; and

(iii) an investor-owned utility.

(3) **SELECTION REQUIREMENTS.**—In selecting eligible entities to receive loans under this section, the Secretary shall, to the maximum extent practicable, ensure—

(A) regional diversity among eligible entities to receive loans under this section, including participation by rural States and small States; and

(B) that specific projects selected for loans—

(i) expand on the existing technology deployment program of the Department; and

(ii) are designed to achieve 1 or more of the objectives described in paragraph (4).

(4) **OBJECTIVES.**—Each deployment selected for a loan under paragraph (1) shall include 1 or more of the following objectives:

(A) Improved security and resiliency of energy supply in the event of disruptions caused by extreme weather events, grid equipment or software failure, or terrorist acts.

(B) Implementation of distributed energy in order to increase use of local renewable energy resources and waste thermal energy sources.

(C) Enhanced feasibility of microgrids, demand response, or islanding.

(D) Enhanced management of peak loads for consumers and the grid.

(E) Enhanced reliability in rural areas, including high energy cost rural areas.

(5) **RESTRICTION ON USE OF FUNDS.**—Any eligible entity that receives a loan under paragraph (1) may only use the loan to fund programs relating to the deployment of distributed energy systems.

(b) **LOAN TERMS AND CONDITIONS.**—

(1) **TERMS AND CONDITIONS.**—Notwithstanding any other provision of law, in providing a loan under this section, the Secretary shall provide the loan on such terms and conditions as the Secretary determines, after consultation with the Secretary of the Treasury, in accordance with this section.

(2) **SPECIFIC APPROPRIATION.**—No loan shall be made unless an appropriation for the full amount of the loan has been specifically provided for that purpose.

(3) **REPAYMENT.**—No loan shall be made unless the Secretary determines that there is reasonable prospect of repayment of the principal and interest by the borrower of the loan.

(4) **INTEREST RATE.**—A loan provided under this section shall bear interest at a fixed rate that is equal or approximately equal, in the determination of the Secretary, to the interest rate for Treasury securities of comparable maturity.

(5) **TERM.**—The term of the loan shall require full repayment over a period not to exceed the lesser of—

(A) 20 years; or

(B) 90 percent of the projected useful life of the physical asset to be financed by the loan (as determined by the Secretary).

(6) **USE OF PAYMENTS.**—Payments of principal and interest on the loan shall—

(A) be retained by the Secretary to support energy research and development activities; and

(B) remain available until expended, subject to such conditions as are contained in annual appropriations Acts.

(7) **NO PENALTY ON EARLY REPAYMENT.**—The Secretary may not assess any penalty for early repayment of a loan provided under this section.

(8) **RETURN OF UNUSED PORTION.**—In order to receive a loan under this section, an eligible entity shall agree to return to the general fund of the Treasury any portion of the loan amount that is unused by the eligible entity within a reasonable period of time after the date of the disbursement of the loan, as determined by the Secretary.

(9) **COMPARABLE WAGE RATES.**—Each laborer and mechanic employed by a contractor or subcontractor in performance of construction work financed, in whole or in part, by the loan shall be paid wages at rates not less than the rates prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

(c) **RULES AND PROCEDURES; DISBURSEMENT OF LOANS.**—

(1) **RULES AND PROCEDURES.**—Not later than 180 days after the date of enactment of this

Act, the Secretary shall adopt rules and procedures for carrying out the loan program under subsection (a).

(2) **DISBURSEMENT OF LOANS.**—Not later than 1 year after the date on which the rules and procedures under paragraph (1) are established, the Secretary shall disburse the initial loans provided under this section.

(d) **REPORTS.**—Not later than 2 years after the date of receipt of the loan, and annually thereafter for the term of the loan, an eligible entity that receives a loan under this section shall submit to the Secretary a report describing the performance of each program and activity carried out using the loan, including itemized loan performance data.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 3803. TECHNICAL ASSISTANCE AND GRANT PROGRAM.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary shall establish a technical assistance and grant program (referred to in this section as the “program”)—

(A) to disseminate information and provide technical assistance directly to eligible entities so the eligible entities can identify, evaluate, plan, and design distributed energy systems; and

(B) to make grants to eligible entities so that the eligible entities may contract to obtain technical assistance to identify, evaluate, plan, and design distributed energy systems.

(2) **TECHNICAL ASSISTANCE.**—The technical assistance described in paragraph (1) shall include assistance with 1 or more of the following activities relating to distributed energy systems:

(A) Identification of opportunities to use distributed energy systems.

(B) Assessment of technical and economic characteristics.

(C) Utility interconnection.

(D) Permitting and siting issues.

(E) Business planning and financial analysis.

(F) Engineering design.

(3) **INFORMATION DISSEMINATION.**—The information disseminated under paragraph (1)(A) shall include—

(A) information relating to the topics described in paragraph (2), including case studies of successful examples;

(B) computer software and databases for assessment, design, and operation and maintenance of distributed energy systems; and

(C) public databases that track the operation and deployment of existing and planned distributed energy systems.

(b) **ELIGIBILITY.**—Any nonprofit or for-profit entity shall be eligible to receive technical assistance and grants under the program.

(c) **APPLICATIONS.**—

(1) **IN GENERAL.**—An eligible entity desiring technical assistance or grants under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) **APPLICATION PROCESS.**—The Secretary shall seek applications for technical assistance and grants under the program—

(A) on a competitive basis; and

(B) on a periodic basis, but not less frequently than once each year.

(3) **PRIORITIES.**—In selecting eligible entities for technical assistance and grants under the program, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—

(A) facilitating the use of renewable energy resources;

(B) strengthening the reliability and resiliency of energy infrastructure to the impact of extreme weather events, power grid failures, and interruptions in supply of fossil fuels;

(C) improving the feasibility of microgrids or islanding, particularly in rural areas, including high energy cost rural areas;

(D) minimizing environmental impact, including regulated air pollutants and greenhouse gas emissions; and

(E) maximizing local job creation.

(d) **GRANTS.**—On application by an eligible entity, the Secretary may award grants to the eligible entity to provide funds to cover not more than—

(1) 100 percent of the costs of the initial assessment to identify opportunities;

(2) 75 percent of the cost of feasibility studies to assess the potential for the implementation;

(3) 60 percent of the cost of guidance on overcoming barriers to implementation, including financial, contracting, siting, and permitting issues; and

(4) 45 percent of the cost of detailed engineering.

(e) **RULES AND PROCEDURES.**—

(1) **RULES.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the program.

(2) **GRANTS.**—Not later than 120 days after the date of issuance of the rules and procedures for the program, the Secretary shall issue grants under this subtitle.

(f) **REPORTS.**—The Secretary shall submit to Congress and make available to the public—

(1) not less frequently than once every 2 years, a report describing the performance of the program under this section, including a synthesis and analysis of the information provided in the reports submitted to the Secretary under section 3802(d); and

(2) on termination of the program under this section, an assessment of the success of, and education provided by, the measures carried out by eligible entities during the term of the program.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$250,000,000 for the period of fiscal years 2017 through 2021, to remain available until expended.

SA 3114. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 1022. GRANTS TO UTILITIES FOR PROGRAMS TO PROVIDE AGGREGATED WHOLE BUILDING ENERGY CONSUMPTION INFORMATION TO MULTITENANT BUILDING OWNERS.

(a) **GRANTS TO UTILITIES.**—Based on the results of the research for the portion of the study described in section 301(b)(1)(A)(ii) of the Energy Efficiency Improvement Act of 2015 (42 U.S.C. 17063(b)(1)(A)(ii)), and with criteria developed following public notice and comment, the Secretary may make competitive awards to utilities, utility regulators, and utility partners to develop and implement effective and promising programs to provide aggregated whole building energy consumption information to multitenant building owners.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2017 through 2021, to remain available until expended.

SEC. 1023. GRANTS TO STATES AND UNITS OF LOCAL GOVERNMENT TO DEVELOP BENCHMARKING AND DISCLOSURE POLICIES FOR COMMERCIAL AND MULTIFAMILY BUILDINGS.

(a) **GRANTS TO STATES AND UNITS OF LOCAL GOVERNMENT.**—Based on the results of the research for the portion of the study described in section 301(b)(1)(A)(ii) of the Energy Efficiency Improvement Act of 2015 (42 U.S.C. 17063(b)(1)(A)(ii)), and with criteria developed following public notice and comment, the Secretary may make competitive awards to States and units of local government to develop and implement effective and promising benchmarking and disclosure policies, and any associated building efficiency policies, for commercial and multifamily buildings.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2017 through 2021, to remain available until expended.

SA 3115. Mr. FRANKEN (for himself, Mr. HEINRICH, Ms. WARREN, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitle E of title I and insert the following:

Subtitle E—Energy Efficiency Resource Standard

SEC. 1401. ENERGY EFFICIENCY RESOURCE STANDARD FOR RETAIL ELECTRICITY AND NATURAL GAS SUPPLIERS.

(a) **IN GENERAL.**—Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amended by adding at the end the following:

“SEC. 610. FEDERAL ENERGY EFFICIENCY RESOURCE STANDARD FOR RETAIL ELECTRICITY AND NATURAL GAS SUPPLIERS.

“(a) **DEFINITIONS.**—In this section:

“(1) **BASE QUANTITY.**—

“(A) **IN GENERAL.**—The term ‘base quantity’, with respect to a retail electricity supplier or retail natural gas supplier, means, for each calendar year for which a performance standard is established under subsection (c), the average annual quantity of electricity or natural gas delivered by the retail electricity supplier or retail natural gas supplier to retail customers during the 3 calendar years immediately preceding the first year that compliance is required under subsection (c)(1).

“(B) **EXCLUSION.**—The term ‘base quantity’, with respect to a retail natural gas supplier, does not include natural gas delivered for purposes of electricity generation.

“(2) **CUSTOMER FACILITY SAVINGS.**—The term ‘customer facility savings’ means a reduction in end-use electricity or natural gas consumption (including waste heat energy savings) at a facility of an end-use consumer of electricity or natural gas served by a retail electricity supplier or natural gas supplier, as compared to—

“(A) in the case of a new facility, consumption at a reference facility of average efficiency;

“(B) in the case of an existing facility, consumption at the facility during a base period of not less than 1 year;

“(C) in the case of new equipment that replaces existing equipment at the end of the useful life of the existing equipment, consumption by new equipment of average efficiency of the same equipment type, except that customer savings under this subparagraph shall not be counted towards customer savings under subparagraph (A) or (B); and

“(D) in the case of new equipment that replaces existing equipment with remaining useful life—

“(i) consumption of the existing equipment for the remaining useful life of the equipment; and

“(ii) thereafter, consumption of new equipment of average efficiency.

“(3) ELECTRICITY SAVINGS.—The term ‘electricity savings’ means reductions in electricity consumption achieved through measures implemented after the date of enactment of this section, as determined in accordance with regulations promulgated by the Secretary, that are limited to—

“(A) customer facility savings of electricity, adjusted to reflect any associated increase in fuel consumption at the facility;

“(B) reductions in distribution system losses of electricity achieved by a retail electricity supplier, as compared to losses attributable to new or replacement distribution system equipment of average efficiency, as defined in regulations promulgated by the Secretary;

“(C) CHP savings;

“(D) codes and standards savings of electricity; and

“(E) fuel switching energy savings that result in net savings of source energy.

“(4) NATURAL GAS SAVINGS.—The term ‘natural gas savings’ means reductions in natural gas consumption from measures implemented after the date of enactment of this section, as determined in accordance with regulations promulgated by the Secretary, that are limited to—

“(A) customer facility savings of natural gas, adjusted to reflect any associated increase in electricity consumption or consumption of other fuels at the facility;

“(B) reductions in leakage, operational losses, and consumption of natural gas fuel to operate a gas distribution system, achieved by a retail natural gas supplier, as compared to similar leakage, losses, and consumption during a base period of not less than 1 year;

“(C) codes and standards savings of natural gas; and

“(D) fuel switching energy savings that result in net savings of source energy.

“(5) RETAIL ELECTRICITY SUPPLIER.—

“(A) IN GENERAL.—The term ‘retail electricity supplier’ means, for any given calendar year, an electric utility that sells not less than 1,000,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

“(B) INCLUSIONS AND LIMITATIONS.—For purposes of determining whether an electric utility qualifies as a retail electricity supplier under subparagraph (A)—

“(i) deliveries by any affiliate of an electric utility to electric consumers for purposes other than resale shall be considered to be deliveries by the electric utility; and

“(ii) deliveries by any electric utility to a lessee, tenant, or affiliate of the electric utility shall not be considered to be deliveries to electric consumers.

“(6) RETAIL NATURAL GAS SUPPLIER.—

“(A) IN GENERAL.—The term ‘retail natural gas supplier’ means, for any given calendar year, a local distribution company (as defined in section 2 of the Natural Gas Policy Act of 1978 (15 U.S.C. 3301)), that delivered to natural gas consumers more than 5,000,000,000 cubic feet of natural gas for purposes other than resale during the preceding calendar year.

“(B) INCLUSIONS AND LIMITATIONS.—For purposes of determining whether a person qualifies as a retail natural gas supplier under subparagraph (A)—

“(i) deliveries of natural gas by any affiliate of a local distribution company to consumers for purposes other than resale shall be considered to be deliveries by the local distribution company; and

“(ii) deliveries of natural gas to a lessee, tenant, or affiliate of a local distribution company shall not be considered to be deliveries to natural gas consumers.

“(b) ESTABLISHMENT OF PROGRAM.—

“(1) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary shall, by regulation, establish a program to implement and enforce the requirements of this section, including by—

“(A) defining the terms ‘CHP savings’, ‘code and standards savings’, ‘combined heat and power system’, ‘cost-effective’, ‘fuel switching energy savings’, ‘reporting period’, ‘third-party efficiency provider’, and ‘waste heat energy savings’;

“(B) establishing measurement and verification procedures and standards that count only measures and savings that are additional to business-as-usual customer purchase practices;

“(C) establishing requirements under which retail electricity suppliers and retail natural gas suppliers shall—

“(i) demonstrate, document, and report the compliance of the retail electricity suppliers and retail natural gas suppliers with the performance standards under subsection (c); and

“(ii) estimate the impact of the standards on current and future electricity and natural gas use in the service territories of the suppliers;

“(D) establishing requirements governing applications for, and implementation of, delegated State administration under subsection (e); and

“(E) establishing rules to govern transfers of electricity or natural gas savings between suppliers and third-party efficiency providers serving the same State and between suppliers and third-party efficiency providers serving different States.

“(2) COORDINATION WITH STATE PROGRAMS.—In establishing and implementing this section, the Secretary shall, to the maximum extent practicable, preserve the integrity and incorporate best practices of existing State energy efficiency programs.

“(c) PERFORMANCE STANDARDS.—

“(1) COMPLIANCE OBLIGATION.—Not later than May 1 of the calendar year immediately following each reporting period—

“(A) each retail electricity supplier shall submit to the Secretary a report, in accordance with regulations promulgated by the Secretary, demonstrating that the retail electricity supplier has achieved cumulative electricity savings (adjusted to account for any attrition of savings measures implemented in prior years) in each calendar year that are equal to the applicable percentage of the base quantity of the retail electricity supplier; and

“(B) each retail natural gas supplier shall submit to the Secretary a report, in accordance with regulations promulgated by the

Secretary, demonstrating that it has achieved cumulative natural gas savings (adjusted to account for any attrition of savings measures implemented in prior years) in each calendar year that are equal to the applicable percentage of the base quantity of such retail natural gas supplier.

“(2) STANDARDS FOR 2017 THROUGH 2030.—For each of calendar years 2017 through 2030, the applicable percentages are as follows:

“Calendar Year	Cumulative Electricity Savings Percentage	Cumulative Natural Gas Savings Percentage
2017	1.00	0.50
2018	2.00	1.25
2019	3.00	2.00
2020	4.25	3.00
2021	5.50	4.00
2022	7.00	5.00
2023	8.50	6.00
2024	10.00	7.00
2025	11.50	8.00
2026	13.00	9.00
2027	14.75	10.00
2028	16.50	11.00
2029	18.25	12.00
2030	20.00	13.00

“(3) SUBSEQUENT YEARS.—

“(A) CALENDAR YEARS 2031 THROUGH 2040.—Not later than December 31, 2028, the Secretary shall promulgate regulations establishing performance standards (expressed as applicable percentages of base quantity for both cumulative electricity savings and cumulative natural gas savings) for each of calendar years 2031 through 2040.

“(B) REQUIREMENTS.—The Secretary shall establish standards under this paragraph at levels reflecting the maximum achievable level of cost-effective energy efficiency potential, taking into account—

“(i) cost-effective energy savings achieved by leading retail electricity suppliers and retail natural gas suppliers;

“(ii) opportunities for new codes and standard savings;

“(iii) technology improvements; and

“(iv) other indicators of cost-effective energy efficiency potential including differences between States.

“(C) MINIMUM PERCENTAGE.—In no case shall the applicable percentages for any calendar year be less than the applicable percentages for calendar year 2030.

“(4) DELAY OF SUBMISSION FOR FIRST REPORTING PERIOD.—

“(A) IN GENERAL.—Notwithstanding paragraphs (1) and (2), for the 2017 reporting period, the Secretary may accept a request from a retail electricity supplier or a retail natural gas supplier to delay the required submission of documentation of all or part of the required savings for up to 2 years.

“(B) PLAN FOR COMPLIANCE.—The request for delay under subparagraph (A) shall include a plan for coming into full compliance by the end of the 2018–2019 reporting period.

“(5) APPLYING UNUSED SAVINGS TO FUTURE YEARS.—If savings achieved in a year exceed the performance standards specified in this subsection, any savings in excess of the performance standards may be applied toward performance standards specified for future years.

“(d) ENFORCEMENT AND JUDICIAL REVIEW.—

“(1) REVIEW OF RETAIL SUPPLIER REPORTS.—

“(A) IN GENERAL.—The Secretary shall review each report submitted to the Secretary by a retail electricity supplier or retail natural gas supplier under subsection (c) to verify that the applicable performance standards under subsection (c) have been met.

“(B) EXCLUSION.—In determining compliance with the applicable performance standards under subsection (c), the Secretary shall exclude reported electricity savings or natural gas savings that are not adequately demonstrated and documented, in accordance with the regulations promulgated under subsections (b) and (c).

“(2) PENALTY FOR FAILURE TO DOCUMENT ADEQUATE SAVINGS.—If a retail electricity supplier or a retail natural gas supplier fails to demonstrate compliance with an applicable performance standard under subsection (c), or to pay to the State an applicable alternative compliance payment under subsection (e)(3), the Secretary shall assess against the retail electricity supplier or retail natural gas supplier a civil penalty for each failure in an amount equal to, as adjusted for inflation in accordance with such regulations as the Secretary may promulgate—

“(A) \$100 per megawatt hour of electricity savings or alternative compliance payment that the retail electricity supplier failed to achieve or make, respectively; or

“(B) \$10 per million Btu of natural gas savings or alternative compliance payment that the retail natural gas supplier failed to achieve or make, respectively.

“(3) OFFSETTING STATE PENALTIES.—The Secretary shall reduce the amount of any penalty under paragraph (2) by the amount paid by the relevant retail electricity supplier or retail natural gas supplier to a State for failure to comply with the requirements of a State energy efficiency resource standard during the same compliance period.

“(4) ENFORCEMENT PROCEDURES.—The Secretary shall assess a civil penalty, as provided under paragraph (2), in accordance with the procedures described in section 333(d) of the Energy Policy and Conservation Act of 1954 (42 U.S.C. 6303).

“(e) STATE ADMINISTRATION.—

“(1) IN GENERAL.—Upon receipt of an application from the Governor of a State (including the Mayor of the District of Columbia), the Secretary may delegate to the State responsibility for administering this section within the territory of the State if the Secretary determines that the State will implement an energy efficiency program that meets or exceeds the requirements of this section.

“(2) SECRETARIAL DETERMINATION.—Not later than 180 days after the date on which a complete application is received by the Secretary, the Secretary shall make a substantive determination approving or disapproving a State application, after public notice and comment.

“(3) ALTERNATIVE COMPLIANCE PAYMENTS.—

“(A) IN GENERAL.—As part of an application submitted under paragraph (1), a State may permit retail electricity suppliers or retail natural gas suppliers to pay to the State, by not later than May 1 of the calendar year immediately following the applicable reporting period, an alternative compliance payment in an amount equal to, as adjusted for inflation in accordance with such regulations as the Secretary may promulgate, not less than—

“(i) \$50 per megawatt hour of electricity savings needed to make up any deficit with

regard to a compliance obligation under the applicable performance standard; or

“(ii) \$5 per million Btu of natural gas savings needed to make up any deficit with regard to a compliance obligation under the applicable performance standard.

“(B) USE OF PAYMENTS.—Alternative compliance payments collected by a State under subparagraph (A) shall be used by the State to administer the delegated authority of the State under this section and to implement cost-effective energy efficiency programs that—

“(i) to the maximum extent practicable, achieve electricity savings and natural gas savings in the State sufficient to make up the deficit associated with the alternative compliance payments; and

“(ii) can be measured and verified in accordance with the applicable procedures and standards under subsection (b)(1)(B).

“(4) REVIEW OF STATE IMPLEMENTATION.—

“(A) PERIODIC REVIEW.—Every 2 years, the Secretary shall review State implementation of this section for conformance with the requirements of this section in approximately ½ of the States that have received approval under this subsection to administer the program, so that each State shall be reviewed at least every 4 years.

“(B) REPORT.—To facilitate the review under subparagraph (A), the Secretary may require the State to submit a report demonstrating the conformance of the State with the requirements of this section.

“(C) DEFICIENCIES.—

“(i) IN GENERAL.—In completing a review under this paragraph, if the Secretary finds deficiencies, the Secretary shall—

“(I) notify the State of the deficiencies;

“(II) direct the State to correct the deficiencies; and

“(III) require the State to report to the Secretary on progress made by not later than 180 days after the date on which the State receives notice under subclause (I).

“(ii) SUBSTANTIAL DEFICIENCIES.—If the deficiencies are substantial, the Secretary shall—

“(I) disallow the reported electricity savings or natural gas savings that the Secretary determines are not credible due to deficiencies;

“(II) re-review the State not later than 2 years after the date on which the original review was completed; and

“(III) if substantial deficiencies remain uncorrected after the review provided for under subclause (II), revoke the authority of the State to administer the program established under this section.

“(f) INFORMATION AND REPORTS.—In accordance with section 13 of the Federal Energy Administration Act of 1974 (15 U.S.C. 772), the Secretary may require any retail electricity supplier, retail natural gas supplier, third-party efficiency provider, or any other entity that the Secretary determines appropriate, to provide any information the Secretary determines appropriate to carry out this section.

“(g) STATE LAW.—Nothing in this section diminishes or qualifies any authority of a State or political subdivision of a State to adopt or enforce any law or regulation respecting electricity savings or natural gas savings, including any law or regulation establishing energy efficiency requirements that are more stringent than those under this section, except that no State law or regulation shall relieve any person of any requirement otherwise applicable under this section.”.

(b) CONFORMING AMENDMENT.—The table of contents of the Public Utility Regulatory

Policies Act of 1978 (16 U.S.C. prec. 2601) is amended by adding at the end of the items relating to title VI the following:

“Sec. 609. Rural and remote communities electrification grants.

“Sec. 610. Federal energy efficiency resource standard for retail electricity and natural gas suppliers.”.

Subtitle F—Short Title

SEC. 1501. SHORT TITLE.

This title may be cited as the “Portman-Shaheen Energy Efficiency Improvement Act of 2016”.

SA 3116. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 314, strike 24 and all that follows through page 315, line 1 and insert the following:

(8) develops plans to support and retrain displaced and unemployed energy sector workers;

(9) provides opportunities for the existing workforce to receive adequate training needed to operate and manage the evolving energy infrastructure of the United States; and

(10) makes a Department priority to provide

On page 321, line 4, insert “, or continue to work,” after “plan to work”.

On page 322, line 8, insert “, or consortia of local governmental agencies,” after “regional consortia”.

SA 3117. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ENERGY CREDIT FOR QUALIFIED OFFSHORE WIND FACILITIES.

(a) IN GENERAL.—Section 48 of the Internal Revenue Code is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)(i)—

(i) in subclause (III), by striking “and” at the end, and

(ii) by adding at the end the following new subclause:

“(V) qualified offshore wind property, and”, and

(B) in paragraph (3)(A)—

(i) in clause (vi), by striking “or” at the end,

(ii) in clause (vii), by adding “or” at the end, and

(iii) by adding at the end the following new clause:

“(viii) qualified offshore wind property, but only with respect to periods ending before January 1, 2026.”.

(2) in subsection (c), by adding at the end the following new paragraph:

“(5) QUALIFIED OFFSHORE WIND PROPERTY.—

“(A) IN GENERAL.—The term ‘qualified offshore wind property’ means an offshore facility using wind to produce electricity.

“(B) OFFSHORE FACILITY.—The term ‘offshore facility’ means any facility located in the inland navigable waters of the United

States, including the Great Lakes, or in the coastal waters of the United States, including the territorial seas of the United States, the exclusive economic zone of United States, and the outer Continental Shelf of the United States.

“(C) EXCEPTION FOR QUALIFIED SMALL WIND ENERGY PROPERTY.—The term ‘qualified offshore wind property’ shall not include any property described in paragraph (4).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 3118. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31. STRATEGIC UNCONVENTIONAL FUELS.

(a) REQUIREMENT.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall fully implement section 369(e) of the Energy Policy Act of 2005 (42 U.S.C. 15927(e)).

(b) EXTENSION.—Section 369(c) of the Energy Policy Act of 2005 (42 U.S.C. 15927(c)) is amended—

(1) by striking “In accordance” and inserting the following:

“(1) IN GENERAL.—In accordance”; and

(2) by adding at the end the following:

“(2) EXTENSION.—At the request of a holder of a lease issued under paragraph (1), the Secretary shall extend, for a period of 10 years, the term of the lease, unless the Secretary demonstrates that the lease holder requesting the extension has committed a substantial violation of the terms of the approved plan of development of the lease holder.”.

SA 3119. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 316, line 15, strike “and” and insert “cybersecurity, and”.

SA 3120. Mr. KING (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Residential Renewable Energy Generation

SEC. 3801. EXISTING ON-SITE GENERATING CUSTOMERS.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) CONSUMER PROTECTIONS FOR ON-SITE GENERATING FACILITIES.—

“(A) STANDARD.—Once an electric consumer has been offered and has accepted net

metering service as described in paragraph (11) from an electric utility, the State regulatory authority with ratemaking authority over the electric utility and the electric utility may not change the rate classification of the consumer unless the State regulatory authority or electric utility, as applicable, demonstrates, in an evidentiary hearing in a general rate case, that the current and future net benefits of the net metered system to the distribution, transmission, and generation systems of the electric utility are less than the full retail rate.

“(B) RESTRICTION.—A State regulatory authority or electric utility may not impose a new or higher rate (such as a new fee or demand charge) on an existing electric consumer taking net metering service as described in paragraph (11) from an electric utility unless the new or higher rate is also charged to all electric consumers in the same rate class of the electric utility.

“(C) EFFECT.—Nothing in this paragraph prevents an electric utility from charging rates to each rate class designed to recover all reasonable costs to the electric utility of providing service to the electric consumers in that class.”.

(b) COMPLIANCE.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

“(7) Before changing the rate classification of, or imposing a new or higher rate on, an existing electric consumer taking net metering service as described in section 111(d)(11), a State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) or a nonregulated electric utility shall, with respect to the standard established by paragraph (20) of section 111(d)—

“(A) conduct a hearing and complete the consideration required under that paragraph; and

“(B) make the determination referred to in section 111 with respect to the standard established by paragraph (20) of section 111(d).”.

SEC. 3802. DISTRIBUTED ENERGY RESOURCES.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) (as amended by section 3801(a)) is amended by adding at the end the following:

“(21) DISTRIBUTED ENERGY RESOURCES.—

“(A) DEFINITION OF DISTRIBUTED ENERGY RESOURCE.—In this paragraph, the term ‘distributed energy resource’ means an electric energy supply resource, technology, or service that—

“(i) is interconnected to the distribution system of an electric utility; and

“(ii) supplies electric energy to the distribution system by generating or storing energy.

“(B) REQUIREMENT.—If a State regulatory authority considers, through a rate proceeding or another mechanism (such as consideration of fixed or minimum charges or any other mechanism described in subparagraph (C)), modifying the treatment of future net energy metering customers, the State regulatory authority shall take into account the considerations in subparagraph (C).

“(C) CONSIDERATIONS.—The considerations referred to in subparagraph (B) include—

“(i) pricing for energy—

“(I) sold to an electric utility; or

“(II) purchased from an electric utility;

“(ii) capacity;

“(iii) the provision of ancillary services;

“(iv) the societal value of distributed energy resources;

“(v) transmission and distribution losses; and

“(vi) any other benefits that the State regulatory authority considers to be appropriate.”.

(b) COMPLIANCE.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) (as amended by section 3801(b)) is amended by adding at the end the following:

“(8) Before considering, through a rate proceeding or other mechanism, modifying the treatment of any future net metering customer, a State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) or a nonregulated electric utility shall, with respect to the standard established by paragraph (21) of section 111(d)—

“(A) conduct a hearing and complete the consideration required under that paragraph; and

“(B) make the determination referred to in section 111 with respect to the standard established by paragraph (21) of section 111(d).”.

SA 3121. Mr. HEINRICH (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 4205. TECHNOLOGY MATURATION GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(2) SMALL BUSINESS CONCERN.—The term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT OF TECHNOLOGY MATURATION GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish the National Laboratory technology maturation program under which the Secretary shall make grants to National Laboratories for the purpose of increasing the successful transfer of technologies licensed from National Laboratories to small business concerns by providing a link between an innovative process or technology and a practical application with potential to be successful in commercial markets.

(2) APPLICATION FOR GRANT FROM THE SECRETARY.—

(A) IN GENERAL.—Each National Laboratory that elects to apply for a grant under paragraph (1) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(B) CONTENTS.—In an application submitted under this paragraph, a National Laboratory shall describe how the National Laboratory will—

(i) manage a technology maturation program;

(ii) encourage small business concerns, with an emphasis on businesses in the region in which the National Laboratory is located, to participate in the technology maturation program;

(iii) select small business concerns and technologies to participate in the technology

maturation program using a selection board (referred to in this subsection as the "selection board") made up of technical and business members, including venture capitalists and investors; and

(iv) measure the results of the program and the return on investment, including—

(I) the number of technologies licensed to small business concerns;

(II) the number of new small business concerns created;

(III) the number of jobs created or retained;

(IV) sales of the licensed technologies; and

(V) any additional external investment attracted by participating small business concerns.

(3) **MAXIMUM GRANT.**—The maximum amount of a grant received by a National Laboratory under paragraph (1) shall be \$5,000,000 for each fiscal year.

(4) **VOUCHERS TO SMALL BUSINESS CONCERNS FROM NATIONAL LABORATORIES.**—

(A) **IN GENERAL.**—A National Laboratory receiving a grant under paragraph (1) shall use the grant funds to provide vouchers to small business concerns that hold a technology license from a National Laboratory to pay the cost of providing assistance from scientists and engineers at the National Laboratory to assist in the development of the licensed technology and further develop related products and services until the products and services are market-ready or sufficiently developed to attract private investment.

(B) **USE OF VOUCHER FUNDS.**—A small business concern receiving a voucher under subparagraph (A) may use the voucher—

(i) to gain access to special equipment or facilities at the National Laboratory that awarded the voucher;

(ii) to partner with the National Laboratory on a commercial prototype; and

(iii) to perform early-stage feasibility or later-stage field testing.

(C) **ELIGIBLE PROJECTS.**—A National Laboratory receiving a grant under paragraph (1) may provide a voucher to small business concerns and partnerships between a small business concern and an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) for projects—

(i) involving—

(I) commercial prototypes;

(II) scale-up and field demonstrations; or

(III) other activities that move the technology closer to successful commercialization; and

(ii) that do not exceed 1 year.

(D) **APPLICATION FOR VOUCHER FROM NATIONAL LABORATORY.**—Each small business concern that holds a technology license from a National Laboratory that elects to apply for a voucher under subparagraph (A) shall submit an application to the selection board at such time, in such manner, and containing such information as the selection board may reasonably require.

(E) **CRITERIA.**—The selection board may award vouchers based on—

(i) the viability of the technology for commercial success;

(ii) a robust commercialization business plan for transition of the technology into a marketplace success;

(iii) a significant opportunity for growth of an existing company;

(iv) access to a strong, experienced business and technical team;

(v) clear, market-driven milestones for the project;

(vi) the potential of the technology to enhance the economy of the region in which the National Laboratory is located;

(vii) availability and source of matching funds for the project, including in-kind contributions; and

(viii) compatibility with the mission of the National Laboratory.

(F) **MAXIMUM VOUCHER.**—The maximum amount of a voucher received by a small business concern under subparagraph (A) shall be \$250,000.

(G) **PROGRESS TRACKING.**—

(i) **IN GENERAL.**—The National Laboratory that awards a voucher to carry out a project under subparagraph (A) shall establish a procedure to monitor interim progress of the project toward commercialization milestones.

(ii) **TERMINATION OF VOUCHER.**—If the National Laboratory determines that a project is not making adequate progress toward commercialization milestones under the procedure established pursuant to clause (i), the project shall not continue to receive funding or assistance under this paragraph.

(C) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Each National Laboratory receiving a grant under subsection (b) shall submit to the Secretary an annual report, at such time and in such manner as the Secretary may reasonably require.

(2) **CONTENTS OF REPORT.**—The report submitted under paragraph (1) shall—

(A) include a list of each recipient of a voucher and the amount of each voucher awarded; and

(B) provide an estimate of the return on investment, including—

(i) the increase in the number of technologies licensed to small business concerns;

(ii) the number of jobs created or retained;

(iii) sales of the licensed technologies; and

(iv) any additional external investment attracted by participating small business concerns.

(d) **FINAL REPORT.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Science, Space, and Technology of the House of Representatives a report on the results of the program established under subsection (b), including—

(1) the return on investment; and

(2) any recommendations for improvements to the program.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2016 through 2020.

SA 3122. Mr. HEINRICH (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

PART V—COMMUNITY SOLAR

SEC. 3021. PROVISION OF INTERCONNECTION SERVICE AND NET BILLING SERVICE FOR COMMUNITY SOLAR FACILITIES.

(a) **IN GENERAL.**—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) **COMMUNITY SOLAR FACILITIES.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **COMMUNITY SOLAR FACILITY.**—The term ‘community solar facility’ means a solar photovoltaic system that—

“(I) allocates electricity to multiple individual electric consumers of an electric utility;

“(II) has a nameplate rating of 2 megawatts or less; and

“(III) is—

“(aa) owned by the electric utility, jointly owned, or third-party-owned;

“(bb) connected to a local distribution facility of the electric utility; and

“(cc) located on or off the property of a consumer of the electricity.

“(ii) **INTERCONNECTION SERVICE.**—The term ‘interconnection service’ means a service provided by an electric utility to an electric consumer, in accordance with the standards described in paragraph (15), through which a community solar facility is connected to an applicable local distribution facility.

“(iii) **NET BILLING SERVICE.**—The term ‘net billing service’ means a service provided by an electric utility to an electric consumer through which electric energy generated for that electric consumer from a community solar facility may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.

“(B) **REQUIREMENT.**—On receipt of a request of an electric consumer served by the electric utility, each electric utility shall make available to the electric consumer interconnection service and net billing service for a community solar facility.”.

(b) **COMPLIANCE.**—

(1) **TIME LIMITATIONS.**—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

“(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has rate-making authority) and each nonregulated utility shall commence consideration under section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

“(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has rate-making authority), and each nonregulated electric utility shall complete the consideration and make the determination under section 111 with respect to the standard established by paragraph (20) of section 111(d).”.

(2) **FAILURE TO COMPLY.**—

(A) **IN GENERAL.**—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended—

(i) by striking “such paragraph (14)” and all that follows through “paragraphs (16)” and inserting “such paragraph (14). In the case of the standard established by paragraph (15) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (15). In the case of the standards established by paragraphs (16)”;

(ii) by adding at the end the following: “In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).”.

(B) **TECHNICAL CORRECTION.**—

(i) IN GENERAL.—Section 1254(b) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 971) is amended by striking paragraph (2).

(ii) TREATMENT.—The amendment made by paragraph (2) of section 1254(b) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 971) (as in effect on the day before the date of enactment of this Act) is void, and section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) shall be in effect as if those amendments had not been enacted.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

“(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

“(1) the State has implemented for the electric utility the standard (or a comparable standard);

“(2) the State regulatory authority for the State or the relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard (or a comparable standard) for the electric utility; or

“(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.”.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policy Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: “In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).”.

SA 3123. Mr. HEINRICH (for himself, Mr. WHITEHOUSE, Mr. UDALL, Ms. WARREN, Mr. FRANKEN, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title III, add the following:

PART V—ENERGY STORAGE

SEC. 3021. ENERGY STORAGE PORTFOLIO STANDARD.

(a) IN GENERAL.—Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.) is amended by adding at the end the following:

“SEC. 610. ENERGY STORAGE PORTFOLIO STANDARD.

“(a) DEFINITIONS.—In this section:

“(1) ENERGY STORAGE DEVICE.—The term ‘energy storage device’ includes a device used to store energy using pumped hydro-power, compressed air, batteries or other electrochemical forms (including hydrogen for fuel cells), thermal forms (including hot water and ice), flywheels, capacitors, superconducting magnets, and other energy storage devices, to be available for use when the energy is needed.

“(2) RETAIL ELECTRIC SUPPLIER.—

“(A) IN GENERAL.—The term ‘retail electric supplier’ means a person that—

“(i) sells electric energy to electric consumers; and

“(ii) sold not less than 500,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

“(B) INCLUSION.—The term ‘retail electric supplier’ includes a person that sells electric energy to electric consumers that, in combination with the sales of any affiliate organized after the date of enactment of this section, sells not less than 500,000 megawatt hours of electric energy to consumers for purposes other than resale.

“(C) EXCLUSIONS.—The term ‘retail electric supplier’ does not include—

“(i) the United States, a State, any political subdivision of a State, or any agency, authority, or instrumentality of the United States, a State, an Indian tribe, or a political subdivision; or

“(ii) a rural electric cooperative.

“(D) SALES TO PARENT COMPANIES OR AFFILIATES.—For purposes of this paragraph, sales by any person to a parent company or to other affiliates of the person shall not be treated as sales to electric consumers.

“(b) REQUIREMENTS.—

“(1) PRIMARY STANDARDS.—Subject to paragraph (2) and except as provided in subsection (e)(2), each retail electric supplier shall achieve compliance with the following energy storage portfolio standards by the following dates:

“(A) JANUARY 1, 2021.—Not later than January 1, 2021, each retail electric supplier shall have available on the system of the retail electric supplier energy storage devices with a power capacity rating equal to not less than 1 percent of the annual average peak power demand of the system, as—

“(i) measured over a 1-hour period; and

“(ii) averaged over the period of calendar years 2017 through 2019.

“(B) JANUARY 1, 2025.—Not later than January 1, 2025, each retail electric supplier shall have available on the system of the retail electric supplier energy storage devices with a power capacity rating equal to not less than 2 percent of the annual average peak power demand of the system, as—

“(i) measured over a 1-hour period; and

“(ii) averaged over the period of calendar years 2021 through 2023.

“(2) SECONDARY STANDARD.—Of each applicable storage capacity required under paragraph (1), at least 50 percent shall be sufficient to provide electricity at the rated capacity for a duration of not less than 1 hour.

“(c) INCLUSIONS.—The following may be used to comply with the energy storage portfolio standards established by subsection (b):

“(1) Energy storage devices associated with a retail customer of the retail electric supplier.

“(2) Energy storage owned or operated by the retail electric supplier.

“(3) Energy storage devices that are electrically connected to the retail electric supplier and available to provide power, including storage owned by—

“(A) a third party;

“(B) a regional transmission entity; or

“(C) a transmission or generation entity.

“(d) EXCLUSION.—An energy storage device placed in operation before January 1, 2009, may not be used to achieve compliance with the energy storage portfolio standards established by subsection (b).

“(e) DEADLINE FOR COMPLIANCE.—

“(1) IN GENERAL.—Subject to paragraph (2), the chief executive officer of each retail electric supplier shall certify to the Secretary compliance with the energy storage portfolio

standards established by subsection (b) by the applicable dates specified in that subsection.

“(2) WAIVERS.—

“(A) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary may provide to a retail electric supplier a waiver of an applicable deadline under subsection (b) for a period of 1 calendar year, if the Secretary determines that achieving compliance by the applicable deadline would present undue hardship to—

“(i) the retail electric supplier; or

“(ii) ratepayers of the retail electric supplier.

“(B) ADDITIONAL WAIVERS.—The Secretary may provide to a retail electric supplier such additional 1-year waivers under subparagraph (A) as the Secretary determines to be appropriate on making a subsequent determination under that subparagraph.”.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. prec. 2601) is amended by adding at the end of the items relating to title VI the following:

“Sec. 609. Rural and remote communities electrification grants.

“Sec. 610. Energy storage portfolio standard.”.

SA 3124. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. SITING OF INTERSTATE ELECTRIC TRANSMISSION FACILITIES.

Section 216 of the Federal Power Act (16 U.S.C. 824p) is amended to read as follows:

“SEC. 216. SITING OF INTERSTATE ELECTRIC TRANSMISSION FACILITIES.

“(a) POLICY.—It is the policy of the United States that the national interstate transmission system should be guided by the goal of maximizing the net benefits of the electricity system, taking into consideration—

“(1) support for the development of new, cleaner power generation capacity, including renewable energy generation located distant from load centers;

“(2) opportunities for reduced emissions from regional power production;

“(3) transmission needs driven by public policy requirements established by State or Federal laws (including regulations);

“(4) cost savings resulting from—

“(A) reduced transmission congestion;

“(B) enhanced opportunities for intra-regional and interregional electricity trades;

“(C) reduced line losses;

“(D) generation resource-sharing; and

“(E) enhanced fuel diversity;

“(5) reliability benefits, including satisfying reliability standards and guidelines for resource adequacy and system security;

“(6) diversification of risk relating to events affecting fuel supply or generating resources in a particular region;

“(7) the enhancement of competition in electricity markets and mitigation of market power;

“(8) the ability to collocate facilities on existing rights-of-way;

“(9) competing land use priorities, including land protected under Federal or State law;

“(10) the requirements of section 217(b)(4); and

“(11) the contribution of demand side management (including energy efficiency and demand response), energy storage, distributed generation resources, and smart grid investments.

“(b) DEFINITIONS.—In this section:

“(1) HIGH-PRIORITY REGIONAL TRANSMISSION PROJECT.—The term ‘high-priority regional transmission project’ means an overhead, submarine, or underground transmission facility, including conductors or cables, towers, manhole duct systems, reactors, capacitors, circuit breakers, static VAR compensators, static synchronous compensators, power converters, transformers, synchronous condensers, braking resistors, and any ancillary facilities and equipment necessary for the proper operation of the facility, that is selected in a regional transmission plan for the purposes of cost allocation under Order Number 1000 of the Commission (or any successor order), including an interregional project selected under that plan.

“(2) INDIAN LAND.—The term ‘Indian land’ means land—

“(A) the title to which is held by the United States in trust for an Indian tribe or individual Indian; or

“(B) that is held by an Indian tribe or individual Indian subject to a restriction by the United States against alienation or encumbrance.

“(3) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation (as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(c) SITING.—

“(1) PURPOSES.—The purpose of this subsection is to ensure that high-priority regional transmission projects are in the public interest and advance the policy established under subsection (a).

“(2) STATE REVIEW OF PROJECT SITING.—

“(A) IN GENERAL.—No developer of a high-priority regional transmission project may seek a certificate for construction under subsection (d) unless the developer first seeks authorization to construct the high-priority regional transmission project under applicable State law concerning authorization and routing of transmission facilities.

“(B) FEDERAL AUTHORITY.—The Commission may authorize, in accordance with subsection (d), construction of a high-priority regional transmission project that the Commission finds to be required by the present or future public convenience and necessity and in accordance with this section if—

“(i) a State—

“(I) fails to approve construction and authorize routing of a high-priority regional transmission project not later than 1 year after the date the applicant submits a completed application for authorization to the State;

“(II) rejects or denies the application for a high-priority regional transmission project;

“(III) authorizes the high-priority regional transmission project subject to conditions that unreasonably interfere with the development of a high-priority regional transmission project contrary to the purposes of this section; or

“(IV) does not have authority to approve the siting of the high-priority regional transmission project; or

“(ii) the developer seeking a certificate for construction under subsection (d) does not

qualify to apply for State authorization to construct a high-priority regional transmission project because the developer does not serve end-users in the State.

“(d) CONSTRUCTION.—

“(1) APPLICATION FOR CERTIFICATE.—

“(A) IN GENERAL.—An applicant for a high-priority regional transmission project may apply to the Commission for a certificate of public convenience and necessity with respect to construction of the high-priority regional transmission project only under a circumstance described in subsection (c)(2)(B).

“(B) FORM.—The application for a certificate shall be made in writing in such form and containing such information as the Commission may by regulation require.

“(C) HEARING.—On receipt of an application under this paragraph, the Commission—

“(i) shall provide public notice and opportunity for hearing; and

“(ii) may approve (with or without conditions) or disapprove the application, in accordance with paragraph (2).

“(D) ADMINISTRATION.—

“(i) IN GENERAL.—The Commission shall act as the lead agency for purposes of coordinating all applicable Federal authorizations and related environmental reviews for a high-priority regional transmission project under this section.

“(ii) COORDINATION.—To the maximum extent practicable, the Commission shall—

“(I) coordinate the Federal authorization and related environmental review process with any Indian tribe, multistate entity, or State agency responsible for conducting any separate permitting or environmental review of a high-priority regional transmission project; and

“(II) ensure timely and efficient review and permit decisions.

“(iii) TIMELINE.—The Commission, in consultation with the applicable agencies described in clause (ii)(I) and consistent with applicable law, shall establish a coordinated project plan with milestones for all Federal authorizations described in clause (i).

“(2) GRANT OF CERTIFICATE.—

“(A) IN GENERAL.—A certificate shall be issued to a qualified applicant for a certificate authorizing the whole or partial operation, construction, acquisition, or modification covered by the application, if the Commission determines that the proposed operation, construction, acquisition, or modification, to the extent authorized by the certificate, is required by the present or future public convenience and necessity.

“(B) TERMS AND CONDITIONS.—The Commission shall have the power to attach to the issuance of a certificate under this paragraph and to the exercise of the rights granted under the certificate such reasonable terms and conditions as the public convenience and necessity may require.

“(C) RECORD OF STATE PROCEEDING.—Any party, including the State, to a State proceeding in which an application for a high-priority regional transmission project was rejected or denied may file with the Commission for its consideration any portion of the record of the State proceeding.

“(D) PUBLIC CONVENIENCE AND NECESSITY.—In making a determination with respect to public convenience and necessity, the Commission shall consider whether the facilities covered by an application are included in an Interconnection-wide transmission grid plan for a high-priority regional transmission project.

“(3) RIGHT OF EMINENT DOMAIN.—If any holder of a certificate issued under paragraph (2) cannot acquire by contract, or is

unable to agree with the owner of property on the compensation to be paid for, the necessary right-of-way to construct, operate, and maintain the high-priority regional transmission project to which the certificate relates, and the necessary land or other property necessary to the proper operation of the high-priority regional transmission project, the holder may acquire the right-of-way by the exercise of the right of eminent domain in—

“(A) the United States district court for the district in which the property is located; or

“(B) a State court.

“(4) FEDERAL, STATE AND TRIBAL RECOMMENDATIONS.—In granting a certificate under paragraph (2), the Commission shall—

“(A) seek from Federal resource agencies, State regulatory agencies, and affected Indian tribes recommended mitigation measures, based on habitat protection, environmental considerations, or cultural site protection; and

“(B)(i) incorporate those identified mitigation measures as conditions to the certificate; or

“(ii) if the Commission determines that a recommended mitigation measure is inconsistent with the purposes of this section or with other applicable provisions of law, is infeasible or not cost-effective, or for any other reason—

“(I) consult with the Federal resource agency, State regulatory agency, and affected Indian tribe to seek to resolve the issue;

“(II) incorporate as conditions to the certificate such recommended mitigation measures as are determined to be appropriate by the Commission, based on those consultations and the record before the Commission; and

“(III) if, after consultation, the Commission does not adopt in whole or in part a recommendation of an agency or affected Indian tribe, publish a statement of a finding that the adoption of the recommendation is infeasible, not cost-effective, or otherwise inconsistent with this section or other applicable provisions of law.

“(5) STATE OR LOCAL AUTHORIZATIONS.—An applicant receiving a certificate under this subsection with respect to construction or modification of a high-priority regional transmission project in a State shall not be required to obtain a separate siting authorization from the State or any local authority within the State.

“(6) RIGHTS-OF-WAY OVER INDIAN LAND.—Notwithstanding paragraph (3), in the case of siting, construction, operation, and maintenance of a transmission facility to be located on or over Indian land, a certificate holder under this section shall comply with the requirements of Federal law for obtaining rights-of-way on or over Indian land.

“(e) RELATIONSHIP TO OTHER LAWS.—

“(1) IN GENERAL.—Except as specifically provided in this section, nothing in this section affects any requirement of an environmental or historic preservation law of the United States, including—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) the Wilderness Act (16 U.S.C. 1131 et seq.); or

“(C) the National Historic Preservation Act (16 U.S.C. 470 et seq.).

“(2) STATE LAW.—Nothing in this section precludes any person from constructing or modifying any transmission facility in accordance with State law.

“(f) APPLICABILITY.—

“(1) PROJECT DEVELOPERS.—Nothing in this section precludes the development, subject to applicable regulatory requirements, of transmission projects that are not selected in a regional transmission plan.

“(2) EXCLUSIONS.—This section does not apply in the State of Alaska or Hawaii or to the Electric Reliability Council of Texas.”.

SA 3125. Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. DURBIN, Mr. SANDERS, Mrs. SHAHEEN, Ms. BALDWIN, Mr. LEAHY, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CAMPAIGN FINANCE DISCLOSURES BY FOSSIL FUEL BENEFICIARIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

“(j) DISCLOSURE BY FOSSIL FUEL BENEFICIARIES.—

“(1) IN GENERAL.—

“(A) INITIAL DISCLOSURE.—Every covered entity which has made covered disbursements and received covered transfers in an aggregate amount in excess of \$10,000 during the period beginning on January 1, 2014, and ending on the date that is 165 days after the date of the enactment of this subsection shall file with the Commission a statement containing the information described in paragraph (2) not later than the date that is 180 days after the date of the enactment of this subsection.

“(B) SUBSEQUENT DISCLOSURES.—Every covered entity which makes covered disbursements (other than covered disbursement reported under subparagraph (A)) and received covered transfers (other than a covered transfer reported under subparagraph (A)) in an aggregate amount in excess of \$10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

“(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

“(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

“(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

“(C) The amount of each disbursement or transfer of more than \$200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

“(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

“(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who

are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to that account during—

“(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

“(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

“(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to the person making the disbursement during—

“(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

“(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

“(3) COVERED ENTITY.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘covered entity’ means—

“(i) any person who is described in subparagraph (B), and

“(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

“(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person has received revenues or stands to receive revenues of \$1,000,000 or greater from fossil fuel activities.

“(C) FOSSIL FUEL ACTIVITIES.—For purposes of this paragraph, the term ‘fossil fuel activities’ includes the extraction, production, refining, transportation, or combustion of oil, natural gas, or coal.

“(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term ‘covered disbursement’ means a disbursement for any of the following:

“(A) An independent expenditure.

“(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

“(i) refers to a clearly identified candidate for Federal office;

“(ii) is made—

“(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

“(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a po-

litical party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

“(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

“(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

“(5) COVERED TRANSFER.—For purposes of this subsection, the term ‘covered transfer’ means any amount received by a covered entity for the purposes of making a covered disbursement.

“(6) DISCLOSURE DATE.—For purposes of this subsection, the term ‘disclosure date’ means—

“(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of \$10,000; and

“(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of \$10,000 since the most recent disclosure date for such calendar year.

“(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.”.

SA 3126. Mr. LEE (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44 ____ . MODIFICATION OF AUTHORITY TO DECLARE NATIONAL MONUMENTS.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) EFFECTIVE DATE.—A proclamation or reservation issued after the date of enactment of this subsection under subsection (a) or (b) shall expire 3 years after proclaimed or reserved unless specifically approved by—

“(1) a Federal law enacted after the date of the proclamation or reservation; and

“(2) a State law, for each State where the land covered by the proclamation or reservation is located, enacted after the date of the proclamation or reservation.”.

SA 3127. Mr. LEE (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 424, strike lines 11 through 18.

SA 3128. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and

for other purposes; which was ordered to lie on the table; as follows:

On page 340, beginning on line 10, strike “Interior pursuant to” and all that follows through “agencies” on line 11 and insert “Interior and the Corps of Engineers pursuant to an agreement between the 3 agencies”.

Beginning on page 340, strike line 18 and all that follows through page 341, line 3, and insert the following:

(1) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary, the Secretary of the Interior, and the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works, shall establish the joint NEWS Office and Interagency Coordination Committee on the Nexus of Energy and Water for Sustainability (or the “NEWS Committee”) to carry out the duties described in paragraph (3).

(2) **ADMINISTRATION.**—

(A) **CHAIRS.**—The Secretary, the Secretary of the Interior, and the Assistant Secretary of the Army for Civil Works shall jointly manage the

On page 344, line 12, strike “5-” and insert “4-”.

On page 345, after line 25, add the following:

(d) **SUNSET.**—This section terminates on the date that is 5 years after the date on which the NEWS Committee is established.

SA 3129. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

Part B of the Safe Drinking Water Act (42 U.S.C. 300g et seq.) is amended by adding at the end the following:

“SEC. 1420A. LEAD PREVENTION GRANT PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **CITY.**—The term ‘City’ means the City of Flint, Michigan.

“(2) **STATE.**—The term ‘State’ means the State of Michigan.

“(b) **GRANT PROGRAM.**—

“(1) **ESTABLISHMENT.**—Using funds made available under section 4805(a) of the Energy Policy Modernization Act of 2016, the Administrator shall make grants to the State and the City for use in accordance with this subsection.

“(2) **USE OF FUNDS.**—The use of funds from a grant made under this subsection shall be—

“(A) determined by the Administrator, in consultation with the State and the City; and

“(B) used only for an activity authorized under paragraph (3).

“(3) **AUTHORIZED ACTIVITIES.**—

“(A) **IN GENERAL.**—The Administrator may authorize the use by the State or the City of funds from a grant under this subsection to carry out any activity that the Administrator determines is necessary to ensure that the drinking water supply of the City does not contain—

“(i) lead levels that threaten public health or the environment; or

“(ii) lead, other drinking water contaminants, and pathogens that pose a threat to public health.

“(B) **INCLUSIONS.**—Authorized activities under subparagraph (A) may include—

“(i) testing, evaluation, and sampling of water supplies and public and private water service lines in the water distribution system of the City;

“(ii) repairs and upgrades to water treatment facilities that serve the City;

“(iii) optimization of corrosion control treatment of the public and private water service lines in the water distribution system of the City;

“(iv) repairs to water mains and replacement of public and private water service lines in the water distribution system of the City; and

“(v) modification or construction of new pipelines and treatment system startup evaluations needed to ensure optimal treatment of water from the Karegnondi Water Authority before and after the transition to this new source.

“(4) **MATCHING REQUIREMENT.**—As a condition of the State or the City receiving a grant under this subsection, the Administrator shall require the State to provide funds from non-Federal sources in an amount that is at least equal to the amount provided by the Federal Government.

“(c) **ADMINISTRATION.**—The Administrator may use funds made available under section 4805(a) of the Energy Policy Modernization Act of 2016—

“(1) for the costs of technical assistance provided by the Environmental Protection Agency or by contractors of the Environmental Protection Agency; and

“(2) for administrative activities in support of authorized activities.

“(d) **REPORT.**—Not later than 45 days after the first day of each of fiscal years 2017, 2018, 2019, 2020, and 2021, the Administrator shall submit to the Committee on Appropriations of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the actions taken to carry out the purposes of the grant program, as described in subsection (b)(3).

“(e) **SUNSET.**—The authority provided by this section terminates on March 1, 2021.”.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, that in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means the City of Flint, Michigan.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means the State of Michigan.

(b) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act,

the Secretary shall, by contract, grant, or cooperative agreement, establish in the City a center to be known as the "Center of Excellence on Lead Exposure".

(c) **COLLABORATION.**—The Center shall collaborate with research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, public health agencies of Genesee County in the State, and the State in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) **APPLICATION OF FACAs.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Conduct research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Develop lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Conduct education and outreach efforts for the City, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct regular meetings in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) **REPORT.**—Biannually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or with the Center; and

(3) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

SEC. 4805. FUNDING.

(a) **LEAD PREVENTION GRANT PROGRAM.**—

(1) **IN GENERAL.**—Not later than 5 days after the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Environmental Protection Agency to carry out section 1420A of the Safe Drinking Water Act (as added by section 4801) \$400,000,000, to remain available until March 1, 2021.

(2) **RECEIPT AND ACCEPTANCE.**—The Administrator of the Environmental Protection Agency shall be entitled to receive, shall accept, and shall use to carry out section 1420A of the Safe Drinking Water Act (as added by section 4801) the funds transferred under paragraph (1), without further appropriation.

(3) **REVERSION OF FUNDS.**—Any funds transferred under paragraph (1) that are unexpended or unobligated as of March 1, 2021, shall revert to the general fund of the Treasury.

(b) **CENTER OF EXCELLENCE ON LEAD EXPOSURE.**—

(1) **IN GENERAL.**—On October 1, 2016, and on each October 1 thereafter through October 1, 2025, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Health and Human Services to carry out section 4804 \$20,000,000, to remain available until expended.

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary of Health and Human Services shall be entitled to receive, shall accept, and shall use to carry out section 4804 the funds transferred under paragraph (1), without further appropriation.

SEC. 4806. EMERGENCY DESIGNATION.

(a) **IN GENERAL.**—This subtitle and the amendments made by this subtitle are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) **DESIGNATION IN SENATE.**—In the Senate, this subtitle and the amendments made by this subtitle are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 3130. Mr. WARNER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of

the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ENERGY PRODUCTIVITY INNOVATION CHALLENGE.

(a) **PURPOSE.**—The purpose of this section is to assist energy policy innovation in the States to promote the goal of doubling electric and thermal energy productivity by January 1, 2030.

(b) **DEFINITIONS.**—In this section:

(1) **ENERGY PRODUCTIVITY.**—The term "energy productivity" means, in the case of a State or Indian tribe, the gross State or tribal product per British thermal unit of energy consumed in the State or tribal land of the Indian tribe, respectively.

(2) **INDIAN TRIBE.**—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) **SECRETARY.**—The term "Secretary" means the Secretary of Energy.

(4) **STATE.**—The term "State" has the meaning given the term in section 3 of the Energy Policy and Conservation Act (42 U.S.C. 6202).

(c) **PHASE 1: INITIAL ALLOCATION OF GRANTS TO STATES.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue an invitation to States to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this subsection.

(2) **GRANTS.**—

(A) **IN GENERAL.**—Subject to subsection (f), the Secretary shall use funds made available under subsection (g)(2)(A) to provide an initial allocation of grants to not more than 25 States.

(B) **AMOUNT.**—The amount of a grant provided to a State under this subsection shall be not less than \$500,000 nor more than \$1,750,000.

(3) **SUBMISSION OF PLANS.**—To receive a grant under this subsection, not later than 90 days after the date of issuance of the invitation under paragraph (1), a State (in consultation with energy utilities, regulatory bodies, and others) shall submit to the Secretary an application to receive the grant by submitting a revised State energy conservation plan under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

(4) **DECISION BY SECRETARY.**—

(A) **BASIS.**—The Secretary shall base the decision of the Secretary on an application submitted under this subsection on—

(i) plans for improvement in electric and thermal energy productivity consistent with this section; and

(ii) other factors determined appropriate by the Secretary, including geographic diversity.

(B) **RANKING.**—The Secretary shall—

(i) rank revised plans submitted under this subsection in order of the greatest to least likely contribution to improving energy productivity in the State; and

(ii) provide grants under this subsection in accordance with the ranking and the scale and scope of a plan.

(5) **PLAN REQUIREMENTS.**—A plan submitted under paragraph (3) shall provide—

(A) a description of the manner in which—

(i) energy savings will be monitored and verified and energy productivity improvements will be calculated using inflation-adjusted dollars;

(ii) a statewide baseline of energy use and potential resources for calendar year 2010

will be established to measure improvements;

(iii) the plan will promote achievement of energy savings and demand reduction goals;

(iv) public and private sector investments in energy efficiency will be leveraged with available Federal funding; and

(v) the plan will not cause cost-shifting among utility customer classes or negatively impact low-income populations; and

(B) an assurance that—

(i) the State energy office required to submit the plan, the energy utilities in the State participating in the plan, and the State public service commission are cooperating and coordinating programs and activities under this section;

(ii) the State is cooperating with local units of government, Indian tribes, and energy utilities to expand programs as appropriate; and

(iii) grants provided under this section will be used to supplement and not supplant Federal, State, or ratepayer-funded programs or activities in existence on the date of enactment of this Act.

(6) USES.—A State may use grants provided under this subsection to promote—

(A) the expansion of policies and programs that will advance industrial energy efficiency, waste heat recovery, combined heat and power, and waste heat-to-power utilization;

(B) the expansion of policies and programs that will advance energy efficiency construction and retrofits for public and private commercial buildings (including schools, hospitals, and residential buildings, including multifamily buildings) such as through expanded energy service performance contracts, equivalent utility energy service contracts, zero net-energy buildings, and improved building energy efficiency codes;

(C) the expansion of residential policies and programs designed to implement best practice policies and tools for residential retrofit programs that—

(i) reduce administrative and delivery costs for energy efficiency projects;

(ii) encourage streamlining and automation to support contractor engagement; and

(iii) implement systems that encourage private investment and market innovation;

(D) the establishment or expansion of incentives in the electric utility sector to enhance demand response and energy efficiency, including consideration of additional incentives to promote the purposes of section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)), such as appropriate, cost-effective policies regarding rate structures, grid improvements, behavior change, combined heat and power and waste heat-to-power incentives, financing of energy efficiency programs, data use incentives, district heating, and regular energy audits; and

(E) leadership by example, in which State activities involving both facilities and vehicle fleets can be a model for other action to promote energy efficiency and can be expanded with Federal grants provided under this section.

(d) PHASE 2: SUBSEQUENT ALLOCATION OF GRANTS TO STATES.—

(1) REPORTS.—Not later than 18 months after the receipt of grants under subsection (c), each State (in consultation with other parties described in paragraph (2)(C)(vi)) that received grants under subsection (c) may submit to the Secretary a report that describes—

(A) the performance of the programs and activities carried out with the grants; and

(B) in consultation with other parties described in paragraph (2)(C)(vi), the manner in which additional funds would be used to carry out programs and activities to promote the purposes of this section.

(2) GRANTS.—

(A) IN GENERAL.—Not later than 180 days after the date of the receipt of the reports required under paragraph (1), subject to subsection (f), the Secretary shall use amounts made available under subsection (g)(2)(B) to provide grants to not more than 6 States to carry out the programs and activities described in paragraph (1)(B).

(B) AMOUNT.—The amount of a grant provided to a State under this subsection shall be not more than \$15,000,000.

(C) BASIS.—The Secretary shall base the decision of the Secretary to provide grants under this subsection on—

(i) the performance of the State in the programs and activities carried out with grants provided under subsection (c);

(ii) the potential of the programs and activities described in paragraph (1)(B) to achieve the purposes of this section;

(iii) the desirability of maintaining a total project portfolio that is geographically and functionally diverse;

(iv) the amount of non-Federal funds that are leveraged as a result of the grants to ensure that Federal dollars are leveraged effectively;

(v) plans for continuation of the improvements after the receipt of grants under this section; and

(vi) demonstrated effort by the State to involve diverse groups, including—

(I) investor-owned, cooperative, and public power utilities;

(II) local governments; and

(III) nonprofit organizations.

(e) ALLOCATION OF GRANTS TO INDIAN TRIBES.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall invite Indian tribes to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this subsection.

(2) SUBMISSION OF PLANS.—To receive a grant under this subsection, not later than 90 days after the date of issuance of the invitation under paragraph (1), an Indian tribe shall submit to the Secretary a plan to increase electric and thermal energy productivity by the Indian tribe.

(3) DECISION BY SECRETARY.—

(A) IN GENERAL.—Not later than 90 days after the submission of plans under paragraph (2), the Secretary shall make a final decision on the allocation of grants under this subsection.

(B) BASIS.—The Secretary shall base the decision of the Secretary under subparagraph (A) on—

(i) plans for improvement in electric and thermal energy productivity consistent with this section;

(ii) plans for continuation of the improvements after the receipt of grants under this section; and

(iii) other factors determined appropriate by the Secretary, including—

(I) geographic diversity; and

(II) size differences among Indian tribes.

(C) LIMITATION.—An individual Indian tribe shall not receive more than 20 percent of the total amount available to carry out this subsection.

(f) ADMINISTRATION.—

(1) INDEPENDENT EVALUATION.—To evaluate program performance and effectiveness under this section, the Secretary shall con-

sult with the National Research Council regarding requirements for data and evaluation for recipients of grants under this section.

(2) COORDINATION WITH STATE ENERGY CONSERVATION PROGRAMS.—

(A) IN GENERAL.—Grants to States under this section shall be provided through additional funding to carry out State energy conservation programs under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(B) RELATIONSHIP TO STATE ENERGY CONSERVATION PROGRAMS.—

(i) IN GENERAL.—A grant provided to a State under this section shall be used to supplement (and not supplant) funds provided to the State under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(ii) MINIMUM FUNDING.—A grant shall not be provided to a State for a fiscal year under this section if the amount of funding provided to all State grantees under the base formula for the fiscal year under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is less than \$50,000,000.

(3) VOLUNTARY PARTICIPATION.—The participation of a State in a challenge established under this section shall be voluntary.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$100,000,000 for the period of fiscal years 2017 and 2018.

(2) ALLOCATION.—Of the total amount of funds made available under paragraph (1)—

(A) 30 percent shall be used to provide an initial allocation of grants to States under subsection (c);

(B) 61 percent shall be used to provide a subsequent allocation of grants to States under subsection (d);

(C) 4 percent shall be used to make grants to Indian tribes under subsection (e); and

(D) 5 percent shall be available to the Secretary for the cost of administration and technical support to carry out this section.

(h) OFFSET.—Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon at the end; and

(2) by striking paragraph (4) and inserting the following:

“(4) \$200,000,000 for each of fiscal years 2013 through 2016;

“(5) \$150,000,000 for each of fiscal years 2017 and 2018; and

“(6) \$200,000,000 for fiscal year 2019.”.

SA 3131. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1306, add the following:

(h) SECONDARY USE APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall carry out a research, development, and demonstration program that—

(A) builds on any work carried out under section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195);

(B) identifies possible uses of a vehicle battery after the useful life of the battery in a vehicle has been exhausted;

(C) conducts long-term testing to verify performance and degradation predictions and lifetime valuations for secondary uses;

(D) evaluates innovative approaches to recycling materials from plug-in electric drive vehicles and the batteries used in plug-in electric drive vehicles;

(E)(i) assesses the potential for markets for uses described in subparagraph (B) to develop; and

(ii) identifies any barriers to the development of those markets; and

(F) identifies the potential uses of a vehicle battery—

(i) with the most promise for market development; and

(ii) for which market development would be aided by a demonstration project.

(2) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an initial report on the findings of the program described in paragraph (1), including recommendations for stationary energy storage and other potential applications for batteries used in plug-in electric drive vehicles.

(3) **SECONDARY USE DEMONSTRATION.**—

(A) **IN GENERAL.**—Based on the results of the program described in paragraph (1), the Secretary shall develop guidelines for projects that demonstrate the secondary uses and innovative recycling of vehicle batteries.

(B) **PUBLICATION OF GUIDELINES.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(i) publish the guidelines described in subparagraph (A); and

(ii) solicit applications for funding for demonstration projects.

(C) **PILOT DEMONSTRATION PROGRAM.**—Not later than 21 months after the date of enactment of this Act, the Secretary shall select proposals for grant funding under this section, based on an assessment of which proposals are mostly likely to contribute to the development of a secondary market for batteries.

SA 3132. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 10 . PERMANENT EXTENSION AND MODIFICATION OF DEDUCTION FOR ENERGY-EFFICIENT COMMERCIAL BUILDINGS.

(a) **EXTENSION AND MODIFICATION.**—

(1) **EXTENSION.**—Section 179D of the Internal Revenue Code of 1986 is amended by striking subsection (h).

(2) **INCLUSION OF MULTIFAMILY BUILDINGS.**—

(A) **IN GENERAL.**—Subparagraph (B) of section 179D(c)(1) of such Code is amended by striking “building” and inserting “commercial building or multifamily building”.

(B) **DEFINITIONS.**—Subsection (c) of section 179D of such Code is amended by adding at the end the following new paragraphs:

“(3) **COMMERCIAL BUILDING.**—The term ‘commercial building’ means a building with a primary use or purpose other than as residential housing.

“(4) **MULTIFAMILY BUILDING.**—The term ‘multifamily building’ means a structure of 5 or more dwelling units with a primary use as

residential housing, and includes such buildings owned and operated as a condominium, cooperative, or other common interest community.”.

(b) **INCREASE IN MAXIMUM AMOUNT OF DEDUCTION.**—

(1) **IN GENERAL.**—Subparagraph (A) of section 179D(b)(1) of the Internal Revenue Code of 1986 is amended by striking “\$1.80” and inserting “\$3.00”.

(2) **PARTIAL ALLOWANCE.**—Paragraph (1) of section 179D(d) of such Code is amended to read as follows:

“(1) **PARTIAL ALLOWANCE.**—

“(A) **IN GENERAL.**—Except as provided in subsection (f), if—

“(i) the requirement of subsection (c)(1)(D) is not met, but

“(ii) there is a certification in accordance with paragraph (6) that—

“(I) any system referred to in subsection (c)(1)(C) satisfies the energy-savings targets established by the Secretary under subparagraph (B) with respect to such system, or

“(II) the systems referred to in subsection (c)(1)(C)(ii) and subsection (c)(1)(C)(iii) together satisfy the energy-savings targets established by the Secretary under subparagraph (B) with respect to such systems, then the requirement of subsection (c)(1)(D) shall be treated as met with respect to such system or systems, and the deduction under subsection (a) shall be allowed with respect to energy-efficient commercial building property installed as part of such system and as part of a plan to meet such targets, except that subsection (b) shall be applied to such property described in clause (ii)(I) by substituting ‘\$1.00’ for ‘\$3.00’ and to such property described in clause (ii)(II) by substituting ‘\$2.20’ for ‘\$3.00’.

“(B) **REGULATIONS.**—

“(i) **IN GENERAL.**—The Secretary, after consultation with the Secretary of Energy, shall promulgate regulations establishing a target for each system described in subsection (c)(1)(C) which, if such targets were met for all such systems, the property would meet the requirements of subsection (c)(1)(D).

“(ii) **SAFE HARBOR FOR COMBINED SYSTEMS.**—The Secretary, after consultation with the Secretary of Energy, and not later than 6 months after the date of the enactment of the Energy Policy Modernization Act of 2015, shall promulgate regulations regarding combined envelope and mechanical system performance that detail appropriate components, efficiency levels, or other relevant information for the systems referred to in subsection (c)(1)(C)(ii) and subsection (c)(1)(C)(iii) together to be deemed to have achieved two-thirds of the requirements of subsection (c)(1)(D).”.

(c) **DENIAL OF DOUBLE BENEFIT RULES.**—

(1) **IN GENERAL.**—Section 179D of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(h) **TAX INCENTIVES NOT AVAILABLE.**—Energy-efficient measures for which a deduction is allowed under this section shall not be eligible for a deduction under section 179F.”.

(2) **LOW-INCOME HOUSING EXCEPTION TO BASIS REDUCTION.**—Subsection (e) of section 179D of such Code is amended by inserting “(other than property placed in service in a qualified low-income building (within the meaning of section 42))” after “building property”.

(d) **ALLOCATION OF DEDUCTION.**—Paragraph (4) of section 179D(d) of the Internal Revenue Code of 1986 is amended to read as follows:

“(4) **ALLOCATION OF DEDUCTION.**—

“(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of the En-

ergy Policy Modernization Act of 2015, the Secretary, in consultation with the Secretary of Energy, shall promulgate a regulation to allow the owner of a commercial or multifamily building, including a government, tribal, or non-profit owner, to allocate any deduction allowed under this section, or a portion thereof, to the person primarily responsible for designing the property in lieu of the owner or to a commercial tenant that leases or otherwise occupies space in such building pursuant to a written agreement. Such person shall be treated as the taxpayer for purposes of this section.

“(B) **FORM OF ALLOCATION.**—An allocation made under this paragraph shall be in writing and in a form that meets the form of allocation requirements in Notice 2008-40 of the Internal Revenue Service.

“(C) **PROVISION OF ALLOCATION.**—Not later than 30 days after receipt of a written request from a person eligible to receive an allocation under this paragraph, the owner of a building that makes an allocation under this paragraph shall provide the form of allocation (as described in subparagraph (B)) to such person.

“(D) **ALLOCATION FROM PUBLIC OWNER OF BUILDING.**—In the case of a commercial building or multifamily building that is owned by a Federal, State, or local government or a subdivision thereof, Notice 2006-52 of the Internal Revenue Service, as amplified by Notice 2008-40, shall apply to any allocation.”.

(e) **TREATMENT OF BASIS IN CONTEXT OF ALLOCATION.**—Subsection (e) of section 179D of the Internal Revenue Code of 1986, as amended by subsection (c)(2), is amended by inserting “or so allocated” after “so allowed”.

(f) **EARNINGS AND PROFITS CONFORMITY FOR REAL ESTATE INVESTMENT TRUSTS.**—Subparagraph (B) of section 312(k)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking “—For purposes of” and inserting “—

“(i) **IN GENERAL.**—Except as provided in clause (ii), for purposes of”, and

(2) by adding at the end the following new clause:

“(ii) **EARNINGS AND PROFITS CONFORMITY FOR REAL ESTATE INVESTMENT TRUSTS.**—

“(I) **IN GENERAL.**—For purposes of computing the earnings and profits of a real estate investment trust (other than a captive real estate investment trust), the entire amount deductible under section 179D shall be allowed as deductions in the taxable years for which such amounts are claimed under such section.

“(II) **CAPTIVE REAL ESTATE INVESTMENT TRUST.**—The term ‘captive real estate investment trust’ means a real estate investment trust the shares or beneficial interests of which are not regularly traded on an established securities market and more than 50 percent of the voting power or value of the beneficial interests or shares of which are owned or controlled, directly or indirectly, or constructively, by a single entity that is treated as an association taxable as a corporation under this title and is not exempt from taxation pursuant to the provisions of section 501(a).

“(III) **RULES OF APPLICATION.**—For purposes of this clause, the constructive ownership rules of section 318(a), as modified by section 856(d)(5), shall apply in determining the ownership of stock, assets, or net profits of any person, and the following entities are not considered an association taxable as a corporation:

“(aa) Any real estate investment trust other than a captive real estate investment trust.

“(bb) Any qualified real estate investment trust subsidiary under section 856, other than a qualified REIT subsidiary of a captive real estate investment trust.

“(cc) Any Listed Australian Property Trust (meaning an Australian unit trust registered as a ‘Managed Investment Scheme’ under the Australian Corporations Act in which the principal class of units is listed on a recognized stock exchange in Australia and is regularly traded on an established securities market), or an entity organized as a trust, provided that a Listed Australian Property Trust owns or controls, directly or indirectly, 75 percent or more of the voting power or value of the beneficial interests or shares of such trust.

“(dd) Any corporation, trust, association, or partnership organized outside the laws of the United States and which satisfies the criteria described in subclause (IV).

“(IV) CRITERIA.—The criteria described in this subclause are as follows:

“(aa) At least 75 percent of the entity’s total asset value at the close of its taxable year is represented by real estate assets (as defined in section 856(c)(5)(B)), cash and cash equivalents, and United States Government securities.

“(bb) The entity is not subject to tax on amounts distributed to its beneficial owners, or is exempt from entity-level taxation.

“(cc) The entity distributes at least 85 percent of its taxable income (as computed in the jurisdiction in which it is organized) to the holders of its shares or certificates of beneficial interest on an annual basis.

“(dd) Not more than 10 percent of the voting power or value in such entity is held directly or indirectly or constructively by a single entity or individual, or the shares or beneficial interests of such entity are regularly traded on an established securities market.

“(ee) The entity is organized in a country which has a tax treaty with the United States.”.

(g) RULES FOR LIGHTING SYSTEMS.—Subsection (f) of section 179D of the Internal Revenue Code of 1986 is amended to read as follows:

“(f) RULES FOR LIGHTING SYSTEMS.—

“(1) IN GENERAL.—With respect to property that is part of a lighting system, the deduction allowed under subsection (a) shall be equal to—

“(A) for a lighting system that includes installation of a lighting control described in paragraph (2)(A), the applicable amount determined under paragraph (3)(A),

“(B) for a lighting system that includes installation of a lighting control described in paragraph (2)(B), the applicable amount determined under paragraph (3)(B), or

“(C) for a lighting system that does not include installation of any lighting controls described in subparagraph (A) or (B) of paragraph (2), the applicable amount determined under paragraph (3)(C).

“(2) ENERGY SAVING CONTROLS.—

“(A) LIGHTING CONTROLS IN CERTAIN SPACES.—For purposes of paragraph (1)(A), the lighting controls described in this subparagraph are the following:

“(i) Occupancy sensors (as described in paragraph (4)(I)) in spaces not greater than 800 square feet.

“(ii) Bi-level controls (as described in paragraph (4)(A)).

“(iii) Continuous or step dimming controls (as described in subparagraphs (B) and (K) of paragraph (4)).

“(iv) Daylight dimming where sufficient daylight is available (as described in paragraph (4)(C)).

“(v) A multi-scene controller (as described in paragraph (4)(H)).

“(vi) Time scheduling controls (as described in paragraph (4)(L)), provided that such controls are not required by Standard 90.1-2010.

“(vii) Such other lighting controls as the Secretary, in consultation with the Secretary of Energy, determines appropriate.

“(B) OTHER CONTROL TYPES.—For purposes of paragraph (1)(B), the lighting controls described in this subparagraph are the following:

“(i) Occupancy sensors (as described in paragraph (4)(I)) in spaces greater than 800 square feet.

“(ii) Demand responsive controls (as described in paragraph (4)(D)).

“(iii) Lumen maintenance controls (as described in paragraph (4)(F)) where solid state lighting is used.

“(iv) Such other lighting controls as the Secretary, in consultation with the Secretary of Energy, determines appropriate.

“(3) APPLICABLE AMOUNT.—

“(A) LIGHTING CONTROLS IN CERTAIN SPACES.—For purposes of paragraph (1)(A), the applicable amount shall be determined in accordance with the following table:

“If the percentage of reduction in lighting power density is not less than:	The amount of the deduction per square foot is:
15 percent	\$0.30
20 percent	\$0.44
25 percent	\$0.58
30 percent	\$0.72
35 percent	\$0.86
40 percent	\$1.00.

“(B) LIGHTING CONTROLS IN LARGER SPACES AND WHERE SOLID LIGHTING IS USED.—For purposes of paragraph (1)(B), the applicable amount shall be determined in accordance with the following table:

“If the percentage of reduction in lighting power density is not less than:	The amount of the deduction per square foot is:
20 percent	\$0.30
25 percent	\$0.44
30 percent	\$0.58
35 percent	\$0.72
40 percent	\$0.86
45 percent	\$1.00.

“(C) NO QUALIFIED LIGHTING CONTROLS.—For purposes of paragraph (1)(C), the applicable amount shall be determined in accordance with the following table:

“If the percentage of reduction in lighting power density is not less than:	The amount of the deduction per square foot is:
25 percent	\$0.30
30 percent	\$0.44
35 percent	\$0.58
40 percent	\$0.72
45 percent	\$0.86
50 percent	\$1.00.

“(4) DEFINITIONS.—For purposes of this subsection:

“(A) BI-LEVEL CONTROL.—

“(i) IN GENERAL.—Subject to clause (ii), the term ‘bi-level control’ means a lighting control strategy that provides for 2 different levels of lighting.

“(ii) FULL-OFF SETTING.—For purposes of clause (i), a bi-level control shall also provide for a full-off setting.

“(B) CONTINUOUS DIMMING.—The term ‘continuous dimming’ means a lighting control strategy that adjusts the light output of a lighting system between minimum and maximum light output in a manner that is not perceptible.

“(C) DAYLIGHT DIMMING; SUFFICIENT DAYLIGHT.—

“(i) DAYLIGHT DIMMING.—The term ‘daylight dimming’ means any device that—

“(I) adjusts electric lighting power in response to the amount of daylight that is present in an area, and

“(II) provides for separate control of the lamps for general lighting in the daylight area by not less than 1 multi-level photocontrol, including continuous dimming devices, that satisfies the following requirements:

“(aa) The light sensor for the multi-level photocontrol is remote from where calibration adjustments are made.

“(bb) The calibration adjustments are readily accessible.

“(cc) The multi-level photocontrol reduces electric lighting power in response to the amount of daylight with—

“(AA) not less than 1 control step that is between 50 percent and 70 percent of design lighting power, and

“(BB) not less than 1 control step that is not less than 35 percent of design lighting power.

“(ii) SUFFICIENT DAYLIGHT.—

“(I) IN GENERAL.—The term ‘sufficient daylight’ means—

“(aa) in the case of top-lighted areas, when the total daylight area under skylights plus the total daylight area under rooftop monitors in an enclosed space is greater than 900 square feet (as defined in Standard 90.1-2010), and

“(bb) in the case of sidelighted areas, when the combined primary sidelight area in an enclosed space is not less than 250 square feet (as defined in Standard 90.1-2010).

“(II) EXCEPTIONS.—Sufficient daylight shall be deemed to not be available if—

“(aa) in the case of areas described in subclause (I)(aa)—

“(AA) for daylighted areas under skylights, it is documented that existing adjacent structures or natural objects block direct beam sunlight for more than 1500 daylight hours (after 8 a.m. and before 4 p.m., local time) per year,

“(BB) for daylighted areas, the skylight effective aperture is less than 0.006, or

“(CC) for buildings in climate zone 8, as defined under Standard 90.1-2010, the daylight areas total less than 1500 square feet in an enclosed space, and

“(bb) in the case of primary sidelighted areas described in subclause (I)(bb)—

“(AA) the top of the existing adjacent structures are at least twice as high above the windows as the distance from the window, or

“(BB) the sidelighting effective aperture is less than 0.1.

“(iii) DAYLIGHT, SIDELIGHTING, AND OTHER RELATED TERMS.—The terms ‘daylight area’, ‘daylight area under skylights’, ‘daylight area under rooftop monitors’, ‘daylighted area’, ‘enclosed space’, ‘primary sidelighted areas’, ‘sidelighting effective aperture’, and ‘skylight effective aperture’ have the same meaning given such terms under Standard 90.1-2010.

“(D) DEMAND RESPONSIVE CONTROL.—

“(i) IN GENERAL.—The term ‘demand responsive control’ means a control device that receives and automatically responds to a demand response signal and—

“(I) in the case of space-conditioning systems, conducts a centralized demand shed for non-critical zones during a demand response period and that has the capability to, on a signal from a centralized contract or software point within an Energy Management Control System—

“(aa) remotely increase the operating cooling temperature set points in such zones by not less than 4 degrees,

“(bb) remotely decrease the operating heating temperature set points in such zones by not less than 4 degrees,

“(cc) remotely reset temperatures in such zones to originating operating levels, and

“(dd) provide an adjustable rate of change for any temperature adjustment and reset, and

“(II) in the case of lighting power, has the capability to reduce lighting power by not less than 30 percent during a demand response period.

“(ii) DEMAND RESPONSE PERIOD.—The term ‘demand response period’ means a period in which short-term adjustments in electricity usage are made by end-use customers from normal electricity consumption patterns, including adjustments in response to—

“(I) the price of electricity, and

“(II) participation in programs or services that are designed to modify electricity usage in response to wholesale market prices for electricity or when reliability of the electrical system is in jeopardy.

“(iii) DEMAND RESPONSE SIGNAL.—The term ‘demand response signal’ means a signal sent to an end-use customer by a local utility, independent system operator, or designated curtailment service provider or aggregator that—

“(I) indicates an adjustment in the price of electricity, or

“(II) is a request to modify electricity consumption.

“(E) LAMP.—The term ‘lamp’ means an artificial light source that produces optical radiation (including ultraviolet and infrared radiation).

“(F) LUMEN MAINTENANCE CONTROL.—The term ‘lumen maintenance control’ means a lighting control strategy that maintains constant light output by adjusting lamp power to compensate for age and cleanliness of luminaires.

“(G) LUMINAIRE.—The term ‘luminaire’ means a complete lighting unit for the production, control, and distribution of light that consists of—

“(i) not less than 1 lamp, and

“(ii) any of the following items:

“(I) Optical control devices designed to distribute light.

“(II) Sockets or mountings for the positioning, protection, and operation of the lamps.

“(III) Mechanical components for support or attachment.

“(IV) Electrical and electronic components for operation and control of the lamps.

“(H) MULTI-SCENE CONTROL.—The term ‘multi-scene control’ means a lighting control device or system that allows for—

“(i) not less than 2 predetermined lighting settings,

“(ii) a setting that turns off all luminaires in an area, and

“(iii) a recall of the settings described in clauses (i) and (ii) for any luminaires or groups of luminaires to adjust to multiple activities within the area.

“(I) OCCUPANCY SENSOR.—The term ‘occupancy sensor’ means a control device that—

“(i) detects the presence or absence of individuals within an area and regulates lighting, equipment, or appliances according to a required sequence of operation,

“(ii) shuts off lighting when an area is unoccupied,

“(iii) except in areas designated as emergency egress and using less than 0.2 watts per square foot of floor area, provides for

manual shut-off of all luminaires regardless of the status of the sensor and allows for—

“(I) independent control in each area enclosed by ceiling-height partitions,

“(II) controls that are readily accessible, and

“(III) operation by a manual switch that is located in the same area as the lighting that is subject to the control device.

“(J) STANDARD 90.1-2010.—The term ‘Standard 90.1-2010’ means Standard 90.1-2010 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers and the Illuminating Engineering Society of North America.

“(K) STEP DIMMING.—The term ‘step dimming’ means a lighting control strategy that adjusts the light output of a lighting system by 1 or more predetermined amounts of greater than 1 percent of full output in a manner that may be perceptible.

“(L) TIME SCHEDULING CONTROL.—The term ‘time scheduling control’ means a control strategy that automatically controls lighting, equipment, or systems based on a particular time of day or other daily event (including sunrise and sunset).”

(h) TREATMENT OF LIGHTING SYSTEMS.—Section 179D(c)(1) of the Internal Revenue Code of 1986 is amended by striking “interior” each place it appears.

(i) REPORTING PROGRAM.—Section 179D of the Internal Revenue Code of 1986, as amended by subsection (c)(1), is amended by adding at the end the following new subsection:

“(1) REPORTING PROGRAM.—For purposes of the report required under section 179F(1), the Secretary, in consultation with the Secretary of Energy, shall—

“(1) develop a program to collect a statistically valid sample of energy consumption data from taxpayers that received full deductions under this section, regardless of whether such taxpayers allocated all or a portion of such deduction, and

“(2) include such data in the report, with such redactions as deemed necessary to protect the personally identifiable information of such taxpayers.”

(j) SPECIAL RULE FOR PARTNERSHIPS AND S CORPORATIONS.—Section 179D of the Internal Revenue Code of 1986, as amended by subsection (i), is amended by adding at the end the following new subsection:

“(j) SPECIAL RULE FOR PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, this section shall be applied at the partner or shareholder level, subject to such reporting requirements as are determined appropriate by the Secretary.”

(k) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service in taxable years beginning after the date of the enactment of this Act.

SEC. 10. DEDUCTION FOR RETROFITS OF EXISTING COMMERCIAL AND MULTI-FAMILY BUILDINGS.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 179E the following new section:

“SEC. 179F. DEDUCTION FOR RETROFITS OF EXISTING COMMERCIAL AND MULTI-FAMILY BUILDINGS.

“(a) ALLOWANCE OF DEDUCTION.—

“(1) IN GENERAL.—With respect to each certified retrofit plan, there shall be allowed as a deduction an amount equal to the lesser of—

“(A) the sum of—

“(i) the design deduction, and

“(ii) the realized deduction, or

“(B) the total cost to develop and implement such certified retrofit plan.

“(2) EXCEPTION.—For purposes of the amount described in paragraph (1)(B), if such amount is taken as a design deduction, no realized deduction shall be allowed.

“(b) DEDUCTION AMOUNTS.—For purposes of this section—

“(1) DESIGN DEDUCTION.—A design deduction shall be—

“(A) based on projected source energy savings as calculated in accordance with subsection (c)(3)(B),

“(B) correlated to the percent of source energy savings set forth in the general scale in paragraph (3)(A) that a certified retrofit plan is projected to achieve when energy-efficient measures are placed in service, and

“(C) equal to 60 percent of the amount allowed under the general scale.

“(2) REALIZED DEDUCTION.—

“(A) IN GENERAL.—A realized deduction shall be—

“(i) based on realized source energy savings as calculated in accordance with subsection (c)(3)(C),

“(ii) correlated to the percent of source energy savings set forth in the general scale in paragraph (3)(A) as realized by a certified retrofit plan, and

“(iii) equal to 40 percent of the amount allowed under the general scale.

“(B) ADJUSTMENT OF SOURCE ENERGY SAVINGS.—The percent of source energy savings for purposes of any realized deduction may vary from such savings projected when energy-efficient measures were placed in service for purposes of a design deduction under paragraph (1).

“(C) NO RECAPTURE OF DESIGN DEDUCTION.—Notwithstanding the regulations prescribed under subsection (f), no recapture of a design deduction shall be required where the owner of the commercial or multifamily building—

“(i) claims or allocates a design deduction when energy-efficient measures are placed into service pursuant to the terms and conditions of a certified retrofit plan, and

“(ii) is not eligible for or does not subsequently claim or allocate a realized deduction.

“(3) GENERAL SCALE.—

“(A) IN GENERAL.—The scale for deductions allowed under this section shall be—

“(i) \$1.00 per square foot of retrofit floor area for 20 to 24 percent source energy savings,

“(ii) \$1.50 per square foot of retrofit floor area for 25 to 29 percent source energy savings,

“(iii) \$2.00 per square foot of retrofit floor area for 30 to 34 percent source energy savings,

“(iv) \$2.50 per square foot of retrofit floor area for 35 to 39 percent source energy savings,

“(v) \$3.00 per square foot of retrofit floor area for 40 to 44 percent source energy savings,

“(vi) \$3.50 per square foot of retrofit floor area for 45 to 49 percent source energy savings, and

“(vii) \$4.00 per square foot of retrofit floor area for 50 percent or more source energy savings.

“(B) HISTORIC BUILDINGS.—

“(i) IN GENERAL.—With respect to energy-efficient measures placed in service as part of a certified retrofit plan in a commercial building or multifamily building on or eligible for the National Register of Historic Places, the respective dollar amounts set forth in the general scale under subparagraph (A) shall—

“(I) each be increased by 20 percent, for the purposes of calculating any applicable design deduction and realized deduction, and

“(II) not exceed the total cost to develop and implement such certified retrofit plan.

“(i) EXCEPTION.—If the amount described in clause (i)(II) is taken as a design deduction, then no realized deduction shall be allowed.

“(c) CALCULATION OF ENERGY SAVINGS.—

“(1) IN GENERAL.—For purposes of the design deduction and the realized deduction, source energy savings shall be calculated with reference to a baseline of the annual source energy consumption of the commercial or multifamily building before energy-efficient measures were placed in service.

“(2) BASELINE BENCHMARK.—The baseline under paragraph (1) shall be determined using a building energy performance benchmarking tool designated by the Administrator of the Environmental Protection Agency, and based upon 1 year of source energy consumption data prior to the date upon which the energy-efficient measures are placed in service.

“(3) DESIGN AND REALIZED SOURCE ENERGY SAVINGS.—

“(A) IN GENERAL.—In certifying a retrofit plan as a certified retrofit plan, a licensed engineer or architect shall calculate source energy savings by utilizing the baseline benchmark defined in paragraph (2) and determining percent improvements from such baseline.

“(B) DESIGN DEDUCTION.—For purposes of claiming a design deduction, the regulations issued under subsection (f)(1) shall prescribe the standards and process for a licensed engineer or architect to calculate and certify source energy savings projected from the design of a certified retrofit plan as of the date energy-efficient measures are placed in service.

“(C) REALIZED DEDUCTION.—For purposes of claiming a realized deduction, a licensed engineer or architect shall calculate and certify source energy savings realized by a certified retrofit plan 2 years after a design deduction is allowed by utilizing energy consumption data after energy-efficient measures are placed in service, and adjusting for climate, building occupancy hours, density, or other factors deemed appropriate in the benchmarking tool designated under paragraph (2).

“(d) CERTIFIED RETROFIT PLAN AND OTHER DEFINITIONS.—For purposes of this section—

“(1) CERTIFIED RETROFIT PLAN.—The term ‘certified retrofit plan’ means a plan that—

“(A) is designed to reduce the annual source energy costs of a commercial building, or a multifamily building, through the installation of energy-efficient measures,

“(B) is certified under penalty of perjury by a licensed engineer or architect, who is not a direct employee of the owner of the commercial building or multifamily building that is the subject of the plan, and is licensed in the State in which such building is located,

“(C) describes the square footage of retrofit floor area covered by such a plan,

“(D) specifies that it is designed to achieve a final source energy usage intensity after energy-efficient measures are placed in service in a commercial building or a multifamily building that does not exceed on a square foot basis the average level of energy usage intensity of other similar buildings, as described in paragraph (2),

“(E) requires that after the energy-efficient measures are placed in service, the commercial building or multifamily building meets the applicable State and local building code requirements for the area in which such building is located,

“(F) satisfies the regulations prescribed under subsection (f), and

“(G) is submitted to the Secretary of Energy after energy-efficient measures are placed in service, for the purpose of informing the report to Congress required by subsection (1).

“(2) AVERAGE LEVEL OF ENERGY USAGE INTENSITY.—

“(A) IN GENERAL.—The maximum average level of energy usage intensity under paragraph (1)(D) shall not exceed 300,000 British thermal units per square foot.

“(B) REGULATIONS.—

“(i) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall develop distinct standards for categories and subcategories of buildings with respect to maximum average level of energy usage intensity based on the best available information used by the ENERGY STAR program.

“(ii) REVIEW.—The standards developed pursuant to clause (i) shall be reviewed and updated by the Secretary, in consultation with the Administrator of the Environmental Protection Agency, not later than every 3 years.

“(3) COMMERCIAL BUILDING.—

“(A) IN GENERAL.—The term ‘commercial building’ means a building located in the United States—

“(i) that is in existence and occupied on the date of the enactment of this section,

“(ii) for which a certificate of occupancy has been issued at least 10 years before energy efficiency measures are placed in service, and

“(iii) with a primary use or purpose other than as residential housing.

“(B) SHOPPING CENTERS.—In the case of a retail shopping center, the term ‘commercial building’ shall include an area within such building that is—

“(i) 50,000 square feet or larger that is covered by a separate utility grade meter to record energy consumption in such area, and

“(ii) under the day-to-day management and operation of—

“(I) the owner of such building as common space areas, or

“(II) a retail tenant, lessee, or other occupant.

“(4) ENERGY-EFFICIENT MEASURES.—The term ‘energy-efficient measures’ means a measure, or combination of measures, placed in service through a certified retrofit plan—

“(A) on or in a commercial building or multifamily building,

“(B) as part of—

“(i) the lighting systems,

“(ii) the heating, cooling, ventilation, refrigeration, or hot water systems,

“(iii) building transportation systems, such as elevators and escalators,

“(iv) the building envelope, which may include an energy-efficient cool roof,

“(v) a continuous commissioning contract under the supervision of a licensed engineer or architect, or

“(vi) building operations or monitoring systems, including utility-grade meters and submeters, and

“(C) including equipment, materials, and systems within subparagraph (B) with respect to which depreciation (or amortization in lieu of depreciation) is allowed.

“(5) ENERGY SAVINGS.—The term ‘energy savings’ means source energy usage intensity reduced on a per square foot basis through design and implementation of a certified retrofit plan.

“(6) MULTIFAMILY BUILDING.—The term ‘multifamily building’—

“(A) means—

“(i) a structure of 5 or more dwelling units located in the United States—

“(I) that is in existence and occupied on the date of the enactment of this section,

“(II) for which a certificate of occupancy has been issued at least 10 years before energy efficiency measures are placed in service, and

“(III) with a primary use as residential housing, and

“(B) includes such buildings owned and operated as a condominium, cooperative, or other common interest community.

“(7) SOURCE ENERGY.—The term ‘source energy’ means the total amount of raw fuel that is required to operate a commercial building or multifamily building, and accounts for losses that are incurred in the generation, storage, transport, and delivery of fuel to such a building.

“(e) TIMING OF CLAIMING DEDUCTIONS.—Deductions allowed under this section may be claimed as follows:

“(1) DESIGN DEDUCTION.—In the case of a design deduction, in the taxable year that energy efficiency measures are placed in service.

“(2) REALIZED DEDUCTION.—In the case of a realized deduction, in the second taxable year following the taxable year described in paragraph (1).

“(f) REGULATIONS.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, and after notice and opportunity for public comment, the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall prescribe regulations—

“(A) for the manner and method for a licensed engineer or architect to certify retrofit plans, model projected energy savings, and calculate realized energy savings, and

“(B) notwithstanding subsection (b)(2)(C), to provide, as appropriate, for a recapture of the deductions allowed under this section if a retrofit plan is not fully implemented, or a retrofit plan and energy savings are not certified or verified in accordance with regulations prescribed under this subsection.

“(2) RELIANCE ON ESTABLISHED PROTOCOLS, ETC.—To the maximum extent practicable and available, such regulations shall rely upon established protocols and documents used in the ENERGY STAR program, and industry best practices and existing guidelines, such as the Building Energy Modeling Guidelines of the Commercial Energy Services Network (COMNET).

“(3) ALLOWANCE OF DEDUCTIONS PENDING ISSUANCE OF REGULATIONS.—Pending issuance of the regulations under paragraph (1), the owner of a commercial building or a multifamily building shall be allowed to claim or allocate a deduction allowed under this section.

“(g) NOTICE TO OWNER.—Each certification of a retrofit plan and calculation of energy savings required under this section shall include an explanation to the owner of a commercial building or a multifamily building regarding the energy-efficient measures placed in service and their projected and realized annual energy costs.

“(h) ALLOCATION OF DEDUCTION.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, in consultation with the Secretary of Energy, shall promulgate a regulation to allow the owner of a commercial building or a multifamily building, including a government, tribal, or non-profit owner, to allocate any deduction allowed under this

section, or a portion thereof, to the person primarily responsible for funding, financing, designing, leasing, operating, or placing in service energy-efficient measures. Such person shall be treated as the taxpayer for purposes of this section and shall include a building tenant, financier, architect, professional engineer, licensed contractor, energy services company, or other building professional.

“(2) FORM OF ALLOCATION.—An allocation made under this paragraph shall be in writing and in a form that meets the form of allocation requirements in Notice 2008-40 of the Internal Revenue Service.

“(3) PROVISION OF ALLOCATION.—Not later than 30 days after receipt of a written request from a person eligible to receive an allocation under this paragraph, the owner of a building that makes an allocation under this paragraph shall provide the form of allocation (as described in paragraph (2)) to such person.

“(4) ALLOCATION FROM PUBLIC OWNER OF BUILDING.—In the case of a commercial building or a multifamily building that is owned by a Federal, State, or local government or a subdivision thereof, Notice 2006-52 of the Internal Revenue Service, as amplified by Notice 2008-40, shall apply to any allocation.

“(i) BASIS REDUCTION.—For purposes of this subtitle, if a deduction is allowed under this section with respect to any energy-efficient measures placed in service under a certified retrofit plan other than in a qualified low-income building (within the meaning of section 42), the basis of such measures shall be reduced by the amount of the deduction so allowed or so allocated.

“(j) SPECIAL RULE FOR PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, this section shall be applied at the partner or shareholder level, subject to such reporting requirements as are determined appropriate by the Secretary.

“(k) TAX INCENTIVES NOT AVAILABLE.—

“(1) ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.—Energy-efficient measures for which a deduction is allowed under this section shall not be eligible for a deduction under section 179D.

“(2) NEW ENERGY EFFICIENT HOME CREDIT.—No deduction shall be allowed under this section with respect to any building or dwelling unit with respect to which a credit under section 45L was allowed.

“(l) REPORT TO CONGRESS.—

“(1) IN GENERAL.—Biennially, beginning with the first year after the enactment of this section, the Secretary, in conjunction with the Secretary of Energy, shall submit a report to Congress that—

“(A) explains the energy saved, the energy-efficient measures implemented, the realization of energy savings projected, and records the amounts and types of deductions allowed under this section,

“(B) explains the energy saved, the energy efficient measures implemented, and records the amount of deductions allowed under section 179D, based on the data collected pursuant to subsection (i) of such section,

“(C) determines the number of jobs created as a result of the deduction allowed under this section,

“(D) determines how the use of any deduction allowed under this section may be improved, based on the information provided to the Secretary of Energy,

“(E) provides aggregated data with respect to the information described in subparagraphs (A) through (D), and

“(F) provides statutory recommendations to Congress that would reduce energy con-

sumption in new and existing commercial buildings located in the United States, including recommendations on providing energy-efficient tax incentives for subsections of buildings that operate with specific utility-grade metering.

“(2) PROTECTION OF TAXPAYER INFORMATION.—The Secretary and the Secretary of Energy shall share information on deductions allowed under this section and related reports submitted, as requested by each agency to fulfill its obligations under this section, with such redactions as deemed necessary to protect the personally identifiable financial information of a taxpayer.

“(3) INCORPORATION INTO DEPARTMENT OF ENERGY PROGRAMS.—The Secretary of Energy shall, to the maximum extent practicable, incorporate conclusions of the report under this subsection into current Department of Energy building performance and energy efficiency data collection and other reporting programs.”

“(b) EFFECT ON DEPRECIATION ON EARNINGS AND PROFITS.—Subparagraph (B) of section 312(k)(3) of the Internal Revenue Code of 1986, as amended by this Act, is amended—

(1) by striking “or 179E” both places it appears in clause (i) and inserting “179E, or 179F”;

(2) by striking “OR 179E” in the heading and inserting “179E, OR 179F”, and

(3) by inserting “or 179F” after “section 179D” in clause (ii)(I).

“(c) CONFORMING AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 179E the following new item:

“Sec. 179F. Deduction for retrofits of existing commercial and multifamily buildings.”

“(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service in taxable years beginning after the date of the enactment of this Act.

SA 3133. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 300, line 18, insert “, awarded in a manner that provides a preference to students who are veterans” before the semicolon at the end.

SA 3134. Mr. COONS (for himself, Mr. REED, Mrs. SHAHEEN, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 67, lines 3 and 4, strike “not less than”.

SA 3135. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Purchase Power Drought Fund

SEC. 3801. ESTABLISHMENT OF PURCHASE POWER DROUGHT FUND.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Southwestern Power Administration.

(2) FUND.—The term “Fund” means the Purchase Power Drought Fund established under subsection (c).

(3) PURCHASE POWER DROUGHT ADDER.—The term “purchase power drought adder” means the special rate component assessed under subsection (b)(1).

(b) SPECIAL RATE COMPONENT.—

(1) IN GENERAL.—Notwithstanding section 3302 of title 31, United States Code, the Administrator may assess a special rate component to be known as a “purchase power drought adder” independent of and in addition to other existing rate components.

(2) COLLECTION OF AMOUNTS.—The Administrator shall—

(A) collect amounts from the purchase power drought adder in advance of need; and

(B) deposit those amounts in the Fund for use in accordance with subsection (c)(1).

(3) LIMITATION.—The purchase power drought adder shall not be used to offset or displace other charges made in the normal course of the rate setting process of the Southwestern Power Administration.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—The Secretary of the Treasury shall establish in the Treasury of the United States a separate fund to be known as the “Purchase Power Drought Fund”, from which the Administrator may use amounts during extended below-average water conditions—

(A) for necessary expenses of the Southwestern Power Administration for purchase power and wheeling; and

(B) to minimize the use, during those conditions, of the continuing fund established by the matter under the heading “OFFICE OF THE SECRETARY” in title I of the Interior Department Appropriation Act, 1950 (16 U.S.C. 825s-1).

(2) DEPOSITS.—The Administrator shall deposit in the Fund the amounts collected from the assessment of the purchase power drought adder under subsection (b) and such amounts shall be available to the Administrator without further appropriation or fiscal year limitation.

(3) LIMITATION.—The Administrator shall expend from the Fund only those amounts collected and deposited in advance.

SA 3136. Mr. MENENDEZ (for himself, Ms. COLLINS, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SPECIAL RULE FOR CERTAIN FACILITIES.

(a) IN GENERAL.—Section 45(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(12) SPECIAL RULE FOR CERTAIN QUALIFIED FACILITIES.—

“(A) IN GENERAL.—In the case of electricity produced at a qualified facility described in

paragraph (3) or (7) of subsection (d) and placed in service before the date of the enactment of this paragraph, a taxpayer may elect to apply subsection (a)(2)(A)(ii) by substituting 'the period beginning after December 31, 2016, and ending before January 1, 2018' for 'the 10-year period beginning on the date the facility was originally placed in service'.

“(B) LIMITATION.—No credit shall be allowed under subsection (a) to any taxpayer making an election under this paragraph with respect to electricity produced and sold at a facility during any period which, when aggregated with all other periods for which a credit is allowed under this section with respect to electricity produced and sold at such facility, is in excess of 10 years.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2017.

SA 3137. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 302, strike lines 6 through 9 and insert the following:

(2) SECRETARIAL ORDER NOT AFFECTED.—This subtitle shall not apply to any mineral described in Secretarial Order No. 3324, issued by the Secretary of the Interior on December 3, 2012, in any area to which the order applies.

SA 3138. Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. NATIONAL RECREATIONAL PASSES FOR DISABLED VETERANS.

Section 805(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) DISABILITY DISCOUNT.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, without charge and for the lifetime of the passholder, to the following:

“(A) Any United States citizen or person domiciled in the United States who has been medically determined to be permanently disabled for purposes of section 7(20)(B)(i) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)(B)(i)), if the citizen or person provides adequate proof of the disability and such citizenship or residency.

“(B) Any veteran with a service-connected disability, as defined in section 101 of title 38, United States Code.”; and

(2) by adding at the end the following:

“(3) ADJUSTMENT OF ENTRANCE FEES.—The Secretary shall adjust entrance fees applicable to individuals that are not holders of a pass made available under paragraph (2)(B) in a manner so as to maintain total receipts.”.

SA 3139. Mr. COATS (for himself, Mr. MANCHIN, and Mrs. CAPITO) submitted

an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. ENSURING SCIENTIFIC TRANSPARENCY IN THE DEVELOPMENT OF ENVIRONMENTAL REGULATIONS.

(a) PUBLICATION OF SCIENTIFIC PRODUCTS FOR RULES AND RELATED ENVIRONMENTAL IMPACT STATEMENTS, ENVIRONMENTAL ASSESSMENTS, AND ECONOMIC ASSESSMENTS.—

(1) IN GENERAL.—Title V of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 530. PUBLICATION OF SCIENTIFIC PRODUCTS FOR RULES AND RELATED ENVIRONMENTAL IMPACT STATEMENTS, ENVIRONMENTAL ASSESSMENTS, AND ECONOMIC ASSESSMENTS.

“(a) DEFINITIONS.—In this section:

“(1) AGENCY ACTION.—The term ‘agency action’ has the meaning given the term in section 551 of title 5, United States Code.

“(2) BACKGROUND INFORMATION.—The term ‘background information’ means—

“(A) a biographical document, including a curriculum vitae or resume, that details the exhaustive, professional work history, education, and any professional memberships of a person; and

“(B) the amount and date of any Federal grants or contracts received by that person.

“(3) ECONOMIC ASSESSMENT.—The term ‘economic assessment’ means any assessment prepared by a Federal agency in accordance with section 6(a)(3)(C) of Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review).

“(4) ENVIRONMENTAL ASSESSMENT.—The term ‘environmental assessment’ has the meaning given the term in section 1508.9 of title 40, Code of Federal Regulations.

“(5) ENVIRONMENTAL IMPACT STATEMENT.—The term ‘environmental impact statement’ means any environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(6) PUBLICLY AVAILABLE.—The term ‘publicly available’ means published online on—

“(A) a publicly accessible website that allows the submission of comments on proposed regulations and related documents published by the Federal Government;

“(B) a publicly accessible website of the Secretary; and

“(C) the website of the Federal Register.

“(7) RAW DATA.—The term ‘raw data’ means any computational process or quantitative or qualitative data processed from a source that is relied upon in a scientific product to support a finding or observation.

“(8) RELIED UPON.—The term ‘relied upon’ means explicitly cited or referenced in a rule, environmental impact statement, environmental assessment, or economic assessment.

“(9) RULE.—The term ‘rule’ has the meaning given the term in section 551 of title 5, United States Code.

“(10) SCIENTIFIC METHOD.—The term ‘scientific method’ means a method of research under which—

“(A) a problem is identified;

“(B) relevant data are gathered;

“(C) a hypothesis is formulated from the data; and

“(D) the hypothesis is empirically tested in a manner specified by documented protocols and procedures.

“(11) SCIENTIFIC PRODUCT.—The term ‘scientific product’ means any product that—

“(A) employs the scientific method for inventorying, monitoring, experimenting, studying, researching, and modeling purposes;

“(B) is relied upon by the Secretary in development of any rule, environmental impact statement, environmental assessment, or economic assessment; and

“(C) is not protected under copyright laws.

“(b) REQUIREMENTS.—The Secretary shall—

“(1) make publicly available on the date of the publication of any draft, final, emergency, or supplemental rule under this Act, or any related environmental impact statement, environmental assessment, or economic assessment, each scientific product the Secretary relied upon in developing the rule, environmental impact statement, environmental assessment, or economic assessment; and

“(2) for those scientific products receiving Federal funds, also make publicly available—

“(A) the raw data used for the federally funded scientific product; and

“(B) background information of the authors of the scientific study.

“(c) COMPLIANCE.—

“(1) IN GENERAL.—Subject to paragraph (2), failure to comply with the publication requirements of subsection (b)—

“(A) with respect to draft or supplemental rules, environmental impact statements, environmental assessments, or economic assessments shall extend by 1 day the notice and comment period for each day of non-compliance; or

“(B) with respect to final or emergency rules, shall delay the effective date of the final rule by 60 days plus an additional day for each day of noncompliance.

“(2) WITHDRAWAL.—If the Secretary fails to comply with the publication requirements of subsection (b) for more than 180 days after the date of publication of any rule, or any related environmental impact statement, environmental assessment, or economic assessment, under this Act, the Secretary shall withdraw the rule, environmental impact statement, environmental assessment, or economic assessment.”.

(2) CONFORMING AMENDMENT.—The table of contents for the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.) is amended by inserting after the item relating to section 529 the following:

“Sec. 530. Publication of scientific products for rules and related environmental impact statements, environmental assessments, and economic assessments.”.

(b) COMPLIANCE WITH OTHER FEDERAL LAWS.—Section 702 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1292) is amended—

(1) by redesignating subsections (c) and (d) as subsection (e) and (f), respectively; and

(2) by inserting after subsection (b) the following:

“(c) COMPLIANCE WITH OTHER FEDERAL LAWS.—Nothing in this Act authorizes the Secretary to take any action by rule, interpretive rule, policy, regulation, notice, or order that duplicates any action taken under an Act referred to in subsection (a) (including regulations and rules).

“(d) DEFERENCE TO IMPLEMENTING AGENCIES AND STATE AUTHORITIES.—In carrying out this Act (including rules, interpretive rules,

policies, regulations, notices, or orders), the Secretary—

“(1) shall defer to the determinations of an agency or State authority implementing an Act referred to in subsection (a) with respect to any agency action under the jurisdiction of the agency or State authority, as applicable; and

“(2) shall not make any determination regarding any agency action subject to an Act referred to in subsection (a).”.

SA 3140. Ms. COLLINS (for herself, Ms. KLOBUCHAR, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle A of title III, add the following:

SEC. 30. POLICIES RELATING TO BIOMASS ENERGY.

To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy;

(B) recognize biomass as a renewable energy source;

(C) encourage private investment throughout the biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) bioenergy;

(v) wood products; and

(vi) paper manufacturing;

(D) encourage forest management to improve forest health; and

(E) recognize State initiatives to use biomass.

SA 3141. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Wind Energy

SEC. 3801. INTERAGENCY RAPID RESPONSE TEAM FOR WIND ENERGY.

(a) **ESTABLISHMENT.**—There is established an interagency rapid response team, to be known as the “Interagency Rapid Response Team for Wind Energy” (referred to in this section as the “Team”), to expedite and improve the permitting process for wind generation on Federal land and non-Federal land.

(b) **MEMBERSHIP.**—The Team shall be comprised of representatives from—

(1) the Department;

(2) the Federal Energy Regulatory Commission;

(3) the Department of the Interior;

(4) the Department of Defense;

(5) the Department of Agriculture;

(6) the Department of Commerce;

(7) the Environmental Protection Agency;

(8) the Advisory Council on Historic Preservation;

(9) the Federal Aviation Administration; and

(10) the Council on Environmental Quality.

(c) **DUTIES.**—The Team shall—

(1) establish clear timelines for the review of projects;

(2) facilitate coordination and unified environmental documentation among wind project applicants, Federal agencies, States, and Indian tribes involved in the siting and permitting processes; and

(3) regularly notify all participating members of the Team involved in any specific permit of—

(A) any outstanding agency action that is required with respect to the permit; and

(B) any approval or required comment that has exceeded statutory or agency timelines for completion, including an identification of any Federal agency, department, or field office that has not met the applicable timeline.

(d) **POINT OF CONTACT.**—The Federal Energy Regulatory Commission shall provide a unified point of contact for—

(1) resolving interagency or intraagency issues or delays with respect to wind permitting; and

(2) receiving and resolving complaints from parties with outstanding or in-process applications relating to wind permitting.

SA 3142. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 253, strike lines 21 through 25 and insert the following:

Defense;

“(10) to identify and support opportunities to pair hydrokinetic generation with existing hydroelectric dam facilities operated by the Corps of Engineers; and

“(11) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to S. 2415, a bill to implement integrity measures to strengthen the EB-5 Regional Center Program in order to promote and reform foreign capital investment and job creation in American communities; dated January 28, 2016.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet during the session of the Senate on January 28, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on January 28, 2016, at 9:30 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Helping Americans Prepared for Retirement: Increasing Access, Participation and Coverage in Retirement Savings Plans.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 28, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 28, 2016, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled “Generic Drug User Fee Amendments: Accelerating Patient Access to Generic Drugs.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on January 28, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on January 28, 2016, at 10 a.m. in room SR-428A of the Russell Senate Office Building to conduct a hearing entitled “Reauthorization of the SBIR/STTR Programs—The Importance of Small Business Innovation to National and Economic Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be

authorized to meet during the session of the Senate on January 28, 2016, at 10 a.m., to conduct a hearing entitled "The Department of Health and Human Services' Placement of Migrant Children: Vulnerabilities to Human Trafficking."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 28, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Molly Baier, a fellow in my office, be granted privileges of the floor for the remainder of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 449 through 457 and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Anthony J. Rock

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. James H. Dienst

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. John J. Degoes
Col. Mark A. Koeniger

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. James R. Barkley
Brig. Gen. Kimberly A. Crider
Brig. Gen. David B. O'Brien
Brig. Gen. Eric S. Overturf
Brig. Gen. Walter J. Sams
Brig. Gen. John P. Stokes
Brig. Gen. Curtis L. Williams
Brig. Gen. Edward P. Yarish

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Paige P. Hunter

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Thomas J. Owens, II

IN THE ARMY

The following named officer for appointment the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Robert G. Michnowicz

The following named officer for appointment the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Jeffrey C. Coggin

The following named officer for appointment the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Kevin C. Wulforst

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1010 AIR FORCE nominations (2) beginning PETER L. REYNOLDS, and ending CHRISTOPHER P. CALDER, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1011 AIR FORCE nomination of Jeremy W. Cannon, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1012 AIR FORCE nomination of Ted W. Lieu, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1013 AIR FORCE nominations (4) beginning JODENE M. ALEXANDER, and ending DEBORAH J. ROBINSON, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1014 AIR FORCE nominations (5) beginning JOHN LOUIS ARENDALE, II, and ending MINH-TRI BA TRINH, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1015 AIR FORCE nominations (13) beginning BONNIE JOY BOSLER, and ending LIANE L. WEINBERGER, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1016 AIR FORCE nominations (14) beginning ARDEN B. ANDERSEN, and ending

MARK A. ZELKOVIC, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1017 AIR FORCE nomination of Todd Andrew Luce, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1018 AIR FORCE nominations (2) beginning LEBANE S. HALL, and ending DAVID F. PENDLETON, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1019 AIR FORCE nominations (3) beginning WILLIAM CHARLES DUNLAP, and ending ROBERT K. MCGHEE, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1020 AIR FORCE nominations (9) beginning DAWN D. BELLACK, and ending ANDREW J. TURNER, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1021 AIR FORCE nominations (109) beginning KATHERINE E. AASEN, and ending CHRISTOPHER M. ZIDEK, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1022 AIR FORCE nominations (6) beginning BRYAN M. BARROQUEIRO, and ending JOSEPH MANNINO, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1023 AIR FORCE nomination of Bryan M. Davis, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1024 AIR FORCE nomination of Todd E. Combs, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1067 AIR FORCE nominations (57) beginning BRETT C. ANDERSON, and ending SHAHID A. ZAIDI, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1068 AIR FORCE nominations (79) beginning STEPHEN C. ARNASON, and ending JOHN R. YANCEY, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1069 AIR FORCE nominations (162) beginning ERIC E. ABBOTT, and ending PHILIP A. WIXOM, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1070 AIR FORCE nominations (232) beginning JANE A. ALSTON, and ending TIMOTHY J. ZIELICKE, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

IN THE ARMY

PN1025 ARMY nominations (883) beginning DAVID H. AAMIDOR, and ending D012522, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1026 ARMY nominations (461) beginning YONATAN S. ABEIE, and ending D012158, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1027 ARMY nomination of Peter J. Koch, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1028 ARMY nominations (3) beginning DEREK P. JONES, and ending WILLIAM J. RICE, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1029 ARMY nominations (382) beginning MICHAEL S. ABBOTT, and ending D011609, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1030 ARMY nomination of Denny L. Winningham, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1031 ARMY nomination of John C. Baskerville, which was received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1071 ARMY nomination of Mark L. Coble, which was received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1072 ARMY nominations (10) beginning CRAIG A. HOLAN, and ending ERIC E. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1074 ARMY nomination of Steven R. Berger, which was received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1075 ARMY nomination of Richard M. Hawkins, which was received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1076 ARMY nomination of Martin S. Kendrick, which was received by the Senate and appeared in the Congressional Record of January 11, 2016.

IN THE MARINE CORPS

PN1032 MARINE CORPS nominations (3) beginning WILLIAM T. HENNESSY, and ending JAMES R. LENARD, which nominations were received by the Senate and appeared in the Congressional Record of December 14, 2015.

PN1080 MARINE CORPS nominations (699) beginning JEREMY D. ADAMS, and ending ANGELA S. ZUNIC, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1081 MARINE CORPS nominations (6) beginning GEORGE L. ROBERTS, and ending STEPHEN A. RITCHIE, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

IN THE NAVY

PN927 NAVY nominations (2) beginning JAMES E. O'NEIL, III, and ending KEITH M. ROXO, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2015.

PN1078 NAVY nominations (2) beginning DENISE M. VEYVODA, and ending ROBERT G. WEST, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1079 NAVY nomination of James A. Trotter, which was received by the Senate and appeared in the Congressional Record of January 11, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE FOR WINNING THE 2016 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the consideration of S. Res. 350, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 350) congratulating the University of Alabama Crimson Tide for winning the 2016 College Football Playoff National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 350) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL SCHOOL CHOICE WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 351, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 351) designating the week of January 24 through January 30, 2016, as "National School Choice Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT. Mr. President, this week is an opportunity to highlight the importance of parental choice in education, and the success that children find when they are able to choose an educational pathway that suits their individual needs. Be it through public, charter, private, or home schools, as well as other forms of educational services that may be tailored to the educational needs of our kids, we should continue our work to provide students with a viable and proven route to a better education.

In particular, I want to recognize my home State of South Carolina for our continuous work in expanding school choice initiatives. Since 2013, when South Carolina's general assembly enacted the Educational Credit for Exceptional Needs Children, which helps children with disabilities gain an education personalized to their own unique needs, South Carolina has been on the forefront of the school choice movement. That is clearly on display this week, as South Carolina's National School Choice Rally will feature its largest rates of participation yet, with over 3,000 parents, advocates, and stu-

dents lending their voice and support to school choice.

On the Federal level, I have submitted legislation to free up access to educational resources for America's least fortunate students. I have sponsored legislation that would make IDEA funds portable and create a school choice pilot program for military families, as well as bipartisan legislation with Senators FEINSTEIN, JOHNSON, and BOOKER to reauthorize and improve the DC Opportunity Scholarship Program, the Nation's only federally supported school choice program.

I believe we must continue this work to promote parental choice. Reforms to our educational system should empower parents and students, not bureaucrats, to choose the educational option that best meets their unique needs. Because when parents have better choices, their kids have a better chance.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 351) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

COMMEMORATING THE 30TH ANNIVERSARY OF THE LOSS OF THE SPACE SHUTTLE "CHALLENGER" AND OF TEACHER IN SPACE S. CHRISTA MCAULIFFE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 352, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 352) commemorating the 30th anniversary of the loss of the Space Shuttle Challenger and of Teacher in Space S. Christa McAuliffe of Concord, New Hampshire.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 352) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, FEBRUARY 1, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, February 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate then resume consideration of S. 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 1, 2016, AT 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Monday, February 1, 2016, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JENNIFER KLEMETSrud PUHL, OF NORTH DAKOTA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT, VICE KERMIT EDWARD BYE, RETIRED.

TERRENCE J. CAMPBELL, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE KATHRYN H. VRATIL, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. BROOK J. LEONARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MICHAEL A. GUETLEIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. STEVEN L. BASHAM
BRIG. GEN. CARL A. BUHLER
BRIG. GEN. JAMES C. DAWKINS, JR.
BRIG. GEN. DAWN M. DUNLOP
BRIG. GEN. ALBERT M. ELTON II
BRIG. GEN. MICHAEL A. FANTINI
BRIG. GEN. CEDRIC D. GEORGE
BRIG. GEN. PATRICK C. HIGBY
BRIG. GEN. MARK K. JOHNSON
BRIG. GEN. BRIAN T. KELLY
BRIG. GEN. BRIAN M. KILLLOUGH
BRIG. GEN. SCOTT A. KINDSVATER
BRIG. GEN. DONALD E. KIRKLAND
BRIG. GEN. ROBERT D. LABRUTTA
BRIG. GEN. RUSSELL A. MACK
BRIG. GEN. CHARLES L. MOORE, JR.
BRIG. GEN. PAUL D. NELSON
BRIG. GEN. MARY F. O'BRIEN
BRIG. GEN. JOHN T. QUINTAS
BRIG. GEN. DUKE Z. RICHARDSON
BRIG. GEN. ROBERT J. SKINNER
BRIG. GEN. BRADLEY D. SPACY
BRIG. GEN. FERDINAND B. STOSS
BRIG. GEN. JEFFREY B. TALIAFERRO
BRIG. GEN. CHRISTOPHER P. WEGGEMAN
BRIG. GEN. STEPHEN N. WHITTING
BRIG. GEN. JOHN M. WOOD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KHURRAM A. KHAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRUCE E. STERNKE
JEFFREY S. WOOLFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARY E. CLARK
JUSTIN C. COHEN
SUSAN M. DAOUST
LAUREN M. HEDENSCHOUG
SCOTT A. HEWITT
SARAH L. JELLIFFE
JAMES A. JERNIGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

MARGARET C. MARTIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

GREGORY J. MALONE
GREGORY K. RICHERT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHRISTOPHER W. WENDLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BETHANY C. ARAGON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

MICHAEL J. MULCAHY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KELLY K. GREENHAW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BRIAN T. WATKINS

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GEORGE L. BARTON
MICHELLE M. BRYANT
JAMES F. WAINSCOTT
RICHARD A. WHOLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DEREK G. BEAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

NICHOLAS H. GIST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

SUSAN M. CEBULA
YOUNGMI CHO
WILLIE R. FAISON
CHARLES W. HIPP
KYUNG S. KIM
CATHLEEN A. LABATE
ANNE M. MCCARTNEY

GREGORY S. MCDUGAL
RONALD E. PRENZEL
RYAN L. SNYDER
MARK A. VANCE
LISA N. YARBROUGH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MATTHEW J. AIESI
JASON W. ALLEN
SHAWN I. ATKINS
JUSTIN C. BARNES
ALEX C. BARNETT
WILLIAM C. BIGGERSTAFF
KEVIN M. BOHLKE
JULIE L. BORCHERS
STACEE B. CAIN
DAVID T. CALLAN
CATTLIN CHIARAMONTE
PETER E. CLEEK
HEATHER M. COLACICCO
GEORGE C. COLCLOUGH
RICHARD J. CONNAROE
DANIEL C. CUMMINS
DANIEL M. CURLEY
DARCY J. DRAYTON
DEREK V. EICHHOLZ
RHEANNA J. FELTON
MATTHEW B. FIRING
JAMES M. GARRETT
MICHAEL E. GILBERTSON
SCOTT L. GOBLE
EDDIE M. GONZALEZ
ROBERT K. GOTHERIDGE
AMY M. GRANADOS
JOSIAH T. GRIFFIN
GARRISON D. GROH
KENNETH W. HALL
JAMES D. HAMMOND
RONALD M. HERRMANN
DANIEL D. HILL
BENJAMIN W. HOGAN
ANNE C. HSIEH
JAMES F. INGRAM
ERIC W. IRWIN
GREGORY T. ISHAM
CHARLES H. JACKSON
AARON G. JOHNSON
MARY E. JONES
PAMELA L. JONES
ROBERT J. JUGE
ADAM KAMA
JESSICA M. KETTL
CALI Y. KIM
AARON L. LANCASTER
GEORGE R. LAVINE III
ANTHONY V. LENZE
TRAVIS J. LIEB
LORI E. LINCOLN
DUSTIN J. LUJAN
DYLAN S. MACK
SEAN P. MAHONEY
CHRISTOPHER R. MALIS
RICK B. MATHEW
AMY H. MCCARTHY
KYLE M. MEISNER
JORDAN K. MILLER
JUSTIN P. MOORE
BRIAN P. NICHOLSON
MICHAEL PETRUSIC
TRENTON W. POWELL
PATRICK J. REGAN
TULSI L. ROGERS
JEFFREY L. ROTHSTEIN
ROBERT W. RUNYANS
MICHAEL J. SCALETY
JON D. SCHOENWETTER
WALTER J. SEPULVADO
THOMAS A. SILBERMAN
KYLE C. SPRAGUE
JOHN J. SULLIVAN
KEVIN T. SUMMERS, JR.
JOHN E. SWORDS
RORY T. THIBAUT
RICHARD THOMAS
SARA M. TRACYRUAZOL
HEATHER L. TREGLE
MICHAEL R. TREGLE, JR.
ERIC A. TRUDELL
DONALD E. WAGNER
JIHAN E. WALKER
TIMOTHY C. WARNER
JUSTIN R. WEGNER
JASON D. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JOHN S. AITA
MARK I. ANDERSON
MIKE L. ANDERSON
BRYAN L. BACON
JAY B. BAKER
DAVID G. BELL
TIMOTHY J. BIEGA
PATRICK T. BIRCHFIELD

TIMOTHY C. BRAND
THEODORE R. BROWN
ADAM G. BUCHANAN
LEE A. BURNETT
ANDREW P. CAP
KEVIN K. CHUNG
MICHAEL N. CLEMENSHAW
MICHEL A. R. COURTINES
HEATHER M. CURRIER
MINHLUAN N. DOAN
ROGER H. DUDA
SUSAN R. FONDY
ANDREW J. FOSTER
GREGG G. GERASIMON
JENNIFER M. GURNEY
CHARLES G. HAISLIP
MOHAMAD I. HAQUE
JOSHUA S. HAWLEYMOLLOY
ROBERTO HENNESSY
SANDRA L. HERNANDEZ
PATRICK W. HICKEY
JASON M. HILES
LINDA L. HUFFER
MATTHEW R. JEZIOR
CATHERINE A. KIMBALLEAYRS
SOO H. KIMDELIO
MICHAEL V. KRASNOKUTSKY
JOSEPH C. LEE
PETROS G. LEINONEN
KEITH M. LEMMON
JEFFREY A. LEVY
MICHAEL J. LICATA
DEREK R. LINKLATER
PHILIP D. LITTLEFIELD
RICHARD C. A. LIU
PATRICIA A. LOVELESS
JAMES B. LUCAS II
HUY Q. LUU
MATTHEW M. MAYFIELD
JON H. MEYERLE
JEFFREY A. MIKITA
JOEL T. MONCUR
MOHAMMAD NAEEM
VISETH NGAUY
HANG T. NGUYEN
VIET N. NGUYEN
NERIS M. NIEVESROBBINS
JOSEPH J. NOVACK III
MARK S. OCHOA
JASON A. PATES
PATRICK J. POLLOCK
MARCUS C. PONCEDELEON
GORDON PRAIRIE
MICHAEL W. PRICE
LOUIS M. RADNOTHY
MARY L. REED
KYLE N. REMICK
MARK E. REYNOLDS
BRUCE A. RIVERS
CHRISTOPHER J. ROACH
BRIAN D. ROBERTSON
STEVEN J. ROGERS, JR.
PAUL M. RYAN
AARON A. SAGUIL
RUBEN SALINAS, JR.
ELIZABETH M. SAWYER
SHAWNA E. SCULLY
JASON M. SEERY
JOHN H. SHERNER III
MATTHEW W. SHORT
PATRICIA A. SHORT
EUGENE K. SOH
BRYONY W. SOLTIS
MATTHEW A. STUDER
MICHAEL J. TARPEY
FRANK E. VALENTIN
KAREN S. VOGT
DANIEL S. WASHBURN
DANIEL M. WENZELL
JOHN L. WESTHOFF II
DEREK C. WHITTAKER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be lieutenant commander

KIELLY A. ANDREWS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

JEFFREY C. CHAO

To be lieutenant commander

JOSEPH A. MOORE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIK J. KJELLGREN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

LUCAS M. CHESLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAIME A. IBARRA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

AARON R. CRAIG
BRIAN R. MILLER
TORRENS G. MILLER
JONATHAN D. PRICE
CHRISTOPHER T. STEINHILBER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CURTIS J. SMITH
BRYAN E. STOTTIS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ALLEN L. LEWIS
DAVID STEVENS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL J. MALONE
MICHAEL C. ROGERS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CONRAD G. ALSTON

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES C. ROSE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID M. SOUSA

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SHAWN A. HARRIS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID F. HUNLEY
ARLIE L. MILLER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN A. YUKICA

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL J. BARRIBALL
DAVID J. CURTIS
MICHAEL S. DEWEY
CHRISTOPHER M. DILPORT
JOHN V. RUSSELL IV

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMEEL A. ALI

CHRISTOPHER M. GILMORE
AMBROSIO V. PANTOJA

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MATRIX W. ELIAS
CHRISTOPHER M. SMITH
NICHOLAS J. TAZZA

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JIMMY W. DARSEY
GERALD E. PIRK, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ISAAC RODRIGUEZ
MICHAEL G. SMITH
BRIAN G. WISNESKI

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEITH D. BURGESS
KEITH J. LUZBETAK

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER W. BENSON
SHELTON WILLIAMS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KEVIN L. FREIBURGER
JEREMIAH T. HAMRIC
JASON H. PERRY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHARLES W. DEMLING III
ROCKY D. HUTTON
MICHAEL R. LUKKES
ZOLTER E. MENDOZA
GLEN F. TEDTAOTAO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JEFFREY J. ABRAMAITYS
JENNIFER E. ANTHIS
ANDREW J. AYLWARD
DAVID M. BOLAND
GERALD H. BOYLE
MICHAEL J. BRACEWELL
KAREN F. BRANNEN
DAVID L. BROOKS
MICHELLE R. BUTTERS
JOHN F. BUXTON
MARKHAM B. CAMPAIGNE, JR.
CHARLES D. CAMPBELL
MICHAEL F. CARDOZA
JONATHAN A. HAYNES
JOHN D. HEYE
VALERIE A. JACKSON
AARON P. KEENAN
JOSHUA A. KEISLER
STEPHEN G. KETTLELL
KEVIN J. KRONOVETER
OMAR D. LAND
DAWN D. LOVE
GREGG M. LYSKO
BENJAMIN W. MALMANGER
CURTIS A. MASON
CRAIG C. MONROE
AARON B. OCONNELL
MARIA J. PALLOTTA
JOSEPH M. PARKER
TODD J. PEPPE
JOHN PERSANO III
HARRY S. PORTER
THOMAS H. PRESECAN
JAMES M. QUIRK
SEAN J. RIDDELL
CHRISTOPHER J. SAMPLE
SARAH T. SCHAFFER

DAVID D. SCOTT
 MARCUS L. STEWART
 DANIEL B. TAYLOR
 ANNEMARIE E. THERIOT
 JAMES R. THOMPSON
 TRUETT A. TOOKE
 JOHN P. VALENCIA
 FREDERIK W. VANWEEZENDONK
 ERICH H. WAGNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RICHARD T. ANDERSON
 VICTOR W. ARGOBRIGHT II
 DAVID R. BERKE
 CAROLYN D. BIRD
 JACK G. BOLTON
 CHRISTOPHER J. BONIFACE
 GILES R. BOYCE
 MICHAEL A. BROOKS, JR.
 BRIAN T. BRUGEMAN
 KEITH E. BURKEPIEK
 THOMAS H. CAMPBELL III
 VINCENT J. CIUCCOLI
 MICHAEL R. COLETTA
 MARK S. COPPESS
 WARREN J. CURRY
 VALERIE C. DANYLUK
 CHARLES B. DOCKERY
 SIMON M. DORAN
 TIMOTHY R. DREMAN
 BRIAN P. DUPLESSIS
 CURTIS V. EBITZ, JR.
 DAVID M. FALLON
 SETH W. FOLSOM
 FRIDRIK FRIDRIKSSON
 ADOLFO GARCIA, JR.
 DAVID S. GIBBS
 BRIAN L. GILMAN
 RYAN G. GOULETTE
 WILLIAM C. GRAY
 MATTHEW S. GROSZ
 JOHN M. HACKEL
 MAURA M. HENNIGAN
 RANDALL S. HOFFMAN
 JAY M. HOLTERMAN
 TRAVIS L. HOMIAK
 DAVID W. HUDSPETH
 LARRY M. JENKINS, JR.
 MICHAEL H. JOHNSON
 JOSEPH W. JONES
 STEPHEN F. KEANE
 MATTHEW J. KENT
 SEAN C. KILLEEN
 STEPHEN J. LIGHTFOOT
 CHARLES M. LONG, JR.
 MARIA A. MARTE
 PETER L. MCARDLE
 BRIAN G. MCAVOY
 JAMES P. MCDONOUGH III
 MICHAEL E. MCWILLIAMS
 RICARDO MIAGANY
 TIMOTHY P. MILLER
 IVAN I. MONCLOVA
 JEFFERY M. MORGAN
 CHARLES J. MOSES
 MATTHEW T. MOWERY
 DENISE M. MULL
 KIRK D. MULLINS
 MICHAEL J. MURCHISON
 TILEY R. NUNNINK
 CHRISTOPHER H. OLIVER
 JOHN C. OSBORNE, JR.
 KEITH A. PARRY
 TODD R. PEERY
 MICHAEL J. PEREZ
 JACK D. PERRIN
 MATTHEW H. PHARES
 MICHAEL B. PROSSER
 RANDOLPH G. PUGH
 ERIC R. QUEHL
 CHRISTIAN M. RANKIN
 MARK S. REVOR
 BRET H. RITTERBY
 JOHN H. ROCHFORD II
 GARY D. ROTSCHE
 WILLIAM R. SAUERLAND, JR.
 GEORGE C. SCHREFFLER III
 MATTHEW R. SEAY
 CHRISTOPHER B. SHAW
 BLAIR J. SOKOL
 JEFFREY J. STOWER
 MICHAEL S. STYSKAL
 EDWARD R. SULLIVAN
 JEFFREY A. SYMONS
 ALISON J. THOMPSON
 CHRISTOPHER G. TOLAR
 PATRICK M. TUCKER
 JEFFREY A. VANDAVEER
 SCOTT W. WADLE
 DAVID C. WALLIS III
 AHMED T. WILLIAMSON
 SETH E. YOST

CONFIRMATIONS

Executive nominations confirmed by the Senate January 28, 2016:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ANTHONY J. ROCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES H. DIENST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JOHN J. DEGOES

COL. MARK A. KOENIGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES R. BARKLEY
 BRIG. GEN. KIMBERLY A. CRIDER
 BRIG. GEN. DAVID B. O'BRIEN
 BRIG. GEN. ERIC S. OVERTURF
 BRIG. GEN. WALTER J. SAMS
 BRIG. GEN. JOHN P. STOKES
 BRIG. GEN. CURTIS L. WILLIAMS
 BRIG. GEN. EDWARD P. YARISH

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. PAIGE P. HUNTER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. THOMAS J. OWENS II

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ROBERT G. MICHNOWICZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JEFFREY C. COGGIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KEVIN C. WULFHORST

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH PETER L. REYNOLDS AND ENDING WITH CHRISTOPHER P. CALDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATION OF JEREMY W. CANNON, TO BE COLONEL.

AIR FORCE NOMINATION OF TED W. LIEU, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JODENE M. ALEXANDER AND ENDING WITH DEBORAH J. ROBINSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN LOUIS ARENDALE II AND ENDING WITH MINH-TRI BA TRINH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH BONNIE JOY BOSLER AND ENDING WITH LIANE L. WEINBERGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH ARDEN B. ANDERSEN AND ENDING WITH MARK A. ZELKOVIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATION OF TODD ANDREW LUCE, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH LEBANE S. HALL AND ENDING WITH DAVID F. PENDLETON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND AP-

PEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM CHARLES DUNLAP AND ENDING WITH ROBERT K. MCGHEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH DAWN D. BELLACK AND ENDING WITH ANDREW J. TURNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH KATHERINE E. AASEN AND ENDING WITH CHRISTOPHER M. ZIDEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH BRYAN M. BARROQUEIRO AND ENDING WITH JOSEPH MANNINO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

AIR FORCE NOMINATION OF BRYAN M. DAVIS, TO BE MAJOR.

AIR FORCE NOMINATION OF TODD E. COMBS, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH BRETT C. ANDERSON AND ENDING WITH SHAHID A. ZAIDI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH STEPHEN C. ARNASON AND ENDING WITH JOHN R. YANCEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH ERIC E. ABBOTT AND ENDING WITH PHILIP A. WIXOM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH JANE A. ALSTON AND ENDING WITH TIMOTHY J. ZIELICKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH DAVID H. AAMIDOR AND ENDING WITH D012522, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

ARMY NOMINATIONS BEGINNING WITH YONATAN S. ABBEIE AND ENDING WITH D012158, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

ARMY NOMINATION OF PETER J. KOCH, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH DEREK P. JONES AND ENDING WITH WILLIAM J. RICE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

ARMY NOMINATIONS BEGINNING WITH MICHAEL S. ABBOTT AND ENDING WITH D011609, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

ARMY NOMINATION OF DENNY L. WINNINGHAM, TO BE COLONEL.

ARMY NOMINATION OF JOHN C. BASKERVILLE, TO BE COLONEL.

ARMY NOMINATION OF MARK L. COBLE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH CRAIG A. HOLAN AND ENDING WITH ERIC E. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

ARMY NOMINATION OF STEVEN R. BERGER, TO BE COLONEL.

ARMY NOMINATION OF RICHARD M. HAWKINS, TO BE MAJOR.

ARMY NOMINATION OF MARTIN S. KENDRICK, TO BE LIEUTENANT COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH WILLIAM T. HENNESSY AND ENDING WITH JAMES R. LENARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 14, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH JEREMY D. ADAMS AND ENDING WITH ANGELA S. ZUNIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

MARINE CORPS NOMINATIONS BEGINNING WITH GEORGE L. ROBERTS AND ENDING WITH STEPHEN A. RITCHIE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH JAMES E. O'NEIL III AND ENDING WITH KEITH M. ROXO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2015.

NAVY NOMINATIONS BEGINNING WITH DENISE M. VEYVODA AND ENDING WITH ROBERT G. WEST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2016.

NAVY NOMINATION OF JAMES A. TROTTER, TO BE LIEUTENANT COMMANDER.

EXTENSIONS OF REMARKS

HONORING KOREAN AMERICAN DAY

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. KELLY of Pennsylvania. Mr. Speaker, one hundred thirteen years ago this month, pioneers from Korea first journeyed to our shores in search of opportunity, prosperity, and freedom. These early Korean Americans worked hard in our growing country, started families, and established strong communities. Over the past century, Korean Americans have made strong contributions to our fields of medicine, engineering, research, and innovation, and have become respected community leaders and elected officials.

The United States shares a special relationship with the Republic of Korea forged during the Korean War and solidified by the greater global struggle for freedom in the 20th century. In response to the invasion of North Korean and communist forces in 1950, the United States led a global coalition to defend Korean sovereignty. Millions of American and Korean soldiers fought side by side and formed friendships during the conflict. Guided by desire to foster trust and mutual cooperation in the region, the U.S.-Korea alliance has stabilized a region subjected to terror by North Korea.

Last November, I had the privilege of visiting the Republic. Over the course of my three-day visit, I enjoyed robust policy discussions with Korean leaders on numerous topics, deepening old friendships while forging new ones. It was evident to me that the U.S.-Korea alliance has never been stronger. The U.S.-Korea Free Trade Agreement (KORUS) has brought economic growth to both of our countries, and American exports to Korea reached a record level last year. As I continue to reflect on my visit to the Republic, I am reminded of the deep and abiding responsibility all American leaders should feel towards preserving the U.S.-Korea alliance. The vigor and vitality of the Korean people and their commitment to democracy, a free market economy, and the rule of law—our common values—is simply inspirational. We owe that commitment to our esteemed Korean War veterans—the 1.8 million Americans who fought and sacrificed so much in that awful conflict to help birth one of the greatest democracies and alliances in the history of civilization.

Mr. Speaker, I rise to celebrate Korean American Day. As the co-chairman of the Congressional Caucus on Korea, I am proud to recognize our nations' special relationship and the powerful contributions that Korean Americans have made to the United States, especially those who have served with distinction in our Armed Forces. In the years to come, the U.S.-Korea alliance will surely be

tested but our faith and determination will never falter or waiver.

TRIBUTE TO LAUREN SMITH

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. HONDA. Mr. Speaker, we rise today to honor the life of Lauren Suzanne Smith. I am joined by my esteemed colleagues DORIS O. MATSUI, JERRY MCNERNEY, ZOE LOFGREN, AMI BERA, JULIA BROWNLEY, LOIS CAPPS, TONY CÁRDENAS, JUDY CHU, JIM COSTA, SUSAN A. DAVIS, MARK DESAULNIER, ANNA ESHOO, SAM FARR, JOHN GARAMENDI, JANICE HAHN, BARBARA LEE, TED LIEU, ALAN S. LOWENTHAL, GRACE F. NAPOLITANO, LINDA SÁNCHEZ, ADAM B. SCHIFF, BRAD SHERMAN, JACKIE SPEIER, ERIC SWALLOW, MARK TAKANO, MIKE THOMPSON, NORMA J. TORRES, JUAN VARGAS, and MAXINE WATERS.

Lauren Smith, a beloved daughter, sister, friend, Congressional staffer, and coworker, died on December 26, 2015 in her home in Washington, D.C. at the age of 37.

Lauren was born on August 18, 1978, in Illinois. At the age of four, she attended her first Chicago White Sox baseball game—thus launching a lifelong love of the sport. Lauren was also a professional ballroom dancer and instructor. A self-proclaimed “foodie,” Lauren was an inspirational chef, who had her own website: “One if By Food.” She believed people should not have to compromise taste, flavor, and health—just because they were only cooking for one.

Lauren thrived on following her passions, despite the sacrifices. That characteristic fueled her journey across the country multiple times, from the campaign trail to Capitol Hill. Her unabating dedication to progressive ideals was second only to her independent spirit. Her keen communications skills and doggedness served her well, bringing exciting opportunities and necessitating many a quick decision to say “yes” to pack up everything to go on to the next challenge.

Lauren got her feet wet fresh from graduating from Cal State Fullerton with the All America PAC during the 2006 midterm elections, and worked her way up to become the Democratic National Committee's statewide communications director for Indiana during the 2008 presidential election. Lauren proved herself time and again, handling tough situations and high pressure through a decade on the Hill as Press Secretary for Rep. CUELLAR (D-Texas), Communications Director for Rep. MATSUI (D-Calif.), and Communications Director/Deputy Chief of Staff for Rep. MCNERNEY (D-Calif.). After serving as Communications Consultant for John Walsh's bid for Montana's vacant Senate seat, Lauren served as the

Deputy Communications Director for Sen. Walsh (D-Mont.) as well.

In 2015, Lauren joined Rep. HONDA's (D-Calif.) team. Lauren swiftly settled in, becoming a major asset to the entire staff—teaming with each staff member to increase effectiveness of all communication. She thoughtfully served as the Member's voice and ambassador to the media. Lauren was a media liaison extraordinaire, easily developing positive professional relationships with reporters.

Lauren loved her job, and everyone knew it from her positive impact. Lauren changed the lives of everyone with whom she worked. A common denominator for all the offices where Lauren worked is that Lauren was viewed as dedicated, passionate, incredibly hard-working, and most of all, beloved. She would brighten up any office with her quick wit and cheery nature. She was also deeply caring and considerate. She was the first to ask how someone was doing and offer assistance. To her, relationships mattered most of all. Lauren always put herself last.

Mr. Speaker, sometimes, we are simply lucky enough to be gifted with an amazing employee and colleague. Lauren had an infectious laugh, and an inspiring spirit that matched her drive to make the world a better and happier place. No doubt, Lauren is still giggling somewhere, and looking out for her loved ones. Lauren—you are beyond compare. You made it so easy to fall into love with you. We miss you so very dearly.

RECOGNIZING THE 26TH ANNIVERSARY OF “BLACK JANUARY”

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. COHEN. Mr. Speaker, I rise today to recognize the 26th anniversary of “Black January” in Azerbaijan. Imbedded in the memory of all Azerbaijanis regardless of where they live, Black January commemorates Azerbaijan's stand against Soviet soldiers for independence, sovereignty, territorial integrity over all lands under Azerbaijani jurisdiction, and freedom from communism and dictatorship.

On the evening of January 19, 1990, the U.S.S.R. Supreme Soviet Presidium backed by then-President Mikhail Gorbachev, declared a state of emergency in response to the growing national independence movement in Azerbaijan, which led to Russian troops storming the Azerbaijani capital city of Baku. In an attempt to suppress the movement and “restore order,” Soviet invaders indiscriminately fired on peaceful demonstrators, including women and children. That night, more than 130 people died, over 700 people were injured, 841 were arrested and 5 went missing.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The invasion, however, focused not just on peaceful protestors but also on critical infrastructure and workers. According to a report by Human Rights Watch entitled *Black January in Azerbaijan*, "among the most heinous violations of human rights during the Baku incursion were the numerous attacks on medical personnel, ambulances and even hospitals." Additionally, the attack was an act of intimidation for all then-Soviet countries with independence ambitions. The Human Rights Watch report concluded that, "indeed the violence used by the Soviet Army on the night of January 19–20 constitutes an exercise in collective punishment. The punishment inflicted on Baku by Soviet soldiers may have been intended as a warning to nationalists, not only in Azerbaijan, but in other Republics of the Soviet Union."

Azerbaijani citizens, however, refused to succumb to Soviet aggression. Instead, the invasion inflamed Azerbaijani nationalism. In the days after the invasion, thousands of Azerbaijanis surrounded Communist Party headquarters demanding the resignation of the republic's leadership, the Baku City Council demanded that Soviet troops be withdrawn and the Soviet legislature in Azerbaijan threatened to call a referendum on secession unless Soviet troops were withdrawn within 48 hours.

Soviet troops were eventually withdrawn and January 20th became known as "the Day of the Nationwide Sorrow." It would not be for nearly two years, however, before Azerbaijan gained political control from the Soviet Union. In October 1991, Azerbaijan's parliament—the National Assembly—declared its independence.

Today, Azerbaijan has developed into a thriving country with double digit growth, in large part due to a freely elected president and parliament, free market reforms led by the energy sector, and, most importantly, no foreign troops on its soil. I ask my colleagues to join me in recognizing the tragic events of Black January that precipitated the independent Republic of Azerbaijan and the fall of the USSR.

TRIBUTE TO MRS. NEVA BELL

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. ROKITA. Mr. Speaker, I rise today to honor a wonderful Hoosier, Mrs. Neva Bell. Today Neva Bell of Indianapolis, a true daughter of the State of Indiana attains the century mark of 100 years of age.

Born in Monroe, Indiana in 1916, to Mr. and Mrs. E.F. Fricke, Neva attended Purdue University where she met her future husband Simeon Bell of Portland, the son of a Jay County, Indiana pioneer family. Neva and Simeon Bell both graduated from Purdue, married, and raised three children in Indiana. Neva now has 6 grandchildren and 7 great grandchildren.

Over the years, Neva and Simeon Bell spent countless volunteer hours helping many Indiana institutions like the Indiana State Museum, the Eiteljorg Museum, the 500 Festival,

and the Indianapolis Museum of Art. Neva and Simeon also maintained and improved the Bell family pioneer farm in Jay County, Indiana which is still in the family to this day.

Neva lost her husband in 2005, but that hasn't stopped her from supporting her loved Indiana organizations. Over a lifetime Neva Bell has epitomized the strong, independent citizen that makes Indiana great.

Let us join together today and wish Neva Bell a very Happy Birthday and a joyful and healthy year.

RECOGNIZING THE ANNIVERSARY OF DWAYNE AND CAROL CHESNUT

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. TITUS. Mr. Speaker, I rise today to recognize the sixtieth wedding anniversary of Dwayne and Carol Chesnut, two dear friends, respected community leaders, generous philanthropists, and loyal Democrats. They have three children, Kay, Michelle, and Mark, and two grandchildren, Darrel and Danielle Jobe.

Carol and Dwayne met as teenagers in high school when, coming out of class, he held the door open for her. Carol responded, "It is good to know that there are still gentlemen and scholars left." Dwayne was smitten and holds the door for Carol still today.

When Carol and Dwayne were courting in Texas in the early fifties, their favorite song was "Too Young" by Nat King Cole. Its words were prophetic: "This love will last though years may go." The joy they find in each other spills over into the numerous lives, including my own, which they have touched over the 60 years they have been together.

Congratulations. Here's to many more good times and sweet memories to come.

HONORING DR. WILLIAM B. BYNUM, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Dr. William B. Bynum, Jr., a 25-year higher education professional, who was unanimously selected to be the 7th President of Mississippi Valley State University (MVSU) by the Mississippi Institutions of Higher Learning Board on October 8, 2013 and he began his presidency at "The Valley" on November 6, 2013.

A native of Rocky Mount, NC, Dr. Bynum earned his Bachelor of Arts degree in Sociology from Davidson College while on a student-athlete scholarship. While at Davidson, he also minored in Education and passed the National Teachers Exam. He was subsequently licensed and certified to teach Social Studies and Math in North Carolina and Georgia. Dr. Bynum went on to earn his masters and Ph.D. in Sociology from Duke University while serving as a Duke Endowment Fellow.

Dr. Bynum was also a member of the inaugural class of the NAFEO-Kellogg Leadership Fellows Program, a yearlong program specifically designed to train the next generation of presidents/chancellors for minority serving institutions, which was led by then NAFEO president—Dr. Frederick Humphries; NAFEO chairman—Dr. Joe Johnson, and executive director—Dr. Arthur Thomas. As part of the program, Dr. Bynum "shadowed" Dr. Harold Martin, then chancellor of Winston-Salem State University and now chancellor of NC A&T State University.

As the 7th President, Dr. Bynum's vision for the University is to uplift 6 powerful words that are already deeply rooted in "The Valley" culture. The vision is: ONE GOAL. ONE TEAM. ONE VALLEY. The ONE GOAL is Student Success (increased enrollment, retention and graduation; holistic student development and career advancement); The ONE TEAM is University and Community Stakeholders Working Together; And the ONE VALLEY is students, faculty, staff, alumni and friends actively demonstrating School Pride and Spirituality that is second to none!

Prior to his appointment at MVSU, Dr. Bynum served as the Vice President for Enrollment Management and Student Services at Morehouse College (2009–2013), where he was mentored by Morehouse's 10th president, Dr. Robert Michael Franklin. While serving at Morehouse, Dr. Bynum significantly enhanced student-administration relations, improved the efficiency and effectiveness of student services, started, envisioned and led the initiative which established the Parents Council and implemented the nationally acclaimed Morehouse "Appropriate Attire Policy."

Prior to Morehouse, Dr. Bynum served as the Vice President for Student Affairs and Enrollment Management (2000–2009) at The Lincoln University (PA). During his nine years of service, he was successful in nearly doubling Lincoln's enrollment and recruited the 4 largest new student classes (900+) in the University's 150-year history. Dr. Bynum also led the Board-approved Student Enhancement Initiative, which entailed elevating Lincoln from NCAA Division III to NCAA Division II athletics, reactivated Lincoln's membership in the Central Intercollegiate Athletic Association (CIAA) conference, returned football to the campus after a 40-year absence and started the University's first marching band program: "The Orange Crush." At Lincoln, Dr. Bynum was mentored by Dr. Ivory Nelson, the University's 12th president, who garnered over \$200 million in capital construction to transform the campus physical plant.

Prior to LU, Dr. Bynum served as the Associate Vice President and Dean of Students at Clark Atlanta University (1993–2000), and he was the number 2 person in the division that recruited the 4 largest classes (1500+) in the then 125-year history of CAU. While at CAU, Dr. Bynum was mentored by and developed strong strategic planning and assessment skills from Dr. Doris Walker Weathers. During his CAU days, Dr. Bynum was nicknamed "Bye-Bye Bynum" for his no-nonsense approach to judicial affairs and enhancing the campus culture and environment.

In addition to his enrollment management and student affairs work, Dr. Bynum has lectured and/or taught as well. He served as the

Covington Distinguished Professor of Sociology at Davidson and at Morehouse, he was an adjunct professor in the Leadership Studies program and Sociology department. Dr. Bynum's other professional experience includes research and teaching positions at the Georgia Institute of Technology (Georgia Tech), Duke University and Durham and Edgecombe Community Colleges. He started his educational career as a teacher, football and wrestling coach in the Rocky Mount (NC) City School System (1984–87) and the Dekalb County (GA) School System (1987–88). Dr. Bynum has represented his institutions in numerous external programs and at professional conferences, while serving as a presenter or moderator. He has authored refereed articles in professional journals and presented papers with academic and social themes. Trained as a Quantitative Sociologist, Dr. Bynum still remains active in research and teaching. His research and teaching interests center around: (1) Black Church Studies; (2) Race, Gender and Ethnicity; and (3) Organizations, Markets and Work.

His publications include: A co-authored article with Duke colleagues in the sociology journal *Social Forces* entitled "Race and Formal Volunteering"; A chapter entitled "The Black Church in America: Demography and Current Trends" in the book: *Exploring The African American Experience* (3rd edition); and a short story entitled "For the Love of J-Ski" in the NASPA produced book: *Stories of Inspiration: Lessons and Laughter in Student Affairs*. Dr. Bynum is a member of Omicron Delta Kappa, Chi Alpha Epsilon and Omega Psi Phi Fraternity, Inc.

A God-loving, God-fearing man, he is married to Deborah Elaine Bynum, a manager and 34-year employee with AT&T Mobility Services, and they are the proud parents of six children—Tyrone (a student at Georgia State University), Tyler (a student-athlete graduate of Truett-McConnell College), Chelsea (a student at Clark Atlanta University and Army Reservist), Zack (a student at Morehouse College), and Jordan and Jazz (both of whom are Atlanta public high school students).

Dr. Bynum's personal and professional motto is "Look back and thank God. Look forward and trust God. Look around and serve God. Look within and find God."

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. William B. Bynum, Jr., a teacher, professional and educator for his contribution to serving others and giving back to the African American community.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. SMITH of Washington. Mr. Speaker, on the afternoon of Thursday, January 7 and January 8, 2016, I took medical leave to attend to an appointment related to an upcoming hip replacement surgery and was unable to be present for recorded votes. Had I been present, I would have voted:

"Yes" on roll call vote No. 7 (on agreeing to the Johnson (GA) Amendment to H.R. 712),

"Yes" on roll call vote No. 8 (on agreeing to the Cummings Amendment to H.R. 712),

"Yes" on roll call vote No. 9 (on agreeing to the Lynch Amendment to H.R. 712),

"Yes" on roll call vote No. 10 (on agreeing to the Johnson (GA) Amendment to H.R. 712),

"Yes" on roll call vote No. 11 (on the motion to recommit H.R. 712, with instructions),

"No" on roll call vote No. 12 (on passage of H.R. 712),

"Yes" on roll call vote No. 13 (on agreeing to the Johnson (GA) Amendment to H.R. 1155),

"Yes" on roll call vote No. 14 (on agreeing to the Cummings Amendment to H.R. 1155),

"Yes" on roll call vote No. 15 (on agreeing to the Cicilline Amendment to H.R. 1155),

"Yes" on roll call vote No. 16 (on agreeing to the DelBene Amendment to H.R. 1155),

"Yes" on roll call vote No. 17 (on agreeing to the Cicilline Amendment to H.R. 1155),

"Yes" on roll call vote No. 18 (on agreeing to the Pocan Amendment to H.R. 1155),

"Yes" on roll call vote No. 19 (on the motion to recommit H.R. 1155, with instructions),

"No" on roll call vote No. 20 (on passage of H.R. 1155),

"No" on roll call vote No. 21 (on ordering the previous question on H. Res. 581),

"No" on roll call vote No. 22 (on agreeing to the resolution H. Res. 581),

"Yes" on roll call vote No. 23 (on agreeing to the Cohen Amendment to H.R. 1927),

"Yes" on roll call vote No. 24 (on agreeing to the Conyers Amendment to H.R. 1927),

"Yes" on roll call vote No. 25 (on agreeing to the Deutch Amendment to H.R. 1927),

"Yes" on roll call vote No. 26 (on agreeing to the Moore Amendment to H.R. 1927),

"Yes" on roll call vote No. 27 (on agreeing to the Moore Amendment to H.R. 1927),

"Yes" on roll call vote No. 28 (on agreeing to the Waters Amendment to H.R. 1927),

"Yes" on roll call vote No. 29 (on agreeing to the Johnson (GA) Amendment to H.R. 1927),

"Yes" on roll call vote No. 30 (on agreeing to the Jackson Lee Amendment to H.R. 1927),

"Yes" on roll call vote No. 31 (on agreeing to the Nadler Amendment to H.R. 1927),

"Yes" on roll call vote No. 32 (on the motion to recommit H.R. 1927, with instructions), and

"No" on roll call vote No. 33 (on passage of H.R. 1927).

IN RECOGNITION OF MRS. SUE BAUCH

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. VALADAO. Mr. Speaker, I rise today to congratulate Mrs. Sue Bauch on her retirement after twenty-eight years of dedicated service to the City of Kingsburg.

Mrs. Bauch was born in Auberry, California. During her childhood, she attended local schools and later graduated from Sierra Union High School. Mrs. Bauch and her husband Guy have four children, Shannon, DJ, Chad, and Michelle.

On January 28, 1988, Mrs. Bauch began working as a part-time Utilities Clerk for the

City of Kingsburg. Exactly one year later she was hired on as full time and has since served in multiple positions, including Business License Clerk, Building Secretary, Planning Secretary, and Deputy City Clerk. In 1998, she was promoted to City Clerk and has held that position ever since. In 2013, Mrs. Bauch also served as the Acting City Manager of Kingsburg.

Mrs. Bauch's hard work and dedication to the City of Kingsburg is without question. She is known in the community for her knowledge of all things Kingsburg and for her invaluable guidance to fellow co-workers and residents.

After twenty-eight years with the City of Kingsburg, Mrs. Bauch retired on January 6, 2016. During her time with the City of Kingsburg Mrs. Bauch was known as the "face" of city hall. There is no doubt that the city has benefited from her guidance throughout her years of service.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Sue Bauch for her years of dedicated public service and wishing her well as she begins her retirement.

HONORING MILTON GASTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil servant, Mr. Milton Gaston.

Born in Hollandale, Mississippi, Milton Gaston was nurtured and reared by his parents, the late James and Luella Gaston, in Glen Allen, Mississippi. He is the seventh born of eleven children to his parents. Gaston proudly admits that his parents reared them to be a close-knit family and his siblings and he remain so today.

Milton Gaston was educated in the Glen Allen Public Schools.

Understanding the meaning of family as so taught by his parents, Mr. Gaston met and married Ms. Alice Watts. To their union, six (6) children and ten (10) grandchildren are being shaped for this most extraordinary world.

To support his family, Mr. Gaston began work with the Washington County Sheriff Department on January 20, 1986 under the leadership of the late Sheriff Harvey Tackett, Sr. In July of that same year, Milton Gaston, Sr., became the only civilian sent to the Jackson Police Academy in Jackson, Mississippi to be certified and deputized under Sheriff Tackett's administration. Because of his work ethics, Greenville Optimist Club named him as Deputy Sheriff of the year in 1989.

On November 3, 2003, Washington County elected Milton Gaston, Sr. as Sheriff of Washington County, Mississippi. At the age of 42, he was the first African American in this county to hold this distinguished position. County Court Chancellor Vernita King-Johnson swore him in on January 5, 2004 to uphold this position to serve and protect the citizens of Washington County, Mississippi. Currently, Sheriff Gaston is in his third term, serving more than twenty-nine (29) years in law enforcement with

a plethora of training on the state and federal level. Additionally, he has initiated and overseen a Juvenile Justice Intervention/Prevention Program that was developed to rebuild at risk youth between the ages of 12–15. The program was called “Biggest S.U.C.C.E.S.S.,” which is an acronym for Students Unanimously Conceiving Confidence & Excellence in Skills and Success. The program was grant funded for one year. Currently, under his leadership, the TRIAD of Washington County was established in 2012. This organization is comprised of senior citizens working with law enforcement to address their safety needs in the community. It is also state funded and has been approved for the current year’s funding.

Sheriff Gaston’s staff is comprised of approximately 120 people between Washington County Sheriff’s Department and Washington County Regional Correctional Facility; all of whom he requires to help make Washington County, Mississippi a safe place for all of its citizens.

As if he is not constantly busy enough, Sheriff Gaston devotes his time and servitude as a member of New Hope First Baptist Church, Vice-President of the Usher Board, a member of the male choir, a member of the 100 Black Men of the Mississippi Delta, a member of the Lake Vista Masonic Lodge Number 46, a member of the Serene Lodge Number 567, a member of the NAACP, and a board member of the Boy’s and Girl’s Club.

Yet, after committing himself to all of this, his Lord, his family, his career, and his affiliations, he still manages to conceive other ingenious ideas to help citizens in our area. He is indeed, “The Peoples’ Sheriff,” and he considers it a pleasure to serve the citizens of Washington County, Mississippi by striving to make it a safer place in which to live.

Mr. Speaker, I ask my colleagues to join me in recognizing Sheriff Milton Gaston for his dedication to serving others and giving back to his community.

RECOGNIZING DR. WILLIE BRYANT

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mrs. LOWEY. Mr. Speaker, I rise today to recognize Dr. Willie Bryant, of Spring Valley, NY, a dentist and Hudson Valley civil rights activist for nearly a half-century, who passed away December 28, 2015, at the age of 77.

A lifelong NAACP member, Dr. Bryant was active with the Rockland Human Rights Commission and helped create the Spring Valley NAACP Life Membership Program. Dr. Bryant also helped form the Rockland Employees Federal Credit Union, a non-profit group that provided low-interest loans to people who worked at the Rockland Psychiatric Center and in county government. Dr. Bryant also spearheaded the successful effort to have a statue of United States Supreme Court Justice Thurgood Marshall placed on the front lawn of the former Hillburn Main School, which was integrated following then-NAACP attorney Marshall’s appeal to the New York State Commissioner of Education in 1943.

Dr. Bryant attended Florida A&M University, graduating in 1961, and then Howard University School of Dentistry. He remained active in both universities’ alumni associations, serving as President of the Florida A&M Ossining (NY) alumni branch, where he started a sickle-cell anemia screening project that reached more than 1,200 people. Dr. Bryant interned at the Veterans Administration Hospital in Philadelphia and joined the dental staff of the FDR Veterans Administration Hospital in Montrose, NY, in 1969. In 1982, Dr. Bryant began serving as the Director of Dental Services at Letchworth Village, a residential facility for people with physical and mental disabilities in Thiells, NY. Dr. Bryant often said providing dental care for the developmentally disabled population was his biggest achievement and his most rewarding experience.

Dr. Bryant was honored many times throughout his career. He received the 2003 “Volunteer Beyond Excellence” Award from the New York Organ Donor Network for promoting organ and tissue donation. He was named Rockland’s Alpha Man of the Year in 2004 and was awarded the Rockland Buffalo Soldiers’ Award in 2006. Dr. Bryant was a 2008 inductee into the Rockland County Human Rights/Civil Rights Hall of Fame for his efforts to help people attain justice and equal treatment under the law. In 2012 he was named one of Florida A&M’s Outstanding Alumni of the Quasiquicentennial and was honored by the Howard University Alumni Club of Westchester and Rockland.

Mr. Speaker, I am proud to recognize my constituent, Dr. Willie Bryant. I urge my colleagues to join me in honoring his exceptional life of service.

IN RECOGNITION OF INTERNATIONAL HOLOCAUST REMEMBRANCE DAY AND 71ST ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mrs. JACKSON LEE. Mr. Speaker, I rise to commemorate International Holocaust Remembrance Day and the 71st anniversary of the liberation of the Auschwitz concentration camp.

It is fitting today to remember to those who experienced the depth of human cruelty in that camp and all other Nazi concentration camps.

It is estimated that over one million prisoners perished at the Auschwitz concentration camp over the five years that it was operational.

I grieve for those lost souls, but I give thanks for the 7,500 prisoners who were liberated 71 years ago today.

The stories of those survivors ensure that we will never forget this crime against humanity and remain vigilant and dedicated to combating hatred and oppression in all its forms.

For that reason, I would also like to bring attention to the ongoing massacres and human rights violations being carried out by the militant terrorist organization Boko Haram in Nigeria.

Just like the actions of the Nazis during World War II, the actions of Boko Haram today are an affront to human life and dignity.

From their first violent uprising in 2009, to the massacre in Baga less than one month ago, Boko Haram has been waging a war that has cost an estimated 10,000 lives, and displaced more than one million people.

I thank President Obama and Secretary Kerry for their active engagement in supporting the Nigerians in their efforts to combat Boko Haram.

I also thank the United States military, for providing the Nigerian military with trainers and specialists to aid them.

But there needs to be more.

These atrocities must not be permitted to continue, and we must do everything within our power to stop the kidnapping and killing of innocent men, women, and children across Nigeria.

So on this 71st anniversary of the liberation of Auschwitz, let us remember and honor those who perished in the Holocaust by rededicating ourselves to combating genocide and the oppression of people by regimes and entities motivated by hatred, religious bigotry, megalomania, or false ideologies.

HONORING MOTHER MATTIE MAE AMOS-MARSHALL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Mattie Mae Amos-Marshall, who was born in a small community in Florence, Mississippi called Steen Creek on October 15, 1915 to the late Mr. Ben and Salle White-Amos.

Mrs. Marshall married her childhood sweetheart, the late Mr. Jessie Marshall, at the age of 18 and moved to Flora, Mississippi where she began a family of her own.

Mrs. Marshall was baptized at a young age at Stokes Chapel M.B. Church and later moved her membership to Jones Chapel M.B. Church where she is a member of the Mother’s Board. Mrs. Marshall moved to Canton, Mississippi as a child and was educated in the Madison County School.

Mr. Speaker, I ask my colleagues to join me in recognizing Mother Mattie Mae Amos-Marshall.

CONGRATULATING CARL SWINDELL ON HIS RETIREMENT FROM THE EULESS POLICE DEPARTMENT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate Carl Swindell on his well-earned retirement from the City of Euless Police Department in Euless, Texas, after thirty-two years of dedicated service.

Carl is a hardworking and highly respected officer of the Euless Police Department. He has honorably served his community since beginning his distinguished career with the department in 1983. Throughout his time in Euless, Carl has received over 42 police commendations as evidence of his outstanding service and professionalism. Whether he was investigating criminal activity as a detective, sharing his knowledge and experiences as a field training officer, or protecting the children of Euless as a school police resource officer, Carl always provided an outstanding service to his community.

Carl's contributions to the law enforcement operations in the City of Euless have helped to ensure countless officers have been adequately trained and prepared for the challenges they face in their everyday duties as police. His legacy will leave a lasting mark on the City of Euless and the Euless Police Department for many years to come.

Mr. Speaker, it is a pleasure to recognize the exhaustive efforts Carl has contributed to the City of Euless. I ask all of my distinguished colleagues to join me in recognizing Carl Swindell and his many years of service.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. SMITH of Washington. Mr. Speaker, on Monday, January 11; Tuesday, January 12; and Wednesday, January 13, 2016, I took medical leave to attend appointments related to an upcoming hip replacement surgery and was unable to be present for recorded votes. Had I been present, I would have voted:

"Yes" on roll call vote No. 34 (on the motion to suspend the rules and pass H.R. 598, as amended), "Yes" on roll call vote No. 35 (on the motion to suspend the rules and pass H.R. 3231, as amended), "No" on roll call vote No. 36 (on ordering the previous question on H. Res. 583), "No" on roll call vote No. 37 (on agreeing to the resolution H. Res. 583), "Yes" on roll call vote No. 38 (on agreeing to the Kildee Amendment to H.R. 1644), "Yes" on roll call vote No. 39 (on agreeing to the Cartwright Amendment to H.R. 1644), "Yes" on roll call vote No. 40 (on agreeing to the Sewell Amendment to H.R. 1644), "Yes" on roll call vote No. 41 (on the motion to recommit H.R. 1644, with instructions), "No" on roll call vote No. 42 (on passage of H.R. 1644), "Yes" on roll call vote No. 43 (on the motion to suspend the rules and pass H.R. 757, as amended), Pursuant to a unanimous consent request made by Majority Leader KEVIN MCCARTHY, and agreed to without objection, the roll call vote No. 44 and the motion to reconsider thereon were vacated and further proceedings on the question of passage of H.R. 3662 postponed as though under clause 8 of rule 20 through the legislative day of January 26, 2016, and "No" on roll call vote No. 45 (on passage of H.R. S.J. Res. 22).

IN HONOR OF GALIYA UMAROVA

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. JACKSON LEE. Mr. Speaker, it is with a heavy heart that I inform this House that on January 4, 2016, Galiya Umarova, wife of Ambassador Kairat Umarov of Kazakhstan passed away.

The Ambassador and Galiya were married for thirty years.

Their son, Gaini, currently works for an international consulting group in Astana, Kazakhstan.

Galiya and her husband have known each other much longer than the beginning of his diplomatic career.

The two met in English class, where he entertained her with his funny stories.

Galiya grew up in Almaty, Kazakhstan's largest city and the country's foremost historical, financial and cultural center.

She dedicated her life to the promotion of the importance of education and was a passionate supporter of building progress in her home country, including her husband's work on behalf of his country.

For example, the Ambassador and Galiya were posted to the United States capitol three different times in the span of 15 years.

Known as the land of peace and prosperity, the beautiful country of Kazakhstan sits on 3,000 years of extraordinary history.

The country's development has been influenced by legends such as Alexander the Great and Genghis Khan.

For centuries, the Silk Road through Kazakhstan served as one of the world's oldest and most historically significant trade routes.

All of this has contributed to the richness of the Kazakh culture and its capacity to adapt and develop.

Much like her home country, Galiya Umarova adapted and developed as she accompanied her husband throughout his diplomatic service for his country.

In fact, Galiya adapted to the DC life by driving herself around town, navigating the hectic DC traffic.

Galiya and the Ambassador traveled the world over, spreading the imperative of cultural tourism, the beautiful culture of Kazakhstan and its over 140 different ethnic groups, while working to promote peace at home and in bilateral relations such as its relationship with the United States.

The couple embodied what former UN Secretary General Kofi Annan declared about their country: "Kazakhstan may serve as an example of a peaceful multiethnic country where ethnic diversity is a blessing, but not a curse."

Kazakhstan is located in the central part of Eurasia, almost equidistant from the Atlantic Ocean and the Pacific Ocean.

Indeed, throughout history, Kazakhstan was an arena for brisk commercial and political relations and it now plays an important role as a link between Europe, Central Asia and the rapidly developing Asian-Pacific region.

Notwithstanding her husband's busy diplomatic schedule over the past 2 decades,

Galiya worked hard to bring balance into her family life.

For example, she always found time to enjoy comedy films with her family.

She also enjoyed a variety of hobbies such as tennis, golf, practicing yoga, growing her own natural fruits and vegetables in her garden.

Today, I hope my colleagues will join me in sending prayers and condolences to Ambassador Umarov and his family.

I also ask for a moment of silence in Galiya Umarova's honor and memory.

HONORING VETERAN EDISON
THOMAS BROWN, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable veteran, Mr. Edison Thomas Brown, Jr.

U.S. Army Veteran Edison Thomas Brown, Jr. is a Mississippi native who was born and reared in the hills of Holmes County within the U.S. Second Congressional District.

Born in the very late 1950s, Mr. Brown, and other youth like him, grew up during the heat of oppression, segregation and poverty of the Holmes County 1960s civil rights movement. Yet, Mr. Brown says, he nor his family ever viewed themselves as underclass.

Although poor by economic standards and conditions, he and his siblings learned early of the importance of working hard to make a decent living by two nurturing parents, who were farmers themselves and who also worked for white farmers as well, picking cotton and such. His parents were Edison Thomas Brown, Sr. and Ednora Randle Brown (both now deceased).

His father was also a U.S. Army veteran who served in World War II. In fact, Mr. Brown says he was inspired to volunteer to serve his country in the military by his father and eldest brother James, a U.S. Army Vietnam veteran. After graduating from high school at what is formerly known as Tchula Attendance Center (TAC) in Tchula, MS, he began his military career in July, 1975 at Fort Knox, KY.

During his tour of duty, he was trained and served as a Track Vehicle Mechanic, specializing in diesel repairs. His U.S. military career also included service in Gelnhausen, Germany.

While in the military, he earned the rank of Specialist 4th Class (SPEC 4). Proud to serve his country, Mr. Brown is grateful that his military career afforded him many travels that he would not have afforded to make and opportunities he possibly would not have had.

Mr. Brown's tour of duty concluded at Fort Stewart, GA in 1979; however, he remained in reserve status until 1981, when he received an Honorable Discharge.

After the military, Mr. Brown took advantage of the GI Bill and began to educate himself (part-time) in Electronic Service Technology coursework. Over the years, he has served in several employment capacities in the Metro Jackson area. His longest stint was with

McRaes Distribution and its merging operations, 1985–2001.

Today, a Clinton, Miss. resident in the Second Congressional District, Mr. Brown spends most of his time actively serving in Holy Temple Baptist Church of West Jackson, pastored by the history-making Rev. Audrey Lynne Hall. At Holy Temple as a deacon, he is Chairman and also serves as Sunday School Superintendent and teacher. He, his wife, Gail, and son, Edison, III, have also participated in the church's ongoing Homeless Outreach Ministry in which the church gives toiletries, snacks and other needful items to the homeless once a month at Poindexter Park near Downtown Jackson.

Mr. Brown's favorite scripture of the Bible in which he tries to live by is Proverbs 3:5–6—"Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge him, and he shall direct thy paths."

Mr. Speaker, I ask my colleagues to join me in recognizing a special Veteran, Mr. Edison Thomas Brown, Jr., for his dedication and support to the Holmes County Community.

PATRICIA SPENCER

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. CASTOR of Florida. Mr. Speaker, I rise today to recognize and honor the life of an extraordinary leader and passionate advocate for freedom and justice, Ms. Patricia Spencer.

Growing up in Montgomery, Alabama in the 1930s, Patricia Spencer followed in her mother and grandmother's footsteps becoming a member of the NAACP at the age of seven, a group which she was still a member of 72 years later. At the age of nineteen, while serving as Secretary of the local NAACP branch, Ms. Spencer received the news that her mentor on the NAACP Youth Council, Rosa Parks, was arrested while riding the Montgomery bus. Ms. Spencer immediately started churning out fliers urging others to boycott the bus. During this time Ms. Spencer also babysat Yolanda King, the first eldest child of Martin Luther King, Jr.

Ms. Spencer graduated from Alabama State University and then moved to Orlando, FL to take a position as an operator with Southern Bell, the first African American to hold this position. From there she moved to Detroit and served 13 years on the local school board. In recognition of her service to the Detroit area, the Martin Luther King, Jr. High School Auditorium and the swimming facility at Charles Kettering High School bear her name. In the mid 1990s she moved to Tampa, FL. Once settled in, she immediately started to volunteer with the Hillsborough NAACP branch, where she used her vast knowledge of the organization's rules to mentor members and secure funding for the branch. She served as Membership Chair and Area Director for the NAACP's state conference as well as Secretary of the Hillsborough County chapter. She will forever be remembered for her constant efforts to boost NAACP membership.

In addition to her work with the NAACP, Ms. Spencer also co-chaired the Afro-Academic, Cultural, Technologic and Scientific Olympics. This program recruits high school students to compete in science and visual arts competitions. In 2007, Governor Charlie Crist appointed her as a member of the Hillsborough County Civil Service Board.

Ms. Spencer will be forever remembered as a leader in the Tampa Bay community for her unequivocal support of justice and fairness. On December 15th, 2015, she passed away two days after her 79th birthday. Mr. Speaker, I join the Tampa Bay community in honoring Ms. Patricia Spencer for her lifelong commitment to service.

HONORING BARBARA CLARK

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. FITZPATRICK. Mr. Speaker, congratulations to Barbara Clark for a job well done on the occasion of her retirement. This is a milestone for the executive director who led the Network of Victim Assistance for 25 years. NOVA, which serves Bucks County and the Philadelphia area is recognized for its high quality services for the most vulnerable in the community. Under her direction, NOVA evolved from a small victims services organization to a large, financially sound, nationally recognized organization with high standards of services available to crime victims, including—children, the elderly and people with disabilities. As executive director, Barbara Clark led the way and was widely recognized and honored for her ability to create problem-solving groups and find solutions and funding to accomplish the work—the creation of a community free from violence and harm. Among her many accomplishments is the ability to fund the agency and its projects. Under her guidance, the budget and the capacity of NOVA rose from \$235,000 in 1991 to more than \$3.3 million today. Another initiative that defined her management ability was the NOVA comprehensive capital campaign she launched in 2008, called Voices Against Violence. The goal was set at \$1.9 million, but at the end of the campaign \$2.1 million was raised. Once again, her knowledge, dedication and her outstanding management abilities led the way. Barbara has the appreciation and gratitude of her colleagues, those she mentored, and the community she served. In so doing, she has set an example for others to follow.

JARVIS GLOVER

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. CASTOR of Florida. Mr. Speaker, I rise today to recognize and honor the service and dedication of an extraordinary community servant, Mr. Jarvis Glover.

Born and raised in Port Tampa, Mr. Glover has been fondly known as its unofficial Mayor.

Mr. Glover started his career with Hillsborough County in 1975, at a time when our nation, and our own community, was progressing and on the cusp of tremendous growth. Beginning as a groundskeeper, Jarvis served to improve the lives of the citizens of Hillsborough County, Florida in many capacities throughout the following four decades of his tenure. Mr. Jarvis recently retired from Hillsborough County, after serving with unwavering discipline and integrity and inspiring future generations of public servants.

Mr. Glover's outstanding work ethic and stalwart dedication have made an indelible mark on day-to-day County business and represents the values that this community upholds. Mr. Glover has had a big heart for public service, which has perhaps made him Hillsborough County's greatest ambassador and he is revered by everyone.

Mr. Glover's commitment and devotion begins with his family. He is quick to credit his loving wife, Clara, as a driving force in his life. His own children, La'Daishia and Jarvis Jr., have supported and followed in their father's lofty footsteps into public service.

Mr. Glover's praise and admiration by everyone he meets has not happened overnight. He has earned it by demonstrating a daily pledge to serve his colleagues and neighbors with respect and hard work. His example of genuine enthusiasm for public service should serve to motivate so many answering the call to join our public agencies, which have a profound impact on millions in almost every aspect of their lives. Hillsborough County is a better place because of Mr. Glover. Mr. Speaker, I am proud to join the Hillsborough County community in thanking Jarvis Glover for his decades of exceptional service.

HONORING REV. ROBERT L.
MILLER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a God-fearing and impressionistic man, Rev. Robert L. Miller. Rev. Miller has shown what can be done through tenacity, dedication and a desire to serve God.

Rev. Miller has done many things throughout his life, but inside he has always been a preacher. At 89 years old, he can't see himself ever hanging it up, because it's his calling. Some of the members of the church have said their church will close its doors if he leaves.

He is currently serving five churches on a rotation schedule where he will do two services a Sunday except one Sunday a month, he only does one service.

Forty years ago in July is when he first took the pulpit at New Mount Zion M.B. Church. Eleven years later in June 1986, he began serving his fifth church, Locust Grove M.B. Church.

He also preached at Providence M.B. Church from 1971 until 1986. He has served as vice moderator of the Sharkey County Baptist Association and is currently the moderator of the Warren County Baptist Association.

He was ordained in December 1968 and started serving his first church just weeks later.

The profession is so much a part of his soul; oftentimes he slides into preacher mode mid-conversation. The only job Rev. Miller has ever had besides being a preacher was a letter carrier for 25 years.

At 18, Miller was drafted and left high school to join World War II. He spent time in France, England, Belgium and Germany as a medic. Once the war was over, he returned to Vicksburg to finish his high school degree at Bowman High School.

Rev. Miller married two years later and had eight children with his wife of almost 30 years. She passed away in 1979. He was remarried in August 2013 to Eleese Fisher Miller.

Mr. Speaker, I ask my colleagues to join me in recognizing Rev. Robert L. Miller for 40 years of service to New Mount Zion M.B. Church.

IN RECOGNITION OF MR. ROBERT STUCKY

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. VALADAO. Mr. Speaker, I rise today to congratulate Mr. Robert "Bob" Stucky on his retirement after twenty-seven years of dedicated service to the City of Kingsburg.

Mr. Stucky was born on January 3, 1954 in Reedley, California. Growing up in the Central Valley, Mr. Stucky attended local schools and graduated from Reedley High School in 1972. Bob and his wife Donna have two children, Tim and Lisa.

On August 15, 1988, Mr. Stucky began working as a Maintenance Worker with the City of Kingsburg Public Works Department. Throughout his career, Mr. Stucky has worked in several capacities including Water Specialist and Water Operator.

Mr. Stucky has served the citizens of Kingsburg loyally and with dedication. His insight and efforts have kept the city's water supply clean, safe, and reliable for all those in the community.

After twenty-seven years with the City of Kingsburg, Mr. Stucky retired on January 6, 2016. The City of Kingsburg has been extremely lucky to have such a diligent and hardworking individual protect their water supply.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. Robert Stucky for his decades of dedicated public service and congratulating him on his recent retirement.

10TH ANNIVERSARY OF CBP'S AIR AND MARINE OPERATIONS—OR AMO

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize the 10th anniversary of

the merger of U.S. Customs and Border Protection's (CBP) air and marine assets, which today are known as CBP's Air and Marine Operations—or AMO. This valuable component of CBP provides critical aviation and maritime capabilities that support security along the nation's land and maritime borders.

Prior to the establishment of DHS in 2003, the assets and personnel that comprise AMO were divided amongst multiple agencies, including the U.S. Customs Service and the U.S. Border Patrol. These resources were consolidated under DHS and integrated into CBP to better coordinate and align our nation's border and maritime security resources and increase the effectiveness of those resources.

Today, AMO helps secure our nation from transnational threats, including terrorism; weapons and drug smuggling; and other illicit transnational activities.

With 1,800 federal agents and specialists, a fleet of aircraft and marine vessels, and an array of advanced surveillance and domain awareness technologies, AMO conducts its mission along our land borders and coastlines, and within the nation's interior.

Based out of more than 90 locations throughout the United States, AMO performed approximately 30,000 missions, which supported 51,000 apprehensions and made 4,500 arrests ensuring the safety and security of our nation.

As one of the nation's largest and most capable aviation and maritime law enforcement organization, AMO leverages its capabilities by forging crucial partnerships with international, federal, state, local and tribal agencies in support of national security, law enforcement, disaster relief, and humanitarian operations.

On behalf of a grateful nation, I want to commend the men and women of the CBP's Air and Marine Operations for their years of service and wish them a happy 10th anniversary.

HONORING MAMIE OSBORNE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mamie Osborne, who is an assistant professor of English and has devoted herself to teaching and research since she began working at MVSU in 1999. She completed post-graduate studies at the University of Toledo, University of Louisville, and University of Mississippi in American literature, rhetoric and composition, children's and young adult literature, and received an undergraduate degree in English from MVSU.

As a professor, Osborne assisted the Department of English and Foreign Languages' English Education program successfully by drafting two NCATE self-study reports and earning the program the status of "Nationally Recognized" twice; she is a member of Valley's Quality Enhancement Plan faculty team; and she holds membership in the National Council of Teachers of English (NCTE) and the Black Caucus of NCTE.

Osborne is a scholar and creative writer. Her scholarly and creative works have been published in national and international scholarly and literary journals including: The Southern Quarterly, Valley Voices, Black Magnolias, The Kentucky River, and Renditions (Hong Kong). Her interview with Sterling Plump by the University Press of Mississippi will be published in *Conversations* with Sterling Plump in spring, 2016. She has also made numerous presentations at professional conferences and serves as an editor for Valley Voices, a national journal for criticism and writing published at MVSU.

The assistant professor devotes herself to community service. Osborne has volunteered to help the City of Itta Bena address its community's literacy problem by volunteering during the summer and after school at the Itta Bena Public Library and for the past two years conducted workshops for the MVSU Reading Institute in children and young adult literature and writing.

Mr. Speaker, I ask my colleagues to join me in recognizing Mamie Osborne, a professor, writer, researcher and educator, for her dedication to serving others and giving back to the African American community.

MOURNING THE LOSS AND HONORING THE LIFE OF CARROLL PATRICK OLIVER

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. JACKSON LEE. Mr. Speaker, I have taken to this floor too many times to mourn tragic deaths caused by senseless acts of gun violence.

I rise today to remember Mr. Carroll Patrick Oliver of Houston, Texas, a well-loved and respected businessman and community leader of my 18th district.

Mr. Oliver was tragically murdered on Monday, January 11, 2016, when he was shot and killed in a robbery as he left his place of business to do a morning bank run.

A former Chicago police officer and lawful gun owner, Mr. Oliver attempted to defend himself when approached by the robbers but was ruthlessly shot by one of the thieves as they attempted to steal his briefcase.

As a McDonalds franchise owner for nearly 37 years, Mr. Oliver was well known throughout Houston as a kind-hearted and giving man, who helped open many doors for those in his community.

He often fed the homeless and neighborhood children simply in need of a warm meal.

He did not hesitate to help those he knew or those he came across in need of a helping hand.

Laudably, Mr. Oliver was most recognized for providing employment opportunities to help individuals succeed in his community, including hiring teenagers from a local high school and working with several programs to hire individuals with criminal records looking for a second chance.

Mr. Oliver also served as a volunteer Chaplain for the Fort Bend County Precinct Two

Constable's office, where he led the community in prayer at school events and nursing homes.

Giving back to his community in more ways than one, Mr. Oliver had a servant's heart and a lifelong calling to help the poor and underprivileged.

He is survived by his wife of 49 years, Jolene Oliver and their two children Cedric Oliver and Stephanie Oliver, as well as a host of relatives, friends and his McDonald's family.

The loss of this great man will run deep throughout Houston.

We will miss him and his beautiful acts of kindness and generosity.

I hope Houston can find peace and comfort in the legacy of greatness he leaves with us, and that others continue to follow in his footsteps.

I also hope that we continue to fight gun violence and find ways to prevent these awful acts of violence.

This tragic event sadly demonstrates the clear and present dangers of gun violence in our society, despite individuals being a lawful gun owner themselves.

As my colleagues and I continue to push for gun safety legislation, we must come together and acknowledge that we are all at risk, and that none of us are immune from the dangers of gun violence.

In solemn remembrance of this beloved and remarkable community leader, I ask that a moment of silence be observed in his memory.

PERSONAL EXPLANATION

HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. MCCAUL. Mr. Speaker, on January 11, 2016, I was unable to cast a vote on two measures which were before the floor of the House of Representatives due to business I was conducting in my capacity as Chairman of the House Homeland Security Committee. Therefore, I would like to present this letter of intent.

The two measures that I was unable to cast a vote on were Roll Call Number 34, H.R. 598, the Taxpayer Right-To-Know Act, and Roll Call Number 35, H.R. 3231, the Federal Intern Protection Act of 2015. On both the measures my intent was to vote "yea" had I been present on the House floor.

RECOGNIZING MS. PATRICIA SIMMONS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mrs. LOWEY. Mr. Speaker, I rise today to recognize Ms. Patricia Simmons, an inspiring educational leader from Pomona, New York, who passed away on December 27, 2015.

For the last 15 years, Ms. Simmons served with distinction, grace and total dedication to students as Principal of Fleetwood Elementary

School in Chestnut Ridge, New York. She was an integral, respected and beloved part of the entire East Ramapo Central School District community, serving as President of the East Ramapo Building Administrators Association, a co-founder of the Rockland Association of Black School Educators and as a board member of the CEJES Institute, a local cultural, educational, and research foundation dedicated to improving educational and social conditions for all. Ms. Simmons also served on the Spring Valley NAACP Education Committee as a strong advocate for student, parent, and community engagement in local schools.

At Fleetwood, Ms. Simmons quietly and effectively instilled a sense of hope and respect in all her students and pride and confidence in the teachers and staff. During the winter, Ms. Simmons would stand at the entrance of the school to make sure every child was wearing a coat, gloves, and hat, providing for those who did not have their own. On Fridays, Ms. Simmons would pack food in students' backpacks to make sure they did not go hungry over the weekend. Ms. Simmons and her staff at Fleetwood Elementary would also supply gifts for children and deliver turkeys for Thanksgiving to families in need.

Ms. Simmons earned a Bachelor of Science degree in Elementary Education with a minor in Black and Hispanic Studies from the State University of New York at Oneonta; a Master of Arts in Education, specializing in Infant and Toddler Educational Development and Reading Recovery at New York University; and a Master of Education in Administration and Supervision from Bank Street College. She began her career in Brooklyn as a classroom teacher and reading specialist, and later was appointed Assistant Principal at the Crispus Attucks School in Bedford Stuyvesant, until her appointment as Principal of Fleetwood Elementary. In her early years at Fleetwood Elementary, Ms. Simmons received the Excellence in Education Award in 2004 from The Parent and Student Advocacy Network in Rockland County. She was honored by the Epsilon Chi Chapter of the National Sorority of Phi Delta Kappa, Inc., as a "Bridge Builder" in 2009 for her dedication to ensuring a promising future for East Ramapo youth. She also was selected to receive the Empire State Supervisors and Administrators Award for Administrator of the Year in 2012.

Mr. Speaker, I am proud to recognize the many outstanding accomplishments of my constituent, Ms. Patricia Simmons, a true advocate for children. I urge my colleagues to join me in honoring her exceptional life.

HONORING JOHN A. WICKS, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, John A. Wicks, Jr., who is a native of Jackson, Mississippi.

John A. Wicks, Jr. is the son of Mr. and Mrs. John A. Wicks, Sr. of Jackson. He at-

tended Jackson Public Schools and graduated from Murrah High School. He then matriculated at Alcorn State University in Lorman, Mississippi where he received a B.S. degree in Computer Science and Applied Mathematics and was the valedictorian of his graduating class. While at Alcorn, Brother Wicks was active in many organizations and served as president of both Alpha Kappa Mu honor society and the Alpha Zeta chapter of Phi Beta Sigma Fraternity, Inc. Brother Wicks went on to obtain a M.S. degree in Electrical Engineering from North Carolina A & T State University in Greensboro, North Carolina and a Ph.D. in Electrical Engineering from Virginia Tech in Blacksburg, Virginia where he also served as president of the Black Graduate Student Organization. He has taught Computer Engineering at Tuskegee University in Tuskegee, Alabama and Computer Science at Jackson State University in Jackson, Mississippi.

In October 1977, Brother Wicks accepted Jesus Christ as his Lord and Savior, uniting with New Hope Baptist Church in Jackson, Mississippi, where he was active in the youth department. In May 1997, while working as an instructor at Tuskegee University, he acknowledged the call to preach the gospel. Subsequently, he attended the Montgomery Bible Institute in Montgomery, Alabama and served as an associate minister at Greater Peace Baptist Church in Opelika, Alabama. In August 1998, Brother Wicks began service as an associate minister at New Hope Baptist Church in Jackson. In August 2000, he accepted the call to serve as the interim pastor of Mount Nebo Baptist Church in Jackson. On January 18, 2001, Brother Wicks was elected to serve as Mount Nebo's sixth pastor and was installed on March 25th.

In addition to his pastoral duties at Mount Nebo, Brother Wicks has served on various community boards including the Mission Mississippi Resource Development Committee. He has also served as a writer for the Clarion-Ledger Faith Forum and is currently serving as the State Director of Education for the General Missionary Baptist State Convention of Mississippi, Inc., and the Senior Vice-Moderator of the Jackson District Missionary Baptist Association.

Brother Wicks has been the recipient of various awards and accolades including the Metro-Jackson chapter of the NAACP 2008 Medgar Evers Award winner, a Mississippi Gospel Music Awards 2011 Pastor of the Year honoree, and the 2011 Image Award Winner for Religion bestowed by Phi Beta Sigma Fraternity, Inc. He is married to the former Felice L. Dowd, a native of Marks, Mississippi, and they have three children, John Arthur III, Faith Alexandria and Grace Elizabeth. Finally, Brother Wicks' motto is traditional, tried and true: "To God be the glory for the many wonderful things He has done!"

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor John A. Wicks, Jr. for his dedication to serving others.

CONGRATULATING THE CHARLES
COUNTY CHAMBER OF COM-
MERCE ON ITS SIXTIETH ANNI-
VERSARY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. HOYER. Mr. Speaker. I rise today to recognize the Charles County Chamber of Commerce on the occasion of its sixtieth anniversary. Since its establishment in 1956, with Reed McDonagh as its first President, the Chamber has provided a boost to the local business community through educational seminars, public forums business development strategies, and a strong voice for the needs of its members. Working in partnership with the county government, the public school system, and local community leaders, the Chamber continues to contribute to the goal of ensuring that Charles County grows and remains a great place to do business.

With each passing decade, the Charles County Chamber of Commerce has taken creative steps to fulfill its mission to support its members and advance the county as a leader for economic growth and private sector job creation in Southern Maryland through its effective advocacy, high level networking and timely communications.

The Chamber has always dedicated itself to the mission of making Charles County a great place to invest, work, and grow a business. In its first years the Chamber gave rise to the Committee of 100, which later became the county's Economic Development Commission. In the 1970's, it established the Annual Trade Show to introduce local businesses, large and small, to county residents and to promote available services. In the decade that followed, it launched a scholarship program in memory of U.S. Navy Seabee diver, Robert D. Stethem, a Charles County resident and an early victim of the War on Terrorism, an example of the many ways it has worked to strengthen the local community over the years.

The Chamber created a memorial "Business of the Year" Award honoring Reed McDonagh in the 1990's to recognize a business that provides exceptional leadership in advancing the mission of the Chamber and its core principles. Around that time as well, the Chamber played a vital role in advocating for the importance of the Naval Surface Warfare Center. Indian Head Division, during the BRAC Commission process, in which I was proud to help lead the fight to keep these installations open and an integral part of Southern Maryland's culture and economy.

In recent years, the Chamber has played a critical role in working with federal, state, and local officials to help businesses and families get back on their feet after a devastating tornado, bringing a minor league team to the county, and forging a new international partnership through the Sister City program. The Chamber has also been an active member of the Tri-County Council of Southern Maryland. Now located in La Plata, its services are easily accessible to residents and businesses across Charles County, and it has broadened its ef-

forts to take advantage of new developments in the region through its Young Professionals Group and Military Alliance Council.

Throughout its history, the Chamber has sought to provide resources, gain insight, and develop and advocate for solutions which continue making our local economy stronger and more vibrant. The Chamber prides itself on its commitment to helping members grow and prosper, and I hope my colleagues will join me in saluting the great work it has done over the past six decades. I look forward to continuing to work in partnership with the Chamber as it continues to help make Charles County a great place live and do business.

IN TRIBUTE TO DAVID BOWIE,
LEGENDARY PERFORMING AND
RECORDING ARTIST WHO NEVER
LACKED THE COURAGE OR CON-
FIDENCE TO CHANGE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. JACKSON LEE. Mr. Speaker, it is with a deep sadness and a heavy heart that I rise today to pay tribute to David Bowie, a true trailblazer of the music and film industry.

David Bowie died on January 10, 2016 in New York City, from cancer; he was only 69 years old.

David Bowie was born David Robert Jones in Brixton, South London, England, on January 8, 1947.

David showed a strong interest in music from an early age and began playing the saxophone at the age of 13.

After graduating from Bromley Technical High School at the age of 16, David started working as a commercial artist.

David Bowie was also a stand-in with a number of bands and the leader of his own group, Davy Jones and the Lower Third.

David Bowie changed his last name to Bowie to avoid confusion with Davy Jones of The Monkees, a name which was inspired by the knife developed by Jim Bowie, the 19th century American frontiersman.

The first solo album David Bowie recorded was unsuccessful and soon thereafter he decided to take a hiatus from the music world.

But by early 1969, David Bowie had returned full time to the music industry, releasing the hit single "Space Oddity."

The song resonated with the public, sparked in large part by the BBC's use of the single during its coverage of the *Apollo 11* moon landing.

His next work, 1971's *Hunky Dory*, featured two blockbuster hits: the title track that was a tribute to Andy Warhol, the Velvet Underground and Bob Dylan; and "Changes," which came to embody Bowie himself.

As David Bowie's celebrity profile increased, so did his desire to keep fans and critics guessing, first by claiming he was gay, and then introducing Ziggy Stardust, Bowie's imagining of a doomed rock star.

His 1972 album, *The Rise and Fall of Ziggy Stardust and the Spiders from Mars*, made him a bona fide superstar.

By the mid-1970s David Bowie had continued his chameleon style by jettisoning the outrageous costumes and garish sets.

Then in two short years released the albums *David Live* in 1974 and *Young Americans* in 1975.

In 1980 David Bowie, while living in New York, released *Scary Monsters*, a much-lauded album that featured the single "Ashes to Ashes," an updated version of his earlier "Space Oddity."

David Bowie's creative interests were not limited to music.

In 1980, David Bowie performed on Broadway in *The Elephant Man* and his passion for film helped land him the title role in *The Man Who Fell to Earth* in 1976 and a starring role in the film *Labyrinth* in 1986.

Over the next decade, David Bowie bounced back and forth between acting and music.

The most popular of David Bowie creations of late has been *Bowie Bonds*, financial securities the artist himself backed with royalties from his pre-1990 work.

David Bowie was inducted into the Rock and Roll Hall of Fame in 1996, and was a 2006 recipient of the Grammy Lifetime Achievement Award.

He kept a low profile for several years until the release of his 2013 album, *The Next Day*, which skyrocketed to #2 on the Billboard charts.

He released *Blackstar*, his final album, on his 69th birthday, January 8, 2016.

New York Times critic Jon Pareles noted that it was a "strange, daring and ultimately rewarding" work "with a mood darkened by bitter awareness of mortality."

The world would soon learn that the album had been produced under truly difficult circumstances when the music icon died on January 10, 2016, in New York City, two days after its release.

Mr. Speaker, David Bowie famously said of himself, "I'm not a prophet or a stone aged man, just a mortal with potential of a superman. I'm living on."

Yes, David Bowie truly possessed the ability of an artistic superhuman and will live on in the hearts of his dedicated fans, admirers, and the present and future artists he has inspired around the world.

I ask the House to observe a moment of silence in memory of David Bowie, the *Man Who Fell to Earth* and gave the world *Ziggy Stardust* and who never lacked the courage or confidence to change.

HONORING CLEVELAND PEPPER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a multi-talented gentleman, Mr. Cleveland Pepper, owner of Pepper's Upholstery and More.

Mr. Cleveland Pepper is a resident of Cary, Mississippi. He graduated in 1959 from N. D. Taylor High School located in Yazoo City, Mississippi.

He started upholstery in October of 1986 under the leadership of Mr. Fritz Johnson of Hamilton, Michigan. He worked as a trainer for two years and was able to pass all requirements receiving a Certificate in Upholstery in 1987.

Mr. Pepper is a good steward of the community and enjoys learning new information and techniques. He attended a government program at Mississippi Christian Family Center.

He taught upholstery classes through the Job Training Partnership Act (JTPA) to assist the unemployed to seek employment and become employable through training and assistance. In 2003 he decided to open Pepper's Upholstery and More in Rolling Fork, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Cleveland Pepper for his hard work, dedication and a strong desire to achieve.

PERSONAL EXPLANATION

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. JUDY CHU of California. Mr. Speaker, on Thursday, January 7 and Friday, January 8, 2016, I was unavoidably absent. Had I been present on the House floor on January 7, 2016, I would have voted "aye" on Roll Call 13, Rep. Johnson Amendment No. 4; "aye" on Roll Call 14, Rep. Cummings Amendment No. 6; "aye" on Roll Call 15, Rep. Cicilline Amendment No. 7; "aye" on Roll Call 16, Rep. DelBene Amendment No. 8; "aye" on Roll Call 17, Rep. Cicilline Amendment No. 9; "aye" on Roll Call 18, Rep. Pocan Amendment No. 10; "aye" on Roll Call 19, On Motion to Recommit with Instructions; "no" on Roll Call 20, On Passage of H.R. 1155, "Searching for and Cutting Regulations That Are Unnecessarily Burdensome Act of 2015 or the SCRUB Act of 2015; "no" on Roll Call 21, On Ordering the Previous Question on H. Res. 581, Providing for consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation; "no" on Roll Call 22, on Passage of H. Res. 581, Providing for consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation.

Had I been present on the House floor on Friday, January 8, 2016, I would have voted "aye" on Roll Call 23, Rep. Cohen Amendment No. 1; "aye" on Roll Call 24, Rep. Conyers Amendment No. 3; "aye" on Roll Call 25, Rep. Deutch Amendment No. 4; "aye" on Roll Call 26, Rep. Moore Amendment No. 5; "aye" on Roll Call 27, Rep. Moore Amendment No. 6; "aye" on Roll Call 28, Rep. Waters Amendment No. 7; "aye" on Roll Call 29, Rep. Johnson Amendment No. 8; "aye" on Roll Call 30, Rep. Jackson Lee Amendment No. 9; "aye" on Roll Call 31, Rep. Nadler Amendment No. 10; "aye" on Roll Call 32, On Motion to Recommit with Instructions; and "no" on Roll Call 33, On Passage of H.R. 1927 to amend title 28, United States Code, to improve fairness in class action litigation or Fairness in Class Action Litigation Act of 2015.

CELEBRATING THE LIFE AND LEGACY OF WILKES BASHFORD

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. PELOSI. Mr. Speaker, it is with great personal sadness that I rise to pay tribute to a legendary, beloved San Francisco figure, Wilkes Bashford, who died on January 16. His world-renowned establishment—the eponymous 'Wilkes Bashford'—delighted San Franciscans and visitors alike for half a century.

Wilkes Bashford was long celebrated as the man who gave San Francisco its elegance. His life's greatest pleasure was educating generations of customers about style and about giving back to the community.

Wilkes Bashford paired his fashion success with civic leadership, serving as Board President of the San Francisco War Memorial and Performing Arts Center, home to San Francisco's Symphony, Opera, Ballet and Veterans Building. He guided the renovation of the spectacular Veterans Building and co-chaired the committee to create the new, permanent memorial to our nation's veterans in the courtyard.

His philanthropic works included support for Partners Ending Domestic Abuse, the Museum of the African Diaspora and Muttville Senior Dog Rescue. Wilkes had a special love for dachshunds and always had one as his faithful companion.

Wilkes arrived in San Francisco in 1959 and opened his original store in 1966. 'Wilkes Bashford' became the focus of the San Francisco fashion world. His exquisite taste, vast knowledge of the retail industry and foresight in predicting emerging fashion trends gave his store an international reputation. He introduced designer labels long before others and helped launch fashion careers.

His legendary Friday lunches at Le Central restaurant spanned forty years. Here Wilkes dined and conversed about politics and local goings-on with good friends Mayor Willie Brown, San Francisco Chronicle columnist Herb Caen, Matthew Kelly, Sandy Walker and Harry de Wildt. This long-time group of friends epitomized elegance, sophistication and charm. They enjoyed a special camaraderie and shared not only a love of the good life but a great passion for their city of San Francisco.

Mayor Willie Brown called Wilkes Bashford part of the heart of the city. As we mourn Wilkes' passing, we remember his committed civic leadership, his career as a luxury clothier, and his life as a very well respected and gentle man. May it bring comfort to all who loved Wilkes that so many cherish his memory as a warm, loving, kind friend and employer—a quintessential gentleman.

HONORING SHERIFF WILLIE MARCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable law enforcer, Sheriff Willie March.

Sheriff Willie March is a native of Holmes County, MS, where he also received his early, elementary and secondary education. He has served the county in law enforcement since the early 1980's. In his capacity as sheriff, he also serves as the chief officer of the Chancery and Circuit Courts with responsibilities such as maintaining the county law library, the county courthouse, jail and protection of prisoners.

Sheriff March has served as President of the Mississippi Sheriffs' Association in 2009, which includes Sheriffs from 82 counties across the State of Mississippi. His active membership in the association includes serving on the following committees: Mississippi Leadership Council on Aging (TRIAD) Committee; Mental Health Study Advisory Council Committee; Jail Detention and Correctional Committee and he is a member of the Black Sheriffs Association, where he and the members were highlighted in the Jackson Advocate newspaper.

In addition to his efforts in fighting crime and trying to keep the county safe, Sheriff March and the Holmes County Sheriffs Department are dedicated to community service including beautification. In 2005, he was featured in the Holmes County Herald newspaper for his recognition from the Mississippi Department of Transportation (MDOT) and Keep Mississippi Beautiful (KMB). The agency and organization honored him with a 2005 Award of Excellence for his participation in the Inmate Litter Removal Program Partnership. His department's participation in the MDOT Inmate Litter Removal Program Partnership helped to remove more than 435,000 bags of litter from state highways.

He also collaborates with schools, churches and non-profit organizations in conducting crime prevention and drug-free workshops and seminars for youth, as well as domestic violence intervention. He, along with local law enforcement and legal leaders, coordinated the Just Acting Difference (JAD) program in the county for youth.

Sheriff March was also instrumental in fighting for the successful restoration of federal funds that were cut from the state's narcotics units.

Sheriff March also served three years in the United States Marine Corps. His awards and accolades are numerous and he established the Crime Stoppers chapter in Holmes County.

Sheriff March and his wife, Peggy, are members of Trinity Missionary Baptist Church of rural Lexington, Mississippi, where he serves as a deacon. He and his wife have mentored many young people throughout the county.

Mr. Speaker, I ask my colleagues to join me in recognizing Sheriff Willie March for his dedication and support to the Holmes County Community.

CONGRATULATING MARY ROSE McCAFFREY ON HER RETIREMENT AS THE DIRECTOR OF SECURITY OF THE CENTRAL INTELLIGENCE AGENCY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. NUNES. Mr. Speaker, I rise today to congratulate Mary Rose McCaffrey on her retirement as the Director of Security for the Central Intelligence Agency (CIA). For the past thirty-one years, Ms. McCaffrey has held numerous security and managerial assignments throughout the CIA as well as rotational assignments to the Office of the Director of National Intelligence (ODNI), Department of the Navy, Department of Defense, and National Reconnaissance Office.

Prior to her appointment as Director of Security in 2011, Ms. McCaffrey served as Deputy Director of Security from 2008 to 2011 and was responsible for personnel security, facilities security, information security, policy, operations, and anti-terrorism/force protection. In addition, Ms. McCaffrey served in the ODNI at its inception as Director of the Special Security Center responsible for security policy, tools, and training collaboration among the Intelligence Community.

Mr. Speaker, on behalf of the House Permanent Select Committee on Intelligence, I would like to wish Ms. McCaffrey happiness, success, and good health as she begins her retirement and to thank her for her service to both the CIA and the Intelligence Community. Mary Rose, best wishes on your retirement.

IN REMEMBRANCE OF CHARLES RAMM HOLM, JR.

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. CARTER of Georgia. Mr. Speaker, I rise today in remembrance of Charles Ramm Holm, Jr. who passed away on Monday, January 11, 2016.

Charlie was born in Savannah, Georgia, to Charles Ramm Holm, Sr. and Ruth Carr Holm. In 1961, Charlie moved away from South Georgia to Washington, D.C. to begin his distinguished 18 year career in the public service. His desire to assist the American people and the U.S. Congress led him to work for Congressman G. Elliot Hagan as well as the Congressional Liaison for the U.S. Department of Agriculture and the Congressional Liaison for the Executive Office of the President. His commitment to public service continued until his retirement in 1979 while working for the Select Committee on Outer Continental Shelf/Merchant Marine and Fisheries.

Charlie was a long-time member of the Board of Directors for the Congressional Staff Club, Vice President of the Administrative Assistants Association for the U.S. House of Representatives, and President of the Administrative Assistants Association.

Charlie's efforts still did not end there as he became a mentor to young children and a committed father by coaching his son's Little League baseball teams.

Charlie is survived by his two sons, Charles R. Holm III and James Douglas Holm, Sr. and his wife, Janet; his two grandsons, Christian Clarke Holm and James Douglas "Jimmy" Holm, Jr.; and one great-grandson, Ashton Cross Holm, and many nieces and nephews.

HONORING FRED JONES, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. Fred Jones, Jr.

From a little boy, Mr. Jones wanted to serve his country. At the age of 18, after graduating from school, Mr. Jones enlisted in the United States Air Force. He served in the 2nd Airborne Command and Control Squadron in several capacities, retiring at the rank of MSgt after 21 years. Mr. Jones continued serving his country for an additional 30 years, in the Federal Government with the Internal Revenue Service.

Mr. Jones worked tirelessly in his community as a barber, donating haircuts to neighborhood kids in need.

A native of Sharkey County, Mr. Jones is an active member of Aldersgate United Methodist Church, where he served as Deacon. Mr. Jones and his wife of 59 years, Clementine Jones, are the proud parents of 4 children, 16 grandchildren and 9 great-grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Fred Jones, Jr. for his tireless dedication.

COMMEMORATING 30TH ANNIVERSARY OF REV. DR. MARTIN LUTHER KING, JR. HOLIDAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 2016

Ms. JACKSON LEE. Mr. Speaker, this year, the nation observes for the 30th time the Martin Luther King, Jr. Holiday.

Each year this day is set aside for Americans to celebrate the life and legacy of a man who brought hope and healing to America.

The Martin Luther King Holiday reminds us that nothing is impossible when we are guided by the better angels of our nature.

Dr. King's inspiring words filled a great void in our nation, and answered our collective longing to become a country that truly lived by its noblest principles.

Yet, Dr. King knew that it was not enough just to talk the talk, that he had to walk the walk for his words to be credible.

And so we commemorate on this holiday the man of action, who put his life on the line for freedom and justice every day.

We honor the courage of a man who endured harassment, threats and beatings, and even bombings.

We commemorate the man who went to jail 29 times to achieve freedom for others, and who knew he would pay the ultimate price for his leadership, but kept on marching and protesting and organizing anyway.

Dr. King once said that we all have to decide whether we "will walk in the light of creative altruism or the darkness of destructive selfishness."

"Life's most persistent and nagging question," he said, is "what are you doing for others?"

And when Dr. King talked about the end of his mortal life in one of his last sermons, on February 4, 1968 in the pulpit of Ebenezer Baptist Church, even then he lifted up the value of service as the hallmark of a full life:

"I'd like somebody to mention on that day Martin Luther King, Jr. tried to give his life serving others," he said. "I want you to say on that day, that I did try in my life . . . to love and serve humanity."

We should also remember that the Rev. Dr. Martin Luther King, Jr. was, above all, a person who was always willing to speak truth to power. There is perhaps no better example of Dr. King's moral integrity and consistency than his criticism of the Vietnam War being waged by the Johnson Administration, an administration that was otherwise a friend and champion of civil and human rights.

THE LIFE OF THE REV. DR. MARTIN LUTHER KING, JR.

Martin Luther King, Jr. was born in Atlanta, Georgia on January 15, 1929.

Martin's youth was spent in our country's Deep South, then run by Jim Crow and the Ku Klux Klan.

For young African-Americans, it was an environment even more dangerous than the one they face today.

A young Martin managed to find a dream, one that he pieced together from his readings—in the Bible, and literature, and just about any other book he could get his hands on.

And not only did those books help him educate himself, but they also allowed him to work through the destructive and traumatic experiences of blatant discrimination, and the discriminatory abuse inflicted on himself, his family, and his people.

The Rev. Dr. Martin Luther King, Jr. that we celebrate here today could have turned out to be just another African-American who would have had to learn to be happy with what he had, and what he was allowed.

But he learned to use his imagination and his dreams to see right through those "White Only" signs—to see the reality that all men, and women, regardless of their place of origin, their gender, or their creed, are created equal.

Through his studies, Dr. King learned that training his mind and broadening his intellect effectively shielded him from the demoralizing effects of segregation and discrimination.

Dr. Martin Luther King was a dreamer. His dreams were a tool through which he was able to lift his mind beyond the reality of his segregated society, and into a realm where it was possible that white and black, red and brown, and all others live and work alongside each other and prosper.

But Martin Luther King, Jr. was not just an idle daydreamer. He shared his visions through speeches that motivated others to join

in his nonviolent effort to lift themselves from poverty and isolation by creating a new America where equal justice and institutions were facts of life.

In the Declaration of Independence in 1776, Thomas Jefferson wrote, "We hold these truths to be self evident, that all Men are Created Equal."

At that time and for centuries to come, African-Americans were historically, culturally, and legally excluded from inclusion in that declaration.

Reverend Dr. Martin Luther King's "I Have a Dream" Speech, delivered 50 years ago, on August 28, 1963, was a clarion call to each citizen of this great nation that we still hear today.

His request was simply and eloquently conveyed—he asked America to allow all of its citizens to live out the words written in its Declaration of Independence and to have a place in this nation's Bill of Rights.

The sixties were a time of great crisis and conflict. The dreams of the people of this country were filled with troubling images that arose like lava from the nightmares of violence and the crises they had to face, both domestically and internationally.

It was the decade of the Cuban Missile Crisis, the Vietnam War, and the assassinations of President John Fitzgerald Kennedy, Malcolm X, Presidential Candidate Robert Kennedy, and the man we honor here today.

Dr. Martin Luther King's dream helped us turn the corner on civil rights.

It started with a peaceful march for suffrage that started in Selma, Alabama on March 7, 1965—a march that ended with violence at the hands of law enforcement officers as the marchers crossed the Edmund Pettus Bridge.

But the dream did not die there.

Dr. King led the Montgomery Bus Boycott, often with Rosa Parks. The boycott lasted for 381 days; as an end result, the United States Supreme Court outlawed racial segregation on all public transportation.

Dr. King used several nonviolent tactics to protest against Jim Crow Laws in the South and he organized and led demonstrations for desegregation, labor and voting rights.

On April 4, 1967, at Riverside Church in New York City, he spoke out against the Viet-

nam War, when he saw the devastation that his nation was causing abroad and the effect that it had on the American men and women sent overseas.

He said, and I quote:

Somehow this madness must cease. We must stop now. I speak as a child of God and brother to the suffering poor of Vietnam. I speak for those whose land is being laid waste, whose homes are being destroyed, whose culture is being subverted. I speak for the poor of America who are paying the double price of smashed hopes at home, and death and corruption in Vietnam. I speak as a citizen of the world, for the world as it stands aghast at the path we have taken. I speak as one who loves America, to the leaders of our own nation: The great initiative in this war is ours; the initiative to stop it must be ours.

When the life of Dr. Martin Luther King was stolen from us, he was a very young 39 years old.

People remember that Dr. King died in Memphis, but few can remember why he was there.

On that fateful day in 1968 Dr. King came to Memphis to support a strike by the city's sanitation workers.

The garbage men there had recently formed a chapter of the American Federation of State, County and Municipal Employees to demand better wages and working conditions.

But the city refused to recognize their union, and when the 1,300 employees walked off their jobs the police broke up the rally with mace and billy clubs.

It was then that union leaders invited Dr. King to Memphis.

Despite the danger he might face entering such a volatile situation, it was an invitation he could not refuse.

Not because he longed for danger, but because the labor movement was intertwined with the civil rights movement for which he had given up so many years of his life.

The death of the Rev. Dr. Martin Luther King, Jr., will never overshadow his life. That is his legacy as a dreamer and a man of action.

It is a legacy of hope, tempered with peace. It is a legacy not quite yet fulfilled.

I hope that Dr. King's vision of equality under the law is never lost to us, who in the

present, toil in times of unevenness in our equality.

For without that vision—without that dream—we can never continue to improve on the human condition.

For those who have already forgotten, or whose vision is already clouded with the fog of complacency, I would like to recite the immortal words of the Rev. Dr. Martin Luther King, Jr.:

"I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former shareholders will be able to sit down together at the table of brotherhood.

I have a dream that one day even the State of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but for the content of their character.

I have a dream today.

I have a dream that one day down in Alabama with its vicious racists, with its Governor having his lips dripping with words of interposition and nullification—one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together."

Dr. King's dream did not stop at racial equality, his ultimate dream was one of human equality and dignity.

There is no doubt that Dr. King supported freedom and justice for every individual in America.

He was in the midst of planning the 1968 Poor People's Campaign for Jobs and Justice when he was struck down by the dark deed of an assassin on April 4, 1968.

It is for us, the living, to continue that fight today and forever, in the great spirit that inspired the Rev. Dr. Martin Luther King, Jr.

SENATE—Monday, February 1, 2016

The Senate met at 3 p.m. and was called to order by the Honorable BILL CASSIDY, a Senator from the State of Louisiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, the center of our joy, You are the source of all of our blessings. Thank You for Your unfailing love that provides us each day with the privilege of glorifying Your Name. Lord, help us to remember that You are an ever-present help for all our troubles.

Today, inspire our Senators to trust You to direct their steps. As they are pressed by many issues, help them to slow down long enough to seek Your wisdom. Cheer their hearts with the knowledge that in everything You are working for the good of those who love You, sustaining them by Your grace.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 1, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BILL CASSIDY, a Senator from the State of Louisiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. CASSIDY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ENERGY POLICY MODERNIZATION BILL

Mr. MCCONNELL. Mr. President, the senior Senator from Alaska knows that reform is urgently needed to modernize America's energy policies for a new era, with new challenges and new opportunities. Under her leadership, the energy committee has worked hard the past year to achieve that aim. The committee convened listening sessions, the committee held oversight hearings, the committee worked hard and worked across the aisle focusing on areas of common ground that can move our country forward.

That constructive and collaborative process ultimately resulted in a broad bipartisan energy bill, the Energy Policy Modernization Act. It cleared committee with the support of more than 80 percent of the Senators, Republicans and Democrats alike, including the top energy committee Republican, the Senator from Alaska, and the top energy committee Democrat, the Senator from Washington. Both recognize the importance of preparing our country for the energy challenges of today and the energy opportunities of tomorrow.

They are also committed bill managers. I ask colleagues to continue working with them as they have amendments. Talk to the Senators from Alaska and Washington and get your amendments dealt with. This is bipartisan legislation that provides a commonsense approach to help Americans produce more energy, pay less for energy, save energy, all without raising taxes or adding to the deficit.

So let's keep working and move the process forward. Let's keep working to pass this bipartisan bill.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENERGY POLICY MODERNIZATION ACT OF 2015

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The bill clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markey) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limita-

tions on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE NFL'S NFC CHAMPION CAROLINA PANTHERS AND THE ARIZONA CARDINALS

Mr. MCCAIN. Last week, Senator TILLIS and I agreed to a friendly—or not so friendly—wager on the NFC championship game. The terms of that friendly wager are that the loser would deliver a congratulatory speech on the Senate floor and wish the winner luck in the Super Bowl. Unfortunately—even tragically—this is what brings me before you today. It is also why I am wearing this unsightly blue tie, which I am sure is an assault on the senses of C-SPAN viewers all over the world.

It is with all sincerity that I wish the Carolina Panthers luck as they play the Denver Broncos in Super Bowl 50. The 15-1 NFC championship season has been nothing short of remarkable. Led by head coach Ron Rivera and the sensational quarterback Cam Newton, the Panthers have been a dominant force all season long as they certainly were against the Arizona Cardinals. I have no doubt we will see the Panthers' explosive offense continue to have success in Super Bowl 50. While I could go on about the Panthers' impressive offensive line and coaching staff, I would like to take this opportunity to congratulate my Arizona Cardinals on an exceptional season that included numerous milestones. The Cardinals' wide receiver Larry Fitzgerald wrote recently that the Cardinals "broke the mold of what kind of football people expect to be played in the desert." Witnessing this team achieve a franchise record of 13 regular season wins and a No. 2 seed in the NFC, Arizonans could not agree more.

Perhaps there is no better example of the Cardinals' toughness and never-say-die attitude than their thrilling January 16 overtime win over Green Bay. After an improbable Hail Mary touchdown pass from Green Bay quarterback Aaron Rodgers to send the game into overtime, the Cardinals—boosted by two amazing and memorable plays by the legendary Larry Fitzgerald—scored the game-winning touchdown to advance to the NFC championship game.

I have always been proud to count myself among the most loyal and spirited Cardinals fans, and I am confident Arizona will continue to see exciting Super Bowl-caliber performances in the season to come.

Congratulations to Arizona Cardinals' president Michael Bidwell, head coach Bruce Arians, and the members of the 2015 Arizona Cardinals on a banner season. I also recognize Larry Fitzgerald, Carson Palmer, Patrick Peterson, Mike Iupati, Justin Bethel, Calais Campbell, and Tyrann Mathieu, known as the Honey Badger, for being selected to represent the Cardinals in the Pro Bowl this year.

All season long, these two teams stood among the best in the NFL. On any given Sunday, anything can happen. Unfortunately, for my Cardinals last Sunday was not their day.

Senator TILLIS, you may have gotten the best of me this year, but I have a good feeling this is not the last time one of us will stand before the body to offer our congratulations. You would be wise to get a head start and purchase a Cardinals' red and white tie now because you will be standing in my shoes this time next year. I guarantee it.

To Carolina Panthers head coach Ron Rivera, the NFL's probable MVP Cam Newton, and every member of the Carolina Panthers football team, good luck on Sunday. To my beloved Cardinals, thanks for an exciting season. I look forward to your bringing a Super Bowl trophy home to the valley next year. Go Cards.

Mr. President, I gladly yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WELCOMING THE NEW PAGES

Ms. MURKOWSKI. Mr. President, before I begin my remarks, I want to welcome the new pages to the Senate. We said goodbye to a great group of young men and young women from around the country last week, their last day being Friday. Here we are on Monday, and we have a whole new batch.

So to you all, through the Chair, welcome. Know that you are here at a most exciting and interesting time. We rely on our pages a great deal, and it is always nice to see these young ambassadors who come to us from around the country to serve us in the Senate. Welcome.

Mr. President, I wish to give an update as to where we are on the status of our broad bipartisan energy bill. Last week we started out a little rough be-

cause of the blizzard, the snow days. But once we began the debate, we heard some very strong statements in support of our Energy Policy Modernization Act.

We heard it from Members on both sides of the aisle, and that was very encouraging. We heard Members tout provisions that relate to supply, to innovation, to efficiency, really the whole gamut.

As we promised, we began an open amendment process, which has already drawn close to 200 proposals now. Last week we accepted 11 amendments. We had three rollcall votes, and we had eight voice votes. I think it is important to recognize that those amendments were sponsored by 10 different Senators. They were cosponsored by many, many others, and they really add to the Members whose priorities we have seen incorporated into the energy bill through the process that we had in committee. So the benefit of really getting back to regular order, where you have good, robust committee work, then being able to come to the floor, to go through the amendment process, and then to gain input from other Members is kind of good, old-fashioned governing. I like the fact that we are back to it.

We agreed to boost our efforts to develop advanced nuclear energy technologies. This came to us by way of an amendment from a very diverse group. Some might not have anticipated the collection of Senators that this advanced nuclear energy technology measure brought together. It was the two Senators from Idaho, RISCH and CRAPO, and we had Senator BOOKER, both Senator KIRK and Senator DURBIN from Illinois, as well as Senator HATCH and Senator WHITEHOUSE. With this amendment, we have all different perspectives in terms of political perspectives as well as geographic.

We also agreed to a proposal from Senator DAINES and Senator TESTER that will help facilitate the use of clean, renewable hydropower in their State of Montana.

Among others, we agreed to an amendment from Senator CAPITO and Senator MANCHIN to study the feasibility of an ethane storage and distribution hub in this country. I think that is a real possibility as a result of the shale gas revolution.

We moved through 11 amendments. Eleven is a good number, but, honestly, I would have hoped that we would have been able to process more amendments last week. What we are going to do this week—and I am going to put everybody on notice—is that we are going to redouble our efforts. I want to move forward and process even more over these next couple of days.

Our staffs have been extraordinarily busy over this weekend, as have I and as has been Senator CANTWELL, my ranking member. We were going

through all of the amendments that have been offered to the bill, determining which ones we can clear, which ones we need to bring up for a vote, and which may not be offered at all. We are moving right along, and that is good. We need to keep moving right along because we know that time on the floor is not unlimited. As important as the energy bill is and as important as modernizing our energy policies are, we are not the only show in town here. There are Members and there are other committees that are either on deck or want to be on deck. They are waiting for their turn and are waiting to move to advance their bills.

If we still have Members who are thinking about filing amendments, I strongly encourage that be done today. We have dozens of options to vote on. So at this point, unfiled amendments are really at a disadvantage, just given all that we are dealing with. Know that we are going to process as many amendments as possible, but the window for advancing them is closing rapidly.

Many of the amendments we are seeing would address opportunities and challenges from across the energy spectrum. I really am thankful for the Senators who have come forward with very, very constructive suggestions and for their work to make this bill even better.

As we resume consideration of this legislation today, I also want to explain how the provisions that are already within the Energy Policy Modernization Act will help our country. I want to do that today—to spend a few minutes this afternoon—by explaining how it will benefit my home State of Alaska, how it will help Alaskans produce more energy and more minerals, how it will help Alaskans pay less for their energy, and how it will boost Alaska's economy at a time when we really need a boost.

The most obvious place to start is with supply. Alaska, as all my colleagues know, is a producer for the rest of the country—really, for the rest of the world. That is our legacy. It is also our future. That is because we are blessed with an amazing abundance of resources that most States—and, really, even most countries—cannot even dream of. You name the resource, and there is a pretty good chance that we have it. In fact, there is a pretty good chance that we have a lot of it.

How will our bill help Alaska produce more energy and minerals? For starters, it boosts hydropower development. Hydropower right now provides 24 percent of our State's electricity, which is good and critically important. There are however more than 200 promising sites with untapped hydropower potential. So our commitment to this clean, renewable resource and our efforts to improve the regulatory process for it could benefit communities throughout

the southeastern part of the State, the south-central part, and the southwest. It provides benefit for all.

Our bill also streamlines the approval process for LNG exports. The Presiding Officer knows full well the benefit that this will bring to the country, but it will also ensure that in Alaska our efforts to market its stranded natural gas can proceed in a timely manner without Federal delay, which is extremely important for us as we move forward with our efforts to move Alaska's natural gas.

It will also help Alaskans harness more of our geothermal potential. We have enormous quantities of geothermal, but we have some challenges, as you know, with our extensive geography. But we are looking to develop a renewable resource that could potentially help power one-quarter of our States' communities, particularly in some very remote, high-cost energy States.

Our bill also reauthorizes a program to advance the development of electricity from ocean and river currents as well as tides and waves. I have mentioned before that Alaska has some 33,000 miles of coastline. That is a lot of area to harness the power of the tides and waves. There is considerable potential to generate electricity from our extensive river systems as well.

So working to do more with our marine hydrokinetic and our ocean energy could really provide a boost to projects that are showcasing some new technologies, such as those that we have proposed in Igiugig. Yakutat is looking at a project south of Kenai and along the Yukon River.

Within the bill we also promote the production of heat and electricity from the tremendous biomass resources within our forests, which could help the development of technology to aid the construction of wood pellet plants across the State, again taking that resource that is there and helping to reduce our energy costs. It will also renew a research program to develop Alaska's immense resources of frozen methane hydrates. This is something they sometimes call fire ice. It has significant promise as a secure, long-term source of American energy, but making sure that we are able to move out on that research is going to be important.

Then there is a subtitle on minerals, a very important part of our bill. I spoke on Thursday that we have incorporated much of the text of my American Mineral Security Act, which is designed to focus on our Nation's deepening dependence on foreign minerals and the concern that we do not want to get in the same place with our minerals that we once saw with oil, where we are reliant on foreign sources to supply the things that we need.

We are obviously known in Alaska for our oil production, but Alaska also has nearly unparalleled potential for

mineral production. We had a hearing last year before the Energy and Natural Resources Committee, and we had the deputy commissioner of the Alaska Department of Natural Resources, Ed Fogels, testify. He said: If Alaska were a country, we would be in the top 10 in the world for coal, copper, lead, gold, zinc, and silver. He also noted that we have the potential to produce many of the minerals that we import from abroad. One example is our State government has already identified over 70 deposits of rare earth elements just within the borders of the State. As I mentioned last week on the floor, we use rare earth for everything from renewable energy technologies and smartphones to defense applications. Right now in this country we are not producing any of that supply—none of that supply on our own—yet we have the potential to do so in Alaska.

If we pass this bill, our Nation will begin to place a much greater priority on resource assessments so that we can understand what we have. If we have not done an inventory, if we have not done an assessment, how do we really know the extent of our mineral resources?

We will finally make some common-sense reforms to improve our notoriously slow Federal permitting system, which could benefit some of the projects that we have that we would like to get moving on. We have a project on Prince of Wales Island called Bokan Mountain that has rare earth potential. We also have a graphite deposit near Nome, and making sure that we help some of the changes that we see within this bill will be important.

As we produce more of our natural resources, Alaskans will benefit significantly. We will see new jobs created, new revenues will be generated for our State's treasury, and local energy costs, which is the next area I want to focus on, will decline, allowing Alaskans to keep more of their money for other purposes and needs. This is an issue when I am at home and I am talking to Alaskans about what their No. 1 concerns and priorities are. I do not care what part of the State I am talking to folks. It is all about the high energy costs and what we can do to make a difference. What can we do to bring down our energy costs?

The Energy Policy Modernization Act will not only boost our energy supplies, but it is also designed to help lower the costs of energy and to help lower the cost of energy for Alaskans. We are an energy and a mineral producer in the State, but due to our vast geography, energy is still extremely expensive in many parts of the State. It is always an eyepopper for people to do a comparison of what is going on with energy costs. Right now in the lower 48, people are enjoying going to the filling station and seeing prices that are less than \$2 a gallon. I was in

Nome, AK, just a few weeks ago, and they are paying over \$5.50 a gallon at the pump. It is not unusual that in many of our communities around the State, we are still looking at \$5 a gallon for fuel. This is not only fuel for your vehicles or your snow machine or your four-wheeler to move you around or for your boat. It is also your stove oil and how you are keeping warm.

So it is moving around, keeping you warm, and you are paying extraordinarily high costs. In many cases, our electricity costs are two to three times higher than in most other States. When we think about what it means to live in a community where effectively 40 to 50 percent of the household budget goes to stay warm and to keep the lights on—what does that leave for educating your kids, for feeding your kids, and for retirement? It does not leave you with much when you are spending half of your income to stay warm and to keep your lights on. This is part of the reality in Alaska that every day we work to address and every day we work to make a difference.

State Senator Lymon Hoffman is from the Bethel region and has been a voice for rural Alaska. He sent me a letter last year. He wrote that "the high cost of diesel and home heating fuels are just crushing" in rural Alaska and that he believes "the energy situation is the single, most important problem facing the lives and well-being of rural Alaskans." I agree with him. That is why we worked so hard within the Energy Policy Modernization Act to make sure that as we are modernizing our energy policies, we are working to do everything we can to lower the costs of energy for Americans and for Alaskans. We reauthorized the Weatherization Assistance Program, which provides our State with funding to improve the energy efficiency for low-income families' homes. We also renewed the State Energy Program, which allows Alaska to invest in energy efficiency, renewable energy, emergency preparedness, and other priorities.

As we have heard talked about on the floor, we have an entire title of the bill—Senator PORTMAN and Senator SHAHEEN have been working on this—devoted to efficiency for everything from voluntary building code improvements to the retrofitting of schools. As our vehicles, our appliances, and our homes are all becoming more energy efficient, that in turn works to reduce energy consumption as well as energy costs throughout the State.

This bill also has a provision to promote the development of hybrid microgrid systems. I get excited about this part of the bill because I can see the direct application in my State. It allows communities to utilize local resources and storage technologies. Microgrids are critical within the

State of Alaska. We have multiple dozens of isolated communities that are not connected to anybody's grid. In fact, they are hundreds of miles from anything that could even be considered a grid. So how do they get their energy? They are basically burning diesel to meet their electricity needs. So what we are seeing come together are energy solutions where you take a little bit of wind and perhaps a little bit of hydromarine, hydrokinetic, coupled with battery and storage, and we are finding some solutions. It is innovative. In fact, it is so innovative we have a hearing scheduled over the Presidents Day recess up in Bethel, AK, so Members can see what we are doing when it comes to energy innovation and coupling things together to make them work.

We are never going to be part of a big energy grid in many parts of our State. We have had some great successes—such as Kodiak, a huge fishing port, which now produces 99.7 percent of its electricity from renewables. They have wind, they have hydro, and they have a storage system that has allowed it to work. But think about it. This is a major fishing port which, during the summer, needs a lot of energy when they are processing the fish. During the winter months, the local people there do not have energy needs that are as high as the demand during the summer. So how do you even this out? How do you make it meet during the highs and the lows? This is what Kodiak has done. They have taken themselves, as a community that was once 100 percent dependent on diesel for their energy needs, to being 99.7 percent on renewables.

One of the best provisions in the bill to help address energy costs is a modification that we make within DOE's Loan Guarantee Program. Instead of allowing only major corporations to apply, we allow States with energy-financing institutions to seek funding and to advance a range of energy projects.

Just to give a little context here, if the bill becomes law, the State of Alaska would be able to apply for a loan guarantee and then use those funds to help rural communities finance small hydropower projects, geothermal wells, MHK technology, marine hydrokinetic technologies, and the hybrid microgrids that I have been talking about. So instead of these top-down, government-driven programs, we would see the State DOE programs and other elements contained within this Energy Policy Modernization Act leveraging the innovation of local people—leveraging the innovation of Alaskans, the American people, and the private sector—to improve our energy landscapes.

These are just a few of the ways that this Energy Policy Modernization Act will help Alaskans produce more en-

ergy, save energy, and reduce local energy costs. In the process, the extra gain and benefit is that we create new jobs, generate new revenues, and provide other economic benefits we sorely need right now.

I have talked about Alaska and the impacts on my State as a result of modernizing our energy policies, but know that as Alaska benefits, other States benefit as well. Many of the provisions I have mentioned in my comments this afternoon are just as applicable in Louisiana, Maine, Arizona, and Montana as they are in my State. This bill will fairly bring economic benefits to every State, and as it brings economic benefits, the energy security that stems from the economic security that leads to the national security makes us all stronger—yet another reason I encourage the Senate to work with Senator CANTWELL and me over these next couple of days to move forward this broad, bipartisan effort to modernize our Nation's energy policies.

Mr. President, I know we have Members who are anxious to speak this afternoon. Again, I will make the same request I made earlier: If Members are interested in submitting any amendments to the Energy Policy Modernization Act, now is the time because we are going to be moving—and hopefully moving quickly—so we can proceed with some expediency and efficiency throughout this week.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

WELCOMING THE NEW PAGES

Mr. UDALL. Mr. President, I wish to echo the comments Senator MURKOWSKI made in terms of the new pages. We welcome all of you. We are excited about having you here. It is a big change to go from the previous pages to the new pages. We are excited about how things are moving along. As many people will tell you around here, pages end up doing great things. I have served in the House, and I have served in the Senate. There are Members of the House who started as pages, and there are Members of the Senate who started here as pages. So we are proud of you and expect good things of you.

Mr. President, it has been over 8 years since we passed a comprehensive energy bill. A lot has changed since then.

I first want to thank Senators MURKOWSKI and CANTWELL for their leadership and hard work. I know both of them worked very hard to find common ground. Senator MURKOWSKI is my chairman of the Interior Department Appropriations subcommittee, and she is always trying to find a way for us to work together to move that appropriations bill forward. The same thing is true of Senator CANTWELL's very good leadership on the energy committee. They both had a very tough job, and they crafted an energy bill that I believe moves us forward.

This legislation isn't perfect, but it is bipartisan and it is moving us in the right direction. I am pleased that my bill, the Smart Energy and Water Efficiency Act, was included in this legislation. All too often, treated water is lost. A lot of it is wasted because of leaks and broken pipes. My State and many States have had historic droughts. We need every drop of water we can get. We can't afford leaking pipes. We have to do better, and we can do better.

This bill supports the Federal pilot projects to develop water and energy efficiency technology. We can create a smart grid of technology to detect leaks in pipes even before they happen. This is critical to communities all across our Nation. Saving water is saving energy. Treating and transporting water is energy intensity. The more we waste, the more we pay—now and later.

I also plan to file an amendment I have been working on with a number of other Senators. This amendment, like the House Energy bill, authorizes the WaterSense Program at EPA. The WaterSense Program is to water efficiency what the ENERGY STAR label is to energy efficiency. Products and services that have earned the WaterSense label have to be at least 20 percent more efficient without sacrificing performance. It promotes smart water use and helps consumers decide which products are water efficient. By authorizing this valuable program, we will make the WaterSense Program permanent and help consumers save water energy and money.

We face great challenges, and one thing is very clear: Our energy future depends on investment in a clean energy economy. We have to be bold, we have to be innovative, and we have to encourage investment in the kind of creativity and enterprise that change the world and move us in the right direction. So today I am proposing a new initiative that will help us make those investments: clean energy victory bonds.

During the First and Second World Wars, our country faced threats we had never faced before. We rose to the challenge. We gave it everything we had. Everyone contributed. For many, that included investing in victory bonds. They helped pay for the costs of war—\$185 billion—over \$2 trillion in today's money. Folks lined up to buy those bonds. That is the spirit of the American people—to pull together. It was true then, and it is true now.

Today, we face a very different threat, but it also requires us all to come together to face our challenges and to fight. National security experts tell us that rising global temperatures are one of our greatest security concerns. In 2015, global temperature records were shattered—records that were set just the year before. Climate change threatens agriculture, public

health, water resources, and weather patterns. We are already feeling the impacts. In New Mexico, temperatures have been rising 50 percent faster than the global average, not just this year or last year but for decades. We have had historic drought. We have had the worst wildfires in our history.

The science is clear: The threat is growing, and time is running out. We must act. Governments are working together to reduce emissions, as we saw in Paris last month. The United States is leading, with commitments from over 140 nations to reduce their emissions. This is providing a major signal in the marketplace and is driving up interest in investing in clean energy. Over the next 5 years, 20 nations will double their renewable energy research to \$20 billion. Industry is stepping up to the plate as well, pledging to invest at least \$2 billion in clean energy startups. This is progress. This is momentum. Our job now is to keep it going. Investment—public and private—is the key.

My amendment is very simple. It directs the Secretaries of Treasury and Energy to submit a plan to Congress, to develop clean energy victory bonds—bonds all Americans could invest in. These bonds would raise up to \$50 billion. That money could leverage up to \$150 billion to invest in clean energy technology and would create over 1 million new jobs.

People across the country want to do their part. They want to invest in a clean energy future and to help fight climate change. But most of them can't afford clean energy mutual funds with \$1,000 or \$5,000 minimums. Many can't afford \$25 or \$50. We must invest in jobs and healthier communities. Clean energy victory bonds will provide that opportunity. We can do this without any new taxes on individuals or businesses. Bonds are completely voluntary, and they are an opportunity for ordinary Americans who see the challenge and who want to do something about it.

Here is how it works: Like war bonds, clean energy victory bonds would be U.S. Treasury bonds backed by the full faith and credit of the U.S. Government. Investors will earn back their full investment—plus interest that comes from energy savings to the government—and loan repayments for solid projects. The investment would make a critical difference in our energy future.

I urge my colleagues to support this effort. We face a great challenge, and we have a great opportunity. Now is the time for action. The American people want to pitch in and do what they can to fight global warming and to help ensure that the United States leads the world in the clean energy economy. Support for this amendment is growing with groups like the American Sustainable Business Council and Green Amer-

ica. Americans are already asking where they can purchase these bonds.

This Energy bill is a good step, but it is a modest step. Our energy and climate challenges demand much more. Again, I thank Chairman MURKOWSKI and Ranking Member CANTWELL. They have managed to move a bipartisan bill and keep the process on track. I urge them to accept my amendment and to further strengthen this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the leaders who have worked on this bill—Senator MURKOWSKI and Senator CANTWELL—and the good work they put into it. I have served on the Energy Committee and now serve on Environment and Public Works. Those are important committees as we wrestle with how to produce energy at lower prices that is healthy for our Nation.

As we consider this Energy Policy Modernization Act, I want to focus on a critical point about public policy and what is a primary goal of the United States of America. We are in a very competitive world. Energy is a big part of how we compete on manufacturing, production, and jobs. The American people want us to focus on that.

In addition, energy impacts everybody when they fill up their tank and when they drive to work. It is important when it comes to paying the electric bill or the heating bill at home. Is it expensive or inexpensive? The price of energy has a dramatic impact on the quality of life for American people to a degree that is almost impossible to ascertain. When the price of gasoline is cut in half and somebody has a long commute every day, they may have had \$200 a month in gasoline bills and now it is \$100. They have \$100 extra in their pocket. Without taxes, without insurance, and without house payments to be paid out of that, they can use that to take care of their own personal needs—their family, their vacation, going out to eat, or just paying down that credit card that has been run up too high.

For decades Republicans have called for producing more American energy. Our Democratic colleagues have attacked those proposals that would increase the supply of energy, claiming that these efforts are part of some corrupt deal with big oil companies to make them rich at the expense of the taxpayers and the American citizens. That has been the argument. You have heard it for the last 30 years. But is that the correct way to analyze the challenges we face? Is that the way to establish good, sound public policy that will produce more American energy and bring down the cost?

Our Democratic colleagues objected to the Keystone Pipeline. We had a number of votes over a number of

years, and finally it passed, and then the President vetoed that. What would the Keystone Pipeline do? It would produce another source of oil for the United States of America. Is that good or bad for big Texas oil companies? It is bad for those companies. It made it harder for them to get a higher price. There is another substantial competitor pouring another supply of oil into the United States.

This was not a corrupt deal to try to benefit some big oil company but a way to make the supply more plentiful, to bring down the cost of energy for American people. That is what we were fighting for, and it baffled me to no end that the President finally vetoed it at the end, after the American people so clearly favored it.

The Federal ban on drilling in the Gulf of Mexico—we had the Deepwater Horizon disaster in 2010. There is no doubt about that. This country really focused on it. Great effort was made to find out how it happened and how we could prevent it in the future. Eventually the Obama administration said they were reopening production in the gulf—I thought it took longer than necessary.

There is now onsite, according to a government official, a cap, and if the Horizon Disaster were to occur again, that cap within matter of days could be taken out, and it would successfully have stopped that blowout as well. We didn't have it in advance. We should have had it. But that is fixed, and other things were done, and the President said we are going to open up drilling in the Gulf of Mexico. It wasn't so. They referred to it as a de facto moratorium. They still couldn't get approval, and we lost a lot of production that went to other places around the globe.

More production means lower prices. More American oil means more American jobs and more revenue for the Federal and State governments that benefit from that and a smaller wealth transfer from Americans to some foreign country which may be hostile to us and from which we have to buy our oil. We should look to head in that direction.

Additionally, the Obama administration recently placed a moratorium on new leases for coal mined on Federal lands. I believe the administration has bypassed Congress and the will of the American people by drafting regulations that seriously constrain the use of coal as an energy source. We just have to use coal. It is a magnificent energy source. We can do it and are doing it cleaner year after year.

Closing producing coal mines reduces American energy competition and certainly increases the cost of everyday living for Americans, and it certainly causes economic dislocation where mine after mine is being closed and United Mine Workers are being laid off.

I have always believed in and fought for increased energy production for the American people—not for big oil companies but because greater production brings down price. We know now that is true because we have seen a worldwide increase in supplies, which has resulted in a dramatic decrease in the price of oil—an amount below what anyone may have expected. This price collapse affects Americans at the gas pump every day. Gas prices are the lowest they have been since 2008. The national average as of last week was \$1.84. This is half of what it was a few months ago. This has been my goal and the goal of my Republican colleagues and a lot of Members on both sides of the aisle.

In addition, we have increased oil production throughout the country with new fracking technologies. We have had battle after battle over that, but we have never had water supplies that have been impacted adversely by fracking. It is a highly efficient technology. It also helped collapse the price of oil.

We have had good, bipartisan support for efficiency breakthroughs over the years. They have caused us to have a car that uses a little less gas, houses that are more efficient, and other energy sources that are more efficient. As a result, we have needed less oil. That also helps increase the supply as the demand increases. That has been a positive step toward seeing the collapse in prices.

If Big Oil were so powerful, how is it that the price of oil has gone from \$140 a barrel to \$30 a barrel? They dictate the price. They can set the price at whatever they want it to be. Not if the supply starts coming in in large numbers. The prices begin to decline. It was at \$140 a barrel, and now it is at \$30, \$35 a barrel.

The energy industry supports 9.8 million U.S. jobs, which represents 8 percent of the U.S. economy. Low energy costs are critical to advance American manufacturing. Without affordable, efficient, and reliable energy sources, American companies cannot supply their factories and employees with the kind of production we want to see.

In a recent investment report, Standard & Poors wrote that affordable energy is critical to give U.S. manufacturers “a competitive edge over overseas competitors.” We have lower energy prices than Europe, Japan, and South Korea. That is an advantage. We want to keep that advantage.

We need more American jobs, not fewer. We need to see fewer offshore incidents than we have seen. We need to have some onshoring, some return of manufacturing to America. If we can keep our energy prices low, that is a way our businesses can take advantage of that and expand their production of various products, many of which can be sold around the world.

The President’s agenda, which he has carried on since the beginning, has had the effect of really helping foreign countries by keeping our prices higher than they should be and blocking reasonable efforts to add more production in America. Instead of American energy being promoted at home and abroad, Iran is able to export oil more freely, thanks to the President’s flawed nuclear deal. Instead of promoting the general welfare of the United States, the President has limited the production of domestic oil, further increasing costs for consumers. Regulators have delayed American production many times.

These are important dynamics, along with nuclear power. I believe this is a very valuable part of the American energy production. I have been a strong advocate of nuclear power for years, and Republicans have too. It is a direct competitor to Big Oil, to carbon fuel, and we need more of that. So I think we need to remember that.

Yes, wind and solar are getting more competitive, but it still remains for the most part more expensive in most places in the country. I hope it will continue to drop in price. Maybe it will. But I can’t imagine we will see dramatic decreases any time soon. If we were to shift America immediately to a total solar and wind power system, prices would go through the roof. It would hammer Americans far more than we have ever seen before.

I think this bill has many good qualities. It helps improve efficiency and innovation, and maybe we can build on it in a way that will bring America to the point where we can produce more American supply, keep prices down, help revitalize our manufacturing base, and put this country in a position to compete far more effectively in the world marketplace.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I wish to address an issue that the Senator from Alabama touched on before he leaves the floor. I am here to speak about the Florida Everglades, but since the Senator just raised the issue of the Gulf of Mexico, which is certainly an interest of his, just as it is for the Acting President pro tempore, the Senator from Louisiana, I just want to clarify something and make sure the Senators understand that this part of the Gulf of Mexico, which is off-limits to drilling up to and through 2022, has nothing to do with the Obama administration. It has to do with a law that Senator Martinez and I passed in the last half of the last decade.

Now, why did we do that? Well, it would be nice to say that we were prescient and understood that when the oil spilled into the gulf off of Louisiana—relative to the whole spill, a little oil got into Florida and covered up Pensacola Beach and got into Perdido Bay, Pensacola Bay, Choctawhatchee Bay and went as far east as Panama City Beach; the sugary white beaches that so many people visit were just covered with tar balls—as a result, a whole tourist season was lost, not just for Pensacola, Destin, Sandestin, and Panama City Beach but for the entire gulf coast of Florida down to Clearwater Beach, Sarasota, Fort Myers, Naples and for the farthest beaches on the west coast of Florida on the gulf and Marco Island. Now, if that were not enough, I just want the Senator to understand why we are so opposed to drilling off the coast of Florida. Clearly, there is the economic reason. So much of the environment got messed up, and it was unhealthy for the critters that get into the estuaries. Here is the ringer, and the Senator from Alabama will especially appreciate this because he has, at times, been my leader on the Armed Services Committee. The Gulf of Mexico off of Florida is the largest testing and training range in the world for the U.S. military, and every admiral, general, and the Secretaries of all of the branches will simply tell you that we cannot have drilling activities where we are testing and training some of our most sophisticated weapons.

Why do we have all of those training, tests, and evaluation activities at Eglin Air Force Base, Tyndall Air Force Base, and the Naval Training Center in Panama City? I didn’t even include Pensacola and Whiting Field and all of the Department of Defense. When we shut down the U.S. Navy’s testing range of Vieques, off of Puerto Rico, where did the fleet of the U.S. Navy go? They went to the gulf. They will send squadrons coming down to Key West Naval Air Station and stay there for a week or two because when they lift off the runway of Boca Chica, within 2 minutes, they are over a protected area so they can get into their training and testing activities.

I will finally say to my friend—and I am not sure that my colleague has ever been able to see this through the eyes of someone who is trying to protect the defense assets in the State of Florida—

Mr. SESSIONS. Mr. President, the Senator—

Mr. NELSON. Mr. President, I will yield to the Senator for a question.

Mr. SESSIONS. The Senator is a great friend, and we have a couple of good battles going on right now where we stand shoulder to shoulder, but for the most part the area that was approved for production was shut down when the problem with Deepwater Horizon was fixed rather than expanding

that into Florida where the Florida waters, which Senator NELSON has been an effective advocate for, would not allowing drilling there. I do believe we have a situation where we have agreed and proved that this kind of problem would not occur now. I do believe there is a tremendous advantage for America, and we can have an advantage of low energy for American workers, for our jobs, and that way we will not send money abroad.

I thank Senator NELSON for his good comments. He is highly informed on this issue. It is a pleasure to serve with him.

Mr. NELSON. Mr. President, I thank the Senator. He knows how affectionate I am toward him as a friend. I appreciate that friendship and that willingness in a bipartisan way—even when we had all kinds of thorny issues, such as national missile defense in the Armed Services Committee—that the two of us could work it out.

FLORIDA EVERGLADES

Mr. President, I come to the floor to talk about the Everglades, and I need to start by saying that the Army Corps of Engineers began releasing water from Lake Okeechobee into the two rivers on either side of the lake. The problem is that we have a dike—not like the one that Mother Nature intended, where the whole surrounding of Lake Okeechobee, which is the largest lake in Florida, was nothing but a marsh. That is how Mother Nature had it. But after people moved in—and then in the late 1920s, the hurricane that drowned 2,000 people—we came in there and diked all the way around it. Well, the dike is only so structurally sound so that as the water rises in the lake, there is more water pressure on the sides, and if you start getting above 15 feet of depth of the lake, we have to worry about the dike collapsing and all the flooding of the surrounding towns and people and farmlands. So you get the picture.

So the Army Corps of Engineers has to give some relief. So they release water to the east into the St. Lucie River and to the west into the Caloosahatchee River, and as a result, it relieves the dike pressure problem. But since Lake Okeechobee is so polluted, until we can get it cleaned up—and there is an effort—what happens when it goes into these pristine estuaries to the east into the St. Lucie and to the west into the Caloosahatchee, is that you get much too much nutrient content into those estuaries. The salinity in those estuaries goes down, which is harmful to things like oysters and certain fish, and the nitrogen and phosphorous and other pollutants come up. And what happens? Algae grows. When algae grows, it sucks up the oxygen from the water, and it becomes a dead river. The mullet can't jump because there is no mullet, the fish hawk can't dive because there is no fish, and it becomes a dead river.

Now, that is why it is so necessary that we proceed with the Everglades restoration projects that will help us clean up the pollution in Lake Okeechobee, and at the same time when the dike structure gets threatened, we will have a place to send that water instead of directly into those two estuaries. That is presently being built on the east—a storage area—and it is to be built on the west over near LaBelle on the Caloosahatchee River. Well, it is just another reason why many of us are fighting so hard to complete these Everglades restoration projects, so that impossible decisions that face the Corps of Engineers right now—that either they threaten the dam and hold it back or they release the polluted water and kill the rivers—are not choices that the Corps has to make. It is certainly not a good choice for our environment and for all the people who live in the surrounding area. So Everglades restoration must move forward aggressively and without delay, and that is why this Senator is going to be introducing legislation tomorrow to expedite that process. It is going to be called the Everglades for the Next Generation Act. It will authorize all of these Everglades restoration projects that the Army Corps of Engineers has deemed ready to begin. It would allow the Corps to begin work on them immediately instead of having to wait around for us to pass another water bill. Remember, we just passed a water bill. When was the last time we passed a water bill? It was 7 years ago. We just can't wait that long. There is too much at stake, and this is why we want to get these all bundled up, so the Army Corps of Engineers can proceed.

The Everglades, for the first three-quarters of the last century, was diked, drained, and deferred, and now we are trying to bring back as much of that plumbing and reverse it so that it will flow much more like Mother Nature had intended it and did for eons and eons. It is a monumental task. We have to look at what we are doing to protect this land that we love that has been called the "river of grass." We have to do everything we can to protect it. But right now, beware. The National Park Service has in front of it and is evaluating a proposal from a Texas-based company for drilling and fracking activity. This company is looking to conduct—this is what they say: Oh, this is just a seismic survey—first on 70,000 acres, but it is just the first part of seismically mapping the entire Big Cypress National Preserve. This is a national preserve of 700,000 acres, and where is it located? It is located right next to the Everglades National Park, which is 1.5 million acres, but it includes hundreds of thousands of other acres that are part of this water discharge area where we are cleaning up that water as it is coming south.

They will say: Oh, this is just a seismic survey. But what do we have seis-

mic surveys for? To drill. By the way, this is a company in Texas that not only drills for oil, it also fracks for oil. Why in the world would we want this to happen? Why would we spend hundreds of millions and billions of dollars to restore the Everglades and then suddenly turn around and hand it off to a Texas wildcatter to go out there and drill—a wildcatter that is also a fracker.

This Senator has nothing against fracking. Where is our fracking done? It is done in the hard shale rock of the Dakotas, of Oklahoma, of Texas. They go down under high pressure and shoot water and chemicals to break up the shale rock. It is solid rock. What does the State of Florida sit on? It sits on a porous honeycomb of limestone, and that porous rock is filled with freshwater near the surface.

So people wanted to go in there and start doing high-pressure fracking that we do successfully to shale rock, which was done by the Dan Hughes Company. They were given a permit by the State of Florida. Then the county commission of Collier County found out about it and started raising Cain, and suddenly the pressure became too great because of what that fracking would do, with the high-speed chemical going into that porous limestone, not only to the water supply of Florida but to the very foundation of Florida. If you ever look and envision a piece of coral that our divers go down to look for in some of the national reefs—we have seen that beautiful coral, and it builds up. That is very similar to how Florida was formed: Over years, over and over, those corals and shells and skeletons and limestone that created that substructure holds up the State of Florida and contains a bubble of water, which is our Floridian aquifer.

Some people think a seismic survey is no big deal, but watch out. It is just like the proverbial camel getting its nose under the tent. Watch out. That camel is pretty soon going to be in the tent. So why conduct a huge, prolonged seismic survey if we don't have the plans to extract the resources that are found? Why would the Federal Government approve risky behavior such as fracking and a brand new type of seismic survey equipment in an area we have spent decades trying to restore? Remember, I said it is the Everglades National Park, 1.5 million acres. Right next to it, to the west, is the Big Cypress National Preserve, another 700,000 acres. To the north are all of those protected lands of the water recharge area, hundreds of thousands of acres.

All of this is why I wrote to the Interior Secretary asking her agency to complete a very thorough environmental review of this proposal. It is interesting. I wasn't the only one who responded. The National Park Service told me they had received about 8,000

comments during the public comment period. It seems to me that is a pretty clear sign that there is a great deal of concern and controversy out there in the public interest and especially those in Collier County. My colleagues can't imagine the political backlash when this Dan Hughes oil company—not the one that is applying for the seismic survey but they were a wildcatter as well as a fracker, that Dan Hughes company—my colleagues can't imagine the political backlash that occurred from people of both parties. I can tell my colleagues there was backlash, especially from the Republican county commission in Collier County, when they found out there was fracking going on out there without their knowing about it and without any of their input into whether it should have been done.

Fortunately, the outcry was so severe that the State of Florida finally revoked the permit and they had to pull out. They had—that company—performed an unauthorized acid stimulation procedure, which is a glorified term for fracking. So we rose up and we fought that. Again, I say to the Senate, this Senator does not have a problem with fracking done environmentally well, but fracking in all of our oil reserves has been done in the shale rock. That is what has made it possible to, in a few years, be able to completely eliminate our dependence on foreign oil. This Senator has no problem with that. This Senator is thankful for that, but when we try to perform that procedure on a different kind of substrate—a porous limestone filled with water—then we are courting economical and environmental disaster.

I must say, this didn't stop some in the State Legislature of Florida who are determined to open parts of Florida to companies looking to drill. To make sure all of this local opposition doesn't get in their way, State legislators in session right now in Tallahassee have proposed a bill that would prohibit a county, a city or any other local government from limiting fracking within that city or county's borders. Such a decision, under this proposed legislation, would be left up to the State only. It is not hard to figure out how that is going to turn out, especially since it was the State of Florida that gave a permit to do the fracking that there was such a reaction to 2 years ago.

This is one of the most pristine areas on the planet. I urge my colleagues to join our efforts to protect this unique environment for generations to come.

Mr. President, I yield the floor.

The ACTING PRESIDENT *pro tempore*. The Senator from Texas.

TRANSPARENCY IN GOVERNMENT

Mr. CORNYN. Mr. President, the Founders of our great land believed in transparency of government because

they believed that only an informed citizenry was in a position to consent to what the government was doing on their behalf. The very legitimacy of our government is based on that informed consent. It is also important for the voters to be able to hold elected leaders politically accountable. Of course, they can't hold their elected leaders accountable for something they don't know about or something hidden from their view.

It is no understatement to say that the American people's confidence in the Federal Government is at if not an alltime low, certainly a new low in recent memory. Unfortunately, they see the President acting unilaterally, where he should be working on a collaborative and cooperative basis with Congress to pass legislation rather than to try to do things by Executive action. Then we see where elected officials and members of the administration have made blatant misrepresentations of the facts only to be proven wrong and then are not even embarrassed by it.

So it is important to have transparency in government, to have an open government. The American people need to know what their government is purporting to do on their behalf so they can approve or disapprove as they see fit. That is the foundation of our democracy and our Republic.

Back in October I stood on the floor of the Senate and outlined concerns I had about the evolving scandal involving Secretary Clinton's use of her private, unsecured email server during her service as Secretary of State. I said at the time that her behavior not only violated the President's promise to be the most transparent administration in history—I remember him making that statement during his first inaugural address—but it also represented a violation of the public trust. Now we learn of very serious national security concerns which I am going to speak about in just a moment.

Because we know that the Department of Justice is headed by the Attorney General—a political appointee of the President of the United States who serves at the pleasure of the President—and because of the conflict of interest by asking Attorney General Lynch to investigate and perhaps even prosecute somebody in the Obama administration, I called upon the Department of Justice, and the Attorney General in particular, to appoint a special counsel to investigate the matter, given those obvious conflicts of interest. Of course, we read in the paper and understand from testimony before the Senate Judiciary Committee just recently by Director Comey of the FBI that the FBI is conducting an investigation into this matter, as they should. For myself, I would say the FBI, notwithstanding what I have said about the Federal Government's poor

reputation generally—that the FBI is still very widely respected for its integrity, as it must be, but the FBI cannot go further and convene a grand jury to consider potential violations of the criminal law. That can only be done by a court at the request of a prosecutor with the Justice Department.

If we are going to be true to the promise of equal justice under the law—those are the words carved above the entryway to the U.S. Supreme Court—if we are going to be true to that promise, we have to be able to demonstrate that the same rules and the same laws apply to everybody in this country, whether a person is the President of the United States or whether a person is one of our Nation's humblest citizens. We are all equal before the law—or at least we should be—and it is a violation of the public trust when people act as if the rules that apply to everybody else don't apply to them.

So far the Attorney General has declined to appoint a special counsel, but I think that even in the interim, since I first made that request and it was declined, we see why it is even more important today than it was back in October.

The Obama administration has demonstrated time and time again precisely why we need the decisionmaking in this case as far removed from White House politics as it can possibly be. For example, in October the President went on television and publicly opined on the results of the ongoing criminal probe. He said, "I don't think it posed a national security problem." That is the President of the United States. Based on his comments, one might reasonably conclude that the White House was somehow privy and in consultation with the FBI about their ongoing criminal investigation. Subsequently, I had a chance to ask Director Comey whether in fact that was the case, and he said absolutely not. I believe Director Comey.

It is not a little matter when the President of the United States is saying "I don't see a problem here" when he actually doesn't even know the facts, and it might appear that he is trying to influence the conduct of that investigation. That is a real problem. In fact, the President's comments were out of line—offering his opinion on what the results of an ongoing criminal investigation might or should be.

Since that time, we found out that Secretary Clinton had 18 emails between herself and the President on her private email server. I don't know whether the President still feels like this is not a problem, but it is a big problem.

I earlier outlined the publicly reported evidence and explained the very real likelihood of criminal violation on the part of Secretary Clinton and her

staff. Since then, my concerns—that the information held and sent by Secretary Clinton contained some of the most sensitive classified information of the U.S. Government—have been confirmed.

Just 2 weeks ago, several of my colleagues received a letter from the inspector general of the Office of the Director of National Intelligence, the agency whose core mission it is to integrate all the intelligence operations of the U.S. Government. That letter was sent in response to one from the chairman of the Select Committee on Intelligence and the chairman of the Senate Foreign Relations Committee about the security of Secretary Clinton's private email server. What the inspector general said should give us all pause. He said that there were "several dozen e-mails containing classified information."

As we know, there are several different levels of classification for government correspondence, some more sensitive than others, but the inspector general went on to say that these emails were "determined by the [intelligence community] element to be at the Confidential, Secret and the Top Secret/SAP level." That "SAP" term may be a new one to a lot of people, but it is an acronym that means special access programs. It is the most sensitive classified information known to the U.S. Government, and it is a classification even above "top secret."

Access to special access program information is so highly restricted in part because it exposes information about programs that are incredibly sensitive to national security, such as how intelligence was gathered in the first place, sources, and methods—some of which would be jeopardized, if not individuals killed if it was known that they were providing a source of intelligence for the U.S. Government. In the case of special access programs from an intelligence agency, that means exposing this information would put intelligence collection and, as I said, potentially human sources at great risk.

On Friday, more news regarding the type of information that was on Secretary Clinton's server was announced. It was widely reported for the first time that the State Department admitted that it had categorized at least 22 emails found on Secretary Clinton's server as "top secret"—that is the agency she was responsible for that said 22 emails were top secret.

I think it is pretty obvious, even based on the public reports—most of which were generated from information produced as a result of a freedom of information lawsuit in Federal court—I think it is pretty obvious that her email server did contain information that jeopardized our national security.

Let me digress for a second to talk about a new development, a new concern that was raised by this informa-

tion that some of these different classifications of information were contained on her private email server. The fact is, there are three different government email systems. There is the Secret Internet Protocol Router Network—known as the SIPRNet—which is used by the Defense Department and some other government agencies and which is separate and apart from the Internet. It is also separate and apart from the usual government system called the Nonclassified Internet Protocol Router Network, NIPRNet. The SIPRNet is secret and separate, and the NIPRNet can be used to send emails outside the government on a government email server. Then there is a third type of system known as JWICS. This is the Joint Worldwide Intelligence Communication System, which is even more sensitive than the information contained on the SIPRNet, which I mentioned earlier. If somehow, as appears to be the case, information got from the SIPRNet or JWICS onto a NIPRNet system or onto a private email server system, it would have to be physically transferred because they are not connected. Part of their security is that they are maintained as independent systems. The concern is that highly classified information from SIPRNet or the super-secure JWICS somehow jumped from those closed systems to the open system and turned up in at least 1,340 Clinton home emails.

In an article in today's New York Post, the author points to Secretary Clinton's Chief of Staff Cheryl Mills or Deputy Chiefs Huma Abedin and Jake Sullivan because in one of the emails that has been made public, Clinton pressured Sullivan to declassify cabled remarks by a foreign leader.

"Just email it," Clinton snapped, to which Sullivan replied: "Trust me, I share your exasperation. But until ops converts it to the unclassified email system, there is no physical way for me to email it."

In another recently released email, Clinton instructed Sullivan to convert a classified document into an unclassified email attachment by scanning it into an unsecured computer and sending it to her without any classified markings. "Turn into nonpaper w no identifying heading and send nonsecure," she ordered.

One gentleman associated with Judicial Watch, which has been one of the entities that have filed the freedom of information litigation which has produced the huge volume of emails contained on Secretary Clinton's server, said, "Receiving Top Secret SAP intelligence outside secure channels is a mortal sin."

So, as one can see, these are not trivial matters; these are very serious matters.

It is important to remind folks that this issue was even made worse because it is likely that some of our adversaries had access to and monitored her private email server. We have heard many of our Nation's top national security

and intelligence leaders indicate that is likely.

Recently, Secretary Gates, whose long service to our country includes being Defense Secretary under President George W. Bush and President Barrack Obama, as well as high-level jobs in the CIA, said, "I think the odds are pretty high" that Russians, Chinese, and Iranians had compromised Secretary Clinton's server.

Here we are now knowing that information on that server not only included classified information but information classified at the highest level known to the Federal Government.

On Friday, given these reports, President Obama's Press Secretary, his chief spokesman, Josh Earnest, was asked about the status of the investigation and if he believes Secretary Clinton would be indicted. It would have been easy enough for him to say "No comment" or "We are not privy to the investigation because it is being conducted by a law enforcement agency and that is the way these things are done," but instead he said, "Some officials have said she is not the target of the investigation" and that an indictment "does not seem to be the direction in which it is trending."

As with the President's reckless remarks on television in October, either the White House has information they should not have about the status of this ongoing criminal investigation by the FBI or they are sending a signal to the FBI and the Department of Justice that they want this to go away. It is hard for me to interpret these comments by the President and by his Press Secretary as anything other than trying to influence the FBI and the Department of Justice on the outcome the administration prefers. That is completely inappropriate, it is outrageous, and it has to stop.

Today this Senator is back on the Senate floor where I started months ago to make the very same point but with a greater sense of urgency and with a lot of new information that has come to light. I believe Secretary Clinton has likely violated multiple criminal statutes. For a Secretary of State to conduct official business—including transmitting and receiving information that is classified as SAP level—on a private, unsecured server, when sensitive national defense information would likely pass through it, is not just a lapse of judgment, it is a reckless disregard for the security of the American people, not to mention the lives of our intelligence professionals who are involved in gaining this important intelligence. It is important for us to protect ourselves against our adversaries.

In light of the unprecedented nature of the case and of the multiple conflicts for the Department of Justice, I can see no other appropriate course of action but for Attorney General Loretta Lynch to appoint a special counsel

to pursue this matter wherever the facts may lead. That need is underscored by the apparent inability of the White House to resist the temptation to try to influence or, at worst, obstruct the current investigation.

I hope the Attorney General seriously considers my request to appoint a special counsel given the conflict of interest and the extraordinary circumstances of this case because in the end it is the right thing to do for the American people. If the U.S. Government—including Congress and the administration—is going to regain the trust and confidence of the American people, they need to know that the chips will fall where they may and that our law enforcement officials, such as the FBI and the Department of Justice, will pursue these cases wherever the facts may lead, that there isn't a separate set of rules for high government officials, such as the Secretary of State, and you and me.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I rise to speak on an amendment that I submitted last week, amendment No. 3140, which is a tripartisan amendment to the Energy Policy Modernization Act, which is the pending legislation. I submitted the amendment last week with Senators KLOBUCHAR and KING as my lead cosponsors. Our amendment would support the key role that the forests in this country can play in helping to meet our country's energy needs.

The carbon benefits of forest biomass are clearly established. Yet current policy uncertainty could end up jeopardizing—rather than encouraging—investment in working forests, harvesting operations, bioenergy, wood products, and paper manufacturing. Biomass energy is sustainable, responsible, renewable, and economically significant as an energy source. Many States are already relying on biomass to meet their renewable energy goals. There is a great deal of support for renewable biomass, which creates the benefits of establishing jobs, boosting economic growth, and helping us to meet our Nation's energy needs. Federal policies across all departments and agencies must remove any uncertainties and contradictions through a clear policy that forest bioenergy is an essential part of our Nation's energy future.

With these goals in mind, I have offered a very straightforward amendment with a group of colleagues who

span the ideological spectrum. They include, as I mentioned, Senators KLOBUCHAR and KING, as well as Senators AYOTTE, FRANKEN, DAINES, CRAPO, and RISCH. I am very pleased to have all of these colleagues cosponsoring my bill.

Our amendment supports the key role that forests in the United States can play in addressing the Nation's energy needs. The amendment echoes the principles outlined in the June 2015 letter that we sent, which was signed by 46 Senators. As the Acting President pro tempore knows, it is very unusual for 46 Senators on both sides of the aisle to come together in support of a policy.

Specifically, our amendment would require the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the EPA to jointly ensure that Federal policy relating to forest bioenergy is consistent across all departments and agencies and that the full benefits of forest biomass for energy conservation and responsible forest management are recognized.

The amendment would also direct these Federal agencies to establish clear and simple policy for the utilization of biomass as an energy solution. These include policies that reflect the carbon neutrality of forest bioenergy that recognize biomass as a renewable energy source, that encourage private investment throughout the biomass supply chain, that encourage forest management to improve forest health, and that recognize State initiatives to use biomass.

The carbon neutrality of biomass harvested from sustainably managed forests has been recognized repeatedly by numerous studies, agencies, institutions, and rules around the world, and there has been no dispute about the carbon neutrality of biomass derived from the residuals of forest products manufacturing and agriculture.

Our tripartisan amendment would help ensure that Federal policies for the use of clean, renewable energy solutions are clear and simple.

I am in conversations with the two managers of this important bill, the chairman, Senator MURKOWSKI, and the ranking member, Senator CANTWELL, about our amendment. I hope that it will be adopted, and I encourage our colleagues to support its adoption.

As I mentioned, Senators KLOBUCHAR and KING joined with me last week in submitting this bill.

Mr. President, I ask unanimous consent that Senator AYOTTE, Senator FRANKEN, Senator DAINES, Senator CRAPO, and Senator RISCH be added as cosponsors to the amendment as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STUDENT LOAN DEBT

Ms. WARREN. Mr. President, 2 weeks ago, Senate Democrats announced our commitment to end the crushing burden of student loan debt. Our campaign is called "In the Red" because we agree with what President Obama said during his final State of the Union: "No hard-working student should be stuck in the red."

My special guest at President Obama's final State of the Union address highlighted exactly this point. Alexis Ploss is a student at UMass Lowell. She is a first-generation college student working on a degree in math. She wants to get a master's degree so she can become a public school teacher, but she has already taken on over \$50,000 in student loan debt.

Think about that, smart, hard-working students who want to build a future for themselves and who want to teach the next generation of kids are weighing the benefits of more education against the fear of an unmanageable debt load.

I don't think Alexis will quit, but I want my Republican colleagues to explain to me how America is any better off if a young woman doesn't get a master's degree and become a first-rate math teacher. How is this country any better off if young people get scared by debt, quit school, and take a job that requires less education?

What Alexis and hundreds of thousands of other people like her end up doing will be affected by decisions we make right in this room. If Congress does nothing, then Alexis and hundreds of thousands of other students just get squeezed harder. The debts get bigger, they grow faster, and the decision to give up is just a little closer.

Seventy percent of students now need to borrow money in order to make it through school. Democrats are here to say: Enough is enough, and that is what this "In the Red" campaign is all about. The Democratic plan has two basic parts: debt-free college and refinancing student loans.

There are a lot of ways to get to debt-free college. We can give students the opportunity to graduate from community college without student debt by making it completely tuition free. We can increase Pell grants. We can hold colleges accountable for keeping costs low and providing a high-quality education that will help students get ahead.

We can also cut the outstanding debt. Some student loans are charging 6 percent, 8 percent, 10 percent, and even

higher interest rates. We could cut those interest rates right now. Democrats are ready to go, but the Republicans are blocking us every step of the way. Instead of lowering the cost of student loans, they support the status quo, where the U.S. Government turns young people who are trying to get an education into profit centers to bring in more revenue for the Federal Government.

In fact, Congress has set interest rates so high on loans that just one slice of those loans—those issued from 2007 to 2012—are now on target to make \$66 billion in profits for the U.S. Government. This is obscene. The Federal Government should be helping students get an education, not making a profit off their backs.

The main response from Republicans in Congress has been to claim that refinancing wouldn't save students that much money. Really? There are more than 40 million people currently dealing with student loan debt. When their interest rates are cut, many will save hundreds of dollars a year and some will save thousands of dollars a year. That is money that can help someone out of a hole or money to save for a downpayment on a home or money to pay off those student loans faster—but Republicans say that money is trivial? What comes next? Do Republicans say let them eat cake?

Where are all those Republicans who think Washington takes too much of our money? These artificially high interest rates are a tax we impose on students to fund government, a tax that keeps hard-working young people from buying homes, from starting businesses or for from saving for retirement.

The Republicans may not want to tax billionaires or Fortune 500 corporations, but evidently they don't mind squeezing students who have to borrow money to pay for college.

For 2 years now, Democrats have tried to get a bill through Congress to lower the interest rate on student loans, and for 2 years the Republicans have blocked this bill. As the Republicans have said no, hardworking people who are just trying to build a life have paid and paid and paid.

So I am here to ask the Republicans: What is your idea? What is your plan for how to deal with existing student loan debt? Democrats have put a proposal on the table to make college affordable, but I don't hear anything from the Republicans except "no, no, no." Well, it is time for change—debt-free college and lower interest rates on student loans. That is what Senate Democrats are fighting for, and together that is what we are going to win.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

TRANS-PACIFIC PARTNERSHIP AGREEMENT

Mr. SESSIONS. Mr. President, on Wednesday of this week, in the dead of the night—at least here—the President intends to have his trade representative sign the Trans-Pacific Partnership, a massive trade agreement, for our Pacific trading partners. It is the product of fast-track, a procedure that cleared the Senate. Presumably at some point, it will then be advanced to the Congress for approval. The advancement will be the result of the President filing implementing legislation that will move the agreement forward.

Even though the President regards this deal as one of his signature accomplishments, he is not making the trip. Instead, he has deputized Trade Representative Michael Froman to sign the agreement in New Zealand on behalf of the United States. New Zealand is a long way away.

We haven't had much talk about this event. The reason is that the American people are very uneasy about it. The American people are not happy with this agreement. The American people, I believe, fully oppose it and would oppose it even more so if they knew more about it, and they will learn more about it. So I think there has been an effort not to talk about it, to keep the language low, and to see if it can't be brought up some way and passed. I think that would be a mistake.

This trade agreement is 5,554 pages long and stacks 3 feet high on my desk, so I would like to point my colleagues to examples of what the deal will do.

The American Automobile Policy Council recently issued a report which stated that the TPP would threaten 90,000 American automotive jobs because of its failure to include strong currency protections. This is just one of the problems we have. It has to be dealt with. Currency manipulation is exceedingly dangerous. It has very large impacts, and on a \$20,000, \$30,000, \$40,000 automobile, we are talking about thousands of dollars difference through currency.

American industries across the board are beginning to oppose TPP. Many believe that all of the businesses are for it. But that is not the case. Many American manufacturers would see their future even more problematic under the TPP.

Ford released a statement opposing the deal. They argued that the TPP is not adequately open and does not adequately open foreign markets to U.S. goods.

We are going to further open our markets to foreign goods, but we are not going to make the kind of progress

that must be made to help our exports, which is why we are told this agreement should pass—because it is going to open up markets for us. Ford says no.

Last week Ford announced they were leaving the Japanese market—Japan being the key country in this agreement—because they say that Japan has nontariff barriers that have limited their ability to sell cars in Japan.

For example, in 2015, Ford sold fewer than 5,000 cars in Japan. Ford is an international manufacturer. They sell large numbers of automobiles in Europe, in Mexico, in South America, but they cannot penetrate the Japanese market. Hyundai, a superb South Korean manufacturer, also not too long ago gave up trying to sell automobiles in Japan. It is not tariffs; it is nontariff factors, constructed by Japan, that make this happen.

Given this evidence, one would hope that the United States would be able to negotiate a deal that would support American manufacturing and American workers, but that is not the case with the TPP.

This is the World Bank's evaluation. The World Bank has concluded that Japan would see an extra economic growth of 2.7 percent by 2030 while the United States can expect only four-tenths of 1 percent of additional economic growth.

The White House's own study—a study they cite with pride, although they omit many of the facts that are set forth in that report—conducted by the Peterson Institute for International Economics claimed that TPP will decrease the growth of manufacturing in the United States by 20 percent by 2030. In other words, without this deal, manufacturing in the United States would grow 20 percent more than if we signed the TPP.

Is this good for America? Manufacturing jobs are high-paying jobs. Manufacturing jobs demand resources from the community, and all kinds of people support those manufacturing jobs. The products that Americans manufacture are sold in the United States, around the world, and money is brought home, and it pours into that community to buy more products, more machines, more gasoline, more electricity, and to pay the workers who work in the plants.

You have to have manufacturing in this world. A nation cannot get by without it. A nation that has the greatest economy in the world, a nation that has the greatest military in the world must maintain a manufacturing base.

According to the Peterson Institute for International Economics, this 20 percent reduction in potential growth would result in around 120,000 fewer jobs than would have been created otherwise. That is a very large number—

120,000 high-paying, good jobs in manufacturing plants. But that is the President's study. That is his group that they got to give the results he wanted. Trust me—and we are going to show this over time—the predictions for these trade agreements have fallen massively short of what the administration has promised.

However, a more critical study by the economists at Tufts University—that prestigious university—recently found that TPP would cost up to 400,000 jobs in the United States. We are supposed to sign this deal, and it is supposed to make America better, and it is going to cost us jobs. That is what the other deals have done. I think this one is likely to do the same. I wish it weren't so.

We need better trade deals. We don't need to enter into trade deals that don't protect the legitimate interest of American workers and American manufacturers. Our trading partners, good countries, good people—Japan, South Korea, Philippines, and others—are tough trading partners. They are mercantilists. They are not free traders, really. They are out to maximize their exports, and the export market they lust after the most is the U.S. market. That is where they want to export their products and bring home American dollars. We haven't done a good job of defending our interests.

The United States already has trade agreements with major Asian nations. We have many of them now. How have they turned out? Shouldn't we study that? Has anyone talked about that? Have we had hearings on how well they worked out before? No.

We haven't really looked into the effects of previous agreements because we don't want to talk about that. What we want to say in the Senate and the House of Representatives is that trade deals are good. If anybody has a trade deal, be for it. That is not a sound way to proceed.

South Korea is a good ally of the United States. It is a good country, but they are tough competitors. Our trade deficit with South Korea last year from January through November was \$26 billion, and by the end of the year, that country alone will be about \$28-plus billion. They have not published numbers yet, but estimates suggest that the 2015 trade deficit will be 15 percent higher than the previous year—2014. Is that a good deal for the United States?

Trade deficits reduced U.S. GDP, as products that Americans consume are made abroad instead of produced here as part of our gross domestic product. It is not good for economic growth. Our growth fell way below expectations—0.7 percent—in the fourth quarter of this year, and every dollar of trade deficit subtracts from our GDP.

Some think we could be heading into a recession. Many people are seriously discussing this. Who knows what will

happen? We are not in a booming economy; there is absolutely no doubt about it. Wages are down. Job prospects are down. We have the lowest percentage of Americans in their working years actually working since the 1970s. It is not a healthy environment.

In 2010, President Obama promised that the South Korean trade deal—he said this when he signed the agreement. They have been promising these kinds of things in advance. It passed, and he signed the agreement. I voted for it. I voted for most of these deals, but it is time for us to be honest about it, to evaluate how well they are actually turning out. When he signed the deal, he promised it would increase American exports to South Korea by \$11 billion a year. That was nice. We would like to have seen that. However, in the 11 months of last year, the United States exported only \$1.2 billion more than we did when the deal was signed 6 years ago. The year before that, it was a \$0.8 billion export increase; it was not even \$1 billion.

What about Korean exports to the United States, what we import from Korea? Since 2010, our trade deficit with South Korea has risen nearly 260 percent, from \$10.1 billion in 2010 to more than \$26 billion this year. That is a very serious matter. I am very concerned about this loss of jobs.

I think the American people need to know what is happening. The Trans-Pacific Partnership Agreement not only fails to deal with manufacturing jobs in general, but it also fails to include any kind of serious measure that would address currency manipulation.

During the time President Reagan was President, the economy went through a tough period, but it rebounded under his leadership. Paul Volcker and Reagan's leadership put us on a path of sound, solid growth that went all the way through the 1990s. Mr. Volcker once said a moment of currency manipulation can wipe out years of trade agreements with our trading partners.

Currency is a huge thing. That is why the American Automotive Council is concerned about it, why Ford and other manufacturers care about it, and why we had a series of votes on the Senate floor to try to do something about currency.

But the powers that be had the ultimate victory. We got to vote for a bill that wouldn't become law; that would push back and allow us to resist currency manipulation. We got to vote on that one, but they made sure it didn't get on the bill that is going to become law—the Trans-Pacific Partnership Agreement. It was a show vote. The President was not going to execute it, and he threatened to veto it.

The Wall Street Journal, on November 5, wrote:

Mexico, Canada and other countries signaled that they were open to the [currency]

deal when they realized it [would not] include binding currency rules that could lead to trade sanctions through the TPP.

These countries want to be able to manipulate their currency. Obviously, they agreed to go forward with the trade deal because they knew there were no binding currency rules. In fact, last year the Japanese Finance Minister, Taro Aso, said that “there [will not] be any change” in Japan's currency policy because of the provisions included in the TPP.

Some milk toast language got in the agreement. The Senators were able to say they voted for a bill that had teeth to it, but that was in a separate bill that would not become law. My currency provisions in the bill, the language with real teeth, was stripped out during the Conference Committee because the President threatened to veto it. It is never going to become law.

But the agreement included alongside the TPP is meaningless. Japan and others say it is not going to make any change in their currency policy. Japan significantly devalued the yen again recently. China devalued its currency by 6 percent last summer alone, and many expect they will devalue it even further.

I have to say, it is time for the United States of America to understand something. We are the largest economy in the world. We have the greatest military in the world. We need to demand that people who sell in our markets—and whose exports to the United States are critical to their economic well-being—don't get to do this if they are not playing by the rules. They don't get to manipulate their currencies. They don't get to subsidize their manufacturing, and we are not going to allow them to use nontariff barriers to prohibit the imports of American products.

That is what we need from the leadership in this country—not an agreement that allows continued manipulation of currency and that does not deal effectively with the nontariff barriers and subsidies these countries use to take market share away from U.S. companies.

What happens to an American business? U.S. Steel just closed some production and laid off 1,000 workers in Birmingham last year. Is that plant going to reopen? We would like to think so, but I doubt it. Once these American plants that get no support from their government to compete abroad are closed, they don't reopen. Our competitors know that, and they take market share. They get to sell more in the United States and bring home strong American dollars.

I think it is time for us to slow down on this. We are going to continue to look at how these trade agreements have worked. I don't think they have worked very well for the American worker. They haven't done very well

for American manufacturing. I think few would dispute that this Nation can be prosperous without manufacturing. One time they said you could do it with a service economy and high-tech economy. Saturday's Barron's did a report on a study that has been done about our high-tech companies, which we are so proud of and hear so much talk about. What about the job prospects they have for this year? Are they going to add more jobs to high-tech computer companies in America? No, this analysis said that the information technology companies in America would reduce employment by 330,000 people this year.

I have to tell you that if we lose automobile manufacturing and steel plants, these people are not going to work in computer companies. That is one of the biggest misrepresentations I have ever heard. The facts are becoming very clear on that. Microsoft laid off over 100,000 people the year before last. We have had a continual decline in high-tech job creation. Oh yes, some plant somewhere is adding jobs, but more plants are laying off workers. There is an election going on out there. People are concerned about their future. They need to know about the trade agreement. They need to be asking their Representatives and their Presidential candidates how they feel about it. Which side are you going to be on? Let's hear the reasons why you are for or against this agreement. After they hear that, I think they will be in a better position to decide how to cast their vote.

I thank the Chair and yield the floor.

THE PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor as we are moving forward, as many of my colleagues know, on this energy package. I thank my colleagues who have already come to the floor today to talk about it, and I especially thank Senator MURKOWSKI for helping us to move through so many different proposals by our colleagues. We were able to clear some of these amendments by voice votes, and, hopefully, we will be able to move forward over the next 24 hours on this bill by getting some votes locked in.

One of the things we are going to talk about this week is energy efficiency, which is creating jobs and making our economy more competitive by holding down the cost of energy. Many of us know that for centuries the use of energy has been a very important factor in our economy. Last week I mentioned that the Northwest economy was built on a hydrosystem. Cheap hydropower has worked for us over and over again, as companies that use a lot of electricity have moved to the Northwest. We have stored everything from apples to terabytes of data because of the huge efficiencies that we were able to pull off with cheap hydropower.

As my colleague from Alaska will say, energy costs are high in Alaska and she wants to make sure we are making it more affordable and enabling distributed generation, as she just mentioned earlier today. Ensuring that we have a microgrid to do that is a key component to how the state will successfully diversify their economy. As we debate this bill on the Senate floor, each of us is thinking about the regions of our country we represent and how to make sure we are dealing with energy successfully.

One important thing I wanted to discuss is that in 2007, for the first time in our history, the United States actually delinked economic growth from energy use. Now, our economy is producing more in goods and services, yet it is using less in electricity. The chart behind me demonstrates this.

This is a very important point because it shows that we can still grow our economy while consuming and using less energy. This is important if you are a homeowner and want to use the energy in your home more efficiently, while still having many apps and devices that require electricity but make your life easier. It is also important for businesses. As U.S. businesses compete in a global economy, they want to produce goods and services and do so in a cost-effective manner. So the more you can drive down energy costs without having to drive down consumption, the better.

If we want to continue to compete in that global economy, we must continue to improve our energy productivity, and that is exactly what title I of the bill does. The Energy Policy Modernization Act will help ensure that the Nation is eliminating energy waste and making improvements in new technologies that will improve our competitiveness for the 21st century.

Energy efficiency is the cheapest and most affordable energy resource because it is typically about one-third of the cost of new production; that is, by saving energy at home, by using what we already have more efficiently—and there are all sorts of smart ways to do this—you can actually spend only one-third of the cost of what it would take to get new production online.

In the last 40 years, since the oil embargo, energy efficiency became an integral part of our energy policy. We have learned that efficiency is not like most other resources that are depleted and consumed. Instead, we found that as we keep making progress on energy efficiency, we have created new technologies. These have become the most cost-effective ways to cut waste and the most cost-effective ways to take the "low-hanging fruit" available in front of us and help businesses and homeowners alike.

There are two examples of this that we, as the Federal Government, had a hand in: No. 1, automobiles and No. 2,

lighting technology. Now both of these were in the previous 2007 Energy bill. Since then, average automobile fuel economy has improved dramatically, from 15 miles per gallon in 1978 to 28 miles per gallon in 2016, thanks to the CAFE standards in effect. That was something we pushed here that made our automobiles more efficient.

With respect to lighting, the latest light-emitting diode, LED, technology is 6 to 7 times more efficient in energy consumption than traditional incandescent lights and can last at least 25 times longer. In 2012 alone, nearly 50,000 LEDs were installed in the United States, saving an estimated \$675 million in annual electricity costs.

What we are saying here is that we want to continue to move forward on energy efficiency. It is saving money for businesses and homeowners. We also want to continue the advancements of these energy-efficiency technologies and make sure that we are making the right investments. So I want to remind my colleagues that there are going to be several ways in which we are going to try to build on this progress. Energy efficiency must be a major part of our policies here, and I know many States across the country are also making investments in this.

So tomorrow I expect us to have a vote on an amendment to establish a Federal energy efficiency resource standard, or an EERS.

Since its establishment, the Department of Energy has implemented successful energy efficiency programs that develop new technologies and promote best practices within the major sectors of our energy economy. Yet many States have used their role to also establish energy efficiency standards. Behind me, you will see the number of States that have already developed these incentives for investments in energy efficiency by giving utilities an incentive to invest in low-cost, energy efficiency programs before investing in more expensive new energy production. You can see that many of these States across the United States have adopted such initiatives—25 States with energy efficiency resource standards.

Why is that important? Well, once you start down the road of energy efficiency, you continue to make your grid more efficient, which is something California has done. California made a huge investment as a marketplace for energy efficiency, and now they continue to be on the cutting edge of energy efficiency. They have continued to grow as an economy yet use less energy. In fact, the 19 States with the greatest energy savings in the Nation all have energy efficiency resource standards.

So, to me, this is an area of the bill that I think we would like to improve. States are the laboratories of democracy, and because 25 of them have demonstrated the benefits of this policy, I

believe it is time the Federal Government should also establish a national energy efficiency resource standard. My colleague Senator FRANKEN from Minnesota will be offering an amendment to do just that on this bill.

The Federal Government could require States to do their part in reducing the waste of resources and increasing our Nation's energy productivity by establishing an energy efficiency resource standard that would promote investments in efficiency—everything from cost effectiveness in new buildings to production capacity. The proposed EERS would set a very modest, easily achievable energy savings target that electrical and natural gas utilities must meet as is already required in half of these States.

The American Council for an Energy-Efficient Economy estimates that implementing the Federal EERS would save \$130 billion, or about \$1,000 per household by 2040. The adoption of this EERS amendment would more than triple the energy efficiency savings benefits of the act before us today. A Federal EERS would not only save every American money by reducing their energy bill, but it would also strengthen our Nation's economic competitiveness by improving our energy's productivity and maintaining our leadership in the commercialization of these products.

This is something I learned during my time in the private sector. Anytime you can make something that is of value to everybody more efficient, such as energy, you are on the winning path; that is, if you become the experts of constantly knowing how to make everything more efficient, whether you are talking about development in China, in Europe or in other parts of Asia, the fact that we are experts on energy efficiency by deploying this here in the United States gives us a winning hand on deploying it around the world. Anytime you can be more efficient, you are also being more cost effective and saving dollars. That is what we are pushing in this bill. It will move us forward on energy efficiency.

As we have seen, energy efficiency—and I am sure Senator FRANKEN will talk more about this tomorrow—is not only commonsense economics, but it also has the ability to focus on some of the cleaner sources of energy that we have been discussing too.

The Federal Government has had a history of promoting energy efficiency, and the government itself, being the single largest energy user in the Nation, could benefit from this. We hope that when we look at the Federal Government, we will also be talking about energy efficiency products. One of the examples of how Congress directed the Federal Government to lead was by the enactment of section 433 of the Energy Independence and Security Act of 2007. This provision established a Federal

leadership role in the development of high-efficiency, low-emission commercial buildings by requiring the Federal Government to phase out the use of fossil fuel energy in Federal buildings and major renovations by 2030.

The U.S. Government, as the single largest occupant of Federal buildings in the Nation, should continue, I believe, to demonstrate its energy efficiency as well. I know in the Pacific Northwest we have the Bullitt Center, which is the greenest commercial building in the United States. We have a hospital in Issaquah that is one of the most energy efficient hospitals in the United States, and we have other businesses that are developing these buildings that are smart buildings that are driving down the costs. What does that mean? It means that businesses can invest money into R&D or into the manufacturing of goods or into the promotion of ideas instead of spending it on energy costs.

For us in the Pacific Northwest, someone might ask: With the cheapest kilowatt rates in the Nation, why would everybody spend so much time on energy efficiency? We spend so much time on energy in the Northwest because we know it pays dividends. We know it gives us a competitive edge, and we know it continues to put us in the driver's seat with technology. Even though we have the cheapest kilowatt rates, we continue to make an investment.

These buildings were designed by architects to show what is now technologically possible and to feature state-of-the-art ground-source heating and cooling, both photovoltaic and thermal solar energy collection, and computers that automatically adjust the building systems in order to keep them comfortable and efficient. Some buildings have an elevator that converts kinetic energy from braking into usable electricity. All of these things are about cutting-edge technology. The Bullitt Center and other buildings like it in the United States demonstrate that it is technologically feasible and cost effective to phase out the use of fossil fuel generated energy in new Federal buildings within the next 14 years, as required by current law.

These are not radical policies. These laws, which were passed in 2007, are things that I know people here would like to strike and repeal. Let me mention another one we will likely hear about, which is the SAFE Act, offered by our colleagues from Georgia and Colorado. The Senators likely will offer this bill for sensible accounting to value energy. This bipartisan amendment was included in the Shaheen-Portman bill that would help homeowners account for the energy efficiency of their home during the mortgage and underwriting process. The average homeowner pays more than \$2,000 annually for the energy in their home.

After the mortgage, this is typically the second largest cost in buying and owning a home, but it is not accounted for in the mortgage underwriting process. Many of us have gone through this process of buying a home and getting a mortgage. So why can't a homeowner, on a voluntary basis, have their home audited for its energy efficiency characteristics and have that information accounted for in the mortgage underwriting process? This is what Senators ISAKSON, BENNET, SHAHEEN, and PORTMAN have introduced in an amendment, and I think it will be one of the things we will hear about tomorrow and one of the potential votes we will be having.

A recent study from the University of North Carolina found that owners of more efficient homes are less likely to default on their mortgages. Adopting this amendment creates an incentive for homeowners to invest in energy efficiency improvement because those improvements will be accounted for in the underwriting process for their homes. Organizations as diverse as the U.S. Chamber of Commerce, the National Association of Manufacturers, the Alliance to Save Energy, and the U.S. Green Building Council all support this amendment. So this is another idea that is not in the underlying bill that we will be discussing.

Today we are here with many amendments that were added last week to this legislation. I thank my colleagues on both sides of the aisle for their hard work and for continuing to move forward with my colleague, the Senator from Alaska, Ms. MURKOWSKI, and myself in getting through the next couple of days of these policies.

I know my colleagues want to continue to discuss this legislation, as I do, but we also know there is a limited time that we will be able to be on this legislation. So I urge our colleagues to bring any amendments to the floor tonight that they would like to have considered, if they haven't already filed them today.

We need to continue to build on the successes of the last 40 years, continue to cut our energy waste, and de-link our economic growth from energy use so we can make sure we can continue to grow in the most cost-effective way, and continue to produce the jobs that these new renewables and energy efficiency opportunities are creating for us. I think this legislation will help give us another foothold toward a future economy that is cleaner, more efficient, and a better driver of U.S. competitiveness on an international global basis for the types of energy solutions that we think will help the world as well.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, the Senate is currently considering a bipartisan energy bill that could lead America on a pathway to rebuilding our Nation's economy in this century. It has been 9 years since we passed an energy bill and a lot of things have changed.

The bill we are considering contains important provisions to build domestic clean energy sources, strengthen energy efficiency measures, and modernize our electric grid.

This bill also represents a commitment to basic science research at the Department of Energy. I believe it can and should do more than what the original bill proposes. We need more robust support for basic science research—the kind of research that costs too much and takes too long for any individual company to undertake. We need to invest in medical and basic science research. The investment will pay off for generations to come.

I cochair the Senate National Lab Caucus, and I know that if we invest in research in the National Labs, it will lead to breakthroughs that will help keep America competitive and create good-paying jobs.

At Fermi National Accelerator Lab in Illinois, the development of superconducting wire technology enabled the large-scale manufacture of the magnetic resonance imaging—or MRI—machines doctors use today. Sometimes it is hard for the scientists and engineers and leaders at these labs to explain in simple words what they are doing and why it is important. This is an example. They were working on a wire technology that probably didn't mean much certainly to me or to many people, but when they finished, they came up with an MRI—a brandnew way of imaging our bodies to detect illnesses and plot a way to cure them.

In the 1970s, the scientists building Fermilab's particle accelerator drove cutting-edge research in superconducting wire fabrication. Rather than patent these advances, Fermilab made them freely available to the public and private sector, opening the door to large-scale superconducting wire manufacturing by private industry. Since MRI machines rely on superconducting wires, this made commercialization possible.

Today, MRI machines are widely used to image the human body. Using MRIs nearly eliminates the need for exploratory surgery, which, of course, means it is cheaper in the long run and safer.

Last month, a new generation of MRI machines at the Illinois Neurological Institute saved the life of a 27-year-old

farmer from Canton, IL, Cody Krulac. Cody had a tumor that was located in the part of his brain that would have been difficult to image using old technology and would have relied on surgery and guesswork, but using the new MRI machine, his doctors were able to pinpoint exactly where the tumor was and exactly how much to remove, meaning Cody spent less time in surgery and recovered more quickly.

Another example of the Department of Energy's success can be found in Argonne's Advanced Photon Source. Its power x-ray beams enable the observation of extremely small objects in unprecedented detail. This allows scientists to see how viruses, such as HIV, replicate and how cancer grows. This understanding led to the discovery of a new drug for AIDS therapy, a drug called Kaletra, which is now the most prescribed drug in its class for this deadly disease. It also led to the development of a drug, Zelboraf, to treat melanoma. This drug has been used by 11,000 patients worldwide and is approved in 43 countries. The research at this National Lab really paved the way.

Building and operating a facility like the Advanced Photon Source is too expensive and specialized for any single company to do. Only investment by America in its own Department of Energy can make something like this possible.

Let me give one final example of how the Department of Energy's Office of Science has had an impact on every American life. Researchers from Illinois University, Fermilab, and Argonne have teamed up to give a tenfold boost to normal CT scanning capabilities. The result was a next-generation CT scanner that limits the patient's exposure to radiation while giving better images that allow doctors to more accurately detect and treat cancer and save lives. This research also led to two U.S. patents and spurred an Illinois startup company called ProtonVDA through the National Institutes of Health small business innovation research grant.

These are only some of the Department of Energy's and the National Lab's success stories, but they are examples that show that this investment, which cannot be effectively made by most businesses in America, can really make America safer, healthier, and pave the way for new businesses and jobs. America's place as a world leader in cutting-edge research is at risk if we fail to make the necessary investments in basic science research.

I want to commend my colleagues in the Senate, particularly Senator ROY BLUNT, a Republican from Missouri; Senator LAMAR ALEXANDER, a Republican from Tennessee; and Senator PATTY MURRAY, a Democrat from the State of Washington. They really stepped up when it came to NIH re-

search—the National Institutes of Health. In this year's budget, we are going to have virtually a 5-percent real increase in research—\$2 billion of new money going to NIH. I am willing to stake my future in the Senate and tell you that investment at the NIH this year in research will ultimately lead to breakthroughs that will save lives. This is another area which is equally promising.

I remember visiting the Department of Energy a few months back with Ernest Moniz, our Secretary, whom I respect very much. I told him the story of how I am committed to NIH's basic biomedical research. I said one example is Alzheimer's.

I was surprised when my staff said one American is diagnosed with Alzheimer's every 67 seconds. I said: Go back to the drawing board. That can't be true.

They went back and came back and said: No, Senator, that is exactly right. One in every 67 seconds on average, an American is diagnosed with Alzheimer's.

I told that story to Ernest Moniz, the Secretary of Energy, and I said that is why we need this NIH research.

He said: Senator, my Office of Science in the Department of Energy is developing the imaging techniques so that we can detect Alzheimer's in living human beings.

Currently, the only confirmation of the diagnosis is confirmed in autopsy. If we can look at the early onset of Alzheimer's, we can better respond to it. That is why, if one is interested in curing diseases, in finding ways to avoid expensive surgery, in reducing the cost of medicine but still protecting America, this generation of lawmakers needs to make a commitment to science research.

I have already thanked my colleagues by name who have done so much for the NIH, and I will be offering an amendment with Senator ALEXANDER of Tennessee that is going to help increase our commitment to research in the Energy bill which is before us. The 4-percent growth in the bill is good, but unfortunately it does not protect against inflation. What we are calling for is 5-percent growth over inflation in this Department. I can guarantee that the breakthroughs that will come from this research will make life better and create more opportunities for people living in this country. We need to have sustained funding to ensure that cutting-edge research can bear fruit, and we are asking that they maintain this growth period of 5-percent real growth for 5 years.

Congress needs to help America's best and brightest do what they do best. This amendment represents an investment that will save lives.

I will say parenthetically that this morning I made a trip to Atlanta, GA. Every 2 or 3 years, I go down to visit

the Centers for Disease Control and Prevention. This agency is not well known or well understood by most Americans. The Centers for Disease Control and Prevention in Atlanta, GA, is the first line in America's national defense when it comes to public health threats.

We now have a mosquito called the Zika mosquito spreading a virus in Brazil to the point where women are being warned that now is not the time to be pregnant. If one of those mosquitoes should sting you and if some of the virus gets into your body, it can cause a miscarriage or some terrible birth defects in the baby. That is how dangerous it is. The frontline of defense in the United States is the Centers for Disease Control and Prevention in Atlanta, GA.

As I walked through there and met with the pathologists, the doctors, veterinarians, and others who work there, I saw this amazing array of extraordinary talent, people who were excited about their work, about making our country and the world safer. The Zika virus, of course, is our current threat, but there are many more. They faced the Ebola crisis in Africa, and luckily it did not spread beyond the few countries where it was first reported. So when we talk about investments in research by the U.S. Federal Government, it is research that is good for us and our families, and it is good for the world.

I will be offering this amendment probably this week with Senator ALEXANDER and others to increase this commitment to research. It is an investment that will lead to new breakthroughs in this bill on energy, in scientific discoveries, energy innovation, and national security. This amendment strengthens the bill before us and helps us move to our 21st-century economy in the world. I urge my colleagues to support it.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, we have had an opportunity to have a few speakers here this afternoon. Senator CANTWELL and I have come to the floor and urged our colleagues to help us as we work to advance the Energy Policy Modernization Act. We have, for the information of colleagues, an order, in terms of several—a couple of votes tomorrow.

Mr. President, I ask unanimous consent that it be in order to call up the following amendments: amendment No. 3023 by Senator LEE and amendment

No. 3115 by Senator FRANKEN; that on Tuesday, February 2, 2016, at 2:30 p.m., the Senate proceed to vote in relation to the above amendments in the order listed, with no second-degree amendments in order prior to the votes and a 60-vote affirmative threshold required for adoption; further, that the time between 2:15 p.m. and 2:30 p.m. be equally divided in the usual form and that there be 2 minutes of debate equally divided prior to each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENTS NOS. 2970, 2989, 2991, 3119, 3019, 3066, 3137, AND 3056, AS MODIFIED, TO AMENDMENT NO. 2953

Ms. MURKOWSKI. We are now ready to process a handful of amendments with a series of voice votes.

Mr. President, I ask unanimous consent that the following amendments be called up and reported by number: Gardner amendment No. 2970; Reed amendment No. 2989; Inhofe amendment No. 2991; Daines amendment No. 3119; Murphy amendment No. 3019; Hirono amendment No. 3066; Udall amendment No. 3137; and Flake amendment No. 3056, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for others, proposes amendments numbered 2970, 2989, 2991, 3119, 3019, 3066, 3137, and 3056, as modified, to amendment No. 2953.

The amendments are as follows:

AMENDMENT NO. 2970

(Purpose: To modify a provision relating to energy management requirements)

In section 1006, strike subsection (a) and insert the following:

(a) ENERGY MANAGEMENT REQUIREMENTS.—Section 543(f)(4) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(4)) is amended by striking “may” and inserting “shall”.

AMENDMENT NO. 2989

(Purpose: To ensure that funds for research and development of electric grid energy storage are used efficiently)

Section 2301 is amended by adding at the end the following:

(f) USE OF FUNDS.—To the maximum extent practicable, in carrying out this section, the Secretary shall ensure that the use of funds to carry out this section is coordinated among different offices within the Grid Modernization Initiative of the Department and other programs conducting energy storage research.

AMENDMENT NO. 2991

(Purpose: To modify provisions relating to brownfields grants)

(The amendment is printed in the RECORD of January 27, 2016, under “Text of Amendments.”)

AMENDMENT NO. 3119

(Purpose: To require that the 21st Century Energy Workforce Advisory Board membership also represent cybersecurity)

On page 316, line 15, strike “and” and insert “cybersecurity, and”.

AMENDMENT NO. 3019

(Purpose: To promote the use of reclaimed refrigerants in Federal facilities)

At the appropriate place, insert the following:

SEC. _____. PROMOTING USE OF RECLAIMED REFRIGERANTS IN FEDERAL FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall issue guidance relating to the procurement of reclaimed refrigerants to service existing equipment of Federal facilities.

(b) PREFERENCE.—The guidance issued under subsection (a) shall give preference to the use of reclaimed refrigerants, on the conditions that—

(1) the refrigerant has been reclaimed by a person or entity that is certified under the laboratory certification program of the Air Conditioning, Heating, and Refrigeration Institute; and

(2) the price of the reclaimed refrigerant does not exceed the price of a newly manufactured (virgin) refrigerant.

AMENDMENT NO. 3066

(Purpose: To modify a provision relating to the energy workforce pilot grant program)

In section 3602(d), strike paragraph (2) and insert the following:

(2) work with the Secretary of Defense and the Secretary of Veterans Affairs or veteran service organizations recognized by the Secretary of Veterans Affairs under section 5902 of title 38, United States Code, to transition members of the Armed Forces and veterans to careers in the energy sector;

AMENDMENT NO. 3137

(Purpose: To modify a provision relating to a Secretarial order)

On page 302, strike lines 6 through 9 and insert the following:

(2) SECRETARIAL ORDER NOT AFFECTED.—This subtitle shall not apply to any mineral described in Secretarial Order No. 3324, issued by the Secretary of the Interior on December 3, 2012, in any area to which the order applies.

AMENDMENT NO. 3056, AS MODIFIED

(Purpose: To include other Federal departments and agencies in an evaluation of potentially duplicative green building programs)

Strike section 1020 (relating to an evaluation of potentially duplicative green building programs within the Department of Energy) and insert the following:

SEC. 1020. EVALUATION OF POTENTIALLY DUPLICATIVE GREEN BUILDING PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—The term “administrative expenses” has the meaning given the term by the Director of the Office of Management and Budget under section 504(b)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (31 U.S.C. 1105 note; Public Law 111–85).

(B) INCLUSIONS.—The term “administrative expenses” includes, with respect to an agency—

(i) costs incurred by—

(I) the agency; or

(II) any grantee, subgrantee, or other recipient of funds from a grant program or other program administered by the agency; and

(ii) expenses relating to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication regarding, promotion of, and outreach for programs and program activities administered by the agency.

(2) **APPLICABLE PROGRAM.**—The term “applicable program” means any program that is—

(A) listed in Table 9 (pages 348–350) of the report of the Government Accountability Office entitled “2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue”; and

(B) administered by—

- (i) the Secretary;
- (ii) the Secretary of Agriculture;
- (iii) the Secretary of Defense;
- (iv) the Secretary of Education;
- (v) the Secretary of Health and Human Services;
- (vi) the Secretary of Housing and Urban Development;
- (vii) the Secretary of Transportation;
- (viii) the Secretary of the Treasury;
- (ix) the Administrator of the Environmental Protection Agency;
- (x) the Director of the National Institute of Standards and Technology; or
- (xi) the Administrator of the Small Business Administration.

(3) **SERVICE.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the term “service” has the meaning given the term by the Director of the Office of Management and Budget.

(B) **REQUIREMENTS.**—For purposes of subparagraph (A), the term “service” shall be limited to activities, assistance, or other aid that provides a direct benefit to a recipient, such as—

- (i) the provision of technical assistance;
- (ii) assistance for housing or tuition; or
- (iii) financial support (including grants, loans, tax credits, and tax deductions).

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall submit to Congress and make available on the public Internet website of the Department a report that describes the applicable programs.

(2) **REQUIREMENTS.**—In preparing the report under paragraph (1), the Secretary shall—

(A) determine the approximate annual total administrative expenses of each applicable program attributable to green buildings;

(B) determine the approximate annual expenditures for services for each applicable program attributable to green buildings;

(C) describe the intended market for each applicable program attributable to green buildings, including the—

(i) estimated the number of clients served by each applicable program; and

(ii) beneficiaries who received services or information under the applicable program (if applicable and if data is readily available);

(D) estimate—

(i) the number of full-time employees who administer activities attributable to green buildings for each applicable program; and

(ii) the number of full-time equivalents (the salary of whom is paid in part or full by the Federal Government through a grant or

contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering activities attributable to green buildings for the applicable program;

(E) briefly describe the type of services each applicable program provides attributable to green buildings, such as information, grants, technical assistance, loans, tax credits, or tax deductions;

(F) identify the type of recipient who is intended to benefit from the services or information provided under the applicable program attributable to green buildings, such as individual property owners or renters, local governments, businesses, nonprofit organizations, or State governments; and

(G) identify whether written program goals are available for each applicable program.

(c) **RECOMMENDATIONS.**—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall submit to Congress a report that includes—

(1) a recommendation of whether any applicable program should be eliminated or consolidated, including any legislative changes that would be necessary to eliminate or consolidate applicable programs; and

(2) methods to improve the applicable programs by establishing program goals or increasing collaboration to reduce any potential overlap or duplication, taking into account—

(A) the 2011 report of the Government Accountability Office entitled “Federal Initiatives for the Nonfederal Sector Could Benefit from More Interagency Collaboration”; and

(B) the report of the Government Accountability Office entitled “2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue”.

(d) **ANALYSES.**—Not later than January 1, 2017, the Secretary, in consultation with the agency heads described in clauses (ii) through (xi) of subsection (a)(2)(B), shall identify—

(1) which applicable programs were specifically authorized by Congress; and

(2) which applicable programs are carried out solely under the discretionary authority of the Secretary or any agency head described in clauses (ii) through (xi) of subsection (a)(2)(B).

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, if I could just say, I so appreciate our colleagues working in such a bipartisan fashion to work through these eight amendments and set votes for these amendments tomorrow. We are making good progress on this legislation. I hope our colleagues will give attention to these matters so tomorrow we can move further on some more votes to clear up the remaining issues before us on this bill.

I appreciate all our colleagues working together in earnest and the chair of

the committee to make sure we have made this progress so far today. Thank you.

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 2970, 2989, 2991, 3119, 3019, 3066, 3137, and 3056, as modified) were agreed to en bloc.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 458.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ricardo A. Aguilera, of Virginia, to be an Assistant Secretary of the Air Force.

Thereupon, the Senate proceeded to consider the nomination.

Ms. MURKOWSKI. Mr. President, I know of no further debate.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the question is, Will the Senate advise and consent to the Aguilera nomination?

The nomination was confirmed.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNIVERSARY OF THE LILLY LEDBETTER FAIR PAY ACT

Ms. MIKULSKI. Mr. President, today I wish to recognize the anniversary of the signing of the Lilly Ledbetter Fair Pay Act.

Lilly Ledbetter is an inspiring woman and a courageous trailblazer.

She fought the system in her workplace and the courtroom. She was a longstanding and loyal employee at the Goodyear Tire & Rubber Company for 19 years. But then she found out that Goodyear thought she was worth less than her male counterparts. A jury found Goodyear owed her almost \$400,000 in backpay, but the Supreme Court said that she was too late. When Justice Ginsburg read her dissent from the bench, she called for Congress to fix it, so we went to work.

It has been over 7 years since we passed this historic legislation. I was so proud to lead the charge in the Senate to keep the courthouse doors open to sue for discrimination. This wasn't an easy road. When we lost the first vote on this bill, I called upon the women in the Senate and across America to put their lipstick on, square their shoulders, and suit up to fight for an American revolution.

We did just that, and the Lilly Ledbetter Act became the first bill that President Obama signed into law in 2009.

Passing the Lilly Ledbetter Fair Pay Act was a big accomplishment—but our work is far from done. We need to finish what we started by passing the Paycheck Fairness Act. The Lilly Ledbetter Act kept the courthouse door open, but the Paycheck Fairness Act will make it more difficult to discriminate in the first place.

Women are tired of being paid crumbs. Women still only make 79 cents for every dollar a man makes, and it is even worse for women of color—African-American women earn 62 cents on the dollar, and Hispanic women earn 54 cents. By retirement, the average woman loses \$431,000 to the pay gap. This affects Social Security, pensions, and retirement security. Everybody says, "Oh you've come a long way," but women have only gained 20 cents in 50 years.

We will not take no for an answer. We will continue to demand equal pay for all. We are going to change the Federal law books, so women get change in their family checkbooks.

NATIONAL SCHOOL CHOICE WEEK

Mr. COTTON. Mr. President, as National School Choice Week came to a close last week, I want to highlight the important role school choice plays in our education system in Arkansas and across the country.

I am the proud graduate of Arkansas's public schools and the son of a public school teacher and principal. Throughout my life, I was blessed with wonderful parents, teachers, and coaches who taught the skills, knowledge, and values needed for success in the workforce. Unfortunately, not all children have the same experience.

Dardanelle High School was the right choice for me, but the local public

school isn't always the right fit for everyone. Too many children aren't receiving the attention or education they deserve. This is especially true in areas with poor performing schools. But it is not always about the quality of education; sometimes local schools cannot make adequate accommodations for a child's religious beliefs or personal needs. Quite simply, one size fits all isn't the key to success for education.

That is why I believe in school choice.

Parents—not politicians and bureaucrats—know what is best for their children. We should empower them and ensure they have access to alternatives to the traditional public system. This includes home schooling, charter schools, and private and religious schools. That way, every child will receive the type of education that best fits their learning style.

To countless families across America, school choice means accessing the best possible education for their children. By providing school choice, we can promote innovation in our schools, provide more personalized education for our children, and improve racial and economic disparities in educational outcomes.

I am pleased to have celebrated National School Choice Week and the improvements that school choice has brought to our country.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VERMONT ESSAY FINALISTS

• Mr. SANDERS. Mr. President, I ask to have printed in the RECORD copies of some of the finalist essays written by Vermont High School students as part of the sixth annual "What is the State of the Union" essay contest conducted by my office. These finalists were selected from nearly 800 entries.

The material follows:

SARA MANFREDI, MILTON HIGH SCHOOL
(FINALIST)

Before I begin this address, I would like to take a moment to thank all of you for being here today. But, there are issues our country must conquer in order to make our home safer, as well as more equal, for both ourselves, and the generations to come.

In recent years, it has come to attention of our government that there have been over 400,000 untested rape kits stuck in backlog all around the country. One precinct held over 5,000 in backlog, all untested, most cases left without any trial. How dare we do this to those hundreds upon thousands of victims? Who are we to deny them any sense of safety or justice? These facts have done nothing more than allow rapists to get out of any sort of punishment. This horrid trend must be stopped, and can only be stopped if this government takes immediate action. The issue with this is that many of these local jurisdictions do not have the money to process these kits, because of the innate lack of funding for said kits to be processed. I am willing to offer more funding through federal

grants to these precincts, so these long backlogs can finally be tested, and the victims of these crimes can get the justice they deserve. To ensure this money is used to test these rape kits, I will work with Congress to pass a law into action that will give precincts a time constraint in which they must have these kits tested, most likely within 72 hours. By having this deadline set into place, as well as the money to fund said testing, this national backlog will gradually dwindle down. This justice is owed to the survivors of these vicious assaults.

Some victims, however, cannot be given the justice they deserve. A recent influx of mass shootings have killed 380 American citizens, and left hundreds of families in mourning over their lost loved ones. I am not going to say that any one of the perpetrators of the 294 mass shootings in the past year killed because they were lonely, lost outsiders. These killers were not in the right mind, no, but mental health is not to blame. What is to blame is American gun laws. These men were able to commit these heinous crimes because of how accessible guns are in this country. How do we stop this? We restrict and complicate. If we are to ensure the safety of the American public, we must ensure that only those who are specifically trained to use a gun, those who are able to handle one and not go awry are allowed to carry one. Police officers and military personnel should be the only ones to be able to carry handguns at all times for their jobs. Rifles shall be heavily restricted as well, only distributed to those who undergo a complicated vetting process, as to ensure that they will not become the next person to kill innocent bystanders. I just want the American public to be safe. I do not want any more men, women, and children to be victims of these preventable crimes. I only wish the best for us. Thank you.

WILLIAM MARTIN, MOUNT ABRAHAM UNION HIGH SCHOOL (FINALIST)

The United States is being cornered by problems, of all shapes and magnitude, from every direction. These issues need more attention and they will not be solved unless action is taken against them. Many of these situations will only get worse the longer we put them off. There are a variety of problems ranging from climate change to healthcare and we should be looking for a solution for all of them. The three issues that the U.S. should put most of its focus on, however, is the threat from ISIS, the price of higher education, and the cases of racism, especially those in police shootings.

The United States should spend more money to prevent ISIS from growing and causing more damage, because ISIS is a danger to the U.S., as well as other countries around the world and their citizens. Terrorism could also continue for a lot longer if we do not stop it soon. Terrorism really came onto the world stage after September 11, 2001. In a single day, a small group of people managed to kill thousands. Even before this, al-Qaeda truly started in the 1990s. This shows how long these groups have managed to continue, despite our efforts, which means we need to do more. Not only do we need to get rid of the organizations like ISIS that are here now, but we have to provide a stable system to make sure these types of groups don't return, or we could risk another disaster. ISIS will actually pay foreign fighters \$1,000 a month, which is how they get many of their recruits. Unfortunately, ISIS has a wide spread with connections in many places. This is a reason why it is hard to eradicate them, but also shows that we need

to invest more into it if we want to get it done. The U.S. is however, already spending \$40 billion on fighting ISIS annually. This is a large sum of money, but of the \$1.1 trillion that the U.S. had for discretionary spending in 2015, it is only about 3.6 percent. The U.S. has a responsibility to help with the fight against ISIS, and the government should spend more money to disrupt this organization because they are a threat to everyone, everywhere, and will not go away unless we make them.

The U.S. should also spend more money on education, to make college more accessible to the average student, because it is important for getting good jobs and it costs far too much now. The average cost to go to a private college is \$32,405 which deters a lot of students who can't afford that price for four years. Since this price is so high, and those who can't afford it simply can't go, it leaves many without the education needed for higher paying jobs. This number is far too high. This even gives some doubt about getting their degrees, simply from the fear of debt. It is necessary to get a high paying job to be able to happily provide for a family, however the cost to get there is damaging, which is why the government has to step in. If the government did decide to make public college tuition free, it would cost \$62.6 billion. This cost may be high, but it's not even what is needed. There simply needs to be more spent on making it more affordable. Also, theoretically, if the government needed to raise taxes to make tuition affordable, and nearly everyone had gone to college and had a high paying job, then after a couple years they could raise taxes without too much effect. The U.S. needs to make college easier for everyone and make it more affordable, because it costs far too much and could help citizens live an easier life with more money.

The U.S. government needs to take more action against racial events because they defy the constitutional values of the United States and these problems only get worse when left unsolved. The U.S. abolished slavery in 1865 under President Lincoln, but since then there has always been a separation of people of color because of the false thought of white superiority. We can see this in the way black people were treated in the 20th century, in how they were allowed little compared to those who were white. This shows a deep root of racism in this country, and though we have been making efforts to reduce it more and more, it still seems to not be enough. A large racism topic that has been in the media for a while is the shooting and other abuse white cops have committed on people of color. One example is Michael Brown, a black 18 year old, who was fatally shot in 2014 by a white officer. After there was no conviction of Darren Wilson, the shooter, many cried out in outrage. The commotion that was caused from that killing, and others, caused massive amounts of damage in protests to both people and property. There needs to be a better way to deal with these situations, otherwise the outrage will continue. There is also a question raised by statistics like that only 13.2% of the U.S. population is black, and yet they make up 39.4% of the prison population, or that nearly 50% of hate crimes are about racism. These numbers show how we need to increase the involvement of the government in these events—we cannot just ignore the danger behind these statistics. On the other hand, all U.S. citizens have the same legal rights, no matter their gender, race, or religion. This fact however, may not be fully true, because though on paper it may say there is no dis-

crimination, that does not mean that there aren't people who do discriminate based on race. The government needs to step in on this issue, and use their power to end it, because it is dangerous to all and defies our American morals.

The U.S. will find itself in trouble if solutions are not quickly found to ISIS, the price of higher education, and acts of racism. If action is not taken against ISIS to permanently disrupt them, the danger they cause for everyone will only increase and get worse. Similarly, if money is not put towards helping offset the cost of higher education, we could see more and more people who can't afford to get a degree that could get them a job they can live off of, which would increase the separation of the upper and middle class. Lastly, it is very important that the U.S. finds a solution to the acts of racism that cause only harm and anarchy. The U.S. will never become the true country it was meant to be, and the "American Dream" will be fiction for many, until the problems we face today are solved.

HADLEY MENK, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

All men are created equal. America was founded upon this fundamental belief, but today the meaning of these words has been lost.

Americans are not equal when some cannot afford healthcare, when a woman's power over her body is diminished, or when the pursuit of happiness is lost in the struggle to feed a family. Economically, there is more inequality in America than ever. According to the Pew Research Center, since 1983 "virtually all wealth gains made by U.S. families have gone to the upper-income group." The top 1% of American families received 22.5% of all pre-tax income in 2012, with the bottom 90% receiving less than 50% of total income for the first time ever.

For the plights of everyday Americans to rightfully regain the attention of the government, the deluge of money being pumped into the electoral system by big corporations and wealthy donors must be stopped. New campaign finance regulations and a reversal of the Citizens United decision will take the government out of the control of the wealthy elite and put it back into the hands of the people.

Policies designed to combat income inequality at its roots are the only way to fix our broken system. For example, we need a minimum wage that allows families an equal chance at happiness. We need political leadership that will give low-income women an equal chance at personal liberty, instead of seeking to strip funding from organizations like Planned Parenthood, which for many women are their only option for reproductive healthcare. We need a healthcare system that ensures that no one has less of a right to health because of their socioeconomic class. We need affordable education and job training programs to give young people the tools they need to contribute to our economy. Tax cuts for the wealthiest have only widened the gap and made life harder for too many Americans. It's time to unite, rather than divide, our country.

In order for the American people to unite, elected officials must lead the way, by following the will of the people, instead of the dictates of their wealthy donors. For example, in their 2014 National Climate Assessment, the White House found that low-income and minority communities suffer the most from climate change-induced events, including heat waves and floods. Still, many in Congress who benefit from oil companies

continue to deny climate change exists. Congress must begin a full-scale attack on climate change including carbon emission taxes, incentives for renewable energy companies and consumers, and efforts to protect valuable natural resources.

"Life, Liberty, and the pursuit of Happiness . . . to secure these rights, Governments are instituted among men." It's time for our government to reaffirm its commitment to the founding document which formed it 250 years ago, one which outlined a government whose purpose was to uphold its people's fundamental rights. When these rights are infringed upon by inequality, it is the duty of the government to address that inequality in order to preserve our American identity.

SOPHIA PARKER, VERGENNES UNION HIGH SCHOOL (FINALIST)

Nelson Mandela proclaimed: "It is in your hands to make of our world a better one for all."

It is easy to feel overwhelmed by the complex and devastating crises we face today as a nation, to believe the solutions are out of our hands. I see two parallel sets of problems. On one hand, we have institutionalized problems which will require institutional solutions, financial resources, and political will. On the other hand, there is a personal malaise, discouragement, and alienation among citizens. The two problems are related because the alienation and discouragement stem in part from systems that have become corrupt and ineffective, serving the needs of the few at the expense of the many. However, there is also power in our simple personal choices and actions, which is often overlooked. Engaging this power does not require a political solution. A child can bring this forth. The most disenfranchised person can make a difference. This power resides in the simple personal choice to do good, to take action, to care, to make one small or large movement towards making life a little better for somebody.

Every one of us has strengths that we can bring to bear for the sake of another individual, our community, a specific cause, or the world at large. If each person devoted even an hour a week to making the world a better place, it would have a tremendous impact.

You are never too young or old to make a difference. You are never too poor, too weak, or too busy to make a difference. Every single one of us has strengths that we can harness to make the world better for the people around us. My 10-year-old neighbor drives his family's tractor to plow our driveway after every snowstorm, out of the kindness of his heart. My mom and I run wildlife camps for kids; one of our 9-year-old campers started an organization to help older shelter cats find homes. A sophomore at my high school helped organize a winter sleep-out to end homelessness, attended by over a hundred people. These are all young people seeing problems and finding ways to take action through compassion, courage, creativity, and community service.

I serve as Miss Vermont's Outstanding Teen; my platform is wildlife rehabilitation and stewardship of the natural world, which is a cause to which I have been devoted since I was a small child. I travel across Vermont encouraging young people to find their own passion and get involved in contributing something of value to their communities. The response is always inspiring.

The problems around us are daunting indeed. However, we cannot underestimate the power for good that resides in each individual. It can begin with something as simple as lending each other a hand, and can

build into making our world a better one for all.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

150TH ANNIVERSARY OF NORWAY SAVINGS BANK

● Mr. KING. Mr. President, today I wish to commemorate the 150th anniversary of Norway Savings Bank, a mutual savings bank based in southern Maine. This community bank has a long and proud history of serving the people of Maine, and I am proud to add my voice to those in our grateful State in recognizing this milestone. Norway Savings Bank will celebrate its anniversary by hosting events on February 5, 2016, at each of their 24 locations across western and southern Maine.

When Norway Savings Bank was incorporated in 1866, Norway was a small but growing town with a third of the population settled today. A century and a half later, Norway has become a bustling mill town, as well as a popular tourist destination. And since it opened its original building on Main Street in Norway in 1894, Norway Savings Bank has proven itself to be an exemplary community bank.

As a mutual savings bank, Norway Savings Bank is first and foremost accountable to its depositors and the community. At Norway Savings Bank, customers not only find high-quality service, but also an engaged and warm environment. Its dedicated employees have continued the tradition of providing customers with prompt and personalized solutions, regardless of the financial challenge. The bank's great customer service and hard work even has people "from away" taking notice: DepositAccounts.com named them one of the top 200 healthiest banks in 2014.

Norway Savings Bank's investment in its employees is also commendable. The bank consistently prioritizes the well-being of its staff and is consistently recognized as a top employer in the State of Maine. The bank was named one of the Best Banks to Work For in America in 2013 by the American Bankers Association, and branches of the company have been awarded Best Places to Work in Maine by the Society for Human Resource Management's, SHRM, Maine State Council.

Finally, bank leadership and employees prove that they understand the true meaning of "relationship banking" by devoting countless hours of their valuable time, as well as their resources, to the betterment of Maine by regularly supporting important community initiatives and issues. Between 2012 and 2014, Norway Savings Bank employees volunteered 27,788 hours of their time to different organizations in the community.

The bank's core business model of putting community first remains true

today even as Norway, ME, and the broader financial depository industry have changed dramatically. I am proud to join the people of Norway, ME, and communities across western and southern Maine in thanking Norway Savings Bank for their commitment to the people of Maine and continued work on behalf of our great State. This milestone is a testament to their hard work over the past 150 years, and I wish them many more years of success.●

ADDITIONAL STATEMENTS

RECOGNIZING LEFT HAND DITCH COMPANY

● Mr. GARDNER. Mr. President, today I honor the Left Hand Ditch Company, based in Boulder County, CO, on its 150th anniversary. Left Hand Ditch Company was founded on February 27, 1866, 10 years before Colorado became a State. It provides an essential resource for water in the Boulder and Longmont region of the Northern Front Range.

Left Hand has played an important role in the history of water law in Colorado and the American West. In the case of *Coffin v. Left Hand Ditch Company* in 1882, the Colorado Supreme Court upheld Left Hand's right to continue its use of the water supply in the area. This "first-in, first-right" decision became the basis for water law in the West, known as the Doctrine of Prior Appropriation. As one historian has said, "The story of the Left Hand Ditch is the story of water in the west."

Water is a foundational aspect of Colorado's history and is a primary driver for agriculture, commerce, and community development in the State. Left Hand's contributions have helped spur growth in this region and set an important precedent for our Nation's water laws. Congratulations to the Left Hand Ditch Company on reaching this significant milestone.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

AGREEMENT ON SOCIAL SECURITY BETWEEN THE UNITED STATES AND HUNGARY, CONSISTING OF A PRINCIPAL AGREEMENT AND AN ADMINISTRATIVE AGREEMENT—PM 38

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95-216, 42 U.S.C. 433(e)(1)), I transmit herewith a social security totalization agreement with Hungary, titled, "Agreement on Social Security between the Government of the United States of America and the Government of Hungary," and a related agreement titled, "Administrative Arrangement for the Implementation of the Agreement on Social Security between the United States of America and the Government of Hungary" (collectively the "Agreements"). The Agreements were signed in Budapest, Hungary, on February 3, 2015.

The Agreements are similar in objective to the social security agreements already in force with most European Union countries, Australia, Canada, Chile, Japan, Norway, the Republic of Korea, and Switzerland. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries.

The Agreements contain all provisions mandated by section 233 of the Social Security Act and the provisions that I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4) of the Social Security Act.

I also transmit for the information of the Congress a report required by section 233(e)(1) of the Social Security Act on the estimated number of individuals who will be affected by the Agreements and the estimated cost effect. The Department of State and the Social Security Administration have recommended the Agreements to me.

I commend the Agreements and related documents.

BARACK OBAMA.
THE WHITE HOUSE, February 1, 2016.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment:

H.R. 1428. A bill to extend Privacy Act remedies to citizens of certified states, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COTTON:

S. 2474. A bill to allow for additional markings, including the words "Israel" and "Product in Israel," to be used for country of origin marking requirements for goods made in the geographical areas known as the West Bank and Gaza Strip; to the Committee on Finance.

By Mr. SULLIVAN (for himself and Mr. DAINES):

S. 2475. A bill to establish a Commission on Structural Alternatives for the Federal Courts of Appeals; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Ms. CANTWELL, Mrs. SHAHEEN, and Mr. MCCONNELL):

S. 2476. A bill to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination or ceiling fans using direct current motors from energy conservation standards for external power supplies; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself and Mr. SULLIVAN):

S. 2477. A bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 356

At the request of Mr. LEE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 366

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 649

At the request of Mr. LEE, the name of the Senator from Arkansas (Mr. COT-

TON) was added as a cosponsor of S. 649, a bill to amend the eligibility requirements for funding under title IV of the Higher Education Act of 1965.

S. 1195

At the request of Mr. WYDEN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1195, a bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1479

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1479, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 2042

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2116

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2116, a bill to improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes.

S. 2119

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2119, a bill to provide for greater congressional oversight of Iran's nuclear program, and for other purposes.

S. 2185

At the request of Ms. HETTKAMP, the names of the Senator from Nevada (Mr.

REID) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2344

At the request of Mr. COTTON, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2403

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2403, a bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families, and for other purposes.

S. 2423

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2451

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 2451, a bill to designate the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, as "Liu Xiaobo Plaza", and for other purposes.

S. 2452

At the request of Mr. MORAN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2452, a bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts.

S. 2455

At the request of Mr. LEE, his name was added as a cosponsor of S. 2455, a bill to expand school choice in the District of Columbia.

S. 2459

At the request of Mr. MCCONNELL, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2459, a bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate.

S. 2462

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2462, a bill to amend section 117 of the Internal Revenue Code of 1986 to exclude Federal student aid from taxable gross income.

S. 2466

At the request of Mr. PETERS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2466, a bill to amend the Safe Water Drinking Act to authorize the Administrator of the Environmental Protection Agency to notify the public if a State agency and public water system are not taking action to address a public health risk associated with drinking water requirements.

S. CON. RES. 27

At the request of Mr. DAINES, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Con. Res. 27, a concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and is protected for all Americans by the text of the Constitution, and recognizing the 230th anniversary of the enactment of the Virginia Statute for Religious Freedom.

S. RES. 347

At the request of Mr. BOOKER, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 347, a resolution honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015.

AMENDMENT NO. 2971

At the request of Mr. KIRK, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 2971 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 2972

At the request of Mr. KIRK, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 2972 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 2990

At the request of Mr. REED, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 2990 intended to be pro-

posed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3005

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 3005 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3035

At the request of Mr. MURPHY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 3035 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3042

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 3042 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3057

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 3057 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3061

At the request of Mrs. CAPITO, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 3061 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3069

At the request of Mr. HEINRICH, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 3069 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3072

At the request of Mr. DONNELLY, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of amendment No. 3072 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3082

At the request of Mr. BARRASSO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a co-

sponsor of amendment No. 3082 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3083

At the request of Mr. BARRASSO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 3083 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3095

At the request of Mr. DURBIN, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Delaware (Mr. COONS) were added as cosponsors of amendment No. 3095 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3096

At the request of Mr. COONS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3096 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3097

At the request of Mr. COONS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3097 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3098

At the request of Mr. COONS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3098 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3099

At the request of Mr. COONS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3099 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3100

At the request of Ms. WARREN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of amendment No. 3100 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3105

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 3105 intended to be proposed to S. 2012, an

original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3107

At the request of Ms. BALDWIN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 3107 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3135

At the request of Mrs. MCCASKILL, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of amendment No. 3135 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3136

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 3136 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3138

At the request of Mrs. SHAHEEN, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 3138 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3140

At the request of Ms. COLLINS, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Montana (Mr. DAINES), the Senator from Minnesota (Mr. FRANKEN), the Senator from Idaho (Mr. CRAPO) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 3140 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3143. Mr. CARPER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3144. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3145. Mr. CARPER (for himself and Mr. INHOFE) submitted an amendment intended

to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3146. Mr. BARRASSO (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3147. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3148. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3149. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3150. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3151. Mr. BURR submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3152. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3153. Mr. VITTER (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3154. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3155. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3156. Ms. BALDWIN (for herself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3157. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3158. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3159. Mrs. CAPITO (for herself, Ms. HEITKAMP, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3160. Mr. BOOKER (for himself, Ms. MURKOWSKI, Mr. MENENDEZ, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3161. Mr. BOOKER submitted an amendment intended to be proposed to amendment

SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3162. Mr. UDALL (for himself, Mr. PORTMAN, Mrs. BOXER, Mr. ALEXANDER, Mr. WYDEN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3163. Mrs. FISCHER (for herself, Mr. BOOKER, Mr. DAINES, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3164. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3165. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3166. Mrs. SHAHEEN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3167. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3168. Mr. PORTMAN (for himself, Ms. CANTWELL, Mrs. SHAHEEN, Mr. MCCONNELL, and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3169. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3170. Mr. SULLIVAN (for himself, Mrs. CAPITO, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3171. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3172. Ms. HEITKAMP (for herself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3173. Ms. HEITKAMP (for herself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3174. Ms. HEITKAMP (for herself, Mrs. CAPITO, Mr. BOOKER, Mr. WHITEHOUSE, Mr. TESTER, Mr. MANCHIN, Mr. BLUNT, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3175. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3176. Mr. SCHATZ (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3177. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3178. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3179. Ms. KLOBUCHAR (for herself, Mr. HOEVEN, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3180. Ms. KLOBUCHAR (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3181. Ms. HEITKAMP (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3182. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3183. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3143. Mr. CARPER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part III of subtitle D of title I, add the following:

SEC. 131. REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.

Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking “2016” and inserting “2021”.

SA 3144. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 168, between lines 20 and 21, insert the following:

(d) DRAWDOWN AND SALE OF REFINED PETROLEUM PRODUCTS.—

(1) **DEFINITION OF SEVERE ENERGY SUPPLY INTERRUPTION.**—Section 3(8) of the Energy Policy and Conservation Act (42 U.S.C. 6202(8)) is amended by striking “or (iii)” and inserting “(iii) an interruption of the worldwide supply of crude petroleum that is likely to cause a severe increase in the price of domestic petroleum products, or (iv)”.

(2) **DRAWDOWN AND SALE OF PETROLEUM PRODUCTS.**—Section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) is amended by adding at the end the following:

“(k) **DRAWDOWN AND SALE OF REFINED PETROLEUM PRODUCTS.**—

“(1) **IN GENERAL.**—The Secretary may draw down and sell refined petroleum products in accordance with this subsection if the President finds that—

“(A) a circumstance exists that constitutes, or is likely to become, a regional severe energy supply interruption of significant scope or duration; and

“(B) action taken under this subsection would assist directly and significantly in preventing or reducing the adverse impact of the shortage.

“(2) **REFINED PETROLEUM PRODUCTS.**—Refined petroleum products covered by this subsection include all petroleum products other than crude oil held by the Secretary as part of—

“(A) the Strategic Petroleum Reserve established by section 154; or

“(B) the Northeast Home Heating Oil Reserve established under section 181.

“(3) **SALES.**—Sales of refined petroleum products under this subsection—

“(A) shall be made at public sale to the highest qualified bidder; but

“(B) do not need not comply with the requirements of subsection (e)(1) or section 183.”.

SA 3145. Mr. CARPER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Thermal Energy

SEC. 3801. MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE THERMAL ENERGY.

(a) **IN GENERAL.**—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) (as amended by section 3001(b)) is amended—

(1) in subsection (a), by inserting “a number equivalent to” before “the total amount of electric energy”; and

(2) in subsection (b)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following:

“(2) **QUALIFIED WASTE HEAT RESOURCE.**—The term ‘qualified waste heat resource’ means—

“(A) exhaust heat or flared gas from any industrial process;

“(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

“(C) a pressure drop in any gas for an industrial or commercial process; or

“(D) such other forms of waste heat as the Secretary determines appropriate.”; and

(C) in paragraph (3) (as redesignated by subparagraph (A))—

(i) by striking “produced from” and inserting “produced or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by,”; and

(ii) by inserting “qualified waste heat resource,” after “municipal solid waste,”; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking “For purposes” and inserting the following:

“(1) **IN GENERAL.**—For purposes”; and (C) by adding at the end the following:

“(2) **SEPARATE CALCULATION.**—

“(A) **IN GENERAL.**—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

“(B) **DENIAL OF DOUBLE BENEFIT.**—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with another Federal energy efficiency goal.”.

(b) **CONFORMING AMENDMENT.**—Section 2410q(a) of title 10, United States Code, is amended by striking “section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2))” and inserting “section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b))”.

SA 3146. Mr. BARRASSO (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —BUREAU OF RECLAMATION

SEC. —01. SHORT TITLE.

This title may be cited as the “Bureau of Reclamation Transparency Act”.

SEC. —02. FINDINGS.

Congress finds that—

(1) the water resources infrastructure of the Bureau of Reclamation provides important benefits related to irrigated agriculture, municipal and industrial water, hydropower, flood control, fish and wildlife, and recreation in the 17 Reclamation States;

(2) as of 2013, the combined replacement value of the infrastructure assets of the Bureau of Reclamation was \$94,500,000,000;

(3) the majority of the water resources infrastructure facilities of the Bureau of Reclamation are at least 60 years old;

(4) the Bureau of Reclamation has previously undertaken efforts to better manage the assets of the Bureau of Reclamation, including an annual review of asset maintenance activities of the Bureau of Reclamation known as the “Asset Management Plan”; and

(5) actionable information on infrastructure conditions at the asset level, including information on maintenance needs at individual assets due to aging infrastructure, is needed for Congress to conduct oversight of Reclamation facilities and meet the needs of the public.

SEC. —03. DEFINITIONS.

In this title:

(1) **ASSET.**—

(A) **IN GENERAL.**—The term “asset” means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) INCLUSIONS.—The term “asset” includes assets described in subparagraph (A) that are considered to be mission critical.

(2) ASSET MANAGEMENT REPORT.—The term “Asset Management Report” means—

(A) the annual plan prepared by the Bureau of Reclamation known as the “Asset Management Plan”; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) MAJOR REPAIR AND REHABILITATION NEED.—The term “major repair and rehabilitation need” means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) RECLAMATION FACILITY.—The term “Reclamation facility” means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) RECLAMATION PROJECT.—The term “Reclamation project” means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) RESERVED WORKS.—The term “reserved works” means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(8) TRANSFERRED WORKS.—The term “transferred works” means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

SEC. 4. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.—

(1) IN GENERAL.—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) INCLUSIONS.—To the extent practicable, the itemized list of major repair and reha-

bilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) RATING REQUIREMENTS.—

(A) IN GENERAL.—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) PUBLIC AVAILABILITY.—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the Internet, the Asset Management Report required under subsection (a).

(5) CONFIDENTIALITY.—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) UPDATES.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 5(b)(2).

(d) CONSULTATION.—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—

(1) the Secretary of the Army (acting through the Chief of Engineers); and

(2) water and power contractors.

SEC. 5. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) IN GENERAL.—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 4(b).

(b) GUIDANCE.—

(1) IN GENERAL.—After considering input from water and power contractors of the Bureau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under section 4(b)(3).

(2) UPDATES.—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 4(c).

SEC. 6. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h-12c), the maximum amount of

the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h-13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by \$2,000,000.

SA 3147. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. RECOGNITION OF STATE OR LOCAL DETERMINATIONS.

Section 210(m) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-3(m)) is amended—

(1) by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs (4), (5), (6), (7), and (8), respectively;

(2) by inserting after paragraph (2) the following:

“(3) STATE OR LOCAL DETERMINATION.—

“(A) IN GENERAL.—After the date of enactment of the Energy Policy Modernization Act of 2016, no electric utility shall be required to enter into a new contract or legally enforceable obligation to purchase electric energy from a qualifying small power production facility that produces electric energy solely by the use, as a primary energy source, of a resource other than waste and water, under this section if the State regulatory agency (with respect to each electric utility for which the State regulatory authority has ratemaking authority) or the nonregulated electric utility has determined that the electric utility has no need to acquire additional generation resources in order to meet the obligation of the electric utility to serve customers in the public interest.

“(B) REASSESSMENT.—Not later than 3 years after the date of a determination under subparagraph (A) and every 3 years thereafter, the State regulatory agency (with respect to each electric utility for which the State regulatory authority has ratemaking authority) or the nonregulated electric utility shall reassess the determination under that subparagraph.”;

(3) in paragraph (4) (as so redesignated)—

(A) in the second sentence, by striking “of this subsection”; and

(B) by inserting “or in paragraph (3)” after “paragraph (1)” each place it appears; and

(4) in paragraph (5) (as so redesignated)—

(A) in the first sentence, by striking “paragraph (3)” and inserting “paragraph (4)”;

(B) in the second sentence, by striking “of this subsection”; and

(C) by inserting “or in paragraph (3)” after “paragraph (1)” each place it appears.

SA 3148. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . PRESIDENT'S CLIMATE ACTION PLAN.

The Federal Government shall not take any action pursuant to the President's Climate Action Plan (published in June 2013),

including implementation of the final rule entitled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (80 Fed. Reg. 64662 (October 23, 2015)), that would reduce electric grid reliability, which would—

(1) unnecessarily endanger the health and welfare of senior citizens in the United States; and

(2) result in increased electricity prices that disproportionately impact low-income and fixed-income households, minority communities, minority-owned and women-owned businesses, manufacturers, and rural communities.

SA 3149. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31. REPORT REQUIREMENT FOR FEDERAL ONSHORE OIL AND GAS.

(a) IN GENERAL.—The Secretary of the Interior may not alter royalties for Federal onshore oil and gas development without first—

(1) submitting a report to Congress—

(A) demonstrating that the proposed action would not result in a net loss in jobs to the affected communities where the Federal onshore oil and gas development occurs;

(B) detailing any potential economic impacts the action would have on rural economies; and

(C) containing an independent analysis of the direct and indirect impact of the action on small businesses impacted by a change in royalty structure; and

(2) giving the appropriate committees of Congress not fewer than 90 days to review the report submitted under paragraph (1).

(b) REQUIREMENTS FOR REPORT.—The report submitted under subsection (a) shall include information describing the impact the action will have on—

(1) net revenue to the Treasury of the United States and to the States, taking into consideration the effect the new royalty will have on the net loss in jobs in affected communities where the Federal onshore oil and gas development occurs;

(2) rural economies, specifically areas dependent on the Federal onshore oil and gas development; and

(3) domestic energy production and energy independence.

SA 3150. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31. ONLINE AUCTIONS AUTHORIZED.

Section 36 of the Mineral Leasing Act (30 U.S.C. 192) is amended by adding before the period at the end the following: "*And provided further*, that in the event of a protest activity or other unforeseen event causing a disruption to a sale under this section, the Secretary of the Interior, as expeditiously as practicable and in any case during the same

quarter as the originally announced sale, shall hold the sale through an Internet-based lease sale in accordance with section 17(b)(1)(C)".

SA 3151. Mr. BURR submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle A of title III, add the following:

SEC. 30. EXTENSION OF DEADLINE FOR HYDROELECTRIC PROJECT.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Federal Energy Regulatory Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SA 3152. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DEPARTMENT OF ENERGY INSPECTOR GENERAL EXTENDED VACANCY PREVENTION.

If the Council of the Inspectors General on Integrity and Efficiency (referred to in this section as the "Council") determines that a vacancy exists at the position of Inspector General of the Office of Inspector General at the Department and the President has not nominated an Inspector General to fill that vacancy by the end of the 210-day period beginning on the date the vacancy began, notwithstanding any other provision of law, there shall be transferred from the salaries and expenses account of the White House to the Office of Inspector General account of the Department \$20,000 for each month during which the Council determines that the President has not nominated an Inspector General to fill that vacancy, to continue on a monthly basis until the President has made the nomination.

SA 3153. Mr. VITTER (for himself and Mr. CASSIDY) submitted an amend-

ment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. GAO INVESTIGATION OF BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT ACTIONS RELATING TO THE SEIZURE OF HELICOPTER FUEL.

(a) INVESTIGATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct an investigation of actions taken by employees of the Bureau of Safety and Environmental Enforcement (referred to in this section as the "Bureau") regarding the demand for, or seizure of, without permission and with or without offering to provide compensation in exchange for, privately owned helicopter fuel from lessees, permit holders, or operators of federally leased offshore facilities, independent contractors, or third-party vendors.

(2) PURPOSES.—The purposes of the investigation conducted under paragraph (1) shall be to determine—

(A)(i) whether the Bureau has the explicit authority under law (including regulations consistent with the statutory authority of the Bureau) to demand or seize, whether for valid inspections or operational convenience, privately owned helicopter fuel from lessees, permit holders, or operators of federally leased offshore facilities, independent contractors, or third-party vendors, even in cases in which the Bureau offers compensation for the fuel demanded or seized; and

(ii) if the Comptroller General of the United States determines that the Bureau has the authority described in clause (i), whether—

(I) the Bureau may demand or seize the helicopter fuel at any time and for any purpose; or

(II) the authority under that clause is subject to conditions or limitations;

(B) whether an independent helicopter service provider not under agreement with the Bureau or a contracted helicopter service provider of the Bureau qualifies as "a designated operator or agent of the lessee(s), a pipeline right-of-way holder, or a State lessee granted a right-of-use and easement" under section 250.105 of title 30, Code of Federal Regulations (as in effect on the date of enactment of this Act);

(C) whether the Bureau is or has been conducting random, unscheduled inspections at any facility of a lessee or permit holder of the Bureau—

(i) to allow the Bureau to take helicopter fuel at the facility for the convenience of the Bureau; and

(ii) to justify the taking of helicopter fuel in connection with an inspection that otherwise would not have occurred; and

(D) whether employees of the Bureau, by demanding or seizing, or directing participation of third parties in the demand for or seizure of, helicopter fuel, through intimidation, coercion, or other means, directly or indirectly, without the consent of the private owner of the fuel, would be—

(i) subject to civil liability under section 2680(h) of title 28, United States Code; or

(ii) subject to civil or criminal liability under any other law.

(b) REPORT.—On completion of the investigation under subsection (a), the Comptroller General of the United States shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the investigation under that subsection.

SA 3154. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 42 . RESTORATION OF LABORATORY DIRECTED RESEARCH AND DEVELOPMENT PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) laboratory directed research and development (referred to in this subsection as “LDRD”) is an investment for the future;

(2) the purposes of LDRD are—

(A) to recruit, to develop, and to retain a creative workforce for a laboratory; and

(B) to produce innovative ideas that are vital to the ability of a laboratory to produce the best scientific work in accordance with the mission of the laboratory;

(3) LDRD has a long history of support and accomplishment since 1954, when Congress first authorized LDRD in the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

(4) formal requirements, external review, and oversight by the Secretary with respect to LDRD projects ensure that LDRD projects—

(A) are selected competitively; and

(B) explore innovative and new areas of research that are not covered by existing research programs;

(5) LDRD is a resource to support cutting-edge exploratory research prior to the identification and development of a research program by the Department or a strategic partner of the Department;

(6) LDRD projects in the same topic area may be funded at various laboratories to explore potential paths for a program in that topic area;

(7) LDRD projects provide valuable insights for peer-review strategic assessments conducted by the Department in the program planning process;

(8) LDRD is an important recruitment and retention tool for the National Laboratories;

(9) the recruitment and retention tool that LDRD provides is especially crucial for the laboratories operated by the National Nuclear Security Administration, which must attract new staff to the laboratories in order to maintain a highly trained workforce to support the missions of the National Nuclear Security Administration with respect to nuclear weapons and national security; and

(10) the October 28, 2015, Final Report of the Commission to Review the Effectiveness of the National Energy Laboratories—

(A) strongly endorsed LDRD programs both now and into the future; and

(B) supported restoration of the cap on LDRD to 6 percent unburdened or the equivalent of 6 percent unburdened.

(b) GENERAL AND ADMINISTRATIVE OVERHEAD FOR LABORATORY DIRECTED RESEARCH AND DEVELOPMENT.—The Secretary shall ensure that the laboratory operating contrac-

tors for Lawrence Livermore National Laboratory, Los Alamos National Laboratory, and Sandia National Laboratories do not allocate costs of general and administrative overhead to laboratory directed research and development.

SA 3155. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 320, between lines 2 and 3, insert the following:

(f) OUTREACH TO MINORITY-SERVING INSTITUTIONS.—In developing the strategy under subsection (a), the Board shall—

(1) give special consideration to increasing outreach to minority-serving institutions (including historically black colleges and universities, predominantly black institutions, Hispanic serving institutions, and tribal institutions);

(2) make resources available to minority-serving institutions with the objective of increasing the number of skilled minorities and women trained to go into the energy and manufacturing sectors; and

(3) encourage industry to improve the opportunities for students of minority-serving institutions to participate in industry internships and cooperative work-study programs.

On page 320, line 3, strike “(f)” and insert “(g)”.

On page 324, strike line 9 and insert the following:

(j) DIRECT ASSISTANCE.—In awarding grants under this section, the Secretary shall provide direct assistance (including technical expertise, wraparound services, career coaching, mentorships, internships, and partnerships) to entities that receive a grant under this section.

(k) TECHNICAL ASSISTANCE.—The Secretary shall

On page 324, line 14, strike “(k)” and insert “(l)”.

On page 325, line 3, strike “(l)” and insert “(m)”.

SA 3156. Ms. BALDWIN (for herself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 130, strike line 18 and all that follows through page 131, line 5.

Beginning on page 419, line 26, strike “(as amended)” and all that follows through “1201(d)(3)” on page 420, line 1.

SA 3157. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 329, line 9, insert “unless the paper has been segregated for the purpose of assured destruction” after “electricity”.

SA 3158. Mr. HATCH submitted an amendment intended to be proposed to

amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, between lines 21 and 22, insert the following:

(d) WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS.—Section 415 of the Energy Conservation and Production Act (42 U.S.C. 6865) (as amended by subsection (c)) is amended by adding at the end the following:

“(g) ADMINISTRATION.—

“(1) IN GENERAL.—A State shall use up to 8 percent of any grant made by the Secretary under this part to track applicants for and recipients of weatherization assistance under this part to determine the impact of the assistance and eliminate or reduce reliance on the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), over a period of not more than 3 years.

“(2) USE OF SAVINGS.—Notwithstanding any other provision of law, of any savings obtained by the Secretary of Health and Human Services due to eliminated or reduced reliance on the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) as a result of the weatherization assistance provided under this part, as determined under paragraph (1)—

“(A) 50 percent shall be transferred to the Secretary of Health and Human Services to provide assistance to States under this part, to be reallocated to the States pro rata based on the savings realized by each State under this part; and

“(B) 50 percent shall be deposited into the general fund of the Treasury for purposes of reducing the annual Federal budget deficit.

“(3) ANNUAL STATE PLANS.—A State may submit to the Secretary for approval within 90 days an annual plan for the administration of assistance under this part in the State that includes, at the option of the State—

“(A) local income eligibility standards for the assistance that are not based on the formula that are used to allocate assistance under this part; and

“(B) the establishment of revolving loan funds for multifamily affordable housing units.

“(4) EVALUATION.—Of amounts appropriated for headquarters training and technical assistance for the Weatherization Assistance Program each fiscal year, the Secretary shall use not more than 25 percent—

“(A) to carry out a 3-year evaluation of the plans submitted under paragraph (3); and

“(B) to disseminate to each State weatherization program a report describing the results of the evaluation.

“(5) REPORT TO CONGRESS.—As soon as practicable, the Secretary shall submit to Congress a report describing the training and technical assistance efforts of the Department to assist States in carrying out paragraph (1).”.

SA 3159. Mrs. CAPITO (for herself, Ms. HEITKAMP, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United

States, and for other purposes; which was ordered to lie on the table; as follows:

On page 322, strike lines 21 through 25 and insert the following:

(9) work with minority-serving institutions to provide job training to increase the number of skilled minorities and women in the energy sector;

(10) provide job training for displaced and unemployed workers in the energy sector; or

(11) establish or support an existing Center of Excellence for energy workforce training based in a community college or an institution of higher education offering 2-year technical programs that offers programs located in shale play areas of the United States.

SA 3160. Mr. BOOKER (for himself, Ms. MIKULSKI, Mr. MENENDEZ, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 263, line 5, strike “or the Atlantic Ocean Basin”.

SA 3161. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 35. FAIRNESS IN COMPETITION FOR SOLICITATIONS FOR INTERNATIONAL PROJECT ACTIVITIES.

Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) is amended by adding at the end the following: “For purposes of this section, with respect to international research projects, the term ‘private facilities or laboratories’ means a facility or laboratory that is located in the United States.”.

SA 3162. Mr. UDALL (for himself, Mr. PORTMAN, Mrs. BOXER, Mr. ALEXANDER, Mr. WYDEN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . WATERSENSE.

(a) IN GENERAL.—Part B of title III of the Energy Policy and Conservation Act is amended by adding after section 324A (42 U.S.C. 6294a) the following:

“SEC. 324B. WATERSENSE.

“(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

“(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications re-

garding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

“(A) reduce water use;

“(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

“(C) conserve energy used to pump, heat, transport, and treat water; and

“(D) preserve water resources for future generations.

“(2) INCLUSIONS.—The Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’) shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

“(A) irrigation technologies and services;

“(B) point-of-use water treatment devices;

“(C) plumbing products;

“(D) reuse and recycling technologies;

“(E) landscaping and gardening products, including moisture control or water enhancing technologies;

“(F) xeriscaping and other landscape conversions that reduce water use;

“(G) whole house humidifiers; and

“(H) water-efficient buildings or facilities.

“(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary, shall—

“(1) establish—

“(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

“(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

“(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

“(3) preserve the integrity of the WaterSense label by—

“(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

“(B) overseeing WaterSense certifications made by third parties;

“(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

“(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

“(4) not more often than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

“(5) in revising a WaterSense specification—

“(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

“(B) solicit comments from interested parties and the public prior to any changes;

“(C) as appropriate, respond to comments submitted by interested parties and the public; and

“(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape,

process, or service category being addressed; and

“(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

“(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

“(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.”.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by inserting after the item relating to section 324A the following:

“Sec. 324B. WaterSense.”.

SA 3163. Mrs. FISCHER (for herself, Mr. BOOKER, Mr. DAINES, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—SECURING AMERICA'S FUTURE ENERGY: PROTECTING OUR INFRASTRUCTURE OF PIPELINES AND ENHANCING SAFETY ACT

SEC. 6001. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This title may be cited as the “Securing America's Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety Act” or the “SAFE PIPES Act”.

(b) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) is amended—

(1) in paragraph (1), by striking “there is authorized to be appropriated to the Department of Transportation for each of fiscal years 2012 through 2015, from fees collected under section 60301, \$90,679,000, of which \$4,746,000 is for carrying out such section 12 and \$ 36,194,000 is for making grants.” and inserting the following: “there are authorized to be appropriated to the Department of Transportation from fees collected under section 60301—

“(A) \$127,060,000 for fiscal year 2016, of which \$9,325,000 shall be expended for carrying out such section 12 and \$42,515,000 shall be expended for making grants;

“(B) \$129,671,000 for fiscal year 2017, of which \$9,418,000 shall be expended for carrying out such section 12 and \$42,941,000 shall be expended for making grants;

“(C) \$132,334,000 for fiscal year 2018, of which \$9,512,000 shall be expended for carrying out such section 12 and \$43,371,000 shall be expended for making grants; and

“(D) \$135,051,000 for fiscal year 2019, of which \$9,607,000 shall be expended for carrying out such section 12 and \$43,805,000 shall be expended for making grants.”; and

(2) in paragraph (2), by striking “there is authorized to be appropriated for each of fiscal years 2012 through 2015 from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355), \$18,573,000, of which \$2,174,000 is for carrying out such section 12 and \$4,558,000 is for making grants.” and inserting the following: “there are authorized to be appropriated from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355)—”

“(A) \$19,890,000 for fiscal year 2016, of which \$3,108,000 shall be expended for carrying out such section 12 and \$8,708,000 shall be expended for making grants;

“(B) \$20,288,000 for fiscal year 2017, of which \$3,139,000 shall be expended for carrying out such section 12 and \$8,795,000 shall be expended for making grants;

“(C) \$20,694,000 for fiscal year 2018, of which \$3,171,000 shall be expended for carrying out such section 12 and \$8,883,000 shall be expended for making grants; and

“(D) \$21,108,000 for fiscal year 2019, of which \$3,203,000 shall be expended for carrying out such section 12 and \$8,972,000 shall be expended for making grants.”.

(b) EMERGENCY RESPONSE GRANTS.—Section 60125(b)(2) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(c) ONE-CALL NOTIFICATION PROGRAMS.—Section 6107 is amended—

(1) in subsection (a), by striking “\$1,000,000 for each of fiscal years 2012 through 2015” and inserting “\$1,060,000 for each of the fiscal years 2016 through 2019”; and

(2) in subsection (b), by striking “2012 through 2015” and inserting “2016 through 2019”.

(d) STATE DAMAGE PREVENTION PROGRAMS.—Section 60134(i) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(e) COMMUNITY PIPELINE SAFETY INFORMATION GRANTS.—Section 60130(c) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(f) PIPELINE INTEGRITY PROGRAM.—Section 12(f) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

SEC. 6003. REGULATORY UPDATES.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1), (2), and (3), the Secretary of Transportation shall publish an update on a public website regarding the status of a final rule for—

(1) regulations required under the Pipeline Safety Regulatory Certainty and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) for which no interim final rule or direct final rule has been issued;

(2) any regulation relating to pipeline safety required by law, other than a regulation described under paragraph (1), for which for more than 2 years after the date of the enacting statute or statutory deadline no interim final rule or direct final rule has been issued; and

(3) any other pipeline safety rulemaking categorized as significant.

(b) CONTENTS.—Each report under subsection (a) shall include—

(1) a description of the work plan for the outstanding regulation;

(2) an updated rulemaking timeline for the outstanding regulation;

(3) current staff allocations;

(4) any other information collection request with substantial changes;

(5) current data collection or research relating to the development of the rulemaking;

(6) current collaborative efforts with safety experts and other stakeholders;

(7) any resource constraints impacting the rulemaking process for the outstanding regulation; and

(8) any other details associated with the development of the rulemaking that impact the progress of the rulemaking.

SEC. 6004. HAZARDOUS MATERIALS IDENTIFICATION NUMBERS.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall—

(1) rescind the implementation of the June 26, 2015 PHMSA interpretative letter (#14-0178); and

(2) reinstate paragraphs (4) and (5) of section 172.336(c) of title 49, Code of Federal Regulations, without the reference to “gas-ohol”, as was originally intended in the March 7, 2013 final rule (PHMSA-2011-0142).

SEC. 6005. STATUTORY PREFERENCE.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall prioritize the use of Office of Pipeline Safety resources for the development of each outstanding statutory requirement, including requirements for rulemakings and information collection requests, for a rulemaking described in a report under section 6003 before beginning any new rulemaking required after the date of the enactment of this Act unless the Secretary of Transportation certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 6006. NATURAL GAS INTEGRITY MANAGEMENT REVIEW.

(a) REPORT.—Not later than 18 months after the publication of a final rule regarding the safety of gas transmission pipelines (76 Fed. Reg. 53086), the Comptroller General of the United States shall submit a report to Congress regarding the natural gas integrity management program.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an analysis of the extent to which the natural gas integrity management program under section 60109(c) of title 49, United States Code, has improved the safety of natural gas transmission pipelines;

(2) an analysis or recommendations, including consideration of technical, operational, and economic feasibility, regarding changes to the program that would prevent inadvertent releases from pipelines and mitigate any adverse consequences of an inadvertent release, including changes to the current definition of high consequence area, or would expand integrity management beyond high consequence areas;

(3) a review of the cost effectiveness of the legacy class location regulations;

(4) an analysis of and recommendations regarding what impact pipeline features and conditions, including the age, condition, materials, and construction of a pipeline, should have on risk analysis of a particular pipeline;

(5) a description of any challenges affecting Federal or State regulators in their over-

sight of the program and how the challenges are being addressed; and

(6) a description of any challenges affecting the natural gas industry in complying with the program, and how the challenges are being addressed.

(c) DEFINITION OF HIGH CONSEQUENCE AREA.—In this section and in section 6007, the term “high consequence area” means an area described in section 60109(a) of title 49, United States Code.

SEC. 6007. HAZARDOUS LIQUID INTEGRITY MANAGEMENT REVIEW.

(a) SAFETY STUDY.—Not later than 18 months after the publication of a final rule regarding the safety of hazardous liquid pipelines (80 Fed. Reg. 61610), the Comptroller General of the United States shall submit a report to Congress regarding the hazardous liquid integrity management program.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an analysis of the extent to which liquid pipeline integrity management in high consequence areas for operators of certain hazardous liquid pipeline facilities, as regulated under sections 195.450 and 195.452 of title 49, Code of Federal Regulations, has improved the safety of hazardous liquid pipelines;

(2) recommendations, including consideration of technical, operational, and economic feasibility, regarding changes to the program that could prevent inadvertent releases from pipelines and mitigate any adverse consequences of an inadvertent release, including changes to the current definition of high consequence area;

(3) an analysis of how surveying, assessment, mitigation, and monitoring activities, including real-time hazardous liquid pipeline monitoring during significant flood events and information sharing with other Federal agencies, are being used to address risks associated with the dynamic and unique nature of rivers, flood plains, and lakes;

(4) an analysis of and recommendations regarding what impact pipeline features and conditions, including the age, condition, materials, and construction of a pipeline, should have on risk analysis of a particular pipeline and what changes to the definition of high consequence area could be made to improve pipeline safety; and

(5) a description of any challenges affecting Federal or State regulators in their oversight of the program and how the challenges are being addressed.

SEC. 6008. TECHNICAL SAFETY STANDARDS COMMITTEES.

Section 60115(b)(4)(A) is amended by striking “State commissioners. The Secretary shall consult with the national organization of State commissions before selecting those 2 individuals.” and inserting “State officials. The Secretary shall consult with national organizations representing State commissioners or governors when making a selection under this subparagraph.”

SEC. 6009. INSPECTION REPORT INFORMATION.

(a) IN GENERAL.—Not later than 30 days after the completion of a pipeline safety inspection, the Administrator of the Pipeline and Hazardous Materials Safety Administration, or the State authority certified under section 60105 of title 49, United States Code, shall—

(1) conduct a post-inspection briefing with the operator outlining concerns, and to the extent practicable, provide written preliminary findings of the inspection; or

(2) issue to the operator a final report, notice of amendment of plans or procedures, safety order, or corrective action order, or

such other applicable report, notice, or order.

(b) **REPORT.**—

(1) **IN GENERAL.**—The Administrator shall submit an annual report to Congress regarding—

(A) the actions that the Pipeline and Hazardous Materials Safety Administration has taken to ensure that inspections by State authorities provide effective and timely oversight; and

(B) statistics relating to the timeliness of the actions described in paragraphs (1) and (2) of subsection (a).

(2) **CESSATION OF EFFECTIVENESS.**—Paragraph (1) shall cease to be effective on September 30, 2019.

SEC. 6010. PIPELINE ODORIZATION STUDY.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses—

(1) the feasibility of odorizing all combustible gas in transportation;

(2) the impacts of the odorization of all combustible gas in transportation on manufacturers, agriculture, and other end users; and

(3) the relative benefits and costs associated with odorizing all combustible gas in transportation, including impacts on health and safety, compared to using other methods to mitigate pipeline leaks.

SEC. 6011. IMPROVING DAMAGE PREVENTION TECHNOLOGY.

(a) **STUDY.**—The Secretary of Transportation, in consultation with stakeholders, shall conduct a study on improving existing damage prevention programs through technological improvements in location, mapping, excavation, and communications practices to prevent accidental excavation damage to a pipe or its coating, including considerations of technical, operational, and economic feasibility and existing damage prevention programs.

(b) **CONTENTS.**—The study under subsection (a) shall include—

(1) an identification of any methods that could improve existing damage prevention programs through location and mapping practices or technologies in an effort to reduce unintended releases caused by excavation;

(2) an analysis of how increased use of GPS digital mapping technologies, predictive analytic tools, public awareness initiatives including one-call initiatives, the use of mobile devices, and other advanced technologies could supplement existing one-call notification and damage prevention programs to reduce the frequency and severity of incidents caused by excavation damage;

(3) an identification of any methods that could improve excavation practices or technologies in an effort to reduce pipeline damages;

(4) an analysis of the feasibility of a national data repository for pipeline excavation accident data that creates standardized data models for storing and sharing pipeline accident information; and

(5) an identification of opportunities for stakeholder engagement in preventing excavation damage.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate

and the Committee on Transportation and Infrastructure of the House of Representatives regarding the study under this section, including recommendations, that include the consideration of technical, operational, and economic feasibility, on how to incorporate, into existing damage prevention programs, technological improvements and practices that may help prevent accidental excavation damage.

SEC. 6012. WORKFORCE OF PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION.

(a) **REVIEW.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a review of Pipeline and Hazardous Materials Safety Administration staff resource management, including geographic allocation plans, hiring challenges, and expected retirement rates and strategies. The review shall include recommendations to address hiring challenges, training needs, and any other identified staff resource challenges.

(b) **CRITICAL HIRING NEEDS.**—

(1) **IN GENERAL.**—Beginning on the date on which the review is submitted under subsection (a), the Administrator may certify to Congress, not less frequently than annually, that a severe shortage of qualified candidates or a critical hiring need exists for a position or group of positions in the Pipeline and Hazardous Material Safety Administration.

(2) **DIRECT HIRE AUTHORITY.**—Notwithstanding sections 3309 through 3318 of title 5, United States Code, the Administrator, after making a certification under paragraph (1), may hire a candidate for the position or candidates for the group of positions indicated in the certification, as applicable.

(3) **TERMINATIONS OF EFFECTIVENESS.**—The direct hire authority provided under paragraph (2) shall terminate on September 30, 2019.

SEC. 6013. RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—In developing a research and development program plan under paragraph (3) of section 12(d) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note), the Administrator of the Pipeline and Hazardous Material Safety Administration, in consultation with the Assistant Secretary for Research and Technology, shall—

(1) detail compliance with the consultation requirement under paragraph (2) of such section;

(2) provide opportunities for joint research ventures with non-Federal entities, whenever practicable and appropriate, to leverage limited Federal research resources; and

(3) permit collaborative research and development projects with appropriate non-Federal organizations.

(b) **COLLABORATIVE SAFETY RESEARCH REPORT.**—Section 60124(a)(6) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) research activities in collaboration with non-Federal entities, including the intended improvements to safety technology, inspection technology, operator response time, and emergency responder incident response time.”.

SEC. 6014. INFORMATION SHARING SYSTEM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to consider the devel-

opment of a voluntary no-fault information sharing system to encourage collaborative efforts to improve inspection information feedback and information sharing with the purpose of improving natural gas transmission and hazardous liquid pipeline integrity risk analysis.

(b) **MEMBERSHIP.**—The working group described in subsection (a) shall include representatives from—

(1) the Pipeline and Hazardous Materials Safety Administration;

(2) industry stakeholders, including operators of pipeline facilities, inspection technology vendors, and pipeline inspection organizations;

(3) safety advocacy groups;

(4) research institutions;

(5) State public utility commissions or State officials responsible for pipeline safety oversight;

(6) State pipeline safety inspectors; and

(7) labor representatives.

(c) **CONSIDERATIONS.**—The working group described in subsection (a) shall consider and provide recommendations, if applicable, to the Secretary on—

(1) the need for and the identification of a system to ensure that dig verification data is shared with inline inspection operators to the extent consistent with the need to maintain proprietary and security sensitive data in a confidential manner to improve pipeline safety and inspection technology;

(2) ways to encourage the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis;

(3) opportunities to share data, including dig verification data between operators of pipeline facilities and in-line inspector vendors to expand knowledge of the advantages and disadvantages of the different types of in-line inspection technology and methodologies;

(4) options to create a secure system that protects proprietary data while encouraging the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis; and

(5) regulatory, funding, and legal barriers to sharing the information described in paragraphs (1) through (4).

(d) **FACA.**—The working group shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **PUBLICATION.**—The Secretary shall publish the recommendations provided under subsection (c) on a publicly available website.

SEC. 6015. NATIONWIDE INTEGRATED PIPELINE SAFETY REGULATORY DATABASE.

(a) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to Congress on the feasibility of a national integrated pipeline safety regulatory inspection database to improve communication and collaboration between the Pipeline and Hazardous Materials Safety Administration and State pipeline regulators.

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) a description of any efforts currently underway to test a secure information-sharing system for the purpose described in subsection (a);

(2) a description of any progress in establishing common standards for maintaining, collecting, and presenting pipeline safety regulatory inspection data, and a methodology for the sharing of the data;

(3) a description of any existing inadequacies or gaps in State and Federal inspection,

enforcement, geospatial, or other pipeline safety regulatory inspection data;

(4) a description of the potential safety benefits of a national integrated pipeline database; and

(5) recommendations for how to implement a secure information-sharing system that protects proprietary and security sensitive information and data for the purpose described in subsection (a).

(c) CONSULTATION.—In preparing the report under subsection (a), the Secretary shall consult with stakeholders, including each State authority operating under a certification to regulate intrastate pipelines under section 60105 of title 49, United States Code.

SEC. 6016. UNDERGROUND NATURAL GAS STORAGE FACILITIES.

(a) DEFINED TERM.—Section 60101(a) is amended—

(1) in paragraph (21)(B), by striking the period at the end and inserting a semicolon;

(2) in paragraph (24), by striking “and” at the end;

(3) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(27) ‘underground natural gas storage facility’ means a gas pipeline facility that stores gas in an underground facility, including—

“(A) a depleted hydrocarbon reservoir;

“(B) an aquifer reservoir; or

“(C) a solution mined salt cavern reservoir.”.

(b) STANDARDS FOR UNDERGROUND NATURAL GAS STORAGE FACILITIES.—Chapter 601 is amended by inserting after section 60103 the following:

“§60103A. Standards for underground natural gas storage facilities

“(a) MINIMUM UNIFORM SAFETY STANDARDS.—Not later than 2 years after the date of the enactment of the SAFE PIPES Act, the Secretary of Transportation, in consultation with the heads of other relevant Federal agencies, shall issue minimum uniform safety standards, incorporating, to the extent practicable, consensus standards for the operation, environmental protection, and integrity management of underground natural gas storage facilities.

“(b) CONSIDERATIONS.—In developing uniform safety standards under subsection (a), the Secretary shall—

“(1) consider the economic impacts of the regulations on individual gas customers to the extent practicable;

“(2) ensure that the regulations do not have a significant economic impact on end users to the extent practicable; and

“(3) consider existing consensus standards.

“(c) USER FEES.—

“(1) IN GENERAL.—A fee shall be imposed on an entity operating an underground natural gas storage facility to which this section applies. Any such fee imposed shall be collected before the end of the fiscal year to which it applies.

“(2) MEANS OF COLLECTION.—The Secretary shall prescribe procedures to collect fees under this subsection. The Secretary may use a department, agency, or instrumentality of the United States Government or of a State or local government to collect the fee and may reimburse the department, agency, or instrumentality a reasonable amount for its services.

“(3) USE OF FEES.—

“(A) ACCOUNT.—There is established an underground natural gas storage facility safety account in the Pipeline Safety Fund established under section 60301, in the Treasury of the United States.

“(B) USE OF FEES.—A fee collected under this subsection—

“(i) shall be deposited in the underground natural gas storage facility safety account; and

“(ii) if the fee is related to an underground natural gas storage facility, may be used only for an activity related to underground natural gas storage safety under this section.

“(C) LIMITATION.—Amounts collected under this subsection shall be made available only to the extent provided in advance in an appropriation law for an activity related to underground natural gas storage safety.

“(d) RULES OF CONSTRUCTION.—

“(1) IN GENERAL.—Nothing in this section may be construed to affect any Federal regulation relating to gas pipeline facilities that is in effect on the day before the date of enactment of the SAFE PIPES Act.

“(2) LIMITATIONS.—Nothing in this section may be construed to authorize the Secretary—

“(A) to prescribe the location of an underground natural gas storage facility; or

“(B) to require the Secretary’s permission to construct a facility referred to in subparagraph (A).”.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 601 is amended by inserting after the item relating to section 60103 the following:

“60103A. Standards for underground natural gas storage facilities.”.

SEC. 6017. JOINT INSPECTION AND OVERSIGHT.

To ensure the safety of pipeline transportation, the Secretary of Transportation shall coordinate with States to ensure safety through the following:

(1) At the request of a State authority, the Secretary shall allow for a certified state authority under section 60105 of title 49, United States Code, to participate in the inspection of an interstate pipeline facility.

(2) Where appropriate, may provide temporary authority for a certified State authority under that section to participate in oversight of interstate pipeline safety transportation to ensure proper safety oversight and prevent an adverse impact on public safety.

SEC. 6018. RESPONSE PLANS.

In preparing or reviewing a response plan under part 194 of title 49, Code of Federal Regulations, the Administrator of the Pipeline and Hazardous Materials Safety Administration and an operator shall each address, to the maximum extent practicable, the impact of a worse case discharge of oil, or the substantial threat of such a discharge, into or on any navigable waters or adjoining shorelines that may be covered in whole or in part by ice.

SEC. 6019. HIGH CONSEQUENCE AREAS.

The Secretary of Transportation shall revise section 195.6(b) of title 49, Code of Federal Regulations to explicitly state that the Great Lakes are a USA ecological resource (as defined in section 195.6(b) of that title) for purposes of determining whether a pipeline is in a high consequence area (as defined in section 195.450 of that title).

SEC. 6020. SURFACE TRANSPORTATION SECURITY REVIEW.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the staffing, resource allocation, oversight strategy, and management of the Transportation Security Administration’s pipeline security program and other surface transportation programs. The

report shall include information on the coordination between the Transportation Security Administration, other Federal stakeholders, and industry.

SEC. 6021. SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.

(a) DEFINED TERM.—Section 60101(a), as amended by section 6016, is further amended by inserting after paragraph (25) the following:

“(26) ‘small scale liquefied natural gas facility’ means a permanent intrastate liquefied natural gas facility (other than a peak shaving facility) that produces liquefied natural gas for—

“(A) use as a fuel in the United States; or

“(B) transportation in the United States by a means other than a pipeline facility; and”.

(b) SITING STANDARDS FOR PERMANENT SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.—Section 60103(a) is amended to read as follows:

“(a) LOCATION STANDARDS.—

“(1) IN GENERAL.—The Secretary of Transportation shall prescribe minimum safety standards for deciding on the permanent location of a new liquefied natural gas pipeline facility or small scale liquefied natural gas facility.

“(2) LIQUEFIED NATURAL GAS FACILITIES.—In prescribing a minimum safety standard for deciding on the permanent location of a new liquefied natural gas facility, the Secretary of Transportation shall consider—

“(A) the kind and use of the facility;

“(B) the existing and projected population and demographic characteristics of the location;

“(C) the existing and proposed land uses near the location;

“(D) the natural physical aspects of the location;

“(E) medical, law enforcement, and fire prevention capabilities near the location that can cope with a risk caused by the facility; and

“(F) the need to encourage remote siting.

“(3) SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.—

“(A) IN GENERAL.—Not later than 18 months after the date of the enactment of the SAFE PIPES Act, the Secretary of Transportation shall prescribe minimum safety standards for permanent small scale liquefied natural gas facilities.

“(B) CONSIDERATIONS.—In prescribing minimum safety standards under this paragraph, the Secretary shall consider—

“(i) the value of establishing risk-based approaches;

“(ii) the benefit of incorporating industry standards and best practices;

“(iii) the need to encourage the use of best available technology; and

“(iv) the factors prescribed in paragraph (2), as appropriate.”.

SEC. 6022. REPORT ON NATURAL GAS LEAK REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a report on the metrics provided to the Pipeline and Hazardous Materials Safety Administration and other Federal and State agencies related to lost and unaccounted for natural gas from distribution pipelines and systems.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An examination of different reporting requirements or standards for lost and unaccounted for natural gas to different agencies,

the reasons for any such discrepancies, and recommendations for harmonizing and improving the accuracy of reporting.

(2) An analysis of whether separate or alternative reporting could better measure the amounts and identify the location of lost and unaccounted for natural gas from natural gas distribution systems.

(3) A description of potential safety issues associated with natural gas that is lost and unaccounted for from natural gas distribution systems.

(4) An assessment of whether alternate reporting and measures will resolve any safety issues identified under paragraph (3), including an analysis of the potential impact, including potential savings, on rate payers and end users of natural gas products of such reporting and measures.

(c) **CONSIDERATION OF RECOMMENDATIONS.**—If the Administrator determines that alternate reporting structures or recommendations included in the report required under subsection (a) would significantly improve the reporting and measurement of lost and unaccounted for gas or safety of systems, the Administrator shall, not later than 180 days after making such determination, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 6023. COMPTROLLER GENERAL REVIEW OF STATE POLICIES RELATING TO NATURAL GAS LEAKS.

(a) **REVIEW.**—The Comptroller General of the United States shall conduct a State-by-State review of State-level policies that—

(1) encourage the repair and replacement of leaking natural gas distribution pipelines or systems that pose a safety threat, such as timelines to repair leaks and limits on cost recovery from ratepayers; and

(2) that may create barriers for entities to conduct work to repair and replace leaking natural gas pipelines or distribution systems.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress and the Pipeline and Hazardous Materials Safety Administration a report summarizing the findings of the review conducted under subsection (a) and making recommendations on Federal or State policies or best practices that may improve safety by accelerating the repair and replacement of natural gas pipelines or systems that are leaking or releasing natural gas, including policies within the jurisdiction of the Pipeline and Hazardous Materials Safety Administration. The report shall consider the potential impact, including potential savings, of the implementation of its recommendations on ratepayers or end users of the natural gas pipeline system.

(c) **CONSIDERATION OF RECOMMENDATIONS.**—If the Comptroller General makes recommendations in the report submitted under subsection (a) on Federal or State policies or best practices within the jurisdiction of the Pipeline and Hazardous Materials Safety Administration, the Administrator shall, not later than 90 days after such submission, review such recommendations and report to Congress on the feasibility of implementing such recommendations. If the Administrator determines that the recommendations would significantly improve pipeline safety, the Administrator shall, not later than 180 days after making such determination and in coordination with the heads of other relevant agencies as appropriate, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 6024. PROVISION OF RESPONSE PLANS TO APPROPRIATE COMMITTEES OF CONGRESS.

(a) **PROVISION OF RESPONSE PLANS TO APPROPRIATE COMMITTEES OF CONGRESS.**—Notwithstanding subsection (a)(2) of section 60138 of title 49, United States Code, upon the request of the Chairperson or Ranking Member of an appropriate committee of Congress, the Administrator of the Pipeline and Hazardous Materials Safety Administration, shall provide the Chairperson or Ranking Member, as applicable, an unredacted copy of a response plan under that section.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as affecting the provision of any other report, data, or other information to Congress, or its handling thereof.

SEC. 6025. CONSULTATION WITH FERC AS PART OF PRE-FILING PROCEDURES AND PERMITTING PROCESS FOR NEW NATURAL GAS PIPELINE INFRASTRUCTURE.

Where appropriate, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall consult with the Federal Energy Regulatory Commission during its pre-filing procedures and permitting process for new natural gas pipeline infrastructure to ensure the protection of people and the environment from the potential risks of hazardous materials transportation by pipeline.

SEC. 6026. MAINTENANCE OF EFFORT.

Section 60107(b) is amended to read as follows:

“(b) **PAYMENTS.**—After notifying and consulting with a State authority, the Secretary may withhold any part of a payment when the Secretary decides that the authority is not carrying out satisfactorily a safety program or not acting satisfactorily as an agent. The Secretary may pay an authority under this section only when the authority ensures the Secretary that it will provide the remaining costs of a safety program, except when the Secretary waives this requirement.”.

SA 3164. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DELISTING OF MEXICAN GRAY WOLVES.

(a) **DEFINITIONS.**—In this section:

(1) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(2) **MEXICAN GRAY WOLF.**—

(A) **IN GENERAL.**—The term “Mexican gray wolf” means the subspecies Mexican gray wolf (*Canis lupus baileyi*) of the species gray wolf (*Canis lupus*).

(B) **INCLUSION.**—The term “Mexican gray wolf” includes any subspecies, distinct population segment, or experimental population of the species gray wolf (*Canis lupus*) that the Director determines after the date of enactment of this Act will take the place of, or correspond with, the subspecies designated as Mexican gray wolf (*Canis lupus baileyi*) on that date of enactment.

(b) **REQUIREMENT.**—Notwithstanding any other provision of law (including regulations), effective beginning on the date on which the Director makes a positive determination under subsection (c)—

(1) the Mexican gray wolf shall no longer be included on any list of endangered species, threatened species, or experimental populations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(2) management of the Mexican gray wolf shall be assumed by each State in which the Mexican gray wolf is present, effective beginning on the date of the determination.

(c) **DETERMINATION BY DIRECTOR.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Director shall determine whether a population of not fewer than 100 Mexican gray wolves in a 5,000-square-mile area within the historic range of the Mexican gray wolf has been established, as described in the Mexican Wolf Recovery Plan of 1982 prepared by the Mexican Wolf Recovery Team (U.S. Fish and Wildlife Service, 1982. Mexican Wolf Recovery Plan. U.S. Fish and Wildlife Service, Albuquerque, New Mexico. 103 pp.)

(2) **STANDARDS AND PROCEDURES.**—A determination under paragraph (1) shall be made in accordance with applicable standards and procedures used by the Director in determining the status of a species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 3165. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle A of title III, add the following:

SEC. 30. PUMPED STORAGE HYDROPOWER COMPENSATION.

Not later than 180 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall initiate a proceeding to identify and determine the market, procurement, and cost recovery mechanisms that would—

(1) encourage development of pumped storage hydropower assets; and

(2) properly compensate those assets for the full range of services provided to the power grid, including—

(A) balancing electricity supply and demand;

(B) ensuring grid reliability; and

(C) cost-effectively integrating intermittent power sources into the grid.

SA 3166. Mrs. SHAHEEN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. FEDERAL ENERGY REGULATORY COMMISSION PERMITTING AND REVIEW.

(a) **FINDINGS.**—The Senate finds that—

(1) the Federal Government plays a central role in the review and approval of projects to maintain and build the energy infrastructure of the United States, including—

(A) interstate gas pipelines;

(B) projects that cross Federal land; and

(C) projects that impact wildlife, cultural or historic resources, or waters of the United States;

(2) the Federal Energy Regulatory Commission—

(A) has jurisdiction under section 7 of the Natural Gas Act (15 U.S.C. 717f) to regulate interstate natural gas pipelines, including siting of the interstate natural gas pipelines; and

(B) is required under section 15 of the Natural Gas Act (15 U.S.C. 717n), as a lead agency, to coordinate with other Federal agencies in the environmental review and processing of each Federal authorization relating to natural gas infrastructure;

(3) a report of the Government Accountability Office entitled “Pipeline Permitting: Interstate and Intrastate Natural Gas Permitting Processes Include Multiple Steps, and Time Frames Vary”, and dated February 2013, reported that—

(A) public interest groups and State officials that were interviewed believed that members of the public need more opportunity to comment on a proposed pipeline project during the permitting process conducted by the Federal Energy Regulatory Commission; and

(B) officials from Federal and State agencies and representatives from industry and public interest groups reported several management practices that—

(i) could help overcome challenges;

(ii) are associated with an efficient permitting process and obtaining public input; and

(iii) include—

(I) ensuring effective collaboration among the numerous stakeholders involved in the permitting process; and

(II) increasing opportunities for public comment; and

(4) robust engagement by the public and stakeholders is essential for the credibility of the siting, permitting, and review of Federal processes by the Federal Energy Regulatory Commission.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, in accordance with Executive Order 13604 (5 U.S.C. 601 note; relating to improving performance of Federal permitting and review of infrastructure projects), the Federal Energy Regulatory Commission should prioritize meaningful public engagement and coordination with State and local governments to ensure that the Federal permitting and review processes of the Federal Energy Regulatory Commission—

(1) remain transparent and consistent; and

(2) ensure the health, safety, and security of the environment and each community affected by the Federal permitting and review processes.

SA 3167. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 239, strike lines 3 through 7 and insert the following:

contain a mix of water and working fluid;

“(B) an open loop system, which circulates ground or surface water directly into the building and returns the water to the same aquifer or surface water source; or

“(C) a heat exchanger to transfer heat between a potable municipal water supply and a closed interior loop employing heat pumps, in which the potable water could be returned to the municipal water system after passing through the heat exchanger.

SA 3168. Mr. PORTMAN (for himself, Ms. CANTWELL, Mrs. SHAHEEN, Mr. MCCONNELL, and Mr. DONNELLY) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. APPLICATION OF ENERGY CONSERVATION STANDARDS TO CERTAIN EXTERNAL POWER SUPPLIES.

(a) DEFINITION OF EXTERNAL POWER SUPPLY.—Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through “The term” and inserting the following:

“(A) EXTERNAL POWER SUPPLY.—

“(i) IN GENERAL.—The term”; and

(2) by adding at the end the following:

“(ii) EXCLUSION.—The term ‘external power supply’ does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

“(I) light-emitting diodes providing illumination;

“(II) organic light-emitting diodes providing illumination; or

“(III) ceiling fans using direct current motors.”.

(b) STANDARDS FOR LIGHTING POWER SUPPLY CIRCUITS.—

(1) DEFINITION.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended by striking clause (v) and inserting the following:

“(v) electric lights and lighting power supply circuits;”.

(2) ENERGY CONSERVATION STANDARD FOR CERTAIN EQUIPMENT.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

“(g) LIGHTING POWER SUPPLY CIRCUITS.—If the Secretary, acting pursuant to section 341(b), includes as a covered equipment solid state lighting power supply circuits, drivers, or devices described in section 321(36)(A)(ii), the Secretary may prescribe under this part, not earlier than 1 year after the date on which a test procedure has been prescribed, an energy conservation standard for such equipment.”.

(c) TECHNICAL CORRECTIONS.—

(1) Section 321(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(B)) is amended by striking “(19)” and inserting “(20)”.

(2) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking “(19)” each place it appears in each of subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting “(20)”.

(3) Section 325(l) of the Energy Policy and Conservation Act (42 U.S.C. 6295(l)) is amended by striking “paragraph (19)” each place it appears and inserting “paragraph (20)”.

SA 3169. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 171, between lines 15 and 16, insert the following:

SEC. 22 _____. EXPORT AUTHORIZATION EXCEPTION FOR SMALL-SCALE NATURAL GAS PROJECTS.

The export of low-level volumes of natural gas, measured at not more than 0.25 billion cubic feet per day of natural gas on an annualized basis per project, shall not require an authorization order of the Secretary under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)).

SA 3170. Mr. SULLIVAN (for himself, Mrs. CAPITO, and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE VI—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 601. SHORT TITLE.

This title may be cited as the “Vessel Incidental Discharge Act”.

SEC. 602. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Since the enactment of the Act to Prevent Pollution from Ships (22 U.S.C. 1901 et seq.) in 1980, the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 21,560,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) During the 32 years during which this regulatory exemption was in effect, Congress enacted several statutes to deal with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

(b) **PURPOSE.**—The purpose of this title is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. 603. DEFINITIONS.

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **AQUATIC NUISANCE SPECIES.**—The term “aquatic nuisance species” means a non-indigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) **BALLAST WATER.**—

(A) **IN GENERAL.**—The term “ballast water” means any water and water-suspended matter taken aboard a vessel—

(i) to control or maintain trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) **EXCLUSIONS.**—The term “ballast water” does not include any substance that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) **BALLAST WATER DISCHARGE STANDARD.**—The term “ballast water discharge standard” means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water discharge standard established under subsection (a)(1)(B), (b), or (c) of section 605.

(5) **BALLAST WATER MANAGEMENT SYSTEM; MANAGEMENT SYSTEM.**—The terms “ballast water management system” and “management system” mean any system, including all ballast water treatment equipment and associated control and monitoring equipment, used to process ballast water to kill, remove, render harmless, or avoid the uptake or discharge of organisms.

(6) **BIOCIDE.**—The term “biocide” means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water management system to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water discharge standard under this title.

(7) **DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.**—

(A) **IN GENERAL.**—The term “discharge incidental to the normal operation of a vessel” means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) **EXCLUSIONS.**—The term “discharge incidental to the normal operation of a vessel” does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) **GEOGRAPHICALLY LIMITED AREA.**—The term “geographically limited area” means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route such as the Great Lakes and St. Lawrence River, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) **MANUFACTURER.**—The term “manufacturer” means a person engaged in the manufacture, assembly, or importation of ballast water treatment technology.

(10) **NAVIGABLE WATERS.**—The term “navigable waters” has the meaning given the term in section 2.36 of title 33, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(11) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(12) **VESSEL.**—The term “vessel” means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 604. REGULATION AND ENFORCEMENT.

(a) **IN GENERAL.**—

(1) **ESTABLISHMENT.**—The Secretary, in consultation with the Administrator, shall establish, implement, and enforce uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel.

(2) **BASIS.**—Except as provided under paragraph (3), the standards and requirements established under paragraph (1)—

(A) with respect to ballast water, shall be based upon the best available technology that is economically achievable;

(B) with respect to discharges incidental to the normal operation of a vessel other than ballast water, shall be based on best management practices; and

(C) shall supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(3) **RULE OF CONSTRUCTION.**—The standards and requirements established under paragraph (1) shall not supersede regulations, in place on the date of the enactment of this Act or established by a rulemaking proceeding after such date of enactment, which cover a discharge in a national marine sanctuary or in a marine national monument.

(b) **ADMINISTRATION AND ENFORCEMENT.**—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

(c) **SANCTIONS.**—

(1) **CIVIL PENALTIES.**—

(A) **BALLAST WATER.**—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be liable for a civil penalty in an amount not to exceed \$25,000. Each day of a continuing violation constitutes a separate violation.

(B) **OTHER DISCHARGE.**—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be liable for a civil penalty in an amount not to exceed \$10,000. Each day of a continuing violation constitutes a separate violation.

(C) **IN REM LIABILITY.**—A vessel operated in violation of a regulation issued under this title shall be liable in rem for any civil penalty assessed under this subsection for that violation.

(2) **CRIMINAL PENALTIES.**—

(A) **BALLAST WATER.**—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be punished by a fine of not more than \$100,000, imprisonment for not more than 2 years, or both.

(B) **OTHER DISCHARGE.**—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be punished by a fine of not more than \$50,000, imprisonment for not more than 1 year, or both.

(3) **REVOCACTION OF CLEARANCE.**—The Secretary shall withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of a regulation issued pursuant to this Act.

(4) **EXCEPTION TO SANCTIONS.**—It shall be an affirmative defense to any charge of a violation of this title that compliance with this title would, because of adverse weather, equipment failure, or any other relevant condition, have threatened the safety or stability of a vessel, its crew, or its passengers.

SEC. 605. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) **REQUIREMENTS.**—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water discharge standard under subsection (b) or adopts a more stringent State standard under subparagraph (B).

(B) ADOPTION OF MORE STRINGENT STATE STANDARD.—If the Secretary makes a determination in favor of a State petition under section 610, the Secretary shall adopt the more stringent ballast water discharge standard specified in the statute or regulation that is the subject of that State petition instead of the ballast water discharge standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER DISCHARGE STANDARD; 8-YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2024, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water discharge standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 organism that is living or has not been rendered harmless per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 organism that is living or has not been rendered harmless per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic *Vibrio cholera* (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of *Escherichia coli* per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not less than 2 years before January 1, 2024, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water discharge standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER DISCHARGE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water discharge standard will result in a sci-

entifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water management systems, including—

(I) the capability of such management systems to achieve a revised ballast water discharge standard;

(II) the effectiveness and reliability of such management systems in the shipboard environment;

(III) the compatibility of such management systems with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such management systems; and

(V) the safety of such management systems;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water management systems on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water discharge standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water discharge standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED DISCHARGE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water management system can be certified under section 606 to comply with the revised ballast water discharge standard under paragraph (1), the Secretary shall require the use of the management system that achieves the performance levels of the best available technology that is economically achievable.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED DISCHARGE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that a ballast water management system exists that exceeds the revised ballast water discharge standard under paragraph (1) with respect to a class of vessels and is the best available technology that is economically achievable, the Secretary shall revise the ballast water discharge standard for that class of vessels to incorporate the higher discharge standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) can be implemented be-

fore the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water discharge standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2024, but not later than December 31, 2026.

(4) REVISED DISCHARGE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water discharge standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may—

(i) apply for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A); and

(ii) be renewable for an additional period of not to exceed 18 months.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the management system to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(vii) Any other factors the Secretary considers appropriate, including the availability of a ballast water reception facility or other means of managing ballast water.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER DISCHARGE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary,

in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) **CONSIDERATIONS.**—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other Federal agencies as the Secretary considers appropriate, shall consider the criteria under section 605(b)(2)(B).

(4) **REVISION AFTER DECENNIAL REVIEW.**—The Secretary shall initiate a rulemaking to revise the current ballast water discharge standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(d) **ALTERNATIVE BALLAST WATER MANAGEMENT REQUIREMENTS.**—Nothing in this title may be construed to preclude the Secretary from authorizing the use of alternate means or methods of managing ballast water (including flow-through exchange, empty/refill exchange, and transfer to treatment facilities in place of a vessel ballast water management system required under this section) if the Secretary, in consultation with the Administrator, determines that such means or methods would not pose a greater risk of introduction of aquatic nuisance species in navigable waters than the use of a ballast water management system that achieves the applicable ballast water discharge standard.

(e) **GREAT LAKES REQUIREMENTS.**—In addition to the other standards and requirements imposed by this section, in the case of a vessel that enters the Great Lakes through the St. Lawrence River after operating outside the exclusive economic zone of the United States the Secretary, in consultation with the Administrator, shall establish a requirement that the vessel conduct saltwater flushing of all ballast water tanks onboard prior to entry.

SEC. 606. TREATMENT TECHNOLOGY CERTIFICATION.

(a) **CERTIFICATION REQUIRED.**—Beginning on the date that is 1 year after the date on which the requirements for testing protocols are issued under subsection (i), no manufacturer of a ballast water management system shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water management system for a vessel unless it has been certified under this section.

(b) **CERTIFICATION PROCESS.**—

(1) **EVALUATION.**—Upon application of a manufacturer, the Secretary shall evaluate a ballast water management system with respect to—

(A) the effectiveness of the management system in achieving the current ballast water discharge standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the management system on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) **APPROVAL.**—If after an evaluation under paragraph (1) the Secretary determines that the management system meets the criteria, the Secretary may certify the management system for use on a vessel (or a class, type, or size of vessel).

(3) **SUSPENSION AND REVOCATION.**—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) **CERTIFICATION CONDITIONS.**—

(1) **IMPOSITION OF CONDITIONS.**—In certifying a ballast water management system under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the management system onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the management system.

(2) **FAILURE TO COMPLY.**—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) **PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.**—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a management system is installed and operated to meet a ballast water discharge standard under this title to continue to use that system, notwithstanding any revision of a ballast water discharge standard occurring after the management system is ordered or installed until the expiration of the service life of the management system, as determined by the Secretary, if the management system—

(1) is maintained in proper working condition; and

(2) is maintained and used in accordance with the manufacturer's specifications and any management system certification conditions imposed by the Secretary under this section.

(e) **CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.**—

(1) **ISSUANCE.**—If the Secretary approves a ballast water management system for certification under subsection (b), the Secretary shall issue a certificate of type approval for the management system to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) **CERTIFICATION CONDITIONS.**—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) **OWNERS AND OPERATORS.**—A manufacturer that receives a certificate of type approval for the management system under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the management system is installed.

(f) **INSPECTIONS.**—An owner or operator who receives a certificate of type approval under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the management system.

(g) **BIOCIDES.**—The Secretary may not approve a ballast water management system under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of

the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such management system; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) **PROHIBITION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the use of a ballast water management system by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) **EXCEPTIONS.**—

(A) **COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.**—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) **BALLAST WATER MANAGEMENT SYSTEMS CERTIFIED BY FOREIGN ENTITIES.**—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the management system has been certified by a foreign entity and the certification demonstrates performance and safety of the management system equivalent to the requirements of this section, as determined by the Secretary.

(i) **TESTING PROTOCOLS.**—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water management system under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 607. EXEMPTIONS.

(a) **INCIDENTAL DISCHARGES.**—Except in a national marine sanctuary or a marine national monument, no permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as such terms are defined in section 2101(5) of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel, (as defined in section 2101 of title 46, United States Code); or

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101(25) of title 46, United States Code).

(b) **DISCHARGES INTO NAVIGABLE WATERS.**—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(2) any discharge into navigable waters from a vessel that is necessary to secure the

safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shore-side facility; or

(3) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(c) **BALLAST WATER DISCHARGES.**—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water discharge standard under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water sourced from a United States public water system that meets the requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or from a foreign public water system determined by the Administrator to be suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section 608.

(d) **VESSELS WITH PERMANENT BALLAST WATER.**—No permit shall be required or prohibition enforced regarding a ballast water discharge incidental to the normal operation of a vessel under any other provision of law for, nor shall any ballast water discharge standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(e) **VESSELS OF THE ARMED FORCES.**—Nothing in this title may be construed to apply to—

(1) a vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel); or

(2) a vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 608. ALTERNATIVE COMPLIANCE PROGRAM.

(a) **IN GENERAL.**—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 605 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters; or

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary.

(b) **RULEMAKING.**—

(1) **FACILITY STANDARDS.**—Not later than 1 year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(A) the reception of ballast water from a vessel into a reception facility; and

(B) the disposal or treatment of the ballast water under paragraph (1).

(2) **TRANSFER STANDARDS.**—The Secretary, in consultation with the Administrator, is authorized to promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility.

SEC. 609. JUDICIAL REVIEW.

(a) **IN GENERAL.**—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) **DEADLINE.**—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) **EXCEPTION.**—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 610. EFFECT ON STATE AUTHORITY.

(a) **IN GENERAL.**—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) **SAVINGS CLAUSE.**—Notwithstanding subsection (a), a State or political subdivision thereof may adopt or enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water discharge standard that is more stringent than the ballast water discharge standard under section 605(a)(1)(A) if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any discharge standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) **PETITION PROCESS.**—

(1) **SUBMISSION.**—The Governor of a State seeking to adopt or enforce a statute or regulation under subsection (b) shall submit a petition to the Secretary requesting the Secretary to review the statute or regulation.

(2) **CONTENTS; TIMING.**—A petition shall be accompanied by the scientific and technical information on which the petition is based, and may be submitted within 1 year of the date of enactment of this Act and every 10 years thereafter.

(3) **DETERMINATIONS.**—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date on which the Secretary determines that a complete petition has been received.

SEC. 611. APPLICATION WITH OTHER STATUTES.

(a) **EXCLUSIVE STATUTORY AUTHORITY.**—Except as otherwise provided in this section and notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies.

(b) **EFFECT OF EXISTING REGULATIONS.**—Except as provided under section 605(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to

the normal operation of a vessel to which this title applies—

(1) shall be deemed to be a regulation issued pursuant to the authority of this title; and

(2) shall remain in full force and effect unless or until superseded by new regulations issued under this title.

(c) **ACT TO PREVENT POLLUTION FROM SHIPS.**—The Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any discharge or emission that is covered under the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, done at London February 17, 1978. Nothing in this title may be construed to alter or amend such Act or any regulation issued pursuant to the authority of such Act.

(d) **TITLE X OF THE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2010.**—Title X of the Coast Guard and Maritime Transportation Act of 2010 (33 U.S.C. 3801 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any anti-fouling system that is covered under the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001. Nothing in this title may be construed to alter or amend such title X or any regulation issued pursuant to the authority under such title.

SEC. 612. CONFORMING AMENDMENT.

Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 1425) is repealed.

SEC. 613. SAVINGS PROVISION.

Any action taken by the Federal Government under this Act shall be in full compliance with its obligations under applicable provisions of international law.

SA 3171. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 1012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ INCORPORATING RETROSPECTIVE REVIEW INTO NEW MAJOR RULES.

(a) **DEFINITIONS.**—In this section—

(1) the term “Administrator” means the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget;

(2) the terms “agency”, “rule”, and “rule making” have the meanings given those terms in section 551 of title 5, United States Code;

(3) the term “covered major rule” means major a rule that is promulgated by an agency in accordance with authority provided under this Act or any amendments made by this Act; and

(4) the term “major rule” means any rule that the Administrator finds has resulted in or is likely to result in—

(A) an annual effect on the economy of \$100,000,000 or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with

foreign-based enterprises in domestic and export markets.

(b) MAJOR RULE FRAMEWORKS.—

(1) IN GENERAL.—Beginning 180 days after the date of enactment of this Act, when an agency publishes in the Federal Register—

(A) a proposed covered major rule, the agency shall include a clear statement of the regulatory objectives of the covered major rule and a general description of how the agency intends to measure the effectiveness of the covered major rule; or

(B) a final covered major rule, the agency shall include a framework for assessing the covered major rule under paragraph (2), which shall include—

(i) a clear statement of the regulatory objectives of the covered major rule, including a summary of the societal benefit and cost of the covered major rule;

(ii) the methodology by which the agency plans to analyze the covered major rule, including metrics by which the agency can measure—

(I) the effectiveness and benefits of the covered major rule in producing the regulatory objectives of the covered major rule; and

(II) the impacts, including any costs, of the covered major rule on regulated and other impacted entities;

(iii) a plan for gathering data regarding the metrics described in clause (ii) on an ongoing basis, or at periodic times, including a method by which the agency will invite the public to participate in the review process and seek input from other agencies; and

(iv) a specific time frame, as appropriate to the covered major rule and not more than 10 years after the effective date of the covered major rule, under which the agency shall conduct the assessment of the covered major rule in accordance with paragraph (2)(A).

(2) ASSESSMENT.—

(A) IN GENERAL.—Each agency shall assess the data collected under paragraph (1)(B)(iii), using the methodology set forth in paragraph (1)(B)(ii) or any other appropriate methodology developed after the issuance of a final covered major rule to better determine whether the regulatory objective was achieved, with respect to a covered major rule—

(i) to analyze how the actual benefits and costs of the covered major rule may have varied from those anticipated at the time the covered major rule was issued; and

(ii) to determine whether—

(I) the covered major rule is accomplishing its regulatory objective;

(II) the covered major rule has been rendered unnecessary, taking into consideration—

(aa) changes in the subject area affected by the covered major rule; and

(bb) whether the covered major rule overlaps, duplicates, or conflicts with other rules or, to the extent feasible, State and local government regulations;

(III) the covered major rule needs to be strengthened in order to accomplish the regulatory objective; and

(IV) other alternatives to the covered major rule or modification of the covered major rule could better achieve the regulatory objective while imposing a smaller burden on society or increase net benefits, taking into consideration any cost already incurred.

(B) DIFFERENT METHODOLOGY.—If an agency uses a methodology other than the methodology set forth in paragraph (1)(B)(ii) to assess data under subparagraph (A), the agency shall include as part of the notice required

under subparagraph (D) an explanation of the changes in circumstances that necessitated the use of that other methodology.

(C) SUBSEQUENT ASSESSMENTS.—

(i) IN GENERAL.—Except as provided in clause (ii), if, after an assessment of a covered major rule under subparagraph (A), an agency determines that the covered major rule will remain in effect with or without modification, the agency shall—

(I) determine a specific time, as appropriate to the covered major rule and not more than 10 years after the publication of the results of the previous assessment, under which the agency shall conduct another assessment of the covered major rule in accordance with subparagraph (A); and

(II) if the assessment conducted under subparagraph (I) does not result in a repeal of the covered major rule, periodically assess the covered major rule in accordance with subparagraph (A) to ensure the covered major rule continues to meet the regulatory objective.

(ii) EXEMPTION.—The Administrator may exempt an agency from conducting a subsequent assessment of a covered major rule under clause (i) if the Administrator determines that there is a foreseeable and apparent need for the covered major rule beyond the time frame required under clause (i)(I).

(D) PUBLICATION.—Not later than 180 days after the date on which an agency completes an assessment of a covered major rule under subparagraph (A), the agency shall publish a notice of availability of the results of the assessment in the Federal Register, including the specific time for any subsequent assessment of the covered major rule under subparagraph (C)(i), if applicable.

(3) OMB OVERSIGHT.—The Administrator shall—

(A) issue guidance for agencies regarding the development of the framework under paragraph (1) and the conduct of the assessments under paragraph (2)(A);

(B) oversee the timely compliance of agencies with this subsection;

(C) ensure that the results of each assessment conducted under paragraph (2)(A) are—

(i) published promptly on a centralized Federal website; and

(ii) noticed in the Federal Register in accordance with paragraph (2)(D);

(D) encourage and assist agencies to streamline and coordinate the assessment of covered major rules with similar or related regulatory objectives;

(E) exempt an agency from including the framework required under paragraph (1)(B) when publishing a final covered major rule, if the agency did not issue a notice of proposed rule making for the covered major rule in order to provide a timely response to an emergency or comply with a statutorily imposed deadline, in accordance with paragraph (5)(B); and

(F) extend the deadline specified by an agency for an assessment of a covered major rule under paragraph (1)(B)(iv) or paragraph (2)(C)(i)(I) for a period of not more than 90 days if the agency justifies why the agency is unable to complete the assessment by that deadline.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect—

(A) the authority of an agency to assess or modify a covered major rule of the agency earlier than the end of the time frame specified for the covered major rule under paragraph (1)(B)(iv); or

(B) any other provision of law that requires an agency to conduct retrospective reviews of rules issued by the agency.

(5) APPLICABILITY.—

(A) IN GENERAL.—This subsection shall not apply to—

(i) a covered major rule of an agency for which the agency is required to conduct a retrospective review under any other provision of law that meets or exceeds the requirements of this subsection, as determined by the Administrator;

(ii) interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice; or

(iii) routine and administrative rules.

(B) DIRECT AND INTERIM FINAL COVERED MAJOR RULE.—In the case of a covered major rule of an agency for which the agency is not required to issue a notice of proposed rule making in response to an emergency or a statutorily imposed deadline, the agency shall publish the framework required under paragraph (1)(B) in the Federal Register not later than 6 months after the date on which the agency publishes the final covered major rule.

(6) JUDICIAL REVIEW.—

(A) IN GENERAL.—Judicial review of agency compliance with this subsection is limited to—

(i) whether an agency published the framework for assessment of a covered major rule in accordance with paragraph (1); and

(ii) whether an agency completed and published the required assessment of a covered major rule in accordance with subparagraphs (A) and (D) of paragraph (2).

(B) REMEDY AVAILABLE.—In granting relief in an action brought under subparagraph (A), the court may only issue an order remanding the covered major rule to the agency to comply with paragraph (1) or subparagraph (A) or (D) of paragraph (2), as applicable.

(C) EFFECTIVE DATE OF COVERED MAJOR RULE.—If, in an action brought under subparagraph (A)(i), a court determines that the agency did not comply, the covered major rule shall take effect notwithstanding any order issued by the court.

(D) ADMINISTRATOR.—Any determination, action, or inaction of the Administrator shall not be subject to judicial review.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 3172. Ms. HEITKAMP (for herself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. INDIAN ENERGY OFFICE.

Section 2602(a) of the Energy Policy Act of 1992 (25 U.S.C. 3502(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) INDIAN ENERGY REGULATORY OFFICE.—

“(A) ESTABLISHMENT.—To assist the Secretary in carrying out the Program, the Secretary shall establish within the office of the Deputy Secretary an Indian Energy Regulatory Office (referred to in this paragraph as the ‘Office’), to be located in Denver, Colorado.

“(B) EXISTING RESOURCES.—The Office shall use the existing resources of the Division of

Energy and Mineral Development of the Office of Indian Energy and Economic Development.

“(C) DIRECTOR.—The Office shall be led by a Director who shall—

“(i) be compensated at a rate equal to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code; and

“(ii) report directly to the Deputy Secretary.

“(D) FUNCTIONS.—The Office shall serve as a new Regional Office within the Bureau of Indian Affairs, which an energy-producing Indian tribe may select to replace the existing Regional Office of the Indian tribe—

“(i) notwithstanding any other law, to oversee, coordinate, process and approve all Federal leases, easements, rights-of-way, permits, policies, environmental reviews, and any other authorities related to energy development on Indian land;

“(ii)(I) to support review and evaluation by Agency Offices of the Bureau of Indian Affairs and Indian tribes of—

“(aa) energy proposals, permits, mineral leases, and rights-of-way; and

“(bb) Mineral Agreements entered into under section 3 of the Indian Mineral Development Act of 1982 (25 U.S.C. 2102) for final approval; and

“(II) to conduct environmental reviews and surface monitoring for the activities described in items (aa) and (bb) of subclause (I);

“(iii) to review and prepare Applications for Permits to Drill, communitization agreements, and well spacing proposals for approval;

“(iv) to provide production monitoring, inspection, and enforcement;

“(v) to oversee drainage issues;

“(vi) to provide energy-related technical assistance and financial management training to Agency Offices of the Bureau of Indian Affairs and Indian tribes;

“(vii) to develop best practices in the area of Indian energy development, including standardizing energy development processes, procedures, and forms among Agency and Regional Offices of the Bureau of Indian Affairs;

“(viii) to minimize delays and obstacles to Indian energy development; and

“(ix) to provide technical assistance to Indian tribes in the areas of energy-related engineering, environmental analysis, management, and oversight of energy development, assessment of energy development resources, proposals and financing, and development of conventional and renewable energy resources.

“(E) RELATIONSHIP TO BUREAU OF INDIAN AFFAIRS REGIONAL AND AGENCY OFFICES.—

“(i) IN GENERAL.—The Office shall have the authority to review and approve all energy-related matters for Indian tribes that select to use the Office under subparagraph (D), without subsequent or duplicative review and approval by other Agency or Regional Offices of the Bureau of Indian Affairs or other agencies of the Department of the Interior.

“(ii) NON-ENERGY RELATED MATTERS.—Nothing in this paragraph affects the authority or duty of Regional Offices of the Bureau of Indian Affairs to oversee, support, and provide approvals for non-energy related matters.

“(iii) REGIONAL AND LOCAL SERVICES.—Nothing in this paragraph affects the authority or duty of Agency Offices of the Bureau of Indian Affairs and State and Field Offices of the Bureau of Land Management to pro-

vide regional and local services related to Indian energy development, including local realty functions, on-site evaluations and inspections, direct services as requested by Indian tribes and individual Indians, and any other local functions related to energy development on Indian land.

“(iv) TECHNICAL ASSISTANCE.—The Office shall provide technical assistance and support to the Bureau of Indian Affairs and the Bureau of Land Management in all areas related to energy development on Indian land.

“(F) DESIGNATION OF INTERIOR STAFF.—

“(i) IN GENERAL.—The Secretary shall designate and transfer to the Office existing staff and resources from—

“(I) the Division of Energy and Mineral Development of the Office of Indian Energy and Economic Development and other applicable offices of the Bureau of Indian Affairs;

“(II) the Bureau of Land Management;

“(III) the Office of Valuation Services;

“(IV) the Office of Natural Resources Revenue;

“(V) the United States Fish and Wildlife Service;

“(VI) the Office of Special Trustee;

“(VII) the Office of the Solicitor;

“(VIII) the Office of Surface Mining, including mining engineering and minerals realty specialists; and

“(IX) any other agency or office of the Department of the Interior involved in energy development on Indian land.

“(ii) FUNCTIONS.—Staff and resources transferred under clause (i) shall provide for—

“(I) review, processing, and approval of permits and regulatory matters under—

“(aa) the Act of February 5, 1948 (commonly known as the ‘Indian Right-of-Way Act’) (25 U.S.C. 323 et seq.);

“(bb) the Act of May 11, 1938 (commonly known as the ‘Indian Mineral Leasing Act of 1938’) (25 U.S.C. 396a et seq.);

“(cc) the first section of the Act of August 9, 1955 (25 U.S.C. 415);

“(dd) the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.);

“(ee) this title;

“(ff) the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.);

“(gg) part 162 of title 25, Code of Federal Regulations (relating to leases and permits) (or successor regulations);

“(hh) part 169 of title 25, Code of Federal Regulations (relating to rights-of-way over Indian lands) (or successor regulations); and

“(ii) the Act of June 28, 1906 (34 Stat. 539, chapter 3572) (commonly known as the ‘Osage Allotment Act’);

“(II) consultations and preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

“(III) preparation of environmental impact statements or similar analyses required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(IV) technical assistance and training for various forms of energy development on Indian land.

“(G) MANAGEMENT OF INDIAN LAND.—The Director shall ensure that—

“(i) all environmental reviews and permitting decisions—

“(I) comply with the unique legal relationship between the United States and Indian tribal governments (as set forth in the Constitution of the United States, treaties, statutes, Executive orders, and court decisions); and

“(II) are exercised in a manner that promotes tribal authority over Indian land, consistent with the policy of the Federal Gov-

ernment supporting Indian self-determination;

“(ii) Indian land shall not be—

“(I) considered to be Federal public land or part of the public domain; or

“(II) be managed in accordance with Federal public land laws and policies; and

“(iii) leases approved shall provide Indian tribes and Indian mineral owners with the maximum governmental and economic benefits associated with mineral leasing and development, including all revenue derived from mineral leasing and development, to encourage tribal self-determination and economic development on Indian land.

“(H) INDIAN SELF-DETERMINATION.—Programs and services operated by the Office shall be provided pursuant to contracts and grants awarded under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(I) TRANSFER OF FUNDS.—

“(i) IN GENERAL.—To fund the Office for a period not to exceed 2 years, the Secretary shall transfer such funds as are necessary from the annual budgets of—

“(I) the Bureau of Indian Affairs;

“(II) the United States Fish and Wildlife Service;

“(III) the Bureau Land Management;

“(IV) the Office of Surface Mining;

“(V) the Office of Natural Resources Revenue; and

“(VI) the Office of Mineral Valuation.

“(ii) BASE BUDGET.—At the end of the period described in clause (i), the combined total of the funds transferred under that clause shall serve as the base budget for the Office.

“(J) APPROPRIATIONS OFFSET.—All fees generated from Applications for Permits to Drill, inspection, nonproducing acreage, or any other fees related to energy development on Indian land—

“(i) shall, beginning on the date the Office is opened, be transferred to the budget of the Office; and

“(ii) may be used to advance or fulfill any of the stated duties and purposes of the Office.

“(K) REPORT.—The Office shall—

“(i) keep detailed records documenting the activities of the Office; and

“(ii) annually submit to Congress a report detailing—

“(I) the number and type of Federal approvals granted;

“(II) the time taken to process each type of application;

“(III) the need for additional similar offices to be located in other regions; and

“(IV) proposed changes in existing law to facilitate the development of energy resources on Indian land and improve oversight of energy development on Indian land.

“(L) COORDINATION WITH ADDITIONAL FEDERAL AGENCIES.—Not later than 1 year after establishing the Office, the Secretary shall enter into a memorandum of understanding to coordinate and streamline energy-related permits with—

“(i) the Administrator of the Environmental Protection Agency;

“(ii) the Assistant Secretary of the Army for Civil Works; and

“(iii) the Secretary of Agriculture.”.

SA 3173. Ms. HEITKAMP (for herself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and

for other purposes; which was ordered to lie on the table; as follows:

On page 302, between lines 14 and 15, insert the following:

SEC. 3401. SENSE OF THE SENATE ON CARBON CAPTURE, USE, AND STORAGE DEVELOPMENT AND DEPLOYMENT.

It is the sense of the Senate that—

(1) carbon capture, use, and storage deployment is—

(A) an important part clean energy future and smart research and development investments of the United States; and

(B) critical—

(i) to increasing the energy security of the United States;

(ii) to reducing emissions; and

(iii) to maintaining a diverse and reliable energy resource;

(2) the fossil energy programs of the Department should continue to focus on research and development of technologies that will improve the capture, transportation, use, including for the production, through biofixation, of carbon-containing products, and injection processes essential for carbon capture, use, and storage activities in the electrical and industrial sectors;

(3) the Secretary should continue to partner with the private sector and explore avenues to bring down the cost of carbon capture, including through loans, grants, and sequestration credits to help make carbon capture, use, and storage technologies more competitive compared to other technologies that are a part of the clean energy future of the United States; and

(4) the Secretary should continue to work on existing, and expand on, international partnerships, agreements, projects, and information sharing activities of the Secretary to develop the latest and most cutting-edge carbon capture, use, and storage technologies for the electrical and industrial sectors.

On page 302, line 15, strike “3401” and insert “3402”.

On page 302, line 21, strike “3402” and insert “3403”.

On page 311, between lines 7 and 8, insert the following:

SEC. 3404. CONTRACTING AUTHORITY OF SECRETARY.

(a) DEFINITION OF ELECTRIC GENERATION UNIT.—In this section, the term “electric generation unit” means an electric generation unit that—

(1) uses coal-based generation technology; and

(2) is capable of capturing carbon dioxide emissions from the unit.

(b) CONTRACTING AUTHORITY.—The Secretary may enter into binding contracts, on behalf of the Federal Government, with qualified parties to provide price stabilization support for projects that capture carbon dioxide from certain industrial sources or projects that capture carbon dioxide from an electric generation unit and which captured carbon dioxide is sold to a purchaser for—

(1) the recovery of crude oil; or

(2) other purposes for which a commercial market exists.

(c) TERM.—The term of a contract entered into under subsection (b) shall not exceed 25 years.

(d) NOTIFICATION.—The Secretary shall notify Congress of—

(1) the intent of the Secretary to negotiate and enter into a price stabilization contract by the date that is not later than 30 days before negotiations begin; and

(2) the final terms of the contract, information on the range of overall costs for the

project covered by the contract, and the range of potential costs and scenarios of the contract by the date that is not later than 30 days after the contract is executed.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report detailing—

(1) how the Secretary would establish, implement, and maintain the price stabilization contracting program described in this section; and

(2) options for how price stabilization contracts under this section may be structured.

(f) REGULATIONS.—Not later than 180 days after submission of the report under subsection (e), the Secretary shall promulgate regulations to establish and implement the price stabilization contracting program described in this section.

(g) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement the price stabilization contracting program described in this section.

(h) FUNDING.—There is authorized to be appropriated to carry out this section \$100,000,000 for the period of fiscal years 2017 through 2021.

SA 3174. Ms. HEITKAMP (for herself, Mrs. CAPITO, Mr. BOOKER, Mr. WHITEHOUSE, Mr. TESTER, Mr. MANCHIN, Mr. BLUNT, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 302, between lines 14 and 15, insert the following:

SEC. 3401. SENSE OF THE SENATE ON CARBON CAPTURE, USE, AND STORAGE DEVELOPMENT AND DEPLOYMENT.

It is the sense of the Senate that—

(1) carbon capture, use, and storage deployment is—

(A) an important part of the clean energy future and smart research and development investments of the United States; and

(B) critical—

(i) to increasing the energy security of the United States;

(ii) to reducing emissions; and

(iii) to maintaining a diverse and reliable energy resource;

(2) the fossil energy programs of the Department should continue to focus on research and development of technologies that will improve the capture, transportation, use (including for the production through biofixation of carbon-containing products), and injection processes essential for carbon capture, use, and storage activities in the electrical and industrial sectors;

(3) the Secretary should continue to partner with the private sector and explore avenues to bring down the cost of carbon capture, including through loans, grants, and sequestration credits to help make carbon capture, use, and storage technologies more competitive compared to other technologies that are a part of the clean energy future of the United States; and

(4) the Secretary should continue working with international partners on pre-existing agreements, projects, and information sharing activities of the Secretary to develop the latest and most cutting-edge carbon capture, use, and storage technologies for the electrical and industrial sectors.

On page 302, line 15, strike “3401” and insert “3402”.

On page 302, line 21, strike “3402” and insert “3403”.

On page 311, between lines 7 and 8, insert the following:

SEC. 3404. REPORT ON PRICE STABILIZATION SUPPORT.

(a) DEFINITION OF ELECTRIC GENERATION UNIT.—In this section, the term “electric generation unit” means an electric generation unit that—

(1) uses coal-based generation technology; and

(2) is capable of capturing carbon dioxide emissions from the unit.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report—

(1) on the benefits and costs of entering into long-term binding contracts on behalf of the Federal Government with qualified parties to provide price stabilization support for certain industrial sources for capturing carbon dioxide from electricity generated at an electric generation unit or carbon dioxide captured from an electric generation unit and sold to a purchaser for—

(A) the recovery of crude oil; or

(B) other purposes for which a commercial market exists; and

(2) that—

(A) contains an analysis of how the Department would establish, implement, and maintain a contracting program described in paragraph (1); and

(B) outlines options for how price stabilization contracts may be structured and regulations that would be necessary to implement a contracting program described in paragraph (1).

SA 3175. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.

(a) AGREEMENT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior (referred to in this section as the “Secretary”) shall enter into an agreement with the Corolla Wild Horse Fund (a nonprofit corporation established under the laws of the State of North Carolina), the County of Currituck, North Carolina, and the State of North Carolina to provide for management of free-roaming wild horses in and around the Currituck National Wildlife Refuge.

(2) TERMS.—The agreement shall—

(A) allow a herd of not fewer than 110 and not more than 130 free-roaming wild horses in and around the refuge, with a target population of between 120 and 130 free-roaming wild horses;

(B) provide for cost-effective management of the horses while ensuring that natural resources within the refuge are not adversely impacted;

(C) provide for introduction of a small number of free-roaming wild horses from the herd at Cape Lookout National Seashore as

is necessary to maintain the genetic viability of the herd in and around the Currituck National Wildlife Refuge; and

(D) specify that the Corolla Wild Horse Fund shall pay the costs associated with—

(i) coordinating a periodic census and inspecting the health of the horses;

(ii) maintaining records of the horses living in the wild and in confinement;

(iii) coordinating the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(iv) administering a viable population control plan for the horses, including auctions, adoptions, contraceptive fertility methods, and other viable options.

(b) **CONDITIONS FOR EXCLUDING WILD HORSES FROM REFUGE.**—The Secretary shall not exclude free-roaming wild horses from any portion of the Currituck National Wildlife Refuge unless—

(1) the Secretary finds that the presence of free-roaming wild horses on a portion of that refuge threatens the survival of an endangered species for which that land is designated as critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) the finding is based on a credible peer-reviewed scientific assessment; and

(3) the Secretary provides a period of public notice and comment on that finding.

(c) **REQUIREMENTS FOR INTRODUCTION OF HORSES FROM CAPE LOOKOUT NATIONAL SEASHORE.**—During the effective period of the memorandum of understanding between the National Park Service and the Foundation for Shackleford Horses, Inc. (a non-profit corporation organized under the laws of and doing business in the State of North Carolina) signed in 2007, no horse may be removed from Cape Lookout National Seashore for introduction at Currituck National Wildlife Refuge except—

(1) with the approval of the Foundation; and

(2) consistent with the terms of the memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

(d) **NO LIABILITY CREATED.**—Nothing in this section creates liability for the United States for any damage caused by the free-roaming wild horses to any person or property located inside or outside the boundaries of the Currituck National Wildlife Refuge.

SA 3176. Mr. SCHATZ (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PHASE OUT OF TAX PREFERENCES FOR FOSSIL FUELS.

(a) **FINDINGS.**—Congress finds the following:

(1) United States tax policy has provided tax preferences, such as special deductions, special tax rates, tax credits, and grants in lieu of tax credits, for oil and gas production for 100 years.

(2) United States tax policy has provided tax preferences for coal production for over 80 years.

(3) In order to ensure that all sources of energy compete on an equal footing, as tax

credits for renewable energy are phased out over the next 4 years, fossil fuel tax preferences should be phased out on the same schedule.

(b) **EXPENSING OF INTANGIBLE DRILLING COSTS.**—Section 263 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (c), by striking “subsection (i)” and inserting “subsections (i) and (j)”, and

(2) by adding at the end the following new subsection:

“(j) **PHASE OUT OF DEDUCTION FOR INTANGIBLE DRILLING COSTS.**—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), for any intangible drilling and development costs paid or incurred with respect to an oil or gas well, the amount of such costs allowed as a deduction under subsection (c) shall be reduced by—

“(1) in the case of any costs paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any costs paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any costs paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any costs paid or incurred after December 31, 2019, 100 percent.”.

(c) **PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS WELLS.**—Section 613A(d) of such Code is amended by adding at the end the following new paragraph:

“(6) **PHASE OUT OF PERCENTAGE DEPLETION FOR OIL AND NATURAL GAS WELLS.**—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the amount allowed as a deduction for the taxable year which is attributable to the application of subsection (c) (determined after the application of paragraphs (1) through (5) of this subsection and without regard to this paragraph) shall be reduced by—

“(A) in the case of any crude oil or natural gas produced after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any crude oil or natural gas produced after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any crude oil or natural gas produced after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any crude oil or natural gas produced after December 31, 2019, 100 percent.”.

(d) **DOMESTIC MANUFACTURING DEDUCTION FOR FOSSIL FUELS.**—Section 199(d)(9) of such Code is amended by adding at the end the following new subparagraph:

“(D) **PHASE OUT OF DEDUCTION FOR OIL RELATED QUALIFIED PRODUCTION ACTIVITIES INCOME.**—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the amount allowable as a deduction under subsection (a) (determined after the application of subparagraph (A) and without regard to this subparagraph) shall be reduced by—

“(i) in the case of any oil related qualified production activities income received or accrued after December 31, 2016, and before January 1, 2018, 20 percent,

“(ii) in the case of any oil related qualified production activities income received or accrued after December 31, 2017, and before January 1, 2019, 40 percent,

“(iii) in the case of any oil related qualified production activities income received or accrued after December 31, 2018, and before January 1, 2020, 60 percent, and

“(iv) in the case of any oil related qualified production activities income received or accrued after December 31, 2019, 100 percent.”.

(e) **AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.**—Section 167(h) of such Code is amended by adding at the end the following new paragraph:

“(6) **PHASE OUT OF AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.**—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the amount of geological and geophysical expenses paid or incurred by a taxpayer which are allowed as a deduction under this subsection (without regard to this paragraph) shall be reduced by—

“(A) in the case of any such expenses paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any such expenses paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any such expenses paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any such expenses paid or incurred after December 31, 2019, 100 percent.”.

(f) **PERCENTAGE DEPLETION FOR OIL SHALE.**—Section 613 of such Code is amended by adding at the end the following new subsection:

“(f) **PHASE OUT OF PERCENTAGE DEPLETION FOR OIL SHALE.**—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the allowance for depletion for oil shale determined under this section (without regard to this subsection) shall be reduced by—

“(1) in the case of any income received or accrued from the property after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any income received or accrued from the property after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any income received or accrued from the property after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any income received or accrued from the property after December 31, 2019, 100 percent.”.

(g) **EXPENSING OF EXPLORATION AND DEVELOPMENT COSTS FOR OIL SHALE.**—Section 617 of such Code is amended—

(1) by redesignating subsection (i) as subsection (j), and

(2) by inserting after subsection (h) the following new subsection:

“(i) **PHASE OUT OF EXPENSING OF EXPLORATION AND DEVELOPMENT COSTS FOR OIL SHALE.**—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the amount of expenditures related to oil shale which are allowed as a deduction under subsection (a) shall be reduced by—

“(1) in the case of any such expenditures paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any such expenditures paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any such expenditures paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any such expenditures paid or incurred after December 31, 2019, 100 percent.”.

(h) **CAPITAL GAINS TREATMENT FOR ROYALTIES OF COAL.**—Section 631 of such Code is amended by adding at the end the following new subsection:

“(d) PHASE OUT OF CAPITAL GAINS TREATMENT FOR ROYALTIES OF COAL.—In the case of coal (including lignite), the amount of gain or loss on the sale of such coal to which subsection (c) applies shall be reduced by—

“(1) in the case of any such gain or loss after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any such gain or loss after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any such gain or loss after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any such gain or loss after December 31, 2019, 100 percent.”.

(i) DEDUCTION FOR TERTIARY INJECTANTS.—Section 193 of such Code is amended by adding at the end the following new subsection:

“(d) PHASE OUT OF DEDUCTION FOR TERTIARY INJECTANTS.—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the amount of qualified tertiary injectant expenses allowable as a deduction under subsection (a) shall be reduced by—

“(1) in the case of any such expenditures paid or incurred after December 31, 2016, and before January 1, 2018, 20 percent,

“(2) in the case of any such expenditures paid or incurred after December 31, 2017, and before January 1, 2019, 40 percent,

“(3) in the case of any such expenditures paid or incurred after December 31, 2018, and before January 1, 2020, 60 percent, and

“(4) in the case of any such expenditures paid or incurred after December 31, 2019, 100 percent.”.

(j) EXCEPTION TO PASSIVE LOSS LIMITATION FOR WORKING INTERESTS IN OIL AND NATURAL GAS PROPERTIES.—Section 469(c) of such Code is amended by adding at the end the following new paragraph:

“(8) PHASE OUT OF EXCEPTION TO PASSIVE LOSS LIMITATION FOR WORKING INTERESTS IN OIL AND NATURAL GAS PROPERTIES.—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), for any loss from a working interest in any oil or gas property, the amount of such loss to which paragraph (3) applies shall be reduced by—

“(A) in the case of any such loss after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any such loss after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any such loss after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any such loss after December 31, 2019, 100 percent.”.

(k) MARGINAL WELLS CREDIT.—Section 45I(d) of such Code is amended by adding at the end the following new paragraph:

“(4) PHASE OUT OF MARGINAL WELLS CREDIT.—In the case of a dual capacity taxpayer which is a major integrated oil company (within the meaning of section 167(h)(5)), the amount of the credit determined under subsection (a) shall be reduced by—

“(A) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2016, and before January 1, 2018, 20 percent,

“(B) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2017, and before January 1, 2019, 40 percent,

“(C) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2018, and before January 1, 2020, 60 percent, and

“(D) in the case of any qualified crude oil production or qualified natural gas production after December 31, 2019, 100 percent.”.

SA 3177. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—PROTECTING AND ENHANCING OPPORTUNITIES FOR HUNTING, FISHING, AND RECREATIONAL SHOOTING

Subtitle A—National Policy

SEC. 6001. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) IN GENERAL.—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and

(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) EXCLUSION.—In this title, the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

Subtitle B—Sportsmen's Access to Federal Land

SEC. 6011. DEFINITIONS.

In this subtitle:

(1) FEDERAL LAND.—The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary of the Interior, with respect to land described in paragraph (1)(B).

SEC. 6012. FEDERAL LAND OPEN TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) IN GENERAL.—Subject to subsection (b), Federal land shall be open to hunting, fish-

ing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 6013.

(b) EFFECT OF SUBTITLE.—Nothing in this subtitle opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of the date of enactment of this Act.

SEC. 6013. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the Secretary concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

(2) REQUIREMENT.—In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

(b) CLOSURE PROCEDURES.—

(1) IN GENERAL.—Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall—

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

(2) PUBLIC NOTICE AND COMMENT.—

(A) IN GENERAL.—Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding”; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of—

(I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

(B) FINAL DECISION.—In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

(iii) show how the resolution led to the closure.

(c) TEMPORARY CLOSURES.—

(1) IN GENERAL.—A temporary closure under this section may not exceed a period of 180 days.

(2) RENEWAL.—Except in an emergency, a temporary closure for the same area of land closed to the same activities—

(A) may not be renewed more than 3 times after the first temporary closure; and

(B) must be subject to a separate notice and comment procedure in accordance with subsection (b)(2).

(3) EFFECT OF TEMPORARY CLOSURE.—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to that activity without a separate public notice and opportunity to comment in accordance with subsection (b)(2).

(d) REPORTING.—On an annual basis, the Secretaries concerned shall—

(1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and

(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—

(A) a list of each area of Federal land temporarily or permanently subject to a closure;

(B) the acreage of each closure; and

(C) a survey of—

(i) the aggregate areas and acreage closed under this section in each State; and

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) APPLICATION.—This section shall not apply if the closure is—

(1) less than 14 days in duration; and

(2) covered by a special use permit.

SEC. 6014. SHOOTING RANGES.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) EXCEPTION.—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range, within—

(1) a component of the National Landscape Conservation System;

(2) a component of the National Wilderness Preservation System;

(3) any area that is—

(A) designated as a wilderness study area;

(B) administratively classified as—

(i) wilderness-eligible; or

(ii) wilderness-suitable; or

(C) a primitive or semiprimitive area;

(4) a national monument, national volcanic monument, or national scenic area; or

(5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

SEC. 6015. FEDERAL ACTION TRANSPARENCY.

(a) MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.—

(1) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking “, United States Code”;

(B) by redesignating subsection (f) as subsection (i); and

(C) by striking subsection (e) and inserting the following:

“(e)(1) Not later than March 31 of the first fiscal year beginning after the date of enact-

ment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year under this section.

“(2) Each report under paragraph (1) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(3)(A) Each report under paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(B) The disclosure of fees and other expenses required under subparagraph (A) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(f) As soon as practicable, and in any event not later than the date on which the first report under subsection (e)(1) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this section made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

“(1) The case name and number of the adversary adjudication, if available, hyperlinked to the case, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(h) The head of each agency shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).”

(2) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5)(A) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection.

“(B) Each report under subparagraph (A) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(C)(i) Each report under subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(ii) The disclosure of fees and other expenses required under clause (i) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(D) The Chairman of the Administrative Conference of the United States shall include and clearly identify in each annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

“(i) any amounts paid under section 1304 of title 31 for a judgment in the case;

“(ii) the amount of the award of fees and other expenses; and

“(iii) the statute under which the plaintiff filed suit.

“(6) As soon as practicable, and in any event not later than the date on which the first report under paragraph (5)(A) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this subsection made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

“(A) The case name and number, hyperlinked to the case, if available.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).”

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(A) in subsection (d)(3), by striking “United States Code,”; and

(B) in subsection (e)—

(i) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(ii) by striking “of such title” and inserting “of this title”.

(b) JUDGMENT FUND TRANSPARENCY.—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

“(d) Beginning not later than the date that is 60 days after the date of enactment of the Energy Policy Modernization Act of 2016, and unless the disclosure of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this

section is tendered, the following information with regard to that payment:

“(1) The name of the specific agency or entity whose actions gave rise to the claim or judgment.

“(2) The name of the plaintiff or claimant.

“(3) The name of counsel for the plaintiff or claimant.

“(4) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.

“(5) A brief description of the facts that gave rise to the claim.

“(6) The name of the agency that submitted the claim.”.

Subtitle C—Filming on Federal Land Management Agency Land

SEC. 6021. COMMERCIAL FILMING.

(a) IN GENERAL.—Section 1 of Public Law 106-206 (16 U.S.C. 4601-6d) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITION OF SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior or the Secretary of Agriculture, as applicable, with respect to land under the respective jurisdiction of the Secretary.”;

(3) in subsection (b) (as so redesignated)—

(A) in paragraph (1)—

(i) in the first sentence, by striking “of the Interior or the Secretary of Agriculture (hereafter individually referred to as the ‘Secretary’ with respect to land (except land in a System unit as defined in section 100102 of title 54, United States Code) under their respective jurisdictions)”;

(ii) in subparagraph (B), by inserting “, except in the case of film crews of 3 or fewer individuals” before the period at the end; and

(B) by adding at the end the following:

“(3) FEE SCHEDULE.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, to enhance consistency in the management of Federal land, the Secretaries shall publish a single joint land use fee schedule for commercial filming and still photography.”;

(4) in subsection (c) (as so redesignated), in the second sentence, by striking “subsection (a)” and inserting “subsection (b)”;

(5) in subsection (d) (as so redesignated), in the heading, by inserting “Commercial” before “Still”;

(6) in paragraph (1) of subsection (f) (as so redesignated), by inserting “in accordance with the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.),” after “without further appropriation.”;

(7) in subsection (g) (as so redesignated)—

(A) by striking “The Secretary shall” and inserting the following:

“(1) IN GENERAL.—The Secretary shall”;

(B) by adding at the end the following:

“(2) CONSIDERATIONS.—The Secretary shall not consider subject matter or content as a criterion for issuing or denying a permit under this Act.”; and

(8) by adding at the end the following:

“(h) EXEMPTION FROM COMMERCIAL FILMING OR STILL PHOTOGRAPHY PERMITS AND FEES.—The Secretary shall not require persons holding commercial use authorizations or special recreation permits to obtain an additional permit or pay a fee for commercial filming or still photography under this Act if the filming or photography conducted is—

“(1) incidental to the permitted activity that is the subject of the commercial use authorization or special recreation permit; and

“(2) the holder of the commercial use authorization or special recreation permit is an individual or small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632)).

“(i) EXCEPTION FROM CERTAIN FEES.—Commercial filming or commercial still photography shall be exempt from fees under this Act, but not from recovery of costs under subsection (c), if the activity—

“(1) is conducted by an entity that is a small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632));

“(2) is conducted by a crew of not more than 3 individuals; and

“(3) uses only a camera and tripod.

“(j) APPLICABILITY TO NEWS GATHERING ACTIVITIES.—

“(1) IN GENERAL.—News gathering shall not be considered a commercial activity.

“(2) INCLUDED ACTIVITIES.—In this subsection, the term ‘news gathering’ includes, at a minimum, the gathering, recording, and filming of news and information related to news in any medium.”.

(b) CONFORMING AMENDMENTS.—Chapter 1009 of title 54, United States Code, is amended—

(1) by striking section 100905; and

(2) in the table of sections for chapter 1009 of title 54, United States Code, by striking the item relating to section 100905.

Subtitle D—Bows, Wildlife Management, and Access Opportunities for Recreation, Hunting, and Fishing

SEC. 6031. BOWS IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 5001(a)), is amended by adding at the end the following:

“§ 104909. Bows in parks

“(a) DEFINITION OF NOT READY FOR IMMEDIATE USE.—The term ‘not ready for immediate use’ means—

“(1) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

“(2) with respect to a crossbow, uncocked.

“(b) VEHICULAR TRANSPORTATION AUTHORIZED.—The Director shall not promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit in the vehicle of the individual if—

“(1) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

“(2) the bows or crossbows that are not ready for immediate use remain inside the vehicle of the individual throughout the period during which the bows or crossbows are transported across System land; and

“(3) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code (as amended by section 5001(b)), is amended by inserting after the item relating to section 104908 the following:

“104909. Bows in parks.”.

SEC. 6032. WILDLIFE MANAGEMENT IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 6031(a)), is amended by adding at the end the following:

“SEC. 104910. WILDLIFE MANAGEMENT IN PARKS.

“(a) USE OF QUALIFIED VOLUNTEERS.—If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law

(including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.

“(b) REQUIREMENTS FOR QUALIFIED VOLUNTEERS.—Qualified volunteers providing assistance under subsection (a) shall be subject to—

“(1) any training requirements or qualifications established by the Secretary; and

“(2) any other terms and conditions that the Secretary may require.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54 (as amended by section 6031(b)), United States Code, is amended by inserting after the item relating to section 104909 the following:

“104910. Wildlife management in parks.”.

SEC. 6033. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means—

(A) the Secretary of the Interior, with respect to land administered by—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service; and

(iii) the Director of the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—

(A) a State office of the Bureau of Land Management; or

(B) a regional office of—

(i) the National Park Service;

(ii) the United States Fish and Wildlife Service; or

(iii) the Forest Service.

(3) TRAVEL MANAGEMENT PLAN.—The term “travel management plan” means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations (or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(C) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(b) PRIORITY LISTS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, annually during the 10-year period beginning on the date on which the first priority list is completed, and every 5 years after the end of the 10-year period, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

(A) to which there is no public access or egress; or

(B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) **MINIMUM SIZE.**—Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) **CONSIDERATIONS.**—In preparing the priority list required under paragraph (1), the Secretary shall consider with respect to the land—

(A) whether access is absent or merely restricted, including the extent of the restriction;

(B) the likelihood of resolving the absence of or restriction to public access;

(C) the potential for recreational use;

(D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and

(E) any other factor as determined by the Secretary.

(4) **ADJACENT LAND STATUS.**—For each parcel of land on the priority list, the Secretary shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) another Federal agency;

(B) a State, local, or tribal government; or

(C) a private landowner.

(5) **NOMINATION PROCESS.**—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) **ACCESS OPTIONS.**—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

(1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;

(2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or tribal governments to allow for such access and egress; and

(3) is consistent with the travel management plan in effect on the land.

(d) **PROTECTION OF PERSONALLY IDENTIFYING INFORMATION.**—In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) **WILLING OWNERS.**—For purposes of providing any permits to, or entering into agreements with, a State, local, or tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or tribal government or private landowner has granted or denied public access or egress to the land.

(f) **MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.**—In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(1) by motorized or non-motorized vehicles; and

(2) on foot or horseback.

(g) **EFFECT.**—

(1) **IN GENERAL.**—This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

(2) **EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.**—In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

Subtitle E—Federal Land Transaction Facilitation Act

SEC. 6041. FEDERAL LAND TRANSACTION FACILITATION ACT.

(a) **IN GENERAL.**—The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking “on the date of enactment of this Act was” and inserting “is”;

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking “(as in effect on the date of enactment of this Act)”;

and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking “96-568” and inserting “96-568”; and

(ii) by striking “; or” and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting “Public Law 105-263;” before “112 Stat.”; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432; 120 Stat. 3028);

“(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2403);

“(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111-11);

“(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111-11);

“(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1108); or

“(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1121).”

(b) **FUNDS TO TREASURY.**—Of the amounts deposited in the Federal Land Disposal Account, there shall be transferred to the general fund of the Treasury \$1,000,000 for each of fiscal years 2016 through 2025.

Subtitle F—Miscellaneous

SEC. 6051. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this title or the amendments made by this title—

(1) affects or modifies any treaty or other right of any federally recognized Indian tribe; or

(2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

SEC. 6052. NO PRIORITY.

Nothing in this title or the amendments made by this title provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

TITLE VII—REFUNDS OF FUNDS USED BY STATES TO OPERATE UNITS OF THE NATIONAL PARK SYSTEM DURING A SHUTDOWN

SEC. 7001. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) **IN GENERAL.**—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in October 2013 in which there was a lapse in appropriations for the unit.

(b) **FUNDING.**—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SA 3178. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsection (e) of section 1306 (relating to a vehicle research and development program) and insert the following:

(e) **FEDERAL DEMONSTRATION OF TECHNOLOGIES.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **ELECTRIC TRANSPORTATION TECHNOLOGY.**—The term “electric transportation technology” has the meaning given the term in section 131(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17011(a)).

(B) **TRANSPORTATION TECHNOLOGY.**—The term “transportation technology” means transportation technology other than electric transportation technology.

(2) **ASSESSMENT AND REPORT.**—The Secretary, in coordination with the Administrator of General Services, shall—

(A) make information available to procurement programs of Federal agencies regarding the potential to demonstrate technologies resulting from activities funded through programs under this Act; and

(B) complete an assessment of the electric transportation technology of each Federal agency, including the vehicle fleets of the United States Postal Service and the Department of Defense, and submit to Congress a report that describes—

(i) for each Federal agency, which types of transportation technology the agency uses that would or would not be suitable for near-term and medium-term conversion to electric transportation technology, taking into account the types of transportation technology for which electric transportation technology could provide comparable functionality and lifecycle costs;

(ii) how many plug-in electric drive vehicles and other electric transportation technologies could be deployed by the Federal Government in the 5-year-period and the 10-year-period following the date of the report, assuming that electric transportation technologies are available and are purchased when new transportation technologies are needed or existing transportation technologies are replaced;

(iii) the estimated cost to the Federal Government, including estimated fuel and operating costs savings over the life of the transportation technology and the estimated payback period, for transportation technology purchases under clause (ii);

(iv) a description of any updates to the assessment and report based on new market data; and

(v) a description of—

(I) how the United States Postal Service is carrying out its plan to replace the fleet of Long Life Vehicles of the United States Postal Service; and

(II) what steps are being taken to ensure that—

(aa) the procurement takes advantage of new fuel saving technologies through regular transition of the fleet; and

(bb) best industry practices that take into account fuel efficiency, including the use of electric transport technology, are followed.

(3) INVENTORY AND DATA COLLECTION.—

(A) IN GENERAL.—In carrying out the assessment and report under paragraph (2), the Secretary, in consultation with the Administrator of General Services, shall—

(i) develop an information request for each Federal agency that operates a fleet of not fewer than 20 motor vehicles; and

(ii) establish guidelines for each Federal agency to use in developing a plan to deploy electric transportation technologies.

(B) AGENCY RESPONSES.—Each Federal agency that operates a fleet of not fewer than 20 motor vehicles shall—

(i) collect information on the vehicle fleet and other transportation technologies of the agency in response to the information request described in subparagraph (A)(i); and

(ii) develop a plan to deploy electric transportation technologies.

(C) ANALYSIS OF RESPONSES.—The Secretary shall—

(i) analyze the information submitted by each Federal agency under subparagraph (B)(i);

(ii) approve or suggest amendments to the plan of each Federal agency to ensure that the plan is consistent with the goals and requirements of this Act; and

(iii) submit a plan to Congress and the Administrator of General Services to be used in developing the pilot program described in paragraph (4).

(4) PILOT PROGRAM TO DEPLOY ELECTRIC TRANSPORTATION TECHNOLOGIES IN THE FEDERAL TRANSPORTATION TECHNOLOGY FLEET.—

(A) IN GENERAL.—The Administrator of General Services shall acquire electric transportation technologies and the requisite charging infrastructure to be deployed in a range of locations in the Federal fleet during the 5-year period beginning on the date of enactment of this Act.

(B) DATA COLLECTION.—The Administrator of General Services shall collect data regarding—

(i) the cost, performance, and use of electric transportation technologies in the Federal fleet;

(ii) the deployment and integration of electric transportation technologies in the Federal fleet; and

(iii) the contribution of electric transportation technologies in the Federal fleet toward reducing the use of fossil fuels and greenhouse gas emissions.

(C) REPORT.—Not later than 6 years after the date of enactment of this Act, the Administrator of General Services shall submit to the appropriate committees of Congress a report that—

(i) describes the status of electric transportation technologies in the Federal fleet; and

(ii) includes an analysis of the data collected under this paragraph.

(5) FEDERAL REPORTING REQUIREMENTS.—Electricity consumed by Federal agencies to fuel electric transportation technologies shall be—

(A) considered to be an alternative fuel as defined in—

(i) section 400AA(g) of the Energy Policy and Conservation Act (42 U.S.C. 6374(g)); and

(ii) section 301 of the Energy Policy Act of 1992 (42 U.S.C. 13211); and

(B) accounted for under Federal fleet management reporting requirements rather than under Federal building management reporting requirements.

SA 3179. Ms. KLOBUCHAR (for herself, Mr. HOEVEN, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 174, line 5, insert “, electric thermal, electromechanical,” after “materials”.

SA 3180. Ms. KLOBUCHAR (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—METAL THEFT PREVENTION ACT

SEC. 6001. SHORT TITLE.

This title may be cited as the “Metal Theft Prevention Act of 2016”.

SEC. 6002. DEFINITIONS.

In this title—

(1) the term “critical infrastructure” has the meaning given the term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e));

(2) the term “specified metal” means metal that—

(A)(i) is marked with the name, logo, or initials of a city, county, State, or Federal government entity, a railroad, an electric, gas, or water company, a telephone company, a cable company, a retail establishment, a beer supplier or distributor, or a public utility; or

(ii) has been altered for the purpose of removing, concealing, or obliterating a name, logo, or initials described in clause (i) through burning or cutting of wire sheathing or other means; or

(B) is part of—

(i) a street light pole or street light fixture;

(ii) a road or bridge guard rail;

(iii) a highway or street sign;

(iv) a water meter cover;

(v) a storm water grate;

(vi) unused or undamaged building construction or utility material;

(vii) a historical marker;

(viii) a grave marker or cemetery urn;

(ix) a utility access cover; or

(x) a container used to transport or store beer with a capacity of 5 gallons or more;

(C) is a wire or cable commonly used by communications and electrical utilities; or

(D) is copper, aluminum, and other metal (including any metal combined with other materials) that is valuable for recycling or reuse as raw metal, except for—

(i) aluminum cans; and

(ii) motor vehicles, the purchases of which are reported to the National Motor Vehicle

Title Information System (established under section 30502 of title 49, United States Code); and

(3) the term “recycling agent” means any person engaged in the business of purchasing specified metal for reuse or recycling, without regard to whether that person is engaged in the business of recycling or otherwise processing the purchased specified metal for reuse.

SEC. 6003. THEFT OF SPECIFIED METAL.

(a) OFFENSE.—It shall be unlawful to knowingly steal specified metal—

(1) being used in or affecting interstate or foreign commerce; and

(2) the theft of which is from and harms critical infrastructure.

(b) PENALTY.—Any person who commits an offense described in subsection (a) shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

SEC. 6004. DOCUMENTATION OF OWNERSHIP OR AUTHORITY TO SELL.

(a) OFFENSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for a recycling agent to purchase specified metal described in subparagraph (A) or (B) of section 6002(2), unless—

(A) the seller, at the time of the transaction, provides documentation of ownership of, or other proof of the authority of the seller to sell, the specified metal; and

(B) there is a reasonable basis to believe that the documentation or other proof of authority provided under subparagraph (A) is valid.

(2) EXCEPTION.—Paragraph (1) shall not apply to a recycling agent that is subject to a State or local law that sets forth a requirement on recycling agents to obtain documentation of ownership or proof of authority to sell specified metal before purchasing specified metal.

(3) RESPONSIBILITY OF RECYCLING AGENT.—A recycling agent is not required to independently verify the validity of the documentation or other proof of authority described in paragraph (1).

(4) PURCHASE OF STOLEN METAL.—It shall be unlawful for a recycling agent to purchase any specified metal that the recycling agent—

(A) knows to be stolen; or

(B) should know or believe, based upon commercial experience and practice, to be stolen.

(b) CIVIL PENALTY.—A person who knowingly violates subsection (a) shall be subject to a civil penalty of not more than \$10,000 for each violation.

SEC. 6005. ENFORCEMENT BY ATTORNEY GENERAL.

The Attorney General may bring an enforcement action in an appropriate United States district court against any person that engages in conduct that violates this title.

SEC. 6006. ENFORCEMENT BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—An attorney general or equivalent regulator of a State may bring a civil action in the name of the State, as parens patriae on behalf of natural persons residing in the State, in any district court of the United States or other competent court having jurisdiction over the defendant, to secure monetary or equitable relief for a violation of this title.

(b) NOTICE REQUIRED.—Not later than 30 days before the date on which an action under subsection (a) is filed, the attorney general or equivalent regulator of the State involved shall provide to the Attorney General—

(1) written notice of the action; and
 (2) a copy of the complaint for the action.
(c) ATTORNEY GENERAL ACTION.—Upon receiving notice under subsection (b), the Attorney General shall have the right—

(1) to intervene in the action;
 (2) upon so intervening, to be heard on all matters arising therein;
 (3) to remove the action to an appropriate district court of the United States; and
 (4) to file petitions for appeal.

(d) PENDING FEDERAL PROCEEDINGS.—If a civil action has been instituted by the Attorney General for a violation of this title, no State may, during the pendency of the action instituted by the Attorney General, institute a civil action under this title against any defendant named in the complaint in the civil action for any violation alleged in the complaint.

(e) CONSTRUCTION.—For purposes of bringing a civil action under subsection (a), nothing in this section regarding notification shall be construed to prevent the attorney general or equivalent regulator of the State from exercising any powers conferred under the laws of that State to—

(1) conduct investigations;
 (2) administer oaths or affirmations; or
 (3) compel the attendance of witnesses or the production of documentary and other evidence.

SEC. 6007. DIRECTIVE TO SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of a criminal violation of section 6003 of this title or any other Federal criminal law based on the theft of specified metal by such person.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect the—

(A) serious nature of the theft of specified metal; and

(B) need for an effective deterrent and appropriate punishment to prevent such theft;

(2) consider the extent to which the guidelines and policy statements appropriately account for—

(A) the potential and actual harm to the public from the offense, including any damage to critical infrastructure;

(B) the amount of loss, or the costs associated with replacement or repair, attributable to the offense;

(C) the level of sophistication and planning involved in the offense; and

(D) whether the offense was intended to or had the effect of creating a threat to public health or safety, injury to another person, or death;

(3) account for any additional aggravating or mitigating circumstances that may justify exceptions to the generally applicable sentencing ranges;

(4) assure reasonable consistency with other relevant directives and with other sentencing guidelines and policy statements; and

(5) assure that the sentencing guidelines and policy statements adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 6008. CONFIDENTIALITY.

Any information collected or retained under this title may be disclosed to any Federal, State, or local law enforcement author-

ity or as otherwise directed by a court of law.

SEC. 6009. STATE AND LOCAL LAW NOT PRE-EMPTED.

Nothing in this title shall be construed to preempt any State or local law regulating the sale or purchase of specified metal, the reporting of such transactions, or any other aspect of the metal recycling industry.

SEC. 6010. EFFECTIVE DATE.

This title shall take effect 180 days after the date of enactment of this Act.

SA 3181. Ms. HEITKAMP (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NEW SOURCE REVIEW.

Section 111 of the Clean Air Act (42 U.S.C. 7411) is amended by adding at the end the following:

“(k) NEW SOURCE REVIEW NOT REQUIRED.—

“(1) IN GENERAL.—Any physical change in an existing source, or in the method of operation of an existing source, that increases the efficiency of the existing source or reduces mass emissions of the existing source that are subject to the provisions of this Act (as compared to the average annual emissions of the existing source in any 1 of the preceding 10 calendar years), for purposes of compliance with a regulation promulgated under this Act, by lowering the rate or mass of carbon dioxide emissions from the existing source shall not require, cause, or otherwise trigger a new source review under this Act.”.

SA 3182. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 50 ____ . CONSERVATION INCENTIVES LANDOWNER EDUCATION PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall establish a conservation incentives landowner education program (referred to in this section as the “program”).

(b) PURPOSE OF PROGRAM.—The program shall provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program, such as—

(1) fee title land acquisition;
 (2) donation; and
 (3) perpetual and term conservation easements or agreements.

(c) AVAILABILITY.—The Secretary of the Interior and the Secretary of Agriculture shall ensure that the information provided under the program is made available to—

(1) interested landowners; and
 (2) the public.

(d) NOTIFICATION.—In any case in which the Secretary of the Interior or the Secretary of

Agriculture contacts a landowner directly about participation in a Federal conservation program, that Secretary shall, in writing—

(1) notify the landowner of the program; and

(2) make available information on the conservation program options that may be available to the landowner.

SA 3183. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 2204. CLEAN ENERGY TECHNOLOGY MANUFACTURING AND EXPORT ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) CLEAN ENERGY TECHNOLOGY.—The term “clean energy technology” means a technology related to the production, use, transmission, storage, control, or conservation of energy that will contribute to a stabilization of atmospheric greenhouse gas concentrations through reduction, avoidance, or sequestration of energy-related emissions and—

(A) reduce the need for additional energy supplies by using existing energy supplies with greater efficiency or by transmitting, distributing, or transporting energy with greater effectiveness; or

(B) diversify the sources of energy supply of the United States to strengthen energy security and to increase supplies with a favorable balance of environmental effects if the entire technology system is considered.

(2) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(b) STRATEGY.—The Secretary, consistent with the National Export Initiative (established by Executive Order 13534 (75 Fed. Reg. 12,433)), shall develop a strategy that includes providing information, tools, and other assistance to United States businesses to promote clean energy technology manufacturing and facilitate the export of clean energy technology products and services. Such strategy shall include—

(1) developing critical analysis of policies to reduce production costs and promote innovation, investment, and productivity in the clean energy technology sector;

(2) helping educate companies about how to tailor their activities to specific markets with respect to their product slate, financing, marketing, assembly, and logistics;

(3) helping United States companies learn about the export process and export opportunities in foreign markets;

(4) helping United States companies to navigate foreign markets; and

(5) helping United States companies provide input regarding clean energy technology manufacturing and trade policy developments and trade promotion.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the strategy required by subsection (b) that—

(1) describes how the strategy will—

(A) focus on small- and medium-sized United States businesses;

(B) encourage the creation and maintenance of the greatest number of clean energy technology jobs in the United States; and

(C) encourage the domestic production of clean energy technology products and services, including materials, components, equipment, parts, and supplies related in any way to the product or service; and

(2) may include recommendations for such legislative action as would facilitate carrying out the strategy.

PRIVILEGES OF THE FLOOR

Mr. UDALL. Mr. President, I ask unanimous consent that Jack Gardner, a member of my staff, be granted floor privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEMORY AND LEGACY OF ANITA ASHOK DATAR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 354, S. Res. 347.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 347) honoring the memory and legacy of Anita Ashok Datar and condemning the terrorist attack in Bamako, Mali, on November 20, 2015.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action and debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 347) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 20, 2016, under "Submitted Resolutions.")

ORDERS FOR TUESDAY, FEBRUARY 2, 2016

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, February 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each; further, that following morning business, the Senate resume consideration of S. 2012; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Tuesday, February 2, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

R. DAVID HARDEN, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE NANCY E. LINDBORG.

IN THE ARMY

THE FOLLOWING OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

D012199

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JASON B. BLEVINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES C. SULLIVAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MARK R. BIEHL

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RYAN P. BRENNAN
DANIEL C. HART
TIMOTHY A. HUNTER
TODD L. LOONEY
PAUL E. PATTERSON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

SCOTT F. BARTLETT
ROBERT G. CARRUTHERS
CHARLES J. CARTER
BRYAN J. COLEMAN
WILLIAM F. CROCKER
NICK DUCICH
BRIAN W. ELLIS
RODNEY T. FREEMAN
KEVIN W. GALLAGHER
SEAN E. GAVAN
WALTER B. GIBSON
ERIK T. GORDON
SCOTT M. HOVIS
AARON C. JORDAN
JOHN A. LEBLANC
JAMES E. MCFETRIDGE
SESTHERS L. MELENDEZ
JULIE M. MINDE
FREDERICK A. NETTLES
RICHARD F. OBERMAN
TIMOTHY O. PETTIT
JOHNNY C. RAMSEY, JR.
ALEXANDER C. STEWART II
MATTHEW D. STUBBS
BLAIR E. TINKHAM
KENNETH G. VERBONCOEUR

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

VICTOR M. ABELSON
BENJAMIN T. ACKISON
OSCAR ALANIS, JR.
RYAN P. ALLEN
RICHARD ALVAREZ
CLAIRE M. AMDAHL
EDWARD P. AMDAHL
MARK R. AMSPACHER
RICHARD A. ANDERSON
ALEXANDER C. ARCINAS
DAVID A. ARENAS
DARRYL G. AYERS
TASE E. BAILEY
MATTHEW D. BAIN
JONATHAN T. BAKER
BRIAN W. BANN
ADAM N. BARBORKA
SEAN W. BARNES
ROBERT M. BARNHART, JR.
CARRIE C. BATSON
JAMES F. BEAL
MARC D. BEAUDREAU
DALE R. BEHM
RUSSELL A. BELT II
RICARDO BENAVIDES
CHRISTOPHER S. BENFIELD
JONATHAN E. BIDSTRUP
CHAD T. BIGNELL
JAMES W. BIRCHFIELD III
EDWARD J. BLACKSHAW
CINDIEMARI BLAIR
HORACE J. BLY
JAMES R. BOOTH
STEVEN B. BOWDEN
KURT A. BOYD
JERAMY W. BRADY
JOHN N. BROGDON
WARREN J. BRUCE
GARTH W. BURNETT
BRADLEY J. BUTLER
WILLIAM G. BUTTERS
NATHAN B. CAHOON
TROY D. CALLAHAN
BETH S. CANEPA
CHRISTOPHER J. CANNON
MICHAEL G. CARLE
CHRIS E. CHARLES
RYAN A. CHERRY
JOHN M. CISCO
CHRISTOPHER L. CLAFLIN
MARSHALEE E. CLARKE
EDMUND G. CLAYTON
BRIAN N. CLIFTON
GARY L. COBB
JENNY A. COLEGATE
PATRICK B. COLLINS
JAMES R. COMPTON
JON P. CONNOLLY
PAUL J. CORCORAN
WILLIAM C. COX
SETH J. CRAWFORD
KEVIN A. CRESPO
MICHAEL A. CRIVELLO
MATTHEW R. CROUCH
ROMEO P. CUBAS
DOUGLAS R. CULLINS
THOMAS J. CUNNINGHAM III
DENNIS B. DALTON
MATTHEW C. DANNER
BENJAMIN M. DAVENPORT
BENJAMIN J. DEBARDELEBEN
LISA A. DETTLE
JOEL A. DELUCA
DANA S. DEMER
JAMES C. DERRICK
DARYL L. DESIMONE
STEVEN R. DESROSIERS
JOHN M. DIAZ
JOSUE M. DIAZ
JOHN Q. DINH
WILLIAM P. DOBBINS III
CHAD A. DODD
THOMAS F. DONO
JAMES J. DUNPHY
STEVEN J. EASTIN
PETER B. ELTRINGHAM
MATTHEW S. EMBORSKY
BRYAN A. EOVILO
MICHAEL R. ERICKSON
JEAN P. EXANTUS
RALPH L. FEATHERSTONE
FOSTER C. FERGUSON
ANTHONY J. FIACCO
JASON A. FILOS
CLAY T. FIMIANI
DAVID M. FITZSIMMONS
KATE E. FLEEGER
JAMES F. FOLEY
JAMES C. FORD III
STEVEN M. FORD
MARK C. FOWLER
NICHOLAS L. GANNON
JOSEPH M. GARAUX
BRANDON J. GAUDREN
KENNETH C. GAWRONSKI
MICHAEL G. GEHRKI
MARK P. GEORGE
MISCA T. GETER
STUART W. GLENN
JOSE A. GONZALEZ II

KEVIN J. GOODWIN
GEOFFREY Z. GOSIK
DAVID J. GRABOW
THOMAS J. GRACE
BRIAN R. GRANT
BENJAMIN J. GRASS
DAVID J. GUSTAFSON
KWABENA K. GYIMAH
MATTHEW E. HALL
MICHAEL L. HALLIGAN II
JAISUN L. HANSON
BYRON R. HARDER
MATTHEW C. HAWKINS
MICHAEL G. HAYS
BRENDAN J. HEATHERMAN
WILLIAM G. HEIKEN
MATHEW E. HEIL
BRIAN J. HESLIN
MICHAEL K. HICKS
AARON R. HINMAN
CEDAR L. HINTON
WILLIAM D. HOOD
FORREST W. HOOVER III
SAMUEL E. HOWIE
CHAD M. HUBBARD
KEVIN G. HUNTER
MICHAEL R. HYDE
DAVID H. ICKLES
AUGUST R. IMMEL
FRED J. INGO III
DENNIS J. IVAN
RYAN A. JACOBS
MATTHEW T. JAMES
DAVID A. JANSEN
STEVEN C. JOHNSON
ANTHONY C. JOHNSTON
KENNETH M. JONES
MICHAEL J. KANSTEINER
JASON P. KAUFMANN
MICHAEL S. KEANE
ERIC J. KEITH
JOHN J. KENNELEY
JONATHAN Q. KENNEY
ADAM K. KESSEL
KYLE R. KILLIAN
CHRISTOPHER N. KINSEY
TARA J. KIPFER
JOHN G. KOLB
KORVIN S. KRAICS
JOHN D. KRYSA
JASON M. KUT
JAY A. LAPPE
BRIAN T. LAURENCE
DAVID F. LAWRENCE
WYLAND F. LEADBETTER III
STEPHEN J. LEBO
CEDRIC N. LEE
JAMES R. LENARD
ARIC C. LIBERMAN
ROBERT E. LINGLER
AARON C. LLOYD
JOHN E. LOGAN III
WILLIAM L. LOMBARDO
LAWRENCE M. LOWMAN II
CLIFFORD S. MAGEE
MATTHEW A. MARKHAM
GRIFFITH M. MARSHALL
PAULA D. MARSHALL
WILLIAM J. MATORY
MITCHELL T. MAURY
CHRISTOPHER B. MCARTHUR
ROBERT G. MCCARTHY III
KELLY A. MCCONNELL
MATTHEW F. McDONALD
IAN K. MCDUFFIE
MICHAEL P. MCFERRON
CHRISTOPHER P. MCGUIRE
MICHAEL W. MCKENNEY
MATTHEW J. MCKINNEY
ROBERT M. MCLELLAN
CHARLES C. MCLBOD, JR.

JASON MCMANIGLE
BOYD R. MCMURTREY
ERIC A. MEADOR
RICARDO A. MEDAL
MARCOS A. MELENDEZ III
TAUNJA M. MENKE
SEAN M. MERLIN
RONNIE D. MICHAEL
DANIEL W. MICKLIS
ANDREW H. MILLS
TIMOTHY W. MIX
ERIC D. MONTALVO
VINCENT M. MONTGOMERY
TYLER J. MOORE
SERGE P. MOROSOFF
JOSEPH E. MOYE
HOWARD MUI
MATTHEW K. MULVEY
MANUEL F. MUNOZ
DANIEL M. MURPHY
MARK E. MURPHY
ROBERT N. MYERS, JR.
EUGENE F. NAGY
JOHN M. NASH VII
DOMINIQUE B. NEAL
CHRIS J. NELSON
JOSHUA H. NELSON
MATTHEW S. NICHOLS
ROY J. NICKA
JOHN P. NORMAN
KENNETH J. OCONNOR, JR.
DENNIS O'DONNELL
JEREMY P. OSBORNE
WILLIAM V. OSBORNE III
NEIL E. OSWALD
TEGAN K. OWEN
KATHRYN H. PAIK
JENNIFER S. PARKER
JOSEPH G. PARKER
KRISTOPHER L. PARKER
KATRINA D. PATILLO
SEAN B. PATTON
JAMES C. PAXTON III
ANDREW T. PAYNTER
STEPHEN T. PEARSON
JEFFREY S. PELT
AMOS J. PERKINS III
MATTHEW R. PETER
ERIK A. PETERSON
ATTIM O. PHILLIPS
MATTHEW E. POOLE
RYAN C. POPE
MISTY J. POSEY
HENRY R. PROKOP
JACOB L. PURDON
JASON P. QUINTER
ALEX J. RAMTHUN
JOSHUA J. RANDALL
GLEN J. REUKEMA
JARET R. RHINEHART
JASON D. ROACH
JACOB Q. ROBINSON
DARREN M. ROCK
EDNA RODRIGUEZ
MARCUS V. ROSSI
PETER M. RUMMLER
ANDREW A. RUNDLE
MICHAEL J. SADDLER
MARK F. SCHAEFER
RICHARD R. SCHELLHAAS
RYAN A. SCHILLER
STEVEN M. SCHREIBER
JAMES P. SCONFETTI III
JON C. SEE
MARCO D. SERNA
JASON A. SHARP
DALLAS E. SHAW, JR.
KEVIN A. SHEA
GARY A. SHILL
JASON R. SHOCKEY
KYLE B. SHOOP

WILLIAM G. SLACK
DEVIN A. SMILEY
MARK A. SMITH
WILLIAM R. SMITH
GREGORY STARACE
GIUSEPPE A. STAVALE
RICHARD R. STEELE
DAWN M. STEINBERG
SCOTT E. STEPHAN
JOHN J. STEPHENS
LATRESA A. STEWARD
BRENT W. STRICKER
JAMES I. STRICKLER
MARK W. STROM
JUAN P. SVENNINGSEN
GREGORY T. SWARTHOUT
JEFFREY M. SYKES
SPENCER A. SZEWCZYK
PHILIP J. TADENA
CASEY L. TAYLOR
BRANDON K. THOMAS
DANIEL J. THOMAS
GRAHAM E. THOMAS
SEA S. THOMAS
DAVID F. TOLAR
DAMON M. TORRES
ANDREW M. TURNER
PHILIP A. TWEED
RODOLFO S. URIOSTEGUI
DILLON D. VADEN
BRADLEY J. VANSLYKE
WILLIAM F. WALKER
SEAN R. WALSH
LUKE T. WATSON
WILLIAM D. WEBBER
DALE H. WEBSTER
MARK B. WEINRICH
KEEGAN J. WELCH
SCOTT F. WELCH
SEAN L. WELCH
RYAN D. WELKEN
BRANDON L. WHITFIELD
BRIAN B. WILCOX
NICHOLAS R. WINEMAN
MARK E. WOODARD
JOHN D. WRAY
MARK E. ZARNECKI
MICHAEL D. ZIMMERMAN
ANTHONY E. ZINNI
KARA J. ZUMMO
MATTHEW P. ZUMMO

CONFIRMATION

Executive nomination confirmed by
the Senate February 1, 2016:

DEPARTMENT OF DEFENSE

RICARDO A. AGUILERA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

WITHDRAWAL

Executive Message transmitted by
the President to the Senate on February 1, 2016 withdrawing from further
Senate consideration the following
nomination:

JOHN MORTON, OF MASSACHUSETTS, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE MIMI E. ALEMAYEHOU, WHICH WAS SENT TO THE SENATE ON JUNE 16, 2015.

HOUSE OF REPRESENTATIVES—Monday, February 1, 2016

The House met at noon and was called to order by the Speaker pro tempore (Mr. EMMER of Minnesota).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 1, 2016.

I hereby appoint the Honorable TOM EMMER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. COMSTOCK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, through whom we see what we could be and what we can become, thank You for giving us another day.

Send Your spirit upon the Members of this people's House to encourage them in their official tasks. Be with them and with all who labor here to serve this great Nation and its people.

Assure them that whatever their responsibilities, You provide the grace to enable them to be faithful in their duties and the wisdom to be conscious of their obligations and fulfill them with integrity.

Remind us all of the dignity of work, and teach us to use our talents and

abilities in ways that are honorable and just and are of benefit to those we serve.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

STATE OF THE UNION INCONSISTENCIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, the President's actions are inconsistent with his words of the State of the Union.

His praise of job growth is undermined by ObamaCare, which the OMB has identified will destroy over 2 million jobs.

His concerns for more gun control was a contradiction at the Capitol, which was properly awash with brave officers protecting everyone with guns.

His distortion of voter photo identification laws clashes with the requirement of visitor photo identification to enter the White House. Security to prevent voter fraud and security to prevent assault on our President are basic for democracy.

His professed opposition to ISIS terrorists is undermined by his pardoning prisoners from Guantanamo who will rejoin terrorists to kill American families using guns.

His devotion to Syrian refugees was sadly undermined by his failure to enforce a red line, resulting in children fleeing violence drowning at sea.

Finally, as I left the Capitol from the speech, I saw immediate inconsistency

of a fleet of stretch limousines waiting for the President. As he attacked the oil and gas industry, he departed thanks to fuel developed by the oil and gas industry.

The President should change course for limited government and expanded freedom.

In conclusion, God bless our troops, and the President, by his actions, should never forget September the 11th in the global war on terrorism.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:15 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1514

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 3 o'clock and 14 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EXPERTS ACT

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2187) to direct the Securities and Exchange Commission to revise its regulations regarding the qualifications of natural persons as accredited investors, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fair Investment Opportunities for Professional Experts Act”.

SEC. 2. DEFINITION OF ACCREDITED INVESTOR.

Section 2(a)(15) of the Securities Act of 1933 (15 U.S.C. 77b(a)(15)) is amended—

(1) by redesignating clauses (i) and (ii) as subparagraphs (A) and (F), respectively;

(2) in subparagraph (A) (as so redesignated), by striking “; or” and inserting a semicolon, and inserting after such subparagraph the following:

“(B) any natural person whose individual net worth, or joint net worth with that person’s spouse, exceeds \$1,000,000 (which amount, along with the amounts set forth in subparagraph (C), shall be adjusted for inflation by the Commission every five years to the nearest \$10,000 to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics) where, for purposes of calculating net worth under this subparagraph—

“(i) the person’s primary residence shall not be included as an asset;

“(ii) indebtedness that is secured by the person’s primary residence, up to the estimated fair market value of the primary residence at the time of the sale of securities, shall not be included as a liability (except that if the amount of such indebtedness outstanding at the time of sale of securities exceeds the amount outstanding 60 days before such time, other than as a result of the acquisition of the primary residence, the amount of such excess shall be included as a liability); and

“(iii) indebtedness that is secured by the person’s primary residence in excess of the estimated fair market value of the primary residence at the time of the sale of securities shall be included as a liability;

“(C) any natural person who had an individual income in excess of \$200,000 in each of the two most recent years or joint income with that person’s spouse in excess of \$300,000 in each of those years and has a reasonable expectation of reaching the same income level in the current year;

“(D) any natural person who is currently licensed or registered as a broker or investment adviser by the Commission, the Financial Industry Regulatory Authority, or an equivalent self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934), or the securities division of a State or the equivalent State division responsible for licensing or registration of individuals in connection with securities activities;

“(E) any natural person the Commission determines, by regulation, to have demonstrable education or job experience to qualify such person as having professional knowledge of a subject related to a particular investment, and whose education or job experience is verified by the Financial Industry Regulatory Authority or an equivalent self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934); or”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentleman from Delaware (Mr. CARNEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous materials on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GARRETT. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in support of H.R. 2187, the Fair Investment Opportunities for Professional Experts Act.

I would like to thank Mr. SCHWEIKERT from Arizona for his diligent work on this bill and members on both sides of the aisle who approved this bill in the Financial Services Committee by an overwhelming vote of 54-2.

Mr. Speaker, small and emerging companies play a significant role as drivers of the U.S. economic activity, innovation, and job creation. In fact, the majority of net jobs created in the U.S. are from companies less than 5 years old. Most of these companies are privately held companies, and their ability to raise capital in the private market is critical to the economic well-being of the U.S. and millions of American families.

But in order for small companies to raise capital in the private market, under SEC regulations they must sell securities only to what are known as “accredited investors.” And what exactly determines whether an investor is accredited? Well, the SEC has for years determined that an individual investor’s financial status should be the sole proxy for determining whether or not they are able to understand the risks and rewards.

In other words, the SEC has taken the position that only very wealthy individuals should be allowed to invest in such offerings. That really makes very little sense.

Under the SEC’s logic, a random winner of the Powerball lottery would be automatically deemed a sophisticated investor. But an individual who holds advanced degrees and works in finance or a related field, but who happens to make slightly below what the SEC’s threshold is, that person would be barred from investing in private offerings.

You see, despite the paternalistic view taken by Washington regulators, there are plenty—plenty—of hardworking and smart Americans who are plenty capable of understanding investments in private businesses.

Congress must, therefore, amend the definition of “accredited investor” in order to expand the pool of potential investors in a private placement market.

H.R. 2187 will do just that by codifying the current accredited investor income and net worth thresholds, adjusted for inflation going forward. Additionally, it will extend accredited investor status to persons who the SEC determines have a demonstrable education or job experience to qualify as having professional subject matter knowledge related to that investment.

In other words, the expansion of the accredited definition will enhance small companies’ ability to raise capital and to grow by increasing the pool of potential investors, while at the same time increase investment opportunities for more Americans. In fact, allowing more individuals to invest in both public and private companies could ultimately have the effect of decreasing the risk in these portfolios themselves.

Finally, as SEC Commissioner Mike Piwowar pointed out in a speech last year:

“By holding a diversified portfolio of assets, investors reap the benefits of diversification, that is, the risk of the portfolio as a whole is lower than the risk of any individual asset . . . if the correlations are low enough, the overall portfolio risk could actually decrease.”

Mr. Speaker, what that means is H.R. 2187 has a double benefit of affording American businesses more opportunities to raise capital, while actually providing hardworking Americans a greater opportunity to create wealth for themselves and their families. I ask my colleagues on both sides of the aisle to join me in supporting H.R. 2187.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me first thank the gentleman from Arizona (Mr. SCHWEIKERT) and the gentlewoman from Arizona (Ms. SINEMA) for their hard work on this bill. As was pointed out by Chairman GARRETT, all the votes in the committee were in support of the bill, except for two.

This legislation expands the definition of a “accredited investor,” a status reserved for investors who possess the sophistication and financial means necessary to invest in private, unregistered securities offerings.

Many of these thresholds have not been updated, Mr. Speaker, since 1982, and the committee determined it was past time to do so.

It is important to note that the SEC Investor Advisory Committee as well issued bipartisan recommendations, which acknowledge that the current income and net worth tests “don’t begin to measure the type or level of financial sophistication needed to evaluate the potential risks and benefits of private offerings.”

We can all agree, and a vast majority of the members of the Financial Services Committee did agree, that an updated definition is long overdue. The authors of this legislation and the sponsors, Mr. SCHWEIKERT and Ms. SINEMA, have worked to consider the risks of private offerings to ensure that investors in those offerings can understand and bear those risks.

With those comments, Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the

gentleman from Arizona (Mr. SCHWEIKERT), the sponsor of the underlying legislation, and the gentleman who has put all the time and hard work on this great bipartisan piece of legislation.

Mr. SCHWEIKERT. Mr. Speaker, I thank the chairman, and I also thank my friend, Mr. CARNEY.

This is one of those occasions where we actually get to show up here and have something that is bipartisan that we agree upon. But partially because being my piece of legislation, and something we have been working on for a while, I would like to tell a quick story of where this sort of came from conceptually.

About 4 years ago, we were doing a little townhall at that time before redistricting in Tempe, Arizona, and most of the discussion in this townhall was a discussion about the haves and have nots, and why do some people seem to be making wealth and others are not. We sort of tried to actually address it intellectually with some analysis of what are the barriers out there. You are a middle income, hardworking family, and you have some talents; what is your optionality to be able to grow into that next tier of assets, of wealth? This actually became part of that discussion, that we actually have had this barrier now for decades that say we are going to judge you on your income and your wealth and that income and wealth is your threshold that says you get to invest in something over here, not your knowledge.

There was a gentleman in the audience who stood up and said: I have got a story for you. I have a Ph.D. in electrical engineering. I work at the Intel plant in Chandler. I have some friends that started a business a year or two ago. I am an expert. I have a Ph.D. in electrical engineering and I worked with these guys for years. They started a business, and I am not allowed to invest in it because I don't meet the income and assets threshold.

That is partially what we have accomplished here. The neat thing that has gone back and forth in discussion with my Democrat friends and many of my friends on our side working the bill—it is not everything I wanted—but conceptually it is a terrific idea that income, your wealth is not the only prerequisite for your right to invest in something, that it also can be your knowledge and your talent. If we really care about everyone getting a fair chance at that American Dream, we need to do more like this where you get judged by what you know, your expertise, and not just the fact that you already have made it.

Mr. CARNEY. Mr. Speaker, I have no further requests for time.

I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New Jersey has 14½ minutes remaining.

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I thank the chairman, and Mr. CARNEY, my colleague on the distinguished minority, for this bill. I also want to thank Mr. SCHWEIKERT for his work on developing H.R. 2187, Fair Investment Opportunities for Professional Experts Act, which makes reg D offerings and private placements more effective by broadening the definition of an accredited investor to account for educational or professional expertise.

Because of significant costs and barriers to raising capital in the U.S. public markets, many of our small companies raise start-up funds or expansion funds in the private market, and many of those private market transactions are through accredited investors.

The current definition focuses only on financial status of the investor, and as a result, only wealthy individuals typically can participate in reg D offerings.

H.R. 2187 expands the accredited investor definition, recognizing that the ability to participate is not based on an asset test, but on their sophistication and knowledge.

I have been in this business before I was in Congress on and off for three decades, and I know that many of our Nation's accountants, stock brokers, venture capitalists, and engineers have money management experience or have a series 7 FINRA license, they work in money management, they work in specific kinds of industries, but they are not able to invest in private placements due to the fact that they don't meet this income or asset test.

Mr. SCHWEIKERT's bill revises these rules so that investment and finance professionals who have this kind of level of professional sophistication are now treated as accredited investors, irrespective of whether they meet an arbitrary test.

It is a matter, Mr. Speaker, of basic fairness. The government should not limit investing options to only investors they deem worthy.

Expanding the accredited investor definition will not only increase investment opportunities for more Americans, but will help us grow thousands of small and emerging markets that struggle to raise capital.

I thank the gentleman from Arizona for all of his work on this common-sense legislation. I enjoyed working with him on it.

I am proud to support this bill, and I urge my colleagues to do so.

Mr. GARRETT. Mr. Speaker, I yield myself 10 seconds to again thank Mr. CARNEY, and especially the gentleman from Arizona (Mr. SCHWEIKERT) for his work on this.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 2187, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SCHWEIKERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SEC SMALL BUSINESS ADVOCATE ACT OF 2016

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3784) to amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3784

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “SEC Small Business Advocate Act of 2016”.

SEC. 2. ESTABLISHMENT OF OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION AND SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.

(a) OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following:

“(j) OFFICE OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—

“(1) OFFICE ESTABLISHED.—There is established within the Commission the Office of the Advocate for Small Business Capital Formation (hereafter in this subsection referred to as the ‘Office’).

“(2) ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—

“(A) IN GENERAL.—The head of the Office shall be the Advocate for Small Business Capital Formation, who shall—

“(i) report directly to the Commission; and

“(ii) be appointed by the Commission, from among individuals having experience in advocating for the interests of small businesses and encouraging small business capital formation.

“(B) COMPENSATION.—The annual rate of pay for the Advocate for Small Business Capital Formation shall be equal to the highest rate of annual pay for other senior executives who report directly to the Commission.

“(C) NO CURRENT EMPLOYEE OF THE COMMISSION.—An individual may not be appointed as the Advocate for Small Business Capital Formation if the individual is currently employed by the Commission.

“(3) STAFF OF OFFICE.—The Advocate for Small Business Capital Formation, after

consultation with the Commission, may retain or employ independent counsel, research staff, and service staff, as the Advocate for Small Business Capital Formation determines to be necessary to carry out the functions of the Office.

“(4) FUNCTIONS OF THE ADVOCATE FOR SMALL BUSINESS CAPITAL FORMATION.—The Advocate for Small Business Capital Formation shall—

“(A) assist small businesses and small business investors in resolving significant problems such businesses and investors may have with the Commission or with self-regulatory organizations;

“(B) identify areas in which small businesses and small business investors would benefit from changes in the regulations of the Commission or the rules of self-regulatory organizations;

“(C) identify problems that small businesses have with securing access to capital, including any unique challenges to minority-owned and women-owned small businesses;

“(D) analyze the potential impact on small businesses and small business investors of—

“(i) proposed regulations of the Commission that are likely to have a significant economic impact on small businesses and small business capital formation; and

“(ii) proposed rules that are likely to have a significant economic impact on small businesses and small business capital formation of self-regulatory organizations registered under this title;

“(E) conduct outreach to small businesses and small business investors, including through regional roundtables, in order to solicit views on relevant capital formation issues;

“(F) to the extent practicable, propose to the Commission changes in the regulations or orders of the Commission and to Congress any legislative, administrative, or personnel changes that may be appropriate to mitigate problems identified under this paragraph and to promote the interests of small businesses and small business investors;

“(G) consult with the Investor Advocate on proposed recommendations made under subparagraph (F); and

“(H) advise the Investor Advocate on issues related to small businesses and small business investors.

“(5) ACCESS TO DOCUMENTS.—The Commission shall ensure that the Advocate for Small Business Capital Formation has full access to the documents and information of the Commission and any self-regulatory organization, as necessary to carry out the functions of the Office.

“(6) ANNUAL REPORT ON ACTIVITIES.—

“(A) IN GENERAL.—Not later than December 31 of each year after 2015, the Advocate for Small Business Capital Formation shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the activities of the Advocate for Small Business Capital Formation during the immediately preceding fiscal year.

“(B) CONTENTS.—Each report required under subparagraph (A) shall include—

“(i) appropriate statistical information and full and substantive analysis;

“(ii) information on steps that the Advocate for Small Business Capital Formation has taken during the reporting period to improve small business services and the responsiveness of the Commission and self-regulatory organizations to small business and small business investor concerns;

“(iii) a summary of the most serious issues encountered by small businesses and small

business investors, including any unique issues encountered by minority-owned and women-owned small businesses and their investors, during the reporting period;

“(iv) an inventory of the items summarized under clause (iii) (including items summarized under such clause for any prior reporting period on which no action has been taken or that have not been resolved to the satisfaction of the Advocate for Small Business Capital Formation as of the beginning of the reporting period covered by the report) that includes—

“(I) identification of any action taken by the Commission or the self-regulatory organization and the result of such action;

“(II) the length of time that each item has remained on such inventory; and

“(III) for items on which no action has been taken, the reasons for inaction, and an identification of any official who is responsible for such action;

“(v) recommendations for such changes to the regulations, guidance and orders of the Commission and such legislative actions as may be appropriate to resolve problems with the Commission and self-regulatory organizations encountered by small businesses and small business investors and to encourage small business capital formation; and

“(vi) any other information, as determined appropriate by the Advocate for Small Business Capital Formation.

“(C) CONFIDENTIALITY.—No report required by subparagraph (A) may contain confidential information.

“(D) INDEPENDENCE.—Each report required under subparagraph (A) shall be provided directly to the committees of Congress listed in such subparagraph without any prior review or comment from the Commission, any commissioner, any other officer or employee of the Commission, or the Office of Management and Budget.

“(7) REGULATIONS.—The Commission shall establish procedures requiring a formal response to all recommendations submitted to the Commission by the Advocate for Small Business Capital Formation, not later than 3 months after the date of such submission.

“(8) GOVERNMENT-BUSINESS FORUM ON SMALL BUSINESS CAPITAL FORMATION.—The Advocate for Small Business Capital Formation shall be responsible for planning, organizing, and executing the annual Government-Business Forum on Small Business Capital Formation described in section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c–1).

“(9) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as replacing or reducing the responsibilities of the Investor Advocate with respect to small business investors.”.

(b) SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.—Title I of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by adding at the end the following:

“SEC. 40. SMALL BUSINESS CAPITAL FORMATION ADVISORY COMMITTEE.

“(a) ESTABLISHMENT AND PURPOSE.—

“(1) ESTABLISHMENT.—There is established within the Commission the Small Business Capital Formation Advisory Committee (hereafter in this section referred to as the ‘Committee’).

“(2) FUNCTIONS.—

“(A) IN GENERAL.—The Committee shall provide the Commission with advice on the Commission’s rules, regulations, and policies with regard to the Commission’s mission of protecting investors, maintaining fair, orderly, and efficient markets, and facilitating

capital formation, as such rules, regulations, and policies relate to—

“(i) capital raising by emerging, privately held small businesses (‘emerging companies’) and publicly traded companies with less than \$250,000,000 in public market capitalization (‘smaller public companies’) through securities offerings, including private and limited offerings and initial and other public offerings;

“(ii) trading in the securities of emerging companies and smaller public companies; and

“(iii) public reporting and corporate governance requirements of emerging companies and smaller public companies.

“(B) LIMITATION.—The Committee shall not provide any advice with respect to any policies, practices, actions, or decisions concerning the Commission’s enforcement program.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The members of the Committee shall be—

“(A) the Advocate for Small Business Capital Formation;

“(B) not fewer than 10, and not more than 20, members appointed by the Commission, from among individuals—

“(i) who represent—

“(I) emerging companies engaging in private and limited securities offerings or considering initial public offerings (‘IPO’) (including the companies’ officers and directors);

“(II) the professional advisors of such companies (including attorneys, accountants, investment bankers, and financial advisors); and

“(III) the investors in such companies (including angel investors, venture capital funds, and family offices);

“(ii) who are officers or directors of minority-owned small businesses or women-owned small businesses;

“(iii) who represent—

“(I) smaller public companies (including the companies’ officers and directors);

“(II) the professional advisors of such companies (including attorneys, auditors, underwriters, and financial advisors); and

“(III) the pre-IPO and post-IPO investors in such companies (both institutional, such as venture capital funds, and individual, such as angel investors); and

“(iv) who represent participants in the marketplace for the securities of emerging companies and smaller public companies, such as securities exchanges, alternative trading systems, analysts, information processors, and transfer agents; and

“(C) 3 non-voting members—

“(i) 1 of whom shall be appointed by the Investor Advocate;

“(ii) 1 of whom shall be appointed by the North American Securities Administrators Association; and

“(iii) 1 of whom shall be appointed by the Administrator of the Small Business Administration.

“(2) TERM.—Each member of the Committee appointed under subparagraph (B), (C)(ii), or (C)(iii) of paragraph (1) shall serve for a term of 4 years.

“(3) MEMBERS NOT COMMISSION EMPLOYEES.—Members appointed under subparagraph (B), (C)(ii), or (C)(iii) of paragraph (1) shall not be treated as employees or agents of the Commission solely because of membership on the Committee.

“(c) CHAIRMAN; VICE CHAIRMAN; SECRETARY; ASSISTANT SECRETARY.—

“(1) IN GENERAL.—The members of the Committee shall elect, from among the members of the Committee—

“(A) a chairman;
 “(B) a vice chairman;
 “(C) a secretary; and
 “(D) an assistant secretary.

“(2) TERM.—Each member elected under paragraph (1) shall serve for a term of 3 years in the capacity for which the member was elected under paragraph (1).

“(d) MEETINGS.—

“(1) FREQUENCY OF MEETINGS.—The Committee shall meet—

“(A) not less frequently than four times annually, at the call of the chairman of the Committee; and

“(B) from time to time, at the call of the Commission.

“(2) NOTICE.—The chairman of the Committee shall give the members of the Committee written notice of each meeting, not later than 2 weeks before the date of the meeting.

“(e) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Committee who is not a full-time employee of the United States shall—

“(1) be entitled to receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Committee; and

“(2) while away from the home or regular place of business of the member in the performance of services for the Committee, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

“(f) STAFF.—The Commission shall make available to the Committee such staff as the chairman of the Committee determines are necessary to carry out this section.

“(g) REVIEW BY COMMISSION.—The Commission shall—

“(1) review the findings and recommendations of the Committee; and

“(2) each time the Committee submits a finding or recommendation to the Commission, promptly issue a public statement—

“(A) assessing the finding or recommendation of the Committee; and

“(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.

“(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Committee and its activities.”.

(c) ANNUAL GOVERNMENT-BUSINESS FORUM ON SMALL BUSINESS CAPITAL FORMATION.—Section 503(a) of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c-1(a)) is amended by inserting “(acting through the Office of the Advocate for Small Business Capital Formation and in consultation with the Small Business Capital Formation Advisory Committee)” after “Securities and Exchange Commission”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentleman from Delaware (Mr. CARNEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include any extraneous material with regard to this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

□ 1530

Mr. GARRETT. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3784, the SEC Small Business Advocate Act.

I would like to thank the gentleman from Delaware (Mr. CARNEY) and the gentleman from Wisconsin (Mr. DUFFY) of the Financial Services Committee, as well as the gentleman from Florida (Mr. CRENSHAW) and the gentleman from Illinois (Mr. QUIGLEY) of the Appropriations Committee, for working together in a bipartisan manner on this bill. In doing so, it has resulted in the Financial Services Committee's favorably reporting H.R. 3784 out of committee by a unanimous vote.

Mr. Speaker, the SEC has a three-part mission: to protect investors, to maintain fair and orderly and efficient markets, and to also facilitate capital formation. Yet, if you think about it, the SEC has really given a short shrift to the capital formation part of its statutory mandate, and it is to the detriment of entrepreneurs and to the startup ventures.

Although small companies are at the proverbial forefront of technological innovation and also of job creation, they often face significant obstacles in obtaining the necessary capital and funding. These obstacles, if you will, are often attributable to the proportionally large burden that security regulations place on them. They are often written for large public companies, and they are placed then on small companies which then seek to go public.

By failing to fulfill this important part of its mandated mission, the SEC is basically hurting the small companies. It is impeding economic growth, and it is basically hindering job creation, which is so desperately needed in this country. When the SEC has failed to advance its mission in facilitating capital formation, Congress has stepped into this vacuum, most notably through the enactment of the JOBS Act back in 2012. You see, while the JOBS Act has made it easier for these companies to go public, the JOBS Act alone has not been enough. It has not been enough to entirely overcome all of the obstacles that the companies face in trying to go public.

So now we have H.R. 3784. It creates the SEC small business capital formation advocate, and he will provide an independent voice for small business capital formation on par with the SEC's investor advocate. This new advocate will support the interests of small businesses and provide guidance to the SEC on advancing a post-JOBS Act capital formation agenda, some-

thing that, unfortunately, if you look at the track record, the SEC has failed to do for years. The small business advocate will support the interests not only of entrepreneurs and of job creators, but they will do so also on behalf of investors.

Finally, it is clear that fundamental change is needed within the SEC in order to get this agency to focus on the capital formation mandate. H.R. 3784 will provide a permanent voice for small businesses at the SEC, and it will help them ensure that the SEC does not neglect, anymore, this important mandate in the future.

Again, I ask my colleagues to support H.R. 3784 in a bipartisan manner, just as was done in committee.

Mr. Speaker, I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield myself such time as I may consume.

I begin by thanking all of those who have worked with us to introduce and to improve this legislation. I especially want to thank my colleague and friend, the gentleman from Wisconsin (Mr. DUFFY), the gentleman from Illinois (Mr. QUIGLEY), who will speak in a minute, the gentleman from Florida (Mr. CRENSHAW), and all of our other cosponsors, as well as the SEC, for their work on this bill. Due to their help and the bipartisan work on our committee, this legislation received a unanimous vote out of committee, as the gentleman from New Jersey pointed out.

Mr. Speaker, small businesses are the cornerstones of our communities, and they are a major driver of American economic job growth. In fact, small businesses create over 60 percent of new jobs in the United States, which is the main point here. If we want to help businesses create jobs, we need to help small businesses.

From one's employment to one's shopping needs, every American relies on small business in some way or another. Given the crucial part they play in our economy, ensuring their success just makes common sense. That is what this bill is—just a commonsense, bipartisan bill to help small businesses across our great country.

Despite the important role that small businesses have in driving economic growth and job creation, they can be underrepresented in conversations about regulations affecting them at every level of government, and their concerns are not always heard. This doesn't just harm small businesses. It can also adversely impact investors and the public at large.

The SEC has done an admirable job in supporting and in advancing the priorities of small businesses. This bill, the SEC Small Business Advocate Act, simply gives the SEC more tools to understand their needs and concerns. The SEC Small Business Advocate Act mirrors provisions found in the Dodd-

Frank bill, which created the current Office of the Investor Advocate.

This advocate would open clear avenues of communication to SEC leadership on issues affecting small-business owners, investors, and stakeholders. It would also help continue the reforms and progress that Congress made in passing the JOBS Act, which the gentleman from New Jersey mentioned, including with issues such as equity crowdfunding and ideas for venture exchanges and changes to tick size, which the gentleman from Wisconsin and I have worked on over the past year.

With the resources provided in H.R. 3784, the SEC will have the ability to pursue meaningful regulatory improvements that could significantly improve outcomes for small businesses and help them with their access to capital, which is needed to grow and create jobs.

I am very encouraged that the House has chosen to take up this bipartisan piece of legislation today and that we are moving forward to ensure a voice for small business at the SEC.

Again, I thank the SEC for its help on this issue and a special thanks to my friend and colleague, Congressman DUFFY.

I urge all of my colleagues, as the members of the Financial Services Committee have, to vote "yes" on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, given that small businesses have accounted for over 60 percent of the net new jobs created since the end of the recession, we should be doing more to simplify regulatory compliance so that small businesses can direct their resources to what they do best: innovating and growing our economy.

Small businesses and small business investors were not the cause of the financial crisis and do not pose a significant risk to the rest of the economy. Yet, regulators like the SEC, which oversee the financial markets, too often craft regulations by which the costs to small businesses far outweigh the minimal benefits they may have on our economy. We need our regulators to take the concerns of small businesses seriously and to make small business growth a top priority.

That is why I was proud to coauthor the SEC Small Business Advocate Act, which will establish an Office of the Advocate for Small Business Capital Formation within the SEC. This office will open a clear avenue of communication to the SEC leadership on issues affecting small businesses by maintaining a designated representative to advocate on their needs.

This advocate will be responsible for helping small businesses resolve problems with the SEC, analyzing the potential impact of proposed rules and regulations on small businesses, and reaching out to small businesses to understand issues related to capital formation. In addition, this bill formalizes the Advisory Committee on Small and Emerging Companies, which provides members of the small business community with another mechanism to communicate their concerns with the SEC. This legislation will not only improve the regulatory process for small-business owners, but also for the everyday investors and consumers who depend on them.

This legislation has widespread support from representatives of the business community, and it passed unanimously out of committee. I urge my colleagues to empower small-business owners and entrepreneurs and support this commonsense, bipartisan legislation.

Mr. GARRETT. Mr. Speaker, I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield myself the balance of my time.

I close by again asking my colleagues to follow the example of the Financial Services Committee and vote unanimously to support this bill, which will help small businesses to access capital and to get the advice they need from the SEC.

I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I yield myself the balance of my time.

Again, I commend the gentleman for his work on this legislation and for the bipartisan nature of this and of most of the bills, actually, that will be coming to the floor today that were passed out of committee in a bipartisan manner.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 3784, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT ACT

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4168) to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Capital Formation Enhancement Act".

SEC. 2. ANNUAL REVIEW OF GOVERNMENT-BUSINESS FORUM ON CAPITAL FORMATION.

Section 503 of the Small Business Investment Incentive Act of 1980 (15 U.S.C. 80c-1) is amended by adding at the end the following:

"(e) The Commission shall—

"(1) review the findings and recommendations of the forum; and

"(2) each time the forum submits a finding or recommendation to the Commission, promptly issue a public statement—

"(A) assessing the finding or recommendation of the forum; and

"(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentleman from Delaware (Mr. CARNEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GARRETT. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4168, the Small Business Capital Formation Enhancement Act.

I would like to thank the gentleman from Maine (Mr. POLIQUIN) and the gentleman from California (Mr. VARGAS) for their bipartisan work on this bill. I go off script here just to say thank you very much to Mr. POLIQUIN, who has been a very active member on this committee from the very beginning and has been very active in making sure this legislation has come to the floor today. I thank the gentleman.

As I said before, this bill came out of committee, due much in part to the gentleman's work, with an overwhelming bipartisan vote. I believe it was 55-1; so the gentleman just has that one to work on for his next piece of legislation that comes out of committee.

Mr. Speaker, Congress created the SEC Government-Business Forum on Small Business Capital Formation—to do what?—to provide a platform to identify unnecessary impediments to small business capital formation and to find ways to eliminate or to reduce them. Each forum seeks to develop recommendations for government and private action to improve and provide the environment for small business capital

formation, thereby providing small businesses the opportunity—to do what?—to grow economically and, most importantly, as we have been talking all day, to create more jobs.

Unfortunately, the SEC's default position over these several years has been to simultaneously and summarily ignore many of the recommendations made by the various forum participants, which include small businesses, venture capitalists, trade association representatives, accountants, academics, and other small business academics.

Despite the claims of which we hear every year from the Commission about the importance of this forum, it seems that the only time the SEC actually implements one of these capital formation agenda items that comes out of it is when Congress tells it to do so. This was certainly the case with several provisions of the JOBS Act, many of which, as one will recall, were original recommendations from that very same forum. I will give two examples. There was the crowdfunding and the Regulation A-Plus provisions of the JOBS Act. They basically mirrored the forum's recommendations years earlier.

The Small Business Capital Formation Enhancement Act, which is before us today, provides an answer. It basically provides a simple solution to making the SEC more responsive. It requires the SEC to respond publicly and in writing to each forum recommendation and to simply explain whether it plans to take action on that item or not.

It really shouldn't take an act of Congress for the SEC to fulfill its basic capital formation mission. Quite honestly, it shouldn't take an act of Congress for the SEC to simply respond in writing to any of the forum recommendations. Unfortunately, this is the position we find ourselves in today; so we have H.R. 4168, which is the gentleman from Maine's work, which will ensure that the SEC no longer ignores these recommendations and will be able to help fulfill its statutory mission to facilitate capital formation in this country.

Mr. Speaker, I reserve the balance of my time.

□ 1545

Mr. CARNEY. Mr. Speaker, I yield myself such time as I may consume.

I would like to add my thanks and congratulations as well to the gentleman from Maine (Mr. POLIQUIN) and the gentleman from California (Mr. VARGAS) for their bipartisan work on this bill. This legislation, as was pointed out, passed out of the Financial Services Committee with all but one vote.

The SEC's Government-Business Forum on Capital Formation brings together academics, government officials, legal experts, and business stake-

holders to make recommendations to improve and facilitate small-business capital formation.

By directly addressing the recommendations of the forum, the SEC will help refine ideas and provide future forums with opportunities to address the SEC's views or concerns, ultimately leading to a more constructive and valuable process.

This legislation will enhance the role of the forum and assist the SEC to focus on the capital needs of small businesses, which, as we have discussed several times today, are the main drivers of job creation in our economy, while simultaneously encouraging participants to substantively engage in the forum.

Mr. Speaker, I ask my colleagues to support this bipartisan piece of legislation and thank the sponsors for their hard work.

I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, I have already given him compliments, as many as I am going to give on the floor. I yield such time as he may consume to the gentleman from Maine (Mr. POLIQUIN) because he has been an outstanding member of the committee and is the sponsor of the bill.

Mr. POLIQUIN. Mr. Speaker, I thank Chairman GARRETT for bringing this very important bill to the floor. I also want to extend my congratulations to Congressman JUAN VARGAS of California. He has done a terrific job being the lead cosponsor of the Small Business Capital Formation Enhancement Act.

All of us in this Chamber who also are small-business owners understand how important it is to have access to money, to funds, to capital, in order for our businesses to be successful, to grow, and ultimately to hire more people. This is true in Maine's Second District that I represent and also across the country.

It is all about jobs. Unless your business grows and expands, then you don't have jobs. So it is very, very important to have that key ingredient to small-business growth, which is access to capital or to money.

Now, if you are one of the greatest papermakers in the world—and we have a lot, Mr. Speaker, up in Maine's Second District—and you work for a paper company up in Madawaska, Maine, or Madison, Maine, you still depend on your company—it might not be a small company—to make sure you have access to the stock and bond markets, to be able to borrow the funds they need to expand and be successful, and to make sure we can secure your job.

Now, if you are a small-business owner, which really dominates the landscape in Maine and across the country—let's say you are a boatbuilder in Ellsworth, Maine—you still need access to capital in order to grow. If you are a biotech startup com-

pany in Lewiston, Maine, the same holds true.

You know, 80 percent of the new jobs created in our country today are not large companies, but they are small companies. That is where the problem lies as far as access to funding is concerned. I am not worried as much about the big companies having access to the capital markets, but I do worry about our small businesses.

Now, as both Mr. CARNEY and Mr. GARRETT have mentioned, during each of the past 35 years, the Securities and Exchange Commission, by law, has been required and has put together an annual government-business forum.

During this annual meeting, they get the most experienced professionals they can find—businessowners, SEC attorneys, private sector attorneys—to review the current laws we have on the books today to make sure they are not impeding our small businesses' ability to borrow money and have access to capital in other ways.

Now, these forums also are a tremendous incubator of coming up with new ideas to make sure our laws evolve. Our capital markets, Mr. Speaker, in our economy are very dynamic. Businesses grow and they change, and new products are offered and sold.

So there are new needs for capital going forward. We have to make sure that the actual laws that are the underpinning of our capital markets, the underpinning of our economy, also evolve. So these annual business-government forums are very important venues for this to happen.

Now, as has been said here earlier, unfortunately, the SEC has no legal requirement to make sure all the terrific recommendations that come out of these annual forums are acted upon or not. In fact, it is very common for the SEC not to comment at all on all of the work done to bring these new ideas to the forefront.

So my legislation, I am proud to say, comes up with a very commonsense fix. It simply requires the SEC to make a public statement on what it is going to do to embrace these recommended changes or not. It is very simple. Otherwise, these ideas, Mr. Speaker, sit on the shelf.

Now, my bill also has the ancillary benefit of making sure that each new forum each year doesn't repeat what we just did the year before. By having a benchmark every year, by addressing the recommendations that come out of these meetings, then we are able to spring forward and move down the path where we left off the year before.

I want to thank the Speaker and the chairman very much for bringing this important bill to the floor. I am delighted to work with Mr. VARGAS on this. He has done one heck of a job.

It is so important for everybody in this Chamber to please stand up for small businesses across the country, to

make sure they have access to the money they need to grow, be successful, and hire more workers. It is all about jobs.

Mr. CARNEY. Mr. Speaker, I thank and congratulate the sponsor and cosponsor again. I have no further requests for time.

I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER of Minnesota. Mr. Speaker, small businesses are critical to job creation and sustainable economic growth in America.

In my home State of Minnesota, 1.2 million workers—nearly half of our State's private workforce—is employed by a small business. When one of the more than 500,000 small businesses in Minnesota contacts our office, it is most often about how well-intended, yet short-sighted, regulations are inhibiting their ability to utilize the financial products they rely on.

In order to ensure the creation and growth of small business, it is imperative that we do our job in Washington to make certain they have access to the capital they need.

Since 1980, the Securities and Exchange Commission has been required to conduct a government-business forum each year to present and discuss ways to improve small business capital formation. However, the SEC is under no legal obligation, as we have heard several times today, to respond to any of the findings or recommendations that come out of these forums.

That is why the Small Business Capital Formation Enhancement Act is so important. The proposed legislation will require the SEC to respond to the findings and recommendations made at these annual government-business forums. This will ensure that the ideas formulated at these government-business forums will be carefully considered at the SEC and possibly even implemented.

I want to thank Representatives BRUCE POLIQUIN and JUAN VARGAS for their hard work on behalf of consumers and small business.

I urge my colleagues to support the Small Business Capital Formation Enhancement Act.

Mr. GARRETT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 4168.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POLIQUIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this motion will be postponed.

TREATMENT OF CERTAIN MUNICIPAL OBLIGATIONS

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2209) to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF CERTAIN MUNICIPAL OBLIGATIONS.

(a) IN GENERAL.—Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended—

(1) by moving subsection (z) so that it appears after subsection (y); and

(2) by adding at the end the following:

“(aa) TREATMENT OF CERTAIN MUNICIPAL OBLIGATIONS.—

“(1) IN GENERAL.—For purposes of the final rule titled ‘Liquidity Coverage Ratio: Liquidity Risk Measurement Standards; Final Rule’ (79 Fed. Reg. 61439; published October 10, 2014) (the ‘Final Rule’) and any other regulation which incorporates a definition of the term ‘high-quality liquid asset’, the appropriate Federal banking agencies shall treat a municipal obligation that is both liquid and readily marketable (as defined in the Final Rule) and investment grade as of the calculation date as a high-quality liquid asset that is a level 2A liquid asset.

“(2) DEFINITIONS.—For purposes of this subsection:

“(A) INVESTMENT GRADE.—With respect to an obligation, the term ‘investment grade’ has the meaning given that term under part 1 of title 12, Code of Federal Regulations.

“(B) MUNICIPAL OBLIGATION.—The term ‘municipal obligation’ means an obligation of a State or any political subdivision thereof, or any agency or instrumentality of a State or any political subdivision thereof.”.

(b) AMENDMENT TO LIQUIDITY COVERAGE RATIO REGULATIONS.—Not later than the end of the 3-month period beginning on the date of the enactment of this Act, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, and the Comptroller of the Currency shall amend the final rule titled ‘Liquidity Coverage Ratio: Liquidity Risk Measurement Standards; Final Rule’ (79 Fed. Reg. 61439; published October 10, 2014) to implement the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentleman from Delaware (Mr. CARNEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GARRETT. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2209. I will begin by thanking the gentleman from Indiana (Mr. MESSER) for all of his hard work on this legislation and his leadership as well, with pulling it through and getting it done right here at the beginning of this legislative year, and being a leader on this bill as well.

On the other side of the aisle, I thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for working together with Mr. MESSER in a very bipartisan manner, which, as we have noted, has been on each and every one of the bills that we have presented today in that manner.

Their efforts culminated in the committee, favorably reporting this bill by a vote of 56 to 1. So, as I have said to Mr. POLIQUIN before, you have only one Member to go to get unanimous consent going forward.

Mr. Speaker, given the problems posed by insufficient liquidity during the past financial crisis, Federal regulators issued a final rule back in 2014 to implement something called liquidity coverage ratio, or LCR. That was being done consistent with something called the Basel Committee on Banking Supervision's standards.

The LCR was established on the premise that banks should have enough cash or assets that would be liquid enough when they needed them—and that would be defined as high-quality liquid assets, or HQLAs—and that we would have to have them on hand for 30 days if their usual sources of short-term funding would simply disappear.

It goes without saying, when you think about this, that anytime that the government steps in, or anytime you have a government agency favoring this type of asset over this type of asset through some sort of regulation in which they did it, you are going to end up with what? You are going to end up with basically unintended and undesirable consequences. That is what has happened here.

Not surprisingly, critics of the LCR have complained that the stock of HQLAs is defined way too narrowly, which could adversely impact the asset classes that we are talking about.

So investment-grade municipal securities, on the other hand, if you look at them closely—more than we could do right here on the floor right now—they basically share the same liquidity characteristics of other HQLAs. And that is what Mr. MESSER basically is trying to address with this great piece of legislation.

Other HQLAs, such as corporate bonds and equity securities, have the basic same characteristic here as far as liquidity goes. Yet, the prudential regulators, what do they do? They put them in one pile and excluded them from the final LCR.

While the Federal Reserve has acknowledged this problem and they acknowledge the fault in excluding municipal securities from this definition of HQLAs, the Federal Reserve's rule would only apply to the bank holding company's municipal securities and not the national banks, where more of these municipal securities are held.

Paul Kupiec, who is over at the American Enterprise Institute, in testimony before our committee back in October of last year on the bill, said it "is appropriate and consistent with the public interest. There is no reason why high quality liquid bonds issued by the U.S. States and municipalities should receive a lower standing than foreign sovereign debt with equivalent (or even lesser) credit quality and market liquidity."

□ 1600

Think about that for a minute. We are basically, under the current situation, treating our municipalities and U.S. securities at a lower standard than foreign such securities, and we know how they have prevailed in the last year or so.

With that in mind, I ask my colleagues to join me in supporting H.R. 2209, and the hard work of Mr. MESSER, as well, in this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership.

Mr. Speaker, I rise in strong support today for H.R. 2209. In sum, this bill levels the playing field for cities and States, saves cities and States hundreds of millions of dollars, and does it in a way that maintains the safety and soundness of our banking system.

I would first like to thank the gentleman from Indiana (Mr. MESSER), my friend, for his leadership on this issue. It has been a pleasure to work with him.

When we introduced this bill, we worked hard to have balanced, bipartisan support and to have broad support on both sides of the aisle. We introduced it with a coalition of five Republicans and five Democrats. On the Democratic side, we were joined by Mr. CAPUANO, Mr. CLEAVER, Ms. MOORE, and Ms. SEWELL of Alabama. From the Republican side, we had Mr. KING of New York, Mr. NEUGEBAUER, Mr. STIVERS, and Mr. HULTGREN.

This was truly a very strong, bipartisan bill. I would like to thank all of our colleagues who joined with us. It passed out of the Committee on Financial Services by a strong vote of 56-1, which shows that we had overwhelming bipartisan support.

The purpose of this bill is to level the playing field for cities and States by

requiring the banking regulators to treat certain municipal bonds as liquid assets, just like corporate bonds, stocks, and other assets.

As a former member of the City Council of New York, I know firsthand the importance of municipal bonds. They allow our States and cities to finance infrastructure, build schools, and pave roads. We have multimillions in municipal bonds in New York that is building the Second Avenue subway, revamping our water system, and helping in so many ways.

Unfortunately, in the banking regulators' liquidity rule, which requires banks to hold a minimum amount of liquid assets, they chose to allow corporate bonds to qualify as liquid assets but completely excluded municipal bonds, even municipal bonds that are just as liquid as corporate bonds. Even worse, they treat foreign securities differently than U.S. securities, municipal bonds.

This absolutely makes no sense. It effectively discriminates against municipal bonds. A municipal bond that is just as liquid as the most liquid corporate bond would not be counted as a liquid asset under the rule just because it was issued by a city or State rather than a corporate entity. This is not fair.

The Fed has already recognized this error. It is already amending its rule to allow certain municipal bonds to count as liquid assets. They should be praised for taking a second look at the data and recognizing that some municipal bonds are, in fact, highly liquid. But the OCC, which regulates national banks, is still refusing to amend its rule and insists on favoring corporations over cities and States. Mr. MESSER and I introduced this bill because this kind of arbitrary discrimination against cities and States cannot be allowed to continue.

A recent analysis by the investment bank Piper Jaffray estimated that our bill would lower borrowing costs for cities and States by 15 basis points, which would save cities and States hundreds of millions of dollars per year. That real-world impact is why this bill is so very, very important.

Now, it is important to note that this bill does not undermine safety and soundness. It does not require regulators to treat bonds that are illiquid as liquid. It simply says that municipal bonds should be afforded the same opportunity as corporate bonds.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CARNEY. Mr. Speaker, I yield such additional time as she may consume to the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this is an important bill. It will help the economy. It will help our cities and States. It levels the playing field for cities and States.

It saves our cities and States, literally, hundreds of millions of dollars, and it maintains the safety and soundness of our banking system. That is why it had such a strong, overwhelming bipartisan vote in committee.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. MESSER), the sponsor of this piece of legislation.

Mr. MESSER. Mr. Speaker, I thank the chairman, Mr. CARNEY, and Mrs. CAROLYN B. MALONEY of New York for their leadership on this bill.

What would you think if I told you that the Federal Government bureaucracy is favoring foreign bonds and corporate bonds over identically valued U.S. municipal bonds? It wouldn't make any sense.

Our Federal bureaucracy shouldn't create rules that favor loans to foreign countries over loans to our own local governments and schools, yet that is exactly what is happening under our broken Federal regulatory scheme.

Today's bill, H.R. 2209, would correct this problem. I am proud to have coauthored this bipartisan bill with Congresswoman MALONEY. I also want to thank my good friends—Mr. POLIQUIN, Mr. PEARCE, the chairman, and others—who helped us in working on this bill. I ask my colleagues for their support.

It is really just common sense. U.S. municipal bonds are among the safest investments in the entire world. According to Municipal Market Analytics, over the last 5 years—a period, by the way, during which State and local governments struggled to recover from the recession—high-quality State and local government obligation defaults were only four one thousandths of 1 percent. Let me repeat that. The municipal bond default rate was four one thousandths of 1 percent during the recession. That is a pretty safe investment.

Public entities depend on this financing, too. State and local governments, school corporations, and public utility companies across the U.S. sell municipal bonds to finance the infrastructure and services that we all depend on. It is low-interest municipal bonds that finance new schools, hospitals, bridges, and roads, and pay for the repair of outdated and failing infrastructure. The needs are great.

In fact, according to the Society of Civil Engineers, State and local governments need \$3.6 trillion to meet their infrastructure needs over the next 5 years. That is what is so disappointing about recent regulatory rules from the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and the Federal Reserve that will arbitrarily increase the costs for local governments and schools to borrow.

Specifically, as others have described, in 2014, Federal banking regulators issued a rule requiring banks to have enough high-quality liquid assets, HQLAs, to cover their cash outflows for 30 days in case of a future financial meltdown. For the most part, liquidity set-asides protect the consumer, and they make sense.

The problem is, in the same rule, they said that investment-grade U.S. municipal bonds don't count as HQLAs, while recognizing German subsovereign municipal debt and many corporate bonds as high-quality liquid assets that do qualify. That doesn't make any sense at all.

By excluding all American municipal securities from HQLA eligibility, financial institutions are discouraged from holding them. The result is increased interest rates and increased borrowing costs for State and local governments and the taxpayers that pay them.

This has a real impact on families when schools can no longer accommodate enrollment and local communities when bridges crumble or roads fail because repair and new construction simply isn't financially feasible. This is particularly troubling because times are tough and budgets are tight across America.

Although the Federal Reserve continues to review this issue, so far the Fed's response has been partial and inadequate. The OCC and the FDIC have not addressed the issue at all. Meanwhile, our local governments remain strapped for cash and cannot wait for a bureaucratic solution.

Our commonsense bill, H.R. 2209, fixes this arbitrary decision by Federal regulators. The bill directs the FDIC, the Federal Reserve System, and the OCC to classify investment-grade municipal securities as level 2A, high-quality liquid assets.

Put simply, our bill requires the Federal Government to recognize the obvious: America's municipal bonds are some of the safest investments in the world, and we shouldn't have rules that give preferential treatment to corporate bonds or other countries' bonds over our own.

I want to thank Congresswoman MALONEY for working with me on this commonsense legislation.

I urge all my colleagues to support this bipartisan bill.

For those who work in the bond world, this bill ensures that a 2A asset is treated as a 2A asset and prevents federal regulators from arbitrarily under-valuing them.

Lastly, let me be clear, this bill doesn't give special treatment to our local governments bonds.

State and local governments remain required to satisfy their debts and live with their bond ratings.

This bill is, however, a comprehensive solution that restores fairness and recognizes investment grade municipal bonds for exactly

what they are: safe, reliable investments that allow local governments to serve citizens and their families.

Once again, I want to thank Congresswoman MALONEY for working with me on this common sense legislation.

I urge all of my colleagues to support this bipartisan bill.

Mr. CARNEY. Mr. Speaker, I have no further requests for time. I would just close by thanking the gentleman from Indiana (Mr. MESSER) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for their work on this commonsense piece of legislation that will help towns, municipalities, and States across our country.

Mr. Speaker, I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I have two additional speakers.

I yield such time as he may consume to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, again, I want to salute the gentleman from Indiana (Mr. MESSER) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for the great work that they have done on this bill. It is very important.

Mr. Speaker, I represent Maine's Second District, which is the west, central, northern, and down east parts of our great State. Now, when you drive in the State of Maine over some of our roads this winter, you see frost heaves and potholes and everything else. If you go on some of our bridges by the coast, you see there has been a lot of corrosiveness that has taken place on those bridges because they are so close to the salt water.

Now, it is so important to make sure that our State and our local governments have the opportunity to borrow the money they need to perform these very important infrastructure repairs.

When I was State Treasurer up in Maine, we used this process to sell high-quality, liquid municipal bonds to investors around the world. That would allow us to receive and secure the funding we need to, in fact, repair our roads and bridges. Maybe a small town needs to improve its sewage treatment facility or build a new landfill or improve its water treatment facility. Well, these high-quality, liquid municipal bonds provide the funds to do just that.

It is my opinion that banking regulators have made a mistake, Mr. Speaker, because they include in the liquidity coverage ratio stocks and corporate bonds and other government bonds, but they have left out high-quality liquid, tax-free municipal bonds from that list of securities that will qualify for the liquidity coverage ratio.

As has been mentioned here earlier before, sir, the municipal bond market in this country is a \$3.7 trillion market. There are thousands of these bonds held in the hands of investors

around the world. It is clearly right and appropriate for these bonds to be included in this list of assets such that banks can reach their liquidity coverage ratio.

In doing that, Mr. Speaker, and in fixing this problem that Mr. MESSER and Congresswoman MALONEY have found, in passing H.R. 2209, State and local governments across the country will continue to be able to have the funds they need to repair their own bridges and roads, not just those in Maine. This will keep interest payments down for our State and local governments, saving taxpayers millions of dollars.

One of the goals of government, of course, is to show fairness and compassion for those that pay the bills, the taxpayers across America.

I am rising in support of this bill, H.R. 2209. I encourage all my colleagues in the House, Republicans and Democrats, to please do the same.

Again, I congratulate the gentleman from Indiana (Mr. MESSER) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for their great work.

□ 1615

Mr. GARRETT. Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I thank Mr. MESSER and Mrs. MALONEY for producing this balanced, bipartisan piece of legislation.

The State of New Mexico has a geographical area about the same as five Northeastern States. That area, though, has 55 million people to pay the taxes to build roads, to build infrastructure, and to build schools. In the equivalent geographical area, New Mexico has almost 2 million people to build all of those miles of roads.

Now, this is the effect of this legislation: it removes the financing mechanism that States like New Mexico use—those Western, lightly populated areas—municipal bonds to fund things like schools and roads and infrastructure. Yet the committee that decided what category these assets would fall into said that they are no good and that they are not going to count in the liquidity requirement for institutions.

What that means is \$3.7 trillion will evaporate out of that municipal bond market. That is \$3.7 trillion that would help us build infrastructure and help us create better living for everybody in the West. Yet this committee, which never visited New Mexico, appears not to have looked at the quality of assets.

Mrs. MALONEY, adequately, says it is not a question of safety and soundness. Mr. MESSER says that the default rate is four one-thousandths of 1 percent. They obviously did not look at the quality of the products. They simply said they are not going to qualify.

What that means is that financial institutions will no longer have incentive nor space under liquidity requirements to hold municipal obligations such as bonds. This is detrimental to the way of life in the West.

I would like to congratulate again Mrs. MALONEY and Mr. MESSER for bringing H.R. 2209 to us today to help be a partial cure to the problems that people from other countries have levied on us. It seems common sense; it seems useful; it seems good for the taxpayer and good for the country. Let's pass H.R. 2209.

Mr. GARRETT. Mr. Speaker, I yield myself such time as I may consume.

Again, I want to thank Members on both sides of the aisle. I thank all the sponsors of not only this legislation, but all the legislation that we have had on the floor for the last hour here.

I was just thinking as this was wrapping up about what we will see when we leave here and look in the newspaper tomorrow and see what sort of media coverage Washington will get as to what we did on our first day back.

There is always a hue and cry saying that Washington is broken, there is no bipartisanship, and they are not passing any legislation to create jobs and trying to get the economy going again. You hear about that in the media all the time. As a matter of fact, you actually hear it on the floor, with many Members coming down here saying that this House has not passed a single jobs creation bill in so many days, weeks, months, and years, or what have you.

Well, let it be known today that we worked here in a bipartisan manner, first in subcommittee, the full committee, and now here in the House. We have four pieces of legislation. I know that some of the legislation may have mind-numbing terminology and you may scratch your head when you are talking about the liquidity coverage ratios, the credited investors, LCRs, and all those sort of things. You might say: Well, what does that have to do with the job creation? What does that have to do with infrastructure creation? What does that have to do with getting a new roof on my local school or a bridge built in my town? What does that have to do with helping my neighbor actually get a job when he has been out of work for a period of time? What does that have to do with somebody in my family who is in a job right now, but no opportunity for advancement and no pay raise for a long period of time? These bills on the floor today have everything to do with all those issues.

As we pass these job creation bills in a bipartisan manner, let the word go out that we are doing exactly what the American public asked Congress to do: to work together, get it done, get the infrastructure in this country growing again, get the economy going again, and create jobs again.

That is why it is important to say thank you again to both sides of the aisle, and I encourage a "yes" vote on all four of these bills today.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 2209.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INTERNATIONAL MEGAN'S LAW TO PREVENT DEMAND FOR CHILD SEX TRAFFICKING

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 515) to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Findings.

Sec. 3. Definitions.

Sec. 4. Angel Watch Center.

Sec. 5. Notification by the United States Marshals Service.

Sec. 6. International travel.

Sec. 7. Reciprocal notifications.

Sec. 8. Unique passport identifiers for covered sex offenders.

Sec. 9. Implementation plan.

Sec. 10. Technical assistance.

Sec. 11. Authorization of appropriations.

Sec. 12. Rule of construction.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Megan Nicole Kanka, who was 7 years old, was abducted, sexually assaulted, and murdered in 1994, in the State of New Jersey by a violent predator living across the street from her home. Unbeknownst to Megan Kanka and her family, he had been convicted previously of a sex offense against a child.

(2) In 1996, Congress adopted Megan's Law (Public Law 104-145) as a means to encourage States to protect children by identifying the whereabouts of sex offenders and providing the means to monitor their activities.

(3) In 2006, Congress passed the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) to protect children and the public at large by establishing a comprehensive national system for the registration and notification to the public and law enforcement officers of convicted sex offenders.

(4) Law enforcement reports indicate that known child-sex offenders are traveling internationally.

(5) The commercial sexual exploitation of minors in child sex trafficking and pornography is a global phenomenon. The International Labour Organization has estimated that 1,800,000 children worldwide are victims of child sex trafficking and pornography each year.

(6) Child sex tourism, where an individual travels to a foreign country and engages in sexual activity with a child in that country, is a form of child exploitation and, where commercial, child sex trafficking.

SEC. 3. DEFINITIONS.

In this Act:

(1) *CENTER.*—The term "Center" means the Angel Watch Center established pursuant to section 4(a).

(2) *CONVICTED.*—The term "convicted" has the meaning given the term in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911).

(3) *COVERED SEX OFFENDER.*—Except as otherwise provided, the term "covered sex offender" means an individual who is a sex offender by reason of having been convicted of a sex offense against a minor.

(4) *DESTINATION COUNTRY.*—The term "destination country" means a destination or transit country.

(5) *INTERPOL.*—The term "INTERPOL" means the International Criminal Police Organization.

(6) *JURISDICTION.*—The term "jurisdiction" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Northern Mariana Islands;

(G) the United States Virgin Islands; and

(H) to the extent provided in, and subject to the requirements of, section 127 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16927), a Federally recognized Indian tribe.

(7) *MINOR.*—The term "minor" means an individual who has not attained the age of 18 years.

(8) *NATIONAL SEX OFFENDER REGISTRY.*—The term "National Sex Offender Registry" means the National Sex Offender Registry established by section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(9) *SEX OFFENDER UNDER SORNA.*—The term "sex offender under SORNA" has the meaning given the term "sex offender" in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911).

(10) *SEX OFFENSE AGAINST A MINOR.*—

(A) *IN GENERAL.*—The term "sex offense against a minor" means a specified offense against a minor, as defined in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911).

(B) *OTHER OFFENSES.*—The term "sex offense against a minor" includes a sex offense described in section 111(5)(A) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911(5)(A)) that is a specified offense against a minor, as defined in paragraph (7) of such section, or an attempt or conspiracy to commit such an offense.

(C) *FOREIGN CONVICTIONS; OFFENSES INVOLVING CONSENSUAL SEXUAL CONDUCT.*—The limitations contained in subparagraphs (B) and (C) of section 111(5) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911(5))

shall apply with respect to a sex offense against a minor for purposes of this Act to the same extent and in the same manner as such limitations apply with respect to a sex offense for purposes of the Adam Walsh Child Protection and Safety Act of 2006.

SEC. 4. ANGEL WATCH CENTER.

(a) **ESTABLISHMENT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish within the Child Exploitation Investigations Unit of U.S. Immigrations and Customs Enforcement a Center, to be known as the “Angel Watch Center”, to carry out the activities specified in subsection (e).

(b) INCOMING NOTIFICATION.—

(1) **IN GENERAL.**—The Center may receive incoming notifications concerning individuals seeking to enter the United States who have committed offenses of a sexual nature.

(2) **NOTIFICATION.**—Upon receiving an incoming notification under paragraph (1), the Center shall—

(A) immediately share all information received relating to the individual with the Department of Justice; and

(B) share all relevant information relating to the individual with other Federal, State, and local agencies and entities, as appropriate.

(3) **COLLABORATION.**—The Secretary of Homeland Security shall collaborate with the Attorney General to establish a process for the receipt, dissemination, and categorization of information relating to individuals and specific offenses provided herein.

(c) **LEADERSHIP.**—The Center shall be headed by the Assistant Secretary of U.S. Immigration and Customs Enforcement, in collaboration with the Commissioner of U.S. Customs and Border Protection and in consultation with the Attorney General and the Secretary of State.

(d) **MEMBERS.**—The Center shall consist of the following:

(1) The Assistant Secretary of U.S. Immigration and Customs Enforcement.

(2) The Commissioner of U.S. Customs and Border Protection.

(3) Individuals who are designated as analysts in U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection.

(4) Individuals who are designated as program managers in U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection.

(e) ACTIVITIES.—

(1) **IN GENERAL.**—In carrying out this section, the Center shall, using all relevant databases, systems and sources of information, not later than 48 hours before scheduled departure, or as soon as practicable before scheduled departure—

(A) determine if individuals traveling abroad are listed on the National Sex Offender Registry;

(B) review the United States Marshals Service’s National Sex Offender Targeting Center case management system or other system that provides access to a list of individuals who have provided advanced notice of international travel to identify any individual who meets the criteria described in subparagraph (A) and is not in a system reviewed pursuant to this subparagraph; and

(C) provide a list of individuals identified under subparagraph (B) to the United States Marshals Service’s National Sex Offender Targeting Center to determine compliance with title I of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).

(2) **PROVISION OF INFORMATION TO CENTER.**—Twenty-four hours before the intended travel, or thereafter, not later than 72 hours after the intended travel, the United States Marshals Service’s National Sex Offender Targeting Center shall provide, to the Angel Watch Center, information

pertaining to any sex offender described in subparagraph (C) of paragraph (1).

(3) **ADVANCE NOTICE TO DESTINATION COUNTRY.**—

(A) **IN GENERAL.**—The Center may transmit relevant information to the destination country about a sex offender if—

(i) the individual is identified by a review conducted under paragraph (1)(B) as having provided advanced notice of international travel; or

(ii) after completing the activities described in paragraph (1), the Center receives information pertaining to a sex offender under paragraph (2).

(B) **EXCEPTIONS.**—The Center may immediately transmit relevant information on a sex offender to the destination country if—

(i) the Center becomes aware that a sex offender is traveling outside of the United States within 24 hours of intended travel, and simultaneously completes the activities described in paragraph (1); or

(ii) the Center has not received a transmission pursuant to paragraph (2), provided it is not more than 24 hours before the intended travel.

(C) **CORRECTIONS.**—Upon receiving information that a notification sent by the Center regarding an individual was inaccurate, the Center shall immediately—

(i) send a notification of correction to the destination country notified;

(ii) correct all data collected pursuant to paragraph (6); and

(iii) if applicable, notify the Secretary of State for purposes of the passport review and marking processes described in section 240 of Public Law 110-457.

(D) **FORM.**—The notification under this paragraph may be transmitted through such means as are determined appropriate by the Center, including through U.S. Immigration and Customs Enforcement attaches.

(4) **MEMORANDUM OF AGREEMENT.**—Not later than 6 months after the date of enactment of this Act, the Secretary of Homeland Security shall enter into a Memorandum of Agreement with the Attorney General to facilitate the activities of the Angel Watch Center in collaboration with the United States Marshals Service’s National Sex Offender Targeting Center, including the exchange of information, the sharing of personnel, access to information and databases in accordance with paragraph (1)(B), and the establishment of a process to share notifications from the international community in accordance with subsection (b)(1).

(5) PASSPORT APPLICATION REVIEW.—

(A) **IN GENERAL.**—The Center shall provide a written determination to the Department of State regarding the status of an individual as a covered sex offender (as defined in section 240 of Public Law 110-457) when appropriate.

(B) **EFFECTIVE DATE.**—Subparagraph (A) shall take effect upon certification by the Secretary of State, the Secretary of Homeland Security, and the Attorney General that the process developed and reported to the appropriate congressional committees under section 9 has been successfully implemented.

(6) **COLLECTION OF DATA.**—The Center shall collect all relevant data, including—

(A) a record of each notification sent under paragraph (3);

(B) the response of the destination country to notifications under paragraph (3), where available;

(C) any decision not to transmit a notification abroad, to the extent practicable;

(D) the number of transmissions made under subparagraphs (A), (B), and (C) of paragraph (3) and the countries to which they are transmitted, respectively;

(E) whether the information was transmitted to the destination country before scheduled commencement of sex offender travel; and

(F) any other information deemed necessary and appropriate by the Secretary of Homeland Security.

(7) COMPLAINT REVIEW.—

(A) **IN GENERAL.**—The Center shall—

(i) establish a mechanism to receive complaints from individuals affected by erroneous notifications under this section;

(ii) ensure that any complaint is promptly reviewed; and

(iii) in the case of a complaint that involves a notification sent by another Federal Government entity, notify the individual of the contact information for the appropriate entity and forward the complaint to the appropriate entity for prompt review and response pursuant to this section.

(B) **RESPONSE TO COMPLAINTS.**—The Center shall, as applicable—

(i) provide the individual with notification in writing that the individual was erroneously subjected to international notification;

(ii) take action to ensure that a notification or information regarding the individual is not erroneously transmitted to a destination country in the future; and

(iii) submit an additional written notification to the individual explaining why a notification or information regarding the individual was erroneously transmitted to the destination country and describing the actions that the Center has taken or is taking under clause (ii).

(C) **PUBLIC AWARENESS.**—The Center shall make publicly available information on how an individual may submit a complaint under this section.

(D) **REPORTING REQUIREMENT.**—The Secretary of Homeland Security shall submit an annual report to the appropriate congressional committees (as defined in section 9) that includes—

(i) the number of instances in which a notification or information was erroneously transmitted to the destination country of an individual under paragraph (3); and

(ii) the actions taken to prevent similar errors from occurring in the future.

(8) **ANNUAL REVIEW PROCESS.**—The Center shall establish, in coordination with the Attorney General, the Secretary of State, and INTERPOL, an annual review process to ensure that there is appropriate coordination and collaboration, including consistent procedures governing the activities authorized under this Act, in carrying out this Act.

(9) **INFORMATION REQUIRED.**—The Center shall make available to the United States Marshals Service’s National Sex Offender Targeting Center information on travel by sex offenders in a timely manner.

(f) **DEFINITION.**—In this section, the term “sex offender” means—

(1) a covered sex offender; or

(2) an individual required to register under the sex offender registration program of any jurisdiction or included in the National Sex Offender Registry, on the basis of an offense against a minor.

SEC. 5. NOTIFICATION BY THE UNITED STATES MARSHALS SERVICE.

(a) **IN GENERAL.**—The United States Marshals Service’s National Sex Offender Targeting Center may—

(1) transmit notification of international travel of a sex offender to the destination country of the sex offender, including to the visa-issuing agent or agents in the United States of the country;

(2) share information relating to traveling sex offenders with other Federal, State, local, and foreign agencies and entities, as appropriate;

(3) receive incoming notifications concerning individuals seeking to enter the United States who have committed offenses of a sexual nature and shall share the information received immediately with the Department of Homeland Security; and

(4) perform such other functions at the Attorney General or the Director of the United States Marshals Service may direct.

(b) **CONSISTENT NOTIFICATION.**—In making notifications under subsection (a)(1), the United States Marshals Service's National Sex Offender Targeting Center shall, to the extent feasible and appropriate, ensure that the destination country is consistently notified in advance about sex offenders under SORNA identified through their inclusion in sex offender registries of jurisdictions or the National Sex Offender Registry.

(c) **INFORMATION REQUIRED.**—For purposes of carrying out this Act, the United States Marshals Service's National Sex Offender Targeting Center shall—

(1) make the case management system or other system that provides access to a list of individuals who have provided advanced notice of international travel available to the Angel Watch Center;

(2) provide the Angel Watch Center a determination of compliance with title I of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.) for the list of individuals transmitted under section 4(e)(1)(C);

(3) make available to the Angel Watch Center information on travel by sex offenders in a timely manner; and

(4) consult with the Department of State regarding operation of the international notification program authorized under this Act.

(d) **CORRECTIONS.**—Upon receiving information that a notification sent by the United States Marshals Service's National Sex Offender Targeting Center regarding an individual was inaccurate, the United States Marshals Service's National Sex Offender Targeting Center shall immediately—

(1) send a notification of correction to the destination country notified;

(2) correct all data collected in accordance with subsection (f); and

(3) if applicable, send a notification of correction to the Angel Watch Center.

(e) **FORM.**—The notification under this section may be transmitted through such means as are determined appropriate by the United States Marshals Service's National Sex Offender Targeting Center, including through the INTERPOL notification system and through Federal Bureau of Investigation Legal attaches.

(f) **COLLECTION OF DATA.**—The Attorney General shall collect all relevant data, including—

(1) a record of each notification sent under subsection (a);

(2) the response of the destination country to notifications under paragraphs (1) and (2) of subsection (a), where available;

(3) any decision not to transmit a notification abroad, to the extent practicable;

(4) the number of transmissions made under paragraphs (1) and (2) of subsection (a) and the countries to which they are transmitted;

(5) whether the information was transmitted to the destination country before scheduled commencement of sex offender travel; and

(6) any other information deemed necessary and appropriate by the Attorney General.

(g) **COMPLAINT REVIEW.**—

(1) **IN GENERAL.**—The United States Marshals Service's National Sex Offender Targeting Center shall—

(A) establish a mechanism to receive complaints from individuals affected by erroneous notifications under this section;

(B) ensure that any complaint is promptly reviewed; and

(C) in the case of a complaint that involves a notification sent by another Federal Government entity, notify the individual of the contact information for the appropriate entity and forward the complaint to the appropriate entity for

prompt review and response pursuant to this section.

(2) **RESPONSE TO COMPLAINTS.**—The United States Marshals Service's National Sex Offender Targeting Center shall, as applicable—

(A) provide the individual with notification in writing that the individual was erroneously subjected to international notification;

(B) take action to ensure that a notification or information regarding the individual is not erroneously transmitted to a destination country in the future; and

(C) submit an additional written notification to the individual explaining why a notification or information regarding the individual was erroneously transmitted to the destination country and describing the actions that the United States Marshals Service's National Sex Offender Targeting Center has taken or is taking under subparagraph (B).

(3) **PUBLIC AWARENESS.**—The United States Marshals Service's National Sex Offender Targeting Center shall make publicly available information on how an individual may submit a complaint under this section.

(4) **REPORTING REQUIREMENT.**—The Attorney General shall submit an annual report to the appropriate congressional committees (as defined in section 9) that includes—

(A) the number of instances in which a notification or information was erroneously transmitted to the destination country of an individual under subsection (a); and

(B) the actions taken to prevent similar errors from occurring in the future.

(h) **DEFINITION.**—In this section, the term “sex offender” means—

(1) a sex offender under SORNA; or

(2) a person required to register under the sex offender registration program of any jurisdiction or included in the National Sex Offender Registry.

SEC. 6. INTERNATIONAL TRAVEL.

(a) **REQUIREMENT THAT SEX OFFENDERS PROVIDE INTERNATIONAL TRAVEL RELATED INFORMATION TO SEX OFFENDER REGISTRIES.**—Section 114 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16914) is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (7) as paragraph (8); and;

(B) by inserting after paragraph (6) the following:

“(7) Information relating to intended travel of the sex offender outside the United States, including any anticipated dates and places of departure, arrival, or return, carrier and flight numbers for air travel, destination country and address or other contact information therein, means and purpose of travel, and any other itinerary or other travel-related information required by the Attorney General.”; and

(2) by adding at the end the following:

“(c) **TIME AND MANNER.**—A sex offender shall provide and update information required under subsection (a), including information relating to intended travel outside the United States required under paragraph (7) of that subsection, in conformity with any time and manner requirements prescribed by the Attorney General.”.

(b) **CONFORMING AMENDMENTS TO SECTION 2250 OF TITLE 18, UNITED STATES CODE.**—Section 2250 of title 18, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) by inserting after subsection (a) the following:

“(b) **INTERNATIONAL TRAVEL REPORTING VIOLATIONS.**—Whoever—

“(1) is required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.);

“(2) knowingly fails to provide information required by the Sex Offender Registration and Notification Act relating to intended travel in foreign commerce; and

“(3) engages or attempts to engage in the intended travel in foreign commerce;

shall be fined under this title, imprisoned not more than 10 years, or both.”; and

(3) in subsections (c) and (d), as redesignated, by striking “subsection (a)” each place it appears and inserting “subsection (a) or (b)”.

(c) **IMPLEMENTATION.**—In carrying out this Act, and the amendments made by this Act, the Attorney General may use the resources and capacities of any appropriate agencies of the Department of Justice, including the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, the United States Marshals Service, INTERPOL Washington-U.S. National Central Bureau, the Federal Bureau of Investigation, the Criminal Division, and the United States Attorneys' Offices.

SEC. 7. RECIPROCAL NOTIFICATIONS.

It is the sense of Congress that the Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, should seek reciprocal international agreements or arrangements to further the purposes of this Act and the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.). Such agreements or arrangements may establish mechanisms and undertakings to receive and transmit notices concerning international travel by sex offenders, through the Angel Watch Center, the INTERPOL notification system, and such other means as may be appropriate, including notification by the United States to other countries relating to the travel of sex offenders from the United States, reciprocal notification by other countries to the United States relating to the travel of sex offenders to the United States, and mechanisms to correct and, as applicable, remove from any other records, any inaccurate information transmitted through such notifications.

SEC. 8. UNIQUE PASSPORT IDENTIFIERS FOR COVERED SEX OFFENDERS.

(a) **AMENDMENT TO PUBLIC LAW 110-457.**—Title II of Public Law 110-457 is amended by adding at the end the following:

“SEC. 240. UNIQUE PASSPORT IDENTIFIERS FOR COVERED SEX OFFENDERS.

“(a) **IN GENERAL.**—Immediately after receiving a written determination from the Angel Watch Center that an individual is a covered sex offender, through the process developed for that purpose under section 9 of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, the Secretary of State shall take appropriate action under subsection (b).

“(b) **AUTHORITY TO USE UNIQUE PASSPORT IDENTIFIERS.**—

“(1) **IN GENERAL.**—Except as provided under paragraph (2), the Secretary of State shall not issue a passport to a covered sex offender unless the passport contains a unique identifier, and may revoke a passport previously issued without such an identifier of a covered sex offender.

“(2) **AUTHORITY TO REISSUE.**—Notwithstanding paragraph (1), the Secretary of State may reissue a passport that does not include a unique identifier if an individual described in subsection (a) reapplies for a passport and the Angel Watch Center provides a written determination, through the process developed for that purpose under section 9 of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, to the Secretary of State that the individual is no longer required to register as a covered sex offender.

“(c) **DEFINED TERMS.**—In this section—

“(1) the term ‘covered sex offender’ means an individual who—

“(A) is a sex offender, as defined in section 4(f) of the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders; and

“(B) is currently required to register under the sex offender registration program of any jurisdiction;

“(2) the term ‘unique identifier’ means any visual designation affixed to a conspicuous location on the passport indicating that the individual is a covered sex offender; and

“(3) the term ‘passport’ means a passport book or passport card.

“(d) **PROHIBITION.**—The Secretary of State, the Secretary of Homeland Security, and the Attorney General, and their agencies, officers, employees, and agents, shall not be liable to any person for any action taken under this section.

“(e) **DISCLOSURE.**—In furtherance of this section, the Secretary of State may require a passport applicant to disclose that they are a registered sex offender.

“(f) **EFFECTIVE DATE.**—This section shall take effect upon certification by the Secretary of State, the Secretary of Homeland Security, and the Attorney General, that the process developed and reported to the appropriate congressional committees under section 9 of the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders has been successfully implemented.”.

SEC. 9. IMPLEMENTATION PLAN.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, the Secretary of State, and the Attorney General shall develop a process by which to implement section 4(e)(5) and the provisions of section 240 of Public Law 110–457, as added by section 8 of this Act.

(b) **REPORTING REQUIREMENT.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, the Secretary of State, and the Attorney General shall jointly submit a report to, and shall consult with, the appropriate congressional committees on the process developed under subsection (a), which shall include a description of the proposed process and a timeline and plan for implementation of that process, and shall identify the resources required to effectively implement that process.

(c) **“APPROPRIATE CONGRESSIONAL COMMITTEES” DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Foreign Affairs of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the Senate;

(6) the Committee on the Judiciary of the House of Representatives;

(7) the Committee on Appropriations of the Senate; and

(8) the Committee on Appropriations of the House of Representatives.

SEC. 10. TECHNICAL ASSISTANCE.

The Secretary of State, in consultation with the Attorney General and the Secretary of Homeland Security, may provide technical assistance to foreign authorities in order to enable such authorities to participate more effectively in the notification program system established under this Act.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$6,000,000 for each of fiscal years 2017 and 2018.

SEC. 12. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to limit international information sharing or law enforcement cooperation relating to any person pursuant to any authority of the Department of Justice, the Department of Homeland Security, or any other department or agency.

Amend the title so as to read: “An Act to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. I yield myself such time as I may consume.

Mr. Speaker, child predators thrive on secrecy, a secrecy that allows them to commit heinous crimes against the weakest and most vulnerable.

Today the House has under consideration H.R. 515, the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, a law that will significantly thwart child sexual exploitation in the United States and abroad through a comprehensive and efficient system that warns law enforcement of traveling sex offenders.

Mr. Speaker, I first introduced International Megan’s Law back in 2008. It has passed the House three times—2010, 2014, 2015—and, thankfully, passed the United States Senate in December.

International Megan’s Law honors the memory of Megan Kanka, a precious little girl from my hometown of Hamilton who suffered and died at the hands of a sexual predator. Megan was just 7 years old when she was kidnapped, raped, and brutally murdered in 1994. Her assailant lived across the street. Unbeknownst to her family and other residents in the neighborhood, he was a convicted repeat sex offender.

Due to the extraordinary work by Megan’s courageous parents, Maureen and Richard Kanka, the New Jersey

State Legislature passed and the Governor signed the original Megan’s Law in 1994 and expanded it in 2001. It requires registration and public notification of convicted sex offenders living in the community.

Today all 50 States and all U.S. territories have a Megan’s Law. Because of this law, parents, guardians, universities, school officials, sports coaches, law enforcement, and the public at large are now empowered with the critical information they need to mitigate harm to children.

We know from law enforcement and media documentation that Americans on the U.S. sex offender registries are caught sexually abusing children in Asia, Central and South America, Europe, and, frankly, everywhere.

A deeply disturbing 2010 report by the GAO found that at least 4,500 U.S. passports were issued to registered sex offenders in fiscal year 2008 alone. Typically, Mr. Speaker, a passport is valid for 10 years, meaning some or many of the tens of thousands of registered sex offenders possessing passports may be on the prowl internationally looking to exploit and abuse.

Ernie Allen, who served for 30 years as the president and CEO of the Center for Missing and Exploited Children and the International Centre for Missing and Exploited Children, recently said: “It is clear that there is a substantial category of offenders who do not offend as a lapse of judgment; they do it as a lifestyle. And these are the offenders who are most likely to travel to seek victims in places where the offender is most likely to be anonymous and most likely to avoid identification and apprehension.”

Studies suggest and demonstrate that even when caught, prosecuted, and jailed, for a number of predators, the propensity to recommit these crimes at a later date remains. For example, a 2008 study by Oliver, Wong, and Nicholaichuk showed that untreated sex offenders were reconvicted for sexual crimes at a rate of 17.7 percent after 3 years, 24.5 percent after 5 years, and 32 percent after 10 years. Keep in mind, Mr. Speaker, that these are just the rates for those who were caught again and then convicted.

Pedophiles and other sexual predators often harm more than one victim. There are different studies that showed large numbers of child victims and large numbers of acts committed against those children. For every victim who reports, there are likely many others who could not, would not, and cannot come forward.

Mr. Speaker, some of those exploited children are prostituted by human traffickers to pedophiles. The International Labour Organization has estimated that 1.8 million children are victims of commercial sexual exploitation around the world each year.

It is imperative that we take the lessons learned on how to protect our

children from known child sex predators within our borders and expand those protections globally to prevent convicted U.S. sex offenders from harming children abroad. It is imperative that we teach other countries how to establish their own Megan's Law and push other countries to warn us in the United States when their sex offenders are traveling here.

Specifically, H.R. 515 will authorize and empower the Angel Watch Center, operating under the auspices of Immigration and Customs Enforcement, to check flight manifests against sex offender registries and quickly warn destination countries when sex offenders are headed their way.

The Angel Watch Center is authorized to send actual information about child sex offender travel to destination countries in a timely fashion for those countries to assess the potential damage and dangers to their kids and to respond appropriately, whether it is to deny entry or visa, monitor travel, or limit travel.

To prevent offenders from thwarting International Megan's Law notification procedures by country hopping to an alternative destination not previously disclosed, H.R. 515 includes provisions for the State Department to develop a passport identifier or, as we put it in the bill, "any visual designation affixed to a conspicuous location on the passport indicating that the individual is a covered sex offender." A passport, Mr. Speaker, so identified provides law enforcement and Customs an additional tool to protect children.

The passport identifier is only for those who have been found guilty of a sex crime involving a child and have been deemed dangerous enough to be listed on a public sex offender registry. When this information is no longer public knowledge in the United States—in other words, they are off the registry—the passport identifier, in like manner, will no longer be required.

It is worth noting that some States already require sex offenders to have their status listed on their driver's licenses—Alabama, Florida, Delaware, and Louisiana, to name a few. Ironically, it has been reported that some registered sex offenders have used their passports as an ID in order to keep their status secret.

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Mr. Speaker, in order to protect potential victims, H.R. 515 also aims to establish a durable system of reciprocity among the nations of the world. International Megan's Law directs the Secretary of State to seek agreements with other countries so that the U.S. is notified in advance of incoming sex offenders.

I would like to offer my profound appreciation, Mr. Speaker, to Majority Leader KEVIN MCCARTHY for his deep and abiding commitment to combating

human trafficking in all of its ugly manifestations, for scheduling the House vote 12 months ago on International Megan's Law and another dozen or so anti-human trafficking measures sponsored by Members from both sides of the aisle.

That was historic and had never been done like that before. So I thank him for that leadership and for working closely with the Senate in order to help bring this bill to fruition.

His policy adviser, Emily Murry, was remarkable, as was and is Kelly Dixon.

I would like to thank our distinguished chairman of the Foreign Affairs Committee, ED ROYCE, and Ranking Member ELIOT ENGEL for their strong support for this bill and for the assistance of Jessica Kelch, Doug Anderson, and Janice Kaguyutan.

Janice will remember. She traveled with one of my staffers years ago investigating this terrible issue, which is a global scourge.

Senator BOB CORKER, chairman of the Foreign Relations Committee on the Senate side, truly made this bill a priority and carried it over the finish line in the Senate. Thank you, Senator. Thank you, Mr. Chairman, for that.

His professional staff, Caleb McCarry and Counsel Sarah Ramig, showed remarkable dedication and persistence through multiple interagency negotiations.

His chief of staff, Todd Womack, and legislative director, Rob Strayer, skillfully guided the bill through the process on the Senate side, and I can't thank them enough.

I also want to thank my good friend BEN CARDIN—Ben and I serve and have served for decades on the Helsinki Commission—for his support and for his efforts.

I am grateful to Senator RICHARD SHELBY and Senator BARBARA MIKULSKI for their assistance and driving better Angel Watch Center collaboration with the U.S. Marshals Service's Sex Offender Targeting Center.

USMS will be required to vet names sent out by the Angel Watch Center and share previously vetted names with the Center in order to maximize expertise, avoid duplication of efforts, and ensure accuracy of international notifications.

I would note that Senator SHELBY also championed the passport provisions that will ensure sex offenders with crimes against children cannot end-run the system.

I would like to thank his professional staffer, Shannon Hines, who was extraordinarily smart and creative during this process.

Thanks to professional staffer Jen Deci as well as Senator MIKULSKI's staffer, Jennifer Eskra, for their tireless work as well.

Senator JOHN CORNYN, majority leader, did not rest on his success earlier this year in navigating the Justice for

Victims of Trafficking Act through the Senate, but persisted until International Megan's Law was complete over on the Senate side.

Last, but not least, I would like to thank my chief of staff, Mary Noonan, who has been tenacious in guiding this bill past obstacle after obstacle, and Allison Hollabaugh, who worked energetically, effectively, and expertly with the agencies and other interested parties to achieve the final bill.

I also would like to thank my former top Foreign Affairs Committee staff member, Sheri Rickert, who spent countless hours over several years negotiating with disparate parties trying to achieve passage of the bill. Those efforts, Sheri, were not in vain.

I would like to thank the National Center for Missing and Exploited Children for their strong endorsement of the bill, the International Centre for Missing and Exploited Children, ECPAT-USA, and the Family Research Council, for their input, counsel, and strong support.

I again first introduced this bill in 2008, alongside Megan Kanka's parents, Maureen and Richard Kanka. Maureen and Richard, Mr. Speaker, are heroic people. They have fought for decades to spare children and their families from horrific crimes that can and must be prevented.

While they still carry deep emotional and psychological scars, Maureen and Richard's selflessness, love of others, and vision have protected countless children from harm.

Enactment of International Megan's Law will expand meaningful child protection at home and around the world, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of this measure.

Let me first thank the gentleman from New Jersey (Mr. SMITH) for his leadership on human rights and anti-trafficking issues and for his hard work on International Megan's Law.

I also want to thank the Judiciary Committee for its bipartisan input on this bill. This legislation is the product of a lot of hard work and reflects a commitment to advancing practical and effective ways to help those victimized by sexual predators.

This is hard to believe, but around the world today there are tens of millions of victims of human trafficking, which is what we call modern-day slavery. Many of these victims are children exploited in prostitution.

In many countries, extreme poverty and gaps in law enforcement create zones of impunity where sex offenders exploit vulnerable children. Sometimes local officials have no idea this is going on. Sometimes they turn a blind eye, and sometimes officials are even complicit in this crime.

We have a responsibility to protect all victims and to crack down on this crime that destabilizes communities, fuels corruption, and undermines the rule of law.

International Megan's Law aims to prevent child sex offenders and traffickers from exploiting vulnerable children when they cross an international border.

This bill would establish an Angel Watch Center within ICE—Immigration and Customs Enforcement—and provide advance notice to foreign governments when a convicted child sex offender travels to their country.

This bill will hopefully prevent some of these horrific crimes from taking place.

But, Mr. Speaker, fighting modern slavery requires a much more comprehensive response. Beyond prevention, governments must do all they can to protect victims: robust identification efforts; policies and procedures that get victims out of harm's way; comprehensive support services that include physical and mental health care; education opportunities; legal assistance; reintegration with family and community; and, of course, aggressive investigations and prosecutions to go after those responsible for such heinous crimes.

The reality is, the sad reality, is that no single government or single law will put an end to human trafficking. But every step we take strengthens our ability to prevent these crimes, protect victims, and punish those responsible.

Mr. Speaker, I urge my colleagues to support the Senate amendment to H.R. 515.

I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina, (Mr. PITTENGER), a member of the Financial Services Committee who has been very active in the fight against human trafficking.

Mr. PITTENGER. Chairman SMITH, thank you so much for your leadership on behalf of these individuals.

Thank you, Chairman ROYCE, for your strong leadership as well.

Mr. Speaker, right now more than 20 million people worldwide are caught up in modern-day slavery. We call it human trafficking.

This isn't just a problem over there. In the city I represent—Charlotte—Maria was trapped when she answered an ad for an aspiring actress. Rosa was snatched from a local gas station while waiting for a ride.

My good friend, Antonia Childs, dreamed of owning a bakery before falling victim to human trafficking. Thankfully, Antonia was rescued and now leads a vital Charlotte organization rescuing women, including Maria and Rosa.

As a Nation, we must take responsibility for our part in this horrific,

multi-billion-dollar illicit industry. As Members of Congress, we must take an active role in ending human trafficking worldwide.

That is why, on January 22, 2015, I became an original cosponsor in support of Chairman SMITH's H.R. 515, the International Megan's Law to Prevent Child Exploitation.

H.R. 515 ensures foreign countries are notified when an American sex offender who has previously abused children is traveling to that country. It encourages foreign countries to provide us with the same vital information when a sex offender is traveling to America.

It attacks the sickening practice of child sex tourism by requiring the United States to notify other countries when convicted pedophiles travel abroad.

It encourages President Obama to use bilateral agreements and assistance to establish reciprocal notification so that we will know when convicted child offenders are coming here.

International Megan's Law takes valuable lessons we have learned about protecting our children here in the United States and expands those protections globally so all communities can join together to take the necessary steps to protect our children.

Please join me in taking this important step to end modern slavery today.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I have no further speakers on our side. I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE), the distinguished chairman of the House Committee on Foreign Affairs.

Mr. ROYCE. Mr. Speaker, I rise today in support of H.R. 515, the International Megan's Law, focused on preventing demand for child sex trafficking.

I really want to acknowledge the hard work by the Member from New Jersey (Mr. SMITH), his perseverance here as the bill's author, as he has tried on several occasions to get this through the Senate and to the President's desk. With this action today, this bill, when it passes the floor, will go to the President's desk.

I think it is very important that we understand the magnitude of this problem, as he has tried to convey to us here, and how this is going to strengthen the hand of law enforcement.

We want law enforcement to consider this a new tool. It will combat the appalling industry of child sex tourism, in which adults travel overseas to exploit children in other countries.

My chief of staff, Amy Porter, has gone on several humanitarian missions to work with very young children in Cambodia and elsewhere in South Asia as well. As she shows you the photographs of these little girls exploited and traumatized by this predatory ac-

tivity, it is hard to fathom that men from around the world, including America, including our country, engage in this predatory activity.

While the countries they travel to lack the resources needed to deal with this rising number of child predators, this legislation is going to help us offset that.

One of the most discouraging things that my chief of staff, Amy, found was that, in Cambodia, it was the local police chief who himself was involved in the practice.

Now, upon her return to again check on this, she found that they had put an end to that. He was no longer in this trade, in this type of business. It had been cleaned up some with pressure from the United States, but it is still ongoing. So this will help us fight back.

The SPEAKER pro tempore (Mr. COLLINS of New York). The time of the gentleman has expired.

Mr. SMITH of New Jersey. I yield the gentleman 1 minute.

Mr. ROYCE. At present, multiple U.S. Government agencies are working to combat human trafficking and child sex tourism, but there has been a troubling lack of coordination and information sharing and notifications to foreign countries that a potential sexual criminal is heading their way, and those notifications are very inconsistent.

This bill clarifies the responsibility, puts it on the Justice Department and the Department of Homeland Security. It better coordinates those efforts. And, importantly, by proactively helping other countries to identify those incoming child predators, we will encourage them to alert us when foreigners convicted of sex offenses against children attempt to enter into the United States.

□ 1645

So I commend Chairman SMITH for his work on this bipartisan legislation, and I encourage all Members to support its passage. It will be on the President's desk here after our action this evening.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 515, the International Megan's Law to Prevent Demand for Child Sex Trafficking.

I would like to thank, like so many have, Congressman CHRIS SMITH for introducing this important legislation to protect innocent children from the evils of sexual predators in the United States and worldwide.

As a mother who raised three beautiful children, I can tell you that the constant concern for their safety and

protection never goes away. When they were young, I worried if they were safe at the playground down the street, if they were safe at the shopping mall or movie theater.

Named after a young girl who was kidnapped, raped, and murdered at just 7 years old by her neighbor, Megan's Law and public knowledge of predators in our communities have been critical tools in protecting our children and easing some of the many fears that parents feel every single day.

I cannot fathom the anger and anguish felt by Megan's parents and all parents whose children fall prey to such sick predators. I would do anything to protect my children and all children from sexual predators, and I feel blessed that I and my colleagues are in a position where we can make a difference.

We will be able to better identify and scrutinize sex offenders' activity, ensuring that they do not engage in the ghastly practice of sex tourism either in our own neighborhood or any neighborhood around the world.

The U.S. must take a leading role as a global defender of children from sexual abuse. Often planning their trips around locations where the most vulnerable children can be found, sex offenders should not be allowed to use the anonymity provided by foreign travel to help hide their hideous crimes.

A 2010 Government Accountability Office report showed that in a single year, at least 4,500 registered sex offenders received U.S. passports to travel internationally. This is absolutely unacceptable, Mr. Speaker.

During my time as a United States ambassador, I was exposed firsthand to the horrors of sexual abuse and human trafficking on the international level.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield the gentleman from Missouri an additional 1 minute.

Mrs. WAGNER. Mr. Speaker, as elected Members of Congress, we must stand up for the powerless, and we must provide a voice for the voiceless. Today we are doing just that.

Passing the International Megan's Law, which will provide advance notice of foreign travel by registered sex offenders, is critical. We owe it to the innocent angels like Megan to take these crimes out of the shadows and do everything we can to prevent future crime both in the United States and across the globe.

Today I will vote to pass the International Megan's Law, and I encourage my colleagues to join me in providing protection for potential victims worldwide and greater peace of mind for those who love them.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to say this is a bipartisan bill. It will save children's lives. It will prevent other crimes to victims like Megan Kanka from happening not just in the United States but around the world.

I think my good friend, ANN WAGNER, said a moment ago that Megan is an angel. Her parents are guardian angels. They have taken a pain, an agony, and a trauma that is incomprehensible and have worked tirelessly to get Megan's Law enacted throughout the United States and in some other countries. This will take it to the next level and will establish that true reciprocal reciprocity regimen, whereby we notice, they notice, everybody knows what is going on to take the secrecy out of this travel when a convicted pedophile hops on a plane with the idea of exploiting children.

This will have a very measurable impact and will protect children from this kind of agony.

Mr. Speaker, I yield back the balance of my time.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, to conclude, I second the comments that were made by Mr. SMITH. I congratulate the family of Megan Kanka. Being a father myself of a 2-year-old daughter, I can't imagine losing a little girl, especially in the heinous way that they did.

I remember very much when all of that happened. Hamilton, New Jersey, is only about 40 minutes up the road from where I live in Philadelphia, and I remember the ugly incident very well. The fact that here we are, so many years later, and the family still continues to fight for other little girls and little boys is really remarkable and is a testament to them.

I also congratulate the gentleman from New Jersey (Mr. SMITH), who I know has worked tirelessly on this bill for a long period of time.

Mr. Speaker, I urge all my colleagues to support this piece of legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 515, International Megan's Law. While I support the underlying goal of ensuring that American law enforcement agencies share information on potential child sex offenders with foreign law enforcement agencies, I am opposed to how one particular provision, added in the Senate amendment before us today, would work in practice.

Other existing provisions of the bill already contain the following information-sharing requirements with and among law enforcement agencies here in the United States and abroad:

U.S. sex offenders are required to provide international travel-related information to the sex offender registries;

the Department of Homeland Security is required to create the Angel Watch Center to re-

ceive information on individuals seeking to enter the U.S. who have committed offenses of a sexual nature as well as registered sex offenders seeking to travel outside the U.S. in order to share all relevant information to federal, state, and local law enforcement officials;

the U.S. Marshal's Service is required to notify law enforcement agencies of sex offenders seeking to leave the United States who have not transmitted their travel information to sex offender registries;

the U.S. Marshal's Service is required to notify the international destination country of a sex offender's upcoming travel; and

the Secretary of State should seek reciprocal international agreements or arrangements to further these goals.

If our goal is to ensure that customs and border as well as law enforcement officials are notified so that they may track and investigate those sex offenders who may be engaging in sex tourism or pose a threat of absconding, these provisions have addressed those concerns.

As a result, I am skeptical of what more we stand to gain by the Senate amendment's provision authorizing the Secretary of State to use a "unique passport identifier for covered sex offenders" that is defined as "any visual designation affixed to a conspicuous location on the passport indicating the individual is a covered sex offender." At best, if this vague language is meant to describe some sort of code or symbol embedded in the passport that is only discernible by law enforcement at the border indicating that the traveler is a sex offender, it is redundant given the other information-sharing mandated by the bill's other provisions. However, if this is interpreted to mean something akin to the words "sex offender" stamped on the identification page of the passport, this raises serious problems and will lead to unintended consequences.

First, it is simply bad policy to single out one category of offenses for this type of treatment. We do not subject those who murder, who defraud the government or our fellow citizens of millions and billions, or who commit acts of terrorism to these restrictions.

Second, by treating all sexual offenders as one monolithic group ignores reality. While some pose a continued and real risk of re-offending and may be traveling to engage in sex tourism or other illicit acts, not all pose the same risk. Indeed, the failure of this provision to allow for the individualized consideration of the facts and circumstances surrounding the traveler's criminal history, including how much time has elapsed since his last offense, underscores how this provision is overbroad. Details such as whether the traveler is a serial child rapist versus someone with a decades-old conviction from when he was 19-years-old and his girlfriend was 14, just missing the Romeo and Juliet exception by one year, are significant and would allow law enforcement to more appropriately prioritize their finite resources.

Third, a traveler does not have any recourse with the foreign destination country if he or she is refused entry solely on the basis of this "unique passport identifier." While the bill has some due process provisions, those apply only domestically. There is no recourse if a traveler is erroneously denied entry from the destination country.

Fourth, if the “unique passport identifier” is implemented in a way that makes it obvious to not only law enforcement officials but any member of the general public viewing the passport, this could lead to unintended consequences of persecution and harm to the traveler. This is especially troubling given that no factual context about the offense is provided.

If our goal is to ensure that domestic and foreign law enforcement and customs officials are notified of potential threats, multiple existing provisions of the bill already achieve that goal without raising these problematic implementation and fairness concerns.

In summary, while I support the underlying goal of ensuring that American law enforcement agencies share information on potential child sex offenders with foreign law enforcement agencies, I have grave concerns about how the redundant and problematic provision regarding the “unique passport identifier”, added as a Senate amendment, would work in practice. Therefore, I urge my colleagues to oppose the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I stand in strong support of H.R. 515 because it seeks to protect our children from predators by identifying the whereabouts of sex offenders and providing means to monitor their activities.

This legislation is important because sex trafficking of children is a displaceable act that we detest and has been an on-going concern for the United States.

In addition to protecting our children from national threats, we must also consider the potential threat from international actors, especially during times of increased tourism, like for example the Super Bowl, FIFA World Cup, World Olympics and other major events around the world where tourism is high.

This legislation by my friend Representative SMITH aims to protect our children from exploitation, specifically sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside of the United States to the government of the destination country.

This legislation is important because it requests that foreign governments notify the United States when a known child-sex offender is seeking to enter the United States.

International child exploitation is increasingly becoming a top priority for all nations and certainly is for our country.

For instance, two years ago, during the FIFA World Cup in Brazil, reports of child exploitation received global attention.

According to the Department of State, Brazil is a destination country for children subjected to sex trafficking.

For the case of Brazil, child sex tourists typically arrive from Europe and North America.

According to reports, the Rio de Janeiro civil police identified eight hotels and restaurants involved in a child sexual exploitation network in two city areas.

Rio de Janeiro, Brazil, as you know, is where the World Olympics will be hosted this summer.

According to the Huffington Post, major sporting event usually lead to a spike in the demand for sexual predatory activities.

Unfortunately, these accounts of sexual predatory activity include child sex trafficking.

Here at home, during the 2014 Super Bowl week, the Federal Bureau of Investigation, along with 50 law enforcement agencies, recovered 16 teenagers during an enforcement action on child sex trafficking.

Additionally, more than 45 pimps were arrested, some of whom claimed to travel to the Super Bowl location specifically for the purpose of prostituting women and children at the sporting event.

According to Judy Kluger, Director of Sanctuary for Families, and former judge for New York City Criminal Court of New York County, New York, “the Super Bowl could never not be breeding grounds for sexual exploitation.”

If a location experiences an exponential increase in large numbers of men travelling for entertainment, it will proportionally see an increase in those who purchase sex.

As you all know, I am committed to ensuring the protection of children, always championing the protection of children.

As co-chair of the Children's Caucus, I commend the work of all my colleagues here in Congress, dedicated to protecting children here in the U.S. and across the globe.

This is why I support this legislation and I commend Representative SMITH for championing legislative measures dedicated to the safety and protection of our children worldwide.

Mr. SMITH of New Jersey. Mr. Speaker, for years, the parents of the children who have been preyed upon by pedophiles—and advocacy groups like the National Center for Missing and Exploited Children and the Megan Kanka Foundation—have been very supportive of legislation to better protect our children. Through their consistent, selfless work they have helped victims of abuse and have been an important part of the bipartisan, bicameral coalition supporting this important legislation. I urge my colleagues to read their statements submitted for the record, in support of passage of H.R. 515 The International Megan's Law to Prevent Demand for Child Sex Trafficking.

JANUARY 20, 2016.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER AND MADAM LEADER: On behalf of ECPAT-USA, a policy and advocacy organization that has been at the forefront of the fight to end the commercial sexual exploitation of children for the past two decades, I would like to respectfully ask you consider supporting International Megan's Law to Prevent Child Exploitation Through Advanced Notification of Traveling Sex Offenders (H.R. 515). When ECPAT-USA first began our work, we focused on fighting sex tourism and holding Americans who traveled abroad to buy sex with minors accountable in the US for sexually exploiting children overseas. H.R. 515 or International Megan's Law protects children from this exact form of exploitation by establishing a notification system to provide advance notice of travel by registered sex offenders to destination countries. We strongly support this legislation and urge not only its swift passage but also a commitment to supporting this effort financially.

The Department of Homeland Security has a proven track record of working coopera-

tively with foreign governments, having made 99 arrests of traveling child sexual offenders since 2003. International Megan's Law will establish the Angel Watch Center at the Department of Homeland Security to ensure that all destination countries receive a notification that a convicted child sex predator is traveling to their country. It also formalizes the process for the U.S. Marshal's Service Sex Offender Targeting Center to provide advanced notice of travel by all registered sex offenders to destination countries using Interpol notification system. International Megan's Law also coordinates communication between Angel Watch Center and U.S. Marshal's Service Sex Offender Targeting center and streamlines the international notification system. We believe that these provisions are necessary to strengthen and protect vulnerable children from potential predators.

ECPAT-USA is part of a global network of over 80 ECPAT's in 77 countries all dedicated to protecting children from commercial sexual exploitation. Headquartered in Thailand, we are acutely familiar with the harm caused by sex offenders who travel overseas and continuously exploit children. As a member of the ECPAT network, we are committed to eradicating the practice of child sex tourism. For this reason, we were so pleased to see the Senate pass this bill late last year, and we applaud the efforts and dedication of the bill's original sponsor in the House Representative Chris Smith (R-NJ). We strongly urge the House to swiftly pass International Megan's Law to Prevent Child Exploitation Through Advanced Notification of Traveling Sex Offenders (H.R. 515).

Sincerely,

CAROL SMOLENSKI,
Executive Director, ECPAT-USA.

FAMILY RESEARCH COUNCIL,
Washington, DC, January 8, 2016.

REPRESENTATIVE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of Family Research Council (FRC) and the families we represent, I urge you to vote for International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (“Megan's Law,” H.R. 515), to establish a system that prevents predators from traveling under the radar internationally.

Megan's Law would expand and codify Immigration and Customs Enforcement's ability to effectively alert countries about the travel of registered child-sex offenders, require convicted child-sex predators to have a unique passport identifier to ensure they can be identified at the border as they travel internationally, and ensure collaboration between the U.S. Marshal's Service and the Immigration and Customs Enforcement, making government work more effectively. The bill would also provide an appeals process for persons who want their record and notification status reconsidered and make it a crime for registered sex offenders to fail to report intended international travel with less than twenty-one days of notice. Ultimately, the law would facilitate a network to reduce child-sex tourism and reduce recidivism of child-sex offenders.

Family Research Council recognizes that it is important to protect families from child-sex abusers, supports passage of International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through

Advanced Notification of Traveling Sex Offenders (H.R. 515), and encourages you to vote for this important legislation.

Sincerely,

DAVID CHRISTENSEN,
Vice President of Government Affairs.

MEGAN NICOLE KANKA FOUNDATION,
Trenton, NJ, September 2015.

Hon. MITCH MCCONNELL,
Russell Senate Office Building,
Washington, DC.

Hon. HARRY REID,
Hart Senate Office Building,
Washington, DC.

DEAR SENATORS: This past August marked the twenty-first anniversary of the violent rape and murder of our seven year old daughter Megan at the hands of a twice-convicted pedophile. As a result of our pain, determination and the support of the public and representatives like you we have Megan's Law throughout the United States. However, children abroad are still unprotected from U.S. sex offenders.

We are grateful that the Congress is advancing the International Megan's Law (H.R. 515/S. 1867) to stop sex offenders from exploiting children internationally—we eagerly await a Senate vote on the bill so that it will become law before the end of the year.

When do we as a society truly stand behind our vows to protect the children of this world? Unfortunately for us, it took the murder of our seven year old daughter Megan for us to get involved.

This law has been eight years in the making. We urgently need your help and support now to prevent new tragedies.

Sincerely,

MAUREEN & RICHARD KANKA.

NATIONAL CENTER FOR
MISSING & EXPLOITED CHILDREN,
Alexandria, VA, January 12, 2016.

Hon. CHRISTOPHER H. SMITH,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SMITH: On behalf of the National Center for Missing & Exploited Children (NCMEC) and the families and children we serve, I am writing to express our support for your legislation, International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advance Notification of Traveling Sex Offenders (IML) (H.R. 515). NCMEC supports the goals of IML to help ensure the effective monitoring and compliance of sex offenders who have harmed children and pose a continuing risk to children in the United States and abroad.

NCMEC's Sex Offender Tracking Team (SOTT) assists federal, state, and local law enforcement in their efforts to locate and apprehend noncompliant, convicted sex offenders and determine if there is a possible link to unresolved cases of missing and sexually exploited children. Today, our SOTT analysts provide assistance to various law enforcement agencies, including the U.S. Marshals Service in the National Sex Offender Targeting Center.

Through our SOTT work, we have learned the difficulties law enforcement can face when monitoring sex offenders as well as the potential danger to children when non-compliant, convicted sex offenders travel within the United States or abroad, including the possibility that they will commit additional crimes against children. We believe the legislation you have sponsored—International Megan's Law—will enhance law enforcement's ability to monitor sex offenders when traveling abroad.

As you know, NCMEC also supported the companion bill sponsored in the Senate by Senators Richard Shelby and Barbara Mikulski. Provisions of their legislation were incorporated into H.R. 515 and then passed unanimously by the Senate in December. We now look forward to the House of Representatives prompt consideration of H.R. 515.

NCMEC is proud to lend our support to this important legislation, and we are grateful for your dedication to the safety of our nation's children.

Sincerely,

JOHN F. CLARK,
President and CEO.

INTERNATIONAL CENTRE FOR
MISSING & EXPLOITED CHILDREN,
Alexandria, VA, January 12, 2016.

Re H.R. 515.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MCCARTHY AND REPRESENTATIVE PELOSI: On behalf of the International Centre for Missing & Exploited Children (ICMEC), I am writing in reference to H.R. 515, International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advance Notification of Traveling Sex Offenders.

For almost two decades, ICMEC has been working around the world to advance child protection and safeguard children from abduction, sexual abuse and exploitation. ICMEC responds to requests for assistance from all over the world through advocacy, training and collaboration. We strive to inform and work with policy makers, law enforcement and others in an effort to enhance and enrich frontline child protection practices.

We strongly believe that all children have the right to live without fear of abduction and free from sexual abuse and exploitation. We believe every child deserves a safe childhood, where they are able to grow into healthy and successful adults.

We thank you for your efforts to protect children from exploitation, to keep known sex offenders from harming children again, and to promote and facilitate enhanced cooperation and information sharing within the global law enforcement community.

Sincerely,

AMBASSADOR MAURA HARTY, RET.
President & CEO.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 515.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TRAFFICKING PREVENTION IN FOREIGN AFFAIRS CONTRACTING ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 400) to require the Secretary of State and the Administrator of the

United States Agency for International Development to submit reports on definitions of placement and recruitment fees for purposes of enabling compliance with the Trafficking Victims Protection Act of 2000, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This bill may be referred to as the "Trafficking Prevention in Foreign Affairs Contracting Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Department of State and the United States Agency for International Development (USAID) rely on contractors to provide various services in foreign countries such as construction, security, and facilities maintenance.

(2) In certain cases, such as where the employment of local labor is impractical or poses security risks, Department of State and USAID contractors sometimes employ foreign workers who are citizens neither of the United States nor of the host country and are recruited from developing countries where low wages and recruitment methods often make them vulnerable to a variety of trafficking-related abuses.

(3) A January 2011 report of the Office of the Inspector General for the Department of State, while it found no evidence of direct coercion by contractors, found that a significant majority of their foreign workers in certain Middle East countries reported paying substantial fees to recruiters that, according to the Inspector General, "effectively resulted in debt bondage at their destinations". Approximately one-half of the workers were charged recruitment fees equaling more than six months' salary. More than a quarter of the workers reported fees greater than one year's salary and, in some of those cases, fees that could not be paid off in two years, the standard length of a contract.

(4) A November 2014 report of the United States Government Accountability Office (GAO-15-102) found that the Department of State, USAID, and the Defense Department need to strengthen their oversight of contractors' use of foreign workers in high-risk environments in order to better protect against trafficking in persons.

(5) The GAO report recommended that those agencies should develop more precise definitions of recruitment fees, and that they should better ensure that contracting officials include prevention of trafficking in persons in contract monitoring plans and processes, especially in areas where the risk of trafficking in persons is high.

(6) Of the three agencies addressed in the GAO report, only the Department of Defense expressly concurred with GAO's definitional recommendation and committed to defining recruitment fees and to incorporating that definition in its acquisition regulations as necessary.

(7) In formal comments to GAO, the Department of State stated that it forbids the charging of any recruitment fees by contractors, and both the Department of State and USAID noted a proposed Federal Acquisition Regulation (FAR) rule that prohibits charging any recruitment fees to employees.

(8) However, according to GAO, neither the Department of State nor USAID specifically defines what constitutes a prohibited recruitment fee: "Contracting officers and agency officials with monitoring responsibilities currently rely on policy and guidance regarding recruitment fees that are ambiguous. Without an explicit definition of the components of recruitment fees, prohibited fees may be renamed and passed on to foreign workers, increasing the risk of debt bondage and other conditions that contribute to trafficking."

(9) GAO found that, although Department of State and USAID guidance requires their respective contracting officials to monitor compliance with trafficking in persons requirements, they did not consistently have specific processes in place to do so in all of the contracts that GAO sampled.

SEC. 3. REPORTS ON DEFINITION OF PLACEMENT AND RECRUITMENT FEES AND ENHANCEMENT OF CONTRACT MONITORING TO PREVENT TRAFFICKING IN PERSONS.

(a) **DEPARTMENT OF STATE REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report that includes the matters described in subsection (c) with respect to the Department of State.

(b) **USAID REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development (USAID) shall submit to the appropriate committees of Congress a report that includes the matters described in subsection (c) with respect to USAID.

(c) **MATTERS TO BE INCLUDED.**—The matters described in this subsection are the following:

(1) A proposed definition of placement and recruitment fees for purposes of complying with section 106(g)(iv)(IV) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)(iv)(IV)), including a description of what fee components and amounts are prohibited or are permissible for contractors or their agents to charge workers under such section.

(2) An explanation of how the definition described in paragraph (1) will be incorporated into grants, contracts, cooperative agreements, and contracting practices, so as to apply to the actions of grantees, subgrantees, contractors, subcontractors, labor recruiters, brokers, or other agents, as specified in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)).

(3) A description of actions taken during the 180-day period preceding the date of submission of the report and planned to be taken during the one-year period following the date of submission of the report to better ensure that officials responsible for grants, contracts, and cooperative agreements and contracting practices include the prevention of trafficking in persons in plans and processes to monitor such grants, contracts, and cooperative agreements and contracting practices.

(d) **APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term "appropriate committees of Congress" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 4. DEFINITION.

In this Act, the term "trafficking in persons" has the meaning given the term in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, my coauthor on this bill is the ranking member, ELIOT ENGEL of New York, and I wanted to thank him as well and our 27 bipartisan cosponsors for their support. This is the Trafficking Prevention in Foreign Affairs Contracting Act.

As many of our colleagues are aware, we just observed Human Trafficking Awareness Month, shining a spotlight on what is now tens of millions of victims every year of what is modern-day slavery. One of the goals here was increasing the awareness of these crimes against human dignity.

The scourge of human trafficking now is a worldwide challenge. Although the vulnerability may be greatest in the developing world, these crimes also occur here in our own communities.

I am very proud of the work being done in southern California by members of our Human Trafficking Congressional Advisory Committee where advocates, law enforcement, service providers, faith-based groups, and trafficking survivors themselves meet regularly to converse, coordinate, and plan how to combat human trafficking. Out of that working group come a lot of good ideas. I want to acknowledge Sara Catalan who helps me in leading that task force.

This bill is intended to close a gap that exists in protection. The United States cannot be too careful in ensuring that our overseas employment practices do not inadvertently support debt bondage, because that debt bondage is one of the tools of human traffickers.

At some overseas posts, the State Department and USAID rely on contractors to provide construction, security, maintenance, and other services, and these contractors sometimes employ foreign workers recruited from far away, far-away developing countries where they are vulnerable to abuses. In particular, the middlemen those contractors rely on often charge recruitment fees to prospective employees—in other words, payments for the right to work.

Current law prohibits U.S. contractors from charging foreign workers un-

reasonable recruitment fees, and the State Department claims to prohibit any recruitment fees at all. However, neither State nor USAID have defined what constitutes a "recruitment fee," and this ambiguity allows for a loophole that has been exploited. Recruiters simply rename these fees and continue charging them.

This is a serious problem. We had a report by the State Department Inspector General in 2011. He found that a majority of the Department's foreign contract workers in certain Middle East countries were paying substantial fees to recruiters—and this is what caught our attention—sometimes more than a year's salary resulting in, in the words of our Inspector General—in his words—"effective debt bondage."

A worker from the Philippines performing janitorial services for our Embassy in Saudi Arabia should not be at risk of shakedowns from unscrupulous or violent operators.

To ensure that our overseas contracting does not feed such problems, this bill requires State and USAID to define what prohibited "recruitment fees" are and to report to Congress on their plans to improve contract monitoring, to protect against human trafficking. A prohibition is only forceful if people understand what is prohibited. Clarifying these matters will give our contractors the guidance they need to ensure that our laws and policies are followed by those they use to recruit foreign workers.

I again want to thank Mr. ENGEL and all of our cosponsors for their support of this strongly bipartisan bill which deserves our unanimous support.

Mr. Speaker, I reserve the balance of my time.

Mr. BRENDAN F. BOYLE of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this measure.

Mr. Speaker, I want to thank Chairman ROYCE and also Ranking Member ENGEL for their leadership and for their hard work on this bill.

It seems that every day we see another report about the way modern slavery touches our lives. Fish caught by an enslaved sailor in Southeast Asia ends up in our grocery stores. Rare metals that are needed to power our smartphones are mined through forced labor in Central Africa. Oranges and tomatoes grown right here in the United States are picked by migrants who end up trapped and isolated.

Human trafficking is a crime that affects every nation on Earth. It undermines stability, fuels criminal networks, and robs tens of millions of people of their basic freedom. It touches all of our lives.

United States Government has long been a leader in the fight against trafficking. Republican and Democratic administrations alike have focused

hard on the best way to prevent modern slavery, protect its victims, and prosecute those responsible. The State Department's Annual Trafficking in Persons Report is the global gold standard for assessing how well governments are doing to combat this problem.

As we learn more and more about this crime, how it has worked its way into the global supply chain and labor market, we find new ways of disrupting trafficking networks. Part of American leadership on this issue must be to make sure, first and foremost, that we are not making this problem worse.

Our foreign affairs agencies employ thousands of foreign contract workers overseas. These men and women work in construction, food service, and security projects abroad.

In 2011, inspectors interviewing some of these workers found that 77 percent of them had paid recruiting fees to the company arranging the work. What that means is before workers are able to get these jobs, they need to pay a recruiter a hefty sum. Sometimes these fees are 6 months' or even a year's wages. These fees can include the high costs of housing or transportation to a worksite in a foreign country. So often, a worker arrives at a new job saddled with debt and is forced to work until he or she can pay the so-called recruiter back.

This sort of treatment is unacceptable under any circumstances. The fact that this is happening to individuals working for the United States Government is absolutely intolerable.

□ 1700

We cannot be the world's leader in the fight against modern slavery if taxpayer dollars are flowing into the hands of traffickers.

The Obama administration saw this problem and took steps to deal with it. An executive order forbids any U.S. Government contractors from charging unreasonable recruitment fees. But so far the State Department and USAID have been unable to enforce this requirement. The reason why—neither agency has defined recruitment fees, so their guidelines for fair treatment of workers by contractors are unenforceable.

Mr. Speaker, this is simply not acceptable. This bill requires that the State Department and USAID adopt a legally binding definition of recruitment fees. In addition, the agencies must improve how they monitor contractors to detect and prevent human trafficking.

This legislation represents a commonsense step to resolve this problem and to make sure we have a clean House as we lead global antitrafficking efforts. Mr. Speaker, I urge my colleagues to support this important piece of legislation.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and he is the author of the original Trafficking Victims Protection Act.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank my good friend and colleague, the distinguished chairman, ED ROYCE, for his persistence and creativity in finding new ways to hold the administration accountable for preventing human trafficking, especially in government contracting, as is required by the Trafficking Victims Protection Reauthorization Act of 2005 and the National Defense Authorization Act of 2013.

It seems to me, Mr. Speaker, that U.S. Government procurement should be the quintessential example of how to buy goods and services from reputable vendors. The TVPA ensures that contracts are lost if there is complicity in trafficking and that responsible parties are prosecuted if they, in like manner, are complicit in human trafficking.

H.R. 400 targets a key piece of the law for practical implementation and brings our government one step closer to ensuring that U.S. tax dollars are not going to companies that look askance at human trafficking by their contractors and subcontractors.

Again, this is a very important bill. I want to thank the distinguished chairman for his leadership on this.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

In closing, I would simply congratulate the gentleman who does a wonderful job chairing our Foreign Affairs Committee. As I said on a radio show in Philadelphia last week, I really wish those who say that there is no bipartisanship in Washington, D.C., could see the way the ranking member, Mr. ENGEL, and our chairman, Mr. ROYCE, conduct our foreign affairs business. I think they would have a different view.

I am proud to support this piece of legislation, and I urge all my colleagues to do so.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Mr. BRENDAN BOYLE of Pennsylvania for his work on this.

On the heels of Human Trafficking Awareness Month, I think it is important that we as an institution take this opportunity to ensure that our own overseas contracting does not indirectly support debt bondage, and that is what this legislation ensures. Our practices need to reflect our Nation's fundamental commitments to freedom and human dignity, and, most importantly as well, we need to set an example for the rest of the world. I think by passing this legislation we will do so.

I again want to thank my coauthor, Mr. ENGEL, and all of our bipartisan cosponsors for their support of this bill. It really deserves our unanimous support.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 400, the Trafficking Prevention In Foreign Affairs Contracting Act.

I support this legislation because it enforces the implementation of the Trafficking Victims Protection Act of 2000.

H.R. 400 requires the Secretary of State and the Administrator of the United States Agency for International Development (USAID) to submit reports on definitions of placement and recruitment fees for purposes of enabling compliance with the Trafficking Victims Protection Act of 2000.

Indeed, the office of the Inspector General reported that a significant majority of the Department of State's foreign workers in certain Middle Eastern countries paid substantial fees to recruiters.

According to the Inspector General, "approximately one-half of the workers were charged recruitment fees equaling more than six months' salary."

Moreover, "more than a quarter of the workers reported fees greater than one year's salary and . . . fees that could not be paid off in two years."

The United States Government Accountability Office (GAO) found that USAID, the Department of State (DOS), and the Defense Department (DOD) should enhance and strengthen their oversight of contractors in order to better protect against trafficking in persons.

The agencies should develop more precise definitions of recruitment fees, and have stronger implementation strategies towards contracting officials in areas where the risk of trafficking in persons is high.

Indeed, out of the three agencies previously addressed, only the DOD committed to definitional recruitment fees and concurred with the United States GAO's definitional recommendation.

A proposed Federal Acquisition Regulation (FAR) rule that prohibits charging any recruitment fees to employees was noted by both the Department of State and USAID.

However, both the Department of State and USAID lacked an explicit definition for what constitutes a prohibited recruitment fee.

Without an explicit definition of the components of recruitment fees, the risk of debt bondages increase, prohibited fees are more likely to be renamed and passed, and other conditions that contribute to trafficking are more likely to occur.

I support this legislation because no later than 180 days after the date of the enactment of this Act, both the Secretary of State and the Administrator of USAID shall submit to the appropriate committees of Congress a report that includes a proposed definition of placement and recruitment fees for purposes of complying with the Trafficking Victims Protection Act of 2000.

Both entities will also include a description of what fee components and amounts are prohibited or are permissible for contractors or their agents to charge workers.

An explanation of how the definition provided will be incorporated into grants, contracts, cooperative agreements, and contracting practices will be required.

Both the 180-day period preceding the date of submission and the one year following the date of submission require a report of the description of actions taken.

Indeed, acknowledging the actions executed during the time periods provided ensure that officials responsible for grants, contracts, and cooperative agreements and contracting practices include the prevention of trafficking in persons in plans and processes.

These include agreements and contracting practices that relate to areas of the world in which the risk of trafficking in persons is high.

In a 2011 CNN report, we learned about a federal agency filing a large human trafficking lawsuit.

The article discussed Thai workers who made their way to the nonprofit agency.

Some were approached by a labor contractor who offered what is said to be a lucrative job on a farm in the United States, but the would be workers unfortunately found themselves owing thousands of dollars in recruiting fees instead.

I support this legislation because it facilitates, establishes and monitors a strong system for submitting reports pertaining to explicit definitions of placement and recruitment fees, so foreign workers recruited from developing countries are not vulnerable to a variety of trafficking-related abuses.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 400, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ELECTRIFY AFRICA ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2152) to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Electrify Africa Act of 2015”.

SEC. 2. PURPOSE.

The purpose of this Act is to encourage the efforts of countries in sub-Saharan Africa to

improve access to affordable and reliable electricity in Africa in order to unlock the potential for inclusive economic growth, job creation, food security, improved health, education, and environmental outcomes, and poverty reduction.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to partner, consult, and coordinate with the governments of sub-Saharan African countries, international financial institutions, and African regional economic communities, cooperatives, and the private sector, in a concerted effort to—

(1) promote first-time access to power and power services for at least 50,000,000 people in sub-Saharan Africa by 2020 in both urban and rural areas;

(2) encourage the installation of at least 20,000 additional megawatts of electrical power in sub-Saharan Africa by 2020 using a broad mix of energy options to help reduce poverty, promote sustainable development, and drive inclusive economic growth;

(3) promote non-discriminatory reliable, affordable, and sustainable power in urban areas (including small urban areas) to promote economic growth and job creation;

(4) promote policies to facilitate public-private partnerships to provide non-discriminatory reliable, sustainable, and affordable electrical service to rural and underserved populations;

(5) encourage the necessary in-country reforms, including facilitating public-private partnerships specifically to support electricity access projects to make such expansion of power access possible;

(6) promote reforms of power production, delivery, and pricing, as well as regulatory reforms and transparency, to support long-term, market-based power generation and distribution;

(7) promote policies to displace kerosene lighting with other technologies;

(8) promote an all-of-the-above energy development strategy for sub-Saharan Africa that includes the use of oil, natural gas, coal, hydroelectric, wind, solar, and geothermal power, and other sources of energy; and

(9) promote and increase the use of private financing and seek ways to remove barriers to private financing and assistance for projects, including through charitable organizations.

SEC. 4. DEVELOPMENT OF COMPREHENSIVE, MULTIYEAR STRATEGY.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive, integrated, multiyear strategy to encourage the efforts of countries in sub-Saharan Africa to implement national power strategies and develop an appropriate mix of power solutions to provide access to sufficient reliable, affordable, and sustainable power in order to reduce poverty and drive economic growth and job creation consistent with the policy stated in section 3.

(2) FLEXIBILITY AND RESPONSIVENESS.—The President shall ensure that the strategy required under paragraph (1) maintains sufficient flexibility for and remains responsive to concerns and interests of affected local communities and technological innovation in the power sector.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that contains the strategy required under sub-

section (a) and includes a discussion of the following elements:

(1) The objectives of the strategy and the criteria for determining the success of the strategy.

(2) A general description of efforts in sub-Saharan Africa to—

(A) increase power production;

(B) strengthen electrical transmission and distribution infrastructure;

(C) provide for regulatory reform and transparent and accountable governance and oversight;

(D) improve the reliability of power;

(E) maintain the affordability of power;

(F) maximize the financial sustainability of the power sector; and

(G) improve non-discriminatory access to power that is done in consultation with affected communities.

(3) A description of plans to support efforts of countries in sub-Saharan Africa to increase access to power in urban and rural areas, including a description of plans designed to address commercial, industrial, and residential needs.

(4) A description of plans to support efforts to reduce waste and corruption, ensure local community consultation, and improve existing power generation through the use of a broad power mix, including fossil fuel and renewable energy, distributed generation models, energy efficiency, and other technological innovations, as appropriate.

(5) An analysis of existing mechanisms for ensuring, and recommendations to promote—

(A) commercial cost recovery;

(B) commercialization of electric service through distribution service providers, including cooperatives, to consumers;

(C) improvements in revenue cycle management, power pricing, and fees assessed for service contracts and connections;

(D) reductions in technical losses and commercial losses; and

(E) non-discriminatory access to power, including recommendations on the creation of new service provider models that mobilize community participation in the provision of power services.

(6) A description of the reforms being undertaken or planned by countries in sub-Saharan Africa to ensure the long-term economic viability of power projects and to increase access to power, including—

(A) reforms designed to allow third parties to connect power generation to the grid;

(B) policies to ensure there is a viable and independent utility regulator;

(C) strategies to ensure utilities become or remain creditworthy;

(D) regulations that permit the participation of independent power producers and private-public partnerships;

(E) policies that encourage private sector and cooperative investment in power generation;

(F) policies that ensure compensation for power provided to the electrical grid by on-site producers;

(G) policies to unbundle power services;

(H) regulations to eliminate conflicts of interest in the utility sector;

(I) efforts to develop standardized power purchase agreements and other contracts to streamline project development;

(J) efforts to negotiate and monitor compliance with power purchase agreements and other contracts entered into with the private sector; and

(K) policies that promote local community consultation with respect to the development of power generation and transmission projects.

(7) A description of plans to ensure meaningful local consultation, as appropriate, in the planning, long-term maintenance, and management of investments designed to increase access to power in sub-Saharan Africa.

(8) A description of the mechanisms to be established for—

(A) selection of partner countries for focused engagement on the power sector;

(B) monitoring and evaluating increased access to, and reliability and affordability of, power in sub-Saharan Africa;

(C) maximizing the financial sustainability of power generation, transmission, and distribution in sub-Saharan Africa;

(D) establishing metrics to demonstrate progress on meeting goals relating to access to power, power generation, and distribution in sub-Saharan Africa; and

(E) terminating unsuccessful programs.

(9) A description of how the President intends to promote trade in electrical equipment with countries in sub-Saharan Africa, including a description of how the government of each country receiving assistance pursuant to the strategy—

(A) plans to lower or eliminate import tariffs or other taxes for energy and other power production and distribution technologies destined for sub-Saharan Africa, including equipment used to provide energy access, including solar lanterns, solar home systems, and micro and mini grids; and

(B) plans to protect the intellectual property of companies designing and manufacturing products that can be used to provide energy access in sub-Saharan Africa.

(10) A description of how the President intends to encourage the growth of distributed renewable energy markets in sub-Saharan Africa, including off-grid lighting and power, that includes—

(A) an analysis of the state of distributed renewable energy in sub-Saharan Africa;

(B) a description of market barriers to the deployment of distributed renewable energy technologies both on- and off-grid in sub-Saharan Africa;

(C) an analysis of the efficacy of efforts by the Overseas Private Investment Corporation and the United States Agency for International Development to facilitate the financing of the importation, distribution, sale, leasing, or marketing of distributed renewable energy technologies; and

(D) a description of how bolstering distributed renewable energy can enhance the overall effort to increase power access in sub-Saharan Africa.

(11) A description of plans to ensure that small and medium enterprises based in sub-Saharan Africa can fairly compete for energy development and energy access opportunities associated with this Act.

(12) A description of how United States investments to increase access to energy in sub-Saharan Africa may reduce the need for foreign aid and development assistance in the future.

(13) A description of policies or regulations, both domestically and internationally, that create barriers to private financing of the projects undertaken in this Act.

(14) A description of the specific national security benefits to the United States that will be derived from increased energy access in sub-Saharan Africa.

(C) INTERAGENCY WORKING GROUP.—

(1) IN GENERAL.—The President may, as appropriate, establish an Interagency Working Group to coordinate the activities of relevant United States Government departments and agencies involved in carrying out the strategy required under this section.

(2) FUNCTIONS.—The Interagency Working Group may, among other things—

(A) seek to coordinate the activities of the United States Government departments and agencies involved in implementing the strategy required under this section;

(B) ensure efficient and effective coordination between participating departments and agencies; and

(C) facilitate information sharing, and coordinate partnerships between the United States Government, the private sector, and other development partners to achieve the goals of the strategy.

SEC. 5. PRIORITIZATION OF EFFORTS AND ASSISTANCE FOR POWER PROJECTS IN SUB-SAHARAN AFRICA BY KEY UNITED STATES INSTITUTIONS.

(a) IN GENERAL.—In pursuing the policy goals described in section 3, the Administrator of the United States Agency for International Development, the Director of the Trade and Development Agency, the Overseas Private Investment Corporation, and the Chief Executive Officer and Board of Directors of the Millennium Challenge Corporation should, as appropriate, prioritize and expedite institutional efforts and assistance to facilitate the involvement of such institutions in power projects and markets, both on- and off-grid, in sub-Saharan Africa and partner with other investors and local institutions in sub-Saharan Africa, including private sector actors, to specifically increase access to reliable, affordable, and sustainable power in sub-Saharan Africa, including through—

(1) maximizing the number of people with new access to power and power services;

(2) improving and expanding the generation, transmission and distribution of power;

(3) providing reliable power to people and businesses in urban and rural communities;

(4) addressing the energy needs of marginalized people living in areas where there is little or no access to a power grid and developing plans to systematically increase coverage in rural areas;

(5) reducing transmission and distribution losses and improving end-use efficiency and demand-side management;

(6) reducing energy-related impediments to business productivity and investment; and

(7) building the capacity of countries in sub-Saharan Africa to monitor and appropriately and transparently regulate the power sector and encourage private investment in power production and distribution.

(b) EFFECTIVENESS MEASUREMENT.—In prioritizing and expediting institutional efforts and assistance pursuant to this section, as appropriate, such institutions shall use clear, accountable, and metric-based targets to measure the effectiveness of such guarantees and assistance in achieving the goals described in section 3.

(c) PROMOTION OF USE OF PRIVATE FINANCING AND ASSISTANCE.—In carrying out policies under this section, such institutions shall promote the use of private financing and assistance and seek ways to remove barriers to private financing for projects and programs under this Act, including through charitable organizations.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize modifying or limiting the portfolio of the institutions covered by subsection (a) in other developing regions.

SEC. 6. LEVERAGING INTERNATIONAL SUPPORT.

In implementing the strategy described in section 4, the President should direct the United States representatives to appropriate international bodies to use the influence of

the United States, consistent with the broad development goals of the United States, to advocate that each such body—

(1) commit to significantly increase efforts to promote investment in well-designed power sector and electrification projects in sub-Saharan Africa that increase energy access, in partnership with the private sector and consistent with the host countries' absorptive capacity;

(2) address energy needs of individuals and communities where access to an electricity grid is impractical or cost-prohibitive;

(3) enhance coordination with the private sector in sub-Saharan Africa to increase access to electricity;

(4) provide technical assistance to the regulatory authorities of sub-Saharan African governments to remove unnecessary barriers to investment in otherwise commercially viable projects; and

(5) utilize clear, accountable, and metric-based targets to measure the effectiveness of such projects.

SEC. 7. PROGRESS REPORT.

(a) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on progress made toward achieving the strategy described in section 4 that includes the following:

(1) A report on United States programs supporting implementation of policy and legislative changes leading to increased power generation and access in sub-Saharan Africa, including a description of the number, type, and status of policy, regulatory, and legislative changes initiated or implemented as a result of programs funded or supported by the United States in countries in sub-Saharan Africa to support increased power generation and access after the date of the enactment of this Act.

(2) A description of power projects receiving United States Government support and how such projects, including off-grid efforts, are intended to achieve the strategy described in section 4.

(3) For each project described in paragraph (2)—

(A) a description of how the project fits into, or encourages modifications of, the national energy plan of the country in which the project will be carried out, including encouraging regulatory reform in that country;

(B) an estimate of the total cost of the project to the consumer, the country in which the project will be carried out, and other investors;

(C) the amount of financing provided or guaranteed by the United States Government for the project;

(D) an estimate of United States Government resources for the project, itemized by funding source, including from the Overseas Private Investment Corporation, the United States Agency for International Development, the Department of the Treasury, and other appropriate United States Government departments and agencies;

(E) an estimate of the number and regional locations of individuals, communities, businesses, schools, and health facilities that have gained power connections as a result of the project, with a description of how the reliability, affordability, and sustainability of power has been improved as of the date of the report;

(F) an assessment of the increase in the number of people and businesses with access to power, and in the operating electrical

power capacity in megawatts as a result of the project between the date of the enactment of this Act and the date of the report;

(G) a description of efforts to gain meaningful local consultation for projects associated with this Act and any significant estimated noneconomic effects of the efforts carried out pursuant to this Act; and

(H) a description of the participation by small and medium enterprises based in sub-Saharan Africa on projects associated with this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to start by thanking this bill's Senate cosponsors. The Senate sponsors of the original measure are BOB CORKER, chairman of the Senate Foreign Affairs Committee, and the ranking member, Mr. CARDIN, as well as two other Senators, MARCO RUBIO and CHRIS COONS. I thank them for their good work to ensure this bill's Senate passage. We had our House version passed into the Senate.

I also want to thank Ranking Member ELIOT ENGEL, as well as Chairman CHRIS SMITH, and Ranking Member KAREN BASS of the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee for working so closely with me to develop the concept for this legislation over the last several years.

Last Congress, the House passed a similar version of the measure we consider today. With today's action, this bill will head to the President's desk for signature.

The Electrify Africa Act seeks to address the massive electricity shortage in Africa. It is a direct response to the fact that today 600 million people living in sub-Saharan Africa—that is 70 percent of the population—do not have access to reliable electricity. The Electrify Africa Act offers a market-based response to this problem, and it will bring about the development of affordable, reliable energy in Africa.

Why do we want to help increase energy access to the continent? Well, to create jobs and to improve lives in both Africa and America. It is no secret that Africa has great potential as a trading partner and could help create jobs here in the U.S.

As the Foreign Affairs Committee investigated how to make better use of

the African Growth and Opportunity Act, which was landmark legislation passed over a decade ago to expand trade with Africa, we learned that the lack of affordable, reliable energy made the production of goods for trade and export nearly impossible. Even where other conditions supported manufacturing, the cost of running a plant on a diesel generator is prohibited.

However, the U.S. is not alone in its interest in enhancing trade with Africa. We have competition. Just last month, the People's Republic of China pledged \$60 billion in financial support to the continent. If the United States wants to tap into this potential consumer base, we need to be aggressively building partnerships on the continent, which is what this bill does.

This bill will also have a tangible impact on people's lives. As former chairman of the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee, I have seen firsthand how our considerable investments in improving access to health care and education in Africa are undermined by a lack of reliable electricity.

Mr. ENGEL and I visited a power provider in rural Tanzania, which would help meet the goals of this bill, in a place where only 10 percent of the population has access to electricity. In areas like that throughout Africa, schoolchildren are forced to study by inefficient, dangerous kerosene lamps. Cold storage of lifesaving vaccines is almost impossible without reliable electricity. Too many families resort to using charcoal or other toxic fuel sources whose fumes cause more deaths than HIV/AIDS and malaria combined and also damage the eyesight of the children trying to study.

In Tanzania, we now have American entrepreneurs bringing new technology and management expertise to the remotest areas of Africa, and that is improving lives. Many of us on the committee have worked to transform our foreign assistance from programs that offer extensive Band-Aids to policies that support economic growth and independence. The Electrify Africa Act is part of this transition.

This bill mandates a clear and comprehensive U.S. policy providing the private sector with the platform that it needs to invest in African electricity.

I reserve the balance of my time.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure.

Mr. Speaker, I want to thank Chairman ROYCE, Subcommittee Chairman SMITH, and Ranking Member BASS. I also want to thank our Senate colleagues, especially Chairman CORKER and Ranking Member CARDIN, for advancing this effort. We are now in a place to send this legislation to the President's desk.

Mr. Speaker, across sub-Saharan Africa, more than 600 million individuals live without access to reliable electricity. That is double the U.S. population without electricity, nearly two-thirds of their population.

For individuals, that deficit means never knowing what will happen with the flip of a switch. It means a day's work needs to come to an end at sunset, that food can't be refrigerated, and that technology that is so valuable for connecting to the rest of the world can't be relied upon.

For communities, lack of access to power undermines the ability of hospitals to deliver health care because vaccines spoil and medical equipment sits useless. Businesses can't expand and thrive. Schools are limited in what they can offer students.

For countries, these factors combine to undermine stability and stymie progress. Without reliable power, countries can't become strong players in the global economy or strong partners on the global stage. The better these countries do, the better it is for their neighbors, for their region, and for the entire world.

As you can see, the United States has an interest in helping these countries grapple with this challenge and making sure the lights stay on. That is why the Electrify Africa Act is such an important bill.

This legislation puts into law President Obama's 2013 Power Africa initiative. It seeks to create strong, new partnerships among governments, banks, and other private sector investors with the aim of providing first-time power to 50 million people by the year 2020. It calls for a long-term strategy from our own government for assisting sub-Saharan African countries with national power strategies, and it directs other American agencies to make assistance for power projects in sub-Saharan Africa a top priority. It helps bring American influence to bear around the world to encourage international bodies to bring a new focus on this challenge.

Mr. Speaker, I fully support this bill, and I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding.

I want to congratulate Chairman ROYCE on the Electrify Africa Act as a companion bill to the legislation that we have before us today. We held a hearing in my subcommittee that KAREN BASS will remember well in November of 2014. The blessings that will

accrue from a huge effort to electrify Africa are almost without limit, especially when it comes to health care and ensuring that students can have proper light to go to school and to study, particularly at night. All of the benefits that we take for granted in the United States and in other parts of the world still have yet to come to Africa.

In the 21st century, energy has become vital, as we all know, to modern societies. We no longer have to shop for food each day. Refrigerators keep food cold and preserved longer, whether in our homes, in restaurants, or during the process of transportation. Cell phones, computers, televisions, and other electronics require electrical power to allow us to lead more productive lives in the modern world and increasingly in the developing world.

As we have seen in the recent Ebola epidemic and in the current Zika virus epidemic, it is vital that medicines and plasma be kept cold so that they don't lose their potency. Of course, in the preservation of blood and so many other items that are essential to life, electricity facilitates their continuance and their potency.

□ 1715

It is unfortunate that the continent of Africa has so many people who have been denied the ability to enjoy the advances of science. Currently, only 290 million people out of about 914 million Africans have access to electricity and the total number lacking continues to rise.

Bioenergy, mainly fuel, wood, and charcoal, is still the major source of fuel, and as the chairman pointed out in his opening comments, it threatens the lives of so many people in Africa, including the eyesight of many of those who experience that.

On the other hand, hydropower accounts for about 20 percent of the total power supply in the region, but less than 10 percent of its estimated potential has been realized. Persistent drought in some areas makes hydropower unpredictable.

The Electrify Africa Act takes an all-of-the-above approach—all of these good prospects—in promoting the widest selection of sources of energy that includes all forms of fossil fuels, but also hydroelectric and renewable energy sources.

This facilitates African nations to use all available energy sources. Coal, which is abundant in Africa, will be in the mix, and, hopefully, we can help them import clean coal technology to mitigate pollution.

Again, I thank the chairman for this legislation.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. BASS), who is the ranking member of the Subcommittee on Africa, Global Health, Global Human Rights, and

International Organizations and who is a leader on sub-Saharan Africa issues.

Ms. BASS. Mr. Speaker, I rise in support of S. 2152, the Electrify Africa Act.

I commend the leadership and the work especially of our chair, Mr. ROYCE, of our ranking member, Mr. ENGEL, of our subcommittee chair, Mr. SMITH, and also of our committed members and staffs of the House Foreign Affairs Committee as well as of the Senate Foreign Relations Committee on this critical bill.

Because of this bill, the lives of millions of people can be changed immeasurably for the better.

I remind my colleagues that two-thirds of the population of sub-Saharan Africa live without electricity, particularly in the rural areas. This means that children are forced to study by candlelight and that doctors and midwives are delivering babies by relying on flashlights.

The effort to devise an inexpensive, safe, and reliable source of power is being addressed not only in the small, brilliant initiatives by young African entrepreneurs, such as by those whom I met when I had the honor of traveling with President Obama to the 2015 Global Entrepreneurship Summit in Nairobi, but also in the large, innovative public-private partnerships, such as Power Africa.

Electrify Africa can contribute to this effort in a major way by helping to address the glaring absence of electrical power for at least 50 million people in sub-Saharan Africa by 2020, thus improving the education, health care, and other basic needs of millions of Africans.

The lack of access to power adversely affects broad-based economic development on the continent. This was particularly evident last year during the Ebola crisis in three small African countries.

That battle was won with the help of the U.S. and with well-coordinated regional efforts on the ground. Yet, in order to win the war against other crippling diseases, there must be greater access to electrical power.

In working together, we have crafted legislation that will focus on increasing access to electricity in rural and poor communities through small, renewable energy projects that will result in at least millions of Africans having access to electricity for the first time in their lives by 2020.

When we worked together last year to pass AGOA, we knew much more was needed in order to build the infrastructure that supported African nations in their ability to develop the capacity to become full trading partners with the United States.

This legislation, along with AGOA, is consistent with the theme from the continent—trade, not aid—moving toward the continent of Africa's being self-sufficient and self-determined.

I am proud to serve as an original cosponsor of this legislation, and I invite fellow Members to support this bill as well.

Mr. ROYCE. Mr. Speaker, I reserve the balance of my time.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself the balance of my time.

I thank Chairman ROYCE, Ranking Member ENGEL, and the subcommittee chairman and ranking member.

Sometimes the right thing to do is also in our strategic interests as a country, and this piece of legislation is a great example of that. I urge this body to pass it.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I again thank all of this bill's cosponsors in the House and in the Senate as well as the House and Senate staffs, particularly Nilmini Rubin.

I also thank Andy Olson, whose hard work has gotten us here today.

I also acknowledge Andrew Herscovitz—the USAID Power Africa's coordinator—and his team, who are watching this debate right now in the gallery.

I think, as we look at the range of enthusiasm for this legislation, at the last count I took, we had letters of support from 35 African ambassadors, from the Chamber of Commerce, from the Corporate Council on Africa, from the National Rural Electric Cooperative Association, from the American Academy of Pediatrics, and, of course, from the ONE Campaign.

The United States has economic and national security interests in the continued development of the African continent. This bill sets out a comprehensive, sustainable, and market-based plan to bring 600 million Africans out of the dark and into the global economy, benefiting American businesses and workers at the same time and, frankly, saving lives at the same time.

So I urge all Members to support the Electrify Africa Act.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I stand in strong support of S. 2152 an important legislation.

I support S. 2152 because it seeks to establish a comprehensive United States policy that encourages the efforts of countries in Africa to develop an appropriate mix of electricity solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

According to the World Bank, those living on \$1.25 day in Africa accounted for 48.5% of the population in that region in 2010.

Moreover, the U.S. Energy Information Administration statistics state that in 2011 the whole of Africa possessed only 78 gigawatts of installed generation capacity, of which South Africa accounted for 44 gigawatts.

By comparison, installed capacity in the United States alone was 1,053 gigawatts.

In other words, all of Africa has only 7% of the electric capacity of the United States.

This is why S. 2152 is important, as it can be instrumental in helping to facilitate higher energy capacities in Africa.

Furthermore, actual production capacity for Africa is likely to be substantially lower than the theoretical quantity because of inadequate maintenance, outmoded equipment and fuel shortages.

Using per-capita data, a US citizen on average uses 12,461 kilowatt hours of electricity per annum; a citizen of Ethiopia uses 52.

On average, only 30% of Africa's citizens have any access to electric electricity, and even where electricity is available, provision can be sporadic, with frequent electricity cuts and "brown-outs."

For now, the continent remains largely dependent on hydroelectricity with 13 countries utilizing hydroelectricity for 60% or more of their energy.

But, hydroelectricity relies on rain and Africa's rain fall is sporadic at best.

The reliance on sporadic rainfall adversely impacts the effectiveness and accessibility to hydroelectricity sources.

Energy is a key life blood of every economy and community.

In addition to electricity in homes, the energy sector has been instrumental in creating millions of jobs, providing lighting to communities and healthcare centers, fueling our vehicles, increasing literacy and life expectancy.

As an advocate for energy empowerment in Africa, I have championed energy brain trusts that are convened to serve as a platform for all relevant stakeholders from the energy sectors including coal, electric, natural gas, nuclear, oil and emerging energy sources such as wind, solar, hydroelectricity and turbine energy.

I support the Electrify Africa Act as it will address the energy issues of the day.

As you all may know, with enthusiasm, optimism and a collaborative spirit I partnered with my colleagues here in Congress and experts in other U.S. agencies such as USAID, which has been spearheading innovative energy initiatives through its inter-agency efforts.

This legislation is important because it will increase the number of people with new access to electricity and electricity services.

This legislation will improve and expand the generation, transmission and distribution of electricity.

I support this legislation because it provides reliable electricity to people and businesses in urban and rural communities.

It will address the energy needs of citizens living in areas where there is little or no access to electricity grids.

It is also important because it will help develop plans to systemically increase coverage in rural areas.

It will facilitate the reduction in transmission and distribution losses and improve end-use efficiency and demand-side management as well as end energy-related impediments to business productivity and investment.

Additionally, this legislation will facilitate the capacity of countries in Africa to monitor appropriately and transparently the regulation of the power sector.

It will also serve as an economic stimulator because it will encourage private investment in energy production and distribution.

Overall, this legislation is important because it makes accessible a human necessity: electricity, which will dramatically improve the quality of life of children, women and men.

Access to electricity will aid the mid-wife in successfully delivering a healthy child, while insuring the mother's successful recovery.

Access to electricity, taken for granted in some parts of the world is critical in Africa because it will provide the light for a child to do his or her homework.

Electricity gives Africa's future innovator, politician and teacher access to the internet: opening countless doors.

I support this legislation because it will promote first-time access to electricity and electricity services for at least 50,000,000 people in Africa.

This legislation will facilitate the installation of at least 20,000 additional megawatts of electricity in Africa by 2020 in both urban and rural areas.

When Africa succeeds the world succeeds and this is why I support this legislation and I thank my colleagues for their bipartisan support across both chambers of the House.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, S. 2152.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AGREEMENT ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF HUNGARY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-95)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95-216, 42 U.S.C. 433(e)(1)), I transmit herewith a social security totalization agreement with Hungary, titled, "Agreement on Social Security between the Government of the United States of America and the Government of Hungary," and a related agreement titled, "Administrative Arrangement for the Implementation of the Agreement on Social Security between the United States of America and the Government of Hungary" (collectively the "Agreements"). The Agreements were signed in Budapest, Hungary, on February 3, 2015.

The Agreements are similar in objective to the social security agreements already in force with most European Union countries, Australia, Canada, Chile, Japan, Norway, the Republic of Korea, and Switzerland. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries.

The Agreements contain all provisions mandated by section 233 of the Social Security Act and the provisions that I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4) of the Social Security Act.

I also transmit for the information of the Congress a report required by section 233(e)(1) of the Social Security Act on the estimated number of individuals who will be affected by the Agreements and the estimated cost effect. The Department of State and the Social Security Administration have recommended the Agreements to me.

I commend the Agreements and related documents.

BARACK OBAMA.
THE WHITE HOUSE, February 1, 2016.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1829

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 6 o'clock and 29 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3700, HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2015

Mr. STIVERS from the Committee on Rules, submitted a privileged report (Rept. No. 114-411) on the resolution (H. Res. 594) providing for consideration of the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2187, by the yeas and nays;

H.R. 4168, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

FAIR INVESTMENT OPPORTUNITIES FOR PROFESSIONAL EX-PERTS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2187) to direct the Securities and Exchange Commission to revise its regulations regarding the qualifications of natural persons as accredited investors, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 347, nays 8, not voting 78, as follows:

[Roll No. 46]

YEAS—347

Abraham	Coffman	Fitzpatrick
Adams	Cohen	Fleischmann
Aguilar	Cole	Fleming
Amash	Collins (GA)	Forbes
Ashford	Collins (NY)	Fortenberry
Babin	Comstock	Foster
Barletta	Conaway	Fox
Barr	Connolly	Frankel (FL)
Barton	Cook	Frelinghuysen
Bass	Cooper	Fudge
Beatty	Costa	Gabbard
Becerra	Costello (PA)	Galleo
Benishkek	Courtney	Garamendi
Bera	Cramer	Granger
Beyer	Crawford	Gibbs
Bishop (MI)	Crenshaw	Gibson
Blackburn	Cuellar	Gohmert
Blum	Culberson	Goodlatte
Blumenauer	Curbelo (FL)	Gosar
Bonamici	Davis (CA)	Gowdy
Bost	Davis, Danny	Graham
Boustany	DeFazio	Granger
Boyle, Brendan	DeGette	Graves (GA)
F.	Delaney	Graves (LA)
Brady (PA)	DeLauro	Graves (MO)
Brady (TX)	DelBene	Green, Al
Brat	Denham	Green, Gene
Bridenstine	Dent	Griffith
Brownley (CA)	DeSantis	Grothman
Buchanan	DeSaulnier	Guinta
Buck	DesJarlais	Guthrie
Bucshon	Deutch	Hahn
Burgess	Diaz-Balart	Hanna
Bustos	Dingell	Hardy
Byrne	Dold	Harper
Calvert	Donovan	Harris
Capps	Doyle, Michael	Hartzler
Cárdenas	F.	Hastings
Carney	Duckworth	Heck (NV)
Carson (IN)	Duffy	Heck (WA)
Carter (TX)	Duncan (SC)	Hensarling
Cartwright	Duncan (TN)	Higgins
Castor (FL)	Ellison	Hill
Chabot	Ellmers (NC)	Himes
Chaffetz	Emmer (MN)	Hinojosa
Chu, Judy	Eshoo	Holding
Cicilline	Esty	Honda
Clawson (FL)	Farenthold	Hoyer
Cleaver	Farr	Hudson
Clyburn	Fincher	Huelskamp

Huffman	Meadows	Schakowsky
Hultgren	Meehan	Schrader
Hunter	Meeks	Schweikert
Hurd (TX)	Meng	Scott (VA)
Hurt (VA)	Mica	Scott, David
Israel	Miller (FL)	Sessions
Jeffries	Miller (MI)	Sewell (AL)
Jenkins (KS)	Moore	Sherman
Jenkins (WV)	Moulton	Shimkus
Johnson, E. B.	Mulvaney	Shuster
Johnson, Sam	Murphy (FL)	Simpson
Jolly	Murphy (PA)	Sinema
Jones	Napolitano	Slaughter
Jordan	Neal	Smith (NE)
Keating	Neugebauer	Smith (TX)
Kelly (IL)	Newhouse	Stewart
Kelly (MS)	Nolan	Stivers
Kelly (PA)	Norcross	Stutzman
Kilmer	Nugent	Swalwell (CA)
Kind	O'Rourke	Takai
King (NY)	Olson	Takano
Kinzinger (IL)	Pallone	Thompson (CA)
Kline	Palmer	Thompson (MS)
Knight	Pascarella	Thompson (PA)
Kuster	Paulsen	Thornberry
Labrador	Payne	Tipton
LaHood	Pearce	Titus
Lamborn	Pelosi	Tonko
Lance	Perlmutter	Torres
Langevin	Perry	Trott
Larsen (WA)	Peters	Turner
Larsen (CT)	Pingree	Upton
Latta	Pittenger	Vann Hollen
Lawrence	Pitts	Vargas
Lee	Pocan	Veasey
Levin	Poe (TX)	Vela
Lieu, Ted	Poliquin	Velázquez
LoBiondo	Polis	Visclosky
Lofgren	Posey	Wagner
Long	Price (NC)	Walberg
Loudermilk	Price, Tom	Walden
Love	Quigley	Walker
Lowenthal	Rangel	Walorski
Lowey	Ratcliffe	Walters, Mimi
Lucas	Reed	Walz
Luetkemeyer	Reichert	Wasserman
Lujan Grisham	Renacci	Schultz
(NM)	Rice (NY)	Waters, Maxine
Luján, Ben Ray	Rice (SC)	Watson Coleman
(NM)	Rigell	Weber (TX)
Lummis	Roby	Webster (FL)
MacArthur	Roe (TN)	Welch
Maloney,	Rogers (AL)	Wenstrup
Carolyn	Rogers (KY)	Whitfield
Marchant	Rooney (FL)	Williams
Marino	Roskam	Wilson (SC)
Matsui	Ross	Wittman
McCarthy	Rothfus	Womack
McCaul	Rouzer	Woodall
McClintock	Roybal-Allard	Yarmuth
McCollum	Royce	Yoder
McDermott	Ruiz	Yoho
McHenry	Ruppersberger	Young (AK)
McKinley	Russell	Young (IA)
McMorris	Salmon	Young (IN)
Rodgers	Sánchez, Linda	Zeldin
McNerney	T.	Zinke
McSally	Sanford	
	Scalise	

NAYS—8

Capuano	McGovern	Sensenbrenner
Clark (MA)	Ryan (OH)	Tsongas
Lynch	Sarbanes	

NOT VOTING—78

Aderholt	Doggett	Kildee
Allen	Edwards	King (IA)
Amodei	Engel	Kirkpatrick
Bilirakis	Fattah	LaMalfa
Bishop (GA)	Flores	Lewis
Bishop (UT)	Franks (AZ)	Lipinski
Black	Grayson	Loeb
Brooks (AL)	Grijalva	Maloney, Sean
Brooks (IN)	Gutiérrez	Massie
Brown (FL)	Herrera Beutler	Messer
Butterfield	Hice, Jody B.	Moolenaar
Carter (GA)	Huizenga (MI)	Mooney (WV)
Castro (TX)	Issa	Mullin
Clarke (NY)	Jackson Lee	Nadler
Clay	Johnson (GA)	Noem
Conyers	Joyce	Nunes
Crowley	Kaptur	Palazzo
Cummings	Katko	Peterson
Davis, Rodney	Kennedy	Pompeo

Ribble	Schiff	Speier
Richmond	Scott, Austin	Stefanik
Rohrabacher	Serrano	Tiberi
Rokita	Sires	Valadao
Ros-Lehtinen	Smith (MO)	Westerman
Rush	Smith (NJ)	Westmoreland
Sanchez, Loretta	Smith (WA)	Wilson (FL)

□ 1847

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ALLEN. Mr. Speaker, on rollcall No. 46, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. CARTER of Georgia. Mr. Speaker, on rollcall No. 46, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 46, I was meeting with constituents. Had I been present, I would have voted "yes."

Mr. JOYCE. Mr. Speaker, on rollcall No. 46, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. VALADAO. Mr. Speaker, on rollcall no. 46, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. WESTERMAN. Mr. Speaker, on rollcall No. 46, I was unavoidably detained. Had I been present, I would have voted "yes."

SMALL BUSINESS CAPITAL FORMATION ENHANCEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4168) to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 1, not voting 42, as follows:

[Roll No. 47]

YEAS—390

Abraham	Beyer	Brat
Adams	Bilirakis	Bridenstine
Aderholt	Bishop (GA)	Brown (FL)
Aguilar	Bishop (MI)	Brownley (CA)
Allen	Bishop (UT)	Buchanan
Amash	Black	Buck
Ashford	Blackburn	Bucshon
Babin	Blum	Burgess
Barletta	Blumenauer	Bustos
Barr	Bonamici	Byrne
Barton	Bost	Calvert
Bass	Boustany	Capps
Beatty	Boyle, Brendan	Capuano
Becerra	F.	Cárdenas
Benishkek	Brady (PA)	Carney
Bera	Brady (TX)	Carson (IN)

Carter (GA) Quinta
Carter (TX) Guthrie
Cartwright Gutiérrez
Castor (FL) Hahn
Chabot Hanna
Chaffetz Hardy
Chu, Judy Harper
Cicilline Harris
Clark (MA) Hartzler
Clawson (FL) Hastings
Cleaver Heck (NV)
Clyburn Heck (WA)
Coffman Hensarling
Cohen Herrera Beutler
Cole Higgins
Collins (GA) Hill
Collins (NY) Himes
Comstock Hinojosa
Conaway Holding
Connolly Honda
Conyers Hoyer
Cook Hudson
Cooper Huelskamp
Costa
Costello (PA) Hultgren
Courtney Hunter
Cramer Hurd (TX)
Crawford Hurt (VA)
Crenshaw Israel
Cuellar Jeffries
Culberson Jenkins (KS)
Curbelo (FL) Jenkins (WV)
Davis (CA) Johnson (GA)
Davis, Danny Johnson (OH)
Davis, Rodney Johnson, E. B.
DeFazio Johnson, Sam
DeGette Jolly
Delaney Jones
DeLauro Jordan
DelBene Joyce
Denham Katko
Dent Keating
DeSantis Kelly (IL)
DeSaulnier Kelly (MS)
DesJarlais Kelly (PA)
Deutch Kennedy
Diaz-Balart Kildee
Dingell Kilmer
Doggett Kind
Dold King (NY)
Donovan Kinzinger (IL)
Doyle, Michael F. Kline
Duckworth Knight
Duffy Kuster
Duncan (SC) Labrador
Duncan (TN) LaHood
Ellison Lamborn
Ellmers (NC) Lance
Emmer (MN) Langevin
Eshoo Larsen (WA)
Esty Larson (CT)
Farenthold Latta
Farr Lawrence
Fincher Lee
Fitzpatrick Levin
Fleischmann Lieu, Ted
Fleming Lipinski
Flores LoBiondo
Forbes Lofgren
Fortenberry Long
Foster Loudermilk
Foxx Love
Frankel (FL) Lowenthal
Frelinghuysen Lowey
Fudge Lucas
Gabbard Luetkemeyer
Galego Lujan Grisham (NM)
Garamendi Luján, Ben Ray (NM)
Garrett Lummis
Gibbs Lynch
Gibson MacArthur
Gohmert MacArthur
Goodlatte Maloney, Carolyn
Gosar Marchant
Gowdy Marino
Graham Matsui
Granger McCarthy
Graves (GA) McCaul
Graves (LA) McCaul
Graves (MO) McClintock
Grayson McCollum
Green, Al McDermott
Green, Gene McGovern
Griffith McHenry
Grothman McKinley

McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moore
Moulton
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarella
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema

Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott

NAYS—1

Sensenbrenner

NOT VOTING—42

Amodei
Brooks (AL)
Brooks (IN)
Butterfield
Castro (TX)
Clarke (NY)
Clay
Crowley
Cummings
Edwards
Engel
Fattah
Franks (AZ)
Grijalva
Hice, Jody B.
Huizenga (MI)
Issa
Jackson Lee
Kaptur
King (IA)
Kirkpatrick
LaMalfa
Lewis
Loeb sack
Maloney, Sean
Massie
Moolenaar
Mooney (WV)
Mullin
Nadler
Pompeo
Rohrabacher
Rokita
Rush
Sanchez, Loretta
Schiff
Scott, Austin
Sires
Smith (MO)
Smith (WA)
Tiberi
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on Roll Call #46 on H.R. 2187—Fair Investment Opportunities for Professional Experts Act. I am not recorded because I was absent due to awaiting the impending birth of my son in San Antonio, Texas. Had I been present I would have voted AYE.

Mr. Speaker, my vote was not recorded on Roll Call #47 on H.R. 4168—Small Business Capital Formation Enhancement Act. I am not recorded because I was absent due to awaiting the impending birth of my son in San Antonio, Texas. Had I been present I would have voted AYE.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1019 AND H.R. 1401

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor from both H.R. 1019 and H.R. 1401.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 546

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 546, the ACE Kids Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the additional motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

COAST GUARD AUTHORIZATION ACT OF 2015

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4188) to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Coast Guard Authorization Act of 2015".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—AUTHORIZATIONS

Sec. 101. Authorizations.

Sec. 102. Conforming amendments.

TITLE II—COAST GUARD

Sec. 201. Vice Commandant.

Sec. 202. Vice admirals.

Sec. 203. Coast Guard remission of indebtedness.

Sec. 204. Acquisition reform.

Sec. 205. Auxiliary jurisdiction.

Sec. 206. Coast Guard communities.

Sec. 207. Polar icebreakers.

Sec. 208. Air facility closures.

Sec. 209. Technical corrections to title 14, United States Code.

Sec. 210. Discontinuance of an aid to navigation.

Sec. 211. Mission performance measures.

Sec. 212. Communications.

Sec. 213. Coast Guard graduate maritime operations education.

Sec. 214. Professional development.

Sec. 215. Senior enlisted member continuation boards.

Sec. 216. Coast Guard member pay.

Sec. 217. Transfer of funds necessary to provide medical care.

Sec. 218. Participation of the Coast Guard Academy in Federal, State, or other educational research grants.

Sec. 219. National Coast Guard Museum.
 Sec. 220. Investigations.
 Sec. 221. Clarification of eligibility of members of the Coast Guard for combat-related special compensation.

Sec. 222. Leave policies for the Coast Guard.

TITLE III—SHIPPING AND NAVIGATION

Sec. 301. Survival craft.
 Sec. 302. Vessel replacement.
 Sec. 303. Model years for recreational vessels.
 Sec. 304. Merchant mariner credential expiration harmonization.
 Sec. 305. Safety zones for permitted marine events.
 Sec. 306. Technical corrections.
 Sec. 307. Recommendations for improvements of marine casualty reporting.
 Sec. 308. Recreational vessel engine weights.
 Sec. 309. Merchant mariner medical certification reform.
 Sec. 310. Atlantic Coast port access route study.
 Sec. 311. Certificates of documentation for recreational vessels.
 Sec. 312. Program guidelines.
 Sec. 313. Repeals.
 Sec. 314. Maritime drug law enforcement.
 Sec. 315. Examinations for merchant mariner credentials.
 Sec. 316. Higher volume port area regulatory definition change.
 Sec. 317. Recognition of port security assessments conducted by other entities.
 Sec. 318. Fishing vessel and fish tender vessel certification.
 Sec. 319. Interagency Coordinating Committee on Oil Pollution Research.
 Sec. 320. International port and facility inspection coordination.

TITLE IV—FEDERAL MARITIME COMMISSION

Sec. 401. Authorization of appropriations.
 Sec. 402. Duties of the Chairman.
 Sec. 403. Prohibition on awards.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

Sec. 501. Conveyance of Coast Guard property in Point Reyes Station, California.
 Sec. 502. Conveyance of Coast Guard property in Tok, Alaska.

Subtitle B—Pribilof Islands

Sec. 521. Short title.
 Sec. 522. Transfer and disposition of property.
 Sec. 523. Notice of certification.
 Sec. 524. Redundant capability.

Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska

Sec. 531. Findings.
 Sec. 532. Definitions.
 Sec. 533. Authority to convey land in Point Spencer.
 Sec. 534. Environmental compliance, liability, and monitoring.
 Sec. 535. Easements and access.
 Sec. 536. Relationship to Public Land Order 2650.
 Sec. 537. Archeological and cultural resources.
 Sec. 538. Maps and legal descriptions.
 Sec. 539. Chargeability for land conveyed.
 Sec. 540. Redundant capability.
 Sec. 541. Port Coordination Council for Point Spencer.

TITLE VI—MISCELLANEOUS

Sec. 601. Modification of reports.
 Sec. 602. Safe vessel operation in the Great Lakes.
 Sec. 603. Use of vessel sale proceeds.
 Sec. 604. National Academy of Sciences cost assessment.
 Sec. 605. Coastwise endorsements.
 Sec. 606. International Ice Patrol.

Sec. 607. Assessment of oil spill response and cleanup activities in the Great Lakes.

Sec. 608. Report on status of technology detecting passengers who have fallen overboard.

Sec. 609. Venue.

Sec. 610. Disposition of infrastructure related to e-loran.

Sec. 611. Parking.

Sec. 612. Inapplicability of load line requirements to certain United States vessels traveling in the Gulf of Mexico.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

(a) IN GENERAL.—Title 14, United States Code, is amended by adding at the end the following:

“PART III—COAST GUARD AUTHORIZATIONS AND REPORTS TO CONGRESS

“Chap. Sec.

“27. Authorizations 2701

“29. Reports 2901.

“CHAPTER 27—AUTHORIZATIONS

“Sec.

“2702. Authorization of appropriations.

“2704. Authorized levels of military strength and training.

“§ 2702. Authorization of appropriations

“Funds are authorized to be appropriated for each of fiscal years 2016 and 2017 for necessary expenses of the Coast Guard as follows:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for—

“(A) \$6,981,036,000 for fiscal year 2016; and

“(B) \$6,981,036,000 for fiscal year 2017.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

“(A) \$1,945,000,000 for fiscal year 2016; and

“(B) \$1,945,000,000 for fiscal year 2017.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services—

“(A) \$140,016,000 for fiscal year 2016; and

“(B) \$140,016,000 for fiscal year 2017.

“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title—

“(A) \$16,701,000 for fiscal year 2016; and

“(B) \$16,701,000 for fiscal year 2017.

“(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

“(A) \$19,890,000 for fiscal year 2016; and

“(B) \$19,890,000 for fiscal year 2017.

“§ 2704. Authorized levels of military strength and training

“(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for each of fiscal years 2016 and 2017.

“(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for each of fiscal years 2016 and 2017 as follows:

“(1) For recruit and special training, 2,500 student years.

“(2) For flight training, 165 student years.

“(3) For professional training in military and civilian institutions, 350 student years.

“(4) For officer acquisition, 1,200 student years.

“CHAPTER 29—REPORTS

“Sec.

“2904. Manpower requirements plan.

“§ 2904. Manpower requirements plan

“(a) IN GENERAL.—On the date on which the President submits to the Congress a budget for fiscal year 2017 under section 1105 of title 31, on the date on which the President submits to the Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a manpower requirements plan.

“(b) SCOPE.—A manpower requirements plan submitted under subsection (a) shall include for each mission of the Coast Guard—

“(1) an assessment of all projected mission requirements for the upcoming fiscal year and for each of the 3 fiscal years thereafter;

“(2) the number of active duty, reserve, and civilian personnel assigned or available to fulfill such mission requirements—

“(A) currently; and

“(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

“(3) the number of active duty, reserve, and civilian personnel required to fulfill such mission requirements—

“(A) currently; and

“(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

“(4) an identification of any capability gaps between mission requirements and mission performance caused by deficiencies in the numbers of personnel available—

“(A) currently; and

“(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter; and

“(5) an identification of the actions the Commandant will take to address capability gaps identified under paragraph (4).

“(c) CONSIDERATION.—In composing a manpower requirements plan for submission under subsection (a), the Commandant shall consider—

“(1) the marine safety strategy required under section 2116 of title 46;

“(2) information on the adequacy of the acquisition workforce included in the most recent report under section 2903 of this title; and

“(3) any other Federal strategic planning effort the Commandant considers appropriate.”

(b) REQUIREMENT FOR PRIOR AUTHORIZATION OF APPROPRIATIONS.—Section 662 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2701;

(2) by transferring such section to appear before section 2702 of such title (as added by subsection (a) of this section); and

(3) by striking paragraphs (1) through (5) and inserting the following:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services.

“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title.

“(5) For research, development, test, and evaluation of technologies, materials, and human

factors directly related to improving the performance of the Coast Guard.

“(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program.”.

(c) **AUTHORIZATION OF PERSONNEL END STRENGTHS.**—Section 661 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2703; and

(2) by transferring such section to appear before section 2704 of such title (as added by subsection (a) of this section).

(d) **REPORTS.**—

(1) **TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.**—Section 662a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2901;

(B) by transferring such section to appear before section 2904 of such title (as added by subsection (a) of this section); and

(C) in subsection (b)—

(i) in paragraph (1) by striking “described in section 661” and inserting “described in section 2703”; and

(ii) in paragraph (2) by striking “described in section 662” and inserting “described in section 2701”.

(2) **CAPITAL INVESTMENT PLAN.**—Section 663 of title 14, United States Code, is amended—

(A) by redesignating such section as section 2902; and

(B) by transferring such section to appear after section 2901 of such title (as so redesignated and transferred by paragraph (1) of this subsection).

(3) **MAJOR ACQUISITIONS.**—Section 569a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2903;

(B) by transferring such section to appear after section 2902 of such title (as so redesignated and transferred by paragraph (2) of this subsection); and

(C) in subsection (c)(2) by striking “of this subchapter”.

(e) **ICEBREAKERS.**—

(1) **ICEBREAKING ON THE GREAT LAKES.**—For fiscal years 2016 and 2017, the Commandant of the Coast Guard may use funds made available pursuant to section 2702(2) of title 14, United States Code (as added by subsection (a) of this section) for the selection of a design for and the construction of an icebreaker that is capable of buoy tending to enhance icebreaking capacity on the Great Lakes.

(2) **POLAR ICEBREAKING.**—Of the amounts authorized to be appropriated under section 2702(2) of title 14, United States Code, as amended by subsection (a), there is authorized to be appropriated to the Coast Guard \$4,000,000 for fiscal year 2016 and \$10,000,000 for fiscal year 2017 for preacquisition activities for a new polar icebreaker, including initial specification development and feasibility studies.

(f) **ADDITIONAL SUBMISSIONS.**—The Commandant of the Coast Guard shall submit to the Committee on Homeland Security of the House of Representatives—

(1) each plan required under section 2904 of title 14, United States Code, as added by subsection (a) of this section;

(2) each plan required under section 2903(e) of title 14, United States Code, as added by section 206 of this Act;

(3) each plan required under section 2902 of title 14, United States Code, as redesignated by subsection (d) of this section; and

(4) each mission need statement required under section 569 of title 14, United States Code.

SEC. 102. CONFORMING AMENDMENTS.

(a) **ANALYSIS FOR TITLE 14.**—The analysis for title 14, United States Code, is amended by add-

ing after the item relating to part II the following:

“III. Coast Guard Authorizations and Reports to Congress 2701”.

(b) **ANALYSIS FOR CHAPTER 15.**—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569a.

(c) **ANALYSIS FOR CHAPTER 17.**—The analysis for chapter 17 of title 14, United States Code, is amended by striking the items relating to sections 661, 662, 662a, and 663.

(d) **ANALYSIS FOR CHAPTER 27.**—The analysis for chapter 27 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting—

(1) before the item relating to section 2702 the following:

“2701. Requirement for prior authorization of appropriations.”;

and

(2) before the item relating to section 2704 the following:

“2703. Authorization of personnel end strengths.”.

(e) **ANALYSIS FOR CHAPTER 29.**—The analysis for chapter 29 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting before the item relating to section 2904 the following:

“2901. Transmission of annual Coast Guard authorization request.

“2902. Capital investment plan.

“2903. Major acquisitions.”.

(f) **MISSION NEED STATEMENT.**—Section 569(b) of title 14, United States Code, is amended—

(1) in paragraph (2) by striking “in section 569a(e)” and inserting “in section 2903”; and

(2) in paragraph (3) by striking “under section 663(a)(1)” and inserting “under section 2902(a)(1)”.

TITLE II—COAST GUARD

SEC. 201. VICE COMMANDANT.

(a) **GRADES AND RATINGS.**—Section 41 of title 14, United States Code, is amended by striking “an admiral,” and inserting “admirals (two);”.

(b) **VICE COMMANDANT; APPOINTMENT.**—Section 47 of title 14, United States Code, is amended by striking “vice admiral” and inserting “admiral”.

(c) **CONFORMING AMENDMENT.**—Section 51 of title 14, United States Code, is amended—

(1) in subsection (a) by inserting “admiral or” before “vice admiral,”;

(2) in subsection (b) by inserting “admiral or” before “vice admiral,” each place it appears; and

(3) in subsection (c) by inserting “admiral or” before “vice admiral,”.

SEC. 202. VICE ADMIRALS.

Section 50 of title 14, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) The President may—

“(A) designate, within the Coast Guard, no more than five positions of importance and responsibility that shall be held by officers who, while so serving—

“(i) shall have the grade of vice admiral, with the pay and allowances of that grade; and

“(ii) shall perform such duties as the Commandant may prescribe, except that if the President designates five such positions, one position shall be the Chief of Staff of the Coast Guard; and

“(B) designate, within the executive branch, other than within the Coast Guard or the National Oceanic and Atmospheric Administration, positions of importance and responsibility that shall be held by officers who, while so serving,

shall have the grade of vice admiral, with the pay and allowances of that grade.”; and

(B) in paragraph (3)(A) by striking “under paragraph (1)” and inserting “under paragraph (1)(A)”;

(2) in subsection (b)(2)—

(A) in subparagraph (B) by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

“(C) at the discretion of the Secretary, while awaiting orders after being relieved from the position, beginning on the day the officer is relieved from the position, but not for more than 60 days; and”.

SEC. 203. COAST GUARD REMISSION OF INDEBTEDNESS.

(a) **EXPANSION OF AUTHORITY TO REMIT INDEBTEDNESS.**—Section 461 of title 14, United States Code, is amended to read as follows:

“§461. Remission of indebtedness

“The Secretary may have remitted or cancelled any part of a person’s indebtedness to the United States or any instrumentality of the United States if—

“(1) the indebtedness was incurred while the person served on active duty as a member of the Coast Guard; and

“(2) the Secretary determines that remitting or cancelling the indebtedness is in the best interest of the United States.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 13 of title 14, United States Code, is amended by striking the item relating to section 461 and inserting the following:

“461. Remission of indebtedness.”.

SEC. 204. ACQUISITION REFORM.

(a) **MINIMUM PERFORMANCE STANDARDS.**—Section 572(d)(3) of title 14, United States Code, is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (E) through (J), respectively;

(2) by redesignating subparagraph (B) as subparagraph (C);

(3) by inserting after subparagraph (A) the following:

“(B) the performance data to be used to determine whether the key performance parameters have been resolved;”; and

(4) by inserting after subparagraph (C), as redesignated by paragraph (2) of this subsection, the following:

“(D) the results during test and evaluation that will be required to demonstrate that a capability, asset, or subsystem meets performance requirements;”.

(b) **CAPITAL INVESTMENT PLAN.**—Section 2902 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking “completion,” and inserting “completion based on the proposed appropriations included in the budget;”; and

(B) in subparagraph (D), by striking “at the projected funding levels;” and inserting “based on the proposed appropriations included in the budget;”; and

(2) by redesignating subsection (b) as subsection (c), and inserting after subsection (a) the following:

“(b) **NEW CAPITAL ASSETS.**—In the fiscal year following each fiscal year for which appropriations are enacted for a new capital asset, the report submitted under subsection (a) shall include—

“(1) an estimated life-cycle cost estimate for the new capital asset;

“(2) an assessment of the impact the new capital asset will have on—

“(A) delivery dates for each capital asset;
“(B) estimated completion dates for each capital asset;

“(C) the total estimated cost to complete each capital asset; and

“(D) other planned construction or improvement projects; and

“(3) recommended funding levels for each capital asset necessary to meet the estimated completion dates and total estimated costs included in the such asset's approved acquisition program baseline.”; and

(3) by amending subsection (c), as so redesignated, to read as follows:

“(c) DEFINITIONS.—In this section—

“(1) the term ‘unfunded priority’ means a program or mission requirement that—

“(A) has not been selected for funding in the applicable proposed budget;

“(B) is necessary to fulfill a requirement associated with an operational need; and

“(C) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted; and

“(2) the term ‘new capital asset’ means—

“(A) an acquisition program that does not have an approved acquisition program baseline; or

“(B) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline.”.

(c) DAYS AWAY FROM HOMEPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall—

(1) implement a standard for tracking operational days at sea for Coast Guard cutters that does not include days during which such cutters are undergoing maintenance or repair; and

(2) notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the standard implemented under paragraph (1).

(d) FIXED WING AIRCRAFT FLEET MIX ANALYSIS.—Not later than September 30, 2016, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a revised fleet mix analysis of Coast Guard fixed wing aircraft.

(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Section 2903 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

“(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Each report under subsection (a) shall include a plan that describes for the upcoming fiscal year, and for each of the 20 fiscal years thereafter—

“(1) the numbers and types of cutters and aircraft to be decommissioned;

“(2) the numbers and types of cutters and aircraft to be acquired to—

“(A) replace the cutters and aircraft identified under paragraph (1); or

“(B) address an identified capability gap; and

“(3) the estimated level of funding in each fiscal year required to—

“(A) acquire the cutters and aircraft identified under paragraph (2);

“(B) acquire related command, control, communications, computer, intelligence, surveillance, and reconnaissance systems; and

“(C) acquire, construct, or renovate shoreside infrastructure.

“(f) QUARTERLY UPDATES ON RISKS OF PROGRAMS.—

“(1) IN GENERAL.—Not later than 15 days after the end of each fiscal year quarter, the Commandant of the Coast Guard shall submit to the committees of Congress specified in subsection (a) an update setting forth a current assessment of the risks associated with all current major acquisition programs.

“(2) ELEMENTS.—Each update under this subsection shall set forth, for each current major acquisition program, the following:

“(A) The top five current risks to such program.

“(B) Any failure of such program to demonstrate a key performance parameter or threshold during operational test and evaluation conducted during the fiscal year quarter preceding such update.

“(C) Whether there has been any decision during such fiscal year quarter to order full-rate production before all key performance parameters or thresholds are met.

“(D) Whether there has been any breach of major acquisition program cost (as defined by the Major Systems Acquisition Manual) during such fiscal year quarter.

“(E) Whether there has been any breach of major acquisition program schedule (as so defined) during such fiscal year quarter.”.

SEC. 205. AUXILIARY JURISDICTION.

(a) IN GENERAL.—Section 822 of title 14, United States Code, is amended—

(1) by striking “The purpose” and inserting the following:

“(a) IN GENERAL.—The purpose”; and

(2) by adding at the end the following:

“(b) LIMITATION.—The Auxiliary may conduct a patrol of a waterway, or a portion thereof, only if—

“(1) the Commandant has determined such waterway, or portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard; or

“(2) a State or other proper authority has requested such patrol pursuant to section 141 of this title or section 13109 of title 46.”.

(b) NOTIFICATION.—The Commandant of the Coast Guard shall—

(1) review the waterways patrolled by the Coast Guard Auxiliary in the most recently completed fiscal year to determine whether such waterways are eligible or ineligible for patrol under section 822(b) of title 14, United States Code (as added by subsection (a)); and

(2) not later than 180 days after the date of the enactment of this Act, provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notification of—

(A) any waterways determined ineligible for patrol under paragraph (1); and

(B) the actions taken by the Commandant to ensure Auxiliary patrols do not occur on such waterways.

SEC. 206. COAST GUARD COMMUNITIES.

Section 409 of the Coast Guard Authorization Act of 1998 (14 U.S.C. 639 note) is amended in the second sentence by striking “90 days” and inserting “30 days”.

SEC. 207. POLAR ICEBREAKERS.

(a) INCREMENTAL FUNDING AUTHORITY FOR POLAR ICEBREAKERS.—In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of polar icebreakers and associated equipment using incremental funding.

(b) “POLAR SEA” MATERIEL CONDITION ASSESSMENT AND SERVICE LIFE EXTENSION.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112-213; 126 Stat. 1560) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary of the department in which the Coast Guard is operating shall—

“(1) complete a materiel condition assessment with respect to the Polar Sea;

“(2) make a determination of whether it is cost effective to reactivate the Polar Sea compared with other options to provide icebreaking services as part of a strategy to maintain polar icebreaking services; and

“(3) submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

“(A) the assessment required under paragraph (1); and

“(B) written notification of the determination required under paragraph (2).”;

(2) in subsection (b) by striking “analysis” and inserting “written notification”;

(3) by striking subsection (c);

(4) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(5) in subsection (c) (as redesignated by paragraph (4) of this section)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking “based on the analysis required”; and

(ii) in subparagraph (C) by striking “analysis” and inserting “written notification”;

(B) in paragraph (2)—

(i) by striking “analysis” each place it appears and inserting “written notification”;

(ii) by striking “subsection (a)” and inserting “subsection (a)(3)(B)”;

(iii) by striking “subsection (c)” each place it appears and inserting “that subsection”; and

(iv) by striking “under subsection (a)(5)”;

(C) in paragraph (3)—

(i) by striking “in the analysis submitted under this section”;

(ii) by striking “(a)(5)” and inserting “(a)”;

(iii) by striking “then” and all that follows through “(A)” and inserting “then”;

(iv) by striking “; or” and inserting a period; and

(v) by striking subparagraph (B); and

(6) in subsection (d) (as redesignated by paragraph (4) of this subsection) by striking “in subsection (d)” and inserting “in subsection (c)”.

SEC. 208. AIR FACILITY CLOSURES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by inserting after section 676 the following:

“§676a. Air facility closures

“(a) PROHIBITION.—

“(1) IN GENERAL.—The Coast Guard may not—

“(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

“(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

“(2) SUNSET.—Paragraph (1) shall have no force or effect beginning on the later of—

“(A) January 1, 2018; or

“(B) the date on which the Secretary submits to the Committee on Transportation and Infrastructure of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, rotary wing strategic plans prepared in accordance with section 208(b) of the Coast Guard Authorization Act of 2015.

“(b) CLOSURES.—

“(1) IN GENERAL.—Beginning on January 1, 2018, the Secretary may not close a Coast Guard air facility, except as specified by this section.

“(2) DETERMINATIONS.—The Secretary may not propose closing or terminating operations at

a Coast Guard air facility unless the Secretary determines that—

“(A) remaining search and rescue capabilities maintain the safety of the maritime public in the area of the air facility;

“(B) regional or local prevailing weather and marine conditions, including water temperatures or unusual tide and current conditions, do not require continued operation of the air facility; and

“(C) Coast Guard search and rescue standards related to search and response times are met.

“(3) PUBLIC NOTICE AND COMMENT.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with regard to the proposed closure or cessation of operations at the air facility.

“(4) NOTICE TO CONGRESS.—Prior to closure, cessation of operations, or any significant reduction in personnel and use of a Coast Guard air facility that is in operation on or after December 31, 2015, the Secretary shall—

“(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 for the fiscal year in which the action will be carried out; and

“(B) not later than 7 days after the date a proposal for an air facility is submitted pursuant to subparagraph (A), provide written notice of such proposal to each of the following:

“(i) Each member of the House of Representatives who represents a district in which the air facility is located.

“(ii) Each member of the Senate who represents a State in which the air facility is located.

“(iii) Each member of the House of Representatives who represents a district in which assets of the air facility conduct search and rescue operations.

“(iv) Each member of the Senate who represents a State in which assets of the air facility conduct search and rescue operations.

“(v) The Committee on Appropriations of the House of Representatives.

“(vi) The Committee on Transportation and Infrastructure of the House of Representatives.

“(vii) The Committee on Appropriations of the Senate.

“(viii) The Committee on Commerce, Science, and Transportation of the Senate.

“(c) OPERATIONAL FLEXIBILITY.—The Secretary may implement any reasonable management efficiencies within the air station and air facility network, such as modifying the operational posture of units or reallocating resources as necessary to ensure the safety of the maritime public nationwide.”.

(b) ROTARY WING STRATEGIC PLANS.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall prepare the plans specified in paragraph (2) to adequately address contingencies arising from potential future aviation casualties or the planned or unplanned retirement of rotary wing airframes to avoid to the greatest extent practicable any substantial gap or diminishment in Coast Guard operational capabilities.

(2) ROTARY WING STRATEGIC PLANS.—

(A) ROTARY WING CONTINGENCY PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a contingency plan—

(i) to address the planned or unplanned losses of rotary wing airframes;

(ii) to reallocate resources as necessary to ensure the safety of the maritime public nationwide; and

(iii) to ensure the operational posture of Coast Guard units.

(B) ROTARY WING REPLACEMENT CAPITAL INVESTMENT PLAN.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a capital investment plan for the acquisition of new rotary wing airframes to replace the Coast Guard's legacy helicopters and fulfil all existing mission requirements.

(ii) REQUIREMENTS.—The plan developed under this subparagraph shall provide—

(I) a total estimated cost for completion;

(II) a timetable for completion of the acquisition project and phased in transition to new airframes; and

(III) projected annual funding levels for each fiscal year.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by inserting after the item relating to section 676 the following:

“676a. Air facility closures.”.

(2) REPEAL OF PROHIBITION.—Section 225 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3022) is amended—

(A) by striking subsection (b); and

(B) by striking “(a) IN GENERAL.—”.

SEC. 209. TECHNICAL CORRECTIONS TO TITLE 14, UNITED STATES CODE.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in the analysis for part I, by striking the item relating to chapter 19 and inserting the following:

“19. Environmental Compliance and Restoration Program 690”;

(2) in section 46(a), by striking “subsection” and inserting “section”;

(3) in section 47, in the section heading by striking “commandant” and inserting “Commandant”;

(4) in section 93(f), by striking paragraph (2) and inserting the following:

“(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

“(A) the lease is for cash exclusively;

“(B) the lease amount is equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant;

“(C) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands and tidelands, or obtain goods and services from the lessee; and

“(D) proceeds from the lease are deposited in the Coast Guard Housing Fund established under section 687.”;

(5) in the analysis for chapter 9, by striking the item relating to section 199 and inserting the following:

“199. Marine safety curriculum.”;

(6) in section 427(b)(2), by striking “this chapter” and inserting “chapter 61 of title 10”;

(7) in the analysis for chapter 15 before the item relating to section 571, by striking the following:

“Sec.”;

(8) in section 581(5)(B), by striking “\$300,000,000,” and inserting “\$300,000,000,”;

(9) in section 637(c)(3), in the matter preceding subparagraph (A) by inserting “it is” before “any”;

(10) in section 641(d)(3), by striking “Guard, installation” and inserting “Guard installation”;

(11) in section 691(c)(3), by striking “state” and inserting “State”;

(12) in the analysis for chapter 21—

(A) by striking the item relating to section 709 and inserting the following:

“709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.”;

and

(B) by striking the item relating to section 740 and inserting the following:

“740. Failure of selection and removal from an active status.”;

(13) in section 742(c), by striking “subsection” and inserting “subsections”;

(14) in section 821(b)(1), by striking “Chapter 26” and inserting “Chapter 171”;

(15) in section 823a(b)(1), by striking “Chapter 26” and inserting “Chapter 171”.

SEC. 210. DISCONTINUANCE OF AN AID TO NAVIGATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process for the discontinuance of an aid to navigation (other than a seasonal or temporary aid) established, maintained, or operated by the Coast Guard.

(b) REQUIREMENT.—The process established under subsection (a) shall include procedures to notify the public of any discontinuance of an aid to navigation described in that subsection.

(c) CONSULTATION.—In establishing a process under subsection (a), the Secretary shall consult with and consider any recommendations of the Navigation Safety Advisory Council.

(d) NOTIFICATION.—Not later than 30 days after establishing a process under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the process established.

SEC. 211. MISSION PERFORMANCE MEASURES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the efficacy of the Coast Guard's Standard Operational Planning Process with respect to annual mission performance measures.

SEC. 212. COMMUNICATIONS.

(a) IN GENERAL.—If the Secretary of Homeland Security determines that there are at least two communications systems described under paragraph (1)(B) and certified under paragraph (2), the Secretary shall establish and carry out a pilot program across not less than three components of the Department of Homeland Security to assess the effectiveness of a communications system that—

(1) provides for—

(A) multiagency collaboration and interoperability; and

(B) wide-area, secure, and peer-invitation-and-acceptance-based multimedia communications;

(2) is certified by the Department of Defense Joint Interoperability Test Center; and

(3) is composed of commercially available, off-the-shelf technology.

(b) ASSESSMENT.—Not later than 6 months after the date on which the pilot program is

completed, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee Homeland Security and Governmental Affairs of the Senate an assessment of the pilot program, including the impacts of the program with respect to interagency and Coast Guard response capabilities.

(c) **STRATEGY.**—The pilot program shall be consistent with the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29).

(d) **TIMING.**—The pilot program shall commence within 90 days after the date of the enactment of this Act or within 60 days after the completion of the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29), whichever is later.

SEC. 213. COAST GUARD GRADUATE MARITIME OPERATIONS EDUCATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish an education program, for members and employees of the Coast Guard, that—

- (1) offers a master's degree in maritime operations;
- (2) is relevant to the professional development of such members and employees;
- (3) provides resident and distant education options, including the ability to utilize both options; and
- (4) to the greatest extent practicable, is conducted using existing academic programs at an accredited public academic institution that—
 - (A) is located near a significant number of Coast Guard, maritime, and other Department of Homeland Security law enforcement personnel; and
 - (B) has an ability to simulate operations normally conducted at a command center.

SEC. 214. PROFESSIONAL DEVELOPMENT.

(a) **MULTIRATER ASSESSMENT.**—

(1) **IN GENERAL.**—Chapter 11 of title 14, United States Code, is amended by inserting after section 428 the following:

“§429. Multirater assessment of certain personnel

“(a) **MULTIRATER ASSESSMENT OF CERTAIN PERSONNEL.**—

“(1) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant of the Coast Guard shall develop and implement a plan to conduct every two years a multirater assessment for each of the following:

- “(A) Each flag officer of the Coast Guard.
- “(B) Each member of the Senior Executive Service of the Coast Guard.
- “(C) Each officer of the Coast Guard nominated for promotion to the grade of flag officer.
- “(2) **POST-ASSESSMENT ELEMENTS.**—Following an assessment of an individual pursuant to paragraph (1), the individual shall be provided appropriate post-assessment counseling and leadership coaching.
- “(b) **MULTIRATER ASSESSMENT DEFINED.**—In this section, the term ‘multirater assessment’ means a review that seeks opinion from members senior to the reviewee and the peers and subordinates of the reviewee.”

(2) **CLERICAL AMENDMENT.**—The analysis at the beginning of such chapter is amended by inserting after the item related to section 428 the following:

“429. Multirater assessment of certain personnel.”

(b) **TRAINING COURSE ON WORKINGS OF CONGRESS.**—

(1) **IN GENERAL.**—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“§60. Training course on workings of Congress

“(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant, in consultation with the Superintendent of the Coast Guard Academy and such other individuals and organizations as the Commandant considers appropriate, shall develop a training course on the workings of the Congress and offer that training course at least once each year.

“(b) **COURSE SUBJECT MATTER.**—The training course required by this section shall provide an overview and introduction to the Congress and the Federal legislative process, including—

“(1) the history and structure of the Congress and the committee systems of the House of Representatives and the Senate, including the functions and responsibilities of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

“(2) the documents produced by the Congress, including bills, resolutions, committee reports, and conference reports, and the purposes and functions of those documents;

“(3) the legislative processes and rules of the House of Representatives and the Senate, including similarities and differences between the two processes and rules, including—

- “(A) the congressional budget process;
- “(B) the congressional authorization and appropriation processes;
- “(C) the Senate advice and consent process for Presidential nominees;
- “(D) the Senate advice and consent process for treaty ratification;
- “(4) the roles of Members of Congress and congressional staff in the legislative process; and

“(5) the concept and underlying purposes of congressional oversight within our governance framework of separation of powers.

“(c) **LECTURERS AND PANELISTS.**—

“(1) **OUTSIDE EXPERTS.**—The Commandant shall ensure that not less than 60 percent of the lecturers, panelists, and other individuals providing education and instruction as part of the training course required by this section are experts on the Congress and the Federal legislative process who are not employed by the executive branch of the Federal Government.

“(2) **AUTHORITY TO ACCEPT PRO BONO SERVICES.**—In satisfying the requirement under paragraph (1), the Commandant shall seek, and may accept, educational and instructional services of lecturers, panelists, and other individuals and organizations provided to the Coast Guard on a pro bono basis.

“(d) **COMPLETION OF REQUIRED TRAINING.**—

“(1) **CURRENT FLAG OFFICERS AND EMPLOYEES.**—A Coast Guard flag officer appointed or assigned to a billet in the National Capital Region on the date of the enactment of this section, and a Coast Guard Senior Executive Service employee employed in the National Capital Region on the date of the enactment of this section, shall complete a training course that meets the requirements of this section within 60 days after the date on which the Commandant completes the development of the training course.

“(2) **NEW FLAG OFFICERS AND EMPLOYEES.**—A Coast Guard flag officer who is newly appointed or assigned to a billet in the National Capital Region, and a Coast Guard Senior Executive Service employee who is newly employed in the National Capital Region, shall complete a training course that meets the requirements of this section not later than 60 days after reporting for duty.”

(2) **CLERICAL AMENDMENT.**—The analysis at the beginning of such chapter is amended by adding at the end the following:

“60. Training course on workings of Congress.”

(c) **REPORT ON LEADERSHIP DEVELOPMENT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on Coast Guard leadership development.

(2) **CONTENTS.**—The report shall include the following:

- (A) An assessment of the feasibility of—
 - (i) all officers (other than officers covered by section 429(a) of title 14, United States Code, as amended by this section) completing a multirater assessment;
 - (ii) all members (other than officers covered by such section) in command positions completing a multirater assessment;
 - (iii) all enlisted members in a supervisory position completing a multirater assessment; and
 - (iv) members completing periodic multirater assessments.

(B) Such recommendations as the Commandant considers appropriate for the implementation or expansion of a multirater assessment in the personnel development programs of the Coast Guard.

(C) An overview of each of the current leadership development courses of the Coast Guard, an assessment of the feasibility of the expansion of any such course, and a description of the resources, if any, required to expand such courses.

(D) An assessment on the state of leadership training in the Coast Guard, and recommendations on the implementation of a policy to prevent leadership that has adverse effects on subordinates, the organization, or mission performance, including—

- (i) a description of methods that will be used by the Coast Guard to identify, monitor, and counsel individuals whose leadership may have adverse effects on subordinates, the organization, or mission performance;
- (ii) the implementation of leadership recognition training to recognize such leadership in one's self and others;
- (iii) the establishment of procedures for the administrative separation of leaders whose leadership may have adverse effects on subordinates, the organization, or mission performance; and
- (iv) a description of the resources needed to implement this subsection.

SEC. 215. SENIOR ENLISTED MEMBER CONTINUATION BOARDS.

(a) **IN GENERAL.**—Section 357 of title 14, United States Code, is amended—

(1) by striking subsections (a) through (h) and subsection (j); and

(2) in subsection (i), by striking “(i)”.

(b) **CONFORMING AND CLERICAL AMENDMENTS.**—

(1) **HEADING AMENDMENT.**—The heading of such section is amended to read as follows:

“§357. Retirement of enlisted members: increase in retired pay”

(2) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 11 of such title is amended by striking the item relating to such section and inserting the following:

“357. Retirement of enlisted members: increase in retired pay.”

SEC. 216. COAST GUARD MEMBER PAY.

(a) **ANNUAL AUDIT OF PAY AND ALLOWANCES OF MEMBERS UNDERGOING PERMANENT CHANGE OF STATION.**—

(1) **IN GENERAL.**—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

“§519. Annual audit of pay and allowances of members undergoing permanent change of station

“The Commandant shall conduct each calendar year an audit of member pay and allowances for the members who transferred to new units during such calendar year. The audit for a calendar year shall be completed by the end of the calendar year.”.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“519. Annual audit of pay and allowances of members undergoing permanent change of station.”.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on alternative methods for notifying members of the Coast Guard of their monthly earnings. The report shall include—

(1) an assessment of the feasibility of providing members a monthly notification of their earnings, categorized by pay and allowance type; and

(2) a description and assessment of mechanisms that may be used to provide members with notification of their earnings, categorized by pay and allowance type.

SEC. 217. TRANSFER OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) TRANSFER REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, United States Code, the Secretary of Homeland Security shall transfer to the Secretary of Defense an amount that represents the actuarial valuation of treatment or care—

(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

(2) for which a reimbursement would otherwise be made under section 1085.

(b) AMOUNT.—The amount transferred under subsection (a) shall be—

(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

(3) determined under procedures established by the Secretary of Defense;

(4) transferred during the fiscal year in which treatment or care is provided; and

(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the amount transferred is determined excessive or insufficient based on the services actually provided.

(c) NO TRANSFER WHEN SERVICE IN NAVY.—No transfer shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the transfer of an amount that represents the value of, treatment or care provided under any TRICARE program.

SEC. 218. PARTICIPATION OF THE COAST GUARD ACADEMY IN FEDERAL, STATE, OR OTHER EDUCATIONAL RESEARCH GRANTS.

Section 196 of title 14, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before the first sentence; and

(2) by adding at the end the following:

“(b) QUALIFIED ORGANIZATIONS.—

“(1) IN GENERAL.—The Commandant of the Coast Guard may—

“(A) enter into a contract, cooperative agreement, lease, or licensing agreement with a qualified organization;

“(B) allow a qualified organization to use, at no cost, personal property of the Coast Guard; and

“(C) notwithstanding section 93, accept funds, supplies, and services from a qualified organization.”.

(2) SOLE-SOURCE BASIS.—Notwithstanding chapter 65 of title 31 and chapter 137 of title 10, the Commandant may enter into a contract or cooperative agreement under paragraph (1)(A) on a sole-source basis.

(3) MAINTAINING FAIRNESS, OBJECTIVITY, AND INTEGRITY.—The Commandant shall ensure that contributions under this subsection do not—

“(A) reflect unfavorably on the ability of the Coast Guard, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

“(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

(4) LIMITATION.—For purposes of this subsection, employees or personnel of a qualified organization shall not be employees of the United States.

(5) QUALIFIED ORGANIZATION DEFINED.—In this subsection the term ‘qualified organization’ means an organization—

“(A) described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; and

“(B) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting academic research and applying for and administering Federal, State, or other educational research grants on behalf of the Coast Guard Academy.”.

SEC. 219. NATIONAL COAST GUARD MUSEUM.

Section 98(b) of title 14, United States Code, is amended—

(1) in paragraph (1), by striking “any appropriated Federal funds for” and insert “any funds appropriated to the Coast Guard on”; and

(2) in paragraph (2), by striking “artifacts,” and inserting “artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.”.

SEC. 220. INVESTIGATIONS.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by adding at the end the following:

“§430. Investigations of flag officers and Senior Executive Service employees

“In conducting an investigation into an allegation of misconduct by a flag officer or member of the Senior Executive Service serving in the Coast Guard, the Inspector General of the Department of Homeland Security shall—

“(1) conduct the investigation in a manner consistent with Department of Defense policies for such an investigation; and

“(2) consult with the Inspector General of the Department of Defense.”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 429 the following:

“430. Investigations of flag officers and Senior Executive Service employees.”.

SEC. 221. CLARIFICATION OF ELIGIBILITY OF MEMBERS OF THE COAST GUARD FOR COMBAT-RELATED SPECIAL COMPENSATION.

(a) CONSIDERATION OF ELIGIBILITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue procedures and criteria to use in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of the eligibility of such member for combat-related special compensation under section 1413a of title 10, United States Code. Such procedures and criteria shall include the procedures and criteria prescribed by the Secretary of Defense pursuant to subsection (e)(2) of such section. Such procedures and criteria shall apply in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of determining the eligibility of such member for combat-related special compensation under such section.

(2) DISABILITY FOR WHICH A DETERMINATION IS MADE.—For the purposes of this section, and in the case of a member of the Coast Guard, a disability under section 1413a(e)(2)(B) of title 10, United States Code, includes a disability incurred during aviation duty, diving duty, rescue swimmer or similar duty, and hazardous service duty onboard a small vessel (such as duty as a surfman)—

(A) in the performance of duties for which special or incentive pay was paid pursuant to section 301, 301a, 304, 307, 334, or 351 of title 37, United States Code;

(B) in the performance of duties related to a statutory mission of the Coast Guard under paragraph (1) or paragraph (2) of section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)), including—

(i) law enforcement, including drug or migrant interdiction;

(ii) defense readiness; or

(iii) search and rescue; or

(C) while engaged in a training exercise for the performance of a duty described in subparagraphs (A) and (B).

(b) APPLICABILITY OF PROCEDURES AND CRITERIA.—The procedures and criteria issued pursuant to subsection (a) shall apply to disabilities described in that subsection that are incurred on or after the effective date provided in section 636(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2574; 10 U.S.C. 1413a note).

(c) REAPPLICATION FOR COMPENSATION.—Any member of the Coast Guard who was denied combat-related special compensation under section 1413a of title 10, United States Code, during the period beginning on the effective date specified in subsection (b) and ending on the date of the issuance of the procedures and criteria required by subsection (a) may reapply for combat-related special compensation under such section on the basis of such procedures and criteria in accordance with such procedures as the Secretary of the department in which the Coast Guard is operating shall specify.

SEC. 222. LEAVE POLICIES FOR THE COAST GUARD.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by inserting after section 430 the following:

“§431. Leave policies for the Coast Guard

“Not later than 1 year after the date on which the Secretary of the Navy promulgates a new rule, policy, or memorandum pursuant to section 704 of title 10, United States Code, with respect to leave associated with the birth or adoption of a child, the Secretary of the department in which the Coast Guard is operating shall promulgate a similar rule, policy, or memorandum

that provides leave to officers and enlisted members of the Coast Guard that is equal in duration and compensation to that provided by the Secretary of the Navy.”.

(b) **CLERICAL AMENDMENT.**—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 430 the following:

“431. Leave policies for the Coast Guard.”.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. SURVIVAL CRAFT.

(a) **IN GENERAL.**—Section 3104 of title 46, United States Code, is amended to read as follows:

“§3104. Survival craft

“(a) **REQUIREMENT TO EQUIP.**—The Secretary shall require that a passenger vessel be equipped with survival craft that ensures that no part of an individual is immersed in water, if—

“(1) such vessel is built or undergoes a major conversion after January 1, 2016; and

“(2) operates in cold waters as determined by the Secretary.

“(b) **HIGHER STANDARD OF SAFETY.**—The Secretary may revise part 117 or part 180 of title 46, Code of Federal Regulations, as in effect before January 1, 2016, if such revision provides a higher standard of safety than is provided by the regulations in effect on or before the date of the enactment of the Coast Guard Authorization Act of 2015.

“(c) **INNOVATIVE AND NOVEL DESIGNS.**—The Secretary may, in lieu of the requirements set out in part 117 or part 180 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2015, allow a passenger vessel to be equipped with a life-saving appliance or arrangement of an innovative or novel design that—

“(1) ensures no part of an individual is immersed in water; and

“(2) provides an equal or higher standard of safety than is provided by such requirements as in effect before such date of the enactment.

“(d) **BUILT DEFINED.**—In this section, the term ‘built’ has the meaning that term has under section 4503(e).”.

(b) REVIEW; REVISION OF REGULATIONS.—

(1) **REVIEW.**—Not later than December 31, 2016, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a review of—

(A) the number of casualties for individuals with disabilities, children, and the elderly as a result of immersion in water, reported to the Coast Guard over the preceding 30-year period, by vessel type and area of operation;

(B) the risks to individuals with disabilities, children, and the elderly as a result of immersion in water, by passenger vessel type and area of operation;

(C) the effect that carriage of survival craft that ensure that no part of an individual is immersed in water has on—

(i) passenger vessel safety, including stability and safe navigation;

(ii) improving the survivability of individuals, including individuals with disabilities, children, and the elderly; and

(iii) the costs, the incremental cost difference to vessel operators, and the cost effectiveness of requiring the carriage of such survival craft to address the risks to individuals with disabilities, children, and the elderly;

(D) the efficacy of alternative safety systems, devices, or measures in improving survivability of individuals with disabilities, children, and the elderly; and

(E) the number of small businesses and non-profit vessel operators that would be affected by

requiring the carriage of such survival craft on passenger vessels to address the risks to individuals with disabilities, children, and the elderly.

(2) **SCOPE.**—In conducting the review under paragraph (1), the Secretary shall include an examination of passenger vessel casualties that have occurred in the waters of other nations.

(3) **UPDATES.**—The Secretary shall update the review required under paragraph (1) every 5 years.

(4) **REVISION.**—Based on the review conducted under paragraph (1), including updates thereto, the Secretary shall revise regulations concerning the carriage of survival craft under section 3104(c) of title 46, United States Code.

(c) GAO STUDY.—

(1) **IN GENERAL.**—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report to determine any adverse or positive changes in public safety after the implementation of the amendments and requirements under this section and section 3104 of title 46, United States Code.

(2) **REQUIREMENTS.**—In completing the report under paragraph (1), the Comptroller General shall examine—

(A) the number of casualties, by vessel type and area of operation, as the result of immersion in water reported to the Coast Guard for each of the 10 most recent fiscal years for which such data are available;

(B) data for each fiscal year on—

(i) vessel safety, including stability and safe navigation; and

(ii) survivability of individuals, including individuals with disabilities, children, and the elderly;

(C) the efficacy of alternative safety systems, devices, or measures; and

(D) any available data on the costs of the amendments and requirements under this section and section 3104 of title 46, United States Code.

SEC. 302. VESSEL REPLACEMENT.

(a) **LOANS AND GUARANTEES.**—Chapter 537 of title 46, United States Code, is amended—

(1) in section 53701—

(A) by redesignating paragraphs (8) through (14) as paragraphs (9) through (15), respectively; and

(B) by inserting after paragraph (7) the following:

“(8) **HISTORICAL USES.**—The term ‘historical uses’ includes—

“(A) refurbishing, repairing, rebuilding, or replacing equipment on a fishing vessel, without materially increasing harvesting capacity;

“(B) purchasing a used fishing vessel;

“(C) purchasing, constructing, expanding, or reconditioning a fishery facility;

“(D) refinancing existing debt;

“(E) reducing fishing capacity; and

“(F) making upgrades to a fishing vessel, including upgrades in technology, gear, or equipment, that improve—

“(i) collection and reporting of fishery-dependent data;

“(ii) bycatch reduction or avoidance;

“(iii) gear selectivity;

“(iv) adverse impacts caused by fishing gear; or

“(v) safety.”; and

(2) in section 53702(b), by adding at the end the following:

“(3) **MINIMUM OBLIGATIONS AVAILABLE FOR HISTORIC USES.**—Of the direct loan obligations issued by the Secretary under this chapter, the Secretary shall make a minimum of \$59,000,000 available each fiscal year for historic uses.

“(4) **USE OF OBLIGATIONS IN LIMITED ACCESS FISHERIES.**—In addition to the other eligible purposes and uses of direct loan obligations provided for in this chapter, the Secretary may issue direct loan obligations for the purpose of—

“(A) financing the construction or reconstruction of a fishing vessel in a fishery managed under a limited access system; or

“(B) financing the purchase of harvesting rights in a fishery that is federally managed under a limited access system.”.

(b) **LIMITATION ON APPLICATION TO CERTAIN FISHING VESSELS OF PROHIBITION UNDER VESSEL CONSTRUCTION PROGRAM.**—Section 302(b)(2) of the Fisheries Financing Act (title III of Public Law 104-297; 46 U.S.C. 53706 note) is amended—

(1) in the second sentence—

(A) by striking “or in” and inserting “, in”; and

(B) by inserting before the period the following: “, in fisheries that are under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery that is under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act”; and

(2) by adding at the end the following: “Any fishing vessel operated in fisheries under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act, and that is replaced by a vessel that is constructed or rebuilt with a loan or loan guarantee provided by the Federal Government may not be used to harvest fish in any fishery under the jurisdiction of any regional fishery management council, other than a fishery under the jurisdiction of the North Pacific Fishery Management Council or the Pacific Fishery Management Council.”.

SEC. 303. MODEL YEARS FOR RECREATIONAL VESSELS.

(a) **IN GENERAL.**—Section 4302 of title 46, United States Code is amended by adding at the end the following:

“(e)(1) Under this section, a model year for recreational vessels and associated equipment shall, except as provided in paragraph (2)—

“(A) begin on June 1 of a year and end on July 31 of the following year; and

“(B) be designated by the year in which it ends.

“(2) Upon the request of a recreational vessel manufacturer to which this chapter applies, the Secretary may alter a model year for a model of recreational vessel of the manufacturer and associated equipment, by no more than 6 months from the model year described in paragraph (1).”.

(b) **APPLICATION.**—This section shall only apply with respect to recreational vessels and associated equipment constructed or manufactured, respectively, on or after the date of enactment of this Act.

SEC. 304. MERCHANT MARINER CREDENTIAL EXPIRATION HARMONIZATION.

(a) **IN GENERAL.**—Except as provided in subsection (c) and not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process to harmonize the expiration dates of merchant mariner credentials, mariner medical certificates, and radar observer endorsements for individuals applying to the Secretary for a new merchant mariner

credential or for renewal of an existing merchant mariner credential.

(b) **REQUIREMENTS.**—The Secretary shall ensure that the process established under subsection (a)—

(1) does not require an individual to renew a merchant mariner credential earlier than the date on which the individual's current credential expires; and

(2) results in harmonization of expiration dates for merchant mariner credentials, mariner medical certificates, and radar observer endorsements for all individuals by not later than 6 years after the date of the enactment of this Act.

(c) **EXCEPTION.**—The process established under subsection (a) does not apply to individuals—

(1) holding a merchant mariner credential with—

(A) an active Standards of Training, Certification, and Watchkeeping endorsement; or

(B) Federal first-class pilot endorsement; or

(2) who have been issued a time-restricted medical certificate.

SEC. 305. SAFETY ZONES FOR PERMITTED MARINE EVENTS.

Not later than 6 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish and implement a process to—

(1) account for the number of safety zones established for permitted marine events;

(2) differentiate whether the event sponsor who requested a permit for such an event is—

(A) an individual;

(B) an organization; or

(C) a government entity; and

(3) account for Coast Guard resources utilized to enforce safety zones established for permitted marine events, including for—

(A) the number of Coast Guard or Coast Guard Auxiliary vessels used; and

(B) the number of Coast Guard or Coast Guard Auxiliary patrol hours required.

SEC. 306. TECHNICAL CORRECTIONS.

(a) **TITLE 46.**—Title 46, United States Code, is amended—

(1) in section 103, by striking “(33 U.S.C. 151).” and inserting “(33 U.S.C. 151(b)).”;

(2) in section 2118—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “title,” and inserting “subtitle,”; and

(B) in subsection (b), by striking “title” and inserting “subtitle”;

(3) in the analysis for chapter 35—

(A) by adding a period at the end of the item relating to section 3507; and

(B) by adding a period at the end of the item relating to section 3508;

(4) in section 3715(a)(2), by striking “; and” and inserting a semicolon;

(5) in section 4506, by striking “(a)”;

(6) in section 8103(b)(1)(A)(iii), by striking “Academy.” and inserting “Academy; and”;

(7) in section 11113(c)(1)(A)(i), by striking “under this Act”;

(8) in the analysis for chapter 701—

(A) by adding a period at the end of the item relating to section 70107A;

(B) in the item relating to section 70112, by striking “security advisory committees.” and inserting “Security Advisory Committees.”; and

(C) in the item relating to section 70122, by striking “watch program.” and inserting “Watch Program.”;

(9) in section 70105(c)—

(A) in paragraph (1)(B)(xv)—

(i) by striking “18, popularly” and inserting “18 (popularly)”;

(ii) by striking “Act” and inserting “Act”;

(B) in paragraph (2), by striking “(D) paragraph” and inserting “(D) of paragraph”;

(10) in section 70107—

(A) in subsection (b)(2), by striking “5121(j)(8).” and inserting “5196(j)(8).”;

(B) in subsection (m)(3)(C)(iii), by striking “that is” and inserting “that the applicant”;

(11) in section 70122, in the section heading, by striking “watch program” and inserting “Watch Program”;

(12) in the analysis for chapter 705, by adding a period at the end of the item relating to section 70508.

(b) **GENERAL BRIDGE STATUTES.**—

(1) **ACT OF MARCH 3, 1899.**—The Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899, is amended—

(A) in section 9 (33 U.S.C. 401), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 18 (33 U.S.C. 502), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”.

(2) **ACT OF MARCH 23, 1906.**—The Act of March 23, 1906, popularly known as the Bridge Act of 1906, is amended—

(A) in the first section (33 U.S.C. 491), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 4 (33 U.S.C. 494), by striking “Secretary of Homeland Security” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(C) in section 5 (33 U.S.C. 495), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”.

(3) **ACT OF AUGUST 18, 1894.**—Section 5 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499) is amended by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”.

(4) **ACT OF JUNE 21, 1940.**—The Act of June 21, 1940, popularly known as the Truman-Hobbs Act, is amended—

(A) in section 1 (33 U.S.C. 511), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 4 (33 U.S.C. 514), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(C) in section 7 (33 U.S.C. 517), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

(D) in section 13 (33 U.S.C. 523), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”.

(5) **GENERAL BRIDGE ACT OF 1946.**—The General Bridge Act of 1946 is amended—

(A) in section 502(b) (33 U.S.C. 525(b)), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 510 (33 U.S.C. 533), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”.

(6) **INTERNATIONAL BRIDGE ACT OF 1972.**—The International Bridge Act of 1972 is amended—

(A) in section 5 (33 U.S.C. 535c), by striking “Secretary of Transportation” and inserting “Secretary of the department in which the Coast Guard is operating”;

(B) in section 8 (33 U.S.C. 535e), by striking “Secretary of Transportation” each place it appears and inserting “Secretary of the department in which the Coast Guard is operating”;

and

(C) by striking section 11 (33 U.S.C. 535h).

SEC. 307. RECOMMENDATIONS FOR IMPROVEMENTS OF MARINE CASUALTY REPORTING.

Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the actions the Commandant will take to implement recommendations on improvements to the Coast Guard's marine casualty reporting requirements and procedures included in—

(1) the Department of Homeland Security Office of Inspector General report entitled “Marine Accident Reporting, Investigations, and Enforcement in the United States Coast Guard”, released on May 23, 2013; and

(2) the Towing Safety Advisory Committee report entitled “Recommendations for Improvement of Marine Casualty Reporting”, released on March 26, 2015.

SEC. 308. RECREATIONAL VESSEL ENGINE WEIGHTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations amending table 4 to subpart H of part 183 of title 33, Code of Federal Regulations (relating to Weights (Pounds) of Outboard Motor and Related Equipment for Various Boat Horsepower Ratings) as appropriate to reflect “Standard 30-Outboard Engine and Related Equipment Weights” published by the American Boat and Yacht Council, as in effect on the date of the enactment of this Act.

SEC. 309. MERCHANT MARINER MEDICAL CERTIFICATION REFORM.

(a) **IN GENERAL.**—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

“§ 7509. Medical certification by trusted agents

“(a) **IN GENERAL.**—Notwithstanding any other provision of law and pursuant to regulations prescribed by the Secretary, a trusted agent may issue a medical certificate to an individual who—

“(1) must hold such certificate to qualify for a license, certificate of registry, or merchant mariner's document, or endorsement thereto under this part; and

“(2) is qualified as to sight, hearing, and physical condition to perform the duties of such license, certificate, document, or endorsement, as determined by the trusted agent.

“(b) **PROCESS FOR ISSUANCE OF CERTIFICATES BY SECRETARY.**—A final rule implementing this section shall include a process for—

“(1) the Secretary of the department in which the Coast Guard is operating to issue medical certificates to mariners who submit applications for such certificates to the Secretary; and

“(2) a trusted agent to defer to the Secretary the issuance of a medical certificate.

“(c) **TRUSTED AGENT DEFINED.**—In this section the term “trusted agent” means a medical practitioner certified by the Secretary to perform physical examinations of an individual for purposes of a license, certificate of registry, or merchant mariner's document under this part.”.

(b) **DEADLINE.**—Not later than 5 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing section 7509 of title 46, United States Code, as added by this section.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“7509. Medical certification by trusted agents.”.
SEC. 310. ATLANTIC COAST PORT ACCESS ROUTE STUDY.

(a) ATLANTIC COAST PORT ACCESS ROUTE STUDY.—Not later than April 1, 2016, the Commandant of the Coast Guard shall conclude the Atlantic Coast Port Access Route Study and submit the results of such study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NANTUCKET SOUND.—Not later than December 1, 2016, the Commandant of the Coast Guard shall complete and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a port access route study of Nantucket Sound using the standards and methodology of the Atlantic Coast Port Access Route Study, to determine whether the Coast Guard should revise existing regulations to improve navigation safety in Nantucket Sound due to factors such as increased vessel traffic, changing vessel traffic patterns, weather conditions, or navigational difficulty in the vicinity.

SEC. 311. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Not later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations that—

(1) make certificates of documentation for recreational vessels effective for 5 years; and

(2) require the owner of such a vessel—

(A) to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based, that occurs before the expiration of the certificate; and

(B) apply for a new certificate of documentation for such a vessel if there is any such change.

SEC. 312. PROGRAM GUIDELINES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) develop guidelines to implement the program authorized under section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241), including specific actions to ensure the future availability of able and credentialed United States licensed and unlicensed seafarers including—

(A) incentives to encourage partnership agreements with operators of foreign-flag vessels that carry liquefied natural gas, that provide no less than one training billet per vessel for United States merchant mariners in order to meet minimum mandatory sea service requirements;

(B) development of appropriate training curricula for use by public and private maritime training institutions to meet all United States merchant mariner license, certification, and document laws and requirements under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978; and

(C) steps to promote greater outreach and awareness of additional job opportunities for sea service veterans of the United States Armed Forces; and

(2) submit such guidelines to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 313. REPEALS.

(a) REPEALS, MERCHANT MARINE ACT, 1936.—Sections 601 through 606, 608 through 611, 613

through 616, 802, and 809 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note) are repealed.

(b) CONFORMING AMENDMENTS.—Chapter 575 of title 46, United States Code, is amended—

(1) in section 57501, by striking “titles V and VI” and inserting “title V”; and

(2) in section 57531(a), by striking “titles V and VI” and inserting “title V”.

(c) TRANSFER FROM MERCHANT MARINE ACT, 1936.—

(1) IN GENERAL.—Section 801 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note) is—

(A) redesignated as section 57522 of title 46, United States Code, and transferred to appear after section 57521 of such title; and

(B) as so redesignated and transferred, is amended—

(i) by striking so much as precedes the first sentence and inserting the following:

“§57522. Books and records, balance sheets, and inspection and auditing”;

(ii) by striking “the provision of title VI or VII of this Act” and inserting “this chapter”; and

(iii) by striking “: Provided, That” and all that follows through “Commission”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 575, of title 46, United States Code, is amended by inserting after the item relating to section 57521 the following:

“57522. Books and records, balance sheets, and inspection and auditing.”.

(d) REPEALS, TITLE 46, U.S.C.—Section 8103 of title 46, United States Code, is amended in subsections (c) and (d) by striking “or operating” each place it appears.

SEC. 314. MARITIME DRUG LAW ENFORCEMENT.

(a) PROHIBITIONS.—Section 70503(a) of title 46, United States Code, is amended to read as follows:

“(a) PROHIBITIONS.—While on board a covered vessel, an individual may not knowingly or intentionally—

“(1) manufacture or distribute, or possess with intent to manufacture or distribute, a controlled substance;

“(2) destroy (including jettisoning any item or scuttling, burning, or hastily cleaning a vessel), or attempt or conspire to destroy, property that is subject to forfeiture under section 511(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 881(a)); or

“(3) conceal, or attempt or conspire to conceal, more than \$100,000 in currency or other monetary instruments on the person of such individual or in any conveyance, article of luggage, merchandise, or other container, or compartment of or aboard the covered vessel if that vessel is outfitted for smuggling.”.

(b) COVERED VESSEL DEFINED.—Section 70503 of title 46, United States Code, is amended by adding at the end the following:

“(e) COVERED VESSEL DEFINED.—In this section the term ‘covered vessel’ means—

“(1) a vessel of the United States or a vessel subject to the jurisdiction of the United States; or

“(2) any other vessel if the individual is a citizen of the United States or a resident alien of the United States.”.

(c) PENALTIES.—Section 70506 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “A person violating section 70503” and inserting “A person violating paragraph (1) of section 70503(a)”; and

(2) by adding at the end the following:

“(d) PENALTY.—A person violating paragraph (2) or (3) of section 70503(a) shall be fined in accordance with section 3571 of title 18, imprisoned not more than 15 years, or both.”.

(d) SEIZURE AND FORFEITURE.—Section 70507(a) of title 46, United States Code, is amended by striking “section 70503” and inserting “section 70503 or 70508”.

(e) CLERICAL AMENDMENTS.—

(1) The heading of section 70503 of title 46, United States Code, is amended to read as follows:

“§ 70503. Prohibited acts”

(2) The analysis for chapter 705 of title 46, United States Code, is further amended by striking the item relating to section 70503 and inserting the following:

“70503. Prohibited acts.”.

SEC. 315. EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.

(a) DISCLOSURE.—

(1) IN GENERAL.—Chapter 75 of title 46, United States Code, is further amended by adding at the end the following:

“§ 7510. Examinations for merchant mariner credentials

“(a) DISCLOSURE NOT REQUIRED.—Notwithstanding any other provision of law, the Secretary is not required to disclose to the public—

“(1) a question from any examination for a merchant mariner credential;

“(2) the answer to such a question, including any correct or incorrect answer that may be presented with such question; and

“(3) any quality or characteristic of such a question, including—

“(A) the manner in which such question has been, is, or may be selected for an examination;

“(B) the frequency of such selection; and

“(C) the frequency that an examinee correctly or incorrectly answered such question.

“(b) EXCEPTION FOR CERTAIN QUESTIONS.—Notwithstanding subsection (a), the Secretary may, for the purpose of preparation by the general public for examinations required for merchant mariner credentials, release an examination question and answer that the Secretary has retired or is not presently on or part of an examination, or that the Secretary determines is appropriate for release.

“(c) EXAM REVIEW.—

“(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Coast Guard Authorization Act of 2015, and once every two years thereafter, the Commandant of the Coast Guard shall commission a working group to review new questions for inclusion in examinations required for merchant mariner credentials, composed of—

“(A) 1 subject matter expert from the Coast Guard;

“(B) representatives from training facilities and the maritime industry, of whom—

“(i) one-half shall be representatives from approved training facilities; and

“(ii) one-half shall be representatives from the appropriate maritime industry;

“(C) at least 1 representative from the Merchant Marine Personnel Advisory Committee;

“(D) at least 2 representatives from the State maritime academies, of whom one shall be a representative from the deck training track and one shall be a representative of the engine license track;

“(E) representatives from other Coast Guard Federal advisory committees, as appropriate, for the industry segment associated with the subject examinations;

“(F) at least 1 subject matter expert from the Maritime Administration; and

“(G) at least 1 human performance technology representative.

“(2) INCLUSION OF PERSONS KNOWLEDGEABLE ABOUT EXAMINATION TYPE.—The working group shall include representatives knowledgeable about the examination type under review.

“(3) LIMITATION.—The requirement to convene a working group under paragraph (1) does not apply unless there are new examination questions to review.

“(4) BASELINE REVIEW.—

“(A) IN GENERAL.—Within 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall convene the working group to complete a baseline review of the Coast Guard’s Merchant Mariner Credentialing Examination, including review of—

“(i) the accuracy of examination questions; “(ii) the accuracy and availability of examination references;

“(iii) the length of merchant mariner examinations; and

“(iv) the use of standard technologies in administering, scoring, and analyzing the examinations.

“(B) PROGRESS REPORT.—The Coast Guard shall provide a progress report to the appropriate congressional committees on the review under this paragraph.

“(5) FULL MEMBERSHIP NOT REQUIRED.—The Coast Guard may convene the working group without all members present if any non-Coast-Guard representative is present.

“(6) NONDISCLOSURE AGREEMENT.—The Secretary shall require all members of the working group to sign a nondisclosure agreement with the Secretary.

“(7) TREATMENT OF MEMBERS AS FEDERAL EMPLOYEES.—A member of the working group who is not a Federal Government employee shall not be considered a Federal employee in the service or the employment of the Federal Government, except that such a member shall be considered a special government employee, as defined in section 202(a) of title 18 for purposes of sections 203, 205, 207, 208, and 209 of such title and shall be subject to any administrative standards of conduct applicable to an employee of the department in which the Coast Guard is operating.

“(8) FORMAL EXAM REVIEW.—The Secretary shall ensure that the Coast Guard Performance Technology Center—

“(A) prioritizes the review of examinations required for merchant mariner credentials; and

“(B) not later than 3 years after the date of enactment of the Coast Guard Authorization Act of 2015, completes a formal review, including an appropriate analysis, of the topics and testing methodology employed by the National Maritime Center for merchant seamen licensing.

“(9) FACA.—The Federal Advisory Committee Act (5 U.S.C. App) shall not apply to any working group created under this section to review the Coast Guard’s merchant mariner credentialing examinations.

“(d) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term ‘merchant mariner credential’ means a merchant seaman license, certificate, or document that the Secretary is authorized to issue pursuant to this title.”.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

“7510. Examinations for merchant mariner credentials.”.

(b) EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.—

(1) IN GENERAL.—Chapter 71 of title 46, United States Code, is amended by adding at the end the following:

“§7116. Examinations for merchant mariner credentials

“(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of merchant mariner examination topics on an annual basis.

“(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

“(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term ‘merchant mariner credential’ has the meaning that term has in section 7510.”.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“7116. Examinations for merchant mariner credentials.”.

(c) DISCLOSURE TO CONGRESS.—Nothing in this section may be construed to authorize the withholding of information from an appropriate inspector general, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 316. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.

(a) IN GENERAL.—Subsection (a) of section 710 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2986) is amended to read as follows:

“(a) HIGHER VOLUME PORTS.—Notwithstanding any other provision of law, the requirements of subparts D, F, and G of part 155 of title 33, Code of Federal Regulations, that apply to the higher volume port area for the Strait of Juan de Fuca at Port Angeles, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound, shall apply, in the same manner, and to the same extent, to the Strait of Juan de Fuca at Cape Flattery, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking “the modification of the higher volume port area definition required by subsection (a).” and inserting “higher volume port requirements made applicable under subsection (a).”.

SEC. 317. RECOGNITION OF PORT SECURITY ASSESSMENTS CONDUCTED BY OTHER ENTITIES.

Section 70108 of title 46, United States Code, is amended by adding at the end the following:

“(f) RECOGNITION OF ASSESSMENT CONDUCTED BY OTHER ENTITIES.—

“(1) CERTIFICATION AND TREATMENT OF ASSESSMENTS.—For the purposes of this section and section 70109, the Secretary may treat an assessment that a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization has conducted as an assessment that the Secretary has conducted for the purposes of subsection (a), provided that the Secretary certifies that the foreign government or international organization has—

“(A) conducted the assessment in accordance with subsection (b); and

“(B) provided the Secretary with sufficient information pertaining to its assessment (including, but not limited to, information on the outcome of the assessment).

“(2) AUTHORIZATION TO ENTER INTO AN AGREEMENT.—For the purposes of this section and section 70109, the Secretary, in consultation with the Secretary of State, may enter into an agreement with a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization, under which parties to the agreement—

“(A) conduct an assessment, required under subsection (a);

“(B) share information pertaining to such assessment (including, but not limited to, information on the outcome of the assessment); or

“(C) both.

“(3) LIMITATIONS.—Nothing in this subsection shall be construed to—

“(A) require the Secretary to recognize an assessment that a foreign government or an international organization has conducted; or

“(B) limit the discretion or ability of the Secretary to conduct an assessment under this section.

“(4) NOTIFICATION TO CONGRESS.—Not later than 30 days before entering into an agreement or arrangement with a foreign government under paragraph (2), the Secretary shall notify the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the proposed terms of such agreement or arrangement.”.

SEC. 318. FISHING VESSEL AND FISH TENDER VESSEL CERTIFICATION.

(a) ALTERNATIVE SAFETY COMPLIANCE PROGRAMS.—Section 4503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “this section” and inserting “this subsection”;

(2) in subsection (b), by striking “This section” and inserting “Except as provided in subsection (d), subsection (a)”;

(3) in subsection (c)—

(A) by striking “This section” and inserting “(1) Except as provided in paragraph (2), subsection (a)”;

(B) by adding at the end the following:

“(2) Subsection (a) does not apply to a fishing vessel or fish tender vessel to which section 4502(b) of this title applies, if the vessel—

“(A) is at least 50 feet overall in length, and not more than 79 feet overall in length as listed on the vessel’s certificate of documentation or certificate of number; and

“(B)(i) is built after the date of the enactment of the Coast Guard Authorization Act of 2015; and

“(ii) complies with—

“(I) the requirements described in subsection (e); or

“(II) the alternative requirements established by the Secretary under subsection (f).”;

(4) by redesignating subsection (e) as subsection (g), and inserting after subsection (d) the following:

“(e) The requirements referred to in subsection (c)(2)(B)(ii)(I) are the following:

“(1) The vessel is designed by an individual licensed by a State as a naval architect or marine engineer, and the design incorporates standards equivalent to those prescribed by a classification society to which the Secretary has delegated authority under section 3316 or another qualified organization approved by the Secretary for purposes of this paragraph.

“(2) Construction of the vessel is overseen and certified as being in accordance with its design by a marine surveyor of an organization accepted by the Secretary.

“(3) The vessel—

“(A) completes a stability test performed by a qualified individual;

“(B) has written stability and loading instructions from a qualified individual that are provided to the owner or operator; and

“(C) has an assigned loading mark.

“(4) The vessel is not substantially altered without the review and approval of an individual licensed by a State as a naval architect or marine engineer before the beginning of such substantial alteration.

“(5) The vessel undergoes a condition survey at least twice in 5 years, not to exceed 3 years between surveys, to the satisfaction of a marine surveyor of an organization accepted by the Secretary.

“(6) The vessel undergoes an out-of-water survey at least once every 5 years to the satisfaction of a certified marine surveyor of an organization accepted by the Secretary.

“(7) Once every 5 years and at the time of a substantial alteration to such vessel, compliance of the vessel with the requirements of paragraph (3) is reviewed and updated as necessary.

“(8) For the life of the vessel, the owner of the vessel maintains records to demonstrate compliance with this subsection and makes such records readily available for inspection by an official authorized to enforce this chapter.

“(f)(1) Not later than 10 years after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that provides an analysis of the adequacy of the requirements under subsection (e) in maintaining the safety of the fishing vessels and fish tender vessels which are described in subsection (c)(2) and which comply with the requirements of subsection (e).

“(2) If the report required under this subsection includes a determination that the safety requirements under subsection (e) are not adequate or that additional safety measures are necessary, that the Secretary may establish an alternative safety compliance program for fishing vessels or fish tender vessels (or both) which are described in subsection (c)(2) and which comply with the requirements of subsection (e).

“(3) The alternative safety compliance program established under this subsection shall include requirements for—

“(A) vessel construction;
 “(B) a vessel stability test;
 “(C) vessel stability and loading instructions;
 “(D) an assigned vessel loading mark;
 “(E) a vessel condition survey at least twice in 5 years, not to exceed 3 years between surveys;
 “(F) an out-of-water vessel survey at least once every 5 years;

“(G) maintenance of records to demonstrate compliance with the program, and the availability of such records for inspection; and

“(H) such other aspects of vessel safety as the Secretary considers appropriate.”.

(b) GAO REPORT ON COMMERCIAL FISHING VESSEL SAFETY.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on commercial fishing vessel safety. The report shall include—

(A) national and regional trends that can be identified with respect to rates of marine casualties, human injuries, and deaths aboard or involving fishing vessels greater than 79 feet in length that operate beyond the 3-nautical-mile demarcation line;

(B) a comparison of United States regulations for classification of fishing vessels to those established by other countries, including the vessel length at which such regulations apply;

(C) the additional costs imposed on vessel owners as a result of the requirement in section 4503(a) of title 46, United States Code, and how the those costs vary in relation to vessel size and from region to region;

(D) savings that result from the application of the requirement in section 4503(a) of title 46, United States Code, including reductions in insurance rates or reduction in the number of fishing vessels or fish tender vessels lost to major safety casualties, nationally and regionally;

(E) a national and regional comparison of the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built and maintained to class through a classification society to the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built to standards equivalent to classification society construction standards and maintained to standards equiva-

lent to classification society standards with verification by independent surveyors; and

(F) the impact on the cost of production and availability of qualified shipyards, nationally and regionally, resulting from the application of the requirement in section 4503(a) of title 46, United States Code.

(2) CONSULTATION REQUIREMENT.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) consult with owners and operators of fishing vessels or fish tender vessels, classification societies, shipyards, the National Institute for Occupational Safety and Health, the National Transportation Safety Board, the Coast Guard, academics, naval architects, and marine safety nongovernmental organizations; and

(B) obtain relevant data from the Coast Guard including data collected from enforcement actions, boardings, investigations of marine casualties, and serious marine incidents.

(3) TREATMENT OF DATA.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) disaggregate data regionally for each of the regions managed by the regional fishery management councils established under section 302 of the Magnuson-Stevens Fisheries Conservation and Management Act (16 U.S.C. 1852), the Atlantic States Marine Fisheries Commission, the Pacific States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; and

(B) include qualitative data on the types of fishing vessels or fish tender vessels included in the report.

SEC. 319. INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESPONSE.

(a) IN GENERAL.—Section 7001(a)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)(3)) is amended—

(1) by striking “Minerals Management Service” and inserting “Bureau of Safety and Environmental Enforcement, the Bureau of Ocean Energy Management,”; and

(2) by inserting “the United States Arctic Research Commission,” after “National Aeronautics and Space Administration,”.

(b) TECHNICAL AMENDMENTS.—Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking “Department of Transportation” and inserting “department in which the Coast Guard is operating”; and

(2) in subsection (c)(8)(A), by striking “(1989)” and inserting “(2010)”.

SEC. 320. INTERNATIONAL PORT AND FACILITY INSPECTION COORDINATION.

Section 825(a) of the Coast Guard Authorization Act of 2010 (6 U.S.C. 945 note; Public Law 111–281) is amended in the matter preceding paragraph (1)—

(1) by striking “the department in which the Coast Guard is operating” and inserting “Homeland Security”; and

(2) by striking “they are integrated and conducted by the Coast Guard” and inserting “the assessments are coordinated between the Coast Guard and Customs and Border Protection”.

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Chapter 3 of title 46, United States Code, is amended by adding at the end the following:

“§ 308. Authorization of appropriations

“There is authorized to be appropriated to the Federal Maritime Commission \$24,700,000 for each of fiscal years 2016 and 2017 for the activities of the Commission authorized under this chapter and subtitle IV.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 46, United States Code, is amended by adding at the end the following:

“308. Authorization of appropriations.”.

SEC. 402. DUTIES OF THE CHAIRMAN.

Section 301(c)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking “units, but only after consultation with the other Commissioners;” and inserting “units (with such appointments subject to the approval of the Commission);”;

(2) in clause (iv) by striking “and” at the end;

(3) in clause (v) by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(vi) prepare and submit to the President and the Congress requests for appropriations for the Commission (with such requests subject to the approval of the Commission).”.

SEC. 403. PROHIBITION ON AWARDS.

Section 307 of title 46, United States Code, is amended—

(1) by striking “The Federal Maritime Commission” and inserting the following:

“(a) IN GENERAL.—The Federal Maritime Commission”; and

(2) by adding at the end the following:

“(b) PROHIBITION.—Notwithstanding subsection (a), the Federal Maritime Commission may not expend any funds appropriated or otherwise made available to it to a non-Federal entity to issue an award, prize, commendation, or other honor that is not related to the purposes set forth in section 40101.”.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

SEC. 501. CONVEYANCE OF COAST GUARD PROPERTY IN POINT REYES STATION, CALIFORNIA.

(a) CONVEYANCE.—

(1) IN GENERAL.—The Commandant of the Coast Guard shall convey to the County of Marin, California all right, title, and interest of the United States in and to the covered property—

(A) for fair market value, as provided in paragraph (2);

(B) subject to the conditions required by this section; and

(C) subject to any other term or condition that the Commandant considers appropriate and reasonable to protect the interests of the United States.

(2) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(A) determined by a real estate appraiser who has been selected by the County and is licensed to practice in California; and

(B) approved by the Commandant.

(3) PROCEEDS.—The Commandant shall deposit the proceeds from a conveyance under paragraph (1) in the Coast Guard Housing Fund established by section 687 of title 14, United States Code.

(b) CONDITION OF CONVEYANCE.—As a condition of any conveyance of the covered property under this section, the Commandant shall require that all right, title, and interest in and to the covered property shall revert to the United States if the covered property or any part thereof ceases to be used for affordable housing, as defined by the County and the Commandant at the time of conveyance, or to provide a public benefit approved by the County.

(c) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of

the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(e) **COVERED PROPERTY DEFINED.**—In this section, the term “covered property” means the approximately 32 acres of real property (including all improvements located on the property) that are—

(1) located in Point Reyes Station in the County of Marin, California;

(2) under the administrative control of the Coast Guard; and

(3) described as “Parcel A, Tract 1”, “Parcel B, Tract 2”, “Parcel C”, and “Parcel D” in the Declaration of Taking (Civil No. C 71-1245 SC) filed June 28, 1971, in the United States District Court for the Northern District of California.

(f) **EXPIRATION.**—The authority to convey the covered property under this section shall expire on the date that is four years after the date of the enactment of this Act.

SEC. 502. CONVEYANCE OF COAST GUARD PROPERTY IN TOK, ALASKA.

(a) **CONVEYANCE AUTHORIZED.**—The Commandant of the Coast Guard may convey to the Tanana Chiefs' Conference all right, title, and interest of the United States in and to the covered property, upon payment to the United States of the fair market value of the covered property.

(b) **SURVEY.**—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(c) **FAIR MARKET VALUE.**—The fair market value of the covered property shall be—

(1) determined by appraisal; and

(2) subject to the approval of the Commandant.

(d) **COSTS OF CONVEYANCE.**—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section shall be determined by the Commandant and the purchaser.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Commandant may require such additional terms and conditions in connection with a conveyance under this section as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(f) **DEPOSIT OF PROCEEDS.**—Any proceeds received by the United States from a conveyance under this section shall be deposited in the Coast Guard Housing Fund established under section 687 of title 14, United States Code.

(g) **COVERED PROPERTY DEFINED.**—

(1) **IN GENERAL.**—In this section, the term “covered property” means the approximately 3.25 acres of real property (including all improvements located on the property) that are—

(A) located in Tok, Alaska;

(B) under the administrative control of the Coast Guard; and

(C) described in paragraph (2).

(2) **DESCRIPTION.**—The property described in this paragraph is the following:

(A) Lots 11, 12 and 13, block “G”, Second Addition to Hartsell Subdivision, Section 20, Township 18 North, Range 13 East, Copper River Meridian, Alaska as appears by Plat No. 72-39 filed in the Office of the Recorder for the Fairbanks Recording District of Alaska, bearing seal dated 25 September 1972, all containing approximately 1.25 acres and commonly known as 2-PLEX – Jackie Circle, Units A and B.

(B) Beginning at a point being the SE corner of the SE ¼ of the SE ¼ Section 24, Township 18 North, Range 12 East, Copper River Meridian, Alaska; thence running westerly along the south line of said SE ¼ of the NE ¼ 260 feet; thence northerly parallel to the east line of said SE ¼ of the NE ¼ 335 feet; thence easterly parallel to the south line 260 feet; then south 335

feet along the east boundary of Section 24 to the point of beginning; all containing approximately 2.0 acres and commonly known as 4-PLEX – West “C” and Willow, Units A, B, C and D.

(h) **EXPIRATION.**—The authority to convey the covered property under this section shall expire on the date that is 4 years after the date of the enactment of this Act.

Subtitle B—Pribilof Islands

SEC. 521. SHORT TITLE.

This subtitle may be cited as the “Pribilof Island Transition Completion Act of 2015”.

SEC. 522. TRANSFER AND DISPOSITION OF PROPERTY.

(a) **TRANSFER.**—To further accomplish the settlement of land claims under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the Secretary of Commerce shall, subject to paragraph (2), and notwithstanding section 105(a) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106-562), convey all right, title, and interest in the following property to the Alaska native village corporation for St. Paul Island:

(1) Lots 4, 5, and 6A, Block 18, Tract A, U.S. Survey 4943, Alaska, the plat of which was Officially Filed on January 20, 2004, aggregating 13,006 square feet (0.30 acres).

(2) On the termination of the license described in subsection (b)(3), T. 35 S., R. 131 W., Seward Meridian, Alaska, Tract 43, the plat of which was Officially Filed on May 14, 1986, containing 84.88 acres.

(b) **FEDERAL USE.**—

(1) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating may operate, maintain, keep, locate, inspect, repair, and replace any Federal aid to navigation located on the property described in subsection (a) as long as the aid is needed for navigational purposes.

(2) **ADMINISTRATION.**—In carrying out subsection (a), the Secretary may enter the property, at any time for as long as the aid is needed for navigational purposes, without notice to the extent that it is not practicable to provide advance notice.

(3) **LICENSE.**—The Secretary of the Department in which the Coast Guard is operating may maintain a license in effect on the date of the enactment of this Act with respect to the real property and improvements under subsection (a) until the termination of the license.

(4) **REPORTS.**—Not later than 2 years after the date of the enactment of this Act and not less than once every 2 years thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) efforts taken to remediate contaminated soils on tract 43 described in subsection (a)(2);

(B) a schedule for the completion of contaminated soil remediation on tract 43; and

(C) any use of tract 43 to carry out Coast Guard navigation activities.

(c) **AGREEMENT ON TRANSFER OF OTHER PROPERTY ON ST. PAUL ISLAND.**—

(1) **IN GENERAL.**—In addition to the property transferred under subsection (a), not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce and the presiding officer of the Alaska native village corporation for St. Paul Island shall enter into an agreement to exchange of property on Tracts 50 and 38 on St. Paul Island and to finalize the recording of deeds, to reflect the boundaries and ownership of Tracts 50 and 38 as depicted on a survey of the National Oceanic and Atmospheric Administration, to be filed with the Office of the Recorder for the Department of Natural Resources for the State of Alaska.

(2) **EASEMENTS.**—The survey described in subsection (a) shall include respective easements granted to the Secretary and the Alaska native village corporation for the purpose of utilities, drainage, road access, and salt lagoon conservation.

SEC. 523. NOTICE OF CERTIFICATION.

Section 105 of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106-562) is amended—

(1) in subsection (a)(1), by striking “The Secretary” and inserting “Notwithstanding paragraph (2) and effective beginning on the date the Secretary publishes the notice of certification required by subsection (b)(5), the Secretary”;

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking “section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165)” and inserting “section 205(a) of the Fur Seal Act of 1966 (16 U.S.C. 1165(a))”; and

(B) by adding at the end the following:

“(5) **NOTICE OF CERTIFICATION.**—The Secretary shall promptly publish and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice that the certification described in paragraph (2) has been made.”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “makes the certification described in subsection (b)(2)” and inserting “publishes the notice of certification required by subsection (b)(5)”; and

(B) in paragraph (1), by striking “Section 205” and inserting “Subsections (a), (b), (c), and (d) of section 205”;

(4) by redesignating subsection (e) as subsection (g); and

(5) by inserting after subsection (d) the following:

“(e) **NOTIFICATIONS.**—

“(1) **IN GENERAL.**—Not later than 30 days after the Secretary makes a determination under subsection (f) that land on St. Paul Island, Alaska, not specified for transfer in the document entitled ‘Transfer of Property on the Pribilof Islands: Descriptions, Terms and Conditions’ or section 522 of the Pribilof Island Transition Completion Act of 2015 is in excess of the needs of the Secretary and the Federal Government, the Secretary shall notify the Alaska native village corporation for St. Paul Island of the determination.

“(2) **ELECTION TO RECEIVE.**—Not later than 60 days after the date receipt of the notification of the Secretary under subsection (a), the Alaska native village corporation for St. Paul Island shall notify the Secretary in writing whether the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land.

“(3) **TRANSFER.**—If the Alaska native village corporation provides notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title and interest in the land or a portion of the land, the Secretary shall transfer all right, title, and interest in the land or portion to the Alaska native village corporation at no cost.

“(4) **OTHER DISPOSITION.**—If the Alaska native village corporation does not provide notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land, the Secretary may dispose of the land in accordance with other applicable law.

“(f) **DETERMINATION.**—

“(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this subsection and not less than once every 5 years thereafter, the Secretary shall determine whether property located on St. Paul Island and not transferred to

the Natives of the Pribilof Islands is in excess of the smallest practicable tract enclosing land—

“(A) needed by the Secretary for the purposes of carrying out the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.);

“(B) in the case of land withdrawn by the Secretary on behalf of other Federal agencies, needed for carrying out the missions of those agencies for which land was withdrawn; or

“(C) actually used by the Federal Government in connection with the administration of any Federal installation on St. Paul Island.

“(2) REPORT OF DETERMINATION.—When a determination is made under subsection (a), the Secretary shall report the determination to—

“(A) the Committee on Natural Resources of the House of Representatives;

“(B) the Committee on Commerce, Science, and Transportation of the Senate; and

“(C) the Alaska native village corporation for St. Paul Island.”.

SEC. 524. REDUNDANT CAPABILITY.

(a) RULE OF CONSTRUCTION.—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under section 522.

(b) REDUNDANT CAPABILITY.—If, within the 5-year period beginning on the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating determines that a facility on Tract 43, if transferred under this subtitle, is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice, for as long as such facility is needed to provide such capability.

Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska

SEC. 531. FINDINGS.

The Congress finds as follows:

(1) Major shipping traffic is increasing through the Bering Strait, the Bering and Chukchi Seas, and the Arctic Ocean, and will continue to increase whether or not development of the Outer Continental Shelf of the United States is undertaken in the future, and will increase further if such Outer Continental Shelf development is undertaken.

(2) There is a compelling national, State, Alaska Native, and private sector need for permanent infrastructure development and for a presence in the Arctic region of Alaska by appropriate agencies of the Federal Government, particularly in proximity to the Bering Strait, to support and facilitate search and rescue, shipping safety, economic development, oil spill prevention and response, protection of Alaska Native archaeological and cultural resources, port of refuge, arctic research, and maritime law enforcement on the Bering Sea, the Chukchi Sea, and the Arctic Ocean.

(3) The United States owns a parcel of land, known as Point Spencer, located between the Bering Strait and Port Clarence and adjacent to some of the best potential deepwater port sites on the coast of Alaska in the Arctic.

(4) Prudent and effective use of Point Spencer may be best achieved through marshaling the energy, resources, and leadership of the public and private sectors.

(5) It is in the national interest to develop infrastructure at Point Spencer that would aid the Coast Guard in performing its statutory duties and functions in the Arctic on a more permanent basis and to allow for public and private sector development of facilities and other infrastructure to support purposes that are of benefit to the United States.

SEC. 532. DEFINITIONS.

In this subtitle:

(1) ARCTIC.—The term “Arctic” has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(2) BSNC.—The term “BSNC” means the Bering Straits Native Corporation authorized under section 7 of the Alaska Native Claims Settlement Act (43 U.S.C. 1606).

(3) COUNCIL.—The term “Council” means the Port Coordination Council established under section 541.

(4) PLAN.—The term “Plan” means the Port Management Coordination Plan developed under section 541.

(5) POINT SPENCER.—The term “Point Spencer” means the land known as “Point Spencer” located in Townships 2, 3, and 4 South, Range 40 West, Kateel River Meridian, Alaska, between the Bering Strait and Port Clarence and withdrawn by Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(6) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(7) STATE.—The term “State” means the State of Alaska.

(8) TRACT.—The term “Tract” or “Tracts” means any of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, as appropriate, or any portion of such Tract or Tracts.

(9) TRACTS 1, 2, 3, 4, 5, AND 6.—The terms “Tract 1”, “Tract 2”, “Tract 3”, “Tract 4”, “Tract 5”, and “Tract 6” each mean the land generally depicted as Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, respectively, on the map entitled the “Point Spencer Land Retention and Conveyance Map”, dated January 2015, and on file with the Department of Homeland Security and the Department of the Interior.

SEC. 533. AUTHORITY TO CONVEY LAND IN POINT SPENCER.

(a) AUTHORITY TO CONVEY TRACTS 1, 3, AND 4.—Within 1 year after the Secretary notifies the Secretary of the Interior that the Coast Guard no longer needs to retain jurisdiction of Tract 1, Tract 3, or Tract 4 and subject to section 534, the Secretary of the Interior shall convey to BSNC or the State, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of that Tract in accordance with subsection (d).

(b) AUTHORITY TO CONVEY TRACTS 2 AND 5.—Within 1 year after the date of the enactment of this section and subject to section 534, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 2 and Tract 5 in accordance with subsection (d).

(c) AUTHORITY TO TRANSFER TRACT 6.—Within one year after the date of the enactment of this Act and subject to sections 534 and 535, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 6 in accordance with subsection (e).

(d) ORDER OF OFFER TO CONVEY TRACT 1, 2, 3, 4, OR 5.—

(1) DETERMINATION AND OFFER.—

(A) TRACT 1, 3, OR 4.—If the Secretary makes the determination under subsection (a) and subject to section 534, the Secretary of the Interior

shall offer Tract 1, Tract 3, or Tract 4 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(B) TRACT 2 AND 5.—Subject to section 534, the Secretary of the Interior shall offer Tract 2 and Tract 5 to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—If BSNC chooses to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within BSNC’s entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey such Tract to BSNC.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall offer such Tract for conveyance to the State under the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85–508).

(3) OFFER TO STATE.—

(A) ACCEPTANCE BY STATE.—If the State chooses to accept an offer of conveyance of a Tract under paragraph (2)(B), the Secretary of the Interior shall consider such Tract as within the State’s entitlement under the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85–508) and shall convey such Tract to the State.

(B) DECLINE BY STATE.—If the State declines to accept an offer of conveyance of a Tract offered under paragraph (2)(B), such Tract shall be disposed of pursuant to applicable public land laws.

(e) ORDER OF OFFER TO CONVEY TRACT 6.—

(1) OFFER.—Subject to section 534, the Secretary of the Interior shall offer Tract 6 for conveyance to the State.

(2) OFFER TO STATE.—

(A) ACCEPTANCE BY STATE.—If the State chooses to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within the State’s entitlement under the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85–508) and shall convey Tract 6 to the State.

(B) DECLINE BY STATE.—If the State declines to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall offer Tract 6 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—

(i) IN GENERAL.—Subject to clause (ii), if BSNC chooses to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall consider Tract 6 as within BSNC’s entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey Tract 6 to BSNC.

(ii) LEASE BY THE STATE.—The conveyance of Tract 6 to BSNC shall be subject to BSNC negotiating a lease of Tract 6 to the State at no cost to the State, if the State requests such a lease.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall dispose of Tract 6 pursuant to the applicable public land laws.

SEC. 534. ENVIRONMENTAL COMPLIANCE, LIABILITY, AND MONITORING.

(a) ENVIRONMENTAL COMPLIANCE.—Nothing in this Act or any amendment made by this Act may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(b) **LIABILITY.**—A person to which a conveyance is made under this subtitle shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance of the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out before such date on the real property conveyed.

(c) **MONITORING OF KNOWN CONTAMINATION.**—
(1) **IN GENERAL.**—To the extent practicable and subject to paragraph (2), any contamination in a Tract to be conveyed to the State or BSNC under this subtitle that—

(A) is identified in writing prior to the conveyance; and

(B) does not pose an immediate or long-term risk to human health or the environment; may be routinely monitored and managed by the State or BSNC, as applicable, through institutional controls.

(2) **INSTITUTIONAL CONTROLS.**—Institutional controls may be used if—

(A) the Administrator of the Environmental Protection Agency and the Governor of the State concur that such controls are protective of human health and the environment; and

(B) such controls are carried out in accordance with Federal and State law.

SEC. 535. EASEMENTS AND ACCESS.

(a) **USE BY COAST GUARD.**—The Secretary of the Interior shall make each conveyance of any relevant Tract under this subtitle subject to an easement granting the Coast Guard, at no cost to the Coast Guard—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways that are located on such Tract; and

(2) the right to access such landing pads, airstrips, runways, and taxiways.

(b) **USE BY STATE.**—For any Tract conveyed to BSNC under this subtitle, BSNC shall provide to the State, if requested and pursuant to negotiated terms with the State, an easement granting to the State, at no cost to the State—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways located on such Tract; and

(2) a right to access such landing pads, airstrips, runways, and taxiways.

(c) **RIGHT OF ACCESS OR RIGHT OF WAY.**—If the State requests a right of access or right of way for a road from the airstrip to the southern tip of Point Spencer, the location of such right of access or right of way shall be determined by the State, in consultation with the Secretary and BSNC, so that such right of access or right of way is compatible with other existing or planned infrastructure development at Point Spencer.

(d) **ACCESS EASEMENT ACROSS TRACTS 2, 5, AND 6.**—In conveyance documents to the State and BSNC under this subtitle, the Coast Guard shall retain an access easement across Tracts 2, 5, and 6 reasonably necessary to afford the Coast Guard with access to Tracts 1, 3, and 4 for its operations.

(e) **ACCESS.**—Not later than 30 days after the date of the enactment of this Act, the Coast Guard shall provide to the State and BSNC, access to Tracts for planning, design, and engineering related to remediation and use of and construction on those Tracts.

(f) **PUBLIC ACCESS EASEMENTS.**—No public access easements may be reserved to the United States under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)) with respect to the land conveyed under this subtitle.

SEC. 536. RELATIONSHIP TO PUBLIC LAND ORDER 2650.

(a) **TRACTS NOT CONVEYED.**—Any Tract that is not conveyed under this subtitle shall remain withdrawn pursuant to Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(b) **TRACTS CONVEYED.**—For any Tract conveyed under this subtitle, Public Land Order 2650 shall automatically terminate upon issuance of a conveyance document issued pursuant to this subtitle for such Tract.

SEC. 537. ARCHEOLOGICAL AND CULTURAL RESOURCES.

Conveyance of any Tract under this subtitle shall not affect investigations, criminal jurisdiction, and responsibilities regarding theft or vandalism of archeological or cultural resources located in or on such Tract that took place prior to conveyance under this subtitle.

SEC. 538. MAPS AND LEGAL DESCRIPTIONS.

(a) **PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior in consultation with the Secretary shall prepare maps and legal descriptions of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and Tract 6. In doing so, the Secretary of the Interior may use metes and bounds legal descriptions based upon the official survey plats of Point Spencer accepted by the Bureau of Land Management on December 6, 1978, and on information provided by the Secretary.

(b) **SURVEY.**—Not later than 5 years after the date of the enactment of this Act, the Secretary of the Interior shall survey Tracts conveyed under this subtitle and patent the Tracts in accordance with the official plats of survey.

(c) **LEGAL EFFECT.**—The maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall have the same force and effect as if the maps and legal descriptions were included in this Act.

(d) **CORRECTIONS.**—The Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b).

(e) **AVAILABILITY.**—Copies of the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall be available for public inspection in the appropriate offices of—

- (1) the Bureau of Land Management; and
- (2) the Coast Guard.

SEC. 539. CHARGEABILITY FOR LAND CONVEYED.

(a) **CONVEYANCES TO ALASKA.**—The Secretary of the Interior shall charge any conveyance of land conveyed to the State of Alaska pursuant to this subtitle against the State's remaining entitlement under section 6(b) of the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act"; Public Law 85-508: 72 Stat. 339).

(b) **CONVEYANCES TO BSNC.**—The Secretary of the Interior shall charge any conveyance of land conveyed to BSNC pursuant to this subtitle, against BSNC's remaining entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)).

SEC. 540. REDUNDANT CAPABILITY.

(a) **IN GENERAL.**—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under this subtitle.

(b) **CONTINUED ACCESS TO AND USE OF FACILITIES.**—If the Secretary of the department in which the Coast Guard is operating determines, within the 5-year period beginning on the date of the enactment of this Act, that a facility on any of Tract 1, Tract 3, or Tract 4 that is transferred under this subtitle is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may, for as long as such facility is needed to provide redundant capability—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice.

SEC. 541. PORT COORDINATION COUNCIL FOR POINT SPENCER.

(a) **ESTABLISHMENT.**—There is established a Port Coordination Council for the Port of Point Spencer.

(b) **MEMBERSHIP.**—The Council shall consist of a representative appointed by each of the following:

- (1) The State.
- (2) BSNC.

(c) **DUTIES.**—The duties of the Council are as follows:

(1) To develop a Port Management Coordination Plan to help coordinate infrastructure development and operations at the Port of Point Spencer, that includes plans for—

- (A) construction;
- (B) funding eligibility;
- (C) land use planning and development; and
- (D) public interest use and access, emergency preparedness, law enforcement, protection of Alaska Native archaeological and cultural resources, and other matters that are necessary for public and private entities to function in proximity together in a remote location.

(2) Update the Plan annually for the first 5 years after the date of the enactment of this Act and biennially thereafter.

(3) Facilitate coordination among BSNC, the State, and the Coast Guard, on the development and use of the land and coastline as such development relates to activities at the Port of Point Spencer.

(4) Assess the need, benefits, efficacy, and desirability of establishing in the future a port authority at Point Spencer under State law and act upon that assessment, as appropriate, including taking steps for the potential formation of such a port authority.

(d) **PLAN.**—In addition to the requirements under subsection (c)(1) to the greatest extent practicable, the Plan developed by the Council shall facilitate and support the statutory missions and duties of the Coast Guard and operations of the Coast Guard in the Arctic.

(e) **COSTS.**—Operations and management costs for airstrips, runways, and taxiways at Point Spencer shall be determined pursuant to provisions of the Plan, as negotiated by the Council.

TITLE VI—MISCELLANEOUS

SEC. 601. MODIFICATION OF REPORTS.

(a) **DISTANT WATER TUNA FLEET.**—Section 421(d) of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended by striking "On March 1, 2007, and annually thereafter" and inserting "Not later than July 1 of each year".

(b) **ANNUAL UPDATES ON LIMITS TO LIABILITY.**—Section 603(c)(3) of the Coast Guard and Maritime Transportation Act of 2006 (33 U.S.C. 2704 note) is amended by striking "on an annual basis." and inserting "not later than January 30 of the year following each year in which occurs an oil discharge from a vessel or nonvessel source that results or is likely to result in removal costs and damages (as those terms are defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) that exceed liability limits established under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704)."

(c) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Secretary of the department in which the Coast Guard is operating a report detailing the specifications and capabilities for interoperable communications the Commandant determines are necessary to allow the Coast Guard to successfully carry out its missions that require communications with other Federal agencies, State and

local governments, and nongovernmental entities.

SEC. 602. SAFE VESSEL OPERATION IN THE GREAT LAKES.

The Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281) is amended—

(1) in section 610, by—

(A) striking the section enumerator and heading and inserting the following:

“SEC. 610. SAFE VESSEL OPERATION IN THE GREAT LAKES.”;

(B) striking “existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve” and inserting “boundaries of any national marine sanctuary that preserves shipwrecks or maritime heritage in the Great Lakes”; and

(C) inserting before the period at the end the following: “, unless the designation documents for such sanctuary do not allow taking up or discharging ballast water in such sanctuary”; and

(2) in the table of contents in section 2, by striking the item relating to such section and inserting the following:

“Sec. 610. Safe vessel operation in the Great Lakes.”.

SEC. 603. USE OF VESSEL SALE PROCEEDS.

(a) **AUDIT.**—The Comptroller General of the United States shall conduct an audit of funds credited in each fiscal year after fiscal year 2004 to the Vessel Operations Revolving Fund that are attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, including—

(1) a complete accounting of all vessel sale proceeds attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004;

(2) the annual apportionment of proceeds accounted for under paragraph (1) among the uses authorized under section 308704 of title 54, United States Code, in each fiscal year after fiscal year 2004, including—

(A) for National Maritime Heritage Grants, including a list of all annual National Maritime Heritage Grant grant and subgrant awards that identifies the respective grant and subgrant recipients and grant and subgrant amounts;

(B) for the preservation and presentation to the public of maritime heritage property of the Maritime Administration;

(C) to the United States Merchant Marine Academy and State maritime academies, including a list of annual awards; and

(D) for the acquisition, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet; and

(3) an accounting of proceeds, if any, attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004, that were expended for uses not authorized under section 308704 of title 54, United States Code.

(b) **SUBMISSION TO CONGRESS.**—Not later than 180 days after the date of the enactment this Act, the Comptroller General shall submit the audit conducted in subsection (a) to the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 604. NATIONAL ACADEMY OF SCIENCES COST ASSESSMENT.

(a) **COST ASSESSMENT.**—The Secretary of the department in which the Coast Guard is oper-

ating shall seek to enter into an arrangement with the National Academy of Sciences under which the Academy, by no later than 365 days after the date of the enactment of this Act, shall submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the costs incurred by the Federal Government to carry out polar icebreaking missions. The assessment shall—

(1) describe current and emerging requirements for the Coast Guard's polar icebreaking capabilities, taking into account the rapidly changing ice cover in the Arctic environment, national security considerations, and expanding commercial activities in the Arctic and Antarctic, including marine transportation, energy development, fishing, and tourism;

(2) identify potential design, procurement, leasing, service contracts, crewing, and technology options that could minimize life-cycle costs and optimize efficiency and reliability of Coast Guard polar icebreaker operations in the Arctic and Antarctic; and

(3) examine—

(A) Coast Guard estimates of the procurement and operating costs of a Polar icebreaker capable of carrying out Coast Guard maritime safety, national security, and stewardship responsibilities including—

(i) economies of scale that might be achieved for construction of multiple vessels; and

(ii) costs of renovating existing polar class icebreakers to operate for a period of no less than 10 years.

(B) the incremental cost to augment the design of such an icebreaker for multiuse capabilities for scientific missions;

(C) the potential to offset such incremental cost through cost-sharing agreements with other Federal departments and agencies; and

(D) United States polar icebreaking capability in comparison with that of other Arctic nations, and with nations that conduct research in the Arctic.

(b) **INCLUDED COSTS.**—For purposes of subsection (a), the assessment shall include costs incurred by the Federal Government for—

(1) the lease or operation and maintenance of the vessel or vessels concerned;

(2) disposal of such vessels at the end of the useful life of the vessels;

(3) retirement and other benefits for Federal employees who operate such vessels; and

(4) interest payments assumed to be incurred for Federal capital expenditures.

(c) **ASSUMPTIONS.**—For purposes of comparing the costs of such alternatives, the Academy shall assume that—

(1) each vessel under consideration is—

(A) capable of breaking out McMurdo Station and conducting Coast Guard missions in the Antarctic, and in the United States territory in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)); and

(B) operated for a period of 30 years;

(2) the acquisition of services and the operation of each vessel begins on the same date; and

(3) the periods for conducting Coast Guard missions in the Arctic are of equal lengths.

(d) **USE OF INFORMATION.**—In formulating cost pursuant to subsection (a), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard Polar class icebreakers or for the acquisition of a polar icebreaker for the Federal Government.

SEC. 605. COASTWISE ENDORSEMENTS.

(a) **“ELETTRA III”.**—

(1) **IN GENERAL.**—Notwithstanding sections 12112 and 12132, of title 46, United States Code,

and subject to paragraphs (2) and (3), the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the vessel M/V Elettra III (United States official number 694607).

(2) **LIMITATION ON OPERATION.**—Coastwise trade authorized under a certificate of documentation issued under paragraph (1) shall be limited to the carriage of passengers and equipment in association with the operation of the vessel in the Puget Sound region to support marine and maritime science education.

(3) **TERMINATION OF EFFECTIVENESS OF CERTIFICATE.**—A certificate of documentation issued under paragraph (1) shall expire on the earlier of—

(A) the date of the sale of the vessel or the entity that owns the vessel;

(B) the date any repairs or alterations are made to the vessel outside of the United States; or

(C) the date the vessel is no longer operated as a vessel in the Puget Sound region to support the marine and maritime science education.

(b) **“F/V RONDYS”.**—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the F/V Rondys (O.N. 291085)

SEC. 606. INTERNATIONAL ICE PATROL.

(a) **REQUIREMENT FOR REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives a report that describes the current operations to perform the International Ice Patrol mission and on alternatives for carrying out that mission, including satellite surveillance technology.

(b) **ALTERNATIVES.**—The report required by subsection (a) shall include whether an alternative—

(1) provides timely data on ice conditions with the highest possible resolution and accuracy;

(2) is able to operate in all weather conditions or any time of day; and

(3) is more cost effective than the cost of current operations.

SEC. 607. ASSESSMENT OF OIL SPILL RESPONSE AND CLEANUP ACTIVITIES IN THE GREAT LAKES.

(a) **ASSESSMENT.**—The Commandant of the Coast Guard, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and the head of any other agency the Commandant determines appropriate, shall conduct an assessment of the effectiveness of oil spill response activities specific to the Great Lakes. Such assessment shall include—

(1) an evaluation of new research into oil spill impacts in fresh water under a wide range of conditions; and

(2) an evaluation of oil spill prevention and clean up contingency plans, in order to improve understanding of oil spill impacts in the Great Lakes and foster innovative improvements to safety technologies and environmental protection systems.

(b) **REPORT TO CONGRESS.**—Not later than 2 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Congress a report on the results of the assessment required by subsection (a).

SEC. 608. REPORT ON STATUS OF TECHNOLOGY DETECTING PASSENGERS WHO HAVE FALLEN OVERBOARD.

Not later than 18 months after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on

Transportation and Infrastructure of the House of Representatives that—

(1) describes the status of technology for immediately detecting passengers who have fallen overboard;

(2) includes a recommendation to cruise lines on the feasibility of implementing technology that immediately detects passengers who have fallen overboard, factoring in cost and the risk of false positives;

(3) includes data collected from cruise lines on the status of the integration of the technology described in paragraph (2) on cruise ships, including—

(A) the number of cruise ships that have the technology to capture images of passengers who have fallen overboard; and

(B) the number of cruise lines that have tested technology that can detect passengers who have fallen overboard; and

(4) includes information on any other available technologies that cruise ships could integrate to assist in facilitating the search and rescue of a passenger who has fallen overboard.

SEC. 609. VENUE.

Section 311(d) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(d)) is amended by striking the second sentence and inserting “In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam, and in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.”

SEC. 610. DISPOSITION OF INFRASTRUCTURE RELATED TO E-LORAN.

(a) DISPOSITION OF INFRASTRUCTURE.—

(1) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

“§ 681. Disposition of infrastructure related to E-LORAN

“(a) IN GENERAL.—The Secretary may not carry out activities related to the dismantling or disposal of infrastructure comprising the LORAN-C system until the date on which the Secretary provides to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event the Global Positioning System signals are disrupted.

“(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

“(c) DISPOSITION OF PROPERTY.—

“(1) IN GENERAL.—On any date after the notification is made under subsection (a), the Administrator of General Services, acting on behalf of the Secretary, may, notwithstanding any other provision of law, sell any real and personal property under the administrative control of the Coast Guard and used for the LORAN-C system, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard.

“(2) AVAILABILITY OF PROCEEDS.—

“(A) AVAILABILITY OF PROCEEDS.—The proceeds of such sales, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard ‘Environmental Compliance and Restoration’ account and, without further

appropriation, shall be available until expended for—

“(i) environmental compliance and restoration purposes associated with the LORAN-C system;

“(ii) the costs of securing and maintaining equipment that may be used as a backup to the Global Positioning System or to meet any other Federal navigation requirement;

“(iii) the demolition of improvements on such real property; and

“(iv) the costs associated with the sale of such real and personal property, including due diligence requirements, necessary environmental remediation, and reimbursement of expenses incurred by the General Services Administration.

“(B) OTHER ENVIRONMENTAL COMPLIANCE AND RESTORATION ACTIVITIES.—After the completion of activities described in subparagraph (A), the unexpended balances of such proceeds shall be available for any other environmental compliance and restoration activities of the Coast Guard.”

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“681. Disposition of infrastructure related to E-LORAN.”

(3) CONFORMING REPEALS.—

(A) Section 229 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281; 128 Stat. 3040), and the item relating to that section in section 2 of such Act, are repealed.

(B) Subsection 559(e) of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83; 123 Stat. 2180) is repealed.

(b) AGREEMENTS TO DEVELOP BACKUP POSITIONING, NAVIGATION, AND TIMING SYSTEM.—Section 93(a) of title 14, United States Code, is amended by striking “and” after the semicolon at the end of paragraph (23), by striking the period at the end of paragraph (24) and inserting “; and”, and by adding at the end the following the following:

“(25) enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system to provide redundant capability in the event Global Positioning System signals are disrupted, which may consist of an enhanced LORAN system.”

SEC. 611. PARKING.

Section 611(a) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281; 128 Stat. 3064) is amended by adding at the end the following:

“(3) REIMBURSEMENT.—Through September 30, 2017, additional parking made available under paragraph (2) shall be made available at no cost to the Coast Guard or members and employees of the Coast Guard.”

SEC. 612. INAPPLICABILITY OF LOAD LINE REQUIREMENTS TO CERTAIN UNITED STATES VESSELS TRAVELING IN THE GULF OF MEXICO.

Section 5102(b) of title 46, United States Code, is amended by adding at the end the following:

“(13) a vessel of the United States on a domestic voyage that is within the Gulf of Mexico and operating not more than 15 nautical miles seaward of the base line from which the territorial sea of the United States is measured between Crystal Bay, Florida and Hudson Creek, Florida.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from California (Mr. GARAMENDI) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4188.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I stand here with my good friend from California (Mr. GARAMENDI), and it looks like the third time is the charm for the Coast Guard Authorization Act of 2015. After twice passing an authorization bill to the Senate in 2015, we finally have before us a Senate-passed bill.

H.R. 4188, as amended by the Senate, is very similar to the legislation which passed the House in December of 2015. It makes several reforms to Coast Guard authorities, as well as laws governing shipping and navigation. It is important legislation that will assist the Coast Guard in fulfilling its missions.

I thank the committee ranking members, Mr. DEFazio and Mr. GARAMENDI, for their hard work and their efforts, and Chairman SHUSTER for his leadership. Our collective interests to support the Coast Guard and its many missions allowed for the development of the bill before us today.

The members of the Coast Guard do a tremendous job for our Nation. Coast Guard servicemembers place their lives on the line and at risk on a daily basis to save those in danger, ensure the safety and security of our ports and waterways, and protect our environmental resources.

Passing H.R. 4188 will help rebuild and strengthen the Coast Guard. It will also demonstrate the strong support Congress has for the men and women of the Coast Guard and the deep appreciation we have for the sacrifices they make for our Nation.

□ 1900

I thank John Rayfield, who is on my staff, and the Democrats' staff for what they have done on this bill. I thank Reyna Hernandez McGrail for the work that she put in, and I thank Commander Burdian, with the Coast Guard, who liaised with us on a daily basis to get this done.

I urge all Members to support H.R. 4188 as amended by the Senate.

Mr. Speaker, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to be here again, at the beginning of another year, to rise to join Chairman HUNTER in strong support of legislation to authorize funding for the United States Coast Guard and

to advance new policy initiatives to strengthen the prospects for the U.S. flag and the U.S. maritime industry.

H.R. 4188, the Coast Guard Authorization Act of 2015, is very carefully crafted bipartisan-bicameral legislation that has been developed over the course of far too long. It should have and could have been done last year, but here we are.

I thank the Senate. I guess I should be a little more kind to the other House.

Several months of negotiation with Members of the Senate have finally concluded. This bill is deserving of robust support from Members on both sides of the aisle, and I urge its quick passage by the House today so it can be enrolled and sent to the President for his signature.

I thank Chairman HUNTER for his leadership and cooperative spirit in working with me and the other Democrats to address our interests and concerns. The willingness of Chairman HUNTER and of his outstanding staff on the Coast Guard and Maritime Transportation Subcommittee to collaborate and work with the minority is very, very much appreciated.

Now, the bill is not perfect. In fact, I haven't seen one in the years I have been here, and that has been a few years now; but that is the case with virtually every piece of bipartisan legislation that has been passed by Congress. On balance, the benefits of this bill really outweigh any detrimental aspects.

I am pleased this legislation will provide an increased authorized funding level for the Coast Guard for the next 2 fiscal years. Our Coast Guard has suffered over the past 3 to 4 fiscal years due to insufficient budgets. The authorized funding levels in this legislation, along with the increased appropriation in the fiscal year 2016 omnibus bill, are a marked improvement.

The importance of budget stability to the men and women of the Coast Guard cannot be overstated. Coastguardsmen and -women are pressed daily to meet the arduous demands of the service's 11 statutory missions which scatter them over seven different continents and every ocean. In fact, last week, I saw three of our cutters at the dock in Bahrain working to preserve our interests in the Persian Gulf.

The last thing our Coast Guard needs is to face recurrent budget uncertainties, a circumstance which leaves the service's leadership unable to know exactly what resources and capabilities they have available to perform vital national security functions, such as addressing port and harbor security, illegal drug and migrant interdiction, search and rescue, law enforcement and environmental response actions, and several other important activities.

This legislation will also strengthen our national security through provi-

sions that enhance policies that govern foreign port security assignments. Others that bolster the coordination of international port inspections, conducted by the Coast Guard and our foreign partners, will help better ensure that critical maritime infrastructure does not become a liability for national security.

Additionally, language included in the bill will strengthen the Coast Guard's maritime drug enforcement authority, which should improve the Federal Government's activities in the Western Hemisphere to combat illegal drug trafficking, which has had a substantial destabilizing effect on several nations across the region.

I am also very pleased that this legislation continues to move the ball down the field in an effort to strengthen and to recapitalize a new fleet of polar class heavy icebreakers for the Coast Guard.

It is clear that we are witnessing the opening of the Arctic to maritime commerce. We have got to do something, and this bill puts us on the road to doing that. In this most challenging of maritime environments, it is vital that the service has the icebreaking capabilities it will need to operate safely and effectively; so we will figure out whether the Polar Sea can actually be refitted. Additionally, this legislation authorizes funding to allow the Coast Guard to maintain progress in finalizing requirements and in initiating preliminary designs for a new heavy icebreaker.

In moving to an end here, I am pleased that the legislation includes language to continue to preserve the remaining infrastructure at the former LORAN-C stations until such time that the administration makes a final decision on whether to build an enhanced LORAN, or E-LORAN, infrastructure as a reliable land-based, low-frequency backup navigation and timing signal for the global positioning satellite signal, which, I think, most of us know is the single point of failure for most of the American economy and for a good deal of our military. The GPS signal is fairly easy to corrupt, to degrade, or to otherwise disrupt. For this reason, we need to think seriously about a backup, and this bill sets us on the right course.

This administration needs to make a decision on this, and it should make it now. The language in this legislation ensures that we will have available in the future the remaining LORAN-C infrastructure.

I look forward to working with Chairman SHUSTER, with Ranking Member DEFazio, and, of course, with Chairman HUNTER in advancing this initiative wherever and whenever possible.

Again, I thank Chairman HUNTER and his staff for their support for the Coast Guard and the U.S. maritime industry

and for their cooperation and leadership in pulling this bill together.

Of course, Congressman SHUSTER, who is the chairman of the Transportation and Infrastructure Committee, and Ranking Member DEFazio also deserve thanks for their leadership and contributions.

I thank my staff and the majority's staff for the work that they have done.

Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I thank the ranking member and the chairman for the good work that has gone into this very important bill. As somebody who represents one-third of the California coast, obviously, this legislation is important to me. I want to especially thank the chairman and ranking member for one part of this legislation that has special significance to the people of Marin County, whom I am honored to represent.

Finding affordable housing in Marin County is very difficult, and it has only gotten harder since the Great Recession and since the rebound in the real estate market. That has had an impact on the families I represent. It has had an impact on businesses and on folks in agriculture who can't find the full-time staff that they need because they can't afford to live in the community.

Section 501 of this bill is going to help in a very significant way to address this housing crunch in West Marin. It is going to take some Coast Guard property that is excess property and sell it at fair market value to the County of Marin. This will be a win-win for the County of Marin and also for the Coast Guard. I look forward to seeing the county begin working with local partners on repurposing this property for the public benefit of affordable housing.

We still have a long way to go to make sure that working families in places like Marin County and everywhere else have access to quality housing, but this bill is an important step for at least one community that I represent.

I thank the tireless group of advocates who have worked on this, especially West Marin County Supervisor Steve Kinsey, Kim Thompson, and all of those at the Community Land Trust Association of West Marin, and others. Finally, I thank Ranking Member DEFazio and Chairman SHUSTER as well as the subcommittee members and staff. I thank very much the gentleman from California (Mr. GARAMENDI).

Mr. HUNTER. Mr. Speaker, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, I yield myself the balance of my time.

If I might just close by saying a special "thank you" to the chairman and

his staff, to my staff—David—and to my own team on this. Also, this really was a bipartisan bill; so I thank Chairman THUNE and the ranking Democrat on the committee, BILL NELSON, for their efforts in putting together this bill.

Let's get this job done.

Mr. Speaker, I yield back the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield myself the balance of my time.

In closing, the Coast Guard in the future is going to fulfill a much greater role than it has filled since its inception. As you have weapons of mass destruction become ubiquitous throughout the world, the bad guys are going to use the same routes that they use to smuggle drugs and people to smuggle weapons of mass destruction into this country.

It is my belief and Mr. GARAMENDI's firm belief that the Coast Guard is going to play a major, pivotal role going forward. After the Iranian deal goes through, who knows who is going to have nuclear weapons. It is going to be the Coast Guard that interdicts and stops them on those same drug routes that they are going to be taking with those weapons of mass destruction; so it is important that we make sure that they are staffed, that they are capable, and that they are ready to do what we need them to do as a nation, even if it is different than what they have done for the last few hundred years.

I also thank my staff and Mr. GARAMENDI's staff and my personal staff for their time and effort. I will even squeak in a thank-you for the Senate for just finally getting it done.

Mr. Speaker, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I rise in strong support of H.R. 4188, the "Coast Guard Authorization Act of 2015", as amended by the Senate. This legislation is virtually the same bill that the House passed last December by voice vote. I urge Members from both sides of the aisle to again support this important maritime legislation.

As I noted when the bill passed the House late last year, this legislation reflects a sensible compromise negotiated with the other body that, most importantly, would provide increased authorized funding levels and budget stability for the Coast Guard for the next two years. Combined with the matching increases in FY 2016 appropriations contained in the recently enacted Consolidated Appropriations Act, we will have provided a solid foundation to build from in the coming fiscal year.

Additionally, the legislation includes provisions to improve Coast Guard mission effectiveness, continue efforts to recapitalize the Service's aging vessels and other assets—especially the need for new polar icebreakers—and enhance maritime security and safety policy.

Importantly, the bill extends the existing statutory prohibition preventing the Coast Guard from closing its air facility, or AIRFAC, located in Newport, Oregon.

Due to budget cuts, in 2014, the Coast Guard threatened to close the Newport AIRFAC—which handles one-half of the emergency search and rescue response calls on the Central Oregon Coast.

In fact, only last week a 40-foot crabbing vessel capsized a mile from the entrance to Coos Bay, throwing four fishermen into the frigid and perilous waters of the North Pacific Ocean. This incident again demonstrates that calamity can strike at any time off the Oregon Coast. It underscores the importance of keeping a strong AIRFAC presence along the Oregon coastline, to ensure the safety of Oregon's fishing industry, and the people who live, recreate, or work along the coast.

This legislation extends the existing statutory prohibition for an additional two years, and likely longer, depending on whether the Coast Guard completes some necessary planning to address the looming need to recapitalize its two helicopter fleets.

Moreover, after the prohibition expires, this legislation authorizes a rigorous administrative process that the Coast Guard must follow before it can close any AIRFAC.

In the future, the Coast Guard must promptly notify Members of Congress representing affected areas and convene public meetings in communities within the area of responsibility of the AIRFAC to gather information on how the closure would affect residents and visitors.

In its totality, this provision will ensure that any future proposal to close an AIRFAC will be vetted extensively through a transparent, public process; a process that will ensure that the Coast Guard's search and rescue capabilities are the absolute last place anyone should consider cutting in the Coast Guard's budget.

I want to thank the Chairman of the Committee on Transportation and Infrastructure, Congressman BILL SHUSTER, for his leadership on this legislation. I also want to express my appreciation for the very constructive and bipartisan working relationship we have developed to advance the agenda of the Committee in this Congress. This legislation is a great start to 2016.

I also want to thank the Chairman of the Subcommittee on Coast Guard and Maritime Transportation, Congressman DUNCAN HUNTER, and Ranking Member JOHN GARAMENDI, for their support for this provision, and for their close cooperation and contributions throughout negotiations with the other body.

In closing, Mr. Speaker, the final legislation before the House is a sensible, bipartisan product that supports our Nation's Coast Guard. And while admittedly not perfect, this legislation is something that Members on both sides of the aisle should readily support.

I urge my colleagues to join me in supporting this critical legislation.

Mr. GARAMENDI. Mr. Speaker, I would like to recognize the hard work of Dave Jansen on the Coast Guard Subcommittee, as well as Emily Burns on my staff, to make this bill a success.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4188.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PENN STATE POLICE OFFICER STEW NEFF MARKS 50 YEARS OF SERVICE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I deeply admire the service of policemen and -women who serve across Pennsylvania's Fifth Congressional District; but, today, I rise to note Lieutenant Stew Neff's service. He has been a member of the Penn State University Police Department for the past five decades.

Lieutenant Neff was born and raised not too far from State College, and he joined the Penn State Police Department as a dispatcher on January 10, 1966. Since then, he has filled many roles, most recently as a training officer, as a firearms instructor, and as a special events coordinator for the past 13 years.

As a sign of his longevity with the department, consider that the current assistant chief went to high school with Lieutenant Neff's daughter. At a time when so many people switch jobs at the drop of a hat, Stew's dedication to the Penn State Police Department and to the university, itself, is highly commendable.

Lieutenant Neff isn't planning on retiring soon. He says that he still loves his job and embraces the opportunity to serve his community as a member of the Penn State Police Department. I wish Stew the best of luck as his career continues.

MAJOR SHAWN CAMPBELL; CORPORAL MATTHEW DROWN—TEXAS MARINES

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, while patrolling the blue South Pacific seas, two American Stallion helicopters collided off the coast of Hawaii. It was January 14, 2016. Twelve U.S. marines on board perished. Despite rescue efforts by air and sea, the marines were never found. Their watery graves are only known to God.

Major Shawn Campbell, 41, and Corporal Matthew Drown, 23, were Texas' own. They were graduates of two neighboring high schools—Klein and Klein Oak—in my Texas congressional district.

Major Campbell, over here with two of his children, was a hardcore marine.

A graduate of Texas A&M in microbiology, he served three tours of duty in combat in the Middle East. Recently, he was ordered to the States as an instructor pilot. Major Campbell left behind a wife and four kids.

Corporal Matthew Drown joined the Marines right out of Klein Oak High School in 2011. He was on the debate team and was a friend everyone wanted to have. He was planning on reenlisting in the Marine Corps.

These volunteers lived and died protecting America. They are the best that we have.

Mr. Speaker, there is nothing like a marine. Ronald Reagan said: "Some people spend an entire lifetime wondering if they made a difference . . . The Marines don't have that problem." These men of Texas—Major Campbell and Corporal Drown—are two of those marines.

Now there are two more marines guarding Heaven's pearly gates. We pray for their families.

Semper Fi, Marines. Semper Fi.
And that is just the way it is.

□ 1915

E-FREE ACT

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise to tell the story of Elvira Lopez of Odessa, Texas, one of tens of thousands of women harmed by the permanent sterilization device, Essure.

Elvira's story began in 2011 when she sought a tubal ligation. She was instead introduced to Essure. After surgery, her health began to decline dramatically.

Despite symptoms of confusion, low energy, and constant pain, doctor after doctor told her that the device was not causing her health issues.

Then, in 2015, she had no choice but to undergo a hysterectomy as a last-ditch attempt to end the pain caused by this flawed device.

I rise as a voice for the Essure Sisters to tell this Chamber that their pain is real, their stories are real, and their fight is real.

Mr. Speaker, my bill, the E-Free Act, can halt this tragedy by removing this dangerous device from the market. Too many women have been harmed.

I urge my colleagues to join this fight because stories like Elvira's are too important to ignore.

TRUTH IN ADVERTISING ACT OF 2016

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to once again ask the Fed-

eral Trade Commission to uphold its responsibility to protect consumers from the harmful effects of deceptive imagery in advertisements.

Along with my colleagues, LOIS CAPPs and TED DEUTCH, I am proud to introduce the Truth in Advertising Act of 2016 to direct the FTC to more fully study deceptive ads.

Research shows that a photo-shopped body and facial image can have a negative impact on mental health, potentially leading to the onset of depression, anxiety, and other behavioral disorders.

In particular, deceptive imagery may be contributing to the explosion of eating disorders in our country, with 30 million Americans now suffering and nearly two dozen deaths occurring each day from eating disorders.

It is time we all worked together to stop these deceptive advertising practices and end their heavy cost on families and taxpayers.

GRANITE STATERS COPE WITH HEROIN EPIDEMIC

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise to recognize selfless Granite Staters, helping our State cope with the deadly heroin epidemic. Last month, in Rochester, I visited Hope on Haven Hill. Kerry Norton and Colene Arnold founded the charity to help pregnant New Hampshire mothers recover from heroin addiction and improve the health of their newborns.

Neonatal Abstinence Syndrome—newborn babies addicted to drugs—is growing at a fast rate as heroin abuse spreads across our country. There were over 27,000 NAS cases in 2014, up from 5,000 just a decade earlier.

Babies with NAS suffer from painful withdrawal. Treatment centers like Hope on Haven Hill are helping to prevent the worst kind.

Another place in Manchester, New Hampshire, Hope for New Hampshire Recovery, will also open. Melissa Crews and Dick Anagnost, cofounders of Hope for New Hampshire Recovery, are donating their time and energy to supply our State with more treatment options as Federal, State, and local governments develop better solutions.

In Congress we created the bipartisan task force to combat the heroin epidemic to help develop these types of solutions, and I praise these individuals for their selflessness.

HONORING MARGARET DUNLEAVY

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to reflect on the career

of an outstanding public servant in my district, Margaret Dunleavy.

Mrs. Dunleavy retired at the end of 2015 after serving Livingston County as their clerk for 19 years. In her capacity as county clerk, Mrs. Dunleavy has been responsible for overseeing elections in the county as well as maintaining vital records and all circuit court records. She was first elected in 1996, and the voters of Livingston County chose her as their clerk in four additional elections.

Her role as county clerk was not Mrs. Dunleavy's first public service experience. She previously served as the Hartland Township, Michigan, clerk and deputy clerk.

Mrs. Dunleavy will be remembered as a hardworking, professional, ethical, and highly qualified clerk. I am thankful to have had the opportunity to work with her, and I wish her all the best in her future retirement.

Mr. Speaker, I am honored to represent such a dedicated public servant in Michigan's Eighth District.

Thank you, Mrs. Dunleavy, for your commitment to Livingston County.

IRAN TERROR FINANCE TRANSPARENCY ACT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, today I rise in support of the Iran Terror Finance Transparency Act. This important legislation prevents sanctions from being lifted from banks and individuals who are connected to terrorism or Iran's weapons development program.

We do not need to be rewarding bad actors that are helping Iran become a nuclear state and continue to be the world's leading state sponsor of terrorism.

Recently Iran made headlines by conducting two ballistic missile tests, already violating the deal that the President forced on the American people earlier this year. Disappointingly, we have heard nothing from the administration.

This is the same Iran who funnels money to Hezbollah to finance terrorist attacks and the same Iran who awards medals for the capture of U.S. soldiers. Despicable.

It is abundantly clear that Iran is not to be trusted, and we must prevent rogue nations from becoming stronger. The administration needs to immediately reverse its course and hold those supporting terrorist efforts accountable.

In the name of national security, I urge my colleagues in the House to join me in voting in favor of this crucial and timely piece of legislation.

HONORING JULIA AARON HUMBLER

(Mr. RICHMOND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHMOND. Mr. Speaker, I just want to take a second to recognize a civil rights hero and New Orleans native who recently passed away: Julia Aaron Humbler.

An active participant in the civil rights movement from an early age, she was selected to be on the first Freedom Ride bus at the age of 18, which was ultimately firebombed outside Anniston, Alabama.

She wasn't on that bus. She was, in fact, in Orleans Parish prison because she was arrested for picketing outside a segregated Woolworth's department store.

Julia was constantly testing the rules of segregation in New Orleans. She is quoted as saying: I was the kind of kid that would move up the colored sign on the buses. I would use the White restroom or water fountain. If I got caught, I would say flippantly that I just wanted to taste that White water, and then I would run.

Julia passed away on January 26 in Stone Mountain, Georgia, of cancer. She was 72 years old. Our country is a much better place because of the sacrifices Julia made during her lifetime. Our sympathies and prayers are with her family today.

EQUAL TREATMENT OF PUBLIC SERVANTS ACT, H.R. 711

(Mr. RATCLIFFE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RATCLIFFE. Mr. Speaker, I am humbled to represent thousands of teachers, firefighters, and law enforcement officers across the Fourth District of Texas who have dedicated their careers to public service.

As the son of two schoolteachers and as a former law enforcement official myself, I have a personal and deep-felt appreciation for those who shape future generations by educating our children and protecting the communities where we live.

Right now there are nearly 900,000 of these public servants who are being unjustly denied their hard-earned retirement benefits through an arbitrary formula called the windfall elimination provision, which can reduce their Social Security checks by up to \$413 a month.

That is why I have cosponsored and why I strongly support H.R. 711, the Equal Treatment of Public Servants Act, to reduce and to eliminate the windfall elimination provision.

I urge my colleagues to take it up for a vote as soon as possible so that we can ensure that our public servants re-

ceive both the Social Security benefits and the pensions that they most certainly have earned.

CONGRATULATING DARYL VEATCH

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today in admiration of a leader in Missouri's Fourth District, Mr. Daryl Veatch.

Daryl has served tirelessly to provide reliable light and energy to Missouri members of the Osage Valley Electric Cooperative, of which I am a lifelong member. After 43 years, Mr. Veatch has resigned his position as the general manager of Osage Valley in Butler, Missouri.

His passion for excellence was seen throughout all of his work: from the beginning at Grundy Electric Cooperative, where he served as a clerk, to his tenure as the president of the Missouri Electric Cooperative Human Resources Association, the Accountants Association, and a member of the Public Relations Committee.

This year Daryl was honored with the esteemed A.C. Burrows Award given by the Association of Missouri Electric Cooperatives for his leadership above and beyond the call of duty to strengthen and improve the economic and social conditions of his community.

Part of going above and beyond for Daryl was being actively involved as a leader on the local Butler R-V School Board, the area Chamber of Commerce, and his Rotary Club.

Thank you for giving your life to the service of the citizens of Missouri's Fourth District. I congratulate you on a job well done. I look forward to hearing of the continued impact you will have in and for our community.

AN HOUR OF POWER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Ohio (Mrs. BEATTY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. BEATTY. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks and add any extraneous materials relevant to the subject matter of this discussion.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BEATTY. Mr. Speaker, it is an honor and a privilege for me to rise this evening as co-chair, along with my distinguished colleague who represents the Eighth District of New York, Con-

gressman HAKEEM JEFFRIES, for this Congressional Black Caucus Special Order hour, an hour of power, addressing the state of our Union, Dr. King's dream, and today's African American message.

Congressman JEFFRIES is a scholar, a distinguished member of the Judiciary Committee. He continues to be a tireless advocate for social and economic justice, working hard to reform our criminal justice system, improve the economy for hardworking Americans, and to make college more affordable for all. Most importantly, he is someone that I am proud to follow and he is my colleague.

Today we come to educate and to discuss some of the many contributions and accomplishments in American history that African Americans etched into the cornerstone of this America, Mr. Speaker, that they helped change. The Congressional Black Caucus is and continues to be a part of that change.

As we reflect on Dr. Martin Luther King, Jr., whose holiday we recently observed, thanks to our Congressional Black Caucus colleague, Congressman JOHN CONYERS, the dean, who worked tirelessly to have the day observed as a Federal holiday, we pause to reflect on our progress and our history not only to remember, but to acknowledge, our unfinished work.

Congressional Black Caucus members and other colleagues with constituents across the country participated in holiday services, programs, marches, and many other events last week. This was not a day off, Mr. Speaker, but a day on in the spirit of Dr. King's legacy.

Mr. Speaker, I had the opportunity to join some 4,000 constituents in my district in Columbus for the Nation's largest Martin Luther King breakfast celebration.

□ 1930

As I sat there, I was reminded of his words that we live by and that we are guided by: "Faith is taking the first step, even when you don't see the whole staircase." Later I had the opportunity to join hundreds of folks to march in freezing weather, singing "We Shall Overcome."

Today we also mark the beginning of the observation of Black History Month, to celebrate giants in civil rights, in the civil rights movement, as well as labor and education, transportation, the arts, and the service movement.

As we reflect on Dr. King's dream, just a few weeks ago President Barack Obama from this House floor, Mr. Speaker, delivered his final State of the Union Address. In his address, the President delivered a speech filled with hope and optimism, reminding us that we, the people—emphasizing all people—want opportunity and security for our families. It was a message of a better future, fairness, and democracy for

all Americans because we rise or fall together, Mr. Speaker.

President Obama continues to remind us that ours is a nation bounded by a common creed and that our American values of equality, fairness, and justice should be available to all, not just a fortunate few. Far too long people and communities of color continue to be left behind when we discuss equality, fairness, and justice.

In the 48 years since his death, while we have made some strides in confronting injustices and ending unequal treatment, there is still work to be done. Our Nation is still plagued by the vestiges of segregation and unequal laws and policies, evident today in Flint, Michigan, and its lack of clean drinking water; in it being harder, not easier, to exercise the constitutional right to vote through voter disenfranchisement; Black men being killed in Ferguson, Baltimore, Chicago, and my State of Ohio; inequities in health care, poverty, and in our failing schools.

But, Mr. Speaker, the time is now for us to work together to protect the most at risk among us, to defend the foundation of our democracy, and to expand opportunity for all people.

However, Republican leadership fails to act and refuses to bring up Voting Rights Advancement Act, a bipartisan piece of legislation, for an up-or-down vote.

Tonight, Mr. Speaker, we will hear from our Congressional Black Caucus colleagues on the state of our Union and where we go from here. I welcome the dialogue and the debate.

Mr. Speaker, it is now my honor and privilege to yield to Congresswoman BARBARA LEE from the 13th District of California. We know her as a fearless advocate, fighting to eliminate poverty. We know her as someone who has a history of representing not only the people of her district but the people of America. I have had the opportunity to witness this firsthand, as I serve on her committee when she fights to end the War on Poverty. It is my honor to ask Congresswoman BARBARA LEE to bring her message to us tonight.

Ms. LEE. Let me first thank Congresswoman BEATTY for her very kind and humbling remarks, but also for her tremendous leadership on so many issues, not only since she has been here in Congress, but before she came representing her constituents, and really looking out for, speaking out for, and working for the most vulnerable in our society.

I am really proud of what she is doing with the Congressional Black Caucus, also Congressman JEFFRIES for continuing to organize these important sessions really to beat the drum and to allow our country to understand what the issues are that the Congressional Black Caucus continues to work on because if, in fact, we address those issues, as you know, that the most vul-

nerable are dealing with each and every day, we will strengthen America, and so our country will be stronger. I thank both of them for making sure that we are doing that.

We celebrate tonight the start of Black History Month, but I would like to reflect quickly again what we are doing tonight on Dr. Martin Luther King, Jr.'s dream of true democracy.

In his famous speech, "I Have a Dream," let me just quote here what he asked the American people to do. He said:

"To make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice.

"Now is the time to open the doors of opportunity to all God's children.

"Now is the time to lift our Nation from the quicksands of racial injustice to the solid rock of brotherhood." Of course and sisterhood.

As I think about his powerful words going into Black History Month and his challenge for America to live up to her highest ideals, we must reflect on how far we have come and where we need to go.

Now, of course, the right to vote is the bedrock of our democracy, which Dr. King reminded us of when he said: "Give us the ballot, and we will fill our legislative halls with men and women of goodwill." In his honor, we must pass the Voting Rights Advancement Act, H.R. 2867, introduced by a great woman, a member of the Congressional Black Caucus, Congresswoman TERRI SEWELL.

In 1967 Dr. King explained the underlying nature of the challenges facing our country in his book "Where Do We Go From Here: Chaos Or Community?" he talked about these triple evils. He wrote about poverty, racism, and war. He said they are the forms of violence that exist in a vicious cycle in our country. He says: "They are inter-related, all-inclusive, and stand as barriers to our living in the beloved community. When we work to remedy one evil, we affect all evils."

So we must come together as never before to address these issues that infect our communities in order for our Nation to move beyond the quicksands of racial and economic injustice.

Of course, the first of these evils is poverty, a harsh reality lived every day by more than 46 million Americans. Our Joint Economic Committee report, championed by Congresswoman MALONEY and the Congressional Black Caucus, demonstrated and showed that African Americans are disproportionately affected by the scourge of poverty. The poverty rate in our community is 27 percent. One in three African American kids live in poverty. One in five kids in the entire country live in poverty. Poverty rates throughout our country are much too high for everyone, and we know how to eliminate poverty.

Our assistant leader, a member of the Congressional Black Caucus, a great human being who has worked so hard to eliminate poverty for so many years has come up with a formula that would target resources to those rural and urban communities with the highest rates of persistent poverty.

We have our Half in Ten Act, which establishes a national strategy to cut poverty in half over the next decade. That is more than 22 million Americans lifted into the middle class in just 10 years by coordinating local, State, and Federal anti-poverty programs.

Likewise, our Pathways Out of Poverty Act is a comprehensive anti-poverty bill that starts by creating good-paying jobs while redoubling our investments in proven programs that empower families to build pathways out of poverty into the middle class.

Of course, Dr. King mentioned the second evil, which is racism. While racial barriers and biases are endemic through our society, they are very and most apparent in our broken criminal justice system. It is high time that we work to fix our criminal justice system that far too often fails African Americans. Yes, Black lives matter.

So today in America, an African American is killed by a security officer, police officer, or self-proclaimed vigilante every 28 hours. That is nearly once a day. One in three Black men can plan to spend at least some part of their life behind bars, and men of color make up 70 percent of the U.S. prison population. Let me say that again. Seventy percent of the U.S. prison population are men of color. That is simply outrageous.

Now, we have ended legal segregation. Our first African American President is serving his second term in the White House. Our Attorney General, Loretta Lynch, serves as our first African American female Attorney General. But so much must be done to achieve the dream of liberty and justice for all.

Dr. King told us over and over again that we live in two Americas. This was in 1967, in one of his speeches. The Kerner Commission report still describes American society today. We have got to really look at our history and acknowledge and honor the legacy of those who really brought us this far. But when you look at the statistics and what is taking place now in communities of color and the African American community, it just shows us what we have to do. We have a long way to go.

Dr. King finally spoke of war. He talked about the fact that our Nation continues to be involved in endless wars, and communities are suffering the costs. The Pentagon consumes 60 percent of discretionary spending compared to 11 percent that we spend on education, job creation, and resources to help our young people live the life

that they so deserve in terms of being educated and providing workforce training, housing, health care, all the opportunities that are the American opportunities to allow us to live the American Dream.

Congresswoman BEATTY and Congressman JEFFRIES, I just want to thank you for arranging the time for us to talk tonight. We have real solutions. You have real solutions. Every member of the Congressional Black Caucus has real solutions to end poverty, to end racism, and to end war.

During Black History Month, we need to recommit ourselves to all of the solutions that members of the Congressional Black Caucus, and Members of this body as a whole, have if the political will were there so we can honor the legacy of those who came before us during Black History Month. By honoring them, we say we are going to pick up that mantle and really address these triple evils once and for all.

Mrs. BEATTY. Thank you so much, Congresswoman LEE, for reminding us of the work we have to do to strengthen our America and for giving us those facts that clearly point out the barriers that we have and also the disparities when you look at 70 percent of our men being incarcerated, yet we don't make up 70 percent of the population.

Thank you for reminding us of all the work and the words of Martin Luther King because you are so right. To sum it up in his words: injustice anywhere is an injustice everywhere.

Thank you. We will continue that work.

Mr. Speaker, it is now my honor and privilege to yield to Congresswoman KAREN BASS from the 37th District of California. It is a great honor for me because she is certainly not only a leader, but an advocate domestically and globally for young girls. As a matter of fact, when I think of her work across this Nation in foster care, I call her the Sojourner Truth of foster care.

When I think of her leadership, it is important for me to remind folks that she was the first African American female to be Speaker of the House of the great State of California. Today it is indeed my honor to yield to Congresswoman BASS.

Ms. BASS. Mr. Speaker, I want to thank Congresswoman BEATTY. I want to congratulate her for her leadership that she has displayed since day one of coming to the House of Representatives, and knowing of her leadership in the State of Ohio, serving as the leader of the legislature in Ohio.

I want to acknowledge my colleague HAKEEM JEFFRIES. I have always appreciated his leadership in the committees as well as his leadership within the House. I am glad that he is very much a part of our Caucus.

I know our theme today is: "The State of Our Union: Have We Achieved Dr. King's Dream?" I have to say that

the state of our union is a mixed bag. Have we achieved Dr. King's dream? As a nation, we haven't, but if we look at the success of individuals, many individuals have achieved remarkable levels of success.

While the success of individuals should rightfully be celebrated, until the richest nation on the planet in the history of the world has figured out how to address poverty, income inequality, and provide opportunity for everyone to succeed in our Nation, Dr. King's dream is a dream deferred.

Dr. King would have been so proud to have been at the inauguration of the first African American President, but he would have been horrified to see a man achieve that level of success, becoming the most powerful man in the world, and still be subjected to doubters who ask to see his birth certificate, questioning if he was actually an American, obviously code for "he might be the President, but he is still not one of us"; asking to see his college transcripts, questioning if his academic success was legitimate.

Dr. King would be horrified to learn the number of hate groups. White supremacist organizations exploded after the election of the first African American President of the United States. He would have been shocked to hear that leaders in our country actually publicly stated that they would do everything they could, including hurting the national economy, to ensure that the Nation's first African American President did not serve a second term.

□ 1945

Dr. King would have been overjoyed when this President was reelected to a second term, so that no one could say the first time was an aberration. Dr. King would have been so proud of the millions of people who withstood attempts to block their right to vote and to know that thousands were willing to stand for hours to make sure they voted and reelected President Obama.

Dr. King would have celebrated the creation of a program to provide health coverage for the majority of people in the Nation. He would have celebrated the fact that this was accomplished in the first term of President Obama's administration.

Dr. King would have celebrated the fact that when the law was signed by President Obama, for the first time, insurance companies could no longer refuse to provide coverage for people if they had an illness or a preexisting condition.

Just think for a minute. Prior to the Affordable Care Act, insurance companies excluded you from coverage if you had a preexisting condition. There were examples of babies born prematurely that were excluded from coverage because their premature birth and the associated complications were considered a preexisting condition.

And, frankly, almost everyone after a certain age has one preexisting condition or another—hypertension, high cholesterol, et cetera. Prior to passage of healthcare reform, aging, essentially, was a reason to exclude individuals from coverage.

While Dr. King would have celebrated this victory, he would have been shocked to know Congress has voted over 60 times to take health care away from people and to reverse this advance. If the Affordable Care Act was repealed, then the parents of the premature baby and the adult over 60 with high blood pressure would not have health care.

On another subject, Dr. King would wonder: How on Earth did his country end up incarcerating more people than any other nation in the world? And how is it that the majority of people incarcerated in the United States are poor and are people of color?

As a man of faith, as a teacher of the Bible, he would wonder what happened to the concept of redemption in our society. How did we become a society that punished people forever? What happened to the belief that, if you offended society and then paid your debt to society, you were expected and accepted to reenter society with your full rights?

How did we evolve into a nation that basically said we will punish you for your entire life? Because even though 85 percent of people incarcerated are eventually released, we can strip away your right to vote. You cannot live in public housing; and if your family lives in public housing, then you can't go home.

If you were in prison and you owed child support, well, we just kept the clock running on what you owed even though you were in prison and, of course, could not work to pay child support. You owed the money anyway.

And, of course, when you were released, you are then behind in child support. And because you are behind because you could not work while incarcerated, we will not give you a driver's license. And if you are from Los Angeles and cannot drive, you can forget about having a decent-paying job, because those jobs certainly don't exist in your neighborhood.

Furthermore, if you don't find a job, we just might violate your parole and put you back in prison, because a condition of your parole is that you have a job. But then, since you are a felon, we will not allow you to work anyway.

In California, until we changed the law, there were 56 occupations you could not participate in if you were a felon. One of those occupations we even trained you for while you were in prison. We have a school that trains prisoners to be barbers. But when you were released, we didn't allow ex-offenders to have a license in the very occupation we trained you for—until we changed the law.

I think Dr. King would be thoroughly confused by the contradictions he would see in America today. We have amazingly successful individuals, thousands of African Americans and other people of color in elected office or in other major positions of authority. They are CEOs of companies, astronauts, athletes, college presidents, entertainers on every level, actors, producers, directors.

In every area in society, there are successful individuals. There are 48 African American Members of Congress. The year before his death, there were only five African Americans in Congress.

But Dr. King would wonder what is holding our Nation back from making sure every American has access to the American Dream. With all the technological advances, advances in science and education, how can it be that people are hungry in America, that too many children continue to go to poor, segregated schools, and that there are homeless encampments that exist in most major cities?

Although his dream for our Nation is only partially realized, I believe now it is our responsibility to continue the work and to continue the struggle until there is no such thing as homelessness in the richest nation on the planet, until all children have access to a 21st century education, until poverty is eliminated and the safety net is strong enough that no one in our Nation slips through the cracks.

Mrs. BEATTY. Mr. Speaker, thank you again to Congresswoman KAREN BASS for reminding us of all the great riches that we have in this society, but also for putting on the forefront that our work is not finished. There is hope. Because we have learned that through having a President who stands on the shoulders of another great man—Martin Luther King.

Mr. Speaker, it is indeed my honor and privilege to yield to the gentleman from Louisiana (Mr. RICHMOND), who hails from the Second District of Louisiana. He is someone who is fearless and not afraid to speak up, but he doesn't speak in vain. He speaks with a platform—whether that platform is to discuss reforming our broken prison system, whether it is to talk about HBCUs, or whether it is to be a role model—and he knows a lot about that because he is a natural leader. When he took office in the State legislature, he was one of the youngest legislators to ever serve.

So it is indeed my honor to call Congressman CEDRIC RICHMOND a colleague and friend.

Mr. RICHMOND. I want to thank the gentlelady and scholar for yielding to me and putting on this series tonight.

Mr. Speaker, just a few weeks ago, on January 12, right here in this Chamber, President Obama proudly declared to the citizens of the United States that

the state of our Union is strong. With that, I agree. However, tonight, just as I did in New Orleans on this holiday, I must stand here and give the state of the dream address.

So, today, I stand in this Chamber and report to the world that the state of the dream is in disrepair. It is in disrepair because of neglect by some and intentional harms by others.

Let me first just state what I believe his dream to be. This is in his own words. In accepting the Nobel Peace Prize, Dr. King said: "I have the audacity to believe that peoples everywhere can have three meals a day for their bodies, education and culture for their minds, and dignity, equality, and freedom for their spirits."

So why do I say that dream is in disrepair? Well, inadequate funding and misguided policies stand as a bar to many kids of color from getting a quality education, just like Bull Connor stood in the schoolhouse doors during the civil rights movement.

Why do I say the dream is in disrepair? Because too many African American children have better access to guns and drugs than textbooks and computers. Far too many of them choose guns and drugs.

Why do I say the dream is in disrepair? Because the Supreme Court rolled back the protections for minority voting rights.

Why do I say the dream is in disrepair? Because in a Supreme Court hearing on minority admission policies to colleges and universities, one of our Supreme Court Justices demonstrated his bias, his ignorance, and his lack of understanding by trying to justify why Blacks should go to lesser colleges and universities.

Why is the dream in disrepair? Because the Black Supreme Court Justice sat there and said nothing. Well, if I were in college and I were playing Spades, I would call him a "possible," because you can't count on him to hold up when the game starts.

Why do I also say the dream is in disrepair? Because big Wall Street executives can steel millions and never get charged and held accountable while young Black kids who shoplift get prosecuted and fill up our jails and our prisons and create what we call the prison industrial enterprise.

Some ask: Why do the poor and uneducated continue to steal and cheat? Well, the answer is simple: Because the rich and educated keep showing them how.

So, as we stand here this month and celebrate Black History Month, we will not only describe some of the problems, but we will go into some of the solutions that have been tested over time.

Let me just say that Dr. King and the generation before us did a great job of making this dream a reality through sacrifice, hard work, and commitment, but somewhere in my generation, we

fell off from that sacrifice and determination.

Far too many of us are letting reality shows and music videos give our children their misguided sense of morals. Too many of our African American and White middle-class families who have achieved the dream are excited that they are there, but they are telling the rest of the world to get it the best they can.

The dream can be realized when everyone realizes that you are not going to help minority communities in spite of the minority communities, but we are going to bring them to the table and let them be a co-participant in drafting their accomplishments.

So, where do we go from here? We continue to invest in proven leaders and proven ways out of poverty and ways to get ahead, like education. We have to invest in the Pell grants and our Historically Black Colleges and Universities because we know that education is the best way out of poverty.

We have to invest in summer jobs so that kids in urban areas and impoverished communities can get exposure to a different way of life so that they can help themselves. We know that a summer job reduces the dropout rate by 50 percent.

What else can we do? We can invest in job training. We can invest in disadvantaged businesses. We can do a number of things. And the good part about it is we have a Congressional Black Caucus that can stand here and introduce legislation if the other side would meet us halfway.

So, the state of our union will continue to be strong. The state of the dream will become a reality when people join hands together to make sure that the least of us have every opportunity in the world.

I will tell you that the dream was strong. The dream is the same dream that allowed my mother, who is from the poorest place in the country, 1 of 15 children, to achieve her college degree and raise two sons who went off to Morehouse. So the dream is real when I, as the son of a single mother, can go to Morehouse, Tulane Law School, and the Harvard School of Government. That is the dream.

So I stand here today and just ask that we do what Booker T. Washington said. We may be as separate as our fingers, but we are as whole as the hand. This body has an obligation to come together as the hand and make sure that we give every kid from every place in this country the opportunity to succeed.

Mrs. BEATTY. I thank Congressman RICHMOND for reminding us that you bring hope. Your experience shows that there is opportunity. Because certainly, we know that there are fewer Black students graduating from high school. Sixteen percent of Blacks drop out, compared to 8 percent of our White counterparts.

Mr. Speaker, can you tell me how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman has 30 minutes remaining.

Mrs. BEATTY. Mr. Speaker, it is now my honor and privilege to yield to my colleague from the 10th District of New Jersey (Mr. PAYNE). He is someone who is a great example of a committed public servant. He is someone who puts others before himself. When you want to call on him, he is someone that will sit and quietly listen to you, and then a few minutes later he will give you probably one of the most profound answers that one could look for. I am proud to not only call him my colleague, but I am also proud to call him my classmate.

It is my honor to ask Congressman DONALD PAYNE to bring his reflections.

Mr. PAYNE. Mr. Speaker, let me begin by thanking my classmates, Congresswoman JOYCE BEATTY and Congressman HAKEEM JEFFRIES, for anchoring these important Special Order hours for the Congressional Black Caucus.

Since her arrival here in Congress, Congresswoman BEATTY has demonstrated why she was a leader in Ohio, and she has become a great leader in the House of Representatives.

□ 2000

Mr. Speaker, Dr. King envisioned for this Nation a future of vast potential, a future where every man and woman and child would have the opportunity to get ahead, free from the constraints of injustice and intolerance.

What we see happening across our country shows how far we still have to go to achieve Dr. King's dream. From gun violence to racial wealth gaps, from lack of diversity to persistent poverty, there are still critical issues affecting our communities that must be addressed.

In 2015, there were at least 76 gun deaths in my district in New Jersey, the Tenth Congressional District. One-third of all the gun deaths in New Jersey last year happened in my district.

If we don't do something to tackle this epidemic, then we are failing our children. We are failing the next generation, to give them the hope and the possibilities of being a positive part of this community, such as we saw in Congressman CEDRIC RICHMOND.

In my district, African Americans face unemployment rates nearly triple that of White workers. Generations of African American workers are being left behind, without a fair shot at success. The economic prosperity and the American Dream are on hold for many African American communities.

Instead of working to address these challenges facing our communities, Republicans continue their assault on women's health by trying to defund Planned Parenthood.

On the other hand, Democrats are working on bold, aggressive action that

will have an immediate impact on the challenges facing African Americans.

I have tried to do my part here in Congress. My Safer Neighborhoods Gun Buyback Act would create a voluntary Federal gun buyback program to keep guns out of the wrong hands. That is just one measure that we have to look at.

But in talking about Dr. King's dream, it reminds me of *A Tale of Two Cities*. This is the best of times and the worst of times.

Yes, we have seen an African American rise to the pinnacle of success in this country in public service in President Barack Obama. Dr. King would be very proud of that.

But he would be upset to see the other part, the despair that our communities are in without the opportunities to raise their children as other communities do.

Dr. King was about equal opportunity for every man and woman. He discussed problems in Appalachia, he discussed problems in the South, and he discussed problems in the North.

So, yes, his main focus was the African American community. But injustice somewhere is injustice anywhere, and he lived that motto. He would be happy for some reasons, but in other areas he would be very disappointed.

So it is our job to continue to push towards that dream, and we here in the Congressional Black Caucus are committed to pushing forward to see his dream realized.

Mrs. BEATTY. Thank you, Congressman PAYNE, for bringing us those words of wisdom and reminding us of the epidemics that face us, the failures that we have experienced, but leaving us with the hope of pushing forward and helping to realize Martin Luther King's dream.

Mr. Speaker, it is indeed my honor now to yield to the freshman of our group, someone who may be a freshman by our description, but someone who is not a stranger.

Whether it is advocating for jobs for veterans, whether it is looking at economic development and opportunities for those who are in struggling economies, she comes to us as a lawyer, she comes to us as a mother and a public servant.

She is someone who stands tall in her words of wisdom and someone's voice that we have learned to listen to.

She hails to us as the Delegate from the Virgin Islands. Join me in welcoming Congresswoman STACY PLASKETT for her words of wisdom.

Ms. PLASKETT. Thank you so much for allowing me this opportunity to be here with my colleagues.

Mr. Speaker, I am so humbled and honored to be with the gentlewoman from Ohio, JOYCE BEATTY, who is an example to us freshmen and who fights, along with the gentleman of New York, HAKEEM JEFFRIES, not just for the peo-

ple of their district and not just for African Americans, but for all Americans, because that is what we are all here in this Congress to do.

By pointing out the inequalities, it is not to cast aspersions on all of America, but to make us to be better people than what we are today.

When Dr. King so eloquently delivered his famous "I Have a Dream" speech 50 years ago, he did so with every hope and expectation that that Nation would rise up and live out the true meaning of that creed. He hoped that the tenet all men are created equal would, in fact, one day be a truth held self-evident.

We cannot allow simply moving past the glaring bigotries of Jim Crow, however, to be a benchmark for success. Doing so would ignore the more subtle bigotries that continue today.

These subtle bigotries are, in fact, as deeply rooted and extreme in their effect as those glaring bigotries Dr. King and so many others fought vigorously and valiantly to overcome.

We are still achieving the dream. Today it is not just social injustice, but also extreme inequality that constrains economic mobility for the African American community and, therefore, for all of America.

Whether it is State-sanctioned attempts to roll back voting rights in Alabama, the outright denial of equal voting rights to citizens living in the Virgin Islands and other territories, or the years of neglect that have led to the poisoning of residents in Flint, Michigan, the persistent wealth and opportunity divide in this country is rooted in the legacy of racial discrimination dating back to Reconstruction and to slavery, indeed.

Although we have achieved much since the days of separate, but equal, there are still structural barriers to achieving the American Dream for too many minority families in this country.

There is racial disparity in nearly every index of the American Dream, and those disparities place families of color further behind in their plight to achieving the dream.

A recent study by the Corporation for Enterprise Development shows that families of color are two times more likely to live below the Federal poverty level, almost two times more likely to lack liquid savings, and are significantly more likely to have subprime credit scores.

A lack of liquid savings among families of color often leads to further disparity and wealth loss, as evidenced by the proportion of student debt by race and ethnicity.

African American college students rely more on student loans to pay for college than do other racial groups and are less likely to pay off the debt, according to a report by the Wisconsin HOPE Lab.

While unemployment in this country has fallen to 5 percent, African American communities like my home district of the U.S. Virgin Islands continue to experience double-digit unemployment rates.

Many of these communities of color have experienced decades of systematic divestment of funding and resources that can only serve to widen the wealth and opportunity gap.

That is benign neglect, a benign neglect that has led to failing public and alternative education systems, crumbling infrastructure, and, in some cases, the slide to bankruptcy, bankruptcy not just due to mismanagement and corruption, which is the convenient answer, but a systematic lack of investment, support, and adequate funding, which causes places like Detroit, Puerto Rico, and the Virgin Islands to mortgage their children's futures in bonds to make ends meet.

African Americans make up 13 percent of the population, but have only 2.7 percent of total wealth.

This Congress has within its power to reverse the years of benign neglect to these communities through supporting legislation to invest in infrastructure and education through fighting against voter suppression efforts and supporting student loans and other finance reforms.

Closing the wealth and opportunity gap should not be a dream in post-racial America. It is the responsibility of this Congress to uphold the principles to which we were founded, to not only adhere to those powerful words that preamble our Constitution, but also to provide for the general welfare and ensure that justice, liberty, and prosperity are afforded to all and not just some.

Mrs. BEATTY. Thank you to the gentlewoman from the Virgin Islands. Let me just say thank you for making us have a better understanding that we cannot do this alone and we have so much more work to do.

Mr. Speaker, tonight's Special Orders hour hopefully will share with this institution the amount of work that we have yet to do. But I believe in hope and opportunity for all.

So when I listen to the great legacy that those who have come before us, whether that is Dr. Martin Luther King, whether that is Rosa Parks, we have members of this Congressional Black Caucus who stand united to provide opportunities for all.

We are often referred to as the conscience of the Congress. There is a reason for that: Because we are the voice of the voiceless.

And when I think of voices, I think of my co-anchor. I think of a man who came as my classmate, someone stellar, someone who is a scholar and a profound lawyer, someone who stands tall in stature and in his words, someone that I actually enjoy sitting and

listening to as he so often brings the message.

It is my honor to yield to the gentleman from New York (Mr. JEFFRIES) to talk to us about the state of our union, Dr. King's dream, and African Americans in this great Nation.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from Ohio, Representative BEATTY, my good friend, for those very kind words and, of course, for her tremendous leadership in anchoring and shepherding us here this evening in the same manner that she has done since her arrival here in the House of Representatives, always eloquent, erudite, and effervescent.

We appreciate that unique and tremendous combination of skill and ability that you bring to the people that you represent so ably in Columbus, Ohio, and, of course, really, on behalf of America as you stand here anchoring this Congressional Black Caucus Special Orders hour.

I look forward to continuing to work together throughout the year as we endeavor to speak truth to power here on the floor of the House of Representatives and articulate issues of significance and importance to African Americans in the United States of America and to all of America.

Earlier today I made the observation that this is the first day of Black History Month. Essentially, black history is American history. The two are forever intertwined. That is why the subject matter of this special order is of particular importance.

Dr. King once made the observation that the arc of the moral universe is long, but it bends toward justice.

□ 2015

I think what Dr. King was saying is that in this world you have got some good folks and you have got some bad actors. But in order for justice to prevail, what you essentially need is a fair amount of the good folks to come together, sacrifice, work hard, and dedicate themselves to the cause of social change, and at the end of the day justice will prevail.

Make no mistake that in the United States of America, of course, it has been a long and complicated march. We certainly have come a long way, but we still have a long way to go. During the founding of the Republic back in 1776, in the DNA of this great country was embedded the principles of liberty and justice for all. It was a great document and a great start. Embedded in the DNA of this country was fairness, equality, and opportunity for everyone. But there was a genetic defect called chattel slavery that was also attendant to our birth.

If you are going to have any discussion about where we are in America today, you have got to recognize there was a genetic defect that has impacted

the arc of the African American community here in America and the American story, and that genetic defect of chattel slavery stayed with us, of course, until the war ended in 1865. Millions of African American slaves were subjugated. It was one of the worst crimes ever perpetrated in the history of humanity. It finally ended in 1865 with the adoption of the 13th Amendment. Of course, we know that the 14th Amendment and the 15th Amendment followed, equal protection under the law for everyone, 14th Amendment, and the 15th Amendment was designed to guarantee the right to vote. The so-called Reconstruction period lasted until the middle of the 1870s, but it was largely abandoned thereafter.

The African Americans, of course, were given a raw, bad deal. How can you cure the genetic defect of chattel slavery with three constitutional amendments without ever really forcefully implementing them and within a decade or so abandoning the principles inherent in those constitutional amendments? In place we received the Black Codes, Jim Crow, segregation, and an intense lynching campaign unleashed on African Americans in the South, in the Midwest, in the far West, and other parts of the United States of America. So we went from chattel slavery, a brief period of Reconstruction, then you give us Jim Crow.

So we dealt with Jim Crow which was at least in principle abolished on paper when the Supreme Court makes the decision in *Brown v. Board of Education* that separate but equal was just a farce. It was a joke. It wasn't real. So the Supreme Court exposes that, but then says, go ahead and implement it with all deliberate speed. Which basically meant don't really implement it with any urgency, any immediacy, any impactful fashion, just take your time and do it at your own pace.

So as we are trying to deal with Jim Crow, then you have, of course, Dr. King and leaders of the civil rights movement, JOHN LEWIS, whom Congresswoman BEATTY and I are so privileged to serve with, A. Philip Randolph, Roy Wilkins, James Farmer, and so many others. The civil rights movement deals with the lingering effects of our original genetic defect of chattel slavery replaced by Jim Crow.

Then in the 1960s, we get the 1964 Civil Rights Act, the 1965 Voting Rights Act, the 1968 Fair Housing Act, Lyndon Johnson's War on Poverty, and efforts to try to finally correct the injustices that have been race based here in America. Like Reconstruction, which lasted for a little over a decade, we get this period of dramatic social change, mainly in the early and mid-1960s that is quickly abandoned and taken advantage of by Richard Nixon in 1968 with the Southern strategy White backlash, particularly in the Deep South, compounded in 1971 when

President Richard Nixon makes the statement that drug abuse is public enemy number one. Essentially, the War on Drugs ushered in an era of mass incarceration.

When President Nixon made that statement, there were less than 350,000 people incarcerated in America. Today, 40-plus years later, after the War on Drugs, so called, was started, 2.3 million people, more than 1 million African American men, disproportionately and adversely impacting communities of color and as has been mentioned earlier, incarcerate more people in America than any other country in the world, a country where we over-incarcerate and under educate.

We have made a lot of progress in America. African Americans as a collective community really haven't been given any room to breathe because we have gone from chattel slavery—the original birth defect in this great Republic—to Jim Crow, to mass incarceration with brief periods of Reconstruction and civil rights era mixed in between. And you wonder why we are in the situation that we are in right now.

We have made a lot of progress. Obviously the fact that Barack Obama is sitting at 1600 Pennsylvania Avenue is a significant development, but as Dr. King says, he talked about an arc, which means that similar to what Abraham Lincoln once said, that we have to continue a march toward a more perfect Union, the Congressional Black Caucus with leadership from dynamic representatives like JOYCE BEATTY, have put forth a series of things to benefit not just the African American community, but all communities, to help bring the promise of American democracy to life.

With that, Mr. Speaker, I yield back to my good friend, Representative BEATTY.

Mrs. BEATTY. Thank you so much to my colleague. As I stood here and I listened to you walk us through that rich history, it reminded me of all of the bad actors that caused many of those bad things. I reflect on someone in my family being a part of that chattel slavery as a slave, I think about Jim Crow, and I think about the things that my grandmother was asked to do when she had walked far just to try to vote and was asked to recite things that probably the people asking her could not have done.

Then when I think about all of those social reforms and all the things that happened 50 and 55 years ago, it made me think, Congressman JEFFRIES, when we think about Martin Luther King and his dream, so often people say, "What would he think today?" But I guess for me the question is a little different that I would like to discuss with you. Do you think history is repeating itself?

As I listened to you talk about slavery, and today when I go into some

parts of my community with the War on Drugs I have had Black men say to me that they feel like they are living during a time of slavery. When I talk to young, single moms who are fighting for their own existence or to feed their children, they feel that they are held captive by poverty.

So are we looking at still bad actors, bad actors in the Chambers that I stand in, bad actors who want to take away SNAP, bad actors who don't want to give us a voting rights bill, bad actors that don't want to ban the box?

What do you think? Are we seeing history repeat itself?

Mr. JEFFRIES. It is a great question. Unfortunately sort of the arc of history here in this great country of ours is that whenever progress has been made it has been followed by a backlash. Progress was made with the Reconstruction amendments. It was followed by a backlash that gave us Jim Crow, the Black Codes, and an explosion of lynching in the South. Progress, of course, was made in the 1960s with the Civil Rights Act, the Voting Rights Act, the Fair Housing Act immediately followed by Richard Nixon's Southern strategy, and a backlash against things like affirmative action which had barely been put into motion and a rollback of the War on Poverty which was designed to help African Americans and all Americans of every race.

Then, of course, many thought that we perhaps had reached a post-racial America in the aftermath of the election of President Barack Obama, but we know, of course, that that is not the case sadly.

I am hopeful, however, that many of my colleagues, Republicans and Democrats, Conservatives and Progressives who have come together, folks like RAUL LABRADOR, TREY GOWDY, and JASON CHAFFETZ—good friends of mine on the other side of the aisle—recognize the importance of dealing with mass incarceration for America.

Here are a few statistics that I think we need to be concerned about as it relates to your question. African Americans serve virtually as much time in prison for a nonviolent drug offense, approximately 58 months, as White Americans do for a violent criminal offense, 62 months. Whites in America statistically use drugs five times as often as African Americans, yet African Americans are sent to prison for drug offenses at 10 times the rate of White Americans.

Lastly, African Americans represent 83 percent of crack cocaine Federal defendants, but only 28 percent of users—83 percent are defendants, 28 percent are users; whereas, White Americans represent 5.8 percent of Federal defendants but 62 percent of users.

Something is wrong. Justice is not colorblind in America. So hopefully we will find the ability to come together

to deal with the overall broken criminal justice system and certainly as part of that rectify some of the racial disparities that exist.

Mrs. BEATTY. Thank you so much.

Let me just end by saying, Mr. Speaker, what you have witnessed tonight is that our past that we have talked about is our experience, our present is our responsibility, and our future is our hope.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, the Reverend Doctor Martin Luther King's vision of ending inequality through providing jobs, justice, and peace to all Americans is a vision that many have fought and died to make a reality. As the Civil Rights Movement battled against discrimination and inequality in the 1960's, I adopted Dr. King's vision of jobs, justice, and peace when I ran for Congress in 1964. I remember the Jim Crow era, poll taxes, and institutionalized segregation when I arrived in Congress. Yet, for all of these institutional scars and discriminatory impediments, the work we did in Congress aided in fulfilling the promises of equality enshrined in our Constitution. After a historic effort, the Civil Rights Act was passed, the Voting Rights Act was adopted, and a new era of federal protections around equality was ushered in the 20th Century.

Some fifty years later, this era has yet to be fully realized. While the initial challenges of recognizing and upholding civil rights have been met, many of the original problems persist, but in an evolved form. Fifty plus years later, the American people confront issues of voter suppression, gender and sexual orientation discrimination. Many communities feel under siege from those sworn to protect their liberty. Hate crimes and religious intolerance are on the rise as reported nightly on the news. And women contend with a pay inequity hampering their standing with men in the workplace.

In spite of all of these shortcomings, strides have been made: reauthorizing the Voting Rights Act in 2006; the passage of legislation expanding access to healthcare; the introduction of legislation combating voter caging and deceptive practices, and the passage of the Hate Crimes Prevention Act, signed into law by the first African-American President of the United States, himself emblematic of civil rights progress.

These issues were all, at one point in time, deemed radical. Women's suffrage, racial equality, and now gay and lesbian rights: for each, the civil rights movement has expanded until true justice is achieved. Many problems persist and more are certain to arrive, but through renewed determination to tackle these deep-seated problems, we can one day live up to the beloved community envisioned by Dr. King.

While our struggle for equality stems from being afforded the basic human rights associated with a free society, the ideal of achieving economic justice, with employment for all who seek it, remains out of reach for many. The aftermath of the financial crisis has brought crippling unemployment, wage stagnation, and rising income inequality. Yet, the Great Recession has only exacerbated a decades-long decline in the fortunes of the working and middle

classes. As finances continue to deteriorate, basic social and public services have often been the first to go.

In the realm of healthcare, a basic safety net was only recently afforded to the underserved in the United States with passage of the Affordable Care Act, yet millions of low-income and unemployed individuals remain uninsured. Housing remains a continued blight, as mass-foreclosures following the aftermath of the Great Recession tear apart communities and destabilizes families.

Even after fifty years of promoting Dr. King's cause for peace, our country is enmeshed in gun violence, which tragically produced the shootings in Newtown, Aurora, Tucson, and Wisconsin, and daily on the streets of America's most populated cities. These horrific occurrences are unacceptable for our nation, which is why catapulting peace to the forefront of our nation's agenda will save lives and protect our most vital right under the Constitution: life. I am hopeful that by strengthening our gun laws we can remove military style weapons out of our communities, prohibit the sale of deadly gun clips, and close loopholes on the sale of guns.

Our rate of incarceration and length of sentences are unjust and unsustainable. The United States incarcerates 25 percent of the world's prisoners, while we have only five percent of the world's population. And we disproportionately prosecute and incarcerate African Americans more than any other race. This is the result of what President Obama has called a "huge explosion" in our incarceration rates, with 500,000 people imprisoned in America in 1980 growing to 2.2 million today. We must change our prosecution policies and sentencing laws to address this crisis, and I am working with my colleagues to do that.

The profiling of racial and religious minorities is also a terrible reality that threatens peace in our nation. Profiling is an archaic form of discrimination that subjects individuals to criminal indictments or investigations based on their race or religion. Although profiling cannot be found in any form of written law, the practice is real in America and threatens the trust and peace that is essential in the relationship between citizens and their law enforcement. Our nation's leaders can work to pass legislation, such as the End Racial Profiling Act, to prohibit this practice in any law enforcement agency and the Law Enforcement Trust and Integrity Act to provide real standards for the operation of police departments.

As we press forward to address inequality in the 21st Century, the outstanding question is whether or not Congress will rise to tackle these issues. The American people have already witnessed how politics can transform our legislative body into a body producing nothing but dysfunction. However, the erosion of Congress's focus on protecting civil rights and civil liberties can be reversed.

This Congress has the opportunity to answer these present injustices by assuming the unwavering commitment to jobs, justice, and peace that was displayed so valiantly by Dr. Martin Luther King. Ending inequality in America is a battle that can be won, and although the enemy is still the same, our approach in the 21st century must not lack the strength

and courage of those who have fought so bravely before us.

Ms. JACKSON LEE. Mr. Speaker, this February we recognize and celebrate the 39th commemoration of Black History Month.

This month we celebrate the contributions of African Americans to the history of our great nation, and pay tribute to trailblazers, pioneers, heroes, and leaders like Rev. Dr. Martin Luther King, Jr., Supreme Court Justice Thurgood Marshall, U.S. Senator Blanche Kelso Bruce, U.S. Congresswoman Barbara Jordan, U.S. Congressman Mickey Leland, Astronauts Dr. Guion Stewart Bluford Jr. and Mae C. Jemison, Frederick Douglass, Booker T. Washington, James Baldwin, Harriet Tubman, Rosa Parks, Maya Angelou, Toni Morrison, and Gwendolyn Brooks just to name a few of the countless number of well-known and unsung heroes whose contributions have helped our nation become a more perfect union.

The history of the United States has been marked by the great contributions of African American activists, leaders, writers, and artists.

As a member of Congress, I know that I stand on the shoulders of giants whose struggles and triumphs made it possible for me to stand here today and continue the fight for equality, justice, and progress for all, regardless of race, religion, gender or sexual orientation.

The greatest of these giants to me are Mrs. Ivalita "Ivy" Jackson, a vocational nurse, and Mr. Ezra A. Jackson, one of the first African-Americans to succeed in the comic book publishing business.

They were my beloved parents and they taught me the value of education, hard work, discipline, perseverance, and caring for others.

And I am continually inspired by Dr. Elwyn Lee, my husband and the first tenured African American law professor at the University of Houston.

Mr. Speaker, I particularly wish to acknowledge the contributions of African American veterans in defending from foreign aggressors and who by their courageous examples helped transform our nation from a segregated society to a nation committed to the never ending challenge of perfecting our union.

Last year about this time, I was honored to join my colleagues, Congressmen JOHN LEWIS and Congressman CHARLES RANGEL, a Korean War veteran, in paying tribute to surviving members of the Tuskegee Airmen and the 555th Parachute Infantry, the famed "Triple Nickels" at a moving ceremony sponsored by the U.S. Army commemorating the 50th Anniversary of the 1964 Civil Rights Act.

The success of the Tuskegee Airmen in escorting bombers during World War II—achieving one of the lowest loss records of all the escort fighter groups, and being in constant demand for their services by the allied bomber units—is a record unmatched by any other fighter group.

So impressive and astounding were the feats of the Tuskegee Airmen that in 1948 they persuaded President Harry Truman to issue his famous Executive Order No. 9981, which directed equality of treatment and opportunity in all of the United States Armed Forces and led to the end of racial segregation in the U.S. military forces.

It is a source of enormous and enduring pride that my father-in-law, Phillip Ferguson Lee, was one of the Tuskegee Airmen.

Clearly, what began as an experiment to determine whether "colored" soldiers were capable of operating expensive and complex combat aircraft ended as an unqualified success based on the experience of the Tuskegee Airmen, whose record included 261 aircraft destroyed, 148 aircraft damaged, 15,553 combat sorties and 1,578 missions over Italy and North Africa.

They also destroyed or damaged over 950 units of ground transportation and escorted more than 200 bombing missions. They proved that "the antidote to racism is excellence in performance," as retired Lt. Col. Herbert Carter once remarked.

Mr. Speaker, Black History Month is also a time to remember many pioneering women like U.S. Congresswoman Shirley Chisholm; activists Harriet Tubman and Rosa Parks; astronaut Mae C. Jemison; authors Maya Angelou, Toni Morrison, and Gwendolyn Brooks; all of whom have each in their own way, whether through courageous activism, cultural contributions, or artistic creativity, forged social and political change, and forever changed our great Nation for the better.

It is also fitting, Mr. Speaker, that in addition to those national leaders whose contributions have made our nation better, we honor also those who have and are making a difference in their local communities.

In my home city of Houston, there are numerous great men and women. They are great because they have heeded the counsel of Dr. King who said:

"Everybody can be great because anybody can serve. You only need a heart full of grace. A soul generated by love."

By that measure, I wish to pay tribute to some of the great men and women of Houston:

1. Rev. F.N. Williams, Sr.
2. Rev. Dr. S.J. Gilbert, Sr.
3. Rev. Crawford W. Kimble
4. Rev. Eldridge Stanley Branch
5. Rev. William A. Lawson
6. Rev. Johnnie Jeffery "J.J." Robeson
7. Mr. El Franco Lee
8. Mr. John Brand
9. Ms. Ruby Moseley
10. Ms. Dorothy Hubbard
11. Ms. Doris Hubbard
12. Ms. Willie Bell Boone
13. Ms. Holly HogoBrooks
14. Mr. Deloyd Parker
15. Ms. Lenora "Doll" Carter

As we celebrate Black History Month, let us pay tribute to those who have come before us, and pay forward to future generations by addressing what is the number one issue for African American families, and all American families today: preserving the American promise of economic opportunity for all.

Our immediate focus must be job creation, and enacting legislation that will foster and lay the foundation for today's and tomorrow's generation of groundbreaking activists, leaders, scientists, writers and artists to continue contributing to the greatness of America.

We must work to get Americans back to work.

We must continue to preserve the American Dream for all.

Mr. Speaker, I am proud to stand here in celebration of the heroic and historic acts of African Americans and their indispensable contributions to this great Nation.

It is through our work in creating possibilities for today and future generations that we best honor the accomplishments and legacy of our predecessors.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, when President Barack Obama delivered his final State of the Union address last month, he highlighted the resilience and determination of the American people. The President touted notable achievements in scientific advancement, greater transparency throughout our political system, and a stronger and more equitable economy as evidence pointing to the strength of our Nation.

For context, in the final month of President George W. Bush's presidency, the economy was in free fall. The private sector lost nearly 820,000 jobs in the final month of President Bush's presidency alone and unemployment peaked at around 10 percent in the midst of the Great Recession. Today, the economy has added 14.1 million jobs over 70 consecutive months of private-sector job growth, household wealth has increased by more than \$30 trillion, and average home prices have recovered to pre-recession levels under President Obama's Administration. However, economic indicators are not the only method for determining the true state of our union.

As we celebrate Black History Month in February, it is timely to consider how other great leaders from our past would perceive the state of our union today. Dr. Martin Luther King, Jr. is one such leader who envisioned a greater future for our Nation in the face of unspeakable discrimination and intolerance. In his famous "I Have a Dream" speech delivered at the Lincoln Memorial in Washington, D.C., Dr. King laid out his vision of our country where all men are created equal and where freedom must ring if America is to be a great nation.

Today, those principles ring true. We have made great progress as a nation to move away from the darkest moments of our past. Yet, there is still much work to be done. We have witnessed continued efforts to disenfranchise select groups of voters by gutting the Voting Rights Act and persistent racial tension between law enforcement and the communities they are sworn to protect. It is a constant struggle that afflicts communities all across the United States and suggests that more work needs to be done if we are to achieve Dr. King's dream.

Mr. Speaker, the freedoms we enjoy in the United States are not absolute. The principles and values that define our Nation are constantly challenged and ever-evolving. Dr. King had a distinct vision for the future of our Nation and his legacy can help guide our decisions moving into the future so that we can avoid making the same mistakes of our past.

Ms. FUDGE. Mr. Speaker, each February our nation takes time to reflect on the countless contributions African Americans have made to this country's history. We celebrate innovators like Ohio District 11's own Langston Hughes, pioneers like astronaut Mae Jamison, as well as political and civil rights leaders like Dr. Martin Luther King, Jr.

Black History Month represents inclusion and innovation. It promotes America at its best. For in this month, we appreciate our collective strength and recognize the diversity of each and every patriot.

America is a country of immigrants, and our power lies in our differences. To quote Dr. King, "We may have all come on different ships, but we're in the same boat now."

No matter how we arrived, every American should have access to the same opportunity. Every individual should be able to reach his or her own potential and succeed in the home of the free and the land of the brave.

Unfortunately, many do not have equitable access to opportunity. This is why the Congressional Black Caucus stands today.

Despite the contributions and sacrifice of African Americans, many still suffer from the effects of historic injustice and prejudice. We are almost three times more likely to live in poverty than Whites, and six times more likely to be put in jail. Our unemployment rate is nearly two times the rates of Whites. When we do find work, we make less than our White counterparts.

As Black America reflects on its current situation, many tend to ask questions such as, "What would Dr. King do?" or "How would the civil rights leaders of the past address the issues of the present?"

If Dr. King was alive today, I believe he would certainly be proud of who we are. But he would also say that we must commit ourselves to moving forward together as one people and one nation.

It is time we "fix our politics." Not just in Washington, but everywhere.

As President Barack Obama stated recently, "We are in a time of extraordinary change." The Members of this House have the opportunity to pass policies that reverse years of bigotry and injustice and level the playing field for all.

This Black History Month, I urge my Congressional colleagues to celebrate through legislative action. Develop a new formula to ensure the right to vote for all Americans. Reauthorize the Higher Education Act to help more kids go to college. Combat harsh sentencing through criminal justice reform.

These actions won't just honor a race of people. They will further the hope and success of an entire nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JODY B. HICE of Georgia (at the request of Mr. MCCARTHY) for today and February 2 on account of a family emergency.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today on account of official business.

EXPENDITURES BY THE OFFICE OF GENERAL COUNSEL UNDER HOUSE RESOLUTION 676, 113TH CONGRESS

COMMITTEE ON HOUSE
ADMINISTRATION,

HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2016.

Hon. PAUL D. RYAN,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 3(b) of H. Res. 676 of the 113th Congress, as continued by section 3(f)(2) of H. Res. 5 of the 114th Congress, I write with the following enclosure which is a statement of the aggregate amount expended on outside counsel and other experts on any civil action authorized by H. Res. 676.

Sincerely,

CANDICE S. MILLER,
Chairman.

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS

[H. Res. 676]

July 1–September 30, 2014	
October 1–December 31, 2014	\$42,875.00
January 1–March 31, 2015	50,000.00
April 1, 2015–June 30, 2015	29,915.00
July 1–September 30, 2015	21,000.00
October 1–December 31, 2015	45,707.67
Total	189,497.67

ADJOURNMENT

Mrs. BEATTY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 2, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4156. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Removal of Jet Route J-477; Northwestern United States [Docket No.: FAA-2015-6002; Airspace Docket No.: 15-ANM-26] (RIN: 2120-AA66) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4157. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-2932, R-2933, R-2934, and R-2935; Cape Canaveral, FL [Docket No.: FAA-2015-7213; Airspace Docket No.: 15-ASO-12] (RIN: 2120-AA66) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4158. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0828; Directorate Identifier

2014-NM-146-AD; Amendment 39-18341; AD 2015-25-03] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4159. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2013-0300; Directorate Identifier 2011-NM-163-AD; Amendment 39-18339; AD 2015-25-01] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4160. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Airbus Airplanes [Docket No.: FAA-2015-0675; Directorate Identifier 2014-NM-213-AD; Amendment 39-18340; AD 2015-25-02] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4161. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Piper Aircraft, Inc. [Docket No.: FAA-2015-8311; Directorate Identifier 2015-CE-039-AD; Amendment 39-18356; AD 2015-26-08] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4162. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2015-1281; Directorate Identifier 2014-NM-241-AD; Amendment 39-18346; AD 2015-25-08] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4163. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: Bombardier, Inc. Airplanes [Docket No.: FAA-2014-0625; Directorate Identifier 2014-NM-044-AD; Amendment 39-18343; AD 2015-25-05] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3382. A bill to amend the Lake Tahoe Restoration Act to enhance recreational opportunities, environmental restoration activities, and forest management activities in the Lake Tahoe Basin, and for other purposes; with an amendment (Rept. 114-404, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 677. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans' with an amendment (Rept. 114-405). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2187. A bill to direct the Securities and Exchange Commission to revise its regulations regarding the qualifications of natural persons as accredited investors; with an amendment (Rept. 114-406). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2209. A bill to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes (Rept. 114-407). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3784. A bill to amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes; with an amendment (Rept. 114-408). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4168. A bill to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act (Rept. 114-409). Referred to the Committee of the Whole House on the state of the Union.

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 1670. A bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action (Rept. 114-410). Referred to the Committee of the Whole House on the state of the Union.

Mr. STIVERS: Committee on Rules. House Resolution 594. A resolution providing for consideration of the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes (Rept. 114-411). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Transportation and Infrastructure discharged from further consideration. H.R. 3382 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. WATSON COLEMAN:

H.R. 4398. A bill to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes; to the Committee on Homeland Security.

By Mr. SCHIFF (for himself, Mr. VAN HOLLEN, Mr. CONYERS, Ms. SLAUGHTER, Mr. CICILLINE, Mr. SERRANO, Ms. NORTON, Ms. BONAMICI, Mrs. NAPOLITANO, Ms. MCCOLLUM, Ms. ESTY, Mr. HASTINGS, Mr. HIMES, Mr. BEYER, Mr. BLUMENAUER, Ms. JUDY CHU of California, Mr. COHEN, Mr. DESAULNIER, Mr. DEUTCH, Ms. DUCKWORTH, Ms. EDWARDS, Ms. FRANKEL of Florida, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. TED LIEU of California, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MOORE, Mr. NADLER, Mr. QUIGLEY, Mr. SWALWELL of California, Mr. TAKANO, Ms. TSONGAS, and Ms. WASSERMAN SCHULTZ):

H.R. 4399. A bill to repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings; to the Committee on the Judiciary.

By Mr. BUTTERFIELD (for himself and Mrs. BROOKS of Indiana):

H.R. 4400. A bill to expand the tropical disease product priority review voucher program to encourage treatments for Zika virus; to the Committee on Energy and Commerce.

By Mr. LOUDERMILK (for himself, Mr. MCCAUL, Mr. KATKO, Mr. HURD of Texas, Ms. MCSALLY, Mr. RATCLIFFE, Mr. REICHERT, Ms. LORETTA SANCHEZ of California, Mr. KEATING, Mr. VELA, and Mr. PAYNE):

H.R. 4401. A bill to authorize the Secretary of Homeland Security to provide countering violent extremism training to Department of Homeland Security representatives at State and local fusion centers, and for other purposes; to the Committee on Homeland Security.

By Mr. HURD of Texas (for himself, Mr. MCCAUL, Mr. KATKO, Mr. LOUDERMILK, Ms. MCSALLY, Mr. RATCLIFFE, Ms. LORETTA SANCHEZ of California, Mr. VELA, and Mr. PAYNE):

H.R. 4402. A bill to require a review of information regarding persons who have traveled or attempted to travel from the United States to support terrorist organizations in Syria and Iraq, and for other purposes; to the Committee on Homeland Security.

By Mr. HURD of Texas (for himself, Mr. MCCAUL, Mr. KATKO, Mr. LOUDERMILK, Ms. MCSALLY, Mr. RATCLIFFE, Ms. LORETTA SANCHEZ of California, Mr. VELA, and Mr. PAYNE):

H.R. 4403. A bill to authorize the development of open-source software based on certain systems of the Department of Homeland Security and the Department of State to facilitate the vetting of travelers against terrorist watchlists and law enforcement databases, enhance border management, and improve targeting and analysis, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCSALLY (for herself, Mr. MCCAUL, Mr. KATKO, Mr. HURD of Texas, Mr. LOUDERMILK, Mr. RATCLIFFE, Ms. LORETTA SANCHEZ of California, Mr. VELA, and Mr. PAYNE):

H.R. 4404. A bill to require an exercise related to terrorist and foreign fighter travel,

and for other purposes; to the Committee on Homeland Security.

By Mr. ISRAEL (for himself, Mr. TONKO, and Ms. NORTON):

H.R. 4405. A bill to require institutions of higher education to notify students whether student housing facilities are equipped with automatic fire sprinkler systems; to the Committee on Education and the Workforce.

By Mr. WALBERG (for himself, Mrs. WAGNER, Mr. GUTHRIE, and Mr. HECK of Nevada):

H.R. 4406. A bill to direct the Secretary of Labor to train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KATKO (for himself, Mr. MCCAUL, Mr. HURD of Texas, Mr. LOUDERMILK, Ms. MCSALLY, Mr. RATCLIFFE, Ms. LORETTA SANCHEZ of California, Mr. KEATING, Mr. VELA, and Mr. PAYNE):

H.R. 4407. A bill to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes; to the Committee on Homeland Security.

By Mr. KATKO (for himself, Mr. MCCAUL, Mr. HURD of Texas, Mr. LOUDERMILK, Ms. MCSALLY, Mr. RATCLIFFE, Ms. LORETTA SANCHEZ of California, Mr. KEATING, Mr. VELA, and Mr. PAYNE):

H.R. 4408. A bill to require the development of a national strategy to combat terrorist travel, and for other purposes; to the Committee on Homeland Security.

By Mr. CARNEY (for himself and Mr. FITZPATRICK):

H.R. 4409. A bill to direct the Federal Trade Commission to establish labels that may be used as a voluntary means of indicating to consumers the extent to which products are of United States origin, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself, Ms. NORTON, Mr. BLUMENAUER, Ms. MOORE, Mr. GRIJALVA, and Mr. JOHNSON of Georgia):

H.R. 4410. A bill to permit expungement of records of certain nonviolent criminal offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIFFITH:

H.R. 4411. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Commerce.

By Mr. GRIFFITH:

H.R. 4412. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Commerce.

By Mr. HUNTER (for himself and Mr. VARGAS):

H.R. 4413. A bill to prohibit the use of funds to provide assistance to the Pacific Islands Forum Fisheries Agency under the Agreement Between the Government of the United States of America and the Pacific Islands Forum Fisheries Agency, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KILDEE:

H.R. 4414. A bill to amend the Safe Drinking Water Act to authorize the Administrator of the Environmental Protection Agency to notify the public if a State agency

and public water system are not taking action to address a public health risk associated with drinking water requirements; to the Committee on Energy and Commerce.

By Mrs. LAWRENCE (for herself, Ms. MOORE, Mr. HASTINGS, Mrs. WATSON COLEMAN, Ms. BROWN of Florida, Ms. LEE, and Mr. HONDA):

H.R. 4415. A bill to establish an Early Federal Pell Grant Commitment Program; to the Committee on Education and the Workforce.

By Mr. MCKINLEY (for himself and Mr. DELANEY):

H.R. 4416. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Commerce.

By Mr. MOULTON:

H.R. 4417. A bill to deauthorize portions of the project for navigation, Essex River, Massachusetts; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself and Mr. WITTMAN):

H.R. 4418. A bill to amend chapter 77 of title 5, United States Code, to clarify certain due process rights of Federal employees serving in sensitive positions, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 4419. A bill to update the financial disclosure requirements for judges of the District of Columbia courts; to the Committee on Oversight and Government Reform.

By Mr. POLIQUIN (for himself and Mr. JORDAN):

H.R. 4420. A bill to amend the Food and Nutrition Act of 2008 to provide that certain convicted felons shall be ineligible to participate in the supplemental nutrition assistance program; to the Committee on Agriculture.

By Mr. RANGEL:

H.R. 4421. A bill to award a Congressional Gold Medal to Colonel Charles Young, in recognition of his pioneering career in the United States Army during exceptionally challenging times; to the Committee on Financial Services.

By Mr. RICHMOND (for himself, Mr. CARTWRIGHT, Mrs. KIRKPATRICK, Mr. GRIJALVA, Ms. SLAUGHTER, Mr. TAKANO, Mr. BLUMENAUER, and Mr. ELLISON):

H.R. 4422. A bill to amend title 39, United States Code, to provide that the United States Postal Service may provide certain basic financial services, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. TONKO:

H.R. 4423. A bill to provide for a program of wind energy research, development, and demonstration, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. YOUNG of Alaska (for himself, Mr. TAKAI, Mr. WALZ, Mr. ZINKE, Mr. PALAZZO, Mr. NUGENT, Mr. TED LIEU of California, Ms. GABBARD, Mr. ASHFORD, and Mr. ROONEY of Florida):

H.R. 4424. A bill to amend title 37, United States Code, to increase the maximum reimbursement amount authorized for travel expenses incurred by certain members of the Selected Reserve of the Ready Reserve to attend inactive duty training outside of normal commuting distances; to the Committee on Armed Services.

By Ms. SEWELL of Alabama:

H. Con. Res. 109. Concurrent resolution authorizing the use of Emancipation Hall in

the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the foot soldiers who participated in the 1965 Selma to Montgomery marches; to the Committee on House Administration.

By Ms. LINDA T. SANCHEZ of California (for herself, Ms. JACKSON LEE, Mr. LEVIN, Mr. VARGAS, Mr. HONDA, Mr. HINOJOSA, and Mr. GRIJALVA):

H. Res. 593. A resolution expressing support for designation of the week of February 1, 2016, through February 5, 2016, as "National School Counseling Week"; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. WATSON COLEMAN:

H.R. 4398.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SCHIFF:

H.R. 4399.

Congress has the power to enact this legislation pursuant to the following:

Equal Access to Justice for Victims of Gun Violence is constitutionally authorized under Article I, Section 8, Clause 3, the Commerce Clause and Article I, Section 8, Clause 18, the Necessary and Proper Clause. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. BUTTERFIELD:

H.R. 4400.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to healthcare.

By Mr. LOUDERMILK:

H.R. 4401.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HURD of Texas:

H.R. 4402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HURD of Texas:

H.R. 4403.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MCSALLY:

H.R. 4404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ISRAEL:

H.R. 4405.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, clause 18.

By Mr. WALBERG:

H.R. 4406.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. KATKO:

H.R. 4407.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KATKO:

H.R. 4408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CARNEY:

H.R. 4409.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. COHEN:

H.R. 4410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GRIFFITH:

H.R. 4411.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GRIFFITH:

H.R. 4412.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HUNTER:

H.R. 4413.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. KILDEE:

H.R. 4414.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mrs. LAWRENCE:

H.R. 4415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No one shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. MCKINLEY:

H.R. 4416.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8 of the Constitution: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States but all duties, imposts, and excises shall be uniform throughout.

By Mr. MOULTON:

H.R. 4417.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. NORTON:

H.R. 4418.

Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 4419.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. POLIQUIN:

H.R. 4420.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 grants Congress the power to "regulate Commerce with foreign Nations, and among the several States."

By Mr. RANGEL:

H.R. 4421.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. RICHMOND:

H.R. 4422.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under Article I, Section 8, Clause 7; Article I, Section 8, Clause 1; Article I, Section 8, Clause, 18; and Article I, Section 8, Clause 3 of the United States Constitution.

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. TONKO:

H.R. 4423.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying

into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. YOUNG of Alaska:

H.R. 4424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. WILLIAMS.

H.R. 38: Mrs. WAGNER.

H.R. 192: Mr. ROSS.

H.R. 213: Ms. CLARK of Massachusetts and Mr. DANNY K. DAVIS of Illinois.

H.R. 228: Mr. NUGENT and Mr. KATKO.

H.R. 244: Mr. JONES.

H.R. 250: Mr. POMPEO and Mr. COFFMAN.

H.R. 267: Mr. HONDA.

H.R. 320: Ms. JENKINS of Kansas.

H.R. 343: Mr. ZELDIN.

H.R. 358: Mr. JEFFRIES.

H.R. 379: Mrs. BLACK and Ms. LORETTA SANCHEZ of California.

H.R. 400: Mr. MACARTHUR.

H.R. 430: Mr. COSTA and Mr. SEAN PATRICK MALONEY of New York.

H.R. 446: Mr. SEAN PATRICK MALONEY of New York, Mr. KAPTUR, and Mr. POCAN.

H.R. 499: Mr. BLUMENAUER.

H.R. 551: Ms. DELBENE.

H.R. 605: Ms. JUDY CHU of California.

H.R. 654: Mr. GIBBS, Mr. BABIN, and Mr. ROKITA.

H.R. 696: Mr. MEEHAN.

H.R. 703: Mr. PITTS.

H.R. 790: Mr. BROOKS of Alabama.

H.R. 793: Mr. CRAMER, Mrs. BUSTOS, and Mr. RODNEY DAVIS of Illinois.

H.R. 802: Mrs. KIRKPATRICK, Mr. DEFazio, and Mr. GRIJALVA.

H.R. 815: Mrs. MIMI WALTERS of California.

H.R. 842: Mr. GARRETT, Mr. PALLONE, Mr. FARR, and Mr. DOGGETT.

H.R. 845: Ms. JENKINS of Kansas.

H.R. 849: Mr. JOLLY.

H.R. 870: Mr. POLIS, Mr. HONDA, and Mr. POCAN.

H.R. 909: Mr. CRAMER.

H.R. 915: Mr. JEFFRIES.

H.R. 927: Ms. NORTON.

H.R. 953: Mr. COURTNEY, Mr. VAN HOLLEN, and Mr. DOLD.

H.R. 994: Ms. DELBENE.

H.R. 1061: Mr. BLUMENAUER.

H.R. 1076: Mr. GUTIERREZ and Mr. GENE GREEN of Texas.

H.R. 1089: Mr. HIGGINS and Ms. LOFGREN.

H.R. 1112: Mr. POCAN.

H.R. 1125: Mr. JOLLY and Mr. UPTON.

H.R. 1150: Mr. SALLYM and Mr. COHEN.

H.R. 1198: Ms. PINGREE.

H.R. 1220: Mrs. McMORRIS RODGERS.

H.R. 1258: Ms. LORETTA SANCHEZ of California.

H.R. 1288: Mr. DANNY K. DAVIS of Illinois, Mr. DUFFY, and Mr. SMITH of Washington.

H.R. 1292: Mr. MURPHY of Pennsylvania and Mr. SMITH of New Jersey.

H.R. 1301: Mr. PEARCE and Mr. O'ROURKE.

H.R. 1397: Ms. FRANKEL of Florida, Mr. BOST, Mr. CHABOT, Mr. GOHMERT, Mr. CALVERT, Mr. SMITH of Washington, Mr. GUTHRIE, and Mr. ROKITA.

H.R. 1427: Mr. SALMON and Mrs. Watson Coleman.

H.R. 1475: Mr. STUTZMAN, Mr. WESTMORELAND, Mr. CRENSHAW, Mr. WOMACK, Mr. ROONEY of Florida, Mr. FINCHER, Mr. DEFAZIO, and Mr. CALVERT.

H.R. 1550: Mr. COSTA.

H.R. 1559: Mr. CRENSHAW and Ms. KAPTUR.

H.R. 1565: Mr. WELCH, Mr. POCAN, Ms. TSONGAS, Ms. JACKSON LEE, Mr. DOGGETT, Mr. VAN HOLLEN, and Mr. SWALWELL of California.

H.R. 1567: Mr. CLAWSON of Florida and Mrs. TORRES.

H.R. 1586: Mr. QUIGLEY.

H.R. 1608: Mr. WITTMAN, Mr. MASSIE, Mr. JOLLY, and Mr. PAULSEN.

H.R. 1703: Ms. SPEIER.

H.R. 1763: Mrs. WATSON COLEMAN and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1848: Mr. VAN HOLLEN.

H.R. 1854: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1902: Mr. JEFFRIES.

H.R. 1904: Mr. WALKER and Ms. TITUS.

H.R. 1905: Mr. WALKER.

H.R. 1942: Mr. DOGGETT and Mr. ELLISON.

H.R. 2016: Mr. LOWENTHAL and Mr. POLIS.

H.R. 2083: Mr. SERRANO.

H.R. 2093: Mr. BRIDENSTINE.

H.R. 2104: Mr. SWALWELL of California.

H.R. 2156: Mr. RATCLIFFE.

H.R. 2209: Mr. KILDEE.

H.R. 2255: Mr. HUIZENGA of Michigan.

H.R. 2257: Mr. COFFMAN.

H.R. 2264: Mr. CUMMINGS, Ms. DELBENE, Mr. SCHIFF, Mr. COURTNEY, and Mr. KING of New York.

H.R. 2266: Mr. GRIJALVA, Mr. VELA, and Mr. GARAMENDI.

H.R. 2274: Miss RICE of New York.

H.R. 2283: Ms. LEE.

H.R. 2290: Mr. THOMPSON of Pennsylvania.

H.R. 2300: Mr. CARTER of Georgia.

H.R. 2313: Mr. PASCRELL.

H.R. 2334: Mr. WENSTRUP.

H.R. 2411: Mr. DELANEY, Ms. FRANKEL of Florida, Ms. NORTON, Mr. KENNEDY, and Mr. KEATING.

H.R. 2434: Mr. KATKO.

H.R. 2519: Mr. KELLY of Pennsylvania.

H.R. 2524: Ms. ESHOO.

H.R. 2526: Mr. LAHOOD.

H.R. 2544: Mr. LAMBORN.

H.R. 2568: Mr. RATCLIFFE.

H.R. 2602: Mr. TAKANO.

H.R. 2653: Mr. COOK.

H.R. 2663: Mr. VALADAO, Mr. DENHAM, Mr. NEWHOUSE, Mr. HASTINGS, and Mrs. LOVE.

H.R. 2669: Mr. TED LIEU of California.

H.R. 2730: Mr. BILIRAKIS.

H.R. 2874: Ms. DUCKWORTH and Mr. BRAT.

H.R. 2901: Mr. SCALISE.

H.R. 2972: Mr. RICHMOND and Mr. KEATING.

H.R. 3012: Mr. CRAMER and Mr. FRANKS of Arizona.

H.R. 3029: Mr. LOWENTHAL.

H.R. 3036: Mr. NUNES and Mr. CROWLEY.

H.R. 3092: Mr. O'ROURKE.

H.R. 3103: Mr. PEARCE.

H.R. 3110: Mr. SHIMKUS and Mr. ROONEY of Florida.

H.R. 3119: Mr. JOYCE, Mr. VARGAS, Mr. ASHFORD, and Mr. HARPER.

H.R. 3159: Ms. JACKSON LEE and Mr. WALZ.

H.R. 3180: Mr. BUTTERFIELD.

H.R. 3222: Mr. RATCLIFFE.

H.R. 3224: Mrs. CAROLYN B. MALONEY of New York.

H.R. 3225: Mr. HARPER.

H.R. 3248: Mr. FOSTER.

H.R. 3326: Mrs. BEATTY.

H.R. 3337: Ms. VELÁZQUEZ.

H.R. 3345: Mr. GALLEGGO.

H.R. 3355: Mr. ADERHOLT.

H.R. 3365: Mr. VAN HOLLEN and Mr. SHERMAN.

H.R. 3381: Ms. DEGETTE and Mrs. McMORRIS RODGERS.

H.R. 3406: Ms. MCCOLLUM, Mr. SEAN PATRICK MALONEY of New York, and Mr. LOWENTHAL.

H.R. 3411: Mr. GUTIÉRREZ.

H.R. 3520: Mr. YOUNG of Iowa.

H.R. 3546: Mr. CARTWRIGHT and Mr. MCGOVERN.

H.R. 3566: Mr. RATCLIFFE.

H.R. 3579: Mr. SMITH of Washington.

H.R. 3619: Mr. VAN HOLLEN.

H.R. 3640: Mr. SERRANO.

H.R. 3677: Mr. HASTINGS.

H.R. 3687: Mr. BABIN.

H.R. 3698: Ms. ROS-LEHTINEN.

H.R. 3710: Mr. ROSS.

H.R. 3711: Ms. JUDY CHU of California.

H.R. 3720: Ms. VELÁZQUEZ and Mr. MCGOVERN.

H.R. 3742: Mr. HURT of Virginia, Mr. ZINKE, Mr. POCAN, and Mr. SENSENBRENNER.

H.R. 3746: Mr. CICILLINE.

H.R. 3799: Mr. LABRADOR, Mrs. ELLMERS of North Carolina, Mr. CHAFFETZ, and Mr. FARENTHOLD.

H.R. 3805: Ms. DEGETTE.

H.R. 3818: Mr. YOHO.

H.R. 3852: Ms. KUSTER and Ms. TITUS.

H.R. 3886: Ms. SCHAKOWSKY, Mrs. BEATTY, and Ms. JUDY CHU of California.

H.R. 3892: Mr. CLAWSON of Florida, Mr. BRIDENSTINE, Mr. BUCK, Mr. LOUDERMILK, and Mr. ROUZER.

H.R. 3936: Mr. COLE.

H.R. 3940: Mr. RATCLIFFE and Mr. COHEN.

H.R. 3952: Mr. GUTHRIE.

H.R. 3957: Ms. ROS-LEHTINEN.

H.R. 3965: Mr. TED LIEU of California.

H.R. 3970: Ms. FUDGE.

H.R. 4000: Mr. RENACCI.

H.R. 4003: Mr. GOHMERT.

H.R. 4009: Mr. VARGAS.

H.R. 4013: Mr. LARSEN of Washington, Ms. DELAURO, Mr. CARTWRIGHT, Ms. CLARKE of New York, and Mr. CONYERS.

H.R. 4019: Ms. LORETTA SANCHEZ of California and Mr. LARSEN of Washington.

H.R. 4026: Mr. GRAVES of Missouri.

H.R. 4043: Mr. MCDERMOTT and Mr. LARSEN of Washington.

H.R. 4055: Mr. COURTNEY.

H.R. 4062: Mr. YOUNG of Iowa and Mr. SMITH of Texas.

H.R. 4073: Mr. SIRES, Mr. KEATING, Ms. JUDY CHU of California, and Mr. COFFMAN.

H.R. 4080: Mr. BRADY of Pennsylvania, Ms. ESHOO, Ms. TSONGAS, Mr. DOGGETT, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. PINGREE, Mr. LOEBSACK, Mrs. LOWEY, Mr. MCDERMOTT, and Mr. VEASEY.

H.R. 4084: Mr. GARRETT.

H.R. 4087: Mr. HUIZENGA of Michigan.

H.R. 4126: Mr. BUCHANAN and Mr. TOM PRICE of Georgia.

H.R. 4137: Ms. WILSON of Florida.

H.R. 4177: Mr. NUGENT.

H.R. 4184: Mr. POLIS.

H.R. 4185: Mr. THORNBERRY and Mr. NEWHOUSE.

H.R. 4196: Ms. KAPTUR.

H.R. 4210: Mr. BARR and Mr. POSEY.

H.R. 4212: Mr. BLUMENAUER, Mr. LOWENTHAL, and Mr. LEWIS.

H.R. 4219: Mr. MEADOWS and Mr. CUELLAR.

H.R. 4230: Ms. PINGREE, Mr. LANGEVIN, Mr. CROWLEY, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. ISRAEL, Mr. GRAYSON, Mr. SEAN PATRICK MALONEY of New York, Ms. LEE, Ms. ESTY, Ms. NORTON, Ms. CLARKE of New York, Ms. MENG, Mr. GALLEGGO, Mr. DEUTCH, Ms. DELBENE, Mr. VAN HOLLEN, Ms. BASS, Mr. HASTINGS, and Ms. JUDY CHU of California.

H.R. 4249: Mr. HASTINGS, Ms. BASS, and Mr. CARSON of Indiana.

H.R. 4253: Mr. LOWENTHAL.

H.R. 4262: Mr. STEWART and Mr. MCCLINTOCK.

H.R. 4271: Mr. POSEY.

H.R. 4273: Mr. COHEN.

H.R. 4279: Mr. MICA.

H.R. 4293: Mr. YOUNG of Indiana, Mr. BYRNE, Mr. BOUSTANY, Mr. WILSON of South Carolina, and Mr. CLAY.

H.R. 4294: Mr. YOUNG of Indiana, Mr. BYRNE, Mr. BOUSTANY, Mr. WILSON of South Carolina, and Mr. CLAY.

H.R. 4295: Ms. BASS.

H.R. 4298: Mr. FARR.

H.R. 4301: Mr. MILLER of Florida and Mr. STEWART.

H.R. 4313: Mr. LAMALFA, Mr. MCCLINTOCK, and Mrs. LOVE.

H.R. 4324: Mr. COHEN and Mr. JOHNSON of Georgia.

H.R. 4336: Mr. FRELINGHUYSEN, Mr. YOUNG of Iowa, Mr. RUSH, and Mr. WITTMAN.

H.R. 4348: Mr. PALAZZO and Mr. NEWHOUSE.

H.R. 4350: Mr. EMMER of Minnesota.

H.R. 4352: Mr. BRAT.

H.R. 4364: Ms. FUDGE and Ms. SCHAKOWSKY.

H.R. 4378: Mr. BRADY of Pennsylvania, Ms. KELLY of Illinois, Mr. KILMER, and Mr. BEN RAY LUJAN of New Mexico.

H.R. 4380: Mr. TED LIEU of California and Mr. HONDA.

H.J. Res. 74: Mr. MURPHY of Pennsylvania and Mr. RATCLIFFE.

H. Con. Res. 75: Mr. LEVIN and Ms. MENG.

H. Con. Res. 88: Ms. ROS-LEHTINEN.

H. Con. Res. 99: Mr. WELCH.

H. Con. Res. 100: Mr. FLEMING and Mr. KINZINGER of Illinois.

H. Con. Res. 105: Mr. SAM JOHNSON of Texas, Mr. GIBBS, Mr. CRAMER, and Mr. TOM PRICE of Georgia.

H. Res. 12: Mr. O'ROURKE.

H. Res. 14: Mr. DESJARLAIS, Mr. GIBSON, Ms. GABBARD, and Mr. WALZ.

H. Res. 194: Mr. GUTIÉRREZ.

H. Res. 220: Mr. GUTIÉRREZ, Mr. DEFAZIO, and Mr. QUIGLEY.

H. Res. 265: Mr. HANNA.

H. Res. 289: Ms. SCHAKOWSKY, Ms. MOORE, Ms. WASSERMAN SCHULTZ, and Ms. MCCOLLUM.

H. Res. 343: Ms. KELLY of Illinois, Mr. NORCROSS, and Mr. RATCLIFFE.

H. Res. 451: Mrs. NAPOLITANO, Mr. YOUNG of Alaska, and Mr. FLORES.

H. Res. 469: Mrs. MILLER of Michigan.

H. Res. 494: Mr. MESSER, Mr. GOHMERT, Mr. LATTA, Mr. SALMON, Mr. BISHOP of Utah, Mr. ROTHFUS, and Mrs. LOVE.

H. Res. 501: Mr. YOUNG of Alaska, Mrs. BLACK, and Mr. GALLEGGO.

H. Res. 509: Mr. CONNOLLY.

H. Res. 551: Mr. LOWENTHAL, Mr. RUSSELL, Mr. SALMON, Mr. COSTA, and Mr. COHEN.

H. Res. 554: Mr. EMMER of Minnesota.

H. Res. 569: Ms. SPEIER, Mr. NORCROSS, Mr. SEAN PATRICK MALONEY of New York, Mrs. NAPOLITANO, Mr. SARBANES, Mr. BLUMENAUER, Mr. WALZ, and Mrs. LOWEY.

H. Res. 571: Mr. BARR and Mrs. BLACK.

H. Res. 582: Mr. GOHMERT, Mr. MULLIN, Mrs. WALORSKI, Mr. NUGENT, Mrs. ELLMERS

of North Carolina, and Mr. COLLINS of New York.

H. Res. 586: Ms. HAHN, Mr. MURPHY of Pennsylvania, and Mr. COHEN.

DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 546: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1019: Mr. FARENTHOLD.

H.R. 1401: Mr. FARENTHOLD.

EXTENSIONS OF REMARKS

RECOGNIZING THE 50TH ANNIVERSARY OF THE KENTUCKY CIVIL RIGHTS ACT OF 1966 AND COMMENDING THE KENTUCKY COMMISSION ON HUMAN RIGHTS

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. YARMUTH. Mr. Speaker, I rise today to recognize the 50th anniversary of the Kentucky Civil Rights Act of 1966, signed into law by Kentucky Governor Edward T. Breathitt on January 27, 1966. This pioneering legislation prohibited discrimination in employment and public accommodations based on race, color, national origin or religion, and I commend the Kentucky Commission on Human Rights for its steadfast work in enforcing it.

Prior to passage of this measure, discrimination and segregation in employment and public accommodations was not only accepted as the norm in Kentucky, it was often required by state law. Countless Kentucky citizens from all walks of life bravely fought and patiently worked to achieve passage of the law, overcoming seemingly insurmountable obstacles and countless setbacks.

Through their hard work, Kentucky became the first state south of the Mason-Dixon Line to enact civil rights legislation that not only prohibited discrimination in employment and public accommodations, but also included administrative and judicial enforcement powers. At the time of its passage, Dr. Martin Luther King, Jr. proclaimed the Kentucky Civil Rights Act of 1966 to be “. . . the strongest and most comprehensive civil rights bill passed by a southern state,” and it rightly became a model for other states to enact legislation of their own.

Since then, the Commission successfully expanded the law to prohibit discrimination in employment, public accommodations, housing, and credit transactions based on race, color, national origin, religion, age, sex, familial status, disability and smoking status. And in the 50 years since the passage of the Kentucky Civil Rights Act, the Kentucky Commission on Human Rights has filed, investigated, and adjudicated more than eleven thousand complaints on discrimination on behalf of the citizens of Kentucky.

Today, I want to commend the Kentucky Commission on Human Rights for their dedication to upholding this landmark legislation for the last 50 years, and thank them for their tireless efforts to defeat discrimination throughout the Commonwealth.

HONORING JEROME BLUM AND THE JEWISH WAR VETERANS OF THE USA

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. DEUTCH. Mr. Speaker, I rise today in honor of the Jewish War Veterans of the USA and their National Commander, Jerome “Jerry” Blum. Mr. Blum paid his official visit to the JWV Florida Department on Sunday, January 24th in Deerfield Beach.

For 85 years, the Jewish War Veterans has ensured that the rich history of Jewish Americans’ service in our Armed Forces is not overlooked. In fact, over half a million Jewish Americans have served in major conflicts since World War II. This organization is unique in its efforts to combat bigotry and anti-Semitism while remaining inclusive of all veterans, regardless of race, religion, or ethnicity.

Jerry Blum’s tenure as National Commander follows his honorable military service and longstanding involvement with the Jewish War Veterans. His past positions with the organization include Post Commander, Department Commander, and Department Quartermaster. He also publishes the Department of Connecticut’s newsletter, The Shout Out. He is a member of many other veteran service organizations and has served as President of his synagogue. Outside the JWV, he and his wife are involved with Relay for Life and its efforts to raise funds for the American Cancer Society.

I am proud to honor Jerry Blum, the Jewish War Veterans of America, and all the men and women who have defended our Nation through service in our armed forces. The debt we owe our veterans and those who selflessly serve them is immeasurable, and we must always strive to be a nation worthy of their heroic sacrifice.

HONORING MATTHEW MCCLINTOCK

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Sergeant First Class Matthew McClintock—a dedicated husband, father, soldier, patriot and hero—who was killed last month while serving his country in Afghanistan.

Matthew was born and raised in Albuquerque, New Mexico. He graduated from El Dorado High School in 2004 and spent two years at the University of New Mexico before joining the Army in 2006. After completing his training, he was assigned to the 1st Cavalry

Division and deployed to Iraq in 2007. Matthew demonstrated that he was an exceptional soldier, and in May, 2009 he was selected for training in the U.S. Army Special Forces School. In November 2010, he was assigned to 1st Special Forces Group, at Joint Base Lewis-McChord, Washington and deployed to Afghanistan from August 2012 to May 2013.

Following his second tour, Matthew left active duty and joined the Washington Army National Guard in December 2014 where he served as a Special Forces engineer sergeant. This past July, Matthew deployed to Afghanistan as a member of the Washington Army National Guard’s Alpha Company, 1st Battalion, 19th Group. Despite having already served his country twice overseas, Matthew was eager to put on his uniform again and serve a third tour.

On January 5, 2016, Matthew was killed during an hours-long battle near the city of Marjah, in the southern Helmand province. Matthew and his fellow Green Berets were on a mission advising their Afghan counterparts during the battle, where two of Matthew’s comrades were also injured. In total, since joining the Army, Matthew has been awarded four Army commendation medals, the Combat Infantryman Badge, and now the Purple Heart.

In addition to his bravery on the field of battle, Matthew was also a loving, devoted and adoring husband and father. Matthew and his wife Alexandra married on Christmas Eve 2012 and this past October, Matthew returned home to Tacoma, Washington in time for the birth of his first child, a beautiful boy named Declan. After only a few weeks home, Matthew returned to his unit in Afghanistan.

Following Matthew’s death, Major General Bret Daugherty, commander of the Washington Guard, said, “Staff Sergeant McClintock was one of the best of the best. He was a Green Beret who sacrificed time away from his loved ones to train for and carry out these dangerous missions. This is a tough loss for our organization.” Matthew’s wife Alexandra added, “Matthew’s greatest wish was to be a father, a husband and a Green Beret. He got to do all of those things in his too short life. Declan will grow up knowing his father was the greatest man I’ve ever dreamed to know and a hero.”

Matthew sacrificed his life overseas to preserve the freedom and liberty of millions of Americans. He fought to create a richer and safer life for his wife, his son and his fellow Americans. Matthew represents the very best of our country and his enduring legacy of service and sacrifice will remain a lasting inspiration for future generations.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING THE EXTRAORDINARY LIFE OF JUDGE GEORGE CARROLL

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. DeSAULNIER. Mr. Speaker, I rise to recognize the extraordinary life of Judge George Carroll, a prominent civic leader in California's 11th Congressional District and Richmond's first African American lawyer, city councilmember and mayor. Judge Carroll died January 14, 2016 at age 94.

Mr. Carroll was born into humble beginnings in Brooklyn, New York. His mother died when he was five, and he was raised by his sister Ruth who encouraged him to pursue a higher education. After serving in the Army, he successfully graduated from college and earned his degree in New York on the G.I. Bill. After his graduation, he worked at the District Attorney's Office in Kings County, New York, for five years before moving to private practice. In 1952 he moved to the San Francisco Bay Area, finally settling in Richmond in 1954, where he opened his private practice and became an active community member.

Mr. Carroll is widely acknowledged as the first African American lawyer in Richmond, California and was the first African American elected to its city council in 1961. In 1964, Mr. Carroll made history as the first African American elected Mayor of Richmond, and is thought to be the first African American mayor of any large American city since Reconstruction. He fought against discrimination and broke down barriers for African Americans to go to law school and to practice law in the Bay Area. George Carroll became the first black judge in Contra Costa when he was appointed to the Bay Municipal Court by Governor Pat Brown in 1965. He served as a judge in West County until his retirement from the bench in 1982. During his service, Judge Carroll declined a promotion to the Superior Court in order to continue to work in Richmond. He was admired in the community as a leader, role model, and mentor to many. The Richmond Courthouse and a park in the Point Richmond District are fitting tributes to Judge Carroll. We are grateful for his myriad accomplishments and for the countless contributions he made to our local community.

I send my deepest condolences to his family, friends, and loved ones. Judge Carroll made an indelible impression on all of us. He will be missed.

HONORING JEFFREY A. BEEN OF THE LEGAL AID SOCIETY ON HIS RETIREMENT

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. YARMUTH. Mr. Speaker, I rise today to recognize the career of Louisville resident Jeffrey A. Been as he retires after 24 years of service at the Legal Aid Society in Louisville, Kentucky.

Named Executive Director at the Legal Aid Society in 2005, Jeff's legacy at the helm of this important organization includes leading the fight to maintain funding for legal services for the poor during the Great Recession, building relationships with community partners to ensure that our city's most disadvantaged neighbors have access to the courts and other supportive services, and expanding programming for homeowners, domestic violence victims, and veterans. In his time at the organization, he also created innovative technology tools to help facilitate greater access to our justice system for all.

Jeff served as Associate Director of the Legal Aid Society from 2000–2005 and as Project Director of the organization's HIV/AIDS Legal Project from 1992–2000. Prior to his work at Legal Aid in Louisville, Jeff served as a prosecutor, judicial law clerk, staff attorney for the U.S. Court of Appeals, Seventh Circuit, and on the faculty at the Indiana School of Law. Jeff also founded the HIV/AIDS Legal Project of Indiana, one of the first programs in the nation to provide free legal services to people living with HIV disease.

He is also the recipient of several awards for his professional service, including the University of Louisville Brandeis School of Law Dean's Service Award, the Louisville Bar Association's Justice Martin E. Johnstone Special Recognition Award, and the Kentucky Bar Association's Donated Legal Service Award.

On behalf of the people of Kentucky's Third Congressional District and the City of Louisville, I extend my best wishes to Jeff as he begins a much deserved retirement.

IN HONOR OF NATIONAL SCHOOL CHOICE WEEK

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. BLUM. Mr. Speaker, I rise today in recognition of National School Choice Week, celebrating choice in education across all fifty states.

Every January, National School Choice Week shines a positive light on effective, personal education options for every child and consists of 157 scheduled events occurring in communities across Iowa. National School Choice Week celebrates the different K–12 options and learning styles available to parents and students, and the importance to find the right individual fit for each child. Every student's needs are unique—and a one-size-fits all education model is not beneficial to our children.

A quality education is imperative for the success of future generations and our country, and National School Choice Week highlights the multitude of options available today: charter, magnet, public, and private schools, as well as homeschooling. I commend the charter and private schools operating in the First District and I believe school choice is an important policy which can lead to better student outcomes.

Today's students cannot become tomorrow's leaders without a vibrant education. I will

continue to advocate for the best options for parents, students, teachers, and administrators to ensure the success of our children.

HONORING THE LIFE OF RICHARD J. "STRETCH" McGRATH, JR.

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Richard J. McGrath, Jr., who passed away on Saturday January 23, 2016. Richard was born September 26, 1958, in Warren, Ohio. The son of Richard and Anna Krysko McGrath, Sr., Richard was employed with the Trumbull County Sheriff's Office for 25 years, where he was a Deputy Sheriff. He was also a School Resource Officer at Trumbull Career and Technical Center. Always proud to serve his community Richard was serving as the President of the Trumbull County Deputies Fraternal Order of Police Lodge #137, a member of the Crime Clinic of Greater Youngstown and a former member of the Youngstown Model Railroad Association. His passions included woodworking and playing music on the keyboard. He loved his family, and all of his pets.

Richard will be deeply missed by his family, friends, and community. He leaves behind his parents, of Warren; his wife, Leslie Faustino-McGrath of Liberty; his children, Ryan (Chris) McGrath, Amy (Dave) McGrath, Megan (Tori) McGrath, all of Warren; Jaryd Faustino of Girard and Casey Faustino-Carpenter, (Zac), of Norfolk, VA; his granddaughter Avalenna Faustino and his sister Pat (Dave) Batzdorf, of Candia, NH, as well as numerous family and friends.

Losses like this are never easy, but we can take solace in the fact that Richard left behind a legacy of love and community service that we can hope to carry on. Our community is indebted to his years of selfless service.

CELEBRATING B.I. MOODY'S 90TH BIRTHDAY

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. BOUSTANY. Mr. Speaker, I rise today to celebrate the 90th birthday of Braxton Isham Moody, or B.I. as we call him in Cajun Country. B.I. was born in the small town of Eunice in Southwest Louisiana on February 4, 1926. He graduated from Rayne High School in 1942 and enlisted in the United States Navy, where he served aboard the USS *Randolph* in the Pacific theater. After the war, B.I. graduated from Southwestern Louisiana Institute, now the University of Louisiana at Lafayette, in 1949.

B.I.'s keen business sense led him on many successful ventures, founding the public accounting firm Moody, Broussard, Poche, and Guidry in Crowley, and serving as President and CEO of national restaurant group Chart

House Inc., and as Chairman of the Board of First National Bank of Lafayette. Today, the University of Lafayette has named the College of Business Administration in B.I.'s honor thanks to his business success and his heart for the future of South Louisiana.

I know B.I. as a pillar of our community, someone who worked hard to build successful businesses but never forgot where he came from. B.I. has always been generous with his time and resources to help others succeed, and to help build a better state of Louisiana. As B.I. celebrates 90 years, I ask the House of Representatives to join me in recognizing him for his many contributions to our country and wishing him many years of health and happiness to come.

HONORING THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE ON THEIR 100TH ANNIVERSARY

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. CONAWAY. Mr. Speaker, I rise today to honor the 100th anniversary of the National Association of State Departments of Agriculture (NASDA). NASDA is a non-profit, non-partisan organization which represents the commissioners, secretaries, and directors of agriculture from all fifty states and four U.S. territories. The State departments of agriculture have served not only the farmers and ranchers of America, but also American consumers for a significant portion of our nation's history.

NASDA is a highly effective association which serves to grow and enhance agriculture by forging partnerships and creating consensus to achieve sound policy outcomes between state departments of agriculture, the federal government, and stakeholders. These partnerships are apparent in the halls of almost every office building in the District of Columbia. I rely on the hard-working men and women in the Texas Department of Agriculture to provide me with perspectives on how federal policy is impacting boots on the ground agriculture. I'm sure my colleagues rely on their state department of agriculture in similar ways.

NASDA is an active partner with the United States Department of Agriculture through a longstanding cooperative agreement to employ a nationwide network of enumerators in support of the mission of the National Agricultural Statistics Service (NASS). The data collected through this partnership informs a broad spectrum of legislative and regulatory initiatives, including farm programs under the jurisdiction of the Committee on Agriculture which I have the honor to chair.

NASDA and its members likewise play a critical role informing Congress and the executive branch regarding the operation of federal and state programs covering everything from animal and plant health, food safety and marketing, nutrition, and literally hundreds of other consumer services.

NASDA exists to amplify the unique voice of all state departments of agriculture. NASDA

members are able to amplify their national voice by achieving consensus on otherwise contentious issues such as threatened and endangered species, agriculture labor, and water quality.

Mr. Speaker, I join the members and stakeholders of NASDA in celebrating their 100th year of advocating for American agriculture. I wish NASDA many more years of public service to American agriculture at the critical nexus of state and federal policy.

RECOGNIZING BLACK HISTORY MONTH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I rise in honor of Black History Month and its 2016 theme—Hallowed Grounds: Sites of African American Memories. This year's theme reflects on locations across the United States that are remembered for the important role each has played in pursuit of civil rights and justice.

As Americans, it is important that we honor and celebrate our nation's greatest advocates for freedom and equal rights for all. During this month and always, we pay tribute to the heroes of American history as we recall the tremendous sacrifice and the immense struggle of those who fought, and continue to fight, for equality, and the remarkable impact their contributions have had in shaping our great nation.

From generation to generation, from those who have experienced or witnessed events that have led to change to the young children who listen to stories of their grandparents or the lessons taught in school, locations, much like the names of those who have toiled in hopes of a better society, are forever engrained in the hearts and minds of the American people. From the birthplaces of our greatest African American leaders to stops along the Underground Railroad, from sites of tragic events that brought about change to the churches that have inspired hope among communities for generations, each is a reminder of the past and the progress we have made, while recognizing there is much more work to be done.

As a lifelong resident of Northwest Indiana, born and raised in Gary, Indiana, I had the opportunity to witness a truly historic moment. In November 1967, residents of Gary went to the polls and elected Richard Gordon Hatcher, a civil rights leader who spoke alongside Dr. Martin Luther King, Jr., mayor of the city. His election, along with the election of Carl Burton Stokes of Cleveland, Ohio, marked the first time in our nation's history that American cities with more than 100,000 residents would be led by African American mayors. In January 1968, Mayor Hatcher was sworn into office, a position in which he proudly served for the next twenty years.

Mr. Speaker, I ask that you and my distinguished colleagues join me in celebrating Black History Month and honoring those who

persevered in the name of equality and social justice. As we reflect on the many historic sites throughout America that have played such a critical role in changing our nation's landscape, let us never forget the struggle of our predecessors while continuing the pursuit of the betterment of society for all.

HONORING THE LIFE AND DEDICATED SERVICE OF NORTHWEST FLORIDA'S BELOVED CHIEF JIMMY CAGLE OF BERRYDALE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to honor the life and dedicated service of Chief Jimmy Cagle of Berrydale, Florida who died on January 24, 2016. Chief Cagle was a patriot, committed community leader, and devoted family man, and Northwest Florida mourns his passing.

For more than two decades, Chief Cagle served our Nation honorably in the United States Navy as a boiler tender and firefighter. Following his military service, Chief Cagle continued his service to his local community and joined the Berrydale Volunteer Fire Department, where he served as Chief for 25 years. Under his steadfast leadership, the residents of the Berrydale community slept soundly, knowing that they are under the watchful eye of the Berrydale Volunteer Fire Department.

Through his service, Chief Cagle became a staple in Northwest Florida. Those who knew him best can truly attest to his selflessness and compassion. He will be remembered for devotion to the Berrydale community and fire department, which was rivaled only by his love for his family.

On behalf of the United States Congress, I am honored to recognize the life of Chief Jimmy Cagle. My wife Vicki and I extend our heartfelt prayers and deepest condolences to his wife of 25 years, Debbie; daughter, Conda and her husband, Randy Sasser; son, Jim; grandchildren, Kassie and her husband, Matt DiMase, Lt. Josh Sasser and his wife, Katie, Chelsea and her husband, Staff Sgt. Cody Belcher, and Kaitlyn, Brianna, and Cody Pugh; great-grandchildren: Reece, Kolby, Kennedy, Landon, Mattingly, and Macelynn; and the entire Cagle and fire department families.

HONORING MR. RONALD V. DELLUMS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. LEE. Mr. Speaker, I rise today to honor Mr. Ronald V. Dellums on the occasion of his 80th birthday. Mr. Dellums has had an incredible career in public service, advocating for change and reform in many areas of government affairs.

A proud Oakland native. Ron attended both McClymonds and Oakland Technical High

School, and went on to graduate from San Francisco State University after serving for two years in the United States Marine Corps. He later obtained his Masters of Social Work from the University of California, Berkeley.

Mr. Dellums began his career as a psychiatric social worker and political activist for the African-American community. In 1967, he was elected to the Berkeley City Council, where he provided three years of extraordinary service. In 1970, he was elected to serve the 9th Congressional District of California in the United States House of Representatives. During his 27-year tenure in Congress, Mr. Dellums fought strongly for peace, justice and equality. As a freshman member, he adamantly spoke in opposition to the Vietnam War, going as far as setting up an exhibit of war crimes next to his office.

For fourteen years, he campaigned to end the apartheid policies in South Africa. In 1986, the U.S. House of Representatives passed his sponsored legislation, the Comprehensive Anti-Apartheid Act, which placed trade restrictions against South Africa and led to immediate withdrawal by American firms. Although the bill had broad bipartisan support, it was vetoed by President Ronald Reagan. However, the Senate and the House overrode Reagan's veto, making it the first ever override of a presidential foreign policy veto. Mr. Dellums served as Chairman of the House Committee on Armed Services where he advocated for the inclusion of gays and lesbians in the military. Furthermore, Ron co-founded the Congressional Black Caucus in 1971, an organization representing African-American members of the United States Congress.

Mr. Dellums retired from Congress in 1998 but continued his public service as a legislative lobbyist in Washington, D.C. He served many clients including the Peralta Community College District, AC Transit, and the San Francisco International Airport. In 2006, he was elected Mayor of Oakland and he immediately worked to address the city's public safety issues by implementing a community policing program and was able to bring the city's police force to 837 officers, the highest in the Department's history.

On a personal note, I am honored to have served as an intern and member of Ron's staff for eleven years. He taught his staff to stand on principle and for what was right, even if it was politically unpopular. He reminded me and his entire staff to provide quality constituent services and casework, for we were hired to "serve the people." Ron also taught us the art and skill of negotiation, even with those we disagree with, and to achieve results without compromising our principles. He exemplified the finest in public service and set a new standard for elected officials. For that, we are deeply grateful.

Today, California's 13th Congressional District, celebrate the extraordinary life and service of Mr. Ronald V. Dellums and wish him continued success, happiness, and well-being for many years to come.

RECOGNIZING JAMES B. FLAWS

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. REED. Mr. Speaker, I rise today to recognize a constituent, James B. Flaws, who recently retired after a 42-year career with Corning Incorporated.

Jim joined Corning Inc. as a financial analyst in 1973. He quickly worked his way up the corporate ladder and into the company's executive leadership. He has spent the past 22 years in various leadership positions, including chief financial officer, vice chairman, and a member of the company's board of directors. Jim has managed countless projects and strategic initiatives, from the spin-off of Corning Inc.'s healthcare businesses in 1996 to the acquisition of the Samsung Corning Precision Materials business in 2014.

Jim's outstanding work earned him the distinction of being named to the Conference Board's prestigious Council of Finance Executives. In addition, he was recognized as one of America's Best CFOs three times by Institutional Investor magazine.

Jim has spent the past four decades serving his local community in our shared hometown of Corning, New York. He has served on the boards of trustees for the Corning Museum of Glass, the Corning Foundation, and the United Way of the Southern Tier. In addition, Jim was instrumental in the founding of the Corning Children's Center, which provides high-quality care and education to local children.

I ask my colleagues to join me in congratulating Jim Flaws on a remarkable 42-year career with Corning Inc., and wishing him all the best in his retirement.

RECOGNIZING THE LIFE AND LEGACY OF THE LEGENDARY LUTHER R. "LUKE MCCOY" EASON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and legacy of the legendary Luther R. "Luke McCoy" Eason. His contributions to our great Nation and the lasting impact he has made on the local Northwest Florida community will be felt for years to come, and the entire Gulf Coast region mourns the passing of this truly talented and remarkable man.

An Alabama native, Luke moved to Pensacola, Florida in high school in 1956. Upon graduation the following year from Pensacola High School, Luke honorably served in the United States Army as part of the 82nd Airborne Division and later in the United States Marine Corps. During his military service, Luke saw combat in Vietnam, and he was awarded the Purple Heart for injuries sustained while defending our Nation.

In the 1960s, Luke hit the airwaves, beginning his exceptionally successful career in broadcasting. While he could be heard

throughout the country—in Cincinnati, Denver, and Chattanooga—it was most notably in Pensacola, where he became well known as a disk jockey and a beloved Talk Radio personality. In 1993, Luke joined WCOA first as co-host of the morning program and then became the distinguished voice of "Pensacola Speaks," holding the longest tenure of any former host.

After 40 years in the radio industry, Luke hung up the headphones and microphone in 2008, spending his retirement days with his wife Kathy in her native South Carolina, where he enjoyed his other passion—motorcycles and the thrill of the ride.

To some Luke McCoy will be remembered as a fellow comrade on the battlefield; to others he will be remembered as the "Common Man's Intellectual" and for his company and entertainment over the airwaves; to his friends and family, he will be most fondly remembered as a loving husband, father, grandfather, and friend.

On behalf of the United States Congress, I am honored to recognize the life and legacy of Luke McCoy. My wife Vicki and I extend our heartfelt prayers and deepest condolences to his wife, Katherine Felton "Kathy" Eason of North Augusta, South Carolina; son, Michael Holzapfel and his wife, Roxana, of Tempe, Arizona; daughters Sarah Paige and her husband, Michael, and Jeanie Cossman of Pensacola; grandchildren, Cassidy Paige, Emma Cossman and Alex Cossman of Pensacola; sister, Bonnie Eason Alverson of Gulf Breeze; brother, Benjamin L. Eason and his wife, Barbara, of Arlington, Virginia; and the entire Eason family.

HONORING THE NATIONAL CARES MENTORING MOVEMENT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. LEE. Mr. Speaker, I rise today to pay tribute to the National CARES Mentoring Movement on the occasion of its 10th Anniversary Gala, "For the Love of Our Children: A National Call to Commitment." On January 25, 2016, National CARES celebrated the work it has done to break the cycle of intergenerational Black poverty, and its deepening commitment to the critical work that remains.

Founded by Susan L. Taylor in 2006 under the moniker "Essence CARES", the National CARES Mentoring Movement was established to protect and elevate our nation's most vulnerable children. Ms. Taylor's vision for Essence CARES first arose in 2005, in the aftermath of Hurricane Katrina.

Today, the National CARES Mentoring Movement has grown into an organization focused on community mobilization comprised of local affiliates in 58 cities across the nation. These affiliates recruit, train, and place mentors in schools and youth-serving programs. To date, more than 150,000 men and women have served as CARES mentors with organizations such as Big Brothers Big Sisters, the Boys and Girls Clubs of America, and many more.

The National CARES Mentoring Movement is the only national organization working with youth groups and schools to build culturally competent STEM-literacy training and workforce-readiness programs. Its initiatives, known as "The Risings," are working to build capacity in some of our nation's most blighted black communities. Designed to heal trauma and transform lives, The Rising initiatives focus on the academic, social, and emotional development of children who are living in deep poverty.

One of the initiatives, known as HBCU Rising, is based in Atlanta and is designed to be replicated through the Historically Black Colleges and Universities (HBCU) system. It interweaves strong workforce-development and career-readiness skills for college-student mentors and the middle school children they serve. The Rising also operates in challenged high schools across the nation, guiding students through interactive lessons designed to encourage critical thinking skills, excellence in academics, and preparation for success in college and careers.

On a personal note, I want to thank Susan for her wise counsel, her tremendous leadership, her inspiration and her friendship. It is her loving spirit that keeps us hopeful for a better world for our children. This milestone in her life reminds us that we too must and can lead a purposeful life to secure the future for our children. For this, along with so many who honor and celebrate her at this important moment in her journey, I am deeply grateful.

On behalf of the residents of California's 13th Congressional District, I congratulate the National CARES Mentoring Movement on 10 years of exemplary service. We wish them continued success as they continue to work to ensure the healing, social, and academic wellness of some of our nation's most defenseless—African-American children. Again, I wish the National CARES Mentoring Movement well as it strives to end intergenerational poverty in our African-American communities.

HONORING CORBEN CRITES

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Corben Crites of Farmington, Missouri for his outstanding achievement of receiving his Eagle Scout Award. This award is not easily attained and cannot be achieved without a steadfast determination to succeed.

In order to receive this award, Corben completed an Eagle project that exemplifies patriotism and his commitment to serve others. To help better meet the needs of Farmington area students, Corben constructed a 166-foot walkway and two benches in a designated student pickup area at the Farmington Senior High School.

At a young age Corben has shown values such as honesty, loyalty, and civility that inspire others. He has shown commitment to good citizenship, physical fitness, and education. By learning important survival skills and first aid, he has made himself an asset to

our community, as well as the nation. Corben is a role model for young and old alike and it is my pleasure to recognize his achievements before the House of Representatives.

RECOGNIZING AND COMMENDING ROBERT T. E. KAO FOR HIS CONTRIBUTIONS TO THE COMMUNITY OF GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mr. Robert T. E. Kao for his service and selfless contributions to the community of Guam. Robert has dedicated his life to helping others as a true humanitarian and philanthropist.

Robert was born in China in 1939. He grew up in the eastern province of Shandong where he developed his knowledge of Confucius teachings. Robert and his siblings were raised by an older brother in Taiwan after their parents passed away when Robert was just a toddler.

Robert was a teacher in Taiwan and he married his wife, Anna in 1967. The Kaos moved to Guam in 1971 when Anna accepted a military contract position for furniture concession. Within a year Anna opened Genghis Khan Furniture and by 1995 her business became the premier Asian and contemporary furniture store in Guam. She opened ten stores between 1972 and 1995 in Guam, California and China. Anna contributes the success of the family to the support of her husband who served as the vice president of Genghis Khan Furniture while guiding their children and doing charitable work. Together they have two children and now three grandchildren. Both of their children have found success in their professions in the United States mainland.

During a very difficult time for many people of Taiwan, Robert served as Overseas China's Affairs Commissioner. He used his personal resources to locate and reunite hundreds of families who were separated from their families in China. Many families were separated for more than 30 years and forbidden to communicate by both China and Taiwan laws. Robert put himself at great risk to assist and reconnect thousands of people.

Additionally, Robert has been a member of the fraternal organization the Freemasons for over 40 years, and has supported the Shriners Hospital through his position as a Noble of the Mystic Shrine of North America. He has served twice as the president of the Chinese Association of Guam and the president of the Confucian Society of Guam. During his term as president of the Confucian Society of Guam, he lobbied the Guam Legislature to declare September 28, Confucius' birthday, as Teachers' Appreciation Day to remind all students of the value of honoring educators. Robert was also a founding member and first president of the Federation of Asian People. He has also assisted with building the Chinese School of Guam and the Tamuning Chinese Park in Guam. Robert has helped students acquire scholarships to attend the University of

Taiwan and has supported numerous local and national charities.

Robert worked diligently throughout his time on Guam and demonstrated true and genuine care for the people he gave his time to serve. I congratulate Mr. Robert T. E. Kao for his life and I join the people of Guam in commending him, his wife Anna and their family for their many contributions.

COMMEMORATING THE 40TH ANNIVERSARY OF THE GOVERNMENTAL PRAYER BREAKFAST OF PENSACOLA, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to commemorate the 40th anniversary of the Governmental Prayer Breakfast of Pensacola, Florida.

The hand of God has guided this country from the Pilgrims' landing at Plymouth Rock in 1620 through today. Without God and faith, our Nation simply would not exist. Indeed, our Founders pledged their lives, fortunes, and sacred honor to the Declaration of Independence "with a firm reliance on the protection of Divine Providence," and we can look back far past 1776 to see that God has always been a part of the fabric of American life. One hundred fifty-six years before the Declaration of Independence, the first Pilgrims at the Plymouth Colony signed the Mayflower Compact affirming that the very reason for settling in what would become the United States was "for the glory of God, and advancement of the Christian faith."

The Constitution may make no specific mention of God, but it reflects the religious principles that a diverse group of thinkers used to guide this country throughout history. While there are some Americans who think that politics and faith cannot coexist and believe that prayer and public service do not mix, many of us believe that our Nation's leaders need faith as a guide. We need it because man alone is imperfect and flawed. We need God's direction in our lives because our American freedom rests not on the written words of our founding documents, but on the moral strength of the American people. George Washington believed that "It is impossible to rightly govern the world without God and Bible." Freedom is only possible if men believe in God and seek to do His will in their lives and for this country.

In order to live our lives as servants of the Lord, our Founders recognized that we must look to prayer. Prayer has been a guiding principle of private citizens and public officials alike, and prayer has long been used to open important public meetings and events. In fact, the tradition dates back to at least September 7, 1774, when Reverend Jacob Duche delivered a prayer to open the First Continental Congress. This tradition continues today, with Congress opening its daily sessions with a prayer offered by the House Chaplain or a guest chaplain, and the religious history of our Nation is also reflected in our National Motto—

"In God We Trust"—the National Day of Prayer, and the Pledge of Allegiance, amongst many others.

Just as our Founders looked to prayer, elected officials and community leaders at all levels of life and government continue the sacred tradition of prayer. This is the very essence behind the founding of the Governmental Prayer Breakfast of Pensacola. Since it was established four decades ago by a group of ministers from the Greater Cantonment-Ensley Ministerial Alliance in Escambia County, Florida, this annual tradition has gathered hundreds of Northwest Floridians, including elected and appointed officials, together to pray for our Nation and all levels of our government.

Our Father gave America its democracy, its prosperity, and its liberty because America has embraced God's will for its future. But we must continue to keep our faith in God in order to keep our faith in government. It was not our Founders' intent to keep God out of government, but to keep the government out of the church. As Thomas Jefferson wrote, "The constitutional freedom of religion is the most inalienable and sacred of all human rights." We establish no religion in this country, nor should we. But we continue to honor the Lord and the blessings of liberty and freedom that he has bestowed upon this Nation, and by bringing together leaders of Faith from all levels, Pensacola's Governmental Prayer Breakfast honors the Lord and the founding principles of this great Nation.

On behalf of the United States Congress, I would like to recognize the Governmental Prayer Breakfast's founding members and those who have followed in their footsteps in helping to preserve its original mission of encouraging moral and spiritual values in government. My wife Vicki joins me in congratulating all of its members and past participants on this important milestone and thanking them all for their service to God and country. We wish them continued success, and may God continue to bless Northwest Florida, leaders of all levels of government, and all Americans across this great Nation.

REMEMBERING LIEUTENANT COMMANDER ROBERT DUNLAP HOLLAND, JR.

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. THORNBERRY. Mr. Speaker, it is with great sadness that I rise to announce the passing of LCDR (Ret.) Robert Dunlap Holland, Jr. of Annandale, Virginia on January 20, 2016, at the age of 89. He is survived by Barbara, his loving wife of 59 years; his daughter Anne and son-in-law Richard McFarland of Springfield, Virginia; his son Thomas Christopher, daughter-in-law Lisa, and stepson Cody Doss of Jupiter, Florida; his sister Phyllis Eggleston of Norfolk, Virginia; and many nieces, nephews, cousins, and special friends.

LCDR Holland was born in Norfolk, Virginia on November 18, 1926, to Gladys Matthews Holland and Robert Dunlap Holland. He was

raised in Norfolk and graduated from Maury High School in 1944. Upon graduation, LCDR Holland went to Emory and Henry College as part of the Navy's V-12 program. He subsequently attended the University of Virginia, graduating in 1949 from the Naval ROTC program where he earned a degree in commerce and a reserve commission in the United States Navy. When the Korean War broke out, the Navy activated his commission as part of the contingent invading Inchon. Upon returning to the United States, LCDR Holland trained as a gunfire liaison officer at Camp Lejeune, North Carolina.

After leaving active service, LCDR Holland relocated to Annapolis, Maryland, to manage a small loan office. In 1954, he met his future wife, Barbara Claire Harkins. They married in 1956. In 1960, Robert, Barbara, and their two children moved to Annandale where he began a career in banking. He was tremendously proud of both his service in the United States Navy Reserve and to be a part of the First Virginia Bank Family.

Mr. Speaker, LCDR Holland and his family represent the very best of America's Greatest Generation. We rise to honor and thank them for their service to our Nation and to wish them Fair Winds and Following Seas.

CONGRATULATING THE UNIVERSITY OF ALABAMA NATIONAL CHAMPION FOOTBALL TEAM

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. BYRNE. Mr. Speaker, I rise today to congratulate the University of Alabama football team on winning the College Football Playoff National Championship. This marks Alabama's NCAA-record 16th national championship.

As a diehard Alabama football fan, I loved watching this team because they played with such a strong competitive spirit and refused to be denied. The team was incredibly well-rounded and balanced in all three phases of the game. Each week, it seemed like a different player would step up and make a big play. That is an important trademark of a true team.

I am especially proud of the players from Southwest Alabama who contributed to the team's success. Quarterback Jake Coker is a Mobile native who played high school football at St. Paul's Episcopal School. In the championship game, Coker threw for over 300 yards and two touchdowns. It was a very gritty and impressive effort, just like Coker's entire college career.

Helping to lead the way for Coker and Alabama's Heisman-winning running back was former Davidson High School standout Alphonse Taylor. As the starting right guard on the offensive line, Taylor and his teammates on the offensive line were rewarded for their outstanding play by winning the inaugural Joe Moore Award. This award goes to the nation's top offensive line each season. It was a well-deserved honor.

Alabama's run to the national championship was marked by outstanding play from the de-

fense. That defense included former Daphne High School star Ryan Anderson. Anderson was a dominating force who racked up six sacks on the year. He played some of his best football down the stretch in the SEC Championship Game and again in the College Football Playoff games. I know opposing quarterbacks will be fearing him next season as well.

Mr. Speaker, this Alabama squad played as a team and in a way that should make every Alabamian proud. To the players, coaches, support staff, and the University of Alabama administration, I want to say congratulations and Roll Tide.

HONORING THE LIFELONG SERVICE OF COLONEL JOSEPH SPIELBAUER

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to salute the service of Colonel Joseph Spielbauer, whose dedication to excellence and sacrifices for public service spanned more than 25 years of active duty military service and over 20 additional years of public service to the Commonwealth of Pennsylvania.

Colonel Spielbauer was commissioned a 2nd Lieutenant in Field Artillery from Gonzaga University, in May 1967. He immediately shipped out to Fort Sill, Oklahoma for officer basic training followed by Airborne training and the grueling Ranger course at Fort Benning, the home of Infantry at Fort Benning, Georgia. He earned both his paratrooper wings and the prestigious Ranger tab prior to his first assignment to the famed 82nd Airborne Division.

After duty with the 82nd Airborne Division, Colonel Spielbauer was reassigned to combat duty with the 1st Infantry Division in the Republic of Vietnam, where he served as an artillery firing battery commander. Following combat duty, he returned to the United States and completed the artillery officer advance course, the advanced maintenance course, and rigorous infantry pathfinder training.

Colonel Spielbauer's next assignment was in Germany, where he first served as an artillery service battery commander and then as the Group S-3 (plans and operations) officer.

As Vietnam drew down and the Cold War heated up, the Army decided to station a combat ready Ranger battalion in Europe. The leaders of this elite fighting force went through a vigorous screening process. Colonel Spielbauer's outstanding service record and demonstrated potential for greater responsibility earned him the challenging assignment as the first Fire Support Coordinator for the European Ranger battalions. He excelled in this duty and was subsequently assigned to teach at the Air Force Academy in Colorado Springs, where he was responsible for helping to train the next generation of military leaders.

Colonel Spielbauer and his family then moved to Fort Leavenworth, Kansas, where he completed the Army's resident Command and General Staff College. He then returned to Europe for the next 7.5 years. In Europe,

Colonel Spielbauer served in numerous positions of escalating responsibility. He initially served as the plans officer for the 59th Ordinance Brigade. His initiative, hard work, and dedication to excellence earned him the opportunity to command the 294th Army Artillery Group. This difficult job carried the heavy responsibilities of nuclear fire support for NATO and numerous challenging host nation support requirements. Colonel Spielbauer did an outstanding job in this assignment. He earned the rare opportunity to then command the 552nd Army Artillery Group. He spent 5 years commanding high profile, high risk nuclear units.

Colonel Spielbauer's demonstrated potential for greater responsibility earned him a slot in the resident Army War College class. This is the most senior Army school, reserved for the absolute best Army leaders. After graduation, he was selected for a prestigious staff/faculty position at the War College. Colonel Spielbauer's final assignment was the Senior Army Advisor to the Commanding General of the 28th Infantry Division/Pennsylvania National Guard. Colonel Spielbauer retired from active duty in September 1992 and transitioned to civilian service for the Commonwealth of Pennsylvania.

Colonel Spielbauer held several important positions in Pennsylvania including his role as the Director of the Base Development Committee and his current position as Executive Director of the PA Military Community Enhancement Commission. Joe was directly responsible for bringing together all of the disconnected military operations in Pennsylvania and preparing a unified strategy to expand the military presence through the 2005 Base Realignment & Closure (BRAC). Colonel Spielbauer approached this daunting responsibility with the same unflinching dedication and professionalism that he employed to achieve military mission accomplishments. The unquestionable success of Colonel Spielbauer's detailed planning, meticulous execution and foresight can be seen throughout Pennsylvania, as military programs expand and employment grows.

Throughout his long and successful career, Colonel Spielbauer has faithfully executed his diverse duties with great professionalism. He is a "Soldier's Soldier" and a consummate professional. Colonel Spielbauer's outstanding career reflects great honor and credit upon himself, his family, and our nation.

INTERNATIONAL FOOTPRINT ASSOCIATION TO HOST PANCAKE BREAKFAST FOR HEROES

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. COOK. Mr. Speaker, I rise today in recognition of a special event that took place in my district to honor public safety personnel. On January 23, 2016, Chapter 63 of the International Footprint Association hosted "Breakfast for Heroes" to show their appreciation for the tireless work done by public safety agencies in the High Desert region of California.

"Breakfast for Heroes" took place at the El Pescador Restaurant in Victorville, California

and the public was encouraged to attend to show their appreciation. This is the first time that Chapter 63 held a breakfast event to honor High Desert public safety personnel and they anticipated a large turnout of attendees.

Attendees were able to take tours of an ambulance, fire truck, and police vehicles. All proceeds from the event goes towards the Chapter 63 Scholarship Program. The International Footprint Association is a non-profit community benefit organization whose mission is to foster positive relations between law enforcement and the public. During my time as a legislator, I have worked with this organization on numerous occasions and have always been impressed with the work they do in our communities. I strongly encouraged my constituents to attend "Breakfast for Heroes" to show their support for the men and women who put their lives on the line every day.

RECOGNIZING THE CITY OF AURORA'S 30TH ANNUAL COMMEMORATION OF DR. MARTIN LUTHER KING, JR.

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the city of Aurora's 30th annual commemoration of Dr. Martin Luther King, Jr. The commemoration, "The Promise of Democracy: Breaking Barriers and Borders," will allow our city to reflect upon and appreciate the rich diversity that creates the vibrant community we call home.

I commend the City of Aurora, Mayor Steve Hogan, the City Council and especially my longtime friend, Dr. Shannon-Banister, who is the founder of this celebration, for all of their continuing steadfast support of the only week-long celebration in the State of Colorado. I am proud to call the city of Aurora my home.

This past September, Aurora erected a life size statue at our own Martin Luther King, Jr. Library as a constant reminder of Dr. King's selfless dedication to the pursuit of social justice and as an inspiration to continue this pursuit. On Monday, the statue will also serve as an embodiment of Dr. King's very tangible presence in Aurora.

I am confident that if Dr. King were alive today, he would smile upon the kind words and gestures, hours of service, and bonds of friendship that will be offered in his honor this day. His legacy as a champion for equality and peace in this country still shine, Dr. King would be proud as many fellow champions continue in his tradition and promote his dream.

As we remember Dr. Martin Luther King, Jr., let us embrace and invite all cultures to join us in the brotherhood Dr. King so boldly imagined and let our actions echo his words: "This is not the time to engage in the cooling off or to take the tranquility drugs of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to open the doors of opportunity to all of God's children."

I proudly pledge my support to the residents of Aurora as they embrace Dr. King's vision for our country and as they work to make that vision a reality.

RECOGNIZING THE ACHIEVEMENTS OF MOLLY H. BOGEN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to publicly applaud and praise the exceptional work of one of Dallas's finest residents, Ms. Molly H. Bogen. For over forty years, Ms. Bogen has been a champion for the senior citizens of Texas in her role as the Director of Operations for Senior Source. The Dallas-based entity has worked tirelessly to meet nearly every need of our elderly population, a feat that would not have been possible without Ms. Bogen's resourcefulness, devotion, and endless compassion.

Ms. Bogen has dedicated her entire life to dutifully serving her community. She first received her undergraduate degree from Southern Methodist University, before moving to United of Texas at Arlington to pursue her Master's of Science in Social Work. This would allow her to become officially licensed by the Texas State Board to practice social work, and begin her exemplary career. Her work with the elderly is now legendary, and she has since come to be recognized as a Distinguished Alumni by both of her alma maters.

Through her work with Senior Source, Ms. Bogen has cemented a legacy that is rooted in the immense imprint she has left on the senior community of Texas and the nation at large. Her appointment as the President and CEO of the organization in 1976 brought about expansion and growth. Recognizing a gap in the community, Ms. Bogen introduced a series of programs devoted to supporting senior citizens with employment, financial management, advocacy and companionship. As such, the organization has now become one of the country's most renowned senior-service providers, and this was in no small part due to the immense love, respect and kindness that Ms. Bogen imparted into her daily work. Her selfless passion will no doubt continue to inspire her dedicated fifty-six-member staff, as they continue to perform and cultivate Ms. Bogen's incredible work.

Mr. Speaker, the extraordinary compassion shown by Ms. Bogen over the course of her four-decade career is a testament to her magnificent character and commitment to her community. The people of North Texas owe her a tremendous debt of gratitude and wish her all of the best in her retirement. It is hard earned, and may it be one of contentment and joy.

HONORING FREDA ROSENSHEIN
AND THE JEWISH WAR VET-
ERANS LADIES AUXILIARY

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. DEUTCH. Mr. Speaker, I rise today in honor of the Ladies Auxiliary of the Jewish War Veterans and their National President, Freda Rosenshein. Ms. Rosenshein paid her official visit to the JWVA Florida Department on Sunday, January 24th in Deerfield Beach.

For 85 years, the JWVA has ensured that the rich history of Jewish Americans' service in our Armed Forces is not overlooked. In fact, over half a million Jewish Americans have served in major conflicts since World War II. This organization is unique in its efforts to combat bigotry and anti-Semitism while remaining inclusive of all veterans, regardless of race, religion, or ethnicity.

Freda Rosenshein's tenure as Ladies Auxiliary President follows her distinguished history of service to the JWVA. She knows first-hand the sacrifice of our veterans and their families, as her father served in World War II, her grandfather served in World War I, and her husband served in Vietnam. Her maternal grandparents were charter members of the JWVA. Ms. Rosenshein served three times as the New Jersey Department President and played an integral role in establishing the David Blick Post No. 63 and Auxiliary in Elizabeth, New Jersey.

During her visit to Florida, she continued her service to veterans by visiting the Ronald McDonald House in Fort Lauderdale and the VA Hospital in West Palm Beach, where she granted a wish to a veteran in hospice care as part of the JWVA Grant-A-Wish Program.

I am proud to honor Freda Rosenshein, the Ladies Auxiliary of the Jewish War Veterans of America, and all the men and women who have defended our Nation through service in our Armed Forces. The debt we owe our veterans and those who selflessly serve them is immeasurable, and we must always strive to be a nation worthy of their heroic sacrifice.

CONGRATULATING SISTER
MARGARET CARNEY

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. REED. Mr. Speaker, I rise today to congratulate Sister Margaret Carney on her upcoming retirement from St. Bonaventure University.

Sister Margaret has served as president of St. Bonaventure since 2004. During her tenure, she has cultivated a vibrant college community by enhancing curriculum, promoting diversity, and developing various strategic initiatives.

Sister Margaret has held several leadership positions throughout her career. Prior to being inaugurated as president of St. Bonaventure University, she served as dean and director of

the Franciscan Institute of St. Bonaventure. In addition, she previously served as chair of the board of directors of the Association of Catholic Colleges and Universities, and a member of the Committee on Education of the United States Conference of Catholic Bishops.

In recognition of her outstanding achievements and contributions, Sister Margaret has been awarded nine honorary doctorate degrees. She has also been honored with the Lifetime Achievement Award from Business First of Buffalo and the Citation Award from the National Federation of Just Communities.

Sister Margaret truly exemplifies the Franciscan values of pursuing knowledge and serving others. She has had a profound and lasting impact on students, faculty, and the entire St. Bonaventure community.

I ask my colleagues to join me in congratulating Sister Margaret Carney on a remarkable career, and wishing her all the best in her upcoming retirement.

RECOGNIZING BOB AND
MARIE GALLO

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Bob and Marie Gallo, who will be awarded the Robert J. Cardoza Citizen of the Year—Lifetime Achievement Award from the Modesto Chamber of Commerce, for their unwavering commitment to their community.

Bob Gallo was born in Modesto, California to Julio and Aileen Gallo. He spent his early years on their family ranch and graduated from Modesto High School. He continued his education at Oregon State University, graduating with a Bachelor of Science Degree in Business and Technology in 1956. Bob served in the United States Navy for two years aboard the USS *Yorktown*.

Marie also was born in Modesto, California to former Superior Court Judge Frank C. and Mae Damrell. Graduating a year after Bob at Modesto High School, Marie attended Notre Dame de Namur University in Belmont where she received a Bachelor of Arts Degree and her elementary teaching credentials. Following her graduation, she came back to California where she started teaching at Alamo Elementary School in San Francisco. As if it were written in the stars, Marie returned to Modesto and married the love of her life, Bob.

Both Bob & Marie have a strong belief in improving the quality of life for the people in their community. Their contributions of time and money are well documented in the numerous organizations they are involved in.

Bob Gallo has been active in the United Way, the Grand Jury, Community Action Commission, King-Kennedy Center, Rotary International, Human Rights Commission, Sierra Club, Audubon Society, Nature Conservancy, and on the Board of Trustees of the University of California, Merced. In addition, he has worked to expand the Modesto Union Gospel Mission and received an award from The Salvation Army for his leadership in raising mone-

tary funds. He has served on the board of American Farmland Trust and was the driving force behind the San Joaquin National Wildlife Refuge. Currently, Bob is Co-Chairman of the Board of E. & J. Gallo Winery. Not to be outdone by her husband, Marie has been a part of the Modesto Symphony Orchestra and Guild, where she established the Picnic at the POPS concert, which has been held annually on the winery grounds since 1995. She is also a founder of the Catholic Honorary Social Service Guild, an honorary member of the Modesto Rotary Club and of the Women's Auxiliary, and is a founding board member of Central Catholic High School. She held a prominent role in bringing the Sisters of the Cross to Modesto from Mexico and also served as a member of the "Christmas Angels" bell ringing team for the Salvation Army for numerous years. Marie played a vital role in the construction of the Gallo Center for the Arts with the support of her husband and family.

Bob and Marie, who were married in the summer of 1958, will celebrate their 58th anniversary in July. Together, they raised 8 children and were blessed with twenty-two grandchildren; to which they have passed along the importance of family church and commitment to the community.

Mr. Speaker, please join me in congratulating Bob and Marie Gallo for their recognition from the Modesto Chamber of Commerce with the Robert J. Cardoza Citizen of the Year—Lifetime Achievement Award. Their years of dedicated service to the community are to be commended.

RECOGNIZING AND CONGRATU-
LATING SECOND LIEUTENANT
MY-RANDA KELLY QUINATA OF
THE GUAM AIR NATIONAL
GUARD

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the contributions and achievements of Second Lieutenant My-Randa Kelly Quinata of the 254th Force Support Squadron of the Guam Air National Guard, Guam National Guard. Second Lieutenant Quinata was promoted to Second Lieutenant on September 20, 2015. She is the first medical service corps officer and the first female of the Guam Air National Guard to receive a direct commission.

2nd Lt. Quinata currently serves as the Health Services Administrator of the Guam Air Guard's newly formed five member medical unit. She works in the civilian sector as a Health System Specialist in Aerospace Medicine in Medical Standards and Exams under the Base Operations Medical Cell at the 36th Medical Group, Andersen Air Force Base, Guam.

She has a long record of service and has dedicated her life and career to serving our country in different capacities. My-Randa joined the active duty Air Force in March 2003 and graduated from the Health Services Management course at Sheppard Air Force Base

in Texas in 2003. She also served in other health services administration roles as an outpatient records technician, information systems technician, medical office manager, medical control center noncommissioned officer and noncommissioned officer in charge of patient administration.

Before her separation from the active duty Air Force in 2014, My-Randa served at Lackland Air Force Base in Texas and at the Andersen Air Force Base in Guam. She was also deployed to Ali Al Salem Air Base in support of operations in Iraq and Afghanistan. My-Randa was also the recipient of the Air Force Commendation Medal, the Air Force Achievement Medal, the Meritorious Unit Award, the Air Force Outstanding Unit Award, the Air Force Good Conduct Award, the Global Terrorism Service Medal, the Air Force Longevity Service Award, Air Force Non-Commissioned Officer Professional Military Education Graduate Ribbon, the Small Arms Expert Marksmanship Ribbon (Rifle), the Air Force Training Ribbon, the 2008 Pacific Air Forces Health Services Airman of the Year Award, and the 2008 Medical Support Services Airman of the Year Award.

Second Lieutenant My-Randa Kelly Quinata is dedicated to the mission of the Guam Air National Guard and finds strength in the support of her leadership, fellow guardsmen and her family.

This is a very proud moment for the island of Guam and the Guam Air National Guard. I join the people of Guam in congratulating Second Lieutenant My-Randa Kelly Quinata and the 254th Force Support Squadron and Guam Air National Guard on this achievement. I also extend a special congratulations to her husband Derrick and their children, Taylor, Trevor, Talon, Tana. I thank her for her contributions to the community of Guam and I look forward to her future contributions and success.

HONORING MAE DUKE

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. DEUTCH. Mr. Speaker, I rise today to recognize Mae Duke, who is being recognized by the Century Village Democratic Club for her distinguished service as President.

As part of the "greatest generation," Mae's life embodied the American dream. Mae is a first generation Jewish immigrant raised on Coney Island, New York and overcame numerous obstacles to complete her education and work as a laboratory technician. Mae married Sam Duke, a New York City Police officer, in 1947, and together they raised four children in Brooklyn.

Since her youth, Mae has believed in the importance of public service, civic duty, and participation in democracy. After her four children enrolled in public school, Mae ran for the local school board. Later, she and her husband started a youth league at their local synagogue. Today at age 89, Mae resides in West Palm Beach where she remains active with local community groups and as the President of the Century Village Club. She is

adored and admired by her 4 children, 9 grandchildren and 4 great grandchildren.

Wherever her life has taken her, Mae Duke has selflessly volunteered her time and efforts to better her community. I am pleased to join in honoring Ms. Duke for her enriching, life-long community service.

TRIBUTE TO LANETTE WRIGHT

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today in recognition of my long-time executive assistant and friend, LaNette Wright, who is retiring after more than three decades of distinguished service. LaNette started her career in the U.S. House of Representatives in 1984 when she was hired as a Staff Aide in Somerset, Kentucky. She later became a trusted Caseworker, guiding local constituents through complications with federal agencies. In 1999, LaNette took on the role as my Executive Assistant, faithfully and dutifully organizing every meeting, speaking engagement, and flight itinerary in coordination with my personal schedule. In 2012, she also earned the title of Casework Director, ensuring constituent needs are effectively and efficiently met at the Somerset, Hazard and Prestonsburg District Offices. Time and again, she has gone above the call of duty to help me, and by extension, the people of Kentucky's Fifth Congressional District in delivering a better, more responsive and open constituent experience.

Like most of us, I have been fortunate in my tenure in Congress to have extraordinary professional and personal staff accompany me on this journey. However, LaNette has always given me and my family an extra measure of loyalty, advice and friendship that I will always treasure. Without a doubt, her organization and foresight made many of my days much simpler, despite a schedule that often becomes complicated and demanding. Her sheer presence in the Somerset office will be greatly missed, from her ability to extend compassion to distraught Veterans, to calming discouraged citizens frustrated by federal bureaucracy, to celebrating victories in the lives of folks we have been able to assist through casework. Her thoughtful execution in every situation has made LaNette a truly irreplaceable part of the Rogers team.

As we all know, Congressional staff work long hours, and often sacrifice weekends and holidays in order to keep this esteemed institution running—inevitably taking a toll on personal commitments. She has earned more than her share of quality time with her family and friends—especially her energetic grandchildren.

The people of Southern and Eastern Kentucky, our staff and I owe LaNette a great debt of gratitude for her steadfast service and dedication to our region. We wish LaNette and her husband Louie many wonderful years of retirement in Kentucky and on the sunny beaches and golf courses of Florida.

LAKE ARROWHEAD RESIDENT SPEARHEADS EFFORT TO BUILD VETERANS MEMORIAL

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. COOK. Mr. Speaker, I rise today to recognize Liam Gavigan for his tireless efforts to construct a veterans monument in Lake Arrowhead, California. Liam is a member of Boy Scouts of America Troop 89 and has undertaken this task as his Eagle Scout Project.

From the time he became involved with the Cub Scouts, Liam had a vision for creating a monument to honor the sacrifices of veterans who live in the San Bernardino County mountain communities. It took several years, but Liam's determination resulted in him fundraising over \$20,000 needed to construct the memorial. With assistance provided by the San Bernardino Mountains Land Trust, Liam was also able to secure the necessary land upon which the monument will stand.

As a Vietnam veteran and retired Marine Corps infantry officer, I applaud Liam and the members of Troop 89 for their diligence in bringing this project to fruition. I look forward to visiting the monument during my next trip to Lake Arrowhead.

CONGRATULATING DR. TSAI ING- WEN ON HER ELECTION AS PRESIDENT OF TAIWAN

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate Dr. Tsai Ing-wen on her victory in the Taiwanese presidential election held on January 16, 2016. President-elect Tsai is scheduled to take office on May 20 of this year, and will be the first woman president of Taiwan. I further congratulate the vice president-elect, Dr. Chen Chien-jen, as well as the people of Taiwan for this historic vote that signifies so much for the continuing strength of democracy in Taiwan.

On this occasion, I would encourage my colleagues to join me in assuring President-elect Tsai and the people of Taiwan of our commitment to the friendship between our two countries. We are bound by the values and principles we share; and the peaceful and free election on January 16 once again demonstrates that Taiwan's robust democracy is an example to the rest of the region. The free and democratic system that has been established over the decades is a testament to the commendable dedication and determination of a free Taiwanese people. Their support for human rights is a beacon, and their leaders should be encouraged as they work to keep it shining.

Dr. Tsai's election is additionally an opportunity to reaffirm the importance of the Taiwan Relations Act as the cornerstone of the relationship between the U.S. and Taiwan. I urge my colleagues to remain committed to the security of Taiwan, as well as our economic and

social relationship, and look forward to our two countries' continuing to work together on issues of common interest.

Mr. Speaker, I ask my colleagues to join me in congratulating President-elect Tsai and the people of Taiwan, and in wishing them the best in the new administration.

HONORING THE UNIVERSITY OF NEW MEXICO COLLEGE OF NURSING

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor the University of New Mexico College of Nursing which celebrated its 60th Anniversary this past year. The College of Nursing is a world class institution of learning whose graduates have been a blessing to the individuals they have cared for and helped save countless lives.

The University of New Mexico College of Nursing was founded in 1955 after Dr. Marion Fleck and Mary Jane Carter acquired a \$60,000 grant from the New Mexico State Legislature. Since its founding, the school has aimed to educate and train future leaders in nursing, research innovative methods to improve and deliver patient care, and design a world class health system. Over the past 60 years, the College of Nursing has seen more than 6,000 alumni graduate from its ranks. These nurses have gone on to serve our community and provide invaluable care to hundreds of thousands of patients.

Throughout its history, the University of New Mexico College of Nursing has demonstrated exemplary leadership in its field. For example, it was the first program in New Mexico to establish a Master of Science in Nursing degree, as well as a Doctorate of Nursing Practice. The school has also created nurse managed clinics and partnered with the Raymond G. Murphy VA Medical Center to address the healthcare needs of veterans in our community. Furthermore, through their membership in the New Mexico Nurses Education Consortium, the College of Nursing has partnered with local community colleges to provide access to a Bachelor of Science in Nursing throughout the state. Lastly, the PhD program is one of only a few in the nation to offer a health policy track to train future leaders in nursing. We are very fortunate to have such an outstanding institution training our future healthcare providers.

It gives me great pleasure to report that the University of New Mexico College of Nursing has been recognized for these impressive accomplishments. In 2015, the College of Nursing was ranked tenth overall on Value Schools' list of the top-valued undergraduate nursing programs. Dr. Nancy Ridenour, dean of the College of Nursing explained that "Credit goes largely to our renowned faculty who provides an education that emphasizes working with rural and underserved populations and prepares our students to transform nursing and health care."

Indeed, the University of New Mexico College of Nursing has proven itself a model in

philanthropy and community involvement. From July 1, 2013 to June 30, 2014 alone, the faculty and students from the College of Nursing spent more than 83,000 hours working in the community in order to provide healthcare services to more than 19,500 children, individuals and families through clinical practice and training exercises at more than 375 healthcare facilities throughout the state. The College of Nursing also emphasizes teaching its students how to serve rural and underserved populations, and the school is committed to diversity in its classes so that its campus will better reflect the communities its graduates go on to serve.

With a shortage of nurses in the country, especially in largely rural areas like New Mexico, it is fundamental that world class institutions like the University of New Mexico College of Nursing continue to train exceptional nurses who will serve our community for years to come. The New Mexico Health Care Workforce Committee estimates that New Mexico currently faces a shortage of at least 270 nurses. However, the care that nurses provide is the crux of our medical model. I am grateful for the tremendous work that the University of New Mexico College of Nursing has done to supply our state with such invaluable caregivers. Indeed, we must continue to support this world class institution and others like it.

Mr. Speaker, it gives me great pleasure to recognize this special and important institution for recently celebrating its 60th Anniversary. Congratulations to the University of New Mexico College of Nursing; keep up the great work.

CELEBRATING THE LIFE OF JOHNNIE SOWELL NEESE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. WILSON of South Carolina. Mr. Speaker, last week, South Carolinians mourned the passing of Johnnie Sowell Neese of Springdale who was recognized as one of the state's leading businesswomen. She was the state's first female Republican candidate for office with the 1964 Goldwater Republican effort. At that time only one Republican had been elected as a legislator in the Twentieth Century being Charlie Boineau in 1961. Mrs. Neese courageously spearheaded the promotion of the two-party system in South Carolina where Republicans are now super majorities in the legislature holding all statewide offices. They are led by Governor Nikki Haley, from her home county of Lexington, who is the state's first female Governor in 340 years.

She and her late husband Harry carefully organized their professions as they successfully raised five talented daughters who have now inspired the success of six grandsons.

I especially appreciate her "gift of administration" in that for seventeen years she was treasurer of my campaign as I served in the State Senate. She upheld flawlessly the standard set by my predecessor and her friend Congressman Floyd Spence that "It must not only be right, it must look right," as we suc-

cessfully replaced an incumbent in the Republican primary.

The following obituary was in The State newspaper of Columbia, S.C., on Saturday, January 30th:

Funeral service for Johnnie Sowell Neese, 89, of West Columbia, will be held at 3:00 p.m. Sunday, January 31, 2016, at Holland Avenue Baptist Church, 801 12th Street, Cayce, SC. Pastor Dow Welsh and Pastor Charles Wilson will officiate. Interment will follow in Southland Memorial Gardens. The family will greet friends from 6:00 8:00 p.m. Saturday, January 30, 2016, at Thompson Funeral Home of Lexington, 4720 Augusta Road, Lexington, SC. Mrs. Neese passed away Thursday, January 28, 2016.

Born in Kershaw, she was a daughter of the late John Wesley and Evelyn Blease Johnson Sowell, Sr. She was a graduate of Kershaw High School and attended Coker College. Johnnie was a charter member of Holland Avenue Baptist Church and served as trustee and Sunday School teacher for more than 50 years. She was the chairman of the Nominating, Finance, and Personnel Committees, and a member of the Benevolent, Building, Library, and Stewardship Committees. Johnnie was continuously employed by the House of Perfection, Inc., manufacturer and wholesaler of children's apparel from November 1956 until July 2005, when she retired as executive vice president and chief financial officer. She was the former president of the West Columbia Cayce Junior Woman's Club, former Division chairman of the S.C. Federation of Women's Clubs, the former president of the Riverlyn Women's Club, a former member of the Lexington County Higher Education Commission, Congaree Area Girl Scout Council and served as the West Columbia Cayce residential chairman for the United Way. Johnnie was a former member of the Body of Trustees, United Community Services and was nominated for the "Woman of Achievement" award for the State of South Carolina in 1992. She was awarded the "Woman of Distinction" honor in 1996, from the Congaree Area Girl Scout Council.

From 1964 through 1967, Johnnie was active in the Lexington County and the South Carolina Republican Parties, having served as secretary-treasurer, County Finance chairman, County Organization chairman, president of Lexington County Republican Women, precinct officer, and Convention Credentials chairman. A candidate for the House of Representatives in 1964, she was the first woman in South Carolina to run for public office on the Republican ticket. She served for 17 years as treasurer for Senator Addison G. (Joe) Wilson and assumed active roles in State and Congressional campaigns for Republican candidates Albert Watson, Floyd Spence, and Strom Thurmond.

Johnnie is survived by her daughters, Lynda Neese (Gary Miller), Carol Neese, Deborah Neese, Sandra Neese Cooke, Tracey Neese Edenfield; six grandsons, Ira Brent Driggers, Jonathan Michael Cooke, Jordan Patrick Cooke, Zachary Tanner Edenfield, Nicholas Yates Edenfield, Jacob Andrew Edenfield; three great-grandsons. In addition to her parents, she was predeceased by her husband of more than 50 years, Harry Yates Neese; twin sister, Connie Sowell, and brother, John W. Sowell, Jr.

COMMEMORATING THE 40TH ANNIVERSARY OF THE ANTONIO B. WON PAT GUAM INTERNATIONAL AIRPORT AUTHORITY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and congratulate the staff and management of the Antonio B. Won Pat Guam International Airport Authority (GIAA) on their 40th anniversary of service to the people of Guam. The Guam International Airport Authority has grown steadily over the past 40 years and has played a vital role in the development of Guam, especially success of the island's visitor industry over the past 40 years. When the Guam Airport first began, all airport business was handled as a division of the Guam Department of Commerce. In 1976, the GIAA became a government agency through the enactment of Guam Public Law 13-57. During this period of the airport's history, Pan American Airways, Continental Air Micronesia and Japan Airlines were the only airline carriers to service Guam and utilize the facilities.

The Guam International Airport Authority has made tremendous progress over the last 40 years and has become a critical transportation hub in the Asia-Pacific region. GIAA has facilitated the growth of Guam's economy and visitor industry. Guam's tourism economy relies heavily on GIAA facilities for a positive passenger experience when traveling to Guam. The airport has added two terminal buildings with the second and current terminal completed in September 1998 as part of a \$241M expansion and construction project. This is the single largest improvement project completed by the Government of Guam.

As the airport expanded its operations, additional airline carriers began service out of Guam. In 1981, Continental Micronesia added flights to Japan and Northwest Airlines began regularly scheduled services. In 1983, All Nippon Airways (ANA) began charter flights to Guam and then opened their international services three years later. Continental Air Micronesia introduced direct air service between Guam and Hong Kong in 1984. Soon after in 1986, the United States Congress passed the Omnibus Territories Act to include visa waivers for several countries and expanded the doors for more tourism arrivals. The GIAA passed its "one million passenger" mark in 1988 and was renamed the "Antonio B. Won Pat Guam International Air Terminal" after Guam's first Delegate to the U.S. House of Representatives. Soon after in 1990, Korea was granted a visa waiver and Continental Air Micronesia began air services in Seoul and expanded flights in Japan. In 1995, GIAA took on more responsibility when it became the only commercial airport on Guam with the closure of Naval Air Station. With increased services in the Asian region, Guam was ranked the 4th top U.S. gateway to and from Asia and Australia in 1999. Growth and expansion continued for the GIAA after the turn of the new millennium and in 2007, the airport's total economic contributions were totaled at \$1.7 billion with 20,440 jobs generated.

The Guam International Airport Authority has continued expanding with cargo and other facilities while practicing its duties as a responsible neighbor and community partner. Anticipating the needs of an increased tourism economy and the growth associated with the military realignment, the airport undertook these efforts to prepare for increased cargo traffic on Guam. Further, a multimillion dollar noise mitigation program was implemented for houses in the area beginning in 2009. Air services have expanded even more with increased flights in the region on new and existing expanding airlines. GIAA has continued to provide consistent service and good facility throughout the turbulent history of airline mergers. The airport has also adapted to welcome Russian tourists when President Obama instructed DHS to allow them to visit Guam without a visa in 2014. The airport has kept high standards for itself to ensure the safety of its patrons and the people of Guam. In 2014, the 1st Cycle of the Airport's Aircraft Rescue and Fire Fighting Division was installed.

While the airport has made major achievements in the last 40 years, the GIAA leadership continues to look to growth in the future. In 2014, they began a capital improvement program with plans to further enhance their facilities that will provide nearly \$167 million of economic activity into the local economy. I look forward to continue working with GIAA to ensure that they are provided with federal funding to support their future growth and facilities enhancements. Our airport is a critical link in our entire island's economy.

Again, I congratulate Antonio B. Won Pat Guam International Airport Authority and commend its leadership and all employees for their contributions to our local community and throughout the Asia-Pacific region. I thank and commend all of the GIAA's tenants and partners for their commitment to the airport and the community of Guam. I join the people of Guam in recognizing the GIAA on their 40th anniversary and I look forward to their future contributions and success.

RECOGNIZING THE HOOSIER YOUTH PHILHARMONIC

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to recognize Bloomington, Indiana's High School Orchestra, the Hoosier Youth Philharmonic.

I want to congratulate the Hoosier Youth Philharmonic on being invited to perform at the Kennedy Center in Washington, D.C. as part of the "2016 Capital Orchestra Festival." As a resident of Bloomington, I am particularly proud of the High School Orchestra's achievements this year. They have worked very hard, and merit respect and celebration.

Accomplishments such as this are achieved through diligence and commitment. The Hoosier Youth Philharmonic is one of seven outstanding North American orchestras invited to perform at the John F. Kennedy Center for the Performing Arts. in Washington, D.C. On Feb-

ruary 14th, 2016, the Hoosier Youth Philharmonic will perform on the same stage as many great American and international artists, such as La Scala Opera Company, Yo-Yo Ma, and the London Philharmonic Opera.

I want to commend Music Director, Jane Gouker on her successful 36-year tenure as the orchestra's conductor. Mobilizing the 103 piece student orchestra, replete with instruments, luggage, and chaperones is a herculean effort, and Director Gouker has executed seamlessly. The Hoosier Youth Philharmonic serves as an inspiration to many members of the community of Bloomington and Hoosiers across Southern Indiana. I wish them the best of luck as they perform on Sunday, February 14th at the renowned Kennedy Center.

IN RECOGNITION OF UNIVISION SAN DIEGO'S 25TH ANNIVERSARY

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. VARGAS. Mr. Speaker, I rise today to celebrate the 25th Anniversary of Univision San Diego.

Founded on February 14, 1989, Univision San Diego made its debut by airing the Rose Parade on January 1, 1990. On March 15, 1990, Univision San Diego became a full newscast and began presenting local news capsules. It has since provided news, sports, specials, variety and talk shows to the residents of San Diego County. Univision San Diego has become the premier Spanish-language news station in the region. Operating under the mantra of "contigo", meaning "with you", Univision San Diego focuses on the issues that are the most relevant to the Hispanic community: education, health, economy, immigration, and the day-to-day impacts of the citizens on their communities. Univision San Diego's dedication to the most pressing issues attracts an average of a quarter-million viewers weekly.

I would like to send Univision San Diego my sincerest congratulations on reaching this important milestone.

HONORING CURTIS BEACH

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor Curtis Beach, a tremendous athlete from Albuquerque, New Mexico who has demonstrated some of the best qualities an athlete can have—sportsmanship, a competitive spirit, and the refusal to give up.

Curtis, the eldest of two children, was born on July 22, 1990 to Jeana King-Beach and David Beach. At an early age, Curtis proved that he was destined to be a runner when he was chasing a horse named Lobo. Curtis went up to Lobo who promptly ran away, but Curtis gave chase, caught up to Lobo who ran off

again, but Curtis refused to give up and kept running after Lobo. This continued for two hours without Curtis tiring.

Curtis also started playing sports when he was young, but even then it was clear that his main passion was running. When he was five, Curtis tried recreational soccer. Jeana fondly recalls Curtis running back and forth across the field but not pursuing the ball. Jeana told him that he should try to score, but Curtis continued to run. Three years later Curtis joined the track club and has not stopped running since.

From 2004–2009, Curtis attended Albuquerque Academy where he won 17 individual New Mexico state high school titles in track and field. At the 2009 Great Southwest Classic in Arcadia Invitational, Curtis set the national high school decathlon record with 7909 points. Then, at the National Scholastic Indoor Championships in New York, in March 2009, Curtis reached 4127 points in the pentathlon, winning the championship and ranking second all-time in the event. Later that year, he won the decathlon at both the Pan American Junior Games and the USATF National Junior Championships. DyeStat, a prominent track and field website, noted that “[Beach] ends all doubt—he is the greatest US high school decathlete ever.”

But Curtis was just getting started. Curtis enrolled at Duke University where in his freshman year at the 2011 NCAA Men's Outdoor Track and Field Championship, he finished second overall in the decathlon. This included a time of 3:59.13 in the 1500 meters which shattered the previous collegiate record and was the second-fastest 1500 meters ever for a decathlete. As a sophomore, Curtis finished first in the heptathlon at the 2012 NCAA Men's Indoor Track and Field Championship with 6,138 points. Curtis also broke his own world record in the heptathlon 1000 meters with a spectacular finish of 2:23.63. Upon graduation, Curtis was a two-time All-American in the decathlon and a three-time All-American in the heptathlon.

I would also like to commend the remarkable sportsmanship that Curtis displayed at the 2012 Olympic trials. Curtis had injured his elbow, so he lacked the necessary points to win the decathlon. But in the final event, the 1500 meters, Curtis' friend, Ashton Eaton, had an opportunity to set the world record in the decathlon. Recognizing this, Curtis paced Eaton and then slowed down to allow Ashton Eaton to win the event in which he set the world record. Not only is Curtis a world class athlete, but he is also a true role model. Curtis recognized that there is more in sports than just winning—team play and sportsmanship matter just as much and for this he was awarded the International Fair Play Award in 2012. Curtis also received the Athlete of the Year award in 2012 and 2014 from the U.S. Track & Field and Cross Country Coaches Association National Field.

Now that Curtis' illustrious college career has ended, he has turned pro. In September, 2014 he moved to Phoenix, Arizona, to train at the World Athletic Center with other star athletes from around the world. He made his professional debut at 2015 Azusa Pacific University and placed second. A month later, Curtis qualified for the Olympic trials which will take

place later this year in July. If Curtis places in the top three he will qualify for the 2016 Olympics in Rio de Janeiro, Brazil.

Curtis is a fierce competitor, a tremendous athlete, and a rare and true model of sportsmanship. We are lucky to call him our own, and it has been a pleasure to watch his many victories. I look forward to watching his career blossom, and I will be cheering him on as he tries out for the 2016 Olympics.

INTRODUCTION OF A BILL TO CLARIFY CERTAIN DUE PROCESS RIGHTS OF FEDERAL EMPLOYEES SERVING IN SENSITIVE POSITIONS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. NORTON. Mr. Speaker, today, as hundreds of thousands of our federal workers face uncertainty in wages and work, I rise along with my House colleague ROBERT J. WITTMAN to introduce a bill to clarify certain due process rights of federal employees serving in sensitive positions. Our bill would overturn an unprecedented federal court decision, *Kaplan v. Conyers and MSPB*, which stripped many federal employees of the right to independent review of an agency decision removing them from a job on grounds of ineligibility. The case was brought by two Department of Defense (DOD) employees, Rhonda Conyers, an accounting technician, and Devon Northover, a commissary management specialist, who were permanently demoted and suspended from their jobs after they were found to no longer be eligible to serve in noncritical sensitive positions. In 2014, the Supreme Court declined to hear the case, which allowed the appeals court decision to stand.

Specifically, the decision prevents federal workers who are designated as “noncritical sensitive” from appealing to the Merit Systems Protection Board (MSPB) if they are removed from their jobs. Noncritical sensitive jobs include those that do not have access to classified information. The decision would affect at least 200,000 DOD employees who are designated as noncritical sensitive. Even more seriously, most federal employees could potentially lose the same right to an independent review of an agency's decision because of a rule by the Office of Personnel Management (OPM) and the Office of the Director of National Intelligence (ODNI), which went into effect in July 2015, that permits agency heads to designate most jobs in the federal government as noncritical sensitive.

The Kaplan decision undercuts Title 5, section 7701 of the Civil Service Act, which ensures due process rights for federal workers required by the U.S. Constitution. Stripping employees whose work does not involve classified matters of the right of review of an agency decision that removes them from their jobs opens entirely new avenues for unreviewable, arbitrary action or retaliation by an agency head and, in addition, makes a mockery of whistleblower protections enacted in the 112th Congress. My bill would stop the

use of “national security” to repeal a vital component of civil service protection and of due process.

I urge my colleagues to support this bill.

HONORING CECIL HULSEY

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the outstanding achievements and successful career of Cecil Hulsey from Farmington, Missouri. After more than sixty years of helping friends and neighbors find affordable homes and reliable insurance coverage, Cecil Hulsey has decided to retire at the age of ninety.

As a native of the Farmington area, his devotion to his hometown was evident even as a young bombardier on a B-29 during World War II. Showcasing his salesmanship and hometown pride, he convinced his fellow crew members to name their plane the “City of Farmington.” Stationed in Guam during the war, Mr. Hulsey and the “City of Farmington” would officially fly 27 missions, once flying five missions in nine days.

After the war, Mr. Hulsey began a career selling insurance following a recommendation from his family doctor that prompted him to interview with a local insurance agent. After nine years of exclusive work in the insurance field, he entered the real estate business in 1957.

Over the years, Mr. Hulsey has been an active member of the community not only as a businessman, but as a community leader. He was a member of the Farmington Chamber of Commerce and the Rotary Club, acting as secretary for both organizations. His efforts even helped to begin the construction of a new high school in Farmington.

For his many contributions to the Farmington community and his personal successes, it is my pleasure to recognize Cecil Hulsey before the United States House of Representatives.

HONORING JOHN O'BRIEN, PRESIDENT OF THE WEST SIDE IRISH AMERICAN CLUB

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. RENACCI. Mr. Speaker, I would like to congratulate John O'Brien, upon the achievement of twenty years as President of one of the premier Irish organizations in America, the West Side Irish American Club.

The West Side Irish American Club exists to preserve and promote the rich Irish cultural heritage in song, dance, literature, sports and traditions. It provides a forum for the enrichment of family and the enhancement of friendships. John O'Brien demonstrates a commitment to the Irish community on a daily basis. Service to the Irish community is the foundation of John O'Brien's endeavors. John

O'Brien exemplifies the spirit of the WSIA member—love of culture and celebration of community.

John O'Brien was born in Kiltloon, County Roscommon, Ireland and arrived in North America first in Montreal, Canada where he met his wife, Eileen. The O'Briens settled in Cleveland, Ohio in 1963. They raised four children, Noreen, Catherine, Patricia and John Jr.

John O'Brien was first elected President of the West Side Irish American Club in 1995. Under his leadership many capital improvements to the facility have been achieved, including a new storage building and workshop, a beautiful gazebo, conversion to a city water and sewer system, complete renovation of the Great Hall, addition of the Madison and Abbey Rooms, and the upgrade of the football field. He also oversees the "Tuesday Volunteers," doing countless maintenance and cleaning projects.

John O'Brien's dedication, his steady hand and his quiet, unassuming demeanor and his humility inspire others to participate in club activities.

Mr. Speaker, please join me in recognition of John O'Brien for his constant dedication to preserving Irish culture and to giving future generations of Irish-Americans the gift of knowledge of their traditions.

HONORING THE LEGACY OF LARRY PURDOM IN MISSOURI CATTLE BREEDING

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Larry Purdom, for his legacy of success and innovation in Missouri dairy cattle breeding.

Starting in 1957, Larry and his wife Alice have cultivated one of the most outstanding herds of Holstein dairy cows in Missouri. He had his first Grand Champion cow at the Missouri State Fair in 1964, which he repeated in 1966, 1976, 1977 and 1978. He also had several other championships recognized at the Ozark Empire Fair, the Missouri Dairyman's Institute, and the Southern National show. In the show ring, Larry had 35 cows win All-Missouri honors.

In addition to his prize winning cows, Larry has had an enormous impact on the development of Missouri Holstein cattle as among the best in the nation. His prize winning bull Senator Flame was placed in the Carnation Genetics AI stud in 1972, improving many herds around the country. Larry has also provided bulls for families on farms across Southwest Missouri and Northwest Arkansas, helping to augment herds where artificial insemination was not practicable.

Larry has also personally received the 2011 Missouri Dairy Hall of Honors Distinguished Dairy Cattle Breeder award, in addition to the Missouri Dairy Hall of Honors Dairy Leadership Award in 2002. He served as President of the Missouri Dairy Association from 2003–2014, and also served on the National Dairy Board, as well both the division and corporate boards of the Midwest Dairy Association.

Mr. Speaker, I extend my gratitude and admiration for what Larry Purdom has accomplished in his career. His prize winning cattle have improved the stock of herds throughout the state, as well as helping to establish the Missouri Holstein as a premier breed of dairy cattle. On behalf of the 7th District, I congratulate him on his dedication and his well-earned accomplishments.

CONGRATULATING LESLEY LEON GUERRERO FOR BEING CHOSEN AS THE GUAM CHAMBER OF COMMERCE 2015 REINA A. LEDDY GUAM YOUNG PROFESSIONAL OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Lesley Leon Guerrero on being selected as the Guam Chamber of Commerce 2015 Reina A. Leddy Guam Young Professional of the Year. Lesley was named the Guam Young Professional of the Year on Friday, January 15, 2016. She is the Vice President and Director of Customer Service for the Bank of Guam where she leads a team dedicated to providing exceptional customer service and helping clients achieve financial success.

Prior to joining the Bank of Guam, Lesley spent eight years in public service with the Guam Department of Homeland Security and the Office of Civil Defense. During her time there, she helped lead response and recovery efforts during various natural disasters, including Typhoon Chata'an and Super Typhoon Pongsona.

Lesley is a 1997 graduate of Notre Dame High School in Talofofo, Guam and received her Bachelor of Arts degree in Communications from Chaminade University of Honolulu. In December of 2015, Lesley graduated from the University of Guam with a Professional Master of Business Administration degree.

Lesley has been a member of the Guam Chamber of Commerce Guam Young Professionals Committee for the last two years. The organization seeks to energize, engage and empower young professionals to be inspired, influential and connected. She has been an active member of the organization, helping young professionals to recognize the economic and social importance of engaging in all aspects of our community and region to encourage them to become future leaders. Lesley was nominated and chosen as the Guam Young Professional of the Year from among five nominees within the local business community.

Additionally to her professional work, Lesley actively supports many local non-profit organizations. Lesley is a member of the Lupus Awareness Group of Guam which seeks to provide advocacy and identify the needs of those with Lupus on Guam. She also serves as the Board Secretary for Junior Achievement Guam which is a local organization that promotes entrepreneurship to Guam's youth. Lesley is a founding member and Vice Presi-

dent of Let's Move, a local non-profit organization dedicated to fighting childhood obesity on Guam.

Again, I extend my congratulations to Lesley on being named the Guam Chamber of Commerce 2015 Reina A. Leddy Guam Young Professional of the Year and I commend her for her service and dedication to the people of Guam throughout her career. I also extend a sincere congratulation to Lesley's parents, Kenny Leon Guerrero and Gil and Connie Shinohara. I look forward to her continuing to be a role model in our community and work to improve our island.

HONORING MR. GEORGE GRAY

HON. THOMAS MACARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor Mr. George Gray of New Jersey's Third Congressional District, and to express my sincerest gratitude to him for his service to our nation and commend him as to all of his accomplishments, specifically his Congressional Gold Medal.

Mr. Gray has received a Congressional Gold Medal in recognition of his status as a Montford Point Marine. This medal is the highest civilian honor bestowed by Congress and recognizes Mr. Gray as one of the first African American Marines to enlist in World War II.

After enlistment, Mr. Gray was sent to the segregated boot camp for African American Marines, Montford Point. Conditions were severe and required the utmost mental perseverance and will to go on. Mr. Gray was determined to prove himself as a more than competent Marine. After completing basic training at Montford Point, he spent four years at war with the 51st Defense Battalion. He fought valiantly for our ideals and to assist in liberation efforts in the Pacific.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously proud to have Mr. George Gray as an involved member of their community. It is my honor to recognize both his personal military accomplishments, as well as his contributions to ending segregation in the military, and honorably serving and protecting our country in World War II, before the United States House of Representatives.

INTRODUCTION OF THE DISTRICT OF COLUMBIA JUDICIAL FINANCIAL TRANSPARENCY ACT OF 2016

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Judicial Financial Transparency Act of 2016, a bill that would enhance financial disclosure requirements for D.C. Court judges, making them similar to the disclosure requirements already in place for

Article III federal judges. Although current federal law does require D.C. Superior Court and D.C. Court of Appeals judges to file annual financial reports, much of the information included in those reports remains confidential. For example, while judges are required to submit information about their income, investments, liabilities, and gifts, current law only makes public judges' connections to charities, private organizations, and businesses, and honorariums that are more than \$300. My bill would bring some much-needed transparency to the D.C. Courts by making all of this information—except for a judge's personally identifiable information—available for public inspection.

This legislation is particularly necessary because open government advocates have found the D.C. Courts to be seriously lacking in transparency. In fact, a 2014 survey by the Center for Public Integrity that took a comprehensive look at each state's judicial financial disclosure rules, gave the District a failing grade. D.C. Court judges already submit enough financial information to improve the District's standing—my bill would make it public.

Only Congress can make these necessary changes. I urge my colleagues to support this good government bill, to improve transparency for judges in the District of Columbia.

SAN BERNARDINO COUNTY SHERIFF'S DEPUTY SAVES LIFE OF MOTORIST

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. COOK. Mr. Speaker, I rise today to recognize the heroic actions of San Bernardino County Sheriff's Deputy Asiah Medawar. In the early morning hours of January 15, 2016, Deputy Medawar was dispatched to a traffic collision in Victorville, California. When she arrived on scene, the vehicle was partially engulfed in flames and an unidentified citizen was attempting to remove the injured driver.

Sensing the severity of the situation, Deputy Medawar immediately sprang into action and was instrumental in dislodging the unconscious driver from underneath the dashboard. Deputy Medawar and the unidentified citizen dragged the driver away from the vehicle, which burst into flames shortly thereafter. The driver incurred severe burns to his hand but did not suffer life-threatening injuries.

Because of Deputy Medawar's selfless actions, the driver's life was spared. I want to thank Deputy Medawar for her bravery and sacrifice on behalf of our High Desert community in San Bernardino County. Her actions reflect great credit upon the San Bernardino County Sheriff's Department and other law enforcement personnel throughout our country. I would like to also offer my sincere gratitude to the unidentified citizen who assisted Deputy Medawar during this heroic event.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,989,803,014,663.70. We've added \$8,362,925,965,750.62 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING JOHNNY FISHMAN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. ROS-LEHTINEN. Mr. Speaker, I along with Representative DEUTCH rise today in honor of Johnny Fishman on the occasion of his Bar Mitzvah. We know that Johnny has been eagerly looking forward to this moment, and we are honored to share this special day with his friends and family.

As a seventh grader at Pine Crest School, Johnny excels in math and science. He is known among his peers and teachers for his outstanding character, friendliness, and care for others. In addition to his academic pursuits, Johnny is driven by his passion for football. Johnny has played for three years with the MAR-JCC Mo Steel Flag Football Team, and last year he participated in the national championships. Johnny's love of sports and compassion for others led him to organize a sports equipment drive for his Mitzvah project. Johnny and his friend, Jake Moss, collected new and gently-used sports gear for donation to a local children's charity, thereby expanding opportunities for less fortunate children.

We join together in wishing "Mazel Tov" to Johnny. We also wish him every success in his promising future as he continues his personal and academic pursuits. It is with great pleasure that we honor him on his special day.

TRIBUTE TO EDWARD "RUSTY" WASHINGTON ROSE III

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise this morning with a sense of grief to acknowledge the passing of one of the most gracious and giving citizens to have ever lived in North Texas. Edward "Rusty" Washington Rose III, a philanthropist, a brilliant financial genius, a conservationist and former owner of the Texas Rangers Baseball team has taken his leave. He was 74 years old.

A graduate of the Harvard Business School, Mr. Rose donated millions of dollars to worthy causes. While giving with an abundant heart, he preferred to stay out of the limelight. For him, it was enough to know that he had helped someone or that his giving had enriched the city of Dallas, culturally, socially and economically.

Ten years ago, Mr. Rose, his wife Deedie, and two other Dallas couples donated portions of their personal art collections to the Dallas Museum of Art. The bequest was valued at \$25 million.

The couples agreed that at their deaths, their extensively valuable art collections would be given to the museum. Among his personal donations was a \$10 million gift to assist in building the AT&T Performing Arts Center in Dallas which has become the anchor of cultural activity in North Texas.

In many respects Mr. Rose was a simple man. His major passion was bird watching, an activity he began as a young boy. On his ranch he created a bird sanctuary and wetlands. Often, he invited friends and colleagues to join him as the birds he had cared for soared skyward and migrated to the North.

Mr. Speaker, like the birds he nurtured, Mr. Rose possessed a mind, a character and a spirit that took flight and soared beyond the sky. My condolences go out to his wife, children and grandchild. The people of North Texas were blessed that he chose to walk and work amongst us.

RECOGNIZING THE GREATER COMMUNITY MISSIONARY BAPTIST CHURCH ON 25 YEARS OF WORSHIP AND FELLOWSHIP

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. VEASEY. Mr. Speaker, I rise today to recognize the Greater Community Missionary Baptist Church on their 25 years of worship and fellowship in Arlington, Texas and the surrounding community.

The founding congregants of Greater Community MBC heard their call to worship in 1991. Reverend Kennedy Jones first led a group of twenty-two founding members and began holding services at the Harvest Time Church on Cooper Street in Arlington. Beginning with a single Sunday afternoon service, the Greater Community family quickly outgrew its original location. During its first year, Greater Community MBC purchased the property where the church now resides at 126 East Park Row.

Construction on the new church was completed in 1993. The then 60 member strong congregation moved into its new building and continued to grow rapidly. By the end of 1996, there were 300 regular members, three choirs, a whole host of new deacons and the seeds of some of the Arlington community's most effective ministries were planted.

From its humble beginnings as a small church with a single afternoon service, Greater Community Missionary Baptist Church now holds three separate services at both their

east and west campuses, and is home to over 1500 members. With their expanded ministry offerings, Greater Community continues to serve the Arlington community in a variety of ways.

Greater Community Missionary Baptist Church has maintained its commitment to growing its ministry through works of love and service. As described in Ephesians 4:12, Greater Community Missionary Baptist Church has been and will continue "to equip His people for works of service, so that the body of Christ may be built up."

In honor of Greater Community Missionary Baptist Church and its 25 years of service to the Arlington community, this statement will be submitted on Monday, February 1, 2016.

THE FAIRNESS TO UNITED STATES DISTANT WATER FISHERMEN ACT OF 2016

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. HUNTER. Mr. Speaker, for 28 years the United States has been a party to the Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America. At the time of its development, the Treaty resolved maritime boundary disputes and secured access for United States fishermen to tuna stocks wherever they migrated beyond the coastal waters of Pacific Island nations. To provide such access, multi-year fishing agreements were established, where vessel owners could pay for a license to access the Treaty area, roughly ten million square miles of the South Pacific Ocean.

In addition to the industry license payments, the Treaty includes a related Economic Assistance Agreement between the United States and the Pacific Islands Forum Fisheries Agency. The economic assistance usually ran in conjunction with the multi-year fishing agreement. Up until 2013, when a 10-year Economic Assistance Agreement of \$21 million a year was adopted. It is important to stress that the economic assistance does not occur on its own; it has always been tied to United States fishermen fishing in the Treaty area.

Multi-year fishing agreements were fairly stable under the Treaty for the first 25 years, with the last 10-year agreement expiring in 2013. Since then, the United States and the Island nations have only been able to agree on annual agreements, the last few being detrimental to United States-flag vessels due to lower tuna prices and payment for unused fishing days causing economic hardship. The most recent nonbinding agreement was developed in August 2015, and has been under month's long discussion between the Department of State and the Pacific Island Forum Fisheries Agency regarding the final number of fishing days the United States and its industry will be paying for in 2016.

Since January 1, 2016, United States-flag vessels have been banned from the Treaty fishing area, even though the United States Government paid \$21 million in economic as-

sistance in June 2015, which covers through June 2016. Thirty-seven United States-flag vessels are impacted by the ban and are losing money every day the vessels are tied up. The impact on the United States-flag fleet cannot be minimized. The viability of these United States companies and American jobs are at stake.

For that reason, I am introducing the Fairness to United States Distant Water Fishermen Act of 2016. The bill would prohibit the United States Government from providing economic assistance payments to the Pacific Island Forum Fisheries Agency, when there is no Treaty agreement allowing United States-flag vessels access to the Treaty area.

COMMEMORATING THE LIFE OF LIEUTENANT COLONEL WALTER L. MCCREARY, USAF (RETIRED)

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. CONNOLLY. Mr. Speaker, I rise today to commemorate the life of Lieutenant Colonel Walter L. McCreary, USAF (Retired), for his bravery and service to this nation.

Lt. Col. McCreary served this nation as one of the original Tuskegee Airmen and in a time of deep racial division, when many of the very citizens he defended would see him treated as a second-class citizen. It is in part because of the determined perseverance and success of the Tuskegee Airmen as the most efficient fighter group in the 15th Air Force that President Harry Truman integrated all branches of the armed forces in 1948.

Lt. Col. McCreary entered the Civilian Pilot Training Program in 1941 and flew a Waco biplane. He joined the Tuskegee program as a cadet the next year. He earned his military wings after nine months of training, in March 1943 as a second lieutenant. In his 89 missions as a fighter pilot and as part of the 100th Fighter Squadron, 332nd Fighter Group he flew over France, Germany, Italy, Austria, Romania, Greece, Hungary, and Yugoslavia.

It was in 1944 during a strafing mission over Lake Balaton in Romania that he took flak from German anti-aircraft artillery, ultimately parachuting to the ground before being turned over by local farmers to the German military. He was transferred to Stalag Luft III, a prisoner of war camp specifically designated for airmen. He was liberated from the camp along with all other prisoners in May 1945.

Lt. Col. McCreary returned home from his time as a prisoner of war in Germany and continued his service within the armed forces for nearly two more decades. His commitment and the historic contributions of the Tuskegee Airmen in the face of institutionalized discrimination were recognized in 2007 with the Congressional Gold Medal.

Mr. Speaker, I ask that my colleagues join me once more in recognizing the extraordinary contributions of Lt. Col. Walter McCreary.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. WEBSTER of Florida. Mr. Speaker, on January 6, 2016, I was unavoidably detained. Had I been present, I would have voted as follows:

On roll call no. 2, 3, 4 and 5, I would have voted YES.

On January 7, 2016, I was unavoidably detained. Had I been present, I would have voted as follows:

On roll call no. 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18 and 19, I would have voted NO. On roll call no. 12 and 20, I would have voted YES.

On January 8, 2016, I was unavoidably detained. Had I been present, I would have voted as follows:

On roll call no. 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, I would have voted NO. On roll call no. 21, 22 and 33, I would have voted YES.

On January 11, 2016, I was unavoidably detained. Had I been present, I would have voted as follows:

On roll call no. 34 and 35, I would have voted YES.

RECOGNIZING MRS. ISABEL OPORT NEIDIG

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize Mrs. Isabel Oport Neidig. On February 5, Mrs. Neidig will celebrate her 100th birthday.

Born in Morelia, Mrs. Neidig saw the height of the Mexican Revolution. Her parents chose to leave Mexico shortly after her birth and moved to the United States.

At the age of 15, Mrs. Neidig moved back to Mexico where she pursued her passion for education. She taught elementary and middle school students, and played a critical role in having a high school built in Jojutla. She was the only bilingual teacher and referred to, by both students and parents, as "La Teacher". It is the hard work Mrs. Neidig embodies daily that makes America exceptional. She has shown true leadership in her profession and community.

Mrs. Neidig went on to marry Edward William Neidig and had two sons, Andres and David. She left Jojutla in 1962 for Colorado, where she still lives. On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Mrs. Neidig as she celebrates her birthday.

Mr. Speaker, it is an honor to recognize Mrs. Neidig.

IN MEMORIAM DON W. STRAUCH
JR. APRIL 8, 1926—JANUARY 11, 2016

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. SINEMA. Mr. Speaker, I rise today to remember Don W. Strauch Jr. (Mayor Strauch), Mayor of Mesa, AZ from 1980–1984, Mesa City Council Member from 1972–1978 and Arizona State Representative from 1987–1988. In 2003, Mayor Strauch was inducted into the Arizona Veterans Hall of Fame for his service in the U.S. Army during World War II, his work with the American Legion, VFW, and his contributions as a civic leader.

Mayor Strauch was instrumental in creating the Mesa that we know today. He launched the Mesa Sister Cities program and championed the proposed Mesa Arts Center; he broke down walls of discrimination and advanced civil rights throughout Mesa and Arizona. His negotiations with McDonnell Douglas (now Boeing) convinced the company to locate in Mesa. Mesa Fire and Medical is a model of efficiency and innovation today because of the groundwork that Mayor Strauch did during his time as mayor. He saw Mesa libraries as a vital community asset and worked to improve them.

Mayor Strauch's optimism, pragmatism and sincere belief in the greatness of Mesa and its citizens were always at the center of his work. He had the strength to put partisan issues aside and work with a diverse group of community partners during an important time in Mesa's growth. His humility and pragmatism are leadership examples that we can all learn from in our work as Members of Congress.

Mayor Strauch died on January 11, 2016 after complications from a fall. He leaves behind his beloved wife Chris, his partner in all things for over 66 years, his daughter Christy and a large and loving family. Members, please join me in extending condolences to Mayor Strauch's family and the City of Mesa on the inconsolable loss of this extraordinary man. Mayor Strauch will be dearly missed and fondly remembered by everyone whose life was made better because of his selfless contributions.

COACH JOSEPH—COACH OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Katy High School's head football coach, Gary Joseph, for being named MaxPreps National Football Coach of the Year.

Gary Joseph has been with Katy High School for 34 years, 22 of those years as assistant head coach and defensive coordinator and the last 12 as head coach. Coach Joseph started his coaching career at Luling High School, where he coached the Luling football program to its first district championship in

over 20 years. This season, he led Katy to 16–0 and its eighth state championship. Coach Joseph's career record stands at 168–14 with 11 district titles and four state titles with the Katy Tigers. We are extremely proud of Coach Joseph and his team.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Coach Gary Joseph for all of his success and hard work.

HONORING THE WASKOM HIGH SCHOOL WILDCATS, 2015 3-A, DIV II TEXAS STATE FOOTBALL CHAMPIONS

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. GOHMERT. Mr. Speaker, it is with great pride that I recognize today the great accomplishment of the Waskom Wildcats football team, a team which—for the second year in a row—has captured the title of Class 3A Division II Texas State Football Champions.

The Wildcats' winning season culminated with their thirty-first consecutive win, a stellar streak they began during their 2014 championship season. Waskom ended this 2015 season undefeated with a perfect 16–0 record.

The Waskom Wildcats were eager for a rematch with the only team to beat them in the prior season, and began their run to the title by toppling a talented team from Center with a 34–22 victory. Equally satisfying victories followed, as the Wildcats pounced on teams from all over east Texas in their quest to secure a spot in the championship.

The state championship game found the Waskom Wildcats in a tangle with the Franklin Lions. The Wildcats rallied from an early deficit to take the lead at halftime, then a drive to a second consecutive state championship with a decisive 33–21 final score.

The life lessons learned about teamwork and discipline will no doubt improve every participant in immeasurable ways.

My heartfelt congratulations are extended to Athletic Director and Head Football Coach Whitney Keeling and his staff including Coaches Jeremy Kubiak, Greg Pearson, Gary Wilson, Jeff Lyles, Vencent Lee, David Higginbotham, Matt Goode, Justin Watson, Frank Crisp, Joe Williams, and Lorenza Thomas; also, Managers Isaac Irving, Cameron Williamson, Trey Jones, Zach Grubbs, Taylor Minatrea, Lamontre Stephens, and Athletic Trainer Matt Dyson.

The players themselves who prepared diligently enduring through strains, pains, and grueling practices and emerged again as champions included Tramaine Butler, Keileon Johnson, Tay Green, Jaire Jackson, Pedro Rodriguez, Keylon Johnson, Kaleb Haynes, Eric Stephens III, Kevy Luster, Lucas Norton, Logan Hughes, Dylan Harkrider, Jason Jinks, Chan Amie, Latavious Stephens, TK Hamilton, Mike Reason, Jacob Reeves, Tramel Butler, Chris Pacheco, Kyle Mcinnis, Chris Stafford, Victor Tapia, Bryan Holland, Vicente Segura, Dalton Adams, Brighton Harris, Morgan Browning, Bradley Cochran, Dylan Powell,

Logan O'Connor, Christian Smith, Xzavian Russell, Jack Smith, Josh Mauldin, Ashton Thulen, Jacob Bennett, Rowdy Martin, Cody Kyker, Kevin Sanford, Raymond Ramirez, Jacob Norris, Ty Carter, Hunter Johnson, Jay Reeves, Josh Cole, and K.T. Ceaser.

A team and its coaches cannot soar to the heights of champions without the encouragement and full support of the school itself starting at the top with Superintendent Jimmy E. Cox and Principal Kassie Watson, to whom a debt of gratitude is also owed. Additional laudatory acclaim and gratitude must also go to the entire city of Waskom which once again revealed itself to be a tight knit community of undying support for the champion Wildcats.

May God continue to bless these young people, their families, friends and all those who refer to Waskom as their home. It is a tremendous honor to congratulate the 2015 State Champion Waskom Wildcats, as their legacy is now preserved in the United States Congressional Record which will endure as long as there is a United States of America.

INTRODUCTION OF THE FRESH START ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. COHEN. Mr. Speaker, I rise today in support of the Fresh Start Act, a bill I reintroduced earlier today.

If enacted, it would allow certain individuals who have been convicted of nonviolent offenses, have paid their debt to society, and are now law-abiding members of the community to petition courts to have their nonviolent conviction expunged from their records.

A criminal record, even for a minor, non-violent offense, can pose a barrier to employment, education and housing opportunities—the very things necessary to start one's life over.

This is not only bad for rehabilitated offenders, it is bad for their families and for the community in which they live.

The Fresh Start Act would give nonviolent offenders a chance to start over again, a chance to become productive members of society.

The bill allows offenders to apply for expungement to the court where they were sentenced and allows the United States Attorney for that District to submit recommendations to the court. Applicants who are denied could reapply once every two years. Once seven years have elapsed since an offender has completed their sentence, expungement would be automatically granted. However, sex offenders and those who commit crimes causing a loss of over \$25,000 would not be eligible for automatic expungement.

Finally, the bill would also encourage states to pass their own expungement laws for state offenses. States that pass a substantially similar law would receive a 5 percent increase in their Byrne funding while those that do not would lose 5 percent of their Byrne funds.

It is one thing to convict someone of a non-violent crime. It is quite another to condemn him to a de facto life sentence for it.

I urge my colleagues to support this bill.

COMMEMORATING THE 2016 NATIONAL CATHOLIC SCHOOLS WEEK

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. LAHOOD. Mr. Speaker, today I recognize Catholic schools and parishes within Central Illinois and across the country as we celebrate National Catholic Schools Week. Parochial education holds a special place in American history as a long established alternative for parents who desire a religious component to their child's education. As part of this tradition, every year starting on the last Sunday of January, Catholic schools all across the nation celebrate Catholic Schools Week.

There are 6,568 Catholic schools in the United States including both elementary and secondary schools that serve urban, suburban and rural communities. Catholic school graduation rates are over 99 percent and of those graduating students, 85.7 percent attend college. My home state of Illinois is one of the top ten states in the country with the highest enrollment in Catholic schools and my district is home to 28 Catholic schools that will be participating in activities throughout the week.

I myself am a proud graduate of Catholic grade school, high school, and college and the religious values I learned through my Catholic education have stayed with me throughout my life. Additionally, my wife and I and our three sons are current parishioners at St. Vincent de Paul parish in Peoria and our boys attend school there. I am so thankful for my education and that America is a country where families have the freedom and choice to send their children to a Catholic or other parochial school.

This year's theme for Catholic Schools Week is "Catholic Schools: Communities of Faith, Knowledge and Service." Students, teachers, parishioners, and clergy from across America will celebrate together as a community, recognizing God's mission through the pillars of faith, knowledge and service, as well as promoting the Church's values of volunteering, vocations and family. During National Catholic Schools Week, I am pleased to highlight the Catholic educational system and look forward to many more years of continued success and celebration.

FORT BEND PROMISE CEMENTS ITS COMMITMENT

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. OLSON. Mr. Speaker, I rise to congratulate the Fort Bend Promise Center on building a new and impressive 4,000-square-foot facility to serve the homeless.

When the Fort Bend program opened 10 years ago, it was originally located at the New

Hope Lutheran Church. Now, their newly opened, community-funded center is a place where families can come fulfill day to day activities and utilize available programs including counseling and support. In the last five years alone, the Fort Bend program has helped 194 families in our community. Our community is so thankful for all of the work the Fort Bend Center is doing for our neighbors in need. The compassion and dedication expressed through Fort Bend Promise defines the compassion of all Texans.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Fort Bend Promise Center on their new facility. Thank you for providing support to the lives of so many families here in Fort Bend County.

TRIBUTE TO THOMAS ANTHONY THOMAS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Lake Elsinore, California are exceptional. On Saturday, January 23, 2016, Tom Thomas received the Citizen of the Year award from the Lake Elsinore Chamber of Commerce.

Tom was born and raised just over the Cleveland National Forest in Orange County, where he graduated from Newport Harbor High School. After high school, Tom earned his Associate Degree from Orange Coast College and then attended Cal-State Fullerton before he became interested in working at the TV studios of Newport Cablevision. That job was the start of a lifelong attraction to the cable television business and a career that would take Tom to Alaska, New York and all around the country. Tom eventually planted his roots in Lake Elsinore and ended up living at the "ranch" on the Ortega's along with his wife, Dee. Tom and Dee have been married for 33 years and their adult son, Matt, currently resides in Sacramento.

In Lake Elsinore, Tom dedicated himself to the community by serving multiple years on the Lake Elsinore Valley Chamber of Commerce Board, including two terms as President, as well as almost 15 years with the Lake Elsinore Rotary Club, where he also served twice as President. Tom has served on the Lake Elsinore Unified School District Board of Trustees since 2004 and as Executive Director of Cops for Kids at the Lake Elsinore Sheriff's station. In recognition of his selfless service to his community, Tom has been recognized with many awards, including the Lake Elsinore Valley Chamber of Commerce John Packman Memorial Award Winner in 1988, and being named the Boy Scouts Distinguished Citizen in 2007.

In light of all that Tom Thomas has done for the community of Lake Elsinore, Riverside County and the Lake Elsinore Chamber of Commerce, it is only fitting to name him as Citizen of the Year. Through his involvement and dedication, Tom has contributed im-

mensely to the betterment of our community. On behalf of the 42nd Congressional District, I want to express my appreciation and pride in Tom on this special occasion. I add my voice to the many who paid tribute to Tom for receiving the Citizen of the Year award from the Lake Elsinore Chamber of Commerce.

RECOGNIZING STEPHEN J. PRINGLE

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the retirement of Stephen J. Pringle, Associate Director of Government Affairs for Texas Farm Bureau.

Mr. Pringle was born on the 5th of May, 1949 in Marlin, Texas. He was raised in Hill County where he attended Hubbard High School. He then received his Bachelor's degree in Business Administration from Texas A&M University and upon graduation, served as a 1st Lieutenant in the U.S. Army at the Explosive Ordinance Disposal Depot in Indian Head, Maryland.

Mr. Pringle's passion for agriculture began in 1973, when he served as a staff member to the United States House Committee on Agriculture. While working for the committee he had the honor of attending the World Food Conference in Rome and was present on the House floor during the swearing in of Vice-President, Gerald Ford. After leaving the committee, Mr. Pringle worked as an assistant to the President of Texas A&M, served as State Executive Director of the Agricultural Stabilization and Conservation Service, and worked at the International Association of Drilling Contractors in Houston.

From there, Mr. Pringle went on to spend 26 years at the Texas Farm Bureau where he worked tirelessly to support and protect the livelihoods of Texas' many farmers and ranchers. Mr. Pringle also built lasting relationships with countless members of Congress and the Texas Legislature during his tenure at the Texas Farm Bureau and it was a privilege to work with him.

Over the course of his career, he has also been involved in his local community. He served as President of his local Texas A&M Alumni Association, President and Board Member of the Waco Camp Fire Organization, served on the original Waco Education Association, and has been active in the Government Relations Council for the Houston Chamber of Commerce.

In addition to his many accomplishments, Mr. Pringle is a proud husband and father. He has been happily married to his wife Linda for forty years and their daughter, Lara, has grown up to be a successful attorney in Houston, Texas.

Mr. Speaker, I am honored to have the opportunity to celebrate the work of my friend Stephen J. Pringle. His passion and commitment to the farmers and ranchers of Texas will long be remembered and I congratulate him on his retirement.

NEEDVILLE HIGH SCHOOL FFA
WINS BIG

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Needville High School's Future Farmers of America (FFA) livestock judging team who recently won Reserve Grand National Champion at the Western National Roundup in Denver.

The team, comprised of Kutter Korczynski, Myles Hackstedt, Craig Todd and Ty Thomas, competed against other teams from around the country in the livestock judging contest. The teammates evaluated and ranked 40 different animals in 10 classes. After evaluating the livestock, the team had to prepare a series of speeches to explain their evaluations. This is a great victory for their agriculture science teacher, Michael Poe, and the rest of the Blue Jay community. We are excited to see them represent Texas at the world competition in Scotland.

On behalf of the residents of the Twenty-Second Congressional District of Texas, congratulations again to the Needville High livestock judging team. They have made the community proud.

THE NEED TO TAKE ACTION TO
ENSURE THAT ASSETS OF NA-
TIONAL BANKS IN CIS COUN-
TRIES ARE NOT USED TO BEN-
EFIT TERRORIST ORGANIZA-
TIONS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise today to express my concerns about the banking industry in former CIS countries involving a bank in Latvia, ABLV. I have learned that ABLV was found to have not engaged in any activity regarding the Government of Moldova and/or activities related to the misappropriation of government funds and that there has been a thorough investigation of this matter and ABLV was not implicated in any wrongdoing with regard to this or any other matter in Moldova.

In Moldova more than \$1 billion was stolen from the Moldovan national treasury and a large portion of that money appears to have ended up in EU banks in Latvia.

I still call upon the Administration and the Congress to investigate whether assets of the other national banks of countries of the former Soviet Union are not being plundered and used, knowingly or unknowingly, to benefit terrorist organizations.

BIG TIME GROWTH FOR HOUSTON
MARINERS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate San Jacinto College for their success in opening a new 45,000 square-foot maritime training center.

San Jacinto College sits next to the Port of Houston, which gives students prime opportunity to further their maritime career through interaction with community and industry partners. With its history dating back to the 1960s, San Jacinto College is now home to almost 30,000 students across 3 campuses and 12 extension centers. The new maritime training center is an excellent addition to their already successful campuses. This new facility contains three ship simulators, an engineering room with hydraulics, a swimming pool, and much more. San Jacinto College is a great place for students to grow and to develop critical education and workforce skills. We're proud of the many opportunities it offers to students in the Houston area.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to San Jacinto College for their new training center. We can't wait to see what happens next.

PERSONAL EXPLANATION

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Ms. LOFGREN. Mr. Speaker, on January 13, 2016, I was unavoidably detained and missed the vote on the Iran Terror Finance Transparency Act (H.R. 3662). Had I been present for the vote, roll call vote number 44, I would have voted no.

NATURALLY BECK BUILDS TO
SUCCESS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 1, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Beck Junior High Robotics team, Naturally Beck, for winning the Katy Qualifier Robotics Tournament. This achievement allowed them to advance to the For Inspiration and Recognition of Science and Technology (FIRST) LEGO League Championship in Stafford, Texas.

Naturally Beck, won the first place championship for the second year in a row, defeating 23 other teams from all over Houston at the Katy tournament. The Naturally Beck team consists of five members and two mentors for the 2015-2016 roster. Students competing at the FIRST LEGO League really put their engineering skills to the test by using LEGO Mindstorms NXT technologies to craft the per-

fect robot for research purposes. This year, Naturally Beck's research project consisted of an inventive solution to address the way the community handles its trash. Congratulations to all of Naturally Beck's team members and mentors for their victory. We are proud of the hard work they have accomplished and wish them luck in the future competitions.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Beck Jr. High team for advancing to the FIRST LEGO League Championship.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 2, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 3

9:30 a.m.

Committee on Armed Services

To hold hearings to examine an independent perspective of United States defense policy in the Asia-Pacific region.

SD-G50

Committee on Environment and Public Works

To hold hearings to examine the Stream Protection Rule, focusing on impacts on the environment and implications for Endangered Species Act and Clean Water Act implementation.

SD-406

10 a.m.

Committee on the Budget

To hold hearings to examine spending on unauthorized programs.

SD-608

Committee on Foreign Relations

To hold hearings to examine strains on the European Union, focusing on implications for American foreign policy.

SD-419

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine Canada's fast-track refugee plan, focusing on implications for United States national security.

SD-342

Committee on the Judiciary

To hold hearings to examine the need for transparency in the asbestos trusts.

SD-226

2:15 p.m.

Committee on Indian Affairs

Business meeting to consider S. 1125, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation, the State of Montana, and the United States, and S. 1983, to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement; to be immediately followed by an oversight hearing to examine the substandard quality of Indian health care in the Great Plains.

SH-216

2:30 p.m.

Committee on Armed Services

Subcommittee on Emerging Threats and Capabilities

To hold closed hearings to examine counterterrorism strategy, focusing on understanding ISIL.

SVC-217

FEBRUARY 4

10 a.m.

Committee on Armed Services

To hold hearings to examine the situation in Afghanistan.

SD-G50

Committee on Finance

To hold hearings to examine the nominations of Mary Katherine Wakefield, of North Dakota, to be Deputy Secretary of Health and Human Services, Andrew LaMont Eanes, of Kansas, to be Deputy Commissioner of Social Security for the term expiring January 19, 2019, and Elizabeth Ann Copeland, of Texas, and Vik Edwin Stoll, of Missouri, both to be a Judge of the United States Tax Court for a term of fifteen years.

SD-215

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Beth F. Cobert, of California, to be Director of the Office of Personnel Management for a term of four years.

SD-342

10:30 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Communications, Technology, Innovation, and the Internet
To hold hearings to examine ensuring intermodal Universal Service Fund support for rural America.

SR-253

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 483, to improve enforcement efforts related to prescription drug diversion and abuse, and S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

SD-226

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

FEBRUARY 8

4 p.m.

Committee on Foreign Relations

To receive a closed briefing on the way forward in Syria and Iraq.

SVC-217

FEBRUARY 9

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine Department of Defense nuclear acquisition programs and the nuclear doctrine in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SR-232A

FEBRUARY 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the National Commission on the Future of

the United States Army in review of the Defense Authorization Request for Fiscal Year 2017 and the Future Years Defense Program.

SD-G50

FEBRUARY 23

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior.

SD-366

MARCH 3

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Securities, Insurance, and Investment

To hold hearings to examine regulatory reforms to improve equity market structure.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy.

SD-366

MARCH 8

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Forest Service.

SD-366

POSTPONEMENTS

FEBRUARY 4

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine energy-related trends in advanced manufacturing and workforce development.

SD-366

SENATE—Tuesday, February 2, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Infinite Spirit, generous giver of life's joys, from Your vantage point of eternity, look afresh into our times. Teach our lawmakers to serve You as they should so that they will do what is best for our Nation and world. As they seek to do Your will, help them to see Your glorious image in humanity and search for opportunities to empower those on life's margins.

Lord, inspire our Senators to trust the unfolding of Your loving providence so that they will not become weary in doing what is right. May they live with such integrity that Your purposes will be accomplished on Earth. Remind us all that it is in giving that we receive and through dying to self that we are born to eternal life.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Ms. COLLINS). The Republican leader is recognized.

ENERGY POLICY MODERNIZATION BILL

Mr. MCCONNELL. Madam President, there are a lot of reasons to like the broad bipartisan Energy bill which is before us. You will like it if you are an American interested in producing more energy. You will like it if you are interested in paying less for energy. You will like it if you are an American interested in saving energy. There are a lot of important reasons to support the Energy Policy Modernization Act.

Here's another one. You will like it if you are an American interested in bolstering your country's long-term national security. That is always important, and Americans are telling us it is especially important today. They see our commanders, for instance, attempting to juggle myriad threats

from across the globe with diminishing force structure. Well, if we are interested in improving our overall strategic position, then there are ways this broad bipartisan Energy bill can help.

First, the Energy Policy Modernization Act is designed to boost America's liquefied natural gas exports. That doesn't just hold potential for America's economy, it holds potential for America's global leadership, including the security of our allies. We know that Russia is the dominant supplier of natural gas to Western Europe, and we know that building America's own export capacity can enhance European energy security in the long run. So, in broad strokes, "by increasing our ability to export natural gas—in the form of liquefied natural gas or LNG—to Europe, the U.S. can weaken Russia's strategic stronghold while boosting our domestic economy by increasing energy exports." That is how Congressman CALVERT, a Republican, and Congressman ISRAEL, a Democrat, put it in an op-ed they authored last year after returning from a trip to Ukraine.

Here is what a former Obama energy adviser wrote in November: "Increased LNG trade can also enhance energy security for our allies," he said. "[Russian state-owned energy giant] Gazprom's grip on Europe is weakening, and U.S. LNG will accelerate that shift even as Russia seeks to counter it. . . ."

Enhancing America's own export capacity is also important when you consider that Iran has just been freed from Western sanctions and is looking to expand its own trade in energy resources, including its natural gas potential. Robust LNG exports to Asia can also enhance America's stature there, too, and give our allies in the region a stable source of energy.

Boosting America's natural gas exports is one reason to support the bill, but here is another. The Energy Policy Modernization Act is designed to reduce our foreign reliance on minerals and raw materials needed for everything from military assets to smart phones.

We can strengthen American mineral security by developing our world-class American mineral base. The necessary modern policies can move us ahead, and this bill contains positive steps forward.

Here's what else this bill would do. The Energy Policy Modernization Act is designed to defend our national energy grid from terrorist cyber attacks. It would help prepare us by authorizing additional cyber security research, it would help deter attacks by erecting

stronger cyber security defenses, and it would help provide for faster and more effective responses when threats do arise.

At the end of the day, here is what you can say about the Energy Policy Modernization Act. It aims to make America more secure in an era of insecurity. It aims to make America more prosperous in a time of economic uncertainty. It is a bipartisan bill that deserves to pass. It is great to see so many Republicans and Democrats in this Chamber who actually agree with that. It is great to see both sides working with the bill managers to process amendments and move this legislation along.

I ask Members to continue working in the same spirit of cooperation.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

FLINT, MICHIGAN, WATER CRISIS

Mr. REID. Madam President, in recent weeks the Nation has become concerned, afraid, and even outraged to learn that nearly 100,000 people who are residents of the city of Flint, MI, have been poisoned. About 9,000 of those poisoned are children under the age of 6 years.

Two years ago, in an effort to pinch pennies, an unelected emergency manager appointed by Governor Rick Snyder switched the water supply from the city of Flint, MI, water source to the Flint River. Water from the Flint River is contaminated with lead, bacteria that causes Legionnaires' disease, and lots of other bad things. As a result, the residents of Flint, MI, were forced to drink the water.

There is no trick photography here. This is a person in Flint, MI. You could go to any house you wanted to go to. This is the water that they were drinking and bathing in. It is hard to comprehend that this went on for such a long time.

Can you imagine taking a bath in this, brushing your teeth, or drinking it? How about bathing a new baby? This is your little bathtub.

Through no fault of their own, the people of Flint, MI, are being forced to endure a public health crisis that could have been avoided. This is a manmade crisis. We will never know the full extent of the damage to the people who live in Flint, MI—especially to the children. They have been harmed because they have been poisoned by the

acts of the leadership in the State of Michigan, especially the Governor of the State of Michigan. The reckless decision to switch to unsafe drinking water was forced upon 100,000 people. These people in Flint, MI, are now exposed to water with high levels of lead—frighteningly high levels of lead—among other things. This is not just lead. There is bacteria, and they haven't determined the full extent of it. It is established.

I can remember when I first came to this body many, many years ago. I had the good fortune to chair a number of hearings in the environment committee dealing with lead poisoning.

At the time that we studied it, lead poisoning was lead that children ingested—children who lived in developments where there were large amounts of lead-based paint. The children who ate this lead—not on purpose—were not what they could have been. It affected their brains.

This lead in water, lead anyplace, affects the brain. It affects adults, too, but especially children. Lead causes serious problems for adults, as I mentioned, but it is especially dangerous for children, causing lifetime effects. You can't get well. They have a program where they try to take the blood out and run it through a purifier. It takes a long time, but there are no safe levels of lead for children.

After the city made this wrong decision to switch its water source, it was really very quickly that the citizens of Flint complained that the water was discolored, and it also smelled. Everyone began to develop rashes.

The response of State government was appalling. Rick Snyder, the Governor of Michigan, is one of those who berates government all the time. Emails released from his office just last week referred to a resident who said she was told by a State nurse in January 2015, a little over a year ago—she was complaining about her son's elevated blood levels. The nurse told this woman: It is just a few IQ points. It is not the end of the world.

Can you imagine a health care worker telling someone: It is your baby, but it is just a few IQ points. No big deal. It is not the end of the world. This was a State nurse.

The water was so poisonous that General Motors, the manufacturer of automobile parts there, stopped using the source for their Flint engine operations because the parts corroded during the manufacturing process. They had to stop using this water. People were still drinking this water and bathing in this water.

Despite overwhelming evidence that a city in his State had lead poisoning, Governor Snyder failed to act and protect the people of Flint. This went on for a long time.

As Flint struggles to recover from this terrible public health problem, an

investigation will determine who exactly is to blame for this reckless decision. We know who caused the problem.

This was a manmade disaster, as I said earlier, but now we must act to protect the residents of Flint. This protection should start with repairs to their water infrastructure. Like many cities—and there are quite a few in the Midwest—Flint has lead pipes, but the highly corrosive nature of the Flint River damaged them. It ate away at the insides of those pipes. Now these lead pipes are leaching into the clean water supply from Lake Huron. It will cost over \$1 billion to replace Flint's corroded water infrastructure.

The people in Flint, MI, are struggling. There has been money spent there. Flint had been doing quite well until this came along. There was a new vitality. But now people are afraid to eat in restaurants, and the businesses have been terribly damaged because people don't believe the water is pure. A lot of these restaurants, for example, put in their own water supply and water purification system, but people don't believe it. They are afraid.

We need this done now. The State and Federal Government must cooperate now to end this crisis, which requires that we make investments. I repeat: now.

President Obama has declared a state of emergency in Flint, MI, and given FEMA, the Federal Emergency Management Agency, the authority to provide resources for the people of Flint. The problem is that right now they are just getting bottled water. The infrastructure is so bad.

Governor Snyder has finally—finally—declared a state of emergency and finally apologized for his administration's slow response. The Governor's apology is too late. The residents of Flint have already been poisoned.

It is too bad the people on that side of the aisle disparage the government all the time. It is too intrusive. It is too involved. It is detrimental to our society.

The Governor of Michigan is one of the leading cheerleaders of that theory. He denigrates government every single chance he gets. But to whom does he turn when the State of Michigan is in trouble? To the Federal Government. When emergency strikes, the Federal Government steps in. That is one of the responsibilities we have to protect America.

So I hope Senate Republicans will support our efforts to protect the people of Flint in this time of need. Senator MURKOWSKI—the chair of that important committee that has jurisdiction of the bill that is before this body today—is working with Senator CANTWELL. They are committed to doing something to help in this. Let's make sure we support them.

Sadly, some of the same Republicans who have called for relief when their

States faced natural disasters are disparaging government action in Flint. For example, last year, Texas was devastated with historic flooding. But who stepped in? It was the Federal Government that stepped in to provide disaster relief for the people of Texas.

That is why I was disappointed to see the senior Senator from Texas say: "While we all have sympathy for what's happened in Flint, this is primarily a local and state responsibility." He didn't say that when the flooding was taking place in Texas.

Last year, as Florida was hit with extreme flooding, the junior Senator from Florida called for Federal disaster assistance. But when it comes to the children and families of Flint, the Senator, who finished third last night in the Iowa caucuses, cautions against any action. This is what he said about Flint: "I believe the federal government's role in some of these things (is) largely limited unless it involves a federal jurisdictional issue."

Well, the issue was that the State of Michigan didn't do what it was supposed to do.

The junior Senator from Florida is not alone. Republican Senators routinely rush to the floor to demand Federal aid when trouble hits their backyard. That is the right thing to do. Americans help each other in times of crisis.

This week the Senate has a chance to help the families suffering through a public health crisis. I hope Republicans who have had difficulties in the past and have requested Federal aid for their States won't turn their backs on the people of Michigan.

If a Federal Government response is necessary for natural disasters, shouldn't the Federal Government help respond to these manmade disasters? The examples I gave in Texas and Florida were not manmade disasters; this is.

We remain committed to giving the people of Flint, MI, what they need during this crisis—help from the Federal Government to restore clean, safe water. But the Federal Government cannot do it all. The people of Flint, MI, should understand that the Governor of Michigan is costing them a lot of money, and it is going to cost the taxpayers of Michigan a lot more because the Federal Government cannot do it all.

Senator STABENOW and Senator PETERS have proposed an amendment to the bill before us that provides emergency relief to address the Flint water crisis. I support that. The people of Flint have been poisoned. We owe our fellow citizens swift action to address this medical emergency.

I urge my colleagues, especially my Republican friends, to support the Stabenow-Peters amendment to give the people of Flint the relief they so desperately need.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Utah.

ORDER OF PROCEDURE

Mrs. BOXER. Madam President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state her parliamentary inquiry.

Mrs. BOXER. Yes, is it a fact that the Senator from Utah will have 10 minutes and then the floor will be open for other Senators at that time?

The PRESIDING OFFICER. The order for business is every Senator is entitled to speak for up to 10 minutes each until the hour of 11 a.m.

Mrs. BOXER. Well, that was my parliamentary inquiry. So each Senator has 10 minutes, and then at the expiration of 10 minutes, the floor would be open; is that correct?

The PRESIDING OFFICER. Absent any consent agreement to the contrary, the Senator is correct.

Mrs. BOXER. Thank you so much.

The PRESIDING OFFICER. The Senator from Utah.

JUDICIAL REDRESS ACT

Mr. HATCH. Madam President, I rise today to emphasize the importance of the Judicial Redress Act. This is a bill that the Senate Judiciary Committee favorably reported last week by an overwhelmingly bipartisan vote of 19 to 1.

As I speak, the Senate majority and minority leaders are in the process of clearing this legislation by unanimous consent. I am optimistic the Senate will pass the Judicial Redress Act in the coming days and that ultimately we will send this legislation to the President's desk.

I thank Senator CHRIS MURPHY for introducing this important bill with me and for the broad support we have built among both Republicans and Democrats.

I also wish to acknowledge the good work of Representatives JIM SENSENBRENNER and JOHN CONYERS for their efforts in the House. They have been stalwarts in advancing this important legislation in the House of Representatives. It has been a true bipartisan, bicameral event.

Simply stated, the Judicial Redress Act would extend certain data protections and remedies available to U.S.

citizens under the Privacy Act to European citizens by allowing them to correct flawed information in their records and, in rare instances, the option to pursue legal remedies if Federal agencies improperly disclose their data.

Our legislation fights an inequity—a reciprocal benefit that has been withheld from our European allies with little justification. Cross-border data flows between the United States and Europe are the highest in the world. Today most countries in the European Union affirmatively provide data protection rights to Americans on European soil. Our European allies and their citizens should likewise have access to the core benefits of the Privacy Act when in the United States. It is the right and fair thing to do. Passing the Judicial Redress Act is critical to ratification of the Data Privacy and Protection Agreement, commonly called the “umbrella agreement.” This agreement allows for data transfers between European and American law enforcement officials for the purpose of fighting and investigating crime, including terrorism.

European officials have said they will not ratify the umbrella agreement until Congress provides EU citizens with limited judicial redress. Our bill is key to providing reciprocity to our European allies and will serve as the catalyst to finalizing the long-awaited data protection deal.

The U.S. Department of Justice, which supports this legislation, states that failure to finalize the umbrella agreement “would dramatically reduce cooperation and significantly hinder counterterrorism efforts.” Given the global state of affairs, we simply cannot risk losing the critical benefits of the umbrella agreement.

As chairman of the Senate Republican High-Tech Task Force, I am always seeking ways to keep our American technology industry at the forefront of the global economy. I am convinced that passing the Judicial Redress Act will build much needed good will with our European allies. We are currently negotiating a new safe harbor agreement—an international agreement that allows U.S. technology companies to move digital information between the European Union and the United States.

For years, safe harbor rules have benefited U.S. technology companies that provide cloud services to their European customers. Without a safe harbor agreement, however, U.S. cloud-based companies seeking to do business in Europe would be forced to negotiate with 28 individual countries in the European Union over how their citizens' data is collected and stored. Such a requirement would disrupt and chill transatlantic business operations, jeopardize countless American jobs, and stifle American domestic innovation.

Indeed, businesses of all sizes and in all sectors would face profound consequences if we do not conclude a new safe harbor agreement.

The economic damage would be significant and relatively immediate, and the consequences could be catastrophic, especially for small enterprises. Failure to reach an agreement would impact the economies of both the United States and our friends in the European Union.

If we are unable to reach a final safe harbor agreement soon, Congress must be prepared to take appropriate action to ensure that these negative consequences do not come to fruition.

In the meantime, it is critically important that Congress pass the Judicial Redress Act. I am pleased that the Senate is swiftly moving toward this end, and I am optimistic that we will have a successful resolution in the coming days.

I thank my colleagues on both sides of the floor for their support in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that I be allowed to speak for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FLINT, MICHIGAN, WATER CRISIS AND ALISO CANYON NATURAL GAS LEAK

Mrs. BOXER. Madam President, I am on the floor to talk about a situation that is occurring in my home State with a leak—a natural gas leak that is creating havoc in one of my communities. But before I do, I wish to comment on the issue that my Democratic leader talked about, which is the poisoning of children in Flint, MI, due to lead in the drinking water.

Maybe I am old-fashioned, but I believe that when you hurt a child, that is the lowest thing you can do. There is nothing lower in life than hurting an innocent child. That means if you abuse a child, if you taunt a child—but when you poison a child and their brain is damaged for the rest of their life—that is the lowest thing an adult can do. Any adult who knew that these children were being poisoned and looked the other way, in my view, is liable. You don't hurt a child. You don't hurt a child—let alone for life—and destroy their mind.

I know that Senators STABENOW and PETERS are working hard with the Republicans to come up with something to help the people there, and I hope that it will work out. I know that in my committee on the environment we have been working with them, along with Senator INHOFE, so we can do something. But it is after the fact. It is

not as if you can make this damage go away.

What shocked me was that on the heels of this tragedy and travesty in Flint, MI, we were marking up a bill, and the Republicans, to a person, supported the ability of people spraying pesticides into drinking water not to have to get a permit anymore and to take away the authority of the EPA to require a permit if you are going to spray harmful pesticides with toxins into a drinking water supply.

This is what my Republican friends did in the environment committee. I think they ought to change the name of that committee to the pollution committee. What is that? In addition, the underlying bill says you can never regulate the lead in fishing tackle under TSCA. Lead. Hello? We now know what lead does when it gets into drinking water. If there are ways to have less toxic fishing tackle, shouldn't we try to make that happen if it is available?

So here we have a bill called the sportsmen's bill. Lots of things in there are wonderful and I support wholeheartedly, but now we are going to say you can never regulate the lead in fishing tackle under TSCA? Then you are going to say you don't need a permit to spray pesticides into a water supply? You have to be kidding.

We talk a lot about defending the American people. We have to do it abroad and at home because dead is dead. It is a serious issue when you expose people to toxins. They get cancer. They have brain damage.

I am hopeful we can do something for the people of Flint and stand with them, but I will tell you it is not going to let people off the hook. Anybody who knew this was happening and turned away or said: Who cares? It is a poor community, they will be punished at some point, even if in their own heart. We cannot disconnect from that incident to what we are doing today in saying you no longer need a permit to dump pesticides into drinking water. What are people thinking? Are we so beholden to special moneyed interests that we can't tell them they have to have responsibility? Defending our people means having a smart policy to defend them from terror, which I support, but it also means protecting and defending them with reasonable rules and regulations so we don't poison them here at home or hurt the brains of their kids.

I want to show something that is happening in my State as we speak. This is quite a picture. It shows what a gas leak looks like: plumes of methane gas above a community. This is an infrared camera. This is what is happening from a natural gas leak. It didn't happen yesterday and it didn't happen a month ago. It happened on October 23, and it is still out of control. I have submitted an amendment on be-

half of myself and Senator FEINSTEIN today to get some of the brightest minds from the Department of Energy—and there are very bright minds over there—to take a look at what the heck is happening and why it is that this is running amuck. It is now burning longer than the BP oilspill. I remember so well because I worked so hard on the committee with all of my colleagues, with Senator Landrieu and others, to get to the bottom of why it was happening, and we sent Stephen Chu, who was then Secretary of Energy. Guess what. In the BP spill, he figured out a better way to track the spill and therefore contain it by using gamma rays, as I remember.

As of last week, almost 3,700 households have been relocated to hotels and other temporary housing because the residents who live right here are experiencing headaches, nausea, dizziness, nose bleeds, and other side effects stemming from the rotten egg smell, the chemicals that give the natural gas its artificial odor.

This is Aliso Canyon. Schools have temporarily closed because the kids and teachers can't stand the smell all day. People's homes, their furniture, everything they have left behind are becoming infused with this horrid smell and the chemicals. It is a disaster for these residents and for many local businesses struggling to stay afloat. We see here, this is the Aliso Canyon leaking well site, but the plume is all over this community.

I want to share a couple of other photos because we know a picture is worth a thousand words. These are children, sick of being sick at school. This is a mom who is having serious headaches. That is why this amendment is so important because this is what is happening and, by the way, could happen probably anywhere where there are these natural gas storage sites. There are 400 in America—400, in America. This is the first, and we had better deal with it and figure out how to deal with it because right now it is running amuck.

One of my constituents said: My husband and I moved there over 3 years ago. We poured a lot of money into this home, our dream home, thinking it was a perfect area to move. I am expecting. We had difficulties trying to conceive. The joy has been robbed from us because we have had to relocate twice. I am fearful to bring my newborn baby back to Porter Ranch.

That is the community here, Porter Ranch. She said: I am fearful to bring my newborn baby back to Porter Ranch when the time comes and they say the coast is clear.

Another one. This particular individual, Scott McClure, was quoted in the L.A. Times:

I can't go outside and play baseball with my sons. I can't go on walks with my family. My youngest son has been moved to another

school. My property value has dropped dramatically. I get headaches, stomach aches. . . .

The California Air Resources Board estimates that more than 86.5 million kilograms of methane—a powerful greenhouse gas—have been emitted into the atmosphere. So we move from a disaster for our families—reflected in this woman's face—to a disaster for the environment because it is, so far, 2.2 million tons of carbon dioxide. That is the equivalent of the methane that has poured into the atmosphere. That is more greenhouse gas than 468,000 cars emit in 1 year. Just think, in over 3 months this one leak has emitted as much as half a million cars do in an entire year. We have worked so hard across party lines here to make sure our cars have good fuel economy and don't emit so much of this greenhouse gas, and now we have seen as much as half a million cars in an entire year. That is what has come into the atmosphere.

This leaking well is 8,600 feet deep. The leak is thought to be around 500 feet below the surface. The gas company has unsuccessfully attempted to kill the well seven times by plugging it with brine and gravel. They are now attempting to drill a relief well down to the reservoir and cut the resisting well at its base, but this may not be completed in another month. If it isn't successful, they will have to start over again.

So—October 23. We are now starting February, and these people have lived with this extraordinary disaster over them. I pray that this nightmare will be over and people can move back to their homes and that they have the peace of mind that their homes are clean and their air is clean and the community will return to normal. In the meantime, we have to figure out what caused this leak and how to prevent it from happening again at Aliso Canyon and everywhere around the country where there are 400 similar sites.

On January 6, 2016, the Governor of the State of California declared an emergency for Los Angeles County due to the Aliso Canyon natural gas leak. State regulators have been working with the gas company and with Federal PHMSA and EPA. PHMSA is hazardous pipeline. They check to make sure those hazardous pipelines—the pipelines that carry this hazardous material—are safe. They have been working as they have been providing consultation.

I want to say that the working group on climate change called in the Federal people who were working in PHMSA and the EPA. They are doing conference calls and they are working, but it is not enough. It is not enough. We need the best minds—the best minds—and that is why Senator FEINSTEIN and I have offered this amendment today. It is at the desk.

Under the amendment, the Department of Energy Secretary would lead a broad review of this leak, including the cause, the response, and the impacts on communities and the environment. They will issue a finding to all of us, all of our committees, as we listen, and to the President, within 6 months, but if they find something in the course of their investigation that can solve this leak or prevent another leak—in the Presiding Officer's State or anybody's State—they would have to come forward and make it clear and report that finding.

The task force includes representatives of PHMSA—the Pipeline and Hazardous Materials Safety Administration—Department of Health and Human Services, Environmental Protection Agency, the Federal Energy Regulatory Commission, and the Department of Commerce. We have a small task force here. Is it now seven? Seven. The reason is, we don't want some big bureaucracy. We want a small task force to meet, headed by Secretary Moniz, who is an outstanding scientist, and we want them to help solve this crisis and provide relief for the thousands of affected residents when they come in with their analysis. We want to make sure—we want to make sure—this doesn't happen again in anybody's State, because when you have a constituent like this in your State who comes out and says: My God, I don't know what to do, that is what is on this face. I don't know what to do. I am scared. My kids are breathing this. I am breathing this. Where do I go? So we need our brightest minds, absolutely, dealing with this, and that is what our amendment does.

Again, we have more than 400 underground natural gas storage facilities. We have nine in California. This is a public health and public safety issue that is critical for people not only in my State but across the Nation.

Again, we know our most sacred responsibility is to keep our people safe. Whenever we say that, people right away think about what is happening abroad and homeland security and taking on ISIL and doing everything we have to do to keep our people safe. We have the Super Bowl coming up in my beautiful State. Believe me, we are focused on that. This is a great nation. We know how to take care of our people. Therefore, when we see a woman or children like this saying they are sick and we see this—and this is what the people of California are seeing in their living rooms, the picture of this out-of-control plume going on since October 23—we think: Wait a minute. This is the greatest country in the world, with the greatest minds in the world, the greatest science in the world. We have so many wonderful things, and we can't stop this leak? My God. It is ridiculous.

I was frustrated after I had that meeting because we are very much

alike in many ways. We want to solve a problem, and we don't want bureaucracy to get in the way. We want to get the best people. Who cares who gets the credit? Sit around and get it done. When I had this meeting with those Federal officials who were on these conference calls, I got a clear sense, after all my years of experience—and I have had a lot. When I started out, I didn't have all this gray hair.

The bottom line is, I know from experience that it doesn't feel like somebody is truly in charge. That is why Senator FEINSTEIN and I are giving this amendment all of our heart and soul. We hope that our friends on the other side will sign off on it because I know the Democratic side has. I believe they will. We are working with them right now on a couple of issues.

If this passes and becomes the law of the land, we will finally have someone in charge here at the Federal level, someone so bright, so smart—Secretary Moniz. I have a lot of faith in him. I think a lot of us do. He is in it for the right reasons. I think if he goes in there and they start to take a look at this, they may well find something right away that has been overlooked that could stop this horrific leak.

I want to close with this: Californians are leaders in so many areas—technology, entertainment, and trade. We would be the seventh or eighth largest economy in the world.

I don't want to be a leader showing the way to the future with this kind of a travesty. I want to solve the problem. I want to tell my friends here in the Senate that we have the technology to solve it; we have leak-detection systems to find these problems before they happen. This particular yard started in the fifties. If you built a house in the fifties, you have to keep making improvements. I don't know the history of all of this, and I am not getting into that now. We are where we are. But I would suggest that if this natural gas yard was set up in the fifties, I don't think there were a lot of homes around at that time. Let's be clear. We have to think about these things, where we place these facilities. If I were in another State right now—and I am going to do this in California: I am going to look at the eight other facilities in my State. God forbid, if they have a leak, what is going to happen and how can we prevent it? Maybe there is an easy way to maintain these pipes in a way that makes sense. If we can find that out, we can stop this. We can say: This was horrible. We stopped it, and we are going to be able to prevent other explosions like this from happening. And if they do happen, we will know how to deal with it.

We are not going to subject kids to this where they have to go out with signs—and, by the way, masks around their necks—that say “relocate our school” and “sick of being sick at

school” and dislocate these kids, and they have been dislocated. They have been dislocated from their school. You know how it is for a kid. You have your world. Your world is your home. Your world is your school. Your world is your family. That is it. When you disrupt that, it is very difficult on our children.

I hope and pray that we will get this done today and that we will get the Department of Energy ready to go on this. Even if we pass it here and we don't get it quickly to the House and they don't do it quickly, I think we will send a signal to the Department of Energy that they can look at this now and help in a way where they would have the confidence that we would all be behind that here in the Senate.

I am looking forward to a vote on this. I hope we have a voice vote. We don't need a recorded vote on something like this. I am going to continue to work with the Republican leaders on this. I hope we can move forward.

I thank you so much for your patience and your time.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY MODERNIZATION BILL

Mr. THUNE. Madam President, one of the things the Republicans were determined to do when we took the majority in the Senate last January was to get the Senate working again for American families.

Under Democratic control, the Senate had basically ground to a halt. The Democratic leadership spent its time pushing partisan show votes instead of putting in any real work on the challenges that are facing our Nation. Republicans were committed to changing that. Since we took the majority last January, we have worked hard to once again make the Senate a place for serious debate and serious legislation. We have succeeded.

Last year we passed a number of significant bipartisan bills, including a major reform of No Child Left Behind and a multiyear transportation bill that will strengthen our infrastructure and put Americans to work.

This week we are beginning consideration of a bipartisan energy bill to modernize our Nation's energy policies for the 21st century. This bill is the product of months of work by Republican and Democratic Senators and staffers on the Energy and Natural Resources Committee. Senators held four

full committee hearings and spent countless hours hammering out the legislation that is before us today. This bill is a great example of the kind of substantive, bipartisan legislation we can produce when the Senate is working the way it is supposed to work.

Among many other things, this bill will streamline the application process to make it easier for American companies to export liquefied natural gas. The natural gas industry in the United States has grown by leaps and bounds in recent years, and our economy will benefit tremendously when U.S. companies start exporting American liquefied natural gas this year. Liquefied natural gas exports from the United States will also strengthen our allies in Europe by allowing them to rely on the United States for their import needs instead of relying on aggressive nations like Russia.

I have also submitted several amendments to this bill, including an amendment to streamline the permitting process for wind development. American wind developers cite permitting delays as one of the chief obstacles to development of this clean energy source. My amendment will remove this roadblock and allow wind generation and the jobs that it creates to move forward more quickly.

I have also submitted an amendment that would examine whether hydroelectric dams in places like the Missouri River in my home State of South Dakota could be paired with future hydrokinetic generation to better harness the great energy potential of our rivers.

I have submitted an amendment to prevent the Environmental Protection Agency from moving ahead with a lower ground-level ozone standard until 85 percent of the U.S. counties that are not yet able to meet the old smog standard are able to meet the old requirements. We should prioritize the worst cases of smog in America before imposing significant economic burdens or limiting energy generation in other areas.

One thing Republicans always say when we talk about energy is that we need an “all of the above” energy policy. What do we mean by that? We mean that we need to focus on developing all of our Nation’s energy resources, from renewable fuels, such as wind and solar, to traditional sources of energy, such as oil and natural gas. That is the only way to make sure Americans have access to a stable, reliable energy supply and to keep our energy sector thriving.

The bill we are considering today is an “all of the above” energy bill. It invests in a wide range of clean energies, from nuclear, to hydroelectric, to geothermal. It supports traditional sources of energy. It modernizes our Nation’s electrical grid. It promotes energy efficiency. It encourages con-

servation. That is the kind of energy policy we need to take our energy sector into the 21st century.

Unfortunately, the President has repeatedly blocked domestic energy development and the jobs it would create. He rejected the Keystone XL Pipeline—a project that his own State Department found would have virtually no impact on the environment and that would have supported 42,000 jobs during construction. He has blocked attempts to tap our vast domestic oil reserves in Alaska. His EPA has imposed a steady stream of burdensome regulations that are making it more expensive to produce American energy. The President’s national energy tax will drive up energy bills for poor and middle-class families and reduce our Nation’s energy security, while doing very little to help our environment. Similarly, the President’s waters of the United States rule will place heavy regulatory burdens on farmers, ranches, homeowners, and small businesses across the country.

President Obama might like to think that the United States can rely on a few boutique renewable energies, but the truth is that our Nation is simply not there yet. Efforts to impede other, more traditional and reliable types of energy production simply punish American families who then face soaring energy prices and fewer jobs in the energy sector.

Robust domestic energy production coupled with commonsense energy efficiency measures will create jobs, enhance the reliability of our energy supply, spur economic development, and help keep energy costs low. Those are the kinds of energy policies that this bill supports.

Last Friday we learned that the economy grew at a rate of seven-tenths of 1 percent in the fourth quarter of 2015. Needless to say, that is not where we need to be in terms of economic growth. The recession may have technically ended 6½ years ago, but our economy has never fully rebounded. Economic growth has been persistently weak during the Obama recovery, and there are no signs of substantial improvement in the near future. In historical terms, the Obama recovery is the weakest economic recovery since the Eisenhower administration. If you rank the 66 years since 1950 in terms of economic growth, the Obama years rank 45th, 46th, 47th, 48th, 54th, 55th, and 66th. Let me repeat that. If you rank the 66 years since 1950 in terms of economic growth, the Obama years rank 45th, 46th, 47th, 48th, 54th, 55th, and 66th—or dead last. It is no wonder the American people are tired of living in the Obama economy.

Given this weak economic growth, removing impediments to energy development is more important than ever. A thriving energy sector can help us overcome the weakness of the Obama

recovery and usher in a new era of stronger economic growth.

According to former CBO Director Douglas Holtz-Eakin, the difference between a 2.5-percent growth rate and a 3.5-percent growth rate would have a major impact on the quality of life for low- and middle-income families. If our economy grew at just 1 percentage point faster per year, we would have 2½ million more jobs and average incomes would be nearly \$9,000 higher—\$9,000 higher. That is the difference between owning your own home and renting one. It is the difference between being able to send your kids to college and forcing them to go deeply into debt to pay for their education. It is the difference between a secure retirement and being forced to work well into old age. Additionally, an additional percentage point in economic growth will reduce our annual deficits by \$300 billion. That in turn would further improve the health of our economy.

The American people have suffered long enough in the Obama economy. They are ready for a new era of strong economic growth; an era built upon free enterprise, not big government programs; an era that focuses on growth, opportunity, and income mobility, not redistribution of shrinking economic resources; an era that rewards innovators and entrepreneurs rather than punishes them.

Over the next year, Americans who are ready for a change from Obama’s failed policies will hear from congressional Republicans who are increasingly focused on getting our economy working again. Reforming our Tax Code and reining in regulations, repealing and replacing ObamaCare, strengthening our international security by rebuilding our military, and reforming outdated poverty programs will be the foundation of our agenda for a more prosperous future.

Americans will also continue to hear from a Republican-led Senate that it is focused on moving bipartisan bills to improve economic security for American families. The bill before us today is one of those bills. It will help consumers use less energy and free up energy producers to develop resources and create jobs.

I am glad the Senate is focused on an “all of the above” energy approach that supports energy growth and development in this country. I thank Senator MURKOWSKI for her leadership and work on this bill. I look forward to working on more bills here in the Senate that will strengthen economic security for American families. That is what we should be about—better, more robust growth in the American economy that creates better paying jobs for American workers and families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. MARKEY. Madam President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

PRESCRIPTION DRUG ADDICTION

Mr. MARKEY. Madam President, I am here to talk about a public health epidemic that kills more people in the United States every year than gun violence or motor vehicle accidents. Last year, drug overdoses killed nearly 50,000 Americans. Almost 60 percent of those overdoses were caused by prescription opioids or heroin. Drug overdoses are increasing the death rate of young adults in the United States to levels not experienced since the AIDS epidemic, more than 20 years ago. These skyrocketing death rates make them the first generation since the time of the Vietnam war to experience higher death rates in early adulthood than the generation that preceded them.

So we ask ourselves: What specifically is causing this tidal wave of addiction and overdoses? Well, the answer is clear. Over the last 10 years, the Drug Enforcement Agency has increased the amount of oxycodone it has approved for manufacturing by 150 percent.

For 2016, the DEA has told Big Pharma it is OK to make nearly 1.4 million grams of oxy. That is enough for almost 15 billion 10-milligram pills. Let me say that again: That is enough for almost 15 billion 10-milligram pills to be sold in America this year. That is a full bottle of potent painkillers for every man, woman, and child in the United States of America for 2016. This tsunami of opioid addiction is swallowing families as quickly as Big Pharma wants Americans to swallow its pills. Yet, despite this raging epidemic, you would think the Food and Drug Administration, the agency responsible for the safety of all prescription drugs in the United States, would welcome every bit of expert advice it can get from doctors and other public health professionals. In fact, the FDA's own rules call for it to establish an independent advisory committee of experts to assist the agency when it considers a question that is controversial or of great public interest, such as whether to allow a new addictive prescription painkiller to be marketed in the United States. Instead, the FDA has put up a sign in its window: "No Help Wanted." The FDA began turning its back on advisory committees in 2013 when an expert panel established to review the powerful new opioid painkiller Zohydro voted 11 to 2 against recommending its approval, but the FDA approved the drug anyway, overruling the concerns voiced by experienced physicians on the panel. Those experts criti-

cized the agency for ignoring this incredible growing epidemic. The advisory panel warned that this Oxycontin epidemic—this heavily abused prescription painkiller that the FDA first approved back in 1995—needed a new test for safety. They warned about the growing dangers of addiction, abuse, and dependence associated with the entire class of opioid painkillers. Justifiably, the FDA was lambasted for its decision to approve Zohydro by public health experts, doctors, Governors, and Members of Congress. But despite the warning of real-world dangers of abuse and dependence on these new supercharged opioid painkillers, the FDA willfully blinded itself to warning signs.

In 2014, in the wake of the Zohydro decision, the FDA twice skipped the advisory committee process altogether when it approved the new prescription opioids Targiniq and Hysingla. Then, in August 2015, the FDA did it again. This time it bypassed an advisory committee on the question of a new use for Oxycontin for children aged 11 to 16. This time the FDA even ignored its own rules that specifically called for an advisory committee when a question of pediatric dosing is involved. In other words, there is a special category when children are involved that calls for advisory committees, and the FDA ignored that.

At this point it became clear that the FDA was intentionally choosing to forgo an advisory committee in order to avoid another overwhelming vote recommending against approval of a prescription opioid. Why? Because the FDA would then have had to ignore yet another group of experts in order to continue its relentless march to put more drugs into the marketplace.

With the Oxycontin-for-kids decision, the FDA's reckless attitude toward expert advice on drug safety went too far. Children whose brains are not yet fully developed are especially vulnerable to drug dependency and abuse. Yet the agency focused its so-called safety analysis only on concerns about proper dosing, saying that it needed only to tell doctors the proper doses for children who needed the drug.

Well, that is just plain wrong. We use experts to determine if child car seats are safe, if toothpaste is safe, and if vaccines are safe. We should use experts to determine if the opioid painkillers are safe for our families. We need to immediately reform the Food and Drug Administration opioid approval process if we want to stop this epidemic of prescription drug and heroin addiction.

Last week I placed a hold on the nomination of Dr. Robert Califf to head the FDA. Before I can support this nomination, the FDA must make three needed changes to its opioid approval process. First, the FDA needs to make sure that every opioid approval ques-

tion is reviewed by an external panel of experts. Second, the FDA needs to consider addiction, abuse, and dependence as part of its determination of whether an opioid is safe. The FDA cannot continue to operate as if safety just means dosage, when it should include all of the dangers, as well, of these painkillers. And third, the FDA should rescind its decision on Oxycontin for kids and then convene an advisory panel, as it should have done in the first place. Then the FDA can consider the Oxycontin-for-kids decision with the benefit of that panel's independent advice and with the proper meaning of safety in mind.

The FDA must commit to shift the way it approaches and evaluates addiction before I can consider supporting Dr. Califf's nomination.

The prescription drug and heroin epidemic knows no geographic boundaries, and our response should know no political boundary. That is why Majority Leader MITCH MCCONNELL and I worked together to identify solutions to this crisis. Last spring, Senator MCCONNELL and I joined together in calling for a Surgeon General's report on the opioid crisis.

Last fall, Surgeon General Vivek Murthy announced that he will be issuing a new report on the substance abuse crisis this year. Fifty years ago, there was a historic report on smoking that changed the way our country viewed that. This is the same kind of report that we need from our Surgeon General for our country to see, but that is just the first step in a larger comprehensive national strategy that I am fighting for this year.

We need to stop the overprescription of pain medication that is leading to heroin addiction and fueling this crisis. That starts with the prescribers. We need to ensure that all prescribers of opioid painkillers are educated about the dangers of addiction and appropriate and responsible prescribing practices.

I have a bill that requires every prescriber of opioid pain medication in this country, as a condition of receiving their DEA prescribing license, to be trained in the best practices of using pain medications and methods to identify and manage an opioid-use disorder. Stopping overprescription also includes narrowing the pipeline at the front end.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator's time has expired.

Mr. MARKEY. Mr. President, I ask unanimous consent to continue for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MARKEY. Mr. President, this means that the DEA needs to reduce the quotas of oxycodone and hydrocodone that it approves for manufacture each year. The DEA is allowing Big Pharma to manufacture too

many of these pain pills. Although the United States is less than 5 percent of the world's population, Americans consume 80 percent of the global supply of opioid painkillers and 99 percent of the world's supply of hydrocodone, the active ingredient in Vicodin. Tragically, we have become the "United States of oxy."

With the opioid epidemic reaching epic proportions, our Federal budget should reflect the magnitude and importance of investing in treatment and recovery services.

In Massachusetts, approximately 65,000 people are currently dependent on opioids. Some 50,000 need treatment but are not receiving it. Treatment for prescription drug and heroin addiction is absolutely at the top of the list of the things this Congress should deal with, and that is why we need to work together. We need to make sure that the treatment is there for each of these patients, and that includes ensuring that patients receive from a physician the help they may need from Suboxone. Right now, that is denied to many different patients.

I have been in Congress for 39 years. I have never actually seen an issue like this that has grown so quickly and affects so many families in our country. Not a day goes by in the State of Massachusetts where someone doesn't come up to me and talk to me about a family member who has been affected by this epidemic. It is time for us to join together in a bipartisan fashion to produce the kind of legislation to give hope to families and let them know that relief is on the way, and that prevention and treatment will be there to help their families deal with this crisis.

I hope we can accomplish that goal this year, and I believe we can do it on a bipartisan basis.

I yield back the remainder of my time with thanks to the Senator from Alaska for her indulgence.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markley) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

The PRESIDING OFFICER. The Senator from Alaska.

DRUG ADDICTION

Ms. MURKOWSKI. Mr. President, before I begin my remarks this morning about the Energy Policy Modernization Act, I wish to acknowledge my colleague from Massachusetts. I come from a very large, remote State. About 80 percent of the communities in Alaska are not connected by a road, so one would think that our isolation would insulate us from some of the scourges that we see when it comes to drugs and drug addiction. Unfortunately, that is not the case. In my State we are seeing the same level of addiction. While the numbers might not be as eye-popping as Massachusetts or New Hampshire and other parts of the country, that is because we have fewer people. But on a per capita basis, the numbers are staggering and very worrying.

As my colleague from Massachusetts notes, this is not something that should be a Republican or a Democratic problem or have a Republican or Democratic solution. This should have all of us working together because what is happening and what we are seeing is simply unacceptable. It is destroying families and communities, and we must work together. I appreciate his comments here before the body this morning.

Mr. President, I hope the Senate is prepared for another good, busy day of debate on our broad bipartisan energy bill.

Late yesterday, while we were not taking votes, we were in session for a few hours—but what we were able to do during that time period was approve eight more amendments by voice vote. We are now up to 19 amendments accepted so far. The latest batch from yesterday featured a proposal from Senators GARDNER, COONS, PORTMAN, and SHAHEEN to boost energy savings projects that will limit the cost of government and save taxpayer dollars.

We also approved an amendment from Senators FLAKE, MCCASKILL, and BOOKER to evaluate the number of duplicative green buildings programs within the Federal Government. I think we all appreciate the need to be more efficient, but do we need to have dozens and dozens of duplicative programs to build this out? That is what that amendment addressed.

We also approved an amendment from Senators INHOFE, MARKEY, and BOOKER to renew a brownfields restoration program run by the EPA.

So we did OK yesterday, approving eight amendments by voice votes, which is not bad for a Monday around here when we were not scheduled to have votes, but I think we can do better than that. I think we can pick up the pace, and we are ready to do that.

We will have two rollcall votes that are scheduled for 2:30 this afternoon. The first one is an amendment by the Senator from Utah, Mr. LEE, amendment No. 3023, and it would limit Presidential authority to permanently withdraw Federal lands as national monuments. This is an issue that I have joined the Senator from Utah on, as well as many Senators from around the West, who have concerns that we would see vast areas of our particular States permanently withdrawn—something that again resonates very strongly in my State, where 61 percent of our State is held in Federal land. I am pleased that my colleague from Utah has offered this amendment, and I am hopeful the Senate will adopt it.

The second amendment we will have this afternoon is the Franken amendment No. 3115. This would impose a nationwide efficiency mandate. This is a matter that we had before the energy committee when we were in markup in July, and many Members are already familiar with it.

I am aware that some Members are still filing amendments, but I think my advice to them is to know they are chasing the train down the tracks at this point in time. We had a total of 230 amendments filed as of this morning, so we have a lot to sort through as we are trying to deal with the debate and just kind of keep things moving.

A number of Members are also hoping to secure a vote on their priorities, so we have a line now. Those who are just thinking about filing should know where you are in this process. Senator CANTWELL and I intend to continue to process amendments as quickly as we can and we ask for the cooperation of Members to help that effort move along.

I do want to thank the ranking member on the energy committee. Senator CANTWELL and her staff have been working very hard and very well with me and my staff as we are working to process this bill. The level of back-and-forth has been very constructive, very helpful, and I appreciate it, and I want to give special recognition to the yeoman's work that the staff are doing right now.

We will be setting up additional rollcall votes today. We will hopefully be able to reach agreement on amendments that we can clear on both sides as well.

As we have moved through the debate process on this important Energy bill, we have seen some good, strong amendments. I mentioned some already. We have had amendments from both parties. We have had them offered by Members from all areas of the country. We have seen some particularly good ones that focus on hydropower. I wish to take a few moments this morning to speak about hydropower and the amazing supply source that hydropower provides for our Nation.

Hydropower harnesses the forces of flowing water to generate electricity, and it has many virtues as an energy resource. It is not only emissions free and renewable, it is also capable of producing stable, reliable, and affordable base power. How about that: stable, affordable, and reliable base power. It is emissions free. It is renewable. It is not defined yet as renewable, and we address that in this bill. Right now, hydropower produces about 6 percent of our Nation's electricity and nearly half of our renewable energy. That is more than wind and solar combined and enough electricity to power some 30 million American homes.

Up in Alaska, hydropower provides—the number is right about 24 percent of our electricity. It provides energy for communities throughout the State, most notably in the southeastern part of the State where I was born and raised. It is very significant there. It is also in what we call the railbelt area. It is an amazing contributor to our State's energy base. We continue, though, to have vast potential with hundreds of sites in Alaska alone just waiting to be developed. We are a leader on hydropower, but we are hardly alone in having untapped potential.

According to an official from the Department of Energy who testified before the energy committee back in 2011, our country could realize “an additional 300 gigawatts of hydropower through efficiency and capacity upgrades at existing facilities, powering nonpowered dams, new small hydro development, and pump storage hydropower.”

So let me repeat what that really means: An additional 300 gigawatts of hydropower, not through some big megadam but through efficiency, through capacity upgrades at existing facilities, powering up our nonpowered dams, new small hydro development—we see a lot of that in Alaska—and pump storage hydropower. With that, 300 gigawatts of additional power.

Putting it into context, 1 gigawatt can power hundreds of thousands of homes. We have an estimated 300 gigawatts of potential hydropower—a huge benefit to our country in terms of what we could get from our hydro resources, and it will not take much to start taking advantage of it. That is the beauty of it.

It may surprise some to know that right now only 3 percent of our Nation's existing 80,000 dams around the country currently produce electricity. Just 3 percent of 80,000 dams that are already out there are producing electricity. Think about what we could do if we electrify just the top 100—just the top 100 out of 80,000. We could generate enough electricity for nearly 3 million more homes and create thousands of jobs. Meanwhile, simply upgrading the turbines at existing hydropower dams could yield a similar amount of additional electric generating capacity.

We talk a lot about efficiency around here. Well, let us apply the efficiency with what we have with our existing facilities. What most of us agree on is that hydropower is a great American resource. It is renewable, it is affordable, it is always on, and nearly every State has potential in some way. Yet, despite all of this—despite the tremendous benefits that it provides and despite our tremendous untapped potential—America's hydropower development has stalled. Why? It has stalled, quite honestly, because of redtape and environmental opposition.

This was the subject of a recent op-ed piece that I cowrote with Jay Faison, who is the founder of the ClearPath Foundation. It is called “Stop Wasting America's Hydropower Potential.” It ran in the New York Times last month, and we have gotten some pretty good, positive comments. I ask unanimous consent that this op-ed be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 14, 2016]

STOP WASTING AMERICA'S HYDROPOWER
POTENTIAL

(By Lisa Murkowski and Jay Faison)

President Obama has described climate change as one of the biggest challenges facing our country and has said he is open to new ideas to address it. He can start by supporting legislation to increase the nation's hydropower capacity, one of our vital renewable energy resources.

Hydropower harnesses the force of flowing water to generate electricity. It already produces about 6 percent of the nation's electricity and nearly half of its renewable energy, more than wind and solar combined. This is enough electricity to power 30 million homes and, according to the Department of Energy, avoids some 200 million metric tons of carbon dioxide emissions each year. That amounts to taking about 40 million cars off the road for one year.

But we could be doing much more to harness the huge potential of hydropower, even without building new dams.

For instance, only 3 percent of the nation's 80,000 dams now produce electricity. Electrifying just the 100 top impoundments—primarily locks and dams on the Ohio, Mississippi, Alabama and Arkansas Rivers that are operated by the Army Corps of Engineers—would generate enough electricity for nearly three million more homes and create thousands of jobs.

And upgrading and modernizing the turbines at existing hydropower dams could yield a similar amount of additional electricity-generating capacity.

Despite the benefits of this technology, American hydropower development has stalled because of government red tape and environmental opposition. Less capacity has been added each decade since the 1970s, even as our infrastructure ages. Half of our plants use turbines or other major equipment designed and installed more than 50 years ago.

At the heart of the problem is a broken federal permitting process that has created an unnavigable gantlet for hydropower projects. While mandatory environmental reviews must be stringent to protect waterways and wildlife, federal bureaucrats insist

on duplicative, sequential processes that exacerbate regulatory uncertainty, delay approvals and drive up consumer costs.

Compounding the roadblocks are environmental groups that claim to adhere to sound science but hold remarkably outdated views of hydropower and its benefits. Rather than acknowledge technological advances and the environmental safeguards in our laws, these groups have filed lawsuits to dismantle dams or stop their construction.

Add it all up, and it can now take well over a decade to relicense an existing hydropower dam. For the California customers of Pacific Gas and Electric, relicensing costs have run as high as \$50 million a dam—all for the privilege of continuing to operate an existing renewable energy project.

One-third of the nation's hydropower dams will require license renewals by 2030. We need to make this process more efficient by reducing bureaucratic and administrative delays that end up increasing electricity rates and slowing hydropower's expansion.

Fortunately, Congress has stepped in to get hydropower development back on track. Legislation in both chambers, including a measure in the Senate that was approved by a bipartisan vote in committee, would direct agencies to expedite the permitting of new projects and the relicensing of existing ones, and would advance the use of hydropower nationwide.

But while Congress has chosen to lead on this important issue, President Obama has threatened to veto the House bill, claiming it would undermine environmental safeguards. The challenge is finding a way to bring state and federal agencies to the table with the applicants at the beginning of the process so they can identify potential problems and coordinate environmental reviews. The legislation would not change the authority of federal agencies to impose environmental conditions.

There is much more that we can do. Upgrading existing dams is just one of the approaches that holds big promise. Coordinating hydropower projects on a regionwide basis might allow for permitting on a more timely basis and provide better opportunities for environmental mitigation. There is also tremendous potential for electricity generation using new marine hydrokinetic technologies that convert the energy of waves, tides and river and ocean currents into electricity. And it is important to recognize the huge, untapped potential for hydropower in Alaska.

With hydropower, Congress has given the president an opportunity to address climate change and “bridge the divide” between parties. If he is serious about expanding the use of clean, renewable energy, he should at last give hydropower the attention it deserves in his final year.

[From the Register-Guard, Jan. 20, 2016]

PRESERVE HYDRO ASSETS

On Sept. 29, 1963, a crowd of 1,800 people gathered near the headwaters of the McKenzie River for the dedication of the Eugene Water & Electric Board's Carmen Smith project. A band played, box lunches were served, Gov. Mark Hatfield spoke and power flowed from a hydroelectric complex for which Eugene voters had approved a \$23.5 million bond issue three years earlier.

Carmen Smith has been generating electricity ever since, and now its license to operate on a public waterway needs to be renewed. EWEB submitted its relicensing application to the Federal Energy Regulatory Commission 10 years ago. The relicensing

process—along with improvements to the project, most of them related to fish passage—will cost an estimated \$226 million.

It is costing 10 times as much and taking more than three times as long to relicense the project as it did to build it in the first place.

To be sure, a million dollars isn't worth what it used to be, more is known about the environmental effects of hydroelectric projects than was the case half a century ago, and appreciation of the importance of the McKenzie River's fish habitat has grown. Still, the high cost of relicensing has tipped the value of the Carmen Smith project into negative territory. Low power prices are to blame—but another factor is a relicensing process that is predicated on the notion that hydroelectric projects are valuable enough to carry a heavy load of added costs.

The \$226 million price tag for relicensing stems in part from an agreement that EWEB negotiated in 2008 with government agencies, environmental groups and Native American tribes. The other parties to the agreement pledged to support a new license of Carmen Smith, and EWEB agreed to retrofit its components to improve fish passage and make other improvements. With electricity selling at \$100 per megawatt hour or more, power generated by the Carmen Smith complex would easily cover the costs.

In today's markets, however, electricity is selling for one-third that amount on a good day—and sometimes, buyers can't be found at any price. Without a reduction in relicensing costs, Carmen Smith will become a money loser. Parties to the 2008 agreement are close to accepting a revision that would lower the costs by \$55 million to \$60 million. EWEB would close a relatively small generating turbine at the complex's Trail Bridge Dam, eliminating the need for a costly fish screen. Even with that change, prospects of a positive cash flow from Carmen Smith are dicey.

EWEB is not the only utility whose hydroelectric plants are being weighed down by relicensing costs. One-third of the nation's dams will need new licenses by 2030. These are mostly dams whose construction bonds have long been paid off, an advantage that until recently allowed the relicensing process to become a vehicle for the addition of environmental, recreational and other improvements. In some cases, such improvements are no longer affordable. In other cases, the costs of licensing acts as a barrier to the electrification of dams or other impoundments, blocking the development of a reliable, carbon-free power source.

Many hydro projects need environmental upgrades, and should not be relicensed without them. But the process should not drag on for a decade, and it ought to recognize the environmental benefits of hydropower—benefits in danger of being buried under a mountain of relicensing costs.

Ms. MURKOWSKI. At the heart of the problem is a broken Federal permitting process that has created an unnavigable gauntlet for our hydropower projects. It can now take well over a decade to relicense an existing dam. I will say it again. We are not talking about licensing a new dam; we are talking about relicensing an existing dam—a process that can take over a decade. For the California consumers of Pacific Gas and Electric, relicensing costs have run as high as \$50 million per dam simply to continue an existing

project. We are not building anything new. We want to relicense it. It is costing \$50 million and taking over 10 years.

There was a recent editorial in a Eugene, OR, newspaper, the Register-Guard, which called for the preservation of hydropower assets, and it noted that the existing Carmen Smith project has been mired in the relicensing process for over 10 years, with a pricetag estimated at \$226 million. It amounts to 10 times as much and 3 times as long as it took to build the project when it was constructed in 1963. What is wrong with this picture? Taking 10 times as much—requiring 10 times as much money—\$226 million—and taking 3 times as long to build as when they built that project back in 1963. We are going in the wrong direction. This is not progress. We are headed exactly in the wrong direction.

We can change that. Let us put it in the context of what we have existing in this country right now. I said that right now hydro is providing about 6 percent of our energy and about half of our renewables. One-third of our Nation's existing hydropower projects will require license renewals by 2030. One-third of the existing facilities are going to have to go through this decade-long relicensing process, which will cost millions of dollars. What we need to do is make the relicensing process more efficient by reducing bureaucratic and administrative delays that end up increasing electricity rates, slowing hydropower's expansion, and actually delaying the adoption of environmental mitigation measures. If you are concerned about the environment, you ought to be interested in making sure we have a better process because if we fail to improve the relicensing process, we are going to start losing hydropower projects, and we will backslide as other forms of generation replace them, just as we are seeing with nuclear power in some parts of our country. We are going to go backward.

Whether your issue is climate change or whether it is electric reliability or just good, affordable energy, we should be able to agree that this is a situation we want to avoid. We do not want to be going backward on this.

Coming from Washington State, Senator CANTWELL understands and clearly appreciates the value of our hydropower resources. I have been very pleased to be able to work with her on many of these initiatives, as well as with many other members of our committee, on some of the bipartisan reforms we have contained within the Energy Policy Modernization Act. What we realize is that our current policies are holding this resource back and that we need to update, we need to modernize them, if we ever want to harness the amazing potential of domestic hydropower. Our joint hydropower language attempts to bring

State and Federal agencies to the table with the applicants at the beginning of the process so they can identify where the potential problems may be and coordinate environmental reviews.

Because hydropower licenses are issued by the FERC, our bill authorizes the Federal Energy Regulatory Commission to be the lead agency so they set a schedule and they coordinate all the needed Federal authorizations. The schedule is to be established on a case-by-case basis, in consultation with other agencies, and if a resource agency then cannot meet a deadline, the White House Council on Environmental Quality is then tasked with resolving these interagency disputes.

In terms of a step that is long overdue, we formally designate hydropower as a renewable resource for the purpose of all Federal programs.

When I first came to the Senate some years ago and focused on energy issues, I just really had a hard time with the fact that hydropower was not considered a renewable resource.

I was born in Ketchikan, AK. It is in the middle of a rainforest. I was raised in southeastern Alaska, where the annual precipitation is something that would take most people's breath away. If I were to tell the people of Juneau or Wrangell or Ketchikan that what is coming out of the sky today is not a renewable resource, I would be laughed out of the room. Hopefully we take care of this and formally designate hydropower as a renewable resource for the purposes of all Federal programs.

We have very good, commonsense ideas carefully crafted within our bill. Our language does not alter the authority of Federal agencies to impose mandatory environmental conditions or weaken the stringent environmental review process. For those who are afraid that somehow or another we are going to run roughshod over the environmental regulators, that is not the case. What we are doing is, through efficiency, streamlining, and some coordination, we are going to be able to make a difference in our Nation's ability to develop hydropower, and that is why the members of the Energy and Natural Resources Committee overwhelmingly supported the hydropower provisions in the bill we have before us today.

There is always more good news we can add. We have looked at the amendments other Members have offered. We have already accepted an amendment from Senator DAINES to extend the deadline for the relicensing of a hydropower project in Montana. We also have a number of other amendments from other Members from both sides of the aisle, and I am hoping we will be able to add them to the bill. For example, Senator GILLIBRAND has filed an amendment to extend the deadline for a hydroproject in her home State of New York. Senator BURR has filed an

amendment to extend the deadline of a hydroproject in his home State of North Carolina. Senator KAINE has filed an amendment to extend the deadline for hydroprojects in his State of Virginia. All of these projects would add power to nonpowered dams. These projects already have licenses, but what they need is more time to deal with the technical and regulatory issues that often arise before construction can begin.

We have a fair number of our western Members who are understandably prioritizing hydropower. Senator BARASSO is filing an amendment to authorize the use of active capacity of the Fontenelle Reservoir in southwest Wyoming. Senators FLAKE and FEINSTEIN have come together with a pretty good amendment to improve the way the Army Corps of Engineers operates dams to increase their efficiency. Is this not just good common sense?

It probably comes as no surprise that I have a couple of amendments that will benefit Alaska, including one that will expand the existing project at Terror Lake and allow the local community there—Kodiak—to remain powered almost entirely by renewable energy. Right now they are 99.7 percent powered by renewable energy between wind and their hydrocapacity. We want them to get to that full 100 percent.

Finally, I want to recognize the Senator from Massachusetts, Mr. MARKEY, who has a proposal to encourage the development of pumped storage hydropower assets—one of the best ways to store baseload power and a technology that could help to smooth out the intermittency of other renewable resources. We are working on that one—checking it out—but it looks good.

These are good proposals. As we continue our voting and clearing process here today, I am confident we will be able to accept many more of them.

Again, I want to acknowledge the work and partnership I have with Senator CANTWELL on many of these hydro issues. Her State certainly enjoys the benefit of lower cost energy because of the investments made in hydro.

We have more work ahead of us. I know Members are anxious to talk on their amendments that they may have an interest in moving toward this afternoon, but this Senator is glad to be back on the bill, and hopefully we will have an exciting and energetic day.

With that, I yield the floor to my ranking member.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I want to thank my colleague from Alaska for her focus on the hydropower bills we may be considering here, and I am thankful for the focus from all my colleagues on hydropower and ways we can continue to improve the efficiency of our resources and make sure we are continuing to diversify.

I think we have outlined a good plan for today. Obviously we need the cooperation of our colleagues to keep moving forward on this legislation. We are going to have a couple of votes.

I am so pleased my colleague from Minnesota is here to talk about one of our first votes, a federal energy efficiency resource standard. He has been a leader on this issue.

Yesterday I outlined some of the great States in this Nation that have already adopted what are called energy efficiency resource standards, which have shown great success in helping to save energy and driving down demand, thereby saving money for both businesses and homeowners. I think it is something that will also receive a lot of enthusiasm as we move forward.

I know that we have many ideas; that is what I like about this Energy bill—it was bipartisan coming out of the committee, and so far it has been bipartisan on the Senate floor in working out these issues. I hope my colleagues will understand that there will be a point where we do have to move off of this bill. Hopefully, with the cooperation of Members, we can make a great deal of progress today on additional votes besides the two that are pending, set more votes for later this evening, and also continue the process of getting some of these other issues resolved in the meantime.

Again, I thank our colleagues for turning their focus to this. I thank my colleague for outlining where we have already been on the bill as it relates to the amendments we adopted last night and the continued progress. I think it comes down to the fact that as our economy changes, energy production needs to have the attention of our committee. We need to continue to be able to help empower this transformation that our economy is seeing on energy, and working together in a bipartisan fashion helps us to get there. It is good for our homeowners, it is good for businesses, and it is good for our economy.

With that, I yield the floor and encourage our colleagues to support my colleague Senator FRANKEN on his EERS amendment we will be voting on shortly.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Thank you, Mr. President.

I rise today to talk about the importance of updating our Nation's energy policy. I thank Chairwoman MURKOWSKI, Ranking Member CANTWELL, and their staffs for their hard work in crafting a bipartisan energy bill.

Congress hasn't passed a comprehensive energy bill since 2007, and a lot has changed in the energy sector since

then. We have seen a transformation in renewable energy. Electricity generation from wind power has grown by more than 400 percent. Wind energy now supplies electricity for 20 million Americans. The growth of solar energy is equally impressive. In its early days, solar power was known for powering satellites and space stations. Now we are seeing residential and utility-scale solar power becoming important components of the grid. Since the passage of the last Energy bill in 2007, our solar generation capacity has increased more than 2,000 percent. During that time, the cost of solar energy has dropped more than 60 percent. We have to build on these trends and reorient our energy sector toward a clean energy future. Comprehensive energy legislation needs to promote innovation, deploy clean energy technology, and create good-paying jobs.

The bipartisan Energy bill we are currently debating is an important step forward. It improves our Nation's energy efficiency through common-sense measures, such as updating building codes. It invests in energy storage, which will turn intermittent renewable energy into baseload power. It also helps States and tribes to access funds to deploy more clean energy technologies. These are good measures, and that is why I voted to support this bill out of the energy committee.

However, the current bill does not go far enough to fight the challenge of climate change. Climate change presents a Sputnik moment—an opportunity to rise to the challenge and defeat the threat of climate change. In response to Sputnik, we mobilized American ingenuity and innovation. We ended up not just winning the space race and sending a man to the Moon, we did all sorts of great things for the American economy and for our society.

By rising to the challenge of climate change, we can bet again on American ingenuity. We have the opportunity not just to clean up our air but also to drive innovation and create jobs. That is why I am offering my American Energy Efficiency Act as an amendment to this bill. This amendment, which is cosponsored by Senators HEINRICH, WARREN, and SANDERS, establishes a national energy efficiency standard that requires electric and natural gas utilities to help their customers use their electricity more efficiently. This is something that 25 States are already doing, and what those programs have shown us is that energy efficiency standards work.

Our amendment will send market signals that we are serious about energy efficiency. It will unleash the manufacturing and deployment of all kinds of energy-efficient products throughout our economy. It will help households and businesses save money on their electricity bills. According to the American Council for an Energy-Efficient Economy—the experts in energy

efficiency who rated the energy savings in the Portman-Shaheen bill—our amendment will generate more than three times the energy savings of the entire Portman-Shaheen energy efficiency title in the base bill. By the year 2030, our amendment will generate 20 percent energy savings across the country and result in about \$145 billion in net savings to consumers.

Our amendment is modeled on the experience of States that have adopted energy efficiency standards. In fact, the first State to adopt efficiency standards was Texas. Similar programs have been adopted by both red and blue States. What we have seen with these programs is that they work. They are saving energy, and they are saving consumers money, both in businesses and homes.

My State of Minnesota passed its energy efficiency standards under a Republican Governor—Governor Tim Pawlenty—in 2007. We have a goal of 1.5 percent annual energy savings, and we don't just meet that goal, we exceed it. These energy efficiency standards also send a market signal to companies to innovate and deploy energy savings technologies.

The State of Arkansas set its energy savings targets in 2011, and according to the Arkansas Advanced Energy Foundation, the program has generated \$1 billion in sales by energy efficiency companies. The standard has also helped create 9,000 well-paying jobs in the State. The program has been so successful that the State public service commission recently extended the energy efficiency goals through 2019.

Arizona implemented its energy efficiency savings targets in 2011. Just 3 years after its implementation, Arizona went from being 29th to the 15th most energy-efficient State in the country. Through the program, utilities have saved electricity equivalent to powering 133,000 homes for 1 year. Businesses and residents have already saved \$540 million from reduced energy and water usage. These savings put more in people's pockets. That means more money to buy groceries, a new car, or to pay for college.

The States have shown that energy efficiency standards work. We should learn from Pennsylvania, Illinois, Colorado, and 22 other States and bring this successful experiment to the whole country.

I again applaud the efforts of Senator MURKOWSKI and Senator CANTWELL in bringing this bipartisan Energy bill to the floor.

I urge my colleagues to support my amendment when it comes to a vote this afternoon. My amendment will make this good piece of legislation stronger. It will reduce emissions. It will save Americans money. It will unleash clean energy innovation and jobs throughout the Nation. I urge all of my colleagues to vote yes on this amendment and to bet on our future.

This is a Sputnik moment. When we responded to Sputnik, we did amazing things. This is a piece of it. I urge my colleagues to support my amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASSIDY. Mr. President, I speak on amendment No. 3192, which is revolutionary. At some point I will yield to my colleague the Senator from Louisiana to further discuss this amendment.

Mr. President, the amendment I filed today is a byproduct of the work and bipartisan agreement of members representing the gulf, the Atlantic, and the Arctic regions of our country. I specifically thank Senators MURKOWSKI, WARNER, SCOTT, VITTER, Kaine, and Tillis for their contributions in our efforts to bring greater equity revenue sharing from funds derived from offshore energy production.

For years, energy activities in coastal gulf States and adjacent offshore waters have produced billions of barrels of oil and trillions of cubic feet of natural gas for American energy consumers. The States along the gulf coast and the Arctic, et cetera, have supported offshore energy development for the rest of the country, providing the support for and paying for the infrastructure needed to bring this energy to market. With all of this development, as you might guess, there have been increased costs associated with supporting this increased traffic, additional use of local and State resources, as well as transportation corridors—such as pipelines, vessels, and trucks—to get this energy delivered to those consumers driving vehicles all across the United States.

Maybe most importantly, in addition to the critical areas that support this energy supply, in my State in particular we are experiencing unparalleled land loss due to Federal decisions as to how the lower Mississippi River will be channeled for the benefit of the inland country as well as those efforts associated with this oil and gas development. We can see the effects of this unparalleled land loss. When Hurricanes Katrina and Rita hit our coast, there was no longer the wetlands that buffered the impact of tidal action. Those wetlands eroded, so those hurricanes hit with greater force, causing greater damage to our State. After Hurricane Katrina, you only have to remember those news reports from New Orleans to understand how devastating that could be—all related to decisions made by the Federal Government.

Addressing these historic costs of hosting a capital-intensive industry,

while ensuring resilient domestic energy supply, can be obtained only through equitable revenue sharing. What Louisiana does under our State constitution with any revenue that is shared from the Federal Government related to drilling off the coast of the Gulf of Mexico—100 percent is dedicated to coastal restoration; 100 percent is dedicated to restoring the wetlands that would prevent another Hurricane Katrina from devastating New Orleans or any other coastal community in our State.

There are other benefits for the rest of the country. This amendment that we have filed would increase funding for the Land and Water Conservation Fund by over \$600 million, so the rest of the country benefits as well.

This amendment brings greater equity in revenue sharing with the gulf States by lifting the Gulf of Mexico Energy Security Act, or the GOMESA revenue sharing cap, while allowing mid-Atlantic States and Alaska to share in future revenue from offshore energy production. All energy-producing States deserve to share the revenue derived from energy developed both onshore and offshore. Responsible revenue sharing allows States hosting energy production to mitigate for the historic and prospective infrastructure demands of energy production and allows States to make strategic investments ensuring future generations of resiliency for this vital infrastructure and natural resources.

Mr. President, I yield to my colleague from Louisiana, Senator VITTER, for his thoughts on this issue.

Mr. VITTER. Mr. President, I thank Senator CASSIDY.

Mr. President, I also rise in strong support of this amendment, the Cassidy amendment, which would increase revenue sharing for States for offshore oil and gas development.

Revenue sharing is a critical issue that I have advocated with others for many years, certainly including Senator CASSIDY, his predecessor, and Committee Chair MURKOWSKI. I am pleased that our coalition in support of this strong, positive concept has grown in recent years and it now includes colleagues from the mid-Atlantic States. I am particularly pleased that that is evidenced by this amendment being supported and coauthored by the two Senators from Virginia and Senator SCOTT.

Revenue sharing with oil and gas producing States is, No. 1, fair to those States that incur real environmental and other costs due to production activity that benefits the Nation; and, No. 2, it is good, positive pro-American energy policy.

It is fair because, again, energy-producing States incur costs and impacts from that production, including environmental costs. Those States need to be properly compensated to deal with those real costs and impacts.

Secondly, and just as importantly, this is positive, productive policy that furthers pro-American energy agenda. It encourages the production of American energy. It incents domestic drilling and activity and domestic energy production over the long term. That energy production is essential to job creation and an overall healthy economy. If it weren't for the oil and gas jobs that accompanied the energy sector boom earlier this decade, we would still be in a technical recession.

One point I wish to emphasize is that many of those jobs have been created by small firms in the oil and gas services industry and support sectors. These small business jobs are something I have highlighted in my role as chair of the Committee on Small Business and Entrepreneurship.

This amendment before the Senate, the Cassidy amendment, would increase revenue sharing for gulf States, and it would establish revenue sharing for new production from Alaska, Virginia, North Carolina, South Carolina, and Georgia. This is a clear gain for those States and those regions. But, more importantly, it is a clear gain for the country because in the medium and long term, we will get more American energy production and be more self-sufficient.

Let me be clear what revenue sharing means for States such as my home of Louisiana. In Louisiana we spend 100 percent of those revenues on valid environmental works, specifically coastal restoration.

We lose a football field of land in Louisiana's coastal area—just in coastal Louisiana—every 38 minutes. Think about that. Close your eyes, and picture a football field losing that amount of Louisiana coastal land every 38 minutes, 24 hours a day, 7 days a week, 52 weeks a year, with no time off for holidays or weekends. This is our most significant environmental issue by far in Louisiana, so our State has committed itself to spending all of the money we receive from revenue sharing to restoring, rebuilding, and stabilizing our coast.

This is vitally important for us. It is also vitally important for the rest of the country because Louisiana supplies so much energy to the rest of the country—so many fisheries, fish, and seafood to the rest of the country. Our ports in the midst of that coastal area are vital to trade and commerce for the rest of the country.

What this amendment does is expand revenue sharing to Alaska and the mid-Atlantic States. Between 2027 and 2031, those States would receive 37.5 percent of revenue sharing from oil and gas production off of their coasts, which is what Louisiana and the Gulf States receive now.

The amendment would also lift the cap on revenue sharing that the gulf States are burdened with under the

GOMESA act of 2006. Under that law, revenue sharing with gulf States is capped arbitrarily at \$500 million a year, but in those operative years of this amendment, that would be increased to \$1 billion a year.

Revenue sharing is vital when it comes to adequately compensating the States that incur costs and impacts, so it is vital for fairness. But, again, it is vital to encourage more American energy production and more self-sufficiency. For our Nation—not just the States impacted—that means growth, and that means energy independence. That is a win, in fact, for our foreign policy—less dependence on unstable and sometimes very unfriendly nations in the Middle East.

We want to continue to play a critical role in meeting America's energy needs. We want to do that in Louisiana; other States want to do that. This amendment and this concept will very much encourage us to do that and continue to forge a path of American energy independence, which is great for economic growth.

I wish to briefly take a moment to compliment my colleague from Louisiana, Senator CASSIDY. He has worked very hard on this issue, this amendment, and other critical energy issues as a member of the energy committee and also before that as a Member of the House of Representatives. I am very grateful for this opportunity to work with him on this amendment and this concept that we have been working on and furthering for some time.

I urge all of my colleagues to support this commonsense, pro-American energy, pro-American jobs amendment. This will move us in the right direction for energy independence, for economic growth, and for a sound foreign policy that decreases our reliance and dependence of any sort on nations in the Middle East.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. FISCHER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PORTMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Madam President, I will be speaking later, as we are expecting Senator SHAHEEN from New Hampshire.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Madam President, I am delighted to be on the floor today,

again, with my good friend from Ohio, Senator PORTMAN, to discuss our energy efficiency bill, the Energy Savings and Industrial Competitiveness Act, which is almost entirely now a part of the broad Energy Policy Modernization Act that is on the floor today.

The Energy Policy Modernization Act is a broad bipartisan approach to improve our Nation's energy policies on efficiency, infrastructure, supply, and accountability. I wish to thank the chair of the energy committee, Senator MURKOWSKI, and Ranking Member CANTWELL for the good work they have done to put together this bipartisan piece of legislation that is going to address a number of our energy challenges and also permanently reauthorize the Land and Water Conservation Fund. Now, as I said, a fundamental component of this bill started out as Shaheen-Portman. Now we call it Portman-Shaheen. But as my colleagues know, Senator PORTMAN and I have been working on this energy efficiency legislation since we first introduced it in 2011.

I am a proponent of energy efficiency because it is the easiest, cheapest way to reduce energy costs, to combat climate change, and to create private sector jobs. In addition to being affordable, energy efficiency benefits aren't confined to a certain fuel source or to a particular region of the country. You can like efficiency if you are a supporter of fossil fuels or if you are a supporter of new alternative energies.

Our piece of this comprehensive bill represents nearly 5 years of meetings, negotiations, compromise, and broad stakeholder outreach. The end result is an affordable, bipartisan approach to boost the use of energy efficiency technologies in manufacturing, in buildings, and across the Federal Government.

According to the American Council for an Energy-Efficient Economy, when fully implemented, our efficiency bill will create nearly 200,000 jobs, reduce carbon emissions by the equivalent of taking 22 million cars off the road, and save consumers \$16 billion a year. And it does this with absolutely no mandates.

Critical to the negotiation of this legislation has been the joint effort between Senator PORTMAN and myself, and between our staffs, to work out with stakeholder groups the concerns they had in the energy efficiency legislation and to come up with compromises that we all thought not only helped build support for the legislation but that actually make it a better bill.

So on buildings, which use about 40 percent of our energy in this country, the proposals in our legislation would improve energy savings by strengthening outdated model building codes to make new homes and commercial buildings more energy efficient. Again, I point out that it does that without

any mandates. It is a carefully crafted agreement that has been negotiated with everyone, from the home builders to the realtors to a number of our friends in labor. So I think this is a compromise, and the language in the bill is a compromise for which there is broad support.

The bill also encourages energy efficiency in the industrial sector, which consumes more energy than any other sector of our economy. Again, the provisions in the legislation would encourage the private sector to develop innovative energy efficient technologies for industrial applications and to invest in a workforce that is trained to deploy energy efficiency practices to manufacturers, and they would encourage the Department of Energy to work more closely with stakeholders on commercialization of new technologies.

Finally, the energy efficiency piece of this legislation would encourage the Federal Government, the Nation's largest energy consumer, to adopt more efficient building standards and technologies, such as smart meters. With stronger efficiency standards for Federal facilities, we can save taxpayers millions of dollars.

Senator PORTMAN and I have introduced our bill three times. Each time, this legislation has received broad bipartisan support from our Senate colleagues, broad bipartisan support in the energy committee, and it has received strong support from a diverse group of stakeholders—everyone from trade associations and the U.S. Chamber of Commerce to the National Association of Manufacturers, labor organizations, and the environmental community—all, I think, because efficiency is something that we can all agree on.

At long last, I am excited to see that the full Senate is again taking up this legislation as part of a bigger, more comprehensive bill.

Before I turn it over to Senator PORTMAN, who is here, I would also point out that two other provisions I have been working on are included in this comprehensive bill. One is smart manufacturing legislation, which uses technology to integrate all aspects of manufacturing so that businesses can manufacture more while using less energy. The other provision deals with grid integration, because, as we know, this is one of the issues that the committee took up as part of this bill: How do we address our aging transmission and distribution infrastructure? The grid integration bill will ensure the broader deployment of clean and efficient technologies, such as solar, combined heat and power, and energy storage. I think that is important to strengthen this Nation's energy security.

Finally, I will close by saying that the Senate is working this week on a comprehensive energy bill for the first time since 2007, if it becomes law.

Since then, we have seen a dramatic change in our economy, and we have seen a dramatic change in the world economy with respect to energy. The United States has greatly reduced our energy imports. We are now the world's top producer of oil and natural gas. In many places around the world, electricity generated by renewable sources, such as wind and solar, is cheap enough to compete effectively with electricity generated by fossil fuels. Just at the end of the year, we saw more than 180 countries come together to form a global plan to reduce greenhouse gas emissions and mitigate the effects of climate change. So we are truly experiencing a revolution in energy production and energy technology. It is way past time for our energy policies in America to catch up with that revolution.

I, again, thank the chair and ranking member and the entire energy committee, and, again, my colleague Senator PORTMAN for the great work he has done and that we have done together to bring this portion of the bill to the floor.

I yield to Senator PORTMAN.

Mr. PORTMAN. Madam President, I thank my colleague from New Hampshire, and I tell her that the third time is the charm. Right? We have had the bill before us twice now. We really think this is the opportunity for us to do something good for our constituents and for our country. This is an opportunity for us to pass energy efficiency legislation. It will help create more jobs, make the environment cleaner, make our businesses more competitive, make us less dependent on foreign sources of oil, and help with the trade deficit because of that. So this is a win-win for everybody, and, because of that, I thank Senator SHAHEEN for her work on this. We have been working on this for 4 years together. The last vote we had in the energy committee on this legislation was a 20-to-2 vote. As we have worked on this over time, we have received more and more support as people understood what we were doing and why it was so important for their States and for our country.

The economic growth in this last quarter was 0.7 percent, meaning less than 1 percent growth. That is discouraging. We have to look around and say: What can we do to help to get this economy moving again? One area is energy. There is no question about it. We believe our legislation will help. It is going to create jobs. We have the number out there, as Senator SHAHEEN talked about, and just under 200,000 jobs could be created by our legislation. We have an analysis that shows this. But this broader energy bill would also help. That is one reason we need to move forward on this.

We are grateful that our legislation is part of this broader bill called the Energy Policy Modernization Act. This

legislation is one that Senator MURKOWSKI and Senator CANTWELL have been talking about on the floor. I support that broader legislation, also, as does Senator SHAHEEN, and we like it because it is a broader bill that looks at the energy issue as an "all the above." In other words, we should be using various sources of energy and producing more energy, but we should also be using what we have more efficiently.

We are delighted that our legislation—the Portman-Shaheen legislation—is title I of this broader bill. This is an opportunity for us to do something really good for the economy—this broader bill, as well as our specific bill. We think our specific bill is really important with regard to jobs.

One thing I hear back home from our manufacturing companies is that they would like to become more competitive so that they can create more jobs in Ohio and in America. We are starting to bring some jobs back because energy prices are relatively low, natural gas and oil in particular. But one of the issues they are facing overseas is that other countries are more energy efficient and their manufacturing companies are more efficient. So they are competing with companies that have a lower cost to produce the same product. So one reason they are excited about this legislation—and why the National Association of Manufacturers is for this legislation and has worked with us from the start—is that this provides them access to new technologies on energy efficiency that will let them compete globally with other companies and create more jobs. This is going to result in more jobs coming to Ohio, more jobs coming to New Hampshire, and more jobs coming to America. We like that about the legislation. It also has more jobs because these energy efficiency retrofits are going to create more jobs and activity here in this country. So as buildings become more efficient, we will need workers to work on that. We have some training programs in our legislation, for instance, to provide for that workforce. So we are going to create more jobs.

As to energy independence, the underlying bill lets us actually produce more energy here but use it more efficiently. I like producing more and using less. It is a nice combination, and it lets us say to other countries in the world that we are going to be energy independent and not subject to the dangerous and volatile parts of the world where our energy comes from. We are going to be a net exporter over time. Energy efficiency helps us to be able to do that.

Our trade deficit is driven by a couple things. I am a former U.S. Trade Representative, and, yes, countries like China and other countries aren't playing by the rules. That is a problem, and

we need to address that. But another one is energy. We still do need to bring in more energy than we are exporting. That is an opportunity for us to help our economy overall with efficiency and to help improve our trade deficit, which improves our environment.

Senator SHAHEEN talked about improving the environment, but the analysis she was using is that 21 million cars being taken off the road is the equivalent savings that is in this legislation for emissions. That is because of the energy efficiency. This is an opportunity for us to be much more energy efficient in terms of our economy and be more competitive but also to clean the environment. This is a good example.

By the way, it is not a big regulatory approach, as some other approaches are. It doesn't have any mandates in it, so it is not going to kill jobs. It is actually going to create jobs and yet help the environment. That is a good combination for us. It is one we are excited about because it is a way for us to both help the economy and help the environment. That is important too.

We are excited about getting this across the finish line because we know it is the right legislation. It is the right time. We think there is an opportunity for us to actually do something that is bipartisan, something we can get through the House and get to the President's desk for his signature.

One reason we are excited about the prospects of getting something done is that we have so much support around the country. There are over 260 trade association groups that have now supported this legislation. By the way, they range from the National Association of Manufacturers—as I talked about earlier—to the Sierra Club, to the Alliance to Save Energy, to the U.S. Chamber of Commerce. That is not a group that normally gets together on legislation. So this is an opportunity for us to get a lot of groups involved and focused because it does make good economic sense, good energy sense, and good environmental sense. While helping others in the private sector, the bill does not have mandates. I think that is very important. This is legislation that provides incentives but not mandates.

The final piece I want to talk about is one that everybody should be for. It is going to actually help reduce the costs of the Federal Government and therefore help us all as taxpayers; that is, to take on the Federal Government's efficiency challenge. We believe the U.S. Federal Government is the largest energy user in the United States and may well be the largest energy user in the world. This is let's practice what we preach.

The Federal Government is talking about green technologies, energy efficiency, and so on, but in our own Federal Government we see huge gaps and

huge opportunities. This legislation goes after that and specifically puts in place requirements for the Federal Government to be much more efficient with how it uses energy. That will make a big difference in terms of everything we talked about with regard to the environment and the benefits of efficiency, but it also helps the taxpayer because at the end of the day, we will be spending less on energy for the Federal Government as taxpayers.

It is another part of the legislation that I think is important and one where I would hope everybody would be supportive. Overall, we believe this legislation will save consumers \$13.7 billion annually in reduced energy costs. This is a big deal. This is something that if we can get it through the Senate this week and get it through the House and get it to the President for his signature, it will make a real difference for the families I represent and whom all of us in this Chamber have the honor to represent.

I thank Senator SHAHEEN for her patience over what has been 4, 5 years working on this together with me and the good work she has done and others have done to give us this opportunity to be able to help those folks whom we represent with an "all of the above" energy strategy that is good for jobs, good for the environment, and good for the taxpayer.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Madam President, as the Presiding Officer knows, we are busy working to complete action on the Energy Policy Modernization Act. I want to start by saying some good words about the leadership of Senator MURKOWSKI, the chairman of the energy committee, and her ranking member, Senator CANTWELL, who have gotten us to this point. Unless we drop the ball in the next couple of days, we ought to be able to wrap up our debate and deliberation on this very important bill that will help our country move forward with energy policies that reflect the times we are living in.

I also think we ought to reflect on what those times are because it was just a few short years ago when all of the pundits and experts were predicting peak oil. In other words, all the oil that could be discovered, they said, had been discovered and we would then be in a period of decline from that point forward. In the United States we also found ourselves in the main dependent upon imported oil from the Middle East. As you know, both of those have turned around. In other words, because of the innovation and good old all-American know-how, we are now exporting more energy.

To Senator MURKOWSKI's credit, she led the effort to lift the ban on exporting crude oil, so now American-produced energy can be made available on world markets. Just as significantly,

we can make sure our friends and allies around the world aren't captive to people like Vladimir Putin, who uses energy as a weapon and threatens to cut off the energy supply, particularly of those countries in its orbit in the Baltics unless they are willing to go along with his heavy-handed tactics.

This is a very good story. This legislation will update our energy policies with that reality in mind and enable our country to continue to grow its role as a leading global energy power. I pause here to say that this is not just from people who come from an energy State as I do, such as from Texas or Alaska or North Dakota. The energy story is the story of world history in so many ways.

One of my favorite books is written by Daniel Yergin, a Pulitzer Prize-winning author. One of the books he has written is called "The Prize," which tracks the history of the globe and in an incredible sort of way, but he makes the point that so much of our history has been determined by the need for and attempt to gain access to reliable energy supplies and how important that is not only to our military to be able to fight and win our Nation's wars but to our economy, to the businesses that need access to reasonably priced energy and to consumers, obviously.

We are seeing the benefit now, those of us who filled our gas tank recently, of inexpensive gasoline prices because the price of oil has come down because of increased world supply. There comes a point where it is challenging to the industry, but they have been through ups and downs in the past, and I am sure they will make the appropriate adjustments.

In this legislation, in addition to addressing and modernizing our energy policies, we are doing things such as modernizing the electric grid. That is what keeps the lights on at night and keeps our thermostats working when it is cold and we have snowstorms like we had in Washington recently.

This bill will make our electricity supply more reliable and more economical in the long run. Just like we did with crude oil, this bill will help expedite the approval process for liquefied natural gas exports. It is amazing to me to think that a few short years ago we were building import terminals that would actually receive natural gas being exported from other countries to being brought to the United States to help us with our energy needs. Now those have been retrofitted and reversed so these export terminals are now exporting American energy to markets around the world.

I want to spend a couple of minutes talking about some amendments that I have offered to the underlying bill. Again, I must compliment the bill managers for working with various Senators to try to work in, either through a voice vote or by some acceptance of amendments, provisions

which are designed to improve this legislation. My amendments that I want to mention now are designed to address Texas's needs and the American people's needs from preventing overreach by the administration, particularly when it comes to your energy production and supply.

One amendment I have offered specifically targets an upcoming rule offered by the Bureau of Safety and Environmental Enforcement, known as BSEE. BSEE is an organization that most people are completely unaware of, but it is set to hand down a rule referred to as the so-called well control rule that deals with highly technical and complex safety producers for offshore wells.

Certainly, since the BP blowout in the Gulf of Mexico, we have become all too aware of the dangers of uncontrolled blowout of offshore drilling, but there has been a lot of very important study, work, and education that has been acquired since that time. The industry has done a lot to make itself safer.

You can imagine, if you are a publicly traded company or if you are not a publicly traded company, you sure don't want to be in the middle of another crisis like we saw with the BP blowout in the Gulf of Mexico for all sorts of reasons: People lost their lives, cost hundreds of millions of dollars, and of course the environmental impact along the gulf coast, including States like Texas. In typical bureaucratic fashion, the Bureau of Safety and Environmental Enforcement, BSEE, has refused to engage in discussions that might help clear up some confusion among stakeholders. They have been unwilling to take the time to fully vet the negative impact on their proposed rules and to talk to the people who know the most about it, and that would be the people who would be most affected by the rule.

My amendment would require BSEE to resubmit the rule but first by taking additional comments from stakeholders, and it would require the rule-making organization to have additional workshops with industry experts so everybody can understand what they are trying to accomplish and to do it more efficiently and better.

So often the very people who have the most expertise are in the industry the government tries to regulate. I know there is a natural reluctance to try to consult with and learn from the regulated industry, but the fact is, often—and it is true in this case—it is that industry that understands the process and both the risks and what protective measures need to be taken in order to accomplish the objective. So rather than just issuing a rule that is complex and highly technical without consulting the stakeholders who are sitting down and having a reasonable conversation trying to figure out

what you are trying to accomplish, have you thought of this, have you thought of doing it differently or a better way, that doesn't happen. Unfortunately, that is where we are with BSEE.

In addition, I have submitted an amendment that protects property owners along a 116-mile stretch of the Red River, which borders the States of Texas and Oklahoma. This has to do with another bureaucracy called the Bureau of Land Management. A few years ago, the Bureau of Land Management claimed to actually own tens of thousands of acres along the Red River. As you can imagine, that came as quite a shock to the people who thought they owned that property, and now many of them are stuck today fighting the U.S. Government—their government—in court to reclaim the property that is rightfully theirs.

My amendment would help protect these landowners from this massive land grab. It would require a legitimate survey of the land in question to be conducted and approved by the authorities. It seems so commonsensical, but unfortunately common sense isn't all that common when you see the bureaucracy at work. With this amendment, these landowners would finally get a reasonably efficient means of resolution to this frustrating abuse of Federal Government power.

Another amendment I have submitted would address how States, counties, and other affected parties enter into a conversation about the Endangered Species Act. Too often States and local communities, not to mention private property owners, are left in the dark while interest groups they don't know much about conduct closed-door discussions with Federal authorities about potential listing of endangered species.

My amendment will give all of the stakeholders the opportunity to have a seat at the table and to have a conversation—it doesn't seem like a lot to ask—so both the regulators and the regulated can talk about the real impact those regulations will have on their daily lives and better inform the regulatory process.

These amendments get to different specific problems, but the common theme uniting them is a desire to try to lessen the interference by the government in our everyday lives. By pushing back against overbearing, costly regulations that don't actually accomplish the goal that even the regulators say they want to accomplish and ensuring that State and local communities and stakeholders play a role in this conversation which should be part of the regulatory process, the American people would be better served by this legislation.

As we continue these discussions on this bill, I hope my colleagues will consider these amendments and others

like them to help get the government out of the way or to help correct the bureaucracy when it is misguided and misinformed about how to actually accomplish consensus goals.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 3023 TO AMENDMENT NO. 2953

Mr. LEE. Madam President, I call up my amendment No. 3023.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 3023 to amendment No. 2953.

Mr. LEE. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the authority of the President of the United States to declare national monuments)

At the end of subtitle E of title IV, add the following:

SEC. 44. MODIFICATION OF AUTHORITY TO DECLARE NATIONAL MONUMENTS.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) EFFECTIVE DATE.—A proclamation or reservation issued after the date of enactment of this subsection under subsection (a) or (b) shall expire 3 years after proclaimed or reserved unless specifically approved by—

“(1) a Federal law enacted after the date of the proclamation or reservation; and

“(2) a State law, for each State where the land covered by the proclamation or reservation is located, enacted after the date of the proclamation or reservation.”.

Mr. LEE. Madam President, I ask unanimous consent to speak for up to an additional 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEE. Madam President, if there is one thing we know about American politics—if there is one thing we have learned from the 2016 Presidential race thus far—it is that there is a deep and growing mistrust between the American people and the Federal Government. This institution, Congress, is held in shamefully low regard by the people we were elected to represent, but so, too, are the scores of bureaucratic agencies that are based in Washington, DC, but extend their reach into the most remote corners of American life.

In my home State of Utah, the public's distrust of Washington is rooted not in ideology, but experience. In particular, the experience of living in a State where a whopping two-thirds of the land is owned by the Federal Government and managed by distant, unaccountable agencies that are either indifferent or downright hostile to the interests of the local communities that

they are supposed to serve. I have lost track of the number of stories I have heard from the people of Utah about their run-ins with Federal land management agencies, but there is one story that every Utahan knows: President Bill Clinton's infamous use of the Antiquities Act in 1996 to designate as a national monument more than 1.5 million acres of land in southern Utah—what would become known as the Grand Staircase-Escalante National Monument.

What Utahans remember about this episode is not just what President Clinton did, but how he did it. Signed into law in 1906, the Antiquities Act gives the President power to unilaterally designate tracts of Federal land as "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest." The purpose of the law is to enable the Executive to act quickly to protect archaeological sites on Federal lands from looting, destruction, or vandalism.

But the Antiquities Act is not supposed to be *carte blanche* for the President. In fact, it is quite the opposite. The language of the law is clear. It instructs the President to restrict the designation of national monuments under the Antiquities Act to the "smallest area compatible with proper care and management of the objects to be protected." So you can imagine the surprise, and, in fact, the indignation across the State of Utah following President Clinton's decision to annex a stretch of land roughly 1½ times the size of the State of Delaware and then to give control over that land to a Federal bureaucracy that routinely maintains a maintenance backlog that is several billion dollars higher than its multibillion-dollar annual budget.

Even worse than the enormous size of the designation was the Clinton administration's hostility toward the people of Utah and the communities that would be most directly and severely affected by his decision. Not only did President Clinton announce the monument designation in Arizona—over 100 miles from the Utah State border—but he refused to consult or even notify Utah's congressional delegation until the day before his announcement. Consulting with the people who live and work in the communities around a potential national monument area isn't just a matter of following political etiquette, it is a matter of ensuring that Federal land policy does not rob citizens of their livelihood, which is exactly what happened as a result of the Grand Staircase designation.

Utah's economy is built on the farm and agriculture industry, and livestock is the State's single largest sector of farm income. But of the 45 million acres of rangeland in Utah, nearly three-quarters is owned and managed by the Federal Government.

Since the 1940s, Federal agencies have slashed livestock grazing across the Utah landscape by more than 50 percent—a policy of economic deprivation that accelerated after 1996 on rangeland within the Grand Staircase. Even today the Bureau of Land Management shows no sign of relenting.

For most people, the Grand Staircase episode is a case study of government-sponsored injustice and a form of bureaucratic tyranny. For me, it brings to mind the line from America's Declaration of Independence in which the colonists charge that the King of Great Britain "has erected a multitude of New Offices and sent hither swarms of officers to harass our people, and eat out their substance."

But for President Obama and the radical environmental groups that have co-opted Federal land agencies, it is the textbook model for the application of the Antiquities Act. In fact, it appears that President Obama is considering using his final year in the White House to target another vast tract of land in southern Utah for designation as a national monument. Covering 1.9 million acres of Federal land in San Juan County, this area, known as Bears Ears, is roughly the same size as the Grand Staircase. Both are situated near the southern edge of the State, and both possess an abundance of national beauty unrivaled by any place in the world.

The similarities don't end there. Each area is home to a group of Utahans deeply connected to the Federal land targeted by environmental activists for a national monument designation. In the case of the Grand Staircase, it is the ranchers, and in the case of Bears Ears, it is the Kaayelii Navajo. The Kaayelii believe that a national monument designation in Bears Ears, their ancestral home, would threaten their livelihood and destroy their very way of life.

Their concerns are well founded. In the 1920s and 1930s, hundreds of Navajo families settled on homesteads located in national monuments only to find themselves steadily pushed out by imperious Federal agencies all too eager to eradicate the private use of public lands. So it should come as no surprise to us today that the Kaayelii are protesting the unilateral Federal takeover of Bears Ears and calling on the Obama administration to forgo the high-handed approach to land conservation that was employed by President Clinton in 1996.

The Kaayelii, of course, are not opposed to the protection or the conservation of public lands. They care about the preservation of Bears Ears just as much as anyone else. To them, the land is not just beautiful, it is also sacred. They depend on it for their economic and spiritual survival, which is why all they are asking for is a seat at

the table so that their ancestral land isn't given over, sight unseen, to the arbitrary and arrogant control of Federal land management agencies.

I agree with the Kaayelii. The President of the United States has no business seizing vast stretches of public land to be micromanaged and mismanaged by Federal agencies, especially if the people who live, work, and depend on the land stand in opposition to such a takeover. There is no denying that the people of San Juan County reject the presumption that they should have no say in the management of the land in their community. The truth is that most of those who have mobilized to support a monument designation at Bears Ears, including several Native American groups, live outside of Utah in States such as Colorado, New Mexico, and Arizona.

By contrast, the people of San Juan County, UT—the people whose lives and livelihoods are intricately tied to Bears Ears—stand united in their opposition to a monument designation. That is why I have offered amendment No. 3023, which would update the Antiquities Act in order to protect the right of the Kaayelii and their fellow citizens of San Juan County to participate in the government's efforts to protect and preserve public land.

Here is how my amendment works: It preserves the President's authority to designate tracts of Federal land as national monuments, but it also reserves a seat at the table for people who would be directly affected by Executive action. It does so by opening the policymaking process to the people's elected representatives at the State and Federal levels so they can weigh in on monument designations.

Under my amendment, Congress and the legislature of the State in which a monument has been designated would have 3 years to pass resolutions ratifying the designation. If they fail to do so, the national monument designation will expire. Some critics might claim that this amendment would take unprecedented steps to curtail the President's monument designation authority under the Antiquities Act. This is not true. This, in fact, is nonsense. The truth is that Congress has twice passed legislation amending the Antiquities Act. In 1950, Congress wholly prohibited Presidential designation of national monuments under the Antiquities Act in the State of Wyoming. Some 30 years later, Congress passed another law requiring congressional approval of national monuments in Alaska larger than 5,000 acres.

If you have ever visited Wyoming or Alaska, you know that these provisions have not led to the parade of horrors conjured up by radical environmental activists who seem intent on achieving nothing short of ironfisted Federal control of all Federal lands.

In reality, the States of Wyoming and Alaska have proven that national

monument designations are not necessary to protect and conserve America's most beautiful, treasured public lands. So why should the people of Wyoming and Alaska enjoy these reasonable, commonsense protections under the law while the people of Utah—and indeed, the people of every other State in the Union—do not enjoy the same protections? There is no good answer to this question except, of course, the adoption of my amendment.

To anyone who might suggest that the people of these communities in and around national monuments are not prepared to participate in the monument process and policy process that leads to the creation of a monument, I invite you to visit San Juan County in southeastern Utah. You will see a community that is not only well informed about the issues and actively engaged in the political process, but also genuinely dedicated to finding a solution that works for everyone.

The people of San Juan County—from the Kaayelii to the county commissioners—have the determination that is necessary to forge a legislative solution to the challenges facing public lands in their community, and that is exactly what you would expect. San Juan is a hardscrabble community. It is one of the most disadvantaged in the entire State of Utah, but you wouldn't know it from the people there. The citizens of San Juan County are hardworking, honest, decent, and happy people. Yet for far too long, Federal land management agencies have given the people of San Juan County and the people all across America little reason to trust the Federal Government.

My amendment gives us an opportunity to change that. If Congress wants to regain the trust of the American people, we are going to have to earn it, and one of the ways we can earn it is by returning power to the people, and that is what this amendment would do. Passing this amendment giving all Americans a voice in the land management decisions of their community would be a meaningful and important step toward earning back that trust. I urge my colleagues to lend their support to this amendment and the vital public trust that it will help us to rebuild.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I am hopeful that before we go to the caucus lunches, we will be able to move forward on a few more amendments and the scheduling of votes. Hopefully we will be able to do that in a few minutes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Madam President, we are making some good progress here in the intervening hours since we came to the floor this morning and began business.

Working with the ranking member on the Energy and Natural Resources Committee, we have come to an agreement to announce a series of amendments that will be voted on. I want to acknowledge the effort that has gone back and forth on both sides to make sure folks have an opportunity to weigh in and vote on amendments that are important to them. I think we have a good series here that we will announce.

It is our hope that as we move to vote on these amendments, we will also continue the good work we have done to try to advance some other measures that will be able to go by voice votes, and we will be working on those throughout the day.

Madam President, I ask unanimous consent that it be in order to call up the following amendments: No. 3182, Rounds, as modified; No. 3030, Barrasso; No. 2996, Sullivan; No. 3176, Schatz; No. 3095, Durbin; and No. 3125, Whitehouse; that following the disposition of the Franken amendment No. 3115, the Senate proceed to vote in relation to the above amendments in the order listed with no second-degree amendments in order prior to the votes; that a 60-vote affirmative threshold be required for adoption; and that there be 2 minutes of debate equally divided prior to each vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Madam President, I would note that there will now be a series of eight votes when we commence at 2:30 this afternoon, and recognizing that there are committees meeting and other Senate business going on, we would hope to be able to process these votes relatively efficiently, respecting that 10-minute vote parameter, so that we can move through them in a manner that respects others' schedules.

With that, Madam President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:49 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

ENERGY POLICY MODERNIZATION ACT OF 2015—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30

p.m. will be equally divided in the usual form.

The Senator from Arizona.

AMENDMENT NO. 3023

Mr. FLAKE. Mr. President, I rise today in support of Lee amendment No. 3023, which places commonsense limitations on the ability of the executive branch to unilaterally lock up large swaths of public land. Specifically, the amendment provides Congress and the applicable State legislatures a 3-year window to approve Presidentially declared national monuments, ensuring that land use decisions finally have the input from the impacted States.

Arizona knows all too well the effects of restrictive Federal land designations. Like most Western States, a significant portion of Arizona is under Federal ownership. Arizona leads the Nation with a total of 21 national parks and monuments. Like most, our Federal land is a mix of single-purpose lands set aside for recreation and multiple-use lands providing opportunities for grazing, mining, and timber production. The ability to use these lands for multiple purposes is critical; however, a national monument designation can take away that opportunity with one stroke of the President's pen.

It is also worth noting that a monument designation has the potential to change the character of the water rights associated with Federal lands—an outcome I am working to prevent with separate stand-alone legislation.

There is a real concern that the President will take unilateral action to increase the Federal Government's ownership of Federal lands. In fact, one recent proposal would lock up another 1.7 million acres right in Arizona to create yet another national monument. That is an area larger than the entire State of Delaware. The negative impact of such a land grab would likely extend to activities such as hunting, livestock grazing, wildfire prevention, mining, and other recreation activities. Last March Senator McCAIN and I sent a letter to the President urging him to not unilaterally pursue this monument designation. This sentiment is echoed by a large number of individuals throughout Arizona, including State and local officials, several municipalities, and a wide range of sportsmen's groups.

The Lee amendment would give these stakeholders a voice in the monument designation process, and I am happy to be a cosponsor and to support this amendment on the floor today.

I also look forward to considering several amendments I have submitted on this legislation as well regarding safeguarding hydropower production, reimbursing national parks after a government shutdown occurs, and creating a database to increase transparency for WAPA customers.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, we are about to vote shortly on the Lee amendment.

I rise to speak in opposition to that amendment and to remind my colleagues that this is a vote that we took around the same time last year.

The Antiquities Act is one of our Nation's most successful conservation laws. It was signed into law in 1906 and used by President Theodore Roosevelt to designate Devils Tower in Wyoming as its first national monument.

In the 110 years since its enactment, the Antiquities Act has been used by 16 different Presidents—8 Republicans, 8 Democrats—to designate more than 140 national monuments, including the San Juan Islands and the Hanford Reach in the State of Washington. Nearly half of our national parks, including national icons, such as the Grand Canyon and Olympic National Park, were designated as national monuments under the Antiquities Act. However, the amendment of the Senator from Utah would effectively end the President's ability to use the Antiquities Act to protect these threatened lands. His amendment requires that the national monument designation will expire after 3 years unless Congress enacts a law specifically approving the designation, and the State in which the monument would be located would also have to approve the designation. So this amendment requires State and Federal approval over a Federal land designation, which is unprecedented, giving away Federal land management responsibilities to States and a veto over these conservation efforts.

I hope that, as my colleagues look at this first vote, they will oppose this amendment. As I said, I strongly do, and I hope our colleagues will look at their past record on this as well, because I am pretty sure we are all on record on our side in opposition to this amendment in the past.

With that, I know we are probably ready to proceed to the vote.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise to speak in support of my amendment No. 3023.

The purpose of this amendment is simple—to put in the hands of the people the right to decide whether a monument close to them will be designated. My amendment would leave intact the President's authority to designate a monument such that we could protect land from imminent destruction, but it

puts a fuse on that. It puts a finite limit on that authority so that within 3 years that monument designation would expire unless both the host State has acted to embrace it and Congress has affirmatively enacted the monument designation into law.

The American people demand and deserve nothing less than to have decisions such as these put in the hands of their elected representatives rather than simply handed over to one single official who doesn't stand accountable to the American people.

I encourage my colleagues to support this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3023.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—47

Barrasso	Fischer	Paul
Blunt	Flake	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heller	Roberts
Cassidy	Hoeven	Rounds
Coats	Inhofe	Sasse
Cochran	Isakson	Scott
Collins	Johnson	Sessions
Corker	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Manchin	Tillis
Crapo	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Moran	Wicker
Ernst	Murkowski	

NAYS—48

Alexander	Feinstein	Merkley
Ayotte	Franken	Mikulski
Baldwin	Gardner	Murphy
Bennet	Gillibrand	Murray
Blumenthal	Heinrich	Nelson
Booker	Heitkamp	Peters
Boxer	Hirono	Reed
Brown	Kaine	Reid
Cantwell	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Coons	Markey	
Donnelly	McCaskill	
Durbin	Menendez	

Tester	Warner	Whitehouse
Udall	Warren	Wyden

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Minnesota.

AMENDMENT NO. 3115 TO AMENDMENT NO. 2953

(Purpose: To establish a Federal energy efficiency resource standard for electricity and natural gas suppliers)

Mr. FRANKEN. Mr. President, I call up amendment No. 3115 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. FRANKEN] proposes an amendment numbered 3115 to amendment No. 2953.

(The amendment is printed in the RECORD of January 28, 2016, under "Text of Amendments.")

Mr. FRANKEN. Mr. President, I ask for order so my colleagues might hear my wise remarks.

The PRESIDING OFFICER. The Senate will come to order.

Mr. FRANKEN. Mr. President, I call on my colleagues to support my amendment No. 3115 that I offer with Senators HEINRICH, WARREN, and SANDERS. This amendment establishes a national energy efficiency standard that requires electric and natural gas utilities to help their customers use energy more efficiently. Our amendment is modeled on the experience of Minnesota and 24 other States that have already adopted energy efficiency standards, including States such as Texas, Arizona, and Arkansas. The State programs are working great, helping reduce energy usage, saving customers, consumers, and businesses money on their electricity bills, creating well-paying jobs, and reducing greenhouse gas emissions. According to the American Council for an Energy-Efficient Economy, our amendment will generate more than three times the energy savings of the entire Portman-Shaheen energy efficiency title, which is a great title in and of itself, in the base bill. By the year 2030, our amendment will generate 20 percent energy savings across the country and result in about \$145 billion in net savings to consumers.

We like to say that States are the laboratories of democracy, and half our States have shown that these policies work. So it is time to build on their successes and bring this successful experiment to the entire country. I ask my colleagues to join me in supporting this important amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I urge that Members oppose this amendment that would impose a Federal

mandate on retail electricity and natural gas suppliers to reduce a certain percentage of electricity or natural gas that their customers use annually. We have considered this before. We have seen it. It has been under consideration for about a decade. Most recently, the energy committee rejected this same proposal as we were moving forward on this bipartisan Energy bill.

A national mandate like this depends on the behavior of end-use customers. The concern that you take a one-size-fits-all policy that refuses to recognize very real regional differences that are in play out there with energy use is problematic. As the Senator from Minnesota said, 25 States already have this in place, but what we do by imposing a new national mandate is we upend those existing State programs.

We have a good, bipartisan efficiency measure contained in this. That is why a Federal EERS has not worked before. Now is not the right time to move forward with it.

Mr. President, I ask unanimous consent that the votes in this series be 10 minutes in length so we can move through the amendments we have in front of us.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time has expired.

The question occurs on agreeing to the amendment.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 52, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—43

Baldwin	Collins	King
Bennet	Cooms	Klobuchar
Blumenthal	Donnelly	Leahy
Booker	Durbin	Markey
Boxer	Feinstein	McCaskill
Brown	Franken	Menendez
Cantwell	Gillibrand	Merkley
Cardin	Heinrich	Mikulski
Carper	Hirono	Murphy
Casey	Kaine	Murray

Nelson	Schumer	Warren
Peters	Shaheen	Whitehouse
Reed	Stabenow	Wyden
Reid	Udall	
Schatz	Warner	

NAYS—52

Alexander	Flake	Paul
Ayotte	Gardner	Perdue
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heitkamp	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johnson	Sullivan
Corker	Kirk	Tester
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Daines	McCain	Vitter
Enzi	McConnell	Wicker
Ernst	Moran	
Fischer	Murkowski	

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

THE PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from South Dakota.

AMENDMENT NO. 3182, AS MODIFIED, TO
AMENDMENT NO. 2953

Mr. ROUNDS. Mr. President, I call up my amendment No. 3182, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. ROUNDS] proposes an amendment numbered 3182, as modified, to amendment No. 2953.

The amendment, as modified, is as follows:

(Purpose: To direct the Secretary of the Interior to establish a conservation incentives landowner education program)

At the end of title V, add the following:

SEC. 50. CONSERVATION INCENTIVES LANDOWNER EDUCATION PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall establish a conservation incentives landowner education program (referred to in this section as the "program").

(b) PURPOSE OF PROGRAM.—The program shall provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program, such as—

(1) fee title land acquisition;

(2) donation; and

(3) perpetual and term conservation easements or agreements.

(c) AVAILABILITY.—The Secretary of the Interior shall ensure that the information provided under the program is made available to—

(1) interested landowners; and

(2) the public.

(d) NOTIFICATION.—In any case in which the Secretary of the Interior contacts a landowner directly about participation in a Federal conservation program, the Secretary shall, in writing—

(1) notify the landowner of the program; and

(2) make available information on the conservation program options that may be available to the landowner.

The PRESIDING OFFICER. There is 2 minutes equally divided.

The Senator from South Dakota.

Mr. ROUNDS. Mr. President, conservation easements are an important tool when we talk about rural America. They are used on a regular basis, but whenever entering into a conservation easement with the government, farmers, ranchers, and landowners should be made aware of all of the options made available to them, not just permanent easements. While there are many programs and options available, all too often landowners are not aware of these options and will unknowingly enter into a contract with the government because they don't realize there are also shorter term options available to them.

This amendment will aggregate information for landowners and will allow landowners to choose from conservation options that are shorter term and are not a permanent contract with the government.

I ask that my colleagues support this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment would direct the Department of the Interior to create a new education program to educate landowners about conservation programs. It also requires that if the Interior Department contacts landowners about selling property or participating in a Federal conservation program, that the landowner be provided information about the Federal conservation programs available. I think this information is already publicly available, so I don't oppose establishing it as a conservation education program, and I am happy to move this amendment by a voice vote.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate Senator ROUNDS bringing this measure before us. It appears we do have an agreement to do a voice vote on the Rounds amendment, as modified; therefore, I ask unanimous consent that the 60-vote threshold with respect to Rounds amendment No. 3182, as modified, be vitiated.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 3182), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 3030 TO AMENDMENT NO. 2953

Mr. BARRASSO. Mr. President, I call up amendment No. 3030.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 3030 to amendment No. 2953.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish deadlines and expedite permits for certain natural gas gathering lines on Federal land and Indian land)

At the appropriate place, insert the following:

SEC. _____. NATURAL GAS GATHERING ENHANCEMENT.

(a) CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.—

(1) IN GENERAL.—Subtitle B of title III of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 685) is amended by adding at the end the following:

“SEC. 319. CERTAIN NATURAL GAS GATHERING LINES LOCATED ON FEDERAL LAND AND INDIAN LAND.

“(a) DEFINITIONS.—In this section:

“(1) GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNITS.—

“(A) IN GENERAL.—The term ‘gas gathering line and associated field compression unit’ means—

“(i) a pipeline that is installed to transport natural gas production associated with 1 or more wells drilled and completed to produce oil or gas; and

“(ii) if necessary, 1 or more compressors to raise the pressure of that transported natural gas to higher pressures suitable to enable the gas to flow into pipelines and other facilities.

“(B) EXCLUSIONS.—The term ‘gas gathering line and associated field compression unit’ does not include a pipeline or compression unit that is installed to transport natural gas from a processing plant to a common carrier pipeline or facility.

“(2) FEDERAL LAND.—

“(A) IN GENERAL.—The term ‘Federal land’ means land the title to which is held by the United States.

“(B) EXCLUSIONS.—The term ‘Federal land’ does not include—

“(i) a unit of the National Park System;

“(ii) a unit of the National Wildlife Refuge System;

“(iii) a component of the National Wilderness Preservation System; or

“(iv) Indian land.

“(3) INDIAN LAND.—The term ‘Indian land’ means land the title to which is held by—

“(A) the United States in trust for an Indian tribe or an individual Indian; or

“(B) an Indian tribe or an individual Indian subject to a restriction by the United States against alienation.

“(b) CERTAIN NATURAL GAS GATHERING LINES.—

“(1) IN GENERAL.—Subject to paragraph (2), the issuance of a sundry notice or right-of-way for a gas gathering line and associated field compression unit that is located on Federal land or Indian land and that services any oil or gas well shall be considered to be an action that is categorically excluded (as defined in section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this section)) for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if the gas gathering line and associated field compression unit are—

“(A) within a field or unit for which an approved land use plan or an environmental document prepared pursuant to the National

Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analyzed transportation of natural gas produced from 1 or more oil or gas wells in that field or unit as a reasonably foreseeable activity; and

“(B) located adjacent to or within—

“(i) any existing disturbed area; or

“(ii) an existing corridor for a right-of-way.

“(2) APPLICABILITY.—Paragraph (1) shall apply to Indian land, or a portion of Indian land, for which the Indian tribe with jurisdiction over the Indian land submits to the Secretary of the Interior a written request that paragraph (1) apply to that Indian land (or portion of Indian land).

“(c) EFFECT ON OTHER LAW.—Nothing in this section affects or alters any requirement—

“(1) relating to prior consent under—

“(A) section 2 of the Act of February 5, 1948 (25 U.S.C. 324); or

“(B) section 16(e) of the Act of June 18, 1934 (25 U.S.C. 476(e)) (commonly known as the ‘Indian Reorganization Act’);

“(2) under section 306108 of title 54, United States Code; or

“(3) under any other Federal law (including regulations) relating to tribal consent for rights-of-way across Indian land.”.

(2) ASSESSMENTS.—Title XVIII of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1122) (as amended by section 2311) is amended by adding at the end the following:

“SEC. 1842. NATURAL GAS GATHERING SYSTEM ASSESSMENTS.

“(a) DEFINITION OF GAS GATHERING LINE AND ASSOCIATED FIELD COMPRESSION UNIT.—In this section, the term ‘gas gathering line and associated field compression unit’ has the meaning given the term in section 319.

“(b) STUDY.—Not later than 1 year after the date of enactment of this section, the Secretary of the Interior, in consultation with other appropriate Federal agencies, States, and Indian tribes, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a study identifying—

“(1) any actions that may be taken, under Federal law (including regulations), to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets; and

“(2) any proposed changes to Federal law (including regulations) to expedite permitting for gas gathering lines and associated field compression units that are located on Federal land, for the purpose of transporting natural gas associated with oil and gas production on any land to a processing plant or a common carrier pipeline for delivery to markets.

“(c) REPORT.—Not later than 1 year after the date of enactment of this section, and every 1 year thereafter, the Secretary of the Interior, in consultation with other appropriate Federal agencies, States, and Indian tribes, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

“(1) the progress made in expediting permits for gas gathering lines and associated field compression units that are located on Federal land or Indian land, for the purpose of transporting natural gas associated with oil and gas production on any land to a proc-

essing plant or a common carrier pipeline for delivery to markets; and

“(2) any issues impeding that progress.”.

(3) TECHNICAL AMENDMENTS.—

(A) Section 1(b) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594) is amended by adding at the end of subtitle B of title III the following:

“Sec. 319. Natural gas gathering lines located on Federal land and Indian land.”.

(B) Section 1(b) of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594) is amended by adding at the end of title XXVIII the following:

“Sec. 1842. Natural gas gathering system assessments.”.

(b) DEADLINES FOR PERMITTING NATURAL GAS GATHERING LINES UNDER THE MINERAL LEASING ACT.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended by adding at the end the following:

“(z) NATURAL GAS GATHERING LINES.—The Secretary of the Interior or other appropriate agency head shall issue a sundry notice or right-of-way for a gas gathering line and associated field compression unit (as defined in section 319(a) of the Energy Policy Act of 2005) that is located on Federal land not later than 90 days after the date on which the applicable agency head receives the request for issuance unless the Secretary or agency head finds that the sundry notice or right-of-way would violate division A of subtitle III of title 54, United States Code, or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).”.

Mr. BARRASSO. Mr. President, we all want to reduce the flaring of natural gas in oil wells, and to do that we need natural gas gathering lines. These are small pipelines that capture natural gas from oil wells where it would otherwise be flared off into the atmosphere.

This is a bipartisan amendment. I am delighted to be here with Senator HEITKAMP, who is a cosponsor. This bipartisan amendment expedites the permitting of the gathering lines on Federal land and, subject to tribal consent, also on Indian lands. This is a common-sense solution that helps taxpayers, Indian Country, and our environment.

I yield to my lead cosponsor, the junior Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I thank my great friend from the State of Wyoming.

Many of you have talked about the challenges you have in terms of seeing the flaring. If you want to stop waste, whether it is economic waste because of a lack of royalties, both Federal and State, or if you want to stop flaring and waste and do a great environmental thing, you will vote yes on this amendment.

What this amendment fundamentally does is shorten the time period for pipeline easements across Federal land—easements where today it takes 2 or 3 weeks to get a private or State easement—which takes over a year. During that period of time, we have seen flaring across North Dakota and across the West.

Please vote yes for this amendment. It is a great environmental and economic amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking in opposition to this amendment, it is basically like Keystone "light." The proponents want to have no environmental review of natural gas gathering pipelines, and that is why we should oppose it. With two exceptions, the amendment would require the Secretary of the Interior or Agriculture to approve the right to waive any gathering pipelines, unless they violate the Endangered Species Act or the National Historic Preservation Act. It would require the Secretary of the Interior or Agriculture to approve the right to waive with pipelines.

I consulted with the Department of the Interior, which had grave concerns about waiving those laws here. This amendment would significantly limit the Department's ability to gather relevant, scientific, technical information, and the public views about how to manage our public lands. So I encourage our colleagues to vote no.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 43, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—52

Alexander	Enzi	Manchin
Ayotte	Ernst	McCain
Barrasso	Fischer	McConnell
Blunt	Flake	Moran
Boozman	Gardner	Murkowski
Burr	Grassley	Paul
Capito	Hatch	Perdue
Cassidy	Heitkamp	Portman
Coats	Heller	Risch
Cochran	Hoeven	Roberts
Collins	Inhofe	Rounds
Corker	Isakson	Sasse
Cornyn	Johnson	Scott
Cotton	Kirk	Sessions
Crapo	Lankford	
Daines	Lee	

Sullivan
Thune

Tillis
Toomey

Vitter
Wicker

NAYS—43

Baldwin
Bennet
Blumenthal
Booker
Boxer
Brown
Cantwell
Cardin
Carper
Casey
Coons
Donnelly
Durbin
Feinstein
Franken

Gillibrand
Heinrich
Hirono
Kaine
King
Klobuchar
Leahy
Markey
McCaskill
Menendez
Merkley
Mikulski
Murphy
Murray
Nelson

Peters
Reed
Reid
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall
Warner
Warren
Whitehouse
Wyden

NOT VOTING—5

Cruz
Graham

Rubio
Sanders
Shelby

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Alaska.

AMENDMENT NO. 2996 TO AMENDMENT NO. 2953

Mr. SULLIVAN. Mr. President, I call up my amendment No. 2996.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] proposes an amendment numbered 2996 to amendment No. 2953.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require each agency to repeal or amend 1 or more rules before issuing or amending a rule)

At the appropriate place, insert the following:

SEC. ____ REPEAL OF RULES REQUIRED BEFORE ISSUING OR AMENDING RULE.

(a) DEFINITIONS.—In this section—

(1) the term "agency" has the meaning given the term in section 551 of title 5, United States Code;

(2) the term "covered rule" means a rule of an agency that causes a new financial or administrative burden on businesses in the United States or on the people of the United States, as determined by the head of the agency;

(3) the term "rule"—

(A) has the meaning given the term in section 551 of title 5, United States Code; and

(B) includes—

(i) any rule issued by an agency pursuant to an Executive Order or Presidential memorandum; and

(ii) any rule issued by an agency due to the issuance of a memorandum, guidance document, bulletin, or press release issued by an agency; and

(4) the term "Unified Agenda" means the Unified Agenda of Federal Regulatory and Deregulatory Actions.

(b) PROHIBITION ON ISSUANCE OF CERTAIN RULES.—

(1) IN GENERAL.—An agency may not—

(A) issue a covered rule that does not amend or modify an existing rule of the agency, unless—

(i) the agency has repealed 1 or more existing covered rules of the agency; and

(ii) the cost of the covered rule to be issued is less than or equal to the cost of the cov-

ered rules repealed under clause (i), as determined and certified by the head of the agency; or

(B) issue a covered rule that amends or modifies an existing rule of the agency, unless—

(i) the agency has repealed or amended 1 or more existing covered rules of the agency; and

(ii) the cost of the covered rule to be issued is less than or equal to the cost of the covered rules repealed or amended under clause (i), as determined and certified by the head of the agency.

(2) APPLICATION.—Paragraph (1) shall not apply to the issuance of a covered rule by an agency that—

(A) relates to the internal policy or practice of the agency or procurement by the agency; or

(B) is being revised to be less burdensome to decrease requirements imposed by the covered rule or the cost of compliance with the covered rule.

(c) CONSIDERATIONS FOR REPEALING RULES.—In determining whether to repeal a covered rule under subparagraph (A)(i) or (B)(i) of subsection (b)(1), the head of the agency that issued the covered rule shall consider—

(1) whether the covered rule achieved, or has been ineffective in achieving, the original purpose of the covered rule;

(2) any adverse effects that could materialize if the covered rule is repealed, in particular if those adverse effects are the reason the covered rule was originally issued;

(3) whether the costs of the covered rule outweigh any benefits of the covered rule to the United States;

(4) whether the covered rule has become obsolete due to changes in technology, economic conditions, market practices, or any other factors; and

(5) whether the covered rule overlaps with a covered rule to be issued by the agency.

(d) PUBLICATION OF COVERED RULES IN UNIFIED AGENDA.—

(1) REQUIREMENTS.—Each agency shall, on a semiannual basis, submit jointly and without delay to the Office of Information and Regulatory Affairs for publication in the Unified Agenda a list containing—

(A) each covered rule that the agency intends to issue during the 6-month period following the date of submission;

(B) each covered rule that the agency intends to repeal or amend in accordance with subsection (b) during the 6-month period following the date of submission; and

(C) the cost of each covered rule described in subparagraphs (A) and (B).

(2) PROHIBITION.—An agency may not issue a covered rule unless the agency complies with the requirements under paragraph (1).

Mr. SULLIVAN. Mr. President, we all know that our economy is overregulated, and this overregulation undermines our ability to grow our economy and create good jobs. I am sure all the Senators know that just this last quarter we grew at 0.7 percent GDP growth. We can't even break 1 percent GDP growth now.

Take a look at this chart. This is one of the big problems. Federal regulations only grow. They only grow year after year. They never go away. They are never sunsetted.

Even President Obama recognizes this is a problem. In his State of the Union address, the President said: "I

think there are outdated regulations that need to be changed. There is red tape that . . . [must] be cut.”

My amendment is an opportunity to do just that. It is a simple, one-in, one-out requirement for agencies. When an agency issues a new reg, it has to sunset or get rid of an old reg. Now, it is up to the agency to choose which reg it is going to get rid of, but it has to abide by the one-in, one-out rule.

This is not a partisan idea. In fact, this is becoming a consensus idea.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SULLIVAN. The U.K. and Canada are doing this.

Many of my colleagues on the other side of the aisle are very interested in this idea. I ask for their support of this amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, as the ranking member of the committee on homeland security, I rise in opposition to this amendment.

Our friend who is offering this amendment today indicates that Federal agencies are always promulgating regulations, and we never stand any of them down; we never retire them. As it turns out, about 5 or 6 years ago, President Obama said to Cass Sunstein, who runs OIRA, part of OMB: I want you to begin a top-to-bottom review of regulations. Find the ones that don't serve a purpose, and let's get rid of them.

Over the next 5 years, that effort will bear fruit. It is not like saving a couple of million dollars. Over the next 5 years, it is going to save \$22 billion. So we actually do have a process, and this is one that has really been provided by leadership from the administration.

The other avenue was provided by our Democratic leader from years ago when he authored something called the Congressional Review Act. It is not always effective; it doesn't always work, but it is actually a way to stand down regulations that we don't want to see stood up.

So there are two ways to do this. We always have an opportunity whenever regulations are proposed. We can speak to them. We can testify to them. We can urge that they be changed while they are in production.

I urge us to vote no on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator

from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—49

Alexander	Fischer	Paul
Ayotte	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johnson	Sullivan
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—46

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Murphy	
Franken	Murray	

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Hawaii.

AMENDMENT NO. 3176 TO AMENDMENT NO. 2953
(Purpose: To amend the Internal Revenue Code of 1986 to phase out tax preferences for fossil fuels on the same schedule as the phase out of the tax credits for wind facilities)

Mr. SCHATZ. Mr. President, I call up amendment No. 3176 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. SCHATZ] proposes an amendment numbered 3176 to amendment No. 2953.

(The amendment is printed in the RECORD of February 1, 2016, under “Text of Amendments.”)

Mr. SCHATZ. Mr. President, this amendment is based on a very simple

idea: that there should be a level playing field for fossil fuels and for clean energy. Right now we have subsidies on both the fossil fuel side and on the clean energy side through our Tax Code. Periodically, we need to recalibrate our energy policy based on market conditions, fiscal circumstances, and what is happening in the world.

Again, here is the idea: We should make sure to reevaluate tax preferences for fossil fuels and clean energy at the same time. If we are serious about creating a level playing field, we should phase out incentives for fossil fuels as we phased them out for wind and solar power. Majorities of both Democrats and Republicans support the repeal of these tax preferences, and so I hope my colleagues will join me in a big bipartisan vote for putting our clean sources of energy on equal footing with their fossil fuel counterparts.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, we have seen an iteration of this before. It is Groundhog Day, but there is a difference with the approach that has been taken with regard to targeting oil and gas production with this basket of fossil fuel subsidies, where we are talking about the repeal of five very important tax provisions that are vital to our domestic small and midsize operators.

The sponsor is correct. It does tie the expiration of these provisions to the expiration of wind tax credits, which most of us would agree should be phased out.

I am in favor of reforming our Tax Code to make it more straightforward and fair. I would welcome that discussion for us to engage in broad-based tax reform on the Senate floor, but the Energy Policy Modernization Act is not the place to do it. It is not the appropriate venue for a tax amendment. As my colleagues know, all revenue-raising measures must originate within the House. The adoption of this tax-related amendment would therefore create an impermissible blue-slip problem.

I urge its rejection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. MURKOWSKI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted “nay.”

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. ROUNDS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 50, as follows:

[Rollcall Vote No. 14 Leg.]

YEAS—45

Alexander	Feinstein	Murray
Ayotte	Franken	Nelson
Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	McCaskill	Udall
Casey	Menendez	Warner
Collins	Merkley	Warren
Coons	Mikulski	Whitehouse
Durbin	Murphy	Wyden

NAYS—50

Barrasso	Flake	Murkowski
Blunt	Gardner	Paul
Boozman	Grassley	Perdue
Burr	Hatch	Portman
Capito	Heitkamp	Risch
Cassidy	Heller	Roberts
Coats	Hoeven	Rounds
Cochran	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Sessions
Cotton	Kirk	Sullivan
Crapo	Lankford	Thune
Daines	Lee	Tillis
Donnelly	Manchin	Toomey
Enzi	McCain	Vitter
Ernst	McConnell	Wicker
Fischer	Moran	

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Illinois.

AMENDMENT NO. 3095 TO AMENDMENT NO. 2953

Mr. DURBIN. Mr. President, I call up amendment No. 3095 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 3095 to amendment No. 2953.

The amendment is as follows:

(Purpose: To increase funding for the Office of Science of the Department of Energy)

On page 352, strike lines 17 through 21 and insert the following:

“(8) \$5,423,000,000 for fiscal year 2016;
 “(9) \$5,808,000,000 for fiscal year 2017;
 “(10) \$6,220,000,000 for fiscal year 2018;
 “(11) \$6,661,000,000 for fiscal year 2019; and
 “(12) \$7,134,000,000 for fiscal year 2020.”.

Mr. DURBIN. Mr. President, this bipartisan amendment which I am offering with Senator ALEXANDER would increase funding levels for the Department of Energy Office of Science to a rate of 5 percent annual real growth for 5 years.

The Office of Science is an incredible organization—24 scientists, 10 national labs, research in 300 colleges and universities in all 50 States. It was their work which led to the development of the MRI, and they are currently working on imaging systems to identify Alzheimer's in its early stages. It is an incredible operation. This commitment will pay us back many times over.

I yield to my friend and colleague from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a “yes” vote because I think an important part of a Republican pro-growth policy is support for government-sponsored research. That is how we got 3-D mapping and horizontal drilling that led to unconventional gas and oil. That is how we are going to get the cost of carbon capture low enough to make it commercial. That is how we are going to get solar panels cheap enough to make them useful.

We should reduce wasteful spending on subsidies for mature energy technology and double energy research, and this would do that on a conservative path. At 5 percent a year, it would take 10 years to double the \$5 billion of energy spending we have today.

I urge a “yes” vote.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I understand that we have an agreement to voice vote the Durbin amendment. Therefore, I ask unanimous consent that the 60-vote threshold with respect to the Durbin amendment No. 3095 be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there any further debate on the amendment?

Hearing none, the question occurs on agreeing to the amendment.

The amendment (No. 3095) was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 3125 TO AMENDMENT NO. 2953

Mr. WHITEHOUSE. Mr. President, I call up amendment No. 3125 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE] proposes an amendment numbered 3125 to amendment No. 2953.

The amendment is as follows:

(Purpose: To require campaign finance disclosures for certain persons benefitting from fossil fuel activities)

At the appropriate place, insert the following:

SEC. ____ CAMPAIGN FINANCE DISCLOSURES BY FOSSIL FUEL BENEFICIARIES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C.

30104) is amended by adding at the end the following new subsection:

“(j) DISCLOSURE BY FOSSIL FUEL BENEFICIARIES.—

“(1) IN GENERAL.—

“(A) INITIAL DISCLOSURE.—Every covered entity which has made covered disbursements and received covered transfers in an aggregate amount in excess of \$10,000 during the period beginning on January 1, 2014, and ending on the date that is 165 days after the date of the enactment of this subsection shall file with the Commission a statement containing the information described in paragraph (2) not later than the date that is 180 days after the date of the enactment of this subsection.

“(B) SUBSEQUENT DISCLOSURES.—Every covered entity which makes covered disbursements (other than covered disbursement reported under subparagraph (A)) and received covered transfers (other than a covered transfer reported under subparagraph (A)) in an aggregate amount in excess of \$10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

“(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

“(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

“(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

“(C) The amount of each disbursement or transfer of more than \$200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

“(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

“(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to that account during—

“(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

“(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

“(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of \$1,000 or more to the person making the disbursement during—

“(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

“(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

“(3) COVERED ENTITY.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘covered entity’ means—

“(i) any person who is described in subparagraph (B), and

“(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

“(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person has received revenues or stands to receive revenues of \$1,000,000 or greater from fossil fuel activities.

“(C) FOSSIL FUEL ACTIVITIES.—For purposes of this paragraph, the term ‘fossil fuel activities’ includes the extraction, production, refining, transportation, or combustion of oil, natural gas, or coal.

“(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term ‘covered disbursement’ means a disbursement for any of the following:

“(A) An independent expenditure.

“(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

“(i) refers to a clearly identified candidate for Federal office;

“(ii) is made—

“(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

“(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a political party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

“(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

“(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

“(5) COVERED TRANSFER.—For purposes of this subsection, the term ‘covered transfer’ means any amount received by a covered entity for the purposes of making a covered disbursement.

“(6) DISCLOSURE DATE.—For purposes of this subsection, the term ‘disclosure date’ means—

“(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of \$10,000; and

“(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of \$10,000 since the most recent disclosure date for such calendar year.

“(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.”.

Mr. WHITEHOUSE. Mr. President, this is the last vote in this tranche of votes, and I hope this can be a bipartisan vote. We all understand that a shadow has fallen over this Chamber since Citizens United, and that is the shadow of dark money. The American public is sick about the special interests that have so much sway. They are even more sick of special interests having secret sway because of secret spending. This secret spending influences what we can and cannot do. It influences our deliberations. It has even constrained the shape of the very bill on the floor right now. As one Kentucky newspaper said, it has also created a tsunami of slime in our elections.

This vote gives us the chance to push back and to put a little daylight on the secret money that is being spent in our elections. I very much hope that, consistent with past Republican support for sunshine and disclosure, we can get a bipartisan vote in favor of disclosure of the big-money donors who are now putting secret money into our elections—in this case, particularly in the energy sector.

I ask for the votes of my colleague in favor of this amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I do think that at some point in time it is fair to discuss disclosure when it comes to campaign finance and campaign finance disclosure. However what this amendment does is require campaign finance disclosures from individuals receiving over \$1 million from fossil fuel activities—no other activities.

What activities are we talking about? It defines fossil fuel activities as those including “the extraction, production, refining, transportation, or combustion of oil, natural gas, or coal.” That is pretty broad. We are talking about explorers, producers, refiners, perhaps even the automotive industry, the rail industry, powerplants, and many others.

We can have a discussion about campaign finance disclosure and what may or may not be appropriate. We defeated an amendment similar to this when we had the Keystone debate last January. We tabled another. The time and the place to debate this issue is not in this Energy Policy Modernization Act. Therefore, I will be opposing the amendment and encourage my colleagues to do the same.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Ms. MURKOWSKI. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted “nay.”

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Ms. AYOTTE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 52, as follows:

[Rollcall Vote No. 15 Leg.]

YEAS—43

Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	McCaskill	Udall
Casey	Menendez	Warner
Coons	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NAYS—52

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Sullivan
Corker	Kirk	Thune
Cornyn	Lankford	Tillis
Cotton	Lee	Toomey
Crapo	Manchin	Vitter
Daines	McCain	Wicker
Enzi	McConnell	
Ernst	Moran	

NOT VOTING—5

Cruz	Rubio	Shelby
Graham	Sanders	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Alaska.

Ms. MURKOWSKI. Madam President, we have just concluded this series of eight votes. You combine that with the rollcall votes we had yesterday, as well as the voice votes we have taken, and we are up to 27 amendments that we have processed. We are moving right along.

I appreciate the cooperation of Members on both sides and the staff who are working as we speak to see if we can pull together yet another block of amendments we will be able to accept by voice vote. We will not have any

more rollcall votes for the remainder of today, but know that we are working aggressively to try to process as many amendments as we can by voice vote and then set up a process tomorrow.

We will notify Members in terms of when we might be able to expect votes on amendments. I thank colleagues for the good work today. We encourage you to come down to the floor, speak to your amendments, speak to the issues you are hoping to advance. We would like to get this bill through to completion by the end of this week. I thank Members for their support.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for the Murkowski substitute amendment No. 2953.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 2953, the substitute amendment to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Cory Gardner, Mike Crapo, John Cornyn, John Barrasso, Steve Daines, Richard Burr, Bill Cassidy, Pat Roberts, John Hoeven, Shelley Moore Capito, John Thune, James E. Risch, Lamar Alexander, John McCain, Rob Portman.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 2012.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 218, S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Cory Gardner, Mike Crapo, John Cornyn, John Barrasso, Steve Daines, Richard Burr, Bill Cassidy, Pat Roberts, John Hoeven, Shelley Moore Capito, John Thune, James E. Risch, Lamar Alexander, John McCain, Rob Portman.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the man-

datory quorum call under rule XXII of the Standing Rules of the Senate with respect to the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, the crisis in Flint, MI, is a tragedy that was entirely preventable. This week we have a chance to do something about it. Senator STABENOW and Senator PETERS from Michigan have submitted an amendment that I hope, when we go back on the bill, we will consider. As we do so, it is important to remember that Flint is far from the only town in this country where families face exposure to dangerous levels of lead.

In Sebring, in northeast Ohio, near Youngstown, we know there are troubling amounts of lead in the water. Families are scared that their drinking water isn't safe. They are afraid they are facing another Flint. No parent should have to worry that the water coming out of their faucets might in fact be poisoning their children. Pregnant women shouldn't have to fear their tap water.

In Sebring, just as in Flint, families were left in the dark about the safety of their water. For months, local officials failed to notify residents about the lead, and the State EPA failed to step in. I spoke with the mayor. I spoke recently—just this week—to State Representative Bocchieri and State Senator Schiavoni, who represent Sebring and that part of the county, about what our response should be.

The amendment before us this week will help put a stop to the failure—in Michigan, the failure of the Governor, and in Columbus, it appears to be the failure of the State EPA. It requires the Federal Environmental Protection Agency to notify the public directly if there is a danger from lead in the water system if a State fails to do so within 15 days. No more arguing about whose responsibility it is while families continue drinking water that we know is not safe. No more finger-pointing after the fact. This amendment says that when there is a problem with the water, people have a right to know and that it is the EPA's job to make sure they do. The sooner we know about lead contamination, the sooner we can get to work to fix it. That is why notification is critical. But notification is just the beginning. The amendment before us this week will be just the beginning of our work to protect Americans from unsafe levels of lead.

The Centers for Disease Control estimates that at least 4 million American

households—4 million American households with children—are exposed to high levels of lead. We know what that does to their brain development. We know the impact it has for the rest of their lives. Four million households in this country have children who are exposed to high levels of lead even though we know it isn't safe.

This problem stretches far beyond Flint, MI, and far beyond just our water systems. Corroded lead pipes are a major health hazard, but they are far from the only source of lead poisoning. We know that too many of our children are exposed to lead through paint—mostly in older homes and mostly in lower income homes—and even the dirt in their backyards. Imagine that.

The devastating effects of lead poisoning fall disproportionately on low-income children and on children of color. They are more likely to live in older homes closer to the city center and in rental housing that is poorly maintained. I have seen it firsthand in Ohio. The Cleveland Plain Dealer conducted an investigation last fall. They found that some 40,000 Cuyahoga County children have tested positive for lead poisoning in the last 10 years. Think about that—40,000 children in that community alone have been tested for lead poisoning over the past 10 years and have tested positive.

Paint chips shed from molding and windowsills in older homes turn into dust that is easily ingested. Sometimes babies pick up lead chips and chew on them because they are colorful.

The danger hasn't subsided. More than 187,000 homes in Cuyahoga County are putting their occupants at risk of lead poisoning. That is why our efforts can't stop with Michigan and can't stop with lead in our water.

The good news is, we can combat this. I know we can because we have done it before. In 2012 a number of my colleagues—Senators FRANKEN from Minnesota, CASEY from Pennsylvania, and MERKLEY from Oregon—wrote to the EPA about the danger posed by former lead smelter sites in urban residential communities. I was in one of those neighborhoods and talked to people who had seen far too much lead in the dirt where their children play in front or behind their houses. Because of our efforts and some diligent reporting by reporters at USA TODAY, the EPA has acted to reexamine hundreds of former lead factory sites, helping communities address and deal with this problem. Think about this: You move into a home. You didn't know that 40 years ago this neighborhood had a lead smelting plant. Your children play in it. You have no idea that soil is contaminated from that lead smelter that closed decades ago.

We also worked to combat the threat of lead in our children's toys. In 2007 Ashland University professor Jeff Weidenhamer found that more than

one in seven Halloween toys he purchased and tested through his classes contained dangerous levels of lead, most of them made in China, most of them painted by companies contracting with U.S. toy companies. Who is responsible for that? Surely the Chinese companies' subcontractors that put the lead paint on the toys but certainly the U.S. toy companies that contracted with them and didn't care enough or know enough to check the quality of these toys. Following that shocking discovery, we worked with Professor Weidenhamer and other experts to pass the bipartisan Consumer Product Safety Improvement Act in 2008. When Professor Weidenhamer conducted the same test on toys in 2011, none of them tested positive for dangerous levels of lead.

In spite of the fact that many people sitting in this body won their elections by saying that the government can never do anything good, that the government can never have an impact on our lives, and that the government is too big, that is what the government did—we passed a consumer protection bill in 2008. Two years later we found that comparable toys don't have lead paint in them. So we know we can make progress when we work together and strengthen consumer protections to ensure that agencies tasked with protecting children have the resources they need.

We need to take the lead in our water, in our communities, and in our homes just as seriously as lead in toys. It is not enough to just respond to the crisis at hand. We should do that in Flint, we should do that in Sebring, and we should do that in smaller communities in Ohio in older homes—all of those things. But it is not enough just to respond. Once children have been exposed, the effects can't be erased. We have to do more to help protect families from being exposed to lead in the first place.

We did the right thing in December when we funded critical programs at the CDC and at Housing and Urban Development that helped prevent lead poisoning and monitor lead levels in children, but we can't stop there. We are seeing in Flint, we are seeing in Sebring, OH, and we are seeing in cities across our country that current efforts are not enough. Senator STABENOW and Senator PETERS' amendment is a first good step. I hope we will use this opportunity to examine what more we can do to protect our children, especially those young enough that their brain is developing. Lead poisoning arrests much of their brain development and affects the rest of their lives. We have to do whatever we can to protect our children from the terrible effects of lead poisoning.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING STATE SENATOR GIL KAHELE

Mr. SCHATZ. Mr. President, what is aloha? It is not a catchphrase. As it is commonly understood, it is synonymous with kindness, with love, with hospitality, with a Hawaiian perspective, but it is difficult for those not from Hawaii to fully understand its meaning and for those of us from Hawaii to fully explain.

No one embodied the spirit of aloha more than State senator Gil Kahele, who died suddenly last week. He was a living personification of the idea that we are all in this together, that it really does mean something to live together in an island State in the most isolated populated place on the planet and the most beautiful place in the world.

Senator Kahele devoted his life to public service, but political office for him was an afterthought. Gil was a veteran of the U.S. Marine Corps. He worked for the State's department of defense for 33 years and eventually became director of public works at the Pohakuloa Training Area.

Gil took office in 2011 and dedicated his efforts to the people of Senate District 1. He was the chair of the Tourism and International Affairs Committee. Gil was committed to supporting the needs of his district and was instrumental in securing funding for the College of Pharmacy at the University of Hawaii at Hilo.

The circumstances of my election in 2014 were unusual in the extreme, and they brought me to Gil. On election night, I was ahead by fewer than 2,000 votes, but there were parts of Hawaii Island—two precincts in particular—that were unable to vote because of a category 4 hurricane that hit the southern part of the Big Island, the Puna District. As a result, the day after the primary election day, we realized we weren't quite done, and so we went to Puna. But more than the election not being done, the people of Puna were without water and power. Their food was rotting, their roads weren't clear, and they had no working utilities. So we went to work—not gathering votes but gathering provisions; not walking door to door to campaign but literally standing on the road handing out blocks of ice for the folks in Puna. We did this every day for a week, with Gil and the Kahele ohana, until a sense of normalcy was eventually restored. For their family, this was just what you do if you are a person like Gil Kahele, born in a grass shack in the fishing village of Miioli, a Native Hawaiian who served his country, his State, his community, and his family the best way he knew how—with aloha.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WILDFIRE PREVENTION FUNDING

Mr. WYDEN. Mr. President, last year more acreage in our forests burned than ever before. I know the Presiding Officer understands what this has been like in the West over the last few years. Senator CRAPO and I have dedicated something like 5 years of our professional lives to coming up with practical approaches to deal with this mushrooming problem. There are a whole host of issues that go into making a sensible forestry policy to make sure that we can protect our treasures in the West, have jobs in the woods that are sustainable, and keep our forests healthy.

In order to do that, one of the most important reforms that are necessary is the one that Senator CRAPO and I have been working on. I really began on this before I was the chairman of the Energy and Natural Resources Committee. Senator CRAPO and I literally have teamed up now for half a decade to end a particularly inefficient and harmful economic and environmental policy that we call fire borrowing. Fire borrowing takes place when Congress fails to budget enough money to fight wildfires, forcing agencies to raid their other accounts, including accounts to prevent wildfires.

Obviously, there may be some listening in who don't represent western communities. But what Senator CRAPO and I have tried to convey to our colleagues is that fire borrowing doesn't just threaten fire prevention and suppression. It is quicksand that is dragging down all of the programs at the Forest Service: timber sales, stream restoration, trail maintenance, recreation, and many more.

So Senator CRAPO and I said that this was too important to have yet another issue that gets thrown around, batted around like another bit of cannon fodder for partisan kind of drills. We have put together legislation with 21 cosponsors in the Senate and 145 in the House to end fire borrowing. Our legislation is supported by a coalition of more than 250 groups of anglers, sportsmen, environmentalists, and timber companies. It is pretty hard to get more than a handful of people to agree on much of anything here in Washington, DC. What Senator CRAPO and I have been talking about now has more than 250 organizations behind it.

Despite the overwhelming support for this effort, the bill has been stuck. Tonight what Senator CRAPO and I are

going to talk about is how we can work together with our colleagues to unstick this and to get it done. We felt that all along we had been doing what it took to make this happen. We talked to our colleagues of both parties. We negotiated. We talked to House Members. We talked to Senate offices. We talked to the administration. We talked to timber and environmental people. All we said is that it makes sense, even though there are a whole host of changes that you can pursue for a sensible fire policy to end fire borrowing for good, to end the erosion of the Forest Service budget, and to start focusing on prevention. Wouldn't it make more sense to concentrate on prevention, going in there and thinning out the forests and using sensible fire prevention strategies rather than not to do the prevention and have the forests get hot and dry? Then we have lightning strikes in our part of the world. All of a sudden you have an inferno on your hands, and they don't have enough money to put all these fires out. So you borrow from the prevention fund and the problem gets worse.

What Senator CRAPO and I said is that we will work with all of the budget authorities. We were very much involved with Chairman ENZI in this. We could come up with some budget process issues that would be acceptable here in the Senate and also to our colleagues in the House.

There was a colloquy last week among the chairs of the Energy, Budget, and Agriculture Committees that indicated that they very much want a resolution of the issue. I am pleased that they are interested in hearings and working on legislation and moving in February and March. I felt that this was a promising start to the year because that is what Senator CRAPO and I were after last July when we got a great many Senators together and we said that we were going to try to get this worked out so that it could have been done last fall. We all said that we were going to get together and get this resolved.

Obviously, for a variety of reasons it didn't happen. But I think what we heard last week strikes me as a beginning to finally getting this unstuck, and I have been so appreciative of working with the Senator on this now for something like 5 years. I would be interested in the Senator's reaction with respect to this situation.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I strongly agree with my friend and colleague Senator WYDEN from Oregon. He is absolutely right that we have been working on this for probably 5 years as we have worked to identify the solution and then build the coalition of support to implement the solution that is necessary for this critical problem.

I am also very appreciative, as Senator WYDEN has said, that we had the

chairman of the Energy Committee, the chairman of the Budget Committee, and the chairman of the Agriculture Committee engaged in a colloquy last week discussing the urgency of resolving this issue. I believe we are now getting to a point at which the understanding of how critical it is to resolve this issue has penetrated deeply into the political fiber of both the Senate and the House. Now we need to take that momentum and continue to move forward.

As we take stock of last year's fire season, the statistics are sobering. Senator WYDEN referenced a little bit of it. Let me just add to that a little bit.

Nationally, last year, we had 68,151 fires that burned 10.1 million acres and cost over \$1.7 billion in suppression operations. These fires accounted for the loss of roughly 4,600 structures, and, most tragically, the lives of 13 wild land firefighters.

This set of statistics is a set of statistics that is growing every year. We are seeing more fires and more catastrophic fires every year because we are not managing our forests properly, and we are not dealing with the crisis that is creating in forest fires.

There is a very important statistic that I think everyone in America should understand about this critical issue. I just said that there were 68,151 fires in America last year. One percent of those fires cost 30 percent of the firefighting budget. Those are the fires that became catastrophes. They became catastrophic. The solution we have come together on to help address this issue is simply to make a very obvious conclusion and to put it into the law; that is, when we get a fire that is 1 percent of the fires that cost 30 percent of the firefighting and do so much of the damage, we declare that they are natural disasters—just like the earthquakes, the hurricanes, the tornadoes, the floods and the other disasters that we acknowledge here in Congress and deal with as disasters when we finance the efforts to fight them and to respond to them.

With these numbers in mind, I want to again thank the committee chairmen who came to the floor last week and engaged in a colloquy to express how serious this issue is. It is getting to a crisis point. As those Senators last week noted, when it comes to how we fight wildfires, we are in a crisis.

For more than a decade, as fires have raged across the West, we have seriously underbudgeted for the necessary suppression costs with these disasters. To make matters worse, the lack of resources to fight the worst of our annual fires has forced land management agencies into what Senator WYDEN has so ably described—fire borrowing that results in less money for the very activities that can prevent the large devastating fires from happening in the first place. What happens is our man-

agement agencies, the Forest Service, Bureau of Land Management, and those who deal with the wild lands and grasses that burn, have had to borrow from all of their other funds so that they can't adequately manage the land. As a result, we end up with more bad fires, and every year the catastrophic fires grow.

When the Forest Service is forced to borrow to fight fires, they are actually borrowing against jobs, recreational opportunities, and proper forest management. The best way to think of fire borrowing is less timber, less jobs, and less access to these beautiful lands because while it is fire borrowing, in many cases it delays the repayment in ways that actually cancel projects, undercut the ability to implement proper forest management, lose jobs, and reduce access to our public lands. Perhaps the most destructive is the fact that less work in the woods means that the harmful cycle just gets worse.

As Senator WYDEN has noted, to address this problem, we have consistently introduced legislation for years now that would treat the devastating fires as the disasters that they are.

I need to back up for a second. We talk about the fact that there is a cost that is not being provided for by Congress and that this fire borrowing has to happen, but I think it is critical to note that our solution has been scored by both the Congressional Budget Office and by the OMB at the White House as having zero budget impact. It will not increase the deficit because we do end up paying to fight these fires, it is just the way that we end up paying to fight them is the way we deal with so much of our catastrophic health care—at the emergency room with the most expensive solutions, the worst outcomes, and we don't deal with the underlying crisis.

While there is broad agreement from lawmakers on both sides of the aisle and in both Houses of Congress that a fix to fire borrowing is needed, there have been different approaches to the solution. Senator WYDEN and I have been very willing to work with those who have different ideas about how we need to solve this problem and can actually make adjustments in our legislation as we move forward to deal with issues and concerns that others have raised.

We are now at the crisis point, and now we need to move forward and put a final resolution in place. Senator WYDEN and I have worked with these lawmakers and will continue to work with them. We are simply here tonight to say that we are very pleased to see that the leadership of the critical committees in the Senate and others who are so concerned about this issue are in agreement that we need to put this on the front burner and engage with developing a solution and putting it into law.

I look forward to working with Senator WYDEN, the chairman of our Energy, Budget, and Agriculture Committees, and all the interested stakeholders whom Senator WYDEN mentioned—250 groups from across the political spectrum. This is one of those issues in which those groups that so often have different perspectives on how to manage our public lands are in agreement, and we need to take this support—the political agreement that is taking place and the political awareness of the crisis that is happening—and move forward to the implementation of a solution.

I appreciate the opportunity to come to the floor tonight and talk with Senator WYDEN one more time about this as we move to the final stages of implementing this important legislation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I thank my friend from Idaho, and in wrapping this up I wish to convey what the bottom line really is here.

Senator CRAPO and I do not want to be back on the floor of the U.S. Senate in the winter of 2017 once again talking about how something got stuck or somebody didn't agree with somebody on one small aspect of this, and as a result fire borrowing is still in place. What Senator CRAPO and I are saying is we want to work with all sides. It is going to have to be bipartisan and it is going to have to be bicameral. Those are probably the most important words in this whole discussion. It is going to have to be bipartisan and it is going to have to be bicameral.

We have lots of committees involved. We have the Energy and Natural Resources Committee that I am on and the Agriculture, Nutrition, and Forestry Committee, and the Budget Committee that both of us have been on. We have lots of committees in the Senate, and we have partners in the House who have also played a meaningful role.

I would like to think that Senator CRAPO and I were able to move that bipartisan, bicameral process a fair way down the road at the end of last year, but what we are saying is: Let's now vow, as a body and working with our colleagues, to make sure we are not back here in the winter of 2017 after yet another horrendous fire season and once again saying: You know, this Forest Service practice is a textbook case of inefficiency, and we are explaining what fire borrowing is and how it does so much damage in the forest and to forest health.

This is about the betterment of rural resource-dependent communities, especially in the West and around the country. Senator CRAPO and I have worked together on other past efforts, such as the secure rural schools legislation and the Healthy Forests Restoration Act. We were both involved in those efforts

and they were, in fact, bipartisan and bicameral.

Tonight our hope is, as a result of this discussion and what we heard on the floor of the Senate last week, that in fact after more than 5 years of effort on this issue, that this time the Congress, on both sides of the Capitol, will come together and will work with the administration. They indicated support for what we were doing last year and will indicate support early on for efforts that are bipartisan and bicameral. The sooner we can get on with that, the better. That is why it is good news that the committees will be starting hearings and legislative consideration shortly, and we look forward to working with our colleagues.

I yield at this time.

The PRESIDING OFFICER. The Senator from Massachusetts.

TRANS-PACIFIC PARTNERSHIP AGREEMENT

Ms. WARREN. Mr. President, on Thursday, 12 countries will sign a massive trade agreement to change the rules for 40 percent of the world's economy, but the Trans-Pacific Partnership will not go into effect unless Congress approves it. I urge my colleagues to reject the TPP and stop an agreement that will tilt the playing field even more in favor of big multinational corporations and against working families.

Much of the debate over this trade agreement has been described as a fight over America's role in setting the rules of international trade, but this is a deliberate diversion. In fact, the United States has free-trade agreements with half of the TPP countries. Most of the TPP's 30 chapters don't even deal with traditional trade issues. No. Most of TPP is about letting multinational corporations rig the rules on everything from patent protection to food safety standards all to benefit themselves.

The first clue about whom the TPP helps is who wrote it. Twenty-eight trained advisory committees were formed to whisper in the ear of our trade negotiators to urge them to move this way or that way during negotiations. Who are the special privileged whisperers? Well, 85 percent are corporate executives or industry lobbyists. Many of the committees—including those on chemicals and pharmaceuticals, aerospace equipment, textiles and clothing, and financial services—are 100 percent industry representatives. In 15 advisory committees, no one—no one—was in the room who represented American workers or American consumers. There was no one in the room who worried about the enforcement of environmental issues or protection against human rights abuses. Nope. Day after day, meeting after meeting, our official negotiators listened to the whispers of the giant industries and heard little from anyone else.

The second clue about what is going on is that it all happened behind closed doors. The U.S. Trade Representative, Michael Froman, says that the United States has been working to negotiate this trade deal for over 5½ years, but the text of the agreement was hidden from public view until just 3 months ago, and when I say hidden, I mean hidden. The drafts were kept under lock and key so that even Members of the Senate had to go to a secure location to see them, and then we weren't allowed to say anything to anyone about what we had actually seen. A rigged process produces a rigged outcome. When the people whispering in the ears of our negotiators are mostly top executives and lobbyists for big corporations—and when the public is shut out of the negotiating process—the final deal tilts in favor of corporate interests.

Evidence of this tilt can be seen in a key TPP provision, investor-state dispute settlement, ISDS. With ISDS, big companies get the right to challenge laws they don't like, not in courts but in front of industry-friendly arbitration panels that sit outside any court system. Those panels can force taxpayers to write huge checks to big corporations with no appeals. Workers, environmentalists, and human rights advocates don't get the special right, only corporations do.

Most Americans don't think of keeping dangerous pesticides out of our food or keeping our drinking water clean as trade issues, but all over the globe companies have used ISDS to demand compensation for laws they don't like. Just last year a mining company won an ISDS case when Canada denied the company permits to blast off the coast of Nova Scotia. Today, Canadian taxpayers are on the hook for up to \$300 million all because their government tried to protect its environment and tried to protect the livelihood of local fishermen.

ISDS hasn't been a problem just for other countries. We have seen the dangers of ISDS right here at home. Last year, the U.S. State Department concluded, and President Obama agreed, that the Keystone XL Pipeline would not serve the national interests of the United States. It was a long fight, but the administration, applying American law, decided that the pipeline was a threat to our air, to our water, and to our climate and denied the permit, but the oil company that wants to build this pipeline doesn't think the buck stops with our President. Now this foreign oil company is using the ISDS provision in NAFTA to demand more than \$15 billion in damages from the United States just because we turned down the Keystone Pipeline.

The Nation's top experts in law and economics have warned us about the dangers of ISDS. Nobel Prize-winning economist Joe Stiglitz, Harvard law

professor Laurence Tribe, and others recently noted that if ISDS panels force countries to pay high enough fines, the countries will voluntarily drop the health, safety, labor, and environmental laws that big corporations don't like. That is exactly what Germany did in 2011 when they cut back on environmental regulations after an ISDS lawsuit.

Everyone understands the risks associated with ISDS. In fact, the issue got so hot over tobacco companies using ISDS to roll back health standards around, the world that the TPP negotiators decided to limit the use of ISDS to challenge tobacco laws. That is a pretty bold admission that ISDS can be used to weaken public health laws.

I am glad tobacco laws are protected from ISDS, but what about food safety laws or drug safety laws or any other regulation that is designed to protect our citizens? Under TPP every other company, regardless of the health or safety impact, will be able to use ISDS.

Congress will have to vote straight up or down on TPP. We will not have a chance to strip out any of the worst provisions like ISDS. That is why I oppose the TPP, and I hope Congress will use its constitutional authority to stop this deal before it makes things even worse and more dangerous for America's hardest working families.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

MR. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

MR. GARDNER. Mr. President, I would like to take a moment to applaud the great work that Chairman MURKOWSKI and Ranking Member CANTWELL are doing this week on the Energy bill to get this bill to the floor—the Energy Policy Modernization Act of 2016. They have been leaders and have shown their commitment to developing and advancing what is truly a bipartisan bill.

This legislation is a result of nearly a year's work on the Energy and Natural Resources Committee, with four legislative hearings leading up to a July markup. There have been many hours put into the base text, and we had a strong bipartisan vote to report the bill out of committee 18 to 4. It is also nice to see Members over the past several days, and last week as well, having the opportunity to amend the bill on the floor—to make it even stronger through an open amendment process throughout this past week.

The Energy Policy Modernization Act will mean more energy efficiency,

more energy generation, and more jobs in the energy sector. Promoting energy efficiency and clean alternative power sources is something that has been a focus of my service, and I am pleased that I have had a chance in my role on the Energy and Natural Resources Committee to continue shaping Federal energy policy in the U.S. Senate.

We have before us this week an opportunity to really advance our national energy policy and to think about what our national energy policy means for this country—energy being a cornerstone of our economy and our security. It means more jobs, it means more growth, and perhaps even one of the most potent foreign policy tools this Nation has to offer our allies.

I wish to take a little bit of time to highlight several provisions of the bill that I helped champion and sponsor to get included in the base of the text.

Section 1006 would encourage the use of something called energy savings performance contracts and utility energy savings contracts in Federal buildings. It is a long name for something that probably doesn't fit very well on a bumper sticker. But what energy savings performance contracts and utility energy savings contracts do is something very simple. They are tools that will allow innovative public and private partnerships to occur, that allow private companies to use private dollars to make energy efficient upgrades to Federal buildings. The private companies are then reimbursed for upgrades once the Federal buildings' energy costs are lower. So, in essence, we are taking private sector ingenuity and know-how and private sector investments and putting them into Federal buildings to lower utility costs, to make sure we are doing a better job of heating or cooling or turning the lights on in our buildings, all through private sector know-how, with no cost to the taxpayer, resulting in taxpayer savings and, of course, thousands of private sector jobs.

Last night we had an amendment that passed by voice vote which requires Federal agencies to implement energy savings projects at Federal facilities. For the past several years, we have been carrying out mandatory Federal energy audits that outline energy savings projects for Federal facilities that are aimed at reducing energy consumption and saving tax dollars, but Federal agencies were not required to implement these changes. So we were actually spending Federal dollars to find out how we can save Federal dollars. Yet we would put that report on a shelf where it could gather dust, and we actually didn't implement the taxpayer savings that the reports suggested. We are not talking about just a little bit of savings; we are talking about billions upon billions of dollars of savings that we could put upon the Federal Government simply by making

the billions of square feet of office space that the Federal Government has more energy efficient—all, again, by using private sector know-how and private sector ingenuity, with zero taxpayer dollars involved. This amendment that we added last night would make sure those requirements—those findings of energy savings—are actually put into place. Instead of just gathering dust on the shelf, we are going to make them a reality.

Section 3002 of the bill would reauthorize a Department of Energy program for 10 additional years to provide funding to retrofit existing dams and river conduits with electricity-generating technology. It is estimated by the Department of Energy that there is up to 12 gigawatts of untapped hydropower development within the Nation's existing dam infrastructure—12 gigawatts already there, untapped. Right now we estimate that only about 3 percent of the Nation's 80,000 existing dams are used to generate clean hydroelectric power. If people are concerned about zero emissions and carbon emissions, hydropower is one of the greatest opportunities we have—hydroelectric generation—to produce clean energy, a renewable resource and emission free.

We have heard from the Colorado Small Hydro Association that there are new Colorado hydroelectric projects benefiting from this program that were originally authorized in the Energy Policy Act of 2005. These projects include new small hydro projects near Ouray, Creede, Grand Lake, and Ridgeway, CO.

Another measure I have been working on over the past several years is section 2201, which expedites the approval of liquefied natural gas export applications. I carried this measure in the House where we passed it with bipartisan support, and now we are going to be able to pass it with bipartisan support in the U.S. Senate.

When we think about the foreign policy potential that expediting liquefied natural gas has for this country and the world, it is truly significant. We now can send to our allies in Eastern Europe and around the globe—nations that are currently dependent on energy from tyrannical governments or governments that would use their energy contracts and pricing to try to gouge their neighbors or to manipulate markets for their own gain of an unscrupulous leader—it is a foreign policy tool that the United States can now provide to our allies abundant, affordable energy. This bill will allow that liquefied natural gas permitting process to be expedited. Nations can't wait to get their hands on U.S. energy. The Department of Energy has said that they can comply with the terms of this bill. It is a no-brainer.

I also sponsored language in section 4101 of the bill to commission a study

of the feasibility and the potential benefits that could be brought about by an energy-water Center Of Excellence within the Department of Energy's national laboratories. In Colorado we are home to the National Renewable Energy Laboratory. We are also home to some of the most incredible waterways our Nation has to offer. We are also home, of course, to the high plains areas of the Western Slope and the Eastern Plains that need more attention when it comes to how we are going to develop our energy sources while also making sure we are protecting our water and making sure we are being good conservationists when it comes to our water. An energy-water Center Of Excellence would aid in efforts to establish a comprehensive approach for managing energy and water resources in the future.

In section 3017, I worked to clarify that oilseed crops are eligible to qualify for the same research provisions as biomass. Meeting future demand for energy and fuel will require a variety of sources, and science and research indicate that oilseed crops have the potential to play a significant role. The Central Great Plains Research Station in Akron, CO, is researching right now oilseed productivity under varying water availability. Meeting our energy needs in an increasingly drought-ridden area will only become harder and harder. Without the necessary research, we may not have an appropriate response, but with continued innovation, we will have a great one.

Oilseeds can hold the key to providing safe, clean energy that is water efficient—a key for the increasingly drought-ridden West.

One of the things we know we have to consider in agriculture, as farmers sometimes face challenging and sometimes historic lows in commodity prices, is to make sure we are finding new ways and new value to the crops they can raise. The development of oilseeds, development of dryland oilseed technologies is an incredible way for us to bring value-added opportunities to rural America.

These are only a few of the provisions that I have worked to advance in this bill, and I wish to thank, again, Chairman MURKOWSKI and so many of our colleagues for including these provisions so important to States like Colorado and the Presiding Officer's State of Montana, and for what we have been able to do in this Energy bill.

We are spending this time on energy because it is so important to this country. Why is it important? Because it means jobs. It means an economic foundation. Abundant and affordable energy means the opportunity for a small business to open up. It means the ability of our neighbors to be able to afford to cool or heat their homes, to be able to turn on the light switch when they wake up in the morning and go home at night.

Over the past year we have looked back at the work the Senate has done, and really the past year has been a very productive one in the Senate for the American people. We have focused on four things in the Senate—four corners—something that I call my four corners plan: Working on education, passing a bipartisan education bill; areas such as our economy, and providing tax relief to small businesses and people around the country; passing a bipartisan transportation bill to make sure we are getting goods to and from the market. We have worked on the environment by passing the Land and Water Conservation Fund. In fact, this bill will address the great program of the Land and Water Conservation Fund, which has benefited all 50 States across the country with projects in every single one. This bill, the Energy Modernization Policy Act that we are working on today, will address the fourth corner of my four corner plan, and that is energy. We will hopefully produce hundreds of thousands of jobs around Colorado and the country, directly or indirectly related to energy development and energy production, whether that is clean energy, renewable energy, energy efficiency, traditional energy, transmission of that energy to and from consumers; whether it is produced in the sparsely populated southeastern areas of Colorado or the densely populated areas of Colorado's front range and beyond. I hope our colleagues will agree to support and pass this legislation so that it actually continues American leadership when it comes to energy policy.

So I thank the Presiding Officer for his leadership. I know in Montana this Energy bill is an important step forward because it represents an all-of-the-above energy policy. I want to thank the Presiding Officer for his leadership in Montana, and I also want to thank the chairman of the committee, Senator MURKOWSKI, for her leadership as well.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, we have been working hard this afternoon. I think we had a very productive day. We processed eight amendments, which was very good for the process we are in. I have appreciated Members' cooperation with that.

We have been working through the back-and-forth to come up with a package of amendments that we can process by voice vote. It has been good. It has been a little lengthier than we had an-

ticipated, but I think we are in a good place now and I am pleased with that. Again, tomorrow we will look to set up a series of additional votes. Members can expect that beginning probably in the afternoon, but we are also looking to adopt additional votes as we try to reach that unanimous consent agreement.

AMENDMENTS NOS. 3064; 3065, AS MODIFIED; 3179; 3145; 3174; 3140, AS MODIFIED; 3156; 3143; 3194, AS MODIFIED; 3205; AND 3160 TO AMENDMENT NO. 2953

Ms. MURKOWSKI. Mr. President, at this point in time we are now ready to process some amendments by voice vote.

I ask unanimous consent that the following amendments be called up and reported by number: Hirono amendment No. 3064; Hirono amendment No. 3065, with modification; Klobuchar amendment No. 3179; Inhofe-Carper amendment No. 3145; Heitkamp amendment No. 3174; Collins-Klobuchar amendment No. 3140, with modification; Baldwin amendment No. 3156; Carper-Inhofe amendment No. 3143; Boxer-Feinstein amendment No. 3194, with modification; Inhofe-King amendment No. 3205; and Booker amendment No. 3160.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for others, proposes amendments numbered 3064; 3065, as modified; 3179; 3145; 3174; 3140, as modified; 3156; 3143; 3194, as modified; 3205; and 3160 en bloc to amendment No. 2953.

The amendments are as follows:

AMENDMENT NO. 3064

(Purpose: To modify a provision relating to the energy workforce pilot grant program)

In section 3602(d)(1)(B), after "State" insert the following: "(as defined in 202 of the Energy Conservation and Production Act (42 U.S.C. 6802)) (referred to in this section as the 'State'))".

AMENDMENT NO. 3065, AS MODIFIED

(Purpose: To modify a provision relating to the energy workforce pilot grant program)

In section 3602(d), strike paragraph (3) and insert the following:

(3) work with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), tribal organizations (as defined in section 3765 of title 38, United States Code), and Native American veterans (as defined in section 3765 of title 38, United States Code), including veterans who are a descendant of an Alaska Native (as defined in Section 3(r) of the Alaska Native Claims Settlement Act (432 U.S.C. 1602(r))."

AMENDMENT NO. 3179

(Purpose: To modify the areas of focus under the grid storage program)

On page 174, line 5, insert ", electric thermal, electromechanical," after "materials".

AMENDMENT NO. 3145

(Purpose: To provide that for purposes of the Federal purchase requirement, renewable energy includes thermal energy)

At the end of title III, add the following:

Subtitle I—Thermal Energy**SEC. 3801. MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE THERMAL ENERGY.**

(a) IN GENERAL.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) (as amended by section 3001(b)) is amended—

(1) in subsection (a), by inserting “a number equivalent to” before “the total amount of electric energy”;

(2) in subsection (b)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following:

“(2) QUALIFIED WASTE HEAT RESOURCE.—The term ‘qualified waste heat resource’ means—

“(A) exhaust heat or flared gas from any industrial process;

“(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

“(C) a pressure drop in any gas for an industrial or commercial process; or

“(D) such other forms of waste heat as the Secretary determines appropriate.”; and

(C) in paragraph (3) (as redesignated by subparagraph (A))—

(i) by striking “produced from” and inserting “produced or, if resulting from a thermal energy project placed in service after December 31, 2014, thermal energy generated from, or avoided by,”; and

(ii) by inserting “qualified waste heat resource,” after “municipal solid waste,”; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking “For purposes” and inserting the following:

“(1) IN GENERAL.—For purposes”; and

(C) by adding at the end the following:

“(2) SEPARATE CALCULATION.—

“(A) IN GENERAL.—For purposes of determining compliance with the requirements of this section, any energy consumption that is avoided through the use of renewable energy shall be considered to be renewable energy produced.

“(B) DENIAL OF DOUBLE BENEFIT.—Avoided energy consumption that is considered to be renewable energy produced under subparagraph (A) shall not also be counted for purposes of achieving compliance with another Federal energy efficiency goal.”.

(b) CONFORMING AMENDMENT.—Section 2410(a) of title 10, United States Code, is amended by striking “section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2))” and inserting “section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b))”.

AMENDMENT NO. 3174

(Purpose: To affirm a Federal commitment to carbon capture utilization and storage research, development, and implementation and to study the costs and benefits of contracting authority for price stabilization)

On page 302, between lines 14 and 15, insert the following:

SEC. 3401. SENSE OF THE SENATE ON CARBON CAPTURE, USE, AND STORAGE DEVELOPMENT AND DEPLOYMENT.

It is the sense of the Senate that—

(1) carbon capture, use, and storage deployment is—

(A) an important part of the clean energy future and smart research and development investments of the United States; and

(B) critical—

(i) to increasing the energy security of the United States;

(ii) to reducing emissions; and

(iii) to maintaining a diverse and reliable energy resource;

(2) the fossil energy programs of the Department should continue to focus on research and development of technologies that will improve the capture, transportation, use (including for the production through bio-fixation of carbon-containing products), and injection processes essential for carbon capture, use, and storage activities in the electrical and industrial sectors;

(3) the Secretary should continue to partner with the private sector and explore avenues to bring down the cost of carbon capture, including through loans, grants, and sequestration credits to help make carbon capture, use, and storage technologies more competitive compared to other technologies that are a part of the clean energy future of the United States; and

(4) the Secretary should continue working with international partners on pre-existing agreements, projects, and information sharing activities of the Secretary to develop the latest and most cutting-edge carbon capture, use, and storage technologies for the electrical and industrial sectors.

On page 302, line 15, strike “3401” and insert “3402”.

On page 302, line 21, strike “3402” and insert “3403”.

On page 311, between lines 7 and 8, insert the following:

SEC. 3404. REPORT ON PRICE STABILIZATION SUPPORT.

(a) DEFINITION OF ELECTRIC GENERATION UNIT.—In this section, the term “electric generation unit” means an electric generation unit that—

(1) uses coal-based generation technology; and

(2) is capable of capturing carbon dioxide emissions from the unit.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall prepare and submit to the appropriate committees of Congress a report—

(1) on the benefits and costs of entering into long-term binding contracts on behalf of the Federal Government with qualified parties to provide price stabilization support for certain industrial sources for capturing carbon dioxide from electricity generated at an electric generation unit or carbon dioxide captured from an electric generation unit and sold to a purchaser for—

(A) the recovery of crude oil; or

(B) other purposes for which a commercial market exists; and

(2) that—

(A) contains an analysis of how the Department would establish, implement, and maintain a contracting program described in paragraph (1); and

(B) outlines options for how price stabilization contracts may be structured and regulations that would be necessary to implement a contracting program described in paragraph (1).

AMENDMENT NO. 3140, AS MODIFIED

(Purpose: To require certain Federal agencies to establish consistent policies relating to forest biomass energy to help address the energy needs of the United States)

At the end of part IV of subtitle A of title III, add the following:

SEC. 30 ____ . POLICIES RELATING TO BIOMASS ENERGY.

To support the key role that forests in the United States can play in addressing the en-

ergy needs of the United States, the Secretary, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use.

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

AMENDMENT NO. 3156

(Purpose: To strike a repeal under a provision relating to manufacturing energy efficiency)

Beginning on page 130, strike line 18 and all that follows through page 131, line 5.

Beginning on page 419, line 26, strike “(as amended)” and all that follows through “1201(d)(3))” on page 420, line 1.

AMENDMENT NO. 3143

(Purpose: To reauthorize the diesel emissions reduction program)

At the end of part III of subtitle D of title I, add the following:

SEC. 131 ____ . REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.

Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking “2016” and inserting “2021”.

AMENDMENT NO. 3194, AS MODIFIED

(Purpose: To direct the Secretary of Energy to establish a task force to analyze and assess the Aliso Canyon natural gas leak)

At the appropriate place, insert the following:

SEC. ____ . ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(b) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary shall lead and establish an Aliso Canyon Task Force (referred to in this section as the “task force”).

(c) MEMBERSHIP OF TASK FORCE.—In addition to the Secretary, the task force shall be composed of—

(1) 1 representative from the Pipeline and Hazardous Materials Safety Administration;

(2) 1 representative from the Department of Health and Human Services;

(3) 1 representative from the Environmental Protection Agency;

(4) 1 representative from the Department of the Interior;

(5) 1 representative from the Department of Commerce; and

(6) 1 representative from the Federal Energy Regulatory Commission.

(d) REPORT.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the task force shall submit a final report that contains the information described in subparagraph (B) to—

(i) the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Natural Resources of the House of Representatives;

(iii) the Committee on Environment and Public Works of the Senate;

(iv) the Committee on Transportation and Infrastructure of the House of Representatives;

(v) the Committee on Commerce, Science, and Transportation of the Senate;

(vi) the Committee on Energy and Commerce of the House of Representatives;

(vii) the Committee on Health, Education, Labor, and Pensions of the Senate;

(viii) the Committee on Education and the Workforce of the House of Representatives;

(ix) the President; and

(x) relevant Federal and State agencies.

(B) INFORMATION INCLUDED.—The report submitted under subparagraph (A) shall include, at a minimum—

(i) an analysis and conclusion of the cause of the Aliso Canyon natural gas leak;

(ii) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(iii) an assessment of the impact of the natural gas leak on health, safety, the environment, and the economy of the residents and property surrounding Aliso Canyon;

(iv) an analysis of how Federal and State agencies responded to the natural gas leak;

(v) in order to lessen the negative impacts of natural gas leaks, recommendations on how to improve—

(I) the response to a future leak; and

(II) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(vi) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(vii) recommendations on how to prevent any future natural gas leaks;

(viii) recommendations on whether to continue operations at Aliso Canyon and other facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak;

(ix) a recommendation on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas infrastructure in the United States;

(x) an analysis of the impact of the Aliso Canyon natural gas leak on wholesale and retail electricity prices; and

(xi) an analysis of the impact of the Aliso Canyon natural gas leak on the reliability of the bulk-power system.

(2) PUBLICATION.—The final report under paragraph (1) shall be made available to the public in an electronically accessible format.

(3) If, before the final report is submitted under paragraph (1) the task force finds methods to solve the natural gas leak at Aliso Canyon; better protect the affected communities; or finds methods to help prevent other leaks, they must immediately issue such findings to the same entities that are to receive the final report.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section such sums as may be necessary.

AMENDMENT NO. 3205

(Purpose: To provide for the use of geomatic data in consideration of applications for Federal authorization)

On page 196, between lines 7 and 8, insert the following:

(d) GEOMATIC DATA.—If a Federal or State department or agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the department or agency shall consider any such data gathered by geomatic techniques, including tools and techniques used in land surveying, remote sensing, cartography, geographic information systems, global navigation satellite systems, photogrammetry, geophysics, geography, or other remote means.

AMENDMENT NO. 3160

(Purpose: To strike a provision relating to identifying and characterizing methane hydrate resources using remote sensing and seismic data in the Atlantic Ocean Basin)

On page 263, line 5, strike “or the Atlantic Ocean Basin”.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 3064; 3065, as modified; 3179; 3145; 3174; 3140, as modified; 3156; 3143; 3194, as modified; 3205; and 3160) were agreed to en bloc.

Ms. MURKOWSKI. Mr. President, I appreciate again the cooperation and the working relationship with my ranking member, as well as her very strong and able team working with mine, as well as the floor staff who have been doing a great job.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, we just cleared several amendments in a bipartisan fashion, working back and forth across the aisle, and I so appreciate our colleagues working so diligently on these tonight. If we want to keep making progress, obviously we have to keep communicating, but I thank everybody involved with getting these amendments done.

To my colleague from Alaska, thanks for her diligence in focusing on these issues. Hopefully we will resolve these issues tomorrow. The cloture motion has been filed, so we need to keep moving forward so that we can resolve these issues by the end of this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3140, AS MODIFIED

Ms. CANTWELL. Mr. President, I did want to mention on amendment No. 3140 that I want to thank everybody who worked on that particular amendment tonight. I know tomorrow we are going to have a colloquy continuing the dialogue among all our colleagues who care about these issues as they relate to energy and biomass and making sure we are all continuing to work on this together. I want to point out that there will be a colloquy on that tomorrow.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MONTAGNARDS OF VIETNAM

Mr. BURR. Mr. President, I want to take a moment today to recognize the Montagnard community in my State of North Carolina and in other places across the Nation. I am proud to say that North Carolina is home to the largest population of Montagnards in the United States and home to the largest population of Montagnards outside of Vietnam.

Many Americans may not know about the history behind the United States's special relationship with the Montagnards, which is a history that goes back to the days of the Vietnam war. The Montagnards are an indigenous tribespeople of the central highlands of Vietnam, and during the Vietnam war, it was the Montagnards who were trained by the CIA and Special Operations Forces to fight alongside our troops against the North Vietnamese and Viet Cong.

At their own great risk, the Montagnards provided critical intelligence support to our troops on the ground, no doubt saving countless American lives. After the war, the United States took in hundreds of Montagnards into our country as refugees because of the severe persecution they faced from the Vietnamese Government for that very reason. While

this indeed is a long overdue recognition, I will be submitting later this week a Senate resolution recognizing their service and sacrifice.

However, I believe our recognition of the Montagnards should not stop at what took place decades ago because even today, in 2016, the government of Vietnam continues to discriminate against them for the loyalty and assistance they provided to the United States some 40 years ago. The government of Vietnam continues to persist in its oppression of the Montagnards' basic human rights: the freedom to practice their Christian faith freely without fear of persecution and the right to education, land ownership, and a decent standard of living. This kind of persecution is well documented in the latest human rights and religious freedom reports published by the State Department and the U.S. Commission on International Religious Freedom.

The United States of America has an obligation to stand up for the thousands of suffering Montagnards in Vietnam—some of whom were once our comrades-in-arms. I have heard from many Vietnam war veterans in my State who can tell you how much their military assistance and friendship had meant to them. We should not look the other way; we must continue pressing the Vietnamese Government to respect their fundamental human rights. With this Senate resolution, we send a loud and clear message to the Montagnard people: you are not forgotten.

The United States can do better—we must do better—to support this marginalized tribespeople in Vietnam with whom we share a unique and historic bond.

I would ask my colleagues to join me in supporting this resolution.

Thank you.

ADDITIONAL STATEMENTS

REMEMBERING DONALD "BUDDY" WRAY

• Mr. BOOZMAN. Mr. President, today I wish to recognize the life and legacy of Arkansas businessman and former Tyson Foods executive Donald "Buddy" Wray.

Buddy spent his life building Tyson Foods into one of the world's leading food companies. He was equally committed to serving northwest Arkansas and leaves behind a legacy as a respected community leader.

Buddy started his career as a service technician in 1961, working as the liaison for the many family-contracted farms ensuring the health of the flocks. He rose through the ranks of the company.

As a regular fixture at Tyson, his dedication led him to become the chief operation officer in 1992 and, a year later, the president of the company, a

position he held until his retirement in 2000.

His commitment and love for the company led him to serve as part-time consultant, but he returned to full-time service in 2008. Chairman John Tyson says Buddy was "instrumental in everything the company did for over 50 years."

Buddy was a strong voice for the Arkansas poultry industry, always keeping the needs of the farmer close to his heart. He was named the Distinguished Alumni of the Year in 2000 by the University of Arkansas. In 2004, the university established the Donald "Buddy" Wray Chair in Food Safety within the Dale Bumpers College of Agriculture. His exemplary dedication to agriculture was noted in 2012 when he was inducted into the Arkansas Agriculture Hall of Fame. In 2015, he was inducted into the Arkansas Business Hall of Fame.

Buddy truly transformed agriculture and was an advocate for Arkansas. My thoughts and prayers are with his wife of 50 years, Linda; children Cindy, Scott, Jana; their eight grandchildren; and the rest of the Wray family.●

RECOGNIZING MARSH DOG

• Mr. VITTER. Mr. President, small businesses have the unique ability to tackle issues in their communities head on through thoughtful, innovative solutions. This week I am proud to recognize Marsh Dog of Baton Rouge, LA, as being small business of the week for their commitment to preserving and protecting Louisiana's vulnerable coastlines.

In 1998, the Louisiana Department of Wildlife and Fisheries placed a bounty on the nutria rat in an effort to curb the reproduction of the invasive species, which has wreaked environment havoc on Louisiana's vulnerable coastal habitats. In response to the bounty, businesses across the State began inventing creative ways to recycle by-products of the rodent.

During this time, Hansel Harlan, the future founder of Marsh Dog, became increasingly concerned with the ingredients he found in mass market dog food products. After reading about the many recalls and the harmful ingredients circulating within the dog food industry, Harlan began toying with the idea of creating custom treats for his canine companion. After a few trial runs and on the suggestion of his sister Veni, Hansel included nutria rat meat into his recipe, creating an all-natural, eco-conscious snack his dog immediately enjoyed. Harlan and Veni, with the blessing of their K-9 taste tester, began developing and marketing the innovative product.

Today Marsh Dog enjoys great success and praise from their customers and environmental groups across the State. In addition to receiving a grant

from the Barataria-Terrebonne National Estuary Program in 2011, which proved to be the endorsement that catapulted their success, Marsh Dog was also named Conservation Business of the Year by Louisiana Wildlife Federation.

Hansel and Veni embody what it means to be innovative entrepreneurs. They created a solution for two impactful problems in their community, while also growing a successful small business, is a remarkable feat that deserves celebration.

Congratulations again to Marsh Dog of Baton Rouge, LA, this week's small business of the week, and I look forward to having my rescue dog Ranger try your treats.●

RECOGNIZING PATTON'S WESTERN WEAR

• Mr. VITTER. Mr. President, oftentimes small businesses grow from the humblest of beginnings, providing livelihoods for hard-working entrepreneurs and their families. In rare cases, these small businesses defy all odds, building successful establishments that integrate into their adopted communities, all while supporting local economies and traditions. This week I am proud to recognize Patton's Western Wear of Ruston, LA, as small business of the week for their perseverance in building a solid and successful family-owned and operated retail group that has left its mark across the State of Louisiana.

In 2007, Robert, Patrick, and Thomas Patton used their farming background and extensive experience in retail to open their own western store in Ruston, LA. Catering to the western and oilfield communities of north central Louisiana and southern Arkansas, the Patton brothers began building a reputation for providing a diverse selection of products and quality customer service. One year later, the brothers experienced such success that they expanded their small business and opened a second western-style store in Lake Charles, LA. In choosing Ruston and Lake Charles, which lie on opposite sides of Louisiana, the Patton brothers have since acquired a loyal clientele that includes everyone from cowboys to college students.

Today the Patton brothers manage their small business by remaining true to their western roots. They are active in the rodeo community, supporting over 100 individual rodeos each year, and have also sponsored a bull rider in the National Finals Rodeo in Las Vegas, NV, for 4 years in a row. Recognized as a Best of the Delta business, the group now operates four locations throughout Louisiana, having most recently opened the doors to their newest location in Shreveport in June 2015.

The Patton brothers continue to show entrepreneurs across the country that it is possible to turn a passion

into a business—even from the humblest of means. Through dedicated service to their community, exceptional commitment to customer service, and an excellent retail strategy, the Patton brothers have made their mark across Louisiana and into Arkansas and Texas.

Congratulations again to Patton's Western Wear for being selected as small business of the week, and I look forward to your continued growth and success.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

PRESIDENTIAL MESSAGE

DISTRICT OF COLUMBIA'S FISCAL YEAR (FY) 2016 BUDGET AND FINANCIAL PLAN—PM 39

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Homeland Security and Governmental Affairs:

To the Congress of the United States:

Pursuant to my constitutional authority and as contemplated by section 446 of the District of Columbia Self-Government and Governmental Reorganization Act as amended in 1989, I am transmitting the District of Columbia's fiscal year (FY) 2016 Budget and Financial Plan. This transmittal does not represent an endorsement of the contents of the D.C. government's requests.

The proposed FY 2016 Budget and Financial Plan reflects the major programmatic objectives of the Mayor and the Council of the District of Columbia. For FY 2016, the District estimates total revenues and expenditures of \$13.0 billion.

BARACK OBAMA.

THE WHITE HOUSE, February 2, 2016.

MESSAGE FROM THE HOUSE

At 12:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2152. An act to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

The message also announced that the House has passed the following bills, in

which it requests the concurrence of the Senate:

H.R. 400. An act to require the Secretary of State and the Administrator of the United States Agency for International Development to submit reports on definitions of placement and recruitment fees for purposes of enabling compliance with the Trafficking Victims Protection Act of 2000, and for other purposes.

H.R. 2187. An act to direct the Securities and Exchange Commission to revise its regulations regarding the qualifications of natural persons as accredited investors.

H.R. 2209. An act to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes.

H.R. 3784. An act to amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes.

H.R. 4168. An act to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 515) to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes, and agrees to the amendment of the Senate to the title of the bill.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 4188) to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 400. An act to require the Secretary of State and the Administrator of the United States Agency for International Development to submit reports on definitions of placement and recruitment fees for purposes of enabling compliance with the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on Foreign Relations.

H.R. 2187. An act to direct the Securities and Exchange Commission to revise its regulations regarding the qualifications of natural persons as accredited investors; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2209. An act to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3784. An act to amend the Securities Exchange Act of 1934 to establish an Office of

the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4168. An act to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 757. A bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

H.R. 1493. A bill to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes.

S. 1882. A bill to support the sustainable recovery and rebuilding of Nepal following the recent, devastating earthquakes near Kathmandu.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 2426. A bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. MORAN, Mrs. MCCASKILL, and Mr. KING):

S. 2478. A bill to amend title 31, United States Code, to require the Secretary of the Treasury to provide for the purchase of paper United States savings bonds with tax refunds; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. COATS):

S. 2479. A bill to amend the Public Health Service Act to expand access to prescription drug monitoring programs; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN:

S. 2480. A bill to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON:

S. 2481. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Environment and Public Works.

By Mr. ROUNDS:

S. 2482. A bill to amend title 10, United States Code, to require the Secretary of Defense to provide training to employment personnel of the Department of Defense on matters relating to authorities for recruitment and retention of employees at the United States Cyber Command, and for other purposes; to the Committee on Armed Services.

By Mr. UDALL (for himself, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. WARNER, and Mr. HEINRICH):

S. 2483. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, to require States to conduct such redistricting through independent commissions, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Mr. WICKER, Mr. COCHRAN, Mr. CARDIN, Mr. THUNE, and Mr. WARNER):

S. 2484. A bill to amend titles XVIII and XIX of the Social Security Act to promote cost savings and quality care under the Medicare program through the use of telehealth and remote patient monitoring services, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. PERDUE):

S. Res. 353. A resolution raising awareness and encouraging the prevention of stalking by designating January 2016, as "National Stalking Awareness Month"; considered and agreed to.

By Mrs. FISCHER (for herself and Mr. SASSE):

S. Res. 354. A resolution congratulating the University of Nebraska-Lincoln volleyball team for winning the 2015 National Collegiate Athletic Association Division I Volleyball Championship; considered and agreed to.

By Ms. HEITKAMP (for herself, Mr. BARRASSO, Mr. TESTER, Mrs. MURRAY, Mr. FRANKEN, Mr. UDALL, Mr. HEINRICH, Ms. BALDWIN, Ms. HIRONO, Ms. STABENOW, Mr. MORAN, Mr. HOEVEN, Mr. DAINES, Mr. THUNE, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. SULLIVAN, Mr. ROUNDS, Mr. PETERS, and Mr. LANFORD):

S. Res. 355. A resolution designating the week beginning February 7, 2016, as "National Tribal Colleges and Universities Week"; considered and agreed to.

By Mr. ISAKSON (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BROWN, Mrs. CAPITO, Mr. CASSIDY, Mr. CORNYN, and Mr. WYDEN):

S. Res. 356. A resolution recognizing January 2016 as National Mentoring Month; considered and agreed to.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 50, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

S. 391

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 1315

At the request of Mr. WYDEN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Idaho (Mr. RISC) were added as cosponsors of S. 1315, a bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 1409

At the request of Mr. MARKEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1409, a bill to amend title XIX of the Social Security Act to require States to suspend, rather than terminate, an individual's eligibility for medical assistance under the State Medicaid plan while such individual is an inmate of a public institution.

S. 1460

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1460, a bill to amend title 38, United States Code, to extend the Yellow Ribbon G.I. Education Enhancement Program to cover recipients of the Marine Gunnery Sergeant John David Fry scholarship, and for other purposes.

S. 1717

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1717, a bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials.

S. 1887

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1887, a bill to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from North Caro-

lina (Mr. BURR) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2386

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2386, a bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes.

S. 2423

At the request of Mrs. SHAHEEN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oregon (Mr. WYDEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2437

At the request of Ms. MIKULSKI, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

S. 2444

At the request of Mr. INHOFE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2444, a bill to amend title 18, United States Code, to provide for the disposition, within 60 days, of an application to exempt a projectile from classification as armor piercing ammunition.

S. 2451

At the request of Mr. TOOMEY, his name was added as a cosponsor of S. 2451, a bill to designate the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, as "Liu Xiaobo Plaza", and for other purposes.

S. 2466

At the request of Mr. PETERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2466, a bill to amend the Safe Water

Drinking Act to authorize the Administrator of the Environmental Protection Agency to notify the public if a State agency and public water system are not taking action to address a public health risk associated with drinking water requirements.

AMENDMENT NO. 2996

At the request of Mr. SULLIVAN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 2996 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3023

At the request of Mr. LEE, the names of the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of amendment No. 3023 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3039

At the request of Mr. HOEVEN, the names of the Senator from Montana (Mr. DAINES) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of amendment No. 3039 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3089

At the request of Ms. KLOBUCHAR, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 3089 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3095

At the request of Mr. DURBIN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Illinois (Mr. KIRK) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 3095 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3107

At the request of Ms. BALDWIN, the names of the Senator from Michigan (Mr. PETERS), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 3107 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3112

At the request of Mr. KING, his name was added as a cosponsor of amendment No. 3112 intended to be proposed to S. 2012, an original bill to provide for

the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3145

At the request of Mr. INHOFE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 3145 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3157

At the request of Mr. INHOFE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 3157 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3160

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 3160 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3166

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 3166 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3168

At the request of Mr. PORTMAN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 3168 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3170

At the request of Mr. SULLIVAN, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 3170 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3171

At the request of Ms. HEITKAMP, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of amendment No. 3171 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3173

At the request of Ms. HEITKAMP, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of amendment No. 3173 intended to be proposed to S. 2012, an original bill to provide

for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3174

At the request of Ms. HEITKAMP, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Indiana (Mr. COATS), the Senator from Wyoming (Mr. ENZI) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of amendment No. 3174 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3183

At the request of Ms. HIRONO, the names of the Senator from Delaware (Mr. COONS), the Senator from Ohio (Mr. BROWN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 3183 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 353—RAISING AWARENESS AND ENCOURAGING THE PREVENTION OF STALKING BY DESIGNATING JANUARY 2016, AS "NATIONAL STALKING AWARENESS MONTH"

Ms. KLOBUCHAR (for herself and Mr. PERDUE) submitted the following resolution; which was considered and agreed to:

S. RES. 353

Whereas 15 percent of women in the United States, at some point during their lifetimes, have experienced stalking victimization, during which the women felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 7,500,000 individuals in the United States reported that they had been victims of stalking, and 75 percent of those individuals reported that they had been stalked by someone they knew;

Whereas 11 percent of victims of stalking reported having been stalked for more than 5 years;

Whereas two-thirds of stalkers pursue their victims at least once a week;

Whereas victims of stalking are forced to take drastic measures to protect themselves, including changing their identities, relocating, changing jobs, or obtaining protection orders;

Whereas the prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among victims of stalking than the general population;

Whereas many victims of stalking do not report stalking to the police or contact a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist victims of stalking and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for an increase in the availability of victim services across the United States, and the services must include programs tailored to meet the needs of victims of stalking;

Whereas individuals 18 to 24 years old experience the highest rates of stalking victimization, and rates of stalking among college students exceed rates of stalking among the general population;

Whereas up to 75 percent of women in college who experience behavior relating to stalking experience other forms of victimization, including sexual or physical victimization;

Whereas there is a need for an effective response to stalking on each campus; and

Whereas the Senate finds that "National Stalking Awareness Month" provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2016, as "National Stalking Awareness Month";

(2) applauds the efforts of service providers for victims of stalking, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, institutions of higher education, and nonprofit organizations to increase awareness of stalking and the availability of services for victims of stalking; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through "National Stalking Awareness Month".

SENATE RESOLUTION 354—CONGRATULATING THE UNIVERSITY OF NEBRASKA-LINCOLN VOLLEYBALL TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I VOLLEYBALL CHAMPIONSHIP

Mrs. FISCHER (for herself and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 354

Whereas, on December 19, 2015, the University of Nebraska-Lincoln Cornhuskers won the 2015 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Volleyball Championship in Omaha, Nebraska in an overwhelming victory over the University of Texas Longhorns by a score of 25 to 23, 25 to 23, and 25 to 21;

Whereas the University of Nebraska-Lincoln has won 4 NCAA volleyball Championships;

Whereas the Cornhuskers ended their championship season with a 16-match winning streak and finished the year with a record of 32 wins and 4 losses;

Whereas all members of the University of Nebraska-Lincoln volleyball team, including Annika Albrecht, Olivia Boender, Kelsey Fien, Mikaela Foecke, Meghan Haggerty, Cecilia Hall, Briana Holman, Kelly Hunter, Kenzie Maloney, Alicia Ostrander, Tiani Reeves, Amber Rolfzen, Kadie Rolfzen, Brooke Smith, Sydney Townsend, and Justine Wong-Orantes, contributed to this outstanding victory;

Whereas head coach John Cook, assistant coach Chris Tamas, assistant coach Dani Busboom Kelly, volunteer assistant coach Jen Tamas, director of operations Lindsay Peterson, video coordinator Natalie Morgan, and graduate managers Dan Mader, Mike Owen, and Peter Netisingha guided this outstanding group of women to a national championship;

Whereas Mikaela Foecke was named the Most Outstanding Player of the 2015 NCAA Championship;

Whereas Justine Wong-Orantes was named the Big Ten Defensive Player of the Year, becoming the first Nebraska player ever to earn that award;

Whereas Kadie Rolfzen, Amber Rolfzen, and Justine Wong-Orantes were recognized as All-Americans by the American Volleyball Coaches Association, and Mikaela Foecke and Kelly Hunter received honorable mention; and

Whereas an NCAA record-breaking crowd of 17,561 volleyball fans attended the championship game, reflecting the tremendous spirit and dedication of Nebraska fans supporting the Cornhuskers as the team won the national championship: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Nebraska-Lincoln volleyball team as the winner of the 2015 National Collegiate Athletic Association Division I Volleyball Championship;

(2) commends the University of Nebraska players, coaches, and staff for their hard work and dedication;

(3) recognizes the students, alumni, and loyal fans that supported the Cornhuskers on their journey to win another Division I Championship; and

(4) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the president of University of Nebraska;

(B) the athletic director of the University of Nebraska-Lincoln; and

(C) the head coach of the University of Nebraska-Lincoln volleyball team.

SENATE RESOLUTION 355—DESIGNATING THE WEEK BEGINNING FEBRUARY 7, 2016, AS "NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK"

Ms. HEITKAMP (for herself, Mr. BARASSO, Mr. TESTER, Mrs. MURRAY, Mr. FRANKEN, Mr. UDALL, Mr. HEINRICH, Ms. BALDWIN, Ms. HIRONO, Ms. STABENOW, Mr. MORAN, Mr. HOEVEN, Mr. DAINES, Mr. THUNE, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. SULLIVAN, Mr. ROUNDS, Mr. PETERS, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 355

Whereas there are 37 Tribal Colleges and Universities operating on more than 85 campuses in 16 States;

Whereas Tribal Colleges and Universities are tribally chartered or federally chartered institutions of higher education, which creates a unique relationship between Tribal Colleges and Universities and the Federal Government;

Whereas Tribal Colleges and Universities serve students from more than 250 federally recognized Indian tribes;

Whereas Tribal Colleges and Universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which—

(1) enhances Indian communities; and

(2) enriches the United States as a nation;

Whereas Tribal Colleges and Universities provide access to high-quality postsecondary educational opportunities for—

(1) American Indians;

(2) Alaska Natives; and

(3) other individuals that live in some of the most isolated and economically depressed areas in the United States;

Whereas Tribal Colleges and Universities are accredited institutions of higher education that effectively prepare students to succeed in—

(1) the academic pursuits of the students; and

(2) the global and highly competitive workforce;

Whereas Tribal Colleges and Universities have open enrollment policies, and approximately 24 percent of the students at Tribal Colleges and Universities are non-Indian individuals; and

Whereas the collective mission and the considerable achievements of Tribal Colleges and Universities deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning February 7, 2016, as "National Tribal Colleges and Universities Week"; and

(2) calls on the people of the United States and interested groups to observe National Tribal Colleges and Universities Week with appropriate ceremonies, activities, and programs to demonstrate support for Tribal Colleges and Universities.

SENATE RESOLUTION 356—RECOGNIZING JANUARY 2016 AS NATIONAL MENTORING MONTH

Mr. ISAKSON (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BROWN, Mrs. CAPITO, Mr. CASSIDY, Mr. CORNYN, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 356

Whereas, in 2002, the Harvard T.H. Chan School of Public Health and MENTOR: the National Mentoring Partnership established National Mentoring Month;

Whereas the goals of National Mentoring Month are—

(1) to raise awareness of mentoring;

(2) to recruit individuals to mentor; and

(3) to encourage organizations to engage and integrate quality in mentoring into the efforts of the organizations;

Whereas young people across the United States make everyday choices that lead up to the big decisions in life without the guidance and support on which many other people rely;

Whereas a mentor is a caring, consistent presence who devotes time to a young person to help that young person—

(1) discover personal strength; and

(2) achieve the potential of that young person through a structured and trusting relationship;

Whereas quality mentoring—

- (1) encourages positive choices;
- (2) promotes self-esteem;
- (3) supports academic achievement; and
- (4) introduces young people to new ideas;

Whereas mentoring programs have shown to be effective in combating school violence and discipline problems, substance abuse, incarceration, and truancy;

Whereas research shows that young people who were at risk for not completing high school but who had a mentor were, as compared to similarly situated young people without a mentor—

(1) 55 percent more likely to be enrolled in college;

(2) 81 percent more likely to report participating regularly in sports or extracurricular activities;

(3) more than twice as likely to say they held a leadership position in a club or sports team; and

(4) 78 percent more likely to pay it forward by volunteering regularly in their communities;

Whereas 90 percent of young people who were at risk for not completing high school but who had a mentor said they are now interested in becoming mentors themselves;

Whereas youth development experts agree that mentoring encourages smart daily behaviors (such as finishing homework, having healthy social interactions, and saying no when it counts) that have a noticeable influence on the growth and success of a young person;

Whereas mentors help young people set career goals and use the personal contacts of the mentors to help young people meet industry professionals and find jobs;

Whereas all of the described benefits of mentors serve to link youth to economic and social opportunity while also strengthening the fiber of communities in the United States; and

Whereas despite the described benefits, 9,000,000 young people in the United States feel isolated from meaningful connections with adults outside their homes, constituting a “mentoring gap” that demonstrates a need for collaboration and resources: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes January 2016 as National Mentoring Month;

(2) recognizes the men and women who serve as staff and volunteers at quality mentoring programs and who help the young people of the United States find inner strength and reach their full potential;

(3) acknowledges that mentoring is beneficial because mentoring encourages educational achievement, reduces juvenile delinquency, improves life outcomes, and strengthens communities;

(4) promotes the establishment and expansion of quality mentoring programs across the United States to equip young people with the tools needed to lead healthy and productive lives; and

(5) supports initiatives to close the “mentoring gap” that exists for the many young people in the United States without meaningful connections with adults outside their homes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3184. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to

be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3185. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3186. Mrs. FISCHER (for herself, Mr. COCHRAN, Mr. GRASSLEY, Mr. GARDNER, Mrs. ERNST, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3187. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3188. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3189. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3190. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3191. Mr. MERKLEY (for himself, Mr. SCHATZ, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3192. Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. KAINE, Mr. SCOTT, Mr. VITTER, Mr. TILLIS, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3193. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3194. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra.

SA 3195. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3196. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3197. Ms. COLLINS (for herself, Ms. MIKULSKI, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3198. Mr. BROWN (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3199. Mr. MARKEY submitted an amendment intended to be proposed to

amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3200. Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. SCHATZ, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3201. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3202. Mr. ISAKSON (for himself, Mr. BENNET, Mr. PORTMAN, Mrs. SHAHEEN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3203. Mr. COONS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3204. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3205. Mr. INHOFE (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra.

SA 3206. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3207. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3208. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3209. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3210. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3211. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3212. Mr. HELLER (for himself, Mr. HEINRICH, Mr. GARDNER, Mr. TESTER, Mr. BENNET, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3213. Mr. WARNER (for himself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3214. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3215. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3216. Mr. Kaine (for himself, Mr. VITTER, and Ms. Baldwin) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3217. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3218. Ms. STABENOW (for herself, Mr. BOOZMAN, Ms. BALDWIN, Mr. CARPER, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3219. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3220. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3221. Mr. UDALL (for himself, Mr. PORTMAN, Mrs. BOXER, Mr. ALEXANDER, Mr. WYDEN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3222. Mr. WYDEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3223. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3224. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3225. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3226. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3227. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3228. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3229. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3230. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3231. Mr. HELLER (for himself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3184. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —COAL REFUSE POWER PLANTS

SEC. .01. SHORT TITLE.

This title may be cited as the “Satisfying Energy Needs and Saving the Environment Act” or the “SENSE Act”.

SEC. .02. STANDARDS FOR COAL REFUSE POWER PLANTS.

(a) DEFINITIONS.—In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) BOILER OPERATING DAY.—The term “boiler operating day” has the meaning given the term in section 63.10042 of title 40, Code of Federal Regulations (or a successor regulation).

(3) COAL REFUSE.—The term “coal refuse” means any byproduct of coal mining, physical coal cleaning, or coal preparation operation that contains coal, matrix material, clay, and other organic and inorganic material.

(4) COAL REFUSE ELECTRIC UTILITY STEAM GENERATING UNIT.—The term “coal refuse electric utility steam generating unit” means an electric utility steam generating unit that—

(A) is in operation as of the date of enactment of this Act;

(B) uses fluidized bed combustion technology to convert coal refuse into energy; and

(C) uses coal refuse as at least 75 percent of the annual fuel consumed, by heat input, of the unit.

(5) COAL REFUSE-FIRED FACILITY.—The term “coal refuse-fired facility” means a facility in which the coal refuse electric utility steam generating units are—

(A) located on 1 or more contiguous or adjacent properties;

(B) specified in the same Major Group (2-digit code), as described in the Standard Industrial Classification Manual (1987); and

(C) under common control of the same person (or persons under common control).

(6) CROSS-STATE AIR POLLUTION RULE.—The terms “Cross-State Air Pollution Rule” and “CSAPR” mean the regulatory program promulgated by the Administrator to address the interstate transport of air pollution in parts 51, 52, and 97 of title 40, Code of Federal Regulations (or successor regulations).

(7) ELECTRIC UTILITY STEAM GENERATING UNIT.—The term “electric utility steam generating unit” means—

(A) an electric utility steam generating unit, as the term is defined in section 63.10042 of title 40, Code of Federal Regulations (or a successor regulation); or

(B) an electricity generating unit or electric generating unit, as the terms are used in CSAPR.

(8) PHASE I.—The term “Phase I” means, with respect to CSAPR, the initial compliance period under CSAPR, identified for the 2015 and 2016 annual compliance periods.

(b) APPLICATION OF CSAPR TO CERTAIN COAL REFUSE ELECTRIC UTILITY STEAM GENERATING UNITS.—

(1) COAL REFUSE ELECTRIC UTILITY STEAM GENERATING UNITS COMBUSTING BITUMINOUS COAL REFUSE.—

(A) APPLICABILITY.—This paragraph applies to any coal refuse electric utility steam generating unit that—

(i) combusts coal refuse derived from the mining and processing of bituminous coal; and

(ii) is subject to sulfur dioxide allowance surrender provisions pursuant to CSAPR.

(B) CONTINUED APPLICABILITY OF PHASE I ALLOWANCE ALLOCATIONS.—In carrying out CSAPR, the Administrator shall provide that, for any compliance period, the allocation (whether through a Federal implementation plan or State implementation plan) of sulfur dioxide allowances for a coal refuse electric utility steam generating unit described in subparagraph (A) is equivalent to the allocation of the unit-specific sulfur dioxide allowance allocation identified for that unit for Phase I, as referenced in the notice entitled “Availability of Data on Allocations of Cross-State Air Pollution Rule Allowances to Existing Electricity Generating Units” (79 Fed. Reg. 71674 (December 3, 2014)).

(C) RULES FOR ALLOWANCE ALLOCATIONS.—For any compliance period under CSAPR that commences on or after January 1, 2017, any sulfur dioxide allowance allocation provided by the Administrator to a coal refuse electric utility steam generating unit described in subparagraph (A)—

(i) shall not be transferable for use by any other source not located at the same coal refuse-fired facility as the relevant coal refuse electric utility steam generating unit;

(ii) may be transferable for use by another source located at the same coal refuse-fired facility as the relevant coal refuse electric utility steam generating unit;

(iii) may be banked for application to compliance obligations in future compliance periods under CSAPR; and

(iv) shall be surrendered on the date on which the operation of the coal refuse electric utility steam generating unit permanently ceases.

(2) OTHER SOURCES.—

(A) NO INCREASE IN OVERALL STATE BUDGET OF SULFUR DIOXIDE ALLOWANCE ALLOCATIONS.—For purposes of paragraph (1), the Administrator may not, for any compliance period under CSAPR, increase the total budget of sulfur dioxide allowance allocations for a State in which a unit described in paragraph (1)(A) is located.

(B) COMPLIANCE PERIODS 2017 THROUGH 2020.—For any compliance period under CSAPR that commences on or after January 1, 2017, but before December 31, 2020, the Administrator shall carry out subparagraph (A) by proportionally reducing, as necessary, the unit-specific sulfur dioxide allowance allocations from each source that—

(i) is located in a State in which a unit described in paragraph (1)(A) is located;

(ii) permanently ceases operation, or converts the primary fuel source from coal to natural gas, before the relevant compliance period; and

(iii) otherwise receives an allocation of sulfur dioxide allowances under CSAPR for the relevant compliance period.

(c) EMISSION LIMITATIONS TO ADDRESS HYDROGEN CHLORIDE AND SULFUR DIOXIDE AS HAZARDOUS AIR POLLUTANTS.—

(1) APPLICABILITY.—For purposes of regulating emissions of hydrogen chloride or sulfur dioxide from a coal refuse electric utility steam generating unit under section 112 of the Clean Air Act (42 U.S.C. 7412), the Administrator—

(A) shall authorize the operator of the coal refuse electric utility steam generating unit to elect that the coal refuse electric utility steam generating unit comply with either—

(i) an emissions standard for emissions of hydrogen chloride that meets the requirements of paragraph (2); or

(ii) an emission standard for emissions of sulfur dioxide that meets the requirements of paragraph (2); and

(B) may not require that the coal refuse electric utility steam generating unit comply with both an emission standard for emissions of hydrogen chloride and an emission standard for emissions of sulfur dioxide.

(2) RULES FOR EMISSION LIMITATIONS.—

(A) IN GENERAL.—The Administrator shall require an operator of a coal refuse electric utility steam generating unit to comply, at the election of the operator, with not more than 1 of the following emission standards:

(i) An emission standard for emissions of hydrogen chloride from a coal refuse electric utility steam generating unit that is not more stringent than an emission rate of 0.002 pounds per million British thermal units of heat input.

(ii) An emission standard for emissions of hydrogen chloride from a coal refuse electric utility steam generating unit that is not more stringent than an emission rate of 0.02 pounds per megawatt-hour.

(iii) An emission standard for emissions of sulfur dioxide from a coal refuse electric utility steam generating unit that is not more stringent than an emission rate of 0.20 pounds per million British thermal units of heat input.

(iv) An emission standard for emissions of sulfur dioxide from a coal refuse electric utility steam generating unit that is not more stringent than an emission rate of 1.5 pounds per megawatt-hour.

(v) An emission standard for emissions of sulfur dioxide from a coal refuse electric utility steam generating unit that is not more stringent than capture and control of 93 percent of sulfur dioxide across the coal refuse electric utility steam generating unit or group of coal refuse electric utility steam generating units, as determined by comparing—

(I) the expected sulfur dioxide generated from combustion of fuels emissions calculated based on as-fired fuel samples; to

(II) the actual sulfur dioxide emissions as measured by a sulfur dioxide continuous emission monitoring system.

(B) MEASUREMENT.—An emission standard described in subparagraph (A) shall be measured as a 30-boiler operating day rolling average per coal refuse electric utility steam generating unit or group of coal refuse electric utility steam generating units located at a single coal refuse-fired facility.

SA 3185. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE —MINERAL ECONOMIC COMMITTEE

SEC. 01. MINERAL ECONOMIC COMMITTEE.

(a) IN GENERAL.—In accordance with this section, the Secretary of the Interior (referred to in this title as the “Secretary”) shall establish a Mineral Economic Committee (referred to in this title as the “Com-

mittee”) in order to further a more consultative process with key Federal, State, tribal, environmental, and energy stakeholders.

(b) PURPOSE.—The purpose of the Committee shall be to provide advice and guidance, through the Director of the Office of Natural Resource Revenue, to the Secretary and the Director of the Bureau of Land Management on the management of Federal and Indian mineral leases and revenues under the law governing the Department of the Interior.

(c) ACTIVITIES.—The Committee shall—

(1) review and comment on revenue management and other mineral- and energy-related policies; and

(2) provide a forum to convey the views of mineral lessees, operators, revenue payers, revenue recipients, governmental agencies, and public interest groups.

(d) CHARTER.—Not later than 180 days after the date of enactment of this Act, the Secretary shall form the Committee in accordance with—

(1) the lapsed charter of the Royalty Policy Committee that was signed by the Secretary on March 26, 2010; and

(2) this section.

(e) MEMBERSHIP.—

(1) IN GENERAL.—To ensure fair and balanced representation with consideration for the efficiency and fiscal economy of the Committee, the Committee shall include—

(A) non-Federal members; and

(B) Federal members.

(2) NON-FEDERAL MEMBERS.—

(A) APPOINTMENT.—The Secretary shall appoint to the Committee non-Federal members in accordance with subparagraph (B) and an alternate for each non-Federal member.

(B) COMPOSITION.—The non-Federal members of the Committee shall be composed of the following:

(i) Not fewer than 5 Governors (or designees) of States that receive over \$10,000,000 annually in royalty revenues from Federal mineral leases.

(ii) Not fewer than 5 representatives of Indian tribes producing Federal oil, gas, or coal on the land of the Indian tribes.

(iii) Not more than 5 representatives of various mineral or energy interests.

(iv) Not more than 3 representatives of public interest groups or nongovernmental organizations.

(C) TERM.—

(i) IN GENERAL.—Non-Federal members and the alternate for each non-Federal member shall serve on the Committee for staggered terms.

(ii) DURATION.—

(1) IN GENERAL.—Subject to subclause (II), each non-Federal member and the alternate for each non-Federal member shall serve on the Committee for not more than 3 years in duration.

(II) EXTENSION OF TERM.—Notwithstanding subclause (I), in the case of any new or reappointed non-Federal member of the Committee with a term that expires in the same calendar year as the terms of more than ½ of the other non-Federal members, the term of that new or reappointed non-Federal member may be extended for an additional 1-year or 2-year term.

(III) TERM LIMIT.—

(aa) IN GENERAL.—A non-Federal member shall not serve on the Committee for more than 6 consecutive calendar years.

(bb) BREAK IN SERVICE.—A non-Federal member subject to the term limit described in item (aa) shall be eligible for reappointment not earlier than 2 years after the date

on which that non-Federal member discontinued service on the Committee.

(D) REVOCATION OF APPOINTMENT.—The Secretary may revoke the appointment of any non-Federal member or any alternate if the appointed non-Federal member or alternate fails to attend 2 consecutive Committee meetings.

(3) FEDERAL MEMBERS.—

(A) IN GENERAL.—The Federal members of the Committee shall be nonvoting, ex-officio members of the Committee.

(B) COMPOSITION.—The Federal members of the Committee shall be composed of—

(i) the Assistant Secretary of Indian Affairs (or a designee);

(ii) the Director of the Bureau of Land Management (or a designee);

(iii) the Director of the Office of Natural Resources Revenue (or a designee);

(iv) the Chairperson and Ranking Member of the Committee on Energy and Natural Resources of the Senate (or designees); and

(v) the Chairperson and Ranking Member of the Committee on Natural Resources of the House of Representatives (or designees).

(f) MEETINGS.—The Committee shall meet—

(1) not less than once each calendar year; and

(2) to consider any pending or proposed regulation related to—

(A) the management of Federal and Indian mineral leases and revenues; and

(B) any other mineral- or energy-related policy.

(g) STATE AND TRIBAL RESOURCES BOARD.—

(1) IN GENERAL.—The Committee shall establish a subcommittee, to be known as the “State and Tribal Resources Board”, comprised of the members described in clauses (i) and (ii) of subsection (e)(2)(B).

(2) DURATION.—The State and Tribal Resources Board established under paragraph (1) shall terminate on the date that is 10 years after the date on which the Committee is established under this section.

(h) TERMINATION OF COMMITTEE.—The Committee shall terminate not later than 10 years after the date on which the Committee is established under this section.

(i) FUNDING.—Funding made available to carry out this section shall be available only to the extent and in the amount provided in advance in appropriations Acts.

SEC. 02. PROPOSED REGULATIONS AND POLICIES.

(a) CONSULTATION AND REPORT.—Not later than 180 days after the issuance of any proposed regulation or policy related to mineral leasing policy on Federal land (including valuation methodologies and royalty and lease rates for oil, gas, or coal), including any proposed regulation that is pending as of the date of enactment of this Act, the Committee shall—

(1) assess the proposed regulation or policy; and

(2) issue a report that describes the potential impact, including any State and tribal impact described in subsection (b), of the proposed regulation or policy.

(b) STATE AND TRIBAL IMPACT CERTIFICATION.—

(1) IN GENERAL.—Before the date on which any regulation related to mineral leasing policy on Federal land (including valuation methodologies and royalty and lease rates for oil, gas, or coal) is finalized, the State and Tribal Resources Board shall certify the impact of the new regulation on school funding, public safety, and other essential State or tribal government services.

(2) **DELAY REQUEST.**—If the State and Tribal Resources Board determines that a regulation described in paragraph (1) will have a negative State or tribal budgetary impact, the State and Tribal Resources Board may request a delay in the finalization of the regulation for the purposes of further—

- (A) stakeholder consultation;
- (B) budgetary review; and
- (C) development of a proposal to mitigate the negative economic impact.

(3) **LIMITATION.**—A delay in the finalization of a regulation requested under paragraph (2) shall not exceed 180 days from the date on which the State and Tribal Resources Board requested the delay in finalization.

(C) REVISION OF PROPOSED REGULATION.—

(1) **IN GENERAL.**—Before the date on which any regulation related to mineral leasing policy on Federal land (including valuation methodologies and royalty and lease rates for oil, gas, or coal) is finalized, the Secretary shall revise the proposed regulation to avoid any negative impact reported by the Committee under subsection (a)(2).

(2) **FINAL RULE.**—Any final rule revised under paragraph (1) shall include the revisions made by the Secretary in accordance with that paragraph.

(d) **FUNDING FOR COMMITTEE ACTIVITIES.**—Funding made available to carry out Committee activities under this section shall be available only to the extent and in the amount provided in advance in appropriations Acts.

SEC. 3. PROGRAMMATIC REVIEW.

(a) **IN GENERAL.**—The programmatic review of coal leasing on Federal land (as described in section 4 of the order of the Secretary entitled “Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program”, numbered 3338, and dated January 15, 2016) shall be completed not later than January 15, 2019.

(b) **PARTICIPANTS IN PROGRAMMATIC REVIEW.**—

(1) **IN GENERAL.**—In carrying out the programmatic review described in subsection (a), the Secretary shall confer with, and take into consideration the views of, representatives appointed to the review board described in paragraph (2).

(2) **REVIEW BOARD.**—The Governors of States in which more than \$10,000,000 in Federal coal revenues are collected annually shall appoint not fewer than 3 representatives, 2 of whom shall be members of the State and Tribal Resources Board, to a review board that shall confer with the Secretary in carrying out the programmatic review described in subsection (a).

(c) **LIMITATION.**—No funds may be used to carry out the programmatic review of coal leasing on Federal land described in subsection (a) after January 15, 2019.

(d) **NO IMPLEMENTATION REQUIREMENT.**—Nothing in this section requires the Secretary to implement the programmatic review of coal leasing on Federal land described in subsection (a) after January 20, 2017.

SEC. 4. EMERGENCY LEASING OF COAL RESERVES ON FEDERAL LAND.

(a) **IN GENERAL.**—In response to an application under subpart 3425 of part 3420 of subchapter C of chapter II of subtitle B of title 43, Code of Federal Regulations (or successor regulation), the Secretary may hold an emergency lease sale for coal reserves on Federal land if the applicant demonstrates that—

(1)(A) the coal reserves on Federal land are needed not later than 5 years after the date on which the application is submitted to the Secretary—

(i) to maintain an existing mining operation at a rate of production, as of the date on which the application is submitted to the Secretary, that is the average of the annual production rates for the 5 calendar years before the date on which the application is submitted to the Secretary; or

(ii) to supply coal for any contract signed before January 15, 2016, as substantiated by a complete copy of the supply or delivery contract; or

(B) if the Secretary—

(i) does not lease the coal deposit on Federal land, that coal deposit would be bypassed in the reasonably foreseeable future; or

(ii) leases the coal deposit on Federal land, a portion of the tract containing the coal deposit would be used not later than 5 years after the date on which the application is submitted to the Secretary; and

(2) the need for the coal on Federal land has resulted from a circumstance—

(A) beyond the control of the applicant; or

(B) that could not have been reasonably foreseen in time to allow the planning necessary for the consideration of leasing the tract under section 3420.3 of title 43, Code of Federal Regulations (or successor regulation).

(b) **LENGTH OF LEASE.**—

(1) **IN GENERAL.**—If an applicant qualifies for an emergency lease under only clause (i) of subsection (a)(1)(A), the emergency lease shall not exceed 8 years of recoverable reserves at a rate of production not to exceed the average of the annual production rates for the 5 calendar years before the date on which the application is submitted to the Secretary under subpart 3425 of part 3420 of subchapter C of chapter II of subtitle B of title 43, Code of Federal Regulations (or successor regulation).

(2) **HIGHER RATE OF PRODUCTION.**—If an applicant qualifies for an emergency lease under clauses (i) and (ii) of subsection (a)(1)(A), the higher rate of production shall apply.

(c) **NOTICE TO GOVERNOR.**—Not later than 90 days after the date on which the Secretary receives an emergency lease application, the Secretary shall provide notice of the emergency lease application to the Governor of the affected State.

SA 3186. Mrs. FISCHER (for herself, Mr. COCHRAN, Mr. GRASSLEY, Mr. GARDNER, Mrs. ERNST, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION PROCESS SAFETY MANAGEMENT STANDARD.

(a) **WITHDRAWAL OF POLICY.**—

(1) **IN GENERAL.**—The Secretary of Labor, acting through the Assistant Secretary of Labor for Occupational Safety and Health, shall withdraw the revised enforcement policy relating to the exemption of retail facilities from coverage of the process safety management of highly hazardous chemicals standard under section 1910.119(a)(2)(i) of title 29, Code of Federal Regulations, issued as a memorandum by the Occupational Safety and Health Administration on July 22, 2015.

(2) **ENFORCEMENT.**—The Secretary of Labor, acting through the Assistant Secretary of Labor for Occupational Safety and Health, shall enforce section 1910.119(a)(2)(i) of title 29, Code of Federal Regulations (or any corresponding similar regulation or ruling) in the same manner as such section was enforced on July 21, 2015, unless such section is amended in accordance with subsection (b).

(b) **REQUIREMENTS FOR RULEMAKING.**—

(1) **PROPOSED RULE.**—The Secretary may publish any proposed rule relating to the exemption of retail facilities from coverage of the process safety management of highly hazardous chemicals standard under section 1910.119(a)(2)(i) of title 29, Code of Federal Regulations (or any corresponding similar regulation or ruling) only if—

(A) the Secretary, acting through the Assistant Secretary of Labor for Occupational Safety and Health, arranges for an independent third party to conduct a cost analysis of such proposed rule, and the Secretary includes such analysis in the publication of the proposed rule; and

(B) the Bureau of the Census establishes a code for farm supply retailers under sector 44-45 (relating to retail trade) of the North American Industry Classification System.

(2) **NOTICE AND COMMENT.**—In promulgating any rule related to the exemption described in paragraph (1), the Secretary of Labor, acting through the Assistant Secretary of Labor for Occupational Safety and Health, shall—

(A) provide notice and comment rulemaking in accordance with section 553 of title 5, United States Code; and

(B) invite meaningful public participation in such rulemaking.

SA 3187. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, line 6, after “717b(a))” insert the following: “and the Secretary shall deem the application to be consistent with the public interest”.

SA 3188. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44 ____ CORRECTION OF SURVEY FOR CERTAIN LAND IN THE STATE OF ALASKA.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall—

(1) correct the United States Survey numbered 11630 to conform with the map entitled “Swan Lake Project Boundary-Lot 2” and dated February 1, 2016; and

(2) issue a land patent to the State of Alaska for all Federal land within the corrected survey area pursuant to section 6(a) of the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85-508).

(b) **EFFECT.**—All actions taken by the Secretary of the Interior in carrying out this section—

(1) are nondiscretionary actions authorized and directed by Congress; and

(2) shall be considered to comply with all procedural and other requirements of the laws of the United States.

SA 3189. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 123, between lines 19 and 20, insert the following:

SEC. 1107. INCLUSION OF SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.

Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is amended by adding at the end the following:

“(J) SPECIAL NOTES ON SMART GRID CAPABILITIES.—

“(i) INITIATION OF RULEMAKING.—Not later than 1 year after the date of the enactment of this subparagraph, the Commission shall initiate a rulemaking to consider making a special note in a prominent manner on any Energy Guide label for any product that includes smart grid capability that—

“(I) smart grid capability is a feature of that product; and

“(II) the use and value of that feature depend on the smart grid capability of the utility system in which the product is installed and the active utilization of that feature by the customer.

“(ii) COMPLETION OF RULEMAKING.—Not later than 3 years after the date of the enactment of this subparagraph, the Commission shall complete the rulemaking initiated under clause (i).”.

SA 3190. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT

SEC. 6001. SHORT TITLE.

This title may be cited as the “Yakima River Basin Water Enhancement Project Phase III Act of 2016”.

SEC. 6002. MODIFICATION OF TERMS, PURPOSES, AND DEFINITIONS.

(a) MODIFICATION OF TERMS.—Title XII of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by striking “Yakama Indian” each place it appears (except section 1204(g)) and inserting “Yakama”; and

(2) by striking “Superintendent” each place it appears and inserting “Manager”.

(b) MODIFICATION OF PURPOSES.—Section 1201 of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) to protect, mitigate, and enhance fish and wildlife and the recovery and maintenance of self-sustaining harvestable populations of fish and other aquatic life, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin through—

“(A) improved water management and the constructions of fish passage at storage and diversion dams, as authorized under the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.);

“(B) improved instream flows and water supplies;

“(C) improved water quality, watershed, and ecosystem function;

“(D) protection, creation, and enhancement of wetlands; and

“(E) other appropriate means of habitat improvement;”;

(2) in paragraph (2), by inserting “, municipal, industrial, and domestic water supply and use purposes, especially during drought years, including reducing the frequency and severity of water supply shortages for prorateable irrigation entities” before the semicolon at the end;

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

“(3) to authorize the Secretary to make water available for purchase or lease for meeting municipal, industrial, and domestic water supply purposes;”;

(6) by redesignating paragraphs (5) and (6) as paragraphs (6) and (8), respectively;

(7) by inserting after paragraph (4) (as so redesignated) the following:

“(5) to realize sufficient water savings from implementing the Yakima River Basin Integrated Water Resource Management Plan, so that not less than 85,000 acre feet of water savings are achieved by implementing the first phase of the Integrated Plan pursuant to section 1213(a), in addition to the 165,000 acre feet of water savings targeted through the Basin Conservation Program, as authorized on October 31, 1994;”;

(8) in paragraph (6) (as so redesignated)—

(A) by inserting “an increase in” before “voluntary”; and

(B) by striking “and” at the end;

(9) by inserting after paragraph (6) (as so redesignated) the following:

“(7) to encourage an increase in the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities to enhance water management in the Yakima River basin;”;

(10) in paragraph (8) (as redesignated by paragraph (6)), by striking the period at the end and inserting a semicolon; and

(11) by adding at the end the following:

“(9) to improve the resilience of the ecosystems, economies, and communities in the Basin as they face drought, hydrologic changes, and other related changes and variability in natural and human systems, for the benefit of both the people and the fish and wildlife of the region; and

“(10) to authorize and implement the Yakima River Basin Integrated Water Resource Management Plan as Phase III of the Yakima River Basin Water Enhancement Project, as a balanced and cost-effective approach to maximize benefits to the communities and environment in the Basin.”.

(c) MODIFICATION OF DEFINITIONS.—Section 1202 of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by redesignating paragraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (8), (10), (11), (13), (14), (15), (16), (18), and (19), respectively;

(2) by inserting after paragraph (5) the following:

“(6) DESIGNATED FEDERAL OFFICIAL.—The term ‘designated Federal official’ means the

Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

“(7) INTEGRATED PLAN.—The terms ‘Integrated Plan’ and ‘Yakima River Basin Integrated Water Resource Plan’ mean the plan and activities authorized by the Yakima River Basin Water Enhancement Project Phase III Act of 2016 and the amendments made by that Act, to be carried out in cooperation with and in addition to activities of the State of Washington and Yakama Nation.”;

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:

“(9) MUNICIPAL, INDUSTRIAL, AND DOMESTIC WATER SUPPLY AND USE.—The term ‘municipal, industrial, and domestic water supply and use’ means the supply and use of water for—

“(A) domestic consumption (whether urban or rural);

“(B) maintenance and protection of public health and safety;

“(C) manufacture, fabrication, processing, assembly, or other production of a good or commodity;

“(D) production of energy;

“(E) fish hatcheries; or

“(F) water conservation activities relating to a use described in subparagraphs (A) through (E).”;

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) PRORATABLE IRRIGATION ENTITY.—The term ‘proratable irrigation entity’ means a district, project, or State-recognized authority, board of control, agency, or entity located in the Yakima River basin that—

“(A) manages and delivers irrigation water to farms in the basin; and

“(B) possesses, or the members of which possess, water rights that are proratable during periods of water shortage.”; and

(5) by inserting after paragraph (16) (as redesignated by paragraph (1)) the following:

“(17) YAKIMA ENHANCEMENT PROJECT; YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.—The terms ‘Yakima Enhancement Project’ and ‘Yakima River Basin Water Enhancement Project’ mean the Yakima River basin water enhancement project authorized by Congress pursuant to this Act and other Acts (including Public Law 96-162 (93 Stat. 1241), section 109 of Public Law 98-381 (16 U.S.C. 839b note; 98 Stat. 1340), Public Law 105-62 (111 Stat. 1320), and Public Law 106-372 (114 Stat. 1425)) to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima River basin.”.

SEC. 6003. YAKIMA RIVER BASIN WATER CONSERVATION PROGRAM.

Section 1203 of Public Law 103-434 (108 Stat. 4551) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking “title” and inserting “section”; and

(ii) in the third sentence, by striking “within 5 years of the date of enactment of this Act”; and

(B) in paragraph (2), by striking “irrigation” and inserting “the number of irrigated acres”;

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in each of subparagraphs (A) through (D), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (E), by striking the comma at the end and inserting “; and”;

(iii) in subparagraph (F), by striking “Department of Wildlife of the State of Washington, and” and inserting “Department of

Fish and Wildlife of the State of Washington.”; and

(iv) by striking subparagraph (G);

(B) in paragraph (3)—

(i) in each of subparagraphs (A) through (C), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (D), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(F) provide recommendations to advance the purposes and programs of the Yakima Enhancement Project, including the Integrated Plan.”; and

(C) by striking paragraph (4) and inserting the following:

“(4) AUTHORITY OF DESIGNATED FEDERAL OFFICIAL.—The designated Federal official may—

“(A) arrange and provide logistical support for meetings of the Conservation Advisory Group;

“(B) use a facilitator to serve as a moderator for meetings of the Conservation Advisory Group or provide additional logistical support; and

“(C) grant any request for a facilitator by any member of the Conservation Advisory Group.”;

(3) in subsection (d), by adding at the end the following:

“(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

“(A) IN GENERAL.—The State or the Federal Government may fund not more than the 17.5 percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding by the Federal Government of the local share of the costs shall provide a quantifiable public benefit in meeting Federal responsibilities in the Basin and the purposes of this title.

“(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title.”;

(4) in subsection (e), by striking the first sentence and inserting the following: “To participate in the Basin Conservation Program, as described in subsection (b), an entity shall submit to the Secretary a proposed water conservation plan.”;

(5) in subsection (i)(3)—

(A) by striking “purchase or lease” each place it appears and inserting “purchase, lease, or management”; and

(B) in the third sentence, by striking “made immediately upon availability” and all that follows through “Committee” and inserting “continued as needed to provide water to be used by the Yakima Project Manager as recommended by the System Operations Advisory Committee and the Conservation Advisory Group”; and

(6) in subsection (j)(4), in the first sentence, by striking “initial acquisition” and all that follows through “flushing flows” and inserting “acquisition of water from willing sellers or lessors specifically to provide improved instream flows for anadromous and resident fish and other aquatic life, including pulse flows to facilitate outward migration of anadromous fish”.

SEC. 6004. YAKIMA BASIN WATER PROJECTS, OPERATIONS, AND AUTHORIZATIONS.

(a) YAKAMA NATION PROJECTS.—Section 1204 of Public Law 103-434 (108 Stat. 4555) is amended—

(1) in subsection (a)(2), in the first sentence, by striking “not more than \$23,000,000” and inserting “not more than \$100,000,000”; and

(2) in subsection (g)—

(A) by striking the subsection heading and inserting “REDESIGNATION OF YAKAMA INDIAN NATION TO YAKAMA NATION.”; and

(B) by striking paragraph (1) and inserting the following:

“(1) REDESIGNATION.—The Confederated Tribes and Bands of the Yakama Indian Nation shall be known and designated as the ‘Confederated Tribes and Bands of the Yakama Nation.’; and

(C) in paragraph (2), by striking “deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Indian Nation.’” and inserting “deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Nation.’”.

(b) OPERATION OF YAKIMA BASIN PROJECTS.—Section 1205 of Public Law 103-434 (108 Stat. 4557) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting “additional” after “secure”;

(bb) by striking “flushing” and inserting “pulse”; and

(cc) by striking “uses” and inserting “uses, in addition to the quantity of water provided under the treaty between the Yakama Nation and the United States”;

(II) by striking clause (ii);

(III) by redesignating clause (iii) as clause (ii); and

(IV) in clause (ii) (as so redesignated) by inserting “and water rights mandated” after “goals”; and

(ii) in subparagraph (B)(i), in the first sentence, by inserting “in proportion to the funding received” after “Program”;

(2) in subsection (b) (as amended by section 6002(a)(2)), in the second sentence, by striking “instream flows for use by the Yakima Project Manager as flushing flows or as otherwise” and inserting “fishery purposes, as”; and

(3) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Additional purposes of the Yakima Project shall be any of the following:

“(A) To recover and maintain self-sustaining harvestable populations of native fish, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin.

“(B) To protect, mitigate, and enhance aquatic life and wildlife.

“(C) Recreation.

“(D) Municipal, industrial, and domestic use.”.

(c) LAKE CLE ELUM AUTHORIZATION OF APPROPRIATIONS.—Section 1206(a)(1) of Public Law 103-434 (108 Stat. 4560), is amended, in the matter preceding subparagraph (A), by striking “at September” and all that follows through “to—” and inserting “not more than \$12,000,000 to—”.

(d) ENHANCEMENT OF WATER SUPPLIES FOR YAKIMA BASIN TRIBUTARIES.—Section 1207 of Public Law 103-434 (108 Stat. 4560) is amended—

(1) in the heading, by striking “SUPPLIES” and inserting “MANAGEMENT”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “supplies” and inserting “management”;

(B) in paragraph (1), by inserting “and water supply entities” after “owners”; and

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting “that choose not to participate or opt out of tributary enhancement projects pursuant to this section” after “water right owners”; and

(ii) in subparagraph (B), by inserting “non-participating” before “tributary water users”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking the paragraph designation and all that follows through “(but not limited to)—” and inserting the following:

“(1) IN GENERAL.—The Secretary, following consultation with the State of Washington, tributary water right owners, and the Yakama Nation, and on agreement of appropriate water right owners, is authorized to conduct studies to evaluate measures to further Yakima Project purposes on tributaries to the Yakima River. Enhancement programs that use measures authorized by this subsection may be investigated and implemented by the Secretary in tributaries to the Yakima River, including Taneum Creek, other areas, or tributary basins that currently or could potentially be provided supplemental or transfer water by entities, such as the Kittitas Reclamation District or the Yakima-Tieton Irrigation District, subject to the condition that activities may commence on completion of applicable and required feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development, as appropriate. Measures to evaluate include—”;

(ii) by indenting subparagraphs (A) through (F) appropriately;

(iii) in subparagraph (A), by inserting before the semicolon at the end the following:

“, including irrigation efficiency improvements (in coordination with programs of the Department of Agriculture), consolidation of diversions or administration, and diversion scheduling or coordination”;

(iv) by redesignating subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively;

(v) by inserting after subparagraph (B) the following:

“(C) improvements in irrigation system management or delivery facilities within the Yakima River basin when those improvements allow for increased irrigation system conveyance and corresponding reduction in diversion from tributaries or flow enhancements to tributaries through direct flow supplementation or groundwater recharge;

“(D) improvements of irrigation system management or delivery facilities to reduce or eliminate excessively high flows caused by the use of natural streams for conveyance or irrigation water or return water”;

(vi) in subparagraph (E) (as redesignated by clause (iv)), by striking “ground water” and inserting “groundwater recharge and”;

(vii) in subparagraph (G) (as redesignated by clause (iv)), by inserting “or transfer” after “purchase”; and

(viii) in subparagraph (H) (as redesignated by clause (iv)), by inserting “stream processes and” before “stream habitats”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the Taneum Creek study” and inserting “studies under this subsection”;

(ii) in subparagraph (B)—

(I) by striking “and economic” and inserting “, infrastructure, economic, and land use”; and

(II) by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) any related studies already underway or undertaken.”; and

(C) in paragraph (3), in the first sentence, by inserting “of each tributary or group of tributaries” after “study”;

(4) in subsection (c)—

(A) in the heading, by inserting “**AND NON-SURFACE STORAGE**” after “**NONSTORAGE**”; and

(B) in the matter preceding paragraph (1), by inserting “and nonsurface storage” after “nonstorage”;

(5) by striking subsection (d);

(6) by redesignating subsection (e) as subsection (d); and

(7) in paragraph (2) of subsection (d) (as so redesignated)—

(A) in the first sentence—

(i) by inserting “and implementation” after “investigation”; and

(ii) by striking “other” before “Yakima River”; and

(iii) by inserting “and other water supply entities” after “owners”; and

(B) by striking the second sentence.

(e) CHANDLER PUMPING PLANT AND POWER-PLANT-OPERATIONS AT PROSSER DIVERSION DAM.—Section 1208(d) of Public Law 103-434 (108 Stat. 4562; 114 Stat. 1425) is amended by inserting “negatively” before “affected”.

(f) INTERIM COMPREHENSIVE BASIN OPERATING PLAN.—Section 1210(c) of Public Law 103-434 (108 Stat. 4564) is amended by striking “\$100,000” and inserting “\$200,000”.

(g) ENVIRONMENTAL COMPLIANCE.—Section 1211 of Public Law 103-434 (108 Stat. 4564) is amended by striking “\$2,000,000” and inserting “\$5,000,000”.

SEC. 6005. AUTHORIZATION OF PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

Title XII of Public Law 103-434 (108 Stat. 4550) is amended by adding at the end the following:

“SEC. 1213. AUTHORIZATION OF THE INTEGRATED PLAN AS PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

“(a) INTEGRATED PLAN.—

“(1) IN GENERAL.—The Secretary shall implement the Integrated Plan as Phase III of the Yakima River Basin Water Enhancement Project in accordance with this section and applicable laws.

“(2) INITIAL DEVELOPMENT PHASE OF THE INTEGRATED PLAN.—

“(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and Yakama Nation and subject to feasibility studies, environmental reviews, and the availability of appropriations, shall implement an initial development phase of the Integrated Plan, to—

“(i) complete the planning, design, and construction or development of upstream and downstream fish passage facilities, as previously authorized by the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.) at Cle Elum Reservoir and another Yakima Project reservoir identified by the Secretary as consistent with the Integrated Plan, subject to the condition that, if the Yakima Project reservoir identified by the Secretary contains a hydropower project licensed by the Federal Energy Regulatory Commission, the Secretary shall cooperate with the Federal Energy Regulatory Commission in a timely manner to ensure that actions taken by the

Secretary are consistent with the applicable hydropower project license;

“(ii) negotiate long-term agreements with participating proratable irrigation entities in the Yakima Basin and, acting through the Bureau of Reclamation, coordinate between Bureaus of the Department of the Interior and with the heads of other Federal agencies to negotiate agreements concerning leases, easements, and rights-of-way on Federal land, and other terms and conditions determined to be necessary to allow for the non-Federal financing, construction, operation, and maintenance of—

“(I) new facilities needed to access and deliver inactive storage in Lake Kachess for the purpose of providing drought relief for irrigation (known as the ‘Kachess Drought Relief Pumping Plant’); and

“(II) a conveyance system to allow transfer of water between Keechelus Reservoir to Kachess Reservoir for purposes of improving operational flexibility for the benefit of both fish and irrigation (known as the ‘K to K Pipeline’);

“(iii) participate in, provide funding for, and accept non-Federal financing for—

“(I) water conservation projects, not subject to the provisions of the Basin Conservation Program described in section 1203, that are intended to partially implement the Integrated Plan by providing 85,000 acre-feet of conserved water to improve tributary and mainstem stream flow; and

“(II) aquifer storage and recovery projects;

“(iv) study, evaluate, and conduct feasibility analyses and environmental reviews of fish passage, water supply (including groundwater and surface water storage), conservation, habitat restoration projects, and other alternatives identified as consistent with the purposes of this Act, for the initial and future phases of the Integrated Plan;

“(v) coordinate with and assist the State of Washington in implementing a robust water market to enhance water management in the Yakima River basin, including—

“(I) assisting in identifying ways to encourage and increase the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities in the Yakima River basin;

“(II) providing technical assistance, including scientific data and market information; and

“(III) negotiating agreements that would facilitate voluntary water transfers between entities, including as appropriate, the use of federally managed infrastructure; and

“(vi) enter into cooperative agreements with, or, subject to a minimum non-Federal cost-sharing requirement of 50 percent, make grants to, the Yakama Nation, the State of Washington, Yakima River basin irrigation districts, water districts, conservation districts, other local governmental entities, nonprofit organizations, and land owners to carry out this title under such terms and conditions as the Secretary may require, including the following purposes:

“(I) Land and water transfers, leases, and acquisitions from willing participants, so long as the acquiring entity shall hold title and be responsible for any and all required operations, maintenance, and management of that land and water.

“(II) To combine or relocate diversion points, remove fish barriers, or for other activities that increase flows or improve habitat in the Yakima River and its tributaries in furtherance of this title.

“(III) To implement, in partnership with Federal and non-Federal entities, projects to

enhance the health and resilience of the watershed.

“(B) COMMENCEMENT DATE.—The Secretary shall commence implementation of the activities included under the initial development phase pursuant to this paragraph—

“(i) on the date of enactment of this section; and

“(ii) on completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development.

“(3) INTERMEDIATE AND FINAL PHASES.—

“(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and in consultation with the Yakama Nation, shall develop plans for intermediate and final development phases of the Integrated Plan to achieve the purposes of this Act, including conducting applicable feasibility studies, environmental reviews, and other relevant studies needed to develop the plans.

“(B) INTERMEDIATE PHASE.—The Secretary shall develop an intermediate development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 10 years after the date of enactment of this section.

“(C) FINAL PHASE.—The Secretary shall develop a final development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 20 years after the date of enactment of this section.

“(4) CONTINGENCIES.—The implementation by the Secretary of projects and activities identified for implementation under the Integrated Plan shall be—

“(A) subject to authorization and appropriation;

“(B) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development;

“(C) implemented on public review and a determination by the Secretary that design, construction, and operation of a proposed project or activity is in the best interest of the public; and

“(D) in compliance with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

“(5) PROGRESS REPORT.—

“(A) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Secretary, in conjunction with the State of Washington and in consultation with the Yakama Nation, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a progress report on the development and implementation of the Integrated Plan.

“(B) REQUIREMENTS.—The progress report under this paragraph shall—

“(i) provide a review and reassessment, if needed, of the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan;

“(ii) assess, through performance metrics developed at the initiation of, and measured throughout the implementation of, the Integrated Plan, the degree to which the implementation of the initial development phase addresses the objectives and all elements of the Integrated Plan;

“(iii) identify the amount of Federal funding and non-Federal contributions received and expended during the period covered by the report;

“(iv) describe the pace of project development during the period covered by the report;

“(v) identify additional projects and activities proposed for inclusion in any future phase of the Integrated Plan to address the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan; and

“(vi) for water supply projects—

“(I) provide a preliminary discussion of the means by which—

“(aa) water and costs associated with each recommended project would be allocated among authorized uses; and

“(bb) those allocations would be consistent with the objectives of the Integrated Plan; and

“(II) establish a plan for soliciting and formalizing subscriptions among individuals and entities for participation in any of the recommended water supply projects that will establish the terms for participation, including fiscal obligations associated with subscription.

“(b) FINANCING, CONSTRUCTION, OPERATION, AND MAINTENANCE OF KACHESS DROUGHT RELIEF PUMPING PLANT AND K TO K PIPELINE.—

“(1) AGREEMENTS.—Long-term agreements negotiated between the Secretary and participating proratable irrigation entities in the Yakima Basin for the non-Federal financing, construction, operation, and maintenance of the Drought Relief Pumping Plant and K to K Pipeline shall include provisions regarding—

“(A) responsibilities of the participating proratable irrigation entities for the planning, design, and construction of infrastructure in consultation and coordination with the Secretary;

“(B) property titles and responsibilities of the participating proratable irrigation entities for the maintenance of and liability for all infrastructure constructed under this title;

“(C) operation and integration of the projects by the Secretary in the operation of the Yakima Project;

“(D) costs associated with the design, financing, construction, operation, maintenance, and mitigation of projects, with the costs of Federal oversight and review to be nonreimbursable to the participating proratable irrigation entities and the Yakima Project; and

“(E) responsibilities for the pumping and operational costs necessary to provide the total water supply available made inaccessible due to drought pumping during the preceding 1 or more calendar years, in the event that the Kachess Reservoir fails to refill as a result of pumping drought storage water during the preceding 1 or more calendar years, which shall remain the responsibility of the participating proratable irrigation entities.

“(2) USE OF KACHESS RESERVOIR STORED WATER.—

“(A) IN GENERAL.—The additional stored water made available by the construction of facilities to access and deliver inactive storage in Kachess Reservoir under subsection (a)(2)(A)(i)(I) shall—

“(i) be considered to be Yakima Project water;

“(ii) not be part of the total water supply available, as that term is defined in various court rulings; and

“(iii) be used exclusively by the Secretary—

“(I) to enhance the water supply in years when the total water supply available is not sufficient to provide 70 percent of proratable entitlements in order to make that additional water available up to 70 percent of

proratable entitlements to the Kittitas Reclamation District, the Roza Irrigation District, or other proratable irrigation entities participating in the construction, operation, and maintenance costs of the facilities under this title under such terms and conditions to which the districts may agree, subject to the conditions that—

“(aa) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from Kachess Reservoir inactive storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

“(bb) the additional supply made available under this clause shall be available to participating individuals and entities in proportion to the proratable entitlements of the participating individuals and entities, or in such other proportion as the participating entities may agree; and

“(II) to facilitate reservoir operations in the reach of the Yakima River between Keechelus Dam and Easton Dam for the propagation of anadromous fish.

“(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

“(3) COMMENCEMENT.—The Secretary shall not commence entering into agreements pursuant to subsection (a)(2)(A)(ii) or subsection (b)(1) or implementing any activities pursuant to the agreements before the date on which—

“(A) all applicable and required feasibility studies, environmental reviews, and cost-benefit analyses have been completed and include favorable recommendations for further project development, including an analysis of—

“(i) the impacts of the agreements and activities conducted pursuant to subsection (a)(2)(A)(ii) on adjacent communities, including potential fire hazards, water access for fire districts, community and homeowner wells, future water levels based on projected usage, recreational values, and property values; and

“(ii) specific options and measures for mitigating the impacts, as appropriate;

“(B) the Secretary has made the agreements and any applicable project designs, operations plans, and other documents available for public review and comment in the Federal Register for a period of not less than 60 days; and

“(C) the Secretary has made a determination, consistent with applicable law, that the agreements and activities to which the agreements relate—

“(i) are in the public interest; and

“(ii) could be implemented without significant adverse impacts to the environment.

“(4) ELECTRICAL POWER ASSOCIATED WITH KACHESS DROUGHT RELIEF PUMPING PLANT.—

“(A) IN GENERAL.—The Administrator of the Bonneville Power Administration, pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.), shall provide to the Secretary project power to operate the Kachess Pumping Plant constructed under this title if inactive storage in Kachess Reservoir is needed to provide drought relief for irrigation, subject to the requirements of subparagraphs (B) and (C).

“(B) DETERMINATION.—Power may be provided under subparagraph (A) only if—

“(i) there is in effect a drought declaration issued by the State of Washington;

“(ii) there are conditions that have led to 70 percent or less water delivery to proratable irrigation districts, as determined by the Secretary; and

“(iii) the Secretary determines that it is appropriate to provide power under that subparagraph.

“(C) PERIOD OF AVAILABILITY.—Power under subparagraph (A) shall be provided until the date on which the Secretary determines that power should no longer be provided under that subparagraph, but for not more than a 1-year period or the period during which the Secretary determines that drought mitigation measures are necessary in the Yakima River basin.

“(D) RATE.—The Administrator of the Bonneville Power Administration shall provide power under subparagraph (A) at the then-applicable lowest Bonneville Power Administration rate for public body, cooperative, and Federal agency customers firm obligations, which as of the date of enactment of this section is the priority firm Tier 1 rate, and shall not include any irrigation discount.

“(E) LOCAL PROVIDER.—During any period in which power is not being provided under subparagraph (A), the power needed to operate the Kachess Pumping Plant shall be obtained by the Secretary from a local provider.

“(F) COSTS.—The cost of power for such pumping, station service power, and all costs of transmitting power from the Federal Columbia River Power System to the Yakima Enhancement Project pumping facilities shall be borne by irrigation districts receiving the benefits of that water.

“(G) DUTIES OF COMMISSIONER.—The Commissioner of Reclamation shall be responsible for arranging transmission for deliveries of Federal power over the Bonneville system through applicable tariff and business practice processes of the Bonneville system and for arranging transmission for deliveries of power obtained from a local provider.

“(c) DESIGN AND USE OF GROUNDWATER RECHARGE PROJECTS.—

“(1) IN GENERAL.—Any water supply that results from an aquifer storage and recovery project shall not be considered to be a part of the total water supply available if—

“(A) the water for the aquifer storage and recovery project would not be available for use, but instead for the development of the project;

“(B) the aquifer storage and recovery project will not otherwise impair any water supply available for any individual or entity entitled to use the total water supply available; and

“(C) the development of the aquifer storage and recovery project will not impair fish or other aquatic life in any localized stream reach.

“(2) PROJECT TYPES.—The Secretary may provide technical assistance for, and participate in, any of the following 3 types of groundwater recharge projects (including the incorporation of groundwater recharge projects into Yakima Project operations, as appropriate):

“(A) Aquifer recharge projects designed to redistribute Yakima Project water within a water year for the purposes of supplementing stream flow during the irrigation season, particularly during storage control, subject to the condition that if such a project is designed to supplement a mainstem reach, the water supply that results from the project shall be credited to instream flow targets, in

lieu of using the total water supply available to meet those targets.

“(B) Aquifer storage and recovery projects that are designed, within a given water year or over multiple water years—

“(i) to supplement or mitigate for municipal uses;

“(ii) to supplement municipal supply in a subsurface aquifer; or

“(iii) to mitigate the effect of groundwater use on instream flow or senior water rights.

“(C) Aquifer storage and recovery projects designed to supplement existing irrigation water supply, or to store water in subsurface aquifers, for use by the Kittitas Reclamation District, the Roza Irrigation District, or any other proratable irrigation entity participating in the repayment of the construction, operation, and maintenance costs of the facilities under this section during years in which the total water supply available is insufficient to provide to those proratable irrigation entities all water to which the entities are entitled, subject to the conditions that—

“(i) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from aquifer storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

“(ii) nothing in this subparagraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

“(d) FEDERAL COST-SHARE.—

“(1) IN GENERAL.—The Federal cost-share of a project carried out under this section shall be determined in accordance with the applicable laws (including regulations) and policies of the Bureau of Reclamation.

“(2) INITIAL PHASE.—The Federal cost-share for the initial development phase of the Integrated Plan shall not exceed 50 percent of the total cost of the initial development phase.

“(3) STATE AND OTHER CONTRIBUTIONS.—The Secretary may accept as part of the non-Federal cost-share of a project carried out under this section, and expend as if appropriated, any contribution (including in-kind services) by the State of Washington or any other individual or entity that the Secretary determines will enhance the conduct and completion of the project.

“(4) LIMITATION ON USE OF OTHER FEDERAL FUNDS.—Except as otherwise provided in this title, other Federal funds may not be used to provide the non-Federal cost-share of a project carried out under this section.

“(e) SAVINGS AND CONTINGENCIES.—Nothing in this section shall—

“(1) be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.);

“(2) affect any contract in existence on the date of enactment of the Yakima River Basin Water Enhancement Project Phase III Act of 2016 that was executed pursuant to the reclamation laws;

“(3) affect any contract or agreement between the Bureau of Indian Affairs and the Bureau of Reclamation;

“(4) affect, waive, abrogate, diminish, define, or interpret the treaty between the Yakama Nation and the United States; or

“(5) constrain the continued authority of the Secretary to provide fish passage in the Yakima Basin in accordance with the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.).

“SEC. 1214. OPERATIONAL CONTROL OF WATER SUPPLIES.

“The Secretary shall retain authority and discretion over the management of project supplies to optimize operational use and flexibility to ensure compliance with all applicable Federal and State laws, treaty rights of the Yakama Nation, and legal obligations, including those contained in this Act. That authority and discretion includes the ability of the United States to store, deliver, conserve, and reuse water supplies deriving from projects authorized under this title.”.

SA 3191. Mr. MERKLEY (for himself, Mr. SCHATZ, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that—

(1) a global temperature increase of 3.6 degrees Fahrenheit or greater will lead to significant disruption to the natural systems of the earth, including—

- (A) increased droughts;
- (B) more intense wildfires;
- (C) rising seas;
- (D) increased desertification; and
- (E) acidifying oceans;

(2) the impacts referred to in paragraph (1) will result in economic disruption, including significant impacts on the farming, fishing, forestry, recreation, and other sectors of the United States economy;

(3) the international community, representing more than 195 countries, agreed to take steps to avert 3.6 degrees Fahrenheit of global temperature rise;

(4) in order to tackle climate change and achieve the goal of averting 3.6 degrees Fahrenheit of global temperature rise, all countries must meet and build on their pledged efforts and do their fair share to address climate change by transitioning to clean sources of energy;

(5) the final rule of the Administrator of the Environmental Protection Agency entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015)) (referred to in this section as the “Clean Power Plan”), has put the United States on a path to cut carbon emissions from the electricity sector by 32 percent from 2005 levels by 2030 and transition to a clean energy economy;

(6) to adequately address the threat of climate change to the United States economy, the President who takes office in January 2017, will need to fully implement the Clean Power Plan and other elements of the Climate Action Plan of President Obama and develop additional measures to continue progress toward greater reduction in greenhouse gas emissions and a faster transition to clean energy; and

(7) the President who takes office in January 2017, should work with Congress to develop a comprehensive plan by June 1, 2017, that—

(A) builds on the Climate Action Plan of President Obama; and

(B) continues—

(i) carbon emission reductions by the United States; and

(ii) global leadership of the United States in addressing climate change.

SA 3192. Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. KAINE, Mr. SCOTT, Mr. VITTER, Mr. TILLIS, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 3105. OIL AND GAS.

(a) DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES TO GULF PRODUCING STATES.—Section 105(f) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), the total amount of qualified outer Continental Shelf revenues described in section 102(9)(A)(ii) that are made available under subsection (a)(2) shall not exceed—

“(A) for each of fiscal years 2017 through 2026, \$500,000,000;

“(B) for each of fiscal years 2027 through 2031, \$999,000,000; and

“(C) for each of fiscal years 2032 through 2055, \$500,000,000.”.

(b) DISTRIBUTION OF REVENUE TO ALASKA.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) by striking “All rentals,” and inserting the following:

“(a) IN GENERAL.—Except as provided in subsections (b) and (c), all rentals;” and

(2) by adding at the end the following:

“(b) DISTRIBUTION OF REVENUE TO ALASKA.—

“(1) DEFINITIONS.—In this subsection:

“(A) COASTAL POLITICAL SUBDIVISION.—The term ‘coastal political subdivision’ means a county-equivalent or municipal subdivision of the State—

“(i) all or part of which lies within the coastal zone of the State (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)); and

“(ii) (I) the closest coastal point of which is not more than 200 nautical miles from the geographical center of any leased tract in the Alaska outer Continental Shelf region; or

“(II) (aa) the closest point of which is more than 200 nautical miles from the geographical center of a leased tract in the Alaska outer Continental Shelf region; and

“(bb) that is determined by the State to be a significant staging area for oil and gas servicing, supply vessels, operations, suppliers, or workers.

“(B) QUALIFIED REVENUES.—

“(i) IN GENERAL.—The term ‘qualified revenues’ means all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in the Alaska outer Continental Shelf region.

“(ii) EXCLUSIONS.—The term ‘qualified revenues’ does not include revenues generated from leases subject to section 8(g).

“(C) STATE.—The term ‘State’ means the State of Alaska.

“(2) FISCAL YEARS 2027–2031.—For each of fiscal years 2027 through 2031, the Secretary shall deposit—

“(A) 62.5 percent of qualified revenues in the general fund of the Treasury, of which 12.5 percent shall be allocated to the Tribal Resilience Fund established by section 3105(e) of the Energy Policy Modernization Act of 2016;

“(B) 28 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to the State;

“(C) 7.5 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to coastal political subdivisions; and

“(D) 2 percent of qualified revenues in the general account of the Denali Commission.

“(3) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS.—Of the amount paid by the Secretary to coastal political subdivisions under paragraph (2)(C)—

“(A) 90 percent shall be allocated in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point in each coastal political subdivision that is closest to the geographic center of the applicable leased tract and not more than 200 miles from the geographic center of the leased tract; and

“(B) 10 percent shall be divided equally among each coastal political subdivision that—

“(i) is more than 200 nautical miles from the geographic center of a leased tract; and

“(ii) the State of Alaska determines to be a significant staging area for oil and gas servicing, supply vessels, operations, suppliers, or workers.

“(4) TIMING.—The amounts required to be deposited under paragraph (2) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

“(5) ADMINISTRATION.—Amounts made available under paragraph (2) shall—

“(A) be made available, without further appropriation, in accordance with this subsection;

“(B) remain available until expended; and

“(C) be in addition to any amounts appropriated under any other provision of law.”.

(C) DISPOSITION OF REVENUES TO ATLANTIC STATES.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) (as amended by subsection (b)) is amended by adding at the end the following:

“(c) DISTRIBUTION OF REVENUE TO ATLANTIC STATES.—

“(1) DEFINITIONS.—In this subsection:

“(A) ATLANTIC STATE.—The term ‘Atlantic State’ means any of the following States, which are adjacent to the South Atlantic planning area:

“(i) Georgia.

“(ii) North Carolina.

“(iii) South Carolina.

“(iv) Virginia.

“(B) QUALIFIED REVENUES.—

“(i) IN GENERAL.—The term ‘qualified revenues’ means all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in the Atlantic planning region.

“(ii) EXCLUSIONS.—The term ‘qualified revenues’ does not include revenues generated from leases subject to section 8(g).

“(C) SOUTH ATLANTIC PLANNING AREA.—The term ‘South Atlantic planning area’ means the area of the outer Continental Shelf (as defined in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331)) that is located between the northern lateral seaward administrative boundary of the Common-

wealth of Virginia and the southernmost lateral seaward administrative boundary of the State of Georgia.

“(2) DEPOSIT.—For each of fiscal years 2027 through 2031, the Secretary shall deposit—

“(A) 62.5 percent of any qualified revenues in the general fund of the Treasury, of which 12.5 percent shall be split equally among, and allocated to, or deposited in, as applicable—

“(i) programs for energy efficiency, renewable energy, and nuclear at the Department of Energy;

“(ii) the National Park Service Critical Maintenance and Revitalization Conservation Fund established by section 104908 of title 54, United States Code, for use in accordance with subsection (d) of that section; and

“(iii) the Secretary of Transportation to administer and award TIGER discretionary grants; and

“(B) 37.5 percent of any qualified revenues in a special account in the Treasury from which the Secretary shall disburse amounts to the Atlantic States in accordance with paragraph (3).

“(3) ALLOCATION TO STATES.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), effective for fiscal year 2017 and each fiscal year thereafter, the Secretary of the Treasury shall allocate the qualified revenues described in paragraph (2)(B) to each Atlantic State in amounts (based on a formula established by the Secretary, by regulation) that are inversely proportional to the respective distances between—

“(i) the point on the coastline of each Atlantic State that is closest to the geographical center of the applicable leased tract; and

“(ii) the geographical center of that leased tract.

“(B) MINIMUM ALLOCATION.—The amount allocated to an Atlantic State for each fiscal year under subparagraph (A) shall be not less than 10 percent of the amounts available under paragraph (2)(B).

“(C) STATE ALLOCATION.—Of the amounts received by a State under subparagraph (A), the Atlantic State may use, at the discretion of the Governor of the State—

“(i) 10 percent—

“(I) to enhance State land and water conservation efforts;

“(II) to improve State public transportation projects;

“(III) to establish alternative, renewable, and clean energy production and generation within each State; and

“(IV) to enhance beach nourishment and coastal dredging; and

“(ii) 2.5 percent to enhance geological and geophysical education for the energy future of the United States.

“(4) TIMING.—The amounts required to be deposited under paragraph (2) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.”.

(d) TRIBAL RESILIENCE PROGRAM.—

(1) DEFINITION OF INDIAN TRIBE.—In this subsection, the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) ESTABLISHMENT.—The Secretary shall establish a program—

(A) to improve the resilience of Indian tribes to the effects of a changing climate;

(B) to support Native American leaders in building strong, resilient communities; and

(C) to ensure the development of modern, cost-effective infrastructure.

(3) GRANTS.—Subject to the availability of appropriations and amounts in the Tribal Resilience Fund established by subsection (e)(1), in carrying out the program described in paragraph (2), the Secretary shall make adaptation grants, in amounts not to exceed \$200,000,000 total per fiscal year, to Indian tribes for eligible activities described in paragraph (4).

(4) ELIGIBLE ACTIVITIES.—An Indian tribe receiving a grant under paragraph (3) may only use grant funds for 1 or more of the following eligible activities:

(A) Development and delivery of adaptation training.

(B) Adaptation planning, vulnerability assessments, emergency preparedness planning, and monitoring.

(C) Capacity building through travel support for training, technical sessions, and cooperative management forums.

(D) Travel support for participation in ocean and coastal planning.

(E) Development of science-based information and tools to enable adaptive resource management and the ability to plan for resilience.

(F) Relocation of villages or other communities experiencing or susceptible to coastal or river erosion.

(G) Construction of infrastructure to support emergency evacuations.

(H) Restoration or repair of infrastructure damaged by melting permafrost or coastal or river erosion.

(I) Installation and management of energy systems that reduce energy costs and greenhouse gas emissions compared to the energy systems in use before that installation and management.

(J) Construction and maintenance of social or cultural infrastructure that the Secretary determines supports resilience.

(5) APPLICATIONS.—An Indian tribe desiring an adaptation grant under paragraph (3) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of the eligible activities to be undertaken using the grant.

(6) CAPITAL PROJECTS.—Of amounts made available to carry out this program, not less than 90 percent shall be used for the engineering, design, and construction or implementation of capital projects.

(7) INTERAGENCY COOPERATION.—The Secretary and the Administrator of the Environmental Protection Agency shall establish under the White House Council on Native American Affairs an interagency subgroup on tribal resilience—

(A) to work with Indian tribes to collect and share data and information, including traditional ecological knowledge, about how the effects of a changing climate are relevant to Indian tribes and Alaska Natives; and

(B) to identify opportunities for the Federal Government to improve collaboration and assist with adaptation and mitigation efforts that promote resilience.

(8) TRIBAL RESILIENCE LIAISON.—The Secretary shall establish a tribal resilience liaison—

(A) to coordinate with Indian tribes and relevant Federal agencies; and

(B) to help ensure tribal engagement in climate conversations at the Federal level.

(e) TRIBAL RESILIENCE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the “Tribal Resilience Fund” (referred to in this subsection as the “Fund”).

(2) **DEPOSITS.**—The Fund shall consist of the following:

(A) Amounts made available through an appropriation Act for deposit in the Fund.

(B) Amounts deposited into the Fund under subsection (b)(2)(A) of section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) (as added by subsection (b)(2)).

(3) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **IN GENERAL.**—In addition to the amounts estimated by the Secretary to be deposited in the Fund under paragraph (2), there are authorized to be appropriated annually to the Fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the Fund not more than \$200,000,000 for fiscal year 2027 and each fiscal year thereafter.

(B) **AVAILABILITY OF DEPOSITS.**—

(i) **IN GENERAL.**—Amounts deposited in the Fund under this paragraph shall remain available until expended, without fiscal year limitation.

(ii) **USE.**—Amounts deposited in the Fund under this paragraph and made available for obligation or expenditure from the Fund may be obligated or expended only to carry out the Tribal Resilience Program under subsection (d).

SA 3193. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title IV, add the following:

SEC. 46. COMMUNITY AND SHARED SOLAR PROJECTS PRIZE.

Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) (as amended by section 4601) is amended by adding at the end the following:

“(h) **COMMUNITY AND SHARED SOLAR PROJECTS PRIZE COMPETITION.**—

“(1) **DEFINITIONS.**—

“(A) **COMMUNITY SOLAR.**—In this subsection:

“(i) **IN GENERAL.**—The term ‘community solar’ means a jointly owned or third-party owned shared solar photovoltaic system that allocates electricity to multiple businesses or households.

“(ii) **EXCLUSIONS.**—The term ‘community solar’ does not include—

“(I) a financing mechanism in which a security holder has only an economic interest and does not use the energy; or

“(II) a collective purchasing program in which community members buy separate photovoltaic systems collectively.

“(B) **ELIGIBLE APPLICANT.**—The term ‘eligible applicant’ means—

“(i) a utility;

“(ii) a private business;

“(iii) a nonprofit organization; or

“(iv) a municipality.

“(2) **AUTHORITY.**—Not later than 1 year after the date of enactment of this subsection, as part of the program carried out under this section, the Secretary shall establish and award to eligible applicants competitive technology financial awards or relevant cash prizes for community solar project designs.

“(3) **REQUIREMENTS.**—

“(A) **IN GENERAL.**—In awarding prizes under paragraph (2), the Secretary shall select innovative community solar project designs that—

“(i) increase access to solar energy;

“(ii) reduce upfront costs for participants;

“(iii) provide the greatest return on investment;

“(iv) can be replicated in other communities;

“(v) improve economies of scale;

“(vi) create local jobs; and

“(vii) provide local benefits through energy diversification.

“(B) **CONSIDERATION.**—In awarding prizes under paragraph (2), the Secretary shall select innovative community solar project designs that consider low- and moderate-income populations in the requirements described in subparagraph (A).

“(4) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this subsection such sums as are necessary.”.

SA 3194. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(a) **FINDINGS.**—Congress finds that—

(1) on October 23, 2015, a natural gas leak was discovered at a well within the Aliso Canyon Natural Gas Storage Facility in Los Angeles County in the State of California, and as of January 27, 2016, attempts by the Southern California Gas Company (referred to in this section as the “Company”) to stop the leak have not been successful;

(2) the leak appears to be caused by damage to the well casing at approximately 500 feet underground;

(3) the Company has attempted several times to plug the well, but as of January 28, 2016, those efforts have been unsuccessful;

(4) many residents in the nearby community have reported adverse physical symptoms including dizziness, nausea, and nosebleeds as a result of the natural gas leak, and the continuing emissions from the leak have resulted in the relocation of thousands of people away from their homes and livelihoods;

(5) local schools have temporarily closed, many businesses have been negatively impacted, and regular public services such as mail delivery have also been disrupted;

(6) more than 86,500,000 kilograms of methane, a powerful greenhouse gas, have been emitted into the atmosphere, which is—

(A) the equivalent of 2,200,000 metric tons of carbon dioxide; or

(B) more greenhouse gas than 468,000 cars emit in 1 year;

(7) agencies of the State of California issued an emergency order on December 10, 2015, prohibiting injection of natural gas into the Aliso Canyon Storage Facility until further authorization; and

(8) on January 6, 2016, the Governor of the State of California declared a state of emergency for Los Angeles County due to the Aliso Canyon natural gas leak.

(b) **ESTABLISHMENT OF TASK FORCE.**—Not later than 15 days after the date of enactment of this Act, the Secretary shall lead and establish an Aliso Canyon Task Force (referred to in this section as the “task force”).

(c) **MEMBERSHIP OF TASK FORCE.**—In addition to the Secretary, the task force shall be composed of—

(1) 1 representative from the Pipeline and Hazardous Materials Safety Administration;

(2) 1 representative from the Department of Health and Human Services;

(3) 1 representative from the Environmental Protection Agency;

(4) 1 representative from the Department of the Interior;

(5) 1 representative from the Department of Commerce; and

(6) 1 representative from the Federal Energy Regulatory Commission.

(d) **REPORT.**—

(1) **FINAL REPORT.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the task force shall submit a final report that contains the information described in subparagraph (B) to—

(i) the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Natural Resources of the House of Representatives;

(iii) the Committee on Environment and Public Works of the Senate;

(iv) the Committee on Transportation and Infrastructure of the House of Representatives;

(v) the Committee on Commerce, Science, and Transportation of the Senate;

(vi) the Committee on Energy and Commerce of the House of Representatives;

(vii) the Committee on Health, Education, Labor, and Pensions of the Senate;

(viii) the Committee on Education and the Workforce of the House of Representatives;

(ix) the President; and

(x) relevant Federal and State agencies.

(B) **INFORMATION INCLUDED.**—The report submitted under subparagraph (A) shall include, at a minimum—

(i) an analysis and conclusion of the cause of the Aliso Canyon natural gas leak;

(ii) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(iii) an assessment of the impact of the natural gas leak on health, safety, the environment, and the economy of the residents and property surrounding Aliso Canyon;

(iv) an analysis of how Federal and State agencies responded to the natural gas leak;

(v) in order to lessen the negative impacts of natural gas leaks, recommendations on how to improve—

(I) the response to a future leak; and

(II) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(vi) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(vii) recommendations on how to prevent any future natural gas leaks;

(viii) recommendations on whether to continue operations at Aliso Canyon and other facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak;

(ix) a recommendation on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas infrastructure in the United States;

(x) an analysis of the impact of the Aliso Canyon natural gas leak on wholesale and retail electricity prices; and

(xi) an analysis of the impact of the Aliso Canyon natural gas leak on the reliability of the bulk-power system.

(2) PUBLICATION.—The final report under paragraph (1) shall be made available to the public in an electronically accessible format.

(3) If, before the final report is submitted under paragraph (1) the task force finds methods to solve the natural gas leak at Aliso Canyon; better protect the affected communities; or finds methods to help prevent other leaks, they must immediately issue such findings to the same entities that are to receive the final report.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

SA 3195. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. KLAMATH PROJECT WATER AND POWER.

(a) ADDRESSING WATER MANAGEMENT AND POWER COSTS FOR IRRIGATION.—The Klamath Basin Water Supply Enhancement Act of 2000 (Public Law 106-498; 114 Stat. 2221) is amended—

(1) by redesignating sections 4 through 6 as sections 5 through 7, respectively; and

(2) by inserting after section 3 the following:

“SEC. 4. POWER AND WATER MANAGEMENT.

“(a) DEFINITIONS.—In this section:

“(1) COVERED POWER USE.—The term ‘covered power use’ means a use of power to develop or manage water for irrigation, wildlife purposes, or drainage on land that is—

“(A) associated with the Klamath Project, including land within a unit of the National Wildlife Refuge System that receives water due to the operation of Klamath Project facilities; or

“(B) irrigated by the class of users covered by the agreement dated April 30, 1956, between the California Oregon Power Company and Klamath Basin Water Users Protective Association and within the Off Project Area (as defined in the Upper Basin Comprehensive Agreement entered into on April 18, 2014), only if each applicable owner and holder of a possessory interest of the land is a party to that agreement (or a successor agreement that the Secretary determines provides a comparable benefit to the United States).

“(2) KLAMATH PROJECT.—

“(A) IN GENERAL.—The term ‘Klamath Project’ means the Bureau of Reclamation project in the States of California and Oregon.

“(B) INCLUSIONS.—The term ‘Klamath Project’ includes any dams, canals, and other works and interests for water diversion, storage, delivery, and drainage, flood control, and similar functions that are part of the project described in subparagraph (A).

“(3) POWER COST BENCHMARK.—The term ‘power cost benchmark’ means the average net delivered cost of power for irrigation and drainage at Reclamation projects in the area surrounding the Klamath Project that are similarly situated to the Klamath Project, including Reclamation projects that—

“(A) are located in the Pacific Northwest; and

“(B) receive project-use power.

“(b) WATER, ENVIRONMENTAL, AND POWER ACTIVITIES.—The Secretary may carry out any activities, including entering into an agreement or contract or otherwise making financial assistance available—

“(1) to plan, implement, and administer programs to align water supplies and demand for irrigation water users associated with the Klamath Project, with a primary emphasis on programs developed or endorsed by local entities comprised of representatives of those water users;

“(2) to plan and implement activities and projects that—

“(A) avoid or mitigate environmental effects of irrigation activities; or

“(B) restore habitats in the Klamath Basin watershed, including restoring tribal fishery resources held in trust; and

“(3) to limit the net delivered cost of power for covered power uses.

“(c) REDUCING POWER COSTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, the Secretary, in consultation with interested irrigation interests, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

“(A) identifies the power cost benchmark; and

“(B) recommends actions that, in the judgment of the Secretary, are necessary and appropriate to ensure that the net delivered power cost for covered power use is equal to or less than the power cost benchmark, including a description of—

“(i) actions to immediately reduce power costs and to have the net delivered power cost for covered power use be equal to or less than the power cost benchmark in the near term, while longer-term actions are being implemented;

“(ii) actions that prioritize water and power conservation and efficiency measures and, to the extent actions involving the development or acquisition of power generation are included, renewable energy technologies (including hydropower);

“(iii) the potential costs and timeline for the actions recommended under this subparagraph;

“(iv) provisions for modifying the actions and timeline to adapt to new information or circumstances; and

“(v) a description of public input regarding the proposed actions, including input from water users that have covered power use and the degree to which those water users concur with the recommendations.

“(2) IMPLEMENTATION.—Not later than 180 days after the date of submission of the report under paragraph (1), the Secretary shall implement the recommendations described in the report, subject to availability of appropriations, on the fastest practicable timeline.

“(3) ANNUAL REPORTS.—The Secretary shall submit to each Committee described in paragraph (1) annual reports describing progress achieved in meeting the requirements of this subsection.

“(d) TREATMENT OF POWER PURCHASES.—Any purchase of power by the Secretary under this section shall be considered to be an authorized sale for purposes of section 5(b)(3) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c(b)(3)).

“(e) GOALS.—The goals of activities under subsections (b) and (c) shall include, as applicable—

“(1) the short-term and long-term reduction and resolution of conflicts relating to water in the Klamath Basin watershed; and

“(2) compatibility and utility for resolving other natural resource conflicts, particularly through collaboratively developed agreements.

“(f) PUMPING PLANT D.—The Secretary may enter into 1 or more agreements with the Tullake Irrigation District to reimburse the Tullake Irrigation District for not more than 69 percent of the cost incurred by the Tullake Irrigation District for the operation and maintenance of Pumping Plant D.”.

(b) CONVEYANCE OF NON-PROJECT WATER; REPLACEMENT OF C CANAL.—

(1) DEFINITION OF KLAMATH PROJECT.—In this subsection:

(A) IN GENERAL.—The term ‘Klamath Project’ means the Bureau of Reclamation project in the States of California and Oregon, as authorized under the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(B) INCLUSIONS.—The term ‘Klamath Project’ includes any dams, canals, and other works and interests for water diversion, storage, delivery, and drainage, flood control, and similar functions that are part of the project described in subparagraph (A).

(2) CONVEYANCE OF NON-PROJECT WATER.—

(A) IN GENERAL.—An entity operating under a contract entered into with the United States for the operation and maintenance of Klamath Project works or facilities, and an entity operating any work or facility not owned by the United States that receives Klamath Project water, may use any of the Klamath Project works or facilities to convey non-Klamath Project water for any authorized purpose of the Klamath Project, subject to subparagraphs (B) and (C).

(B) PERMITS; MEASUREMENT.—An addition, conveyance, and use of water pursuant to subparagraph (A) shall be subject to the requirements that—

(i) the applicable entity shall secure all permits required under State or local laws; and

(ii) all water delivered into, or taken out of, a Klamath Project facility pursuant to that subparagraph shall be measured.

(C) EFFECT.—A use of Klamath Project water under this paragraph shall not—

(i) adversely affect the delivery of water to any water user or land served by the Klamath Project; or

(ii) result in any additional cost to the United States.

(3) REPLACEMENT OF C CANAL FLUME.—The replacement of the C Canal flume within the Klamath Project shall be considered to be, and shall receive the treatment authorized for, emergency extraordinary operation and maintenance work in accordance with Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

SA 3196. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . FEDERAL DISASTER FUNDING FOR RECOVERY FROM LARGE-SCALE CYBER INCIDENTS.

Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended—

(1) in paragraph (2), by striking “or explosion” and inserting “explosion, or cyber incident”; and

(2) by adding at the end the following:

“(13) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ has the meaning given the term in section 1016(e) of Public Law 107-56 (42 U.S.C. 5195c(e)).

“(14) CYBER INCIDENT.—The term ‘cyber incident’ means actions taken against critical infrastructure through the use of computer networks that result in a significant adverse effect on the provision of essential services (as described in section 427(a)(1)), which—

“(A) lasts for a period of more than 24 hours; and

“(B) affects the provision of essential services in more than 1 State.”.

SA 3197. Ms. COLLINS (for herself, Ms. MIKULSKI, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, strike line 24 and insert the following:

“SEC. 225. CRITICAL ELECTRIC INFRASTRUCTURE AT GREATEST RISK.

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Select Committee on Intelligence of the Senate;

“(B) the Permanent Select Committee on Intelligence of the House of Representatives;

“(C) the Committee on Energy and Natural Resources of the Senate; and

“(D) the Committee on Energy and Commerce of the House of Representatives.

“(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ‘critical electric infrastructure’ means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of those matters.

“(3) COVERED ENTITY.—The term ‘covered entity’ means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security, that owns or operates critical electric infrastructure.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy.

“(b) MITIGATION STRATEGY REQUIRED FOR CRITICAL ELECTRIC INFRASTRUCTURE AT GREATEST RISK.—Not later than 1 year after the date of enactment of this Act, the Commission, in consultation with the Secretary and each covered entity, shall identify and propose prioritized, risk-based actions to mitigate cyber risk for each covered entity such that, to the greatest extent practicable, a cyber security incident affecting that cov-

ered entity would be less likely to result in catastrophic regional or national effects on public health or safety, economic security, or national security, given current and projected cyber risks.

“(c) REPORT REQUIRED.—Not later than 60 days after the date on which the Commission has taken the actions required under subsection (b), the Commission shall submit to the appropriate congressional committees a report describing—

“(1) the current and projected cyber risks considered by the Commission; and

“(2) a summary of the type of actions proposed by the Commission.”.

SA 3198. Mr. BROWN (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 10 ____ . INCREASING WATER EFFICIENCY IN FEDERAL BUILDINGS.

(a) DEFINITIONS.—In this section:

(1) ANSI-ACCREDITED PLUMBING CODE.—The term “ANSI-accredited plumbing code” means a construction code for a plumbing system of a building that meets applicable codes established by the American National Standards Institute.

(2) ANSI-AUDITED DESIGNATOR.—The term “ANSI-audited designator” means an accredited developer that is recognized by the American National Standards Institute.

(3) GREEN PLUMBERS USA TRAINING PROGRAM.—The term “Green Plumbers USA training program” means the training and certification program teaching sustainability and water-savings practices that is established by the Green Plumbers organization.

(4) HELMETS TO HARDHATS PROGRAM.—The term “Helmets to Hardhats program” means the national, nonprofit program that connects National Guard, Reserve, retired, and transitioning active-duty military service members with skilled training and quality career opportunities in the construction industry.

(5) PLUMBING EFFICIENCY RESEARCH COALITION.—The term “Plumbing Efficiency Research Coalition” means the industry coalition comprised of plumbing manufacturers, code developers, plumbing engineers, and water efficiency experts established to advance plumbing research initiatives that support the development of water efficiency and sustainable plumbing products, systems, and practices.

(b) WATER EFFICIENCY STANDARDS.—The Secretary shall work with ANSI-audited designators to promote the implementation and use in the construction of Federal building of plumbing products, systems, and practices that meet standards and codes that achieve the highest level of water efficiency and conservation practicable consistent with construction budgets and the goals of Executive Order 13514 (42 U.S.C. 4321 note; relating to Federal leadership in environmental, energy, and economic performance), including—

(1) the most recent version of the ANSI-accredited plumbing code; and

(2) if no ANSI-accredited plumbing code exists, alternative plumbing standards and codes established by the Secretary.

(c) TRAINING PROGRAMS.—The Secretary shall work with nationally recognized

plumbing training programs that meet applicable plumbing licensing requirements to provide competency training for individuals who install and repair plumbing systems in Federal and other buildings, including—

(1) the Helmets to Hardhats training program; and

(2) the Green Plumbers USA training program.

(d) WATER EFFICIENCY RESEARCH.—The Secretary shall promote plumbing research that increases water efficiency and conservation in plumbing products, systems, and practices used in Federal and other buildings and reduces the unintended consequences of reduced flows in the building drains and water supply systems of the United States, which may include working with the Andrew W. Breidenbach Environmental Research Center and the Plumbing Efficiency Research Coalition—

(1) to provide and exchange experts to conduct water efficiency and conservation plumbing-related studies;

(2) to assist in creating public awareness of reports of the Plumbing Efficiency Research Coalition; and

(3) to provide financial assistance if applicable and available.

SA 3199. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 10 ____ .

(a) USE OF FUNDS.—Section 544 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17154) is amended—

(1) in the matter preceding paragraph (1), by striking “An eligible entity” and inserting the following:

“(a) IN GENERAL.—An eligible entity”; and

(2) by adding at the end the following:

“(b) PRIORITY.—An eligible entity receiving a grant under this subtitle shall prioritize projects that use LED lighting, solar electricity generating, or energy efficiency building technologies at buildings and facilities within the jurisdiction of the eligible entity.”.

(b) REVIEW AND EVALUATION.—Section 547 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17157) is amended by adding at the end the following:

“(c) PROCUREMENT IMPROVEMENT.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in consultation with eligible entities, shall revise the grant and procurement practices of the Department of Energy to ensure the most effective allocation and use of the funds made available under section 548.”.

(c) FUNDING.—Section 548(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17158(a)) is amended—

(1) in paragraph (1), by striking “2008 through 2012” and inserting “2018 through 2020”; and

(2) in paragraph (2), by striking subparagraphs (A) through (C) and inserting the following:

“(A) \$20,000,000 for fiscal year 2017; and

“(B) \$25,000,000 for each of fiscal years 2018 through 2020.”.

SA 3200. Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. SCHATZ, and Mr.

SANDERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE REGARDING ACTIVITIES OF CERTAIN COMPANIES.

(a) SENSE OF THE SENATE REGARDING TOBACCO COMPANIES.—It is the sense of the Senate that—

(1) according to peer-reviewed scientific research and Federal courts, tobacco companies have long known about the harmful health effects of their products; and

(2) contrary to the scientific findings of the tobacco companies and of others about the danger tobacco poses to human health, tobacco companies—

(A) used a sophisticated and deceitful campaign that included funding think tanks to deny, counter, and obstruct peer-reviewed science; and

(B) used that misinformation campaign to mislead the public and cast doubt in order to protect their financial interest.

(b) SENSE OF THE SENATE REGARDING LEAD-RELATED MANUFACTURERS.—It is the sense of the Senate that—

(1) according to peer-reviewed scientific research and State courts, the harmful effects of lead in paint and other products were known to the paint industry, gasoline manufacturers, and lead producers throughout the 20th century; and

(2) contrary to the scientific findings of those companies and of others about the danger lead poses to human health, those companies—

(A) used a sophisticated and deceitful campaign that included funding think tanks to deny, counter, and obstruct peer-reviewed research; and

(B) used that misinformation campaign to mislead the public and cast doubt in order to protect their financial interest.

(c) SENSE OF THE SENATE REGARDING FOSSIL FUEL COMPANIES.—It is the sense of the Senate that—

(1) according to peer-reviewed scientific research and investigative reporting, fossil fuel companies have long known about the harmful climate effects of their products; and

(2) contrary to the scientific findings of the fossil fuel companies and of others about the danger fossil fuels pose to the climate, fossil fuel companies—

(A) used a sophisticated and deceitful campaign that included funding think tanks to deny, counter, and obstruct peer-reviewed research; and

(B) used that misinformation campaign to mislead the public and cast doubt in order to protect their financial interest?

(d) SENSE OF THE SENATE REGARDING CERTAIN CORPORATIONS.—It is the sense of the Senate that the Senate—

(1) disapproves of activities by certain corporations and organizations funded by those corporations to deliberately undermine peer-reviewed scientific research about the dangers of their products and cast doubt on science in order to protect their financial interests; and

(2) urges fossil fuel companies to cooperate with active or future investigations into their climate-change related activities and

what the companies knew and when they knew it.

SA 3201. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. INTERAGENCY TRANSFER OF LAND ALONG GEORGE WASHINGTON MEMORIAL PARKWAY.

(a) DEFINITION.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) RESEARCH CENTER.—The term “Research Center” means the Federal Highway Administration’s Turner-Fairbank Highway Research Center.

(3) MAP.—The term “Map” means the map titled “George Washington Memorial Parkway—Claude Moore Farm Proposed Boundary Adjustment”, numbered 850_130815, and dated December 2015.

(b) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) TRANSFER OF JURISDICTION.—The Secretary and the Secretary of Transportation, as appropriate, are authorized to exchange administrative jurisdiction of—

(A) approximately 0.342 acres of Federal land under the jurisdiction of the Department of the Interior within the boundary of the George Washington Memorial Parkway, generally depicted as “B” on the Map; and

(B) the approximately 0.479 acres of Federal land within the boundary of the Research Center land under the jurisdiction of the Department of Transportation adjacent to the boundary of the George Washington Memorial Parkway, generally depicted as “A” on the Map.

(2) USE RESTRICTION.—The Secretary shall restrict the use of 0.139 acres of Federal land within the boundary of the George Washington Memorial Parkway immediately adjacent to part of the north perimeter fence of the Research Center, generally depicted as “C” on the Map, by prohibiting the storage, construction, or installation of any item that may obstruct the view from the Research Center into the George Washington Memorial Parkway.

(3) REIMBURSEMENT OR CONSIDERATION.—The transfers of administrative jurisdiction under this section shall occur without reimbursement or consideration.

(4) COMPLIANCE WITH AGREEMENT.—

(A) AGREEMENT.—The National Park Service and the Federal Highway Administration shall comply with all terms and conditions of the Agreement entered into by the parties on September 11, 2002, regarding the transfer of administrative jurisdiction, management, and maintenance of the lands discussed in that Agreement.

(B) ACCESS TO RESTRICTED LAND.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), the Secretary shall allow the Research Center to access the land described in paragraph (1)(B) for purposes of maintenance in accordance with National Park Service standards, including grass mowing, weed control, tree maintenance, fence maintenance, and maintenance of the visual appearance of the land.

(ii) PRUNING AND REMOVAL OF TRESS.—No tree on the land described in paragraph (1)(B)

that is 6 inches or more in diameter shall be pruned or removed without the advance written permission of the Secretary.

(iii) PESTICIDES.—The use of pesticides on the land described in paragraph (1)(B) shall be approved in writing by the Secretary prior to application of the pesticides.

(c) MANAGEMENT OF TRANSFERRED LANDS.—

(1) INTERIOR LAND.—The Federal land transferred to the Secretary under this section shall be included in the boundaries of the George Washington Memorial Parkway and shall be administered by the National Park Service as part of the parkway subject to applicable laws and regulations.

(2) TRANSPORTATION LAND.—The Federal land transferred to the Secretary of Transportation under this section shall be included in the boundary of the Research Center and shall be removed from the boundary of parkway.

(3) RESTRICTED-USE LAND.—The Federal land the Secretary has designated for restricted use under subsection (b)(2) shall be maintained by the Research Center.

(d) MAP ON FILE.—The Map shall be available for public inspection in the appropriate offices of the National Park Service, Department of Interior.

SA 3202. Mr. ISAKSON (for himself, Mr. BENNET, Mr. PORTMAN, Mrs. SHAHEEN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle F—Housing

SEC. 1501. DEFINITIONS.

In this subtitle, the following definitions shall apply:

(1) COVERED LOAN.—The term “covered loan” means a loan secured by a home that is insured by the Federal Housing Administration under title II of the National Housing Act (12 U.S.C. 1707 et seq.).

(2) HOMEOWNER.—The term “homeowner” means the mortgagor under a covered loan.

(3) MORTGAGEE.—The term “mortgagee” means an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated.

SEC. 1502. ENHANCED ENERGY EFFICIENCY UNDERWRITING CRITERIA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall, in consultation with the advisory group established in section 1505(c), develop and issue guidelines for the Federal Housing Administration to implement enhanced loan eligibility requirements, for use when testing the ability of a loan applicant to repay a covered loan, that account for the expected energy cost savings for a loan applicant at a subject property, in the manner set forth in subsections (b) and (c).

(b) REQUIREMENTS TO ACCOUNT FOR ENERGY COST SAVINGS.—

(1) IN GENERAL.—The enhanced loan eligibility requirements under subsection (a) shall require that, for all covered loans for which an energy efficiency report is voluntarily provided to the mortgagee by the homeowner, the Federal Housing Administration and the mortgagee shall take into consideration the estimated energy cost savings expected for the owner of the subject

property in determining whether the loan applicant has sufficient income to service the mortgage debt plus other regular expenses.

(2) **USE AS OFFSET.**—To the extent that the Federal Housing Administration uses a test such as a debt-to-income test that includes certain regular expenses, such as hazard insurance and property taxes—

(A) the expected energy cost savings shall be included as an offset to these expenses; and

(B) the Federal Housing Administration may not use the offset described in subparagraph (A) to qualify a loan applicant for insurance under title II of the National Housing Act (12 U.S.C. 1707 et seq.) with respect to a loan that would not otherwise meet the requirements for such insurance.

(3) **TYPES OF ENERGY COSTS.**—Energy costs to be assessed under this subsection shall include the cost of electricity, natural gas, oil, and any other fuel regularly used to supply energy to the subject property.

(c) **DETERMINATION OF ESTIMATED ENERGY COST SAVINGS.**—

(1) **IN GENERAL.**—The guidelines to be issued under subsection (a) shall include instructions for the Federal Housing Administration to calculate estimated energy cost savings using—

(A) the energy efficiency report;

(B) an estimate of baseline average energy costs; and

(C) additional sources of information as determined by the Secretary of Housing and Urban Development.

(2) **REPORT REQUIREMENTS.**—For the purposes of paragraph (1), an energy efficiency report shall—

(A) estimate the expected energy cost savings specific to the subject property, based on specific information about the property;

(B) be prepared in accordance with the guidelines to be issued under subsection (a); and

(C) be prepared—

(i) in accordance with the Residential Energy Service Network's Home Energy Rating System (commonly known as "HERS") by an individual certified by the Residential Energy Service Network, unless the Secretary of Housing and Urban Development finds that the use of HERS does not further the purposes of this subtitle;

(ii) in accordance with the Alaska Housing Finance Corporation energy rating system by an individual certified by the Alaska Housing Finance Corporation as an authorized Energy Rater; or

(iii) by other methods approved by the Secretary of Housing and Urban Development, in consultation with the Secretary and the advisory group established in section 1505(c), for use under this subtitle, which shall include a third-party quality assurance procedure.

(3) **USE BY APPRAISER.**—If an energy efficiency report is used under subsection (b), the energy efficiency report shall be provided to the appraiser to estimate the energy efficiency of the subject property and for potential adjustments for energy efficiency.

(d) **PRICING OF LOANS.**—

(1) **IN GENERAL.**—The Federal Housing Administration may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of the loans.

(2) **IMPOSITION OF CERTAIN MATERIAL COSTS, IMPEDIMENTS, OR PENALTIES.**—In the absence of a publicly disclosed analysis that demonstrates significant additional default risk

or prepayment risk associated with the loans, the Federal Housing Administration shall not impose material costs, impediments, or penalties on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(e) **LIMITATIONS.**—

(1) **IN GENERAL.**—The Federal Housing Administration may price covered loans originated under the enhanced loan eligibility requirements required under this section in accordance with the estimated risk of those loans.

(2) **PROHIBITED ACTIONS.**—The Federal Housing Administration shall not—

(A) modify existing underwriting criteria or adopt new underwriting criteria that intentionally negate or reduce the impact of the requirements or resulting benefits that are set forth or otherwise derived from the enhanced loan eligibility requirements required under this section; or

(B) impose greater buy back requirements, credit overlays, or insurance requirements, including private mortgage insurance, on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this section.

(f) **APPLICABILITY AND IMPLEMENTATION DATE.**—Not later than 3 years after the date of enactment of this Act, and before December 31, 2019, the enhanced loan eligibility requirements required under this section shall be implemented by the Federal Housing Administration to—

(1) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home;

(2) be available on any residential real property (including individual units of condominiums and cooperatives) that qualifies for a covered loan; and

(3) provide prospective mortgagees with sufficient guidance and applicable tools to implement the required underwriting methods.

SEC. 1503. ENHANCED ENERGY EFFICIENCY UNDERWRITING VALUATION GUIDELINES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall—

(1) in consultation with the Federal Financial Institutions Examination Council and the advisory group established in section 1505(c), develop and issue guidelines for the Federal Housing Administration to determine the maximum permitted loan amount based on the value of the property for all covered loans made on properties with an energy efficiency report that meets the requirements of section 1502(c)(2); and

(2) in consultation with the Secretary, issue guidelines for the Federal Housing Administration to determine the estimated energy savings under subsection (c) for properties with an energy efficiency report.

(b) **REQUIREMENTS.**—The enhanced energy efficiency underwriting valuation guidelines required under subsection (a) shall include—

(1) a requirement that if an energy efficiency report that meets the requirements of section 1502(c)(2) is voluntarily provided to the mortgagee, such report shall be used by the mortgagee or the Federal Housing Administration to determine the estimated energy savings of the subject property; and

(2) a requirement that the estimated energy savings of the subject property be added to the appraised value of the subject property by a mortgagee or the Federal Housing

Administration for the purpose of determining the loan-to-value ratio of the subject property, unless the appraisal includes the value of the overall energy efficiency of the subject property, using methods to be established under the guidelines issued under subsection (a).

(c) **DETERMINATION OF ESTIMATED ENERGY SAVINGS.**—

(1) **AMOUNT OF ENERGY SAVINGS.**—The amount of estimated energy savings shall be determined by calculating the difference between the estimated energy costs for the average comparable houses, as determined in guidelines to be issued under subsection (a), and the estimated energy costs for the subject property based upon the energy efficiency report.

(2) **DURATION OF ENERGY SAVINGS.**—The duration of the estimated energy savings shall be based upon the estimated life of the applicable equipment, consistent with the rating system used to produce the energy efficiency report.

(3) **PRESENT VALUE OF ENERGY SAVINGS.**—The present value of the future savings shall be discounted using the average interest rate on conventional 30-year mortgages, in the manner directed by guidelines issued under subsection (a).

(d) **ENSURING CONSIDERATION OF ENERGY EFFICIENT FEATURES.**—Section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339) is amended—

(1) in paragraph (2), by striking “; and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (3) the following:

“(4) that State certified and licensed appraisers have timely access, whenever practicable, to information from the property owner and the lender that may be relevant in developing an opinion of value regarding the energy-saving improvements or features of a property, such as—

“(A) labels or ratings of buildings;

“(B) installed appliances, measures, systems or technologies;

“(C) blueprints;

“(D) construction costs;

“(E) financial or other incentives regarding energy-efficient components and systems installed in a property;

“(F) utility bills;

“(G) energy consumption and benchmarking data; and

“(H) third-party verifications or representations of energy and water efficiency performance of a property, observing all financial privacy requirements adhered to by certified and licensed appraisers, including section 501 of the Gramm-Leach-Bliley Act (15 U.S.C. 6801).

Unless a property owner consents to a lender, an appraiser, in carrying out the requirements of paragraph (4), shall not have access to the commercial or financial information of the owner that is privileged or confidential.”.

(e) **TRANSACTIONS REQUIRING STATE CERTIFIED APPRAISERS.**—Section 1113 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3342) is amended—

(1) in paragraph (1), by inserting before the semicolon the following: “, or any real property on which the appraiser makes adjustments using an energy efficiency report”; and

(2) in paragraph (2), by inserting after before the period at the end the following: “, or

an appraisal on which the appraiser makes adjustments using an energy efficiency report”.

(f) PROTECTIONS.—

(1) AUTHORITY TO IMPOSE LIMITATIONS.—The guidelines to be issued under subsection (a) shall include such limitations and conditions as determined by the Secretary of Housing and Urban Development to be necessary to protect against meaningful under or over valuation of energy cost savings or duplicative counting of energy efficiency features or energy cost savings in the valuation of any subject property that is used to determine a loan amount.

(2) ADDITIONAL AUTHORITY.—At the end of the 7-year period following the implementation of enhanced eligibility and underwriting valuation requirements under this subtitle, the Secretary of Housing and Urban Development may modify or apply additional exceptions to the approach described in subsection (b), where the Secretary of Housing and Urban Development finds that the unadjusted appraisal will reflect an accurate market value of the efficiency of the subject property or that a modified approach will better reflect an accurate market value.

(g) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 3 years after the date of enactment of this Act, and before December 31, 2019, the Federal Housing Administration shall implement the guidelines required under this section, which shall—

(1) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home; and

(2) be available on any residential real property, including individual units of condominiums and cooperatives, that qualifies for a covered loan.

SEC. 1504. MONITORING.

Not later than 1 year after the date on which the enhanced eligibility and underwriting valuation requirements are implemented under this subtitle, and every year thereafter, the Federal Housing Administration shall issue and make available to the public a report that—

(1) enumerates the number of covered loans of the Federal Housing Administration for which there was an energy efficiency report, and that used energy efficiency appraisal guidelines and enhanced loan eligibility requirements;

(2) includes the default rates and rates of foreclosures for each category of loans; and

(3) describes the risk premium, if any, that the Federal Housing Administration has priced into covered loans for which there was an energy efficiency report.

SEC. 1505. RULEMAKING.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall prescribe regulations to carry out this subtitle, in consultation with the Secretary and the advisory group established in subsection (c), which may contain such classifications, differentiations, or other provisions, and may provide for such proper implementation and appropriate treatment of different types of transactions, as the Secretary of Housing and Urban Development determines are necessary or proper to effectuate the purposes of this subtitle, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(b) RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed to authorize the Secretary of Housing and Urban Development to require any homeowner or other party to provide energy efficiency reports, energy efficiency labels, or other disclosures to the Federal Housing Administration or to a mortgagee.

(c) ADVISORY GROUP.—To assist in carrying out this subtitle, the Secretary of Housing and Urban Development shall establish an advisory group, consisting of individuals representing the interests of—

(1) mortgage lenders;

(2) appraisers;

(3) energy raters and residential energy consumption experts;

(4) energy efficiency organizations;

(5) real estate agents;

(6) home builders and remodelers;

(7) consumer advocates;

(8) State energy officials; and

(9) others as determined by the Secretary of Housing and Urban Development.

SEC. 1506. ADDITIONAL STUDY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Housing and Urban Development shall reconvene the advisory group established in section 1505(c), in addition to water and locational efficiency experts, to advise the Secretary of Housing and Urban Development on the implementation of the enhanced energy efficiency underwriting criteria established in sections 1502 and 1503.

(b) RECOMMENDATIONS.—The advisory group established in section 1505(c) shall provide recommendations to the Secretary of Housing and Urban Development on any revisions or additions to the enhanced energy efficiency underwriting criteria deemed necessary by the group, which may include alternate methods to better account for home energy costs and additional factors to account for substantial and regular costs of homeownership such as location-based transportation costs and water costs. The Secretary of Housing and Urban Development shall forward any legislative recommendations from the advisory group to Congress for its consideration.

SA 3203. Mr. COONS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. STUDY OF WAIVERS OF CERTAIN COST-SHARING REQUIREMENTS.

Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) complete a study on the ability of, and any actions before the date of enactment of this Act by, the Secretary to waive the cost-sharing requirement under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352); and

(2) based on the results of the study under paragraph (1), make recommendations to Congress for the issuance of, and factors that should be considered with respect to, waivers of the cost-sharing requirement by the Secretary.

SA 3204. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —PREVENTING RADIOLOGICAL TERRORISM ACT

SEC. .001. SHORT TITLE.

This title may be cited as the “Preventing Radiological Terrorism Act of 2016”.

SEC. .002. STRATEGY FOR SECURING HIGH ACTIVITY RADIOLOGICAL SOURCES.

(a) IN GENERAL.—The Administrator for Nuclear Security shall—

(1) in coordination with the Chairman of the Nuclear Regulatory Commission and the Secretary of Homeland Security, develop a strategy to enhance the security of all risk-significant radiological materials as soon as possible; and

(2) not later than 120 days after the date of the enactment of this Act, submit to the appropriate congressional committees a report describing the strategy required by paragraph (1).

(b) ELEMENTS.—The report required by subsection (a)(2) shall include the following:

(1) A description of activities of the National Nuclear Security Administration, ongoing as of the date of the enactment of this Act—

(A) to secure risk-significant radiological materials; and

(B) to secure radiological materials and prevent the illicit trafficking of such materials as part of the Global Nuclear Detection Architecture.

(2) A list of any gaps in the legal authority of United States Government agencies needed to secure all risk-significant radiological materials.

(3) An estimate of the cost of securing all risk-significant radiological materials.

(4) A list, in the classified annex authorized by subsection (c), of all locations where risk-significant radiological material is kept under conditions that fail to meet the enhanced physical security standards promulgated by the Office of Global Material Security of the National Nuclear Security Administration.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form and shall include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives.

(2) RISK-SIGNIFICANT RADIOLOGICAL MATERIAL.—The term “risk-significant radiological material” means category 1 and category 2 radioactive materials, as determined by the Nuclear Regulatory Commission, located within the United States.

(3) SECURE.—The terms “secure” and “security”, with respect to risk-significant radiological materials, refer to all activities to prevent terrorists from acquiring such sources, including enhanced physical security and tracking measures, removal and disposal of such sources that are not used, replacement of such sources with nonradiological technologies where feasible, and detection of illicit trafficking of such sources.

SEC. 403. PREVENTING TERRORIST ACCESS TO DOMESTIC RADIOLOGICAL SOURCES.

(a) **COMMERCIAL LICENSES.**—Section 103 of the Atomic Energy Act of 1954 (42 U.S.C. 2133) is amended—

(1) in subsection d., in the third sentence, by inserting “under a circumstance described in subsection g., or” after “within the United States”; and

(2) by adding at the end the following:

“g. In addition to the limitations described in subsection d. and the limitations provided at the discretion of the Commission, the Commission shall not grant a license to any individual who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“h. The Commission shall suspend immediately any license granted under this section if the Commission discovers that the licensee is providing unescorted access to any employee who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“i. The Commission may lift the suspension of a license made pursuant to subsection h. if—

“(1) the licensee has revoked unescorted access privileges to the employee;

“(2) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

“(3) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.”.

(b) **MEDICAL THERAPY AND RESEARCH AND DEVELOPMENT.**—Section 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2134) is amended—

(1) in subsection d., in the third sentence, by inserting “under a circumstance described in subsection e., or” after “within the United States”; and

(2) by adding at the end the following:

“e. In addition to the limitations described in subsection d. and the limitations provided at the discretion of the Commission, the Commission shall not grant a license to any individual who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“f. The Commission shall suspend immediately any license granted under this section if the Commission discovers that the licensee is providing unescorted access to any employee who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“g. The Commission may lift the suspension of a license made pursuant to subsection f. if—

“(1) the licensee has revoked unescorted access privileges to the employee;

“(2) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

“(3) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.”.

(c) **COOPERATION WITH STATES.**—Section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(2) in the matter preceding subparagraph (A) (as so redesignated), by striking “b. Except as” and inserting the following:

“b. **AUTHORIZATION TO ENTER INTO AGREEMENTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), except as”; and

(3) by adding at the end the following:

“(2) **REQUIREMENT.**—

“(A) **IN GENERAL.**—The Commission shall not enter into an agreement with the Governor of a State under paragraph (1) unless the Governor agrees that the State—

“(i) shall not grant a license to any individual who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(II) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(aa) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(bb) providing material support or resources for terrorism; or

“(cc) the making of a terrorist threat or terroristic threat; and

“(ii) shall suspend the license of a licensee if the Commission or the State discovers that the licensee is providing unescorted access to any employee who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(II) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(aa) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(bb) providing material support or resources for terrorism; or

“(cc) the making of a terrorist threat or terroristic threat.

“(B) **EXISTING AGREEMENTS.**—With respect to a State with an agreement in effect as of the date of enactment of this paragraph, the Commission shall terminate the agreement pursuant to subsection j. unless the Governor of the State agrees that the State shall not grant a license to any individual who is—

“(i) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(ii) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(I) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(II) providing material support or resources for terrorism; or

“(III) the making of a terrorist threat or terroristic threat.

“(C) **SUSPENSION OF EXISTING AGREEMENTS.**—With respect to a State with an agreement in effect as of the date of enactment of this paragraph, the Governor of the State shall suspend immediately any license granted by the State if the Commission or the State discovers that the licensee is providing unescorted access to any employee who is—

“(i) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(ii) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(I) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(II) providing material support or resources for terrorism; or

“(III) the making of a terrorist threat or terroristic threat.

“(D) **LIFTING OF SUSPENSION.**—The Governor of the State may lift the suspension of a license made pursuant to subparagraph (A)(ii) or subparagraph (C) if—

“(i) the licensee has revoked unescorted access privileges to the employee;

“(ii) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

“(iii) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.

“(E) **TERMINATION.**—If the Governor of a State does not suspend a license under subparagraph (A)(ii) or subparagraph (C), the Commission shall suspend the agreement with the Governor of the State until the Governor of the State suspends the license.”.

SEC. 404. OUTREACH TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES ON RADIOLOGICAL THREATS.

Section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)) is amended by adding at the end the following:

“(26)(A) Not later than every 2 years, the Secretary shall submit a written certification to Congress that field staff of the Department have briefed State and local law enforcement representatives about radiological security threats.

“(B) A briefing conducted under subparagraph (A) shall include information on—

“(i) the presence and current security status of all risk-significant radiological materials housed within the jurisdiction of the law enforcement agency being briefed;

“(ii) the threat that risk-significant radiological materials could pose to their communities and to the national security of the United States if these sources were lost, stolen or subject to sabotage by criminal or terrorist actors; and

“(iii) guidelines and best pest practices for mitigating the impact of emergencies involving risk-significant radiological materials.

“(C) The National Nuclear Security Administration, the Nuclear Regulatory Commission, and Federal law enforcement agencies shall provide information to the Department in order for the Department to submit the written certification described in subparagraph (A).

“(D) A written certification described in subparagraph (A) shall include a report on the activity of the field staff of the Department to brief State and local law enforcement representatives, including, as provided to field staff of the Department by State and local law enforcement agencies—

“(i) an aggregation of incidents regarding radiological material; and

“(ii) information on current activities undertaken to address the vulnerabilities of these risk-significant radiological materials.

“(E) In this paragraph, the term ‘risk-significant radiological material’ means category 1 and category 2 radioactive materials, as determined by the Nuclear Regulatory Commission, located within the United States.”.

SA 3205. Mr. INHOFE (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; as follows:

On page 196, between lines 7 and 8, insert the following:

(d) **GEOMATIC DATA.**—If a Federal or State department or agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the department or agency shall consider any such data gathered by geomatic techniques, including tools and techniques used in land surveying, remote sensing, cartography, geographic information systems, global navigation satellite systems, photogrammetry, geophysics, geography, or other remote means.

SA 3206. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. . AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY OF FONTENELLE RESERVOIR AVAILABLE FOR USE.

(a) **IN GENERAL.**—The Secretary of the Interior, in cooperation with the State of Wyoming, may amend the Definite Plan Report for the Seedskaadee Project authorized under the first section of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620), to provide for the study, design, planning, and construction activities that will enable the use of all active storage capacity (as may be defined or limited by legal, hydrologic, structural, engineering, economic, and environmental considerations) of Fontenelle Dam and Reservoir, including the placement of sufficient riprap on the upstream face of Fontenelle Dam to allow the active storage capacity of Fontenelle Reservoir to be used for those purposes for which the Seedskaadee Project was authorized.

(b) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—The Secretary of the Interior may enter into any contract, grant, cooperative agreement, or other agreement that is necessary to carry out subsection (a).

(2) **STATE OF WYOMING.**—

(A) **IN GENERAL.**—The Secretary of the Interior shall enter into a cooperative agreement with the State of Wyoming to work in cooperation and collaboratively with the State of Wyoming for planning, design, related preconstruction activities, and construction of any modification of the Fontenelle Dam under subsection (a).

(B) **REQUIREMENTS.**—The cooperative agreement under subparagraph (A) shall, at a minimum, specify the responsibilities of the Secretary of the Interior and the State of Wyoming with respect to—

(i) completing the planning and final design of the modification of the Fontenelle Dam under subsection (a);

(ii) any environmental and cultural resource compliance activities required for the modification of the Fontenelle Dam under subsection (a) including compliance with—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(III) subdivision 2 of division A of subtitle III of title 54, United States Code; and

(iii) the construction of the modification of the Fontenelle Dam under subsection (a).

(c) **FUNDING BY STATE OF WYOMING.**—Pursuant to the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43 U.S.C. 395), and as a condition of providing any additional storage under subsection (a), the State of Wyoming shall provide to the Secretary of the Interior funds for any work carried out under subsection (a).

(d) **OTHER CONTRACTING AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of the Interior may enter into contracts with the State of Wyoming, on such terms and conditions as the Secretary of the Interior and the State of Wyoming may agree, for division of any additional active capacity made available under subsection (a).

(2) **TERMS AND CONDITIONS.**—Unless otherwise agreed to by the Secretary of the Interior and the State of Wyoming, a contract entered into under paragraph (1) shall be subject to the terms and conditions of Bureau of Reclamation Contract No. 14-06-400-2474 and Bureau of Reclamation Contract No. 14-06-400-6193.

(e) **SAVINGS PROVISIONS.**—Unless expressly provided in this section, nothing in this section modifies, conflicts with, preempts, or otherwise affects—

(1) the Act of December 31, 1928 (43 U.S.C. 617 et seq.) (commonly known as the “Boulder Canyon Project Act”);

(2) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000);

(3) the Act of July 19, 1940 (43 U.S.C. 618 et seq.) (commonly known as the “Boulder Canyon Project Adjustment Act”);

(4) the Treaty between the United States of America and Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, and supplementary protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219);

(5) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31);

(6) the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);

(7) the Colorado River Basin Project Act (Public Law 90-537; 82 Stat. 885); or

(8) any State of Wyoming or other State water law.

SA 3207. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . GROUND-LEVEL OZONE STANDARDS.

Notwithstanding any other provision of law (including regulations), in implementing the final rule entitled “National Ambient Air Quality Standards for Ozone” (80 Fed. Reg. 65292 (October 26, 2015)), the Administrator of the Environmental Protection Agency—

(1) shall not implement or enforce a national primary or secondary ambient air quality standard for ozone that is lower than the standard established under section 50.15 of title 40, Code of Federal Regulations (as in effect on January 1, 2015), until at least 85 percent of the counties that were nonattainment areas under that standard as of January 30, 2015, achieve full compliance with that standard; and

(2) shall only consider all or part of a county to be a nonattainment area under the standard on the basis of direct air quality monitoring.

SA 3208. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . INDEPENDENT RELIABILITY ANALYSIS.

(a) **DEFINITIONS.**—In this section:

(1) **ELECTRIC RELIABILITY ORGANIZATION.**—The term “Electric Reliability Organization” has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) **FINAL RULE.**—The term “final rule” means the final rule of the Administrator entitled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units” (80 Fed. Reg. 64662 (October 23, 2015)).

(b) RELIABILITY ANALYSIS REQUIRED.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the final rule shall not go into effect until the date on which the Federal Energy Regulatory Commission and the Electric Reliability Organization jointly conduct an independent reliability analysis of the final rule to evaluate anticipated effects of implementation and enforcement of the final rule on—

(A) electric reliability and resource adequacy;

(B) the electricity generation portfolio of the United States;

(C) the operation of wholesale electricity markets; and

(D) energy delivery and infrastructure, including electric transmission facilities and natural gas pipelines.

(2) ANALYSES FROM OTHER ENTITIES.—The Electric Reliability Organization, regional entities, regional transmission organizations, independent system operators, and other reliability coordinators and planning authorities shall timely conduct analyses and provide such information as may be reasonably requested by the Commission.

(3) AVAILABILITY.—Not later than 120 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall submit to Congress and make publicly available—

(A) the reliability analysis described in paragraph (1); and

(B) any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

SA 3209. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF CREDIT FOR ELECTRICITY PRODUCED FROM CERTAIN RENEWABLE RESOURCES.

(a) REPEAL OF CREDIT.—

(1) REPEAL OF CERTAIN QUALIFIED ENERGY RESOURCES.—

(A) IN GENERAL.—Section 45 of the Internal Revenue Code of 1986 is amended—

(i) in subsection (c)—

(I) in paragraph (1), by striking subparagraphs (B) through (I), and

(II) by striking paragraphs (2) through (10), and

(ii) in subsection (d), by striking paragraphs (2) through (11).

(B) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to electricity, and refined coal, produced and sold after December 31, 2026.

(2) REPEAL OF CREDIT FOR WIND FACILITIES AND ELIMINATION OF SECTION 45 OF THE INTERNAL REVENUE CODE OF 1986.—

(A) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 45 (and by striking the item relating to such section in the table of sections for such subpart).

(B) CONFORMING AMENDMENTS.—

(i) Section 38 of such Code is amended—

(I) in subsection (b), by striking paragraph (8), and

(II) in subsection (c)(4)(B), by striking clause (iii).

(ii) Section 45J of such Code is amended by adding at the end the following new subsection:

“(f) REFERENCES TO SECTION 45.—Any reference in this section to any provision of section 45 shall be treated as a reference to such provision as in effect immediately before its repeal.”

(iii) Section 45K(g)(2) of such Code is amended by striking subparagraph (E).

(iv) Section 48 of such Code is amended by adding at the end the following new subsection:

“(e) REFERENCES TO SECTION 45.—Any reference in this section to any provision of section 45 shall be treated as a reference to such provision as in effect immediately before its repeal.”

(v) Section 54(d)(2)(A) of such Code is amended by inserting “(as in effect immediately before its repeal)” after “section 45(d)”.

(vi) Section 54C(d)(1) of such Code is amended by inserting “(as in effect immediately before its repeal)” after “section 45(d)”.

(vii) Section 54D(f)(1)(A)(iv) of such Code is amended by inserting “(as in effect immediately before its repeal)” after “section 45(d)”.

(viii) Section 55(c)(1) of such Code is amended by striking “45(e)(1)(C).”

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall take effect on January 1, 2032.

(b) SENSE OF CONGRESS REGARDING FURTHER EXTENSION.—It is the sense of the Congress that the credit under section 45 of the Internal Revenue Code of 1986 should be allowed to expire and should not be extended beyond the expiration dates specified in such section as of the date of the enactment of this Act.

SA 3210. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 426, after line 23, add the following:

(e) CERTAIN LAND ACQUISITION REQUIREMENTS.—Section 200306 of title 54, United States Code (as amended by subsection (d)), is amended by adding at the end the following:

“(e) NON-ROAD DEFERRED MAINTENANCE BACKLOG.—If the non-road deferred maintenance backlog on Federal land is greater than \$1,000,000,000, acquisitions of land under this section may not exceed the level of deferred maintenance backlog funding.

“(f) MAINTENANCE NEEDS.—In making an acquisition of land under this section, funds appropriated for the acquisition shall include any funds necessary to address maintenance needs at the time of acquisition on the acquired land.

“(g) CONGRESSIONAL APPROVAL OF CERTAIN LAND ACQUISITIONS.—For any acquisition of land under this section for which the cost of the land is greater than \$50,000 per acre—

“(1) before acquiring the land, the Secretary shall submit to Congress a report that describes the land proposed to be acquired; and

“(2) no acquisition may be made unless the proposed acquisition is—

“(A) reported to Congress in accordance with paragraph (1); and

“(B) approved by the enactment of a bill or joint resolution.”

SA 3211. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WAIVER OF JONES ACT REQUIREMENTS FOR OIL AND GASOLINE TANKERS.

(a) IN GENERAL.—Section 12112 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “A coastwise” and inserting “Except as provided in subsection (b), a coastwise”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) WAIVER FOR OIL, GASOLINE, AND LIQUEFIED NATURAL GAS TANKERS.—The requirements of subsection (a) shall not apply to an oil, gasoline, or liquefied natural gas tanker vessel or barge and a coastwise endorsement may be issued for any such tanker vessel or barge that otherwise qualifies under the laws of the United States to engage in the coastwise trade.”

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Commandant of the United States Coast Guard shall issue regulations to implement the amendments made by subsection (a). Such regulations shall require that an oil, gasoline, or liquefied natural gas tanker vessel or barge permitted to engaged in the coastwise trade pursuant to subsection (b) of section 12112 of title 46, United States Code, as amended by subsection (a), meets all appropriate safety and security requirements.

SA 3212. Mr. HELLER (for himself, Mr. HEINRICH, Mr. GARDNER, Mr. TESTER, Mr. BENNET, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 244, between lines 13 and 14, insert the following:

Subpart B—Development of Geothermal, Solar, and Wind Energy on Public Land

SEC. 3011A. DEFINITIONS.

In this subpart:

(1) COVERED LAND.—The term “covered land” means land that is—

(A) public land administered by the Secretary; and

(B) not excluded from the development of geothermal, solar, or wind energy under—

(i) a land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(ii) other Federal law.

(2) EXCLUSION AREA.—The term “exclusion area” means covered land that is identified by the Bureau of Land Management as not suitable for development of renewable energy projects.

(3) PRIORITY AREA.—The term “priority area” means covered land identified by the

land use planning process of the Bureau of Land Management as being a preferred location for a renewable energy project.

(4) **PUBLIC LAND.**—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(5) **RENEWABLE ENERGY PROJECT.**—The term “renewable energy project” means a project carried out on covered land that uses wind, solar, or geothermal energy to generate energy.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(7) **VARIANCE AREA.**—The term “variance area” means covered land that is—

- (A) not an exclusion area; and
- (B) not a priority area.

SEC. 3011B. LAND USE PLANNING; SUPPLEMENTS TO PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENTS.

(a) **PRIORITY AREAS.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Energy, shall establish priority areas on covered land for geothermal, solar, and wind energy projects.

(2) **DEADLINE.**—

(A) **GEOTHERMAL ENERGY.**—For geothermal energy, the Secretary shall establish priority areas as soon as practicable, but not later than 5 years, after the date of enactment of this Act.

(B) **SOLAR ENERGY.**—For solar energy, the solar energy zones established by the 2012 western solar plan of the Bureau of Land Management shall be considered to be priority areas for solar energy projects.

(C) **WIND ENERGY.**—For wind energy, the Secretary shall establish priority areas as soon as practicable, but not later than 3 years, after the date of enactment of this Act.

(b) **VARIANCE AREAS.**—To the maximum extent practicable, variance areas shall be considered for renewable energy project development, consistent with the principles of multiple use as defined in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(c) **REVIEW AND MODIFICATION.**—Not less frequently than once every 10 years, the Secretary shall—

(1) review the adequacy of land allocations for geothermal, solar, and wind energy priority and variance areas for the purpose of encouraging new renewable energy development opportunities; and

(2) based on the review carried out under paragraph (1), add, modify, or eliminate priority, variance, and exclusion areas.

(d) **COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT.**—For purposes of this section, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

(1) for geothermal energy, by supplementing the October 2008 final programmatic environmental impact statement for geothermal leasing in the western United States;

(2) for solar energy, by supplementing the July 2012 final programmatic environmental impact statement for solar energy projects; and

(3) for wind energy, by supplementing the July 2005 final programmatic environmental impact statement for wind energy projects.

(e) **NO EFFECT ON PROCESSING APPLICATIONS.**—A requirement to prepare a supplement to a programmatic environmental impact statement under this section shall not result in any delay in processing an application for a renewable energy project.

(f) **COORDINATION.**—In developing a supplement required by this section, the Secretary shall coordinate, on an ongoing basis, with appropriate State, tribal, and local governments, transmission infrastructure owners and operators, developers, and other appropriate entities to ensure that priority areas identified by the Secretary are—

(1) economically viable (including having access to transmission);

(2) likely to avoid or minimize conflict with habitat for animals and plants, recreation, and other uses of covered land; and

(3) consistent with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), including subsection (c)(9) of that section.

(g) **REMOVAL FROM CLASSIFICATION.**—In carrying out subsections (a), (c), and (d), if the Secretary determines an area previously suited for development should be removed from priority or variance classification, not later than 90 days after the date of the determination, the Secretary shall submit to Congress a report on the determination.

SEC. 3011C. ENVIRONMENTAL REVIEW ON COVERED LAND.

(a) **IN GENERAL.**—If the Secretary determines that a proposed renewable energy project has been sufficiently analyzed by a programmatic environmental impact statement conducted under section 3011B(d), the Secretary shall not require any additional review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) **ADDITIONAL ENVIRONMENTAL REVIEW.**—If the Secretary determines that additional environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary for a proposed renewable energy project, the Secretary shall rely on the analysis in the programmatic environmental impact statement conducted under section 3011B(d), to the maximum extent practicable when analyzing the potential impacts of the project.

SEC. 3011D. PROGRAM TO IMPROVE RENEWABLE ENERGY PROJECT PERMIT COORDINATION.

(a) **ESTABLISHMENT.**—The Secretary shall establish a program to improve Federal permit coordination with respect to renewable energy projects on covered land.

(b) **MEMORANDUM OF UNDERSTANDING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section, including to specifically expedite the environmental analysis of applications for projects proposed in a variance area, with—

- (A) the Secretary of Agriculture; and
- (B) the Assistant Secretary of the Army for Civil Works.

(2) **STATE PARTICIPATION.**—The Secretary may request the Governor of any interested State to be a signatory to the memorandum of understanding under paragraph (1).

(c) **DESIGNATION OF QUALIFIED STAFF.**—

(1) **IN GENERAL.**—Not later than 90 days after the date on which the memorandum of understanding under subsection (b) is executed, all Federal signatories, as appropriate, shall identify for each of the Bureau of Land Management Renewable Energy Coordination Offices an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) consultation regarding, and preparation of, biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a);

(E) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(F) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); and

(G) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) **DUTIES.**—Each employee assigned under paragraph (1) shall—

(A) be responsible for addressing all issues relating to the jurisdiction of the home office or agency of the employee; and

(B) participate as part of the team of personnel working on proposed energy projects, planning, monitoring, inspection, enforcement, and environmental analyses.

(d) **ADDITIONAL PERSONNEL.**—The Secretary may assign additional personnel for the renewable energy coordination offices as are necessary to ensure the effective implementation of any programs administered by those offices, including inspection and enforcement relating to renewable energy project development on covered land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) **RENEWABLE ENERGY COORDINATION OFFICES.**—In implementing the program established under this section, the Secretary may establish additional renewable energy coordination offices or temporarily assign the qualified staff described in subsection (c) to a State, district, or field office of the Bureau of Land Management to expedite the permitting of renewable energy projects, as the Secretary determines to be necessary.

(f) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act, and each February 1 thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made pursuant to the program under this subpart during the preceding year.

(2) **INCLUSIONS.**—Each report under this subsection shall include—

(A) projections for renewable energy production and capacity installations; and

(B) a description of any problems relating to leasing, permitting, siting, or production.

On page 244, line 14, strike “Subpart B” and insert “Subpart C”.

SA 3213. Mr. WARNER (for himself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, insert the following:

SEC. 23. REPORT ON USING SMART TECHNOLOGIES TO ADVANCE ENERGY EFFICIENCY AND GRID MODERNIZATION.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committees on Energy and Natural Resource and Finance of the Senate and

the Committees on Natural Resources and Financial Services of the House of Representatives a report that includes recommendations of the Secretary regarding measures (including measures to be enacted by Congress) that could be carried out throughout the United States to use smart technologies to advance energy efficiency and grid modernization in the 21st century energy economy, unless a similar report and recommendations are included in a separate analysis prepared and submitted to Congress by not later than 1 year after that date of enactment, such as the Quadrennial Energy Review under section 801 of the Department of Energy Organization Act (42 U.S.C. 7321) (as amended by section 4402(a)).

SA 3214. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44 . ENERGY EMERGENCY RESPONSE EFFORTS OF THE DEPARTMENT.

(a) CONGRESSIONAL DECLARATION OF PURPOSE.—Section 102 of the Department of Energy Organization Act (42 U.S.C. 7112) is amended by adding at the end the following: “(20) To facilitate the development and implementation of a strategy for responding to energy infrastructure and supply emergencies through—

“(A) continuously monitoring and publishing information on the energy delivery and supply infrastructure of the United States, including electricity, liquid fuels, natural gas, and coal;

“(B) managing Federal strategic energy reserves;

“(C) advising national leadership during emergencies on ways to respond to and minimize energy disruptions; and

“(D) working with Federal agencies and State and local governments—

“(i) to enhance energy emergency preparedness; and

“(ii) to respond to and mitigate energy emergencies.”.

(b) UNDER SECRETARY FOR SCIENCE AND ENERGY.—Section 202(b)(4) of the Department of Energy Organization Act (42 U.S.C. 7132(b)(4)) (as amended by section 4404(a)(3)) is amended, in subparagraph (B), by inserting “and applied energy” before “programs of the”.

(c) RESPONSIBILITIES OF ASSISTANT SECRETARIES.—Section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7133(a)) is amended by adding at the end the following:

“(12) Emergency response functions, including assistance in the prevention of, or in the response to, an emergency disruption of energy supply, transmission, and distribution.”.

SA 3215. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44 . EXEMPTION FROM COST-SHARING REQUIREMENTS FOR CERTAIN RESEARCH AND DEVELOPMENT PROGRAMS.

Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) is amended by adding at the end the following:

“(g) EXEMPTION.—The Secretary may exempt from the requirements of subsection (b) a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that is eligible to receive an award under the SBIR program (as defined in section 9(e) of that Act (15 U.S.C. 638(e))) of the Department.”.

SA 3216. Mr. Kaine (for himself, Mr. VITTER, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3602 and insert the following:

SEC. 3602. ENERGY WORKFORCE PILOT GRANT PROGRAM.

(a) GRANTS FOR JOB TRAINING AND EDUCATION PROGRAMS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Education, and the Secretary of Transportation, shall establish a pilot program to award grants on a competitive basis to eligible entities for job training and education programs that lead to an industry-recognized credential.

(2) IMPLEMENTATION GRANTS.—The Secretary may award grants, to nonprofit organizations with a track record of at least 10 years of expertise in working with community colleges on developing workforce development programs, to provide assistance to the Secretary in implementing the requirements of this section, including developing the grant program described in paragraph (1).

(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a)(1), an entity shall be a public organization or a consortium of public organizations that—

(1) includes an advisory board with proportional participation, as determined by the Secretary, of relevant organizations, including representatives from—

(A) relevant energy industry organizations, including public and private employers;

(B) labor organizations;

(C) postsecondary education organizations; and

(D) workforce development boards;

(2) demonstrates experience in implementing and operating job training and education programs;

(3) demonstrates the ability to recruit individuals who plan to work in the energy industries, and support those individuals in the successful completion of relevant job training and education programs; and

(4) provides students who complete the proposed job training and education program with an industry-recognized credential.

(c) APPLICATIONS.—An eligible entity desiring a grant under subsection (1)(1) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of the proposed program leading to the industry-recognized credential.

(d) PRIORITY.—In selecting eligible entities to receive grants under subsection (a)(1), the Secretary shall prioritize an applicant that—

(1) provides the job training and education program through—

(A) a community college or institution of higher education that includes basic science and math education in the curriculum of the community college or institution of higher education; or

(B) an apprenticeship program registered with the Department of Labor or a State;

(2) works with the Secretary of Defense or a veterans organization to transition members of the Armed Forces and veterans to careers in the energy sector;

(3) works with an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

(4) applies as a State or regional consortium, providing the job training and education program through a community college or institution of higher education described in paragraph (1), to leverage best practices already available in the State or region in which the community college or institution of higher education is located;

(5) is a consortium that includes a State-supported entity;

(6) includes an apprenticeship program registered with the Department of Labor or a State as part of the job training and education program;

(7) provides support services and career coaching;

(8) provides introductory energy workforce development activities;

(9) works with minority-serving institutions to provide job training to increase the number of skilled minorities and women in the energy sector;

(10) provides job training for displaced and unemployed workers in the energy sector;

(11) establishes a community college or 2-year technical college-based “Center of Excellence” for an energy and maritime workforce technical training program, such as a program of a community college located in a coastal area;

(12) is located in close proximity to marine or port facilities in the Gulf of Mexico, Atlantic Ocean, Pacific Ocean, or Great Lakes; or

(13) has established associations with—

(A) port authorities or other established seaport or inland port facilities; and

(B) appropriate Federal agencies.

(e) ADDITIONAL CONSIDERATION.—In making grants under subsection (a)(1), the Secretary shall consider regional diversity.

(f) LIMITATION ON APPLICATIONS.—An eligible entity may not submit, either individually or as part of a joint application, more than 1 application for a grant under subsection (a)(1) during any 1 fiscal year.

(g) LIMITATIONS ON AMOUNT OF GRANT.—The amount of an individual grant under subsection (a)(1) for any 1 year shall not exceed \$1,000,000.

(h) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a job training and education program carried out using a grant under subsection (a)(1) shall be not greater than 65 percent.

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—Not less than 50 percent of the non-Federal share of the cost of a job training and education program carried out using a grant under subsection (a)(1) shall be provided in cash.

(B) LIMITATION.—Not more than 50 percent of the non-Federal contribution of the cost

of a job training and education program carried out using a grant under subsection (a)(1) shall be in kind, fairly evaluated, including plant, equipment, or services.

(i) **REDUCTION OF DUPLICATION.**—Prior to submitting an application for a grant under subsection (a)(1), each applicant shall consult with the appropriate Federal agencies and coordinate the proposed activities of the applicant with existing State and local programs.

(j) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance and capacity building to national and State energy partnerships, including the entities described in subsection (b)(1), to leverage the existing (as of the date of the provision) job training and education programs of the Department.

(k) **REPORT.**—The Secretary shall submit to Congress and make publicly available on the website of the Department an annual report on the program established under this section, including a description of—

- (1) the entities receiving grants under subsection (a)(1);
- (2) the activities carried out using the grants;
- (3) best practices used to leverage the investment of the Federal Government;
- (4) the rate of employment for participants after completing a job training and education program carried out using such a grant; and

(5) an assessment of the results achieved by the program established under this section.

(l) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2020.

SA 3217. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SMALL BUSINESS ENERGY EFFICIENCY.
Section 501(d)(3) of the Small Business Investment Act of 1958 (15 U.S.C. 695(d)(3)) is amended—

- (1) in subparagraph (K), by striking “producers, or” and inserting “producers.”;
- (2) in subparagraph (L), by striking the period at the end and inserting “, or.”; and
- (3) by inserting after subparagraph (L) the following:

“(M) enhanced ability for small business concerns to achieve savings through energy efficiency.”.

SA 3218. Ms. STABENOW (for herself, Mr. BOOZMAN, Mr. BALDWIN, Mr. CARPER, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3703 and insert the following:

SEC. 3703. ELIGIBLE PROJECTS.

Section 1703(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)(1)) is amended by inserting “(excluding the burning, to generate electricity, of commonly recycled

paper that has been segregated from solid waste to generate electricity or commonly recycled paper that is collected as part of a collection system that commingles the paper with other solid waste at any point from collection through the materials recovery process)” after “systems”.

SA 3219. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 370, strike lines 14 and 15 and insert the following:

- (vi) ensure the availability of a financial day-ahead transmission market that will be aligned with the existing financial monthly transmission market; and
- (viii) provide an enhanced opportunity

SA 3220. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 325, strike line 9 and all that follows through page 327, line 5 and insert the following:

(1) **DEFINITION OF RECYCLED CARBON FIBER.**—In this subsection, the term “recycled carbon fiber” includes—
(A) carbon fiber composite recycling; and
(B) carbon fiber recovery or reuse of carbon fiber composites and the components of carbon fiber composites.

(2) **STUDY.**—The Secretary shall conduct a study on—

- (A) the technology of recycled carbon fiber, carbon fiber recovery, and production waste carbon fiber; and
- (B) the potential lifecycle energy savings and economic impact of recycled carbon fiber and carbon fiber recovery.

(3) **FACTORS FOR CONSIDERATION.**—In conducting the study under paragraph (2), the Secretary shall consider—

(A) the quantity of recycled carbon fiber, recovered carbon fiber, or production waste carbon fiber that would make the use of recycled carbon fiber, carbon fiber recovery, or production waste carbon fiber economically viable;

(B) any existing or potential barriers to carbon fiber recovery, recycling carbon fiber, or using recovered or recycled carbon fiber;

(C) any financial incentives that may be necessary for the development of carbon fiber recovery, recycled carbon fiber, or production waste carbon fiber;

(D) the potential lifecycle savings in energy from carbon fiber recovery or producing recycled carbon fiber, as compared to producing new carbon fiber;

(E) the best and highest uses for recovered carbon fiber and recycled carbon fiber;

(F) the potential reduction in carbon dioxide emissions from carbon fiber recovery and producing recycled carbon fiber, as compared to producing new carbon fiber;

(G) any economic benefits gained from using recovered carbon fiber and recycled carbon fiber or production waste carbon fiber;

(H) workforce training and skills needed to address labor demands in the development of

recovered carbon fiber and recycled carbon fiber or production waste carbon fiber; and

(I) how the Department can leverage existing efforts in the industry on the use of production waste carbon fiber.

(4) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study conducted under paragraph (2).

(b) **RECYCLED CARBON FIBER DEMONSTRATION PROJECT.**—On completion of the study required under subsection (a)(2), the Secretary shall consult with the

SA 3221. Mr. UDALL (for himself, Mr. PORTMAN, Mrs. BOXER, Mr. ALEXANDER, Mr. WYDEN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WATERSENSE.

(a) **IN GENERAL.**—Part B of title III of the Energy Policy and Conservation Act is amended by adding after section 324A (42 U.S.C. 6294a) the following:

“SEC. 324B. WATERSENSE.

“(a) **ESTABLISHMENT OF WATERSENSE PROGRAM.**—

“(1) **IN GENERAL.**—There is established within the Environmental Protection Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

- “(A) reduce water use;
- “(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;
- “(C) conserve energy used to pump, heat, transport, and treat water; and
- “(D) preserve water resources for future generations.

“(2) **INCLUSIONS.**—The Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’) shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

- “(A) irrigation technologies and services;
- “(B) point-of-use water treatment devices;
- “(C) plumbing products;
- “(D) reuse and recycling technologies;
- “(E) landscaping and gardening products, including moisture control or water enhancing technologies;
- “(F) xeriscaping and other landscape conversions that reduce water use;
- “(G) whole house humidifiers; and
- “(H) water-efficient buildings or facilities.

“(b) **DUTIES.**—The Administrator, coordinating as appropriate with the Secretary, shall—

- “(1) establish—
- “(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and
- “(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

“(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

“(3) preserve the integrity of the WaterSense label by—

“(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

“(B) overseeing WaterSense certifications made by third parties;

“(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

“(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

“(4) not more often than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

“(5) in revising a WaterSense specification—

“(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

“(B) solicit comments from interested parties and the public prior to any changes;

“(C) as appropriate, respond to comments submitted by interested parties and the public; and

“(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

“(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

“(C) **TRANSPARENCY.**—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

“(d) **DISTINCTION OF AUTHORITIES.**—In setting or maintaining specifications for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

“(e) **NO WARRANTY.**—A WaterSense label shall not create an express or implied warranty.”

(b) **CONFORMING AMENDMENT.**—The table of contents for the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by inserting after the item relating to section 324A the following:

“Sec. 324B. WaterSense.”

SA 3222. Mr. WYDEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 220. MARKET-DRIVEN REINSTATEMENT OF OIL EXPORT BAN.

(a) **DEFINITIONS.**—In this section:

(1) **AVERAGE NATIONAL PRICE OF GASOLINE.**—The term “average national price of gasoline” means the average of retail regular gasoline prices in the United States, as calculated (on a weekday basis) by, and published on the Internet website of, the Energy Information Administration.

(2) **GASOLINE INDEX PRICE.**—The term “gasoline index price” means the average of retail regular gasoline prices in the United States, as calculated (on a monthly basis) by, and published on the Internet website of, the Energy Information Administration, during the 60-month period preceding the date of the calculation.

(b) **REINSTATEMENT OF OIL EXPORT BAN.**—

(1) **IN GENERAL.**—Effective on the date on which the event described in paragraph (2) occurs, subsections (a), (b), (c), and (d) of section 101 of division O of the Consolidated Appropriations Act, 2016 (Public Law 114-113), are repealed, and the provisions of law amended or repealed by those subsections are restored or revived as if those subsections had not been enacted.

(2) **EVENT DESCRIBED.**—The event referred to in paragraph (1) is the date on which the average national price of gasoline has been 50 percent greater than the gasoline index price for 30 consecutive days.

(c) **PRESIDENTIAL AUTHORITY.**—Notwithstanding subsection (b), the President may affirmatively allow the export of crude oil from the United States to continue for a period of not more than 1 year after the date of the reinstatement described in subsection (b), if the President—

(1) declares a national emergency and formally notices the declaration of a national emergency in the Federal Register; or

(2) finds and reports to Congress that a ban on the export of crude oil pursuant to this section has caused undue economic hardship.

(d) **EFFECTIVE DATE.**—This section takes effect on the date that is 5 years after the date of enactment of the Consolidated Appropriations Act, 2016 (Public Law 114-113).

SA 3223. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. GREENHOUSE GAS EMISSIONS REPORT.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Energy Information Administration shall prepare and publish a report on the influence of the provisions of this Act on greenhouse gas emissions.

SA 3224. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 42. CLEAN ENERGY TECHNOLOGY INNOVATION REGIONAL PARTNERSHIPS.

(a) **PURPOSE.**—The purpose of this section is to accelerate the pace of innovation in clean energy technologies through the formation of regional clean energy innovation partnerships that are responsive to the energy resources, customer needs, and innovation capabilities of various regions of the country.

(b) **DEFINITION OF CLEAN ENERGY TECHNOLOGY.**—In this section, the term “clean energy technology” means any process or product, or system of products and processes, that—

(1) can be applied at any stage of the energy cycle, from production to consumption, the application of which will result in the reduction of net greenhouse gas emissions; and

(2) can result in the reduction of 1 or more of—

(A) demand for water resources;

(B) waste;

(C) emissions of air pollutants other than greenhouse gas emissions; or

(D) concentrations of contaminants in wastewater discharges.

(c) **RESEARCH AND DEVELOPMENT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary shall carry out a program of research, development, demonstration, and commercial application of clean energy technologies through regional clean energy innovation partnerships established under subsection (e).

(2) **DELEGATION AUTHORIZED.**—The Secretary may delegate the responsibilities of the Secretary under this subsection, on the condition that—

(A) sufficient high-level management oversight is maintained; and

(B) the partnerships are implemented as a cross-cutting initiative not subject to any single technology program.

(d) **CLEAN ENERGY INNOVATION REGIONS.**—

(1) **ESTABLISHMENT.**—The Secretary shall by rulemaking establish up to 10 clean energy regions in the United States based on the analysis and application of the criteria described in paragraph (2).

(2) **CRITERIA.**—The criteria referred to in paragraph (1) include—

(A)(i) geographic continuity; or

(ii) in the case of Alaska, Hawaii, and the territories and possessions of the United States, geographic similarities; and

(B) the presence of major energy innovation resources, including research universities, National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), and other research institutions.

(3) **STATES.**—The Secretary shall place a State in only 1 region under this subsection.

(e) **CLEAN ENERGY INNOVATION REGIONAL PARTNERSHIPS.**—

(1) **ESTABLISHMENT.**—The Secretary may, through an open, competitive process, select for designation as a clean energy innovation regional partnership not more than 1 eligible partnership, consisting of 2 or more eligible entities, for each region established under subsection (d).

(2) **ELIGIBILITY.**—Entities eligible to be part of a partnership include—

(A) institutions of higher education;

(B) National Laboratories;

(C) other research institutions;

(D) units of State or local government;

(E) tribal governments;

(F) regional organizations;

(G) economic development organizations; and

(H) non-governmental entities and corporations.

(3) **REQUIREMENT FOR PARTNERSHIPS.**—To be eligible to be selected as a clean energy innovation regional partnership under paragraph (1), a partnership shall be an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

(4) **APPLICATION PROCESS.**—An eligible partnership desiring selection as a clean energy innovation regional partnership under paragraph (1) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum—

(A) a description of all entities comprising the proposed partnership;

(B) identification of appropriate information on the qualifications of the key management personnel of the proposed partnership;

(C) a full description of the governance structure and management processes of the partnership, including conflict of interest policy;

(D) a description of the policies and procedures for managing new intellectual property created by the partnership;

(E) a description of how the applicant would carry out the activities of the clean energy innovation regional partnership, as described in this subsection; and

(F) a recommendation for the clean energy innovation regional partnership program of the scope of work for initial year activities and future program focus.

(5) **SELECTION CRITERIA.**—The Secretary shall establish criteria for the selection of clean energy innovation regional partnerships, including—

(A) strength of the governance structure, including representation of the regional energy economy;

(B) expertise and experience of key research management personnel;

(C) demonstrated knowledge of regional energy markets and technologies;

(D) capability for regional energy analysis and planning;

(E) capability to conduct assessments of innovative clean energy technologies;

(F) commitments of co-funding from non-Federal sources;

(G) capability for attracting matching funds from both non-Federal and non-governmental sources for follow-on investment in widespread application of successful projects; and

(H) capability and experience in managing technology transfer programs.

(6) **FUNCTIONS.**—A clean energy innovation regional partnership selected under this subsection shall be responsible for—

(A) developing an annual clean energy regional innovation plan;

(B) establishing open, transparent processes for soliciting project applications consistent with the plan;

(C) selecting projects for financial assistance;

(D) awarding financial assistance, including grants, cost-sharing, prizes, revolving funds and loans, or other forms of credit enhancement;

(E) incentivizing collaborative research, development, demonstration, and deployment programs within the designated region of the partnership;

(F) facilitating the use of National Laboratory resources and other Federal research facilities;

(G) collaborating with other funding entities to provide financial assistance for regional clean energy innovation projects consistent with the annual plan developed under subparagraph (A);

(H) arranging for sharing of prototyping and production facilities for clean energy technologies;

(I) promoting training opportunities in clean energy technologies;

(J) providing information sharing and conducting technology transfer activities, including assistance to clean energy technology start-up ventures;

(K) coordinating with other regional clean energy innovation partnerships on projects relevant to more than 1 region; and

(L) performing such other duties and providing such reports as the Secretary may require.

(7) **LIMITATIONS.**—A clean energy innovation regional partnership selected under this subsection shall not—

(A) perform in-house research, development, demonstration, or deployment activities; or

(B) use Federal funding for the construction or rehabilitation of buildings or facilities.

(8) **CONFLICT OF INTEREST.**—

(A) **PROCEDURES.**—The Secretary shall establish procedures—

(i) to ensure that each board member, officer, or employee of the clean energy innovation regional partnership selected under this subsection who is in a decision making capacity to exercise any of the functions described in paragraph (6) shall disclose to the Secretary any financial interests in, or financial relationships with, applicants for, or recipients of, awards under this section, including any financial interests in, or financial relationships with, applicants for, or recipients of, awards under this section of the spouse or minor child of the board member, officer, or employee; and

(ii) to require any board member, officer, or employee with a financial relationship or interest disclosed under clause (i) to recuse himself or herself from any oversight functions under paragraph (6) with respect to that applicant or recipient.

(B) **FAILURE TO COMPLY.**—The Secretary may disqualify an application or revoke an award under this section if a board member, officer, or employee has failed to comply with procedures required under subparagraph (A).

(f) **FUNDING AGREEMENT.**—

(1) **MULTIYEAR AGREEMENT.**—The Secretary may enter into a funding agreement for up to 5 years, with options for renewal, with each clean energy innovation regional partnership selected under this subsection.

(2) **FUNDING INSTRUMENT.**—The Secretary may fund agreements under paragraph (1) through grants, cooperative agreements, or other transactions under section 646 of the Department of Energy Organization Act (42 U.S.C. 7256), as determined appropriate by the Secretary.

(3) **FUNDING LIMITATIONS.**—

(A) **IN GENERAL.**—Each funding agreement entered into under paragraph (1) shall be subject to the funding levels and allocations established by the Secretary under subsection (j).

(B) **ADDITIONAL LIMITATION.**—No funds shall be provided under an agreement entered into under paragraph (1) for the cost of—

(i) facilities occupied by the clean energy innovation regional partnership; or

(ii) any in-house research project activities as described in subsection (e)(7)(A).

(g) **ANNUAL PLAN.**—

(1) **IN GENERAL.**—Each clean energy innovation regional partnership shall carry out a program pursuant to an annual plan prepared by the partnership and approved by the Secretary.

(2) **PLAN CONTENT.**—The annual plan shall—

(A) describe the ongoing and prospective activities of the partnership; and

(B) meet the requirements established by the Secretary under paragraph (3).

(3) **REQUIREMENTS.**—The Secretary shall establish requirements for the content of each annual plan, which shall include—

(A) a proposed portfolio of clean energy programs and projects, including both individual technologies and system approaches, reflecting regional characteristics and priorities, with priority given to clean energy technologies that meet the most characteristics described in subsection (e)(5);

(B) a description of the process, including a list of any solicitations, for making awards to carry out research development, demonstration, or commercial application activities, including—

(i) the topics of those activities;

(ii) a description of who would be eligible to apply;

(iii) selection criteria to be used; and

(iv) the duration of awards;

(C) a description of the status of ongoing projects, including the progress in meeting project milestones;

(D) a description of the policies and procedures for managing the dissemination of new intellectual property developed under the annual plan;

(E) a description of technology transfer and commercialization activities that may follow from successful projects; and

(F) a description of all other activities planned to carry out the functions described subsection (e)(6).

(4) **PLAN DEVELOPMENT.**—

(A) **SOLICITATION RECOMMENDATIONS.**—Before drafting an annual plan under this subsection, each clean energy innovation regional partnership shall establish a process to solicit specific written recommendations from stakeholders within the region.

(B) **CONSULTATION.**—Each clean energy innovation regional partnership shall consult regularly with the Secretary in the preparation of the annual plan.

(5) **PUBLICATION.**—The Secretary shall publish in the Federal Register, and provide opportunity for comment for, each annual plan submitted under this subsection.

(6) **PLAN APPROVAL.**—

(A) **IN GENERAL.**—The Secretary shall review and approve or disapprove, in whole or in part, each annual plan submitted under this subsection.

(B) **AUTOMATIC APPROVAL.**—If the Secretary does not approve or disapprove an annual plan by the date that is 60 days after the date of submission of the annual plan, the annual shall be deemed approved.

(7) **PLAN IMPLEMENTATION.**—

(A) **AWARDS.**—On approval of the annual plan by the Secretary, each clean energy innovation regional partnership shall make awards to research performers to carry out research, development, demonstration, and commercial application activities under the program under this section.

(B) **CONFLICT OF INTEREST.**—An entity that is a member of the clean energy innovation regional partnership may receive an award under subparagraph (A) on the condition that the conflict of interest procedures described in subsection (e)(8)(A) are followed.

(C) **OVERSIGHT.**—The clean energy innovation regional partnership shall oversee the implementation of awards under this subsection, consistent with the annual plan of the clean energy innovation regional partnership, including through—

(i) disbursing funds; and

(ii) monitoring activities carried by the recipient of an award for compliance with the terms and conditions of the award.

(h) ADMINISTRATIVE COSTS.—

(1) AUTHORIZATION.—The Secretary may allow each clean energy innovation regional partnership to allocate a portion, not to exceed 10 percent in any 1 fiscal year, of the funding received under subsection (f), to be used to implement the annual plan of the clean energy innovation regional partnership.

(2) ADVANCE.—The Secretary may advance funds to a clean energy innovation regional partnership on or after the date of selection of the clean energy innovation regional partnership under subsection (e)(1), which shall be deducted from amounts to be provided in the funding agreement entered into under subsection (f).

(i) AUDIT.—The Secretary shall audit each clean energy innovation regional partnership on a periodic basis, as appropriate, to determine the extent to which funds provided to each clean energy innovation regional partnership, and funds provided under awards made under subsection (g)(7)(A) have been expended in a manner consistent with the purposes and requirements of this section.

(j) FUNDING.—

(1) FUND ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the “Clean Energy Innovation Regional Partnership Fund” (referred to in this subsection as the “Fund”).

(2) AUTHORIZATION.—The Secretary of the Treasury may transfer to the Fund, from the General Fund of the Treasury—

(A) for fiscal 2017, \$110,000,000;

(B) for fiscal 2018, \$500,000,000;

(C) for fiscal 2019, \$800,000,000;

(D) for fiscal 2020, \$1,350,000,000; and

(E) for fiscal 2021, \$1,750,000,000.

(3) AVAILABILITY.—

(A) PERIOD.—Amounts transferred to the Fund under paragraph (2) shall remain available until expended.

(B) OBLIGATION AUTHORITY.—Amounts in the Fund shall be available to the Secretary for obligation under this section only in amounts provided in annual appropriations Acts.

(4) ALLOCATION.—The Secretary shall allocate the funding available for obligation under paragraph (3) for each fiscal year among approved annual plans for clean energy innovation regional partnerships based on a formula that takes into account certain criteria that include—

(A) regional energy consumption expenditures;

(B) regional energy production levels;

(C) regional Population; and

(D) such other region-specific factors that the Secretary may specify.

(5) STUDY; REPORT.—

(A) STUDY.—The Secretary shall conduct a study of the feasibility of establishing 1 or more funding sources that can provide a dedicated, stable source of financing for clean energy innovation regional partnership.

(B) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that contains findings and recommendations based on the study conducted under subparagraph (A).

SA 3225. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the en-

ergy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.

(a) AUTHORIZATION.—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) REQUIREMENTS.—Management of vegetation under this section shall—

(1) be limited to wildfire prevention, such as hazardous fuel buildup near structures and hazard trees;

(2) be at the expense of the right-of-way holder; and

(3) not include commercial timber harvesting, logging, prescribed burning, or clear cutting.

(c) STATUS OF REMOVED VEGETATION.—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(d) LIMITATION ON LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildfire, damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a), except in the case of harm resulting from the gross negligence or criminal misconduct of the owner or operator.

SA 3226. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44 ____ . BLACK HILLS NATIONAL CEMETERY BOUNDARY MODIFICATION.

(a) DEFINITIONS.—In this section:

(1) CEMETERY.—The term “Cemetery” means the Black Hills National Cemetery in Sturgis, South Dakota.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 200 acres of Bureau of Land Management land adjacent to the Cemetery, generally depicted as “Proposed National Cemetery Expansion” on the map entitled “Proposed Expansion of Black Hills National Cemetery-South Dakota” and dated September 28, 2015.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) TRANSFER AND WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND FOR CEMETERY USE.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(A) IN GENERAL.—Subject to valid existing rights, administrative jurisdiction over the Federal land is transferred from the Secretary to the Secretary of Veterans Affairs for use as a national cemetery in accordance with chapter 24 of title 38, United States Code.

(B) LEGAL DESCRIPTIONS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Reg-

ister a notice containing a legal description of the Federal land.

(ii) EFFECT.—A legal description published under clause (i) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical and typographical errors in the legal description.

(iii) AVAILABILITY.—Copies of the legal description published under clause (i) shall be available for public inspection in the appropriate offices of—

(I) the Bureau of Land Management; and

(II) the National Cemetery Administration.

(iv) COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary for the costs incurred by the Secretary in carrying out this subparagraph, including the costs of any surveys and other reasonable costs.

(2) WITHDRAWAL.—Subject to valid existing rights, for any period during which the Federal land is under the administrative jurisdiction of the Secretary of Veterans Affairs, the Federal land—

(A) is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws; and

(B) shall be treated as property as defined under section 102(9) of title 40, United States Code.

(3) BOUNDARY MODIFICATION.—The boundary of the Cemetery is modified to include the Federal land.

(4) MODIFICATION OF PUBLIC LAND ORDER.—Public Land Order 2112, dated June 6, 1960 (25 Fed. Reg. 5243), is modified to exclude the Federal land.

(c) SUBSEQUENT TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) NOTICE.—On a determination by the Secretary of Veterans Affairs that all or a portion of the Federal land is not being used for purposes of the Cemetery, the Secretary of Veterans Affairs shall notify the Secretary of the determination.

(2) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Subject to paragraphs (3) and (4), the Secretary of Veterans Affairs shall transfer to the Secretary administrative jurisdiction over the Federal land subject to a notice under paragraph (1).

(3) DECONTAMINATION.—The Secretary of Veterans Affairs shall be responsible for the costs of any decontamination of the Federal land subject to a notice under paragraph (1) that the Secretary determines to be necessary for the Federal land to be restored to public land status.

(4) RESTORATION TO PUBLIC LAND STATUS.—The Federal land subject to a notice under paragraph (1) shall only be restored to public land status on—

(A) acceptance by the Secretary of the Federal land subject to the notice; and

(B) a determination by the Secretary that the Federal land subject to the notice is suitable for—

(i) restoration to public land status; and

(ii) the operation of 1 or more of the public land laws with respect to the Federal land.

(5) ORDER.—If the Secretary accepts the Federal land under paragraph (4)(A) and makes a determination of suitability under paragraph (4)(B), the Secretary may—

(A) open the accepted Federal land to operation of 1 or more of the public land laws; and

(B) issue an order to carry out the opening authorized under subparagraph (A).

SA 3227. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms.

MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.

(a) AGREEMENT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior (referred to in this section as the “Secretary”) shall enter into an agreement with the Corolla Wild Horse Fund (a nonprofit corporation established under the laws of the State of North Carolina), the County of Currituck, North Carolina, and the State of North Carolina to provide for management of free-roaming wild horses in and around the Currituck National Wildlife Refuge.

(2) TERMS.—The agreement shall—

(A) allow a herd of not fewer than 110 and not more than 130 free-roaming wild horses in and around the refuge, with a target population of between 120 and 130 free-roaming wild horses;

(B) provide for cost-effective management of the horses while ensuring that natural resources within the refuge are not adversely impacted;

(C) provide for introduction of a small number of free-roaming wild horses from the herd at Cape Lookout National Seashore as is necessary to maintain the genetic viability of the herd in and around the Currituck National Wildlife Refuge; and

(D) specify that the Corolla Wild Horse Fund shall pay the costs associated with—

(i) coordinating a periodic census and inspecting the health of the horses;

(ii) maintaining records of the horses living in the wild and in confinement;

(iii) coordinating the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(iv) administering a viable population control plan for the horses, including auctions, adoptions, contraceptive fertility methods, and other viable options.

(b) CONDITIONS FOR EXCLUDING WILD HORSES FROM REFUGE.—The Secretary shall not exclude free-roaming wild horses from any portion of the Currituck National Wildlife Refuge unless—

(1) the Secretary finds that the presence of free-roaming wild horses on a portion of that refuge threatens the survival of an endangered species for which that land is designated as critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(2) the finding is based on a credible peer-reviewed scientific assessment; and

(3) the Secretary provides a period of public notice and comment on that finding.

(c) REQUIREMENTS FOR INTRODUCTION OF HORSES FROM CAPE LOOKOUT NATIONAL SEASHORE.—During the effective period of the memorandum of understanding between the National Park Service and the Foundation for Shackleford Horses, Inc. (a non-profit corporation organized under the laws of and doing business in the State of North Carolina) signed in 2007, no horse may be removed from Cape Lookout National Seashore for introduction at Currituck National Wildlife Refuge except—

(1) with the approval of the Foundation; and

(2) consistent with the terms of the memorandum (or any successor agreement) and the Management Plan for the Shackleford Banks Horse Herd signed in January 2006 (or any successor management plan).

(d) NO LIABILITY CREATED.—Nothing in this section creates liability for the United States for any damage caused by the free-roaming wild horses to any person or property located inside or outside the boundaries of the Currituck National Wildlife Refuge.

SA 3228. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At end, add the following:

TITLE VI—NATURAL RESOURCES

Subtitle A—Land Conveyances and Related Matters

SEC. 6001. ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Arapaho National Forest in the State of Colorado is adjusted to incorporate the approximately 92.95 acres of land generally depicted as “The Wedge” on the map entitled “Arapaho National Forest Boundary Adjustment” and dated November 6, 2013, and described as lots three, four, eight, and nine of section 13, Township 4 North, Range 76 West, Sixth Principal Meridian, Colorado. A lot described in this subsection may be included in the boundary adjustment only after the Secretary of Agriculture obtains written permission for such action from the lot owner or owners.

(b) BOWEN GULCH PROTECTION AREA.—The Secretary of Agriculture shall include all Federal land within the boundary described in subsection (a) in the Bowen Gulch Protection Area established under section 6 of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j).

(c) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306(a)(2)(B)(i) of title 54, United States Code, the boundaries of the Arapaho National Forest, as modified under subsection (a), shall be considered to be the boundaries of the Arapaho National Forest as in existence on January 1, 1965.

(d) PUBLIC MOTORIZED USE.—Nothing in this section opens privately owned lands within the boundary described in subsection (a) to public motorized use.

(e) ACCESS TO NON-FEDERAL LANDS.—Notwithstanding the provisions of section 6(f) of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j(f)) regarding motorized travel, the owners of any non-Federal lands within the boundary described in subsection (a) who historically have accessed their lands through lands now or hereafter owned by the United States within the boundary described in subsection (a) shall have the continued right of motorized access to their lands across the existing roadway.

SEC. 6002. LAND CONVEYANCE, ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST, COLORADO.

(a) LAND CONVEYANCE REQUIRED.—Consistent with the purpose of the Act of March 3, 1909 (43 U.S.C. 772), all right, title, and interest of the United States (subject to subsection (b)) in and to a parcel of land consisting of approximately 148 acres as generally depicted on the map entitled “Elk-

horn Ranch Land Parcel-White River National Forest” and dated March 2015 shall be conveyed by patent to the Gordan-Leverich Partnership, a Colorado Limited Liability Partnership (in this section referred to as “GLP”).

(b) EXISTING RIGHTS.—The conveyance under subsection (a)—

(1) is subject to the valid existing rights of the lessee of Federal oil and gas lease COC-75070 and any other valid existing rights; and

(2) shall reserve to the United States the right to collect rent and royalty payments on the lease referred to in paragraph (1) for the duration of the lease.

(c) EXISTING BOUNDARIES.—The conveyance under subsection (a) does not modify the exterior boundary of the White River National Forest or the boundaries of Sections 18 and 19 of Township 7 South, Range 93 West, Sixth Principal Meridian, Colorado, as such boundaries are in effect on the date of the enactment of this Act.

(d) TIME FOR CONVEYANCE; PAYMENT OF COSTS.—The conveyance directed under subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act. The conveyance shall be without consideration, except that all costs incurred by the Secretary of the Interior relating to any survey, platting, legal description, or other activities carried out to prepare and issue the patent shall be paid by GLP to the Secretary prior to the land conveyance.

SEC. 6003. LAND EXCHANGE IN CRAGS, COLORADO.

(a) PURPOSES.—The purposes of this section are—

(1) to authorize, direct, expedite, and facilitate the land exchange set forth herein; and

(2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the Pike National Forest near Pikes Peak, Colorado, via acquisition of the non-Federal land and trail easement.

(b) DEFINITIONS.—In this section:

(1) BHI.—The term “BHI” means Broadmoor Hotel, Inc., a Colorado corporation.

(2) FEDERAL LAND.—The term “Federal land” means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a non-exclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled “Proposed Craggs Land Exchange-Federal Parcel-Emerald Valley Ranch”, dated March 2015.

(3) NON-FEDERAL LAND.—The term “non-Federal land” means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—

(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled “Proposed Craggs Land Exchange-Non-Federal Parcel-Craggs Property”, dated March 2015; and

(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled “Proposed Craggs Land Exchange-Barr Trail Easement to United States”, dated March 2015, and which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, unless otherwise specified.

(c) LAND EXCHANGE.—

(1) IN GENERAL.—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.

(2) LAND TITLE.—Title to the non-Federal land conveyed and donated to the Secretary under this section shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) PERPETUAL ACCESS EASEMENT TO BHI.—The nonexclusive perpetual access easement to be granted to BHI as shown on the map referred to in subsection (b)(2) shall allow—

(A) BHI to fully maintain, at BHI's expense, and use Forest Service Road 371 from its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and

(B) full and continued public and administrative access and use of FSR 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.

(4) ROUTE AND CONDITION OF ROAD.—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.

(5) EXCHANGE COSTS.—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this section, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

(d) EQUAL VALUE EXCHANGE AND APPRAISALS.—

(1) APPRAISALS.—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practice;

(C) appraisal instructions issued by the Secretary; and

(D) shall be performed by an appraiser mutually agreed to by the Secretary and BHI.

(2) EQUAL VALUE EXCHANGE.—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) SURPLUS OF FEDERAL LAND VALUE.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(B) USE OF FUNDS.—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the fund established under Public Law 90-171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a); and

(ii) made available to the Secretary for the acquisition of land or interests in land in Region 2 of the Forest Service.

(C) SURPLUS OF NON-FEDERAL LAND VALUE.—If the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A) exceeds the final appraised value of the Federal land, the United States

shall not make a cash equalization payment to BHI, and surplus value of the non-Federal land shall be considered a donation by BHI to the United States for all purposes of law.

(3) APPRAISAL EXCLUSIONS.—

(A) SPECIAL USE PERMIT.—The appraised value of the Federal land parcel shall not reflect any increase or diminution in value due to the special use permit existing on the date of the enactment of this Act to BHI on the parcel and improvements thereunder.

(B) BARR TRAIL EASEMENT.—The Barr Trail easement donation identified in subsection (b)(3)(B) shall not be appraised for purposes of this section.

(e) MISCELLANEOUS PROVISIONS.—

(1) WITHDRAWAL PROVISIONS.—

(A) WITHDRAWAL.—Lands acquired by the Secretary under this section shall, without further action by the Secretary, be permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(B) WITHDRAWAL REVOCATION.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the Federal land parcel to BHI.

(C) WITHDRAWAL OF FEDERAL LAND.—All Federal land authorized to be exchanged under this section, if not already withdrawn or segregated from appropriation or disposal under the public lands laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land to BHI.

(2) POSTEXCHANGE LAND MANAGEMENT.—Land acquired by the Secretary under this section shall become part of the Pike-San Isabel National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

(3) EXCHANGE TIMETABLE.—It is the intent of Congress that the land exchange directed by this section be consummated no later than 1 year after the date of the enactment of this Act.

(4) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(A) MINOR ERRORS.—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(B) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and BHI mutually agree otherwise.

(C) AVAILABILITY.—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the headquarters of the Pike-San Isabel National Forest a copy of all maps referred to in this section.

SEC. 6004. CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term "map" means the map entitled "Río Grande del Norte National Monument Proposed Wilderness Areas" and dated July 28, 2015.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) WILDERNESS AREA.—The term "wilderness area" means a wilderness area designated by subsection (b)(1).

(b) DESIGNATION OF CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the Río Grande del Norte National Monument are designated as wilderness and as components of the National Wilderness Preservation System:

(A) CERRO DEL YUTA WILDERNESS.—Certain land administered by the Bureau of Land Management in Taos County, New Mexico, comprising approximately 13,420 acres as generally depicted on the map, which shall be known as the "Cerro del Yuta Wilderness".

(B) RÍO SAN ANTONIO WILDERNESS.—Certain land administered by the Bureau of Land Management in Río Arriba County, New Mexico, comprising approximately 8,120 acres, as generally depicted on the map, which shall be known as the "Río San Antonio Wilderness".

(2) MANAGEMENT OF WILDERNESS AREAS.—Subject to valid existing rights, the wilderness areas shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this section, except that with respect to the wilderness areas designated by this subsection—

(A) any reference to the effective date of the Wilderness Act shall be considered to be a reference to the date of enactment of this Act; and

(B) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundary of the wilderness areas that is acquired by the United States shall—

(A) become part of the wilderness area in which the land is located; and

(B) be managed in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.);

(ii) this section; and

(iii) any other applicable laws.

(4) GRAZING.—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(5) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the wilderness areas.

(B) ACTIVITIES OUTSIDE WILDERNESS AREAS.—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(6) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land within the San Antonio Wilderness Study Area not designated as wilderness by this subsection—

(A) has been adequately studied for wilderness designation;

(B) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(C) shall be managed in accordance with this section.

(7) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file the map and legal descriptions of the wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) **FORCE OF LAW.**—The map and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the legal description and map.

(C) **PUBLIC AVAILABILITY.**—The map and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(8) **NATIONAL LANDSCAPE CONSERVATION SYSTEM.**—The wilderness areas shall be administered as components of the National Landscape Conservation System.

(9) **FISH AND WILDLIFE.**—Nothing in this section affects the jurisdiction of the State of New Mexico with respect to fish and wildlife located on public land in the State.

(10) **WITHDRAWALS.**—Subject to valid existing rights, any Federal land within the wilderness areas designated by paragraph (1), including any land or interest in land that is acquired by the United States after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(11) **TREATY RIGHTS.**—Nothing in this section enlarges, diminishes, or otherwise modifies any treaty rights.

SEC. 6005. CLARIFICATION RELATING TO A CERTAIN LAND DESCRIPTION UNDER THE NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT OF 2005.

Section 104(a)(5) of the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 (Public Law 109-110; 119 Stat. 2356) is amended by inserting before the period at the end “, which, notwithstanding section 102(a)(4)(B), includes the N½, NE¼, SW¼, the N½, N½, SE¼, SW¼, and the N½, N½, SW¼, SE¼, sec. 34, T. 22 N., R. 2 E., Gila and Salt River Meridian, Coconino County, comprising approximately 25 acres”.

SEC. 6006. COOPER SPUR LAND EXCHANGE CLARIFICATION AMENDMENTS.

Section 1206(a) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1018) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking “120 acres” and inserting “107 acres”; and

(B) in subparagraph (E)(ii), by inserting “improvements,” after “buildings,”; and

(2) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “As soon as practicable after the date of enactment of this Act, the Secretary and Mt. Hood Meadows shall select” and inserting “Not later than 120 days after the date of the enactment of the Energy Policy Modernization Act of 2016, the Secretary and Mt. Hood Meadows shall jointly select”;

(ii) in clause (ii), in the matter preceding subclause (I), by striking “An appraisal under clause (i) shall” and inserting “Except as provided under clause (iii), an appraisal under clause (i) shall assign a separate value to each tax lot to allow for the equalization of values and”;

(iii) by adding at the end the following:

“(iii) **FINAL APPRAISED VALUE.**—

“(I) **IN GENERAL.**—Subject to subclause (II), after the final appraised value of the Federal

land and the non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value for a period of up to 3 years, beginning on the date of the approval by the Secretary of the final appraised value.

“(II) **EXCEPTION.**—Subclause (I) shall not apply if the condition of either the Federal land or the non-Federal land referred to in subclause (I) is significantly and substantially altered by fire, windstorm, or other events.

“(iv) **PUBLIC REVIEW.**—Before completing the land exchange under this Act, the Secretary shall make available for public review the complete appraisals of the land to be exchanged.”;

(B) in subparagraph (F), by striking “16 months after the date of enactment of this Act” and inserting “1 year after the date of the enactment of the Energy Policy Modernization Act of 2016”; and

(C) by striking subparagraph (G) and inserting the following:

“(G) **REQUIRED CONVEYANCE CONDITIONS.**—Prior to the exchange of the Federal and non-Federal land—

“(i) the Secretary and Mt. Hood Meadows may mutually agree for the Secretary to reserve a conservation easement to protect the identified wetland in accordance with applicable law, subject to the requirements that—

“(I) the conservation easement shall be consistent with the terms of the September 30, 2015, mediation between the Secretary and Mt. Hood Meadows; and

“(II) in order to take effect, the conservation easement shall be finalized not later than 120 days after the date of enactment of the Energy Policy Modernization Act of 2016; and

“(ii) the Secretary shall reserve a 24-foot-wide nonexclusive trail easement at the existing trail locations on the Federal land that retains for the United States existing rights to construct, reconstruct, maintain, and permit nonmotorized use by the public of existing trails subject to the right of the owner of the Federal land—

“(I) to cross the trails with roads, utilities, and infrastructure facilities; and

“(II) to improve or relocate the trails to accommodate development of the Federal land.

“(H) **EQUALIZATION OF VALUES.**—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (A), in addition to or in lieu of monetary compensation, a lesser area of Federal land or non-Federal land may be conveyed if necessary to equalize appraised values of the exchange properties, without limitation, consistent with the requirements of this Act and subject to the approval of the Secretary and Mt. Hood Meadows.

“(ii) **TREATMENT OF CERTAIN COMPENSATION OR CONVEYANCES AS DONATION.**—If, after payment of compensation or adjustment of land area subject to exchange under this Act, the amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows under subparagraph (A) exceeds the appraised value of the land conveyed by the Secretary under subparagraph (A) shall be considered a donation by Mt. Hood Meadows to the United States.”.

SEC. 6007. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE.**—The term “eligible”, with respect to an organization or individual, means that the organization or individual, respectively, is—

(A) acting in a not-for-profit capacity; and

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have attained the age of majority under the law of the State where the mission takes place.

(2) **GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.**—The term “good Samaritan search-and-recovery mission” means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior or the Secretary of Agriculture, as applicable.

(b) **PROCESS.**—

(1) **IN GENERAL.**—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(2) **INCLUSIONS.**—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access under this section—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) chapter 81 of title 5, United States Code (commonly known as the “Federal Employees Compensation Act”), shall not apply to an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section, and the conduct of the good Samaritan search-and-recovery mission shall not constitute civilian employment.

(c) **RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.**—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) **APPROVAL AND DENIAL OF REQUESTS.**—

(1) **IN GENERAL.**—The Secretary shall notify an eligible organization or individual of the approval or denial of a request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section by not later than 48 hours after the request is made.

(2) **DENIALS.**—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) **PARTNERSHIPS.**—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

SEC. 6008. BLACK HILLS NATIONAL CEMETERY BOUNDARY EXPANSION.

(a) **DEFINITIONS.**—In this section:

(1) **BLM LAND.**—The term “BLM land” means the approximately 191.24 acres of Bureau of Land Management land within Meade County, South Dakota, which is more particularly described as follows:

(A) In sec. 23, T. 5 N, R. 5 E., Black Hills Meridian—

(i) the land in the SW¼SW¼ located south of the tread of the Centennial Trail;

(ii) the land in the SE¼SW¼ located south of the tread of the Centennial Trail and southwest of the southwesterly railroad right-of-way boundary described and authorized under MTM-14260; and

(iii) the land in the SW¼SE¼ located southwest of the southwesterly railroad right-of-way boundary.

(B) In sec. 26, T. 5 N, R. 5 E., Black Hills Meridian—

(i) lots 5, 11, and 12; and

(ii) in lot 10, the land located southwest of the southwesterly railroad right-of-way boundary described and authorized under MTM-14260 and NW¼NW¼.

(2) **CEMETERY.**—The term “Cemetery” means the Black Hills National Cemetery in Sturgis, South Dakota.

(b) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—

(1) **IN GENERAL.**—Administrative jurisdiction over the BLM land is transferred from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Cemetery.

(2) **BOUNDARY MODIFICATION.**—On the transfer of the BLM land under paragraph (1), the boundary of the Cemetery is modified to include the BLM land.

(3) **MODIFICATION OF PUBLIC LAND ORDER.**—On the transfer of the BLM land under paragraph (1), Public Land Order 2112, dated June 6, 1960 (25 Fed. Reg. 5243), is modified to exclude the BLM land.

Subtitle B—National Park Management, Studies, and Related Matters

SEC. 6101. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) **IN GENERAL.**—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in

October 2013 in which there was a lapse in appropriations for the unit.

(b) **FUNDING.**—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SEC. 6102. LOWER FARMINGTON AND SALMON BROOK RECREATIONAL RIVERS.

(a) **DESIGNATION.**—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(213) **LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.**—Segments of the main stem and its tributary, Salmon Brook, totaling approximately 62 miles, to be administered by the Secretary of the Interior as follows:

“(A) The approximately 27.2-mile segment of the Farmington River beginning 0.2 miles below the tailrace of the Lower Collinsville Dam and extending to the site of the Spoonville Dam in Bloomfield and East Granby as a recreational river.

“(B) The approximately 8.1-mile segment of the Farmington River extending from 0.5 miles below the Rainbow Dam to the confluence with the Connecticut River in Windsor as a recreational river.

“(C) The approximately 2.4-mile segment of the main stem of Salmon Brook extending from the confluence of the East and West Branches to the confluence with the Farmington River as a recreational river.

“(D) The approximately 12.6-mile segment of the West Branch of Salmon Brook extending from its headwaters in Hartland, Connecticut to its confluence with the East Branch of Salmon Brook as a recreational river.

“(E) The approximately 11.4-mile segment of the East Branch of Salmon Brook extending from the Massachusetts-Connecticut State line to the confluence with the West Branch of Salmon Brook as a recreational river.”.

(b) **MANAGEMENT.**—

(1) **IN GENERAL.**—The river segments designated by subsection (a) shall be managed in accordance with the management plan and such amendments to the management plan as the Secretary determines are consistent with this section. The management plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(2) **COMMITTEE.**—The Secretary shall coordinate the management responsibilities of the Secretary under this section with the Lower Farmington River and Salmon Brook Wild and Scenic Committee, as specified in the management plan.

(3) **COOPERATIVE AGREEMENTS.**—

(A) **IN GENERAL.**—In order to provide for the long-term protection, preservation, and enhancement of the river segment designated by subsection (a), the Secretary is authorized to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act with—

(i) the State of Connecticut;

(ii) the towns of Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut; and

(iii) appropriate local planning and environmental organizations.

(B) **CONSISTENCY.**—All cooperative agreements provided for under this section shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) **LAND MANAGEMENT.**—

(A) **ZONING ORDINANCES.**—For the purposes of the segments designated in subsection (a), the zoning ordinances adopted by the towns in Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut, including provisions for conservation of floodplains, wetlands and watercourses associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) **ACQUISITION OF LAND.**—The provisions of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) that prohibit Federal acquisition of lands by condemnation shall apply to the segments designated in subsection (a). The authority of the Secretary to acquire lands for the purposes of the segments designated in subsection (a) shall be limited to acquisition by donation or acquisition with the consent of the owner of the lands, and shall be subject to the additional criteria set forth in the management plan.

(5) **RAINBOW DAM.**—The designation made by subsection (a) shall not be construed to—

(A) prohibit, pre-empt, or abridge the potential future licensing of the Rainbow Dam and Reservoir (including any and all aspects of its facilities, operations and transmission lines) by the Federal Energy Regulatory Commission as a federally licensed hydroelectric generation project under the Federal Power Act, provided that the Commission may, in the discretion of the Commission and consistent with this section, establish such reasonable terms and conditions in a hydropower license for Rainbow Dam as are necessary to reduce impacts identified by the Secretary as invading or unreasonably diminishing the scenic, recreational, and fish and wildlife values of the segments designated by subsection (a); or

(B) affect the operation of, or impose any flow or release requirements on, the unlicensed hydroelectric facility at Rainbow Dam and Reservoir.

(6) **RELATION TO NATIONAL PARK SYSTEM.**—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Lower Farmington River shall not be administered as part of the National Park System or be subject to regulations which govern the National Park System.

(c) **FARMINGTON RIVER, CONNECTICUT, DESIGNATION REVISION.**—Section 3(a)(156) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended in the first sentence—

(1) by striking “14-mile” and inserting “15.1-mile”; and

(2) by striking “to the downstream end of the New Hartford-Canton, Connecticut town line” and inserting “to the confluence with the Nepaug River”.

(d) **DEFINITIONS.**—For the purposes of this section:

(1) **MANAGEMENT PLAN.**—The term “management plan” means the management plan prepared by the Salmon Brook Wild and Scenic Study Committee entitled the “Lower Farmington River and Salmon Brook Management Plan” and dated June 2011.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 6103. SPECIAL RESOURCE STUDY OF PRESIDENT STREET STATION.

(a) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **STUDY AREA.**—The term “study area” means the President Street Station, a railroad terminal in Baltimore, Maryland, the history of which is tied to the growth of the railroad industry in the 19th century, the

Civil War, the Underground Railroad, and the immigrant influx of the early 20th century.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 6104. SPECIAL RESOURCE STUDY OF THURGOOD MARSHALL'S ELEMENTARY SCHOOL.

(a) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **STUDY AREA.**—The term “study area” means—

(A) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(B) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made avail-

able to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

SEC. 6105. SPECIAL RESOURCE STUDY OF JAMES K. POLK PRESIDENTIAL HOME.

(a) **IN GENERAL.**—The Secretary of the Interior (referred to in this section as the “Secretary”) shall conduct a special resource study of the site of the James K. Polk Home in Columbia, Tennessee, and adjacent property (referred to in this section as the “site”).

(b) **CRITERIA.**—The Secretary shall conduct the study under subsection (a) in accordance with section 100507 of title 54, United States Code.

(c) **CONTENTS.**—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the site;

(2) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(3) include cost estimates for any necessary acquisition, development, operation, and maintenance of the site;

(4) consult with interested Federal, State, or local governmental entities, private and nonprofit organizations, or other interested individuals; and

(5) identify alternatives for the management, administration, and protection of the site.

(d) **REPORT.**—Not later than 3 years after the date on which funds are made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings and conclusions of the study; and

(2) any recommendations of the Secretary.

SEC. 6106. NORTH COUNTRY NATIONAL SCENIC TRAIL ROUTE ADJUSTMENT.

(a) **ROUTE ADJUSTMENT.**—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended in the first sentence—

(1) by striking “thirty two hundred miles, extending from eastern New York State” and inserting “4,600 miles, extending from the Appalachian Trail in Vermont”; and

(2) by striking “Proposed North Country Trail” and all that follows through “June 1975.” and inserting “‘North Country National Scenic Trail, Authorized Route’ dated February 2014, and numbered 649/116870.”

(b) **NO CONDEMNATION.**—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended by adding at the end the following: “No land or interest in land outside of the exterior boundary of any Federally administered area may be acquired by the Federal Government for the trail by condemnation.”

SEC. 6107. DESIGNATION OF JAY S. HAMMOND WILDERNESS AREA.

(a) **DESIGNATION.**—The approximately 2,600,000 acres of National Wilderness Preservation System land located within the Lake Clark National Park and Preserve designated by section 201(e)(7)(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh(e)(7)(a)) shall be known and designated as the “Jay S. Hammond Wilderness Area”.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other

record of the United States to the wilderness area referred to in subsection (a) shall be deemed to be a reference to the “Jay S. Hammond Wilderness Area”.

SEC. 6108. ADVISORY COUNCIL ON HISTORIC PRESERVATION.

Section 304101(a) of title 54, United States Code, is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (12), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) The General Chairman of the National Association of Tribal Historic Preservation Officers.”

SEC. 6109. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.

(a) **DEFINITION OF ARLINGTON RIDGE TRACT.**—In this section, the term “Arlington Ridge tract” means the parcel of Federal land located in Arlington County, Virginia, known as the “Nevius Tract” and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) **ESTABLISHMENT OF VISITOR SERVICES FACILITY.**—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services to include a public restroom facility on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

Subtitle C—Sportsmen's Access and Land Management Issues

PART I—NATIONAL POLICY

SEC. 6201. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) **IN GENERAL.**—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and

(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) **EXCLUSION.**—In this subtitle, the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

PART II—SPORTSMEN'S ACCESS TO FEDERAL LAND

SEC. 6211. DEFINITIONS.

In this part:

(1) **FEDERAL LAND.**—The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary of the Interior, with respect to land described in paragraph (1)(B).

SEC. 6212. FEDERAL LAND OPEN TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) **IN GENERAL.**—Subject to subsection (b), Federal land shall be open to hunting, fishing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 6213.

(b) **EFFECT OF PART.**—Nothing in this part opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of the date of enactment of this Act.

SEC. 6213. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) **AUTHORIZATION.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and in accordance with section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the Secretary concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

(2) **REQUIREMENT.**—In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

(b) **CLOSURE PROCEDURES.**—

(1) **IN GENERAL.**—Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall—

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

(2) **PUBLIC NOTICE AND COMMENT.**—

(A) **IN GENERAL.**—Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shoot-

ing Sports Roundtable Memorandum of Understanding”; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of—

(I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

(B) **FINAL DECISION.**—In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

(iii) show how the resolution led to the closure.

(c) **TEMPORARY CLOSURES.**—

(1) **IN GENERAL.**—A temporary closure under this section may not exceed a period of 180 days.

(2) **RENEWAL.**—Except in an emergency, a temporary closure for the same area of land closed to the same activities—

(A) may not be renewed more than 3 times after the first temporary closure; and

(B) must be subject to a separate notice and comment procedure in accordance with subsection (b)(2).

(3) **EFFECT OF TEMPORARY CLOSURE.**—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to that activity without a separate public notice and opportunity to comment in accordance with subsection (b)(2).

(d) **REPORTING.**—On an annual basis, the Secretaries concerned shall—

(1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and

(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—

(A) a list of each area of Federal land temporarily or permanently subject to a closure;

(B) the acreage of each closure; and

(C) a survey of—

(i) the aggregate areas and acreage closed under this section in each State; and

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) **APPLICATION.**—This section shall not apply if the closure is—

(1) less than 14 days in duration; and

(2) covered by a special use permit.

SEC. 6214. SHOOTING RANGES.

(a) **IN GENERAL.**—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) **EXCEPTION.**—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range, within—

(1) a component of the National Landscape Conservation System;

(2) a component of the National Wilderness Preservation System;

(3) any area that is—

(A) designated as a wilderness study area;

(B) administratively classified as—

(i) wilderness-eligible; or

(ii) wilderness-suitable; or

(C) a primitive or semiprimitive area;

(4) a national monument, national volcanic monument, or national scenic area; or

(5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

SEC. 6215. FEDERAL ACTION TRANSPARENCY.

(a) **MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.**—

(1) **AGENCY PROCEEDINGS.**—Section 504 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking “, United States Code”;

(B) by redesignating subsection (f) as subsection (i); and

(C) by striking subsection (e) and inserting the following:

“(e)(1) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year under this section.

“(2) Each report under paragraph (1) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(3)(A) Each report under paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(B) The disclosure of fees and other expenses required under subparagraph (A) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(f) As soon as practicable, and in any event not later than the date on which the first report under subsection (e)(1) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this section made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

“(1) The case name and number of the adversary adjudication, if available, hyperlinked to the case, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(h) The head of each agency shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).”

(2) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5)(A) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection.

“(B) Each report under subparagraph (A) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(C)(i) Each report under subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(ii) The disclosure of fees and other expenses required under clause (i) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(D) The Chairman of the Administrative Conference of the United States shall include and clearly identify in each annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

“(i) any amounts paid under section 1304 of title 31 for a judgment in the case;

“(ii) the amount of the award of fees and other expenses; and

“(iii) the statute under which the plaintiff filed suit.

“(6) As soon as practicable, and in any event not later than the date on which the first report under paragraph (5)(A) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this subsection made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

“(A) The case name and number, hyperlinked to the case, if available.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by

the Chairman to comply with the requirements of paragraphs (5), (6), and (7).”

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(A) in subsection (d)(3), by striking “United States Code,”; and

(B) in subsection (e)—

(i) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(ii) by striking “of such title” and inserting “of this title”.

(b) JUDGMENT FUND TRANSPARENCY.—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

“(d) Beginning not later than the date that is 60 days after the date of enactment of the Energy Policy Modernization Act of 2016, and unless the disclosure of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this section is tendered, the following information with regard to that payment:

“(1) The name of the specific agency or entity whose actions gave rise to the claim or judgment.

“(2) The name of the plaintiff or claimant.

“(3) The name of counsel for the plaintiff or claimant.

“(4) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.

“(5) A brief description of the facts that gave rise to the claim.

“(6) The name of the agency that submitted the claim.”

PART III—FILMING ON FEDERAL LAND MANAGEMENT AGENCY LAND

SEC. 6221. COMMERCIAL FILMING.

(a) IN GENERAL.—Section 1 of Public Law 106-206 (16 U.S.C. 4601-6d) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITION OF SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior or the Secretary of Agriculture, as applicable, with respect to land under the respective jurisdiction of the Secretary.”;

(3) in subsection (b) (as so redesignated)—

(A) in paragraph (1)—

(i) in the first sentence, by striking “of the Interior or the Secretary of Agriculture (hereafter individually referred to as the ‘Secretary’ with respect to land (except land in a System unit as defined in section 100102 of title 54, United States Code) under their respective jurisdictions)”;

(ii) in subparagraph (B), by inserting “, except in the case of film crews of 3 or fewer individuals” before the period at the end; and

(B) by adding at the end the following:

“(3) FEE SCHEDULE.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, to enhance consistency in the management of Federal land, the Secretaries shall publish a single joint land use fee schedule for commercial filming and still photography.”;

(4) in subsection (c) (as so redesignated), in the second sentence, by striking “subsection (a)” and inserting “subsection (b)”;

(5) in subsection (d) (as so redesignated), in the heading, by inserting “Commercial” before “Still”;

(6) in paragraph (1) of subsection (f) (as so redesignated), by inserting “in accordance

with the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.),” after “without further appropriation.”;

(7) in subsection (g) (as so redesignated)—

(A) by striking “The Secretary shall” and inserting the following:

“(1) IN GENERAL.—The Secretary shall”; and

(B) by adding at the end the following:

“(2) CONSIDERATIONS.—The Secretary shall not consider subject matter or content as a criterion for issuing or denying a permit under this Act.”; and

(8) by adding at the end the following:

“(h) EXEMPTION FROM COMMERCIAL FILMING OR STILL PHOTOGRAPHY PERMITS AND FEES.—The Secretary shall not require persons holding commercial use authorizations or special recreation permits to obtain an additional permit or pay a fee for commercial filming or still photography under this Act if the filming or photography conducted is—

“(1) incidental to the permitted activity that is the subject of the commercial use authorization or special recreation permit; and

“(2) the holder of the commercial use authorization or special recreation permit is an individual or small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632)).

“(i) EXCEPTION FROM CERTAIN FEES.—Commercial filming or commercial still photography shall be exempt from fees under this Act, but not from recovery of costs under subsection (c), if the activity—

“(1) is conducted by an entity that is a small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632));

“(2) is conducted by a crew of not more than 3 individuals; and

“(3) uses only a camera and tripod.

“(j) APPLICABILITY TO NEWS GATHERING ACTIVITIES.—

“(1) IN GENERAL.—News gathering shall not be considered a commercial activity.

“(2) INCLUDED ACTIVITIES.—In this subsection, the term ‘news gathering’ includes, at a minimum, the gathering, recording, and filming of news and information related to news in any medium.”

(b) CONFORMING AMENDMENTS.—Chapter 1009 of title 54, United States Code, is amended—

(1) by striking section 100905; and

(2) in the table of sections for chapter 1009 of title 54, United States Code, by striking the item relating to section 100905.

PART IV—BOWS, WILDLIFE MANAGEMENT, AND ACCESS OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING

SEC. 6231. BOWS IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 5001(a)), is amended by adding at the end the following:

“§ 104909. Bows in parks

“(a) DEFINITION OF NOT READY FOR IMMEDIATE USE.—The term ‘not ready for immediate use’ means—

“(1) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

“(2) with respect to a crossbow, uncocked.

“(b) VEHICULAR TRANSPORTATION AUTHORIZED.—The Director shall not promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit in the vehicle of the individual if—

“(1) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

“(2) the bows or crossbows that are not ready for immediate use remain inside the vehicle of the individual throughout the period during which the bows or crossbows are transported across System land; and

“(3) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code (as amended by section 5001(b)), is amended by inserting after the item relating to section 104908 the following:

“104909. Bows in parks.”.

SEC. 6232. WILDLIFE MANAGEMENT IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 6231(a)), is amended by adding at the end the following:

“SEC. 104910. WILDLIFE MANAGEMENT IN PARKS.

“(a) USE OF QUALIFIED VOLUNTEERS.—If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law (including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.

“(b) REQUIREMENTS FOR QUALIFIED VOLUNTEERS.—Qualified volunteers providing assistance under subsection (a) shall be subject to—

“(1) any training requirements or qualifications established by the Secretary; and

“(2) any other terms and conditions that the Secretary may require.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54 (as amended by section 6231(b)), United States Code, is amended by inserting after the item relating to section 104909 the following:

“104910. Wildlife management in parks.”.

SEC. 6233. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means—

(A) the Secretary of the Interior, with respect to land administered by—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service; and

(iii) the Director of the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—

(A) a State office of the Bureau of Land Management; or

(B) a regional office of—

(i) the National Park Service;

(ii) the United States Fish and Wildlife Service; or

(iii) the Forest Service.

(3) TRAVEL MANAGEMENT PLAN.—The term “travel management plan” means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations (or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(C) with respect to land under the jurisdiction of the Forest Service, on National For-

est System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(b) PRIORITY LISTS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, annually during the 10-year period beginning on the date on which the first priority list is completed, and every 5 years after the end of the 10-year period, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

(A) to which there is no public access or egress; or

(B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) MINIMUM SIZE.—Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) CONSIDERATIONS.—In preparing the priority list required under paragraph (1), the Secretary shall consider with respect to the land—

(A) whether access is absent or merely restricted, including the extent of the restriction;

(B) the likelihood of resolving the absence of or restriction to public access;

(C) the potential for recreational use;

(D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and

(E) any other factor as determined by the Secretary.

(4) ADJACENT LAND STATUS.—For each parcel of land on the priority list, the Secretary shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) another Federal agency;

(B) a State, local, or tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) ACCESS OPTIONS.—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

(1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;

(2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or tribal governments to allow for such access and egress; and

(3) is consistent with the travel management plan in effect on the land.

(d) PROTECTION OF PERSONALLY IDENTIFYING INFORMATION.—In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) WILLING OWNERS.—For purposes of providing any permits to, or entering into agreements with, a State, local, or tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or tribal government or private landowner has granted or denied public access or egress to the land.

(f) MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.—In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(1) by motorized or non-motorized vehicles; and

(2) on foot or horseback.

(g) EFFECT.—

(1) IN GENERAL.—This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

(2) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

PART V—FEDERAL LAND TRANSACTION FACILITATION ACT

SEC. 6241. FEDERAL LAND TRANSACTION FACILITATION ACT.

(a) IN GENERAL.—The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking “on the date of enactment of this Act was” and inserting “is”;

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking “(as in effect on the date of enactment of this Act)”;

and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking “96-568” and inserting “96-586”; and

(ii) by striking “; or” and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting “Public Law 105-263;” before “112 Stat.”; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432; 120 Stat. 3028);

“(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2403);

“(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111-11);

“(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111-11);

“(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1108); or

“(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).”.

(b) **FUNDS TO TREASURY.**—Of the amounts deposited in the Federal Land Disposal Account, there shall be transferred to the general fund of the Treasury \$1,000,000 for each of fiscal years 2016 through 2025.

PART VI—MISCELLANEOUS

SEC. 6251. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this subtitle or the amendments made by this subtitle—

(1) affects or modifies any treaty or other right of any federally recognized Indian tribe; or

(2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

SEC. 6252. NO PRIORITY.

Nothing in this subtitle or the amendments made by this subtitle provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

Subtitle D—Water Infrastructure and Related Matters

PART I—FONTENELLE RESERVOIR

SEC. 6301. AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY OF FONTENELLE RESERVOIR AVAILABLE FOR USE.

(a) **IN GENERAL.**—The Secretary of the Interior, in cooperation with the State of Wyoming, may amend the Definite Plan Report for the Seedskadee Project authorized under the first section of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620), to provide for the study, design, planning, and construction activities that will enable the use of all active storage capacity (as may be defined or limited by legal, hydrologic, structural, engineering, economic, and environmental considerations) of Fontenelle Dam and Reservoir, including the placement of sufficient riprap on the upstream face of Fontenelle Dam to allow the active storage capacity of Fontenelle Reservoir to be used for those purposes for which the Seedskadee Project was authorized.

(b) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—The Secretary of the Interior may enter into any contract, grant, cooperative agreement, or other agreement that is necessary to carry out subsection (a).

(2) **STATE OF WYOMING.**—

(A) **IN GENERAL.**—The Secretary of the Interior shall enter into a cooperative agreement with the State of Wyoming to work in cooperation and collaboratively with the State of Wyoming for planning, design, related preconstruction activities, and construction of any modification of the Fontenelle Dam under subsection (a).

(B) **REQUIREMENTS.**—The cooperative agreement under subparagraph (A) shall, at a minimum, specify the responsibilities of the Secretary of the Interior and the State of Wyoming with respect to—

(i) completing the planning and final design of the modification of the Fontenelle Dam under subsection (a);

(ii) any environmental and cultural resource compliance activities required for the modification of the Fontenelle Dam under subsection (a) including compliance with—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(III) subdivision 2 of division A of subtitle III of title 54, United States Code; and

(iii) the construction of the modification of the Fontenelle Dam under subsection (a).

(c) **FUNDING BY STATE OF WYOMING.**—Pursuant to the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43 U.S.C. 395), and as a condition of providing any additional storage under subsection (a), the State of Wyoming shall provide to the Secretary of the Interior funds for any work carried out under subsection (a).

(d) **OTHER CONTRACTING AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of the Interior may enter into contracts with the State of Wyoming, on such terms and conditions as the Secretary of the Interior and the State of Wyoming may agree, for division of any additional active capacity made available under subsection (a).

(2) **TERMS AND CONDITIONS.**—Unless otherwise agreed to by the Secretary of the Interior and the State of Wyoming, a contract entered into under paragraph (1) shall be subject to the terms and conditions of Bureau of Reclamation Contract No. 14–06–400–2474 and Bureau of Reclamation Contract No. 14–06–400–6193.

SEC. 6302. SAVINGS PROVISIONS.

Unless expressly provided in this part, nothing in this part modifies, conflicts with, preempts, or otherwise affects—

(1) the Act of December 31, 1928 (43 U.S.C. 617 et seq.) (commonly known as the “Boulder Canyon Project Act”);

(2) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000);

(3) the Act of July 19, 1940 (43 U.S.C. 618 et seq.) (commonly known as the “Boulder Canyon Project Adjustment Act”);

(4) the Treaty between the United States of America and Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, and supplementary protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219);

(5) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31);

(6) the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);

(7) the Colorado River Basin Project Act (Public Law 90–537; 82 Stat. 885); or

(8) any State of Wyoming or other State water law.

PART II—BUREAU OF RECLAMATION TRANSPARENCY

SEC. 6311. FINDINGS.

Congress finds that—

(1) the water resources infrastructure of the Bureau of Reclamation provides important benefits related to irrigated agriculture, municipal and industrial water, hydropower, flood control, fish and wildlife, and recreation in the 17 Reclamation States;

(2) as of 2013, the combined replacement value of the infrastructure assets of the Bureau of Reclamation was \$94,500,000,000;

(3) the majority of the water resources infrastructure facilities of the Bureau of Reclamation are at least 60 years old;

(4) the Bureau of Reclamation has previously undertaken efforts to better manage the assets of the Bureau of Reclamation, including an annual review of asset maintenance activities of the Bureau of Reclamation known as the “Asset Management Plan”; and

(5) actionable information on infrastructure conditions at the asset level, including information on maintenance needs at individual assets due to aging infrastructure, is needed for Congress to conduct oversight of Reclamation facilities and meet the needs of the public.

SEC. 6312. DEFINITIONS.

In this part:

(1) **ASSET.**—

(A) **IN GENERAL.**—The term “asset” means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) **INCLUSIONS.**—The term “asset” includes assets described in subparagraph (A) that are considered to be mission critical.

(2) **ASSET MANAGEMENT REPORT.**—The term “Asset Management Report” means—

(A) the annual plan prepared by the Bureau of Reclamation known as the “Asset Management Plan”; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) **MAJOR REPAIR AND REHABILITATION NEED.**—The term “major repair and rehabilitation need” means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) **RECLAMATION FACILITY.**—The term “Reclamation facility” means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) **RECLAMATION PROJECT.**—The term “Reclamation project” means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) **RESERVED WORKS.**—The term “reserved works” means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

(7) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(8) **TRANSFERRED WORKS.**—The term “transferred works” means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal operations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

SEC. 6313. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) **INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.**—

(1) **IN GENERAL.**—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) **INCLUSIONS.**—To the extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) **RATING REQUIREMENTS.**—

(A) **IN GENERAL.**—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) **GUIDANCE.**—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) **PUBLIC AVAILABILITY.**—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the Internet, the Asset Management Report required under subsection (a).

(5) **CONFIDENTIALITY.**—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) **UPDATES.**—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 6314(b)(2).

(d) **CONSULTATION.**—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—

(1) the Secretary of the Army (acting through the Chief of Engineers); and

(2) water and power contractors.

SEC. 6314. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) **IN GENERAL.**—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 6313(b).

(b) **GUIDANCE.**—

(1) **IN GENERAL.**—After considering input from water and power contractors of the Bu-

reau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under section 6313(b)(3).

(2) **UPDATES.**—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 6313(c).

SEC. 6315. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h–13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by \$2,000,000.

PART III—YAKIMA RIVER BASIN WATER ENHANCEMENT

SEC. 6321. SHORT TITLE.

This part may be cited as the “Yakima River Basin Water Enhancement Project Phase III Act of 2016”.

SEC. 6322. MODIFICATION OF TERMS, PURPOSES, AND DEFINITIONS.

(a) **MODIFICATION OF TERMS.**—Title XII of Public Law 103–434 (108 Stat. 4550) is amended—

(1) by striking “Yakama Indian” each place it appears (except section 1204(g)) and inserting “Yakama”; and

(2) by striking “Superintendent” each place it appears and inserting “Manager”.

(b) **MODIFICATION OF PURPOSES.**—Section 1201 of Public Law 103–434 (108 Stat. 4550) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) to protect, mitigate, and enhance fish and wildlife and the recovery and maintenance of self-sustaining harvestable populations of fish and other aquatic life, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin through—

“(A) improved water management and the constructions of fish passage at storage and diversion dams, as authorized under the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.);

“(B) improved instream flows and water supplies;

“(C) improved water quality, watershed, and ecosystem function;

“(D) protection, creation, and enhancement of wetlands; and

“(E) other appropriate means of habitat improvement;”;

(2) in paragraph (2), by inserting “, municipal, industrial, and domestic water supply and use purposes, especially during drought years, including reducing the frequency and severity of water supply shortages for proratable irrigation entities” before the semicolon at the end;

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

“(3) to authorize the Secretary to make water available for purchase or lease for meeting municipal, industrial, and domestic water supply purposes;”;

(6) by redesignating paragraphs (5) and (6) as paragraphs (6) and (8), respectively;

(7) by inserting after paragraph (4) (as so redesignated) the following:

“(5) to realize sufficient water savings from implementing the Yakima River Basin Integrated Water Resource Management Plan, so that not less than 85,000 acre feet of water savings are achieved by implementing the first phase of the Integrated Plan pursuant to section 1213(a), in addition to the 165,000 acre feet of water savings targeted through the Basin Conservation Program, as authorized on October 31, 1994;”;

(8) in paragraph (6) (as so redesignated)—

(A) by inserting “an increase in” before “voluntary”; and

(B) by striking “and” at the end;

(9) by inserting after paragraph (6) (as so redesignated) the following:

“(7) to encourage an increase in the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities to enhance water management in the Yakima River basin;”;

(10) in paragraph (8) (as redesignated by paragraph (6)), by striking the period at the end and inserting a semicolon; and

(11) by adding at the end the following:

“(9) to improve the resilience of the ecosystems, economies, and communities in the Basin as they face drought, hydrologic changes, and other related changes and variability in natural and human systems, for the benefit of both the people and the fish and wildlife of the region; and

“(10) to authorize and implement the Yakima River Basin Integrated Water Resource Management Plan as Phase III of the Yakima River Basin Water Enhancement Project, as a balanced and cost-effective approach to maximize benefits to the communities and environment in the Basin.”;

(c) **MODIFICATION OF DEFINITIONS.**—Section 1202 of Public Law 103–434 (108 Stat. 4550) is amended—

(1) by redesignating paragraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (8), (10), (11), (13), (14), (15), (16), (18), and (19), respectively;

(2) by inserting after paragraph (5) the following:

“(6) **DESIGNATED FEDERAL OFFICIAL.**—The term ‘designated Federal official’ means the Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

“(7) **INTEGRATED PLAN.**—The terms ‘Integrated Plan’ and ‘Yakima River Basin Integrated Water Resource Plan’ mean the plan and activities authorized by the Yakima River Basin Water Enhancement Project Phase III Act of 2016 and the amendments made by that part, to be carried out in cooperation with and in addition to activities of the State of Washington and Yakama Nation.”;

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:

“(9) **MUNICIPAL, INDUSTRIAL, AND DOMESTIC WATER SUPPLY AND USE.**—The term ‘municipal, industrial, and domestic water supply and use’ means the supply and use of water for—

“(A) domestic consumption (whether urban or rural);

“(B) maintenance and protection of public health and safety;

“(C) manufacture, fabrication, processing, assembly, or other production of a good or commodity;

“(D) production of energy;

“(E) fish hatcheries; or

“(F) water conservation activities relating to a use described in subparagraphs (A) through (E).”;

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) PRORATABLE IRRIGATION ENTITY.—The term ‘proratable irrigation entity’ means a district, project, or State-recognized authority, board of control, agency, or entity located in the Yakima River basin that—

“(A) manages and delivers irrigation water to farms in the basin; and

“(B) possesses, or the members of which possess, water rights that are proratable during periods of water shortage.”; and

(5) by inserting after paragraph (16) (as redesignated by paragraph (1)) the following:

“(17) YAKIMA ENHANCEMENT PROJECT; YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.—The terms ‘Yakima Enhancement Project’ and ‘Yakima River Basin Water Enhancement Project’ mean the Yakima River basin water enhancement project authorized by Congress pursuant to this Act and other Acts (including Public Law 96-162 (93 Stat. 1241), section 109 of Public Law 98-381 (16 U.S.C. 839b note; 98 Stat. 1340), Public Law 105-62 (111 Stat. 1320), and Public Law 106-372 (114 Stat. 1425)) to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima River basin.”.

SEC. 6323. YAKIMA RIVER BASIN WATER CONSERVATION PROJECT.

Section 1203 of Public Law 103-434 (108 Stat. 4551) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking “title” and inserting “section”; and

(ii) in the third sentence, by striking “within 5 years of the date of enactment of this Act”; and

(B) in paragraph (2), by striking “irrigation” and inserting “the number of irrigated acres”; and

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in each of subparagraphs (A) through (D), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (E), by striking the comma at the end and inserting “; and”; and

(iii) in subparagraph (F), by striking “Department of Wildlife of the State of Washington, and” and inserting “Department of Fish and Wildlife of the State of Washington.”; and

(iv) by striking subparagraph (G);

(B) in paragraph (3)—

(i) in each of subparagraphs (A) through (C), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (D), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(F) provide recommendations to advance the purposes and programs of the Yakima Enhancement Project, including the Integrated Plan.”; and

(C) by striking paragraph (4) and inserting the following:

“(4) AUTHORITY OF DESIGNATED FEDERAL OFFICIAL.—The designated Federal official may—

“(A) arrange and provide logistical support for meetings of the Conservation Advisory Group;

“(B) use a facilitator to serve as a moderator for meetings of the Conservation Advisory Group or provide additional logistical support; and

“(C) grant any request for a facilitator by any member of the Conservation Advisory Group.”;

(3) in subsection (d), by adding at the end the following:

“(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

“(A) IN GENERAL.—The State or the Federal Government may fund not more than the 17.5 percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding by the Federal Government of the local share of the costs shall provide a quantifiable public benefit in meeting Federal responsibilities in the Basin and the purposes of this title.

“(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title.”;

(4) in subsection (e), by striking the first sentence and inserting the following: “To participate in the Basin Conservation Program, as described in subsection (b), an entity shall submit to the Secretary a proposed water conservation plan.”;

(5) in subsection (i)(3)—

(A) by striking “purchase or lease” each place it appears and inserting “purchase, lease, or management”; and

(B) in the third sentence, by striking “made immediately upon availability” and all that follows through “Committee” and inserting “continued as needed to provide water to be used by the Yakima Project Manager as recommended by the System Operations Advisory Committee and the Conservation Advisory Group”; and

(6) in subsection (j)(4), in the first sentence, by striking “initial acquisition” and all that follows through “flushing flows” and inserting “acquisition of water from willing sellers or lessors specifically to provide improved instream flows for anadromous and resident fish and other aquatic life, including pulse flows to facilitate outward migration of anadromous fish”.

SEC. 6324. YAKIMA BASIN WATER PROJECTS, OPERATIONS, AND AUTHORIZATIONS.

(a) YAKAMA NATION PROJECTS.—Section 1204 of Public Law 103-434 (108 Stat. 4555) is amended—

(1) in subsection (a)(2), in the first sentence, by striking “not more than \$23,000,000” and inserting “not more than \$100,000,000”; and

(2) in subsection (g)—

(A) by striking the subsection heading and inserting “REDESIGNATION OF YAKAMA INDIAN NATION TO YAKAMA NATION.”;

(B) by striking paragraph (1) and inserting the following:

“(1) REDESIGNATION.—The Confederated Tribes and Bands of the Yakama Indian Nation shall be known and designated as the ‘Confederated Tribes and Bands of the Yakama Nation.’; and

(C) in paragraph (2), by striking “deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Indian Nation.’” and inserting “deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Nation.’”.

(b) OPERATION OF YAKIMA BASIN PROJECTS.—Section 1205 of Public Law 103-434 (108 Stat. 4557) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting “additional” after “secure”;

(bb) by striking “flushing” and inserting “pulse”; and

(cc) by striking “uses” and inserting “uses, in addition to the quantity of water provided under the treaty between the Yakama Nation and the United States”;

(II) by striking clause (ii);

(III) by redesignating clause (iii) as clause (ii); and

(IV) in clause (ii) (as so redesignated) by inserting “and water rights mandated” after “goals”; and

(i) in subparagraph (B)(i), in the first sentence, by inserting “in proportion to the funding received” after “Program”;

(2) in subsection (b) (as amended by section 6322(a)(2)), in the second sentence, by striking “instream flows for use by the Yakima Project Manager as flushing flows or as otherwise” and inserting “fishery purposes, as”; and

(3) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Additional purposes of the Yakima Project shall be any of the following:

“(A) To recover and maintain self-sustaining harvestable populations of native fish, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin.

“(B) To protect, mitigate, and enhance aquatic life and wildlife.

“(C) Recreation.

“(D) Municipal, industrial, and domestic use.”.

(c) LAKE CLE ELUM AUTHORIZATION OF APPROPRIATIONS.—Section 1206(a)(1) of Public Law 103-434 (108 Stat. 4560), is amended, in the matter preceding subparagraph (A), by striking “at September” and all that follows through “to—” and inserting “not more than \$12,000,000 to—”.

(d) ENHANCEMENT OF WATER SUPPLIES FOR YAKIMA BASIN TRIBUTARIES.—Section 1207 of Public Law 103-434 (108 Stat. 4560) is amended—

(1) in the heading, by striking “SUPPLIES” and inserting “MANAGEMENT”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “supplies” and inserting “management”;

(B) in paragraph (1), by inserting “and water supply entities” after “owners”; and

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting “that choose not to participate or opt out of tributary enhancement projects pursuant to this section” after “water right owners”; and

(ii) in subparagraph (B), by inserting “non-participating” before “tributary water users”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking the paragraph designation and all that follows through “(but not limited to)—” and inserting the following:

“(1) IN GENERAL.—The Secretary, following consultation with the State of Washington, tributary water right owners, and the Yakama Nation, and on agreement of appropriate water right owners, is authorized to conduct studies to evaluate measures to further Yakima Project purposes on tributaries to the Yakima River. Enhancement programs that use measures authorized by this subsection may be investigated and implemented by the Secretary in tributaries to the Yakima River, including Taneum Creek, other areas, or tributary basins that currently or could potentially be provided supplemental or transfer water by entities, such as the Kittitas Reclamation District or the Yakima-Tieton Irrigation District, subject

to the condition that activities may commence on completion of applicable and required feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development, as appropriate. Measures to evaluate include—;

(ii) by indenting subparagraphs (A) through (F) appropriately;

(iii) in subparagraph (A), by inserting before the semicolon at the end the following: “, including irrigation efficiency improvements (in coordination with programs of the Department of Agriculture), consolidation of diversions or administration, and diversion scheduling or coordination”;

(iv) by redesignating subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively;

(v) by inserting after subparagraph (B) the following:

“(C) improvements in irrigation system management or delivery facilities within the Yakima River basin when those improvements allow for increased irrigation system conveyance and corresponding reduction in diversion from tributaries or flow enhancements to tributaries through direct flow supplementation or groundwater recharge;

“(D) improvements of irrigation system management or delivery facilities to reduce or eliminate excessively high flows caused by the use of natural streams for conveyance or irrigation water or return water”;

(vi) in subparagraph (E) (as redesignated by clause (iv)), by striking “ground water” and inserting “groundwater recharge and”;

(vii) in subparagraph (G) (as redesignated by clause (iv)), by inserting “or transfer” after “purchase”;

(viii) in subparagraph (H) (as redesignated by clause (iv)), by inserting “stream processes and” before “stream habitats”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the Taneum Creek study” and inserting “studies under this subsection”;

(ii) in subparagraph (B)—

(i) by striking “and economic” and inserting “, infrastructure, economic, and land use”; and

(II) by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) any related studies already underway or undertaken.”; and

(C) in paragraph (3), in the first sentence, by inserting “of each tributary or group of tributaries” after “study”;

(4) in subsection (c)—

(A) in the heading, by inserting “AND NON-SURFACE STORAGE” after “NONSTORAGE”; and

(B) in the matter preceding paragraph (1), by inserting “and nonsurface storage” after “nonstorage”;

(5) by striking subsection (d);

(6) by redesignating subsection (e) as subsection (d); and

(7) in paragraph (2) of subsection (d) (as so redesignated)—

(A) in the first sentence—

(i) by inserting “and implementation” after “investigation”;

(ii) by striking “other” before “Yakima River”; and

(iii) by inserting “and other water supply entities” after “owners”; and

(B) by striking the second sentence.

(e) CHANDLER PUMPING PLANT AND POWER-PLANT-OPERATIONS AT PROSSER DIVERSION DAM.—Section 1208(d) of Public Law 103-434 (108 Stat. 4562; 114 Stat. 1425) is amended by inserting “negatively” before “affected”.

(f) INTERIM COMPREHENSIVE BASIN OPERATING PLAN.—Section 1210(c) of Public Law 103-434 (108 Stat. 4564) is amended by striking “\$100,000” and inserting “\$200,000”.

(g) ENVIRONMENTAL COMPLIANCE.—Section 1211 of Public Law 103-434 (108 Stat. 4564) is amended by striking “\$2,000,000” and inserting “\$5,000,000”.

SEC. 6325. AUTHORIZATION OF PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

Title XII of Public Law 103-434 (108 Stat. 4550) is amended by adding at the end the following:

“SEC. 1213. AUTHORIZATION OF THE INTEGRATED PLAN AS PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

“(a) INTEGRATED PLAN.—

“(1) IN GENERAL.—The Secretary shall implement the Integrated Plan as Phase III of the Yakima River Basin Water Enhancement Project in accordance with this section and applicable laws.

“(2) INITIAL DEVELOPMENT PHASE OF THE INTEGRATED PLAN.—

“(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and Yakama Nation and subject to feasibility studies, environmental reviews, and the availability of appropriations, shall implement an initial development phase of the Integrated Plan, to—

“(i) complete the planning, design, and construction or development of upstream and downstream fish passage facilities, as previously authorized by the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.) at Cle Elum Reservoir and another Yakima Project reservoir identified by the Secretary as consistent with the Integrated Plan, subject to the condition that, if the Yakima Project reservoir identified by the Secretary contains a hydropower project licensed by the Federal Energy Regulatory Commission, the Secretary shall cooperate with the Federal Energy Regulatory Commission in a timely manner to ensure that actions taken by the Secretary are consistent with the applicable hydropower project license;

“(ii) negotiate long-term agreements with participating proratable irrigation entities in the Yakima Basin and, acting through the Bureau of Reclamation, coordinate between Bureaus of the Department of the Interior and with the heads of other Federal agencies to negotiate agreements concerning leases, easements, and rights-of-way on Federal land, and other terms and conditions determined to be necessary to allow for the non-Federal financing, construction, operation, and maintenance of—

“(I) new facilities needed to access and deliver inactive storage in Lake Kachess for the purpose of providing drought relief for irrigation (known as the ‘Kachess Drought Relief Pumping Plant’); and

“(II) a conveyance system to allow transfer of water between Keechelus Reservoir to Kachess Reservoir for purposes of improving operational flexibility for the benefit of both fish and irrigation (known as the ‘K to K Pipeline’);

“(iii) participate in, provide funding for, and accept non-Federal financing for—

“(I) water conservation projects, not subject to the provisions of the Basin Conservation Program described in section 1203, that are intended to partially implement the Integrated Plan by providing 85,000 acre-feet of conserved water to improve tributary and mainstem stream flow; and

“(II) aquifer storage and recovery projects;

“(iv) study, evaluate, and conduct feasibility analyses and environmental reviews of

fish passage, water supply (including groundwater and surface water storage), conservation, habitat restoration projects, and other alternatives identified as consistent with the purposes of this Act, for the initial and future phases of the Integrated Plan;

“(v) coordinate with and assist the State of Washington in implementing a robust water market to enhance water management in the Yakima River basin, including—

“(I) assisting in identifying ways to encourage and increase the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities in the Yakima River basin;

“(II) providing technical assistance, including scientific data and market information; and

“(III) negotiating agreements that would facilitate voluntary water transfers between entities, including as appropriate, the use of federally managed infrastructure; and

“(vi) enter into cooperative agreements with, or, subject to a minimum non-Federal cost-sharing requirement of 50 percent, make grants to, the Yakama Nation, the State of Washington, Yakima River basin irrigation districts, water districts, conservation districts, other local governmental entities, nonprofit organizations, and land owners to carry out this title under such terms and conditions as the Secretary may require, including the following purposes:

“(I) Land and water transfers, leases, and acquisitions from willing participants, so long as the acquiring entity shall hold title and be responsible for any and all required operations, maintenance, and management of that land and water.

“(II) To combine or relocate diversion points, remove fish barriers, or for other activities that increase flows or improve habitat in the Yakima River and its tributaries in furtherance of this title.

“(III) To implement, in partnership with Federal and non-Federal entities, projects to enhance the health and resilience of the watershed.

“(B) COMMENCEMENT DATE.—The Secretary shall commence implementation of the activities included under the initial development phase pursuant to this paragraph—

“(i) on the date of enactment of this section; and

“(ii) on completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development.

“(3) INTERMEDIATE AND FINAL PHASES.—

“(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and in consultation with the Yakama Nation, shall develop plans for intermediate and final development phases of the Integrated Plan to achieve the purposes of this Act, including conducting applicable feasibility studies, environmental reviews, and other relevant studies needed to develop the plans.

“(B) INTERMEDIATE PHASE.—The Secretary shall develop an intermediate development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 10 years after the date of enactment of this section.

“(C) FINAL PHASE.—The Secretary shall develop a final development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 20 years after the date of enactment of this section.

“(4) CONTINGENCIES.—The implementation by the Secretary of projects and activities

identified for implementation under the Integrated Plan shall be—

“(A) subject to authorization and appropriation;

“(B) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development;

“(C) implemented on public review and a determination by the Secretary that design, construction, and operation of a proposed project or activity is in the best interest of the public; and

“(D) in compliance with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

“(5) **PROGRESS REPORT.**—

“(A) **IN GENERAL.**—Not later than 5 years after the date of enactment of this section, the Secretary, in conjunction with the State of Washington and in consultation with the Yakama Nation, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a progress report on the development and implementation of the Integrated Plan.

“(B) **REQUIREMENTS.**—The progress report under this paragraph shall—

“(i) provide a review and reassessment, if needed, of the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan;

“(ii) assess, through performance metrics developed at the initiation of, and measured throughout the implementation of, the Integrated Plan, the degree to which the implementation of the initial development phase addresses the objectives and all elements of the Integrated Plan;

“(iii) identify the amount of Federal funding and non-Federal contributions received and expended during the period covered by the report;

“(iv) describe the pace of project development during the period covered by the report;

“(v) identify additional projects and activities proposed for inclusion in any future phase of the Integrated Plan to address the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan; and

“(vi) for water supply projects—

“(I) provide a preliminary discussion of the means by which—

“(aa) water and costs associated with each recommended project would be allocated among authorized uses; and

“(bb) those allocations would be consistent with the objectives of the Integrated Plan; and

“(II) establish a plan for soliciting and formalizing subscriptions among individuals and entities for participation in any of the recommended water supply projects that will establish the terms for participation, including fiscal obligations associated with subscription.

“(b) **FINANCING, CONSTRUCTION, OPERATION, AND MAINTENANCE OF KACHESS DROUGHT RELIEF PUMPING PLANT AND K TO K PIPELINE.**—

“(1) **AGREEMENTS.**—Long-term agreements negotiated between the Secretary and participating proratable irrigation entities in the Yakima Basin for the non-Federal financing, construction, operation, and maintenance of the Drought Relief Pumping Plant and K to K Pipeline shall include provisions regarding—

“(A) responsibilities of the participating proratable irrigation entities for the plan-

ning, design, and construction of infrastructure in consultation and coordination with the Secretary;

“(B) property titles and responsibilities of the participating proratable irrigation entities for the maintenance of and liability for all infrastructure constructed under this title;

“(C) operation and integration of the projects by the Secretary in the operation of the Yakima Project;

“(D) costs associated with the design, financing, construction, operation, maintenance, and mitigation of projects, with the costs of Federal oversight and review to be nonreimbursable to the participating proratable irrigation entities and the Yakima Project; and

“(E) responsibilities for the pumping and operational costs necessary to provide the total water supply available made inaccessible due to drought pumping during the preceding 1 or more calendar years, in the event that the Kachess Reservoir fails to refill as a result of pumping drought storage water during the preceding 1 or more calendar years, which shall remain the responsibility of the participating proratable irrigation entities.

“(2) **USE OF KACHESS RESERVOIR STORED WATER.**—

“(A) **IN GENERAL.**—The additional stored water made available by the construction of facilities to access and deliver inactive storage in Kachess Reservoir under subsection (a)(2)(A)(i)(I) shall—

“(i) be considered to be Yakima Project water;

“(ii) not be part of the total water supply available, as that term is defined in various court rulings; and

“(iii) be used exclusively by the Secretary—

“(I) to enhance the water supply in years when the total water supply available is not sufficient to provide 70 percent of proratable entitlements in order to make that additional water available up to 70 percent of proratable entitlements to the Kittitas Reclamation District, the Roza Irrigation District, or other proratable irrigation entities participating in the construction, operation, and maintenance costs of the facilities under this title under such terms and conditions to which the districts may agree, subject to the conditions that—

“(aa) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from Kachess Reservoir inactive storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

“(bb) the additional supply made available under this clause shall be available to participating individuals and entities in proportion to the proratable entitlements of the participating individuals and entities, or in such other proportion as the participating entities may agree; and

“(II) to facilitate reservoir operations in the reach of the Yakima River between Keechelus Dam and Easton Dam for the propagation of anadromous fish.

“(B) **EFFECT OF PARAGRAPH.**—Nothing in this paragraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

“(3) **COMMENCEMENT.**—The Secretary shall not commence entering into agreements pursuant to subsection (a)(2)(A)(ii) or subsection

(b)(1) or implementing any activities pursuant to the agreements before the date on which—

“(A) all applicable and required feasibility studies, environmental reviews, and cost-benefit analyses have been completed and include favorable recommendations for further project development, including an analysis of—

“(i) the impacts of the agreements and activities conducted pursuant to subsection (a)(2)(A)(ii) on adjacent communities, including potential fire hazards, water access for fire districts, community and homeowner wells, future water levels based on projected usage, recreational values, and property values; and

“(ii) specific options and measures for mitigating the impacts, as appropriate;

“(B) the Secretary has made the agreements and any applicable project designs, operations plans, and other documents available for public review and comment in the Federal Register for a period of not less than 60 days; and

“(C) the Secretary has made a determination, consistent with applicable law, that the agreements and activities to which the agreements relate—

“(i) are in the public interest; and

“(ii) could be implemented without significant adverse impacts to the environment.

“(4) **ELECTRICAL POWER ASSOCIATED WITH KACHESS DROUGHT RELIEF PUMPING PLANT.**—

“(A) **IN GENERAL.**—The Administrator of the Bonneville Power Administration, pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.), shall provide to the Secretary project power to operate the Kachess Pumping Plant constructed under this title if inactive storage in Kachess Reservoir is needed to provide drought relief for irrigation, subject to the requirements of subparagraphs (B) and (C).

“(B) **DETERMINATION.**—Power may be provided under subparagraph (A) only if—

“(i) there is in effect a drought declaration issued by the State of Washington;

“(ii) there are conditions that have led to 70 percent or less water delivery to proratable irrigation districts, as determined by the Secretary; and

“(iii) the Secretary determines that it is appropriate to provide power under that subparagraph.

“(C) **PERIOD OF AVAILABILITY.**—Power under subparagraph (A) shall be provided until the date on which the Secretary determines that power should no longer be provided under that subparagraph, but for not more than a 1-year period or the period during which the Secretary determines that drought mitigation measures are necessary in the Yakima River basin.

“(D) **RATE.**—The Administrator of the Bonneville Power Administration shall provide power under subparagraph (A) at the then-applicable lowest Bonneville Power Administration rate for public body, cooperative, and Federal agency customers firm obligations, which as of the date of enactment of this section is the priority firm Tier 1 rate, and shall not include any irrigation discount.

“(E) **LOCAL PROVIDER.**—During any period in which power is not being provided under subparagraph (A), the power needed to operate the Kachess Pumping Plant shall be obtained by the Secretary from a local provider.

“(F) **COSTS.**—The cost of power for such pumping, station service power, and all costs of transmitting power from the Federal Columbia River Power System to the Yakima

Enhancement Project pumping facilities shall be borne by irrigation districts receiving the benefits of that water.

“(G) DUTIES OF COMMISSIONER.—The Commissioner of Reclamation shall be responsible for arranging transmission for deliveries of Federal power over the Bonneville system through applicable tariff and business practice processes of the Bonneville system and for arranging transmission for deliveries of power obtained from a local provider.

“(C) DESIGN AND USE OF GROUNDWATER RECHARGE PROJECTS.—

“(1) IN GENERAL.—Any water supply that results from an aquifer storage and recovery project shall not be considered to be a part of the total water supply available if—

“(A) the water for the aquifer storage and recovery project would not be available for use, but instead for the development of the project;

“(B) the aquifer storage and recovery project will not otherwise impair any water supply available for any individual or entity entitled to use the total water supply available; and

“(C) the development of the aquifer storage and recovery project will not impair fish or other aquatic life in any localized stream reach.

“(2) PROJECT TYPES.—The Secretary may provide technical assistance for, and participate in, any of the following 3 types of groundwater recharge projects (including the incorporation of groundwater recharge projects into Yakima Project operations, as appropriate):

“(A) Aquifer recharge projects designed to redistribute Yakima Project water within a water year for the purposes of supplementing stream flow during the irrigation season, particularly during storage control, subject to the condition that if such a project is designed to supplement a mainstem reach, the water supply that results from the project shall be credited to instream flow targets, in lieu of using the total water supply available to meet those targets.

“(B) Aquifer storage and recovery projects that are designed, within a given water year or over multiple water years—

“(i) to supplement or mitigate for municipal uses;

“(ii) to supplement municipal supply in a subsurface aquifer; or

“(iii) to mitigate the effect of groundwater use on instream flow or senior water rights.

“(C) Aquifer storage and recovery projects designed to supplement existing irrigation water supply, or to store water in subsurface aquifers, for use by the Kittitas Reclamation District, the Roza Irrigation District, or any other proratable irrigation entity participating in the repayment of the construction, operation, and maintenance costs of the facilities under this section during years in which the total water supply available is insufficient to provide to those proratable irrigation entities all water to which the entities are entitled, subject to the conditions that—

“(i) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from aquifer storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

“(ii) nothing in this subparagraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

“(d) FEDERAL COST-SHARE.—

“(1) IN GENERAL.—The Federal cost-share of a project carried out under this section shall be determined in accordance with the applicable laws (including regulations) and policies of the Bureau of Reclamation.

“(2) INITIAL PHASE.—The Federal cost-share for the initial development phase of the Integrated Plan shall not exceed 50 percent of the total cost of the initial development phase.

“(3) STATE AND OTHER CONTRIBUTIONS.—The Secretary may accept as part of the non-Federal cost-share of a project carried out under this section, and expend as if appropriated, any contribution (including in-kind services) by the State of Washington or any other individual or entity that the Secretary determines will enhance the conduct and completion of the project.

“(4) LIMITATION ON USE OF OTHER FEDERAL FUNDS.—Except as otherwise provided in this title, other Federal funds may not be used to provide the non-Federal cost-share of a project carried out under this section.

“(e) SAVINGS AND CONTINGENCIES.—Nothing in this section shall—

“(1) be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.);

“(2) affect any contract in existence on the date of enactment of the Yakima River Basin Water Enhancement Project Phase III Act of 2016 that was executed pursuant to the reclamation laws;

“(3) affect any contract or agreement between the Bureau of Indian Affairs and the Bureau of Reclamation;

“(4) affect, waive, abrogate, diminish, define, or interpret the treaty between the Yakama Nation and the United States; or

“(5) constrain the continued authority of the Secretary to provide fish passage in the Yakima Basin in accordance with the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.).

“SEC. 1214. OPERATIONAL CONTROL OF WATER SUPPLIES.

“The Secretary shall retain authority and discretion over the management of project supplies to optimize operational use and flexibility to ensure compliance with all applicable Federal and State laws, treaty rights of the Yakama Nation, and legal obligations, including those contained in this Act. That authority and discretion includes the ability of the United States to store, deliver, conserve, and reuse water supplies deriving from projects authorized under this title.”

PART IV—RESERVOIR OPERATION IMPROVEMENT

SEC. 6331. RESERVOIR OPERATION IMPROVEMENT.

(a) DEFINITIONS.—In this section:

(1) RESERVED WORKS.—The term “reserved works” means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Army.

(3) TRANSFERRED WORKS.—The term “transferred works” means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity, under the provisions of a formal operation and maintenance transfer contract.

(4) TRANSFERRED WORKS OPERATING ENTITY.—The term “transferred works operating entity” means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) REPORT.—Not later than 360 days after the date of enactment of this Act, the Sec-

retary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report including, for any State in which a county designated by the Secretary of Agriculture as a drought disaster area during water year 2015 is located, a list of projects, including Corps of Engineers projects, and those non-Federal projects and transferred works that are operated for flood control in accordance with rules prescribed by the Secretary pursuant to section 7 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 890, chapter 665), including, as applicable—

(1) the year the original water control manual was approved;

(2) the year for any subsequent revisions to the water control plan and manual of the project;

(3) a list of projects for which—

(A) operational deviations for drought contingency have been requested;

(B) the status of the request; and

(C) a description of how water conservation and water quality improvements were addressed; and

(4) a list of projects for which permanent or seasonal changes to storage allocations have been requested, and the status of the request.

(c) PROJECT IDENTIFICATION.—Not later than 60 days after the date of completion of the report under subsection (b), the Secretary shall identify any projects described in the report—

(1) for which the modification of the water operations manuals, including flood control rule curve, would be likely to enhance existing authorized project purposes, including for water supply benefits and flood control operations;

(2) for which the water control manual and hydrometeorological information establishing the flood control rule curves of the project have not been substantially revised during the 15-year period ending on the date of review by the Secretary; and

(3) for which the non-Federal sponsor or sponsors of a Corps of Engineers project, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, has submitted to the Secretary a written request to revise water operations manuals, including flood control rule curves, based on the use of improved weather forecasting or run-off forecasting methods, new watershed data, changes to project operations, or structural improvements.

(d) PILOT PROJECTS.—

(1) IN GENERAL.—Not later than 1 year after the date of identification of projects under subsection (c), if any, the Secretary shall carry out not fewer than 15 pilot projects, which shall include not less than 6 non-Federal projects, to implement revisions of water operations manuals, including flood control rule curves, based on the best available science, which may include—

(A) forecast-informed operations;

(B) new watershed data; and

(C) if applicable, in the case of non-Federal projects, structural improvements.

(2) CONSULTATION.—In implementing a pilot project under this subsection, the Secretary shall consult with all affected interests, including—

(A) non-Federal entities responsible for operations and maintenance costs of a Federal facility;

(B) individuals and entities with storage entitlements; and

(C) local agencies with flood control responsibilities downstream of a facility.

(e) **COORDINATION WITH NON-FEDERAL PROJECT ENTITIES.**—If a project identified under subsection (c) is—

(1) a non-Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with the non-Federal project owner; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with the non-Federal project owner describing the scope and goals of the activity and the coordination among the parties; and

(2) a Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with each Federal and non-Federal entity (including a municipal water district, irrigation district, joint powers authority, transferred works operating entity, or other local governmental entity) that currently—

(i) manages (in whole or in part) a Federal dam or reservoir; or

(ii) is responsible for operations and maintenance costs; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with each such entity describing the scope and goals of the activity and the coordination among the parties.

(f) **CONSIDERATION.**—In designing and implementing a forecast-informed reservoir operations plan under subsection (d) or (g), the Secretary may consult with the appropriate agencies within the Department of the Interior and the Department of Commerce with expertise in atmospheric, meteorological, and hydrologic science to consider—

(1) the relationship between ocean and atmospheric conditions, including—

(A) the El Niño and La Niña cycles; and

(B) the potential for above-normal, normal, and below-normal rainfall for the coming water year, including consideration of atmospheric river forecasts;

(2) the precipitation and runoff index specific to the basin and watershed of the relevant dam or reservoir, including incorporating knowledge of hydrological and meteorological conditions that influence the timing and quantity of runoff;

(3) improved hydrologic forecasting for precipitation, snowpack, and soil moisture conditions;

(4) an adjustment of operational flood control rule curves to optimize water supply storage and reliability, hydropower production, environmental benefits for flows and temperature, and other authorized project benefits, without a reduction in flood safety; and

(5) proactive management in response to changes in forecasts.

(g) **FUNDING.**—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to fund all or a portion of the cost of carrying out a review or revision of operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, operational agreements with non-Federal entities, and any associated environmental documentation for—

(1) a Corps of Engineers project;

(2) a non-Federal project regulated for flood control by the Secretary; or

(3) a Bureau of Reclamation transferred works regulated for flood control by the Secretary.

(h) **EFFECT.**—

(1) **MANUAL REVISIONS.**—A revision of a manual shall not interfere with the authorized purposes of a Federal project or the existing purposes of a non-Federal project regulated for flood control by the Secretary.

(2) **EFFECT OF SECTION.**—

(A) Nothing in this section authorizes the Secretary to carry out, at a Federal dam or reservoir, any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act.

(B) Nothing in this section affects or modifies any obligation of the Secretary under State law.

(3) **BUREAU OF RECLAMATION RESERVED WORKS EXCLUDED.**—This section—

(A) shall not apply to any dam or reservoir operated by the Bureau of Reclamation as a reserved work, unless all non-Federal project sponsors of a reserved work jointly provide to the Secretary a written request for application of this section to the project; and

(B) shall apply only to Bureau of Reclamation transferred works at the written request of the transferred works operating entity.

(i) **MODIFICATIONS TO MANUALS AND CURVES.**—Not later than 180 days after the date of completion of a modification to an operations manual or flood control rule curve, the Secretary shall submit to the Congress a report regarding the components of the forecast-based reservoir operations plan incorporated into the change.

PART V—HYDROELECTRIC PROJECTS

SEC. 6341. TERROR LAKE HYDROELECTRIC PROJECT UPPER HIDDEN BASIN DIVERSION AUTHORIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **TERROR LAKE HYDROELECTRIC PROJECT.**—The term “Terror Lake Hydroelectric Project” means the project identified in section 1325 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3212), and which is Federal Energy Regulatory Commission project number 2743.

(2) **UPPER HIDDEN BASIN DIVERSION EXPANSION.**—The term “Upper Hidden Basin Diversion Expansion” means the expansion of the Terror Lake Hydroelectric Project as generally described in Exhibit E to the Upper Hidden Basin Grant Application dated July 2, 2014 and submitted to the Alaska Energy Authority Renewable Energy Fund Round VIII by Kodiak Electric Association, Inc.

(b) **AUTHORIZATION.**—The licensee for the Terror Lake Hydroelectric Project may occupy not more than 20 acres of Federal land to construct, operate, and maintain the Upper Hidden Basin Diversion Expansion without further authorization of the Secretary of the Interior or under the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

(c) **SAVINGS CLAUSE.**—The Upper Hidden Basin Diversion Expansion shall be subject to appropriate terms and conditions included in an amendment to a license issued by the Federal Energy Regulatory Commission pursuant to the Federal Power Act (16 U.S.C. 791a et seq.), including section 4(e) of that Act (16 U.S.C. 797(e)), following an environmental review by the Commission under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 6342. STAY AND REINSTATEMENT OF FERC LICENSE NO. 11393 FOR THE MAHONEY LAKE HYDROELECTRIC PROJECT.

(a) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Federal Energy Regulatory Commission.

(2) **LICENSE.**—The term “license” means the license for Commission project number 11393.

(3) **LICENSEE.**—The term “licensee” means the holder of the license.

(b) **STAY OF LICENSE.**—On the request of the licensee, the Commission shall issue an order continuing the stay of the license.

(c) **LIFTING OF STAY.**—On the request of the licensee, but not later than 10 years after the date of enactment of this Act, the Commission shall—

(1) issue an order lifting the stay of the license under subsection (b); and

(2) make the effective date of the license the date on which the stay is lifted under paragraph (1).

(d) **EXTENSION OF LICENSE.**—On the request of the licensee and notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) for commencement of construction of the project subject to the license, the Commission shall, after reasonable notice and in accordance with the good faith, due diligence, and public interest requirements of that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods, notwithstanding any other provision of law.

(e) **EFFECT.**—Nothing in this section prioritizes, or creates any advantage or disadvantage to, Commission project number 11393 under Federal law, including the Federal Power Act (16 U.S.C. 791a et seq.) or the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), as compared to—

(1) any electric generating facility in existence on the date of enactment of this Act; or

(2) any electric generating facility that may be examined, proposed, or developed during the period of any stay or extension of the license under this section.

SEC. 6343. EXTENSION OF DEADLINE FOR HYDROELECTRIC PROJECT.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SEC. 6344. EXTENSION OF DEADLINE FOR CERTAIN OTHER HYDROELECTRIC PROJECTS.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) projects numbered 12737 and 12740, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence,

and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—If the period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

SEC. 6345. EQUUS BEDS DIVISION EXTENSION.

Section 10(h) of Public Law 86-787 (74 Stat. 1026; 120 Stat. 1474) is amended by striking “10 years” and inserting “20 years”.

SEC. 6346. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CANNONS-VILLE DAM.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—

(1) **IN GENERAL.**—If the required date of the commencement of construction described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) **EXTENSION.**—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

PART VI—PUMPED STORAGE HYDROPOWER COMPENSATION

SEC. 6351. PUMPED STORAGE HYDROPOWER COMPENSATION.

Not later than 180 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall initiate a proceeding to identify and determine the market, procurement, and cost recovery mechanisms that would—

(1) encourage development of pumped storage hydropower assets; and

(2) properly compensate those assets for the full range of services provided to the power grid, including—

(A) balancing electricity supply and demand;

(B) ensuring grid reliability; and

(C) cost-effectively integrating intermittent power sources into the grid.

SA 3229. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. PROGRAM TO REDUCE THE POTENTIAL IMPACTS OF SOLAR ENERGY FACILITIES ON CERTAIN SPECIES.

In carrying out a program of the Department relating to solar energy or the conduct of solar energy projects using funds provided by the Department, the Secretary shall establish a program to undertake research that—

(1) identifies baseline avian populations and mortality; and

(2) quantifies the impacts of solar energy projects on birds, as compared to other threats to birds.

SA 3230. Mr. FRANKEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. ESTABLISHMENT OF STRATEGIC TRANSFORMER RESERVE.

Section 61004 of the Fixing America's Surface Transportation Act (Public Law 114-94) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (O), by striking “and” at the end;

(B) by redesignating subparagraph (P) as subparagraph (Q); and

(C) by inserting after subparagraph (O) the following:

“(P) ways in which to prioritize the use of domestically sourced materials in manufacturing the components of the Strategic Transformer Reserve; and”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

“(d) **ESTABLISHMENT.**—On or after the date that is 180 days after the date on which the Strategic Transformer Reserve plan is submitted to Congress under subsection (c)(1), the Secretary may establish a Strategic Transformer Reserve in accordance with the Strategic Transformer Reserve plan.”.

SA 3231. Mr. HELLER (for himself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. CONSIDERATION OF ENERGY STORAGE SYSTEMS.

(a) **IN GENERAL.**—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(20) **CONSIDERATION OF ENERGY STORAGE SYSTEMS.**—Each State shall consider requiring that, as part of a supply side resource planning process, an electric utility of the State demonstrate to the State that the

electric utility considered an investment in energy storage systems based on appropriate factors, including—

“(A) total costs and normalized life-cycle costs;

“(B) cost-effectiveness;

“(C) improved reliability;

“(D) security; and

“(E) system performance and efficiency.”.

(b) **TIME LIMITATIONS.**—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

“(7)(A) Not later than 1 year after enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority) and each nonregulated utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

“(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State regulatory authority has ratemaking authority), and each nonregulated electric utility, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to the standard established by paragraph (20) of section 111(d).”.

(c) **FAILURE TO COMPLY.**—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: “In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph.”.

(d) **PRIOR STATE ACTIONS.**—Section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) is amended in the matter preceding paragraph (1) by striking “(19)” and inserting “(20)”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 2, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2016, at 5 p.m., to conduct a classified briefing entitled “Russia, the European Union, and American Foreign Policy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 2, 2016, at 10:15 a.m., to conduct a hearing entitled “Frontline Response to Terrorism in America.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 2, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Failures and Future of the EB-5 Regional Center Program: Can it be Fixed."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 2, 2016, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights be authorized to meet during the session of the Senate on February 2, 2016, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "License to Compete: Occupational Licensing and the State Action Doctrine."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HATCH. Mr. President, I ask unanimous consent that Dane Karvois, a member of my staff, be granted floor privileges through the end of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CANTWELL. Mr. President, I ask unanimous consent that Senator FRANKEN's energy policy fellow, Michael Glotter, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. Mr. President, I ask unanimous consent that two legislative fellows in my office, Dr. Lauren Stump and Mr. Tom Zarzecki, be granted floor privileges throughout the remainder of the year.

The PRESIDING OFFICER. Without objection, it is so ordered.

REQUIRING THE SECRETARY OF THE ARMY TO UNDERTAKE REMEDIATION OVERSIGHT OF THE WEST LAKE LANDFILL

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Environment and Public

Works be discharged from further consideration of S. 2306 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The bill clerk read as follows:

A bill (S. 2306) to require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri.

There being no objection, the Senate proceeded to consider the bill.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2306) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRANSFER OF OVERSIGHT AUTHORITY FROM EPA TO CORPS OF ENGINEERS.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

(2) SITE.—The term "site" means the West Lake Landfill located in Bridgeton, Missouri.

(b) TRANSFER.—Notwithstanding any other provision of law, as soon as practicable after the date of enactment of this Act, the Secretary shall—

(1) under the Formerly Utilized Sites Remedial Action Program, undertake the functions and activities described in section 611 of the Energy and Water Development Appropriations Act, 2000 (10 U.S.C. 2701 note; 113 Stat. 502) as the lead agency responding to radioactive contamination at the site; and

(2) carry out remediation activities at the site in accordance with that section.

(c) COST RECOVERY.—The Secretary, in coordination with the Administrator of the Environmental Protection Agency and the Attorney General, shall—

(1) seek to recover any response costs incurred by the Secretary in carrying out this section in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) return any funds that are recovered under paragraph (1) to be used to carry out the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers.

(d) FUNDING.—The Secretary shall use amounts made available to the Secretary to carry out the Formerly Utilized Sites Remedial Action Program to carry out this section.

(e) SAVINGS PROVISIONS.—

(1) NO LIABILITY.—Nothing in subsection (b) creates liability for—

(A) the Secretary for—

(i) contamination at the site; or

(ii) any actions or failures to act by any past, current, or future licensees, owners, operators, or users of the site; or

(B) any other party involved with the site.

(2) NO EFFECT ON LIABILITY UNDER OTHER LAW.—Nothing in subsection (b) alters the li-

ability of any party relating to the site under any other provision of law.

(3) NO EFFECT ON SUPERFUND STATUS; NATIONAL PRIORITIES LIST DESIGNATION.—Nothing in this Act affects the designation of the site as a Superfund site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the listing of the site on the national priorities list under section 105 of that Act (42 U.S.C. 9605).

RESOLUTIONS SUBMITTED TODAY

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 353, S. Res. 354, S. Res. 355, and S. Res. 356.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—H.R. 4168

Ms. MURKOWSKI. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 4168) to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

Ms. MURKOWSKI. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

ORDERS FOR WEDNESDAY, FEBRUARY 3, 2016

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, February 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for

their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein; further, that the time be equally divided, with the Democrats controlling the first half and the majority controlling the final half; further, that following morning business, the Senate then resume consideration

of S. 2012; finally, that the filing deadline for all first-degree amendments to the Murkowski substitute amendment No. 2953 and the underlying bill, S. 2012, be at 1 p.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:38 p.m., adjourned until Wednesday, February 3, 2016, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, February 2, 2016

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

ENDING HUMAN TRAFFICKING

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise in support of H.R. 515, and I commend Congressman SMITH for his continued leadership efforts to combat human trafficking. It is an issue many of us take very, very seriously.

This Congress, the House has passed several commonsense, bipartisan pieces of legislation to end human trafficking, and we remain dedicated to finding solutions to prevent this criminal activity, to protect victims, and to prosecute those individuals who seek to exploit innocent children.

One year ago today, I spoke on this critical piece of legislation when it first came to the House floor. I am glad the Senate has finally considered it, and I am proud to be standing here again today as this legislation will finally make its way to the President's desk for his signature following the legislation's passage here in the House.

Mr. Speaker, human trafficking is not a distant concept. It exists in communities across America. An estimated 300,000 young Americans are in danger of becoming victims of sex trafficking. The average age, believe it or not, is 12 to 14 years old for girls. Last year alone, my home State of Pennsylvania had a total of 106 reported cases of human trafficking and 514 calls of human trafficking violations. In fact, Pennsylvania has stepped up the fight by enacting stricter human trafficking laws, and it was named one of the top five "most improved" States by the Polaris Project.

The legislation we have passed here in the House is another step in the

right direction. We have made progress, but there is more that we can and must do. I look forward to working with my colleagues to continue the fight against human trafficking.

BARCLAY GROUNDS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I also rise to highlight the success of a local land preservation effort in West Chester Borough, Chester County, Pennsylvania.

The Barclay Grounds, located in West Chester Borough, is a beautiful property. The land has a rich history dating back to William Penn's charter from the King. Over the years, it has served as an orchard and has been utilized for agricultural purposes as well as for passive recreation activities. For over 2 years, local officials and grassroots volunteers have worked on a common mission: to preserve the Barclay Grounds for future generations.

I can recall, when I was a county commissioner, when a gentleman by the name of John Cottage, who founded the Barclay Grounds Preservation Alliance, came in to see us, and I and my then-colleagues on the Board of County Commissioners, Terence Farrell and Kathi Cozzone, decided that this was a worthwhile endeavor. We provided the seed funding, if you will, to help kickstart the grant application process for several funding streams to make sure that we would be able to preserve the Barclay Grounds.

I am pleased to stand before this country today and say that a group of local officials and local volunteers did something great in a local community that is going to preserve for future generations a really historic, cultural, and environmental gem.

I commend the dedicated officials in the West Chester community, including the West Chester Borough Council, a lot of people involved in the preservation movement, including the grant writing teams at the Natural Lands Trust, as well as the Brandywine Conservancy and many others, for their efforts to preserve this passive park.

RECESS

The SPEAKER pro tempore (Mr. HARDY). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 4 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of mercy, we give You thanks for giving us another day.

With exciting news for some, disappointing for others, and remarkable for our Nation, the Members of this assembly gather to address the work that is theirs to perform.

May each Member be reminded of the responsibility before them and, amidst the heightened emotions of this day, properly and accurately discern substance from distraction.

We thank You for the incredible gift of our representative democracy still being forged in the river of time that is American history. May the work done in the people's House through these days prove to be historically fruitful and edifying for generations of Americans to come.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CONGRATULATING FLONNIE ANDERSON

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to recognize Flonnie Anderson of Winston-Salem, North Carolina. This remarkable and talented woman has spent her life accomplishing things ahead of her time, from majoring in theater during the 1940s to helping desegregate a community, to starting her own theater group.

As a teacher at Parkland High School in 1970, Mrs. Anderson directed a play that starred both African American and Caucasian students, a first in the history of Forsyth County schools. As a director, she also helped integrate the theater department at Wake Forest University.

She was the first African American actress to perform with the Little Theatre of Winston-Salem. From that point on, the Little Theatre became known as a place where the African American community could be treated equally.

In recognition of her 34 years as an educator, Parkland High School in Winston-Salem has named their auditorium for Mrs. Anderson. This honor is well deserved and pays tribute to her lasting impact in the local community.

HUMANITARIAN CRISIS IN MADAYA, SYRIAN

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in order to bring attention to the ongoing humanitarian crisis in Madaya, Syria.

The inhabitants of Madaya are unable to leave and are threatened daily by regime snipers and antipersonnel mines that surround their city. Over 40,000 civilians have been kept from receiving vital humanitarian aid. And, yes, this has resulted in mass starvation.

Sadly, Madaya is not unique in its suffering. There are Madayas all over Syria—cities under siege—caught in the middle of this vicious fighting, cities with inhabitants in dire need of food, water, and medical attention.

I urge Congress, the President, and the international community to do more in response to the humanitarian crisis that is going on in Syria. Enough is enough. We have to stop these tragedies from happening. It is our collective responsibility to do everything in our power; so let's do it.

IRANIAN NUCLEAR DEAL SUPPORTS TERRORISM

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the fantasy Iranian nuclear deal went into effect on January 16, giving the Iranian regime billions of dollars to support terrorism, expand its ballistic missile program, and threaten American families with attacks.

Just 2 weeks ago Secretary of State John Kerry admitted that some of the funds would go to terrorist groups. What is worse, the Secretary believes there is no way to prevent the funds from supporting terrorist activity to kill American families. We must and should be clear that the United States has zero tolerance for terrorism or regimes that support terrorism.

I am grateful to cosponsor the bipartisan Zero Tolerance for Terror Act. This critical legislation gives Congress the ability to act quickly and effectively when Iran violates the existing restrictions. We should take every effort to protect American families and our Persian Gulf allies from an irrational regime that promotes "death to America, death to Israel."

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

GREENSBORO FOUR SIT-INS

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, yesterday marked the anniversary of the Greensboro Four sit-ins.

Fifty-six years ago four North Carolina A&T freshmen decided to peacefully challenge racial segregation in my hometown of Greensboro and the community I'm proud to serve in Congress.

Joseph McNeil, Jibreel Khazan, Franklin McCain, and David Richmond sat at a whites-only lunch counter inside a Greensboro Woolworth store. These young men sparked a wave of peaceful protests that spanned the State and Nation, helping to put an end to racial segregation.

I remember traveling through North Carolina as a young girl and going to the back door of restaurants because I couldn't sit inside. Because of the Greensboro Four, my children, my grandchildren, and future generations won't have to share in my experience.

My bipartisan resolution, H. Res. 128, honors these four courageous men and recognizes their impact. It has the support of 62 Members of Congress from both sides of the aisle.

Today I am calling on my colleagues to support and pass this resolution in honor of the Greensboro Four and all of the students who stood up for equality by sitting down to end racial segregation.

ROADBLOCK HUMAN TRAFFICKING

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today to speak up on behalf of the millions of people across the world who suffer under the injustice of modern-day slavery.

Last month the House observed Human Trafficking Awareness Month to shine light on this horrific crime. The injustice of human trafficking knows no political party or geographical boundary. It happens right in our backyards.

Yesterday the House took important steps in passing two bills to strengthen our response to trafficking. I have also recently introduced H.R. 4406, the Enhancing Detection of Human Trafficking Act, legislation which ensures the Department of Labor effectively trains its employees to recognize and respond to the illegal trade of people for exploitation or commercial gain.

It will take close coordination from stakeholders at every level to eradicate this unthinkable crime. Together, our voices and actions can help bring freedom to the oppressed.

FIGHT TO CURE CANCER

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, 3 weeks ago President Obama in this very Chamber called for a national moonshot initiative to fight cancer. Yesterday the White House proposed to allocate \$1 billion over the next 2 years to supplement cancer research efforts that are underway.

The President said cancer research is at an inflection point, and he is right. One need only to look at the groundbreaking work on immunotherapy underway at the Roswell Park Cancer Institute in Buffalo to see how far the science has come.

Last year Congress came together to increase funding to the National Institutes of Health by \$2 billion, including a 5 percent increase to the National Cancer Institute. Now is not the time to let up. It is time to accelerate and expand our Nation's cancer fight.

Next month the House will consider a budget resolution. I call on House leaders to stand behind our scientists to support Americans living with cancer and to include robust funding for cancer research.

SHAKESPEARE'S FIRST FOLIOS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, just across the street is the world's largest Shakespeare collection. The Folger Shakespeare Library is home to more Shakespeare "First Folios" than anywhere else in the world.

Published in 1623, the "First Folio" is the first printed collection of Shakespeare's plays. Without it, 18 plays, including "Macbeth," "Julius Caesar," and "The Tempest," could have been lost.

This year, as part of a national celebration marking the 400th anniversary of Shakespeare's death, the Folger Shakespeare Library is touring a "First Folio" around the country. Schoolchildren, theater lovers, and Shakespeare enthusiasts alike will witness with their own eyes the book that gave us Shakespeare.

During the month of February, the 10th District of Illinois is hosting the "First Folio." The Lake County Forest Preserve District's Lake County Discovery Museum has the honor to present the exhibition "First Folio! The Book That Gave Us Shakespeare."

This will offer the public a once-in-a-lifetime opportunity to see this influential and treasured book and experience the powerful words of William Shakespeare.

Mr. Speaker, I encourage everyone who is able to take advantage of this amazing opportunity.

MOURNING THE HONORABLE GILBERT KAHELE

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, this morning in Hawaii, in just a couple of hours, the people of the Aloha State are gathering at the Hawaii State Capitol to perform the Kanikau, a morning chant, as they bid farewell and celebrate the life of a great man and dedicated public servant who passed away suddenly last week.

The Honorable Gilbert Kahele was born in a small fishing village in Milolii on May 15, 1942. He is a native Hawaiian, a very talented musician, and a community activist who selflessly served our country as a U.S. marine, served Hawaii as a State senator, and served his community of Hawaii as a fierce advocate.

I saw Gil recently here in Washington, D.C., just a few months ago, where, as always, he was ready with a smile, a hug, and warm aloha.

My heart is with the Kahele 'ohana and all of Hawaii island as today we celebrate Gil's life of service and the positive impact he made on countless lives.

Gil, mahalo nui loa for dedicating your life to serving others and for demonstrating how much we can achieve when we work together in the spirit of aloha.

PUNXSUTAWNEY PHIL PREDICTS EARLY SPRING

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today with good news. Early this morning in Punxsutawney, Pennsylvania, located in the Commonwealth's Fifth Congressional District, Punxsutawney Phil predicted an early spring.

In the 130 years Phil has predicted the weather on February 2, this is only the 18th time that he has called for an early spring. Now, I know that I join many of my colleagues from across the Nation in a bipartisan fashion in hoping that this prediction comes true.

Groundhog Day means so much to Punxsutawney and the communities which surround it. This tradition has its roots which go back centuries, but the celebration in Punxsutawney got a start in 1886, one year before the first trek to the celebration's official home of Gobbler's Knob.

Since the start of the celebration, Phil has been joined on February 2 by movie stars such as Bill Murray and several Governors of Pennsylvania. And, yes, I have attended the festivities a few times. Phil even visited President Ronald Reagan at the White House.

It is wonderful to see such dedication from the people of Punxsutawney to this great tradition, which brings in visitors from across the world to Pennsylvania.

□ 1215

LET'S MAKE 2016 A YEAR OF ACTION

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, our economy has made solid gains since 2009. We have added millions of jobs. Businesses are hiring. Our economy is growing.

In the Second District, we are seeing signs of recovery through small business growth and new startups like The New Look Restaurant and Bar owned by Nate and Cleo Pendleton.

But the fact remains that the American Dream still remains out of reach for far too many families. Today 8 million Americans are searching for well-paying jobs 7 years after the end of the recession.

Each year at my annual jobs fair, I meet hundreds of these qualified Americans who are tired of searching for good jobs. They are single mothers in night school. They are fathers working two part-time jobs to keep a roof over their family's heads. They are veterans who survived the fight abroad only to fight for employment at home. They

are seniors who have to reenter the workforce after their retirement savings were wiped out.

These Americans deserve a government that will pass impactful jobs legislation. Let's make 2016 a year of action and economic prosperity.

COMMEMORATING 25 YEARS OF SERVICE FOR TRINITY BAPTIST COMMUNITY CHURCH INTER- NATIONAL

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to commemorate 25 years of faithful service carried out by members at Trinity Baptist Community Church International in Crystal Lake, Illinois.

Founded in 1991 by Senior Pastor Bishop Dr. Michael J. Love, the church has been a light to the surrounding community and to people around the world, demonstrating in word and deed Christ's command to love one's neighbor as oneself.

Through a myriad of initiatives, members have provided job skills training to struggling workers and relief to the impoverished.

Bishop Love's prison outreach ministry is well known to McHenry County and is a respected partner to the McHenry County Correctional Facility. Their diligence demonstrates the integral role faith plays in our local communities by bringing people together, united by common beliefs to help each other.

Like the Good Samaritan, they understand that "neighbor" sometimes includes those outside of their communities. That is why they have been involved with over 100 ministries across the globe, sharing the gospel and serving the people of Haiti, India, and the Dominican Republic, among others.

May God bless Trinity Baptist in its next 25 years of service.

AFFORDABLE CARE ACT IS HELPING PEOPLE

(Ms. BASS asked and was given permission to address the House for 1 minute.)

Ms. BASS. Mr. Speaker, I rise today to support the Affordable Care Act and to urge this House to sustain President Obama's veto of the legislation to repeal it.

During our last recess, I visited St. John's Well Child and Family Center, an anchor in the south Los Angeles community that provides quality health care for the community regardless of the patient's ability to pay.

The Affordable Care Act has enabled St. John's to expand and improve its facilities and increase its services, including updating and modernizing its children's dental services. This is an example of the dental clinic.

Because California embraced the law, St. John's is now able to serve over 53,000 new patients. Repealing the law would be detrimental. As St. John's Executive Director Jim Mangia told me: Repealing the Affordable Care Act would strip away health insurance from 26,000 of St. John's patients. That is 26,000 patients from that one clinic alone.

Our primary goal in Congress should be helping people, not voting away their health insurance.

REMEMBERING DONALD "BUDDY" WRAY

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to honor the life and legacy of one of Arkansas' most treasured business leaders, Donald "Buddy" Wray.

Mr. Wray, the former president of Tyson Foods, in Springdale, died late last month at the age of 78. Buddy spent more than 40 years with Tyson Foods, growing and supporting good jobs in Arkansas.

Buddy was an avid hunter, an outdoorsman, and a proud fan of the Arkansas Razorbacks. He spent much of his time helping our local communities. In particular, he was an avid member of the Kiwanis Club in Springdale.

Buddy's work and legacy has been recognized by numerous organizations, and he was inducted into both the Arkansas Agriculture Hall of Fame and the Business Hall of Fame. He has left a lasting impact on our State and will be greatly missed by all of us.

I extend my respect, affection, and prayers to his many friends, family, and loved ones.

SECURE OUR SKIES ACT

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, human trafficking, which affects more than 21 million people worldwide, is an insidious crime that we must rout out wherever it exists. That is why today I am joining with my Republican colleague, Congresswoman BARBARA COMSTOCK, to introduce the Secure Our Skies Act, a bipartisan bill that will give our airline employees the tools that they need to combat human trafficking and close off the airways to perpetrators of this heinous crime.

The Secure Our Skies, or SOS, Act ensures that all airlines develop training for their frontline employees on the best ways to recognize and report the often subtle signs of human trafficking. This legislation builds on the work of the Blue Lightning campaign, a voluntary program developed by the

Departments of Homeland Security and Transportation with the assistance of the Association of Flight Attendants, who are real champions for this training.

Sadly, reported cases of human trafficking are growing here at home and around the globe. We all have to play a role in stopping human trafficking, and this legislation will ensure our airline personnel can spot the signs and stop the crimes.

KEEP POUNDING

(Mrs. ELLMERS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ELLMERS of North Carolina. Mr. Speaker, "Keep Pounding" is the motto of my Carolina Panthers and one that transcends the football field.

Even when Sam Mills was diagnosed with colon cancer—Sam was one of the team's coaches and a former player—he kept fighting. He was undergoing radiation and chemotherapy treatments but kept pounding.

Now this phrase is used to inspire players and to remind the team to keep fighting, even when they are feeling weak or run down.

Mr. Speaker, just as the Panthers keep pounding all the way to the Super Bowl, the Committee on Energy and Commerce keeps pounding in a bipartisan manner to discover cures and fund research for many of the rare cancers and diseases that exist today.

The 21st Century Cures initiative, which passed the House last July, will allow us to develop cures for cancer, like the one that took Sam Mills from this world and the one that affects our young superfan, Braylin Beam, who courageously battles each day.

During this year's Super Bowl, I encourage fans everywhere to remember those who have been the inspiration behind our motto, "Keep Pounding."

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Spring, Texas, July 9, 2014:

Stephen Robert Stay, 39 years old.

Katie Stay, 33 years old.

Brian Stay, 13.

Emily Stay, 9.

Rebecca Stay, 7.

Zachary Stay, 4.

Pendleton, South Carolina, November 1, 2015:

Violet Taylor, 82 years old.

Barbara Scott, 80 years old.

Kathy Scott, 60.

Michael Scott, 59.

Rockford, Illinois, December 20, 2014:

Demontae Rhodes, 24 years old.

Martia Flint, 24.

Tyrone Smith, 6 years old.

Tobias Smith, 4 years old.

Topeka, Kansas, December 1, 2013:

Marvin Lewis Woods, 56 years old.

Carla Jean Avery, 45.

Eric Christopher Avery, 43.

Tamesha Lee, 34.

Dallas, Texas, August 7, 2013:

Zina Bowser, 47.

Toya Smith, 43 years old.

Neima Williams, 28.

Tasmia Allen, 27.

AMERICAN HEART MONTH

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of American Heart Month and to remind Members of this week's National Wear Red Day.

Each February here in Congress and in communities around this country, we join together to raise awareness of heart disease, the number one cause of death for women. In fact, every minute heart disease kills another woman.

As co-chair of the bipartisan Congressional Heart and Stroke Coalition, I urge you to join us as we honor these women and those who will be affected in the future by participating in the National Wear Red Day campaign on Friday, February 5. By wearing red, we will unite with women from around the country to raise awareness of heart disease.

We can and we must continue to work together on behalf of our loved ones, our friends, our neighbors, and everyone affected by heart disease. We must reduce these numbers.

RECOGNIZING THE FIFTH ANNIVERSARY OF TERRY'S HOUSE

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise to recognize the fifth anniversary of Terry's House, a home that provides families with a place to stay when their loved ones are in critical care units at Fresno's Community Regional Medical Center.

The inspiration for the home came from Terry Richards, who suffered a serious head trauma when he was a child, and his mother had to travel over 80 miles a day to be with him.

Now, thanks to Terry's House, over 3,600 families from 42 States and 23 countries, who would otherwise have found themselves in similar circumstances, have been provided with an affordable, comfortable place to stay across the street from the hospital where their loved ones are.

Terry's House is dependent on generous supporters. I would like to thank them and their staff for all that they do for a positive difference for the families who are going through this very, very difficult time.

We cannot say thank you enough to my friend, Tom Richards, and his mother, Marie. Their efforts have made this important home a reality for all as a living memory for Terry, who is no longer with us. Thank God for them and thank God for Terry's House.

PROVIDING FOR CONSIDERATION OF H.R. 3700, HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2015

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 594 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 594

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-42. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1 hour.

Mr. STIVERS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. STIVERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

□ 1230

Mr. STIVERS. Mr. Speaker, on Monday, the Rules Committee met and reported out a rule for H.R. 3700, the Housing Opportunity Through Modernization Act of 2015. House Resolution 594 provides a structured rule for consideration of H.R. 3700.

The resolution provides 1 hour of debate equally divided between the chair and ranking minority member of the Committee on Financial Services. Additionally, the resolution provides for consideration of 14 amendments offered to H.R. 3700. Finally, Mr. Speaker, the resolution provides a motion to recommit for the bill.

Mr. Speaker, I rise today in support of the resolution and the underlying legislation. H.R. 3700 is a package of several bipartisan provisions that have been voted on by the House Financial Services Committee and received bipartisan support multiple times since 2006 in both Republican and Democratic Congresses.

H.R. 3700 cuts down on inefficient and duplicative regulations. The bill employs a commonsense approach to mitigating the overlapping and redundant procedures that have made rental assistance programs unnecessarily burdensome for some tenants as well as private owners and investors in affordable housing.

The portions of H.R. 3700 that are particularly important to me and many of the large metropolitan housing authorities around the country create positive changes based on project-based vouchers.

The Columbus Metropolitan Housing Authority, in my hometown, does a lot of vouchers. They have a strong record of converting slums into mixed-income neighborhoods. They help make sure that the needs of those who live there come first and that we help build strong communities around them.

An integral part of this approach is often project-based vouchers that can be provided to encourage the development of mixed-income housing facilities. However, because the Columbus Metropolitan Housing Authority is approaching its cap for project-based vouchers, as many metropolitan hous-

ing authorities around the country are, their capacity to build new mixed-income communities that are thriving and strong is at risk.

This bill authorizes public housing authorities to project-base up to 20 percent of its authorized voucher allocation rather than 20 percent of its voucher funding. This change ensures that the unauthorized number of vouchers is more stable. It will help make it easier for housing authorities to plan their future investments in the communities they serve.

Knowing Charles Hillman and the great people at the Columbus Metropolitan Housing Authority and the great work they do, I would sure hate to see them taken off the front lines in our war against poverty. We need to make this change. It is just one example of something that is really good in this bill.

According to the Congressional Budget Office, this bill is projected to actually save \$311 billion in discretionary spending over just the next 5 years. The savings associated with the flexibilities and regulatory burden relief provided to local housing authorities will result in substantial improvement in the return on investment for taxpayers and help make sure that the affordable housing programs we have are sustainable.

Mr. Speaker, the bill passed the Financial Services Committee, which I serve on, with a vote of 44-10—a strong bipartisan vote.

It is my understanding that the sponsor of this legislation has worked over the past few weeks with the ranking member of the committee, Ms. MAXINE WATERS of California, to address an amendment that she offered—which has been made in order under the rule—which will alleviate the concerns of some Members about this legislation.

So, even though it only passed 44-10—which is pretty good—I think we can actually see a bigger improvement when it hits the floor, because I think the sponsor has worked with the ranking member, Ms. MAXINE WATERS of California, to alleviate some of those concerns.

I look forward to debating this bill with our House colleagues, and I urge support for both the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend, the gentleman from Ohio, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise today to discuss H.R. 3700, the Housing Opportunity Through Modernization Act of 2015. This bill includes modifications and updates to several existing laws pertaining to housing—and low-income housing, in particular.

Many of these changes clarify and improve specific regulations for the benefit of those providing low-income housing and those benefiting from the availability of low-income housing. In fact, this bill improves access to affordable housing for the most vulnerable, such as low-income families and veterans.

It is apparent that much work has been involved in finding a balance, and the authors and committee members of both parties are to be commended for their efforts. With that being said, it is important to note that a provision of this bill will effectively raise rents for thousands of families with children and, ultimately, make it more difficult for some low-income parents to maintain employment.

The deduction provisions in this bill, as it is currently worded, raise rents for some of the lowest income families in the country. A quarter of households facing rent increases of \$25 or more a month are families with children whose childcare deduction would be reduced.

I hope that this important issue of childcare deductions will be addressed. My colleague from Ohio just spoke about the work that our colleagues, the chair of this committee and the ranking member, have done to perhaps cause this measure to go forward and not be derailed because of the measure of reducing the childcare deduction for families.

Mr. Speaker, I reserve the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself such time as I may consume.

I want to quickly address the issue raised by the gentleman. I alluded to it, but I didn't speak to it maybe as clearly as I should have.

I believe that there is an agreement between the chairman of the subcommittee as well as the ranking member of the full committee on an amendment that Ms. WATERS is offering with regard to the provision that you refer to. I will tell you, I am going to be voting for that amendment, and I would urge you to vote for it. I believe it is going to pass. It may just be a voice vote. If you are here, vote on it by voice.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

This is an example, in my view, of what can happen here when parties work together. Obviously, on this issue, the Financial Services Committee has done a tremendous job.

If we defeat the previous question, I am going to pivot for a moment and offer an amendment to the rule to bring up a bill to help prevent mass shootings by promoting research into the causes of gun violence, making it easier to identify and treat those prone to committing these acts.

Mr. Speaker, I ask unanimous consent to insert the text of the amend-

ment in the RECORD, along with extraneous materials, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, this morning at 9, I held a gun violence roundtable. We had extraordinary presenters from those who are gathering information and disseminating that information around the country to address this subject.

What the Gun Violence Research Act would do is give the Centers for Disease Control the authority to research the causes, mechanisms, prevention, diagnosis, and treatment of injuries with respect to gun violence. It would also encourage the improvement and expansion of the National Violent Death Reporting Systems and empower healthcare providers by not inhibiting a physician or other healthcare provider from asking a patient about the possession of a firearm and speaking to a patient about gun safety or reporting to authorities a patient's threat of violence.

If there is anyone in the House of Representatives who does not believe that we have a gun violence epidemic in our society, then I would ask him or her if they would speak with me and other Members of Congress that have been about the business of trying to cause there to be a reduction.

This actually does fit into the circumstances that we are addressing in the Department of Housing and Urban Development. Many of the violent acts that take place—not just mass shootings, but on a day-to-day basis—regrettably, take place in some of the low-income areas, where we have inadequate housing, inadequate education, and inadequate educational opportunity.

I hope at least the research can be done that may give us the data for this Congress to have the courage to tell the American people that, yes, we have a gun violence epidemic, and, yes, we are going to do something about it.

The bill underlying this rule would enact several incremental reforms to the Department of Housing and Urban Development's Section 8 tenant- and project-based rental assistance and other public housing programs. Many of these reforms have been around for several years and have, as my colleague from Ohio (Mr. STIVERS) has pointed out, broad support from a wide range of stakeholders as well as both parties in Congress.

However, returning again to the subject of the matter of deductions for child care, it is an important issue that needs to be addressed. Representative WATERS has an amendment that was made in order yesterday by the Rules Committee to resolve this issue. Like my colleague from Ohio, I plan to vote for that amendment, and I would urge

Members to recognize that this makes a good bill better, and I would urge my colleagues to support Ms. WATERS' amendment.

I urge my colleagues to vote "no" and defeat the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as my colleague from Florida said, this is a good bill. It is a commonsense bill. It reforms our housing programs so they make sense for people. It makes them more efficient. It saves \$300 billion. It is a no-brainer.

I hope that we can pass the previous question so that we can actually move to passing this bill and doing important reforms that will make government more efficient and help people in the war against poverty.

I urge my colleagues to support the rule, support the previous question, and support the resolution.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 594 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3926) to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3926.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on

the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. STIVERS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1245

RESTORING AMERICANS’ HEALTH-CARE FREEDOM RECONCILIATION ACT OF 2015—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 25, 2016, the unfinished business is the further consideration of the veto message of the President on the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of January 8, 2016, at page 234.)

The SPEAKER pro tempore. The gentleman from Georgia (Mr. TOM PRICE) is recognized for 1 hour.

Mr. TOM PRICE of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), pending which I yield myself such time as I may consume.

GENERAL LEAVE

Mr. TOM PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the veto message of the President of the United States to the bill, H.R. 3762.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TOM PRICE of Georgia. Mr. Speaker, this is a historic day. It is not often that the House has the opportunity to so clearly fight to defend the will of the people. This is a day that embraces our Constitution and one of its fundamental tenets, our system of checks and balances.

This issue, the issue of health care, is vital to every single American. Health care is so very personal. The American people are offended by a Federal Government that says that they know best, that they know and should dictate to folks what kind of health care we should have, who should be treating us, where we should be treated, and on and on and on.

The American people have always opposed the current law. From the very day it was passed and was signed into law, a majority of the citizens of this country opposed this law.

In fact, Mr. Speaker, more people oppose the law now than they did when the bill was passed. This is truly remarkable. More people oppose it now than did when it was passed, which is why we have worked and fought so very hard to represent them, to represent our constituents, and to carry out our solemn responsibility as their Representatives.

The House and the Senate voted to veto this destructive law, a law that is not only destructive to the health and well-being of our citizens, but destructive to the health of our economy, taking jobs away, forcing people into part-time work, forcing businesses to downsize or limit who they hire. It is remarkably destructive.

In fact, the House voted to repeal it by larger numbers than it voted to pass it originally. However, the President vetoed our repeal.

The President is the only person standing in the way of what the American people want. Let me repeat that, Mr. Speaker. The President is the only person standing in the way of what the American people want.

So our job now is to stand up for them, to demonstrate for them who is on their side, and who is standing in the way of positive, patient-centered reform.

We favor a healthcare system where patients and families and doctors are making medical decisions, not Washington, D.C. We favor a healthcare system that gets everyone covered with policies that they want for themselves and for their families, not that the government forces them to buy.

We favor a healthcare system that embraces the principles of health care, accessibility, affordability, quality, responsiveness, innovation, and choice, principles that are all violated by the current law.

So today, Mr. Speaker, we stand with the American people. We will vote to override the veto of the President, an action that runs absolutely counter to the will of the majority of our country.

I urge my colleagues to support this veto override vote and stand with positive solutions based on the principles of health care that we all embrace.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

The only thing historic about this vote today is it probably breaks the record for the number of times a Congress has voted to try to overturn existing law that has been twice upheld by the Supreme Court of the United States.

Yes, Mr. Speaker, here we go again and again and again. How fitting it is that we are here, on Groundhog Day, for the 63rd vote in the House of Representatives to overturn the Affordable Care Act.

And make no mistake. The Congressional Budget Office, the nonpartisan

entity that analyzes bills, has told us and told the American people that, in overturning the Affordable Care Act, you will eliminate affordable health care for 22 million Americans.

So this is a historically callous action that, in 1 day, our colleagues are proposing that we would deny affordable health care to 22 million Americans. It is also the 12th vote this House has taken to attack women's health care and defund Planned Parenthood.

You know, the American people have got to be scratching their heads. They were told that, with a new Speaker, in the new year, 2016, we would actually begin to address the real challenges facing this country and do some serious work.

Yet, the very first action taken here on this House floor in 2016 with the new Speaker was to again try to dismantle the Affordable Care Act. And, yes, that legislation went through the Senate and the House. It went to the President's desk, and the President vetoed it.

Make no mistake. We will not overturn the President's veto today. This is a futile gesture. It is part of an obsession to try to undo affordable care for 22 million Americans, and it is not going to happen.

Now, what has happened since the last vote we had here to attack women's health programs and defund Planned Parenthood?

We have had a decision by a court in Texas. Here were the headlines that came out of that court decision: "Vindication for Planned Parenthood" and "Texas grand jury clears Planned Parenthood, indicts its accusers."

I have to say, Mr. Speaker, our colleagues have a lot of gall to bring this to the floor after that Texas court decision.

You know, they went into that Texas court decision, and the Harris County District Attorney said at the outset of their investigation into Planned Parenthood: We must go where the evidence leads us.

It began as an investigation into Planned Parenthood, just as we have had a series of witch-hunt investigations here in the House, where the chairman of the House Oversight and Government Reform Committee said months ago that there was no evidence that Planned Parenthood had committed any wrongdoing. Now we have a Texas court not only vindicating Planned Parenthood, but indicting their accusers.

Mr. Speaker, I tell you, this does take a lot of gall to come back here after that and go after women's health programs not for the first time, not for the second time. This is now the 11th time.

This will be the 11th time this House has wasted taxpayer time and money trying to overturn women's health programs and the 63rd time it has wasted

taxpayer time and money trying to strip away affordable health care to 22 million Americans by undoing the Affordable Care Act.

So, yes, this is a shamefully historic day. As I said, Mr. Speaker, I think it probably breaks all the records in wasting taxpayer time and money where, in a really cruel way, if we actually did overturn the President's veto, 22 million Americans would be denied access to health care.

Mr. Speaker, I urge my colleagues to sustain the President's veto. Don't take away health care to 22 million Americans, and don't continue this attack on women's health.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I would simply say that what we are interested in is expanding health care for the American people that actually responds to their needs.

I yield 1 minute to the gentleman from Tennessee (Mr. ROE), a fellow physician who is the chair of the Health, Employment, Labor, and Pensions Subcommittee of the Education and the Workforce Committee.

Mr. ROE of Tennessee. Mr. Speaker, I rise today to encourage my colleagues to vote to override President Obama's veto of the Restoring Americans' Healthcare Freedom Reconciliation Act.

I practiced medicine in rural Tennessee for over 30 years, where I didn't just talk about health care; I actually provided it for patients. The problems that I saw in the system were a major reason why I ran for Congress.

The premise of the Affordable Care Act was to increase access and decrease costs. Everyone in this room agrees with that. Unfortunately, the President's healthcare proposal was a 2,500-page bill that defined what kind of health insurance coverage you bought and then fined you when you didn't buy it, even if you couldn't afford it.

Access might be up because Americans are forced to buy into the President's healthcare law, but so are costs. I hear from east Tennesseans almost every day who are worse off—not better off—under ObamaCare.

The President was wrong to veto this legislation, just like he is wrong when he says Republicans have no ideas for healthcare reform.

Republicans have many ideas and have introduced numerous pieces of legislation to put patients and doctors in charge of their healthcare decisions, not the government and not insurance companies.

I know I have a comprehensive bill, and so does Dr. TOM PRICE of Georgia, as many of my colleagues do in the Doctors Caucus. It is time to repeal this flawed law and give the American people the viable healthcare options they deserve.

I encourage my colleagues to support overriding this veto.

Mr. VAN HOLLEN. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Washington (Ms. DELBENE), who is on the Republican committee designed to roll back protections to women's health care.

Ms. DELBENE. Mr. Speaker, I rise in strong opposition to this frivolous and wasteful exercise, which will be our sixth vote to defund the Nation's leading provider of reproductive health care.

That is right. House Republicans have now voted six times to defund an organization that 2.7 million Americans rely on, even though four different Congressional committees tried and have failed to uncover any evidence of illegal activity, even though a grand jury last week cleared Planned Parenthood of all wrongdoing and, instead, indicted their anti-choice accusers, even though Republicans' taxpayer-funded Select Investigative Panel on Infant Lives, which they created nearly 4 months ago, hasn't held a single meeting.

□ 1300

Yet here we are on Groundhog Day, no less, voting for the sixth time to prevent women from choosing their own healthcare provider. It might be funny if it weren't so outrageous. Women deserve better. They deserve leaders who actually care about the facts.

Mr. Speaker, I urge my colleagues to vote "no."

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK), a fellow member of the Budget Committee.

Mr. MCCLINTOCK. Mr. Speaker, the Congressional Budget Office just announced for the first time in our history that Federal healthcare payments now exceed Social Security benefits. Not coincidentally, it also warned that our deficit is again ballooning out of control.

ObamaCare forced millions of Americans out of their low-cost catastrophic coverage and basic employee plans and into Medicaid—the dysfunctional government poverty program. The result is skyrocketing costs in that program in which surgical patients are 13 percent more likely to die than those with no health insurance at all, according to a recent University of Virginia study.

Mr. Obama promised, if we liked our plans and our doctors, we could keep them, and that ObamaCare would save an average family \$2,500 a year. In fact, millions lost their doctors and their plans while premiums have increased an average of more than \$3,500 per family.

This ain't working, and it is time to move on to something that does.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. YARMUTH), a distinguished member of the Budget Committee.

Mr. YARMUTH. I thank the gentleman for yielding.

Mr. Speaker, this measure does absolutely nothing for the American people. Meanwhile, we have a terribly flawed campaign finance system, an unfair justice system, and a broken immigration system. There are so many things we could be doing, rather than passing another messaging bill just to make the opponents of ObamaCare feel good.

This won't make the American people feel good. As a matter of fact, CBO said that by repealing the Affordable Care Act, we will not only add to the deficit, but we will have a demonstrably unhealthier population.

We have to remember, this is not just about the 22 million who will lose their insurance. This is about the tens of millions of people, hundreds of millions of people who will lose the protections that are part of this act: the ability to put their children on their policies until they are 26 years old, an end to lifetime caps, and an end to annual caps. There are so many things that we would be damaging without an alternative if we pass this measure today.

Finally, the only reason that the Republicans are putting this up is because they know it can't pass because, if it passes, it will wreak havoc on the United States of America and the American citizens, and it will do nothing to help them. There is no alternative, and the Republicans know it.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from the great State of Indiana (Mr. BUCSHON), a member of the Energy and Commerce Committee and a fellow physician.

Mr. BUCSHON. Mr. Speaker, I come to the floor today in support of the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

Before I came to Congress, I spent my career taking care of patients. As a physician, I want every American to have access to quality, affordable care. The legislation before us today marks the next step toward that goal.

Last month, for the first time, we put a bill to dismantle ObamaCare on the President's desk. It is no surprise that he vetoed it.

Now, with this veto override vote, we are exercising our constitutional power to the fullest extent and bypassing the President to do what is right for our country.

Mr. Speaker, I urge passage of this bill to show the American people that the House of Representatives is doing everything in our power to stop this disastrous law and replace it with a patient-centered healthcare plan.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who is the ranking member of the Select Investigative Panel on Infant Lives that Republicans set up to take away reproductive healthcare access from women.

Ms. SCHAKOWSKY. Mr. Speaker, how appropriate that the House Republican leadership decided to vote again on repealing the Affordable Care Act and defunding Planned Parenthood on Groundhog Day. In the movie Groundhog Day, Bill Murray's character relived the same day over and over again, and we are doing the same thing right here.

This is the 63rd vote to undermine or repeal the Affordable Care Act. This is the 12th Republican attack on women's health in this Congress. While House Republicans have already passed 11 anti-women health measures and are now voting on their 12th, they have not passed one single measure that helps women get the health care that they need.

So here we are—on only the 12th business day of the session—facing the same Republican attacks on women's access to health care. Republicans have said this bill will show the American people the difference between the political parties in this election year. You bet it will. The difference is clear. My Republican colleagues remain willing to play partisan politics at the expense of women's health and access to affordable, quality health care. Women of America are watching, and they don't like what they see.

Never mind the fact that three House committees have already investigated Planned Parenthood following the release of the selectively edited videos, and never mind that a grand jury in Harris County cleared Planned Parenthood and, instead, indicted the two individuals who made the doctored videos.

Facts matter. The truth matters. Despite my objection to the Select Investigative Panel on Infant Lives, as its ranking member, I will continue to fight to protect women's health. That is the promise of all Democrats. We will, once again, reject this legislation. This attempt to override is going nowhere, and it shouldn't.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. PALMER), a fellow member of the Budget Committee.

Mr. PALMER. Mr. Speaker, I rise today in support of the veto override.

James Madison wrote in Federalist Paper 51: "It is of great importance in a republic not only to guard the society against the oppression of its rulers but to guard one part of the society against the injustice of the other part."

As expected, President Obama vetoed a reconciliation bill that would repeal the misnamed Affordable Care Act. This was within his constitutional authority. However, our Founders created a balance of powers within the three branches to prevent tyranny by one. With two-thirds, we have the opportunity to override a veto that doesn't

correlate with the views of the American public. We have the opportunity to listen to the American people and put healthcare decisions back in their hands.

With this override, we have the opportunity to begin the process of real healthcare reform that provides the American people with healthcare choices, choices they can afford, choices that allow people to keep their doctors, choices that provide a safety net rather than a net that entraps people into a government program, and choices that allow people to keep their jobs.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this veto override and put the power to legislate back in the hands of the legislators.

Mr. VAN HOLLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished ranking member of the Education and the Workforce Committee.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, since the passage of the Affordable Care Act in 2010, the House of Representatives has attempted to dismantle the law 62 times. Today is number 63, to repeal a major portion of the Affordable Care Act.

Mr. Speaker, since the Affordable Care Act passed, people with pre-existing conditions can now get health insurance. The cost of health insurance has been increasing at the lowest rate since they started keeping records about a half a century ago. Those young people under 26 can stay on their parents' policies. Women are no longer paying more for insurance than men. We are closing the prescription drug doughnut hole. While thousands of people were losing their insurance every day when we passed the bill, more than 17 million people have insurance today.

If we vote "yes" on this motion, we will cancel all of that progress and at the same time just add to the deficit. Mr. Speaker, we should reject this motion, just as we have 62 previous times.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. ROSKAM), the chair of the Oversight Subcommittee of the Ways and Means Committee.

Mr. ROSKAM. Mr. Speaker, I just want to recap quickly how we got here.

ObamaCare was passed on a partisan basis through the House and the Senate, signed into law, and then it went forward. It created a false premise, and the false promise that didn't come to fruition was that people were going to be able to keep their physicians, that premiums were going to go down, and it wasn't going to add to the deficit. We all know now that was nonsense.

So what did the American public do? They said, "We are going to change the House of Representatives." So they elected a Republican majority in the

House to take out ObamaCare. What did they do next when they found an obstacle in the United States Senate? They changed the disposition of the United States Senate.

Now, there are some people that say today, "Oh, this is a complete waste of time." No, it is not, Mr. Speaker. This is not a waste of time.

This is a demonstration to the American public that there is now one office that stands between them and the repeal of ObamaCare. There is one office that stands between them and the continued shameful subsidy of Planned Parenthood. We have got an opportunity to change that office in November.

Mr. Speaker, I urge us to continue that momentum and to vote with Mr. TOM PRICE of Georgia on this bill.

Mr. VAN HOLLEN. Mr. Speaker, I would remind my colleagues that the nonpartisan Congressional Budget Office said that if you actually override this veto, 22 million Americans would lose access to affordable health care.

Under the Affordable Care Act, the number of uninsured Americans has dropped significantly. It is a sad day that some people don't see that as a good thing, just like the same people apparently want to deny women access to reproductive health care.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER), a member of the Judiciary Committee and the Select Investigative Panel on Infant Lives.

Mr. NADLER. Mr. Speaker, last month I said that my Republican colleagues had declared their verdict against Planned Parenthood without ever holding a trial. Now it is even worse. A grand jury in Texas has not only refused to indict Planned Parenthood, but instead indicted two individuals who made this series of blatantly manipulated, false videos on which the Republicans base their attack.

Despite this unequivocal finding by a grand jury, not to mention by several congressional committees that Planned Parenthood has violated no laws and done nothing wrong, the Republicans are forging ahead in this ludicrous effort to cut off all Federal funding.

If we override this veto today, we will pass legislation that targets one organization and cuts it off from all Federal funding, including reimbursement for services provided, for no justifiable legislative reason beyond punishment for offering a constitutionally protected medical procedure.

This is a clearly unconstitutional bill of attainder. The prohibition on bills of attainder exist to ensure that Congress may not usurp the powers of the courts by using legislation to punish an organization or individual that a majority in Congress doesn't like. The Constitution is clear. Congress cannot be judge, jury, and executioner.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. NADLER. Mr. Speaker, it is not our role to declare an organization guilty and to impose a punishment. That is for a court. Not only is this bill an unconstitutional bill of attainder, it is a travesty and is seeking to punish one of the best, most praiseworthy organizations in the country, and punish it for what? For enabling women to exercise their constitutional rights. This is really not only an unconstitutional act, but it is part of the war on women.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican majority whip.

Mr. SCALISE. I thank my colleague from Georgia for yielding, for his leadership, and for bringing this important bill to the floor.

Mr. Speaker, this is a historic day. This is the first time that the House of Representatives has had a vote to override President Obama's veto. If you look at what the veto is about and what the legislation that was vetoed is about, it is about letting the American people actually determine their own healthcare destiny. It is about stopping taxpayer money from going to abortion providers like Planned Parenthood.

What this bill does is something very historic by gutting ObamaCare and returning that power back to families.

I see in my district, and my colleagues share the same stories, all across the country, millions of Americans have lost the good health care that they had. They were promised by this President "if you like what you have, you can keep it." Everybody knows that that is a promise that was broken by this President in his own healthcare law. We restore that ability back to the American people with this bill.

With this bill, we also say that abortion providers like Planned Parenthood should not be able to get taxpayer money. We completely defund Planned Parenthood in this bill. If this is something that is so vital, look at what the bill does. It actually transfers the money to federally approved health centers all across the country—many more, by the way, than Planned Parenthood facilities that exist. These are facilities that actually provide services for women that don't include abortion. So if you look at what this bill is doing, it shows very clearly to the country what is at stake this November.

We sent a bill to President Obama's desk that guts ObamaCare and that defunds Planned Parenthood, and he vetoed it. We are going to have the override today.

□ 1315

If it is not successful in the vote today with a two-thirds vote, it makes

clear what is at stake this November. Just by changing the President, by having a President who shares our values, Mr. Speaker, who wants to gut this law that is failing Americans, who wants to defund Planned Parenthood, by having a President with those values, we can accomplish those important objectives.

I urge everyone to vote "yes."

Mr. VAN HOLLEN. Mr. Speaker, I really urge my colleagues, Republicans and Democrats alike, to read the letter from the nonpartisan Congressional Budget Office. This is the agency that we all turn to for unbiased, nonpartisan advice. On page 9, you will read that their estimate is that, by overturning the President's veto and enacting the underlying bill, H.R. 3762, we would increase the number of people without health insurance coverage by about 22 million people in most years after 2017.

When my colleagues say this is a historic moment, it is true. Never before would this Congress have voted on a veto override that would immediately deny access to affordable health care for 22 million people.

I yield 1½ minutes to the gentleman from New Jersey (Mrs. WATSON COLEMAN), a terrific member of the Select Investigative Panel on Infant Lives.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I had no idea that my colleagues on the other side of the aisle were such great fans of the movie "Groundhog Day." If I had a little more time right now, I would give the exact same speech I gave just 1 month ago, because nothing has changed.

The facts remain that Planned Parenthood is a health organization serving 3 million Americans each year; that one in five Americans will receive care from Planned Parenthood; that despite arguments to the contrary, there are simply not enough health centers to fill the gap; that defunding Planned Parenthood snatches care away from millions of families; and that today's bill says to women once again how and when they get health care is not their choice.

Like then, this has no chance of becoming law; and, like then, I urge my colleagues to abandon the merry-go-round of attacks on women and families. Enough attacks on health care, enough attacks on women, and enough attacks on families.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I thank the chairman.

I rise today in support of a vote to override the President's veto of the Restoring Americans' Healthcare Freedom Reconciliation Act.

With his veto, the President sent Congress and the American people a

disappointing—but unsurprising—message. Protecting the rights of patients, families, the unborn, and American taxpayers is clearly not a priority for this administration.

It is, however, a priority for me and for Congress. We worked to pass this legislation with bicameral support. We worked to help reduce government spending and reduce the burdens of the President's healthcare law on patients and families. We worked together to prevent taxpayer dollars from funding organizations practicing, in my opinion, shameful and unethical activities.

We must now work together to override the President's veto and give the power of healthcare decisions back to the people.

Mr. VAN HOLLEN. Mr. Speaker, it is hard to see how giving power to the people is stripping 22 million Americans of their affordable health care.

I yield 1½ minutes to the gentlewoman from California (Ms. SPEIER), a member of the Select Investigative Panel on Infant Lives.

Ms. SPEIER. Mr. Speaker, I thank the gentleman.

Are we able to distinguish the plot of "Home Alone" from congressional proceedings? Today, I am not so sure. I find myself comparing the bumbling criminals trying to break into a house to the misleading criminals and bumbling legislators who seem to have broken this House. But while "Home Alone" is a comedy, the consequences of today's votes attacking women's health and the health care of hard-working Americans is a tragedy.

In each case, we have people who do the same thing over and over but only succeed in hurting themselves. In Home Alone, the criminals are tricked with booby traps and misdirection; but in real life, Republicans are stumbling into their 63rd vote to undermine the Affordable Care Act and the 12th vote to attack women's health by filmmakers who have been indicted for their illegal activities.

I am pleased to see that the Texas grand jury exonerated Planned Parenthood and indicted the real criminals—the video creators. If there were an Oscar for the most fraudulent film, the so-called Center for American Progress would be thanking the Academy.

I urge my Republican colleagues to kick these criminals out of our House, disband the taxpayer funded Select Investigative Panel on Infant Lives, and get back to the business of governing.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentlewoman from Tennessee (Mrs. BLACK), a fellow healthcare professional and a member of the Committee on the Budget and the Committee on Ways and Means.

Mrs. BLACK. Mr. Speaker, minority leader NANCY PELOSI famously called ObamaCare a jobs bill, yet the Congressional Budget Office says it will cost

our economy the equivalent of 2 million jobs. The President himself promised that ObamaCare would save families an average of \$2,500 in healthcare costs per year, yet the largest insurer in my State just upped premiums by 36 percent.

Mr. Speaker, this law was built on a grand deception. Nearly 6 years later, the lofty promises have faded, and what is left behind are real stories and real people whose lives and livelihoods are impacted by the government-knows-best law they continue to reject.

The President's veto of our reconciliation bill to repeal ObamaCare may be what is in his best interest for his political legacy, but my constituents have told me loud and clear it is not what is best for them.

Today, let's call his bluff, and let's override this veto.

Mr. VAN HOLLEN. Mr. Speaker, facts are stubborn things. Since the Affordable Care Act was passed, which our Republican colleagues said would be a jobs killer, we have actually seen millions and millions of jobs added in the economy, and the unemployment rate has come way down. The notion that the Affordable Care Act was going to wreck the economy is just blatantly false for everybody to see. Just look at the statistics around the country.

I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), someone who cares about the facts, the distinguished ranking member of the Ways and Means Committee.

Mr. LEVIN. Mr. Speaker, I thank the distinguished minority, the gentleman who has worked so hard on budgets, for yielding.

The majority whip referred to November. We are serving notice in this discussion: We are proud to defend healthcare reform and will do so between now, as we did before, and November.

Since health care began, the uninsured rate has declined from 20.3 to 11.4, nearly 18 million people now covered who were before uninsured.

Now this has also happened: 137 million Americans have free preventive services.

The ACA ends lifetime and annual limits on coverage for 105 million Americans.

Also what it does—let me just emphasize this—129 million Americans with preexisting health conditions no longer have to worry about being denied care.

I met, last weekend, a woman who had breast cancer. She lost her job and lost health insurance. Because of healthcare reform, she received health insurance. Her breast cancer came back. She looked at us and said to us squarely, one on one, each of us: "I wouldn't be here except for healthcare reform."

That is what this is all about. This veto will be sustained. It will be sus-

tained because healthcare reform responded to the needs of millions of Americans. We in the Democratic Party are proud of that and will, from now until November, say so with immense ardor.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH), a pro-life champion in our Nation.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding.

Mr. Speaker, in the age of ultrasound imaging and benign life enhancing healthcare interventions for the baby in the womb, how is it that Planned Parenthood first dehumanizes and then massively kills unborn children—more than 7 million since 1973—and then demands that taxpayers subsidize the organization to the tune of about \$500 million?

Caught on numerous videos, Planned Parenthood abortionists describe how they dig with knives and cut out the inner organs of babies all while altering pain-filled dismemberment procedures so as to preserve intact baby hearts, lungs, and livers for a price.

This isn't the first time Planned Parenthood has been caught red-handed. In 2011, videos by Live Action exposed several Planned Parenthood clinics eager to facilitate secret abortions for undercover pimps for child sex trafficking. In 2012, more videos by Live Action exposed Planned Parenthood advising undercover investigators how to procure sex selection abortions for little girls.

Have we lost our capacity to be shocked? Can we not empathize with the child victim?

Support the override.

Mr. VAN HOLLEN. Mr. Speaker, I would encourage everybody to read the results of the Texas grand jury proceeding. Here are some headlines from what happened: "Vindication for Planned Parenthood," and "Texas Grand Jury Clears Planned Parenthood, Indicts Its Accusers."

It is a charade that we are back on the floor after that grand jury decision. It is rare, my colleagues, to see a grand jury investigate one entity—in this case, Planned Parenthood—and turn around and indict its accusers. Despite that, we are back here in this evidence-free zone.

I yield 1 minute to gentlewoman from North Carolina (Ms. ADAMS), a distinguished member of the Education and the Workforce Committee.

Ms. ADAMS. Mr. Speaker, I thank the gentleman for yielding.

Today, we find ourselves rereading the same chapter from a Republican extremist book that seems to have no end. Today's vote represents the 63rd time the GOP has tried to repeal or undermine the Affordable Care Act and the 12th time the GOP has voted to attack women's health care in the 114th Congress alone.

Partisan games and divisions are transgressions on our communities. We must work together to seize the opportunity that exists in our great Nation. We can't do that by wasting time and energy on radical agendas.

Attacking Planned Parenthood is part of a ploy to roll back women's rights. No one should control a woman's right to make decisions about her own body. I won't stop advocating for women's comprehensive health care or a woman's right to control her own body.

This war on women must stop.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), a champion of patient-centered healthcare reform, the Republican leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding, and I thank the chairman for his work on this issue.

Mr. Speaker, today the House is keeping its promise to the American people. We showed we can defund abortion providers like Planned Parenthood and increase funding for thousands of women health centers across the country, and we showed we can send a bill repealing ObamaCare to the President's desk even when Democrats are trying to stop us.

Now, this is big. That means that when a Republican President takes office next year, we know we can get this passed. We don't have to worry about the filibuster. We don't have to worry about a veto. With simple majorities and the stroke of a pen, ObamaCare can be gone once and for all.

Democrats see that. They know that ObamaCare, in particular, is hanging by a thread. And do you know what? They are terrified.

You are going to hear a lot of mocking on the other side of the aisle today. Mr. Speaker, they are saying that Republicans are at it again trying to repeal ObamaCare. They are trying to make it seem like this vote doesn't matter.

They tried to stop us at first with arguments and debate, but they have lost that debate.

□ 1330

The people aren't happy with what the Democrats sold them, as few are enrolling, premiums are skyrocketing, and deductibles are so high it can make insurance practically worthless.

So, the Democrats, they have given up on debate. They have seen that they have lost, and they have tried their next tactic. They have tried to tell us that there is nothing we can do, that ObamaCare is the law of the land, and that we had better just give up.

But then they realized we didn't give up. Year after year, we listened to the American people, and the people voted for Representatives to repeal

ObamaCare; and year after year, the American people saw the healthcare promises that Democrats in Congress and President Obama made were just exactly what they were—empty: you can keep your doctor; you can keep your plan; your premiums will drop. Nobody—not even the President—believes that anymore.

So we didn't give up. We fought for the American people, and we put a bill repealing this law on the President's desk.

Now the Democrats have no more defenses. Their law is failing. The people aren't on their side. The end of ObamaCare is coming, and, in its place, we can create something that delivers so much more than just broken promises.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

The Republican leader said we don't have to worry about the veto. The reality is the President's veto will be sustained today. Apparently, our Republican colleagues are not worried about the 22 million Americans who will lose access to affordable health care. I don't know what the Republican leader's definition of "mockery" is, but if anybody is mocking the Republican bill here, it is the nonpartisan Congressional Budget Office, which wrote to each and every Member of Congress that, if you actually overrode the President's veto and enacted this legislation—and I am sorry to repeat it again, but it is here in black and white from the nonpartisan Congressional Budget Office—you would increase the number of people who are without health insurance coverage by 22 million people. That is what our Republican colleagues are talking about here.

So, no, we don't want to do that, and the President doesn't want to do that, and that is not going to happen here today, but it certainly does indicate the stakes in the 2016 elections, because, on the one hand, you have a Republican-controlled Congress that would, at the snap of a finger, like to get rid of affordable health care for 22 million people, and, apparently, it wants to ignore the facts that we learned from the Texas grand jury that vindicated Planned Parenthood and said that their accusers, instead, should be indicted.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), the chair of the Health Subcommittee of the Committee on Energy and Commerce.

Mr. PITTS. I thank the chairman.

Mr. Speaker, I rise today in support of the millions of families across the country who have had their health insurance disrupted by the President's health law and in support of the millions more Americans who don't want

the government giving their tax money to abortion providers.

Some 6 million households across the country have lost the health plans they liked or have lost their doctors even though President Obama promised 37 different times that this would not happen. Hundreds of my constituents have contacted me to tell me about higher premiums, higher deductibles, and coverage lost outright:

Michael Cain of Lancaster contacted me recently to tell me that his premiums have nearly doubled just in the 2 years since the implementation of the President's health law;

Jennifer Hoy of Ephrata wrote to me that her family lost three out of four of her children's doctors. Imagine the stress of a mother in that situation;

Deborah Kennedy of Columbia contacted me to tell me that, in November, she spent countless hours trying to operate the broken healthcare.gov Web site. She lost her insurance and had to buy insurance nearly 50 percent more expensive while she lives on a fixed income.

These are hardworking Pennsylvania families who have done nothing wrong but who have been victimized by the arrogance of a Federal Government that thinks it knows better than the people and that tries to bully hardworking American families.

The legislation we are considering today saves taxpayers money and treats them with respect. Mr. Speaker, 84 percent of this country supports restrictions on abortions. However, this administration is giving their tax dollars to organizations that kill innocent babies. Today's legislation channels taxpayer money away from organizations that provide abortion and toward something that all Americans can support—federally qualified health centers. These centers are focused on caring for the poorest in our communities, and they actually care for women's health. Unlike Planned Parenthood, they actually do mammograms.

A vote for this bill is a vote for the millions like Deborah Kennedy, Jennifer Hoy, and Michael Cain, who have borne the consequences of an out-of-control Federal Government. Vote to override the President's veto.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I heard the word "bullying" used. It is ironic that that word would be used in a vote that would deny 22 million Americans access to affordable health care.

Again, I want to underscore for our colleagues, some of whom may not have read the Congressional Budget Office's report, that this comes from the nonpartisan entity that advises both parties in Congress. In fact, the head of the Congressional Budget Office was appointed by our Republican colleagues. It is they who are telling us

that, with this vote, 22 million Americans would be denied access to affordable health care. That seems to qualify as bullying if anything does.

Mr. Speaker, let's review the situation with respect to Planned Parenthood.

This Republican-controlled House had its standing committees investigate Planned Parenthood, including the Committee on Oversight and Government Reform. They had hearings, and they hauled up the head of Planned Parenthood to some of these hearings. At the end of those hearings, the Republican chairman of that committee concluded that Planned Parenthood had engaged in no wrongdoing. He said that on national television. Despite that finding, back in January, our Republican colleagues went ahead and launched this attack on women's reproductive health and defund Planned Parenthood.

That was bad enough.

Since that time, we have had even more evidence. We have had the grand jury proceeding in Texas that exonerated Planned Parenthood. They began the investigation against Planned Parenthood, and they said they would go where the evidence led them. At the end of that evidence-seeking effort, they exonerated and vindicated Planned Parenthood and called for the indictment of the people who had wrongly accused them. That was the result.

Yet here we are on this House floor today as if nothing had happened—ignoring the evidence that the grand jury heard and continuing on this witch hunt of the special committee's against Planned Parenthood.

So, yes, maybe this day is making history. It is probably one of the saddest examples of a Congress run amuck, when, for the 62nd or 63rd time now, we are trying to repeal the Affordable Care Act—ObamaCare—and, for the 12th time, trying to launch this attack on women's reproductive health and on Planned Parenthood despite all of the intervening and previously existing evidence.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, one of the saddest days that the American people remember on the floor of this House was a day in March of 2010. It was when this House voted in a hyperpartisan way to pass a healthcare bill that took away patient-centered health care and put Washington in charge of health care across this country.

I now yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, millions of Americans have endured skyrocketing premiums, higher deductibles, limited networks, failing co-ops, and dropped coverage because of the Affordable Care Act, like the

mom in my district who now has to pay \$400 for her son's lifesaving peanut allergy medication when it used to cost her \$10 under the plan that the President promised she could keep.

While some have gained coverage under this failing law, it has been at the expense of far too many others. Just last Monday, the Congressional Budget Office announced that 40 percent fewer Americans signed up for health coverage this year than was predicted. In fact, many Americans are choosing to pay a penalty instead of signing up for the so-called affordable healthcare coverage mandated by this law. We need to empower all patients with more choice while offering solutions for the uninsured and those with preexisting conditions.

Mr. Speaker, if we vote to override, contrary to what has been suggested, the insurance doesn't end tomorrow. We have provisions in this legislation that would extend credits through the end of 2017, giving us the opportunity to do proper healthcare reform that does empower patients and not bureaucrats here in Washington, D.C.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND), a distinguished member of the Ways and Means Committee.

Mr. KIND. I thank my friend for yielding me this time.

Mr. Speaker, I rise in opposition to this veto override.

Listen, I understand people's objections and concerns about the healthcare reform that we have embarked upon as a nation, but, clearly, now is not the time to take us back to the status quo, which was going to leave us in a very bad place in this Nation.

Before the Affordable Care Act was passed, the numbers of uninsured were going up. The expense for individuals and businesses was going up. Healthcare costs, budgetwise, were going up. Too many people were being denied coverage based on preexisting conditions. Young people—younger than 26—were being dropped from health insurance plans.

All of that now is being corrected. Not that this is a perfect response to the complexity of the healthcare system, but there is a lot of good that is being done, including in two areas. One is delivery system reform so that we move to a more integrated, coordinated, patient-centered healthcare delivery system based on models that do work. Secondly, and perhaps most importantly, we are changing, under the Affordable Care Act, how we pay for health care so that it is based on the quality or on the outcome or on the value of care that is given and no longer on the numbers of procedures and how much is done to us rather than how well it's done.

We are demanding better quality at a better price, and the numbers are

showing that we are heading in this direction. I say we stay the course in continuing to benefit by extending affordable healthcare coverage to more Americans and in finally getting a grip on these rising healthcare costs. I encourage my colleagues to vote "no" on this veto override.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. GUINTA), a champion of patient-centered health care.

Mr. GUINTA. I thank the chairman.

Mr. Speaker, I rise in support of H.R. 3762 and in support of overriding the President's veto of this very important bill.

The Restoring Americans' Healthcare Freedom Reconciliation Act repeals some of the most egregious and harmful aspects of ObamaCare: the individual mandate, the employer mandate, the medical device tax, and especially the Cadillac tax—a 40 percent excise tax on certain employer health benefits.

In the coming years, the Cadillac tax will be responsible for employees from local governments, small businesses and large, nonprofits, and colleges—universities losing their access to high-quality, affordable health care. This is unacceptable for my home State of New Hampshire—people who want patient-centered health care and options for themselves, their families, not higher premiums, higher deductibles, and fewer doctors.

That is why it is so important to override this veto today. The House and Senate have worked hard in giving American families and small-business owners better care, better options, and greater affordability. We need to continue that approach and ensure that patient-centered health care is at the center of what America stands for.

As a new member of the Budget Committee, I thank my chairman for giving me the opportunity to speak today, and I look forward to working with my colleagues to support this legislation.

□ 1345

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

Not having access to any affordable health care certainly doesn't meet anyone's definition of patient-centered healthcare.

Our Republican colleagues, when they first launched the attacks on the Affordable Care Act and ObamaCare, said: We are going to repeal this, and we are going to replace it.

Well, we have voted, as of today, 63 times to dismantle it. How many times have we voted to replace it? Zero. Zero times to replace it.

My colleague, Mr. KIND from Wisconsin, raised an important point. The way our healthcare insurance system was working back in the early 2000s,

millions of Americans were denied access to health care because of a pre-existing condition, because their kid had diabetes or asthma. Premiums were going through the roof and skyrocketing.

The Affordable Care Act has now provided affordable health care to millions more Americans and, as we have heard from the nonpartisan Congressional Budget Office, passing this bill would actually take it away for 22 million Americans.

Despite all that, despite the 63rd attempt to get rid of it and deny that access to health care, not once have we heard the replaced part of that Republican agenda.

So, Mr. Speaker, it is a sad day when you want to take away access to affordable health care from 22 million Americans and don't have a single alternative to put on the floor of this House.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), the chair of the Ways and Means Committee, a gentleman who has dedicated so much time and effort to responsible, appropriate health care for the American people.

Mr. BRADY of Texas. Mr. Speaker, I thank Chairman PRICE for his leadership during this historic effort to dismantle the President's burdensome healthcare law and stand for the rights of the unborn. I am pleased to support this veto override. It couldn't come at a more critical time in our history.

The rights of the innocent unborn is the great human rights issue of our time. This President has chosen to stand on the wrong side of history. By vetoing this bill, he continues to funnel taxpayer dollars to subsidize the gruesome practices at Planned Parenthood.

This country has lost 58 million children to abortion since 1973. That means there are more American deaths from this practice each year that are nearly equal to all of the American casualties from all our wars combined. This government-financed war on the innocent unborn has to stop.

This House has already spoken. Whether you are pro-life or pro-choice, we have always agreed you don't use taxpayer dollars for the controversial practice of abortion.

It is up to us to continue to stand with those we represent who don't believe their dollars should go to this. We are going to stand with our constituents against this terrible healthcare law because they have been hurt by higher prices, fewer doctors, and less affordable medicine. Frankly, this healthcare law has hurt too many Americans.

We know now the path to repeal. We know how to remove the law's mandates, tax hikes, and slush funds. Now we just need a new President.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, I am embarking on completing my fourth year here in the United States House of Representatives. Four years ago I ran for the Congress, in part, to support the Affordable Care Act.

There is a group of beneficiaries of the ACA that is often not discussed, and it is hospitals. I come from a part of northeastern Pennsylvania where the hospitals bore the brunt—and this is true all over America—bore the brunt of having to treat uninsured patients. People would show up on the doorsteps of the hospital and have to be treated. Well, the hospital has to absorb that when they treat uninsured patients.

So what we saw over and over in my district in northeastern Pennsylvania was hospitals were closing. I know why. I sat on the board of directors of a small hospital.

When you absorb it and you absorb it and you absorb the uninsured care year after year, eventually they start cutting back on nurses, start cutting back on essential services. Finally, there is nothing left to cut and they close the hospital.

That is a terrible detriment to your health care when your hospital is no longer 10 minutes away and it is 40 minutes away. That can be the difference between life and death. That is why the Affordable Care Act is something that I supported. We should not dismantle it.

I urge Members to vote against this bill.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN), who serves on the Education and the Workforce Committee.

Mr. ALLEN. Mr. Chairman, since ObamaCare was forced onto the American people 6 long years ago, Americans have seen their premiums skyrocket and access to providers dwindle.

In fact, Chairman PRICE and I were in my district talking to a number of physicians at the emergency room. They said: Not a thing has changed, but we are still taking care of the people just like we did before this terrible bill.

Ever since I came to Congress, I have consistently heard from folks in the 12th District of Georgia about the burdens of ObamaCare and that Planned Parenthood should not receive one dime of their hard-earned tax money.

I have heard from a family of five whose previous healthcare policy was terminated and buying a new plan means their premiums will go from \$700 to over \$1,000. Those seeking treatment could not even pay their deductible.

A small-business owner's premiums more than doubled and benefits have been reduced. An individual projects 16 percent of his income will go toward health care this year alone.

This law is killing the economy. This law is crushing. Even worse, it is crushing Americans and American families and their ability to earn a good living.

Is the sake of a political legacy worth all of this? I think not. After 6 years of failed policy, Americans deserve better.

That is why I am proud to cast my vote to override the President's veto of the Restoring Americans' Healthcare Freedom Reconciliation Act. It is time to move forward in finding a cost-effective and patient-centered plan for our citizens.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

We have heard a lot of talk about premiums going up. The dirty little secret, which every Member of this House knows or should know, is that premiums have been going up consistently for a very long period of time. The issue is: How fast do they go up?

If you look at this chart, you will find that, for employer-sponsored insurance, which is what most Americans are on, premium increases were huge between 2000 and 2010, before the passage of the Affordable Care Act, 9.5 percent. After the passage of the Affordable Care Act, those premium increases have dropped substantially, 4.8, now 2.7.

When Members of Congress get up here and talk about premiums going up, ask yourself the question: How fast are they going up? Because before the Affordable Care Act passed, it was through the roof, and they have dramatically slowed.

I said our Republican colleagues did the repeal part, but not the replace part. So they want to take out the part that has slowed down the premiums and go back to the day when you had skyrocketing premium increases.

So we need to talk in a fact-based conversation here on the floor of the House of Representatives.

I reserve the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN), a fellow member of the Committee on the Budget.

Mr. GROTHMAN. Mr. Speaker, in an era where people are so easily offended, where nativity scenes are shut down, where racism is claimed at the tiniest of circumstances, it is surprising that, in 2015, the Federal Government is still funding Planned Parenthood.

Margaret Sanger, the founder of Planned Parenthood, once wrote: "We don't want the word to get out that we want to exterminate the Negro population, and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members."

You can see that is a little bit out of context, but there is no doubt that

Margaret Sanger is connected with some of the ugliest periods in our country's history involving racism or eugenics.

Her endorsements of promiscuity and opposition to Christian teachings and sexual conduct are well known. To this day, Planned Parenthood counsels minors without parental consent.

If you really want to strike a blow for equality and strike a blow for not offending people, we should stop spending the hundreds of millions of dollars we do every year on Planned Parenthood.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished member of the Committee on the Judiciary who is focused on an evidence-based approach to all of these issues.

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman from Maryland. I do want to say to the gentleman that, as you well know, the Judiciary Committee, in many machinations over the years, has looked at this question of choice and the constitutional right that comes from *Roe v. Wade*. Unfortunately, our voices—those of us who are there who argue the constitutional premise—have not been heard.

Let me stand in opposition to, again, a Groundhog Day announcement, which is again trying to repeal the Affordable Care Act. The good news is that this is my daughter's birthday. So I can celebrate February 2nd in a good way.

This approach to again try to take away from the millions of people in Texas who are uninsured the right to be insured, to have insurance with pre-existing conditions, and this horrible provision to defund Planned Parenthood, which is a health prospect and a health project that gives good health care to women, is absurd.

Let me also say, Mr. Speaker, that we face some troubling times when people are unemployed, and Planned Parenthood has provided resources to those vulnerable women. I can't understand why this bill continues to come up.

I am glad to stand in opposition to support Planned Parenthood and its funding and to recognize that the Constitution does protect choice. We do need to provide health care.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I think this is the chart that gets to the issue that is before us today the most, and that is what is our responsibility to our constituents.

As I mentioned earlier, when this bill passed on the floor of the House in March of 2010 in a hyperpartisan vote, the American people opposed it.

The fact of the matter is the American people oppose it by greater num-

bers now than they did back then. It is because they have seen its implementation.

They know that their premiums have gone up. They know that their healthcare costs more. They know that they can't see the doctor that they want to see. They know that they can't go to the hospital or the clinic that they want to go to. They know that the quality of their health care is actually decreasing if they talk to their doctor, and they know that their choices have been harmed in so many ways.

So this is a little chart here that demonstrates that 52 percent, according to Gallup in November of last year, oppose this bill. According to Fox, in August of last year, 54 percent opposed this bill. According to Quinnipiac, in July of last year, 52 percent opposed this bill. Those numbers only increase.

Our responsibility, as Representatives of the people, is to represent them. That is what we are doing today. The President is standing in the way of the people's wishes on this piece of legislation. The President is standing in the way of patient-centered health care.

It is our job and our responsibility to stand up for the American people and the will of the American people. We will vote today to override this veto. I urge my colleagues to join in that activity.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, is the gentleman prepared to close?

Mr. TOM PRICE of Georgia. Mr. Speaker, may I ask how much time remains on each side?

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The gentleman from Maryland has 1 minute remaining. The gentleman from Georgia has 5¾ minutes remaining.

Mr. TOM PRICE of Georgia. Mr. Speaker, I share with my colleague that, unless the Speaker shows up, I am prepared to close.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

What the chairman of the Budget Committee said about the Affordable Care Act omitted the fact that a majority of Americans do not want to repeal and dismantle the Affordable Care Act.

We would be happy to work with our colleagues in smoothing out some of the edges, but our Republican colleagues are only determined to take it down entirely without a replacement.

In fact, when you ask the American public: "What one word describes how you feel about the ongoing political debate about the Affordable Care Act?" they respond: "ridiculous," "waste of time."

It is a waste of time. Here we are for the 63rd time trying to get rid of the Affordable Care Act. It is not going to happen. The President vetoed the bill. We will sustain the veto.

To add insult to injury, our Republican colleagues now want to ignore all the facts about the grand jury investigation into Planned Parenthood, which vindicated Planned Parenthood and concluded instead that they should indict Planned Parenthood's accusers.

Mr. Speaker, we will sustain the President's veto. We will protect health insurance for 22 million Americans, and we will protect women's access to reproductive care.

Let's sustain the President's veto. Let's get on with doing the people's business here.

I yield back the balance of my time.

□ 1400

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I think it is important to appreciate the numbers of individuals who are supporting our work on this issue, the folks who support repealing this legislation: Associated Builders and Contractors, Christian Coalition of America, Concerned Women of America, the Family Research Council, FreedomWorks, National Right to Life, American Center for Law and Justice, American Commitment, American Conservative Union, American Principles Project, Americans for Prosperity, Americans for Tax Reform, Americans United for Life, Conservative Women for America, Focus on the Family, Heritage Action for America, Independent Women's Voice, Liberty Counsel Action, March for Life, the National Center for Policy Analysis, National Institute of Family and Life Advocates, National Taxpayers Union, Population Research Institute, Priests for Life, Students for Life, Susan B. Anthony, The Justice Foundation, Tradition, Family, Property, Incorporated, and Traditional Values Coalition. Mr. Speaker, the majority of the American people oppose the law in place.

As I close, the remarks that we make today, this is the time to try to set the record straight. We have heard from our friends on the other side what the Congressional Budget Office says. I will tell you what the Congressional Budget Office says about jobs. It says that this law will decrease the equivalent of over 2 million jobs in this Nation. Over 2 million jobs in this Nation lost because of this law.

Our friends talk about the CBO saying that 22 million individuals are going to lose their insurance. That is because CBO scores things in a way that doesn't recognize the other action that will occur, which is why we have in this bill a transition period to phase in to patient-centered health care; again, health care where patients and families and doctors are making decisions, not Washington, D.C.

We have a government of, by, and for the people, and we take that very, very seriously. When the President is standing in the way of the desires and the

wishes of the American people as it relates to something as personal as health care, our responsibility is to stand up for the American people, and that is precisely what we are doing today.

As it relates to women's health care, our bill actually would increase spending—increase spending—on women's health care across this great land and allow greater opportunity for access to community health centers by women to receive the kind of health care that they need.

Our friends on the other side talk about premiums going up only a little bit more than they had been in the past. Mr. Speaker, what that ignores is that the President of the United States promised—promised—the American people that premiums would go down on average \$2500 for a family of four. In fact, what they have done is gone up by nearly \$3,000 for a family of four.

Mr. Speaker, that is not comparing it to anything else. That is comparing it to what the President promised the American people, and the American people expect their Representatives and the President to keep their promises.

Deductibles have gone up incredibly. Our friends on the other side don't talk about that because what that means is that folks have health coverage out there, but they don't have health care. If you are a family of four, if you are an individual out there making \$40,000, \$50,000, \$60,000 a year, and your deductible is \$10,000 a year or \$12,000 a year, which is not unusual given this law, Mr. Speaker, you may have health coverage, but you don't have any health care.

As a formerly practicing physician, I can tell you I hear from my colleagues all the time about folks across this land who are making decisions, financial decisions because of this law, denying themselves and their family the ability to care for themselves and their family because of this law.

Mr. Speaker, the fact of the matter is, we believe that the principles of health care that we all hold dear ought to be adhered to. We believe in a system that ought to be accessible for folks—everybody. We believe in a system that ought to be affordable for everybody, that is of the highest quality, and that expands choices for the American people. The American people ought to be the ones who are deciding who is taking care of them when and where and the like.

Mr. Speaker, the fact of the matter is that this law violates every one of those principles. Accessibility is going down across this great land. Affordability is going down. Costs are going up. Quality is decreasing. All you have to do is talk to the men and women who are charged with caring for the American people. Choices have been destroyed in our health care system.

The principles that the American people hold dear, regardless of their political stripe, have been violated by this law. That is why we are standing here today, standing up and representing the American people, standing up on behalf of the American people and demonstrating once again that the only thing that stands in the way of what the American people want and what is occurring right now is that the President of the United States refuses—refuses—to follow the will of the people.

I urge a vote in favor of this veto override. We can get on then with the hard work of making certain that we move in the direction of patient-centered health care where patients and families and doctors are making medical decisions and not Washington, D.C.

Mr. POE of Texas. Mr. Speaker, the American People have spoken and they do not want Obama's high-cost, job-killing, conscience-violating healthcare law.

But the President refuses to listen. He vetoed Obamacare Reconciliation passed by both the House and Senate to dismantle Obamacare.

Americans have lost their insurance plans and their doctors. Their insurance premiums have skyrocketed and some have even lost their jobs because of Obamacare. Yet the Administration just sits by and watches while the American people suffer.

Today, the House continues to stand up for the people with this veto override. We will continue to fight for our constituents to defeat Obamacare and defund Planned Parenthood.

I urge a "yes" vote on this important measure to show the President and the American people that we will not stop until Obamacare is defeated.

And that's just the way it is.

Mr. HINOJOSA. Mr. Speaker, I rise today in agreement with President Obama's decision to veto H.R. 3762. If enacted, the bill would have repealed the Patient Protection and Affordable Care Act and defunded Planned Parenthood, limiting healthcare options for millions of Americans.

ACA is working. The Affordable Care Act and its health exchanges are helping previously uninsured people acquire access to high-quality, affordable health insurance plans.

The ACA expands coverage to include patients with pre-existing conditions, allows young adults to stay on their parent's family plan until age 26, and provides financial subsidies towards insurance premiums. In the days leading up to the deadline for the Federal Health Insurance Marketplace's third open enrollment season, the Centers for Medicare and Medicaid Services reported over 8.9 million people had signed up for health insurance coverage.

To meet demand, I facilitated several enrollment and education fairs throughout my south Texas district in collaboration with local partners in the Enroll Rio Grande Valley Coalition. Community members had the opportunity to speak to certified application counselors and sign up for insurance before the January 31st deadline.

I am disappointed that my Republican colleagues want to return to a time where women

paid more for medical insurance than men and where patients could be denied coverage based on their previous health history. We cannot in good conscience strip affordable medical coverage from over an estimated 22 million people that have gained peace of mind since ACA's passage in 2010.

Instead of enacting destructive legislation such as H.R. 3762, we must work together and build upon the Affordable Care Act and its successes. I am confident that we can collaborate to improve the current law and continue to expand protections for our country's most vulnerable populations.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in support of the President's veto of H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act.

The President was right to veto this irresponsible and mean-spirited legislation because it neither restores healthcare or freedom.

I will proudly vote to sustain the President's veto.

This bill is not a serious effort to address this nation's budgetary needs and its details reveal that it is another opportunity for the majority to hide behind legislative gimmicks in an attempt to kill the Affordable Care Act.

This is a waste of taxpayer money and this body's legislative calendar, which has too few days left for wasting any of our time voting on bills that the President has communicated in writing that he will veto.

The President was right to veto H.R. 3762 because it:

1. continues the majority's relentless crusade to put barriers between women and their right to have the healthcare provider and services that they want and need;
2. repeals individual responsibility requirements that people must have their own health insurance;
3. repeals the Independent Payment Advisory Board, which works to keep Medicare solvent; and
4. repeals the Prevention and Public Health Fund, which supports evidence-based programs designed to keep Americans healthy, prevent chronic and infectious diseases and reduce future healthcare cost.

The news from across the nation regarding the healthcare freedom and choice created by the Affordable Care Act for first time health insurance consumers is overwhelmingly positive.

Unfortunately, today the majority has targeted a women's right to control her own healthcare by attempting to defund Planned Parenthood.

The partisan and mean-spirited nature of H.R. 3762 is illustrated by the fact that House Republicans have opted to proceed with this veto override vote notwithstanding the fact that after an exhaustive investigation lasting more than 5 months and led by a strongly pro-life Republican District Attorney, a grand jury in Harris County, Texas completely exonerated Planned Parenthood of the false, malicious, and scurrilous charge of trafficking in the sale of fetal body parts.

Instead, the grand jury returned indictments against the producers of the doctored videos.

Mr. Speaker, in my home state of Texas, a law that would have cut off access to 75 percent of reproductive healthcare clinics in the

state was challenged before the U.S. Supreme Court in 2014 and 2015.

On October 2, 2014, the Supreme Court made unconstitutional a Texas law that required that all reproduction healthcare clinics that provided the full range of services would be required to have a hospital-style surgery center building and staffing requirements.

This requirement meant only 7 clinics would be allowed to continue to provide a full spectrum of reproductive healthcare to women.

In 2015, the State of Texas once again threatened women's access to reproductive health care when it attempted to shutter all but 10 healthcare providers in the state of Texas.

The Supreme Court once again intervened on behalf of Texas women to block the move to close clinics in my state.

New attacks on women are now being couched with renewed attacks against the Affordable Care Act, which the majority has attempted to overturn with over 50 votes since its enactment.

The attacks against Planned Parenthood is a social and economic statement that if you are a woman with money you have the right to think for yourself regarding your healthcare choices, but if you are poor or lack healthcare options you do not have that same right.

Millions of women now have free coverage for comprehensive women's preventive medical services.

The reality is women who face difficult health care decisions do not do so lightly.

Women in this nation have a right to self-determination.

It is a fundamental human right and one that should be cherished.

The most important right is the ability of each person to determine their destiny and this right has to be freely exercised.

Healthcare has become a fundamental right for our nation's citizens with the best possible outcomes for the millions of people who had no healthcare due to pre-existing illnesses or were penalized with higher premiums for pre-existing conditions.

Because of the Affordable Healthcare Act:

1. 100 million Americans no longer have a life-time limit on healthcare coverage.

2. 17 million children with pre-existing conditions can no longer be denied coverage by insurers.

3. 6.6 million young-adults up to age 26 can stay on their parents' health insurance plans.

4. 6.3 million Seniors in the "donut hole" have saved \$6.1 billion on their prescription drugs.

5. 3.2 million Seniors have access to free annual wellness visits under Medicare, and

6. 360,000 Small Businesses are using the Health Care Tax Credit to help them provide health insurance to their workers.

Statistics on Texas and the Affordable Care Act reveal that:

1. 3.8 million Texas residents receive preventative care services.

2. 7 million Texans no longer have lifetime limits on their healthcare insurance.

3. 300,731 young adults can remain on their parents' health insurance until age 26.

4. 5 million Texas residents can receive a rebate check from their insurance company if it does not spend 80 percent of premium dollars on healthcare.

5. 4,029 people with pre-existing conditions now have health insurance.

This year for the first time insurance companies are banned from:

1. discriminating against anyone with a pre-existing condition;

2. charging higher rates based on gender or health status;

3. enforcing lifetime dollar limits; and

4. enforcing annual dollar limits on health benefits.

Few people knew that health insurers viewed pregnancy as a pre-existing condition.

Because of the Affordable Care Act women can no longer be charged a higher rate just because they are women.

Attempts to weaken or end the ACA are wrong.

A January 2015, Gallup poll revealed that nationally the uninsured rate in the United States was reduced to 12.9%.

The uninsured rate nationally dropped 4.2% points since the enactment of the Affordable Care Act.

We are becoming a nation of equals when it comes to access to affordable healthcare insurance.

I urge all Members to join me in voting to sustain President Obama's veto of this latest Republican effort to turn the clock back on women's rights and the healthcare safety-net that is assuring longer and healthier lives for millions of Americans.

Mr. TOM PRICE of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is, will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 594; and

Adopting House Resolution 594, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Any remaining electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 3700, HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the reso-

lution (H. Res. 594) providing for consideration of the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 236, nays 178, not voting 19, as follows:

[Roll No. 48]

YEAS—236

Abraham	Goodlatte	Mooney (WV)
Aderholt	Gosar	Mullin
Allen	Granger	Mulvaney
Amash	Graves (GA)	Murphy (PA)
Amodei	Graves (LA)	Neugebauer
Babin	Graves (MO)	Newhouse
Barletta	Griffith	Noem
Barr	Grothman	Nugent
Barton	Guinta	Nunes
Benishek	Guthrie	Olson
Bilirakis	Hanna	Palazzo
Bishop (MI)	Hardy	Palmer
Bishop (UT)	Harper	Paulsen
Black	Harris	Pearce
Blackburn	Hartzler	Perry
Blum	Heck (NV)	Peterson
Bost	Hensarling	Pittenger
Boustany	Herrera Beutler	Pitts
Brady (TX)	Hill	Poe (TX)
Brat	Holding	Poliquin
Bridenstine	Hudson	Posey
Brooks (AL)	Huelskamp	Price, Tom
Buchanan	Huizenga (MI)	Ratcliffe
Buck	Hultgren	Reed
Bucshon	Hunter	Reichert
Burgess	Hurd (TX)	Renacci
Byrne	Hurt (VA)	Ribble
Calvert	Jenkins (KS)	Rice (SC)
Carter (GA)	Jenkins (WV)	Rigell
Carter (TX)	Johnson (OH)	Roby
Chabot	Johnson, Sam	Roe (TN)
Chaffetz	Jolly	Rogers (AL)
Clawson (FL)	Jones	Rogers (KY)
Coffman	Joyce	Rohrabacher
Cole	Katko	Rokita
Collins (GA)	Kelly (MS)	Rooney (FL)
Collins (NY)	Kelly (PA)	Ros-Lehtinen
Comstock	King (IA)	Roskam
Conaway	King (NY)	Ross
Cook	Kinzinger (IL)	Rothfus
Costello (PA)	Kline	Rouzer
Cramer	Knight	Royce
Crawford	Labrador	Russell
Crenshaw	LaHood	Salmon
Culberson	LaMalfa	Sanford
Curbelo (FL)	Lamborn	Scalise
Davis, Rodney	Lance	Schweikert
Denham	Latta	Sensenbrenner
Dent	LoBiondo	Sessions
DeSantis	Long	Shimkus
DesJarlais	Loudermilk	Shuster
Diaz-Balart	Love	Simpson
Dold	Lucas	Smith (MO)
Donovan	Luetkemeyer	Smith (NE)
Duffy	Lummis	Smith (NJ)
Duncan (SC)	MacArthur	Smith (TX)
Duncan (TN)	Marchant	Stefanik
Ellmers (NC)	Marino	Stewart
Emmer (MN)	McCarthy	Stivers
Farenthold	McCaul	Stutzman
Fincher	McClintock	Thompson (PA)
Fitzpatrick	McHenry	Thornberry
Fleischmann	McKinley	Tiberi
Fleming	McMorris	Tipton
Flores	Rodgers	Trott
Forbes	McSally	Turner
Fortenberry	Meadows	Upton
Fox	Meehan	Valadao
Frelinghuysen	Messer	Wagner
Garrett	Mica	Walberg
Gibbs	Miller (FL)	Walden
Gibson	Miller (MI)	Walker
Gohmert	Moolenaar	Walorski

Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield

NAYS—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)

NOT VOTING—19

Brooks (IN)
Butterfield
Castro (TX)
Fattah
Franks (AZ)
Gowdy
Grijalva

□ 1426

Ms. TITUS changed her vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 177, not voting 14, as follows:

[Roll No. 49]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Baretta
Barr
Barton
Benishak
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)

Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard

NOES—177

Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan, Ben Ray
(NM)
Lynch
Maloney
Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Napolitano

NOT VOTING—14

Brooks (IN)
Butterfield
Castro (TX)
Fattah
Gowdy

□ 1433

Mr. RUSH changed his vote from “aye” to “no.”

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on Roll Call Number 48 on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 3700. I am not recorded because I was absent due to awaiting the impending birth of my son in San Antonio, Texas. Had I been present I would have voted NAY.

Mr. Speaker, my vote was not recorded on Roll Call Number 49 on H. Res. 594—Rule providing for consideration of H.R. 3700—

Housing Opportunity Through Modernization Act of 2015. I am not recorded because I was absent due to awaiting the impending birth of my son in San Antonio, Texas. Had I been present I would have voted NAY.

HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2015

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill, H.R. 3700, to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 594 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3700.

The Chair appoints the gentleman from Pennsylvania (Mr. COSTELLO) to preside over the Committee of the Whole.

□ 1437

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes, with Mr. COSTELLO of Pennsylvania in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today I rise in strong support of H.R. 3700, the Housing Opportunity Through Modernization Act, offered by my friend, Chairman LUETKEMEYER of Missouri.

I want to thank him for his leadership on this bill that he has worked on for many, many months. It represents a true bipartisan approach to housing reform.

I also want to thank his fellow Missourian, the ranking member of the Housing Subcommittee, again, another gentleman from Missouri (Mr. CLEAVER), for his input into this legislation and for his leadership on his side of the aisle as well.

H.R. 3700 passed the Financial Services Committee with broad bipartisan support back in December. Again, it is designed to help promote greater efficiency in our existing housing assistance programs.

In many different ways, Mr. Chairman, it modernizes a lot of outdated rules and regulations which, in some cases, have not even been updated in a generation. And so, in that respect, it takes the resources that we have and targets it to those who need it the most.

So you will find provisions here dealing with Section 8 rental assistance, public housing, rural housing, homeless assistance, and FHA mortgage insurance for condominiums. It is a very broad bill, and, again, it enjoys bipartisan support.

Let me talk a little bit about what H.R. 3700 doesn't do or what it is not. Few have been more critical about the poor focus of our HUD programs than I have been because, regardless of whatever their good intentions may be, the undeniable truth is current Federal housing policy remains fractured, remains costly, remains inefficient, and oftentimes does not help those who truly need it.

In 2012, the GAO found that 20 different Federal Government entities administer over 160 different programs, tax expenditures, and other tools that support home ownership and rental housing.

The Department of HUD has received approximately more than \$1.6 trillion in real dollars since it was born 50 years ago and today spends over \$45 billion annually on at least 85 active programs, again, many of which have not been modernized or updated in a generation.

And the results of all this?

Well, all too often housing affordability remains a very real challenge for many Americans. Too many neighborhoods still suffer from blight and neglect with substandard housing options for low-income families.

Most tellingly, the national poverty rate has remained essentially unchanged in the 50 years since HUD was first created. Mr. Chairman, we can do better.

Now, we all know that the best housing program is a job, a career path, one with a future. We know that the best housing program is economic opportunity for all, boundless economic opportunity for all. But there are still some that need assistance.

So that is not what this debate is about today. Today the debate is: What can we do on a bipartisan basis? Where can we come to agreement on current existing programs to try to make them work better for the poor and for our low-income people who need assistance through the HUD programs? What is it we can do to help move more people out of poverty to lives of self-sufficiency?

How do we reform HUD's complex bureaucratic web of programs? How do we spread economic opportunity to all?

Those should be what our goals are.

H.R. 3700 addresses the question by finding many ways within HUD's bureaucracy to streamline the inspection protocol for rental assistance units, to simplify tenant income review so local housing officials can focus on housing, not data collection, and to target assistance, again, to households with the greatest need.

For the first time, H.R. 3700 will state that any occupant of a public housing unit that exceeds the area median income for 2 consecutive years either gives up their government subsidy or moves out of the unit. That provides more resources for those who deserve it.

H.R. 3700 also addresses the problem of over-income occupants. It creates for the first time a financial asset test for public housing residents. Currently, there is only a one-time income test.

Again, these are just two ways, Mr. Chairman, that we ensure that the resources that are devoted to these housing programs are targeted to those who are most in need.

I could go on and on about the benefits of the bill. But let me just say that, with any great project, there are those who are always saying we could do more. And, yes, we could do more, and we are working faster to implement even more reforms.

But today represents a start of a process, not the end of a process, a very ambitious project to transform how we deliver government housing assistance in America and help people graduate from Federal assistance to lives of self-sufficiency and financial independence.

Again, I congratulate the gentleman from Missouri, the chairman of our Housing and Insurance Subcommittee, for his great leadership.

I commend the ranking member of that committee as well for working on a bipartisan basis.

I hope all Members will support H.R. 3700. It is a bipartisan first step in fixing a broken housing system that we have.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself as much time as I may consume.

Mr. Chairman, we are here today to discuss H.R. 3700, but I would like to start by saying how pleased I am that we are focusing on housing.

This is the first major housing bill that the Financial Services Committee has considered in the past several Congresses, and I hope that we can spend a lot more time focusing on the dire housing needs of low-income families in America as we move forward.

□ 1445

Today, only one in four households in this country who are eligible to receive

housing assistance actually receive it, and there is a severe deficit of over 7 million rental units that are both affordable and available to extremely low-income Americans.

Furthermore, according to HUD's most recent point-in-time count, there are nearly 600,000 Americans who are homeless in this country—a staggering number I find simply unconscionable. These statistics demonstrate that we must come together to make reforms to Federal housing programs, but also to commit new resources to tackle the extreme lack of affordable housing in this country.

I spend a lot of time visiting and talking with housing and homeless services providers. Recently, I visited the Downtown Women's Center in Los Angeles and N Street Village here in D.C. These homeless service providers are helping women and families get off the streets and into safe, decent, affordable, and supportive housing. Organizations such as these are not just applying compassion, they are applying evidence-based approaches to addressing homelessness in the most effective ways.

H.R. 3700 is a step in the right direction because it directly responds to concerns that I have heard over and over again from these housing and homeless service providers about how Federal housing programs can better support their efforts.

This bill would make several incremental changes across a number of Federal housing programs that will allow us to better serve low-income families in need of housing assistance while also relieving certain administrative burdens. These changes would affect public housing, section 8 Tenant and Project-Based Rental Assistance, the Federal Housing Administration, the Rural Housing Service, and HUD's homelessness programs, among others.

Many of the provisions are common-sense reforms that are long overdue. For example, this bill includes the text of my bill, the Project-Based Voucher Improvement Act of 2015, which would increase flexibility for public housing authorities to develop new units of housing to serve vulnerable populations, including those who are homeless in this country. It would also help to create housing opportunities in areas where vouchers are difficult to use.

Several national and local tenant advocacy organizations and affordable housing industry groups have expressed support for my bill. In addition, a number of other provisions in H.R. 3700 were included in previous section 8 reform bills that I have introduced. I am pleased that my Republican colleagues have expressed their support for these provisions that I have long advocated.

At the markup of this bill, I raised a serious concern that I had with one of the provisions in H.R. 3700 because it

would effectively raise rents for low-income families with children who are living in certain HUD-assisted housing. I voted against the bill in committee. Although I voted against the bill at the committee markup for this reason, I am very pleased to say that I have worked, and my staff has worked, with my Republican colleagues so that we could find some common ground, and they have indicated that they will support my amendment that I have offered to address this issue.

I am encouraged that my Republican colleagues shared in my concerns and that we were able to reach a meaningful compromise on this issue.

Mr. Chairman, that is why I am now urging my colleagues to vote "yes" on H.R. 3700. It is high time we came together to pass a bipartisan housing bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Housing and Insurance Subcommittee of the Financial Services Committee. He happens to be the author of the bill.

Mr. LUETKEMEYER. Mr. Chairman, I would like to thank Chairman HENSARLING, Ranking Member WATERS, and especially my good friend from Missouri, the ranking member, Mr. CLEAVER. We have had a labor of love with this bill, and it took two guys from the Show Me State to show them how to do it. We are excited about that, and I want to give a special shout-out to him.

Mr. Chairman, when I took the gavel of the Financial Services Subcommittee on Housing and Insurance, I told my colleagues I wanted to work with them across party lines to make meaningful changes that benefit all Americans. H.R. 3700 represents a major step forward, one to reform a system that is in many instances outdated, duplicative, and burdensome.

As a body, we should be committed to creating a more efficient government and greater opportunity for the American people and American businesses. H.R. 3700 helps us meet those commitments.

This legislation promotes greater efficiency in housing assistance programs and modernizes outdated rules and regulations, which in some cases have not been updated in more than a generation. H.R. 3700 streamlines the inspection protocol for rental assistance units, simplifies the income recertification policies for assisted households, clarifies homeless assistance program requirements, delegates rural housing loan approval authority, and provides targeted flexibility between public housing operating and capital funds.

H.R. 3700 also gives State and local housing agencies and private owners

enhanced flexibility in meeting key program objectives such as reducing homelessness, improving access to higher-opportunity neighborhoods, and addressing repair needs of public housing.

The bill also, for the first time in over 30 years of public housing policy, provides a thoughtful limitation on public housing tenancy for over-income families. Importantly, this legislation also pays special attention to our homeless veterans and children aging out of foster care, two vulnerable communities that need our support today.

H.R. 3700 does all of this and still manages to save the taxpayers money. CBO estimates that the underlying bill saves \$311 million over 5 years.

I will be the first to point out that H.R. 3700 will not necessarily change the world. It won't overhaul HUD or the Rural Housing Service, end homelessness overnight, or meet the overwhelming need for affordable housing. But it is a significant step in the long journey to reforming a broken system.

The majority of the provisions in this bill were agreed to years ago by Members of Congress, housing advocates, and industry groups. H.R. 3700 is a set of solutions on which all parties, in Congress, industry, and advocacy, have agreed and can agree.

Mr. Chairman, this legislation presents a bipartisan effort that has been drafted and debated over the past 6 months. I want to thank again Chairman HENSARLING for his support and Ranking Member WATERS for her work on the bill, which passed the Financial Services Committee in December by an overwhelming bipartisan vote of 44-10.

I also want to recognize my good friend, the ranking member, Mr. CLEAVER from Missouri. Without his tireless efforts, this bill would be very difficult to have accomplished anything with.

Housing policy isn't easy. It is emotional. It touches lives. It sets the stage for future generations. Because it is so important, it isn't always easy to find policies on which we all agree. With H.R. 3700, we have an opportunity to show the Nation that we are committed to working together, and with a diverse group of stakeholders, for the American people.

Mr. Chairman, I urge my colleagues to support this legislation, and I urge the Senate to consider it without delay so we can break a status quo that benefits too few at the cost of too many.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri (Mr. CLEAVER). He is the leading Democratic sponsor of this bill, a member of the Financial Services Committee, and the ranking member of the Subcommittee on Housing and Insurance.

Mr. CLEAVER. Mr. Chairman, I came to Congress, and because of my own experiences, I only had one ambition

other than being a Member of Congress, and it was to take leadership in the Subcommittee on Housing and Insurance because, experientially, I thought I had experiences that might help. And secondly, having served as mayor, we dealt a lot with housing in Missouri's largest city. I had this opportunity. And I want to thank Ms. WATERS for the opportunity to be the lead Democrat on the Housing and Insurance Subcommittee.

I think it was fortunate, maybe even fortuitous, that two Missourians ended up working together, and we were able to, I think, do some things that probably might not have been done otherwise because I think we both have a spirit of working together, and it ended up in a good product. But that wouldn't have taken place without the chairman and the ranking member.

I lived in 404-B Bailey public housing in Wichita Falls, Texas. I went by on Christmas, and I just parked there for a long time and looked at the kids running around playing, thinking I used to do that on that same little piece of dirt that we called a yard. I wondered about the kids who were in that unit. Will they eventually have the opportunities that I was blessed to have? Or would they suffer the fate of many others with whom I grew up?

I thought in part we might be able to do some things here that will help the little boy I saw running around playing in front of the unit I once lived in with my mother, father, and three sisters. I think we have done this. These are probably the most sweeping changes in HUD regulations in a quarter of a century, perhaps ever; and what we have done is we have remodeled, or refashioned, or recast, or redesigned many of the programs impacting HUD.

I do not disagree with Chairman HENSARLING that we do have a great deal of redundancy in programs that we run with HUD and USDA. I do think at some point there is a need for us to get things molded a little bit better, but that is not going to take place I don't think any time soon.

I support H.R. 3700 because I had the opportunity to understand what these changes mean. I also need to say before I go any further that I don't believe that compromise means capitulation. In fact, I don't think democracy can work without comity and compromise. I think they are inseparable parts of democracy. So there are parts of this bill that I am not as thrilled with, as other parts, but that is what happens in a democracy.

Again, I cherish the opportunity to work with people who are willing to move and shake and move and shake and shake and move to get something to the floor.

The bill will streamline the inspection and income review process for families living in section 8 units. We are making, in this legislation, some

very badly needed changes to the project-based voucher program by allowing a public housing authority, PHA, to project-base up to 20 percent of its authorized voucher allocation, rather than 20 percent of the voucher funding that we give. And then we give PHAs more flexibility with their funds by allowing them to transfer up to 20 percent of their capital funds to the operating fund.

Mr. Chairman, what this allows is for people who are on the ground, working with people, understanding where they need to have funds, the opportunity to move those funds around without violating any of the HUD regulations.

It helps our foster children by expanding eligibility for the Family Unification Program from the current limit of 21 years of age to 24 years of age, and it increases the length of stay from 18 months to a maximum of 36 months. It also—and I think this is important—expands the eligibility of individuals who will leave foster care within 90 days.

Mr. LUETKEMEYER. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER), who is the chair of the Subcommittee on Financial Institutions and Consumer Credit.

Mr. NEUGEBAUER. Mr. Chairman, I want to thank Chairman LUETKEMEYER and Ranking Member CLEAVER for their work on this very important piece of legislation.

I have been in the housing business probably for over 40-some-odd years. I have been involved in every aspect of it, from low-income housing, to rental housing, to new housing, to resale housing. One of the things that I have recognized over the years is what an important part housing is to the fabric of our country, how important housing is to families, and how people enter into the housing market in different ways. Certainly there are folks that go into market-based rental housing, and then there are folks that aren't quite ready to do that. Maybe they are getting started or have had a difficulty in their life, so lower-income housing provides an opportunity for them.

I think the goal of the housing programs over the years is to provide low-income housing as a stepping stone and not a permanent residence. One of the things I like about H.R. 3700 is that it encourages that process. It has been brought up in a number of these programs, and over the years sometimes a good idea spreads around. We have spent a lot of time probably creating new housing programs and probably spent a lot of time increasing the funding for housing programs, but in many cases maybe we didn't stop and do the review and make sure that the programs that we had put in place were efficient in delivering the services that needed to be delivered and helping those families accomplish the goal of moving through the housing cycle.

□ 1500

So one of the things that I like about this bill is that these families that have—in fact, the goal has been to increase their livelihood, and they have gotten better jobs and their income has increased. It is time, then, for those folks to move on. Because what we know is—and those statistics have been, I think, brought out today—we have got a number of people in the waiting line to get into some of this housing to better their lives. It is not fair that people whose incomes have far surpassed incomes that it takes to qualify to live in them should continue to do that.

So affluent families must pay market rental rates or they have got to leave the public housing arena. Higher asset families must leave public housing. That is a normal cause. That is not cruel. That is just the way that these programs were designed to work.

The other thing, though, is we have a responsibility not only to the families and individuals around our country, but we have a responsibility to the United States of America. One of the things that I think is important about this piece of legislation is it doesn't really mess with mandatory spending but is, according to CBO, going to save \$300 million over 5 years.

What that points out—and this is done really without cutting any of the programs, but just cutting some efficiencies in those programs to make sure that those programs are being administered appropriately—is, if there are some regulatory things that are keeping people from operating some of these public housing facilities in a way that maximizes the benefit, then we give them some flexibility to do that by reducing some duplicative regulatory processes and, more importantly, empowering the local entities and the local operators of this public housing to be more innovative and creative.

As I have had an opportunity to visit some of our public housing facilities in my district, the 19th Congressional District, and sit down with a lot of those administrators, what they tell me is: RANDY, if we could have more flexibility, we know how to deliver this service much more efficiently than we have today. But in many cases, the Federal regulation is inhibiting their ability to be able to implement some of those things.

I want to commend the two gentlemen from Missouri for their outstanding work. Yes, we could probably do more, but the good thing is we got started. I think we are off to a good start, so I encourage my colleagues to support H.R. 3700.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from Wisconsin (Ms. MOORE), the ranking member of the

Monetary Policy and Trade Subcommittee of the Committee on Financial Services.

Ms. MOORE. Mr. Chairman, I thank Ranking Member WATERS for yielding.

I rise in support of H.R. 3700, as amended by Ranking Member WATERS.

This is what you call regular order, folks. This bill came out of committee with a significant flaw that would have had a very negative impact on families and children and the ability of low-income people to deduct childcare expenses. If it were not fixed, it would have effectively raised rent on thousands of low-income families with children.

I just want to commend my colleagues, Ms. WATERS and Mr. CLEAVER—Ms. WATERS in particular—for really catching this flaw. But I also want to commend the Republicans who, instead of just taking their position as being in the majority and saying “we don’t have to listen to you,” continued to engage with us to fix this. Literally, the math did not work out.

I can tell you as once a single parent and as a grandmother, I know about the budget-busting cost of child care. I also know how central housing policy and access to child care is critical to positive social outcomes for children.

So often we demand that poor people, and especially women, pull themselves up by their bootstraps. We have programs that are designed to help them. But then what we do is we put program features in place that really cancel out the benefits of these programs.

But this bill, H.R. 3700, as amended by the ranking member, eliminates the unintended consequences for poor people who are raising children. Ranking Member WATERS and subcommittee Ranking Member CLEAVER have both been powerful advocates for affordable housing on the Financial Services Committee. I am so pleased to join them in fighting for these changes.

H.R. 3700 is supported by the National Association of Realtors, the National Alliance to End Homelessness, and the Center on Budget and Policy Priorities, among the over two dozen groups supporting it.

I urge adoption of the legislation, as amended by Ms. WATERS.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), the vice chairman of the Financial Institutions and Consumer Credit Subcommittee.

Mr. PEARCE. Mr. Chairman, I thank the gentleman for yielding.

About 5 years ago, I was in Roswell, New Mexico, at a meeting with veteran constituents. We were talking about policies and things like that. After about an hour, suddenly one gentleman overlooked in the whole group blurted out, “I am living in a rat hole.” It just caught us all by surprise. We dismantled the discussion there, and we went

immediately to look at his house. Over the next 2 years, that community gathered money and businesses came together. They tore down the man’s house and rebuilt it.

The problem is that not everyone out there can get access to communities and local businesses to help them through the problems, so we have the housing programs which are set up. Unfortunately, they are mired in bureaucratic red tape. We soak up the dollars that should be helping people with administrative burdens that make no sense, with duplicative requirements to go through the processes.

I commend both sides of the aisle, Mr. LUETKEMEYER and Ms. MAXINE WATERS of California, for pushing this reform because it will allow us to direct the money to where it should be going.

Many times we think that we disagree with each other about policies. The truth is there is not significant disagreement that we should be helping those at the lowest income levels to raise themselves up. It is through their progression towards prosperity and towards just making ends meet that we get rid of some of the deepest problems in our social cost of the government. It is not that we disagree; it is that sometimes we get trapped and that that program doesn’t work very well so we want to cut funds.

I really think that this is a very important step today where we are trying to modernize the systems that are delivering help to those that need it the most in the belief that the human spirit will actually take those steps to make their own way out once we help them stabilize.

Again, just thanks for the work on both sides of the aisle.

I urge support of H.R. 3700.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from Alabama (Ms. SEWELL), a member of the Financial Services Committee.

Ms. SEWELL of Alabama. Mr. Chairman, I rise today in support of H.R. 3700, the Housing Opportunity Through Modernization Act, as amended by Ranking Member WATERS.

While not a perfect bill, H.R. 3700 has been made considerably better by the amendment offered by Ranking Member WATERS. There are other amendments that I would love to see, including my own, but I must tell you that this bill does represent true bipartisan ship. It is a major bipartisan step towards helping preserve our scarce housing resources while expanding housing opportunities and homeownership opportunities.

More specifically, this legislation makes critical changes that would help improve and expand the Section 502 Guaranteed Rural Housing Loan Program. This program helps provide low- and moderate-income households with

homeownership opportunities in rural areas, like the Seventh Congressional District of Alabama, which I am so proud to represent.

The sad reality is that too often, rural America faces severe barriers and obstacles to obtaining quality and affordable housing. This is largely due to the limited access to affordable mortgage credit.

The Section 502 Guaranteed Rural Housing Loan Program is designed to target rural residents who have a steady low or moderate income yet are unable to obtain adequate housing through conventional financing. Essentially, this program encourages private lenders to extend credit to responsible and creditworthy borrowers in rural America.

H.R. 3700 would help the Department of Agriculture improve and expand the Section 502 Guaranteed Rural Housing Loan Program by delegating loan approval authority to certain participating lenders. This is similar to the authority that the Secretary of the Department of Housing and Urban Development currently has for Federal Housing Administration’s programs, and this legislative proposal was included in the President’s FY 2016 budget.

This is a commonsense and pragmatic measure that will help improve the efficiency of an important rural housing program so that it can reach even more rural families. It is critically important that we continue to provide the necessary tools and incentives to help ensure all Americans are able to realize their dream of homeownership.

I want to commend my colleague from Missouri. I especially want to commend my colleague Congressman CLEAVER for his tireless leadership on this effort. I want to thank the chairman and ranking member for their efforts.

I urge all of my colleagues to support H.R. 3700.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. I thank Chairman LUETKEMEYER for his leadership on this bill, and I appreciate deeply the support and leadership of Congressman CLEAVER.

Mr. Chairman, today I rise in support of H.R. 3700, the Housing Opportunity Through Modernization Act, which contains provisions that expand housing opportunities while protecting American taxpayers.

This bipartisan legislation provides commonsense efforts for streamlining and reducing regulatory burdens for organizations working with HUD.

This bill looks to correct many wrongs within our housing system while also simplifying certification processes and providing permanent authority for direct endorsement for approved lenders to approve rural housing service loans.

Mr. Chairman, condominiums are often the first step on the housing ladder for first-time homeowners. They also can be the most affordable and desirable option for single people, young families, and those looking to downsize. Unfortunately, current FHA regulations prevent buyers from purchasing condos. H.R. 3700 eases restrictions, allowing more opportunity for homeownership.

This bill reins in duplicative and overly burdensome regulations, which not only create a slower process, but also increase government workload all without affecting any changes to direct spending.

Mr. Chairman, housing assistance should be solely for those who need it most of all, and this bill takes aim at ensuring this. For the first time in 80 years, this legislation provides limitations on public housing tenancy for over-income families.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LEE), a member of the Appropriations Committee and someone who has been focused on dealing with poverty.

Ms. LEE. Mr. Chairman, let me thank our ranking member, Congresswoman WATERS, for leading and also for her tremendous leadership on the Financial Services Committee as our ranking member. She has been phenomenal in terms of making sure that our legislation is bipartisan. Also, I remember serving on the Subcommittee on Housing and Insurance for many, many years with Congresswoman WATERS, and she constantly worked to make sure that people had access to affordable, accessible, clean, and safe housing. She has not wavered on that agenda. So I thank her very much.

The need for affordable housing has never been greater. That is why I am very happy to be here today to support the Housing Opportunity Through Modernization Act of 2015. This bill would make critical improvements to our Nation's public and assisted housing programs, and takes steps to ensure that low-income communities have access to safe and affordable housing.

Now, let me just tell you, in my district in Oakland, California, rents have risen faster than anywhere else in the Nation. In fact, if the average Oakland renter had to move tomorrow, they would be spending a staggering 70 percent of their income on housing—70 percent of their income. That is outrageous. My constituents, like many constituents around the country, can't afford this, so this is a crisis.

□ 1515

This bill takes steps to address this issue by protecting voucher holders from losing their subsidies when fair market rents drop, which is something that recently had a major impact on

my community. Thankfully, with the help of Congresswoman WATERS and our Secretary of HUD, we were able to navigate the agency's redtape to find a solution so the tenants could keep their assistance and stay in their homes.

I support this bill and the critical amendments offered by Congresswoman WATERS and Congressmen PRICE and ADERHOLT.

It is also important that we update the formula that is used to distribute funds under the Housing Opportunities for Persons with AIDS to reflect the changing nature of the HIV/AIDS epidemic and to ensure those communities in greatest need receive critical HOPWA funds. This is one issue that Congresswoman WATERS has been working on for many, many years to make sure these funds are targeted to the people and to the communities who need it the most.

The bill allows for homeownership for those whose American Dream of such has been shattered. Thank goodness, in this bill, we now have provisions that will allow that dream to be fulfilled.

I thank Congressman CLEAVER as well as our majority and minority members for this bill.

From just a very parochial point of view, in my district, I have to say how badly needed this bill is, as gentrification is a big issue. My constituents constantly ask me what the Federal Government can do, and this is a major step in that direction.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2½ minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. I thank the chairman.

Mr. Chairman, I rise in strong support of H.R. 3700, which is a modest but important first step to improving Federal housing policy through several commonsense reforms.

For the first time in HUD's 50-year history, there will now be a flexible formula directing over-income families to pay greater shares of their subsidized rents or to move out of public housing. Incomes and assets will be re-evaluated to target assistance to those who are truly in need.

There are wait lists across the country for scarce public housing resources and Section 8 vouchers. I have listened to homeless advocates and to my constituents at the Lexington Housing Authority in Kentucky about the waiting lists that exist in my own district. A 2015 HUD audit found that 25,000 families had incomes too high to qualify for assistance; yet the families remained in taxpayer subsidized housing. Some of those families actually derived income from renting other residential properties that they, themselves, owned. One family highlighted in the report had a combined income of \$498,000.

Policy failures such as these not only waste taxpayer dollars, but, more im-

portantly, they hurt those in need who might otherwise have roofs over their heads. I hope this bipartisan initiative is a down payment on the further reform of Federal housing programs.

Several of my colleagues and I are developing an empowerment agenda to holistically reform Federal assistance programs from housing to nutrition to workforce development. We start with the recognition that the Federal Government now runs more than 80 different antipoverty programs at an annual cost of nearly \$1 trillion; yet, after 50 years of this strategy, the poverty rate has barely budged from where it was in 1965. The goal is to assist Americans to achieve their God-given potential and to restore the American Dream to where the condition of one's birth does not determine the outcome of one's life.

I look forward to working with my colleagues on both sides of the aisle and with members of this subcommittee in leveraging the empowerment agenda to craft additional reforms to Federal housing policies, which will improve outcomes by recognizing that poor Americans are not liabilities to be managed by some remote bureaucracy in Washington but who are untapped assets who can achieve the American Dream.

I congratulate Chairman LUETKEMEYER and Ranking Member CLEAVER for their work on this bill.

I urge my colleagues to vote in favor of H.R. 3700, and I invite my colleagues on both sides of the aisle to join in additional efforts to reform HUD and to more effectively combat poverty.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DESAULNIER).

Mr. DESAULNIER. I thank the gentlewoman for yielding.

Mr. Chairman, with this bill, we have an opportunity to address an inequity with how the Department of Housing and Urban Development treats condominiums, particularly in senior communities.

Across the country and in my district in the Bay Area, condo communities have been missing out on access to mortgages due to an unnecessarily restrictive rule. The rule's intent is good, but, in practice, it unduly harms seniors, families, and communities.

One community in my district in the East Bay of the Bay Area, Rossmore, is home to thousands of seniors, many of whom need access to HUD-backed mortgages to enhance their financial security. I am pleased that this bill is a step in the right direction to allow these residents and residents in other condo communities around the country to benefit from the same mortgage rules that are available to other homeowners.

I appreciate the hard work done by the chairman and ranking member of

the subcommittee on this important issue, and I look forward to working with them to continue to protect these deserving communities.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Pennsylvania (Mr. ROTHFUS), one of our young and up-and-coming members of the Financial Services Committee.

Mr. ROTHFUS. I thank the chairman.

Mr. Chairman, for decades, the Federal Government has spent over \$1.6 trillion in an attempt to accomplish the laudable goal of ensuring that all Americans have access to affordable, decent housing.

I have visited many affordable housing sites during my time in Congress to listen to the concerns of residents, managers, and community leaders. In fact, just 2 weeks ago, I visited a public housing facility that is managed by the Housing Authority of Beaver County. These meetings and visits have underscored the importance of our housing assistance programs. If administered correctly, these efforts can be truly transformative for hardworking Americans. I have met many Pennsylvanians who have improved their lives and who have brightened their families' futures thanks, in part, to targeted Federal housing assistance provided to them in their time of need.

However, there are also cases in which outdated rules, waste, fraud, abuse, and general inefficiency have made it difficult to direct resources to those who need them the most. There are also instances in which housing assistance programs have failed to help people lift themselves out of poverty. Members of both parties recognize this reality and have worked together to identify areas for improvement. H.R. 3700, the Housing Opportunity Through Modernization Act, is a bipartisan, commonsense bill that addresses many of these issues.

Among other things, this legislation makes it easier for tenants, owners, and investors to navigate rental assistance programs by reducing duplicative and inefficient regulations that make it harder to rent or to operate affordable housing. The Housing Opportunity Through Modernization Act also incorporates safeguards to prevent well-off families from using scarce public housing units. We can all agree that housing assistance programs should be reserved for those who need help the most. This legislation also provides flexibility to public housing agencies in using Federal funds to meet local needs more effectively.

I am a proud cosponsor of this legislation, and I encourage my colleagues to support this bipartisan effort to improve Federal housing assistance. We owe it to the many Americans who rely on these programs to enact this legislation's reforms.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

This bill contains several provisions which I wholeheartedly support and would like to see passed into law.

For example, this bill includes a few provisions that were taken straight from bills that I have authored, including the text of my Project-Based Voucher Improvement Act of 2015, which would increase the flexibility for public housing authorities to develop new units of housing to serve vulnerable populations, including those who are homeless in this country. It would also help to create housing opportunities in areas where vouchers are difficult to use.

I introduced the Project-Based Voucher Improvement Act to address the severe lack of affordable housing, which is contributing to the epidemic of homelessness across the country. The Section 8 project-based voucher program is a valuable tool to help preserve and create more affordable housing, especially for the poorest and most vulnerable populations. Essentially, it helps housing providers leverage outside financing in order to create and maintain affordable housing in their communities.

My bill would help us maximize the effectiveness of this critical program by facilitating the ability of PHAs to enter into agreements with private and nonprofit owners and to partner with social service agencies to provide supportive housing. This will, ultimately, help provide stable housing for our most vulnerable populations.

Gaining access to affordable housing is becoming harder and harder for far too many families. We are in the midst of a homeless crisis in my district and in many districts around the country, and we need more affordable housing to help get vulnerable populations off the streets. By making this Section 8 project-based voucher program easier to use, we could help to overcome this challenge.

I hope that the information that has been shared by some of my colleagues has not been lost. I certainly hope that we all heard what Congresswoman BARBARA LEE said about residents who are paying 70 percent of their income for housing, and it has become commonplace around this country for our citizens to be paying 50 percent of their income for housing. This is totally unacceptable.

I am very pleased that we are focusing on housing. I am very pleased as there are certain aspects of this bill that, I think, will be very beneficial to our residents and to our constituents throughout the country. I am hopeful that we will continue on this track and that this won't be the last housing effort that we make that comes out of the Financial Services Committee. I am very pleased to be a part of it.

I am proud of all of the work that has gone into this legislation. I am very pleased that we were able to work out any differences that we may have had. I am very proud of Mr. CLEAVER and of Mr. LUETKEMEYER, as they are two gentlemen from Missouri, for getting together to do this bill. It might have helped a little bit that I am from Missouri also. I think this bill is something we can all be proud of.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. WILLIAMS), one of our junior members of the committee but one of the senior Members with life experience who can bring a lot of good discussion to this debate we are having this afternoon.

Mr. WILLIAMS. I thank the chairman.

Mr. Chairman, I am proud to rise in support of H.R. 3700, the Housing Opportunity Through Modernization Act of 2015.

Introduced by my good friend Chairman LUETKEMEYER and my friend Congressman CLEAVER, this bipartisan piece of legislation is the first step in many to help reform and modernize our outdated Federal housing system.

Mr. Chairman, for too long, government red tape has made many of these housing programs inefficient and ineffective, hurting the very people they aim to support. If signed into law, H.R. 3700 would seek to change that, all the while saving taxpayer-invested money.

First, as mentioned, the CBO projects this bill to be a cost saver. With the Federal deficit reaching almost \$19 trillion, the savings in discretionary spending are a direct result of allowing local housing officials and agencies to better manage their programs. Like most Federal programs, inefficient regulations exist that often balloon overall costs.

Additionally, as previously mentioned, for the first time in 80 years of public housing policy, this legislation restricts the use of already scarce public housing units to those who actually need them by establishing an earnings cap. Eliminating Federal subsidies for over-income families has always been key to this discussion. While most wait lists for public housing stretch into the tens of thousands, families who should not receive subsidies, in fact, often do. Plain and simple, public housing should be reserved for those who are most in need.

Finally, H.R. 3700 ensures that our veterans have fair access to HUD housing and homeless assistance programs. With nearly 50,000 homeless vets nationwide, we can and need to do more in this area.

Mr. Chairman, as a member of the House Committee on Financial Services and of the House Subcommittee on Housing and Insurance, I thank Chairman LUETKEMEYER for his leadership

on this issue over the last year, as addressing housing reform is something that is not without controversy.

I urge my colleagues to support this measure.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, I have no further requests for time and am prepared to close.

I reserve the balance of my time.

□ 1530

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself such time as I may consume.

I would like to close by again thanking my colleagues, Mr. CLEAVER and Mr. LUETKEMEYER, for their leadership in putting together a bipartisan affordable housing bill that addresses so many complicated issues in a responsible way and brings together so many different stakeholders in support of this bill.

There is a very long list of organizations that support this bill that includes tenant advocacy groups, public housing authority industry groups, real estate industry groups, rural housing groups, as well as community development organizations.

To name just a few, the supporters of this bill include the National Low Income Housing Coalition, the Center on Budget and Policy Priorities, the National Housing Trust, CSH, the Council of Large Public Housing Authorities, the National Association of Realtors, the Local Initiatives Support Corporation, Enterprise Community Partners, and many more.

The enthusiastic support from such a broad and diverse coalition of organizations is indicative of the hard-fought compromises that are included in this bill. In fact, I do not know of a single organization that is opposing this bill.

H.R. 3700 is made up of commonsense reforms that will make much-needed improvements to our housing programs to make them work better for both public housing agencies and the tenants they serve.

If this bill is enacted into law, it will make the first major reforms to HUD's primary rental assistance programs since 1998, and that is an achievement that we can all be proud of.

So there is a lot at stake here. I urge my colleagues to vote "yes" on this bill.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, can you tell me how much time I have remaining?

The Acting CHAIR (Mr. MARCHANT). The gentleman from Missouri has 7½ minutes remaining.

Mr. LUETKEMEYER. Mr. Chair, I apologize to the ranking member. I do have one additional speaker. If the gentlewoman is out of time, I am more than willing to allow the gentlewoman

to have some of our time to be able to rebut in case there is something that is an issue.

The Acting CHAIR. The gentlewoman from California has 5½ minutes remaining.

Mr. LUETKEMEYER. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. Mr. Chairman, I am proud to speak in support of H.R. 3700, the Housing Opportunity Through Modernization Act, sponsored by Representatives LUETKEMEYER and CLEAVER.

This extremely bipartisan bill makes a number of critical reforms to our Federal housing programs. These programs will streamline processes and create much-needed efficiencies for government and, most importantly, our consumers.

I am happy to see the bill moving so quickly because it will solve a number of problems low-income Americans continue to face in acquiring safe and affordable housing.

This legislation would make commonsense changes to the Department of Housing and Urban Development in order to lighten administrative burdens for housing agencies and owners to assist low-income individuals and families to live in greater dignity.

It is very encouraging to see the bipartisan work that has been done on this bill. I commend both Chairman LUETKEMEYER and Ranking Member CLEAVER of the Housing and Insurance Subcommittee. I thank Chairman LUETKEMEYER for allowing me to speak on this bill.

I urge my colleagues to vote in favor of H.R. 3700.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

I will just take these last few minutes that I have to say to those people who live in public housing that this is an important support effort of government to provide public housing for those who cannot afford market-rate housing.

I have represented over the years many public housing projects in California. While I do not represent them all anymore, I still pay attention to public housing because I understand and know how very important it is to the lives of families and to the children who depend on having safe housing and affordable housing for them.

I would simply like to say that oftentimes people who live in public housing have been demonized. There are folks who think, oh, they could do better if they wanted to. There are people who say that they don't want to remove themselves from public housing.

I would like to have people know that many of the folks that I have known who live in public housing work every day for minimum wages. Many of them are trying very hard to be inde-

pendent. Many of them would like to have job training. Many of them would like to have more support for childcare efforts. Many of them are working to get their GEDs. Many of them have returned to school.

For the people who live in public housing, they don't need to feel that somehow they are getting something they don't deserve.

I am proud of this government, and I am proud of this country that will provide a safety net for the least of these and safe public housing to those who cannot afford market-rate housing.

I want our Congress to continue to see how we can do a better job even of providing safe and secure housing for those who cannot afford it.

I want us to be able to provide additional support to those who live in public housing, for those who are saying to us: Help me with job training. Help me to ensure that my children can get the kind of support living in public housing that will give them access to a good education. Help us to have better health care so we can be better able to go out and take jobs to support our families. Help us to aspire to move upward and out, even. Help us to understand what is available to us out there. When we seek out help for our problems, don't look at us as if we are people who are not investing in ourselves, who are not relying on our own abilities. Simply see us as Americans who would like to do better. See us as Americans who unfortunately find ourselves in situations where we can't do better for now, but we are looking for the opportunity to do better and to have more and to enjoy everything that this country has to offer.

So as we support this legislation today—and I support it—I am optimistic about the fact that this is going to make a lot of lives better, but I am also optimistic that this is really a beginning for how we can begin to not only give support, but involve tenants in how they can help to make decisions about the units that they are living in and how they can serve on the boards that oversee them, how they can be a part of government, helping us to understand how we can do a better job with the authority that they have given us.

So I am very proud. I am very pleased. I thank Mr. CLEAVER and Mr. LUETKEMEYER. I thank Mr. CLEAVER for telling his story about public housing. I want him to know that there are any number of Members in the Congress of the United States who have lived in public housing or their families, such as my family has lived in public housing.

I want him to know I have watched public housing that has been very helpful. I have watched public housing that has provided safe, decent, and secure opportunities for the people who live there. But I have also watched public housing when it didn't work.

The Pruitt-Igoe in St. Louis, Missouri, was an example of what didn't work. I was in that city when it was torn down. The space that it occupied is still vacant in that city. It should be a space where we had additional public housing that would support the families who so desperately need it.

So I don't take this bill lightly. I don't think about this as just another piece of legislation that we happen to get passed here in Congress, even with bipartisan support.

I think of this as an important step and a statement, a statement that says both sides of the aisle understand housing, both sides of the aisle would like to continue to do the best job that they can do to provide safe and secure housing, and that we are not going to stand by and watch homelessness continue to grow.

It was mentioned several times throughout this debate—maybe here today and when we were in committee—that, in Los Angeles County, homelessness has increased by 20 percent. People are sleeping on the sidewalks all the way up to city hall. We cannot abide that. We cannot stand by and watch that happen.

While I am pointing to Los Angeles County, there are many areas all across this Nation where homelessness is shameful and unconscionable. I am very pleased and proud that we are sending a signal here today that we won't stand for it.

I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, I yield myself such time as I may consume.

I want to close with a few remarks here. It won't take very long.

I think you can see that this is a very important and, also, very emotional issue for many, many people and it is extremely important for those folks who are in and around and utilize public housing.

In putting this bill together, we tried to listen to all the different parties as well as both sides of the aisle and address all the concerns that everybody had. We have a few amendments to go here, but I think we are going to work through those pretty quickly.

I think you can see from the support that we have seen on both sides of the aisle today, from the discussions we have had that we have come to an agreement on what is in the provisions of this bill.

You have here a whole list of 30 different letters of support from different groups from around the country that represent all the different groups, from leased housing to housing authorities, to investment individuals, to Realtors, to you name it.

We have yet to receive a single letter against this proposal. So I think you can see that we managed to find the right balance with the bill, to find the middle ground where we can all agree

that we can accept the provisions that we have.

In the bill, we have done things with flexibility that people within the different housing authorities have asked for who manage these things to be able to do things more efficiently, more effectively.

We got rid of duplicative rules. We built the condos up so they could now be part of the program. We have cut the costs not by cutting programs, but by cutting out the waste and the duplicative rules and have given flexibility to those groups that need it to be able to do the job.

Is this an end-all, be-all? No. We have a lot more to do. We recognize that. This is a good first step. We believe that we need to be empowering people and enabling people to be able to do better and help themselves. We believe that, when it comes to housing, it is not just a place to live, but people need to have a place to have a life.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chair, I have a question for the bill's managers regarding the project-based voucher provisions. The bill generally limits a public housing agency's use of voucher funds for project-based vouchers to 20 percent of the authorized voucher units for the agency, but contains an exception among others providing that units of project-based assistance that are attached to units previously receiving another type of long-term subsidy provided by HUD will not count against this limitation.

We have an exciting initiative in Boston that would replace our 75-year-old Charlestown public housing development with a substantially larger, new construction mixed-income community on the same site. The public housing units are to be fully replaced with project-based vouchers. This will require a large commitment of project-based vouchers by the Boston Housing Authority, which would reduce the BHA's flexibility to commit project-based vouchers elsewhere as needed if the Charlestown commitment is not covered by the exception. Is it the intention of the bill's managers that the commitment of project-based vouchers to replace the former public housing units in a newly constructed development such as this would fall within the bill's exception for units attached to units previously receiving another type of long-term HUD subsidy?

Mr. LUETKEMEYER. Mr. Chair, Congressman CAPUANO has asked whether it is the intention of the bill's managers that the commitment of project-based vouchers to replace the former public housing units in a newly constructed development such as one he described in Boston would fall within the bill's exception for units attached to units previously receiving another type of long-term HUD subsidy. The answer is yes. It is the managers' intention that the replacement units for the current public housing units would be covered by the bill's exception for units previously receiving long-term HUD assistance, and thus that commitment of project-based vouchers to such units would not count against the 20 percent limitation.

Ms. JACKSON LEE. Mr. Chair, I thank Chairman LUETKEMEYER and Ranking Member

CLEAVER for their leadership, commitment and effort to modernizing and improving Federal Housing programs for millions of Americans who are working their way up to economic empowerment and stability.

I wish to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and the members of the Rules Committee.

I acknowledge and appreciate the bipartisan efforts by my colleagues across the aisle to modernize and improve Federal housing programs as anticipated in H.R. 3700, the Housing Opportunity Through Modernization Act of 2015.

For instance, H.R. 3700 contains provisions that would modify core rental assistance programs such as the Housing Choice Vouchers, Public Housing, and Project-Based Rental Assistance, homelessness prevention and assistance programs, and Federal Housing Administration (FHA) mortgage insurance for condominiums.

Additionally, H.R. 3700 amends the Rural Housing Service program in the Department of Agriculture.

Some of its provisions would help streamline the administration of HUD programs.

For instance, this legislation will facilitate income determination for tenants and housing quality inspections for assisted rental housing.

Another provision of the bill seeks to expand flexibility between public housing operating and capital funds.

The legislation seeks to provide additional flexibility to public housing agencies to conditionally approve housing voucher units with non-life threatening deficiencies in order to allow families immediate access.

Although these many provisions of the legislation are commendable, we hope to see improvements in provisions that have been identified as potentially increasing administrative burden and have unintended consequences.

We want to make sure that deductions for child care and medical expense deductions would not adversely impact the lowest income households.

I share the Administration's concern with the delegation of the authority to grant exceptions to HUD requirements to the lenders approving projects under the Direct Endorsement Lender Review and Approval Process.

Another major issue appears to be that the delegation of authority does not appear to provide HUD with sufficient ability to set standards for exceptions and oversee their application and procedure.

There are also concerns that other FHA requirements in the bill may create future difficulties for HUD in implementing timely and consistent program changes in response to market conditions.

I look forward to working with my colleagues across the aisle as we are working to continue to improve the bill as it moves forward.

Mr. COLE. Mr. Speaker, I rise today to express my profound disappointment in President Obama's recent decision to veto H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. It is important to be clear and stand with my constituents in voting to override the President's veto of legislation that is a story of broken promises by President Obama and the Democrats who voted in favor of this legislation.

I want to spend a few minutes describing just a few of the promises made during consideration of Obamacare which have sadly failed to come to fruition. First, Mr. Speaker, President Obama repeatedly told the American people that “If you like your health care plan, you’ll be able to keep it”. Sadly, in reality, it couldn’t be further from the truth. More than 4.7 million people received cancellation notices in the fall of 2013, right before Obamacare went into effect. Politifact, no friend to conservatives, even went as far as labeling the President’s promise the “Lie of the Year.”

Secondly, while Obamacare promised lower healthcare costs and lower premiums, this couldn’t be further from the truth. First, on lower healthcare costs, according to CMS’ own actuaries, overall spending on healthcare is expected to rise by \$621 billion over 10 years due to the law, at an average of 5.8% per year. That’s more than double our projected GDP growth, and a higher rate than before Obamacare. The story on premiums is no better. While President Obama promised lower premiums, as John Adams stated, “facts are stubborn things”. The facts are that the average premium for a family plan has increased by \$18,610 from 2009–2013, and the overall cost of premium increases have been over \$1.2 trillion.

Third, Mr. Speaker, Obamacare promised more choice, more competition, and lower costs. Well, unfortunately, that is just not the case in Oklahoma, like many other states across the country. In fact, fewer insurers offer fewer options at higher prices than when Obamacare was passed, over my objections. Obamacare is not the answer and the American people know that.

Instead, Mr. Speaker, I am pleased to co-sponsor the American Health Care Reform Act of 2015 (AHCA), which I support as an alternative to a government-managed health care law. This legislation would provide a number of market-driven solutions to ensure everyone seeking coverage will be able to obtain it. First, it expands federal support for state high risk pools. Unlike Obamacare, which created an already oversubscribed Federal high risk pool, AHCA returns those concerns to the states, provides the necessary funding to sustain them, and caps the premiums in those plans. Additionally, AHCA tax incentives to equalize the treatment of employer-sponsored coverage and those purchased in the private market. In addition to ensuring healthy competition across the market place, it also ensures that if one loses their job, they do not necessarily have to lose their health insurance. Third, AHCA would provide real competition among insurers, by allowing Americans to purchase health insurance products across state lines and by permitting small businesses to pool together to negotiate better rates. AHCA is the type of legislation needed to replace a bloated, government-run healthcare system which has left a trail of broken promises in its wake.

I am pleased to vote to override the President’s veto of H.R. 3762. While I know this vote will not be successful, I am pleased that the President has finally had to confront the issues that the American people have with his signature piece of legislation, the so-called Pa-

tient Protection and Affordable Care Act. Unfortunately, Obamacare is none of these things. I urge all my colleagues to vote in favor of overriding the President’s veto.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-42. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Housing Opportunity Through Modernization Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—SECTION 8 RENTAL ASSISTANCE AND PUBLIC HOUSING

Sec. 101. Inspection of dwelling units.

Sec. 102. Income reviews.

Sec. 103. Limitation on public housing tenancy for over-income families.

Sec. 104. Limitation on eligibility for assistance based on assets.

Sec. 105. Units owned by public housing agencies.

Sec. 106. PHA project-based assistance.

Sec. 107. Establishment of fair market rent.

Sec. 108. Collection of utility data.

Sec. 109. Public housing Capital and Operating Funds.

Sec. 110. Family unification program for children aging out of foster care.

TITLE II—RURAL HOUSING

Sec. 201. Delegation of guaranteed rural housing loan approval.

TITLE III—FHA MORTGAGE INSURANCE FOR CONDOMINIUMS

Sec. 301. Modification of FHA requirements for mortgage insurance for condominiums.

TITLE IV—HOUSING REFORMS FOR THE HOMELESS AND FOR VETERANS

Sec. 401. Definition of geographic area for Continuum of Care Program.

Sec. 402. Inclusion of public housing agencies and local redevelopment authorities in emergency solutions grants.

Sec. 403. Special assistant for Veterans Affairs in the Department of Housing and Urban Development.

Sec. 404. Annual supplemental report on veterans homelessness.

TITLE V—MISCELLANEOUS

Sec. 501. Inclusion of Disaster Housing Assistance Program in certain fraud and abuse prevention measures.

Sec. 502. Energy efficiency requirements under Self-Help Homeownership Opportunity program.

Sec. 503. Data exchange standardization for improved interoperability.

TITLE I—SECTION 8 RENTAL ASSISTANCE AND PUBLIC HOUSING

SEC. 101. INSPECTION OF DWELLING UNITS.

(a) **IN GENERAL.**—Section 8(o)(8) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(8)) is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph:

“(A) **INITIAL INSPECTION.**—

“(i) **IN GENERAL.**—For each dwelling unit for which a housing assistance payment contract is established under this subsection, the public housing agency (or other entity pursuant to paragraph (11)) shall inspect the unit before any assistance payment is made to determine whether the dwelling unit meets the housing quality standards under subparagraph (B), except as provided in clause (ii) or (iii) of this subparagraph.

“(ii) **CORRECTION OF NON-LIFE-THREATENING CONDITIONS.**—In the case of any dwelling unit that is determined, pursuant to an inspection under clause (i), not to meet the housing quality standards under subparagraph (B), assistance payments may be made for the unit notwithstanding subparagraph (C) if failure to meet such standards is a result only of non-life-threatening conditions, as such conditions are established by the Secretary. A public housing agency making assistance payments pursuant to this clause for a dwelling unit shall, 30 days after the beginning of the period for which such payments are made, withhold any assistance payments for the unit if any deficiency resulting in noncompliance with the housing quality standards has not been corrected by such time. The public housing agency shall recommence assistance payments when such deficiency has been corrected, and may use any payments withheld to make assistance payments relating to the period during which payments were withheld.

“(iii) **USE OF ALTERNATIVE INSPECTION METHOD FOR INTERIM PERIOD.**—In the case of any property that within the previous 24 months has met the requirements of an inspection that qualifies as an alternative inspection method pursuant to subparagraph (E), a public housing agency may authorize occupancy before the inspection under clause (i) has been completed, and may make assistance payments retroactive to the beginning of the lease term after the unit has been determined pursuant to an inspection under clause (i) to meet the housing quality standards under subparagraph (B). This clause may not be construed to exempt any dwelling unit from compliance with the requirements of subparagraph (D).”;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following new subparagraph:

“(G) **ENFORCEMENT OF HOUSING QUALITY STANDARDS.**—

“(i) **DETERMINATION OF NONCOMPLIANCE.**—A dwelling unit that is covered by a housing assistance payments contract under this subsection shall be considered, for purposes of subparagraphs (D) and (F), to be in noncompliance with the housing quality standards under subparagraph (B) if—

“(I) the public housing agency or an inspector authorized by the State or unit of local government determines upon inspection of the unit that the unit fails to comply with such standards;

“(II) the agency or inspector notifies the owner of the unit in writing of such failure to comply; and

“(III) the failure to comply is not corrected—
“(aa) in the case of any such failure that is a result of life-threatening conditions, within 24 hours after such notice has been provided; and
“(bb) in the case of any such failure that is a result of non-life-threatening conditions, within

30 days after such notice has been provided or such other reasonable longer period as the public housing agency may establish.

“(ii) **WITHHOLDING OF ASSISTANCE AMOUNTS DURING CORRECTION.**—The public housing agency may withhold assistance amounts under this subsection with respect to a dwelling unit for which a notice pursuant to clause (i)(II), of failure to comply with housing quality standards under subparagraph (B) as determined pursuant to an inspection conducted under subparagraph (D) or (F), has been provided. If the unit is brought into compliance with such housing quality standards during the periods referred to in clause (i)(III), the public housing agency shall recommence assistance payments and may use any amounts withheld during the correction period to make assistance payments relating to the period during which payments were withheld.

“(iii) **ABATEMENT OF ASSISTANCE AMOUNTS.**—The public housing agency shall abate all of the assistance amounts under this subsection with respect to a dwelling unit that is determined, pursuant to clause (i) of this subparagraph, to be in noncompliance with housing quality standards under subparagraph (B). Upon completion of repairs by the public housing agency or the owner sufficient so that the dwelling unit complies with such housing quality standards, the agency shall recommence payments under the housing assistance payments contract to the owner of the dwelling unit.

“(iv) **NOTIFICATION.**—If a public housing agency providing assistance under this subsection abates rental assistance payments pursuant to clause (iii) with respect to a dwelling unit, the agency shall, upon commencement of such abatement—

“(I) notify the tenant and the owner of the dwelling unit that—

“(aa) such abatement has commenced; and

“(bb) if the dwelling unit is not brought into compliance with housing quality standards within 60 days after the effective date of the determination of noncompliance under clause (i) or such reasonable longer period as the agency may establish, the tenant will have to move; and

“(II) issue the tenant the necessary forms to allow the tenant to move to another dwelling unit and transfer the rental assistance to that unit.

“(v) **PROTECTION OF TENANTS.**—An owner of a dwelling unit may not terminate the tenancy of any tenant because of the withholding or abatement of assistance pursuant to this subparagraph. During the period that assistance is abated pursuant to this subparagraph, the tenant may terminate the tenancy by notifying the owner.

“(vi) **TERMINATION OF LEASE OR ASSISTANCE PAYMENTS CONTRACT.**—If assistance amounts under this section for a dwelling unit are abated pursuant to clause (iii) and the owner does not correct the noncompliance within 60 days after the effective date of the determination of noncompliance under clause (i), or such other reasonable longer period as the public housing agency may establish, the agency shall terminate the housing assistance payments contract for the dwelling unit.

“(vii) **RELOCATION.**—

“(I) **LEASE OF NEW UNIT.**—The agency shall provide the family residing in such a dwelling unit a period of 90 days or such longer period as the public housing agency determines is reasonably necessary to lease a new unit, beginning upon termination of the contract, to lease a new residence with tenant-based rental assistance under this section.

“(II) **AVAILABILITY OF PUBLIC HOUSING UNITS.**—If the family is unable to lease such a new residence during such period, the public housing agency shall, at the option of the fam-

ily, provide such family a preference for occupancy in a dwelling unit of public housing that is owned or operated by the agency that first becomes available for occupancy after the expiration of such period.

“(III) **ASSISTANCE IN FINDING UNIT.**—The public housing agency may provide assistance to the family in finding a new residence, including use of up to two months of any assistance amounts withheld or abated pursuant to clause (ii) or (iii), respectively, for costs directly associated with relocation of the family to a new residence, which shall include security deposits as necessary and may include reimbursements for reasonable moving expenses incurred by the household, as established by the Secretary. The agency may require that a family receiving assistance for a security deposit shall remit, to the extent of such assistance, the amount of any security deposit refunds made by the owner of the dwelling unit for which the lease was terminated.

“(viii) **TENANT-CAUSED DAMAGES.**—If a public housing agency determines that any damage to a dwelling unit that results in a failure of the dwelling unit to comply with housing quality standards under subparagraph (B), other than any damage resulting from ordinary use, was caused by the tenant, any member of the tenant's household, or any guest or other person under the tenant's control, the agency may waive the applicability of this subparagraph, except that this clause shall not exonerate a tenant from any liability otherwise existing under applicable law for damages to the premises caused by such tenant.

“(ix) **APPLICABILITY.**—This subparagraph shall apply to any dwelling unit for which a housing assistance payments contract is entered into or renewed after the date of the effectiveness of the regulations implementing this subparagraph.”.

(b) **EFFECTIVE DATE.**—The Secretary of Housing and Urban Development shall issue notice or regulations to implement subsection (a) of this section and such subsection shall take effect upon such issuance.

SEC. 102. INCOME REVIEWS.

(a) **INCOME REVIEWS FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.**—Section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a) is amended—

(1) in subsection (a)—

(A) in the second sentence of paragraph (1), by striking “at least annually” and inserting “pursuant to paragraph (6)”; and

(B) by adding at the end the following new paragraphs:

“(6) **REVIEWS OF FAMILY INCOME.**—

“(A) **FREQUENCY.**—Reviews of family income for purposes of this section shall be made—

“(i) in the case of all families, upon the initial provision of housing assistance for the family;

“(ii) annually thereafter, except as provided in paragraph (1) with respect to fixed-income families;

“(iii) upon the request of the family, at any time the income or deductions (under subsection (b)(5)) of the family change by an amount that is estimated to result in a decrease of 10 percent (or such lower amount as the Secretary may, by notice, establish, or permit the public housing agency or owner to establish) or more in annual adjusted income; and

“(iv) at any time the income or deductions (under subsection (b)(5)) of the family change by an amount that is estimated to result in an increase of 10 percent or more in annual adjusted income, or such other amount as the Secretary may by notice establish, except that any increase in the earned income of a family shall not be considered for purposes of this clause (except that earned income may be considered if the increase corresponds to previous decreases

under clause (iii)), except that a public housing agency or owner may elect not to conduct such review in the last three months of a certification period.

“(B) **IN GENERAL.**—Reviews of family income for purposes of this section shall be subject to the provisions of section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 3544).

“(7) **CALCULATION OF INCOME.**—

“(A) **USE OF CURRENT YEAR INCOME.**—In determining family income for initial occupancy or provision of housing assistance pursuant to clause (i) of paragraph (6)(A) or pursuant to reviews pursuant to clause (iii) or (iv) of such paragraph, a public housing agency or owner shall use the income of the family as estimated by the agency or owner for the upcoming year.

“(B) **USE OF PRIOR YEAR INCOME.**—In determining family income for annual reviews pursuant to paragraph (6)(A)(ii), a public housing agency or owner shall, except as otherwise provided in this paragraph and paragraph (1), use the income of the family as determined by the agency or owner for the preceding year, taking into consideration any redetermination of income during such prior year pursuant to clause (iii) or (iv) of paragraph (6)(A).

“(C) **OTHER INCOME.**—In determining the income for any family based on the prior year's income, with respect to prior year calculations of income not subject to subparagraph (B), a public housing agency or owner may make other adjustments as it considers appropriate to reflect current income.

“(D) **SAFE HARBOR.**—A public housing agency or owner may, to the extent such information is available to the public housing agency or owner, determine the family's income prior to the application of any deductions based on timely income determinations made for purposes of other means-tested Federal public assistance programs (including the program for block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act, a program for Medicaid assistance under a State plan approved under title XIX of the Social Security Act, and the supplemental nutrition assistance program (as such term is defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012))). The Secretary shall, in consultation with other appropriate Federal agencies, develop procedures to enable public housing agencies and owners to have access to such income determinations made by other means-tested Federal programs that the Secretary determines to have comparable reliability. Exchanges of such information shall be subject to the same limitations and tenant protections provided under section 904 of the Stewart B. McKinney Homeless Assistance Act Amendments of 1988 (42 U.S.C. 3544) with respect to information obtained under the requirements of section 303(i) of the Social Security Act (42 U.S.C. 503(i)).

“(E) **PHA AND OWNER COMPLIANCE.**—A public housing agency or owner may not be considered to fail to comply with this paragraph or paragraph (6) due solely to any de minimis errors made by the agency or owner in calculating family incomes.”;

(2) by striking subsections (d) and (e); and

(3) by redesignating subsection (f) as subsection (d).

(b) **CERTIFICATION REGARDING HARDSHIP EXCEPTION TO MINIMUM MONTHLY RENT.**—Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall submit to the Congress a certification that the hardship and tenant protection provisions in clause (i) of section 3(a)(3)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(3)(B)(i)) are being enforced at such

time and that the Secretary will continue to provide due consideration to the hardship circumstances of persons assisted under relevant programs of this Act.

(c) **INCOME; ADJUSTED INCOME.**—Section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) is amended by striking paragraphs (4) and (5) and inserting the following new paragraphs:

“(4) **INCOME.**—The term ‘income’ means, with respect to a family, income received from all sources by each member of the household who is 18 years of age or older or is the head of household or spouse of the head of the household, plus unearned income by or on behalf of each dependent who is less than 18 years of age, as determined in accordance with criteria prescribed by the Secretary, in consultation with the Secretary of Agriculture, subject to the following requirements:

“(A) **INCLUDED AMOUNTS.**—Such term includes recurring gifts and receipts, actual income from assets, and profit or loss from a business.

“(B) **EXCLUDED AMOUNTS.**—Such term does not include—

“(i) any imputed return on assets, except to the extent that net family assets exceed \$50,000, except that such amount (as it may have been previously adjusted) shall be adjusted for inflation annually by the Secretary in accordance with an inflationary index selected by the Secretary;

“(ii) any amounts that would be eligible for exclusion under section 1613(a)(7) of the Social Security Act (42 U.S.C. 1382b(a)(7));

“(iii) deferred disability benefits from the Department of Veterans Affairs that are received in a lump sum amount or in prospective monthly amounts;

“(iv) any expenses related to aid and attendance under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance; and

“(v) exclusions from income as established by the Secretary by regulation or notice, or any amount required by Federal law to be excluded from consideration as income.

“(C) **EARNED INCOME OF STUDENTS.**—Such term does not include—

“(i) earned income, up to an amount as the Secretary may by regulation establish, of any dependent earned during any period that such dependent is attending school or vocational training on a full-time basis; or

“(ii) any grant-in-aid or scholarship amounts related to such attendance used—

“(I) for the cost of tuition or books; or

“(II) in such amounts as the Secretary may allow, for the cost of room and board.

“(D) **EDUCATIONAL SAVINGS ACCOUNTS.**—Income shall be determined without regard to any amounts in or from, or any benefits from, any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code.

“(E) **RECORDKEEPING.**—The Secretary may not require a public housing agency or owner to maintain records of any amounts excluded from income pursuant to this subparagraph.

“(5) **ADJUSTED INCOME.**—The term ‘adjusted income’ means, with respect to a family, the amount (as determined by the public housing agency or owner) of the income of the members of the family residing in a dwelling unit or the persons on a lease, after any deductions from income as follows:

“(A) **ELDERLY AND DISABLED FAMILIES.**—\$525 in the case of any family that is an elderly family or a disabled family.

“(B) **DEPENDENTS.**—In the case of any family, \$525 for each member who—

“(i) is less than 18 years of age or attending school or vocational training on a full-time basis; or

“(ii) is a person who is 18 years of age or older, resides in the household, and is certified as disabled and unable to work by the public housing agency of jurisdiction.

“(C) **CHILD CARE.**—The amount, if any, that exceeds 5 percent of annual family income that is used to pay for unreimbursed child care expenses, which shall include child care for preschool-age children, for before- and after-care for children in school, and for other child care necessary to enable a member of the family to be employed or further his or her education.

“(D) **HEALTH AND MEDICAL EXPENSES.**—The amount, if any, by which 10 percent of annual family income is exceeded by the sum of—

“(i) in the case of any elderly or disabled family, any unreimbursed health and medical care expenses; and

“(ii) any unreimbursed reasonable attendant care and auxiliary apparatus expenses for each handicapped member of the family, if determined necessary by the public housing agency or owner to enable any member of such family to be employed.

The Secretary shall, by regulation, provide hardship exemptions to the requirements of this subparagraph and subparagraph (C) for impacted families who demonstrate an inability to pay calculated rents because of financial hardship. Such regulations shall include a requirement to notify tenants regarding any changes to the determination of adjusted income pursuant to such subparagraphs based on the determination of the family's claim of financial hardship exemptions required by the preceding sentence. Such regulations shall be promulgated in consultation with tenant organizations, industry participants, and the Secretary of Health and Human Services, with an adequate comment period provided for interested parties.

“(E) **PERMISSIVE DEDUCTIONS.**—Such additional deductions as a public housing agency may, at its discretion, establish, except that the Secretary shall establish procedures to ensure that such deductions do not materially increase Federal expenditures.

The Secretary shall annually calculate the amounts of the deductions under subparagraphs (A) and (B), as such amounts may have been previously calculated, by applying an inflationary factor as the Secretary shall, by regulation, establish, except that the actual deduction determined for each year shall be established by rounding such amount to the next lowest multiple of \$25.”

(d) **HOUSING CHOICE VOUCHER PROGRAM.**—Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: “, except that a public housing agency may establish a payment standard of not more than 120 percent of the fair market rent where necessary as a reasonable accommodation for a person with a disability, without approval of the Secretary. A public housing agency may use a payment standard that is greater than 120 percent of the fair market rent as a reasonable accommodation for a person with a disability, but only with the approval of the Secretary. In connection with the use of any increased payment standard established or approved pursuant to either of the preceding two sentences as a reasonable accommodation for a person with a disability, the Secretary may not establish additional requirements regarding the amount of adjusted income paid by such person for rent”; and

(2) in paragraph (5)—

(A) in the paragraph heading, by striking “ANNUAL REVIEW” and inserting “REVIEWS”; and

(B) in subparagraph (A)—

(i) by striking “the provisions of” and inserting “paragraphs (1), (6), and (7) of section 3(a) and to”; and

(ii) by striking “and shall be conducted” and all that follows through the end of the subparagraph and inserting a period; and

(C) in subparagraph (B), by striking the second sentence.

(e) **ENHANCED VOUCHER PROGRAM.**—Section 8(t)(1)(D) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(1)(D)) is amended by striking “income” each place such term appears and inserting “annual adjusted income”.

(f) **PROJECT-BASED HOUSING.**—Paragraph (3) of section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)(3)) is amended by striking the last sentence.

(g) **IMPACT ON PUBLIC HOUSING REVENUES.**—

(1) **ADJUSTMENTS TO OPERATING FORMULA.**—If the Secretary of Housing and Urban Development determines that the application of subsections (a) through (e) of this section results in a material and disproportionate reduction in the rental income of certain public housing agencies during the first year in which such subsections are implemented, the Secretary may make appropriate adjustments in the formula income for such year of those agencies experiencing such a reduction.

(2) **HUD REPORTS ON REVENUE AND COST IMPACT.**—In each of the first two years after the first year in which subsections (a) through (e) are implemented, the Secretary of Housing and Urban Development shall submit a report to Congress identifying and calculating the impact of changes made by such subsections and section 104 of this Act on the revenues and costs of operating public housing units, the voucher program for rental assistance under section 8 of the United States Housing Act of 1937, and the program under such section 8 for project-based rental assistance. If such report identifies a material reduction in the net income of public housing agencies nationwide or a material increase in the costs of funding the voucher program or the project-based assistance program, the Secretary shall include in such report recommendations for legislative changes to reduce or eliminate such a reduction.

(h) **EFFECTIVE DATE.**—The Secretary of Housing and Urban Development shall issue notice or regulations to implement this section and this section shall take effect after such issuance, except that this section may only take effect upon the commencement of a calendar year.

SEC. 103. LIMITATION ON PUBLIC HOUSING TENANCY FOR OVER-INCOME FAMILIES.

Subsection (a) of section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n(a)) is amended by adding at the end the following new paragraph:

“(5) **LIMITATIONS ON TENANCY FOR OVER-INCOME FAMILIES.**—

“(A) **LIMITATIONS.**—Except as provided in subparagraph (D), in the case of any family residing in a dwelling unit of public housing whose income for the most recent two consecutive years, as determined pursuant to income reviews conducted pursuant to section 3(a)(6), has exceeded the applicable income limitation under subparagraph (C), the public housing agency shall—

“(i) notwithstanding any other provision of this Act, charge such family as monthly rent for the unit occupied by such family an amount equal to the greater of—

“(I) the applicable fair market rental established under section 8(c) for a dwelling unit in the same market area of the same size; or

“(II) the amount of the monthly subsidy provided under this Act for the dwelling unit, which shall include any amounts from the Operating Fund and Capital Fund under section 9 used for the unit, as determined by the agency in accordance with regulations that the Secretary shall issue to carry out this subclause; or

“(ii) terminate the tenancy of such family in public housing not later than 6 months after the

income determination described in subparagraph (A).

“(B) NOTICE.—In the case of any family residing in a dwelling unit of public housing whose income for a year has exceeded the applicable income limitation under subparagraph (C), upon the conclusion of such year the public housing agency shall provide written notice to such family of the requirements under subparagraph (A).

“(C) INCOME LIMITATION.—The income limitation under this subparagraph shall be 120 percent of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income limitations higher or lower than 120 percent of such median income on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs, or unusually high or low family incomes, vacancy rates, or rental costs.

“(D) EXCEPTION.—Subparagraph (A) shall not apply to a family occupying a dwelling unit in public housing pursuant to paragraph (5) of section 3(a) (42 U.S.C. 1437a(a)(5)).

“(E) REPORTS ON OVER-INCOME FAMILIES AND WAITING LISTS.—The Secretary shall require that each public housing agency shall—

“(i) submit a report annually, in a format required by the Secretary, that specifies—

“(I) the number of families residing, as of the end of the year for which the report is submitted, in public housing administered by the agency who had incomes exceeding the applicable income limitation under subparagraph (C); and

“(II) the number of families, as of the end of such year, on the waiting lists for admission to public housing projects of the agency; and

“(ii) make the information reported pursuant to clause (i) publicly available.”.

SEC. 104. LIMITATION ON ELIGIBILITY FOR ASSISTANCE BASED ON ASSETS.

Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended by inserting after subsection (d) the following new subsection:

“(e) ELIGIBILITY FOR ASSISTANCE BASED ON ASSETS.—

“(1) LIMITATION ON ASSETS.—Subject to paragraph (3) and notwithstanding any other provision of this Act, a dwelling unit assisted under this Act may not be rented and assistance under this Act may not be provided, either initially or at each recertification of family income, to any family—

“(A) whose net family assets exceed \$100,000, as such amount is adjusted annually by applying an inflationary factor as the Secretary considers appropriate; or

“(B) who has a present ownership interest in, a legal right to reside in, and the effective legal authority to sell, real property that is suitable for occupancy by the family as a residence, except that the prohibition under this subparagraph shall not apply to—

“(i) any property for which the family is receiving assistance under subsection (y) or (o)(12) of section 8 of this Act;

“(ii) any person that is a victim of domestic violence; or

“(iii) any family that is offering such property for sale.

“(2) NET FAMILY ASSETS.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘net family assets’ means, for all members of the household, the net cash value of all assets after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment. Such term does not include interests in Indian trust land, equity in property for which the family is receiving assistance under subsection (y) or (o)(12) of section 8,

equity accounts in homeownership programs of the Department of Housing and Urban Development, or Family Self Sufficiency accounts.

“(B) EXCLUSIONS.—Such term does not include—

“(i) the value of personal property, except for items of personal property of significant value, as the Secretary may establish or the public housing agency may determine;

“(ii) the value of any retirement account;

“(iii) real property for which the family does not have the effective legal authority necessary to sell such property;

“(iv) any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a member of the family and arising out of law, that resulted in a member of the family being disabled;

“(v) the value of any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and

“(vi) such other exclusions as the Secretary may establish.

“(C) TRUST FUNDS.—In cases in which a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund shall not be considered an asset of a family if the fund continues to be held in trust. Any income distributed from the trust fund shall be considered income for purposes of section 3(b) and any calculations of annual family income, except in the case of medical expenses for a minor.

“(3) SELF-CERTIFICATION.—

“(A) NET FAMILY ASSETS.—A public housing agency or owner may determine the net assets of a family, for purposes of this section, based on a certification by the family that the net assets of such family do not exceed \$50,000, as such amount is adjusted annually by applying an inflationary factor as the Secretary considers appropriate.

“(B) NO CURRENT REAL PROPERTY OWNERSHIP.—A public housing agency or owner may determine compliance with paragraph (1)(B) based on a certification by the family that such family does not have any current ownership interest in any real property at the time the agency or owner reviews the family's income.

“(C) STANDARDIZED FORMS.—The Secretary may develop standardized forms for the certifications referred to in subparagraphs (A) and (B).

“(4) COMPLIANCE FOR PUBLIC HOUSING DWELLING UNITS.—When recertifying family income with respect to families residing in public housing dwelling units, a public housing agency may, in the discretion of the agency and only pursuant to a policy that is set forth in the public housing agency plan under section 5A for the agency, choose not to enforce the limitation under paragraph (1).

“(5) ENFORCEMENT.—When recertifying the income of a family residing in a dwelling unit assisted under this Act, a public housing agency or owner may choose not to enforce the limitation under paragraph (1) or may establish exceptions to such limitation based on eligibility criteria, but only pursuant to a policy that is set forth in the public housing agency plan under section 5A for the agency or under a policy adopted by the owner. Eligibility criteria for establishing exceptions may provide for separate treatment based on family type and may be based on different factors, such as age, disability, income, the ability of the family to find suitable alternative housing, and whether supportive services are being provided.

“(6) AUTHORITY TO DELAY EVICTIONS.—In the case of a family residing in a dwelling unit assisted under this Act who does not comply with

the limitation under paragraph (1), the public housing agency or project owner may delay eviction or termination of the family based on such noncompliance for a period of not more than 6 months.”.

SEC. 105. UNITS OWNED BY PUBLIC HOUSING AGENCIES.

Paragraph (11) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(11)) is amended—

(1) by striking “(11) LEASING OF UNITS OWNED BY PHA.—If” and inserting the following:

“(11) LEASING OF UNITS OWNED BY PHA.—

“(A) INSPECTIONS AND RENT DETERMINATIONS.—If”; and

(2) by adding at the end the following new subparagraph:

“(B) UNITS OWNED BY PHA.—For purposes of this subsection, the term ‘owned by a public housing agency’ means, with respect to a dwelling unit, that the dwelling unit is in a project that is owned by such agency, by an entity wholly controlled by such agency, or by a limited liability company or limited partnership in which such agency (or an entity wholly controlled by such agency) holds a controlling interest in the managing member or general partner. A dwelling unit shall not be deemed to be owned by a public housing agency for purposes of this subsection because the agency holds a fee interest as ground lessor in the property on which the unit is situated, holds a security interest under a mortgage or deed of trust on the unit, or holds a non-controlling interest in an entity which owns the unit or in the managing member or general partner of an entity which owns the unit.”.

SEC. 106. PHA PROJECT-BASED ASSISTANCE.

(a) IN GENERAL.—Paragraph (13) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) is amended—

(1) by striking “structure” each place such term appears and inserting “project”; and

(2) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) PERCENTAGE LIMITATION.—

“(i) IN GENERAL.—Subject to clause (ii), a public housing agency may use for project-based assistance under this paragraph not more than 20 percent of the authorized units for the agency.

“(ii) EXCEPTION.—A public housing agency may use up to an additional 10 percent of the authorized units for the agency for project-based assistance under this paragraph, to provide units that house individuals and families that meet the definition of homeless under section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302), that house families with veterans, that provide supportive housing to persons with disabilities or elderly persons, or that are located in areas where vouchers under this subsection are difficult to use, as specified in subparagraph (D)(ii)(II). Any units of project-based assistance that are attached to units previously subject to federally required rent restrictions or receiving another type of long-term housing subsidy provided by the Secretary shall not count toward the percentage limitation under clause (i) of this subparagraph. The Secretary may, by regulation, establish additional categories for the exception under this clause.”.

(3) by striking subparagraph (D) and inserting the following new subparagraph:

“(D) INCOME-MIXING REQUIREMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), not more than the greater of 25 dwelling units or 25 percent of the dwelling units in any project may be assisted under a housing assistance payment contract for project-based assistance pursuant to this paragraph. For purposes of this subparagraph, the term ‘project’ means a single building, multiple contiguous buildings, or multiple buildings on contiguous parcels of land.

“(ii) EXCEPTIONS.—

“(I) CERTAIN FAMILIES.—The limitation under clause (i) shall not apply to dwelling units assisted under a contract that are exclusively made available to elderly families or to households eligible for supportive services that are made available to the assisted residents of the project, according to standards for such services the Secretary may establish.

“(II) CERTAIN AREAS.—With respect to areas in which tenant-based vouchers for assistance under this subsection are difficult to use, as determined by the Secretary, and with respect to census tracts with a poverty rate of 20 percent or less, clause (i) shall be applied by substituting ‘40 percent’ for ‘25 percent’, and the Secretary may, by regulation, establish additional conditions.

“(III) CERTAIN CONTRACTS.—The limitation under clause (i) shall not apply with respect to contracts or renewal of contracts under which a greater percentage of the dwelling units in a project were assisted under a housing assistance payment contract for project-based assistance pursuant to this paragraph on the date of the enactment of the Housing Opportunity Through Modernization Act of 2015.

“(IV) CERTAIN PROPERTIES.—Any units of project-based assistance under this paragraph that are attached to units previously subject to federally required rent restrictions or receiving other project-based assistance provided by the Secretary shall not count toward the percentage limitation imposed by this subparagraph (D).

“(iii) ADDITIONAL MONITORING AND OVERSIGHT REQUIREMENTS.—The Secretary may establish additional requirements for monitoring and oversight of projects in which more than 40 percent of the dwelling units are assisted under a housing assistance payment contract for project-based assistance pursuant to this paragraph.”;

(4) by striking subparagraph (F) and inserting the following new subparagraph:

“(F) CONTRACT TERM.—

“(i) TERM.—A housing assistance payment contract pursuant to this paragraph between a public housing agency and the owner of a project may have a term of up to 20 years, subject to—

“(I) the availability of sufficient appropriated funds for the purpose of renewing expiring contracts for assistance payments, as provided in appropriation Acts and in the agency’s annual contributions contract with the Secretary, provided that in the event of insufficient appropriated funds, payments due under contracts under this paragraph shall take priority if other cost-saving measures that do not require the termination of an existing contract are available to the agency; and

“(II) compliance with the inspection requirements under paragraph (8), except that the agency shall not be required to make biennial inspections of each assisted unit in the development.

“(ii) ADDITION OF ELIGIBLE UNITS.—Subject to the limitations of subparagraphs (B) and (D), the agency and the owner may add eligible units within the same project to a housing assistance payments contract at any time during the term thereof without being subject to any additional competitive selection procedures.

“(iii) HOUSING UNDER CONSTRUCTION OR RECENTLY CONSTRUCTED.—An agency may enter into a housing assistance payments contract with an owner for any unit that does not qualify as existing housing and is under construction or recently has been constructed whether or not the agency has executed an agreement to enter into a contract with the owner, provided that the owner demonstrates compliance with applicable requirements prior to execution of the housing assistance payments contract. This clause shall not subject a housing assistance

payments contract for existing housing under this paragraph to such requirements or otherwise limit the extent to which a unit may be assisted as existing housing.

“(iv) ADDITIONAL CONDITIONS.—The contract may specify additional conditions, including with respect to continuation, termination, or expiration, and shall specify that upon termination or expiration of the contract without extension, each assisted family may elect to use its assistance under this subsection to remain in the same project if its unit complies with the inspection requirements under paragraph (8), the rent for the unit is reasonable as required by paragraph (10)(A), and the family pays its required share of the rent and the amount, if any, by which the unit rent (including the amount allowed for tenant-based utilities) exceeds the applicable payment standard.”;

(5) in subparagraph (G), by striking “15 years” and inserting “20 years”;

(6) by striking subparagraph (I) and inserting the following new subparagraph:

“(I) RENT ADJUSTMENTS.—A housing assistance payments contract pursuant to this paragraph entered into after the date of the enactment of the Housing Opportunity Through Modernization Act of 2015 shall provide for annual rent adjustments upon the request of the owner, except that—

“(i) by agreement of the parties, a contract may allow a public housing agency to adjust the rent for covered units using an operating cost adjustment factor established by the Secretary pursuant to section 524(c) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (which shall not result in a negative adjustment), in which case the contract may require an additional adjustment, if requested, up to the reasonable rent periodically during the term of the contract, and shall require such an adjustment, if requested, upon extension pursuant to subparagraph (G);

“(ii) the adjusted rent shall not exceed the maximum rent permitted under subparagraph (H);

“(iii) the contract may provide that the maximum rent permitted for a dwelling unit shall not be less than the initial rent for the dwelling unit under the initial housing assistance payments contract covering the units; and

“(iv) the provisions of subsection (c)(2)(C) shall not apply.”;

(7) in subparagraph (J)—

(A) in the first sentence—

(i) by striking “shall” and inserting “may”;

(ii) by inserting before the period the following: “or may permit owners to select applicants from site-based waiting lists as specified in this subparagraph”;

(B) by striking the third sentence and inserting the following: “The agency or owner may establish preferences or criteria for selection for a unit assisted under this paragraph that are consistent with the public housing agency plan for the agency approved under section 5A and that give preference to families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units.”; and

(C) by striking the fifth and sixth sentences and inserting the following: “A public housing agency may establish and utilize procedures for owner-maintained site-based waiting lists, under which applicants may apply at, or otherwise designate to the public housing agency, the project or projects in which they seek to reside, except that all eligible applicants on the waiting list of an agency for assistance under this subsection shall be permitted to place their names on such separate list, subject to policies and procedures established by the Secretary. All such procedures shall comply with title VI of the

Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and other applicable civil rights laws. The owner or manager of a project assisted under this paragraph shall not admit any family to a dwelling unit assisted under a contract pursuant to this paragraph other than a family referred by the public housing agency from its waiting list, or a family on a site-based waiting list that complies with the requirements of this subparagraph. A public housing agency shall disclose to each applicant all other options in the selection of a project in which to reside that are provided by the public housing agency and are available to the applicant.”;

(8) in subparagraph (M)(ii), by inserting before the period at the end the following: “relating to funding other than housing assistance payments”;

(9) by adding at the end the following new subparagraphs:

“(N) STRUCTURE OWNED BY AGENCY.—A public housing agency engaged in an initiative to improve, develop, or replace a public housing property or site may attach assistance to an existing, newly constructed, or rehabilitated structure in which the agency has an ownership interest or which the agency has control of without following a competitive process, provided that the agency has notified the public of its intent through its public housing agency plan and subject to the limitations and requirements of this paragraph.

“(O) SPECIAL PURPOSE VOUCHERS.—A public housing agency that administers vouchers authorized under subsection (o)(19) or (x) of this section may provide such assistance in accordance with the limitations and requirements of this paragraph, without additional requirements for approval by the Secretary.”.

(b) EFFECTIVE DATE.—The Secretary of Housing and Urban Development shall issue notice or regulations to implement subsection (a) of this section and such subsection shall take effect upon such issuance.

SEC. 107. ESTABLISHMENT OF FAIR MARKET RENT.

(a) IN GENERAL.—Paragraph (1) of section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)(1)) is amended—

(1) by inserting “(A)” after the paragraph designation;

(2) by striking the fourth, seventh, eighth, and ninth sentences; and

(3) by adding at the end the following:

“(B) Fair market rentals for an area shall be published not less than annually by the Secretary on the site of the Department on the World Wide Web and in any other manner specified by the Secretary. Notice that such fair market rentals are being published shall be published in the Federal Register, and such fair market rentals shall become effective no earlier than 30 days after the date of such publication. The Secretary shall establish a procedure for public housing agencies and other interested parties to comment on such fair market rentals and to request, within a time specified by the Secretary, reevaluation of the fair market rentals in a jurisdiction before such rentals become effective. The Secretary shall cause to be published for comment in the Federal Register notices of proposed material changes in the methodology for estimating fair market rentals and notices specifying the final decisions regarding such proposed substantial methodological changes and responses to public comments.”.

(b) PAYMENT STANDARD.—Subparagraph (B) of section 8(o)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(1)(B)) is amended by inserting before the period at the end the following: “, except that no public housing agency shall be required as a result of a reduction in the fair market rental to reduce the payment

standard applied to a family continuing to reside in a unit for which the family was receiving assistance under this section at the time the fair market rental was reduced. The Secretary shall allow public housing agencies to request exception payment standards within fair market rental areas subject to criteria and procedures established by the Secretary”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect upon the date of the enactment of this Act.

SEC. 108. COLLECTION OF UTILITY DATA.

Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following new paragraph:

“(20) **COLLECTION OF UTILITY DATA.**—

“(A) **PUBLICATION.**—The Secretary shall, to the extent that data can be collected cost effectively, regularly publish such data regarding utility consumption and costs in local areas as the Secretary determines will be useful for the establishment of allowances for tenant-paid utilities for families assisted under this subsection.

“(B) **USE OF DATA.**—The Secretary shall provide such data in a manner that—

“(i) avoids unnecessary administrative burdens for public housing agencies and owners; and

“(ii) protects families in various unit sizes and building types, and using various utilities, from high rent and utility cost burdens relative to income.”.

SEC. 109. PUBLIC HOUSING CAPITAL AND OPERATING FUNDS.

(a) **CAPITAL FUND REPLACEMENT RESERVES.**—Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended—

(1) in subsection (j), by adding at the end the following new paragraph:

“(7) **TREATMENT OF REPLACEMENT RESERVE.**—The requirements of this subsection shall not apply to funds held in replacement reserves established pursuant to subsection (n).”; and

(2) by adding at the end the following new subsection:

“(n) **ESTABLISHMENT OF REPLACEMENT RESERVES.**—

“(1) **IN GENERAL.**—Public housing agencies shall be permitted to establish a replacement reserve to fund any of the capital activities listed in subsection (d)(1).

“(2) **SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.**—At any time, a public housing agency may deposit funds from such agency’s Capital Fund into a replacement reserve, subject to the following:

“(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a replacement reserve funds originating from additional sources.

“(B) No minimum transfer of funds to a replacement reserve shall be required.

“(C) At any time, a public housing agency may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under this section, as outlined in its Capital Fund 5-Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish, by regulation, a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under this section or other factors.

“(3) **TRANSFER OF OPERATING FUNDS.**—In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

“(4) **EXPENDITURE.**—Funds in a replacement reserve may be used for purposes authorized by

subsection (d)(1) and contained in its Capital Fund 5-Year Action Plan.

“(5) **MANAGEMENT AND REPORT.**—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.”.

(b) **FLEXIBILITY OF OPERATING FUND AMOUNTS.**—Paragraph (1) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1)) is amended—

(1) by striking “(1)” and all that follows through “—Of” and inserting the following:

“(1) **FLEXIBILITY IN USE OF FUNDS.**—

“(A) **FLEXIBILITY FOR CAPITAL FUND AMOUNTS.**—Of”; and

(2) by adding at the end the following new subparagraph:

“(B) **FLEXIBILITY FOR OPERATING FUND AMOUNTS.**—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan under section 5A for the agency provides for such use.”.

SEC. 110. FAMILY UNIFICATION PROGRAM FOR CHILDREN AGING OUT OF FOSTER CARE.

Section 8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)) is amended—

(1) in paragraph (2)(B)—

(A) by striking “18 months” and inserting “36 months”;;

(B) by striking “21 years of age” and inserting “24 years of age”; and

(C) by inserting after “have left foster care” the following: “, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless”;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) **COORDINATION BETWEEN PUBLIC HOUSING AGENCIES AND PUBLIC CHILD WELFARE AGENCIES.**—The Secretary shall, not later than the expiration of the 180-day period beginning on the date of the enactment of the Housing Opportunity Through Modernization Act of 2015 and after consultation with other appropriate Federal agencies, issue guidance to improve coordination between public housing agencies and public child welfare agencies in carrying out the program under this subsection, which shall provide guidance on—

“(A) identifying eligible recipients for assistance under this subsection;

“(B) coordinating with other local youth and family providers in the community and participating in the Continuum of Care program established under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.);

“(C) implementing housing strategies to assist eligible families and youth;

“(D) aligning system goals to improve outcomes for families and youth and reducing lapses in housing for families and youth; and

“(E) identifying resources that are available to eligible families and youth to provide supportive services available through parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq.; 670 et seq.) or that the head of household of a family or youth may be entitled to receive under section 477 of the Social Security Act (42 U.S.C. 677).”.

TITLE II—RURAL HOUSING

SEC. 201. DELEGATION OF GUARANTEED RURAL HOUSING LOAN APPROVAL.

Subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472(h)) is amended by adding at the end the following new paragraph:

“(18) **DELEGATION OF APPROVAL.**—The Secretary may delegate, in part or in full, the Secretary’s authority to approve and execute binding Rural Housing Service loan guarantees pursuant to this subsection to certain preferred lenders, in accordance with standards established by the Secretary.”.

TITLE III—FHA MORTGAGE INSURANCE FOR CONDOMINIUMS

SEC. 301. MODIFICATION OF FHA REQUIREMENTS FOR MORTGAGE INSURANCE FOR CONDOMINIUMS.

Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by adding at the end the following new subsection:

“(y) **REQUIREMENTS FOR MORTGAGES FOR CONDOMINIUMS.**—

“(1) **PROJECT RECERTIFICATION REQUIREMENTS.**—Notwithstanding any other law, regulation, or guideline of the Secretary, including chapter 2.4 of the Condominium Project Approval and Processing Guide of the FHA, the Secretary shall streamline the project certification requirements that are applicable to the insurance under this section for mortgages for condominium projects so that recertifications are substantially less burdensome than certifications. The Secretary shall consider lengthening the time between certifications for approved properties, and allowing updating of information rather than resubmission.

“(2) **COMMERCIAL SPACE REQUIREMENTS.**—Notwithstanding any other law, regulation, or guideline of the Secretary, including chapter 2.1.3 of the Condominium Project Approval and Processing Guide of the FHA, in providing for exceptions to the requirement for the insurance of a mortgage on a condominium property under this section regarding the percentage of the floor space of a condominium property that may be used for nonresidential or commercial purposes, the Secretary shall provide that—

“(A) any request for such an exception and the determination of the disposition of such request may be made, at the option of the requester, under the direct endorsement lender review and approval process or under the HUD review and approval process through the applicable field office of the Department; and

“(B) in determining whether to allow such an exception for a condominium property, factors relating to the economy for the locality in which such project is located or specific to project, including the total number of family units in the project, shall be considered.

Not later than the expiration of the 90-day period beginning on the date of the enactment of this paragraph, the Secretary shall issue regulations to implement this paragraph, which shall include any standards, training requirements, and remedies and penalties that the Secretary considers appropriate.

“(3) **TRANSFER FEES.**—Notwithstanding any other law, regulation, or guideline of the Secretary, including chapter 1.8.8 of the Condominium Project Approval and Processing Guide of the FHA and section 203.41 of the Secretary’s regulations (24 C.F.R. 203.41), existing standards of the Federal Housing Finance Agency relating to encumbrances under private transfer fee covenants shall apply to the insurance of mortgages by the Secretary under this section to the same extent and in the same manner that such standards apply to the purchasing, investing in, and otherwise dealing in mortgages by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation. If the provisions of part 1228 of the Director of

the Federal Housing Finance Agency's regulations (12 C.F.R. part 1228) are amended or otherwise changed after the date of the enactment of this paragraph, the Secretary of Housing and Urban Development shall adopt any such amendments or changes for purposes of this paragraph, unless the Secretary causes to be published in the Federal Register a notice explaining why the Secretary will disregard such amendments or changes within 90 days after the effective date of such amendments or changes.

"(4) OWNER-OCCUPANCY REQUIREMENT.—"

"(A) ESTABLISHMENT OF PERCENTAGE REQUIREMENT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this paragraph, the Secretary shall, by rule, notice, or mortgagee letter, issue guidance regarding the percentage of units that must be occupied by the owners as a principal residence or a secondary residence (as such terms are defined by the Secretary), or must have been sold to owners who intend to meet such occupancy requirements, including justifications for the percentage requirements, in order for a condominium project to be acceptable to the Secretary for insurance under this section of a mortgage within such condominium property.

"(B) FAILURE TO ACT.—If the Secretary fails to issue the guidance required under subparagraph (A) before the expiration of the 90-day period specified in such clause, the following provisions shall apply:

"(i) 35 PERCENT REQUIREMENT.—In order for a condominium project to be acceptable to the Secretary for insurance under this section, at least 35 percent of all family units (including units not covered by FHA-insured mortgages) must be occupied by the owners as a principal residence or a secondary residence (as such terms are defined by the Secretary), or must have been sold to owners who intend to meet such occupancy requirement.

"(ii) OTHER CONSIDERATIONS.—The Secretary may increase the percentage applicable pursuant to clause (i) to a condominium project on a project-by-project or regional basis, and in determining such percentage for a project shall consider factors relating to the economy for the locality in which such project is located or specific to project, including the total number of family units in the project."

TITLE IV—HOUSING REFORMS FOR THE HOMELESS AND FOR VETERANS

SEC. 401. DEFINITION OF GEOGRAPHIC AREA FOR CONTINUUM OF CARE PROGRAM.

(a) **DEFINITION.—**Subtitle C of the McKinney-Vento Homeless Assistance Act is amended—

(1) by redesignating sections 432 and 433 (42 U.S.C. 11387, 11388) as sections 433 and 434, respectively; and

(2) by inserting after section 431 (42 U.S.C. 11386e) the following new section:

"SEC. 432. GEOGRAPHIC AREAS.

"(a) REQUIREMENT TO DEFINE.—For purposes of this subtitle, the term 'geographic area' shall have such meaning as the Secretary shall by notice provide.

"(b) ISSUANCE OF NOTICE.—Not later than the expiration of the 90-day period beginning on the date of the enactment of the Housing Opportunity Through Modernization Act of 2015, the Secretary shall issue a notice setting forth the definition required by subsection (a)."

(b) **CLERICAL AMENDMENT.—**The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 note) is amended by striking the items relating to sections 432 and 433 and inserting the following new items:

"Sec. 432. Geographic areas.

"Sec. 433. Regulations.

"Sec. 434. Reports to Congress."

SEC. 402. INCLUSION OF PUBLIC HOUSING AGENCIES AND LOCAL REDEVELOPMENT AUTHORITIES IN EMERGENCY SOLUTIONS GRANTS.

Section 414(c) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(c)) is amended—

(1) in the subsection heading, by inserting "PUBLIC HOUSING AGENCIES, AND LOCAL REDEVELOPMENT AUTHORITIES" after "ORGANIZATIONS"; and

(2) in the first sentence, by inserting before the period at the end the following: "to public housing agencies (as defined under section 3(b)(6) of the United States Housing Act of 1937), or to local redevelopment authorities (as defined under State law)".

SEC. 403. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(a) **TRANSFER OF POSITION TO OFFICE OF THE SECRETARY.—**Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

"(h) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—"

"(1) POSITION.—There shall be in the Office of the Secretary a Special Assistant for Veterans Affairs, who shall report directly to the Secretary.

"(2) APPOINTMENT.—The Special Assistant for Veterans Affairs shall be appointed based solely on merit and shall be covered under the provisions of title 5, United States Code, governing appointments in the competitive service.

"(3) RESPONSIBILITIES.—The Special Assistant for Veterans Affairs shall be responsible for—

"(A) ensuring veterans have fair access to housing and homeless assistance under each program of the Department providing either such assistance;

"(B) coordinating all programs and activities of the Department relating to veterans;

"(C) serving as a liaison for the Department with the Department of Veterans Affairs, including establishing and maintaining relationships with the Secretary of Veterans Affairs;

"(D) serving as a liaison for the Department, and establishing and maintaining relationships with the United States Interagency Council on Homelessness and officials of State, local, regional, and nongovernmental organizations concerned with veterans;

"(E) providing information and advice regarding—

"(i) sponsoring housing projects for veterans assisted under programs administered by the Department; or

"(ii) assisting veterans in obtaining housing or homeless assistance under programs administered by the Department;

"(F) coordinating with the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs in carrying out section 404 of the Housing Opportunity Through Modernization Act of 2015; and

"(G) carrying out such other duties as may be assigned to the Special Assistant by the Secretary or by law."

(b) **TRANSFER OF POSITION IN OFFICE OF DEPUTY ASSISTANT SECRETARY FOR SPECIAL NEEDS.—**On the date that the initial Special Assistant for Veterans Affairs is appointed pursuant to section 4(h)(2) of the Department of Housing and Urban Development Act, as added by subsection (a) of this section, the position of Special Assistant for Veterans Programs in the Office of the Deputy Assistant Secretary for Special Needs of the Department of Housing and Urban Development shall be terminated.

SEC. 404. ANNUAL SUPPLEMENTAL REPORT ON VETERANS HOMELESSNESS.

(a) **IN GENERAL.—**The Secretary of Housing and Urban Development and the Secretary of

Veterans Affairs, in coordination with the United States Interagency Council on Homelessness, shall submit annually to the Committees of the Congress specified in subsection (b), together with the annual reports required by such Secretaries under section 203(c)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11313(c)(1)), a supplemental report that includes the following information with respect to the preceding year:

(1) The same information, for such preceding year, that was included with respect to 2010 in the report by the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs entitled "Veterans Homelessness: A Supplemental Report to the 2010 Annual Homeless Assessment Report to Congress".

(2) Information regarding the activities of the Department of Housing and Urban Development relating to veterans during such preceding year, as follows:

(A) The number of veterans provided assistance under the housing choice voucher program for Veterans Affairs supported housing under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), the socioeconomic characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(B) A summary description of the special considerations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) and under comprehensive housing affordability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(C) A description of the activities of the Special Assistant for Veterans Affairs of the Department of Housing and Urban Development.

(D) A description of the efforts of the Department of Housing and Urban Development and the other members of the United States Interagency Council on Homelessness to coordinate the delivery of housing and services to veterans.

(E) The cost to the Department of Housing and Urban Development of administering the programs and activities relating to veterans.

(F) Any other information that the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs consider relevant in assessing the programs and activities of the Department of Housing and Urban Development relating to veterans.

(b) **COMMITTEES.—**The Committees of the Congress specified in this subsection are as follows:

(1) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) The Committee on Veterans' Affairs of the Senate.

(3) The Committee on Appropriations of the Senate.

(4) The Committee on Financial Services of the House of Representatives.

(5) The Committee on Veterans' Affairs of the House of Representatives.

(6) The Committee on Appropriations of the House of Representatives.

TITLE V—MISCELLANEOUS

SEC. 501. INCLUSION OF DISASTER HOUSING ASSISTANCE PROGRAM IN CERTAIN FRAUD AND ABUSE PREVENTION MEASURES.

The Disaster Housing Assistance Program administered by the Department of Housing and Urban Development shall be considered a "program of the Department of Housing and Urban Development" under section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 3544) for the purpose of income verifications.

SEC. 502. ENERGY EFFICIENCY REQUIREMENTS UNDER SELF-HELP HOMEOWNER-SHIP OPPORTUNITY PROGRAM.

Section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note) is amended by inserting after subsection (f) the following new subsection:

“(g) **ENERGY EFFICIENCY REQUIREMENTS.**—The Secretary may not require any dwelling developed using amounts from a grant made under this section to meet any energy efficiency standards other than the standards applicable at such time pursuant to section 109 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12709) to housing specified in subsection (a) of such section.”.

SEC. 503. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) **DATA EXCHANGE STANDARDIZATION.**—Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended by adding at the end the following new section:

“SEC. 37. DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.

“(a) **DESIGNATION.**—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards to govern, under this Act—

“(1) necessary categories of information that State agencies operating related programs are required under applicable law to electronically exchange with another State agency; and

“(2) Federal reporting and data exchange required under applicable law.

“(b) **REQUIREMENTS.**—The data exchange standards required by subsection (a) shall, to the maximum extent practicable—

“(1) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

“(2) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

“(3) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

“(4) be consistent with and implement applicable accounting principles;

“(5) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

“(6) be capable of being continually upgraded as necessary.

“(c) **RULES OF CONSTRUCTION.**—Nothing in this section requires a change to existing data exchange standards for Federal reporting found to be effective and efficient.”.

(b) **APPLICABILITY.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall issue a proposed rule to carry out the amendments made by subsection (a).

(2) **REQUIREMENTS.**—The rule shall—

(A) identify federally required data exchanges;

(B) include specification and timing of exchanges to be standardized;

(C) address the factors used in determining whether and when to standardize data exchanges;

(D) specify State implementation options; and

(E) describe future milestones.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 114-411. Each such amendment may be offered only in the order printed in the report,

by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BUCHANAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-411.

Mr. BUCHANAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 2, after “develop” insert “electronic”.

Page 16, line 4, strike “income” and insert “benefit”.

Page 16, after line 14, insert the following:

“(E) **ELECTRONIC INCOME VERIFICATION.**—The Secretary shall develop a mechanism for disclosing information to a public housing agency for the purpose of verifying the employment and income of individuals and families in accordance with section 453(j)(7)(E) of the Social Security Act (42 U.S.C. 653(j)(7)(E)), and shall ensure public housing agencies have access to information contained in the ‘Do Not Pay’ system established by section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (Public Law 112-248; 126 Stat. 2392).”.

Page 16, line 15, strike “(E)” and insert “(F)”.

Page 34, line 14, strike the closing quotation marks and the last period.

Page 34, after line 14, insert the following:

“(7) **VERIFYING INCOME.**—

“(A) Beginning in fiscal year 2018, the Secretary shall require public housing agencies to require each applicant for, or recipient of, benefits under this Act to provide authorization by the applicant or recipient (or by any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient for such benefits) for the public housing agency to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to the applicant or recipient (or any such other person) whenever the public housing agency determines the record is needed in connection with a determination with respect to such eligibility or the amount of such benefits.

“(B) Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided by an applicant or recipient (or any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient) pursuant to subparagraph (A) of this paragraph shall remain effective until the earliest of—

“(i) the rendering of a final adverse decision on the applicant’s application for eligibility for benefits under this Act;

“(ii) the cessation of the recipient’s eligibility for benefits under this Act; or

“(iii) the express revocation by the applicant or recipient (or such other person referred to in subparagraph (A)) of the authorization, in a written notification to the Secretary.

“(C)(i) An authorization obtained by the public housing agency pursuant to this paragraph shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

“(ii) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the public housing agency pursuant to an authorization provided under this clause.

“(iii) A request by the public housing agency pursuant to an authorization provided under this clause is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and the flush language of section 1102 of such Act.

“(iv) The public housing agency shall inform any person who provides authorization pursuant to this paragraph of the duration and scope of the authorization.

“(D) If an applicant for, or recipient of, benefits under this Act (or any such other person referred to in subparagraph (A)) refuses to provide, or revokes, any authorization made by the applicant or recipient for the public housing agency to obtain from any financial institution any financial record, the public housing agency may, on that basis, determine that the applicant or recipient is ineligible for benefits under this title.”.

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from Florida (Mr. BUCHANAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. BUCHANAN. Mr. Chairman, I yield myself such time as I may consume.

I would like to first thank the subcommittee chair of Financial Services, Mr. LUETKEMEYER, for his leadership on such important issues.

As chairman of the Human Resources Subcommittee of Ways and Means, I have the distinct privilege of overseeing a number of means-tested programs aimed at providing low-income individuals and families an opportunity to move up the economic ladder.

There are a lot of lessons we have learned, and we should be using them to better serve recipients and taxpayers.

In June of last year, the Department of Housing and Urban Development’s Office of Inspector General found that the Federal Government paid public housing benefits to families with excessive income and assets when those benefits should have gone to low-income families in real need.

This amendment builds on reforms made by the underlying bill. This amendment reduces that burden on families by using systems they are most likely already interacting with for other means-tested programs. It also improves accuracy for housing authorities and landlords, providing them with more timely and reliable information.

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Ultimately, it ensures that those with assets well above the eligibility limits will not be using benefits directed to those Americans who need the most help.

I encourage all my colleagues to support this amendment and support the underlying bill.

Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to this amendment. I have concerns that there are a lot of unanswered questions regarding the new income verification system that is being proposed in this amendment, and I think it needs to be addressed.

First, it appears that there would be a cost associated with this amendment. Housing authorities would have to spend some of their operating fund dollars to comply with the new requirements in this amendment, and that takes away from other important things that they must prioritize.

It is important to note that the public housing operating fund and administrative fees are severely underfunded, so public housing authorities are already struggling to make ends meet. H.R. 3700 is intended to ease administrative burdens, but this amendment seems to be increasing burdens without any additional funding. In other words, it is an unfunded mandate.

Secondly, it is unclear whether all housing authorities have the electronic infrastructure in place to securely maintain and protect residents' personal financial data, which could include bank account information, in a manner that is inconsistent with what current financial regulators have. If housing authorities need to upgrade their systems, that would also cost money that is not provided for in this amendment.

Third, it is not clear how this amendment would work for residents who are unbanked. This amendment virtually ignores millions of Americans that are unbanked.

Fourth, this amendment seems to be addressing a problem that doesn't exist because I have not seen any evidence that residents are currently not providing accurate information when applying for housing assistance.

Lastly, H.R. 3700 already includes a provision to address over-income households in public housing to help ensure that taxpayers are not subsidizing these households. For every piece of legislation that we pass, it should be carefully considered, which is why we should not adopt this hasty amendment that has not been thoroughly studied by congressional staff

or our housing groups, the administration, and carefully negotiated by both parties.

Mr. Chairman and Members, let me just say this: We have a good bill here. We have gone a long way in dealing with whatever concerns either side may have. We have a compromise piece of legislation. We have a consensus piece of legislation. Let's not mess it up. We don't need this amendment. I would ask for a "no" vote on the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BUCHANAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. Mr. Chairman, I would just like to speak in support of the amendment.

I believe the amendment reduces the burden on families for using solutions that already are likely to be in place with regards to interacting through other means testing programs. I think it improves the efficiency for public housing authorities and landlords, providing more accurate and timely eligibility information. It minimizes the risk of waste, fraud, and abuse of tax dollars and ensures limited resources are better targeted to families in need by requiring public housing agencies to access data used by other means tested programs or by assets.

This amendment further strengthens the response to the 2015 inspector general's audit, which revealed individuals with substantial assets were receiving rental subsidies. This amendment builds on the progress made by the Committee on Financial Services to better target housing assistance to the needs of low-income individuals and families.

The current system in determining eligibility for rental subsidies is burdensome to program recipients to report income that can vary as much as every week and time consuming for public housing agencies and landlords to collect and verify this information, unfair to taxpayers who expect tax dollars to be targeted to families most in need.

I think you can see what I believe is an asset here from the standpoint it is going to streamline the system. It is going to save money. I think it makes it easier for the people to access, it is going to make it easier for the individuals who are working with those folks to be able to do a better job of getting and accumulating the information as quickly as possible to better ferret out the ones who need the help and ones who don't, and therefore do a good job of managing our taxpayer dollars.

Mr. BUCHANAN. Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, I basically made an appeal to my Republican col-

leagues to reject this amendment. I basically talked about the fact that we have gone a long way toward reconciling our differences and that we don't need to endanger the bill at all with an amendment like this.

I am not sure exactly what the gentleman is attempting to do. We already have systems in existence by which those who wish to live in public housing have to verify their income. I don't know what is being attempted here. If the attempt is to try and go to financial institutions and say to them, is it true that this person only has \$5 in their bank account or what have you? I am not sure that the housing authority would want to assume that additional responsibility and that additional cost, so I have to continue to oppose this amendment. Perhaps there is a better explanation than I have heard, but I have not heard a good explanation about why we should adopt it.

Mr. Chair, I reserve the balance of my time.

Mr. BUCHANAN. Mr. Chair, my understanding is PHAs asked for this, but let me just say my amendment will reduce the burdens on families by using solutions they are already interacting with through other means-tested programs.

I encourage all my colleagues to support this amendment and to support the underlying bill.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I am pleased that the gentleman talked about having talked with the public housing authorities because we did, too, and they had no idea what your bill is. They didn't know anything about it, they didn't understand why it was being done, so we have a difference of opinion, I suppose, about what the public housing authorities are saying.

I am saying that based on our inquiries, they did not support your legislation because they didn't understand it. They didn't know it exists. They didn't know what it was all about.

I would, again, ask for a "no" vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. BUCHANAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-411.

Ms. MAXINE WATERS of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike line 17 on page 20 and all that follows through page 21, line 10, and insert the following:

“(B) MINORS, STUDENTS, AND PERSONS WITH DISABILITIES.—\$480 for each member of the family residing in the household (other than the head of the household or his or her spouse) who is less than 18 years of age or is attending school or vocational training on a full-time basis, or who is 18 years of age or older and is a person with disabilities.

“(C) CHILD CARE.—Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.”.

The Acting CHAIR. Pursuant to House Resolution 594, the gentlewoman from California (Ms. MAXINE WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman.

Ms. MAXINE WATERS of California. Mr. Chairman, my amendment would remove the harmful provision in H.R. 3700 that would effectively raise rent for thousands of families with children who are living in HUD-assisted housing by limiting the amount they can deduct from their income for childcare expenses. These are parents, particularly single parents, who are already struggling to pay for the cost of child care in order to work or to go to school.

I believe we should not be crippling their ability to juggle these responsibilities. We should be supporting them. I believe that my Republican colleagues share my concerns. We simply did not have the data that we needed at the markup to truly understand how this provision would affect these households.

As I mentioned in my opening statement, the Republicans have indicated that they will support this amendment, which will remove this harmful language and preserve the current law. This will ensure that families with children will not be burdened with a rent increase as a result of this bill.

I would like to thank my colleagues across the aisle for working with me on this issue to find common ground.

I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, if nothing else, I would just like to throw the ranking member a curve ball and actually accept one of her amendments, just to show that minor miracles can still occur within the Halls of Congress and on the floor of the United States House of Representatives. Particularly after a very robust debate this morning on the budget views and

estimates, this might be a welcome departure.

Anyway, I am prepared to accept the ranking member's amendment. Again, as she said, H.R. 3700 will allow only families to deduct childcare expenses that exceed 5 percent. The ranking member's amendment would revert back to current law. I think that in this particular case there are some trade-offs to be made, and I am willing to accept this particular trade-off and work with the ranking member to forward the overall bill.

I urge all Members to accept it and vote for it.

Mr. Chairman, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member of the Committee on Small Business and a member of the Committee on Financial Services.

Ms. VELÁZQUEZ. Mr. Chairman, I rise today in support of the gentlewoman from California's amendment.

Mr. Chairman, in New York City access to safe and affordable housing is a critical issue. Just in Brooklyn, the city's housing shortage has driven rents to over \$2,500 a month for a 1-bedroom apartment. As a result, a majority of households spend more than 30 percent of their income on housing, making these individuals and families rent burdened.

For this reason, the New York City Housing Authority, the Nation's largest public housing authority, provides a home to more than 4,000 New Yorkers. Unfortunately, tens of thousands of families remain on waiting lists for units.

Congress cannot dictate market rents, but we can change Federal programs empowering public housing authorities to address budgetary shortfalls, adapt to changing conditions, and better assist current and prospective tenants. That is why we provided the Secretary the ability to adjust the over-income threshold for public housing tenancy, to assist those tenants and families living in public housing where rents and incomes are well above average, like New York.

While this bill makes several reforms like these to public housing and Section 8 rental assistance, many of which are bipartisan and have been discussed for years, I am concerned about the bill's impact on families with children.

According to a recent study by the Center on Budget and Policy Priorities, H.R. 3700's changes to the childcare deduction could cost 52,000 families with children to face a rent increase of \$25 or more. More than half the families affected are extremely low income and would be hard pressed to afford such an increase. Mr. Chair, \$25, \$50, or \$75 might not sound like a lot of money for us, but for low-income families that

have to struggle every day, this is a lot of money.

While updating and improving our Nation's rental assistance and public housing programs are important goals—one I will continue fighting for—they cannot be accomplished on the backs of the Nation's children.

I, therefore, urge adoption of the gentlewoman's amendment, which will strike the burdensome childcare deduction language.

I am very impressed with the chairman today. I hope that from now on we can work in a bipartisan, humane way to address the issues of the shortage of housing in our Nation. I congratulate the ranking member.

Ms. MAXINE WATERS of California. Mr. Chairman, I would simply thank all of the Members who have worked on this bill, and I thank all of the support that I am getting for this amendment.

I want to thank the chairman. Despite the fact he had a rather difficult time on committee today, he conducted himself rather well, and I enjoyed working with him. I am very thankful that he is here to give support on this amendment and the leadership he has given.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. MAXINE WATERS).

The amendment was agreed to.

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AMENDMENT NO. 3 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR (Mr. POE of Texas). It is now in order to consider amendment No. 3 printed in House Report 114-411.

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, after line 3, insert the following new subsection:

(h) STUDY ON IMPACT ON ELDERLY AND DISABLED FAMILIES OF DECREASED DEDUCTIONS IN INCOME.—

(1) STUDY.—The Secretary of Housing and Urban Development shall conduct a study to determine the impacts, on rents paid by elderly and disabled individuals and families assisted under the section 8 rental assistance and public housing programs under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq), of any decreases in the amounts of any deductions from income (for purposes of section 3(b) of such Act (42 U.S.C. 1437a(b))), as compared to such deductions under such section 3(b) as in effect before the effectiveness of this section, resulting from the amendments made by this section.

(2) REPORT.—The Secretary shall submit to the Congress a report setting forth the results of the study conducted pursuant to paragraph (1) not later than the expiration of the 12-month period beginning on the date of the enactment of this Act.

(3) EFFECTIVE DATE.—Notwithstanding subsection (h) of this section, this subsection

shall take effect on the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 594, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chair, I rise today in support of my amendment to H.R. 3700.

My amendment is commonsense and straightforward. It simply requires the Secretary of HUD to conduct a study to determine the impact of the decreased deductions on rent paid by elderly, disabled individuals, and families assisted under the Section 8 rental assistance and housing programs.

Being able to assess quality, safe, and affordable housing is critically important to all Americans. The Section 8 voucher program and other rental assistance programs play a vital role in providing this type of housing for our Nation's most vulnerable citizens, including seniors, disabled persons, and low-income families. In fact, nearly all of the households currently under HUD rental assistance include children, the elderly, or disabled individuals.

These rental assistance programs house over 10 million individuals in roughly 4.6 million rental units across the country. It is clear that these voucher and rental assistance programs continue to perform the task for which they were created, which is providing shelter for millions of Americans.

In spite of its enormous success, the Section 8 voucher program, arguably, still suffers under the weight of too many inefficient and duplicative requirements that threaten the overall effectiveness of the program.

As drafted, H.R. 3700 takes major bipartisan steps toward helping preserve our scarce housing resources while expanding housing availability. However, as we attempt to reform these programs, we must be mindful and ever diligent in ensuring that the proposed changes are beneficial to their overall implementation and that there are no negative, unintended consequences on the program's participants. To that end, my amendment allows us to gauge the effectiveness of some of the changes being made here today and their impact on the most vulnerable segments of our population: the elderly and disabled.

We all know that no program is perfect. We must work together to strike a delicate balance and ensure programs are both workable and do what they intend to do without adverse impacts on those who are greatly benefited by them. I urge my colleagues to support this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the

time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. I thank the gentlewoman from Alabama for her amendment. It is a bipartisan amendment. She makes some good points. We are happy to accept it.

As long as I am here, I would like to point out to the distinguished ranking member that anytime my side wins all the votes, I am not having a tough day. I am having a really good day.

Mr. Chairman, I yield back the balance of my time.

Ms. SEWELL of Alabama. I thank the chairman for accepting my amendment. I think that all Americans win when we act in a bipartisan manner. I am really grateful for your assistance in making this legislation stronger.

I want to thank the ranking member for her leadership on this bill, as well as my colleague, Representative CLEAVER, for his leadership on this bill.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL). The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-411.

AMENDMENT NO. 5 OFFERED BY MR. HINOJOSA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-411.

Mr. HINOJOSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, after line 24, insert the following new section:

SEC. 202. GUARANTEED UNDERWRITING USER FEE.

Section 502 of the Housing Act of 1949 (42 U.S.C. 1472) is amended by adding at the end the following new subsection:

“(1) GUARANTEED UNDERWRITING USER FEE.—

“(1) AUTHORITY; MAXIMUM AMOUNT.—The Secretary may assess and collect a fee for a lender to access the automated underwriting systems of the Department in connection with such lender's participation in the single family loan program under this section and only in an amount necessary to cover the costs of information technology enhancements, improvements, maintenance, and development for automated underwriting systems used in connection with the single family loan program under this section, except that such fee shall not exceed \$50 per loan.

“(2) CREDITING; AVAILABILITY.—Any amounts collected from such fees shall be credited to the Rural Development Expense Account as offsetting collections and shall remain available until expended, in the amounts provided in appropriation Acts, solely for expenses described in paragraph (1).”.

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from Texas (Mr. HINOJOSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HINOJOSA. Mr. Chairman, today I rise to offer an amendment to H.R. 3700, entitled, the Housing Opportunities Through Modernization Act of 2015.

I want to thank Mr. LUETKEMEYER for his hard work on this bill and for the bipartisan and collaborative way in which he went about this important housing reform. I also wish to thank the ranking member, Ms. MAXINE WATERS of California, for her hard work and for always looking out for those most needy in our society and for working to improve this bill.

My amendment would authorize a nominal user fee on lenders accessing the underwriting systems for the Section 502 Single Family Housing Guaranteed Loan Program. This fee would not exceed \$50 per loan and would enable the United States Department of Agriculture to make much-needed upgrades to their automated underwriting system in order to match industry standards.

Mr. Chairman, I believe that access to safe, decent, and affordable housing can transform lives. Federal programs like the Section 502 Single Family Housing Guaranteed Loan Program play a critical role in expanding home ownership and opportunity for our rural communities. This Federal program has helped over 2 million families build wealth through the equity in their home and encourages lenders to provide loans to those who cannot usually obtain conventional financing.

Through this program, lenders are enabled and encouraged to serve borrowers they might typically reject without the guarantee, increasing borrowers' access to home ownership opportunities. We owe it to our rural communities to provide the Section 502 program with the resources it needs to modernize and to continue expanding home ownership and opportunity in our most underserved rural communities.

The Single Family Housing Guaranteed Loan Program relies on the Guaranteed Underwriting System for determining loan approvals quickly and accurately. Unfortunately, the current system is in need of substantial technological improvements in order to process risk requests more efficiently. Guaranteed Underwriting System development is necessary for sound portfolio risk management and will benefit USDA field staff, rural borrowers, and private sector lenders alike.

My amendment will cover the cost of developing and maintaining the Guaranteed Underwriting System and enable the Single Family Housing Guaranteed Loan Program to be administered in a more effective manner, despite recent staffing reductions.

The nominal fee authorized by my amendment will be used to enhance and maintain the Guaranteed Underwriting System and bring it into the 21st century. It is expected that a fee ranging between \$25 and \$50 will generate approximately \$4 million a year, starting in 2018. The fee will support important program improvements, including the delegation of underwriting to preferred lenders.

The fee will also develop the underwriting system's technological capabilities to current standards, including enhanced loan and lender oversight, metrics, and programmatic controls. This efficiency upgrade will allow USDA staff to allocate the necessary time and resources to the most complex underwriting decisions.

Finally, Congress has long invested in making rural home ownership a reality. The Section 502 Single Family Housing Guaranteed Loan Program receives \$24 billion a year and has helped millions of families reach the dream of home ownership.

Mr. Chairman, my amendment supports the USDA fiscal year 2016 budget request and is supported by prominent rural housing advocacy groups such as the National Rural Housing Coalition and the Housing Assistance Council. I urge all my colleagues on both sides of the aisle to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I rise in support of the amendment of the gentleman from Texas. I thank him for his leadership in this area of rural housing. I think it plays a role in helping develop a more modern and efficient management and underwriting system to assess mortgage credit risk, prevent foreclosures, and manage a billion-dollar portfolio.

This is a bipartisan amendment and a bipartisan bill. We are happy to accept it. I urge Members to adopt it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HINOJOSA).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-411.

Ms. MENG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, after line 11, add the following new section:

SEC. 111. PUBLIC HOUSING HEATING GUIDELINES.

Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(o) PUBLIC HOUSING HEATING GUIDELINES.—The Secretary shall publish model guidelines for minimum heating requirements for public housing dwelling units operated by public housing agencies receiving assistance under this section.”.

The Acting CHAIR. Pursuant to House Resolution 594, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, this amendment would require HUD to publish model guidelines for minimum heating requirements for public housing units.

Unfortunately, Mr. Chair, some public housing agencies across this country have struggled with the fundamental task of providing adequate housing and heating to low-income residents.

Less than 2 months ago, the New York Daily News and Reuters published a series of articles about tenants at the Frederick Douglass Houses in New York City, complaining that they were without heat for several frigid evenings in a row.

In response to these complaints, New York City public advocate Letitia James and Legal Services New York City filed a lawsuit on behalf of the tenants, and in their filing they quote a November 25 email from Robert Knapp, head of the New York City Housing Authority's heating management services unit, stating:

NYCHA official policy . . . is heat shut off between 10 p.m. and 5 a.m. when the outside temperatures are above 20 degrees. When the outside temperature falls below 20 degrees, heat is given through the night.

Frankly, this is appalling.

Many Democratic Representatives from New York City agreed with me, and that is why we submitted a letter, led by my good friends and colleagues, Representatives ENGEL and RANGEL, to the head of NYCHA, urging it to completely abandon the current heating policy. That letter was submitted to NYCHA—the largest housing agency in the country, overseeing more than 400,000 residents living in 2,500 buildings—more than a month ago, and we have yet to receive a response. That is why I have come to the floor today.

While it is not in our authority to mandate what a building's heating re-

quirements should be in any particular city across this vast country, clearly some help is needed. Apparently, some local agencies might need official guidance from HUD outlining the fact that it is a good idea to turn the heat on at night when the temperature outside is below freezing.

I was hopeful things would not come to this point, but right now, in the middle of winter, when almost one in five public housing residents in my city are age 62 or older, and more than a quarter of them are children under the age of 18, I feel that this matter could ultimately be one of life or death.

□ 1615

We do not want to return to an age in which tenants of local public housing authorities are forced to revert to heating their homes with stoves.

Many of us here are all too familiar with the unfortunate tragedies that occur as a result of that practice and the fires that can also occur when residents are forced to rely on individual space heaters.

For not only the safety of public housing residents across America, but also their humanity, heating standards must be improved.

It is my hope that this amendment today, which mandates that HUD produce model heating guidelines, will assist in this endeavor. It is also my hope that all of my colleagues will support this effort.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to this amendment, although I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I listened very carefully to the gentlewoman's comments on the floor. I am prepared to accept the amendment. She makes some reasonable arguments. I urge its adoption.

I yield back the balance of my time.

Ms. MENG. I thank the Chairman for his support.

Mr. ENGEL. Will the gentlewoman yield?

Ms. MENG. I yield to the gentleman from New York.

Mr. ENGEL. Mr. Chairman, I thank the gentlewoman for yielding to me. I certainly support what she is trying to do.

Last December it came to light that the New York City Housing Authority, NYCHA, has as recently as 2013 shut down boilers in public housing properties unless outside temperatures drop below 25 degrees. This forces residents to go without heat during the coldest months of the year.

I grew up in affordable housing. I grew up in city housing. So I am particularly sensitive to everything that the New York City Housing Authority does.

I was outraged by this revelation. More than 400,000 New Yorkers live in NYCHA buildings, and, what's more, more than half of these residents live below the poverty line.

These New Yorkers, along with every American living in public housing, pay rent and, in return, depend on Housing Authority leadership to fulfill the very reasonable need, a safe and decent shelter.

A practice that forces tenants to grapple with bitter temperatures just doesn't fail to meet that need, it is reckless and demeaning.

Myself, Ms. MENG, and eight other members of the New York City delegation sent a letter to the New York City Housing Authority asking that they immediately issue guidance condemning this practice and make certain that none of their buildings continue to adhere to this outrageous policy.

It is important, though, that no American living in public housing be forced to suffer through the winter months, and that is exactly what this amendment will prevent by requiring the Secretary of Housing and Urban Development to issue guidelines on minimum heating requirements.

I urge my colleagues to vote for this and ensure that public housing residents' health and safety are protected.

I want to thank my colleague from New York (Ms. MENG) for partnering with me on this important issue, and I thank her for her leadership.

Ms. MENG. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. WOODALL) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2015

The Committee resumed its sitting.

AMENDMENT NO. 7 OFFERED BY MR. PALAZZO

The Acting CHAIR (Mr. POE of Texas). It is now in order to consider amendment No. 7 printed in House Report 114-411.

Mr. PALAZZO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, after line 11, insert the following new section:

SEC. 111. EXCEPTION TO PUBLIC HOUSING AGENCY RESIDENT BOARD MEMBER REQUIREMENT.

Subsection (b) of section 2 of the United States Housing Act of 1937 (42 U.S.C. 1437(b)) is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

“(3) EXCEPTION FOR CERTAIN JURISDICTIONS.—

“(A) EXCEPTION.—A covered agency (as such term is defined in subparagraph (C) of this paragraph) shall not be required to include on the board of directors or a similar governing board of such agency a member described in paragraph (1).

“(B) ADVISORY BOARD REQUIREMENT.—Each covered agency that administers Federal housing assistance under section 8 (42 U.S.C. 1437f) that chooses not to include a member described in paragraph (1) on the board of directors or a similar governing board of the agency shall establish an advisory board of not less than 6 residents of public housing or recipients of assistance under section 8 (42 U.S.C. 1437f) to provide advice and comment to the agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

“(C) COVERED AGENCY OR ENTITY.—For purposes of this paragraph, the term ‘covered agency’ means a public housing agency or such other entity that administers Federal housing assistance for—

“(I) the Housing Authority of the county of Los Angeles, California; or

“(ii) any of the States of Alaska, Iowa, and Mississippi.”.

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from Mississippi (Mr. PALAZZO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. PALAZZO. Mr. Chairman, today's bill to improve public housing is a strong step in streamlining a massive Federal program. I want to thank Chairman HENSARLING for allowing us to have this debate.

As a former public housing authority executive, I know all too well how important it is to balance financial and managerial responsibility and oversight while, at the same time, ensuring residents' needs are met.

This amendment is simple and addresses an outdated and misinformed statute in the United States Housing Act that requires the membership of directors of a public housing agency contain one member who is directly assisted by the agency.

Opposition to this rule is not new. When HUD proposed these rules in 1999, PHAs across the United States issued statements of opposition.

Some would argue that requiring resident members to serve on the board

is a blatant conflict of interest, as he or she would be making decisions that financially impact his or her family and their well-being. While I agree, I am not here to debate that today.

This amendment addresses only the PHAs in three States and one county. This is because, in our respective State constitutions, there are provisions that expressly oppose the idea of a board member of any group receiving benefits from the very agency upon which he or she serves.

This amendment does not rob the residents in specified areas of a voice in the affairs of their housing. In fact, it is a Federal requirement that each PHA have a resident advisory board comprised of at least one resident who serves as a liaison between the PHA and housing residents. I speak from experience when I say that their input is always acknowledged and much appreciated.

This commonsense provision is usually passed through the appropriations process, as it has been for decades. My amendment simply makes it permanent. I encourage adoption of this commonsense provision.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, I have serious concerns about providing a permanent exemption for the listed entities from existing requirements that each public housing authority must have a resident commissioner serve on the governing board.

In 1998, Congress passed this requirement into law in recognition of the need for the perspective and participation of tenants in the governance of public housing authorities. To this day, this requirement helps to ensure that residents are included in board-level decisionmaking.

However, in appropriations bills over the last decade, four entities have received an exemption from this requirement so long as they maintain a separate advisory board with at least six residents of public or assisted housing.

The Housing Authority of the County of Los Angeles is one of the four entities that received this exemption. However, last year I learned that HACOLA was not in compliance with the part of the exemption that requires that they maintain an advisory board of at least six residents, and this noncompliance had been going on for many years.

HACOLA's noncompliance resulted in a lack of meaningful engagement by residents on important policy issues affecting programs that HACOLA administers.

I successfully offered an amendment in the funding year 2016 housing funding bill to strike HACOLA's exemption.

While this amendment was ultimately not included in the final omnibus, it did put Congress, HUD, and the Housing Authority on notice that failure to comply with this important law is simply unacceptable.

This demonstrates that we need to be extremely careful when providing exemptions for a requirement as important as this one. The exemption for HACOLA and others was intended to provide them with special accommodations while still ensuring meaningful tenant engagement. But HACOLA's behavior displayed blatant disregard for the law and the intent behind the law.

That is why I do not believe that we should be making this exemption permanent. Instead, I think we should be thinking about ways to enhance compliance with the existing exemption requirements.

For these reasons, of course I am going to urge my colleagues to vote "no" on this amendment.

Mr. Chairman and Members, it is just inconceivable that we don't understand that, if you want to not only educate tenants, but want to involve tenants in decisionmaking and help them to understand how democracy works and help them to understand the rules of public housing and what can and cannot be done and why these rules are adopted—if we don't understand that, we don't understand anything.

It is inconceivable to me that we would simply say that we do not want just one commissioner, one resident, to be a part of the governing board, and it is inconceivable to me that we don't understand that we allow for exemptions to say: Okay. If you don't want just one commissioner to serve on the board with you, we will allow you to have an advisory board of six residents that could involve themselves in the decisions that are made by the governing board.

I talk about this importance because I think it is so important, as we engage and lift people out of poverty, that they understand the rules of the game. The only way you get to understand the rules of the game is if you get to play. You get to understand how decisions are made. You get to understand what the rules are and how government works. To exclude them does not make good sense to me.

Now, I know why my own county would like to have this done. They would like to have this done because—guess what. We discovered that they were trying to sell off 241 units of Section 8-type housing at the same time that they were providing the museum with over \$120 million, and they said they could not afford the upkeep of those units.

They didn't like it that we went out and talked with the residents. I went out to the homes and I said: Did you know that these units are about to be sold? Do you know what is going to

happen to you and why the county is giving up these units?

No. They didn't know. They didn't have a clue because they didn't have proper notification. They didn't have one resident that served on the governing board. They didn't have an advisory committee, even though L.A. County had gotten an exemption. They refused to even comply with the exemption to simply have an advisory board.

This is not right. This does not make good sense. I don't know why you would support something like this. I urge a "no" vote on this amendment.

I yield back the balance of my time.

Mr. PALAZZO. Mr. Chair, I want to thank my colleague for expressing some good points. This amendment actually continues to allow residents of housing authorities to have a strong voice.

It monitors the situation not just in our housing authorities that we are trying to exempt under States where their constitution prohibits board members from being able to sit on boards where they have a monetary or fiscal interest in that. It is a huge conflict of interest.

We are not going after all 2,700-plus public housing authorities. We are just trying to make sure the States that have constitutions prohibiting such blatant disregard to common sense and having that conflict of interest are protected.

Apparently, there is a personal interest in the one jurisdiction. Hopefully, when my amendment is adopted, if we are going through the conference process with the Senate, we can work with my colleague to make sure that her State HA that she is referencing is taken care of.

But, again, my amendment I think adds more voices to the governing process for them to know what is going on in their local housing authority.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Mississippi (Mr. PALAZZO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PALAZZO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Mississippi will be postponed.

□ 1630

AMENDMENT NO. 8 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-411.

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, after line 11, insert the following new section:

SEC. 111. USE OF VOUCHERS FOR MANUFACTURED HOUSING.

(a) IN GENERAL.—Section 8(o)(12) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(12)) is amended—

(1) in subparagraph (A), by striking the period at the end of the first sentence and all that follows through "of" in the second sentence and inserting "and rents"; and

(2) in subparagraph (B)—

(A) in clause (i), by striking "the rent" and all that follows and inserting the following: "rent shall mean the sum of the monthly payments made by a family assisted under this paragraph to amortize the cost of purchasing the manufactured home, including any required insurance and property taxes, the monthly amount allowed for tenant-paid utilities, and the monthly rent charged for the real property on which the manufactured home is located, including monthly management and maintenance charges."; and

(B) by striking clause (ii); and

(C) in clause (iii)—

(i) by inserting after the period at the end of the following: "If the amount of the monthly assistance payment for a family exceeds the monthly rent charged for the real property on which the manufactured home is located, including monthly management and maintenance charges, a public housing agency may pay the remainder to the family, lender or utility company, or may choose to make a single payment to the family for the entire monthly assistance amount."; and

(ii) by redesignating such clause as clause (i).

(b) EFFECTIVE DATE.—The Secretary of Housing and Urban Development shall issue notice to implement the amendments made by subsection (a) and such amendments shall take effect upon such issuance.

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, first of all, I am a strong supporter of the good work that is represented in H.R. 3700, and I congratulate Chairman LUTKEMEYER and Ranking Member CLEAVER for their hard work on this, as well as Chairman HENSARLING and Ranking Member WATERS.

This bill is a really solid, bipartisan improvement over the status quo. This amendment would extend some of the benefits of H.R. 3700 to folks who live in mobile homes, and that happens to be an awful lot of Vermonters who are working real hard trying to make ends meet. The idea of a bricks and sticks house is a dream for them, but they love the mobile home they have, and they have economic challenges in that home. I think that is true not just in Vermont but really across rural America.

What this amendment would allow is for the Section 8 housing vouchers to be used for some of the obvious expenses that are associated with owning a mobile home, Mr. Chairman. Right now, only the land rent is what can be included in the voucher. But in addition to that, obviously, you have got

the true cost of the mobile home that the owner pays for the housing. In addition to the land rent underneath the home, mobile homeowners often pay a number of other costs, including utilities, insurance, and financing for their mobile homes.

People renting apartments where it is not a mobile home, all of those are factored into the rent. So what this amendment would do is allow those costs to be included in the calculation for Section 8 that in our view put an unnecessary and unfair limitation on what can be considered. Compare that to the housing cost vouchers that individuals in rental units get. All of those are included in the rent.

So this amendment would address that issue by allowing the property taxes on a mobile home, as well as insurance, utilities, and financing, to be included as components of the housing costs eligible for a voucher.

It would make a huge difference in affordability for Vermonters and for Americans across this country who are working hard every day and whose option for safe shelter is a mobile home.

Mr. Chairman, I urge that my colleagues support this amendment. I thank my colleagues for the bipartisan, solid work they have done on this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I appreciate the gentleman from Vermont. I appreciate his amendment. I think that this helps equalize for a number of Section 8 users the ability to use manufactured housing to help equalize this with other housing options. So I think it is an important step forward.

I thank the gentleman from Vermont for his leadership, and I recommend Members vote for it.

Mr. Chairman, I yield back the balance of my time.

Mr. WELCH. Mr. Chairman, I just want to thank the gentleman from Texas for his gracious remarks. He spent a fair amount of time in the Green Mountain State, so he knows about these mobile homes. I am going to go back and tell folks that you are still the good guy you were when you were spending more time in the Green Mountain State.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114-411.

Mr. PETERS. Mr. Chairman, as the designee of the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, line 16, strike "and".

Page 64, after line 16, insert the following new subparagraph:

"(G) collaborating with the Department of Veterans Affairs on making joint recommendations to the Congress, the Secretary of Housing and Urban Development, and the Secretary of Veterans Affairs on how to better coordinate and improve services to veterans under both Department of Housing and Urban Development and Department of Veteran Affairs veterans housing programs, including ways to improve the Independent Living Program of the Department of Veteran Affairs; and"

Page 64, line 17, strike "(G)" and insert "(H)".

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, I rise today to offer an amendment for my friend, Ms. MICHELLE LUJAN GRISHAM of New Mexico.

As of 2014, there were over 130,000 veterans living in shelters and transitional housing in the United States. About 56 percent of these veterans have a disability. I think we agree that that is unacceptable.

Since 2009, the Department of Housing and Urban Development and the Department of Veterans Affairs have made significant progress to reduce the number of homeless veterans. But more must be done to get veterans off the streets and into permanent housing.

This can be seen in my home district where we have one of the largest homeless populations in the country, and also perhaps the largest populations of homeless veterans.

The underlying bill improves housing services for veterans by creating a new special assistant for veterans within the Department of Housing and Urban Development. This new position will coordinate veterans' housing efforts within HUD, serve as a liaison with the VA, and ensure veterans have fair access to housing programs.

The amendment builds upon those improvements to further coordination between the VA and HUD, both of which provide a range of veteran homeless services and support. The amendment requires the Special Assistant to work with the VA and provide recommendations to each department and to Congress on how to improve coordi-

nation and housing services for our Nation's veterans.

We can do much more to not only keep veterans off the streets, but to provide them with the resources and support they need to have a safe, stable place to live and build a life after completing their service.

In San Diego, organizations like zero8hundred and the Veterans Village of San Diego offer the kind of comprehensive transition support to help veterans be successful.

These are also the collective goals of many HUD and VA programs, including the VA's Independent Living Program, which assists veterans to become more independent in their homes so they never become homeless in the first place.

Mr. Chairman, I urge my colleagues to support this amendment to ensure that HUD and VA coordinate their efforts on addressing the many different issues and aspects associated with veteran homelessness.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, we all know on this House floor there is not enough we can ever do for our veterans, the brave men and women who served us in uniform. I think that the author of the amendment, in attempting to get HUD and the VA to work more closely together to address problems like veterans' homelessness, is an important thing to do. I hope it has some benefit.

Mr. Chairman, again, I just want to accept the amendment and urge all Members to adopt it.

Mr. Chairman, I yield back the balance of my time.

Mr. PETERS. Mr. Chairman, I thank the chairman for his gracious support and for his work on behalf of veterans.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114-411.

Mr. PETERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 68, after line 4, insert the following new section:

SEC. 405. REOPENING OF PUBLIC COMMENT PERIOD FOR CONTINUUM OF CARE PROGRAM REGULATIONS.

Not later than the expiration of the 30-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall re-open the period for public comment regarding the Secretary's interim rule entitled "Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program", published in the Federal Register on July 31, 2012 (77 Fed. Reg. 45422; Docket No. FR-5476-I-01). Upon re-opening, such comment period shall remain open for a period of not fewer than 60 days.

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, each Member of this body represents a district that is affected to some degree by homelessness. We all work diligently to grow the economy, create high-quality jobs, and create opportunity so that no one has to live on the streets. But for many in our districts, ending the scourge of homelessness is an ongoing battle that take resources and coordination from our communities.

All of our districts are supported by the Continuum of Care program, which assists local leaders working diligently to distribute funding to public and non-profit institutions that shelter the homeless, set up transitional housing, and provide support programs.

In San Diego we recently completed our Point in Time count. My office and other public servants counted the homeless living on the street and in shelters to determine how better to serve them as we work to end homelessness. In 2014, this count found that San Diego had the fifth largest homeless population in our country. But in that same year, our Continuum of Care program received the 23rd highest level of Federal anti-homelessness funds.

San Diego is not the only city that is disadvantaged by the formula that is used to determine how Federal anti-homelessness funds are distributed. Other western cities like Houston, Las Vegas, Seattle, San Jose, and Denver also receive a disproportionately low amount of Federal resources.

My amendment would require the Secretary of Housing and Urban Development to reopen the public comment period on the Continuum of Care formula. This would allow service organizations, housing providers, community faith leaders, and elected officials the opportunity to provide input on how HUD's limited and valuable resources can be most equitably and effectively used to end homelessness in our country. The amendment would not change the formula, and it would not unfairly disadvantage the district of any Member of this body.

Since coming to Congress, I have been fighting to ensure that every city

receives its fair share of Federal funding to help the homeless. I have corresponded with both Secretary Donovan and now-Secretary Castro to advocate for changes to the Continuum of Care formula and ask for a public comment period. The people working on the ground to end homelessness deserve the opportunity to weigh in on how this formula is affecting them and the work they are doing.

Mr. Chairman, I urge all my colleagues to support this amendment to ensure we are doing all we can to end the scourge of homelessness in this country.

Mr. Chairman, I reserve balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I think the comment period does need to be reopened. It is an important issue. Voices need to be heard.

The gentleman from California is now batting a thousand. I am not sure if he has any other amendments. He may be pressing his luck after that.

Mr. Chairman, I urge adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. PETERS. Mr. Chairman, I am well aware of what success looks like in this body, and I am finished offering amendments. I want to thank all the people, including the ranking member and Chairman HENSARLING, for their hard work on this bill. This is a good piece of work.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114-411.

Mr. ELLISON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following new title:

TITLE VI—FURNISHING RENT PAYMENT INFORMATION TO CREDIT REPORTING AGENCIES

SEC. 504. FURNISHING INFORMATION ABOUT RENT PAYMENTS TO A CONSUMER REPORTING AGENCY.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Housing and Urban Development or any other person having authorized access may

furnish to a consumer reporting agency (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) information relating to the on-time performance of an individual in making payments under a lease agreement with respect to a dwelling unit for which any subsidy or assistance for occupancy in the dwelling unit is provided under a program administered by the Secretary of Housing and Urban Development.

(b) ADDITIONAL REQUIREMENTS FOR FURNISHERS.—Any person who furnishes such information shall—

(1) ensure that the payment information is reported in a manner that does not by itself identify the individual as a recipient of housing assistance under a program administered by the Secretary of Housing and Urban Development; and

(2) notify the individual that such information will be provided to a consumer reporting agency before providing such information to a consumer reporting agency.

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, I want to thank the gentlewoman, Ranking Member WATERS, and Chair HENSARLING for their leadership on the committee.

Mr. Chairman, too many people are excluded from the financial mainstream. Fifty million Americans lack a credit score. Either they have no credit file at all, or they have too few trade lines to establish a credit score.

There have been some real innovations in helping these people we call "credit invisibles" to build an accurate score. FICO, which has a large presence in my State, has been a real leader in building more inclusive and accurate scoring methodology.

But credit scoring agencies cannot score information they don't have, and they tend to have late payment information but not on-time payment information. In other words, Mr. Chairman, if somebody doesn't pay a bill, probably it is scored. If they do pay it, probably it is not.

This is the case for HUD residents. That is why we need to make it easier for firms to provide customers' on-time payment data.

My amendment specifically aims to help some of the 3 million people who live in HUD-assisted housing. By law, families, people with disabilities, and the elderly who receive HUD assistance pay 30 percent of their income for rent. I want to see them get credit they deserve for paying their rent on time. These folks pay their rent on time, yet it never shows up in their FICO score.

Why are we not reporting their on-time rental payment? Because the law requires each tenant to provide prior written consent before having their on-time rental payment information reported, but it does not require the same information to report late payments of rent. So they can get hit for late payment, no credit for on-time.

The prior written consent is mandated by the Privacy Act of 1974, which I believe was a well-meaning and good piece of legislation—except it needs to be updated. This piece of legislation, the Privacy Act of 1974, wants to protect the privacy of affordable housing residents, which is good, and I support that. But in this case, it is causing more harm than good. Requiring each resident to grant written permission and then have the housing provider manage all those forms is a burden.

□ 1645

We have empirical evidence to show that such rent reporting helps tenants. Recently, Credit Builders Alliance led a Rent Reporting for Credit Building pilot in eight communities. The Rent Reporting for Credit Building pilot reported rent payments of 1,255 low-income residents who lived in assisted housing.

The research found that credit-invisible residents who participated in the pilot were able to build a high nonprime of 646, or prime score of 688 with the inclusion of their rental payment history. Even if they don't want to borrow money, their scores are going up, meaning that they apply for, perhaps, lower interest rates, apply for jobs, and have a better situation all around.

To repeat: from credit-invisible to credit scores above 646, and some much higher. Even those who had a credit score already saw it go up. Seventy-nine percent—a vast majority—saw an increase in credit scores. This was an average increase of 23 points.

Credit Builders Alliance and other researchers want to expand their efforts to help more residents. Another pilot program is pending. HUD is partnering with Experian; FICO; LexisNexis; the Policy and Economic Research Council, PERC; and TransUnion to evaluate the impact of reporting rental payment history on credit scores of subsidized housing residents and the general population.

The Privacy Act requirement has hindered their effort. Already overworked housing staffs struggle to maintain the paperwork necessary to report renters' on-time payment. Housing staffs find that it is difficult to set up automated payment data transmission between property managers and the credit bureaus with an always changing database.

My amendment includes language from H.R. 4172, the Credit Access and Inclusion Act. H.R. 4172 has 20 cosponsors. Ten are Republican. Seven of the ten Republicans serve with me on the Financial Services Committee.

In conclusion, please support this amendment because it would do a number of very important things:

It would help credit invisibility for hundreds, if not thousands—millions, even, and that is not an exaggeration—of very low-income people.

It makes it easier to provide predictive data of someone's ability to pay and willingness to repay. And based on solid empirical evidence, that rental payment data can move people from unscorable to prime or near prime.

We should help HUD-assisted tenants enter the financial mainstream. Let's implement rent reporting on a large scale.

I yield back the balance of my time. Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I listened carefully to the gentleman from Minnesota. He makes a number of important points. We have had this discussion previously. I know the gentleman from Minnesota is aware of my commitment that, within the committee, we will have a hearing that will include the subject matter of his amendment.

I think the gentleman's amendment, obviously, addresses the Fair Credit Reporting Act, which is not part of this underlying housing bill. Again, we will debate his issue, research his issue, and take testimony on his issue in the future.

I do not believe that this is the appropriate bill for his particular amendment, so I am going to urge rejection at this time.

Mr. LUETKEMEYER. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Missouri.

Mr. LUETKEMEYER. Mr. Chairman, in listening to the discussion with the gentleman from Minnesota with regard to his amendment, he made the comment that they already report it whenever the people don't make their payments, and they need to be reporting it when they do make their payments. Does that mean we are going to have to start reporting car payments, house payments, and all those things, too, when people make them on time? Because this is what he is asking us to do is, every time somebody does something right, suddenly now we have got to be reporting that. If you go down that road, then I think we have got some problems.

Also, in your amendment here, you indicate that, with the data as reported, they are not able to identify if the person is a recipient of housing assistance—we are going to tie their hands, yet force them to do some stuff.

I think this is a rather ill-conceived amendment, quite frankly, Mr. Chairman. I certainly urge the body to reject it.

The Acting CHAIR. The Chair reminds Members to address their remarks to the Chair and not to other Members in the second person.

Mr. HENSARLING. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was rejected.

AMENDMENT NO. 12 OFFERED BY MR. AL GREEN
OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114-411.

Mr. AL GREEN of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VI—FHA PILOT PROGRAM FOR ADDITIONAL CREDIT RATING INFORMATION

SEC. 601. PILOT PROGRAM FOR ADDITIONAL CREDIT RATING INFORMATION FOR FHA MORTGAGORS.

Section 258 of the National Housing Act (12 U.S.C. 1715z-24) is amended as follows:

(1) **AUTHORITY.**—In the first sentence of subsection (a), by striking “shall” and inserting “may”.

(2) **EXTENSION OF PROGRAM.**—By striking subsection (d).

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from Texas (Mr. AL GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, this is an amendment that is known to the ranking member as well as the chairman of the committee. I will not complicate it. It is a very simple amendment. It simply says that HUD may—HUD may—develop a pilot program to consider additional credit scoring information.

We know that there are people who have insufficient credit files and, as a result, they don't get consideration for a light bill, gas bill, water bill, or phone bill. These are some of the things that we have people making payments on quite regularly timely, but they don't get considered.

We are simply asking HUD to develop a pilot program. We say “may develop.” There really is no requirement that HUD do it within some statutory period of time. There is no requirement that HUD will perform this in a certain way. But just see if there is some way to help people who make these payments timely such that this can become a part of the additional credit information.

Now, I am emphasizing “additional” because, quite frankly, I had “alternative” at one time, “alternative credit scoring.” That created some confusion because we are not using this as an alternative. This becomes additional information.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, because the gentleman from Texas is a

friend—and you hear Members say that frequently, but in this case it is as sincere as it can be—the committee has attempted to work with the gentleman from Texas. Both sides worked in good faith. Regrettably, we did not come to a point of mutual agreement on the resolution of his amendment, so I am going to oppose it at this time.

The amendment would essentially provide a reauthorization of a program that the Obama administration even believed was too risky to establish because they had years to establish it and they chose not to.

I appreciate the effort. I appreciate the sincerity of the gentleman from Texas. I understand what he is trying to do. But I also fear that, ultimately, the impact of what the gentleman is trying to do very well could help hasten the insolvency and bankruptcy of the FHA, hurting their financials.

I am happy that the FHA, after 7 years, has finally decided to actually obey the law, but I am not sure that the program that the gentleman from Texas is advocating could not put further pressure on FHA's insurance fund, ultimately hurting those it is designed to help.

I would say again that, regardless of one's good intentions, I am still very, very fearful of pilot programs' mayas and shalls that somehow get the political process involved in telling lenders, or cajoling lenders, or suggesting to lenders what credit standards they should use. That is exactly what helped bring us to the housing crisis in the first place.

No matter how well-intentioned Federal policy was, ultimately, there was Federal policy that incited, cajoled, and, in some cases, mandated financial institutions to put people into homes they could not afford to keep. It didn't do the economy any good, it didn't do the taxpayer any good, and it certainly didn't do the homeowner any good to put them in a home they could not afford to keep.

Again, I have no doubt that is not the intention of the gentleman from Texas. But I have fears—I have fears—that once we start going down this road of telling lenders essentially what type of—and, ultimately, that is what we are doing with FHA. You are, ultimately, telling lenders, or suggesting to lenders, what credit standards they should employ.

I am fearful of going down this road. We had discussed a number of compromises. We came close. Unfortunately, we didn't get there with the gentleman from Texas.

I am going to oppose this amendment, simply because of who he is, somewhat reluctantly. But, nonetheless, the bottom line is the bottom line. I will oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas (Mr. AL GREEN) has 3½ minutes remaining.

Mr. AL GREEN of Texas. Mr. Chairman, the gentleman from Texas (Mr. HENSARLING) is imminently correct. We are friends. I say it in the sincerest way as well. He and I have collaborated on many issues, and we have gotten a lot of things done in Congress. I hope that doesn't hurt him back home, letting people know that we have worked on things together.

But, obviously, I have a different perch, and from my perch here is what I see. I see an opportunity for additional credit scoring to be used, and if it is negative, it is not going to benefit the person that is being scored. It does not prevent any other negative information from being properly scored. It simply says that HUD may use this information, indicating that persons have paid a light bill, gas bill, water bill, or phone bill as additional information. That is all it says, that it may do this and it may create the scoring.

Now, with reference to HUD, HUD has given me an indication—and I don't have it in writing to hand to you, Mr. Chairman, but I believe you would trust my word—that they are not opposing this.

One of the reasons why it wasn't done previously was a function of HUD's budget. I believe this to be the reason. And because of budgetary concerns, it did not get done—it was codified in the law—and that is why I am reintroducing it. But this is a milder version of what I introduced previously, because previously we said HUD shall do this, and this time we have made it as mild as possible.

The Realtors are very much supportive of it. This will give 50 million people who are currently with light credit files, don't have sufficient credit scores, to have some additional information to be considered.

But it does not in any way require that negative information be received in a positive manner. If it is negative, it remains negative. If you haven't paid your car note, it is still a negative. If you haven't paid your light bill, gas bill, or water bill, it is still a negative.

It only gives the opportunity to add these other things as things to consider for many people who, quite frankly, don't have a lot of traditional credit. They don't have bad credit; they just don't have traditional credit. There are a lot of my constituents who fall into this category.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, as persuasive as my friend is from Texas, he wasn't quite persuasive enough. At this particular moment, I continue to oppose the amendment of from the gentleman from Texas.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. AL GREEN).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. AL GREEN of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

□ 1700

AMENDMENT NO. 13 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114-411.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VI—REPORTS

SEC. 601. REPORT ON INTERAGENCY FAMILY ECONOMIC EMPOWERMENT STRATEGIES.

The Secretary of Housing and Urban Development, in consultation with the Secretary of Labor, shall submit a report to the Congress annually that describes—

(1) any interagency strategies of such Departments that are designed to improve family economic empowerment by linking housing assistance with essential supportive services, such as employment counseling and training, financial education and growth, childcare, transportation, meals, youth recreational activities, and other supportive services; and

(2) any actions taken in the preceding year to carry out such strategies and the extent of progress achieved by such actions.

The Acting CHAIR. Pursuant to House Resolution 594, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I thank the chairman and ranking member of the full committee and express my excitement in talking about reform and real housing issues.

If there is ever an issue that we, as Members of Congress, are confronted with when we go home to our districts, it is about people who need housing, about people who don't have housing, about people who have poor housing, about seniors who need housing, about young families who need housing.

I am delighted to be part of this reformation that has been done by the Committee on Financial Services and to acknowledge the chairman and the ranking member of the subcommittee from which this comes and to congratulate this bipartisan process.

I am delighted to offer an amendment. I thank the Rules Committee for making it in order, for I think it adds to the improvement of some of the issues that we are confronted with.

My amendment indicates that the Secretary of Housing and Urban Development, in consultation with the Secretary of Labor and with other relevant agencies, shall submit a report to Congress annually that goes to the heart of some of the issues unaddressed of interagency strategies of such departments that are designed to improve family economic empowerment by linking housing assistance with essential supportive services, such as employment, counseling, training, financial education and growth, child care, transportation, meals, youth recreational activities, and other supportive services.

It goes on to say: any actions taken in the preceding year to carry out such strategies and the extent of progress achieved by such actions.

My amendment recognizes that, in addition to housing connecting low-income families to job training and supportive services, such as child care, transportation, it is key to enabling families across the country—from Texas to California, from New York to California—to access employment and other services that foster upward economic mobility and family stability. It allows them to look at their family structure and at people who are in need.

My amendment acknowledges and recognizes that helping families achieve economic empowerment requires interagency collaboration.

Let me cite, Mr. Chairman, two supportive letters from the National Coalition for the Homeless and from the Heartland Alliance, which are supporting this constructive and instructive amendment to find out what our families need to be strong.

LEADING HOUSTON HOME,
February 2, 2016.

Speaker PAUL RYAN,
Washington, DC.

Hon. BLAINE LUETKEMEYER,
Chairman, Subcommittee on Housing and Insurance Financial Services Committee, Washington, DC.

Democratic Leader NANCY PELOSI,
Washington, DC.

Hon. EMANUEL CLEAVER,
Ranking Member, Subcommittee on Housing and Insurance Financial Services Committee, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: The Coalition for the Homeless of Houston/Harris County is dedicated to preventing and ending homelessness in Houston, Harris County, and Fort Bend County. We are writing in support of H.R. 3700, the Housing Opportunity through Modernization Act. The proposed legislation includes many provisions that would increase the efficiency and effectiveness of critical rental assistance programs that serve extremely low-income households.

In particular, we are writing in support of Amendment Four, submitted by Congresswoman Sheila Jackson Lee (TX-18) to the Rules Committee. Representative Jackson Lee's Amendment Four directs the Secretary of Housing and Urban Development (HUD) to work with the Secretary of Labor to produce an annual report on interagency strategies

to strengthen family economic empowerment by linking housing with essential supportive services such as employment counseling and training, financial growth, childcare, transportation, meals, and other support services.

Representative Jackson Lee's amendment recognizes that in addition to housing, connecting low-income families to job training and supportive services are key to helping families access employment and economic opportunity and achieve stability. Representative Jackson Lee's amendment also recognizes that helping families achieve economic empowerment requires interagency collaboration. We know that public systems are better at solving big problems when they work together to share capacity, knowledge, and resources. We commend Representative Jackson Lee for encouraging systems collaboration to help ensure that low-income families succeed in housing and employment. We further encourage HUD to collaborate with the Department of Health and Human Services and the Department of Agriculture, as these agencies can offer families critical supports such as child care and nutrition assistance that are necessary for success.

The Coalition for the Homeless of Houston/Harris County, as a leader of The Way Home, the collaborative model to prevent and end homelessness in Houston, Harris County, and Fort Bend County knows the importance of interagency collaboration and the incredible successes that can be achieved as a result of shared capacity, knowledge and resources. We have made tremendous progress in our community and are happy to serve as a resource moving forward. Thank you for recognizing the important role of employment in helping low-income families achieve housing and financial stability.

If you have any questions, please feel free to contact Marilyn Brown (mbrown@homelesshouston.org), President/CEO of the Coalition for the Homeless of Houston/Harris County.

Sincerely,

MARILYN L. BROWN,
President/CEO.

HEARTLAND ALLIANCE NATIONAL
INITIATIVES,
February 1, 2016.

Speaker PAUL RYAN,
Washington, DC.

Hon. BLAINE LUETKEMEYER,
Chairman, Subcommittee on Housing and Insurance Financial Services Committee, Washington, DC.

Democratic Leader NANCY PELOSI,
Washington, DC.

Hon. EMANUEL CLEAVER,
Ranking Member, Subcommittee on Housing and Insurance Financial Services Committee, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI, Heartland Alliance's National Initiatives on Poverty & Economic Opportunity is dedicated ending chronic unemployment and poverty. We are writing in support of H.R. 3700, the Housing Opportunity through Modernization Act. The proposed legislation includes many provisions that would increase the efficiency and effectiveness of critical rental assistance programs that serve extremely low-income households.

In particular, we are writing in support of Amendment Four, submitted by Congresswoman Sheila Jackson Lee's (TX-18) to the Rules Committee. Representative Jackson Lee's Amendment Four directs the Secretary of Housing and Urban Development to work with the Secretary of Labor to produce an

annual report on interagency strategies to strengthen family economic empowerment by linking housing with essential supportive services such as employment counseling and training, financial growth, childcare, transportation, meals, and other support services.

Representative Jackson Lee's amendment recognizes that in addition to housing, connecting low-income families to job training and supportive services such as childcare and transportation are key to helping these families access employment and economic opportunity and achieve stability. Representative Jackson Lee's amendment also recognizes that helping families achieve economic empowerment requires interagency collaboration. We know that public systems are better at solving big problems when they work together to share capacity, knowledge, and resources, and we commend Representative Jackson Lee for encouraging systems collaboration to help ensure that low-income families can succeed in housing and employment. We further encourage HUD to collaborate with the Department of Health and Human Services and the Department of Agriculture, as these agencies can offer families critical supports such as child care and nutrition assistance that are necessary for employment success.

Heartland Alliance's National Initiatives Team has a number of resources and tools that can support efforts to help individuals and families facing barriers to employment succeed in the work. We are happy to serve as a resource moving forward, and thank you for recognizing the important role of employment in helping low-income families achieve housing and financial stability.

If you have any questions, please feel free to contact Melissa Young, Director of Heartland Alliance's National Initiatives on Poverty & Economic Opportunity.

Sincerely,

MELISSA YOUNG,
Director, Heartland
Alliance's National
Initiatives on Poverty
& Economic Opportunity.

Ms. JACKSON LEE. I am delighted to tell the story of Finney from the Houston Housing Authority where we gave her supportive services through the Family Sufficiency Program. She has gotten to the point of attaining a credit score of 640, and she is now a proud homeowner. What a legacy.

So I would ask my colleagues to support this amendment.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 2 minutes remaining.

MODIFICATION TO AMENDMENT NO. 13 OFFERED
BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, unfortunately, as my dear colleague from Guam missed her time in which to offer her amendment, I ask unanimous consent to modify my amendment with the modification by the gentlewoman from Guam (Ms. BORDALLO), which I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

At the end of the amendment, add the following:

Page 55, after line 11, insert the following new section:

SEC. 111. PREFERENCE FOR UNITED STATES CITIZENS OR NATIONALS.

Section 214(a)(7) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(a)(7)) is amended by striking "such alien" and all that follows through the period at the end and inserting "any citizen or national of the United States shall be entitled to a preference or priority in receiving financial assistance before any such alien who is otherwise eligible for assistance."

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIR. The amendment is modified.

Ms. JACKSON LEE. Mr. Chairman, I yield 1 minute to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. I thank the gentlewoman from Texas for yielding.

Mr. Chairman, my amendment fixes a misinterpretation of law and gives U.S. citizens and nationals a preference over migrants from the Republic of Palau, from the Republic of the Marshall Islands, and from the Federated States of Micronesia when receiving Federal aid.

I continue to support allowing these migrants to receive housing assistance. Otherwise, our housing situation in Guam and in other affected jurisdictions would get even worse. However, it was not the intent of Congress to displace our citizens when it extended eligibility to migrants in 2000.

Unfortunately, limited resources have led many U.S. citizens in Guam to be displaced by COFA migrants who have entered our country as a result of the Compact of Free Association. Guam's local housing authority has indicated that demand for housing assistance far outweighs the resources available.

A recent Guam PDN article indicated that homeless data shows that local residents of Guam make up nearly 42 percent of the homeless on Guam, that 536 Chamorros, the indigenous people, and 42 Filipinos were considered homeless.

I ask for the support of my amendment.

Ms. JACKSON LEE. I thank the gentlewoman.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, first, in dealing with the amendment from the gentlewoman from Texas, I often don't have an opportunity to work with her. I am happy to work with her on this matter and to recognize that this report could, indeed, add value.

I think anything that we can do to help with family economic empowerment in the areas that she has identified, such as in employment counseling and training and the coordination of these areas, can be very valuable.

I appreciate the gentlewoman's amendment, and I am prepared to accept it. The same is true for the amendment offered by the gentlewoman from Guam (Ms. BORDALLO).

I am sorry she missed her opportunity earlier, but I am glad she has her opportunity now. I am prepared to accept her amendment as well.

I urge adoption.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman from Texas.

I was very pleased to help out the gentlewoman from Guam, and I want to indicate that these are two amendments that stand on their own right.

I close by indicating the purpose of the amendment offered by Ms. JACKSON LEE to again refer to Finney, a woman who tried to get a home.

She stayed in the program and completed the criteria that was needed for her to qualify. She earned wages of at least \$20,000 and got that credit score and established a savings account of \$1,000.

This is what we are talking about with regard to supportive services. What we want to do is to emphasize employment counseling, financial education, growth, child care, transportation, meals, youth recreational activities, and other supportive services.

I am very glad to have the support, if you will, of the National Coalition for the Homeless of Houston, Harris County, as well as of the Heartland Alliance to be able to say that this makes for a better roadmap for getting housing to people who are in need.

I celebrate the fact that we are on the floor with this reform bill, talking about housing. I ask my colleagues to support the Jackson Lee amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, let me express my appreciation to Chairman LUETKEMEYER and Ranking Member CLEAVER for their leadership, commitment and effort to modernize and improve Federal Housing programs for millions of Americans who are working their way up to economic empowerment and stability.

I also wish to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and the members of the Rules Committee for making in order Jackson Lee amendment Number 13.

Mr. Chair, thank you for the opportunity to explain my amendment, which provides:

The Secretary of Housing and Urban Development, in consultation with the Secretary of Labor and other relevant agencies, shall submit a report to the Congress annually that describes—

(1) any interagency strategies of such Departments that are designed to improve family

economic empowerment by linking housing assistance with essential supportive services, such as employment counseling and training, financial education and growth, childcare, transportation, meals, youth recreational activities, and other supportive services; and

(2) any actions taken in the preceding year to carry out such strategies and the extent of progress achieved by such actions.

Mr. Chair, my amendment recognizes that in addition to housing, connecting low-income families to job training and supportive services such as childcare and transportation are key to enabling families across the country from Texas to California access to employment and other services that foster upward economic mobility and family stability.

Jackson Lee amendment Number 13 acknowledges and recognizes that helping families achieve economic empowerment requires interagency collaboration.

I am pleased to submit into the RECORD letters supporting my amendment authored by the Coalition for the Homeless of Houston/Harris County and the Heartland Alliance National Initiatives on Poverty and Economic Opportunity.

Mr. Chair, we all know that public systems are better at solving big problems when there is coordination amongst various implementing agencies motivated to work together to share capacity, knowledge, and resources.

My amendment encourages agency collaboration to help ensure that low-income families can succeed in housing, in employment and in life.

Interagency collaborations between agencies such as the Department of Labor, Department of Health and Human Services and the Department of Agriculture can offer families critical support such as child care and nutrition assistance that are necessary for family stability and employment success.

Livelihood and self-dignity are tied to employment and employment is critical to achieving financial independence and stability and stimulation of the economy.

My amendment seeks to bridge the opportunities that abound when there is interagency/intersystem collaboration and the success that can come about.

Take for instance the success story of Fini Tuamokumo, a single mother of three children and former Housing Choice Voucher participant, enrolled in the Houston Housing Authority's Family Self-Sufficiency program (FSS).

Among other supportive services, the Houston Housing Authority's FSS program facilitates a pathway for public housing tenants to meet their individual goals by connecting them to community resources and homeownership assistance.

Aspiring home owners like Fini receive support and resources towards employment success and homeownership.

I am proud to report that Fini began the process, stayed the course and completed the criteria needed to qualify for homeownership: earned wages of at least \$20,000 per year, a credit score of 640 or higher, the establishment of an Individualized Development (savings) Account with a minimum balance of \$1,000, and completion of the FSS program's Financial Literacy and First Time Home Ownership classes.

Finis is now a proud homeowner and can now pass on the legacy of the importance of a work ethic, grit and homeownership to her children.

Finis is just one of many success stories of intersystem/interagency coordination as a nexus towards federal housing and economic empowerment.

Mr. Chair, my amendment will create the space and opportunity for the economic mobility of federal housing recipients through linking housing assistance with essential supportive services such as employment counseling and opportunities, financial education and growth, childcare, transportation, meals, youth recreational activities and other supportive services.

For all these reasons, I urge my colleagues to join me and support Jackson Lee Amendment Number 13.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment, as modified, was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. PRICE OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114-411.

Mr. PRICE of North Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VI—HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

SEC. 601. FORMULA AND TERMS FOR ALLOCATIONS TO PREVENT HOMELESSNESS FOR INDIVIDUALS LIVING WITH HIV OR AIDS.

(a) IN GENERAL.—Subsection (c) of section 854 of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) is amended by—

(1) redesignating paragraph (3) as paragraph (5); and

(2) striking paragraphs (1) and (2) and inserting the following:

“(1) ALLOCATION OF RESOURCES.—

“(A) ALLOCATION FORMULA.—The Secretary shall allocate 90 percent of the amount approved in appropriations Acts under section 863 among States and metropolitan statistical areas as follows:

“(I) 75 percent of such amounts among—

“(I) cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000, as determined on the basis of the most recent census, and with more than 2,000 individuals living with HIV or AIDS, using the data specified in subparagraph (B); and

“(II) States with more than 2,000 individuals living with HIV or AIDS outside of metropolitan statistical areas.

“(ii) 25 percent of such amounts among States and metropolitan statistical areas based on the method described in subparagraph (C).

“(B) SOURCE OF DATA.—For purposes of allocating amounts under this paragraph for any fiscal year, the number of individuals living with HIV or AIDS shall be the number

of such individuals as confirmed by the Director of the Centers for Disease Control and Prevention, as of December 31 of the most recent calendar year for which such data is available.

“(C) ALLOCATION UNDER SUBPARAGRAPH (A)(ii).—For purposes of allocating amounts under subparagraph (A)(ii), the Secretary shall develop a method that accounts for—

“(I) differences in housing costs among States and metropolitan statistical areas based on the fair market rental established pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)) or another methodology established by the Secretary through regulation; and

“(ii) differences in poverty rates among States and metropolitan statistical areas based on area poverty indexes or another methodology established by the Secretary through regulation.

“(2) MAINTAINING GRANTS.—

“(A) CONTINUED ELIGIBILITY OF FISCAL YEAR 2016 GRANTEE.—A grantee that received an allocation in fiscal year 2016 shall continue to be eligible for allocations under paragraph (1) in subsequent fiscal years, subject to—

“(I) the amounts available from appropriations Acts under section 863;

“(ii) approval by the Secretary of the most recent comprehensive housing affordability strategy for the grantee approved under section 105; and

“(iii) the requirements of subparagraph (C).

“(B) ADJUSTMENTS.—Allocations to grantees described in subparagraph (A) shall be adjusted annually based on the administrative provisions included in fiscal year 2016 appropriations Acts.

“(C) REDETERMINATION OF CONTINUED ELIGIBILITY.—The Secretary shall redetermine the continued eligibility of a grantee that received an allocation in fiscal year 2016 at least once during the 10-year period following fiscal year 2016.

“(D) ADJUSTMENT TO GRANTS.—For each of fiscal years 2017, 2018, 2019, 2020, and 2021, the Secretary shall ensure that a grantee that received an allocation in the prior fiscal year does not receive an allocation that is 5 percent less than or 10 percent greater than the amount allocated to such grantee in the preceding fiscal year.

“(3) ALTERNATIVE GRANTEE.—

“(A) REQUIREMENTS.—The Secretary may award funds reserved for a grantee eligible under paragraph (1) to an alternative grantee if—

“(I) the grantee submits to the Secretary a written agreement between the grantee and the alternative grantee that describes how the alternative grantee will take actions consistent with the applicable comprehensive housing affordability strategy approved under section 105 of this Act;

“(ii) the Secretary approves the written agreement described in clause (I) and agrees to award funds to the alternative grantee; and

“(iii) the written agreement does not exceed a term of 10 years.

“(B) RENEWAL.—An agreement approved pursuant to subparagraph (A) may be renewed by the parties with the approval of the Secretary.

“(C) DEFINITION.—In this paragraph, the term ‘alternative grantee’ means a public housing agency (as defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))), a unified funding agency (as defined in section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360)), a State, a unit of general local government, or

an instrumentality of State or local government.

“(4) REALLOCATIONS.—If a State or metropolitan statistical area declines an allocation under paragraph (1)(A), or the Secretary determines, in accordance with criteria specified in regulation, that a State or metropolitan statistical area that is eligible for an allocation under paragraph (1)(A) is unable to properly administer such allocation, the Secretary shall reallocate any funds reserved for such State or metropolitan statistical area as follows:

“(A) For funds reserved for a State—

“(I) to eligible metropolitan statistical areas within the State on a pro rata basis; or

“(ii) if there is no eligible metropolitan statistical areas within a State, to metropolitan cities and urban counties within the State that are eligible for grant under section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306), on a pro rata basis.

“(B) For funds reserved for a metropolitan statistical area, to the State in which the metropolitan statistical area is located.

“(C) If the Secretary is unable to make a reallocation under subparagraph (A) or (B), the Secretary shall make such funds available on a pro rata basis under the formula in paragraph (1)(A).”

(b) AMENDMENT TO DEFINITIONS.—Section 853 of the AIDS Housing Opportunity Act (42 U.S.C. 12902) is amended—

(1) in paragraph (1), by inserting “or ‘AIDS’” before “means”; and

(2) by inserting at the end the following new paragraphs:

“(15) The term ‘HIV’ means infection with the human immunodeficiency virus.

“(16) The term ‘individuals living with HIV or AIDS’ means, with respect to the counting of cases in a geographic area during a period of time, the sum of—

“(A) the number of living non-AIDS cases of HIV in the area; and

“(B) the number of living cases of AIDS in the area.”

The Acting CHAIR. Pursuant to House Resolution 594, the gentleman from North Carolina (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I am offering this amendment on behalf of our colleague from Alabama (Mr. ADERHOLT) and myself.

I thank the chairman, the ranking member, and the staffs on both sides for their cooperation in moving this amendment forward.

This is a bipartisan amendment that provides a long, overdue update to HUD’s statutory funding formula for the Housing Opportunities for Persons with AIDS Program, also known as HOPWA.

HOPWA is the only Federal program that is solely dedicated to providing housing assistance and related supportive services for low-income people and their families who are living with HIV/AIDS.

In short, this amendment would base the distribution of HOPWA funds on the current number of people who are living with HIV/AIDS, who desperately need this support.

This would replace the current formula based, incredibly, on the cumulative number of AIDS cases since the epidemic began decades ago. Last year more than 50 percent of the people counted in the HOPWA formula were deceased.

To say the least, this has drastically reduced HOPWA's ability to aid jurisdictions where the present need is most acute. This is particularly true in rural areas and in cities that are currently bearing the brunt of the HIV/AIDS epidemic.

Mr. Chairman, Congress has sensibly adjusted other AIDS support programs, including the Ryan White program. So formula funds are distributed based on the number of living HIV and AIDS cases in a given jurisdiction. Only the HOPWA formula remains out of whack, and it is denying thousands of those with HIV/AIDS the housing support they need.

The Price-Aderholt amendment makes three changes to the current HOPWA formula:

Firstly, it utilizes living HIV/AIDS cases as the major basis of funding distribution, consistent with changes made to the Ryan White program.

Secondly, it directs HUD to take into consideration housing costs and local poverty rates to ensure the HOPWA program can better address varied housing needs within jurisdictions.

Thirdly, the amendment provides for a gradual implementation of the new funding formula over 5 years in order to ensure that jurisdictions have adequate time to adjust to the new funding levels. A stop-loss provision is also included so that no jurisdiction can lose more than 5 percent of its funding or gain more than 10 percent of its funding on a year-over-year basis.

Mr. Chairman, ever since 1997, the Government Accountability Office has identified the need to update the HOPWA formula. The Department of Housing and Urban Development has included similar proposals to update the formula in its budget requests year after year. According to the Department's most recent formula projections, 115 out of 139 jurisdictions in this country would benefit under the proposed formula change.

The AIDS advocacy community also supports updating the HOPWA formula to account for living cases of HIV/AIDS. These groups include the National AIDS Housing Coalition, AIDS United, the National Low Income Housing Coalition, and the AIDS Institute.

In closing, this bipartisan amendment will ensure that our existing Federal dollars, without additional spending or new revenue, are allocated most efficiently and most effectively and most fairly to help those who are living with HIV/AIDS.

HOPWA is often the difference between homelessness and access to life-

saving treatment for low-income people with this awful disease. It is long past time to update the HOPWA formula to bring it in line with Ryan White and other AIDS support programs.

So I urge my colleagues to support this bipartisan amendment.

Mr. Chairman, I yield back the balance of my time.

□ 1715

Mr. NADLER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for more than 20 years, I have been an adamant supporter of HOPWA. I share many of Mr. PRICE's concerns about the outdated formula for how HOPWA funding is allocated. However, I cannot support this amendment.

The current formula's reliance on cumulative AIDS cases is problematic and does need to be updated to better reflect the new reality of the incidence of the disease.

Mr. PRICE's proposal, while well intended, will just shift scarce resources around, cutting off thousands of current beneficiaries to move the money to different parts of the country.

If the amendment changed the formula for new HOPWA funds, if there were new HOPWA funds, it would be more acceptable, but the amendment would shift existing funds on which people now rely.

New York City is a stark example. This formula change would eventually cut the city's annual HOPWA funding by nearly 25 percent. That cut would translate into real people.

A quarter of New Yorkers living with AIDS and currently receiving HOPWA support for their housing would be thrown out of their homes. We are talking about people living with AIDS with HOPWA support being ousted from their present homes.

I understand that people in many areas living with AIDS need housing, but Congress should be focused on growing HOPWA and expanding the number of people enrolled in the program, not on throwing more people living with AIDS out of their present homes.

If people living with AIDS in Mr. PRICE's district and in other districts need more HOPWA funding—and they do—Congress should provide it to them without depriving people living with AIDS in New York, Atlanta, and San Francisco of their existing housing.

Rather than shifting around limited pools of money and helping homeless people in one part of the country by creating more homelessness in another part of the country, we should be in-

creasing funding for HOPWA to meet the actual needs of the people living with AIDS in the United States.

That is why every year I offer an amendment to the T-HUD appropriations bill increasing HOPWA funding and will continue to do so.

I recognize Mr. PRICE's hard work and long years of advocacy for HOPWA, but I cannot support this amendment as written today.

I hope that, going forward through regular legislative order, we can identify a fair, equitable formula update that does not harm current beneficiaries, that is to say, harm people living with AIDS because of their HOPWA funding in their homes today.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I inadvertently used the last minute of my time that I hoped to yield to Mr. QUIGLEY. I wonder if the gentleman might yield to Mr. QUIGLEY.

Mr. NADLER. Mr. Chairman, do I have 1 minute remaining?

The Acting CHAIR. The gentleman from New York has 1 minute remaining.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Chairman, I rise in support of the Price-Aderholt amendment, which seeks to modernize the Housing for Persons with AIDS Program to better reflect the current case concentration and understanding of HIV/AIDS.

This will help ensure that funds are directed in a more equitable and effective manner. The AIDS population in Chicago certainly stands to benefit from such an update.

The HOPWA program is a national safety net for people battling HIV/AIDS, providing competitive formula grants since 1992. HOPWA prevents homelessness and permits thousands of households coping with the debilitating and impoverishing impact of HIV/AIDS to access and remain in care.

It is also a proven prevention mechanism by helping people achieve lower viral loads, thus becoming less infectious. This is the foundation for better individual and community health outcomes.

It is time for us to change the HOPWA distribution formula from one based on cumulative HIV/AIDS cases to a more updated formula based on current HIV/AIDS cases that reflect today's needs.

I urge a "yes" vote on this amendment.

Mr. NADLER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PRICE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-411 on which further proceedings were postponed, in the following order:

Amendment No. 7 by Mr. PALAZZO of Mississippi.

Amendment No. 12 by Mr. AL GREEN of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. PALAZZO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. PALAZZO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 178, not voting 19, as follows:

[Roll No. 50]

AYES—236

Abraham	Dent	Hudson
Aderholt	DeSantis	Huelskamp
Allen	DesJarlais	Hultgren
Amodi	Diaz-Balart	Hunter
Babin	Dold	Hurd (TX)
Barletta	Donovan	Hurt (VA)
Barr	Duffy	Issa
Barton	Duncan (SC)	Jenkins (KS)
Benishke	Duncan (TN)	Jenkins (WV)
Bilirakis	Ellmers (NC)	Johnson (OH)
Bishop (MI)	Emmer (MN)	Johnson, Sam
Bishop (UT)	Farenthold	Jolly
Black	Fincher	Jordan
Blackburn	Fitzpatrick	Joyce
Blum	Fleischmann	Katko
Bost	Fleming	Kelly (MS)
Boustany	Flores	Kelly (PA)
Brady (TX)	Forbes	King (IA)
Brat	Fortenberry	King (NY)
Bridenstine	Fox	Kinzinger (IL)
Brooks (AL)	Franks (AZ)	Kline
Brooks (IN)	Frelinghuysen	Knight
Buchanan	Garrett	Labrador
Buck	Gibbs	LaHood
Bucshon	Gibson	LaMalfa
Burgess	Gohmert	Lamborn
Byrne	Goodlatte	Lance
Calvert	Gosar	Latta
Carter (GA)	Gowdy	Lewis
Carter (TX)	Granger	LoBiondo
Chabot	Graves (GA)	Long
Chaffetz	Graves (LA)	Loudermilk
Clawson (FL)	Graves (MO)	Love
Coffman	Griffith	Lucas
Cole	Grothman	Luetkemeyer
Collins (GA)	Guinta	Lummis
Collins (NY)	Guthrie	MacArthur
Comstock	Hanna	Marino
Conaway	Hardy	McCarthy
Cook	Harper	McClintock
Costello (PA)	Harris	McHenry
Cramer	Hartzler	McKinley
Crawford	Heck (NV)	McMorris
Crenshaw	Hensarling	Rodgers
Culberson	Herrera Beutler	McSally
Curbeo (FL)	Hice, Jody B.	Meadows
Davis, Rodney	Hill	Meehan
Denham	Holding	Messer

Mica	Rice (SC)	Stutzman
Miller (FL)	Rigell	Thompson (PA)
Miller (MI)	Roe (TN)	Thornberry
Moolenaar	Rogers (AL)	Tiberi
Mooney (WV)	Rogers (KY)	Tipton
Mullin	Rohrabacher	Trott
Mulvaney	Rokita	Turner
Murphy (PA)	Rooney (FL)	Upton
Neugebauer	Ros-Lehtinen	Valadao
Newhouse	Roskam	Wagner
Noem	Ross	Walberg
Nugent	Rothfus	Walden
Nunes	Rouzer	Walker
Olson	Royce	Walorski
Palazzo	Russell	Walters, Mimi
Palmer	Salmon	Weber (TX)
Paulsen	Scalise	Webster (FL)
Pearce	Schweikert	Wenstrup
Perry	Scott, Austin	Westerman
Pittenger	Sensenbrenner	Whitfield
Pitts	Sessions	Williams
Poe (TX)	Shimkus	Wilson (SC)
Poliquin	Shuster	Wittman
Pompeo	Simpson	Womack
Posey	Smith (MO)	Woodall
Price, Tom	Smith (NE)	Yoder
Ratcliffe	Smith (NJ)	Yoho
Reed	Smith (TX)	Young (IA)
Reichert	Stefanik	Young (IN)
Renacci	Stewart	Zeldin
Ribble	Stivers	Zinke

NOES—178

Adams	Frankel (FL)	Nolan
Aguilar	Fudge	Norcross
Amash	Gabbard	O'Rourke
Ashford	Gallego	Pallone
Bass	Garamendi	Pascarell
Beatty	Graham	Payne
Becerra	Grayson	Pelosi
Bera	Green, Al	Perlmutter
Bishop (GA)	Grijalva	Peters
Blumenauer	Hahn	Peterson
Bonamici	Hastings	Pingree
Boyle, Brendan F.	Heck (WA)	Pocan
Brady (PA)	Higgins	Polis
Brown (FL)	Himes	Price (NC)
Brownley (CA)	Hinojosa	Quigley
Bustos	Hoyer	Rangel
Butterfield	Huffman	Rice (NY)
Capps	Israel	Richmond
Capuano	Jackson Lee	Ruiz
Cárdenas	Jeffries	Ruppersberger
Carney	Johnson, E. B.	Rush
Carson (IN)	Jones	Ryan (OH)
Cartwright	Kaptur	Sánchez, Linda T.
Castor (FL)	Keating	Sánchez, Loretta
Chu, Judy	Kelly (IL)	Sanford
Cicilline	Kennedy	Sarbanes
Clark (MA)	Kildee	Schakowsky
Clarke (NY)	Kilmer	Schiff
Clay	Kind	Schrader
Cleaver	Kirkpatrick	Scott (VA)
Clyburn	Kuster	Scott, David
Cohen	Langevin	Serrano
Connolly	Larsen (WA)	Sewell (AL)
Conyers	Larson (CT)	Sherman
Cooper	Lawrence	Sires
Costa	Lee	Slaughter
Courtney	Levin	Speier
Crowley	Lieu, Ted	Swalwell (CA)
Cuellar	Lipinski	Takano
Cummings	Loeb sack	Thompson (CA)
Davis (CA)	Lowenthal	Thompson (MS)
Davis, Danny	Lowe	Titus
DeFazio	Lujan Grisham	Tonko
DeGette	(NM)	Torres
Delaney	Luján, Ben Ray	Tsongas
DeLauro	(NM)	Van Hollen
DelBene	Lynch	Vargas
DeSaulnier	Maloney	Veasey
Deutch	Carolyn	Vela
Dingell	Maloney, Sean	Velázquez
Doggett	Matsui	Visclosky
Doyle, Michael F.	McCollum	Walz
Duckworth	McGovern	Wasserman
Edwards	McNerney	Schultz
Ellison	Meeks	Waters, Maxine
Engel	Meng	Watson Coleman
Eshoo	Moore	Welch
Eshoo	Murphy (FL)	Wilson (FL)
Farr	Nadler	Yarmuth
Foster	Napolitano	Young (AK)
	Neal	

NOT VOTING—19

Beyer	Lofgren	Roybal-Allard
Castro (TX)	Marchant	Sinema
Fattah	Massie	Smith (WA)
Green, Gene	McCaul	Takai
Gutiérrez	McDermott	Westmoreland
Huizenga (MI)	Moulton	
Johnson (GA)	Roby	

□ 1740

Mr. ASHFORD, Ms. DUCKWORTH, Messrs. KEATING and SANFORD changed their vote from “aye” to “no.”

Mr. RIGELL changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. ROBY. Mr. Chair, on rollcall No. 50, I was unavoidably detained. Had I been present, I would have voted “yes.”

Stated against:

Mr. GENE GREEN of Texas. Mr. Chair, during Rollcall vote No. 50 on the Palazzo Amendment, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 12 OFFERED BY MR. AL GREEN OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. AL GREEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 239, not voting 13, as follows:

[Roll No. 51]

AYES—181

Adams	Clyburn	Frankel (FL)
Aguilar	Cohen	Fudge
Ashford	Connolly	Gabbard
Bass	Conyers	Gallego
Beatty	Cooper	Garamendi
Becerra	Costa	Gibson
Bera	Courtney	Graham
Beyer	Crowley	Grayson
Bishop (GA)	Cuellar	Green, Al
Blumenauer	Cummings	Grijalva
Bonamici	Davis (CA)	Gutiérrez
Boyle, Brendan F.	Davis, Danny	Hahn
Brady (PA)	DeFazio	Hastings
Brown (FL)	DeGette	Heck (WA)
Brownley (CA)	Delaney	Higgins
Bustos	DeLauro	Himes
Butterfield	DelBene	Hinojosa
Capps	Deutch	Honda
Cárdenas	Dingell	Hoyer
Cárdenas	Doggett	Huffman
Carney	Dold	Israel
Carson (IN)	Doyle, Michael F.	Jackson Lee
Cartwright	Duckworth	Jeffries
Castor (FL)	Edwards	Johnson (GA)
Chu, Judy	Ellison	Johnson, E. B.
Cicilline	Engel	Kaptur
Clark (MA)	Eshoo	Keating
Clarke (NY)	Esty	Kelly (IL)
Clay	Farr	Kennedy
Cleaver	Foster	Kildee
		Kilmer

Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meng
Moore
Murphy (FL)
Nadler
Napolitano

Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Schiff
Schrader
Scott (VA)

Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher

Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn

Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moonen
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita

Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schakowsky
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)

Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker

NOT VOTING—13

Castro (TX)
DeSaulnier
Fattah
Green, Gene
Huizenga (MI)

Lowenthal
Massie
McDermott
Meeks
Moulton

Mulvaney
Smith (WA)
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1744

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Stated for:

Ms. SCHAKOWSKY. Mr. Chair, during roll-call Vote No. 51 on H.R. 3700, I mistakenly recorded my vote as “no” when I should have voted “Yes.”

Mr. GENE GREEN of Texas. Mr. Chair, during rollcall vote No. 51 on the Al Green amendment, I was unavoidably detained. Had I been present, I would have voted “yes.”

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes, and, pursuant to House Resolution 594, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of January 25, 2016, this 5-minute vote on passage of H.R. 3700 will be followed by 5-minute votes on passage of H.R. 3762, the objections of the President to the contrary notwithstanding, and passage of H.R. 3662.

The vote was taken by electronic device, and there were—yeas 427, nays 0, not voting 6, as follows:

[Roll No. 52]

YEAS—427

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen

Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutsch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard

Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)

Kelly (MS)
 Kelly (PA)
 Kennedy
 Kildee
 Kilmer
 Kind
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kirkpatrick
 Kline
 Knight
 Kuster
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latta
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 LoBiondo
 Loebach
 Lofgren
 Long
 Loudermilk
 Love
 Lowenthal
 Lowey
 Lucas
 Luetkemeyer
 Lujan Grisham
 (NM)
 Lujan, Ben Ray
 (NM)
 Lummis
 Lynch
 MacArthur
 Maloney,
 Carolyn
 Maloney, Sean
 Marchant
 Marino
 Matsui
 McCarthy
 McCaul
 McClintock
 McCollum
 McGovern
 McHenry
 McKinley
 McMorris
 Rodgers
 McNerney
 McSally
 Meadows
 Meehan
 Meeks
 Meng
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Moolenaar
 Mooney (WV)
 Moore
 Moulton
 Mullin
 Mulvaney
 Murphy (FL)

Murphy (PA)
 Nadler
 Napolitano
 Neal
 Neugebauer
 Newhouse
 Noem
 Nolan
 Norcross
 Nugent
 Nunes
 O'Rourke
 Olson
 Palazzo
 Pallone
 Palmer
 Pascarella
 Paulsen
 Payne
 Pearce
 Pelosi
 Perlmutter
 Perry
 Peters
 Peterson
 Pingree
 Pittenger
 Pitts
 Pocan
 Poe (TX)
 Poliquin
 Polis
 Pompeo
 Posey
 Price (NC)
 Price, Tom
 Quigley
 Rangel
 Ratcliffe
 Reed
 Reichert
 Renacci
 Ribble
 Rice (NY)
 Rice (SC)
 Richmond
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Roybal-Allard
 Royce
 Ruiz
 Ruppertberger
 Rush
 Russell
 Ryan (OH)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schrader
 Schweikert

Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell (AL)
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Speier
 Stefanik
 Stewart
 Stivers
 Stutzman
 Swalwell (CA)
 Takai
 Takano
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Titus
 Tonko
 Torres
 Trotter
 Tsongas
 Turner
 Upton
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westerman
 Whitfield
 Williams
 Wilson (FL)
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Young (IN)
 Zeldin
 Zinke

NOT VOTING—6

Castro (TX)
 Fattah

Massie
 McDermott

Smith (WA)
 Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1752

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETO MESSAGE ON H.R. 3762, RESTORING AMERICANS' HEALTH-CARE FREEDOM RECONCILIATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the question whether the House, on reconsideration, will pass the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, the objections of the President to the contrary notwithstanding.

In accord with the Constitution, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 186, not voting 6, as follows:

[Roll No. 53]

YEAS—241

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Babin
 Barletta
 Barr
 Barton
 Benishek
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Boustany
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Clawson (FL)
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comstock
 Conaway
 Cook
 Costello (PA)
 Cramer
 Jordan
 Joyce
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Duffy
 Duncan (SC)
 Duncan (TN)
 Eilms (NC)
 Emmer (MN)
 Farenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry

Fox
 Franks (AZ)
 Frelinghuysen
 Garrett
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guinta
 Guthrie
 Mulvaney
 Murphy (PA)
 Harper
 Harris
 Hartzler
 Heck (NV)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Hill
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurd (TX)
 Hurt (VA)
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (OH)
 Johnson, Sam
 Jolly
 Jones
 Jordan
 Joyce
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Duffy
 Duncan (SC)
 Duncan (TN)
 Eilms (NC)
 Emmer (MN)
 Farenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry

McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Moolenaar
 Mooney (WV)
 Mullin
 Mulvaney
 Murphy (PA)
 Newhouse
 Noem
 Nugent
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Peterson
 Pittenger
 Pitts
 Poe (TX)
 Poliquin
 Pompeo
 Posey
 Price, Tom
 Ratcliffe
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce
 Russell
 Salmon
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus

Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Stefanik
 Stewart
 Stivers
 Stutzman
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton

Trott
 Turner
 Upton
 Valadao
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westerman

NAYS—186

Adams
 Aguilar
 Ashford
 Bass
 Beatty
 Becerra
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (FL)
 Brownley (CA)
 Bustos
 Butterfield
 Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Costa
 Courtney
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Dold
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Engel
 Eshoo
 Esty
 Farr
 Foster
 Frankel (FL)
 Fudge

Gabbard
 Gallego
 Garamendi
 Graham
 Grayson
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hahn
 Hanna
 Hastings
 Heck (WA)
 Higgins
 Himes
 Hinojosa
 Honda
 Hoyer
 Huffman
 Israel
 Jackson Lee
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 Loebach
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Dold
 Carolyn
 Maloney, Sean
 Matsui
 McCollum
 McGovern
 McNerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler

Napolitano
 Neal
 Nolan
 Norcross
 O'Rourke
 Pallone
 Pascarella
 Payne
 Pelosi
 Perlmutter
 Peters
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Rangel
 Rice (NY)
 Richmond
 Roybal-Allard
 Ruiz
 Ruppertberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Sinema
 Sires
 Slaughter
 Speier
 Swalwell (CA)
 Takai
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

NOT VOTING—6

Castro (TX)
 Fattah

Massie
 McDermott

Smith (WA)
 Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1758

So (two-thirds not being in the affirmative) the veto of the President was sustained and the bill was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The veto message and the bill are referred to the Committee on the Budget.

The Clerk will notify the Senate of the action of the House.

IRAN TERROR FINANCE TRANSPARENCY ACT

The SPEAKER pro tempore. Pursuant to the order of the House of Monday, January 25, 2016, the unfinished business is the vote on passage of the bill (H.R. 3662) to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 246, nays 181, not voting 6, as follows:

[Roll No. 54]

YEAS—246

Abraham	DeSantis	Huizenga (MI)
Aderholt	DesJarlais	Hultgren
Allen	Diaz-Balart	Hunter
Amash	Dold	Hurd (TX)
Amodei	Donovan	Hurt (VA)
Babin	Duffy	Issa
Barletta	Duncan (SC)	Jenkins (KS)
Barr	Duncan (TN)	Jenkins (WV)
Barton	Ellmers (NC)	Johnson (OH)
Benishek	Emmer (MN)	Johnson, Sam
Billirakis	Farenthold	Jolly
Bishop (MI)	Fincher	Jones
Bishop (UT)	Fitzpatrick	Jordan
Black	Fleischmann	Joyce
Blackburn	Fleming	Katko
Blum	Flores	Kelly (MS)
Bost	Forbes	Kelly (PA)
Boustany	Fortenberry	King (IA)
Brady (TX)	Fox	King (NY)
Brat	Franks (AZ)	Kinzinger (IL)
Bridenstine	Frelinghuysen	Kline
Brooks (AL)	Garrett	Knight
Brooks (IN)	Gibbs	Labrador
Buchanan	Gibson	LaHood
Buck	Gohmert	LaMalfa
Bucshon	Goodlatte	Lamborn
Burgess	Gosar	Lance
Byrne	Gowdy	Latta
Calvert	Graham	LoBiondo
Carter (GA)	Granger	Long
Carter (TX)	Graves (GA)	Loudermilk
Chabot	Graves (LA)	Love
Chaffetz	Graves (MO)	Lucas
Clawson (FL)	Griffith	Luetkemeyer
Coffman	Grothman	Lummis
Cole	Guinta	MacArthur
Collins (GA)	Guthrie	Marchant
Collins (NY)	Hanna	Marino
Comstock	Hardy	McCarthy
Conaway	Harper	McCaul
Cook	Harris	McClintock
Costello (PA)	Hartzler	McHenry
Cramer	Heck (NV)	McKinley
Crawford	Hensarling	McMorris
Crenshaw	Herrera Beutler	Rodgers
Culberson	Hice, Jody B.	McSally
Curbelo (FL)	Hill	Meadows
Davis, Rodney	Holding	Meehan
Denham	Hudson	Messer
Dent	Huelskamp	Mica

Miller (FL)	Roby	Thompson (PA)
Miller (MI)	Roe (TN)	Thornberry
Moolenaar	Rogers (AL)	Tiberi
Mooney (WV)	Rogers (KY)	Tipton
Mullin	Rohrabacher	Trott
Mulvaney	Rokita	Turner
Murphy (PA)	Rooney (FL)	Upton
Neugebauer	Ros-Lehtinen	Valadao
Newhouse	Roskam	Wagner
Noem	Ross	Walberg
Nugent	Rothfus	Walden
Nunes	Rouzer	Walker
Olson	Royce	Walorski
Palazzo	Russell	Walters, Mimi
Palmer	Salmon	Weber (TX)
Paulsen	Sanford	Webster (FL)
Pearce	Scalise	Wenstrup
Perry	Schweikert	Westerman
Peterson	Scott, Austin	Whitfield
Pittenger	Scott, David	Williams
Pitts	Sensenbrenner	Wilson (SC)
Poe (TX)	Sessions	Wittman
Poliquin	Shimkus	Womack
Pompeo	Shuster	Woodall
Posey	Simpson	Yoder
Price, Tom	Smith (MO)	Yoho
Ratcliffe	Smith (NE)	Young (AK)
Reed	Smith (NJ)	Young (IA)
Reichert	Smith (TX)	Young (IN)
Renacci	Stefanik	Zeldin
Ribble	Stewart	Zinke
Rice (SC)	Stivers	
Rigell	Stutzman	

NAYS—181

Adams	Farr	Meeks
Aguilar	Foster	Meng
Ashford	Frankel (FL)	Moore
Bass	Fudge	Moulton
Beatty	Gabbard	Murphy (FL)
Becerra	Gallego	Nadler
Bera	Garamendi	Napolitano
Beyer	Grayson	Neal
Bishop (GA)	Green, Al	Nolan
Blumenauer	Green, Gene	Norcross
Bonamici	Grijalva	O'Rourke
Boyle, Brendan F.	Gutiérrez	Pallone
Brady (PA)	Hahn	Pascarell
Brown (FL)	Hastings	Payne
Brownley (CA)	Heck (WA)	Pelosi
Bustos	Higgins	Perlmutter
Butterfield	Himes	Peters
Capps	Hinojosa	Pingree
Capuano	Honda	Pocan
Cárdenas	Hoyer	Polis
Carney	Huffman	Price (NC)
Carson (IN)	Israel	Quigley
Cartwright	Jackson Lee	Rangel
Castor (FL)	Jeffries	Rice (NY)
Chu, Judy	Johnson (GA)	Richmond
Cicilline	Johnson, E. B.	Roybal-Allard
Clark (MA)	Kaptur	Ruiz
Clarke (NY)	Keating	Ruppersberger
Clay	Kelly (IL)	Rush
Cleaver	Kennedy	Ryan (OH)
Clyburn	Kildee	Sánchez, Linda T.
Cohen	Kilmer	Sanchez, Loretta
Connolly	Kind	Sarbanes
Conyers	Kirkpatrick	Schakowsky
Cooper	Kuster	Schiff
Costa	Langevin	Schrader
Courtney	Larsen (WA)	Scott (VA)
Crowley	Larson (CT)	Serrano
Cuellar	Lawrence	Sewell (AL)
Cummings	Lee	Sherman
Davis (CA)	Levin	Sinema
Davis, Danny	Lewis	Sires
DeFazio	Lieu, Ted	Slaughter
DeGette	Lipinski	Speier
Delaney	Loeb sack	Swalwell (CA)
DeLauro	Lofgren	Takai
DelBene	Lowenthal	Takano
DeSaulnier	Lowe	Thompson (CA)
Deutch	Lujan Grisham	Thompson (MS)
Dingell	(NM)	
Doggett	Luján, Ben Ray	Titus
Doyle, Michael F.	(NM)	Tonko
Duckworth	Lynch	Torres
Edwards	Maloney	Tsongas
Ellison	Carolyn	Van Hollen
Engel	Maloney, Sean	Vargas
Eshoo	Matsui	Veasey
Esty	McCollum	Vela
	McGovern	Velázquez
	McNerney	Visclosky

Walz	Waters, Maxine	Wilson (FL)
Wasserman	Watson Coleman	Yarmuth
Schultz	Welch	

NOT VOTING—6

Castro (TX)	Massie	Smith (WA)
Fattah	McDermott	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1804

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on Roll Call No. 50 on the Palazzo Amendment to H.R. 3700, Housing Opportunity Through Modernization Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present I would have voted NAY.

Mr. Speaker, my vote was not recorded on Roll Call No. 51 on the Al Green of Texas Amendment to H.R. 3700, Housing Opportunity Through Modernization Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present I would have voted AYE.

Mr. Speaker, my vote was not recorded on Roll Call No. 52 on HR. 3700, Housing Opportunity Through Modernization Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present I would have voted AYE.

Mr. Speaker, my vote was not recorded on Roll Call No. 53 on H.R. 3762, the Objections of the President Notwithstanding (Veto Override). I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present I would have voted NAY.

Mr. Speaker, my vote was not recorded on Roll Call No. 54 on H.R. 3662—Iran Terror Finance Transparency Act. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present I would have voted NAY.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Speaker, on rollcall vote 51 (On the Al Green of Texas Amendment to H.R. 3700), had I been present, I would have voted “yea.”

On rollcall vote 52 (On final passage of H.R. 3700), had I been present, I would have voted “yea.”

On rollcall vote 53 (On passage of H.R. 3762), the Objections of the President Notwithstanding (Veto Override)), had I been present, I would have voted “nay.”

On rollcall vote 54 (On passage of H.R. 3662), had I been present, I would have voted “nay.”

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1675, ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 766, FINANCIAL INSTITUTION CUSTOMER PROTECTION ACT OF 2015

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-414) on the resolution (H. Res. 595) providing for consideration of the bill (H.R. 1675) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, and providing for consideration of the bill (H.R. 766) to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DISTRICT OF COLUMBIA'S FISCAL YEAR 2016 BUDGET AND FINANCIAL PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-96)

The SPEAKER pro tempore (Ms. MCSALLY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

Pursuant to my constitutional authority and as contemplated by section 446 of the District of Columbia Self-Government and Governmental Reorganization Act as amended in 1989, I am transmitting the District of Columbia's fiscal year (FY) 2016 Budget and Financial Plan. This transmittal does not represent an endorsement of the contents of the D.C. government's requests.

The proposed FY 2016 Budget and Financial Plan reflects the major programmatic objectives of the Mayor and the Council of the District of Columbia. For FY 2016, the District estimates total revenues and expenditures of \$13.0 billion.

BARACK OBAMA.
THE WHITE HOUSE, February 2, 2016.

RECOGNIZING AMERICAN HEART MONTH

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to recognize February as American Heart Month.

According to the American Heart Association, one out of every four deaths in our great country is cardiac-related, and you may be surprised to hear that heart disease claims more female victims than any other disease.

But the real tragedy, Madam Speaker, is that so many of these deaths are preventable. America's amazing medical researchers, doctors, and nurses have been doing their part to stop heart disease and save lives.

It is time for the rest of us to step up and do our part. Remember that even small improvements in diet and exercise can have big impacts on your heart health and overall well-being.

So as you think of your Valentine later this month, don't forget to love your heart, too.

WORKFORCE DEVELOPMENT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, it has been over 3 years since the Carl D. Perkins Act expired, the primary source of funding for workforce development programs across the country.

We now have the opportunity to remake Perkins in a way that works for the 21st century economy. Perkins reauthorization must deliver student-centered education that provides 21st century skills for successful careers.

Across the country students continue to seek out career pathways, but funding has been reduced from its peak level in 2010 of \$1.3 billion. If we fail to match this demand for CTE, we run the risk of our economy falling behind as companies pursue skilled workers in other parts of the world.

Madam Speaker, our country and our economy need a Perkins reauthorization that focuses on skills that matter and work that pays, skills that matter and work that pays. Let's get this done.

SMALL BUSINESS DEVELOPMENT CENTER

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Madam Speaker, this afternoon Jacqueline Taylor of the Texas Gulf Coast Small Business Development Center Network stopped by to share a story about the American Dream.

The dreamer's name is Derrick Harris. His company is called Soaring With Eagles. Derrick had a hard time making his company grow. He got advice about marketing and sales from Todd Scott of the local SBDC. Shortly after,

Derrick was awarded contracts with the Pearland and Pasadena Independent School Districts. He now employs over 30 people.

He said: I tell every business owner I meet to contact their local SBDC. Their assistance has made a huge difference in my business.

That is the American Dream, and that is the local SBDC.

WORLD WAR I DOUGHBOY TEXAN CORPORAL SAMUEL SAMPLER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Madam Speaker, the brutal trench hand-to-hand combat of World War I claimed more American lives than Vietnam and Korea combined. The war to end all wars between European monarchies was at a standstill until the United States entered the war.

Texas boys like Corporal Samuel Sampler stood up and fought over there across the sea to successfully break the deadlocked war.

On October 18, 1918, in France, this young Army corporal became the third Texan in World War I to be awarded the Medal of Honor.

When his company suffered severe, devastating casualties during an advance, Sampler took action. Grenades in hand, he left the line and rushed in through enemy machinegun fire until he engaged the enemy directly.

His grenades hit the target, killing two and silencing all the machineguns. Twenty-eight other Germans surrendered, allowing the American doughboys to resume their advance.

The 100-year anniversary of the great war is upon us. We remember Texans like Sampler and all Americans who proudly served our country in lands far away 100 years ago and won the ultimate victory in World War I.

And that is just the way it is.

HONORING FORMER CONGRESSMAN TOM BLILEY

(Mr. BRAT asked and was given permission to address the House for 1 minute.)

Mr. BRAT. Madam Speaker, I would like to take this opportunity to honor my friend, former Congressman Tom Bliley, who proudly represented Virginia's Seventh District for 20 consecutive years, on the occasion of his 84th birthday.

He began his political career in 1968, when he was elected to the City Council of Richmond, Virginia, moving on to serve as mayor from 1970 to 1977.

He was elected to his first congressional term in 1980, and under a Democratic President he helped pass legislation that modernized the regulation of pharmaceuticals, telecommunications, and the financial markets.

I hope he had a wonderful birthday, and I wish him many more.

PROTECT TRAFFICKING VICTIMS AT THE SUPER BOWL

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, the trafficking of young girls and boys continues to be a crime that plagues many of our communities.

While I am proud to have led efforts last year to help pass important legislation to combat this problem, law enforcement on the ground needs to remain vigilant to stop this horrific crime.

With the Super Bowl taking place on Sunday in California, concerns are once again being raised that traffickers will bring children in from out of town for exploitation.

It is also an opportunity for law enforcement to reach out to these victims to try to bring them out of the shadows and bring traffickers to justice.

That is why it is encouraging to see the FBI take a different victim-centered approach this year that focuses on first gaining the trust of young victims, sometimes as young as 12, 13, and 14 years old. This helps victims get the services they need and brings the traffickers to justice with their arrest.

Madam Speaker, a victim-centered approach is the right way to attack this problem. I commend the FBI on their efforts during the Super Bowl this week.

CONTINUING THE CRUSADE AGAINST BOKO HARAM

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, almost 2 years ago I led a bipartisan delegation, the first congressional delegation, to Nigeria to assess and address the crisis of Boko Haram.

At that time, it was in the immediate aftermath of the taking of the Chibok girls in a previous administration. Boko Haram was doing the kind of raiding and rabble-rousing that may have been part of burning villages.

That time has now passed. And in the last 48 hours, Boko Haram poured gasoline on children and burned them. Boko Haram has now become a marauding and crusading, vile, evil, and vicious group. It takes in the space and areas of Nigeria, Cameroon, Chad, and Niger.

It is important for us, as Members of Congress working with the administration, to call upon these nations to again collaborate and work together.

They have pledged their support to ISIL. I am very glad that, in the course of the Homeland Security Committee,

Judiciary Committee, Intelligence Committee, Armed Forces Committee, Boko Haram is not going to get away.

There will not be boots on the ground, but we must stomp out Boko Haram because they are killing children all in Africa and they are dastardly committers of violence against civil society.

□ 1815

PALESTINIAN TERRORISTS REMAIN UNPROSECUTED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Madam Speaker, news has come out, February 2, Groundhog Day, in this article from Adam Kredo entitled, "The Obama Administration Has Not Prosecuted a Single Palestinian Terrorist Who Killed Americans."

"The Obama administration has not prosecuted a single Palestinian terrorist responsible for killing Americans abroad, despite a congressional mandate ordering the Justice Department to take action against these individuals" . . . "Palestinian terrorists have murdered at least 64 Americans, including two unborn children, since 1993. Yet the U.S. Government has failed to take legal action against those who committed the crimes, lawmakers disclosed during a Tuesday hearing on the Justice Department's failure to live up to its mandate to bring these terrorists to justice."

"Many of the terrorists continue to roam free across the Middle East, with one hosting a Hamas-affiliated television show in Jordan."

"With criticism mounting from Congress and U.S. victims of terrorism, Justice Department officials say they are working to initiate cases, but warn that this could take 'many years' to play out."

"The Justice Department has repeatedly declined to comment when faced with questions from Congress about the lack of prosecutions, according to Representative RON DESANTIS of Florida, chair of the House Oversight and Government Reform Subcommittee on National Security."

"The Justice Department 'has not been able to cite one example for this committee of even a single terrorist who has been prosecuted in the U.S. for any of the 64 attacks against Americans in Israel,' DeSantis said. 'Indeed, many of these terrorists roam free as the result of prisoner exchanges or evasion.'"

"This is not what Congress intended' when it created the DOJ's Office of Justice for Victims of Overseas Terrorism in 2005,' DeSantis added."

"This is not what the American people want, and this does not provide justice to the victims' families that has been so tragically elusive."

"The Justice Department has sought to evade questions about its failure to prosecute known terrorists responsible for the murder of U.S. citizens."

"This includes its failure to level charges against Ahlam Tamimi, the Palestinian woman responsible for blowing up a Jerusalem pizza shop in 2001. The attacks killed 15, including a pregnant American woman. Tamimi currently resides in Jordan and hosts a television show on the Hamas-owned Al Quds station."

"When the Oversight and Government Reform Committee questioned the Department of Justice about this case, the Department declined to comment," DeSantis said. "If in fact bringing to justice the perpetrators of terrorism against Americans in Israel is a high priority for the DOJ, then surely people of this nature should be prosecuted for their crimes." . . . "American victims of terrorist attacks abroad who testified at the hearing offered sharp criticism of the Justice Department for failing to take on terrorists in the U.S. courts."

"Sari Singer, who was injured in a 2003 Palestinian terror attack on a bus in Jerusalem, said that she has lost faith in the government."

Singer said, "I grew up believing that my country would be there for me and protect me no matter where I was in the world. These last years have left me feeling let down."

I would insert parenthetically, Madam Speaker, that she shares that same feeling with the victims in our State Department of the attacks at Benghazi, and the many hours people waited thinking surely our government will come to our aid.

So it sounds like victims of terrorists abroad share this, whether it is from Benghazi or whether it is from other terrorist attacks, that the administration is not going to be there for you.

The article goes on: "Peter Schwartz, whose nephew Ezra was shot in the head by a Palestinian terrorist in November 2015, said that the Obama administration has not been forthcoming about any potential investigations into the incident" . . . "The Obama administration was criticized in August when it sought to limit the restitution American victims of terrorism could receive. The administration argued in a legal briefing issued to the court that a large cash award to these victims could complicate the administration's efforts to foster peace between Israel and the Palestinians."

Clearly, the administration's interests, as Sari Singer observed, is not with American victims of foreign terrorism. It is with the foreign terrorists that maybe if we sidle up to them enough, maybe if we will be nice to

them and not punish them, then maybe they won't keep killing American citizens. That is false thinking.

Madam Speaker, I can't help but think as we find out this week that this administration has released \$100 billion to the largest supporter of terrorism in the world—Iran—and Iran has made clear that once they got this money from the Obama administration that they were going to increase their help to terrorists like Hamas and Hezbollah. In other words, they told us in advance that when America cedes to Iran \$100 billion extra, they are going to be able to help more terrorists commit more of their acts of terrorism.

Now, back when I was a judge or even back years and years ago as a prosecutor, we always approached cases that if you assisted somebody, say you gave them money, and they told you before you gave them the money that they are going to use some of this money to commit a criminal act, then we always felt like you could prosecute those people. Jurors could bear that out because if you knowingly aid, assist—even encourage—you don't even have to give them money. If you just encourage them to commit a violent act or encourage them to go about what they plan to do, and they already said, "We plan to commit more terrorism with what you give us," then you were an accomplice. Under the laws federally, and as well as in the laws I am aware of in most States, certainly in Texas, you would be charged as a principal. So if you gave money to someone knowing that they said, "We are going to use money and help kill people and help terrorism," and then they committed the terrorism, you could be convicted of the same terrorism of those you gave the money to help.

It is interesting that those principles seem to apply to all other Americans, but this administration feels surely they won't apply to this administration. Sure, Iran has said they are going to support more terrorism once they get all this extra money from the Obama administration. But apparently the Obama administration, according to these pleadings they filed, if you just be nice to the terrorists, let them keep their own money, gee, they will probably quit killing Americans. It doesn't work that way.

Let's take a look at who this administration, this Commander in Chief's administration, is willing to punish. I have a letter here that was sent by my friend, our fellow colleague, DUNCAN HUNTER, to the chairman of the Senate Agriculture Committee when he discusses Sergeant First Class Charles Martland and points out he is considered a first-rate warrior.

"While in Afghanistan in 2011, at a remote outpost, Martland confronted an Afghan Local Police commander for kidnapping a young boy and raping

him repeatedly over several days. The issue was brought to the attention of Martland and his fellow soldiers after the boy's mother asked for help, after she also was attacked by the ALP—or Afghan Local Police—commander.

□ 1830

"When Martland and Captain Danny Quinn confronted the rapist, he admitted to the charge and laughed in their faces—at which point Martland and Quinn took matters into their own hands. This occurred after two separate but similar human rights violations, including another rape, near the outpost, resulting in no punitive action whatsoever.

"The Afghan Local Police commander was dragged to the perimeter gate, where he was thrown out and told never to come back. It is important to note that the Afghan Local Police commander left on his own, only to deliberately exaggerate his injuries. Multiple sources have confirmed this fact, including a linguist and authorities who were never interviewed by Army investigators after the incident.

"For this action, Martland was removed from the outpost and faced reprimand. He later was allowed to reenlist, only to face a Qualitative Management Program review board in February 2015."

That would be a year ago.

"The Army argued that the black mark on his record, which states he assaulted 'a corrupt Afghan commander' is cause to expel him from duty, despite the fact that he has the full support of his command and immediate leadership. In fact, the Department of Defense Inspector General reported to me that"—this is a letter from DUNCAN HUNTER—"personnel are very supportive of the Sergeant and his efforts to remain in the U.S. Army. . . . And there continue to be efforts within his command to not 'inadvertently hamper his efforts.' This was in response to an alleged gag order put on Martland and his fellow soldiers"—apparently, about trying to stop the rapes that were going on in Afghanistan.

"Importantly, Martland was permitted to resubmit an appeal to the Qualitative Management Program decision after his first appeal was denied outright. And recently, a decision within Army Human Resources Command recommended that the Army uphold the judgment that Martland be removed from service, although a final decision has yet to be made about his future."

Madam Speaker, we have an American hero in Sergeant First Class Charles Martland. Dragging a child rapist out of the confined area that this child rapist was using to be a serial rapist, doing harm to children in Afghanistan, is an act of heroism, not an act to be condemned. In fact, courts I am aware of, certainly juries in

Texas, would say that was acting in defense of a third person. This man is guilty of nothing except a heroic act to save children and women from being raped by a corrupt police commander.

But under this administration, where we give money to supporters of terrorism, the largest supporters of terrorism in the world, and where we beg courts not to give large reimbursements to victims of terrorism, our own American victims of foreign terrorism because that might not help, it might make the foreign terrorists mad if they have a judgment against them, then it seems like this is perfectly consistent with the policies of this administration. We give money to terrorists who say they are going to use it to support terrorism; we don't give money to victims of terrorism.

In fact, this administration should have done what the House passed and implored the administration to do, and that is to make sure that not a dime was allowed to be released to Iran until the verdicts outstanding against Iran by American victims of Iranian terrorism were paid first. But in its haste to get all this money to those who say they are going to use a bunch of it to support terrorism, the American victims were left in the lurch. It is more than irresponsible. It is unconscionable what has been going on.

At some point, people in this administration have got to figure out what most of the American people have figured out, and that is you are not going to stop terrorism by trying to be sweet and kind to the terrorists. Some of us learned it on the playground growing up. I guess now that the Federal Government has control of education to such an extent that schools are forced to teach to the test—I have even had elementary schools tell me: We have had to do away with recess in elementary school because we just don't have time. We have got to teach them to the test so that we can get that Federal money and we can stay open.

But if you allow recess and kids are on the playground and you have kids that were smaller like I was, you learn you are not going to stop bullying by giving your money to a bully. If you give a bully money, not only do they not respect you, they have more contempt and it encourages their bullying. You can't do that. You have to stand up to bullying. You find out when you do that, sometimes you will have a teacher, like my fifth grade teacher, that took up for the bullies, but you will ultimately find more teachers will not tolerate that kind of conduct.

This administration never learned that. Maybe there was no chance to learn that in the young schools in Indonesia. Maybe that is why we have a Commander in Chief that thinks we should reward the terrorists, the supporters of terrorism, and punish the victims of terrorism by not letting them have proper financial restitution.

But it is tragic what is going on. It is tragic.

There are a number of stories about Sergeant Martland, including from my friend Jay Sekulow. He said:

"Yet, for his actions, he was immediately pulled from the battlefield and this decorated war hero is now facing expulsion from the military."

This administration's priorities are so completely out of step with truth, justice, and the American way—what used to be the American way. Perhaps the American way has been fundamentally transformed in the last 7 years, so now the American way has become that we help terrorists, give them money, and we punish those who are victims.

Well, of course, we know that our Secretary of State thanked Iran for their activities. I haven't heard whether or not Secretary of State Kerry has thanked Iran for this latest story. This from foxnews.com, "Iran's Supreme Leader Awards Medals to Troops Who 'Captured' U.S. Sailors." The story says:

"Iran's supreme leader has awarded medals to five members of the Iranian Navy whom he said 'captured intruding' U.S. Navy sailors during a tense incident in January.

"Ayatollah Ali Khamenei awarded the Order of Fat'h medal to Admiral Ali Fadavi, the head of the navy of the Revolutionary Guards, and four commanders who seized the two U.S. Navy vessels, according to Reuters. Iran's state media reported the news on Sunday.

"Order of Fat'h given by Chief Commander of Armed Forces to IRGC Navy commanders who captured intruding U.S. marines" . . . "In a tweet from his account Sunday, Khamenei misidentified those who were 'captured' as being members of the Marines.

"On January 12, Iran captured the ten sailors whose boats 'misnavigated' into Iranian waters, according to Defense Secretary Ash Carter. Though the sailors were released the following day, Iran released video of the sailors being captured, detained and apologizing for the incursion.

"Though Iran initially accused the sailors of spying, Fadavi later said an investigation had established the sailors were led astray by 'a broken navigation system' and the trespassing was 'not hostile or for spying purposes'.

"The sailors were attempting to navigate from Kuwait to Bahrain when they crossed into Iranian waters."

Well, Madam Speaker, we have got satellites that could show exactly what happened. I would think that if this administration wanted to defend our sailors, they would show the satellite footage of where they were and we would be able to see for sure whether or not they did cross into Iranian waters.

But consistent with these reports and stories we have already looked at this

evening, it seems if they are going to act consistent with this administration's prior actions, this administration wouldn't want to embarrass the Iranian military, the supporters of terrorism, and so we wouldn't want to show that they were liars. So we won't show by satellite footage exactly where our sailors were, and we won't show exactly where our other naval vessels were. These were reported to be small vessels. Well, you don't have small Navy vessels unless they are near much larger Navy vessels. Normally, if there are larger Navy vessels, there are other small vessels that can go rather quickly.

If you have the Navy vessels there, there is a good chance there is a carrier nearby, an airstrip, where jets could be there in no time whatsoever. It used to be under other Commanders in Chief, not this one, but other Commanders in Chief, that if we had sailors who were in danger of being captured by a country, particularly the largest supporter of terrorism in the world, our jets would be put in the air. They would get there immediately. They would keep flying overhead and protecting those sailors until the Navy itself could get there to rescue them.

For some reason, this administration thought it was a better idea not to put our aircraft in the air—kind of reminiscent of Benghazi. We are not going to send aircraft that could have been there in minutes. But, heck, I was asking a former commander at Ramstein Air Base clear up in Germany. He didn't realize where I was going.

I asked: How long would it take, say, to get to North Africa from Ramstein?

He said: About 3, 3½ hours at the most.

I said: So you could have been at Benghazi in 3½ hours?

He said: Oh, well, we had ordnance on the planes that particular evening, and it would have taken awhile to reconfigure those.

Well, if you can get clear from Ramstein Air Base to Benghazi in 3, 3½ hours, tops—we have got planes a whole lot closer to where these Navy vessels were—they should have been able to be there in minutes. I am sure some commander or some admiral who is afraid of the Commander in Chief would never admit that, not these days.

But the fact is this once proud United States military who protected its own for the last 70 years and now it calls upon the largest supporter of terrorism to come get our sailors and to have them kneel on their knees, hands behind their heads, as if they are POWs, embarrass them to the maximum, for that, Secretary of State Kerry thanked Iran.

Well, Madam Speaker, I see my friend from Nebraska is here. I yield to my friend.

□ 1845

NEBRASKA VALUES

Mr. FORTENBERRY. Madam Speaker, I thank the gentleman from Texas for yielding.

I want to point out something about Mr. GOHMERT. He was speaking about our military a moment ago. He, himself, is a veteran. He served in the United States Army during the Vietnam war, and I appreciate his service.

Madam Speaker, I also want to share something with the body today. I write a weekly report, generally, called the Fort Report. This week, I sent one that I hoped would have a broader meaning to the House of Representatives and, perhaps, to anyone else who might encounter this. It is entitled, "Nebraska Values." It is stories about America's political and economic and cultural crises. As we all know, they are dominating the headlines across our Nation. There is widespread, bipartisan dissatisfaction with the status quo, and it is propelling a new conversation against the dysfunction and gridlock that have long thwarted effective government here in Washington, D.C.

As families across our Nation face pressing challenges, it is sad, but elected officials often prioritize divisive rhetoric instead of empathy and understanding. Now our disagreements have widened into chasms. It is exhausting—exhausting to America's spirit—and it is distracting us from the possibilities that are before us. In the midst of this contentious Presidential primary season, Madam Speaker, maybe it is time to just pause, change the subject, and celebrate some of the best examples that our country has to offer.

In a small town gym in Beemer, Nebraska, at Beemer Elementary School, the community recently gathered to celebrate the life of Joseph Lemm. While deep sadness marked the occasion, the community's desire to gather and tell stories and honor this remarkable man pointed to a much deeper understanding of the values that bind us.

Joe chose to put on three different uniforms in his life—first, by enlisting in the United States Air Force after high school. Then he went on to have a career with the New York City Police Department and, finally, with the New York Air National Guard. Joe served three tours of duty in Iraq and Afghanistan. This past December, Joseph Lemm gave his all for his country, along with five other Americans who were killed in Afghanistan. Although Joe left Nebraska a very long time ago, I am quite certain that he carried his early formation with him throughout his life of service, and I suspect my State, Nebraska, was never far from Joe's heart.

Before the service that memorialized him, I saw Joe's mother, Shirley. Shirley embraced me as though we were family members, and, perhaps, we

were. She embraced our Governor, Governor Ricketts, and United States Senator SASSE in the same way. Everyone in the gym in the little town of Beemer knew, in the midst of this deep grief and loss, that Joseph Lemm's life had great value, had great purpose.

Madam Speaker, several weeks ago, Washington, D.C., was buried in an avalanche of snow, the remnants of which are still around. I was intending to come back to Washington but had to cancel that trip, and I had more time than I had anticipated in my hometown of Lincoln. As I was in my office, I noticed some young people who were walking around the complex in their signature blue Future Farmers of America jackets, the FFA jackets. I love those jackets, Madam Speaker. They are emblazoned with the name of their hometown below the FFA symbol. These young people had gathered along with others from the Distributive Education Clubs of America; the Future Business Leaders of America; the Family, Career and Community Leaders of America; Educators Rising; and the Future Health Professionals Skills USA to talk about a very important issue: food security.

In Nebraska, we are very fortunate to have a very, very low unemployment rate. We have the convergence of some extraordinary natural resources, that of our farming and ranch community; we have manufacturing; we have a financial sector; we have had a long tradition of solid community leadership, which has left our economic situation much better than most across the country. Even so, even in our State, we face problems with structural poverty.

These young students came together because they recognized the need to engage in the issue of children who face hunger—of children who return from school hungry, of children who have to worry about not having enough to eat when they get up in the morning. These young people were there, gathered to lead the way—to find real-time solutions in their own small communities, to help the impoverished, vulnerable members who are all around them.

Madam Speaker, that same snowstorm that kept me out of Washington, though, did not deter hundreds of other Nebraska students who left the comforts of their homes and drove on buses through the night to exercise their fundamental American rights: the freedom to assemble and the freedom of speech.

In the face of that devastating blizzard a couple of weeks ago, these principled boys and girls participated in the annual March for Life. They are young people in our country who refuse to accept the current settlement in our wounded culture. They refuse to stare at pain and woundedness and then walk away. They refuse to accept what has been fostered upon us for the last four decades of brokenness, of fracturing in

family life, and the deep wounds that abortion has caused in so many women. They are demanding that we do better as a country. They are saying to all of us that women deserve better, that we deserve better. They traveled to Washington to explicitly express this pro-life perspective and to proclaim that we should care for unborn children, for their mothers, and for our society as a whole.

This is the new generation—the Millennial Generation—that, in many ways, is standing upon the ash heap of broken tradition, and they are longing for more. They are saying there is a better way no matter how deep and difficult the problem is. Although our Nation, particularly in our politics, still experiences deep and sad divisions over the question of abortion, I do think we should all commend these students for responsibly exercising their rights to peaceably demonstrate, for standing up for what they believe. That is a source of renewal and strength in America. Sometimes it discomforts us. Sometimes it challenges those of us in power when truth has spoken to us. Sometimes it bumps up against systems that seem stacked against the ordinary person.

These young people are not willing to accept the current economic, political, and cultural settlement in our country. They are saying let's strive for more. Let's imagine what we could be. Let's put aside the pain. Let's heal the past and look forward when all life is celebrated as a beautiful gift. I respect what they did, and I think, again, all of us here can look to these young people who have responsibly demonstrated in front of us as good future stewards of a rebuilt America.

So, Madam Speaker, that is really what I wanted to say to you today. I am proud of these Nebraskans who have continued to demonstrate a better pathway for America in public servants and in military heroes, such as Joseph Lemm, who gave his life for his country, in the young people back home who are deciding to tackle systemic childhood poverty and hunger, and in the students who trekked all this way in hazardous conditions to stand in defense of vulnerable persons.

Perhaps, in the example of these young people, we can find an answer to what is right about America at a time when so much seems to be going wrong. We can carry forward the best of our traditions, those put forward by small communities and families that are really the renewing social force that will help turn our country around.

Mr. GOHMERT. Madam Speaker, I am very grateful to my friend from Nebraska. Mr. FORTENBERRY and I came in together, and I am so glad we did. We have been friends ever since. What a noteworthy tribute he had to pay. I am grateful for that tribute.

Madam Speaker, we have had so many Americans who have given, as

Lincoln said, the last full measure of devotion for freedom, for liberty, for people who were not even Americans, because that is who Americans have been.

I know our current President is fond of saying that is who we are, and then he provides access to \$100 billion for Iran—the largest supporter of terrorism. It says it is going to keep supporting terrorism, just with a lot more money now that the President has made all of this available. The President says that is not who we are, and then he shows us that we open our arms to terrorists from all over the world.

So many Americans gave their lives and gave their limbs for liberty in Iraq, for liberty in Afghanistan. In fact, in Afghanistan, if I recall my figures correctly, in the 7¼ years under Commander in Chief Bush, from October of 2001 until January of 2009, there were just over 500 precious American lives given for the cost of freedom in Afghanistan. Supposedly, we were told by this President, the war was pretty much over. He sent more troops for a while to Afghanistan; but even after, supposedly, the war has been over and troops have been left over there, we keep getting Americans killed.

It is because of the rules of engagement that so needlessly tie their hands. It is because this administration would rather punish Green Beret Sergeant First Class Martland for stopping a serial child rapist. It would rather punish him—throw him out, end his military career—because this administration, at least here in this country, does not want to offend the serial child rapist in Afghanistan.

No wonder people around the world have lost so much respect for the United States in the last 7 years. They know that stuff is going on. They knew that Sergeant Martland stood up for the child and for the woman. They knew what he did. They spread the word. Then the word spreads when Sergeant Martland makes international news because this administration wants to punish him for dragging him out of the compound—not killing, not beheading, not disemboweling—in an act of defense of many third persons. They find out this administration punished the military hero, the Green Beret who protected the victims.

It is incredible. I mean, any administration that would do that would probably turn around and, if it heard about some entity that was allowing unborn babies to be killed and was selling body parts, might be tempted to punish the people who exposed it instead of punishing those who did such a heinous act.

□ 1900

Those who have read Scripture know there will come a time when right is wrong, wrong is right, the good are

punished, and the evil are rewarded. But we also know the day will come when the ultimate judge of the world will set things straight.

So this is a story from Martha Mendoza, Maya Alleruzzo, and Bram Janssen from the Associated Press: "Oldest Christian monastery in Iraq is razed." This is heartbreaking.

This is a monastery Americans were devoted to restoring. It is a monastery where people came to know Jesus of Nazareth for the last 1400 years. It is a place where God did miracles in people's lives. It is a place where our military were very, very careful to protect because they knew the Christian significance.

As this administration miscalculated—apparently, our intelligence agencies did not miscalculate. Apparently, our intelligence agencies made very clear to this administration that ISIS is not a JV team, that these are dangerous people and they have to be stopped and you have to ramp it up.

So it wasn't our intelligence. We didn't have bad intelligence. The reports are out there. The administration, thinking it knew better than those on the ground in the area, did not take ISIS seriously.

Now, this Christian monastery over 1400 years old has been razed. The story from Iraq:

"The oldest Christian monastery in Iraq has been reduced to a field of rubble, yet another victim of the Islamic State group's relentless destruction of ancient cultural sites.

"For 1,400 years the compound survived assaults by nature and man, standing as a place of worship recently for U.S. troops. In earlier centuries, generations of monks tucked candles in the niches and prayed in the cool chapel. The Greek letters chi and rho, representing the first two letters of Christ's name, were carved near the entrance.

"Now satellite photos obtained exclusively by The Associated Press confirm the worst fears of church authorities and preservationists—St. Elijah's Monastery of Mosul has been completely wiped out.

"In his office in exile in Irbil, Iraq, the Rev. Paul Thabit Habib, 39, stared quietly at before- and after-images of the monastery that once perched on a hillside above his hometown of Mosul. Shaken, he flipped back to his own photos for comparison.

"I can't describe my sadness,' he said in Arabic. 'Our Christian history in Mosul is being barbarically leveled. We see it as an attempt to expel us from Iraq, eliminating and finishing our existence in this land.'

"The Islamic State group, which broke from al-Qaeda and now controls large parts of Iraq and Syria, has killed thousands of civilians and forced out hundreds of thousands of Christians, threatening a religion that has endured

in the region for 2,000 years. Along the way, its fighters have destroyed buildings and ruined historical and culturally significant structures they consider contrary to their interpretation of Islam."

Madam Speaker, I find it interesting that these writers know what leaders in this administration still, after all these years, have not figured out. It is Martha Mendoza, Maya Alleruzzo, and Bram Janssen.

They point out in this article that these people believe that these sites are contrary to their interpretation of Islam. Yet, this administration says, no, it has nothing to do with Islam.

The article continues:

"Those who knew the monastery wondered about its fate after the extremists swept through in June 2014 and largely cut communications to the area.

"Now, St. Elijah's has joined a growing list of more than 100 demolished religious and historic sites, including mosques, tombs, shrines and churches in Syria and Iraq. The extremists have defaced or ruined ancient monuments in Nineveh, Palmyra and Hatra. Museums and libraries have been looted, books burned, artwork crushed—or trafficked.

"A big part of tangible history has been destroyed,' said Rev. Manuel Yousif Boji. A Chaldean Catholic pastor in Southfield, Michigan, he remembers attending Mass at St. Elijah's almost 60 years ago while a seminarian in Mosul.

"These persecutions have happened to our church more than once, but we believe in the power of truth, the power of God,' said Boji. He is part of the Detroit area's Chaldean community, which became the largest outside Iraq after the sectarian bloodshed that followed the U.S. invasion in 2003. Iraq's Christian population has dropped from 1.3 million then to 300,000 now, church authorities say."

Christians are under persecution, being killed in greater numbers than any time in our history. Yet, it is not the Christians being persecuted in greater numbers than any time in history. It is not the group that many in the world recognize are the most persecuted religion in the world.

This administration wants to welcome those of the religion of persecution rather than the most persecuted group in the world, that being Christians, although just recently this article from CNS News, "550 Syrian Refugees Admitted to U.S. Since the Paris Attacks"—and, of the most persecuted highest number killed in the history of the world, Christians, this administration admitted two.

An article from the Texas Tribune points out that Governor Greg Abbott and my friend, Democrat U.S. Rep. HENRY CUELLAR, "pressed the U.S. Department of Homeland Security on

Monday to explain why the agency plans to reduce its aerial surveillance on the Texas-Mexico border."

"Monday's request comes as CBP is reporting a new surge in the number of undocumented immigrants crossing the Rio Grande. From October to December of 2015, about 10,560 unaccompanied minors entered Texas illegally through the Rio Grande Valley sector of the U.S. Border Patrol. That marks a 115 percent increase over the same time frame in 2014."

Madam Speaker, what is clear is that, as this administration says, oh, we are arresting fewer people coming into the country illegally, these kind of reports make clear, well, yeah, if you close your eyes, you will keep arresting even fewer. That is what they are doing. They are closing our eyes to our ability to see people that are violating our law.

At the same time, we get this report from the Washington Examiner that sanctuary cities now cross the 300 mark, with Dallas and Philadelphia added to it.

Madam Speaker, with so much to be depressed about, I want to commend the people of the State of Iowa, where I spent a couple of days last week and where I have spent other times many days in the past. When I am among the Iowans, I feel like I am back home in East Texas. The people are wonderful.

I had somebody ask earlier today about: What do you think about your party?

I said: What do you mean?

He said: Well, you look at the people that won the Iowa caucuses.

So?

The comment was made: Well, in the Democratic caucus or primary, you had two White Socialists—this was the comment from this person—and in the Republican primary, the first and third vote-getters were Cuban, Hispanic Americans, and the fourth was African American. Isn't that interesting the way things have turned?

Well, I have enjoyed coming to love the people of Iowa, and I look forward to the days ahead because of them.

Madam Speaker, I yield back the balance of my time.

WATER SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Madam Speaker, I want to pick up on some issues of security. We have heard for the last hour discussions of security, and there are many different aspects to the question of security.

Are we secure in this world in which we live? Well, there are a lot of problems. To be sure, we can worry about

China and the South China Sea, and we do. Certainly, in the Middle East, where I recently visited the Gulf States and Iran, there are a lot of concerns there.

As you move into Iraq, there are the issues of ISIL, al Qaeda and, of course, the great tragedy that is occurring in Syria where, basically, cities are simply being destroyed, obviously, the churches, the monasteries, the mosques—boom—housing.

There are well over 270,000 people—Christians, Muslims, and others—killed in the Syrian civil war and the resultant desire by people to get out of there. Immigration issues are abounding. Certainly, they affect us here in the United States.

There are many other security issues beyond those that make the headlines. There are security issues in our homes. For example, do we have a job? Well, that is a big issue.

Often here on the floor, in days gone by, I would stand with my colleagues and we would talk about creating jobs in the United States. We would talk about strategies of Make It In America, strategies to use our tax dollars to buy American-made products and services so that our money could be used to employ our own people and to support our own businesses.

These are all very, very important strategies. They do happen to do with individual security, community security, and family security. So security has many, many pieces.

Tonight I want to talk about one type of security. This is something that affects every human being, every animal, large or small, from an elephant to the smallest mouse. This security issue is one that affects every form of life. It is called water. It is called water.

This is the most basic of security issues. You don't go but a day or 2, maybe 3, days, if you are not doing much and it is really not very hot, without water. It is essential. This is a bottom-line security issue.

If you don't have water, you are insecure. If you don't have water, you will very soon be dead. If you have poisonous water, you may not die immediately, but it will certainly affect you.

Let's take a look at this. This is water from Flint, Michigan, United States of America. There are roughly 100,000 human beings in Flint, Michigan.

Well, among the most essential of all of the things we need for life, for security, is water. That is Flint, Michigan, water, a city of 100,000 people in the United States.

□ 1915

Oh, we would like to think of ourselves as being the most advanced place in the world. That is Flint, Michigan, water. Nine thousand children under the age of 4 or 5 have been

drinking that water contaminated with lead for about 14 months.

I am not going to go into the reasons why that tragedy is occurring. There are many. There is an FBI investigation and there are questions about the Governor of Michigan and the way in which it was done, but I am not going to go there today.

I want to go to something else that we are responsible for here in the House of Representatives and our colleagues across the Capitol in the U.S. Senate. I want to talk about our responsibility here because this is our business.

If we are concerned about security—and we are—we should—and we do—talk about al Qaeda. We should—and we do—talk about ISIS. We should—and we do—talk about refugees and whether they are safe or not. We talk about San Bernardino and the great tragedy there. We should talk about it, and we should do something about it.

There is another side of security that we have specific responsibility to deal with. In 1974, we set out to clean up the waters of the United States with the Clean Water Act. Over the years, it has been amended. In 1996, we set standards for clean water and we provided some funding.

If someone were to grade us on our success in addressing one of the fundamental security issues, that is, the ability to have clean, drinkable water, here is the scorecard. Let's take a look at it. Let's see.

We can run down through aviation, bridges. Oh, by the way, this is from the American Society of Civil Engineers. They produce a scorecard on how well this great Nation, the United States of America, is doing on providing fundamental security.

Aviation, bridges, dams, drinking water: D. Today, at a hearing on water, the Society of Civil Engineers said we have got a D on drinking water.

Someone asked them: Is that the bottom grade?

They said: Well, pretty much because if you go to an F, it is too much paperwork. So they just stop at D. D.

We fancy ourselves to be the greatest place in the world, the most advanced economy. All the way down this list are D's, a couple of C's. Our infrastructure doesn't rank among the best in the world. In fact, we rank about where developing countries are.

So what is the result of all of this? Well, Flint, Michigan, water, would you drink it? For 100,000 people in Flint, Michigan, that is their water supply. Without water, you don't live.

Closer to my home in Porterville, California, a city of a few tens of thousands of people, no water. So they truck it in. I have got one of those on my ranch. It is called a livestock water trough. That is where the kids get their water in the United States of America.

Oh, we think we are good. Security comes in many forms. Drinking water. So why does this happen? Why is it that, in this great Nation, all of us, 435 here, and another 100 across the Capitol—why is it Flint Michigan, Porterville, California, a half a dozen other cities in California, no water or contaminated water?

Just in December it was reported that, in about a half a dozen communities in the San Joaquin Valley of California, the uranium in the water has reached a level beyond that which is allowed. That is okay. It is only going to be cancer.

Uranium, fine. Flint, Michigan, Porterville, communities throughout this Nation. Oh, Toledo, Ohio. I remember Toledo, Ohio, last year shut down its water system because of contamination from algae in the lake. America. Why? Why?

Here is why. A sharp drop in government infrastructure spending. Oh, government infrastructure spending. Federal Government infrastructure spending. For 435 of us; this is our job.

Oh, let's see. This is 2002. Somewhere—oh, these are real dollars, disinflated, \$325 billion. In 2014—that is 12 years later—\$210 billion. That is what happens. That is what happens when you don't have water in Porterville. That is what happens when you have uranium and the inability to take it out because you can't afford the systems. That is what happens in Flint, Michigan.

Let's take another look at those numbers, another way to look at it. Spending on clean water and drinking water infrastructure. In 2014 dollars—these are constant dollars across the way—1973, is that Ronald Reagan? I think so. No. Actually, it was a little later.

That wasn't Reagan. It is the end of—what did we spend in 1973 in consistent 2014 dollars? We spent about \$10 billion. Okay. In 1990, we spent about \$6 billion. Again, these are dollars all consistent for 2016 dollars. In 1999, we are down to about just under \$4 billion. In 2005, we get down to about \$3.5 billion. In 2016, bingo, \$2 billion.

You wonder why we have a D? You wonder why the water systems break. 240,000 water mains broke last year in the United States. You see the pictures of the sinkholes. That is not a geological issue. That is a water main issue. A water main is broken, washed out the street, washed out the community, and the houses fall into it. Not all of them, but that is basically it. 240,000 of those last year.

What are we doing? Are we building new, high-quality water systems for our community? No, we are not. I will tell you what we are doing. Over the next few years, we are going to spend a trillion dollars in the next 20 years on rebuilding—that is a trillion dollars, not a billion—a trillion dollars—on rebuilding our entire nuclear warfare

system. Every bomb, new airplanes, new missiles, new intercontinental ballistic missiles, new submarines, a trillion dollars. And this number competes with that trillion dollars.

We make choices around here, folks. We make choices on how we are going to spend your tax money. We are going to spend it on nuclear bombs that go big in a big way, on new stealth bombers, new intercontinental ballistic missiles, new submarines, new dial-a-bomb—dial it up, it goes big; dial it down, it goes small—so that we can use it as a tactical nuclear weapon. Whoa. We are making choices here.

I can go on for some time about this. I get pretty excited about it. I get pretty dismayed. When I am in Brussels, as I was last week, returning from the Gulf States—Oman, Dubai, Abu Dhabi, Qatar, Bahrain—looking at what is going on there, this is what I saw: I saw enormous problems. But I also saw a modern infrastructure. Go to Brussels. Look at their airport. Then go to an American airport.

Water. Water. Flint, Michigan, water. State of Michigan, United States of America, that is the water that 100,000 Americans are forced to drink. We have got a Clean Water Act. We have got the laws in place to build our water systems.

So what do we do? Well, I guess we would rather rebuild the B61 nuclear bomb rather than building a water system for Americans for the security of 100,000 people.

I live a long way from Flint, Michigan, but the guy I am going to call on, that is his home. That is where he was raised. Those are the people he represents.

DAN KILDEE, you have been on this issue for weeks and months. You have been sounding the alarm. You have been calling us out. You have been calling us out, all 435 of us and the Senate and the administration. You have been calling us out, and you are doing the work of securing the safety of the people in your community. Please join me, DAN KILDEE, from Michigan.

Mr. KILDEE. Well, first of all, let me thank my friend, Mr. GARAMENDI, not just for that introduction and for his comments about my hometown, but for his leadership on this issue.

This is the critical issue that really determines whether we are competitive as a Nation. But it goes beyond competitiveness. It is the issue that will determine whether we have true national security. But it goes beyond national security. Sometimes it is a matter of life and death. Sometimes it is really a matter of health.

In my hometown, the issue of failed infrastructure, particularly of the State of Michigan and their failure to manage infrastructure, let alone reinvest in it potentially, will affect not just 100,000 people, all of the citizens there, but, most importantly, will af-

fect the trajectory of the lives of 9,000 children under the age of 6 who, for the last year and a half, have been drinking water that has elevated lead levels well beyond what normally would be required in order to take drastic action to correct the problem.

And it was largely overlooked because of a failed philosophy of government in the State of Michigan that put short-term interest, short-term dollars-and-cents measures of success, ahead of not just long-term investment, but ahead of the lives of children that has resulted in this terrible tragedy.

□ 1930

I will just take a moment to tell you what happened and to support the efforts of my friend Mr. GARAMENDI in continuing to raise this question.

The letter grade graph he showed regarding clean drinking water showed in the aggregate a grade of D. In Flint, it was an F. It was a failing grade.

So, the failure to invest in infrastructure, and particularly urban infrastructure—roads, bridges, and water—led to significant economic difficulty in my hometown of Flint. The failure of the State to support cities—and, in fact, they cut direct support in cities—resulted in my hometown going into financial stress. The State then appointed a receiver to take over the city.

Rather than provide support, rather than rebuild, it appointed a receiver, a financial manager, to go in with one tool, and one tool only, and that was a scalpel, to cut the budget of a city that was really begging for investment. Instead of investment, more cuts.

One of the cuts was, for a temporary period of time until a regional pipeline to Lake Huron was completed, to draw drinking water from the Flint River, which for decades functioned as an open industrial sewer.

In the State of Michigan, where we have the world's greatest source of surface water, freshwater, there was a decision to use the Flint River. But because of our aging infrastructure, old infrastructure, and lots of lead pipes, including thousands and thousands of lead service lines to homes, and the failure of the State to manage this process and treat the water effectively, highly corrosive water leached lead into the drinking water, and 100,000 people have been subjected to elevated lead levels. Thousands of children have potentially been affected.

The sad story here is that it all could have easily been prevented with just a little bit of investment and better management of the infrastructure. But we take water infrastructure for granted, as if all we have to do is turn on the faucet and the water will appear. No, it takes investment; it takes money; it takes resources. In this case, the State's failure has resulted in some-

thing that we hope is not repeated across this country; but without investment, there will be more Flint, Michigans.

So what we need now is to call upon the State particularly to make the kind of investment in Flint to make it right. As I said, 9,000 children in the city of Flint under the age of 6 have substantially elevated lead levels from the water that showed up in their blood in tests done by a courageous pediatrician, Dr. Mona Hanna-Attisha, who was one of the people who blew the whistle on this.

So now we have a crisis in Flint. We have a loss of faith in government. But it is a crisis because this city is really at risk. We need significant investment to make it right. That investment would come in the form of a long overdue replacement of those lead service lines, that lead piping that is outdated, obsolete, and dangerous. Because of the failure to deal with this when it was a less expensive investment, we now have, I think, a very important moral responsibility on the State of Michigan to take care of the unique needs that these children will face as they go through their developmental stages. We need early childhood education for all of them. We need good nutritional programming—and not just to make it available, but to ensure sure they have good nutrition. We need additional help in the schools. We need behavioral support.

There are consequences. There are human consequences to this failure. It is not just that the water looks bad, smells bad, tastes bad. It is unhealthy.

Again, I hope Flint's experience can be an experience for the rest of the country, because the way our State treated the people of Flint was as if they didn't matter. They allowed this infrastructure to atrophy, allowed the city to atrophy, didn't support redevelopment, didn't support even the basic need of \$140 a day to provide corrosion control treatment in this aging water system. All of that could have prevented this terrible tragedy, but they didn't do it.

So now the State of Michigan bears the principal responsibility. I am doing everything I can to get Federal help for this, but the State of Michigan bears the principal responsibility. As far as I am concerned, it is up to them to make it right.

The message that my friend has been bringing to this Congress when it comes to this question of infrastructure is that Flint proves that it matters what we do here. It matters what we do in this House. The fact is we have known as a Nation for a long time that, if we are going to be safe, if we are going to be competitive, if we are going to be healthy, we have to invest in that which we take for granted.

Think about it, water, drinkable water. Most people in this room, most

people in America never give it a second thought. You just turn on the faucet and it is there. It is literally what we depend upon for our very lives. In Flint, Michigan, because of this terrible failure, not only was it not safe, but we poisoned 9,000 children as a result.

There are consequences to what we do here, and there are consequences to what we don't do here. So for those Members who have expressed their sympathy, I appreciate that, I sincerely do. But the children of Flint, the people of Flint, and, frankly, the people of Porterville and everywhere else need more than sympathy. We need investment. We need this Congress and this country to step up and do what it is right and invest in our own future, because if we don't, as you can tell, there are consequences.

Thank you for your leadership on this.

Mr. GARAMENDI. Mr. KILDEE, thank you so very much for the work that you are doing sounding the alarm and driving all of us. I know you did this morning in our Caucus. You alerted us to it. You motivated us. And, in fact, I am talking about it tonight because of your motivation that you gave to me and to our colleagues this morning.

You spoke here a little bit about the human consequences. I would like you to take another run around this on how we bear—the community of America, and more specifically, Michigan—the responsibility of caring for addressing the human problem that now exists.

Mr. KILDEE. I thank you for that question, because that is really the core of what we are dealing with right now.

We need a lot of help in Flint. This could have been avoided. But now that this has occurred, there is some work we need to do to fix the pipes. There is some work we need to do to make sure the emergency needs are met—temporary water. But the real need is this human need.

Lead is a neurotoxin. It affects development of the brain. The citizens who are most at risk are those children who are still in those early developmental stages, particularly children age 6 and under. Literally, children feeding, drinking formula made with this water will have the trajectory of their lives potentially affected.

The thing that I think is important to keep in mind is, first of all, Flint is a tough town. We can live through this; we can get through this; we can succeed; but we are going to need resources. We need resources, really, to come from the people who did this to us, which is the State government with, I think, a completely bankrupt philosophy that basically says you are on your own.

Well, you are not on your own when it comes to drinking water. We all expect drinking water to be clean. We have every right to expect that. It is a human right.

But what we need now and what I think is morally required is to wrap our arms around these kids. We know that when it comes to brain development and challenges the kids might face, whether it is from a developmental question from some other source or derived from lead exposure, the more we do to help those children develop as early as possible, the better they will do in the long term.

So, I will have legislation that I will introduce this week that puts Federal support in—and requires the State of Michigan to come up with its share, because they did this—so that we expand Head Start, Early Head Start, and that we give those kids the early opportunity to expand their minds; also, that we get them nutritional support, because we know that good, nutritious food—milk, for example—is very helpful in getting kids through lead exposure with minimal impact.

Now, it is only to mitigate the damages and help these kids overcome, but what we need to do now as a community is what we would do for any child facing a developmental challenge. It is early childhood education. It is nutritional support. It is a school nurse, for example. We have gone so far in this country that we don't even fund the basics that we all grew up with. We all had a school nurse. You go to Flint, Michigan, a city of 100,000 people, and we have one school nurse.

Also, it is after-school programming, enrichment opportunities. Most of the kids in my hometown, sadly, already have hurdles in front of them because of the misfortune of being born into poverty. They don't have the kind of opportunities that many kids take for granted: piano lessons, dance, art, after-school activities, gym time, a summer program. Maybe for the older kids, a summer job.

That is the kind of help that will be required in order to move these kids from where they were headed before this crisis occurred and what the trajectory of their lives looks like right now.

So the point is there are human consequences for the failure to do this right in the first place. And when we have a State government that failed these kids, they now have a moral obligation to step up and actually take care of their needs going forward.

Mr. GARAMENDI. If I might interrupt you for a moment, this morning you spoke of a young child that was interviewed. Would you please share that?

Mr. KILDEE. I will. I read this. It came from a writer from Detroit, a guy named Mitch Albom, who most people know for having written a bestseller, "Tuesdays with Morrie." He came to Flint to interview children and to talk about what this whole experience meant to them.

One young man said something which, in a very poignant way, in a really eloquent way, describes what exactly happened in Flint. The little boy said that he was afraid that he wouldn't be smart now, that he wouldn't be smart.

It just occurred to me what a terrible crime this is, the failure of adults to manage the government in a way that takes the concerns of the life of a child into account and looks only at a balance sheet, only at a quarterly earnings statement—maybe the longest term that they look at it is an annual financial report—and wouldn't consider the fact that the result would be to have a young 8- or 9-year-old boy say to himself, "I am afraid I won't be smart."

What does that do to that kid's hopes for himself, whether the cognitive, behavioral, or developmental impact of lead would have any substantial effect on him or her, kids that are in Flint? The fact that the lack of action by the government gives them doubt about their own future, doubt about their own capacity is just heartbreaking.

Mr. GARAMENDI. Mr. KILDEE, thank you very, very much.

"I am afraid I won't be smart enough." I wonder if we should ask ourselves if we are smart enough. Are we smart enough? There are 435 of us facing a myriad of questions around this world and some of them in our own hometowns. Are we smart enough?

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KAPTUR (at the request of Ms. PELOSI) for February 1 on account of travel delay.

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 3, 2016, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2015, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input type="checkbox"/>											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. TOM PRICE, Chairman, Jan. 5, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES W. DENT, Chairman, Jan. 11, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Bob Goodlatte	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Hon. Hank Johnson	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Hon. Sheila Jackson Lee	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Shelley Husband	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Joe Keeley	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Stephanie Gadbois	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Peter Larkin	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
John Manning	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
James Park	10/9	10/19	Vietnam, Singapore, Malaysia, Philippines.	.....	644.00	.....	(3)	.....	1,269.00	.....	1,913.00
Hon. Steve King	11/5	11/13	Serbia, Iraq, Turkey, Sweden, Hungary	.....	696.00	.....	15,485.60	.....	1,177.45	.....	17,359.05
Hon. Bob Goodlatte	10/24	10/25	Haiti .....	.....	111.00	.....	938.43	.....	150.00	.....	1,199.43
Hon. John Conyers	10/24	10/26	Haiti .....	.....	222.00	.....	770.10	.....	300.00	.....	1,292.10
Tracy Short	10/24	10/26	Haiti .....	.....	222.00	.....	770.10	.....	300.00	.....	1,292.10
Lindsay Yates	10/24	10/26	Haiti .....	.....	222.00	.....	735.10	.....	300.00	.....	1,257.10
Keenan Keller	10/24	10/26	Haiti .....	.....	222.00	.....	770.10	.....	300.00	.....	1,292.10
Cynthia Martin	10/24	10/26	Haiti .....	.....	222.00	.....	770.10	.....	300.00	.....	1,292.10
Committee total .....	.....	.....	.....	.....	7,713.00	.....	20,239.53	.....	14,248.45	.....	42,200.98

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. BOB GOODLATTE, Chairman, Jan. 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, Jan. 7, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, Jan. 6, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

SEN. ORRIN G. HATCH, Chairman, Jan. 12, 2016.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4164. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's direct final rule — Black Stem Rust; Additions of Rust-Resistant Species and Varieties [Docket No.: APHIS-2015-0079] received January 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4165. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's affirmation of interim final rule — Lacey Act Implementation Plan; Definitions for Exempt and Regulated Articles [Docket No.: APHIS-2009-0018] (RIN: 0579-AD11) received January 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4166. A letter from the Management and Program Analyst, ORMS, D & R, Forest Service, Department of Agriculture, transmitting the Department's final rule — Stewardship End Result Contracting Projects (RIN: 0596-AD25) received January 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4167. A letter from the Acting Secretary of the Army, Department of Defense, transmitting the Army's report on gifts made for the benefit of U.S. Military Academy Army Band for FY 2015, pursuant to 10 U.S.C. 974(d)(3); 113-66, Sec. 351; (127 Stat. 741); to the Committee on Armed Services.

4168. A letter from the Director, Office of Financial Research, Department of the Treasury, transmitting the Office's 2015 Annual Report to Congress, pursuant to 12 U.S.C. 5344(d); Public Law 111-203, Sec. 154(d); (124 Stat. 1418); to the Committee on Financial Services.

4169. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Deputy Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Federal

Housing Administration (FHA): Removal of 24 CFR 280—Nehemiah Housing Opportunity Grants Program [Docket No.: FR-5878-F-01] (RIN: 2502-AJ31) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4170. A letter from the PRAO Branch Chief, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Supplemental Nutrition Assistance Program: Review of Major Changes in Program Design and Management Evaluation Systems [FNS-2011-0035] (RIN: 0584-AD86) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

4171. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

4172. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Partitions of Eligible Multiemployer Plans (RIN: 1212-AB29) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

4173. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Pumps [Docket No.: EERE-2013-BT-TP-0055] (RIN: 1905-AD50) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4174. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medical Examination of Aliens — Revisions to Medical Screening Process [Docket No.: CDC-2015-0045] (RIN: 0920-AA28) received January 27, 2016, pursuant to 5

U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4175. A letter from the Chief Counsel, National Telecommunications and Information Administration, Department of Commerce, transmitting the Department's final rule — Amendments to 47 CFR Part 301 to Implement Certain Provisions of the Spectrum Pipeline Act [Docket No.: 160108022-6022-01] (RIN: 0660-AA31) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4176. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

4177. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

4178. A letter from the Secretary, Department of Commerce, transmitting the Department's 2016 Report to Congress on Foreign Policy-Based Export Controls, pursuant to 50 U.S.C. app. 4605(f)(2); Public Law 96-72, Sec. 6(f)(2) (as amended by Public Law 99-64, Sec. 108(e)); (99 Stat. 133); to the Committee on Foreign Affairs.

4179. A letter from the Executive Director, Mississippi River Commission, Department of the Army, Department of Defense, transmitting the Department's Annual Report for the Mississippi River Commission for calendar year 2015, pursuant to 5 U.S.C. 552b(j); Public Law 94-409, Sec. 3(a); (90 Stat. 1241); to the Committee on Oversight and Government Reform.

4180. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Establish a

Single Small Business Size Standard for Commercial Fishing Businesses [Docket No.: 150227193-5999-02] (RIN: 0648-BE92) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4181. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Vessel Register Required Information, International Maritime Organization Numbering Scheme [Docket No.: 150902807-5999-02] (RIN: 0648-BE99) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4182. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Seabird Avoidance Measures [Docket No.: 140214140-5999-01] (RIN: 0648-BD92) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4183. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Report to Congress on the Pandemic and All-Hazards Preparedness Act's usage of the Act's Antitrust Laws Exemption, pursuant to 42 U.S.C. 247d-6a note; Public Law 109-417, Sec. 405(a)(8); (120 Stat. 2877); to the Committee on the Judiciary.

4184. A letter from the Chair, United States Sentencing Commission, transmitting the Commission's amendment to the federal sentencing guidelines, policy statements, and official commentary, together with the reason for amendment, pursuant to 28 U.S.C. 994(o); to the Committee on the Judiciary.

4185. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights in Specified Areas of the Sanaa (OYSC) Flight Information Region (FIR) [Docket No.: FAA-2015-8672; Amdt. No.: 91-340] (RIN: 2120-AK72) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4186. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights in the Territory and Airspace of Somalia [Docket No.: FAA-2007-27602; Amdt. No.: 91-339] (RIN: 2120-AK75) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4187. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Los Angeles, CA [Docket No.: FAA-2015-1139; Airspace Docket No.: 15-AWP-4] received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4188. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Direc-

tives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2014-0335; Directorate Identifier 2013-SW-021-AD; Amendment 39-18358; AD 2015-26-10] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4189. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0648; Directorate Identifier 2013-NM-136-AD; Amendment 39-18344; AD 2015-25-06] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4190. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alpha Aviation Concept Limited Airplanes [Docket No.: FAA-2015-3956; Directorate Identifier 2015-CE-032-AD; Amendment 39-18345; AD 2015-25-07] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4191. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2015-2714; Directorate Identifier 2014-SW-052-AD; Amendment 39-18349; AD 2015-26-01] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4192. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-1199; Directorate Identifier 2014-NM-008-AD; Amendment 39-18351; AD 2015-26-03] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4193. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0076; Directorate Identifier 2013-NM-246-AD; Amendment 39-18350; AD 2015-26-02] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4194. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0083; Directorate Identifier 2014-NM-131-AD; Amendment 39-18347; AD 2015-25-09] (RIN: 2120-AA64) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4195. A letter from the Senior Regulations Analyst, Federal Motor Carrier Safety Administration, MC-PRR, Department of Transportation, transmitting the Depart-

ment's final rule — Electronic Logging Devices and Hours of Service Supporting Documents [Docket No.: FMCSA-2010-0167] (RIN: 2126-AB20) received January 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4196. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Temporary Assistance for Needy Families (TANF) Program, State Reporting On Policies and Practices To Prevent Use of TANF Funds in Electronic Benefit Transfer Transactions in Specified Locations (RIN: 0970-AC56) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4197. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure: Update of CC: International No-Rule Revenue Procedure 2015-7 (Rev. Proc. 2016-7) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4198. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure 2016-6 (Rev. Proc. 2016-6) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4199. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure 2016-4 (Rev. Proc. 2016-4) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4200. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection services at the Punta Gorda Airport in Florida will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d)(1); Public Law 107-71, Sec. 108(a); (115 Stat. 613); to the Committee on Homeland Security.

4201. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicaid Program; Covered Outpatient Drugs [CMS-2345-FC] (RIN: 0938-AQ41) received January 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

4202. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicaid Program; Face-to-Face Requirements for Home Health Services; Policy Changes and Clarifications Related to Home Health [CMS-2348-F] (RIN: 0938-AQ36) received January 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 3293. A bill to provide for greater accountability in Federal funding for scientific research, to promote the progress of science in the United States that serves that national interest (Rept. 114-412). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 2017. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A; with an amendment (Rept. 114-413). Referred to the Committee of the Whole House on the state of the Union.

Mr. STIVERS: Committee on Rules. House Resolution 595. Resolution providing for consideration of the bill (H.R. 1675) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, and providing for consideration of the bill (H.R. 766) to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes (Rept. 114-414). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. EMMER of Minnesota (for himself, Mr. WALZ, Mr. KLINE, Mr. PAULSEN, Ms. MCCOLLUM, Mr. ELLISON, Mr. PETERSON, and Mr. NOLAN):

H.R. 4425. A bill to designate the facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, as the "Eugene J. McCarthy Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MEADOWS:

H.R. 4426. A bill to expand school choice in the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. POMPEO for himself, Mr. HUDSON, and Mr. MULLIN:

H.R. 4427. A bill to amend section 203 of the Federal Power Act; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Ms. SEWELL of Alabama, Mr. ROE of Tennessee, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mr. COOPER, Mrs. BLACKBURN, Mr. FINCHER, Mr. COHEN, Mr. BYRNE, Mrs. ROBY, Mr. ROGERS of Alabama, Mr. ADERHOLT, Mr. BROOKS of Alabama, Mr. DAVID SCOTT of Georgia, Mr. GRIFFITH, Mr. WESTERMAN, Mr. CRAWFORD, Mr. HILL, Mr. WOMACK, Mr. BISHOP of Georgia, Mr. PALMER, Mr. VELA, Mr. WHITFIELD, Mr. HARPER, Mr. BOUSTANY, Mr. RICHMOND, Mr. ALLEN, Mr. GUTHRIE, Mr. CARTER of Georgia, and Mr. HINOJOSA):

H.R. 4428. A bill to amend title XVIII of the Social Security Act to ensure fairness in

Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT:

H.R. 4429. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to issue minimum uniform safety standards for underground natural gas storage facilities, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mrs. COMSTOCK, Ms. HAHN, and Mr. HUFFMAN):

H.R. 4430. A bill to amend title 49, United States Code, to include training for certain employees of air carriers to combat human trafficking, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 4431. A bill to direct the Attorney General to reimburse State and local law enforcement agencies for costs incurred in carrying out law enforcement activities associated with the armed occupation of the Malheur National Wildlife Refuge, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER:

H.R. 4432. A bill to establish an interim rule for the operation of small unmanned aircraft for commercial purposes, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Mr. BERA, Mr. GARAMENDI, Mr. HONDA, Mr. KEATING, Ms. LEE, Ms. NORTON, Mr. POCAN, Mr. RUSH, Mr. RYAN of Ohio, Mr. TAKAI, Mr. TONKO, Mr. VAN HOLLEN, Mr. CONYERS, and Mr. McDERMOTT):

H.R. 4433. A bill to amend the Higher Education Act of 1965 to increase the income protection allowances; to the Committee on Education and the Workforce.

By Mr. GIBSON (for himself, Mr. ENGEL, Mr. TONKO, and Mr. COLLINS of New York):

H.R. 4434. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas (for himself, Ms. DEGETTE, Mr. KENNEDY, Ms. MATSUI, Mr. TONKO, and Mr. LOEBACK):

H.R. 4435. A bill to improve access to mental health and substance use disorder prevention, treatment, crisis, and recovery services; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Ways and Means, Education

and the Workforce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS (for himself, Mr. DIAZ-BALART, and Mr. CLAWSON of Florida):

H.R. 4436. A bill to amend the Water Resources Development Act of 2000 to provide for expedited project implementation relating to the comprehensive Everglades restoration plan; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of Florida (for himself and Ms. BROWN of Florida):

H.R. 4437. A bill to extend the deadline for the submittal of the final report required by the Commission on Care; to the Committee on Veterans' Affairs.

By Mrs. MILLER of Michigan:

H.R. 4438. A bill making emergency supplemental appropriations to the Environmental Protection Agency to assist the State of Michigan and its residents impacted by the contaminated water crisis; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 4439. A bill to amend title 40, United States Code, to require that certain public buildings contain a lactation room for public use, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POMPEO:

H.R. 4440. A bill to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes" to extend the authority of the Secretary of the Interior to carry out the Equus Beds Division of the Wichita Project; to the Committee on Natural Resources.

By Mr. AL GREEN of Texas (for himself, Ms. ADAMS, Ms. BASS, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Mr. FATTAH, Ms. FUDGE, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT of Virginia, Ms. WILSON of Florida, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. LEE, Ms. MAXINE WATERS of California, Ms. BROWN of Florida, and Mr. DANNY K. DAVIS of Illinois):

H. Con. Res. 110. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 107th anniversary; to the Committee on the Judiciary.

By Mr. MEEHAN (for himself, Mr. ISRAEL, and Mr. DEUTCH):

H. Con. Res. 111. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. BRADY of Pennsylvania:

H. Res. 596. A resolution recognizing the 146th anniversary of the ratification of the 15th amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Ms. ADAMS, Ms. BASS, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Mr. FATTAH, Ms. FUDGE, Ms.

JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS, Mr. MEEKS, Ms. MOORE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT of Virginia, Ms. WILSON of Florida, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. LEE, Ms. MAXINE WATERS of California, Ms. BROWN of Florida, and Mr. DANNY K. DAVIS of Illinois):

H. Res. 597. A resolution recognizing the significance of Black History Month; to the Committee on Education and the Workforce.

By Mr. RYAN of Ohio:

H. Res. 598. A resolution congratulating the University of Mount Union football team for winning the 2015 National Collegiate Athletic Association Division III Football Championship; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida (for herself, Ms. ADAMS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. DESAULNIER, Mr. FATTAH, Ms. FUDGE, Mr. GRIJALVA, Mr. HONDA, Ms. JACKSON LEE, Mr. LARSEN of Washington, Ms. LEE, Ms. NORTON, Mr. POCAN, Mr. RANGEL, Mr. SCHIFF, and Mr. VAN HOLLEN):

H. Res. 599. A resolution recognizing January 2016 as “National Mentoring Month”, and for other purposes; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. EMMER of Minnesota:

H.R. 4425.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress in Article I, Section 8, Clause 7: “The Congress shall have Power . . . To establish Post Offices and post roads”

By Mr. MEADOWS:

H.R. 4426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POMPEO:

H.R. 4427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. BLACK:

H.R. 4428.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I Section 8

By Mr. KNIGHT:

H.R. 4429.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. TITUS:

H.R. 4430.

Congress has the power to enact this legislation pursuant to the following:

Amendment XIII

Section 1, “Neither slavery nor involuntary servitude, except as punishment for

crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

Section 2, “Congress shall have power to enforce this article by appropriate legislation.”

By Mr. BLUMENAUER:

H.R. 4431.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BLUMENAUER:

H.R. 4432.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution (the “Commerce Clause”)

By Ms. DUCKWORTH:

H.R. 4433.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. GIBSON:

H.R. 4434.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. GENE GREEN of Texas:

H.R. 4435.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. HASTINGS:

H.R. 4436.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MILLER of Florida:

H.R. 4437.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mrs. MILLER of Michigan:

H.R. 4438.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 9, clause 7 and Article I, section 8 of the Constitution of the United States.

By Ms. NORTON:

H.R. 4439.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. POMPEO:

H.R. 4440.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. GOHMERT.
H.R. 188: Mr. CUMMINGS, Mr. GRAYSON, Mrs. NAPOLITANO, and Ms. VELÁZQUEZ.

H.R. 267: Mr. ELLISON.
H.R. 317: Mr. HINOJOSA.

H.R. 546: Mr. HIMES, Mrs. ELLMERS of North Carolina, Mr. LAHOOD, and Mr. BOST.

H.R. 556: Mr. CRAMER.

H.R. 592: Mr. COOK and Mr. MICA.

H.R. 624: Mr. DEFazio.

H.R. 711: Mr. SHUSTER, Mr. HASTINGS, Mrs. COMSTOCK, Mr. YOUNG of Iowa, and Mrs. BLACK.

H.R. 775: Mr. COFFMAN, Mr. HANNA, Mr. HUNTER, Ms. ROYBAL-ALLARD, and Mr. CRAMER.

H.R. 812: Mr. NEWHOUSE.

H.R. 814: Mr. DENT, Mr. FRANKS of Arizona, and Mr. MICA.

H.R. 842: Mr. CICILLINE.

H.R. 846: Mr. ASHFORD.

H.R. 868: Ms. MCSALLY.

H.R. 911: Mr. RIBBLE.

H.R. 921: Mr. SIREs, Mr. LAMBORN, Mrs. NAPOLITANO, and Mr. LATTA.

H.R. 939: Ms. MOORE, Mr. POCAN, Mr. HONDA, and Mr. RANGEL.

H.R. 973: Mr. KINZINGER of Illinois.

H.R. 997: Mr. TIBERI.

H.R. 1062: Mr. BRIDENSTINE, Mr. MARINO, and Mr. PALAZZO.

H.R. 1086: Mr. COLLINS of New York.

H.R. 1209: Mr. JEFFRIES.

H.R. 1218: Mr. QUIGLEY.

H.R. 1221: Ms. NORTON.

H.R. 1233: Mrs. ELLMERS of North Carolina and Mr. MEADOWS.

H.R. 1258: Ms. BROWN of Florida.

H.R. 1343: Mr. SCHIFF.

H.R. 1397: Mr. CARTER of Georgia.

H.R. 1399: Ms. TITUS.

H.R. 1459: Ms. EDWARDS.

H.R. 1475: Mr. BYRNE, Mr. NEAL, and Mrs. CAPPS.

H.R. 1486: Mr. YOHO, Mr. ROHRBACHER, Mr. RIBBLE, Mr. RICE of South Carolina, Mrs. LOVE, Mr. THOMPSON of Pennsylvania, Mr. WALDEN, Mr. EMMER of Minnesota, Mr. TOM PRICE of Georgia, Mr. ROKITA, Mr. KELLY of Pennsylvania, Mrs. WALORSKI, Mr. HURT of Virginia, and Mr. GRAVES of Louisiana.

H.R. 1492: Mr. GRIJALVA and Ms. CLARKE of New York.

H.R. 1550: Mrs. KIRKPATRICK.

H.R. 1552: Mr. ISRAEL.

H.R. 1572: Mr. FLEMING.

H.R. 1594: Ms. JACKSON LEE.

H.R. 1769: Ms. LORETTA SANCHEZ of California, Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Georgia, Ms. SPEIER, Mr. PASCRELL, Mr. CÁRDENAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DOGGETT, Mr. LOWENTHAL, and Mr. SIREs.

H.R. 1781: Mrs. BEATTY and Mr. NOLAN.

H.R. 1784: Mr. LAHOOD.

H.R. 1887: Mr. BLUMENAUER, Mr. MEEKS, and Ms. MENG.

H.R. 1977: Mr. SERRANO.

H.R. 2090: Mr. SWALWELL of California and Mr. JEFFRIES.

H.R. 2125: Mr. SEAN PATRICK MALONEY of New York and Mr. POCAN.

H.R. 2144: Mr. KINZINGER of Illinois.

H.R. 2150: Mr. DAVID SCOTT of Georgia.

H.R. 2170: Mr. DEUTCH.

H.R. 2191: Ms. CASTOR of Florida.

H.R. 2197: Mr. ASHFORD.

H.R. 2215: Mrs. KIRKPATRICK.

H.R. 2224: Ms. ESHOO and Ms. TITUS.

H.R. 2237: Ms. BORDALLO.

H.R. 2264: Mr. BISHOP of Georgia, Mr. SEAN PATRICK MALONEY of New York, Mr. LUETKEMEYER, Ms. SPEIER, Mr. ISRAEL, Mr. ROYCE, Mr. HECK of Nevada, and Mr. BISHOP of Utah.

H.R. 2293: Ms. HAHN, Mr. WILLIAMS, Ms. ADAMS, Ms. LORETTA SANCHEZ of California, Mr. REICHERT, Mr. TAKAI, Mr. DOGGETT, Mr. CRENSHAW, Mr. PITTINGER, Mr. ROYCE, and Mr. KLINE.

H.R. 2342: Ms. SPEIER and Mr. ISRAEL.

H.R. 2404: Mr. COSTA, Mr. DAVID SCOTT of Georgia, Ms. LEE, and Mr. HONDA.

H.R. 2411: Ms. KAPTUR, Mr. LOEBSACK, Ms. WASSERMAN SCHULTZ, and Mr. CICILLINE.

H.R. 2430: Mrs. WATSON COLEMAN, Ms. CLARKE of New York, and Mr. RUSH.

H.R. 2450: Mr. KENNEDY.

H.R. 2460: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 2509: Mr. WEBSTER of Florida.
 H.R. 2515: Mr. CRAMER, Mr. KING of New York, and Mr. HARPER.
 H.R. 2520: Mr. JOLLY and Mr. AMODEI.
 H.R. 2521: Mr. AL GREEN of Texas and Mr. COHEN.
 H.R. 2590: Mr. RYAN of Ohio.
 H.R. 2597: Mr. POLIS.
 H.R. 2622: Ms. LOFGREN.
 H.R. 2635: Mr. MURPHY of Florida.
 H.R. 2651: Mr. HECK of Washington.
 H.R. 2663: Mrs. NAPOLITANO and Mr. PETERSON.
 H.R. 2737: Mr. GRAYSON and Mr. RICHMOND.
 H.R. 2752: Mr. KLINE, Mr. ZELDIN, and Mr. FITZPATRICK.
 H.R. 2775: Ms. JUDY CHU of California.
 H.R. 2799: Mr. MARCHANT.
 H.R. 2802: Mr. ROGERS of Kentucky.
 H.R. 2805: Mr. LEVIN and Mr. RENACCI.
 H.R. 2894: Mr. JONES.
 H.R. 2911: Mr. SMITH of Missouri.
 H.R. 3053: Mr. HARRIS.
 H.R. 3099: Mr. BRADY of Pennsylvania and Miss RICE of New York.
 H.R. 3159: Mr. KING of New York.
 H.R. 3209: Mr. HASTINGS.
 H.R. 3229: Ms. MCSALLY.
 H.R. 3289: Mr. HUFFMAN.
 H.R. 3299: Mr. HASTINGS and Mr. KINZINGER of Illinois.
 H.R. 3339: Ms. DEGETTE and Mr. DEFazio.
 H.R. 3381: Mr. KENNEDY, Ms. DELBENE, and Mr. COLLINS of New York.
 H.R. 3399: Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. NADLER, Mr. ELLISON, and Mr. SCHIFF.
 H.R. 3434: Mr. WITTMAN.
 H.R. 3484: Mr. SHERMAN.
 H.R. 3514: Mrs. BEATTY.
 H.R. 3516: Mr. ABRAHAM.
 H.R. 3528: Mr. MCGOVERN.
 H.R. 3539: Mr. GRIJALVA.
 H.R. 3648: Ms. PINGREE and Ms. LOFGREN.
 H.R. 3684: Mr. TAKAI and Ms. KAPTUR.
 H.R. 3739: Mr. ASHFORD.
 H.R. 3741: Mr. VARGAS.
 H.R. 3779: Mr. LATTA.
 H.R. 3797: Mr. MURPHY of Pennsylvania.
 H.R. 3808: Mr. GUINTA.
 H.R. 3880: Mr. GOODLATTE.

H.R. 3917: Mr. WALZ, Ms. DUCKWORTH, Mr. DAVID SCOTT of Georgia, and Ms. NORTON.
 H.R. 3936: Mrs. WALORSKI.
 H.R. 3952: Mrs. MCMORRIS RODGERS and Mr. COLLINS of New York.
 H.R. 3957: Mr. DESANTIS.
 H.R. 3965: Mrs. DAVIS of California.
 H.R. 3982: Mr. CARTWRIGHT.
 H.R. 4013: Mr. CICILLINE and Mr. RYAN of Ohio.
 H.R. 4063: Ms. LOFGREN.
 H.R. 4069: Mr. RANGEL.
 H.R. 4116: Mr. MULVANEY, Mr. LUETKEMEYER, and Mr. HECK of Washington.
 H.R. 4146: Mr. RYAN of Ohio.
 H.R. 4147: Mr. RYAN of Ohio.
 H.R. 4153: Mr. COSTELLO of Pennsylvania.
 H.R. 4164: Mr. LATTA.
 H.R. 4167: Mr. OLSON and Mr. O'ROURKE.
 H.R. 4177: Mr. SANFORD and Mr. HARPER.
 H.R. 4207: Mr. THOMPSON of Mississippi and Mr. HONDA.
 H.R. 4216: Mr. TIBERI, Mr. HASTINGS, and Mr. MICHAEL F. DOYLE of Pennsylvania.
 H.R. 4223: Mr. RANGEL.
 H.R. 4230: Mr. SCOTT of Virginia and Ms. TITUS.
 H.R. 4235: Ms. FUDGE.
 H.R. 4247: Mr. KATKO.
 H.R. 4249: Mr. CUMMINGS and Mr. TAKANO.
 H.R. 4251: Mr. HUELSKAMP, Mr. WALZ, and Mr. ABRAHAM.
 H.R. 4279: Mr. JOYCE.
 H.R. 4281: Ms. GABBARD, Mr. HILL, and Mr. GOHMERT.
 H.R. 4285: Mr. GOHMERT.
 H.R. 4293: Mr. HOLDING and Mr. RENACCI.
 H.R. 4294: Mr. HOLDING, Mr. RENACCI, and Ms. JENKINS of Kansas.
 H.R. 4300: Mr. SANFORD.
 H.R. 4313: Mr. FRANKS of Arizona.
 H.R. 4336: Mr. LUETKEMEYER, Mrs. KIRKPATRICK, Mr. KLINE, Mr. HULTGREN, and Mr. BABIN.
 H.R. 4362: Mr. BRAT.
 H.R. 4365: Mr. BLUMENAUER.
 H.R. 4371: Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. MEADOWS, Mr. GROTHMAN, Mr. LOUDERMILK, Mr. SESSIONS, Mr. SALMON, and Mr. STUTZMAN.
 H.R. 4376: Mr. JEFFRIES, Mr. POCAN, and Mr. TAKANO.

H.R. 4380: Mr. MOULTON, Ms. NORTON, and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 4389: Mr. POCAN and Mr. POLIS.
 H.R. 4399: Mr. ELLISON, Ms. ESHOO, and Mr. HONDA.
 H.R. 4400: Ms. LEE.
 H.R. 4405: Mr. LANGEVIN.
 H.J. Res. 55: Mr. ZELDIN.
 H. Res. 112: Mrs. NAPOLITANO.
 H. Res. 207: Mr. LARSON of Connecticut and Mr. BLUM.
 H. Res. 393: Mr. RUIZ.
 H. Res. 451: Mr. SESSIONS.
 H. Res. 540: Ms. LOFGREN and Mr. KEATING.
 H. Res. 541: Mr. QUIGLEY.
 H. Res. 548: Mr. KILMER.
 H. Res. 551: Ms. ROS-LEHTINEN.
 H. Res. 561: Mr. SCHIFF.
 H. Res. 569: Ms. HAHN and Mr. LEWIS.
 H. Res. 571: Mr. COOK, Mr. BYRNE, Mr. DESANTIS, and Mr. RENACCI.
 H. Res. 575: Mr. POLIS, Ms. LOFGREN, Mr. MCGOVERN, Mr. LEVIN, Ms. SLAUGHTER, Mr. GUTIÉRREZ, and Mr. DESAULNIER.
 H. Res. 584: Mr. MCGOVERN.
 H. Res. 585: Mr. BRAT, Ms. KAPTUR, and Mr. HUDSON.
 H. Res. 589: Mr. SCOTT of Virginia and Mr. MEEKS.
 H. Res. 590: Mr. MILLER of Florida.
 H. Res. 592: Mr. CARTWRIGHT, Mr. HARRIS, and Mr. LAHOOD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative SHERMAN (CA) or a designee to H.R. 766, the Financial Institution Customer Protection Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to correct my vote from yesterday, February 1st on roll call 46 (H.R. 2187). While my vote was recorded as a "nay" it was my intention to vote "yea."

RECOGNIZING NORTHWEST INDIANA'S NEWLY NATURALIZED CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who will take their oath of citizenship on Friday, February 5, 2016. This memorable occasion, which will be presided over by Magistrate Judge John E. Martin, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On February 5, 2016, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Gemma Ramos Laberge, Araceli Ambriz, Ozkan Akkaya, Syed Muhammad Shan Ul Islam, Fernando Romo Vera, Patricia Caroline Njoki Singleton, Clifton Seaford Wade, Aldar Odin Escamilla Velasco, Nastaran Saramaghan, Milad Sohrab, Ali Abdelkadre Mahamat, Julio Cesar Carmona, Sylvia Iliff, Miriam Muthoni Kirori, Henry Irungu Kirori, Abayomi Eyitayo Oloyede, Ivete Baldo Wahlen, Annamaria Mittiga, Ljupcho Todoroski, Monica Cordeiro Ramey, Juan Manuel Almonte, KB Chhoeun, Chunlan Jin Chung, Lucila Diaz, Auribel Miledy Lester Perez, Yue Min Li, Omkalthoum Hassan Muhamat, Sunisa Phongpichit-Alexander, Aqeela Yasmin Sheikh, and Sergey Gennadyvich Shylin.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupa-

tion, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country "... of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on February 5, 2016. They, too, will be American citizens, and they, too, will be guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

REMEMBERING THE LIFE OF COACH C.D. "LEFTY" ANDERSON

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. BYRNE. Mr. Speaker, I rise today to remember the life of Coach C.D. "Lefty" Anderson, a beloved long-time football coach, administrator and family man in Mobile County, Alabama.

Coach Anderson was born on July 17, 1929 in Coffeetown, Alabama. He attended and played football at Jackson High School and Livingston State, where his love of football began. After college, he served a two-year stint in the Army and then later went on to become head football coach at Frisco City in Monroe County, Alabama.

After being named the head coach, Coach Anderson immediately began to instill the belief in his players that they were winners. During his time at Frisco City, Coach Anderson accumulated a total of 53 wins, beating teams much larger than his.

In 1963, he became the head coach at Murphy High School, which was one of the state's largest schools. At Murphy, he did what he was accustomed to ... he won football games. In his first year, he led his Panther team to an 8-1 season, a major improvement from the five combined wins the school had in the three years prior. He would go on to win 32 games during his six-year tenure as head coach, before making the move to an administrative role at the school.

Coach Anderson would go on to serve a year as the school's assistant principal and 10 more years as principal. I've heard that Coach Anderson took the same hard-nosed approach

he had as a coach and applied it to his role as principal. He ensured that his students followed the rules and behaved properly, but just like his players, there was never any doubt how much he cared for them.

After his time as an administrator, Coach Anderson served as the Mobile County athletic director for eight years until his retirement in the early 1990s. He also served 13 years on the Alabama High School Athletic Association's (AHSAA) Central Board of Control, including two years as president.

Outside of the classroom, Coach Anderson played a vital role in the development of high school football throughout the state. Anderson was instrumental in the creation of the Alabama-Mississippi All-Star Football game in 1998. Due to his contribution and dedication to the game, the MVP award was named after him. He later achieved the honor of becoming part of the first class inducted into the AHSAA High School Hall of Fame in 1991.

Although retired, Coach Anderson's love and knowledge of the game continued to shine. He was always willing to help mentor anyone who sought his knowledge about the game.

During the last 5 years of his life Coach Anderson fought valiantly against Alzheimer's, never letting it inhibit his view on life. Sadly, on January 21, Coach Anderson passed away after a battle with pneumonia.

Coach Eddie Robinson put it best when he said that "coaching is a profession of love. You can't coach people unless you love them." I believe this was always the mindset of Coach Anderson. He always cared deeply for his players and students.

Coach Anderson leaves behind a legacy of love and humility and his spirit will live on in the countless individuals he impacted over the course of his career. The city of Mobile, Mobile County, and the entire State of Alabama will be forever grateful for the life and service of Coach "Lefty" Anderson. On behalf of Alabama's entire First Congressional District, we extend our greatest of condolences to his son Chuck, his two grandchildren, Laura and Sam, as well as his two great-grandchildren, Ayden and Caroline. Coach Anderson will be deeply missed.

REMEMBERING THE LIVES LOST DURING "BLACK JANUARY" AND THE KHOJALY MASSACRE IN AZERBAIJAN

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to honor those who were lost in Khojaly, Azerbaijan on February 25,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1992. On that day, 24 years ago, over 600 people were brutally murdered. They were mostly elderly men, women, and children—in-
nocent victims that should have never been part of such a heartbreaking tragedy.

I would also like to recognize the night of January 19, 1990, as “Black January.” This event has been memorialized as “Black January” because of the invasion by 26,000 Soviet troops into the capital city Baku and surrounding areas. By the end of the following day, more than 130 people had died and over 600 people were missing.

It is necessary to take the time every year to remember those who lost their lives during these two horrific events in Azerbaijan. Their unwilling sacrifice continues to serve as a reminder to hold fast to the principles of democracy.

Mr. Speaker, Azerbaijan is a strong partner of the United States in a strategically crucial and complex region of the world. I ask my colleagues to join me and our Azerbaijani friends in commemorating the tragedy that occurred in the town of Khojaly as well as Black January.

HONORING OFFICER DOUG BARNEY

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. CHAFFETZ. Mr. Speaker, I rise today to honor Officer Doug Barney. Officer Barney was killed on Sunday, January 17, 2016, in Holladay, Utah, while working overtime in order to fund his cancer treatments. While on duty, Officer Barney was shot fatally by a fugitive who was missing from drug rehabilitation. Unified Police Officer John Richey was also shot, and has since undergone surgery and is expected to improve.

Officer Barney became a police officer because he wanted to help people and loved children. He had formerly served as a school resource officer and worked tirelessly as a member of the Unified and Taylorsville, Utah, Police Departments for 18 years. His cancer was in remission at the time of his death. He is survived by his wife and three children.

Officer Barney gave the ultimate sacrifice while in the line of duty. His colleagues have remembered him for his humor and caring nature. He was an accomplished officer who had overcome the odds of cancer. I honor Officers Barney and Richey as heroes and am grateful for their service to the State of Utah.

Today, I ask all Members of Congress to join me as we honor the life and legacy of Officer Doug Barney, so that his sacrifice and service will be remembered by our country.

RECOGNITION OF THE MCCONNELL CENTER

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. GUTHRIE. Mr. Speaker, I would like to recognize the McConnell Center at the Univer-

sity of Louisville on its 25th anniversary since its founding. The McConnell Center was established by Senator MCCONNELL and the University of Louisville, his alma mater, in 1991 with the mission to help nurture the next generation of great leaders in the Commonwealth of Kentucky.

The McConnell Center has helped educate, inspire, and motivate more than 200 McConnell Scholars and has given more than \$3.5 million in scholarships to more than 230 Kentucky students. I am proud to say that three McConnell Scholars, Andrew Stewart, Natalie Smith, and Sean Southard, have interned in my office. The McConnell Center has also provided thousands of hours of professional development to Kentucky's teachers.

The McConnell Center's successful program has demonstrated the profound and lasting impact it is making within our Commonwealth, the nation, and the world. It has been named one of the “Oases of Excellence in Higher Education” by the American Council of Trustees and Alumni, touching the lives and careers of thousands of students, teachers, researchers, and citizens.

This year, the McConnell Center will celebrate its 25th anniversary with the theme “Citizens and Statesmen,” continuing its great work in shaping our nation's leaders, politics, and communities.

Today, I would like to thank and recognize the McConnell Center for their exemplary work and mission in educational and civic engagement, building our future leaders on a foundation based upon “Leadership, Scholarship, and Service.”

HONORING ALAN DUNHAM

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Alan Dunham of Novato, California, for his exceptional commitment to public service and civic engagement. For nearly 40 years, Mr. Dunham has gone above and beyond in his dedication to effecting change in his community, serving in numerous leadership positions and volunteering countless hours of his time throughout the City of Novato and Marin County.

The Rotary Club of Novato annually selects a “Citizen of the Year,” which distinguishes a resident who has given exceptional contributions to the city across a number of different areas. Their selection this year in Mr. Dunham could not be more fitting.

Mr. Dunham moved to Novato in 1973, and quickly became involved in his new community. He joined the Rotary Club the following year, where, along with serving as president for a term, he led several trips and projects throughout the decades. For many years, he has been active with the Presbyterian Church of Novato, and he regularly volunteers with local children and youth.

Additionally, his talents as an architect have beautified spaces throughout the city, including housing projects and gardens for seniors, group areas at the Marin county Fair, and the Stafford Lake Gate House, among others.

Mr. Speaker, it is fitting that we honor and thank Alan Dunham for his many years of selfless volunteer work and leadership in the North Bay. On behalf of the many residents whose lives he's impacted, I am privileged to honor and appreciate Mr. Alan Dunham.

HONORING THE LIFE OF MICHAEL HOKE

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. BABIN. Mr. Speaker, I rise today to honor the life of Michael Hoke. Michael passed away on January 13, 2016, at the age of 67.

Michael was an active and accomplished educator in the Orange community. After receiving his doctorate, he went on to start the Orange chapter of the American Federation of Teachers, and continued to be a leading advocate for teachers within the community.

His dedication and expertise were recognized in 1989 when he became the Texas recipient of the National Science Foundation's Presidential Award. Michael later went on to instruct at Harvard University.

Michael was committed to sharing his incredible love and mastery of scientific teaching with the community and future generations. He founded “Science Superstars” to engage children and encourage a passion for learning, and “Bios, a School on Wheels” to help students explore various scientific research centers and programs across Texas. Under his leadership, these educational programs have now spread across the nation.

Michael was also a faithful Christian, and attended the First United Methodist Church in Orange. My prayers and condolences go out to Michael's loving wife Sandra, his daughter Julia, and his son Robert, and his two grandchildren. Michael will be sorely missed in our community, but his passion and legacy will certainly live on.

RECOGNIZING HERO OF THE YEAR, OFFICER JEFF SCHLEE

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. ROSKAM. Mr. Speaker, I rise today to recognize Police Officer Jeff Schlee, who recently was awarded “Hero of the Year” by the Palatine Chamber of Commerce for his work preparing schools, teachers, parents, and the community for a school shooting.

Officer Schlee works with schools in Palatine, IL and has consulted with numerous suburbs in the Chicagoland area and across the country to prepare them for the possibility of a school shooting. Officer Schlee has been a school safety officer for ten years and has always had a passion for protecting students; however he credits the birth of his children for increasing his dedication to defending school children.

With dedication and persistence, he has studied past school shootings and works alongside his colleagues at the Palatine Police Department to develop response plans which could save student's lives. One of the principles of his plan is having the whole community respond as a unit to make sure everyone is on the same page. Office Schlee believes it is essential to study the tragedies of the past to keep our children safe today and in the future.

Mr. Speaker and my distinguished colleagues in the House, please join me in recognizing Officer Jeff Schlee for the work he has done to help protect students in Palatine and across this great nation.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, February 1, 2016. Had I been present, I would have voted "yea" on roll call vote 46.

HONORING MS. GLORIA FLAHERTY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor Gloria Flaherty, who is retiring from the Lake Family Resource Center after 19 years of service.

Ms. Flaherty's resume of community service is impressive. In addition to being a Founding Director and Executive Director at Lake Family Resource Center, Gloria has held numerous positions and titles within the Lake County community over the past two decades. Among other endeavors, Ms. Flaherty served as President of Kelseyville Sunrise Rotary, Board President of Kelseyville Unified School District, and Commissioner of First 5 Lake County. She has recently served as Chairman of the Lake County Continuum of Care, as a member of the Boards of North Coast Opportunities and Friends of Mendocino College, and as a Board member on the California Partnership to End Domestic Violence. Most recently, Ms. Flaherty has been heavily involved in Lake County fire recovery efforts, working tirelessly to set up a "warming center" to provide shelter and respite for those in need.

In 2015, Ms. Flaherty received the Lake County Childcare Planning Council's Lifetime Achievement Award. She was also named the 2015 Woman of the Year from the Third Congressional District. Ms. Flaherty has consistently demonstrated kindness, compassion and integrity, and has worked for years as a tireless advocate for children and families. The citizens of Lake County have benefitted enormously from her efforts.

Mr. Speaker, Gloria Flaherty has served her community with admirable commitment and re-

solve. It is fitting and proper that I honor her here today. I wish Gloria Flaherty the best in her retirement.

RECOGNIZING COBWRA ON THEIR 35TH ANNIVERSARY

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Ms. FRANKEL of Florida. Mr. Speaker, I rise today on behalf of myself and Mr. DEUTCH to congratulate the Coalition of Boynton West Residential Associations, or COBWRA, for 35 years of diligent work. COBWRA has played an important role in the growth of West Boynton Beach, an area in both our districts.

Since 1982, the officers and members of COBWRA have served as a voice for the residential communities of West Boynton Beach, ensuring that resident's concerns are heard and addressed. COBWRA has played a crucial role in bringing parks, schools, libraries, businesses, and hospitals to the area, while also serving as an advocate and educational source for residents.

We are pleased to recognize COBWRA today for their service and commitment to their community, and look forward to working with them in the future to continue the growth and achievement of West Boynton.

RECOGNIZING THE SERVICE OF JOANN STINGLEY

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. ROSKAM. Mr. Speaker, I rise today to recognize the service of JoAnn Stingley. JoAnn coordinates the social service unit, also known as the victim's assistance unit for the Elgin Police Department.

JoAnn has been a social worker for the Elgin Police Department for more than 24 years. She was hired by former police chief Charles Gruber in 1991 and at the time Elgin was one of the first police departments to hire social workers in Illinois. Since that time she said she has never considered doing anything else but helping others.

JoAnn's salary is on the Elgin police department payroll; however, there is no budget allocation for client related expenses. This means that JoAnn must hold numerous fundraisers a year to support the programs she runs free of charge. These programs include crisis intervention, counseling, legal referrals and referrals for community resources including shelter, mental illness, substance abuse, parenting, and youth anger management courses. Lt. Rick Ciganek, an officer in the Elgin Police Department, was full of praise for JoAnn, stating, "She's truly the unsung hero of the police department. Anybody who comes here and says, 'I need some help,' they get help. JoAnn is incredible. She'll provide services for anybody." JoAnn is truly an inspiring woman and one of the many reasons Elgin is such a great place to work and live.

Mr. Speaker and my distinguished colleagues in the House, please join me in recognizing the service and dedication of JoAnn Stingley.

CELEBRATING THE 50TH ANNIVERSARY OF LEHIGH CARBON COMMUNITY COLLEGE

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. DENT. Mr. Speaker, it is my pleasure to recognize the 50th Anniversary of Lehigh Carbon Community College (LCCC). LCCC was founded in 1966 and for 50 years it has delivered quality, affordable two-year degree course programs, certificate and specialized diploma programs to students from Lehigh, Carbon, Schuylkill and other counties.

The College has an enrollment of over 7,100 students and offers more than 90 programs of study.

The Lehigh Valley community has long recognized the outstanding asset we have in Lehigh Carbon Community College. The College gives students a great start for gaining the skills they'll need to find and succeed in decent, good-paying careers and provides the employers of the region with skilled and well-trained workers.

Mr. Speaker, I warmly extend my congratulations to the students, faculty, employees, administrators and alumni of Lehigh Carbon Community College on the happy occasion of their Semicentennial. Thank you for providing the Lehigh Valley with diverse educational opportunities that provide a firm foundation for solid, fulfilling careers.

HONORING WILLIAM A. MORRIS

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. DONOVAN. Mr. Speaker, I rise today to honor William A. Morris for his courageous service to our nation during World War II. As a lifelong resident of Staten Island, New York, he deserves recognition for the dedication to his family, community and country.

William served as a sergeant in the all-black 369th Coast Artillery Regiment and fought on the front line in Germany during a period of segregation. Overcoming the deep racial divisions in society to fight for his country during such momentous historical events like the invasion of Normandy shows his immense courage and loyalty.

It was during this time in Europe that William formed a special bond with a stray dog he met named Trixie. Trixie provided William and the rest of his company not only with an indispensable companion, but, in an astonishing act, also bravely aided in their protection against three German soldiers. Serving as an unofficial mascot for the regiment, Trixie traveled back to Staten Island with William where she quickly fit in as a member of his family.

Upon returning to Staten Island, William's remarkable commitment to giving back has been widely recognized and celebrated. He served as a Boy Scout leader for Troop 47 for 35 years and, along with his wife, ran a food pantry for 30 years. This commitment earned them both the Silver Beaver Award for their distinguishable work in scouting. At 96 years old, William has continued to share his story with his community through an inspiring book written by his daughter Dolores, *The Soldier That Wagged Her Tail*.

Mr. Speaker, William's dedication to our country and his community serves as an inspiring lesson to all. I admire his outstanding sacrifices and I am proud to honor this great resident from New York's 11th Congressional District.

COMMEMORATING ELIZABETH S. TAI'S SERVICE TO POQUOSON, VIRGINIA

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. WITTMAN. Mr. Speaker, I rise today to recognize Mrs. Elizabeth S. Tai. After 36 years, she has retired from the position of Director of the Poquoson Public Library. Under her leadership, Poquoson Public Library was accredited by the Library of Virginia, and started receiving state funding in 1980. During her tenure, Elizabeth S. Tai spearheaded many initiatives which resulted in Poquoson Public Library becoming one of the busiest and most respected libraries in Virginia. I thank her for her dedication to the Poquoson community and wish her a happy retirement.

CELEBRATING THE 50TH ANNIVERSARY OF THE 60TH AIR MOBILITY WING

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. GARAMENDI. Mr. Speaker, I rise today to commemorate the 50th Anniversary of the activation of the 60th Air Mobility Wing at Travis Air Force Base, in the heart of California's 3rd Congressional District.

On January 8, 1966, what is now The 60th Air Mobility Wing became the host unit at Travis Air Force Base, and its emergence as the principal military airlift hub in the western United States earned Travis the moniker of "Gateway to the Pacific."

The wing is responsible for strategic airlift and air refueling missions around the world and controls more than \$11 billion in total resources. It handles more cargo and passengers than any other military air terminal in the United States.

The 60th Wing has been involved in some of our country's most recognizable military and humanitarian efforts in its 50 years of operation. It was a major participant in Operations Homecoming and Babylift, when Travis Air

Force Base became the main intake facility for POW's and refugees coming from Vietnam. It flew 1,280 missions from Travis during Operation Desert Storm. Its planes and personnel provided much needed relief after earthquakes in Mexico City, Armenia, and Haiti. Most recently, the 60th Air Mobility Wing provided airlift and refueling operations in support of Operations Noble Eagle and Enduring Freedom—to support our ongoing global war on terror. These are just a few of the achievements that have earned the wing multiple Air Force Outstanding Unit Awards.

Mr. Speaker, I am honored to congratulate the 60th Air Mobility Wing on its 50th Anniversary, and I ask my colleagues to join me in recognizing the extraordinary dedication of the officer, enlisted, and civilian personnel who have served our nation. They have given Travis Air Force Base a renowned past, exciting present, and a very bright future.

TEAM JONNY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. POE of Texas. Mr. Speaker, on Christmas Day 2014, 7-year-old Jonny was diagnosed with brain and spinal cancer. On January 2nd, 2016, young Jonny's family laid him to rest.

Roughly 1 in every 300 children in the United States will be diagnosed with some form of cancer before their 20th birthday. Jonny always said: "I don't want any other kid to have cancer."

Jonny's family, with the help of their Representative RODNEY DAVIS, are making sure Congress hears this message. They have also been joined by Texas State Representative Patrick Fallon. He recently raised money for pediatric cancer by running the World Marathon Challenge, consisting of 7 marathons on 7 continents in 7 days, and he had never run a marathon before. During the races, Fallon carried a photo of Jonny and his brother Jacky in his shoe. In fact, Jacky even ran with him in the U.S. race in Miami, Florida.

I can't think of a better reason to run a marathon. Together, we can beat childhood cancer into the shadows with each step.

And that's just the way it is.

HONORING BRUCE SANDERS ON THE OCCASION OF HIS RETIREMENT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HIGGINS. Mr. Speaker, I rise today to pay tribute to Bruce Sanders, of Buffalo, New York, on his retirement from the position of Chief of Public Affairs of the Buffalo District of the United States Army Corps of Engineers, and to express gratitude for his forty-one years of devoted service to the United States of America.

In his public affairs role, but also previously in his role as Management Analysis Officer, Mr. Sanders conducted himself with professionalism and dedication in furtherance of the important work of the world's largest public engineering agency. I was not surprised, therefore, when it was conveyed to me that the Buffalo District Commander wrote in Mr. Sanders' final appraisal that Mr. Sanders was "proud of being a public servant; exhibit[ed] pride and complete dedication to the District; [and was] honest and trustworthy; a person of strong character."

Again, I am pleased to congratulate and thank Mr. Sanders on the occasion of his retirement and wish him well in his future endeavors.

CONGRATULATING CAPTAIN BOSWORTH ON HIS RETIREMENT FROM THE NAVY RESERVES

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. CRENSHAW. Mr. Speaker, I rise today to pay tribute to the incredible service of Capt. William P. Bosworth, MC USNR (RET). Captain Bosworth served on active duty from Sept. 1953 until Jan. 1958. After attending medical school at the University of Health Sciences in Kansas City, Missouri, he joined the Navy Medical Corps and again served his country with distinction from June 1972 until March 1999.

As an Osteopathic Physician, Dr. Bosworth provided operational medicine and primary care to hundreds of patients at his various duty stations. He retired in 1999 as a Captain but continued to serve the Navy Reserves three to four days per month here at NAS Jacksonville until today. In fact, Bill Bosworth volunteered as a Reserve Medical Officer for 456 consecutive months from 1976 until 2013 and logged approximately 792 drill weekends at our military bases. He is the epitome of the dedicated officer.

It is his voluntary reserve service that I would like to applaud. Dr. Bosworth applied for permission to participate with the Navy Reserves in a retired status with no points accrued for retirement, with no payment authorized, and with no travel authorized. He served because Bill loved the men and women in the Navy and wanted to assist them in any way he could. Year after year, he performed physicals and primary care for all the sailors in our local Naval Reserves.

Of course, that kept him busy on weekends, but he also remained an active physician on the staffs of two local hospitals. He was licensed in three states: Florida, Georgia and Tennessee so he could better serve his sailors. He is a Lifetime Member of the Duval County Medical Society and the American Academy of Family Physicians. He is Past President of the Duval County Academy of Family Physicians and Former Chairman of the Duval County Hospital Authority.

One Commanding Officer wrote that Captain Bosworth "demonstrated unparalleled leadership and skills in the superior performance of

his duties." I couldn't agree more. But there is another side of Bill Bosworth that many may not know. Bill and I share a love for the game of basketball. Yes, Dr. Bill Bosworth is an active participant and officer in the National Men's Masters Basketball Championships. Every year, he teams up with such basketball greats as Artis Gilmore and Sam Jones and brings the game to Jacksonville. Just two weeks ago, the games were played at the Jacksonville Sportsplex. This endeavor has developed into national events and has been included in the World Masters Games and the World Senior Games. Bill and his wife Wanda both serve on the Florida Division of the National Basketball Tournament Committee.

There is a saying in the United States Navy when a person retires that "this sailor stood the watch" and today, Mr. Speaker, I ask you and Members of the House to join me in saluting my longtime friend, Dr. William P. Bosworth, MC USNR, for a job well done. He has faithfully stood the watch all these years and now his watch stands relieved.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. CROWLEY. Mr. Speaker, on February 1, 2016 I was absent for recorded vote Numbers 46 through 47.

I would like to reflect how I would have voted if I were here: on Roll Call Number 46 I would have voted yes, and on Roll Call Number 47 I would have voted yes.

IN MEMORY OF KATHRYN BURKETT

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, Kathryn Louise Spires Burkett of Edmund was properly eulogized during funeral services recognizing her legacy as one of South Carolina's most beloved civic leaders and homemakers.

She and her late husband Horace raised their children to become some of the most respected professionals of the Midlands of South Carolina with her grandchildren now achieving the highest standards of community service and success.

In January 1984, her passion for excellence was crucial in launching my successful campaign to serve in the State Senate when she was a co-host of a reception at the Farm Bureau in Cayce. The Burkett Family endorsement made the difference in a very challenging effort for victory in the October Republican primary replacing an incumbent.

A fitting tribute was published on January 31st in The State newspaper of Columbia, South Carolina:

Kathryn Louise Spires Burkett entered into eternal rest on January 30, 2016, fol-

lowing a brief illness. Kathryn, born April 11, 1929, was a daughter of Drayton and Sara Spires of Cayce, S.C. She attended BC High School where she was Homecoming Queen representing her lifelong sweetheart, Horace Olin Burkett, Jr. She attended Columbia College before she and Horace married in 1949. They were proud parents to Jimmy, Donny, Ronny, Timmy, and Andrea and pursued their dream of raising their children in the country. They moved to their beloved 17 acres in Edmund in 1962. Their home was a place of welcome to all, an endless source of adventure to their children, and the site of countless picnics, fish fries, and family gatherings. Kathryn's boundless energy was devoted to home, family, church, and community. She planted, nurtured, and harvested an acre vegetable garden every summer and proudly canned enough food to feed her family throughout the year. She was a marvelous cook, and her hand gently stirring a bowl of flour into mouth-watering biscuits was a wonder to behold.

She served on the Governor's Beautification Board and volunteered with the American Heart Association, American Cancer Society, Little League, Cub Scouts, and PTA. She and Horace also served in many capacities at Cayce United Methodist Church and the Edmund Community Club. Kathryn was devoted to the cause of mental health and was a catalyst in starting the first Lexington County Mental Health Center. She also had an avid interest in politics, volunteering for Strom Thurmond, Floyd Spence and Ben Carson, among many others, and as a poll watcher and precinct captain.

Kathryn and Horace left a legacy to their children, grandchildren, and great-grandchildren of commitment, faithfulness, and an unfailing knowledge of the difference between right and wrong. We thank them from the bottom of our hearts and proudly carry all they taught us into the future. Kathryn was predeceased by her parents, Drayton and Sara; her husband, Horace; her brothers, Col and Fred Spires; her sister, Margie McNair; brother-in-law, David Burkett; and her granddaughter, Crystal Bradshaw. She is survived by her sister-in-law and spouse, Jeannette Burkett and Owen Livingston and her children and spouses/partners: Jimmy and Debbie Burkett, Donny and Jeannie Burkett, Ronny and Mary Burkett, Tim Burkett and Lance Wilhelm, and Andrea and Bobby Lange. She is survived by grandchildren and spouses/partners: Sarah and Heath Maner, Laura and Zach Moore, Tiffany Burkett, Brandi and Mike Dixon, Michael Burkett and Lisa Walner, Patrick Burkett, Meghan Burkett, Ian and Jenn Burkett, Jesse Bundrick and Jada Lange. She was blessed with great-granddaughters, Micaiah, Anna, and Alexis Burkett and Charley Dixon, and newborn great-grandson, Ezekiel Burkett.

Visitation will be held on Monday, February 1, at Cayce United Methodist Church from 1:30 p.m. to 2:45 p.m. and followed by services at 3:00 p.m. Private interment will follow in Southland Memorial Gardens. The family will receive friends at the home of Ronny and Mary Burkett, 87 Holly Ridge Lane, West Columbia, on Sunday afternoon from 2-5 p.m. Memorials may be made to the Crystal Bradshaw Foundation, 17 Abberton Court, Chapin, SC 29036. The family wishes to thank the special caregivers and residents of Oakleaf Village who were family to Kathryn in her later years.

HONORING THE USO FOR 75 YEARS OF SERVICE TO OUR TROOPS AND THEIR FAMILIES

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. CRENSHAW. Mr. Speaker, I rise today to honor the hard working men and women of the USO in celebration of their 75th Birthday of entertaining and supporting our troops and families. I especially applaud the work of the Greater Jacksonville Area USO which makes it its mission to lift the spirits of our service members and their families. This small army of mostly volunteers reaches out to active duty military at our three large navy bases, Naval Air Station Jacksonville, Naval Station Mayport and Naval Submarine Base Kings Bay. They also support our United States Coast Guard men and women, the Marines at Blount Island Command, Army personnel stationed in the area, and those serving in the Florida National Guard.

The USO was formed in 1941 at the request of President Franklin D. Roosevelt who realized he needed a civilian organization to handle on-leave recreation. This call to action led six agencies to coordinate their civilian war efforts and resources to form a new organization—the USO, United Service Organizations. Today, the USO is a private, not for profit organization, supported entirely by donations from citizens and organizations.

Since its inception, the USO has been that "Home Away From Home" for our military during wars and during peace time. The Greater Jacksonville Area USO was established as an independent branch of the national USO in 1979. Today, its three centers continue to serve over 250,000 military and families with quality of life and morale boosting programs.

I have had the privilege of working with the USO and its many volunteers in serving diners prior to pay days. They are called No Dough Dinners and are hugely popular with our junior ranking families. In addition, our USO mails over 15,000 goodie boxes to front line troops and distributes hundreds of calling cards for deployed troops to call home. Here in Jacksonville, the USO operates Internet cyber cafes, assists families and troops with programs like United Through Reading where the deployed member reads a book on a DVD to his or her children back home. Two of the USO's most popular programs are the Welcome Center at our airport and free or reduced cost tickets to local sporting and cultural events.

On February 4, 2016, the Greater Jacksonville Area USO will celebrate 75 years of serving our military and providing help on the home front for those who give their all for the security of this nation. The Greater Jacksonville Area USO is 100 percent self-funded and relies on donations from citizens and corporations like Boeing, Jacksonville Jaguars, W.W. Gay, VyStar Credit Union, Siemens, Northrop Grumman, Florida Blue, Jacksonville International Airport and the PGA Tour among others.

Mr. Speaker, I ask you and Members of the House of Representatives to join me in acknowledging the 75th Birthday of the USO and its commitment to our active duty military.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,012,827,698,417.93. We've added \$8,385,950,649,504.85 to our debt in 7 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. SCHIFF. Mr. Speaker, during Roll Call vote number 46 on February 1, 2016, I was unavoidably detained. Had I been present, I would have voted aye.

IN RECOGNITION OF DOUG CROFT'S TENURE AS PRESIDENT OF THE THOMASVILLE AREA CHAMBER OF COMMERCE

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Mr. Doug Croft for his 28 years of leadership to the city of Thomasville, North Carolina through his work at the Thomasville Area Chamber of Commerce. I have seen firsthand the positive impact Mr. Croft has had on his community, and I know I will not be the last to say how much he will be missed.

Under Mr. Croft's exceptional leadership, the city of Thomasville rebounded from a period of manufacturing and furniture-building job loss during the recent recession. He successfully helped turn the city around and create a business-friendly and job-creating center within the state of North Carolina. In addition to his impact on the local economic recovery, Mr. Croft played a critical role in the City of Thomasville's selection as an "All-American City" for 2013, by the National Civic League.

Mr. Croft has also been instrumental in the development and implementation of two key city-wide initiatives, the "Envision 2020" strategic plan and the "Thomasville on the Move" capital raising campaign. In fact, as a result of his hard work on the "Thomasville on the Move" campaign, Mr. Croft was recognized in

2011 as the Chamber Executive of the Year for North Carolina by the Carolinas Association of Chamber of Commerce Executives.

Mr. Speaker, please join me in congratulating Mr. Doug Croft for his successful tenure as President of the Thomasville Area Chamber of Commerce, and wishing him well as he begins the next chapter of his already distinguished career.

HONORING LIEUTENANT DEBBIE PEECK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor Lieutenant Debbie Peacock, of the Napa Police Department, who is retiring after 30 years of service to her community.

Debbie Peacock joined the Napa Police Department on September 9, 1985, and eventually became the first woman in Napa police history to earn her current rank of lieutenant. In this role, Lieutenant Peacock oversees the Special Operations Division of the Napa Police Department. She manages the department's Investigations Bureau, Youth Services Bureau and the Homeless Outreach Program, while also heading Napa's Canine and SWAT Units. Lieutenant Peacock further serves as the liaison between the Napa PD and the Napa Valley Unified School District, the Napa County Office of Education, and Napa County Health and Human Services.

It is difficult to overstate the impact Lieutenant Peacock has had on our community. Her consistent leadership and activism have made her a well-known and well-liked figure, one whose advice is often sought out by community members. Her influence extends beyond her work in the Police Department, as Lieutenant Peacock also works with numerous organizations and foundations, including the Continuum of Care, the Napa County Advisory Board on Alcohol and Drug Programs, the Catalyst Coalition and the Napa County DARE and Safe Schools Foundations. She has a long history of social activism, supporting charity and nonprofit programs like Shop With A Cop, Community Action Napa Valley, and the Napa Valley Education Foundation. Lieutenant Peacock has consistently acted with remarkable dedication and character, and residents of Napa and the surrounding areas have benefitted enormously from her efforts.

Mr. Speaker, Lieutenant Debbie Peacock has served her community with admirable integrity and commitment for three decades. It is fitting and proper that I honor her here today. I wish Lieutenant Peacock the best in her retirement.

RECOGNIZING THE PALM BEACH TOWN SQUARE PROJECT

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to recognize the unveiling of the newly renovated Palm Beach Town Square, and to thank those involved in the project for their hard work. On Sunday, January 31st, the Town of Palm Beach dedicated the newly renovated Town Square, a symbol of Palm Beach's rich and unique history.

The Palm Beach Centennial Commission, in celebration of the 100th anniversary of the Town of Palm Beach's incorporation, spearheaded the effort to renovate the square. Plans for the Town Square were first approved in 1929 by the Garden Club of Palm Beach, an organization which played a role in this recent renovation as well.

The project restored the famous Seahorse Fountain and the surrounding architecture and landscape. The fountain was designed by Addison Mizner in 1929 to honor the two Palm Beach pioneers: Henry Flagler, the founder of Palm Beach, and Elisha Newton Dimick, the town's first Mayor. Funding for the original fountain was a community effort fronted by Harold S. Vanderbilt and other Palm Beach residents. Along with the fountain, this historic square includes a Memorial Park and reflecting pool and Veterans memorial wall.

Just as the original fountain was made possible by Palm Beach residents in 1929, this renovation was a community effort. I would like to thank the local clubs and organizations, town officials, and those in the community who donated their time and funds to this endeavor for their commitment to the Town of Palm Beach.

PERSONAL EXPLANATION

HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. POMPEO. Mr. Speaker, on roll call no. 46 and 47, I was unable to cast my vote in person due to a previously scheduled engagement. Had I been present, I would have voted Yea.

A TRIBUTE: NATIONAL FREEDOM DAY ASSOCIATION

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to celebrate National Freedom Day 2016, a holiday established to recognize the day President Abraham Lincoln signed the 13th Amendment freeing enslaved Blacks. On February 1, 1941, Major Richard Robert Wright, Sr. invited national and local leaders to meet

in Philadelphia to formulate plans to set aside February 1st each year to memorialize the signing of the 13th Amendment to the Constitution by President Lincoln on February 1, 1865. One year after Major Wright's death in 1947, a bill passed both U.S. Houses of Congress making February 1st National Freedom Day.

Major Wright is recognized as a post reconstruction pioneer and trailblazer who dedicated his life to establishing this national day of commemoration of freedom. Each year on the first day of Black History Month, National Freedom Day Associations in cities and states across the nation come together for this annual observance to promote goodwill, harmony and equal opportunity and to rededicate the nation to these ideals.

And, as we look back at the life of Major Wright, we discover a true American story of resilience, foresight and faith. He was born into slavery in 1855. And, as a child he encountered retired Union Civil War General Oliver Otis Howard, in an Atlanta classroom. Summoning up unbelievable courage he said, "Sir, tell them we are rising," as a way to help northerners understand the hope of newly freed Blacks. These words came to be Major Wright's lifelong mantra.

His personal "rising" included: serving as a major in the Spanish-American War, founding and leading Savannah State College; attending the Wharton School of the University of Pennsylvania at the age of 67; and, founding the Citizens and Southern Bank and Trust Company, in Philadelphia, the only northern Black-owned bank at the time.

Therefore, I am proud to honor the life and contributions of Major Wright, a great American visionary and trailblazer and the National Freedom Day Association as it stands as an historic reminder of our nation's promise of freedom and justice.

IN RECOGNITION OF JOANN GONYEA'S SERVICE TO THE CITY OF TRENTON

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Joann Gonyea for her 31 years of service in the Parks and Recreation Department of Trenton, Michigan.

Joann began her career with the City of Trenton Parks and Recreation Department as a Program Coordinator in 1985. She became the Assistant Director in 1990 and served in that role for 20 years before being appointed Director in 2011.

Many of the events and activities for which Trenton has become known started with Joann. During an internship with Wayne County Parks 31 years ago, she designed the "Somewhere in Time" event which captures the spirit of the iconic Elizabeth Park in the early 1900's and engages residents with the history of their city. Joann has also been the driving force behind the "Community Builds" program and the "Healthy Trenton Initiative" which both promote healthy and active lifestyles by emphasizing teamwork.

Joann is instrumental in the success of community events in Trenton and is well known for her ability to organize and inspire volunteers. Many projects, including the recent addition of a playground to Affholter Park, are finished in record time due to the groundswell of community support Joann encourages. It's because she practices what she preaches, and generously dedicates her time to organizations throughout the Downriver community, such as the International Wildlife Refuge Alliance where she serves as a board member.

Joann is part of the heart and soul of Trenton, Michigan and the Downrivers. Tonight, we recognize Joann with the Duane Brannick award for outstanding service to the city, an award which is annually given to leaders in the city that go above and beyond. I know that Joann is the perfect recipient of this prestigious award and I am proud to call her a friend.

Mr. Speaker, I ask my colleagues to join me today to honor Joann Gonyea for her 31 years of service to the city of Trenton. I thank her for her leadership, and wish her many years of success.

IN RECOGNITION OF DENNIS HOLLOWAY'S SELECTION AS THE RICHMOND COUNTY CHAMBER OF COMMERCE 2015 CITIZEN OF THE YEAR

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Mr. Dennis Holloway for his selection as the Richmond County Chamber of Commerce's 2015 Citizen of the Year. Mr. Holloway represents the best our area has to offer, and this selection illustrates the profound impact he has had on our community.

Mr. Holloway decided early in life to dedicate himself to helping others in need, and he has not stopped that mission since. Mr. Holloway served in the United States Army as a member of the 82nd Airborne until he was honorably discharged in 1967 after serious injuries he sustained during a training exercise hindered his deployment. After surviving this harrowing ordeal, Mr. Holloway worked in the North Carolina Wildlife Resources Commission for 30 years.

The list of charitable acts Mr. Holloway has carried out and the number of leadership positions within several community service organizations he holds demonstrates the commitment he has made to serving those in his community, and beyond. As a recovery team leader for the North Carolina Baptist Men, a nondenominational organization dedicated to providing relief to those in need, Mr. Holloway and his team have done everything from traveling down to South Carolina to assist families recovering from the historic flooding that took place last year to building wheelchair ramps at the homes of disabled community residents. Mr. Holloway is an inspiration to all the Richmond County community and this award is truly a testament to the appreciation he has so rightfully earned.

Mr. Speaker, please join me in congratulating Mr. Dennis Holloway for receiving this prestigious distinction, and wishing him well as he continues to serve the people of Richmond County, North Carolina.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. SCHIFF. Mr. Speaker, during Roll Call vote number 47 on February 1, 2016, I was unavoidably detained. Had I been present, I would have voted aye.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mrs. BLACK. Mr. Speaker, on roll call no. 46 I was unavoidably detained. Had I been present, I would have voted yes.

PERSONAL EXPLANATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Ms. MATSUI. Mr. Speaker, I was not present during roll call vote number 45 on January 13, 2016. I would like to reflect that on roll call vote number 45 I would have voted No.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Ms. CLARKE of New York. Mr. Speaker, on February 1, 2016, I was unavoidably detained and missed recorded votes Number 46 through 47. Had I been present, on Roll Call Number 46, H.R. 2187—Fair Investment Opportunities for Professional Experts Act, I would have voted YEA, and on Roll Call Number 47, H.R. 4168—Small Business Capital Formation Enhancement Act, I would have voted YEA.

TO HONOR THE LIFE OF SHERIFF MAYNARD B. REID, JR.

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Randolph County Sheriff Maynard B.

Reid, Jr., who passed away on January 5, 2016 at the age of 69. We send our prayers and sincerest condolences to his wife, Sandra, and the entire Reid family.

Sheriff Reid began his life of public service in the United States Marine Corps and served his nation during the Vietnam War. After returning from his service, Sheriff Reid joined the Asheboro Police Department and eventually moved to the Randolph County Sheriffs Office. In 2006, he was elected Sheriff of Randolph County and served in his post for 10 years. Under his leadership, there was a great emphasis on community outreach efforts and enabling those under his command to better serve the people of Randolph County. This could be seen through his efforts to modernize officer's patrol vehicles and the creation of a task force designed to combat internet predators that targeted children.

Sheriff Reid was a 40 year veteran of law enforcement who spent nearly his entire life serving and protecting his community. He was an inspiration to all who had the honor of serving beside him and under his leadership. The Randolph County community will always remember the man he was and the legacy he has passed down to future public servants.

Mr. Speaker, please join me today in celebrating the life of Sheriff Maynard B. Reid, Jr. and honoring him for his profound commitment to his country, his community, and the numerous lives he touched throughout his life.

HONORING THE LIFE OF MICHAEL JAMES RIDDERING

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor the life of Michael James Riddering. Mike, who dedicated his life to serving others as an American missionary in Burkina Faso, was tragically taken from this world far too soon at the age of 45, a victim of the terrorist attack that struck this West African nation on January 15th. My thoughts and prayers are with his wife Amy and their children Haley, Delaney, Biba, and Moise during this most difficult time.

Five years ago, Mr. Riddering and his wife Amy left their home in Hollywood, Florida to move to Burkina Faso to run the Sheltering Wings' mission in the town of Yako. Together, they helped women and children in need, running an orphanage, school, and medical clinic. While in Burkina Faso, the couple adopted two children, 15-year-old Biba and 4-year-old Moise.

It was this commitment and service that led him to Ouagadougou on the day of the terrorist attack in the nation's capital. Mike had gone to greet a team of missionaries who were just arriving in Burkina Faso to work at the orphanage when the area was seized by Al Qaeda-affiliated terrorists.

We memorialize Mike's life by honoring him in the CONGRESSIONAL RECORD here today. But we honor his memory by recommitting ourselves to the truth shared by Dr. Martin Luther King, Jr., and a testament to how Mike

lived his life of service: "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate, only love can do that."

Mr. Speaker, while Mike Riddering's life was cut short by those hoping to instill fear, hatred, and darkness in our world, his life of service, light, and love will never fade. He will be greatly missed by his family and friends and all the lives he touched both in South Florida and Burkina Faso. It is through them that his light will continue to shine on.

RECOGNIZING LIEUTENANT GENERAL LAWRENCE F. SNOWDEN

HON. JOHN KLINE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. KLINE. Mr. Speaker, I rise today to recognize a great American, a great Marine, and a champion of lasting friendship between the people of the United States and Japan. As our nation prepares to recognize the 71st anniversary of the Battle of Iwo Jima, it is timely to recognize a veteran of that iconic struggle in the Second World War.

Lieutenant General Lawrence F. Snowden was born April 14, 1921 in Charlottesville, Virginia and graduated from the University of Virginia in 1942. Prior to graduating, General Snowden enlisted in the Marine Corps Reserve in February, 1942 and was called to active duty in May, 1942. He was commissioned as a Marine Second Lieutenant on July 18, 1942. Assigned to Camp Lejeune, North Carolina, he served initially with the 23rd Marine Regiment, assigned to the 3rd and then the 4th Marine Divisions.

From February, 1944 until March, 1945 he saw combat as a Company Commander with the 23rd Marines in the capture of Roi-Namur in the Marshall Islands, the capture of Saipan and Tinian, and the legendary assault on Iwo Jima which commenced on February 19, 1945. It was Fleet Admiral Chester Nimitz who, when speaking of the Battle of Iwo Jima, stated that, "Uncommon valor was a common virtue." General Snowden is the senior surviving American veteran of that battle in which he was wounded twice. General Snowden retired from the Marine Corps after more than 37 years of active service in 1979, serving his last years as Chief of Staff, Headquarters U.S. Marine Corps.

His commitment to our nation and healing the wounds of the war did not end at his retirement. General Snowden became a regular traveler to Japan and to Iwo Jima leading a "Reunion of Honor" with his fellow veterans of the battle from both the United States and Japan. His mission is a solemn one of reconciliation. As the widow of the Japanese commanding general said to him, "Once enemies, now friends."

General Snowden himself has stated, "Those men didn't want to be here any more than we did. They were doing their duty. You don't hate anybody for that." As a further sign of his commitment to goodwill, General Snowden was here in this chamber in April, 2015 as a guest of the Prime Minister of Japan Shinzō Abe when he addressed the

Congress. At his side was the grandson of the commander of the Japanese garrison on Iwo Jima while General Snowden's efforts were recognized by the Prime Minister.

As a 25-year veteran of the Marine Corps I am honored to recognize the historic anniversary of the Battle of Iwo Jima, and I am pleased to call attention to this great American, Lieutenant General Lawrence F. Snowden. I applaud his contribution to the past, present, and future of our great nation as a Marine and a statesman.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on February 1, 2016. Had I been present, I would have voted as follows: YES on Roll Call Number 46; YES on Roll Call Number 47.

PERSONAL EXPLANATION

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. FLORES. Mr. Speaker, I rise to state that I was not able to be on the House floor for roll call vote 46 to H.R. 2187 taken on February 1, 2016. Had I been present for this vote, I would have voted aye.

The Fair Investment Opportunities for Professional Experts Act expands the definition of accredited investor to also include professional experts. This ensures that investors in my Congressional district have the right to access suitable investment vehicles and is critical for markets to operate efficiently.

HONORING BARRY COATES

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. RICE of South Carolina. Mr. Speaker, I rise today to honor the life of Mr. Barry Coates, a United States Army veteran from McBee, South Carolina.

Barry passed away last week from terminal cancer that was left untreated by the VA for over a year. Even as he battled his illness, Barry remained a champion for improving medical access and care for all veterans.

Mr. Speaker, I join with the people of South Carolina in recognizing the life of Barry. Together, we honor his service and dedication to the fight for better treatment for our veterans. His contributions to this fight leave an indelible mark that will always be remembered.

Barry will be greatly missed and I ask that we keep Barry's wife, Donna, his five children, Scotty, Breanna, Shane, Troy, and Tyler, and the rest of his family in our thoughts and prayers.

Mr. Speaker, we must do better for our nation's veterans.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding missed votes on Monday, February 1, 2016. Had I been present for roll call vote number 46, H.R. 2187, the Fair Investment Opportunities for Professional Experts Act, I would have voted "yea." Had I been present for roll call vote number 47, H.R. 4168, the Small Business Capital Formation Enhancement Act, I would have voted "yea."

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on Monday, February 1, 2016, I was absent from the House because I was unavoidably detained. Due to my absence, I did not record my vote on the first vote of the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "aye" on Roll Call 46.

IN RECOGNITION OF JOE MOOSE'S SELECTION AS THE NATIONAL COMMUNITY PHARMACISTS ASSOCIATION'S 2015 WILLARD B. SIMMONS INDEPENDENT PHARMACIST OF THE YEAR

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Dr. Joe Moose for his selection as the National Community Pharmacists Association's (NCPA) 2015 Willard B. Simmons Independent Pharmacist of the Year. Dr. Moose and his family have been providing top of the line care to residents of the state of North Carolina for four generations, and this most recent honor illustrates yet again the profound impact he has had on our community.

Since receiving his Doctorate of Pharmacy from Campbell University's College of Pharmacy and Health Science, Dr. Moose has dedicated himself to providing the best care possible for his patients while also focusing on helping future generations of pharmacists. Dr. Moose currently serves as the primary instructor at the University of North Carolina's Eshelman School of Pharmacy's Community Pharmacy Residency Program, while also volunteering his time to instruct future pharmaceutical students at his alma mater, Campbell University, as well as Wingate University's School of Pharmacy.

Dr. Moose also serves on multiple committees and boards for the state of North Carolina, including the Medicaid Pharmacy and Therapeutics Committee as well as co-chairing the Medicaid Drug Regimen Review Board. As a result of his tireless efforts, Dr. Moose has been the recipient of multiple awards and honors, with his latest being the NCPA's 2015 Willard B. Simmons Independent Pharmacist of the Year. This award, according to the NCPA, recognizes an independent pharmacist for exemplary leadership and commitment to independent pharmacy and to their community. Dr. Moose received this award at the NCPA 2015 Annual Convention on October 11, 2015.

Mr. Speaker, please join me in congratulating Dr. Joe Moose for receiving this prestigious distinction, and wishing him and his family well as they continue to serve the people of North Carolina with high-quality care and exceptional customer service.

URGENCY OF ADDRESSING FELONY DISENFRANCHISEMENT

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I rise on the first Restoration Tuesday of February to talk about the issue of felony disenfranchisement, an issue that is critical to voting rights in our country.

Felony disenfranchisement dates back to before the Jim Crow era. It is inconsistent with the values we cherish most in our country today and it contradicts the narrative that we've moved beyond the sins of our past. The United States should not be a country where past mistakes have endless consequences with no opportunity for second chances.

5.85 million Americans are denied the right to vote because of these laws. 4.4 million are out of prison, living in our communities, paying taxes, working, and raising families, yet they remain unable to vote, shut out from our democracy.

Denying this right of citizenship further punishes individuals who re-enter our communities and counters the expectation that citizens have rehabilitated themselves following a conviction. The United States should not be a country where past mistakes have countless consequences with no opportunity for redress.

My home state of Alabama is one of 12 states that do not automatically restore voting rights to people who have served their sentences. Alabama has one of the nation's highest disenfranchisement rates. Nearly a third of African American men in my home state have permanently lost their right to vote. Regardless of the amount of time they've been out of prison, they have been completely excluded from the electoral process.

These state laws that bar 5.8 million Americans with felony convictions from voting date back to the late 19th and early 20th centuries. During the decades following passage of the Fifteenth Amendment, lawmakers across the country worked tirelessly to invalidate the black vote. As the Jim Crow era began to gain ground, these bans were strengthened.

While poll taxes and literacy tests were effective tools in their arsenal, statutes allowing the subjective and permanent exclusion of large numbers of minorities from the democratic process were a particularly potent weapon in their efforts to undermine African-American political power.

Those who championed these bans were clear on their intent. In 1901, disenfranchisement in Alabama was extended to all crimes involving "moral turpitude"—applying to misdemeanors and even non-criminal acts. The president of the constitutional convention argued the state needed to avert what he called the "menace of Negro domination."

In 2016 we are still operating under some of the same laws that were cornerstones of Jim Crow. Our nation's existing patchwork of federal law disfranchising people with criminal records perpetuates entrenched racial and socioeconomic discrimination. We've clearly fallen woefully short of achieving our ideals. We can and must do better.

Rep. JOHN CONYERS has introduced a great piece of legislation to restore voting rights in federal elections to the millions of Americans who have been released from incarceration, but continue to be denied the right to vote. I encourage all of my colleagues, from both sides of the aisle, to support the Democracy Restoration Act of 2015, a bill to restore voting rights in federal elections to people who are out of prison and living in the community.

RECOGNIZING ROSE STRONG ON HER 70TH BIRTHDAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. REICHERT. Mr. Speaker, It is my distinct honor to recognize Ms. Rose Strong on her 70th birthday.

Born in Minden, Louisiana, the 12th of 13 children, Ms. Strong grew up to defy the odds of her time and distinguish herself as an effective leader.

Known as a pioneer among women in the 1970s and 1980s, Ms. Strong was elected as a City Councilwoman of Columbus, Georgia in 1984, making her the first African American woman elected in Muscogee County. She went on to be appointed by President George H.W. Bush as Deputy Director, Intergovernmental Affairs of the U.S. Department of Transportation in 1989.

At the age of 70, Ms. Strong continues her impressive career, currently holding the position of Vice-President and Spokesperson of T.E.C.H. for the World, Inc.

Aside from the contributions Ms. Strong has made in her professional life, she has recently been honored at her local place of worship, The City Church in Seattle, as one of its "Pillars."

She is also the proud mother of two children who have followed in their mother's footsteps of serving their community. Rozalyn Strong is a Doctoral Candidate and an educator in the Lake Washington School District. Mack Strong, Jr. is a retired Seattle Seahawk full-back and currently works as the Western

States Director of the NFL's Legends Community.

I admire and thank Ms. Strong for her lifetime of leadership and dedication to country and community. I am extremely proud to call her a friend. May she have a happy 70th birthday and enjoy many more to come.

INTRODUCTION OF THE FAIRNESS FOR BREASTFEEDING MOTHERS ACT OF 2016

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Ms. NORTON. Mr. Speaker, today, I introduce the Fairness for Breastfeeding Mothers Act of 2016, a bill that would require buildings that are either federally owned or leased to provide designated private and hygienic lactation spaces for nursing mothers. For years, federal agencies such as the U.S. Department of Agriculture and the Centers for Disease Control and Prevention have encouraged breastfeeding—the benefits are so great that the Affordable Care Act amended federal law to require employers to provide a designated, non-bathroom space for returning employees to pump breastmilk for their newborns, ensuring that new mothers would be able to continue this essential practice even after returning to work. My bill would extend this requirement to include not just employees, but visitors and guests to federal facilities across the nation.

In Washington, D.C. alone, there are millions of tourists who visit federal sites, such as the Lincoln Memorial and the Smithsonian Institution. Increasingly, families understand the unique benefits of breastfeeding, and visitors to these buildings who have newborns and babies should have a private space to breastfeed or pump. The benefits of breastfeeding are well documented—breastmilk contains antibodies and hormones that boost babies' immune systems, and studies have shown lower risks of asthma, diabetes, respiratory infections, and other diseases among breastfed babies. Moreover, breastfeeding also has benefits for nursing mothers, who, research has shown, have lower risks of diabetes and certain forms of cancer. Given the significant public health benefits of breastfeeding for both mother and baby, already recognized in federal policy, my bill is a logical next step to ensure visitors to federal sites have access to clean, hygienic, and private spaces to nurse or pump.

I urge my colleagues to support this bill, which would provide access to designated lactation rooms for guests to federally owned or leased buildings.

HONORING THE MOST VENERABLE ORDER OF THE HOSPITAL OF SAINT JOHN OF JERUSALEM

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. WILSON of South Carolina. Mr. Speaker, since 1888, the members of the Most Venerable Order of the Hospital of Saint John of Jerusalem have promoted peace and health in the Middle East through their hospital in East Jerusalem, Gaza, and the West Bank.

In 2015, the hospital and associated clinics treated over 125,000 patients—including 15,000 through mobile outreach. The Order has a strong foundation in Christian ideals, and a motto of "Pro Fide, Pro Utilitate Hominum: For the Faith and in the Service of Humanity," which speak to the inspiring scope of their global contribution.

The Order also features a diverse membership, who vow to "serve our lords, the sick and the poor," and to fulfill this promise through volunteer service, fundraising, and monetary donations. I would like to congratulate Priory/Regional Chair, Julian V. Brandt III, CSTJ, of Charleston, South Carolina, for his dedication for the significant work that the Order is accomplishing around the world.

CELEBRATING THE 10TH ANNIVERSARY OF THE SCHOOL OF SCIENCE AND TECHNOLOGY

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. SMITH of Texas. Mr. Speaker, 2016 marks the 10th anniversary for the School of Science and Technology (SST) located in my district in San Antonio, Texas. SST provides a K-12 curriculum concentrated on educating students in science, technology, engineering, and math (STEM). In the rapidly changing world of science and technology, it is critical that our students receive STEM education from an early age. For a decade, SST has provided students with such an opportunity.

SST has been ranked among the top high schools in Texas for multiple years and has received the Bronze, Silver and Gold rankings from US News and World Report. This is a testament to the school's dedication to providing STEM education to students in the San Antonio area.

As Chairman of the House Science, Space and Technology Committee, I am committed to ensuring that our nation's youth have the scientific and mathematical skills to thrive in a technology-based economy. And I commend SST for its continued efforts to provide advanced STEM education to K-12 students.

In appreciation of all they have done, Mr. Speaker, I ask my colleagues to join me in celebrating the 10th anniversary of SST.

INTRODUCTION OF THE COMMERCIAL UAS MODERNIZATION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. BLUMENAUER. Mr. Speaker, the UAS industry is booming in Oregon and nationwide, but our laws and regulations are stifling innovation instead of encouraging it, forcing American companies to look overseas to test new technology. We must not miss the opportunity to harness the benefits and utility of UAS technology, which will bring advances in safety and efficiency in nearly every sector of the economy.

Today, I am introducing the Commercial UAS Modernization Act, which creates an interim framework that will promote American innovation in the rapidly growing field of unmanned aircraft systems (UAS) and will facilitate the safe integration of UAS into the National Airspace System.

While the Federal Aviation Administration (FAA) is in the process of creating a regulatory framework for commercial UAS operation, the FAA's existing approach to UAS integration and regulation has been piecemeal at best. As a result, we are behind other countries in developing a regulatory regime that encourages growth of this burgeoning industry, and U.S. companies are being overtaken by competition in Canada, Europe, and Asia. This legislation offers a uniform and comprehensive approach that offers our drone industry a sensible path forward.

The UAS industry expects to produce more than 100,000 U.S. jobs, with \$82 billion in economic impact, within a decade after these regulations are complete. The potential social and economic benefits of this technology go far beyond package delivery and capturing photos and video footage. Around the world, UAS are being used to inspect critical infrastructure and conduct land surveys, fight forest fires and support emergency and disaster response, transport medical samples and supplies, analyze and manage crops, detect oil spills and predict volcanic eruptions, catch poachers, and deliver high-speed Internet to remote or underserved areas. Full integration of UAS into the national airspace could revolutionize the way entire sectors of our economy and governments function.

The Commercial UAS Modernization Act provides a much-needed update to federal rules, making it clear that flying smartphones should not be regulated like Predator drones.

ADDRESSING THE COSTS TO LOCAL AND STATE LAW ENFORCEMENT OF THE OCCUPATION OF THE MALHEUR NATIONAL WILDLIFE REFUGE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 2, 2016

Mr. BLUMENAUER. Mr. Speaker, for 32 days armed militants have occupied the

Malheur National Wildlife Refuge in Harney County, Oregon. Acting on behalf of a misguided anti-public lands agenda and against the wishes of the local community, these extremists have endangered lives, damaged property, and disrupted society.

The armed takeover of a federal facility is simply not the way we do things in Oregon, and is not how things have been done at the Malheur National Wildlife Refuge—a national treasure cherished by birders and other outdoor recreation enthusiasts and a model of collaboration and partnership with the local community.

The situation has been allowed to continue for far too long, and the costs of this dramatic and dangerous incident will be innumerable to

the federal government, the Burns Paiute Tribe, the state, and the local community.

One particular manifestation of this cost is the financial expense to state and local law enforcement, which has spent an estimated \$100,000 per week responding to this incident.

This is why, today, I am introducing a bill to help assuage some of the financial hardship borne by state and local taxpayers in protecting the community during this challenging time.

Because the incident involves a federal facility, the federal government made decisions about the timing and manner of addressing this ordeal. Ultimately, those decisions have been very expensive for Oregon and the local community. My bill will allow the federal government to ease this burden within 180 days

by reimbursing reasonable costs associated with state and local law enforcement's response to this incident. Under my bill, the federal government will have the authority to pursue civil action seeking to recover those costs from the armed militia members to make sure taxpayers aren't on the hook.

Placing the burden of these costs on the militants is the right thing to do. It will send a strong signal that an armed takeover of a federal facility is unacceptable and will result in consequences. In the meantime, however, these communities already face resource constraints and an immediate federal reimbursement will help to address at least some of the hardships caused by this irresponsible and unfortunate incident.

SENATE—Wednesday, February 3, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Rabbi Yosef Greenberg, founder and spiritual leader of the Lubavitch Jewish Center of Alaska in Anchorage, AK.

The guest Chaplain offered the following prayer:

Almighty God, I invoke Your blessing today on this honorable body, the United States Senate. In these troubling times, when misguided people use religion to commit the greatest crimes against humanity by stabbing and murdering innocent men, women, and children in the Middle East, Europe, Israel, the U.S.A., and all over the world, may You grant, Almighty God, that the Members of this honorable body have the wisdom and courage to embody the universal values of the Seven Commandments which You, Almighty God, issued to Noah and his family after the Great Flood, the foremost of which is not to commit murder. Grant, Almighty God, that the Members of the Senate, who assembled here today, to fulfill one of Your Seven Commandments, the Commandment to govern by just laws, understand that the United States has the ability to lead the entire world and be a role model in spreading and incorporating Your Seven Laws, and in doing so, have the power to bring healing and peace to a struggling and broken world that is facing ongoing terror and violence.

Almighty God, I beseech You today to bless the Senate, in the merit of one of the spiritual giants of our time and our Nation, the Lubavitcher Rebbe, Rabbi Menachem Mendel Schneerson, of saintly blessed memory, who launched the universal campaign to bring the awareness of Your Seven Sacred Laws to all mankind, that we may all see the fulfillment of humanity's great future, as proclaimed by Isaiah, "nation shall not lift the sword against nation, neither shall they learn war anymore."

Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. BOOZMAN). The Democratic leader.

Mr. REID. Mr. President, before the leaders speak today, I ask the Chair to recognize the senior Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

WELCOMING THE GUEST CHAPLAIN

Ms. MURKOWSKI. Mr. President, I thank the minority leader, and I rise this morning to thank and to welcome Rabbi Yosef Greenberg from Anchorage, AK, who was introduced by the President pro tempore, the Senator from Utah.

This Senator thinks it is important to appreciate and realize that today there is a little bit of history being made. It is the first time we have had a rabbi from the State of Alaska who has been willing and able to provide the morning prayer before the Senate.

The rabbi has led our State for two decades, beginning in 1991, not only leading a small but vibrant Jewish community across the State but also reminding us of the significance of the Jewish culture, the Jewish history, not only to Alaska but throughout the Nation. He has been instrumental in the building of the Jewish cultural center and a museum that recognizes that history and culture. Every year he is truly a leader in the broader community within Anchorage as he brings together people from all faiths at the Jewish Cultural Gala, which is probably one of our more preeminent social gatherings and which is for a good cause.

The leadership of Rabbi Greenberg is not only strong and recognized within the Jewish community but across all faiths within our very broad and inclusive State of Alaska. It is indeed a pleasure to be able to listen to his words, reflect on his words, and thank him for his leadership in my State.

With that, Mr. President, I yield the floor, and I thank the leaders.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 4168

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 4168) to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

PUBLIC HEALTH ISSUES

Mr. McCONNELL. Mr. President, as I recently mentioned, Speaker RYAN and I had an opportunity to discuss some important public health issues at the White House yesterday. One was the Zika virus. We know there is an increasing amount of concern about the spread of this virus and what it could mean for the United States as we head toward warmer summer months.

Given the public concern that followed the first Ebola case in our country, I think we could all benefit from having a better understanding of what preparations are being made to protect Americans. To that end, I have asked Secretary Burwell and her team to come to the Senate to brief relevant committees and leaders in both parties. This briefing will happen next week. I appreciate the Secretary's willingness to meet this request in such a timely manner, and I know the information will be useful to Members and their constituents.

Another public health issue we discussed is the opioid epidemic that continues to have such a profound impact on families and communities across the State I represent and, of course, across the Nation as well.

Despite all of the important steps Kentucky has taken at the State level to address this epidemic, the Commonwealth still suffers from some of the highest drug overdose rates in the country, driven by prescription drug pain killers, heroin, and more recently fentanyl, a synthetic opioid that is more powerful than heroin. Republicans and Democrats are working together to identify bipartisan solutions to this challenge, and I look forward to seeing that collaborative work continue.

ENERGY POLICY MODERNIZATION BILL

Mr. McCONNELL. Mr. President, we have seen bipartisanship work many times over the past year in this Senate.

We have the latest example of it before us right now. The Energy Policy Modernization Act is the result of months of hard work across the aisle. It passed the committee with overwhelming bipartisan support. It is broad bipartisan energy legislation that can help bring our energy policies in line with today's demands, while preparing us for tomorrow's opportunities. It will help Americans produce more energy. It will help Americans pay less for energy. It will help Americans save energy. It will also give us the opportunity to strengthen America's long-term national security.

I thank the chair and ranking member of the Energy Committee for their hard work to develop this bill. I thank them for their hard work managing it on the floor. Thirty-eight amendments have been brought to the floor so far and 32 amendments have been adopted already. Democrats offered some, Republicans offered some, and both parties have seen amendments from their side adopted.

This is a robust, bipartisan energy debate, and it is providing the latest example of a Senate that is back to work for the American people. We are not finished yet, though, not at all. There will be more opportunities for debate and consideration as we move toward the finish line on this important bipartisan legislation. Let's keep working together as we have been. Let's pass another important policy the American people deserve.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

FLINT, MICHIGAN, WATER CRISIS

Mr. REID. Mr. President, I join in commending the managers of this bill that is on the floor, but before we rush off to a congratulatory phase of this legislation, there has to be an opportunity to work something out on Flint, MI, and the tremendous problems they have.

There are 100,000 people today who are afraid to drink the water. Yesterday I had a picture showing the water, the yellow-green color of the water. The water is so impure, so dirty, so nasty that General Motors, which manufactures automobile parts, had to suspend using the water because it was corroding their instruments in their manufacturing facilities. But during that period of time, people were still looking to drink the only water they could.

We have 9,000 children who have been badly affected by lead poisoning. These little boys and girls will never be what they could be because lead poisoning for children is irreversible.

I hope we can work something out on the Stabenow-Peters amendment be-

cause it is very important for the people of Michigan and an example of what we need to do to help the country with these problems we have when the Federal Government must step in.

The Governor of Michigan, who preaches about how bad government is, of course looked to us when the problems got so dire in Michigan.

Mr. President, I ask unanimous consent that at the conclusion of my leader remarks the junior Senator from Maine be recognized for 10 minutes, and if he feels it appropriate, I will remain on the floor for him following my remarks so that he could have a colloquy with me.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLEAN ENERGY

Mr. REID. Mr. President, in 1882 Thomas Edison invented the first electricity grid. He, of course, had done electricity before that, but he is virtually responsible for the modern-day electric grid. It was only 4 years later that George Westinghouse improved upon Edison's invention, and he gave us an electric grid that is almost identical to what we have today. That was 1882, and in 2016 we are doing it the same way we did back then. So the grid technology the utility companies rely on today is 130 years old.

America's grid system makes money for utilities by generating electricity at central powerplants and delivering power to customers through power lines. That is because of George Westinghouse and Thomas Edison's programs. Costs for the infrastructure are paid by all customers based on how much power they consume, and the more electricity we use, the more we pay. This utility business model made sense for 130 years. It makes no sense anymore.

Utilities never imagined that families and businesses would be able to generate their own electricity for a price cheaper than the utility powerplants. Utilities never considered that consumers would rather pay to make their homes more efficient than pay for power they don't need and don't want. Utilities didn't expect Americans would grow to believe that reducing climate-changing carbon pollution is a priority—and it is.

The big power companies were wrong. Americans have embraced renewable energy and are investing in it more and more. I see it every time I go home. The roofs of homes and businesses throughout Nevada are dotted with solar panels. One can see them shining on the roofs. These houses, office buildings, and hotels are generating much of their own clean energy. It wasn't that way a decade ago. In 2005, only 7,000 American homes and businesses had their own renewable energy systems. That same year, after we passed the

Energy Policy Act—one of its provisions encouraged States to adopt net metering provisions so that Americans would and could install renewable energy systems on their homes and businesses. That means a family with solar panels receives a credit from the utility for the clean power they generate. As a result, 43 States now have net metering. These net metering policies have been an incredible success. Today more than 500,000 American families and businesses have their own renewable energy system.

Less than 11 years ago, there were 7,000 solar installations in homes and businesses, today more than half a million. That is a 7,000-percent increase over 11 years ago. Producing cleaner energy at home is mainstream today. Yet, in spite of all of this progress, there are those who want to turn back time and take away Americans opportunity to generate their own clean, affordable energy.

Why are they doing this? Because they don't want competition from families and businesses. They want to work the way they have for 130 years. The Koch brothers and the fossil fuel pals have attacked our blossoming energy industry, the clean energy industry, at every turn. Any time we try to do something, they move in. They have done it in State legislatures all over the country. They are doing it today on this amendment that Senator KING and I have worked on.

They have turned loose their minions—their anti-consumer minions—and they are now out working, being paid to do whatever they can to defeat whatever we are trying to accomplish. Utilities have joined with the Koch brothers. Utilities are cheerleading this anti-competitive measure that will cost families more money and take away their opportunity to generate clean energy at home.

In Nevada, our utility proposed—and I say "utility" because basically 95 percent of all electricity in Nevada is owned by one company. This big utility proposed, and regulators recently agreed to slash, the value of rooftop solar for customers and imposed those changes retroactively. Can you imagine that? Contracts that had been let, they suddenly said: Well, too bad. We are going to retroactively punch you economically. The entire episode was detailed in a recent edition of the New York Times. "Nevada's Solar Bait-and-Switch."

This could apply to Arizona. They are trying to do the same thing there and other places in the country. I am not going to read the whole column, but I am going to read a few things:

In late December, the state's Public Utilities Commission, which regulates Nevada's energy market, announced a rate change drastic enough to kill Nevada's booming rooftop solar market and drive providers out of the state. Effective Jan. 1, the new tariffs will gradually increase until they triple

monthly fees that solar users pay to use the electric grid and cut by three-quarters—

Seventy-five percent—users' reimbursements for feeding electricity into [the grid].

They already have a contract. That does not matter. The column goes on to say:

More startlingly, the commission made its decision retroactive. That means that the 17,000 Nevada residents who were lured into solar purchases by state-mandated one-time rebates of up to \$23,000 suddenly discovered that they were victims of a bait-and-switch. They made the deals assume that, allowing for inflation, their rates would stay constant over their contracts' 20- to 30-year lifetimes; instead, they face the prospect of paying much more for electricity than if they had never made the change, even though they're generating almost all of their electricity themselves.

That is the power of utilities and Koch brother-like operations that are doing this. The Koch brothers are doing it through a number of billions of dollars that they have invested in controlling America through an organization called ALEC, which is a phony front to work in State legislatures.

The utility in Nevada retroactively tore up the agreements that were made with families and businesses that generate their own clean energy, as indicated in this New York Times column. Because of what the utility did, at least three companies have left Nevada, and tens of thousands of families and businesses fear that their power bills will unexpectedly skyrocket because of the changes, and thousands and thousands of Nevadans have lost their jobs—not hundreds, thousands. No one knows the exact number but nearing 10,000.

We should not be pulling the plug on clean energy at a time when more and more Americans are making it work. We should encourage independence. Competition is putting more clean power on our electric grid. We should support this growing solar industry, which is creating jobs. Solar alone created over 35,000 new jobs in 2015, a 20-percent growth rate. With what we did in the omnibus and the tax extenders at the end of the year, it is estimated that in the next 10 years there will be about 350,000 jobs in the solar industry.

That is why Senator KING and I have worked on amendment No. 3120, which would protect residential solar energy customers from the abuse that we have just talked about here and as outlined in the New York Times.

This amendment is good for consumers in Nevada and across the country. It will safeguard people who want to generate their own clean energy from retroactive rule changes that could devastate their finances. Unfortunately, monopoly utilities and ideological groups funded by the Koch brothers are working hard to defeat any protections for Americans who generate their own clean energy. Re-

member, the Koch brothers use their money in a lot of different ways, not the least of which is in the fossil fuel business.

These anti-competitive individuals are fighting our efforts to protect families and businesses from having their contracts torn up and having their bills skyrocket. My friend, the Senator from Maine is on the floor with me. I appreciate his advocacy. He has been at the forefront of this issue, a person who has extensive experience in this whole field, having been a Governor of the State of Maine when the power system there began to change.

He is the sponsor of this amendment. I have joined with him on this amendment. He has been an unwavering advocate for solar energy customers. I hope our colleagues will follow his example and stand for consumers and support each American's choice to install clean energy on their homes and protect them from retroactive rate hikes and abusive fees.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein and with the time equally divided, with the Democrats controlling the first half.

The Senator from Maine.

SOLAR ENERGY

Mr. KING. Mr. President, the Democratic leader has just outlined the issue that is before us today. I want to put it into some context. The first thing I want to say is that what we are talking about today is the most fundamental of American economic principles—free-market competition. Free-market competition is what we are talking about here.

Now, as the Democratic leader outlined, for 135 years, our electrical system worked basically in the same way that it works today. It has worked because of central powerplants, wires, distribution and transmission systems, and homes. Homes and businesses and offices were the passive receptors of electricity. The utilities have done a wonderful job. I have worked with them over the years. They have done a complex job where the power has to be there when the switch is thrown. They have done a terrific job of serving the American public, but what the American public wants is not necessarily electricity itself, it wants what electricity can do.

A friend of mine once said, for example, that in this country every year, 5 million people buy quarter-inch drills, but nobody wants quarter-inch drills. What they want are holes. What the American people want are microwaves and televisions and computers and electricity and hot water in their homes. How that power comes is really not what they are concerned with, but they do want options.

A revolution has occurred. Without a doubt this system served us well for 130 years, but a revolution has occurred in the last 25 years. This chart dramatically shows what has happened. This is the price of a watt of solar energy. In the 1970s it was \$76. Today it is 36 cents. This is revolutionary. This is disruptive. This is change. What this has enabled is for us to now tap into that very large, fully permitted nuclear fusion device in the sky that delivers power wirelessly to every city, town, village and hamlet on Earth.

That is what we are talking about. Why is this important? For a number of reasons. If you combine the cheaper solar power with smart appliances that can use their power only when it is the most efficacious for the grid—smart meters that many of our grids now have, demand response that allows customers to diminish their demand at times of high demand on the grid, and new storage technologies, if you add all of those together, it is an entirely new world of electricity development. This is where we are today.

We still have central powerplants. We still have wires, but we have homes and businesses making their own electricity and storing their own electricity from that big nuclear fusion plant up in the sky. This is a good development. No. 1, it empowers consumers. It empowers families.

Mr. REID. Will the Senator yield for a question?

It is also true, is it not, as we speak, that there is tremendous work being done on battery storage. That will change it even more; is that right?

Mr. KING. That is absolutely correct. That I will touch on in a moment. That potentially changes the relationship with utilities and with the grid system. This is a good thing. This provides competition. Our whole system is based upon competition. Everybody here talks about the power of the market. That is what we are talking about here.

It strengthens the grid by making it more resilient because power is going in two directions. We had a huge ice storm in Maine in 1998. The power went off. Everybody lost their power—600,000 people. The people who had generators in their homes could make their own power, but those were very few people. Now we are talking about a grid that is not wholly dependent upon a central powerplant but power goes in both directions.

I am on the Intelligence and Armed Services Committees. This is a national security issue. One of the great vulnerabilities of this country is a cyber attack on critical infrastructure. To the extent this infrastructure is self-healing and distributed, it is less subject to a catastrophic attack.

It saves money because it saves money on distribution and powerplants if people are making their own investments and you don't need the level of transmission and distribution wires. Of course it could substantially reduce our dependency upon fossil fuels. There are two possible reactions to this from the utility companies. One is to adopt, adjust, and reinvent themselves, as companies have done. I remember New England Tel. New England Tel is now Verizon. If they were still focused exclusively on landlines with the old black telephones, they would be long gone. Instead, they reinvented themselves because of a change of technology, and now they are one of the Nation's leading wireless providers. AT&T used to be Ma Bell. Now it is a leading wireless provider because they adapted, and they changed their whole business model based upon new economic realities. That is one option.

There are utilities in the country that are adopting that option; that are finding new business models, relationships with their customers, in order to participate in this system and be counselors and energy providers and consultants to their customers in this new world. On the other hand, they can fight, resist, and try to delay. That is what we are talking about here today. That is what has happened in Nevada, imposing high fixed fees that ostensibly are to recover the costs, but everybody knows the real purpose is to strangle this industry in its infancy.

I think those companies should think about the examples of Packard, Kodak, and Polaroid that failed to adapt, that failed to take account of new technological realities and ultimately failed. I don't think that is the future these companies want. This amendment is not a Federal takeover of State utility regulations. It provides guidance. It uses the term "take into account." All it says is that if you are going to change a net metering regime, or if you are going to impose fees, they have to be based upon data and analysis, not arbitrary fees that are designed to strangle the industry. It is not a mandate for net metering or any other kind of payment. Again, what we are trying to do is to make sure that the benefits to the grid from a home installation—whether it is demand, response, storage, whatever—are measured as well as the cost.

The issue is very simple. It is fair compensation to the customer for the energy they produce or save and fair compensation to the utility for maintaining the grid.

I know there are costs to the utility for maintaining the grid, and they have to be fairly compensated. But the question is fair. What is the right number? An arbitrary exorbitant fee that essentially makes the development of solar or storage unfeasible is not the right number.

The Democratic leader mentioned storage, and this is really an essential part of the discussion. As storage technology improves, this is where the utilities are most exposed. In my view, utilities are in a race with battery technology in order to determine who is going to provide the backup to the solar, wind, and demand response facilities in the house. Who is going to provide the backup?

If the utilities insist upon high, unreasonable fees, eventually—and I think "eventually" is within 5 years; it is not 10 years, 20 years or 30 years—people are going to say: I am going to do my own storage, my own backup in my basement, and cut the wires. Then the utility has lost the customer all together, and I don't think that makes any sense.

The real point is that change is coming anyway. The only question is whether it happens fairly, deliberately, and expeditiously and is fair to the customers as well as the utilities or whether it goes through a long series of individual fights State by State.

Mr. REID. Will the Senator yield for a question?

Mr. KING. I yield to the Democratic leader.

Mr. REID. I am wondering if my friend is aware of a couple of examples. In Nevada there is Tesla and Elon Musk. It is a massive company. He is building batteries for his vehicles and other things.

The Tesla plant I toured a few months ago is under construction. As to the floor plan, the only place in America with a bigger manufacturing facility is the Boeing plant in Washington. That is how huge it is. The man who is running that plant for him indicated to me that they had found that the price, as indicated by the Senator from Maine, was so cheap with solar that it is going to be basically mostly solar, nothing else. Was the Senator aware of that?

Mr. KING. Absolutely, and I think that is what has to be part of the discussion, because if the utilities insist on fighting and trying to overprice their storage, people are just going to say: I am going to buy my own storage, put it in the basement, and cut the wire.

Mr. REID. And remember what he is manufacturing in this huge facility is batteries. So I would think Elon Musk, who has been sending people and cargo into space, is going to come up with an idea to make better batteries.

I would also suggest to my friend that the example of Packard and

Kodak were very good examples. But more modern, I read a book a few months ago about Reed Hastings, the owner of Netflix, who had already been successful in another line of work when he went into Netflix. We all remember Blockbuster, where we would go to rent our movies. He went to Blockbuster and he said: I have an idea; here is what I would like to do.

They said: No, that is just a niche business. We are not interested.

Blockbuster is gone, and Netflix is every place. So the same thing is going to happen one way or another to these monopolies that have the power in our States. They should work something out to make sure they are ahead of the curve. Otherwise, they are going to be behind the curve—and fairly quickly.

Would the Senator agree with that?

Mr. KING. I would agree, and that is exactly where I would conclude. I am not anti-utility. I am pro-customer. I am pro-competition. I am pro-free markets. I believe the utilities have a tremendous opportunity here to modify and adapt their business model to maintain their relationship with their customers. But if they do not, then I am afraid that technological changes such as storage are going to overtake them, and they could go the way of Kodak, Blockbuster, and Polaroid. I don't want to see that happen because I think they have a tremendous value to contribute to this discussion.

I conclude by saying that this amendment is really a modest one. It is not a takeover of the regulatory process. It simply urges and advocates that the State public utilities commissions take into account the positive factors of solar as well as the costs in order to reach a fair compensation agreement between utilities and their customers.

This is the future. It is going to happen. The only question is whether it happens efficiently, fairly or by fighting. I would prefer the former option. I think this is an important part of the future of this country, and we have an important role to play in this body.

I urge support for this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

THE LEGAL SYSTEM

Ms. WARREN. Mr. President, across the street at the Supreme Court, four simple words are engraved on the face of the building: "Equal Justice Under Law." That is supposed to be the basic premise of our legal system: that our laws are just and that everyone—no matter how rich, how powerful or how well connected—will be held equally accountable if they break those laws.

But that is not the America we live in. It is not equal justice when a kid gets thrown in jail for stealing a car while a CEO gets a huge raise when his company steals billions. It is not equal

justice when someone hooked on opioids gets locked up for buying pills on the street, but banking executives get off scot-free for laundering nearly a \$1 billion of drug cartel money.

We have one set of law on the books, but there are really two legal systems. One legal system is for big corporations, for the wealthy and the powerful. In this legal system, government officials fret about unintended consequences if they are too tough. In this legal system, instead of demanding actual punishment for breaking the law, the government regularly accepts token fines and phony promises to do better next time. In this legal system, even after huge companies plead guilty to felonies, law enforcement officials are so timid that they don't even bring charges against individuals who work there. That is one system.

The second system is for everyone else. In this second system, whoever breaks the law can be held accountable. Government enforcement isn't timid here. It is aggressive, and consequences be damned. Just ask the families of Sandra Bland, Freddie Gray, and Michael Brown about how aggressive they are.

In this legal system, the government locks up people for decades, ruining lives over minor drug crimes because that is what the law demands.

Yes, there are two legal systems—one for the rich and powerful and one for everyone else.

Last Friday I released a report about the special legal system for big corporations and their executives. The report is called "Rigged Justice," and it lists 20 examples from last year alone in which the government caught big companies breaking the law—defrauding taxpayers, covering up deadly safety problems, stealing billions from consumers and clients—and then just let them off easy. In most cases the government imposed fines and didn't require any admission of guilt. In the 20 cases I examined, just 1 executive went to jail for a measly 3 months, and that case involved 29 deaths. Most fines were only a tiny fraction of the company's annual profits, and some were structured so that the companies could just write them off as a tax deduction.

It is all part of a rigged game in Washington. Big businesses and powerful donors, with their armies of lobbyists and lawyers, write the rules to protect themselves. And when they don't follow the rules, they work the system to avoid any real responsibility.

How can it be that corporate offenders are repeatedly left off the hook when the vast majority of Americans—Republicans, Democrats, and Independents—want tougher punishment and stronger new laws for corporate crimes?

Well, that is how a rigged system works. Giant companies win no matter what the American people want.

Currently, we can see the rigged game in action. Republican politicians love to say they are tough on crime. They love to talk about personal responsibility and accountability when they are back home in their districts. But when they come to Washington, they are pushing to make it even easier for corporate criminals to escape justice.

This is one example. It starts, actually, with a great idea: reforming the criminal justice sentencing system to help some of the thousands of people who have been locked away for years for low-level offenses. Legislators in both parties have been working for years to slowly build bipartisan momentum for sentencing the reform. This is enormously important—a first step away from a broken system where half of our Federal jails are filled with nonviolent drug offenders. But now, all of a sudden, some Republicans are threatening to block reform unless Congress includes a so-called mens rea amendment to make it much harder for the government to prosecute hundreds of corporate crimes—crimes for everything from wire fraud to mislabeling prescription drugs.

In other words, for these Republicans, the price of helping people unjustly locked up in jail for years will be to make it even harder to lock up a white collar criminal for even a single day.

That is shameful—shameful. It is shameful because we are already way too easy on corporate lawbreakers.

And that is not all. Tomorrow the House will be voting on another Republican bill. This one would make it much harder to investigate and prosecute bank fraud. Yes, you heard that right. Tomorrow the House will be voting on a Republican bill to make it much harder to investigate and prosecute bank fraud.

When the bankers triggered the savings and loan crisis in the late 1980s, more than 1,000 of them were convicted of crimes and many got serious jail time. Boy, bankers learned their lesson. Now the lesson was not "Don't break the law." The lesson they learned was "Get Washington on your side." And it worked.

After systemic fraud on Wall Street helped spark a financial crisis in 2008 that cost millions of Americans their jobs and their homes, Federal prosecutors didn't put a single Wall Street executive in jail. Spineless regulators extracted a few fines and then just moved on.

But I guess even those fines were just too much for the big banks and their fancy executives. So now they have gotten their buddies in Congress to line up behind a bill that would gut one of their main laws, called FIRREA, which the Justice Department used to impose those fines.

It has been 7 years since the financial crisis. A lot of people in Washington

may want to forget, but the American people have long memories. They remember how corporate fraud caused millions of families to lose their homes, their jobs, and their pensions. They also remember who made out like bandits, and they didn't send us here to help out the bandits.

The American people expect better from us. They expect us to straighten out our criminal justice system and reform drug enforcement practices that do nothing but destroy lives and communities. They expect us to stand against unjustified violence. But they also expect us to protect the financial system and to hold Wall Street executives accountable when they break the law. They expect us to hold big companies accountable when they steal billions of dollars from taxpayers, when they rip off students, veterans, retirees or single moms; or when they cover up health or safety problems, and people get sick, people get hurt or people die because of it.

The American people know that we have two legal systems, but they expect us to fix it. They expect us to stand for justice. They expect us to once again honor the simple notion that, in America, nobody is above the law. And anyone in Congress who thinks they can simply talk tough on crime and then vote to make it harder to crack down on corporate criminals, hear this: I promise you—I promise you, the American people are watching, and they will remember.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Michigan.

FLINT, MICHIGAN, WATER CRISIS

Ms. STABENOW. Mr. President, I rise today to speak about an urgent and truly tragic situation in Flint, MI, and ask my colleagues in the Senate to look very hard at what has happened here and to help us address this issue.

This is a public health emergency on a massive scale. It is unprecedented. I don't know of any other American city where families in the entire city—in the entire city—can't drink their water, can't cook with their water, can't bathe their children with the water.

We need to be very clear. This morning, as every other morning now going on 2 years, people in Flint took showers by pouring bottled water over their heads. They didn't have the dignity of clean water coming out of their taps. They had to use bottled water to drink, to make breakfast for their children, to make a pot of coffee—the things we all use water for and the things that all of us take for granted every single day. They will not have clean water until the pipes get replaced.

Up until now, we have had what we thought was a good series of negotiations. We thought we had an agreement. I have been very hopeful about

the bipartisan discussions to help these families, and we have been incredibly flexible, Senator PETERS and I. We just want to get this done. We are not interested in the politics or making this partisan. We want to get something done for the people of Flint.

We understand that money doesn't grow on trees. Senator PETERS and I are willing in fact to support a proposal that was less than half of what we originally requested in order to be able to immediately get some help to the families of Flint. Now, we can't even get agreement on that because we are hearing procedural excuses—procedural excuses that are overcome every single day on this Senate floor when we want to. Lord knows, there were a whole bunch on the Transportation bill, all of which were waived because people wanted to fix the roads. I am left wondering what is going on. What is really going on here?

I am asking that we come together and understand that this is a serious, urgent issue and that we not accept procedural excuses. It is an urgent, severe, outrageous crisis, and we need to act now.

When we look at what has been said on the Senate floor, it is very concerning to me. One Senator yesterday said we are putting the cart before the horse by asking for money even before the government knew what this was going to cost. But, in fact, the Governor in writing requested from the President \$766 million to replace the pipes in Flint and another \$41 million in protective measures. So we are working within the numbers that the Governor of Michigan has identified and requested. While we truly don't know the full cost until work begins, as with any project, we need to begin to get this done immediately.

I think what is most important is for us to focus on what is happening to the children and families. No lead level is safe, and I have to say I know a lot more about lead than I have ever known before. Frankly, hearing about the damage done to children and what can happen to individuals is really frightening. We should all be doing everything we can to make sure we address this lead issue across the board.

The threshold set by the EPA and the Center for Disease Control is 15 parts per billion of exposure. The water filters that FEMA has provided to families in Flint are certified to protect lead up to 150 parts per billion. In many places, when they are provided and used correctly, that is making a real difference. But, unfortunately, we look at the severity of this. Last week, a new round of tests showed that lead in some homes in Flint range from 153 parts up to 4,000 parts per billion. If they are saying 15 parts per billion is when we need to be worried, I can't even fathom 4,000 parts.

We are all looking at all the different numbers, but I heard one commentator

in the news say that the exposure to children and families in those particular homes is actually higher than a toxic waste dump. And this is after the city switched back to the Detroit water system because of the damage that was done to the pipes. So this is severe and urgent. We have to act now.

Unfortunately, the same Senator also suggested we are putting the cart before the horse because this was a local issue. Come on. I am really glad that the people of the great State of Michigan didn't have that attitude when a fertilizer plant in West Texas exploded and we spent millions of dollars in Federal funding on that town. That was also a manmade disaster where safety procedures were lax. We all saw the horror of that situation, and we stepped in as Americans to support that community and those families. That is all we are asking. When floods hit South Carolina and Texas last year, we came together with \$300 million put in an omnibus for South Carolina and Texas for floods. And just last week, the same Member of the Republican leadership asked President Obama to grant a disaster declaration and funneled millions of dollars to his State.

We all know we have challenges in our States, and we need to be thoughtful. But we need to be supporting Americans around the country. This is a disaster. This is a situation where we need to show that we care about a group of people who did nothing. They did nothing, and they are in a situation where their entire water system is unusable. We should be lending a hand.

Right now, we have up to 9,000 children under the age of 6 in Flint—9,000 children—who are exposed to lead.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. STABENOW. I appreciate that I am running out of time. I will close. I will be back a lot today. I would just indicate to the President and to others that we want this fixed. We have been working in good faith. We thought we had an agreement working within the framework given to us by the Republicans working on this issue. We are not going to let procedural issues that are fixed every single day in the Senate get in the way of what is happening. I am not going to tell families, I am not going to tell children, I am not going to tell moms in Flint "Sorry, we can't help you" because of some bureaucratic procedural issue that folks don't want to fix when they fix them every single day.

I yield the floor, and I will be back.

The PRESIDING OFFICER. The Senator from Wyoming.

ENERGY POLICY MODERNIZATION BILL

Mr. BARRASSO. Mr. President, for the past week the Senate has been debating the way that America produces

and uses our energy. We have talked about how these issues affect our economy, how they affect our communities, and how they affect the world—the world that we hope to leave to our children.

As Senators have come to the floor and offered their ideas, I have tried to keep one basic idea in mind, and that idea is that we want to make energy as clean as we can, as fast as we can, as long as it doesn't raise costs on American families. I think that is the goal of many Members of the Senate with regard to this bipartisan legislation.

I want to talk today about two bipartisan ideas—ideas that some of us have offered to make this legislation even better. One of the first amendments the Senate took up on this bill was an amendment I offered, along with Senator SCHATZ, that passed by voice vote. He is a Democrat, I am a Republican, and it is something that both of us think is a very good idea.

This amendment creates a prize system to encourage new technologies that could remove carbon dioxide from the atmosphere and permanently sequester it. A lot of the Members of this body talk about reducing carbon dioxide in the atmosphere. Some of them want to reduce this by cutting the amount of emissions of carbon dioxide; some want to do it with a carbon tax; and some others want to do it by banning some of the energy sources that we need today to power our economy. The problem with that approach is that it severely reduces how much energy we as Americans can use, and it raises the cost of energies on hardworking families.

We just got the new economic numbers that are out in terms of economic growth in America for the last quarter of last year—0.7 percent. That is the last quarter of 2015. That is nowhere near the growth that we need in this country for a healthy economy. It is nothing.

Cutting back on the types of energy resources Americans can use by some of these proposals or by making energy much more expensive is not going to help our economy grow as we need it to in terms of having a healthy, strong economy.

The amendment that Senator SCHATZ and I have introduced looks at this issue from a very different direction. It looks at the carbon that is already in the atmosphere. The amendment says we should be looking much more at finding a way to remove some of that carbon dioxide. To get that done, America needs to invest more in developing new technology that can accomplish it, not just through more spending or more government research but by setting up a series of prizes for different technical breakthroughs. By doing that, we can turn to ingenuity and to innovation to solve the problem. That includes the private sector, universities, and even just someone out

tinkering in their garage and coming up with a great idea.

Prizes like this are not a new idea. Back in 1714 the British Government offered a big prize for the first person to invent a better way for measuring longitude. It was a clockmaker whose name was John Harrison. He won the prize, and his idea transformed the way that we sail the seas.

In 1927 Charles Lindbergh flew non-stop from New York to Paris. This helped create the new modern aviation industry. He took the flight to win a \$25,000 prize-sponsored by a New York hotel owner.

The prize created by this amendment—and there is more than one. There are several prizes. The prizes created by this amendment are meant to encourage that kind of new thinking, that kind of bold action. So that is one of the amendments, one of the bipartisan ideas.

Another amendment and idea that we have talked about, which is again bipartisan, is an amendment we voted on yesterday, amendment No. 3030. This was an idea that had bipartisan support. My lead cosponsor was my friend from North Dakota, Senator HEITKAMP. This amendment would have expedited the permit process for natural gas gathering lines on Federal lands, on Indian lands. Gathering lines are pipelines that collect unprocessed gas from oil and gas wells and then ship it to a processing plant. At the plant, the different kind of gases—methane, propane—are separated from one another. Then they are shipped out again by other pipelines to locations where they can be sold and used by people to power our country, to power our economy. That is what the producers want to do. The problem is, we don't have enough of these gathering lines to gather up this gas and send it to the processing plants. So a lot of times there is only one option, and that is to flare or vent the excess natural gas at the well. If there were more gathering lines, then we would have a lot less waste.

You don't have to take my word for it. Last month, the Obama administration proposed a new rule that restricts this kind of flaring of oil and gas operations on Federal land and on Indian land. In that rule, the administration admitted that the main way to avoid flaring “is to capture, transport, and process” that gas for sale, using the same technologies that are used for natural gas wells. It makes sense. The administration said that the rate of energy production in some of the areas outpaces the rate of development of this infrastructure to capture the gas. The administration said the production had overwhelmed the capacity of the gathering lines, and Senator HEITKAMP and I were talking about ways to deal with the problem. Even though the administration seems to recognize and give voice to the problem, its proposed

rule doesn't actually address the problem or provide a solution, and Senator HEITKAMP and I have a solution.

The rule doesn't do anything to speed up the permit process for natural gas gathering pipelines. The President ignores that component. Whether you agree with this new rule or you disagree with it, the only practical way to reduce the venting or the flaring of natural gas is to build more of these gathering lines. The rule will not work without them.

If we don't build the infrastructure to solve the problem, the administration's rule will end up pushing oil and gas production off of Federal lands, off of Indian land, and this is completely unacceptable. It is unworkable.

The Obama administration says this type of gas venting and flaring is bad for the environment. They say the government is losing royalty money because the gas isn't being sold. I agree. That is why the bipartisan amendment Senator HEITKAMP and I sponsored would solve both of these problems at once. Even though we weren't able to get that amendment adopted yesterday, this is an idea that all Republicans and Democrats should be able to support. It would help Americans get the energy we need and do it in a cleaner way and at a lower cost. That is the goal.

I know Senators on both sides of the aisle are going to keep talking about this idea, and we are going to keep trying to get it enacted into law. These are just two commonsense, bipartisan ideas Republicans and Democrats have offered to solve the energy challenges America is facing.

In my home State of Wyoming, people know we need to balance a strong economy and a healthy environment. They are in favor of using our natural resources responsibly. Part of that is remembering that these are resources and resources should be and can be used.

We should also recognize that the important resource we have in this country is American ingenuity. We should be investing in it. We should be cutting through the redtape that holds back innovation. Abraham Lincoln once said that when we face new and difficult challenges, we must think anew, and we must act anew. Lincoln knew the importance of setting a big goal, of unleashing the ingenuity of the American people to get it done. He had the vision for the transcontinental railroad. He also signed the original charter for the National Academy of Sciences. We must think anew; we must act anew.

It is not enough for environmental extremists to say that the resources have to stay in the ground. That is not realistic. That is not responsible. America can do better, and the American people are ready to be part of this solution. They are ready to make en-

ergy as clean as we can, as fast as we can, without raising costs on American families. They need us to help show the way. With this kind of bipartisan solution I have been talking about today, I think we can take a step toward reaching that goal.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

TRIBUTE TO ZIPPY DUVAL

Mr. ISAKSON. Mr. President, first of all, I am privileged and honored to commend Zippy Duvall, a great Georgian who just a few weeks ago was elected, in the 97th year of the American Farm Bureau, as its 12th president. Zippy has been the president of the Georgia Farm Bureau since 2006. He has been a leader in our State for decades, and I am so proud he will now represent agriculture throughout our country. He himself is a cattleman. He raises hay. He raises broilers. He has run the Farm Bureau and been a great advocate for agriculture and farming in our State.

He and his wife Bonnie have four children and three grandchildren. He serves on the Farmers Bank board. He serves as the president of the Georgia Farm Bureau. He serves on the local electric membership corporation board. He serves on the soil and water conservation board. He is a total public servant, and he is an outstanding advocate for agriculture and an outstanding representative of our State.

The best example of Zippy Duvall that I know is, if you ride through South Georgia—the heart of agriculture country in my State—and you look at all the bumper stickers on all the pickup trucks, you will see a unique bumper sticker—not mine, not a Member of Congress's, not the Governor's, but a bumper sticker that says very simply “Ditch the Rule.” Zippy Duvall was one of the leaders in our country who took on the EPA to stop from going into place the waters of the U.S.A. regulations that would hurt agriculture so desperately in our State. That bumper sticker became a slogan for agriculture all over the country, and farmers worked together to advocate on behalf of better agriculture without an overly oppressive EPA effect.

I am proud to come to the floor today and recognize a member of my State, a great farmer in Georgia, and a great citizen of our country. He will be the 12th president of the American Farm Bureau, and he will be the best president of the American Farm Bureau. I commend him and his family for all their sacrifice and effort. I wish him the very best of luck in his endeavors as president of the American Farm Bureau Federation.

75TH ANNIVERSARY OF USO

Mr. ISAKSON. Mr. President, I rise to recognize another organization that is meaningful to all of us and in particular the Presiding Officer. It is called the USO—the United Service Organization—a private organization chartered federally in 1941 by Franklin Delano Roosevelt and the Congress of the United States.

America was on the verge of world war, and the President knew it. We had fragmented volunteer organizations to serve our troops but no organization to really give them the services they needed. The Congress passed a resolution creating and chartering the USO, consolidating those organizations into one. Since that charter 75 years ago, that organization has served over 10 million American soldiers in uniform from the time they put it on until the time they take it off.

One need only go to their local airport, which, for me, is the Hartsfield International Airport in Atlanta. Last year 100 million passengers went through that airport. Many of them were soldiers, a lot of them on the way to deployment in Afghanistan or the Middle East. When they go through the Atlanta airport, the first thing they see is the USO booth, and the first thing they get is services from the USO to help them in their trip, their endeavors, and help them with their families. The USO provides invaluable help to the men and women who provide all of us the security we relish in this great Nation of ours called the United States of America.

On this 75th anniversary of the USO, I commend the volunteers—900 of them in Georgia—who provide services to 150,000 Georgia soldiers a year, for all they do on behalf of our country and on behalf of our services. The USO is a great organization for a great country, serving the greatest of all military in the United States of America and throughout the world.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY MODERNIZATION
BILL

Mr. LANKFORD. Mr. President, I have two different amendments that are coming to the floor. One deals with the Energy bill. One of them deals with the Land and Water Conservation Fund. This bill does a permanent extension of the Land and Water Conservation Fund. My question on that

has been this: The money that is being allocated for the Land and Water Conservation Fund to be able to purchase properties—are we also allocating money to be able to actually maintain those properties?

Currently, in the current existence of this bill, there is some money allocated to it in some future way, but I have a simple request: As much money as we allocate to dealing with purchasing new properties, we should also focus in on maintaining what we already have because we have billions of dollars in maintenance backlog. Right now one of the worst conservation things that can happen in many parts of the country to land is actually put it into Federal trusts because it is not being taken care of once it actually goes into the Federal trust.

But that is not the prime issue I want to talk about right now. Oklahoma is truly an “all of the above” energy State. Oil, gas, coal, wind, geothermal, hydroelectric, solar—we actually use all of those platforms in a very diverse energy economy. A tremendous amount of wind energy is produced in Oklahoma, used in Oklahoma, and exported to other States around us. It is a very important energy source for us. It has been incredibly beneficial, and it is an important part of our portfolio of a diverse energy platform.

We have a challenge to deal with our tax policy. Just a few weeks ago, this Congress—the House and the Senate—passed a change in the way the wind production tax credit will be handled. As a quick review for this body, the wind production tax credit was put in place in 1992. It was a short-term tax credit to give a little bit of help to a brandnew wind energy and several other diverse energy portfolios, but it was especially targeted at wind to help a brandnew energy source get started.

Twenty-four years later, this temporary tax credit is still sitting there. As of a few weeks ago, it was changed. It was changed so that in 2015 and 2016 the full tax credit will still be there, but starting in 2017 that tax credit will drop to 80 percent of what it is now, in 2018 it will drop to 60 percent, in 2019 it will drop to 40 percent, and in 2020 it is left undefined.

I heard multiple individuals say this is a phaseout of the production tax credit—a phaseout. That is something many of us have pursued for many years—how do we get out of this perpetual cycle? The problem is it wasn't a phaseout, it was a phasedown of the production tax credit because in 2020 the PTC is left undefined. Most people would say that is not a problem. It will just go away. It is left undefined. The problem is 10 times in the past 24 years the production tax credit has been undefined for a future year assuming it would go to zero, and 10 times this Congress has gone back and retroactively put it back into place—10 times. So to

say in 2020 we are going to leave it undefined and it will go away is not a true phaseout. That is a phasedown, and it leaves it in the Tax Code.

My amendment is simple. A few weeks ago this body agreed that we would phase out the production tax credit. The best way to do that is to remove that part from the Tax Code in year 2020 and then it would be eliminated and would actually go away.

Why would I encourage that? I would encourage that for several reasons. It provides certainty in the industry. Several individuals I talked to in the industry say they need certainty in their planning. This would help with certainty in planning. It is assumed right now that it goes away in 2020. I would like to make sure everyone understands it really does go away in 2020. It is eliminated from the Tax Code. This is keeping everyone honest based on what they said they wanted to do, and we actually eliminate that production tax credit that year. It provides that great certainty that industry needs to know for their own planning, for their investment, and for outside capital resources and how that money comes in. It is also because these extensions are extremely costly.

The extension that was just done in December by this Congress will cost \$17 billion over the window—\$17 billion. May I remind everyone that we just had an extended argument over how we were going to fund the Transportation bill last year when we needed to find \$13 billion a year to fund transportation, and we just did a production tax credit for wind that is \$17 billion.

If we are going to deal with a lot of our national priorities, I am great with having wind in our portfolio, but this is not a new industry that continues to need support and provide the clarity that is needed to make sure we actually end this tax credit when we said we were going to end this tax credit. Let's remove it from the Tax Code in 2020 and make sure it goes away, and the only way it can be renewed at that point is to go through the normal tax process, create a new tax, and actually do it in the full sunlight rather than just say: Well, we are going to do another tiny extension again.

Wind has increased generation dramatically over the past 24 years, and I am glad. It is a good source. In our Nation, since 1992, wind generation has increased 3,000 percent. It is well developed, it is economically stable, it is pulling its own weight in the system, and we should allow it to continue to fly on its own. It is not as if wind goes away if we don't provide a tax credit.

It is interesting to note that in 2014 we faced something very similar to this. In 2014 it was one of those years that the tax credit was to go away and not exist anymore. It had expired. The problem was that at the very end of 2014, Congress did a retroactive renewal

of the production tax credit for the year 2014 in the last days of December. So the whole year had gone by without the tax credit, and during the very last days of 2014 Congress once again renewed the production tax credit and did it retroactively. That year, 2014, the wind association noted that there was \$12 billion of private investment into wind that year. The tax credit was only applied in the final days.

Wind is a good energy source, but it does not need additional Federal dollars to be able to compete in this market. We have made that decision. Now it is time that we actually both trust and verify and that we reach out to this last year, when we said as a body that wind energy would not get a production tax credit anymore, and remove it from the tax credit and verify for ourselves that, no, it is not going to happen.

One last thing. I came into this body 5 years ago and served in the House of Representatives. For the 4 years I served in the House of Representatives, I distinctly remember the first year, in 2011, when I sat down with some folks from wind energy and I asked: How much more time do you need for the production tax credit because wind continues to increase its efficiency. They said: It is becoming much more efficient. If we had 3 more years, we could make it. Again, this was in 2011. The discussion was that by doing a phasedown in 2011 they would need just 3 more years and it would go away.

In 2014 I was in a hearing in the House of Representatives, and I asked those same individuals: How much more time do you need for a phasedown and phaseout of the production tax credit? The same person said to me: If I just had 4 more years, we could phase this out. I am concerned, and I believe rightfully so, that in 2019 this body will have lobbyists come into it and say: If we just have a few more years of the PTC extension, we could make it just fine. I would argue they are doing very well as an industry—and I am glad they are. Let's make it clear the PTC ends in 2020 and does not return.

With that, I yield back my time.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from New Mexico. Mr. UDALL. Mr. President, I ask unanimous consent to speak in morning business for no more than 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS MATTHEW MCCLINTOCK

Mr. UDALL. Mr. President, I rise with sorrow and regret to pay tribute to SFC Matthew McClintock. Sergeant McClintock was a native of my home State of New Mexico. He died on January 5 in Helmand Province, Afghani-

stan, from injuries sustained from small arms fire. He was only 30 years old.

In answering the call to serve—a call he answered fearlessly multiple times—Sergeant McClintock's brief time on this Earth ended far too soon. It is difficult to imagine the grief his family and friends are feeling, but I just want to say to them that the memory of this American hero among those whose lives he touched, among those whose lives he tried to protect, and in a nation's gratitude, his memory will always endure.

Sergeant McClintock served in Iraq and Afghanistan. He joined the Army in 2006 as an infantryman and was assigned to the First Cavalry Division in Iraq. He began Army Special Forces training in 2009 and was assigned to the First Special Forces Group. He was deployed to Afghanistan in 2012. He left Active Duty in 2014 and was later assigned to Alpha Company, First Battalion, 19th Special Forces Group of the Washington Army National Guard and was again deployed with his unit to Afghanistan in July of last year. That is the official record, but it does not begin to tell us the day-to-day risks, hardships, and challenges Sergeant McClintock and his fellow soldiers encountered and the remarkable bravery and determination they gave in return.

Our Nation has the finest military on Earth because of the dedication and true grit of Americans like Matthew McClintock. Words cannot take away the pain of those who grieve for Sergeant McClintock. Words cannot fully express the gratitude our Nation owes to this valiant soldier. We can only remember—and must always remember—the sacrifice that SFC Matthew McClintock made in service to our country.

We should not forget or take for granted that our men and women in uniform continue to defend our Nation every day. They put their own safety at risk to protect the safety of others. They stand watch in faraway lands always at the ready.

Today we remember and we grieve that some of them, like Sergeant McClintock, tragically do not come home. His watch is over, but his fellow soldiers and his family now stand it in his place.

President Kennedy said that “stories of past courage . . . can teach, they can offer hope, they can provide inspiration. But, they cannot supply courage itself. For this, each man must look into his own soul.”

In the face of great danger and great risk to himself, Matthew McClintock went where his country sent him, time and again, and he served with honor and distinction. I am inspired by his courage and the heroic actions of others like him.

MG Bret Daugherty, the commander of the National Guard, spoke for all us when he said:

Staff Sergeant McClintock was one of the best of the best. He was a Green Beret who sacrificed time away from his loved ones to train for and carry out these dangerous missions. This is a tough loss . . . and a harsh reminder that ensuring freedom is not free.

Sergeant McClintock leaves behind a wife, Alexandra, and a young son, Declan. I hope they will find some comfort now and in the years ahead in Sergeant McClintock's great heart and great courage. He was truly a hero. He loved his country, and he made the ultimate sacrifice defending it.

To his family, please know that we honor Sergeant McClintock's service, we remember his sacrifice, and we mourn your loss.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markey) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

BUILDING CONSENSUS

Mr. CORNYN. Mr. President, yesterday the Speaker of the House and the majority leader met at the White House with President Obama. This meeting was the first time that these three leaders sat down together to discuss the Nation's business since the beginning of the new year and to look for some opportunities to advance bipartisan priorities during President Obama's final year in office.

This Senator knows that some might view such a meeting with skepticism

and say: What incentive do people have to actually work together when they come from such polar opposite points of view politically and ideologically? But this Senator believes there is an opportunity to build on some of our success that we had in the Senate last year.

While many eyes are focused on Iowa, New Hampshire, South Carolina, and Nevada, I want to assure my constituents and anybody else who happens to be listening, that we actually have been trying to get the people's work done here in the U.S. Congress. Some people might not want to hear that, some might not believe it when they hear it, but I would hope that fair-minded people might look at the evidence and say: Yes, there is actually some important work being done.

In the process, in 2015, we actually—I know this sounds improbable—reduced the role of the Federal Government in education and sent more of that responsibility back where it belongs to parents, teachers, and local school districts in the States.

We reformed Medicare, which provides important health services to our seniors.

We provided for the long-term stability of our Nation's infrastructure. We passed the first multi-year Transportation bill, I think, in 10 years, after having made about 33 different temporary patches, which is a terribly inefficient way to do business. Where I come from in Texas, since we are a fast growing State—and I expect most States feel the same way—providing for transportation infrastructure is important. It is important to our air quality, to commerce, to our economy, and to public safety.

We also did something that this Senator is proud of: the first Federal effort to provide meaningful support to victims of human trafficking, a bill that passed 99 to 0 in the U.S. Senate. One doesn't get more bipartisan and consensus-building than that.

The way these measures happened, as well as the other work we have done, is by Republicans and Democrats working together. We are stuck with each other whether we like it or not. Republicans can't get things done by themselves. Democrats can't get things done by themselves. The laws can't be passed under our constitutional framework unless both Houses of Congress pass legislation and it is actually signed by the President. We have to work together if we are going to make progress.

A lot of the credit for last year's production in the Senate should be laid at the feet of the majority leader, Senator MCCONNELL, who said that after years of dysfunction where we were stuck in gridlock and nothing seemed to happen—he said: We are going to return to the regular functioning of the Senate. We are going to have committees con-

sider legislation. We are going to have hearings to figure out how to pass good legislation, which is going to be voted on in the committee before it comes to the Senate so that we can see what pieces of legislation have bipartisan support and thus might be able to be passed by the Senate. In the Senate we call this regular order, but all it means is that everybody gets to participate in the process.

It is important to all of us that we be able to offer suggestions, that we be able to debate and offer amendments both in committee and on the floor. It might seem like pretty basic stuff, and people may think that happens as a matter of course. But, unfortunately, it didn't.

In 2014 the Senate had 15 rollcall votes. As the Presiding Officer knows, the Senate was stuck in a ditch and couldn't seem to get out. To give a number to demonstrate how dramatically things have changed in 1 year with the new majority leader, last year we had 200 rollcall votes on amendments. There were 15 in 2014 and 200 in 2015. So we could talk about the substance, but I think those numbers tell part of the story.

So I am glad there is open communication between our Congressional leaders and the President. I hope we can find some ways to get some things done, because, again, no matter whether you are a conservative or a liberal, whether you are a Republican or a Democrat, we actually are not going to be able to get things done unless we find a way to build consensus. That is the way legislation is passed.

We have more work to do this year. So we need to keep our focus not on what is happening in Presidential primaries but on our job here in Congress and continue to try to work in a bipartisan way and deliver for our bosses, namely, the American people.

The bipartisan energy bill we are working on now is a good start to 2016. I congratulate Senator MURKOWSKI, the chair of the energy committee, and Senator CANTWELL, the ranking member, for getting the bill this far. I think part of what demonstrates to me the wisdom of Senator MURKOWSKI in handling this particular bill is that some of the more controversial issues, such as lifting the ban on crude oil exports, were handled separately and dealt with at the end of last year rather than in this bill.

This bill does represent one with broad bipartisan support. Coming from an energy State, as the Presiding Officer does, we understand the importance of energy to our economy. We produce more of it, we use it more efficiently, and, hopefully, it benefits consumers in the process. This bill will update our energy policies so that they reflect the enormous transformation we have observed in our energy sector. I have said it before, and I will say it again: I

chuckle to myself when I heard people in the past talking about "peak oil." That was sort of the talk in the oil patch. People said: Well, we have discovered all of the oil there is, and there is no more. So we are now going to be in a period of perpetual decline. We might as well get ready for that.

But thanks to the innovation in the energy sector with things like fracking—which has been around for 70 years but which some people have just discovered, it seems—along with horizontal drilling, what we have seen is this shale oil and gas revolution, which has been a boon to our country and particularly in places such as Texas, North Dakota, and the like.

Now, because of the glut, literally, of oil being produced, natural gas prices are much lower, which actually benefits consumers. If you have looked at the price of a gallon of gas lately, you have seen that gasoline is pretty cheap relative to historic levels.

Another important issue beyond energy that I think we need to deal with this year is to get back to a regular appropriations process. We saw at the end of last year—because our friends across the aisle blocked voting on appropriations bills, including funding our military, which I just found to be incredible and really disgraceful, frankly—that we found ourselves in a position where in order to fund the functions of government, we had to do an Omnibus appropriations bill.

I have said before that you might call it an "ominous" appropriations bill. It is an ugly process. It is a terrible way to do business because what it does is it empowers a handful of leaders to negotiate something that Members of the Senate ought to be involved in through the regular process, through voting bills through the Appropriations subcommittees, through the Appropriations Committee, through the floor, where we have transparency in the process and where any Senator who has a good idea can come to the floor and offer an amendment.

That is the way it ought to be done. We need to restore that sort of regular order this year so that each of the 12 separate funding bills can be considered and voted on by the Appropriations Committee and then here on the Senate floor and then matched up with the House bill before it is sent to the President. Again, this is legislation 101, pretty basic stuff.

But unfortunately, the Senate and the Congress have not been operating as they should. That is something that we would like to change. So last year, all 12 appropriations bills were sent out of their respective committees—the first time since 2009 that has happened. But, again, because of the blocking of the legislation, we ended up in a bad situation at the end of the year, where the only thing we could do was pass an Omnibus appropriations bill.

So now we look to the President's budget, which will be sent over here in short order. We will take up that matter up through the Budget Committee, and we will look at the appropriations process ahead of us. I would like to suggest to our Democratic friends that they have a choice to make. They can try to force this Chamber back into the same dysfunction and the same sort of partisan bickering that has characterized it for years when they were in charge or they can decide to work with us—as we would like to do—to move forward principled legislation, including appropriations bills, in a transparent, open process that allows every Senator—Republicans and Democrats alike—a chance to participate and allows our constituents to watch, as they go across the floor, and to ask the appropriate questions, to raise concerns if they have those concerns.

That is the way our democracy is supposed to work. Passing massive stopgap funding bills is not doing the best for the people we represent. It can be avoided, but it is going to take a little bit of cooperation. But I have to think that whether you are in the majority or the minority, most Senators like to work in a Senate that actually functions according to regular order, because, as the Presiding Officer knows, even being in the majority does not mean we have a chance to vote on amendments to legislation.

Indeed, for a period of time, his predecessor did not even have a chance to vote on an amendment—a rollcall vote on an amendment—nevertheless being in the majority party at the time. That is not the way this body is supposed to function. That is not doing our best to serve the interests of the people we represent. So we have a choice to make. I hope we choose the higher ground and perhaps listen to the better angels of our nature rather than the other one on our shoulder to whom we should not pay attention.

I yield the floor.

Mr. MERKLEY. Mr. President, I rise to address several amendments that I hope we will have an opportunity to vote on before this bill is completed.

The first amendment is amendment No. 3131, research and development for secondary use and innovative recycling research of electric vehicle batteries.

Electric vehicles, as folks generally understand, run almost entirely on lithium ion batteries, which are commonly considered to have reached the end of their useful life when the capacity diminishes by 20 to 30 percent. The range of the vehicle diminishes in a corresponding fashion. At that point, it is time for a new set of batteries. But the battery still has a lot of useful life. It still has 70 to 80 percent of its original capacity. So it has the capacity to be utilized in many other potential roles, including, possibly, stationary electric storage.

This amendment instructs the Department of Energy to conduct research on possible uses of a vehicle battery after its use in a vehicle, to assess the potential for markets for those batteries, to develop an understanding of the barriers for the development of those markets, and to identify the full range of potential uses.

That would be very useful to diminish the flow of potential batteries into recycling, to get the most out of the investment we have made in them, and also to diminish the cost of batteries, because the residual use means that they have residual value, and the overall initial cost would reflect that. So that is an important research goal. It is clearly one of the strategies to enhance our activity from a fossil fuel industry to the utilization of more clean, renewable electricity.

Second, I want to turn to amendment No. 3178, the Federal fleet amendment. The General Services Administration currently procures about 70,000 vehicles a year for various agencies. The total inventory of the Federal fleet is now almost 700,000 vehicles. These Federal vehicles are used for a wide range of purposes, some of which may well be appropriate for electric vehicles and others that may not be.

But in order to consider the applied role, the General Services Administration needs data on vehicle reliability and maintenance costs to understand what would be a fair and appropriate use and to calculate the lease terms. So this amendment provides GSA with the authority to reach out to other agencies to collect the information on the vehicles the agencies use, to do an inventory of what uses may be suitable for different types of electric vehicles and the numbers that could possibly be deployed, and to use that information to develop a 10-year plan for GSA to submit a report back to Congress so that we can understand what the potential is and make sure that we well position our policies to exploit that opportunity.

The third amendment that I want to draw attention to is amendment No. 3191, sponsored by myself, Senator SCHATZ, and Senator MARKEY. This is a resolution of the sense of the Senate. It notes that global temperature increases will lead to more droughts, more intense storms, more intense wildfires, a rise in sea levels, more desertification, and more acidification of our oceans, and that these impacts will result in economic disruption to farming, fishing, forestry, and recreation, having a profound impact on rural America.

Now, we know this to be the case because we can already observe these impacts on the ground right now. In my home State of Oregon, we have a growing red zone caused by pine beetles—pine beetles that previously were killed off in colder winters that now survive

in greater numbers and attack more trees. We have a longer forest fire season. It has grown by 60 days over 40 years. The amount of the acreage consumed by forest fires is increasing. We have a diminishing snowpack in the Cascades, which is resulting in smaller, warmer trout streams, as well as affecting our winter recreation industry. I know that anyone who loves to fish for trout does not want to have a smaller and warmer stream because of its adverse impact.

Over on our coast, we are having an impact on the baby oysters, which have difficulty forming their shells in the more acidic Pacific Ocean, an ocean that is now 30 percent more acidic than it was before the Industrial Revolution. This amendment simply points to the fact that already we see all of this. But as the temperature rises, disruptions increase. The impact on our farming, fishing, forestry, and recreation is greater, and it is doing a lot of damage to our rural economies and a lot of damage overall to the United States of America, and it is doing so throughout the world as well.

We must work together to transition to a clean energy economy. But there are important first steps in place. Our future President, whomever that might be, must work to build upon the foundation we have put in place with our Clean Power Plan, with increased mileage for our vehicles and increased mileage for freight transportation. Let's build upon those steps in order to work in partnership with the world to take on this major challenge.

So I hope these three amendments have a chance to be debated and voted on here on the floor. We are clearly in a situation where we are the first generation to see the impacts of our fossil fuel energy economy, see the destructive impacts on our forests, our fishing, our farming, and our winter recreation. Therefore, we have a responsibility to work together to take this on. Our children, our children's children, may they not look back and say: What happened? Why did our parents and grandparents fail to act in the face of such a massive and important global threat?

OUR "WE THE PEOPLE" DEMOCRACY

Mr. President, I am now shifting to my regular "We the People" speech, a series of speeches in which I try to raise issues that go to the heart of the framing of our Constitution and the vision of creating a republic that has a government responsive to the concerns of citizens throughout our Nation.

Our Founders started the Constitution with three powerful words, "We the People." They wrote them in a font 10 times the size of the balance of the Constitution as if to say: This is what it is all about. This is our goal, as President Lincoln summarized, a "government of the people, by the people, for the people."

It was not the plan of our Founders in writing the Constitution to have a

government designed to serve the ruling elites. It was not the design of our Constitution to serve the titans of industry and commerce. It was not the intention of our Founders to build a government to serve the best off, the richest in our society—quite the contrary. So I am rising periodically to address issues related to this vision, this beautiful Revolution, the American Revolution, that sought to have a form of government that served the people, not the elite.

This week I am using my speech to recognize the anniversary of two Supreme Court decisions, two decisions which have driven a stake through the heart of our “We the People” democracy. One ruling, *Buckley v. Valeo*, marked its 40th anniversary last Saturday on January 30, and *Citizens United* marked its 6th anniversary on January 21. These two decisions have forever altered the vision of our government. They have turned our government on its head. They have changed it from “We the People” to “We the Titans.” It is my hope that visitors will rally together in this country, that Senators and House Members will rally together to defend the Constitution that they are sworn to uphold that was not a “We the Titans” Constitution, it was a “We the People” Constitution.

Central to the promise of “We the People” is the right to participate in an equal footing, to contribute one’s opinions and insights on elections and on issues.

President Jefferson called this the mother principle. He summarized it as follows: “For let it be agreed that a government is republican in proportion as every member composing it has his equal voice in the direction of its concerns . . . by representatives chosen by himself, and responsible to him.” Let me emphasize again, “republican in proportion as every member composing it has his equal voice in the direction . . .”

The decisions of *Buckley* and *Citizens United* are a direct assault on this fundamental understanding that to have a “We the People” republic, you have to have citizens participate in a roughly equal footing.

These two decisions bulldozed the “We the People” pillar on which our government is founded.

President Lincoln echoed Jefferson’s equal voice principle. He said: “Allow all the governed an equal voice in the government, and that, and that only is self-government.”

Is there anyone in this Chamber who believes that today all the governed have an equal voice in the government? I am sure no one among our 100 Senators would contend that principle—so eloquently laid out by President Jefferson, so resoundingly echoed by President Lincoln, so deeply embedded in the founding words of our Constitution—is true today. It is not true be-

cause *Buckley v. Valeo* found that individuals could spend unlimited sums to influence issues and the outcomes of election. That decision and *Citizens United* destroyed the notion that all citizens get to participate on an equal footing. By green-lighting the spending amount of unlimited sums in combination with the high cost of participating in the modern town square—that is, to secure time on radio, time on television, time or space on the Web—these decisions give the wealthy and well-connected control of the town commons and the ability to drown out the voice of the people.

Certainly a situation where the top 10 percent can overwhelm, can drown out the 90 percent, is not “We the People” governance. Certainly a situation where the top 1 percent can drown out the 99 percent is not “We the People” governance. It is the opposite.

As President Obama said, “Democracy breaks down when the average person feels that their voice doesn’t matter.” That is how people feel when they are drowned out by the few under the framework established by *Buckley v. Valeo* and *Citizens United*.

The most basic premise of our Constitution is that influence over elections means influence over governance. That is the whole point. Influence over elections is not limited just to being in the booth and pulling a lever. When you enhance the voices of the wealthy relative to everyone else, you fundamentally shift the outcome of legislative deliberations. Despite the arguments of the plaintiffs in *Buckley v. Valeo*, the wealthy do not have the same concerns about this Nation, about their lives that everyone else has. They don’t have the same concerns about the cost of college. They don’t have the same concerns about paid family leave. They don’t have the same concerns about the solvency and adequacy of Social Security. They are not worried. They are not staying up nights about the health of their child and concern over the cost and quality of health care, and they are not disturbed over policies that shift our manufacturing jobs overseas and eviscerate the working middle class in America.

Yet here we have it. *Buckley v. Valeo* takes this small percentage of folks who do not have concerns that reflect the vast majority of Americans and gives them overwhelming power in elections and issues.

Let me ask you, is it any wonder that the middle class is doing poorly while the wealth of America has grown exponentially? Isn’t that what one would expect in a system favoring the wealthy over the workers? Are we, can we be a government of, by, and for the people if individuals at the very top have vastly greater influence over elections and policy than others? Our Constitution says no. Our Founders said no, but *Buckley v. Valeo* and *Citizens United* said yes—and they are wrong.

With a campaign finance system that gives the most affluent massive influence over elections with concomitant control over laws, we don’t have a government that embodies President Jefferson’s mother principle; that is, one that reflects and executes the will of the people.

So it is time to change this. It is time to recapture the genius of American governance, and it is time to restore the “We the People” principles so eloquently and powerfully embedded in the framing of our Constitution.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISLAM

Mr. MURPHY. Mr. President, I come to the floor to talk about two topics that often make this body and sometimes my side of the aisle uncomfortable. I want to talk about the fight that is on across the world—or particularly in the Middle East for the soul of Islam and how it matters to the United States—and I want to talk about our relationship with Saudi Arabia and the connection to the former issue.

We frequently hear this criticism of President Obama that he doesn’t have a strategy to defeat ISIS. I fundamentally don’t believe that is true. He does have a strategy, and it is largely working when you look at the metrics on the ground. You see that ISIS’s territory in Iraq and Syria have been reduced by about 30 percent over the course of the last year. We have tightened our immigration policies here to make sure the bad guys don’t get in. We have stood up a more capable fighting force inside Iraq. We have clamped down significantly on ISIS’s sources of revenue and financing. Listen, it is hard to win when only one spectacular and deadly strike can erase all of your good work, but the President does have a strategy on the ground right now inside Iraq and inside Syria.

The problem is that it is still a relatively short-term strategy. As we debate how to defeat ISIS or groups like it, our strategic prescriptions are all relatively short term. We use military force. We try to retake territory. We try to take out top terrorist leaders. We clamp down on sources of financing. These are necessary and important measures to combat a serious threat to the United States, but they don’t address the underlying decisions that lead to radicalism. Addressing those issues is the only way to ensure that the next iteration of ISIS—whoever it is, whatever it is, wherever it is—doesn’t just simply emerge in its place.

So my argument is that one of the reasons no one has a particularly credible long-term strategy is that it would involve engaging in some very uncomfortable truths about the nature of the fight ahead of us and about the imperfections of one of our most important allies in the Middle East. To make this case to you, I want to first bring you to northwest Pakistan and ask my colleagues to imagine that you are a parent of, let's say, a 10-year-old boy. You are illiterate, you are poor, and you are getting poorer by the day. Unemployment in your village is sky high. Inflation is robbing you of any wealth you may have. Your crop yields have been miserable, but one day you get a visit that changes your perspective. A cleric from a nearby conservative mosque offers you a different path. He tells you that your poverty is not your fault but simply a punishment handed down to you because of your unintentional deviation from the true path of Islam. Luckily, there is a way to get right to God, to submit your only son to Islam.

It gets even better. This cleric is going to offer to educate your son at his school. We call them madrassas. Not only will you not have to pay for the education, this school is going to actually pay you maybe \$6,000 just to send your son there. When your son finishes school, this individual promises you that he will find him employment in the service of Islam. Your 10-year-old, previously destined to lead a life that was perhaps more hopeless than your own, is now going to get free housing and meals, religious instruction, the promise of a job when he is older and you get money that you badly need and improved favor with God.

For thousands of families in destitute places such as northwest Pakistan, we can see how it is often a pretty easy choice. But as the years go on, you lose touch with your son. The school cuts off your access to him. And when you do get to see him every now and again, you see him changing. Then one day it is over. He is not the little boy you once knew. He is a teenager. And he is announcing to you that the only way to show true faith with Islam is to fight for it against the infidels who are trying to pollute the Muslim faith or the Westerners who are trying to destroy it. He tells you that he is going off to Afghanistan, Syria, or Iraq with some fellow students and that you shouldn't worry about him because God is on his side.

You start asking questions to find out what happened in the school and you start to learn. You discover the textbooks he read that taught him a brand of Islam greatly influenced by something called Wahhabism, a strand of Islam based on the earliest form of religion practiced under the first four caliph. It holds that any deviation from Islamic originalism is heresy. In

school, your son was therefore taught an ideology of hate toward the unbeliever—defined as Christians, Jews, and Hindus, but also Shiites, Sufis, and Sunni Muslims who don't follow the Wahhabi doctrine. He is told that the crusades never end; that aid organizations, schools, and government offices are just modern weapons of the West's continuing crusade against his faith; and that it is a religious obligation to do "battle" against the infidels.

I tell my colleagues this story because some version of it plays out hundreds of times every day in far-flung places, from Pakistan to Kosovo, Nigeria to Indonesia, the teaching of an intolerant version of Islam to hundreds of millions of young people.

Think about this: In 1956 there were 244 of these madrassas in Pakistan; today there are 24,000. These schools are multiplying all over the globe. Yet, don't get me wrong, these schools, by and large, aren't directly teaching violence. They aren't the minor leagues for Al Qaeda or ISIS. But they do teach a version of Islam that leads very nicely into an anti-Shia, anti-Western militancy.

I don't mean to suggest that Wahhabism is the only sect of Islam that can be perverted into violence. Iran's Shia clerics are also using religion to export violence as well. But it is important to note that the vicious terrorist groups whom Americans know by name are Sunni in derivation and greatly influenced by Wahhabi Salafist teachings.

Of course, the real rub is that we have known this for a very long time. Secretaries of State, ambassadors, diplomats, and four-star generals have all complained over and over again about it. Yet we do very little to stop this long, slow spread of intolerance. We don't address it because to do so would force us to confront two very difficult issues.

The first is how we talk sensibly about Islam. Right now we are caught between two extremes. Leading Republicans want to begin and end this discussion with a debate over what we call terrorists. Of course, the leading candidate for President often equates the entire religion with violence. I think this debate over nomenclature is overwrought, but I certainly understand the problem of labeling something "radical Islamic terrorism" because it gives purchase to this unforgivable argument that all Muslims are radicals or terrorists. So many Republicans don't want to go any deeper into the conversation than just simply labeling the threat. But Democrats, frankly, aren't that much better. The leaders of my party often do back flips to avoid using these kinds of terms, but, of course, that forestalls any conversation about the fight within Islam for the soul of the religion.

It is a disservice to this debate to simply brand every Muslim as a threat

to the West, but it is also a disservice to refuse to acknowledge that although ISIS has perverted Islam to a degree to make it unrecognizable, the seeds of this perversion are rooted in a much more mainstream version of that faith that derives in substantial part from the teachings of Wahhabism.

Leaders of both parties need to avoid the extremes of this debate and enter into a real conversation about how America can help the moderate voices within Islam win out over those who would sow the seeds of extremism. Let me give an example. Last fall, I visited the Hedayah Center in Abu Dhabi, a U.S.-supported, Arab-led initiative to counterprogram against extremist messaging. When I pressed the center's leadership on the need to confront Wahhabi teaching and the mainstream roots of extremism, they blanched. They said it was out of their lane. They were focused on the branches of extremism, not the trunk. But, of course, by then it is probably too late.

America, frankly, doesn't have the moral authority or weight to tip the scales in this fight between moderate Islam and less tolerant Islam. Muslim communities and Muslim nations need to be leading this fight. But America—and most notably, sometimes the leaders of my party—also can't afford to shut its eyes to the struggle that is playing out in real time.

SAUDI ARABIA

That brings me to the second uncomfortable truth, and I present it to you in a quote from Farah Pandith, who was President Obama's Special Representative to Muslim Communities. In a moment of candor, she commented that in her travel to 80 different countries in her official position, she said, "In each place I visited, the Wahhabi influence was an insidious presence . . . funded by Saudi money."

The second uncomfortable truth is that for all the positive aspects of our alliance with Saudi Arabia, there is another side to that country than the one that faces us in our bilateral relationship, and it is a side we can no longer afford to ignore as our fight against Islamic extremism becomes more focused and more complicated.

First, let me acknowledge that there are a lot of good aspects in our relationship with Saudi Arabia. I don't agree with cynics who say our relationship is just an alliance to facilitate the exchange of oil for cash and cash for weapons. Our common bond was formed in the Cold War when American and Saudi leaders found common ground in the fight against communism. The unofficial detente today between Sunni nations and Israel is a product, in part, of the Saudi-led diplomacy. There have been many high-profile examples of deep U.S.-Saudi cooperation in the fight against Al Qaeda and ISIS. More generally, our partnership with Saudi Arabia—the most powerful and the

richest country in the Arab world—serves as an important bridge to the Islamic community. It is a direct rebuttal of this terrorist ideology that asserts that we seek a war with Islam.

But increasingly, we just can't afford to ignore the more problematic aspects of Saudi policies. The political alliance between the House of Saud and the conservative Wahhabi clerics is as old as the nation, and this alliance has resulted in billions of dollars funneled to and through the Wahhabi movement. Those 24,000 religious schools in Pakistan—thousands of them are funded with money that originates in Saudi Arabia. So are mosques in Brussels, Jakarta, and Paris. According to some estimates, since the 1960s the Saudis have funneled over \$100 billion into funding schools and mosques all over the world, with the mission of spreading puritanical Wahhabism. As a point of comparison, researchers suggest that the Soviet Union spent about \$7 billion—a fraction of that—during the entire period of 1920 to 1991. Less well-funded governments and other strains of Islam just can't keep up with the tsunami of money behind this export of intolerance.

Rightfully, we engage in daily castigations of Iran for sponsoring terrorism throughout the region. But why does Saudi Arabia largely get off the hook from direct public criticism from political leaders simply because they are a few degrees separated from the terrorists who are inspired by the ideology their money helps to spread? Why do we say virtually nothing about the human rights abuses inside Saudi Arabia, fueled by this conservative religious movement, when we so easily call out other countries for similar outrageous behavior?

Second, we need to have a reckoning with the Saudis about the effect of their growing proxy war with Iran. There is more than enough blame to be spread around when it comes to this widening Saudi-Iranian fault line in the Middle East. I would argue that the lion's share of the responsibility lies with the Iranians, who have been a top exporter of terrorism and brutality for decades. It is primarily Iranian-backed groups who have destabilized places such as Lebanon and Iraq. It is the Iranians who are propping up a murderous regime in Damascus.

But in the wake of the Iran nuclear agreement, there are many in Congress who would have the United States double down in our support for the Saudi side of this fight in places such as Yemen and Syria simply because Saudi Arabia is our named friend and Iran is our named enemy. But the Middle East doesn't work like that anymore, and there is growing evidence that our support for Saudi-led military campaigns in places such as Yemen are prolonging humanitarian misery and, frankly, aiding extremism.

Ninety billion dollars in U.S. arms sales money has gone to Saudi Arabia during the Obama administration to help them carry out a campaign in Yemen against the Iranian-backed Houthis. Our government says its top priority in Yemen is defeating AQAP, which is arguably Al Qaeda's deadliest franchise, but this ongoing chaos has created a security vacuum in Yemen in which AQAP can thrive and even expand. No expert would dispute that since the Saudi campaign began, Al Qaeda has expanded in Yemen and ISIL has gained a new territorial and recruitment foothold. To make matters worse, Saudi Arabia and some of their GCC allies are so focused on this fight against Iran in Yemen that they have dramatically scaled back or in some cases totally ended their military efforts against ISIS. Under these circumstances, how does military support for Saudi Arabia help us in our fight against extremism if that is our No. 1 goal?

Here are my recommendations. The United States should get serious about this. We should suspend supporting Saudi Arabia's military campaign in Yemen, at the very least until we get assurances that this campaign does not distract from the fight against ISIS and Al Qaeda or until we make some progress on the Saudi export of Wahhabism throughout the region and throughout the world. And Congress shouldn't sign off on any more military sales to Saudi Arabia unless similar assurances are granted.

If we are serious about constructing a winning, long-term strategy against ISIS and Al Qaeda, our horizons have to extend beyond the day to day, the here and now, the fight in just Syria and Iraq. We need to admit that there is a fight on for the future of Islam, and while we can't have a dispositive influence on that fight, we also can't just sit on the sidelines. Both parties here need to acknowledge this reality, and the United States needs to lead by example by ending our effective acquiescence to the Saudi export of intolerant Islam.

We need to be careful about not blindly backing our friend's plays in conflicts that simply create more instability, more political insecurity vacuums which ISIS and other extremist groups can fill, such as what is going on in Yemen today.

We need to work with the Saudis and other partners to defeat ISIS militarily, but at the same time, we need to work together to address the root causes of extremism. Saudi Arabia's counter-radicalization programs and new anti-terrorism initiative are good steps that show Saudi leaders recognize some of these problems, but they need to do more. Tackling intolerant ideologies, refusing to incentivize destabilizing proxy wars—these are the elements of a long-term anti-extrem-

mism strategy, and we should pursue this strategy even if it on occasion makes us uncomfortable.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent to be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN

Mr. BLUNT. Mr. President, today I want to talk about the President's recent dealings with Iran and the serious questions the administration's actions have raised.

Let me begin by saying first of all that I welcome—as do all Americans who have been watching this—the release of the three American hostages who were wrongfully detained in Iran. We are all glad to see the return of Pastor Saeed Abedini, Jason Rezaian, and Amir Hekmati. That they have been freed and that they have been reunited with their families is important. Our prayers—my prayers and the prayers of so many Americans—remain with those families and with the family of Robert Levinson, a former FBI employee about whom we have not been given the kind of information we need to have. If he is alive, we should demand his release. If he is not alive, we should demand and find out what happened to Robert Levinson.

In return for these three hostages being released, the United States released seven Iranians or Iranian Americans who had been convicted of transferring technology, which included nuclear dual-use technology, to Iran. The administration also agreed to take 14 Iranians off the Interpol arrest list as part of this effort to get Americans unfairly held back. If clearing the way for 21 convicted or indicted enemies of the United States wasn't enough, then the United States, in my view, also agreed to pay \$1.7 billion to Iran. In everybody's view, they paid that \$1.7 billion at the time of the swap. The administration, I guess, would want us to believe it is coincidental that the day after the American hostages were released and the day after the Iran deal went into effect, Secretary Kerry announced that the United States had settled a claim at the World Court at The Hague dating back decades.

According to the Wall Street Journal, Iranian General Reza Naqdi said: "Taking this much money back was in return for the release of the American spies and doesn't have to do with the [nuclear] talks."

Whether it had something to do with the nuclear talks or not, I don't know how significant that is. I submitted an amendment when we were debating the Iran agreement that it shouldn't be finalized in any way until all of these hostages were returned. In fairness, I didn't think it should be finalized in

any way, no matter what, but I definitely couldn't understand why we wouldn't insist that these innocently held Americans were returned. It becomes more and more obvious all the time that the Iranians had a plan. Not only did they want to further humiliate the United States, but they simply wanted money.

Under this settlement at The Hague, the United States will be paying Iran—and has already paid Iran—\$1.7 billion. This is supposedly \$400 million in principal stemming back to a former military sale before the fall of the Shah of Iran and then \$1.3 billion in interest—\$400 million in principal, and \$1.3 billion in interest.

The timing of the swap and the announcement of the breakthrough in the settlement—this had been at the World Court for 35 years, and we are supposed to believe that it is just another coincidence in the Obama State Department.

Peeling back the details of this settlement is even more troubling because the money had already been spent. This was Iranian money from a foreign military sale that had been held in what is called the FMS account—the foreign military sale account. It was originally placed in that trust fund, but then it was spent.

Why was it spent? It was spent because the Congress in 2000 passed legislation that the President signed that directed the Secretary of the Treasury to use that money to compensate victims of Iranian terrorism. In cases like *Flatow vs. Iran* and four other related cases, Iranian terror victims all received compensation from this fund, effectively wiping out the balance of the fund. The trust fund that the administration is referring to has already been spent.

How do you give money back that has already been spent? You can't give money back that has already been spent. I suppose you can take taxpayer dollars, which is what happened here, suggest that somehow this was money of the Iranians all the time and give those taxpayer dollars to Iran in return for, as their own general said, the release of the people he called the American spies.

Did the administration essentially agree to ransom to get these Americans released? It certainly appears so.

I think you and I and every Member of the Senate should continue pressing the administration for answers. If they want to spend taxpayer money, there may be some legal way they can do that, but there is really no legal way they can say they are giving money back that the Congress already told them to do something else with, and they did.

In addition to that money we have now given to Iran, the Iranian agreement allows somewhere between \$100 million and \$150 million held by countries all over the world since the late

1970s to be returned to Iran. Just last week, Secretary of State Kerry said that some of this money will “end up in the hands of the [Iranian Revolutionary Guard Corps] or other entities, some of which are labeled terrorists.”

Well, of course that is where that money is going to wind up. There was an argument made during the Iranian agreement that there are so many needs in Iran that they are going to spend this on other more worthwhile things. But no matter how many needs there were in Iran, Iran is, by the administration's own determination, the No. 1 state sponsor of terrorism in the world. Of course when you give them money back, they are going to use that money for what they are already using their money for. They are just going to have over \$100 billion more at their disposal.

The world's largest state sponsor of terrorism—whether it is backing Palestinian terrorists in Gaza or supporting Hezbollah's attacks against Israel from Lebanon, the regime will now have more resources to do that with. Iran, of course, has made no secret of its nuclear ambitions nor of its willingness to flout the treaty obligations in order to achieve those ambitions. It recently launched two ballistic missile tests in the past 3 months. It is a direct violation of the U.N. resolution which prohibits them from engaging in activities related to ballistic missiles capable of carrying a nuclear warhead, but they have done it twice in the last 90 days. Even Members of the President's own party who have supported the Iran agreement have criticized the administration's lack of response to these violations.

What is the world to think? What are the American people to think when we are transferring money at the time we get American hostages back, when we are allowing missiles to be launched near the U.S.S. *Harry Truman*, when we are allowing ballistic missile tests to occur, and acting as if we have made some great breakthrough with Iran?

The recent detention of U.S. sailors in Iran is another example of how little we have gained in this Iranian policy agreement. The administration has gone out of its way to accommodate the demands of this regime that is hostile and sponsors terrorists. Enough is enough. It is time that the Congress stood up, and I urge my colleagues in the Senate to utilize every tool at our disposal to hold the Iranian regime accountable.

One important step will be to secure Iranian assets owed to victims of terrorism who had been awarded judgments by our courts and other courts. Why would we give money to Iran when there are Americans who are victims of terrorism that courts have said have a right to that money? They found Iran liable for sponsoring fatal attacks against American citizens, including

the 1983 bombing of the U.S. Embassy and the Marine Barracks in Beirut, Lebanon, and the 1996 bombing of the Khobar Towers in Khobar, Saudi Arabia.

According to the Congressional Research Service, about \$43.5 billion in unpaid judgments from Iran to Americans are due. Iran should not receive any sanctions relief until those claims have been paid. We ought to look at how we can secure Iranian assets to provide some measure of justice for victims of these terrorist activities. That should include assets held by foreign countries, foreign companies, and countries who do business in the United States.

The idea that the Iranian regime is now our partner is dangerously naive and one that undermines our global leadership. It confuses our friends, and it emboldens our enemies. I urge the President to quit bending to this regime and start putting the interests of the American people and our allies first. I urge the Congress to continue to look at this recent exchange of money for hostages.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

LEAD IN OUR DRINKING WATER

Mr. CARDIN. Mr. President, I rise today in support of the effort by Senator STABENOW and Senator PETERS to amend S. 1012 for Federal response to the ongoing crisis in Flint, MI. We know about the lead in the water supply, the fact that it was known, and the fact that many children today have suffered the consequences. It is incumbent that the Federal Government be a partner in finding a way to correct that circumstance as soon as possible.

I come to the floor urging our colleagues to find a way that we can move forward with such an amendment to help the families in Flint, MI. I congratulate my colleagues, Senator STABENOW and Senator PETERS, for their leadership.

I hope we don't lose sight of the big picture, and that is that this is happening in cities and towns all across America. In Michigan, it is not only Flint but parts of Grand Rapids, Jackson, Detroit, Saginaw, Muskegon, Holland, and several other cities that have seen high lead levels in their children. Sebring, OH, just this week closed schools for 3 days because of lead in their tap water. In Toledo, officials have long treated the water with phosphates to prevent leaching of lead. Eleven cities and two counties in New Jersey had higher percentages of children with elevated lead levels than Flint, MI. State lawmakers and advocacy groups said on Monday of this week. Here in the Nation's capital, in Washington DC, in the early part of the last decade, lead leached into the water of possibly 42,000 children.

Let me talk about my State of Maryland. In the city of Baltimore, high

lead levels in schools prompted officials to turn off drinking fountains and pass out bottled water instead in every school in Baltimore City. They are not hooked up to the fountains because it is not safe. Across the State of Maryland, every 1- and 2-year-old in the entire State will be tested for lead—that is 175,000 children—because they are at risk.

This is a national problem. In Flint, MI, it is estimated it cost about \$800 million for remedial costs alone. That is about two-thirds of what we currently appropriate every year for drinking water infrastructure in the entire country. The amount we appropriate is woefully inadequate.

Accord to the EPA's most recent estimates, more than \$655 billion may have been needed to repair and replace drinking water and wastewater infrastructure nationwide over the next 20 years. This comes out to over \$32 billion per year every year for the next 20 years. Yet currently we spend approximately \$3 billion per year at the Federal level on combined drinking water and wastewater infrastructure State revolving funds—one-tenth of the total amount that is needed in order to modernize our infrastructure.

The public expects that when they turn on the tap, the water is safe. They expect that when they use their bathroom facilities, the wastewater is being treated appropriately. They expect that the Nation of the United States can deliver water in a manner that is efficient and safe. In reality, our water infrastructure is out of sight and is woefully inadequate, as we have seen in Flint, MI.

I ask my colleagues: If it costs \$800 million to fix the pipes in Flint, MI, are we going to come to an agreement that we need a substantial increase in the amount of funds appropriated for the clean water and drinking State revolving funds to help all American cities? Because the stakes could not be higher.

There are many things that went wrong in Flint, MI. First and most directly was the failure of the Governor and his appointed emergency managers to identify and address the problem as it grew more and more apparent. They knew the problem, and yet they didn't do anything about it. Second, a declining and increasingly impoverished population, which has gutted the tax base and eliminated the ability to pay back the loans the city might receive from the Federal Government to change out their pipes. It is also a matter of ability to actually afford the infrastructure at the local level. That is why the State partnership through the Federal partnership through the State revolving funds is so critically important.

This has never been a partisan issue. I have served on the Environment and Public Works Committee since I was elected to the Senate, and we have rec-

ommended authorization levels and changes in the formula so that we can modernize our water infrastructure in this country. It has had nearly unanimous support in our committee.

As I said, there is not nearly enough money in these revolving loan funds to keep up to date the drinking and wastewater infrastructure in this country, even if the cities could pay back the loans. The list goes on and on. This list is not limited to Flint. These demographic and fiscal physical characteristics are similar to many, many cities of every size in the United States, in almost every State.

None of these things that have gone wrong in Flint are more distressing than the possibility that children may have suffered irreversible damage in their developing brains from the exposure to lead. Exposure to even a low amount of lead can profoundly affect a child's behavior, growth rates, and—perhaps most worrying—their intelligence over time. Higher levels of lead in a child's blood can lead to severe disabilities, eye-hand coordination problems, and even a propensity toward violence. Younger children and fetuses are especially vulnerable to even small exposures to lead—whether it be in tap-water, lead paint, lead in soil still left from the days of leaded gasoline, and lead in children's toys and jewelry. The list goes on and on and on. There is not just one source of lead, and I understand that, but when we turn on the faucets, we do not expect to have water that contains lead.

Further, it is impossible to gauge how a specific child will be affected because the developmental impacts of lead poisoning can take years to become apparent. So you might have been poisoned 5 years ago, and the effects will take longer before it becomes apparent in the classroom or the community. In fact, the health effects are so severe, our Nation's health experts have declared there is no safe level of lead in a child's blood—period, the end, zero.

I also want to highlight a quote from an article in the New York Times on January 29 of this year.

Emails released by the office of [Michigan] Gov. Rick Snyder last week referred to a resident who said she was told by a state nurse in January 2015, regarding her son's elevated blood lead level, "It is just a few IQ points . . . It is not the end of the world."

There has to be a greater sense of urgency in this country. We know every child, if they work hard, should have an opportunity in this country. We shouldn't take away that opportunity by diminishing their ability to achieve their objectives.

Dr. Hanna-Attisha, the doctor primarily responsible for bringing this issue in Flint to light, and others have studied lead poisoning and have sharply different views of lead exposure for which there is no cure. Dr. Hanna-

Attisha said: "If you were going to put something in a population to keep them down for generations to come, it would be lead."

This is devastating to the individual and devastating to our country's potential. The work of the institutions in the State of Maryland to combat lead exposure is exemplary. Baltimore's Coalition to End Childhood Lead Poisoning is a nonprofit organization dedicated to services and advocacy on behalf of families affected by lead poisoning. This organization started as a grassroots effort by Maryland parents who saw a problem in their community and sought innovative solutions. The coalition has grown nationally, founding the Green & Healthy Homes Initiative to provide a holistic approach for safer and greener living spaces for American families. The coalition has dozens of local partners, including Johns Hopkins Bloomberg School of Public Health and the University of Maryland School of Law. Together, I am proud to say, these Maryland institutions are paving the way to combat lead poisoning and researching innovative legal solutions to a tragic problem, but we cannot rely on the non-profits to fix this problem for us. The stakes are too high and the solution too costly. We have a duty to these children to make sure their drinking water is safe. Make no mistake, massive lead poisoning of an entire city's children from any source robs our country of an entire generation of great minds—minds which are core to the futures of these most vulnerable communities.

I urge my colleagues in the Senate to not only act responsibly with regard to Flint, MI—and we can do that today with the bill that is on the floor—but to recommit ourselves to find a path forward to provide safe drinking water not just for one city but for all American cities and all the people of this Nation.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I have raced to the floor simply because it has come to my attention that there are some Senators who are utilizing this Energy bill, which is for a very valued purpose, a purpose of energy efficiency. Some Senators are utilizing this legislation for their own purpose by proposing amendments that will ultimately threaten the environmental integrity off of Florida's gulf coast and will threaten the U.S. military and its ability to maintain the largest testing and training area for not only the United States but for the world.

I want to refer to a map of the Gulf of Mexico and show you everything. Here is the tip of Florida. This is Pensacola, Naples, Tampa, and down here are the Florida Keys and Key West. Everything in yellow in the Gulf of Mexico—and this is the law—is off-limits to

drilling until 2022. It happens to be a bipartisan law that was passed back in 2006. It was cosponsored by my then-fellow Senator from Florida, a Republican, Mel Martinez. Why did the two of us make this a law? The drilling is over here, everything to the west. The first question is: Where is the oil? Mother Nature decided to have the sediments go down the Mississippi River for millions of years where it compacted into the Earth's crust and became oil. The oil deposits are off of Louisiana, Texas, Alabama, and there is a little bit off of Mississippi. There really isn't much oil out here.

In addition, why did we want this area kept from drilling? Take a look at that. That is a marsh in Louisiana after the gulf oilspill which took place several years ago. We certainly don't want this in Florida. You will notice that there are not many beaches off of Louisiana, Mississippi, and Alabama. But what do you think Florida is known for? It is known for its pristine beaches all the way from the Perdido River, which is along the Florida-Alabama line and goes down the coast to Naples. This area not only includes the Keys, but it goes up the east coast of Florida. Florida has more beaches than any other State. Florida has more coastline than any other State, save for Alaska, and Alaska doesn't have a lot of beaches.

People not only visit Florida because of Mickey Mouse, but they visit Florida in large part because of our beaches. The gulf oilspill turned these white, sugary sands of Pensacola Beach black. Even though the oil spilled way over here, it drifted to the east and got as far as Pensacola. A little bit more oil reached Destin, and there were just a few tar balls on Panama City's beach. When Americans saw those white, sugary sand beaches black from oil, they assumed that had happened to the entire coast of Florida, and as a result people didn't visit for one whole season.

So what happened to Florida's economy? What happened to the dry cleaners, restaurants, and hotels that are all too happy to welcome their guests and visitors who didn't come? You get the picture of what happened to our economy.

I am speaking about this as the Senator from Florida, but now let me speak as the Senator who is the second-ranking Democrat on the Armed Services Committee. This area is known as the military mission line. Everything east of that line—indeed, almost all of the Gulf of Mexico—is the largest training and testing area for the U.S. military in the world. Why do you think the training for the F-22 is at Tyndall Air Force Base in Panama City? Why do you think the training for the F-35 Joint Strike Fighter, both foreign pilots as well as our own, is at Eglin Air Force Base? It is because

they have this area. Why is the U.S. Air Force training, testing, and evaluation headquarters at Fort Walton, Eglin Air Force Base? Because they have 300 miles here where they can test some of our most sophisticated weapons.

If you talk to any admiral or general, they will tell you that you cannot have oil-related activities when they are testing some of their most sophisticated weapons. This is a national asset, and it is key to our national defense. So for all of those reasons, Senator Martinez and I put in law that this is off-limits up until the year 2022, but now comes the Energy bill, with its sneaky amendments giving additional revenue sharing to these States and upper States on the Atlantic seaboard. It gives those States a financial incentive to get a cut of the oil revenue. What do you think that is going to do to the government of the State of Florida in the future as an excuse to put drilling out here as well as to have drilling off the east coast of Florida?

When I was a young Congressman, I faced two Secretaries of the Interior who were absolutely intent that they were going to drill on the east coast of the United States from Cape Hatteras, NC, all the way south to Fort Pierce, FL, and the only way back then—in the early and mid-1980s—we were able to get that stopped, which this young Congressman had a hand in doing, was to explain that you can't have oil rigs off of Cape Canaveral, where we are dropping the first stages of all of our military rockets that are so essential for us so that we will have assured access into space in order to protect ourselves with all of those assets.

Of course, in the early 1980s, I could talk about what was going to happen for 135 flights of the space shuttle. You can't have oil-related activities where the first stages—the solid rocket boosters on the space shuttle—are going to be landing by parachutes in the ocean because you are going to threaten the launch facilities for the U.S. military as well as NASA if you put oil-related activities out there.

So, too, in another 2 years we will be launching humans again on American rockets, some of whose first stages will still be crashing into the Atlantic and whose military defense payloads continue to launch almost every month, and those first stages splash down into the Atlantic. Yet an amendment that is suspected to be offered by a Senator is going to give incentive in the future—all the more pressure to try to pull oil out of here.

Ever since this Senator was a young Congressman, I have been carrying this battle. This Senator supports oil drilling. This Senator supports it where it is environmentally sound, including fracking in shale rock, because look what it has done for us. But there are times when there is tradeoff. But in

this case there is not going to be a tradeoff, in the first place because there is not any oil, in the second place because it would wreck the economy of Florida with our tourism and our sugary white beaches, but in the third place because it would threaten the national security of this country if we eliminated this as our largest test evaluation and training center.

I can tell my colleagues that this Senator is not going to let that happen.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to discuss amendment No. 3016. This is an amendment that would eliminate the corn ethanol mandate from the fuel standards that we have.

I wish to thank my cosponsors on this amendment, including Senator FEINSTEIN from California and Senator FLAKE from Arizona. This is a bipartisan amendment. I think this is a really important issue.

What this amendment does is it eliminates the corn component of the renewable fuel standard. The renewable fuel standard, as my colleagues know, was created in 2007, and this is a Federal mandate that forces drivers to burn, actually, billions of gallons of biofuels, the vast majority of it derived from corn, in our vehicles, in our cars. It is on the order of 100 billion gallons of corn ethanol, and because this mandate establishes specific and increasing quantities of ethanol that has to be burned in our cars, when total gasoline consumption stays flat or declines, then it becomes an increasing percentage that we are all forced to buy.

Let me be clear about one thing. The amendment I am specifically addressing, amendment No. 3016, eliminates the corn portion of the renewable fuel standard mandate, and that is 80 percent by volume. The optimal policy is to get rid of this whole thing. It was a well-intentioned but bad idea to begin with. It is now abundantly clear this is bad policy and we should get rid of the whole thing. But I understand we don't have as broad an interest in getting rid of the whole thing as the interest we have in getting rid of at least the corn component. And since that is, after all, 80 percent, this would be significant progress.

There is probably not an enormous universe of things on which I have agreed with Vice President Al Gore over the years, but he got this right. Vice President Gore has acknowledged that ethanol was a mistake in the first place.

It was created, as I say, with all good intentions. It was thought that by forcing people to make ethanol mostly from corn and burn it in our cars, we would reduce air pollution. It was thought that it would reduce costs for families. It was thought that it might

even be good for the economy. All three are completely wrong. Factually, that is not the case. The mandate has failed to achieve any of these goals. Instead, in fact, it increases air pollution, it increases costs for families, and it is harmful to our economy.

Let me take the first one, because the real motivation for this was to do something to improve the environment. The real idea behind ethanol—the impetus in the first place—was that somehow we would reduce air pollution if we are burning ethanol derived from corn rather than gasoline. Well, unfortunately, it hasn't worked out that way. That isn't just my opinion. There is plenty of documentation.

In 2009, Stanford University predicted: "Vehicles running on ethanol will generate higher concentrations of ozone than those using gasoline, especially in the winter . . ."

In 2011, the National Academy of Sciences observed: "Projected air-quality effects from ethanol fuel would be more damaging to human health than those from gasoline use." That is the National Academy of Sciences.

In 2014, Northwestern University researchers did a little research on the real world. They went down to Sao Paulo, Brazil, where they had recently required an increase in the use of ethanol, and what did they find? A corresponding, significant increase in ground-level ozone, which we all know is a harmful pollutant at the ground level and causes smog and other health problems.

So there is no dispute about this. There is no question about this. Ethanol is harmful to our air quality and our environment.

The Environmental Working Group agrees. The Environmental Working Group, a group of environmentalists, have said: "The rapid expansion of corn ethanol production has increased greenhouse gas emissions, worsened air and water pollution, and driven up the price of food and feed."

I know that many of my colleagues are very concerned about carbon emissions. So separate and apart from ozone, CO₂ that is being released into the atmosphere is a concern for a lot of people. Studies show that ethanol creates more carbon dioxide emission than gasoline. It is just a fact.

The Clean Air Task Force estimates that the carbon emissions from corn ethanol, over the next 30 years at current projected consumption rates, would exceed 1.4 billion tons, which is 300 million tons more than if we used gasoline instead of the ethanol.

So there really isn't any debate that I am aware of anymore about this. Air quality is better if we are not using ethanol than when we are. But there are other impacts of this mandate. One is the higher cost on families.

The fact is that ethanol is more expensive to make per unit of energy

than gasoline. So we need to spend more for our cars to go the same distance. The New York Times reported that ethanol increased costs to gasoline purchasers by billions of dollars in 2013. The Wall Street Journal estimated that in 2014 alone, the RFS mandate—this mandate that we burn ethanol in our gas—raised the cost of gas by an average of anywhere from \$128 to \$320 per year for the average family.

So let's be very clear. This mandate is costing American families several hundred dollars a year of their disposable income because they are having to spend to buy the more expensive fuel to move their vehicles.

It is not just the direct effect of having to pay more when we gas up our cars. These ethanol mandates take a huge segment of our corn production off the market and they drive up the price of corn. Again, this isn't just me saying so. In 2008, USDA Secretary Ed Schafer and Department of Energy Secretary Samuel Bodman acknowledged that ethanol increases the food price. Their estimate is just under 1 percent per year.

In 2012, a study by economist Thomas Elam observed that ethanol increases food costs for the average family of four by just over \$2,000 per year. So the increased food cost is actually multiples of the increased gasoline costs when we fill up our tanks, and families are hit by both.

Of course, the food cost goes up not only because of the direct effect of higher corn—and many of us consume corn directly—but corn is the principal feed for all livestock. So the price of meat and poultry is very much correlated to the cost of the feed, and we make that feed much more expensive than it needs to be because of the ethanol mandate.

There is another way in which this mandate is harmful to consumers and to families, and that is that it increases engine maintenance costs. The EPA acknowledges that ethanol is harmful to engines. They say: "Unlike other fuel components, ethanol is corrosive and highly water soluble." Gasoline is not. So gasoline doesn't have this physical property; it doesn't damage engines. But ethanol does. The moisture that is dissolved in ethanol is corrosive.

In fact, the EPA warns that fuel blends containing as little as 15-percent ethanol—which, by the way, this year there will be gas stations selling gasoline that is 15-percent ethanol—should not be used in any motorcycle, schoolbus, transit bus, delivery truck, boat, ATV, lawnmower or older automobile because of the damage that we know the ethanol will do to these engines.

AAA warns that raising ethanol content—just rising it above 10 percent, which is where we are—will damage 95 percent of the cars that are on the road

today. How can this possibly be good for a family to be systematically degrading the engines in their vehicles?

There are other ways in which this is damaging to our economy. I mentioned that part of the reason that food prices for families are higher as a result of the ethanol mandate is because corn is such an important source of food for livestock. Well, in fact, the Federal Reserve and the USDA estimate that the ethanol mandate alone has contributed to a 20- to 30-percent increase in corn prices, and that has had a terrible impact on livestock operations and the dairy industry.

It is also bad for American refineries. There are 137 oil refineries that operate in 28 States and employ thousands of people with good family-sustaining jobs, but because the oil refiner has to either blend in ethanol with the gasoline they make or they have to go out and pay a fine—a penalty, essentially—if they don't, it diminishes jobs in the refining sector. Again, this isn't just my opinion. I got a letter from the Philadelphia AFL-CIO business manager Pat Gillespie, and I will quote from the letter because he lays it out very clearly. He says:

Our resurrected refinery in Trainer, Pennsylvania . . . once again needs your intercession. The impact of the dramatic spike in costs of the RIN credits—

the system by which EPA enforces the ethanol mandate—

from four cents to one dollar per gallon will cause a tremendous depression in . . . [our refinery's] bottom line. . . . Of course at the Building Trades, we need them to have the economic vitality to bring about the construction and maintenance projects that our Members depend on. And the steel workers, of course, need economic vitality so they can maintain and expand their jobs with the refinery. . . . We need your help with this matter.

I completely agree. This is disastrous policy.

Just to summarize, corn ethanol—ethanol generally but corn ethanol in particular—is just bad policy. It is bad for the environment, it increases air pollution, it raises costs for families to drive their vehicles and to put food on the table, and it costs us jobs. It is bad for the economy. Let's end this practice. Let's end this mandate. It was well-intentioned at the time, but now it is clear it is doing harm, not doing good.

I will close on one other point. We in Congress, in Washington, should not be forcing taxpayers and consumers to subsidize certain industries at the expense of others. That is what is going on here. The magnitude of the consumption of ethanol is entirely driven by the mandate Congress has required the EPA to impose. That is why this is happening.

We use the power of the government to force consumers to pay more than they need to pay to drive their car and to buy their food. This makes no sense at all.

It seems to this Senator that a big part of what we are hearing on both sides of the aisle in this very unusual and raucous Presidential election cycle is voters who are disgusted with Washington. They don't trust Washington. They don't have a very high opinion of Congress. Part of it is because they are convinced that Congress goes around doling out special favors for special industries, special groups, and the politically well-connected. Well, guess what. They are right, and this is an egregious example of that. It is a clear example where the taxpayer and consumer get stuck with the bill so as to benefit a select preferred industry that has a lot of political clout. It is outrageous. The American people are right to be angry and tired of this.

Mr. President, we should end the renewable fuel standard entirely. As I say, it started with good intentions, but the evidence is in and there is no mystery anymore: This policy is bad for the environment, bad for families, bad for budgets, and bad for our economy. There is no reason we should be continuing this, and I urge my colleagues to support this and any other effort to completely eliminate the renewable fuel standard, and if we can't do that, at least take the 80 percent out that is comprised of the corn component.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND AMENDMENT RIGHT TO KEEP AND BEAR ARMS

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a document titled "Just the FACTS" at the conclusion of my remarks.

Mr. President, the problem of gun violence is real, but too many of the proposed responses to this problem would not only represent unwise policy but would also violate a fundamental constitutional right—the Second Amendment right to keep and bear arms.

What does this mean to you and to me as Americans? It means that the right to bear arms falls into the same category as our other most closely held individual rights: the right of free speech, the right of freedom of religion, and the right of due process of law. Basically, what I am saying is that one cannot separate out any one of the Bill of Rights or any of the other constitutional rights that come under the 14th Amendment, as an example. You can't separate the right to bear arms from those because, and this is not emphasized enough, the Second Amendment,

the right to bear arms, is an individual, fundamental constitutional right. Maybe a lot of us believed that over decades, but it has been only within the last 5 to 8 years and in a couple of decisions that the Supreme Court has made that entirely clear, that it is an individual, fundamental constitutional right.

With that firm foundation, I want to straighten out some of the rampant misinformation that is used to advocate for stricter gun control. Correcting these myths is essential so that the issue can be properly deliberated and properly addressed. Unfortunately, many of these myths were reiterated over the past 2 weeks during prime time, nationwide Presidential media appearances.

First, let's debunk the quote "gun show loophole." Were you to click on your TV, pick up a newspaper, or read certain mailers, you would be left with the impression that if you buy a firearm at a gun show, you are not subject to a background check. In fact, all gun show purchases made from commercial gun dealers require a background check. These commercial gun dealers—or, as they are called, Federal firearms licensees—typically make up the majority of the gun vendors at gun shows.

Let's be very clear. If someone goes to a gun show and at that gun show purchases a firearm from a commercial gun dealer, that individual or those individuals are subject to a background check, period. So then who are these people we hear the President and others speak about who are not subject to a background check? If you are an individual and you want to sell your gun to another individual, you may do so, assuming you don't know or have reasonable cause to believe that such person is prohibited from owning a gun. It is quite common sense that the government does not dictate where this sale takes place. It is peer-to-peer. You can sell your hunting rifle to your neighbors, and you can make that sale in your home, driveway, or parking lot. You can also make that sale to another individual at a gun show. That is what is referred to as a peer-to-peer transaction—simply two adults engaged in a personal transaction. Just as there is no background check required in your driveway, there generally is no background check required when that private, peer-to-peer sale happens to occur at a gun show. Very clearly, this is not a loophole in the pejorative sense of the word; this is simply an American lawfully selling their property to another without the Federal Government involved.

In this same vein, to hear the President discuss it, you would assume that these gun shows were lawless free-for-alls for felons to obtain their newest illegal weapon. In fact, local, State, and Federal law enforcement are often present at gun shows, both in uniform

and covertly in plain clothes. These law enforcement officers monitor and intervene in suspected, unlawful firearm sales such as straw purchasing, attempted purchases by prohibited individuals, and the attempted sale of illegal firearms.

As the Washington Times reported last Wednesday, law enforcement arrests at gun shows hit new highs last year. I recently attended a gun show in Iowa, and there was a robust law enforcement presence. So I want to go on to another point beyond the supposed gun show loophole that I just showed isn't much of a loophole.

The second point is that we have been repeatedly told by President Obama, as recently as a couple of weeks ago, that firearms purchased on the Internet don't require a background check. I have seen media reports to that same effect. Once again, this is a blatant inaccuracy and that is an inaccuracy that needs to be corrected. So that is why I am here.

An individual cannot purchase a firearm directly over the Internet. A gun purchaser can pay for a firearm over the Internet, but, if purchased from a firearms retailer, the firearm must then be sent to a brick-and-mortar location. When the purchaser picks up the gun, a background check is performed. Assuming the purchaser passes the background check, he or she may obtain physical possession of that firearm.

In addition, an individual cannot lawfully purchase a firearm on the Internet from an individual who lives in another State. Any interstate sale of a firearm—even between two individuals online—must go through a gun store which, after charging a fee and running a background check on the purchaser, provides the purchaser with the firearm that they bought from another individual on the Internet.

These are two clear instances where Internet purchasers require a background check.

The one exception where a firearm can be lawfully purchased using the Internet without a background check is when two individuals living in the same State establish the terms of a purchase over the Internet and then meet in person to transfer the firearm.

If the firearm is a rifle or a shotgun, a resident may use the U.S. Postal Service to mail the firearm intrastate to another individual, but he may not do so if the item being purchased is a handgun. A handgun can only be mailed intrastate via a contract carrier and, as you can see, once you blow away the smoke and pull down the mirrors, the statement that there are no background checks on Internet purchases rings hollow.

A third point is that with great fanfare President Obama has stated unequivocally that firearms enforcement

has been a priority with his administration. This is simply not true. That can be backed up with statistics.

The Obama administration chose to focus its criminal justice resources elsewhere rather than cracking down on illegal gun sales. Federal firearms prosecutions are down at least 25 percent under this President.

In addition, he suspended successful programs specifically designed to thwart firearms offenses. Unfortunately, as has so often been the case with the Obama administration, the rhetoric just does not match the action. As I have repeatedly called for, we need greater enforcement of the existing law, which simply has not happened under this administration.

A fourth point, to set the record straight on the President's statements, is that despite condemnation from both sides of the aisle and even from publications that regularly support increased gun control—such as the *LA Times*, for example—we have once again heard the President call for tying America's fundamental Second Amendment rights to the terrorist no-fly list. As we all know in this body, the no-fly list is actually multiple lists generated in secret and controlled by the executive branch bureaucrats. The no-fly list is intended to thwart suspected terrorists from flying. Flying is not a constitutional right like the Second Amendment is. So the people who are put on these lists are not given the chance to challenge their inclusion on those lists. However, it is blatantly unconstitutional to deny a fundamental constitutional right without any type of due process such as notice and the opportunity to be heard.

The fact that the President continues to call for use of the no-fly list as it relates to a fundamental right calls into question his repeated assurances that he fully supports the Second Amendment.

Given unprecedented Executive actions regarding sanctuary cities and a refusal to enforce immigration laws as enacted by this body, we should not be surprised at those statements. But let me state unequivocally that using a secret document—which by its nature and purpose will often be overinclusive or contain errors as a basis for denying Americans their Second Amendment right—is clearly unconstitutional.

The fifth point against the President's position is that on multiple occasions the Obama administration has condemned semiautomatic weapons. So let's get it straight right here and now. As any gun owner knows, a semiautomatic firearm is simply a gun that shoots one round with each pull of the trigger. This encompasses the type of shotgun most often used for duck hunting and the type of rifle often used for target shooting. A semiautomatic firearm does not equate to the fabled assault weapon and, of course, it is not a

machine gun. We should be concerned when this administration makes proposals on guns that fail to reflect knowledge of even elementary elements of their operation.

I have additional myths that need to be dispelled that I will submit—and I have had permission from the Presiding Officer to submit that—but I want to be mindful of other people's times, and I now wish to respond directly to one of President Obama's challenges.

So let's talk for a moment about bipartisan efforts regarding gun control. Senator DURBIN of Illinois, the second-ranking Democrat in leadership, and I are working on drafting a bill on which we hope we can reach agreement and introduce shortly, which prohibits all aliens—with the exception of permanent legal permanent residents and those who fall under a sporting exception—from acquiring firearms. In addition, our bill reinstitutes residency requirements for those noncitizens attempting to purchase a firearm.

The bipartisan legislation we hope we can agree to introduce would close real and actual loopholes, such as those that currently permit refugees or asylees or those from visa-waiver countries to acquire firearms.

I look forward to the opportunity to work on this issue in a bipartisan manner. But if we are going to deliberate and debate the issue, we must clear up the misconceptions and avoid erroneous rhetoric that seems to be dominating the news out there with all the false positions and false interpretations of the law, which I have discussed in a few minutes with my colleagues.

So I am going to end where I started. The Second Amendment right to bear arms is a fundamental right, and any legislative or Executive action under any President must start and finish with the recognition of the fact that the Second Amendment is as important as other amendments to the Constitution of the United States.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUST THE FACTS

The President's Executive Actions on Firearms and Other Common Myths.

Myth #1: Firearm purchases at gun shows do not require a background check due to the "gun show loophole."

Facts:

When the President and others refer to the "gun show loophole," they imply that there are no background checks being done at gun shows. As a result, much of the public has been misinformed and are led to believe that individuals who purchase firearms at gun shows are not subject to a background check.

In reality, there is no "gun show loophole." If an individual wants to purchase a firearm from a licensed firearms retailer, which typically makes up the majority of vendors at gun shows, the individual must fill out the requisite federal firearms paper-

work and undergo a National Instant Criminal Background Check System ("NICS") background check.

The only firearms that are being purchased at gun shows without a background check are those being bought and sold between individuals, peer-to-peer, as opposed to buying a firearm from a gun dealer. These private sales are no different from selling a personal hunting rifle to the owner's niece or nephew down the road. It is a private sale and no background paperwork is required. The gun is private property and the sale is made like a sale of the family's good silver. The one difference is that the locus of a gun show is being used to make the private sale.

Under current law, an individual is permitted to occasionally sell part, or all, of their personal firearms collection. These private sellers, however, cannot be "engaged in the business" of selling firearms. "Engaged in the business" means they can't repeatedly sell firearms with the principal objective of earning funds to support themselves. Some of the individuals who wish to sell a portion, or all, of their personal firearms collection do so at the show and might display their wares on a table. These "private table sales," however, are private, peer-to-peer, sales and, therefore, do not require a background check. The President cannot change criminal statutes governing requirements for which sellers must conduct background checks. His new actions don't do so and don't claim to do so.

In a peer-to-peer, private firearms transaction, it is already illegal to sell a firearm to another individual if the seller knows or has reasonable cause to believe that the buyer meets any of the prohibited categories for possession of a firearm (felon, fugitive, illegal alien, etc.).

Myth #2: Gun shows lack any law enforcement presence and are a free-for-all for felons and other prohibited individuals to obtain firearms.

Fact:

Local, state, and federal law enforcement are often present both in uniform and/or covertly in plain clothes to monitor and intervene in suspected unlawful firearms sales such as straw purchasing, purchases made by prohibited individuals, including non-residents, and the attempted sale of any illegal firearms.

Myth #3: Individuals who purchase firearms on the internet are not subject to background checks.

Facts:

An individual cannot purchase a firearm directly from a firearms retailer over the internet and have that firearm shipped to them directly. An individual can pay for the firearm over the internet at websites and online sporting goods retailers. The firearm, however must be picked up from a federal firearms licensee ("FFL") such as a gun store. In many cases, this is the brick and mortar store associated with the website where the gun purchase was made. Once at the retail store, the internet purchaser must then fill out the requisite forms, including ATF Form 4473, which initiates the NICS background check process. Thus, an internet purchase of a firearm from a firearms retailer does require a background check.

Individuals, from the same state, are able to advertise and purchase firearms from one another and use the internet to facilitate the transaction. It is unlawful, under current law, to sell or transfer a firearm to an individual who is out-of-state. Any internet sale, even between individuals, that crosses state lines would have to utilize a federal firearms

licensee ("FFL"), such as a gun store, and the purchaser would be required to fill out the requisite state and federal paperwork and would undergo a background check.

Myth #4: President Obama's January 5, 2016, executive action on gun control represents landmark change regarding gun control.

Facts:

With few exceptions, President Obama's executive action on firearms is nothing more than rhetoric regarding the status quo. Many senators have long argued for better and more robust enforcement of existing laws that prohibit criminals from owning guns.

It is the current law of the land that anyone engaged in the business of selling firearms must have a federal firearms license. The President's action does not change current law, but merely restates existing court rulings on the meaning of "engaged in the business."

Myth #5: The Obama Administration has made firearms enforcement a priority.

Facts:

The Obama Administration has used its limited criminal enforcement resources to focus on clemency for convicted and imprisoned felons, the investigation of police departments, and on civil rights cases. The latter two categories represent important work, but the Department of Justice lost track of one of its core missions of enforcing criminal law: prosecuting violent criminals, including gun criminals.

The Obama Administration is only now making firearms enforcement a priority. Clearly, enforcing the gun laws is a new initiative, or one of the President's actions would not have been informing all of the 93 U.S. Attorneys about it.

Proof of this lack of enforcement is revealed in the decline of weapons related prosecutions during the Obama administration. As data obtained from the Executive Office of United States Attorneys, through a Freedom of Information Act ("FOIA") request, reveal, firearms prosecutions are down approximately 25 percent under the Obama administration versus the last year of the Bush administration.

Myth #6: Mental health has nothing to do with gun control.

Facts:

People with certain levels of mental illness are not permitted to own guns. Many of the recent mass killings were committed by mentally ill individuals. One of the keys to preventing further mass shootings and violence committed with firearms is addressing the issue of mental health.

Background checks to prevent the mentally ill from obtaining guns can only work if states provide mental health records to the NICS system. Too many states have failed to do so. Many of the worst offenders are states with the most stringent gun control laws. For multiple years now, many members of Congress have repeatedly called for and introduced legislation that would provide incentives for states to submit their mental health records for inclusion in the NICS database.

Myth #7: President Obama's executive action on gun control will thwart criminals' ability to obtain firearms.

Facts:

The President's executive action regarding firearms is focused primarily on individuals who attempt to purchase firearms through the background check process.

Criminals, however, obtain firearms in myriad illegal ways, including home inva-

sion robbery, trading narcotics for firearms, burglary of homes, vehicles, and businesses, as well as straw purchasing.

Grassley legislation, SA 725, was specifically designed to combat the straw purchasing of firearms as well as firearms traffickers who transfer firearms to prohibited individuals and out-of-state residents.

Myth #8: There is a general consensus in America that greater gun control is needed to prevent mass shootings in the United States.

Facts:

Despite the President's statement to the contrary, polls have shown that the majority of Americans do not believe that stricter gun control would reduce the number of mass shootings in the United States.

The American public does not believe that making it harder for law abiding Americans to obtain guns makes America safer. In fact, polls have shown that a majority of Americans think the United States would be safer if there were more individuals licensed and trained to carry concealed weapons. A majority opposes re-imposition of the "assault weapons" ban.

Myth #9: The terrorist "no-fly" list is a proper mechanism to bar Americans from purchasing firearms.—President Barack Obama, January 5, 2016

Facts:

The no-fly list is actually multiple lists, which are generated in secret and controlled by executive branch bureaucrats. The Second Amendment right to bear arms has been determined by the U.S. Supreme Court to be a fundamental right. This puts the right to bear arms in our most closely guarded rights similar to the right to free speech and freedom of religion. It is unconstitutional to deprive an American citizen of their Second Amendment right without notice and an opportunity to be heard.

Myth #10: Gun retailers need to step up and refuse to sell semi-automatic weapons.—President Barack Obama, January 5, 2016

Facts:

There is nothing unlawful about a semi-automatic firearm. A semi-automatic firearm simply means that a round is discharged with each pull of the trigger. These include most shotguns used for waterfowl hunting and rifles commonly used for target shooting.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3140, AS MODIFIED

Ms. COLLINS. Mr. President, I am pleased to join some of my colleagues today to speak about the key role woody biomass can play in helping to meet our Nation's renewable energy needs.

Last night an amendment that several of us offered was adopted by a voice vote. I thank the sponsors of that amendment who have joined with me—Senator KLOBUCHAR, Senator KING, Senator AYOTTE, Senator FRANKEN, Senator DAINES, Senator CRAPO, and Senator RISCH—all of whom worked

hard to craft this important amendment.

There has been a great deal of misinformation, regrettably, circulated about the amendment, which I hope we will be able to clarify through a colloquy on the floor today. I know the lead Democratic sponsor of the amendment, Senator KLOBUCHAR, would like to speak on it and has an engagement, so I am going to yield to her before giving my remarks. I thank her for her leadership.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator COLLINS for her leadership and for her illuminating the rest of the Senate. Maybe not everyone has as many trees as we do, and biomass. I appreciate what she has done.

I was proud to cosponsor this bill and be one of the leads on it, with Senator KING. This amendment moves us forward in really recognizing the full benefits of the use of forest biomass as a homegrown energy solution. I also thank Senator CANTWELL and Senator MURKOWSKI for their work on this Energy bill and the inclusion of this amendment—an amendment that encourages interagency coordination to establish consistent policies relating to forest biomass energy.

We have often talked about how we don't want to have just one source of energy, whether hydro, nuclear—you name it. So we want to recognize the importance of this forest biomass energy and talk a little bit about it today.

I sent letters to the EPA and have spoken with administration officials, urging them to adopt a clear biomass accounting framework that is simple to understand and implement. Without clear policies that recognize the carbon benefits—and I will say that again: the carbon benefits—of forest biomass, private investment throughout the biomass supply chain will dry up and the positive momentum we have built toward a more renewable energy future will be lost.

Supporting homegrown energy is an important part in an "all of the above" energy strategy. Biomass energy is driving energy innovation in many rural communities. The forest industry in my State and those who work in that industry are already playing a significant role in the biomass energy economy. There is always room to do more.

I appreciate the discussions between my colleagues yesterday on the language of this amendment and am pleased we ultimately—including Senator BOXER's help and others'—found a solution that moves us forward. I know there is interest in continuing these conversations, and I look forward to doing so.

I thank Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Minnesota for her leadership.

I, too, want to thank the two floor managers of this bill, the chairman, Senator MURKOWSKI, and her partner, Senator CANTWELL, for working so closely with us.

The fact is that biomass energy is a sustainable, responsible, renewable, and economically significant energy source. Many States, including mine, are already relying on biomass to help meet their renewable energy goals. Renewable biomass produces the benefits of establishing jobs, boosting economic growth, and helping us to meet our Nation's energy needs. Our amendment supports this carbon-neutral energy source as an essential part of our Nation's energy future.

The amendment, which was adopted last night, is very straightforward. It simply requires the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency to jointly ensure that Federal policy relating to forest bioenergy is consistent and not contradictory and that the full benefits of forest biomass for energy, conservation, and responsible forest management are recognized.

It concerns me greatly that some have suggested that our amendment would somehow result in substantial damage to our forests and the environment. Nothing could be further from the truth. Forests in the United States are robust and sustainably managed, and climate science has consistently and clearly documented the carbon benefits of utilizing forest biomass for energy production. Moreover, healthy markets for biomass and forest products actually help conserve forest land and keep our working forests in this country.

Our amendment also echos the principles outlined in a June 2015 bipartisan letter that was led by Senator MERKLEY and myself and was signed by 46 Senators from both sides of the aisle. Our letter stated: Our constituents employed in the biomass supply chain deserve federal policy that recognizes the clear benefits of forest bioenergy. We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of forest bioenergy.

In response to our letter, the administration noted that "DOE, EPA, and USDA will work together to ensure that biomass energy plays a role in America's clean energy future."

That is precisely the importance of our amendment, to make sure that happens.

The carbon neutrality of biomass harvested from sustainably managed forests has been recognized repeatedly by numerous studies, agencies, institutions, and rules around the world.

Carbon-neutral biomass energy derived from the residuals of forest prod-

ucts manufacturing has climate benefits. Scientists have confirmed that the ongoing use of manufacturing residuals for energy in the forest products industry has been yielding net climate benefits for many years. These residuals, such as bark and sawdust, replace the need for fossil fuels and provide significant greenhouse gas benefits, which some scientists have estimated to be the equivalent of removing approximately 35 million cars from the roads.

As forests grow, carbon dioxide is removed from the atmosphere through photosynthesis. This carbon dioxide is converted into organic carbon and stored in woody biomass. Trees release the stored carbon when they die, decay, or are combusted. As the biomass releases carbon as carbon dioxide, the carbon cycle is completed. The carbon in biomass will return to the atmosphere regardless of whether it is burned for energy, allowed to biodegrade, or lost in a forest fire.

In November of 2014, 100 nationally recognized forest scientists, representing 80 universities, wrote to the EPA stating the long-term carbon benefits of forest bioenergy. This group weighed a comprehensive synthesis of the best peer-reviewed science and affirmed the carbon benefits of biomass.

A literature review of forest carbon science that appeared in the November 2014 "Journal of Forestry" confirms that "wood products and energy resources derived from forests have the potential to play an important and ongoing role in mitigating greenhouse gas (GHG) emissions."

So Federal policies for the use of clean, renewable energy solutions, including biomass, should be clear and simple and reflect these principles.

We should not have Federal agencies with inconsistent policies when it comes to such an important issue. Again, I want to thank the sponsors and cosponsors of my bill, my amendment, as well as the chairman and the ranking member of the Energy Committee for their cooperation in getting the amendment adopted last night.

I would like to yield to my colleague from Maine Senator KING, who made this a tripartisan amendment when we offered it.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, as usual, my senior colleague from Maine has outlined this issue exceptionally well and covered the important points. I wish to add and amplify a few.

The first thing I would say is that I yield to no person in this body in terms of their commitment to the environment, their commitment to ending our dependence upon fossil fuel, and our facing of the challenge of climate change. This biomass discussion is a way of helping with that problem rather than hindering it. The important term in all of this discussion is the word "fossil."

The issue we are facing now with climate change and with increased CO₂ in the atmosphere is because we are releasing CO₂. We are releasing carbon that has been trapped in the Earth's crust for millions of years, and we are adding to the carbon budget of the atmosphere.

Biomass is carbon that is already here. It is already in the environment. It is in the trees. It is simply being circulated, and there is no net addition of carbon to the atmosphere because of the use of biomass. I have been in the renewable energy business now for more than 30 years and have worked in hydro, biomass, energy conservation on a large scale and wind power. So I have some background in this. A biomass plant typically burns fuel that would not otherwise enter into the economic stream of timber. It is often bark, mill waste, ends of logs, branches—the kind of thing that otherwise lies on the forest floor, dies and decays and releases carbon. There is no net addition of carbon.

To be intellectually honest, you have to say that burning it releases that carbon so much sooner than it would otherwise be released, but in the overall term we are talking about a renewable resource.

In New England and I suspect around the country—I know in Maine—there are substantially more trees in the forest today than there were 150 years ago because of the number of farms that have been returned to their natural state of forestry. That has given us an opportunity to develop an energy source that is a lot more safe and supportive of the environment than the other fossil fuel elements we have seen that have contributed to the CO₂ problem in this country.

I think this is a commonsense amendment. It basically tries to get the Federal Government on the same page on this issue consistently across the agencies. It makes the point that as long as we are talking about sustainable management, we are talking about what amounts to a continuous renewable resource. We are not adding to the carbon burden of the atmosphere, and therefore I think this is a commonsense amendment that will not set back our efforts with regard to climate change but will actually advance them.

I am happy to support this amendment, to support my colleague from Maine. I think this is the kind of commonsense amendment that actually belongs. It is a very important part of this bill. It strengthens it considerably, in my view. I want to again thank my senior colleague for bringing this bill forward.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank my friend and colleague from Maine. He has enormous expertise in the area

of renewable energy, and I very much appreciate his adding his expertise to this debate.

Before I yield the floor, I ask unanimous consent to have printed in the RECORD a letter dated June 30, 2015, and signed by 46 Senators, on this very issue, that was addressed to the Administrator of the EPA, the Secretary of Energy, and the Secretary of Agriculture.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, DC, June 30, 2015.

Hon. GINA MCCARTHY,
Administrator, Environmental Protection Agency,
Washington, DC.

Hon. DR. ERNEST MONIZ,
Secretary, U.S. Department of Energy,
Washington, DC.

Hon. TOM VILSACK,
Secretary, U.S. Department of Agriculture,
Washington, DC.

DEAR ADMINISTRATOR MCCARTHY, SECRETARY MONIZ, AND SECRETARY VILSACK: We write to support biomass energy as a sustainable, responsible, renewable, and economically significant energy source. Federal policies across all departments and agencies must remove any uncertainties and contradictions through a clear, unambiguous message that forest bioenergy is part of the nation's energy future.

Many states are relying on renewable biomass to meet their energy goals, and we support renewable biomass to create jobs and economic growth while meeting our nation's energy needs. A comprehensive science, technical, and legal administrative record supports a clear and simple policy establishing the benefits of energy from forest biomass. Federal policies that add unnecessary costs and complexity will discourage rather than encourage investment in working forests, harvesting operations, bioenergy, wood products, and paper manufacturing. Unclear or contradictory signals from federal agencies could discourage biomass utilization as an energy solution.

The carbon neutrality of forest biomass has been recognized repeatedly by numerous studies, agencies, institutions, legislation, and rules around the world, and there has been no dispute about the carbon neutrality of biomass derived from residuals of forest products manufacturing and agriculture. Our constituents employed in the biomass supply chain deserve a federal policy that recognizes the clear benefits of forest bioenergy. We urge you to ensure that federal policies are consistent and reflect the carbon neutrality of forest bioenergy.

Sincerely,

Susan M. Collins; Jeff Merkley; Kelly Ayotte; Roy Blunt; John Boozman; Richard Burr; Shelley Moore Capito; Bill Cassidy; Thad Cochran; John Cornyn; Tammy Baldwin; Sherrod Brown; Robert P. Casey, Jr.; Joe Donnelly; Dianne Feinstein.

Al Franken; Tim Kaine; Angus S. King, Jr.; Tom Cotton; Mike Crapo; Steve Daines; Cory Gardner; Lindsey Graham; Johnny Isakson; Ron Johnson; David Perdue; Amy Klobuchar; Joe Manchin, III; Barbara A. Mikulski; Claire A. McCaskill.

Patty Murray; Bill Nelson; Jeanne Shaheen; Debbie Stabenow; Rob Portman; James E. Risch; Jeff Sessions; John

Thune; Thom Tillis; David Vitter; Jon Tester; Mark R. Warner; Tim Scott; Richard C. Shelby; Patrick J. Toomey; Roger Wicker.

United States Senators.

Ms. COLLINS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am delighted to join the two Senators from Maine—Senator COLLINS and Senator ANGUS KING—in this dialogue, as well as Senator KLOBUCHAR. I believe a few other Senators may join us.

Senator COLLINS has been a great leader in advancing the debate or the conversation recognizing the carbon benefits of biomass. Her State and of course Senator KING's State is so much like Oregon. If you fold the map of the United States in the middle and put east and west on top of each other, Oregon and Maine end up closely associated. We have similar coastlines. We have shellfish industries. We have timber industries. We have salmon runs. We having similar initiative systems and our largest cities are named Portland.

I know that when I had the pleasure to visit Maine—and I went there with my wife and children to visit friends from many walks of our two lives, my wife's life and my life—we went from town to town visiting these friends who moved to Maine. We picked up a newspaper, and we felt like we were right at home in Oregon. The same initiatives were being done at that time in the State as we had on the front page back home.

This issue of biomass is close to our hearts in the forests of the Northeast and in the forests of the Northwest. When I first came to the Senate and the conversation was going forward about renewable energy, Senator Dorgan from North Dakota—now retired—said that his home State was the Saudi Arabia of wind energy. I heard Senator REID from Nevada say Nevada is the Saudi Arabia of solar power. There was a county commissioner from Douglas County—the county I was born in—which has the largest concentration of Douglas fir trees, its enormous biomass area—who referred to how Douglas County can be the Saudi Arabia of biomass energy. I thought, with all these Saudi Arabians in the United States, why are we still importing oil from Saudi Arabia? But indeed these efforts to develop an alternative to pivot from fossil fuels to a clean energy economy should include solar, should include wind, and should include biomass.

When I came to the Senate, I undertook the project of helping the Environmental Protection Agency recognize that you have to look at the life cycle. You can't simply look at the moment of combustion. You can't compare coal being burned in a coal furnace or oil in an oil furnace and say

that is equivalent to wood being burned in a biomass furnace because, indeed, as you take that biomass, that wood, you are engaged in a life cycle that doesn't involve bringing more carbon out of the Earth and adding it to the cycle of ground. Our colleague, ANGUS KING from Maine, was referring to that difference earlier in his comments.

It has been an effort to make sure our government takes account of this significant contribution of forest biomass. In the Northwest, the biomass is the potential for a win-win as a renewable source and improving forest health, and Senator COLLINS was referring to the goals of responsible forest management and conservation.

Indeed, if you drive along the roads in our national forests in my home State, you will see slash piles. These piles are there because as we go through for forest health, we thin the trees. If they are good saw logs, we take them off to the mill, but the debris remains, and we put them into piles. The goal is to remove those piles, but often there is no economical way to remove those piles, and then you have to burn them in the forest.

A couple of months ago I was in the forest in Southern Oregon with a torch, lighting fire to these piles. In this case it was an area where there is often a temperature inversion and you get smog from the smoke. They only can be burned a couple days a year. It is a big challenge. Isn't it so much better to be able to take those piles of biomass and put them to work instead of burning them in the forest? Burn them in a situation that produces heat and electricity. That is a win-win outcome.

So when you hear people in the Northwest talk about forest biomass, there is a lot of excitement about how to grow this market, a market that has the means of improving the health of our forests while providing renewable energy. On private lands a growing domestic biomass market also has the potential to create a new value stream for our forest landowners. By adding another value stream for forest landowners, biomass can create incentives to keep forestland as forests and avoid conversion to a nonforest use.

The modification made to Senator COLLINS' amendment reflects this dynamic, that one of the contributions to emissions in the forest sector is actually the conversion of forestland and nonforest use because trees are no longer there to sequester carbon. So if we can help prevent this, that is a beneficial side effect of this overall effort on biomass, to amplify the role of the forest, not to remove them.

The most important example that has been brought up as a concern that doesn't fit this model of conservation or burning the byproducts is whether entire forests might be ground up and used to create pellets and so forth. I believe—and I certainly will be corrected

if I am wrong—that certainly is not the framework in which this amendment is crafted with the dedication to enhancing the health of our forests and energy and forest conservation.

I think this amendment sends a clear signal to EPA that in many cases forest biomass is carbon neutral and should be treated as such. It reinforces the conversation we have been having since I came here over the last 7 years and earlier with Senator COLLINS' hard work.

When EPA takes regulatory action, it should reflect the opportunities where biomass is carbon neutral. In fact, policies like the Clean Power Plan should provide an incentive for forest biomass that is carbon neutral.

I look forward to continuing to work with my colleagues on this topic because this is a very significant win-win opportunity for energy, for the environment, and those are the type of opportunities we should seize.

Ms. CANTWELL. Mr. President, yesterday, the Senate passed an amendment from Senators COLLINS and KLOBUCHAR to promote biomass energy.

I would like to take a couple minutes to express my support for biomass energy.

Using biomass to create energy can be significantly better than using coal. I think it is great that people use wood to heat their homes, instead of heating with fossil fuels—like oil—particularly, when they do so with clean-burning, EPA-certified wood stoves or pellet stoves, particularly, when the stoves are produced by great companies—like QuadraFire, based in Colville, WA.

Professors at University of Washington have emphasized the need for such an amendment to encourage the development of new emission-reducing energy facilities that use the types of biomass that will achieve our country's renewable energy and climate mitigation goals.

Last October, EPA recognized that the use of some biomass can play an important role in controlling increases of CO₂ levels in our atmosphere. EPA stated that the use of some types of biomass can potentially offer a wide range of environmental benefits, aside from the important carbon benefits.

We have a wildfire problem in this country, and we need to encourage markets for the small trees, slash, and brush that we want to remove from our most at-risk forests. According to the EPA, the growth in U.S. forests offsets 13 percent of total U.S. CO₂ emissions annually. But the Global Climate Change Office at USDA has reported that increasing wildfires are transforming our forests from "carbon sinks" to "carbon sources." We clearly need to treat some of our forests, and we should use the biomass that is generated. We also know we also need energy.

But I think we need to continue to look at the "highest and best use" phi-

losophy when talking about biomass. Clearly, trees filtering water and providing wildlife habitat is a best use. Clear-cutting our forests and burning whole trees for electricity is not a good use. But burning industrial or harvesting waste for energy is a good use.

I am excited that EPA is currently developing a world leading accounting framework for biomass-generated emissions, and we are counting on them to finish this.

I also want to say that cross-laminated timber is a particularly important "good" use of biomass. Building with wood uses less carbon than concrete, and CLT explicitly stores carbon, which in terms of our carbon balance is better than simply burning it.

We agree that some biomass is clearly "carbon neutral" and some biomass is not "carbon neutral." A study by the National Council for Air and Stream Improvement showed that mills using biomass residuals avoid 181 million tons of CO₂ emissions. That is equivalent to removing 35 million cars from the road.

When we modified the amendment yesterday, we did so to make clear that the direction to the agencies was to establish biomass energy policies that are carbon neutral. Regrowing trees to replace those cut to produce energy is "carbon neutral."

But clear-cutting forests and burning them in power plants can lead to increases in atmospheric carbon levels for decades—especially when owners then sell their cut forests for housing developments, this is clearly not "carbon neutral." The trees need to grow back and the forest to stay working in order to replace the carbon taken. That is why we specifically modified the amendment, prior to voting on it, to ensure we are encouraging forest owners to keep their lands in forests.

Senator MARKEY is another leading voice in our carbon conversation, and I am looking forward to hearing his remarks.

Mr. MARKEY. Mr. President, I want to thank Senator CANTWELL for her tireless work on this Energy bill and for her help in improving the biomass amendment that the Senate adopted last night.

Biomass energy is already contributing to the U.S. energy mix in ways that help reduce carbon pollution that causes global warming.

There are great examples of electricity generation coming from wood residues like at the Fort Drum Army installation in New York and the Gainesville Renewable Energy Center in Florida. Both of these projects have included efforts to ensure that their biomass material promotes land stewardship and responsible forestry practices. Projects like these are generating biomass electricity, jobs, and economic value in their local communities.

These are the type of projects that we need to encourage to meet the climate change challenge.

But not all biomass energy is created equal. I understand the amendment's intent to support biomass energy that is determined to be carbon neutral.

I appreciate the modifications made to the amendment to ensure that U.S. bioenergy policy is not encouraging conversion of forest lands to non-forest uses. This protection is important to acknowledge.

But it is also important to acknowledge that the timeframe for any climate benefits from biomass energy can vary. In many instances that timeframe can be very long—on the order of 50 to 100 years.

Some practices like clear-cutting forests and burning whole trees for energy should never be considered carbon neutral.

That is why it is critical to incorporate what science tells us about forests and their interaction with the global carbon cycle into policies governing biomass energy.

EPA has a scientific advisory board working on this issue of bioenergy carbon accounting right now. They will have a meeting in April to hear from stakeholders about their experience in using biomass to reduce carbon pollution. The results of the advisory board's work will be crucial to inform policy across agencies.

It is important to have agencies working together on cross-cutting issues like this one. But efforts to make policies more consistent across Federal agencies shouldn't interfere with individual agency's statutory responsibilities. The amendment should not be interpreted as enabling one agency to block another agency's rule-making or guidance.

I want to thank Senators COLLINS, KLOBUCHAR, KING, and the other cosponsors of the amendment for working with other concerned Senators like myself on modifications to improve the amendment. I look forward to continuing working with them to ensure that the United States has a smart, sustainable, and scientifically backed policy for biomass energy.

Mr. LEAHY. Mr. President, the U.S. Senate is currently considering sweeping legislation to modernize the Nation's energy sector. Despite its laudable goals, it leaves one area unaddressed. The bill does nothing to stop corporate bad actors, including those in the energy sector, from simply writing off their egregious misconduct as a cost of doing business. Today I am submitting a commonsense amendment to close a tax loophole that forces hard-working Americans to subsidize corporate wrongdoing.

Under current law, a corporation can deduct the cost of court-ordered punitive damages as an "ordinary" business expense. For the victims who have already paid the price for extreme corporate misconduct, there is nothing

“ordinary” about this at all. It is simply wrong. It offends our most basic notions of justice and fair play. Punitive damage awards are designed to punish wrongdoers for the reprehensible harm that they cause and to deter would-be bad actors from repeating similar mistakes. Today a company can simply hire a team of lawyers and accountants to deduct this punishment from the taxes the company owes. My amendment would end this offensive practice with a simple fix to our Tax Code.

Let us not forget that our energy sector has been plagued with companies that have recklessly destroyed environments and harmed communities with impunity. In 1994, a jury awarded \$5 billion in punitive damages against Exxon for the *Valdez* spill in Alaska. This oil spill devastated an entire region, the livelihoods of its people, and a way of life. After Exxon paid white-shoe law firms to fight these damages in the courts for 14 years, it successfully brought its damages down to \$500 million. Then, adding insult to injury, Exxon used the Federal Tax Code to write off its punitive damages as nothing more than an “ordinary” business expense.

In 2010, the Deepwater Horizon drilling rig exploded, and 11 Americans were killed in the worst oil spill in American history. That same year, an explosion in the Upper Big Branch Mine in West Virginia claimed the lives of 29 miners. If forced to pay punitive damages for their misconduct, these companies could also write off that expense.

The Obama administration has requested eliminating this tax deduction in its budget proposals. Our very own Joint Committee on Taxation has estimated that closing this loophole would save taxpayers more than \$400 million over 10 years. If we don’t change the law, our deficit will grow by nearly half a billion dollars because we allowed taxpayers to subsidize the worst corporate actors. By failing to act, we are sending the message that pillaging our environment is an encouraged, tax-deductible behavior. This amendment makes fiscal sense, and it is common sense.

Vermonters and Americans are tired of seeing giant corporations getting special treatment under the law—and paying for their reckless mistakes. It should shock the conscience to know that current law compels taxpayers to effectively subsidize the malfeasance of the worst corporate actors. My amendment would change this unacceptable status quo. I urge Senators to support my amendment.

Ms. COLLINS. Mr. President, I wish to speak on my amendment No. 3197, to increase the protection of our critical infrastructure in the electric sector from a debilitating cyber attack. I am pleased to have Senators MIKULSKI and HIRONO join me as cosponsors.

Critical infrastructure refers to entities that are vital to the safety, health, and economic well-being of the American people, such as the major utilities that run the Nation’s electric grid, the national air transportation system that moves passengers and cargo safely from one location to another, and the elements of the financial sector that ensure the \$14 trillion in payments made every day are securely routed through the banking system.

The underlying bill includes several provisions that I support to improve the cyber posture of the U.S. electric grid. These include giving the Secretary of Energy new authority to take actions to protect the grid in the event of an emergency and establishing new programs to reduce vulnerabilities and improve collaboration among the Department of Energy, national labs, and private industry.

The underlying bill, however, makes no distinction between the vast majority of local or regional utilities and the very few entities that are so key to the electric grid that they could debilitate the U.S. economy and our way of life if they were attacked.

The Department of Homeland Security has identified the critical infrastructure entities at greatest risk of resulting in catastrophic harm if they were the targets of a successful cyber attack.

While the entire list includes fewer than 65 entities across all sectors of the economy, it warrants our special attention because there is ample evidence, both classified and unclassified, that demonstrates the threat facing critical infrastructure, including our energy sector.

Indeed, the committee report accompanying this bill notes that one-third of reported cyber attacks involve the energy sector.

The amendment I have filed to this energy policy bill would only affect those entities on the list that are already subject to the oversight of the Federal Energy Regulatory Commission, known as FERC.

Our amendment would require FERC to identify and propose actions that would reduce, to the greatest extent practicable, the likelihood that a cyber attack on one of these entities would result in catastrophic harm.

By “catastrophic harm,” the Department of Homeland Security means a single cyber attack that would likely result in 2,500 deaths, \$50 billion in economic damage, or a severe degradation of our national security. In other words, if one of these entities upon which we depend each day were attacked, the results would be devastating.

The Director of National Intelligence, Jim Clapper, has testified that the greatest threat facing our country is in cyber space and that the number one cyber challenge concerning him is

an attack on our Nation’s critical infrastructure.

His assessment is backed up by several intrusions into the industrial controls of critical infrastructure. Since 2009, the Wall Street Journal has published reports regarding efforts by foreign adversaries, such as China, Russia, and Iran, to leave behind software on American critical infrastructure and to disrupt U.S. banks through cyber intrusions.

Multiple natural gas pipeline companies were the target of a sophisticated cyber intrusion campaign beginning in December 2011, and Saudi Arabia’s oil company, Aramco, was subject to a destructive cyber attack in 2012.

In an incident that is still not fully understood, 700,000 Ukrainians lost power in December due to an attack that Ukrainian authorities and many journalists have ascribed to Russian hackers.

In a hearing of the Intelligence Committee last summer, I asked Admiral Rogers, the Director of the National Security Agency, which is responsible for cyber space, how prepared our country was for a cyber attack against our critical infrastructure. He replied that we are at a “5 or 6.”

Last month, the Deputy Director of the NSA, Richard Ledgett, was asked during a CNN interview if foreign actors already have the capability of shutting down key U.S. infrastructure, such as the financial sector, energy, transportation, and air traffic control. His response? “Absolutely.”

When it comes to cyber security, ignorance is not bliss. The amendment we have filed would take the common sense approach of requiring the Federal agency responsible for the cyber security of the electric grid to collaborate with the entities that matter most and to propose actions that can reduce the risk of a catastrophic attack that could cause thousands of deaths, a devastating blow to our economy or national defense, or all of these terrible consequences.

Congress has previously missed opportunities to improve our Nation’s cyber preparedness before a “cyber 9/11” eventually occurs. We should not repeat that mistake.

I urge my colleagues to support this vital, bipartisan amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would be remiss if I didn’t rise during this debate on energy to address the administration’s continuing efforts to wear down America’s coal industry. As the Senate considers reform of our Nation’s energy infrastructure, the importance of coal to America’s energy portfolio simply cannot be understated, and unfortunately neither can this administration’s deliberate attempts to use Executive power to put the coal industry out of business.

This administration has made no secret of its disdain for fossil fuels and has unleashed a series of policies intended to subvert reliable, affordable, traditional energy sources, such as oil and natural gas, in favor of valuable but more expensive and less reliable renewable resources.

We have a lot of wind in Wyoming. In fact, the first wind turbines were put in and the rotors blew off until they discovered they couldn't turn them into the wind at 80 miles an hour. But even though we have a lot of wind—I guess Wyoming could be called the Saudi Arabia of wind and solar, coal, oil, natural gas, and uranium—we have found that sometimes the wind doesn't blow, and we have found that sometimes the Sun doesn't shine and sometimes the wind doesn't blow when the Sun isn't shining, and that creates a problem unless you have alternate fuels.

Coal is at the center of that regulatory battle. The war on coal is not only an affront to coal producers in my home State of Wyoming but to energy consumers across America. Let me explain how the administration's war on coal affects Americans across the country with this chart.

According to the Energy Information Administration, 39 percent of the electricity in the United States was generated by coal in 2014. The only other energy source that comes close to coal for energy production is natural gas, at 27 percent. We need to ask ourselves: If we allow the administration to kill the coal industry, what energy source is going to take its place and provide our constituents with the energy they need? It is actually the only stockpiled resource we have.

This issue hits close to home for me because approximately 40 percent of the country's coal is produced in my home State of Wyoming. Actually, 40 percent is produced in my home county of Campbell County, WY. According to the National Mining Association, coal supports more than 27,000 jobs in my State. Now, 27,000 probably doesn't sound like a lot in California, Washington, DC, New York, or even Texas, but that is 9 percent of our state's workforce. Nine percent of our workforce has jobs related to coal, and they are good-paying jobs. These jobs pay an average of about \$81,500 a year. Multiply that by 27,000 jobs, and we are talking about billions. Let me be clear. This isn't just an issue for Wyoming or other coal-producing States. The Wyoming Mining Association reported that in 2014, 30 States received coal from Wyoming's mines.

The area depicted in red on this chart are the States that receive Wyoming coal, but that doesn't mean some States don't also receive electricity produced in Wyoming from coal. Those States include California, Utah, and Idaho. And, of course on this carbon issue, Wyoming is forced to account for

the carbon that produces the energy these other states consume.

The second chart shows that if you represent Texas, Illinois, or Missouri, you should be worried about the coal industry because in 2014 each of those States received more than 10 percent of Wyoming's coal. Wisconsin, Iowa, Kansas, Arkansas, Oklahoma, and Michigan each got about 5 percent of Wyoming's coal. Wyoming's coal was also distributed to Nebraska, Georgia, Alabama, Colorado, Louisiana, Tennessee, Minnesota, Oregon, Washington, New York, and Arizona. If I didn't list your State, don't think the stability and success of the coal industry doesn't affect you. Ten other States and foreign entities also received Wyoming's coal.

All of these numbers and stats boil down to this: Most of America's energy is powered by coal, and policies that raise the price of coal will hurt industries and households across the country. They will cost jobs in our country and will cause people to have higher utility bills. Unfortunately, the administration is either oblivious or unconcerned with this correlation, as evidenced by the Department of Interior's recent announcement that they will block most new Federal coal leases in order to conduct a programmatic environmental impact statement on coal development on Federal lands.

About 40 percent of our Nation's coal is produced by the Federal coal leasing program. Under that program, which is managed by the Department of Interior, private entities compete for the right to lease and mine the coal mineral estate owned by the Federal Government. After a rigorous multiyear application and land-use planning process, lessees are given an opportunity to mine coal on public land. Again, that is a rigorous, multiyear application process that can and does drag on for years. In return, those companies pay BLM a bonus bid, which is an upfront fee for the right to mine. Besides that, they also pay an annual land rental payment and they pay an additional royalty on the value of the coal after it is mined. Surface mines pay a royalty of 12.5 percent and underground mines pay a royalty of 8 percent. These revenues are shared by the Federal Government and the States in which the coal was mined.

This program, which began in 1920, has been a tremendously successful way to provide affordable energy to the Nation, provide jobs in places such as Wyoming's Powder River Basin, where 85 percent of all Federal coal is mined, and it provides value to the government. According to the BLM—the Bureau of Land Management—the Federal coal leasing program has generated well over \$1 billion a year for the last 10 years: \$7.9 billion in royalties and an additional \$4 billion in rent, bonus bid payments and other fees. Again, that is money that coal leasing earns for the

Federal Government—a stark contrast to most Federal programs. That doesn't even mention the taxes that are paid by the workers who mine the coal, but if we eliminate their jobs, that money is not coming in either.

This administration has announced plans to halt new Federal coal leases while it takes years to study the value and efficacy of the program. This Department of Interior rule has the potential to economically devastate my home State of Wyoming and send energy prices around the country through the roof.

The BLM laid the foundation for this farce last summer when it staged a series of listening sessions. I went to the session in Gillette, WY, and based on the administration's recent announcement, I don't think the BLM was listening very closely. If they were, they would know that American taxpayers are already receiving a fair return on coal resources.

One gentleman, who told the BLM his story, moved to Wyoming to be a coal miner. He spoke with pride about his job. He was worried that the job that has allowed him to raise three children will no longer exist if the BLM raises royalty rates.

The owner of a small business not directly related to the coal industry told her story. She was worried about the ripple effect raising royalty rates would have on Campbell County and the State of Wyoming. As a mom, she also told the BLM about the direct support coal companies provide her community through social service agencies, community events, and youth activities. She didn't want to see her kids lose that support.

The benefits she referenced are a reflection of the \$1.14 billion in tax and fee revenues the State of Wyoming collected from the coal industry in 2014. This is money which the State critically relies on to fund things such as schools, highways, and community colleges across the State. Wyoming state lawmakers are going through a process right now to try to figure out how to make up for the lost revenue just from last year. They are making drastic budget cuts which we wouldn't even consider here at the Federal Government even though the State of Wyoming is in better financial shape than the Federal Government.

I mentioned the Gillette woman who is the owner of a small business that is not directly related to the coal industry. She said her business is down by 60 percent. That is almost two-thirds less revenue than what she would have had, which means, of course, that it affects some other jobs in the community. So there is a huge ripple effect to all of this.

Despite these and dozens of similar stories, the administration announced that they need to shut down Federal coal leases and conduct a study to determine if taxpayers are getting a fair

return on the Federal coal leasing program. For quite a while now, the resulting revenue coal producers and companies got to keep was less than what they were paying in taxes. If the BLM would have truly listened to the folks in Gillette last summer, they would already know the answer to this. Instead, they have gone forward with a plan to cripple the coal industry and make energy more expensive. In the words of Wyoming's Governor Matt Mead, "Not only will [Interior's new rule] hurt miners and all businesses that support coal mining, it will take away the competitive advantage coal provides to every U.S. citizen." When it is part of the energy mix, it affects the other energy prices as well.

As we debate energy policy reforms in the coming days, it isn't just the fate of coal that should concern us. Interior's Federal coal leasing review is just the latest in a string of regulations aimed at driving fossil fuel industries out of business. The administration has also proposed a new methane flaring rule aimed at discouraging oil and gas leasing on Federal lands.

This Chamber has spoken clearly in rejecting rules such as the Clean Power Plan and the Waters of the United States, but the administration continues its regulatory war on energy. As we consider energy policy reforms, we need to make sure we are protecting the resources that have and can continue to power America, and that has to include coal.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Upon my completion, I ask unanimous consent that Senator HELLER be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUG ABUSE

Mr. MANCHIN. Mr. President, I rise today to speak for the millions of Americans impacted by prescription drug abuse, particularly those in my home State of West Virginia, where 600 lives are lost every year to opioids. I believe the FDA must start taking prescription drug abuse seriously, and that will not happen without a cultural change in the agency.

The Presiding Officer and I are taking on this issue in the drug prevention caucus and addressing how opioids have affected South Carolina, West Virginia, and the effect the epidemic has had on all of America. We have seen too many examples of the FDA standing in the way of efforts to address the opioid abuse epidemic.

If you look at this chart, you can see the rise in deaths over the last 15 years and what it has done to our country

and our States. It is unbelievable and unacceptable. We have been able to face and cure every other epidemic in this country. We seem to be keeping this one out of sight and out of mind.

The FDA delayed for years before finally agreeing to reschedule hydrocodone. My first 3 years in the Senate were consumed by getting the FDA to come around on this important step. Since the change went into effect, we have seen a number of prescriptions for combination hydrocodone products, such as Vicodin and Lortab, fall by 22 percent. That is over 1 billion pills not being put on the market.

After finally taking that step, to add insult to injury after taking so long to reschedule this from a schedule III to a schedule II, the FDA approved the dangerous drug Zohydro even after its own experts voted 11 to 2 against it. This drug has 10 times the hydrocodone of Vicodin and Lortab and has the capability of killing an individual with just two tablets. Can you imagine? Just recently, the FDA outrageously approved OxyContin for use for children as young as 11 years old. This decision means that Pharma is now legally allowed to advertise OxyContin to pediatricians under certain circumstances. We have seen this story before. We have seen the devastating impact of this type of advertising, and we have years of evidence that shows that drug use at an early age will make a child more likely to abuse drugs later in life. These decisions by the FDA are horrifying examples of the disconnect between the FDA's actions and the realities of this deadly epidemic.

Leaders at the FDA, including the director of the division that oversees opioids, are now actively working against the Centers for Disease Control's efforts to reform prescribing guidelines, which represents a reasonable, commonsense approach to help doctors take into account the very real and prevalent danger of addiction and overdose when prescribing opioids. We have found out there is very little education done. Doctors aren't required to cover this as they go through medical school. Most will tell you they have less than 1 week of schooling for this.

That is why last week I announced that I will filibuster any effort to confirm Dr. Robert Califf. This is a good man with a stellar reputation, but he just comes from the wrong end of this crisis for which we have to make the changes that need to be made. That is all I have said: Give us someone who is passionate about the change. The change must come from the top of the FDA.

We need a cultural overhaul of the FDA. When we have the FDA fighting the CDC—the CDC is making recommendations for new guidelines of how drugs are prescribed and how we should protect the public, and the FDA is really taking the position that, no,

what pharmaceuticals are putting out is something that we need as a product. It is a business plan. I am sorry, I cannot accept that, and I truly believe there needs to be a cultural change, and that starts at the top.

Over the past week my office has been absolutely flooded with stories from West Virginians who want their voices to be heard. And, as I said, we need to make this real, and it will not be unless I can bring to my colleagues the real-life stories of the tragedies that people are enduring because of the prescription abuse that goes on.

These letters have come from children who have seen their parents die from an overdose; grandparents who have been forced to raise their grandchildren when their kids went to jail, rehab, and the grave; and teachers and religious leaders who have seen their communities devastated by prescription drug abuse. These people need help from the FDA. They count on this regulatory committee—the Federal Drug Administration—to do what should be done to protect millions of Americans across the United States, as well as those who have been affected.

I am going to read a story and basically bring a person's life to my colleagues—an opportunity to see what happens in a daily situation in an abusive scenario. The first story I wish to read comes from a West Virginian by the name of Haley. Haley lives in Princeton, WV, which is in the southern part, and she is a teacher in Beckley, WV. She is married and has a baby who is about to turn 1. This is Haley's story:

Prescription drug addiction destroyed my childhood. Thanks to prescription drug abuse, I grew up much too quickly and still have trust issues today. My mom's one true love was Xanax and I will always come in second or after that, no matter what.

When I was in fifth grade, my mom went to rehab two hours away from me. My parents are divorced and my stepdad worked on the road, so I stayed with my grandparents. We visited my mom on the weekends and I didn't really understand why she was there. None of it made any sense to me and I just wanted my mom. One day, we received a phone call stating that she had checked herself out and we had no idea where she was for about 24 hours. This wasn't the first time my mom had unsuccessfully tried rehab and it would not be her last.

There were times when I would get home from school and have no idea where my mother was, so my grandma and I would have to drive around and search for her. We would eventually find her passed out at one of her "friends' houses.

There is one particular memory that traumatized me and is forever engrained in my memory. I was 10 years old when we found my mom. She was too high to even walk on her own. My 70-year-old grandmother and I had to virtually carry her to the car. When she got home, I took her shoes off so I could put her to bed. I remember being sick to my stomach with worry when I took off her shoe to find a sock completely soaked with blood. She had apparently stepped on glass and hadn't even felt the cut because she was too

high on pain pills. This is something no one, especially an innocent 10-year-old, should have to deal with.

My 12th birthday was the worst birthday of my entire life. I was supposed to have a pool party, but my mom did not show up to pay for it, so my 16-year-old sister had to step in. There was no food or drinks because my mom was supposed to handle all of that for me. When she finally showed up at the end of my party, equipped with her unbelievable excuses, her eyes were bloodshot and rolling around in her head. I was hurt, but I was mostly embarrassed that people felt so sorry for me. Everyone knew my mom was a drug addict and everyone always pitied my sister and me for the life we had to live. Yet again, my mother chose her beloved high over me.

My mom's battle with drug addiction did not stop there. She went on to rehab again and jail several more times. When she wasn't home, I would search her room and find Xanax, Lortab, Oxycodone, and many other unknown pills. Nearby, I would always find cut up straws or even parts of a tampon applicator. She was creative, to say the least. When I was in 9th grade, my mom went to jail for stealing. She would get super high and then go into stores and steal ridiculous things like hair scrunchies, makeup, and whatever else she could get her hands on. I didn't know she was going to jail until two days before she left. She had been depressed and in her bed sick (probably going through withdrawal) for several days. She finally told me that she would be going to jail the day after Christmas. Once again, I would be without a mom. She was in jail the remainder of my 9th grade year until the end of my 10th grade year. I don't know how I passed the 9th grade. I failed almost every class except English and I would have failed that one too if it hadn't been for such an amazing teacher who helped me overcome so much.

My mom went to jail for stealing again while I was in college, and my ex boyfriend had to bail her out of jail. I had a baby via C-section less than a year ago. My mom and I were starting to have a relationship for the first time in my entire life, but drug addiction would soon ruin it for the millionth time. I was given pain medicine after having my baby and I was terrified to take it because of what I have lived through. I only took it when I absolutely had to, but I was in so much pain. My mom had just been to visit and I never thought to move my pain medication because it was in my bedroom out of sight. The next day I was lying in bed with my two-week-old baby and I was having terrible pains due to my incision. I reached to the end of the table for my pain medicine. When I opened the bottle, there was only one pill left. I had 8 pills when my mother came to visit and she took 7. My mom finally admitted to stealing my medicine and I refused to talk to her for months.

In November, I received a phone call from my sister telling me the neighbor called and my mom was having a heart attack. When the paramedics arrived they couldn't find a pulse or a temperature. They flew her to the closest town and they had to shock her because her heart stopped. They found narcotics in her system and I will forever believe that years of using drugs is the reason for her heart attack. She spent a month in the hospital. I believe she may be drug free now, but I will never fully trust her. I can't. Each time I call and she doesn't answer, I picture her high somewhere stumbling around.

I could give endless anecdotes and examples of how drug addiction ruined my life,

but I don't think I can ever adequately describe what prescription drugs robbed me of. The only thing worse than not having a mother at all is having a mother who chooses drugs over you. Something needs to be done in West Virginia, where the prescription drug abuse is only going to get worse. All addicts have to do is go to a pain clinic and fool the doctors to receive medication. I know too many people who have easy access to drugs because of corrupt doctors in the area and because the pain clinics are not effective. I can only pray the problem is addressed and that my son doesn't have to grow up in an area so overtaken by drug abuse.

Sincerely, a drug addict's daughter.

I know the Presiding Officer has received these same letters, these same circumstances we live with every day. If someone doesn't rise up and say "Enough is enough; we have to stop this abuse," it is going to be an epidemic that is going to ruin this country.

I go to schools and tell them, there is not another country in the world that believes they can take on the United States of America militarily or economically. We are the greatest Nation. We are the hope of the world. Guess what. They don't believe they have to. They are going to sit back and watch. If we don't have education and we don't have skill sets because of a lack of education attainment, and if we are addicted, if we don't have a clean society, we are not going to be able to be the superpower.

We can't let this generation down. We can't let it fail. I will be coming here every chance I get to read letters from West Virginians to let my colleagues know the epidemic that is going on, the ravaging that is happening in my State and taking away precious lives, whether directly or indirectly, through a child or a parent.

I am hoping we can all change the FDA's direction, that we can get somebody in there that will change the culture of the FDA that will protect us and fight for us and not for the business plan of pharmaceuticals.

Thank you, Mr. President.

I yield the floor to my good friend from Nevada.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to discuss the bill before us.

Energy and mineral development has been one of the central pillars of the Nevada economy, even before it joined the Union. The discovery of the Comstock Lode transformed the State as miners rushed in and boom towns like Virginia City and Austin were born.

Today we are a world leader in mineral production while being at the forefront of national efforts to implement a 21st century "all of the above" energy strategy. The Silver State produces over 80 percent of the gold and nearly 25 percent of the silver mined domestically. Mining contributes more than 13,500 jobs in Nevada alone, add-

ing \$6.4 billion for our State's gross domestic product annually.

Nevada's renewable energy resources are among the best our Nation has to offer. Over 2,300 megawatts of renewable energy projects have come online, roughly enough electricity to power over 4.6 million homes. In total, more than 23 percent of the State's total electricity generation comes from renewables.

Our State is not only leading the way on clean energy production, it is a hot bed for the research and development on energy efficiency and other alternative technologies that are critical to our Nation's energy future. Tesla's development of its battery gigafactory at the Tahoe Reno Industrial Center and Faraday Future's recent announcement to build its automotive manufacturing facility in North Las Vegas ensure that our State will be at the forefront of energy storage technologies and electric vehicles for years to come.

Energy is not only one of Nevada's but, overall, one of our Nation's greatest assets. But Congress has not enacted comprehensive energy legislation in a decade, so it is time to reform Federal policies to reflect the energy and natural resource challenges of the 21st century.

I commend the majority leader and the chairman of the Energy and Natural Resources Committee who have made energy policy modernization a focus for the 114th Congress. In our first week, we advanced the Keystone XL Pipeline legislation and energy efficiency legislation. In the final days of 2015, we enacted a tax deal which included important policies I fought for and which facilitated renewable energy production while lifting the crude oil export ban. And this week we are focusing on a bipartisan Energy Policy Modernization Act.

I appreciate the hard work of the bill managers, Energy and Natural Resources Committee Chairman MURKOWSKI and Ranking Member CANTWELL, who have put the time in to bring this proposal to the Senate floor. My colleagues all have a wide range of ideas on energy and environmental policy, and often these debates can become bitterly partisan. So both Senators should be commended for approving a bill out of the Energy and Natural Resources Committee by a bipartisan vote of 18 to 4.

In the committee process, I worked with both Senators to incorporate a couple of my stand-alone bills focused on streamlining mine permitting and the exploration of geothermal resources, the Public Land Job Creation Act, S. 113, and the Geothermal Exploration Opportunities Act, S. 562, into this bill. I thank them for that, and I hope to continue to process amendments that modernize Federal energy policy.

I have filed a variety of amendments aimed at spurring innovation, boosting

job creation, increasing domestic energy and mineral production, and rolling back some of these burdensome regulations. One has already passed the Senate, and I hope the others will be included as well.

I have put forth two bipartisan proposals with my colleague from Rhode Island, Senator JACK REED, focused on energy storage. Technological developments in energy storage have the potential to be a game changer for the electric grid, benefiting the reliability and efficiency of the overall system. Our first amendment simply adds energy storage systems to a list of strategies that States should consider in an effort to promote energy conservation and promote greater use of domestic energy. The second, which passed the Senate by voice vote on Monday night, enhances the Department of Energy's ability to use existing research dollars to develop state of the art technology that can make our electricity grid faster and much more reliable. Energy storage will play an important role in our Nation's long-term energy strategy.

My Public Lands Renewable Energy Development amendment, which I filed along with Senators HEINRICH, GARDNER, RISCH, TESTER, WYDEN, UDALL, and BENNET, is an initiative I have been working on for many years. It recognizes that in our Western States, there are millions of acres of public lands suitable for the development of renewable energy projects, but uncertainty in the permitting process impedes or delays our ability to harness their potential. In a State like Nevada, where over 85 percent of our land is controlled by Federal landlords, improving this permitting process is vitally essential.

Our amendment does just that. It streamlines and improves the permitting process for utility-scale geothermal, wind, and solar energy on Federal lands so that the West can continue to lead the Nation in clean energy production.

To advance this amendment, Senator HEINRICH and I had to drop one of the important components of the proposal—provisions that would repurpose revenues generated by these projects to ensure our local communities benefit and to support conservation projects that increase outdoor recreation activities such as hunting, fishing, and hiking.

In the West, where Federal lands are not taxable and outdoor recreation is an important part of our way of life, these provisions are vital, and I hope we can find a path forward for this concept in the near future.

While recent developments on battery storage, renewable energy production, and alternative fuel vehicles is exciting, I want to remind my colleagues that without a domestic supply of critical minerals like gold, silver,

copper, and lithium, they all would not be possible. Far too often we take for granted that we need these important resources to manufacture those technologies and devices that are now part of our everyday lives, such as our smartphones, our computers, and our tablets.

I have worked with Chairman MURKOWSKI and others on comprehensive mining legislation over the past few years, and I believe it is key to our economy and our Nation's security that those policies are part of this comprehensive package. I appreciate that our American Mineral Security Act is one of the titles of the bill that is now before the Senate.

One of the biggest issues facing domestic mining—not just mining but all natural resource development—is overly burdensome regulations. If our Nation is truly going to capitalize on our domestic production potential, we need to rein in the Environmental Protection Agency.

Outside of the IRS, the two Federal agencies that draw the most ire from my constituents are the EPA and the BLM. Under this administration, the EPA is continuing down a path of destroying the balance between appropriate environmental oversight and overreaching regulations that lead to further economic gridlock. That is why I put forth an amendment that would block the EPA from finalizing one of their biggest attacks on domestic resources production, a rule to impose new financial assurance fees.

If implemented, these requirements would further deinvest capital investment in the domestic mining industry. New Federal requirements would be duplicative of financial assurance programs already in place at both the State and Federal level.

The EPA has made it clear that their push on hard rock mining is the first of many of its plans to develop on various natural resources industries, such as chemicals, coal, oil, and gas development. My amendment would prohibit the EPA from developing, proposing, finalizing, implementing, enforcing or administering new financial assurance regulations on natural resources development.

I have also teamed up with my friend and colleague, Environment and Public Works Committee Chairman JIM INHOFE, on my EPA accountability amendment. This amendment mirrors a bill that I introduced in the first weeks of this Congress and was adopted by voice vote as part of the House Energy bill—the North American Energy Security and Infrastructure Act.

The EPA often ignores longstanding statutes that require them to improve their own regulatory coordination, planning, and review. Simply put, my amendment asks the EPA to abide by its own rules. Without oversight, the EPA has the authority to issue unprec-

edented regulations that could wreak havoc on our energy policy and prices. Energy costs seep into every aspect of American life, and it is past time we stopped the EPA in its tracks.

Again, I want to thank Leader MCCONNELL. I want to thank Chairman MURKOWSKI and Ranking Member CANTWELL for working with me on my comprehensive Energy bill policies. I hope we can take up these amendments and have them included in the final version of the bill, which I am confident will pass the Senate. These commonsense initiatives will go a long way toward ensuring an affordable, secure, and reliable energy supply for our country.

Mr. President, thank you, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. CARDIN. Mr. President, I take this time as the ranking Democrat on the Senate Foreign Relations Committee to bring to the attention of my colleagues the number of nominees in important foreign policy areas that have been acted on by the Senate Foreign Relations Committee but have not been acted on by the floor of the Senate.

There are currently 15 nominees that have been recommended favorably by the Senate Foreign Relations Committee, and in most of these cases, they were unanimous votes in the Committee. I am confident to say that in each of these cases there has been no question raised as to the qualifications of the individuals to fill these particular positions. We are talking about senior members of the State Department diplomatic team. We are talking about Ambassadors in countries around the world. We are talking about people who have extremely important positions with regard to our national security. These positions are critically important to our country, and they have remained vacant in some cases for over a year. It has been a long period of time that we have not acted on these nominations.

The reason we have not acted on these nominations, quite frankly, is because there is a Member in the Senate, or more than one Member of the Senate, who has put what is known as a hold on these nominations. What that means is that a Senator has indicated that he or she is going to object to the consideration of the nomination on the floor. That is normally done in order to get a little bit of attention on an issue,

and it is my understanding that in each of these cases, these holds have nothing to do with the qualifications of the person for the position to be filled, but it is to give the Member an opportunity to get some help on other issues or to raise other concerns.

Here is the problem. In some cases these holds have been in place for over a year. In some cases we are talking about several months that a position has gone unfilled because of the hold.

How can we overcome that? We can overcome that by a Senator releasing the hold, allowing a nomination to come to the floor for a vote. In many cases, I expect, it will be by unanimous consent, since there has been no objection raised, and we can move forward with the nomination.

Quite frankly, it is the majority leader—the Republican leader—who controls the agenda of the floor of the Senate. The majority leader can move to executive session, file a cloture motion, and if 60 Members of the Senate want to move forward with the nomination—and I expect that in each one of these cases we are probably talking about almost unanimous votes in the Senate for these nominations—we would pass a cloture motion. After the hours have passed, we would have an up-or-down vote on the nomination.

If the majority leader were to announce that we would have a cloture vote on a Thursday or Friday and we would stay in over a weekend in order to finish a nomination, which is typically the case here, we would get it resolved before we left for the weekend. As you know, we have been completing our work on a Thursday. There is plenty of opportunity to take up nominations. We have extensive periods of time that we are in State work periods. There are plenty of opportunities for us to take up nominations on the floor for votes. All we need to do is say: Look, by this date certain, if we don't have your answers, we are going to a cloture vote. It would certainly move a lot of these nominations.

This Senator thinks it is unacceptable that 15 of our positions right now are going unfilled because of holds by Members of Congress. I think we have a responsibility to act. I am talking about positions on OPEC. I am talking about the IMF. I am talking about Ambassadors to the Bahamas, Trinidad and Tobago, Mexico, Norway, and Sweden. I am talking about the U.S. representative to the IAEA. I am talking about the Under Secretary of State. I am talking about Ambassadors to Luxembourg and Burma. There is a whole list of nominations that have gone unfilled.

What does this mean for our country? Well, if you don't have the Under Secretary of State for Political Affairs—that is the No. 4 person in the State Department. That is the person directly responsible for all the regional

bureaus—for Europe, the Middle East, East Asia and the Pacific, for our hemisphere, for Africa. We don't have the principal person in the State Department confirmed for those regional concerns. That is a national security risk by not having a confirmed person for Under Secretary of State.

My colleagues are quick to be critical if they don't believe the administration is responding quickly enough to certain concerns. For us not to respond for months on critical positions, to me, is compromising our national security.

But it goes beyond that. In bilateral relationships with countries, the fact that they don't have a confirmed ambassador speaks volumes to that country's belief as to how important we think that relationship is.

So if we are talking about a U.S. businessperson from South Carolina or Maryland who is trying to do business in Trinidad and Tobago and there is no confirmed ambassador, that person is at a disadvantage by not having a confirmed ambassador in that situation. If we are talking about a family member who is trying to deal with a family issue in Norway and we don't have a confirmed ambassador, that makes it more difficult for us to be able to represent our constituents because our No. 1 person, our head of mission, has not been confirmed. So it affects our ability to strengthen bilateral relations, it affects our national security, and it is absolutely wrong.

I want to make one thing clear. It is an honor to serve on the Senate Foreign Relations Committee, and it is an honor to be the ranking Democrat. Senator CORKER, the chairman of that committee, and I work very closely together. I am proud of the record of the Senate Foreign Relations Committee under Senator CORKER's leadership. We have reported out these nominations in a timely manner. We have gathered information about the person's qualifications. We have questioned the person. We have gone through the confirmation process to make sure this body carries out its constitutional responsibility to approve Executive nominations. We take our work very seriously, but we do it in a timely way. We act in a timely way. Senator CORKER was responsible for these nominations getting out of the committee promptly, but until the Senate acts, the person can't take on the responsibility.

Now it is the responsibility of the Senate. That is why I call upon my colleagues who have made objections to withdraw those objections. They have been there for months. Let's move forward. If they don't, I would ask that the majority leader give us time for a cloture vote or at least announce a cloture vote. If we did that, I would think these nominations would comfortably move forward.

Some of my colleagues are on the floor, and they are going to talk about

specific nominees. I will yield to them shortly, but if I might, I am going to raise 2 of the 15 today. I will do others at other points, but I am going to talk about two of the nominees and I could talk about a lot more.

I want to talk about Tom Shannon for Under Secretary of State for Political Affairs. I want to tell the American people more about the qualifications of Ambassador Tom Shannon and the important post for which he has been nominated.

The Under Secretary for Political Affairs is the State Department's fourth-ranking official, responsible for the management of the six regional bureaus of the Department as well as the Bureau of International Organization Affairs. This is a tremendously important leadership post on key national security issues.

Ambassador Tom Shannon, a career member of the diplomatic corps—he is a career diplomat, serving under both Democratic and Republican administrations—is held in universal respect and esteem by his colleagues and has been nominated to this position. He is strongly supported by both Democrats and Republicans on the Foreign Relations Committee.

I have twice spoken on the floor to ask for unanimous consent for Ambassador Shannon, and I am proud to again ask for his confirmation because few diplomats have served our Nation under both Republican and Democratic administrations with as much integrity and ability as Ambassador Shannon.

In his current role as Counselor with the Department, he provides the Secretary with his insight and advice on a wide range of issues. His previous service is formidable. He was our Ambassador to Brazil, was Assistant Secretary of State and Senior Director on the National Security Council staff for Western Hemisphere Affairs, and also served in challenging posts in Venezuela and South Africa, among others. He is a career diplomat, giving his life to the Foreign Service. As I said, he has served different Presidents for over 30 years. He should be confirmed today.

Mr. Shannon has been waiting on the floor of the Senate for confirmation for 125 days.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 375, which is Thomas A. Shannon, Jr.; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARDIN. Mr. President, let me now bring to the Chair's attention John Estrada to be our Ambassador to Trinidad and Tobago. John Estrada has been waiting for confirmation on floor of the Senate for 217 days.

The Republic of Trinidad and Tobago in the Caribbean has been used as a way station for drug smugglers who are shipping their products to the United States, which has caused steadily increasing violence and drug activity. We all talk about the War on Drugs. We need a confirmed ambassador if we are going to have all hands on deck in our campaign to keep America safe. In 2015, the State Department gave the island nation the crime rating of "critical."

We need an American of impeccable standing who commands wide respect both here and in the United States and in Trinidad and Tobago itself to effectively represent our interests there. We are very fortunate that the President has nominated John Estrada, a leading business executive and a former 15th sergeant major of the Marine Corps.

Mr. Estrada has a compelling American story. He was born in Trinidad and Tobago and immigrated to the United States when he was only 12 years of age. Mr. Estrada served in the U.S. Marine Corps for 34 years. In 2003 he was made sergeant major of the Marine Corps. I want to make sure my colleagues understand just what an honor that is. It is the ninth highest enlisted rank in the Marine Corps. The sergeant major is the senior enlisted adviser to the Commandant of the Marine Corps and a singular honor. Only one marine is chosen every 4 years to serve as sergeant major. For Mr. Estrada to be chosen as the 15th sergeant major of the Marine Corps is a testament to the degree of trust and confidence the Marine Corps has in his abilities and skills. Mr. Estrada truly exemplifies the Corps' bedrock values of honor, commitment, and courage.

While such virtues are their own rewards, Mr. Estrada's achievements have been repeatedly recognized over the course of his military service. He received the Distinguished Service Medal in 2007, the Bronze Star Medal in 2003, and the Meritorious Service Medal in 1998, 2000, 2001, and 2003. There are over 50 more honors he earned that I could tell my colleagues about.

The qualification of this highly accomplished nominee remains unchallenged, nor has any objection been advanced due to his experience for the post he is to take. He has twice been favorably reported from the Senate Foreign Relations Committee by unanimous support. I have expressed my disappointment and confusion as to why we have not moved forward with Mr. Estrada.

We all speak whenever we can to say thank you to the men and women who

have worn the uniform of this country to preserve the freedom of America. Here is an individual who has devoted his entire life to defending America, his entire life to defending our country. He has accomplished extraordinary results as a member of the Armed Forces and now is prepared to serve our country in a very difficult position where law enforcement is desperately needed. It is for that reason that I would hope that after 217 days, my colleagues would be prepared to vote on this nominee.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 329, John L. Estrada to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I acknowledge that Senator KLOBUCHAR is on the floor. I know she has nominations that she wants to bring to the attention of our colleagues. I thank Senator KLOBUCHAR for being on the floor. She has been very much involved in our nominees, particularly for Norway but also Sweden. I thank her for her leadership in bringing these nominations to the attention of the Senate Foreign Relations Committee and for the work she has done to advance these nominations. She has been steadfast in the need for us to act on these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator CARDIN and Senator CORKER for their leadership and their bipartisan work to get these nominees through the Senate, as well as Senator MCCONNELL and Senator REID, who have been supportive of getting this done.

In fact, both of the nominees I am going to talk about for the important allies of Norway and Sweden may be a little bit of a surprise to everyone in the Chamber. The 11th and 12th biggest investors in the United States of America come from companies in Norway and Sweden, which are two of our biggest allies.

What is going on here? Well, this is actually the third time I have come to the floor this year urging Senator CRUZ

to remove his hold on these two nominees so that the Senate can move forward and fill these two vital diplomatic vacancies. Various reasons have been raised by him, both to colleagues and then publically.

I was hopeful. I know negotiations are going on, so I always give room for that. But this is not related to these two countries or these two people. I think that is important to remember. Often, our fights are about a particular post because of the post or a particular nominee. That is not what this is, so I am hopeful that this gives us more room to negotiate.

So what is going on here? Well, Norway has been without a confirmed ambassador for 859 days. There was an original nominee who did not work out, was withdrawn by the administration. Then this new nominee was put in and went through the committee without a problem, unlike the first nominee. It still remains that when you are in Norway—and a lot of Norwegians know about this—you haven't had an Ambassador from the United States of America for 859 days. You have ambassadors from Russia, China, but not from the United States of America. In the case of Sweden, it has been 468 days since the President nominated Azita Raji to be ambassador—again, someone who came through our committee without controversy. It is past time to get these nominees confirmed.

We need a U.S. Ambassador in Norway who is deeply committed to strengthening the relationship between our two countries. Sam Heins is our nominee. He is from Minnesota. He is the right person for the job, in addition to being an accomplished lawyer. He has demonstrated his devotion to leadership in the cause of advancing human rights. He founded, organized, and served as the first board chair of the Advocates for Human Rights, which responds to human rights abuses throughout the world. Obviously, this is something Norway cares a lot about, so he is a good fit for this country, not to mention that he is from Minnesota, the home of 1.5 million people of Norwegian descent, more than any other place in the world next to Norway.

Now we go to Sweden. Azita Raji is also an incredibly qualified nominee. She is a philanthropist, a community leader, and a former business leader. She served as a member of the President's Commission on White House Fellowships, director of the National Partnership for Women and Families, and a member of the Bretton Woods Committee, an organization that supports international finance institutions.

These are qualified nominees, but you don't have to take my word for it. Here is what Senator TOM COTTON, a Republican colleague of the Presiding Officer's, said about Sam Heins and Azita Raji:

I believe both [nominees] are qualified . . . and we have significant interests in Scandinavia. My hope is that both nominees receive a vote in the Senate sooner rather than later.

He said this in part because for a while he had a hold. He resolved those issues. Senator COTTON has said he thinks these two nominees are no problem. As we know, the other Republicans on this committee have not raised any objections. They are right. We have significant interests in Scandinavia, and leaving these key positions vacant is a slap in the face to Sweden and Norway, which are two of our best economic and military allies.

In a December New York Times op-ed, former Vice President Walter Mondale—himself of Norwegian descent—highlighted the U.S. national security interest in confirming these nominees, saying: “[I]n a time of dangerous international crises, we need to work with friends and allies, using all the tools of diplomacy.” Vice President Mondale understands that now is not the time to forsake a 200-year-old diplomatic relationship.

Norway and Sweden share a vital security partnership. Norway is one of our country’s strongest and most dependable international allies, a founding member of the NATO alliance, and its military works with the United States. This is key to my colleagues who care about the aggression of Russia.

Norway works with us in standing up to Russia’s provocations in the Ukraine and in countering ISIS, the spread of violence, and Islamic extremism. May I say that Norway actually has a portion of its border that it shares with Russia.

Norway is also playing an important role in addressing the Syrian refugee crisis. It expects to take in as many as 25,000 refugees this year. It has already provided more than \$6 million to Greece to help respond to the influx of refugees seeking a way to enter Europe.

I would also add from a military standpoint that Norway recently purchased 22 more fighter planes—22 more fighter planes, bringing their total to over 50—from Lockheed Martin, based in Senator CRUZ’s district in Fort Worth. That is where these planes are being built, and they are worth nearly \$200 million apiece. That is what Norway is investing in the United States. They deserve an ambassador.

Sweden, like Norway, plays an important role in our national security. Sweden is a strong partner in our fight against ISIS, in our attempts to curb North Korea’s nuclear program, in supporting Ukraine against Russian aggression, and in promoting global democracy and human rights.

Sweden is also on the front lines of the Syrian refugee crisis. More than 1,200 refugees seek asylum in Sweden

every day, and Sweden accepts more refugees per capita than any other country in the EU.

All of us on both sides of the aisle have talked about the importance of a strong Europe during this very difficult time. Yet every other major nation in Europe has an ambassador except for Sweden and Norway.

So I ask my friends and colleagues on the other side who are not obstructing these nominations to help us work this out with Senator CRUZ because this has gone on for far too long. This isn’t a joke. These are two major allies.

We also have economic relationships. As I mentioned, Norway represented the fifth fastest growing source of foreign direct investment in the United States between 2009 and 2013—that is in the world—and is the 12th largest source of foreign direct investment in the United States overall. Maybe they are too quiet about it and people don’t realize it. We would never think of blocking an ambassador to England or to France, but right now the ambassadors to these two countries are being blocked.

There are over 300 American companies with a presence in Norway. By not having an ambassador in Norway, we are sending a message to one of the top investors in the country: Sorry, you are not important enough to us to have an ambassador in your country. But all the other major nations have an ambassador. In October, as I mentioned, they reiterated their commitment by buying all those fighter planes from the State of Texas, from Lockheed Martin.

Norwegian Defense Minister Espen Barth Eide said Norway’s F-35 purchase marks “the largest public procurement in Norwegian history.” It has been 30 years since Norway ordered new combat planes, and instead of choosing a European manufacturer, whom did they choose? They chose a manufacturer in the United States, right in Texas. Do you think those other European countries don’t have Ambassadors in Norway? They do. I hope Senator CRUZ and his friends are listening to this right now because they chose to buy those planes from the United States, right from his home State of Texas.

Sweden, like Norway, is also one of the biggest investors in the United States. Sweden is the 11th largest direct investor in the United States. Swedish foreign direct investment in the United States amounts to roughly \$56 billion and creates nearly 330,700 U.S. jobs. The United States is Sweden’s fourth largest export market, with Swedish exports valued at an estimated \$10.2 billion. Sweden, like Norway, deserves an ambassador.

Scandinavian Americans are understandably frustrated by the fact that Senator CRUZ is obstructing these nominees. As the Senator from a State

that is home to more Swedish Americans and Norwegian Americans than any other State, I know it because I hear it every day. I hear it from people across the country, and most importantly, I hear it from the Foreign Minister and others in countries who are waiting to get an ambassador.

So, again, we have an ambassador in France, we have one in England, and we have one in Germany. We have an ambassador in nearly every European nation but not in these two key Scandinavian countries.

There is really no doubt about the important relationship between our country and Norway and Sweden. We need to confirm Sam Heins and Azita Raji immediately.

I do appreciate the support of nearly every Republican Senator for these nominees, the support of the chairman of the Foreign Relations Committee, Senator CORKER, the great leadership of Senator CARDIN, the leadership of Senator REID and Senator MCCONNELL on these issues, and the leadership of my colleague Senator FRANKEN whom we will hear from shortly. It is time to get these done.

I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 263; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. I note that Senator LEE, as I assume he did with the other objections, was making this objection on behalf of Senator CRUZ and that, secondly, that was the Ambassador to Norway whom I asked consent for.

I now ask unanimous consent for the Ambassador to Sweden.

I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 148; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. I believe we will now hear from Senator FRANKEN, my colleague from the State of Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, that is too bad. There is no one else in this body who believes that Sam Heins shouldn't be Ambassador to Norway or that we shouldn't be sending an ambassador to Norway, and/or that Azita Raji wouldn't be perfect to be Ambassador to Sweden. This is really a shame. It is another sad moment, frankly.

Let me talk a little bit about Sam Heins. Sam is from Minnesota, home of more Norwegian Americans than any other State. I think we have more Swedish Americans, as well, than any other State. Norway is an important NATO ally, as Senator KLOBUCHAR so ably put it. We coordinate on important security issues. We have important collaborations in Minnesota among our universities and in the private sector in this country on research projects, renewable energy, health care, and other areas.

Confirming an ambassador to Norway—especially such a highly qualified ambassador—is especially important to the people in my State. More than 20 percent of Minnesotans trace their ancestry to Norway. There are more Norwegian Americans living in Minnesota than any other State.

Sam Heins is a very distinguished Minnesotan who has worked on behalf of women's rights, human rights, and victims of torture. We have a center in Minnesota for victims of torture. It is a shining example of our State and of our country.

Sam has been nominated to serve as our next Ambassador to Norway. He is being blocked, unfortunately, for reasons that are totally unrelated to his qualifications. I believe that blocking this nominee from confirmation is completely irresponsible. As I said, Norway is an important ally, and it is in our mutual interests to have an ambassador to Norway who represents the United States. I hope the next time we do this, we can get unanimous consent.

This is unfortunate, and I think it has not been done in a way that is consistent with the protocol of the Senate in terms of Senators creating conditions for the lift of a hold and then changing what that position is. I think that is too bad.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to join my colleagues because I share the concerns they have expressed so eloquently about the failure of this body to act on the nominees whom they have been talking about. But the other nominees, particularly the 27 national security nominees who are pending on the floor of the Senate—these nominees are not being held up due to concerns about their qualifications or their experience. As my colleagues have said, they are being held up for

political reasons—political reasons that are often wholly unrelated to the nominee, and in most cases they are being held up by just one Member of this body.

I find it particularly ironic that, in many cases, they are being held up by a Member of this body who is out on the campaign trail, campaigning for President. He is not here dealing with the work of this country and not here fighting to address the national security of this country by making sure that we confirm these nominees. So I am disappointed that, once again, we see my colleague from Utah here on his behalf to object to our efforts to move forward with these unanimous consent requests for Tom Shannon, John Estrada, Azita Raji, and Samuel Heins.

As Senator CARDIN noted, I want to begin with Ambassador Shannon, because Ambassador Shannon would fill one of the most senior positions at the State Department as the Under Secretary for Political Affairs. He would be responsible for working with the Europeans on implementation of the Iran agreement, on coordinating the G-7 to combat Russian aggression, as well as providing daily oversight and direction to all of the Department's regional bureaus.

We had a hearing this morning before the Foreign Relations Committee, talking about the strains on the European Union and the implications for American foreign policy. One of the things our witnesses who were testifying on behalf of the majority and the minority discussed was the challenges we are facing from Russian aggression. I am sure we all appreciate that in this body. The fact that we are holding up Ambassador Shannon, who would be responsible for coordinating the G-7 response to Russian aggression, is just hard to fathom. I don't get it. I don't understand why anybody in this body would want to hold up the appointment of one of the key leaders of the team to fight Russian aggression.

Ambassador Shannon is clearly qualified for the job. He is a career Foreign Service officer. He has served with distinction in five administrations—two Democratic and three Republican. He was nominated for this position in September. He had his confirmation hearing in October. He was unanimously approved by the Senate Foreign Relations Committee, and now he has been waiting 98 days for the full Senate to act on his nomination.

There isn't much I can add to the outrage and eloquence of my colleagues from Minnesota, Senator KLOBUCHAR and Senator FRANKEN, who talked about their frustration at the holdup in confirming Azita Raji, who has been waiting 398 days—over a year—to be Ambassador to Sweden; Samuel Heins, who has been waiting 265 days to be Ambassador to Norway.

Again, I would go back and point to the hearing we had this morning before

the Foreign Relations Committee, where one of the issues that our witnesses testified to was the importance of working with our Scandinavian allies as we look to combat Russian aggression. Here we are. And I said: So, what does it mean to Sweden and Norway that we have been holding up the nominees to be Ambassadors to those two countries—one for over a year and one for almost a year? And they said: It sends a very bad message to Europe, at a time when Europe is challenged, that we don't care what is going on in Sweden and Norway.

In 1914, Norway, a NATO ally, scrambled their F-16 fighters 74 times to intercept Russian warplanes. They are there on the frontlines helping to fight Russian aggression. Where are we in the Senate? We can't even confirm the Ambassador to Norway because we have one person in this body who doesn't care enough about the national security of this country to be here to help make sure this person gets confirmed. That is not acceptable.

I also want to talk about two other nominees whose qualifications are unquestioned. Yet they remain unconfirmed. Brian Egan is the President's nominee to be a principal advisor to the State Department and the Secretary of State on all legal issues, domestic and international. This role includes assisting in the formulation and implementation of the foreign policies of the United States and promoting the development of law and institutions as elements of those policies. It is something that is very important, especially as we look at some of the countries that are being threatened now by Russian aggression—Ukraine, Georgia, and Moldova.

Mr. Egan's qualifications to hold this position are clear. He began his career as a civil servant and government lawyer in the office of Secretary of State Condoleezza Rice. He subsequently worked at Treasury, at the National Security Council, and as a Deputy Assistant to the President.

He was nominated more than a year ago—384 days to be exact. He was unanimously approved by the Senate Foreign Relations Committee in June. Yet he is still in this "hold" position because of one or two individuals in this body for reasons unrelated to his qualifications.

Mr. President, at this time I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 204, Brian James Egan to be Legal Advisor of the Department of State; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. TOOMEY). Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, that is disappointing. Again, it is unfortunate that somebody who has served so honorably in both Republican and Democratic administrations is being held up for reasons totally unrelated to his qualifications and to the job he would do at the Department of State.

UNANIMOUS CONSENT REQUEST—PRESIDENTIAL NOMINATION

I know that many Republicans in this body are as outraged as we are about the holdup. I hope they will act with us to move these nominees. One of those people is still being held up, this time by the Banking Committee, which has refused to schedule a vote on the nomination of Adam Szubin to be the Treasury Department's Under Secretary for Terrorism and Financial Crimes. This position leads to policy, enforcement, regulatory, and intelligence functions of the Treasury Department aimed at identifying and disrupting the lines of financial support to international terrorist organizations, proliferators of weapons of mass destruction, narcotics traffickers, and other actors who pose a threat to our national security or foreign policy. This position is critical, as we look at legislation that we are talking about taking up next week with respect to sanctions on North Korea, with respect to continued sanctions on Iran, on Russia, to other bad actors, to terrorists who are out there. Mr. Szubin is extremely well qualified for this position. He has served in both Republican and Democratic administrations.

He was nominated 294 days ago. Yet even Banking Committee Chairman SHELBY called Szubin "eminently qualified" during his September confirmation hearing. The fact that the committee has not held a vote and the Senate has not confirmed him lessens his ability to influence our allies and to undermine our enemies around the world, which is what we want to happen. If we are worried about our ability to enforce sanctions, if we are worried about the national security of this country and one of the weapons that we have to use to protect this country, then we ought to be confirming Adam Szubin.

It is very disappointing that my Republican colleagues continue to object and that my colleague from Utah is here on behalf of Senator CRUZ from Texas, objecting to moving forward. Even though I understand that he is going to object, I am going to put forward another unanimous consent motion because I think we need to come back here every day from now until the end of this session and ask unanimous consent to move forward on these nominees because it is unacceptable

that we are still here at this time without confirming these people.

Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Banking Committee be discharged from further consideration of PN371, the nomination of Adam J. Szubin to be Under Secretary for Terrorism and Financial Crimes; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, on behalf of the senior Senator from Alabama, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, it is very disappointing that the objection has been made, this time on behalf of the Senator from Alabama, who is here, so it is disappointing that he is not on the floor to talk about what his objections to Adam Szubin are. I believe that refusing to move these nominations does a profound disservice not only to these Americans who have sacrificed to serve this country but to the national security of the United States.

I call on the majority leader to schedule votes on these nominees and other pending national security nominees to let the Senate do its job at a time when the world is facing national security challenges on a number of fronts. When nations are looking to the United States for leadership, we cannot afford to sideline ourselves by failing to confirm these important nominees.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLINT, MICHIGAN, WATER CRISIS

Mr. PETERS. Mr. President, I rise today to urge my colleagues on both sides of the aisle to come together as we continue to seek a bipartisan path forward to help the people and the children living in the city of Flint, MI. Nearly 2 years ago, an unelected emergency manager appointed by Michigan's Governor changed the city of Flint's water source to the Flint River in an attempt to save money while the

city prepared to transition to a new regional water authority.

After switching away from clean water sourced from the Detroit Water Authority, Flint residents began to receive improperly treated Flint River water, long known to be contaminated and potentially very corrosive. The result of the State government's actions was and continues to be absolutely catastrophic. Flint families were exposed to lead and other toxins that will have lasting effects for generations. The ultimate cost of this misguided, dangerous decision will not be known for decades, but we now have a chance to begin to make it right.

Last week, Senator STABENOW and I introduced an amendment that would, one, provide water infrastructure funding for Flint; two, create a Center of Excellence to address the long-term public health ramifications of lead exposure; three, forgive Flint's outstanding loans that were used for water infrastructure that has now been damaged by the State's actions; and four, require the EPA to directly notify consumers instead of going through State and local regulators if their drinking water is contaminated with lead.

We have spent the last week working with Senator MURKOWSKI and Senator CANTWELL to find common ground and a path forward to provide some relief to the people of Flint as we consider this bipartisan energy legislation. These discussions are ongoing. They are happening as we speak now. But now is not the time to use procedural roadblocks to justify inaction.

Throughout the United States history, when a natural or manmade disaster strikes, the Federal Government has stepped in to help those in need. Hurricanes, superstorms, earthquakes, flooding, and a fertilizer plant explosion—those types of activities or incidents all across the Nation have received Federal assistance as communities come together to rebuild.

While the cause of this crisis and the ultimate responsibility to fix it lies with the State Government, we need to bring resources from all levels of government to bear to address the unprecedented emergency that we face. This is why I urge my colleagues to work with us as we continue efforts to make a down payment on the years of rebuilding and healing that Flint needs.

I was in Flint earlier this week, and while volunteering with the Red Cross to deliver bottled water from house to house, I heard directly from impacted residents. Months after the public became aware of the depth of this crisis, families still have questions: Can I use my shower? When will the water be safe? Will the pipes ever get replaced?

My question for this body is very straightforward. Who will stand up for the children of Flint? These children have been impacted the most by this crisis and through no fault of their

own. I know we all have priorities that we care about in this Energy bill, but I simply cannot agree to move forward on action on this bill until we deal with Flint and help Flint rebuild to provide safe, clean drinking water.

This should not be a Republican or a Democratic issue. Clean water is, quite simply, a basic human right. Let's together show the American people that when a crisis hits any city in this country, we will stand with them. America is a great country, and it is great because at times of difficulty, we all stand together as one people.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANS-PACIFIC PARTNERSHIP AGREEMENT

Mr. HATCH. Mr. President, later today, at around 5:30 p.m., DC time, U.S. Trade Representative Michael Froman and representatives from 11 other countries will meet at a ceremony to sign the Trans-Pacific Partnership, or TPP, Agreement. It is no secret that the TPP Agreement has the potential to do a lot of good for our country.

Taken as a whole, the 12 countries involved in this agreement had a combined GDP of \$28.1 trillion in 2012, nearly 40 percent of the world's total economy. In that same year, our goods and services exports to TPP countries supported an estimated 4 million jobs here in the United States.

According to the International Monetary Fund, the world economy will grow by more than \$20 trillion over the next 5 years and nearly half of that growth will be in Asia. This agreement, if done right, will give the United States a distinct advantage in setting the standards for trade in this dynamic and strategically vital part of the world.

It is also no secret that many stakeholders and Members of Congress, including myself, have some doubts as to whether the agreement meets the high standards necessary to gain congressional approval. I have expressed those concerns many times here on the floor and elsewhere. I won't go into any more detail about them today. Instead, I want to talk about what will happen after the agreement is signed.

Even though there is a signing ceremony in New Zealand today, that is not the end of the process for TPP in the United States. In fact, in many ways, we are really just beginning.

In the coming months, we will have ample opportunity to debate the merits of each and every provision of this agreement and to consider how it will

impact workers and job creators in our country and how it will affect the health of our economy.

Today I will focus on the process by which Congress will consider and debate this agreement. I want to do so in part because I believe it is important that our people—including Members of Congress, the administration's stakeholders, and the media—have a full understanding of how this is going to work. All too often when a trade agreement is concluded or signed, the pundits, commentators, and lobbyists in this town immediately jump to one question: When will Congress vote on it? I get asked that question almost every day. While I have offered my own opinions and occasional speculation about when would be the best time to have the vote, the fact of the matter is I don't know exactly when the vote will take place and no one else does either.

As we all know, last year Congress passed and the President signed legislation renewing trade promotion authority, or TPA, and setting out a series of timelines for Congress to consider and eventually vote on signed trade agreements. While I am quite sure that interested parties and observers have already pored over the text of the TPA statute to add up all the statutory timelines and have tried to calculate the exact date when Congress will vote on the agreement, that exercise is unlikely to yield an accurate result. Let me take a few minutes to explain why that is the case.

Under the TPA process, there are a number of milestones, checkpoints, and associated timelines that begin at the outset of negotiations, long before any agreement is reached. With regard to TPP, we have gone through several of those already. President Obama has determined—despite some concerns expressed by a number of sources—to take the next step in the process and sign the agreement.

Under the TPA statute, once an agreement is signed, the President has 60 days to provide Congress with a description of changes to U.S. law that he believes would be required under the deal. That is one of the more specific deadlines in the law. That 60 days is a maximum time period imposed on the administration, not on Congress.

Assuming the agreement does in fact get signed today, that information must arrive no later than April 3. On top of that, the statute requires the International Trade Commission—or ITC—to compile and submit a report on the likely economic effects of a signed trade agreement. That report must be completed within 105 days—another specific deadline of the signing date. For a deal signed today, that deadline is May 18.

So far I have just talked about deadlines or maximum time periods for compiling and submitting specific doc-

uments and materials, but once again those maximum timelines are imposed on the administration, not on Congress. After Congress receives the President's description of legislative changes and the ITC's economic analysis, the administration is required to provide to Congress the final text of the agreement and a detailed plan on how they intend to administer it. The exact date and timing by which the administration has to submit the final text of the agreement is not set out in the statute. Under established practices, the timing of that submission, like other relevant decisions in this process, is generally determined after close collaboration and consultation with leaders in Congress.

However, the TPA statute is clear that the final text of the agreement and the detailed administrative plan must be provided to Congress at least—and those two words are very important—at least 30 days before formally submitting legislation to implement the agreement.

This is one of the more important timelines in the statute, and it notably provides a floor, not a ceiling. It sets a minimum timeframe to ensure Congress has at least—there are those two words again—30 days to review all necessary information and documents before the implementing legislation is formally submitted to Congress.

I would like to point out that this minimum 30-day window is a new requirement. We included this requirement for the first time in the most recent TPA statute to provide increased transparency and ensure adequate consideration and debate in Congress. There are many additional steps that take place once Congress has all of the required information and before the implementing bill is formally submitted, and those steps each take time.

First, Congress, in consultation with the administration, has to develop a draft implementing bill for the agreement. Then the committees of jurisdiction will hold hearings to examine both the agreement and the draft legislation. Following these hearings, another very important step occurs: the informal markups in the Senate Finance and House Ways and Means Committees. Most people call this process “the mock markup.” The mock markup—which once again occurs before the President formally submits the trade agreement to Congress—is similar to any other committee markup. The committee reviews the draft legislation and has votes on amendments, if any are offered. If the Finance and Ways and Means Committees end up with different versions of the draft implementing bill, they can proceed to a mock conference to work out the details and reconcile any differences.

The mock markup process is well established in practice and is an essential part of Congress's consideration of any

trade agreement. It is the best way for Congress to provide direct input—complete with vote tallies and on-the-record debates—to the President to demonstrate whether the implementing bill meets the criteria set out in the TPA statute and whether there is enough support in Congress for the agreement to pass.

After those steps are taken, a final implementing bill may be introduced in the House and Senate. Only after the final implementing bill is introduced is Congress under any kind of deadline to vote on the agreement. The votes must take place within 90 session days. You will notice the word “session.” Of course, in this case I am using the word “deadline” pretty loosely. The vote doesn’t have to occur within 90 calendar days. It must take place within 90 session days, and only Congress can decide when it is and is not going to be in session. Long story short, no one should be under any illusions that because the TPP is being signed today, an up-or-down vote on the agreement is imminent or that our oversight responsibilities are at an end.

If history has taught us anything, it is that this process can, and often does, take a very long time to complete. In fact, it is not an exaggeration or even all that remarkable to say that it can take years to get an agreement through Congress after it is signed. Historically speaking, the shortest period of time we have seen between the signing of an agreement and the introduction of the implementing legislation, which once again triggers a statutory deadline for a vote in Congress, is 30 days. That was with our bilateral trade agreement with Morocco. Needless to say, that agreement is an outlier and quite frankly it isn’t a useful model for passing an agreement as massive as the TPP.

Other trade agreements, like our agreements with South Korea, Colombia, and Panama, took more than 4 years to see an implementing bill introduced in Congress, and that was 4 years from the time the agreement was signed, which is what is happening today with the TPP, and the time the clock started ticking for a vote in the Senate. Our trade agreement with Peru took 533 days or about a year and a half. Our agreement with Bahrain took just over a year. All of these, while significant in their own right, were bilateral agreements and paled in comparison to the size and scope of the Trans-Pacific Partnership.

The closest parallels to the Trans-Pacific Partnership we have in our history—and they are not really that close at all—are the North American Free Trade Agreement, or NAFTA, and the Dominican Republic-Central America Free Trade Agreement, or DR-CAFTA, both of which took more than 10 months. Once again, that wasn’t 10 months between the signing day and

the vote. That was 10 months between the day the agreement was signed and the introduction of the implementing bill, which triggers a required-yet-fluid timeline for a vote in Congress.

Of course, none of these timelines for previous trade agreements are all that illustrative because the TPP is nothing like our other agreements. By any objective measure, the TPP is a historic trade agreement without a comparable precedent. Its approval would be a significant achievement. That is all the more reason to ensure it gets a full and fair consideration in Congress, however long that process takes. All of us—on both sides of the aisle, on both sides of the Capitol, and on both ends of Pennsylvania Avenue—should be careful when we talk about timelines and deadlines for votes.

I am quite certain the President wants to get a strong TPP agreement passed as soon as possible. I personally share that goal, but Congress has a history of taking the time necessary to consider and pass trade agreements, and the process set out under TPA demands that we do so. Despite a number of claims to the contrary, Congress does not rubberstamp trade agreements, and we will not do so in this case. We cannot short circuit the process. With an agreement of this significance, we must be more vigilant, more deliberative, and more accountable than ever before. We need to take the necessary time to carefully review the agreement and engage in a meaningful dialogue with the administration.

If that occurs and if the administration is prepared to engage with our TPP partners to address new concerns, I am confident the TPP agreement can be successfully approved by Congress. That may take more time than some would like, but the process of achieving favorable outcomes in international trade is a marathon, not a sprint. There are no shortcuts. To get this done, we have to do the work and lay a strong foundation in Congress.

As I have said many times, the TPP is an extremely important agreement, and we need to get it done, but given that importance, we need to focus more on getting it right than getting it done fast.

Mr. President, millions of Americans depend on coal energy to heat their homes, power their electronics, and keep their businesses running. Coal is an indispensable asset in our Nation’s energy portfolio. It accounts for nearly one-third of U.S. energy production and generates half of all our electricity today. Quite literally, coal keeps the lights on, but the Obama administration’s war on coal could pull the plug on an industry essential to our energy needs.

America’s coal miners have no greater antagonist than their own President. Ever since President Obama took office, he has deliberately targeted coal

producers, subjecting them to onerous, job-destroying regulations that threaten our economic future. The administration’s recently announced decision to halt coal leasing on Federal lands is just the latest assault in a calculated campaign to cripple the coal industry.

The President’s moratorium on new coal leases undermines our ability to produce one of the least expensive and most reliable fuel sources at our disposal. The long-term consequences of this rule will be disastrous not only for coal companies and all of their employees but for any industry that depends on coal for its energy needs.

Beyond the economic costs of this extraordinary action, consider the human toll. The U.S. coal industry directly employs more than 130,000 people. These individuals are more than a mere statistic. They are real people with mortgages, car payments, and children to feed. They are honest men and women whose very livelihood depends on the future of coal.

Sadly, the President’s moratorium puts their jobs in danger. As the junior Senator from Wyoming observed, the administration’s action effectively hands a pink slip to thousands of hard-working individuals across the Mountain West who work in coal production.

As Members of the legislative branch, we have a constitutional duty to check Executive overreach. With the amendment I have introduced, we have the opportunity to rein in the President’s actions and protect hard-working American families from overly burdensome Federal regulations.

My amendment reasserts the authority of Congress in this matter by prohibiting the Secretary of the Interior from halting coal leases on Federal land without congressional approval. It also requires the Secretary to begin leasing Federal assets immediately pursuant to the Mineral Leasing Act of 1920.

If the Secretary wishes to enforce a moratorium on coal leasing, she must first provide a reasonable justification for doing so. To that end, my amendment requires the Secretary to submit to Congress a study demonstrating that a moratorium would not result in a loss of revenue to the Treasury. The study must also examine the potential economic impacts of a moratorium on jobs and industry. Once the House and Senate have had the opportunity to review this study in full, the Department of the Interior may suspend coal leasing on Federal lands if and only if Congress approves the action.

Mr. President, my amendment not only protects middle-class Americans from harmful government regulations, it also rightly restrains the President and his abuse of Executive power by restoring authority to the duly-elected Members of Congress, not unelected bureaucrats. I strongly urge my colleagues to support this amendment as

we continue consideration of the legislation at hand.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLINT, MICHIGAN, WATER CRISIS

Ms. STABENOW. Mr. President, I want to talk again about the complete disaster, the catastrophe that has befallen a community in Michigan called Flint, MI, through no fault of their own.

We assume that when we turn on the faucet, we can make coffee, take a shower, make breakfast, take care of our children or our grandchildren, and that we are going to have safe, clean water. That has been a basic right in America. If you own a business, a restaurant, you assume you are going to be able to turn on the water and make the food and serve your customers. If you are a barber, you can turn on the faucet and clean water comes out. That is basic in our country.

For 100,000 people in Flint, MI, the dignity of being able to turn on a faucet and have clean water has been ripped away. It started 20 months ago. They were lied to. They were told the water was safe. Finally, we are told it was not safe. People told them that somehow this brown water that smelled was safe—clearly not.

We now know that about 9,000 children under the age of 6 have been exposed in some cases to astronomical lead levels. There was one story about a home that was tested where the lead levels were higher than a nuclear waste dump. How would you feel if that were your house and somebody told you your children had been exposed to that? I can only imagine. I know how I would feel.

A little while ago I met with some pastors from Flint who are here desperately trying to get beyond this. They don't want partisanship; they don't want political fighting; they just want some help. They said: We are not interested in the back-and-forth of all this; we just want clean water, and we want to be able to provide good nutrition for these children who are already impacted.

The scary thing about this lead is that it stays in your body forever. I am learning more about lead than I ever wanted to know, and one of the things we know is that it does not leave. There is no magic pill. It is nutrition, so you have to give them more iron and milk and calcium and vitamins. There is a whole range of things I am working on now. I am grateful for the support from the Department of Agriculture to help us do that.

We have too many children—if anyone saw Time magazine—we have children with rashes, babies, people losing their hair. I met with pastors, and after that I met with another group of citizens from Flint: moms who are trying to figure out a way to avoid mixing this water with their baby formula. I had been told by the Michigan State department of WIC that they were giving ready-to-feed formula, and I just met with a group of moms who said that was not true.

We are talking about children whose brains are being developed and right now whose futures are being snatched away from them. They didn't cause it. Their moms didn't cause it. Their dads didn't cause it. Others caused it, and we can debate who that is. I am happy to have that discussion. Right now I just want to help those people.

I want people to see the people of Flint. They have not been seen or heard on this issue for almost 2 years. The folks who were supposed to care, who were supposed to see them, didn't. We have a chance to say to them: We see you. We hear you. We know that you as Americans have a right, if there is a catastrophe in Flint, to have the same sense of urgency, of support that we give to other things, such as a fertilizer explosion in West Texas, where we brought in millions of dollars, or hurricanes in Texas and South Carolina—emergency spending, I understand. We all know that something can happen beyond the control of citizens, and they look to us.

I know we all have other issues around aging pipes. We all have infrastructure issues, and frankly, we should be addressing those. There are very positive bipartisan proposals to address water and sewer infrastructure, and I support those. I want to do what we can, and hopefully this will serve as an impetus for that, but nowhere in America do we have an entire city's drinking water system shut down from usage.

We have other situations in other parts of Michigan. I am not asking—although I would love to provide help in all the cities in Michigan, I understand that is a broader issue we have to address together. But this is about a catastrophe, a crisis, something that we do emergency spending on when there is a situation where we see lead levels in some parts of this community that are higher than a toxic waste dump.

Even in areas now where it is OK, we have small businesses—it just breaks your heart. Downtown Flint has been doing a great job of rebuilding the downtown. Everyone focuses on the exciting things in Detroit, but Flint also has done great things, bringing great restaurants downtown. Even when folks invest in their own water system so they are absolutely sure their water is safe, people won't come in because now it is Flint, MI. Nobody believes

any of the water is safe. It is now a joke: If you go to Flint, don't drink the water. So we have businesses closing. We have a community collapsing that needs help, and the bottom-line help they need is to fix the pipes.

Senator PETERS and I are not suggesting that it is entirely a Federal responsibility. In fact, it is a joint responsibility. In fact, we would argue that more of the responsibility be on the State than the Federal Government. But we do have a shared responsibility to step in and help and give some immediate help to be able to get this going. That is what we are asking for.

Up until yesterday afternoon, we thought we had a bipartisan solution. I appreciate the work that has been done by the chair and the ranking member. We thought we were there. We found a source to pay for it. Even though we don't always pay for other emergencies, we found a way to do it. We go to the Congressional Budget Office. We find there are a couple of technical things. Lord, help us, we love the CBO. There is a technical thing that doesn't affect the Senate called a blue slip to deal with. We do it all the time—another issue around scoring that we are working hard around. Suddenly, everything stops over procedure, over bureaucracy and procedure.

I know that when we did a transportation bill, we waived every single point of order because we wanted to do it. I wanted to do it. I supported it. But now when we are talking about helping an important community in the State of Michigan be able to get some help out of a disaster, all of a sudden, no, no, no; there are all kinds of procedures and reasons. I don't buy it for a second. I don't buy it for a second. When we want to help Americans, we help Americans. That is what we do. It is our job to do those things.

One of the things that I now find such an insult, such a slap in the face—I don't know if this means that folks aren't—we are still trying to work this out, Mr. President, and I am hopeful that we will so there can be an energy bill. But now there is an amendment that has been filed to pay for helping Flint by taking dollars away from new development of technologies for automobiles—something Senator PETERS and I have been champions of. Back in the 2007 Energy bill, I was able to get a provision in, when we raised CAFE standards, to support companies to create that new technology here in America so the jobs wouldn't go overseas, they would be here. It is work that has made a real difference, that brought jobs back from other countries.

Senator CASSIDY and I have been working on a provision to expand that because of trucks because they are getting CAFE standard increases and so on. I had a commitment and we had a commitment to actually do that on the

floor, to get that done, but now, all of a sudden, the money from that is being proposed to pay for fixing the drinking water system in Flint.

Flint is the home of the automobile industry. Flint, MI, is where much of this started, where the middle class started, where the auto industry started. General Motors is still there, although they won't use the water because it corrodes their auto parts. So they won't use the water.

But now we are hearing in an amendment for the people of Flint: Well, you have a choice. You can either drink the water and have safe water or you can have a job.

Well, that is an insult. I personally feel it is an insult. It is being done to just jam us and trying to embarrass us—that we don't care about the people of Flint because we are not willing to spend money from a new technology source that is being used to create new jobs.

I don't buy it. That is certainly not going to be getting support. When we are trying to work in good faith to get this done, I am amazed that this would be offered, which is clearly just an effort to jam us.

I don't know where we are. I still am a very positive person. I tend to spend most of my time working behind the scenes to get things done—I am very proud of that—and so does my colleague Senator PETERS. We are people who like to get results. We are not into demagoguing about this. Lord knows it is ripe for it. We want to do something that will help people who need help.

So we are going to continue to do that. We are going to continue to work to try to do that. We are not going to stop, and we are not going to support moving forward until we have something that is a reasonable way that we can tell the people of Flint that we have done something to help them.

At this point in time, I can't look at this child or his mom in the face—or any other children or parents—and not tell them we did everything humanly possible to be able to make sure we could help them as quickly as possible to stop using bottled water and be able to actually give their kids a bath, cook for them, and have the dignity of what every one of us has—the gift of clean water, which is a basic in the United States, or should be.

So we are meeting, and we are doing everything we can. We have agreed to cut in half the original request we have asked for. We have agreed to a structure proposed by the Republican majority. We have said we are going to be flexible here, but we are not willing to walk away from Flint. We will not walk away from Flint. Too many people in the State of Michigan have done that for too long, and we are not going to do that. We are going to continue to do everything we can to fix this problem.

If clean water in America is not a basic human right, I don't know what is. I hope in the end we are going to be able to stand up and say in a bipartisan basis that we did this. That is all we are asking for—that we actually do something to fix this problem.

I see that face and the face of other children every night before I go to bed. Every morning when I get up I think about what is happening this morning, what is happening tonight, what is happening tomorrow in Flint. We are going to do everything we can to make sure other people remember and are willing to step up and treat them with the dignity and respect they deserve as American citizens.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I come to the floor today to talk about the Energy bill and, particularly, a very important and missing part of the Energy bill. But before I turn to that subject, I want to particularly note, with our colleague Senator STABENOW on the floor this afternoon, that I think she is doing extraordinary work on behalf of Flint and the people of Flint. I commend her and also her colleague Senator PETERS for trying to tackle this issue.

It seems almost unconscionable that in this age, when there is all this information and technology at our fingertips, a community is put at risk the way Flint has been put at risk. The idea that innocent children would suffer this way is why it is so important that we move now to address this issue. This is urgent.

There are questions we deal with in the Senate that if we take another few months or a half a year even, Western civilization isn't going to exactly change, but what my colleague from Michigan has said is that what we know about youngsters—and particularly brain development—if we don't get there early and we don't get there quickly, we play catchup ball for years and years to come, everything we know about neurological development. My friend knows that my wife and I are parents of small kids. We are so lucky they are healthy and have what a lot of youngsters in Flint aren't going to have. They are not going to have the kinds of problems that my colleague has brought to light here.

I saw one report in the news—it is almost beyond comprehension—that a State nurse told a Flint patient, "It's just a few IQ points. . . . It is not the end of the world." The idea that a

health professional—who I guess has been in a number of the national publications—just highlights how important it is that this Congress move, and move now.

My colleague and Senator PETERS, who is also doing a terrific job on this, have indicated there are some procedural and constitutional questions for the Finance Committee on which my colleague serves so well. I want her to know I am with her and the people of Flint every step of the way—not just this week and this month. This is going to be a challenge that is going to go on for some time. I just so appreciate what my colleague is doing. I am with her every step of the way.

Mr. President, I turn now to the Energy bill before us. I also want to commend the chair, Senator MURKOWSKI, and the ranking member, Senator CANTWELL, who have put together a bipartisan bill in the Energy Committee, which is something I know something about because I was the chair of the committee. I think my chairmanship began and ended before we had the opportunity to work more directly with the Presiding Officer, the Senator from Colorado. I look forward to working with him in the committee and very much appreciate our colleagues putting together this important package.

If there is one backdrop to this debate, it is the extraordinary challenge of climate change. In order to meet that challenge and beat back the threat of irrevocable damage that has climate scientists ringing such loud alarm bells, there are going to have to be some serious changes in energy policy. The legislation in this bipartisan bill moves in that direction, the details of which I intend to get into in a minute.

I do want to first discuss a part of this bill that frankly is missing. It is missing to this debate. That is because the reality is the heart of America's energy policy is in the Federal Tax Code. The last big energy tax proposal to become law passed in 2009. According to the National Oceanic and Atmospheric Administration, 5 of the 7 hottest years in recorded history have come since then. On the books today is an outdated, clumsy patchwork of energy tax incentives that in my view is anti-innovation and nothing short of a confusing, incomprehensible policy that does our country a disservice at a time when we have these great challenges.

There are 44 different energy tax breaks, and they cost about \$125 billion each decade. Some industries—the oil and gas industry in particular—have some certainty about their taxes with permanent provisions. The fact is, renewable energy sources don't have that certainty. Some technologies get a lot of support. Others get little or none. It is a disjointed system that has far outlasted its sell-by date, and it is ripe for simplification.

The amendment Senators CANTWELL, BENNET, and I submitted replaces this tattered quilt of tax rules with a fresh approach, an approach I hope will appeal to colleagues on both sides of the aisle. The Presiding Officer and I have talked about energy policy being more market oriented. The kind of proposal we have made here does just that. It supports innovators with fresh, creative ideas. Particularly, I hope my colleagues on the other side of the aisle, because we talked about it often when I was chairman of the committee and also on the Finance Committee—concern about subsidies, a big concern about subsidies, and I am very concerned about that as well. The amendment we will be offering cuts the \$125 billion pricetag in half. So when colleagues say we ought to be cutting back on tax subsidies, that is exactly what this proposal does. It replaces wasteful tax rules with a new, simple group of incentives that have just three goals: cleaner energy, cleaner transportation, and greater energy efficiency. Gone would be the system where oil companies get a direct deposit out of the taxpayer account each year while expired renewable incentives just sort of hang in limbo. For the first time, fossil fuel-burning plants would have a big financial reason to get cleaner by investing in high-tech turbine or carbon-capture technology. So that means everybody benefits by getting cleaner. Everybody in the energy sector—renewables, fossil fuel industries, everybody gets the incentive to be cleaner under the amendment I am offering.

The amendment is all about harnessing the market-based power of the private economy to reward clean energy, promote new technologies, and attack climate change. My view is this Congress ought to be doing everything it can to fight the steady creep toward a hotter climate. When we have legions of scientists lining up to warn the American people about the dangers of climate change, and when we have policymakers, business leaders, and investors worldwide saying that clean energy is the 21st century gold rush, this is a bold energy policy transformation. The proposal I offer with Senators BENNET and CANTWELL ought to become law.

This may not happen in the context of the Energy Policy Modernization Act. I think we all understand the rules of the Senate, but I am very much looking forward to working with my colleagues to build support for this proposal in the days ahead. In my view the lack of tax provisions in this legislation is unfortunate. They ought to be in there. Tax policy is right at the heart of energy policy, but it certainly doesn't undermine my support for a great deal of what is in the overall package. That includes several provisions I authored and my colleagues and I on the Energy Committee included.

One focuses on geothermal energy. It is a proposal that is all about bringing the public and private sectors together to figure out where geothermal has the most potential in getting the projects underway. Another proposal in the package is the Marine and Hydrokinetic Renewable Energy Act, which says that with the right investments and innovations, our oceans, rivers, and lakes ought to be able to power millions of homes and contribute to the low-carbon economy. Note those words because we talk a lot in the Energy Committee about these issues. My view is there is an awful lot of bipartisan support for a lower carbon economy in this country, particularly one that grows jobs in the private sector, and this legislation does that.

In addition to promoting low-carbon sources of energy, the legislation will help communities be significantly more energy efficient. It will spur the development of a smarter electric grid that cuts waste, stores energy, and helps consumers save money on their utility bill. Finally, it will permanently reauthorize the Land and Water Conservation Fund, and that in my view is a win-win for the rural communities of my State and rural communities across this country. The Land and Water Conservation Fund brings more jobs and more recreation dollars to areas that need an economic boost, and it ensures that future generations of Americans are going to be able to enjoy our treasures for years and years to come.

I noted my concern about help for the city of Flint. I think it is so important that in the days and months ahead, when we come back to talk about important public health legislation—because that is really what this is, a public health crisis—I hope what we will say is we made a start, we made a beginning. We said it was too important to just delay moving ahead to address these enormous concerns that the families and the children of Flint are dealing with this evening. We have to ensure that this Congress takes action on this public health crisis quickly. I am committed to working with colleagues on both sides of the aisle, and as a member of both the Finance Committee and the Energy Committee I will have two opportunities to do it. I think we need to make this bill bipartisan and bicameral as quickly as possible.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, the Senate is still at work crafting a package of energy legislation that can earn the support of a broad majority and potentially become this body's first comprehensive energy efficiency legislation since 2007.

This is my 126th weekly call to arms to wake us up to the duty we owe our constituents and future generations of Americans, not only to unleash the clean energy solutions that will propel our economy forward but also to stave off the devastating effects of carbon pollution.

I commend Energy Committee Chairman MURKOWSKI and her ranking member Senator CANTWELL for bringing us a bipartisan bill that builds upon some of the best ideas of the energy efficiency legislation championed not long ago by Senators SHAHEEN and PORTMAN. According to a report assessing the emissions reductions related to Shaheen-Portman done by the American Council for an Energy-Efficient Economy, the cumulative net savings of these provisions would reach around \$100 billion over the years 2014 to 2030, along with a reduction of about 650 million metric tons of carbon dioxide emissions over that 15-year period.

While these are welcomed reductions, they are a fraction of what we expect just from the clean energy tax credit extensions that were included in the end-of-year omnibus. Those 5-year incentives for wind and solar will yield cumulative emissions reductions of over 1 billion metric tons of CO₂. And even then, we are still far from what we need to do to stem our flood of carbon pollution into the atmosphere and oceans.

Last year, the ranking member of the Energy and Natural Resources Committee, Senator CANTWELL, offered an ambitious legislative vision for growing our clean energy economy while tackling the growing climate crisis. Her Energy bill outlines achievable reductions in carbon pollution. It would repeal oil subsidies and level the playing field for clean energy. Estimated carbon reductions under her plan would be 34 percent below 2005 levels by 2025, which would help us achieve our international climate commitment. Our goals in the legislation now before us should be just as ambitious.

Of course, the big polluters always shout that any steps to reduce emissions will invariably hobble the economy. They have the nerve to say this while they are sitting on an effective subsidy every year, just in the United States, of \$700 billion, according to the International Monetary Fund. It really takes nerve to complain while sitting on that big of a public subsidy.

In the bill before us, I was glad to add an amendment with my colleague from Idaho, Senator CRAPO, with the bipartisan support of Senators RISCH, BOOKER, HATCH, KIRK, and DURBIN, to

strengthen the development of advanced nuclear energy technologies in partnerships between the government and our national labs and the private sector. The Holy Grail here is advanced reactors that could actually consume spent fuel from conventional reactors and help us draw down our nuclear waste stockpile.

I know that many of my Republican friends have supported commonsense climate action in the past. Senator MCCAIN ran for President on a strong climate change platform. Senator COLLINS coauthored an important cap-and-dividend bill with Senator CANTWELL. Senator KIRK voted for the Waxman-Markey cap-and-trade bill in the House. Senator FLAKE has written an article in support of a carbon tax that reduces income taxes. And there are more. So I hold out some hope, but it is hard.

There is a whole climate denial apparatus that helps manufacture doubt and delay action. The fossil fuel industry players controlling this machinery of denial use a well-worn playbook—the same tactics employed by the tobacco industry and the lead industry: Deny the scientific findings about the dangers their product causes, question the motives of the scientists they oppose, and exaggerate the costs of taking action. They tend to look only at the costs to them of having to clean up their act. They tend never to look at the cost to the public of the harm from their product. If accountants looked at only one side of the ledger like that, they would go to jail.

In each case, tobacco, lead, climate change, and other sophisticated campaigns of misinformation were used to mislead the public. So this is why I have submitted an amendment declaring the sense of the Senate disapproving corporations and the front organizations they fund to obscure their role that deliberately cast doubt on science in order to protect their own financial interests and urging the fossil fuel companies to cooperate with investigations that are now ongoing into what they knew about climate change and when they knew it.

I have also pressed to have the political contributions of these same polluters made transparent to the American people. The Supreme Court's awful Citizens United decision flung open the floodgates of corporate spending in our elections, giving wealthy corporate interests the ability to clobber, and perhaps even more important, to threaten to clobber politicians who don't toe their line.

My Republican colleagues have refused to shine the light on this spending, so since the amendment failed, Americans will remain in the dark about who was trying to influence their elections and how.

The Koch brothers-backed political juggernaut, Americans for Prosperity,

has openly promised to punish candidates who support curbs on carbon pollution. The group's President said if Republicans support a carbon tax or climate regulations, they would "be at a severe disadvantage in the Republican nomination process. . . . We would absolutely make that a crucial issue." The threat is not subtle: Step out of line, and here come the attack ads and the primary challengers, all funded by the deep pockets of the fossil fuel industry, powered up by Citizens United.

Unfortunately, a large portion of the funding behind this special interest apparatus is simply not traceable. Money is funneled through organizations that exist just to conceal the donor's identity. The biggest identity-laundering shops are Donors Trust and Donors Capital Fund. Indeed, these are by far the biggest sources of funding in the network or web of climate-denial front groups. These twin entities reported giving a combined \$78 million to climate-denier groups between 2003 and 2010. Dr. Robert Brulle of Drexel University, who studies this network of fossil fuel-backed climate-denial fronts, reports that the Donors Trust and Donors Capital Fund operations are the "central component" and "predominant funder" of the denier apparatus, and at the same time, they are what he calls the "black box that conceals the identity of contributors."

The denial apparatus runs a complex scheme to delegitimize the honest, university-based science that supports curbing carbon emissions and to intimidate officials who would dare cross this industry. And, regrettably, it is working.

Since Citizens United let loose the threat of limitless dark money into our elections, a shadow has fallen over the Republican side of this Chamber. There is no longer any honest bipartisan debate on climate change, nor is there a single serious effort on the Republican side of the Presidential race.

So, anyway, I have submitted the amendment to require companies with \$1 million or more in revenues from fossil fuel activities to disclose their hidden spending on electioneering communications, to bring them out of the dark. The amendment is cosponsored by Senators MARKEY, DURBIN, SANDERS, SHAHEEN, BALDWIN, LEAHY, MURPHY, BLUMENTHAL, and MENENDEZ.

Corporate and dark money, and particularly fossil fuel money, is now washing through our elections in what one newspaper memorably called a "tsunami of slime." All my amendment would have done is show the American people who is trying to sway their votes from behind the dark money screen. It is a pretty simple idea. It is, in fact, precisely the solution prescribed by the Supreme Court Justices in the Citizens United decision. Moreover, it is an idea the Repub-

licans have over and over again supported in the past. But now that dark money has become the Republican Party's life support system, all the opinions have changed.

Well, I believe fossil fuel money is polluting our democracy, just as their carbon emissions are polluting our atmosphere and oceans. It ought to be time to shine a light on that dark money. In a nutshell, we have been had by the fossil fuel industry, and it is time to wake up.

STUDENT LOAN DEBT

Mr. President, if I may change topics for a moment, we had a meeting this morning with a number of students from around the country who came in to share with us their concerns about the growing burden of student loan debt in this country, which I would argue has now reached a point of crisis.

Time and again, we tell young people that the path to the American dream runs through a college campus. Young people get this, and they respond to it. They overwhelmingly want to go to college, and they work hard to get there.

But the cost can be more than many students bargain for, especially once they leave school, with a degree or without, and get hit with student loan payments. Young people are graduating with more debt than ever before. For the past several years, as springtime rolls around and graduates get ready to cross the stage, we hear reports that average debt loads have increased yet again. Each new class seems to set a new record. The average graduating senior in the class of 2014 held \$28,950 in student loan debt. Indeed, over the past decade, student loan debt has quadrupled. Total outstanding student loan debt held by 40 million Americans is now over \$1.3 trillion. That makes student loans the second highest type of consumer debt after home mortgages. Student loans are more than both credit card debt and car loans. Rhode Islanders alone owe upward of \$3.6 billion. Students who graduate from 4-year colleges and universities in Rhode Island emerge with an average of \$31,841 in student loan debt.

I asked my colleagues, most of whom graduated many decades ago, can you imagine starting out in your life that deep in the red? This is the reality for so many Americans today. It is the reality for so many Rhode Islanders I have met with.

Tammy is a childcare provider from Warwick, RI. She spoke at a roundtable discussion Senator REED and I held in Rhode Island to hear firsthand from our constituents about the challenges they face in repaying student loan debt. Tammy has a master's degree in child development and early childhood education. The original principal balance on her student loan was \$43,530.56. But even with a master's degree in child development and early

childhood education, the pay has not been great. We went through that Wall Street-caused financial crisis and now, 16 years later, her balance has grown to \$88,000. Instead of making headway on her debt, she slips further into the red.

Danielle from Narragansett, RI, racked up roughly \$60,000 in student loan debt between her undergraduate and master's degrees from the University of Rhode Island. Now, she says, the burden of that debt is affecting the decisions her son, Talin, is making about his own college education. When a parent works and studies to make a better life for her child, the last thing she expects is for the cost of her education to limit her son's opportunities.

Ryan, also from Warwick, is a special education teacher. He was my guest at the State of the Union Address. He is going back to graduate school to become an even better educator. "I've made a conscious choice," he says, "to invest in my education and my ability to make a difference in the lives of my students as a teacher." But his loans are a heavy burden on his finances. He works a second job on top of his teaching job to help cover his expenses and pay down his loans. His debt is affecting his life decisions about things like marriage or buying a home. Why should becoming a better teacher mean postponing the dreams of adulthood?

Young people should enter the workforce ready to get their lives started—to earn, to create, to invest. College should be a path to opportunity, not a decades-long sentence of debt and instability, not deferred dreams of starting a family or buying a house.

The average age of the Senate today is just over 60, meaning most Senators were in college about 40 years ago. So we have no idea. Between then and now, the cost of college has increased more than 1,000 percent. According to Bloomberg Business, from 1978, when the records began, through 2012, the costs have increased by twelvefold—1,120 percent. Going to college in the seventies generally didn't leave students with insurmountable debt. Today it is a fact of life. We must work not just to stop but to reverse these trends.

It is because of this crisis in college affordability that my Democratic colleagues got together to create the Reducing Education Debt Act, or the RED Act. This important bill would do three vital things:

First, it would allow students to refinance their outstanding student debt to take advantage of lower interest rates. That would put billions of dollars back into the pockets of people who invested in their education. Refinancing would help an estimated 24 million borrowers save an average of almost \$1,900.

Second, the RED Act would make 2 years of community college tuition-free, helping students earn an associate's degree, the first half of a bach-

elor's degree, or get the skills they need to succeed in the workforce, all without having to take on so much debt. Free tuition at community college would save a full-time student an average of \$3,800 per year and could help an estimated 9 million college students.

Third, the RED Act would help ensure that Pell grants—named for our great Rhode Island Senator Claiborne Pell—keep up with the rising costs by indexing part of the Pell grant to inflation permanently. By indexing the Pell grant, compared to current law, the maximum Pell grant award would increase by \$1,300 for the 2026–2027 school year, resulting in larger awards for over 9 million students, helping to reduce their debt.

We think the RED Act is a critical step toward an essential goal: debt-free college.

The American middle class was built in part on the opportunity provided by higher education. Believe it or not, it was once common to be able to go to college and graduate with no debt. We owe it to today's college students to be able to leave college and begin to build their lives free of debt and ready to achieve their dreams.

We look forward to bipartisan participation on this issue in the Senate, although regrettably it has virtually never appeared in the Republican Presidential debates as an issue. There are 40 million students with \$1.3 trillion in debt—not interested, not compared to Benghazi. So I am hoping we will do better than those candidates in this Chamber and be able to pull a bipartisan solution together that will relieve that burden of debt on our next generation.

Mr. President, I yield the floor.

I see the senior Senator of Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, I commend Senator WHITEHOUSE, my colleague from Rhode Island, for his very thoughtful leadership on this issue of education and particularly the situation where so many young people are so deeply in debt after a college education.

It was Senator WHITEHOUSE who organized a meeting in Rhode Island. I was there and I listened to the story he just related. It is astounding, the debt these young people and in some cases middle-aged people are shouldering. We have to do something. I would like to commend and thank him for his leadership and urge a bipartisan effort in this regard.

Mr. President, I was on the floor last week, and I spoke about a series of two amendments that I was working with Senator HELLER on, and they are all focused on enhancing energy storage. I thank Senator HELLER for his efforts in so many ways but particularly this bi-

partisan effort to enhance the Energy bill that is before us. Indeed, earlier this week, we were able to pass one of these amendments, No. 2989, that we introduced together to improve coordination of Department of Energy programs and authorities in order to maximize the amount of money that goes toward energy storage research and development.

Let me particularly thank Energy and Natural Resources Committee chairperson LISA MURKOWSKI and ranking member MARIA CANTWELL for their great efforts overall and particularly for their help in getting the Reed-Heller amendment through. They have done an extraordinary job on this legislation.

As I have indicated, we have two amendments. I have also joined Senator HELLER on another amendment. He is the lead author. This amendment would amend the Public Utility Regulatory Policies Act—or PURPA, as it is known—to require industry and State regulators to consider energy storage when making their energy efficiency plans. By encouraging energy storage usage by public utilities, we will help expand the reach of this needed technology.

There are many technical, financial, and security benefits to energy storage, including: improving grid utilization by storing and moving low-cost power into higher priced markets, thereby reducing the amount we all pay on our utility bills; increasing the value and the amount of renewable energy in the grid, thereby reducing greenhouse gas emissions; and enhancing the security of the grid, thereby ensuring critical access to power in an emergency. We are all each day much more cognizant of the threat not just through natural disasters but through particular cyber intrusions which could affect our energy grid. This would be another way in which we could not only protect ourselves but respond more quickly in the case of any of these natural or manmade disasters.

I want to conclude by again thanking my colleague and friend Senator HELLER and urge our colleagues to work with us in a bipartisan fashion to adopt this amendment.

With that, Mr. President, I thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 757

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following

morning business on Wednesday, February 10, the Senate proceed to the consideration of Calendar No. 359, H.R. 757; that there be up to 7 hours of debate equally divided in the usual form; that following the use or yielding back of that time the committee-reported amendment be agreed to, the bill, as amended, be read a third time, and the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I would just say what we have just done is lock in a vote on the North Korea sanctions bill that has been crafted by Chairman CORKER and Senator GARDNER, a very important piece of legislation that I am pleased to say the whole Senate thinks ought to be taken up, voted on, and passed. It will be an important change in our policy toward this rogue regime.

UNITED STATES-JORDAN DEFENSE COOPERATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 907 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (H.R. 907) to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Rubio amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3278) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States-Jordan Defense Cooperation Act of 2015”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of January 22, 2015, the United States Government has provided \$3,046,343,000 in assistance to respond to the Syria humanitarian crisis, of which nearly \$467,000,000 has been provided to the Hashemite Kingdom of Jordan.

(2) As of January 2015, according to the United Nations High Commissioner for Refugees, there were 621,937 registered Syrian refugees in Jordan and 83.8 percent of whom lived outside refugee camps.

(3) In 2000, the United States and Jordan signed a free-trade agreement that went into force in 2001.

(4) In 1996, the United States granted Jordan major non-NATO ally status.

(5) Jordan is suffering from the Syrian refugee crisis and the threat of the Islamic State of Iraq and the Levant (ISIL).

(6) The Government of Jordan was elected as a non-permanent member of the United Nations Security Council for a 2-year term ending in December 2015.

(7) Enhanced support for defense cooperation with Jordan is important to the national security of the United States, including through creation of a status in law for Jordan similar to the countries in the North Atlantic Treaty Organization, Japan, Australia, the Republic of Korea, Israel, and New Zealand, with respect to consideration by Congress of foreign military sales to Jordan.

(8) The Colorado National Guard’s relationship with the Jordanian military provides a significant benefit to both the United States and Jordan.

(9) Jordanian pilot Moaz al-Kasasbeh was brutally murdered by ISIL.

(10) On February 3, 2015, Secretary of State John Kerry and Jordanian Foreign Minister Nasser Judeh signed a new Memorandum of Understanding that reflects the intention to increase United States assistance to the Government of Jordan from \$660,000,000 to \$1,000,000,000 for each of the years 2015 through 2017.

(11) On December 5, 2014, in an interview on CBS This Morning, Jordanian King Abdullah II stated—

(A) in reference to ISIL, “This is a Muslim problem. We need to take ownership of this. We need to stand up and say what is wrong”; and

(B) “This is our war. This is a war inside Islam. So we have to own up to it. We have to take the lead. We have to start fighting back.”.

SEC. 3. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to support the Hashemite Kingdom of Jordan in its response to the Syrian refugee crisis;

(2) to provide necessary assistance to alleviate the domestic burden to provide basic needs for the assimilated Syrian refugees;

(3) to cooperate with Jordan to combat the terrorist threat from the Islamic State of Iraq and the Levant (ISIL) or other terrorist organizations; and

(4) to help secure the border between Jordan and its neighbors Syria and Iraq.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Hashemite Kingdom of Jordan under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security;

(2) Congress welcomes the statement of King Abdullah II quoted in section (2)(11); and

(3) it is in the interest of peace and stability for regional members of the Global Coalition to Combat ISIL to continue their commitment to, and increase their involvement in, addressing the threat posed by ISIL.

SEC. 5. ENHANCED DEFENSE COOPERATION.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Hashemite Kingdom of Jordan shall be treated as if it were a country listed

in the provisions of law described in subsection (b) for purposes of applying and administering such provisions of law.

(b) ARMS EXPORT CONTROL ACT.—The provisions of law described in this subsection are—

(1) subsections (b)(2), (d)(2)(B), (d)(3)(A)(i), and (d)(5) of section 3 of the Arms Export Control Act (22 U.S.C. 2753);

(2) subsections (e)(2)(A), (h)(1)(A), and (h)(2) of section 21 of such Act (22 U.S.C. 2761);

(3) subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 of such Act (22 U.S.C. 2776);

(4) section 62(c)(1) of such Act (22 U.S.C. 2796a(c)(1)); and

(5) section 63(a)(2) of such Act (22 U.S.C. 2796b(a)(2)).

SEC. 6. MEMORANDUM OF UNDERSTANDING.

Subject to the availability of appropriations, the Secretary of State is authorized to enter into a memorandum of understanding with the Hashemite Kingdom of Jordan to increase economic support funds, military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 907), as amended, was passed.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 357, S. Res. 358, S. Res. 359, and S. Res. 360.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY MODERNIZATION ACT OF 2015—Continued

Ms. MURKOWSKI. Mr. President, we have been relatively quiet on the Senate floor today with consideration of

the Energy Policy Modernization Act, but that does not mean that there has not been a great deal of activity behind the scenes as we try to work out some of the issues that remain before us as we move to consider how we can successfully modernize our energy policies, an effort that many have been engaged in and great efforts of collaboration and cooperation.

To our colleagues who are looking forward to activity on this measure, know that, as the managing Members on the floor, we too are looking forward to figuring out the way that we are able to advance this important bipartisan reform legislation.

I recognize that we are at the end of the day.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Ms. KLOBUCHAR. Mr. President, today I wish to discuss Senate amendment No. 3021, which would enable research and development of advanced nuclear energy technologies. I support this amendment but was not present when the Senate voted to adopt it 87-4 on Thursday, January 28, 2016.

Had I been present, I would have voted in favor of the amendment, and my vote would not have changed the outcome of this amendment.

Research and development into the next generation of innovative energy technologies are important to our Nation's all-of-the-above energy strategy.

Thank you.

UNITED SERVICE ORGANIZATION'S 75TH ANNIVERSARY

Mr. REED. Mr. President, I would like to take this opportunity to congratulate the United Service Organizations, commonly known as the USO, on its 75th anniversary. Since February 4, 1941, the USO has been serving alongside our men and women in uniform.

Ahead of our entry into World War II and having witnessed the morale issues among the ranks during World War I, Army Chief of Staff General George C. Marshall called for an effort that would bring together private, civilian organizations to provide recreational activities and entertainment for the troops. As President Franklin D. Roosevelt stated, "not by machines alone will we win this war," and so he directed the newly formed USO to keep servicemembers in touch with the comforts of home, no matter where they were deployed.

Initially led by the YMCA, YWCA, the Salvation Army, the National Jewish Welfare Board, the National Catholic Community Service, and the Traveler's Aid Society, the USO provided servicemen with wholesome recreation and entertainment. According to Walter Hoving, one of the original directors of the USO, "this is not only vital to military morale but also from the standpoint of the future of our youth as peacetime citizens."

Seventy-five years later, the USO continues to adapt to meet the needs of our men and women in uniform and their families. From USO centers at or near military installations across the United States and around the world, to their airport centers that offer around-the-clock hospitality for traveling servicemembers, to their trademark tours that bring America's celebrities to entertain our troops, to their support for military kids, wounded warriors and their caregivers, and families of the fallen, the USO has answered the call to serve those who serve our Nation.

The USO remains a private organization, relying on the generosity of individuals, communities, and corporations and 30,000 dedicated volunteers. As General Eisenhower wrote many decades ago, "the USO served also in providing a channel through which more than a million civilian men and women were able to help effectively in the war effort." The same holds true today.

I would like to thank the many men and women of the USO who give so much to bring a bit of home to our servicemembers all over the globe. I congratulate the USO on 75 years of strengthening America's military by keeping servicemembers connected to family, home, and country wherever they go.

REMEMBERING ANITA ASHOK DATA

Mrs. GILLIBRAND. Mr. President, today I wish to celebrate the life of an extraordinary woman named Anita Ashok Data. She was a mother, a daughter, a sister, and a dear friend to those who knew her.

Anita was born in Pittsfield, MA, and was raised in Flanders, NJ. She was a graduate of Columbia University's Mailman School of Public Health and School of International and Public Affairs, where she attained a master's in public health and a master's in public administration. At the time of her death, Anita was a resident of Takoma Park, MD.

Anita dedicated her life to helping others. She was an international public health expert and development worker who traveled the world, working tirelessly in pursuit of one powerful goal: to improve the lives of those less fortunate.

Anita began her career in the Peace Corps, where she volunteered for a 2-

year tour in Senegal, a country in a part of the world that she had come to love so much.

After graduating from Columbia University, Anita moved to the Washington, DC, area where she continued her career as an international development worker.

In addition to her day job, Anita helped found the not-for-profit Tulalens, an organization dedicated to connecting low-income women in underserved communities to quality health services.

But out of all of her many accomplishments, Anita was most proud of her son, Rohan. Rohan was the light of her life. Anita loved working to make the world a better place for him.

Anita's inspiring life was cut short on November 20, 2015, in a senseless act of violent terrorism in Bamako, Mali.

But Anita and her life—and the lives of the thousands of people she touched—are far bigger than the tragic event that occurred on that day.

Anita's love, spirit, and dedication to making the world a better place will have a lasting effect. The world is a better place because of Anita and the work that she did.

I extend my deepest, heartfelt sympathies to Anita's family and friends—especially to her son, Rohan.

TRIBUTE TO EDWARD JOHNSON

Mr. HOEVEN. Mr. President, I ask unanimous consent that the following letter be printed in the RECORD in recognition of the service of Edward Johnson, chief financial officer of the Federal Emergency Management Agency, upon his retirement from the Federal Government.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEMA,
DEPARTMENT OF HOMELAND SECURITY,
Washington, DC, December 15, 2015.
EDWARD JOHNSON,
Chief Financial Officer, Federal Emergency Management Agency, Department of Homeland Security, Washington, DC.

DEAR MR. JOHNSON: It is with a great sense of gratitude that I write this letter in recognition of your 38 years of service to our nation. On the cusp of your retirement, I want to acknowledge your leadership, management, and business acumen, which directly and significantly contributed to the Department of Homeland Security's financial management success.

You have been a tireless leader in the Department's senior leadership cadre, providing sage advice on a wide range of issues and challenging convention as a valued member of the DHS Chief Financial Officer Council. I am particularly thankful for your most recent efforts at the Federal Emergency Management Agency (FEMA), in building a Planning Programming Budgeting and Execution structure, which championed a disciplined resource management paradigm as a foundational element of the Agency's strategic plan. As part of FEMA's leadership team, you revamped the Agency's Program

and Budget Review system, instituting Quarterly Resource Reviews and chartering a senior leadership council responsible for making all resource management recommendations for the Agency. Your steadfast work yielded tangible, positive results in the development of FEMA's yearly budget submission and in ensuring the most effective and efficient use of scarce resources.

Thanks to your leadership, FEMA also made significant strides in the financial system modernization arena. FEMA is now in the forefront amongst federal agencies as we rapidly advance the replacement of unsustainable legacy financial systems that bring together diverse equities in an effort to save taxpayer dollars while making government more streamlined and efficient. Simply put, you were the right leader to pull this complex set of financial system needs together and move them into the future. As a result of these and other accomplishments, you were recognized as one of the Federal 100 by FCW, a public sector trade publication.

Prior to joining our team at FEMA, you served DHS in a number of capacities where you were continuously recognized as one of the top civil servants. From your service as Director of the Burlington Finance Center for the U.S. Immigration and Customs Enforcement to your tenure at the U.S. Citizens and Immigration Services, you worked tirelessly to advance the Department's mission in service to the American people.

On behalf of FEMA's leadership team, our entire workforce and a grateful nation, I want to wish you and your wife Donna good luck and good health as you enter this new chapter in your lives. I will forever remain grateful for your wise counsel and tireless service.

Sincerely,

W. CRAIG FUGATE,
Administrator.

RECOGNIZING REAL SERVICES

Mr. DONNELLY. Mr. President, today I wish to recognize the 50th anniversary of REAL Services, an organization that works to support independence and higher quality of life for the elderly, disabled, and low-income Hoosiers in northern Indiana.

In 1966, Lester J. Fox founded REAL Services to create a service network for seniors in St. Joseph County. With the help of a Federal grant from the U.S. Administration on Aging, REAL Services developed programs to address the housing, health, employment, and legal needs of those aging in St. Joseph County.

REAL Services expanded its reach in 1981 to include assistance programs for poverty-stricken Hoosiers. In 2013, REAL Services merged with the Alzheimer's and Dementia Services of Northern Indiana. Today REAL Services assists more than 30,000 elderly, disabled, and destitute Hoosiers annually in 12 northern Indiana counties through more than 20 programs. This would not be possible without those who volunteer their time to further REAL Services's reach and mission. On average, REAL Services has 2,000 volunteers each year.

The effectiveness of REAL Services's commitment to preserving the self-suf-

ficiency and life quality of elderly, disabled, and low-income Hoosiers has been highly praised over the years. In May 1974, then-Governor of Indiana, Otis R. Bowen, designated REAL Services as the Area Agency on Aging for five counties in northern Indiana. A little over a decade later, then-Governor Robert D. Orr designated the organization the Community Action Agency in northern Indiana.

In 2005, REAL Services was designated by the Federal Government as an Aging and Disability Resource Center. REAL Services was one of two Indiana organizations to pilot this designation, which was funded jointly by the Federal Administration on Aging and the Center for Medicine and Medicaid Services. REAL Services continues its work as an Aging and Disability Resource Center.

Additionally, REAL Services created the first Nutrition Site in the United States, a program that provides the elderly with meals, educational courses, and a sense of community. This model served as an example for nutrition programs instituted across the country as part of the Older Americans Act. It is clear that over the past five decades REAL Services has helped make our State and our country a better place for thousands of Hoosiers and Americans.

On behalf of the citizens of Indiana, I thank REAL Services for the hard work they do every day for the people of our great State who need our help the most, and I congratulate them on an important milestone. From its inception, REAL Services has demonstrated a dedication to those they serve and continues to promote human dignity. I commend REAL Services for exemplifying the beliefs we hold as Hoosiers: recognition of the value of all people and a willingness to lend a hand to those in need. I am proud that REAL Services calls Indiana home, and I wish them continued success in the years to come.

MESSAGE FROM THE PRESIDENT

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13396 ON FEBRUARY 7, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a na-

tional emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2016.

The Government of Côte d'Ivoire and its people continue to make significant progress in promotion of democratic, social, and economic development. We congratulate Côte d'Ivoire on holding a peaceful and credible presidential election, which represents an important milestone on the country's road to full recovery. The United States also supports the advancement of national reconciliation and impartial justice in Côte d'Ivoire. The United States is committed to helping Côte d'Ivoire strengthen its democracy and stay on the path of peaceful democratic transition, and we look forward to working with the Government and people of Côte d'Ivoire to ensure continued progress and lasting peace for all Ivoirians.

While the Government of Côte d'Ivoire and its people continue to make progress towards consolidating democratic gains and peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, February 3, 2016.

MESSAGES FROM THE HOUSE

At 11:43 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House having proceeded to reconsider the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3662. An act to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes.

ENROLLED BILL SIGNED

At 12:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2152. An act to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 2:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3700. An act to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes.

ENROLLED BILLS SIGNED

At 7:13 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that that Speaker has signed the following enrolled bills:

H.R. 515. An act to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.

H.R. 4188. An act to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3662. An act to enhance congressional oversight over the administration of sanctions against certain Iranian terrorism financiers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3700. An act to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 4168. An act to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 3, 2016, she had presented to the President of the United States the following enrolled bill:

S. 2152. An act to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4259. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Black Stem Rust; Additions of Rust-Resistant Species and Varieties" (Docket No. APHIS-2015-0079) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4260. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Lacey Act Implementation Plan; Definitions for Exempt and Regulated Articles" ((RIN0579-AD11) (Docket No. APHIS-2009-0018)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4261. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Stewardship End Result Contracting Projects" (RIN0596-AD25) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4262. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program: Review of Major Changes in Program Design and Management Evaluation Systems" (RIN0584-AD86) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4263. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-formula Federal Assistance Programs—General Award Administrative Provisions and Specific Administrative Provisions" (RIN0524-AA58) received in the Office of the President of the Senate on February 1, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4264. A communication from the Director, National Institute of Food and Agri-

culture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Hispanic-Serving Agricultural Colleges and Universities (HSACU)" (RIN0524-AA39) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4265. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Single Family Housing Guaranteed Loan Programs" ((7 CFR part 3555) (RIN0575-AC18)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4266. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, a report of the submission of a certification renewal pertaining to a collection of photographs assembled by the Department of Defense that were taken in the period between September 11, 2001 and January 22, 2009; to the Committee on Armed Services.

EC-4267. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-4268. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4269. A communication from the Director, Office of Financial Research, Department of the Treasury, transmitting, pursuant to law, the Office's 2015 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-4270. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedure for Pumps" ((RIN1905-AD50) (Docket No. EERE-2013-BT-TP-0055)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Energy and Natural Resources.

EC-4271. A communication from the Secretary of Energy, transmitting proposed legislation; to the Committee on Energy and Natural Resources.

EC-4272. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Port Everglades project in Broward County, Florida; to the Committee on Environment and Public Works.

EC-4273. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Orestimba Creek project near the city of Newman in West Stanislaus County, California; to the Committee on Environment and Public Works.

EC-4274. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a project along the Upper Des Plaines River and Tributaries in Illinois and Wisconsin; to the Committee on Environment and Public Works.

EC-4275. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a project from Hereford Inlet to Cape May Inlet, New Jersey; to the Committee on Environment and Public Works.

EC-4276. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Covered Outpatient Drugs" ((RIN0938-AQ41) (CMS-2345-FC)) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Finance.

EC-4277. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Face-to-Face Requirements for Home Health Services; Policy Changes and Clarifications Related to Home Health" ((RIN0938-AQ36) (CMS-2348-F)) received in the Office of the President of the Senate on January 28, 2016; to the Committee on Finance.

EC-4278. A communication from the Chair of the Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Medicaid Disproportionate Share Hospital Payments"; to the Committee on Finance.

EC-4279. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled, "Review of Medicare's Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program: Fiscal Year 2015"; to the Committee on Finance.

EC-4280. A communication from the Deputy Director, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Temporary Assistance for Needy Families (TANF) Program, State Reporting on Policies and Practices to Prevent Use of TANF Funds in Electronic Benefit Transfer Transactions in Specified Locations" (RIN0970-AC56) received in the Office of the President of the Senate on January 27, 2016; to the Committee on Finance.

EC-4281. A communication from the Deputy Director, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Examination of Aliens—Revisions to Medical Screening Process" (RIN0920-AA28) received during adjournment of the Senate in the Office of the President of the Senate on January 27, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4282. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, reports entitled "Community Services Block Grant (CSBG) Program Report" for fiscal years 2011 and 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-4283. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Technical Amendment" ((RIN0910-AG36) (Docket

No. FDA-2011-N-0920)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4284. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals; Technical Amendment" ((RIN0910-AG10) (Docket No. FDA-2011-N-0922)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4285. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Correction" ((RIN0910-AG36) (Docket No. FDA-2011-N-0920)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-4286. A communication from the Deputy Assistant Administrator, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products" ((RIN1117-AB30) (Docket No. DEA-347)) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on the Judiciary.

EC-4287. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 8 of the Clayton Act" (FR Doc. 2016-01452) received in the Office of the President of the Senate on February 1, 2016; to the Committee on the Judiciary.

EC-4288. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Administrative Debt Collection Procedures" (16 CFR Part 1) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4289. A communication from the Senior Regulations Analyst, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Electronic Logging Devices and Hours of Service Supporting Documents" (RIN2126-AB20) received in the Office of the President of the Senate on January 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4290. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; 2016 Atlantic Shark Commercial Fishing Season" (RIN0648-XD898) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the

Committee on Commerce, Science, and Transportation.

EC-4291. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; Vessel Register Required Information, International Maritime Organization Numbering Scheme" (RIN0648-BE99) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4292. A communication from the Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Bluefin Tilefish Fishery; Secretarial Emergency Action" (RIN0648-BE97) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4293. A communication from the Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Revise Maximum Retainable Amounts for Skates in the Gulf of Mexico" (RIN0648-BE85) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4294. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Establish a Single Small Business Size Standard for Commercial Fishing Businesses" (RIN0648-BE92) received during adjournment of the Senate in the Office of the President of the Senate on January 29, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 553. A bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2040. A bill to deter terrorism, provide justice for victims, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Mr. ROUNDS, Mr. CORNYN, and Mr. TOOMEY):

S. 2485. A bill to provide for the immediate reinstatement of sanctions against Iran if Iran attempts to acquire nuclear weapons

technology from North Korea; to the Committee on Foreign Relations.

By Mr. KIRK (for himself and Mrs. GILLIBRAND):

S. 2486. A bill to enhance electronic warfare capabilities, and for other purposes; to the Committee on Armed Services.

By Mrs. BOXER (for herself, Mrs. ERNST, Mr. BLUMENTHAL, and Mr. BROWN):

S. 2487. A bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. 2488. A bill to extend the authority of the Secretary of the Interior to carry out the Equus Beds Division of the Wichita Project; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself and Mrs. FEINSTEIN):

S. 2489. A bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent the formation of corporations with hidden owners, stop the misuse of United States corporations by wrongdoers, and assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, tax evasion, and other criminal and civil misconduct involving United States corporations, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE:

S. 2490. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 2491. A bill to amend the Head Start Act by establishing grants for Head Start programs in communities affected by toxic pollutants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Ms. CANTWELL, Mr. CARDIN, Mr. BROWN, and Mr. CASEY):

S. 2492. A bill to amend the Internal Revenue Code of 1986 to provide matching payments for retirement savings contributions by certain individuals; to the Committee on Finance.

By Mr. CASSIDY:

S. 2493. A bill to expand eligibility for hospital care and medical services under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 to include veterans who are age 75 or older, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 2494. A bill to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review; to the Committee on Energy and Natural Resources.

By Mr. CRAPO (for himself, Mr. HATCH, Mr. DAINES, Mr. MORAN, Mr. HELLER, Mr. SULLIVAN, Mr. INHOFE, Mr. ROBERTS, Mrs. ERNST, and Mr. ENZI):

S. 2495. A bill to amend the Social Security Act relating to the use of determinations made by the Commissioner; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. RISCH, and Mrs. SHAHEEN):

S. 2496. A bill to provide flexibility for the Administrator of the Small Business Administration to increase the total amount of general business loans that may be guaranteed under section 7(a) of the Small Business Act; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER (for himself, Mr. CASSIDY, and Mr. CASEY):

S. Res. 357. A resolution recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. DURBIN, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. FRANKEN, Ms. STABENOW, Mr. MURPHY, Mr. WYDEN, Ms. MIKULSKI, Mr. CASEY, Mr. CORNYN, Mr. DONNELLY, Mr. KING, Mr. SCHATZ, and Ms. AYOTTE):

S. Res. 358. A resolution designating February 1 through 5, 2016, as "National School Counseling Week"; considered and agreed to.

By Ms. HEITKAMP (for herself, Mr. JOHNSON, Mr. CARPER, Mr. UDALL, Mr. CASSIDY, Mr. PETERS, Mr. LANKFORD, Mrs. MURRAY, Mrs. BOXER, and Ms. COLLINS):

S. Res. 359. A resolution celebrating the 10th anniversary of the unification of the air and marine assets of U.S. Customs and Border Protection to establish the Air and Marine Operations of U.S. Customs and Border Protection; considered and agreed to.

By Mr. ROBERTS (for himself, Ms. STABENOW, Mr. TILLIS, and Mr. SASSE):

S. Res. 360. A resolution congratulating the National Association of State Departments of Agriculture on the celebration of its 100th anniversary; considered and agreed to.

By Mr. CORKER (for himself, Mr. CARDIN, Mr. PERDUE, Mrs. BOXER, Mr. MURPHY, Mr. MARKEY, Mrs. SHAHEEN, Mr. COONS, Mr. UDALL, Mr. KAINE, and Mr. MENENDEZ):

S. Res. 361. A resolution urging robust funding for humanitarian relief for Syria; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 493

At the request of Mr. DAINES, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 493, a bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes.

S. 771

At the request of Mr. COONS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 771, a bill to emphasize manufacturing in engineering programs by directing the National Institute of Standards and Technology, in coordination with other appropriate Federal agencies including the Department of Defense, Department of Energy, and National Science Foundation, to designate United States manufacturing universities.

S. 786

At the request of Mrs. GILLIBRAND, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 786, a bill to provide paid and family medical leave benefits to certain individuals, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1390

At the request of Mr. GARDNER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1390, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 1855

At the request of Ms. HIRONO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1855, a bill to provide special foreign military sales status to the Philippines.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2068

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2068, a bill to amend the

Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from Oregon (Mr. WYDEN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Virginia (Mr. WARNER), the Senator from Colorado (Mr. BENNET), the Senator from Florida (Mr. NELSON), the Senator from Montana (Mr. TESTER) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2186

At the request of Mr. COTTON, his name was added as a cosponsor of S. 2186, a bill to provide the legal framework necessary for the growth of innovative private financing options for students to fund postsecondary education, and for other purposes.

S. 2230

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2230, a bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes.

S. 2423

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2437

At the request of Ms. MIKULSKI, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

S. 2469

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2469, a bill to repeal the Protection of Lawful Commerce in Arms Act.

S. 2473

At the request of Mr. SULLIVAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2473, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide veterans the option of using an alternative appeals process to more quickly determine claims for disability compensation, and for other purposes.

S. 2474

At the request of Mr. COTTON, the names of the Senator from Florida (Mr. RUBIO), the Senator from Texas (Mr. CRUZ) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 2474, a bill to allow for additional markings, including the words "Israel" and "Product in Israel," to be used for country of origin marking requirements for goods made in the geographical areas known as the West Bank and Gaza Strip.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

AMENDMENT NO. 2954

At the request of Mr. CASSIDY, the name of the Senator from Pennsylvania (Mr. TOOMEY) was withdrawn as a cosponsor of amendment No. 2954 proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 2977

At the request of Mr. CASSIDY, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 2977 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3035

At the request of Mr. FRANKEN, his name was added as a cosponsor of amendment No. 3035 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3120

At the request of Mr. KING, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 3120 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3131

At the request of Mr. MERKLEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 3131 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3166

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 3166 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3186

At the request of Mrs. FISCHER, the names of the Senator from Nebraska (Mr. SASSE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 3186 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3192

At the request of Mr. CASSIDY, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 3192 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3214

At the request of Mr. CRAPO, his name was added as a cosponsor of amendment No. 3214 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 357—RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself, Mr. CASSIDY, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 357

Whereas Catholic schools in the United States are internationally acclaimed for their academic excellence and provide students with more than an exceptional scholastic education;

Whereas Catholic schools instill a broad, values-based education, emphasizing the lifelong development of moral, intellectual, physical, and social values in young people in the United States;

Whereas Catholic schools provide a high level of service to the United States by providing a strong academic and moral foundation to a diverse student population from all regions of the country and all socioeconomic backgrounds;

Whereas Catholic schools produce students who are strongly dedicated to their faith, values, families, and communities, by providing an intellectually stimulating environment that is rich in spiritual, character, and moral development;

Whereas Catholic schools are committed to community service, producing graduates who hold "helping others" as a core value;

Whereas the total student enrollment in Catholic schools in the United States for the 2015-2016 academic year is almost 2,000,000 and the student-to-teacher ratio is 13.1 to 1;

Whereas Catholic schools in the United States educate a diverse population of students, of which 20.4 percent belong to racial minorities, 15.3 percent are of Hispanic or Latino origin, and 16.9 percent are non-Catholics;

Whereas the Catholic high school graduation rate in the United States is 99 percent, with 85 percent of graduates attending a 4-year college;

Whereas in the 1972 pastoral message concerning Catholic education, the United States Conference of Catholic Bishops stated, "Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.";

Whereas the week of January 31, 2016, to February 6, 2016, has been designated as "National Catholic Schools Week" by the National Catholic Educational Association and the United States Conference of Catholic Bishops;

Whereas the National Catholic Schools Week was first established in 1974 and has been celebrated annually for the past 42 years; and

Whereas the theme for National Catholic Schools Week 2016 is "Catholic Schools: Communities of Faith, Knowledge, and Service": Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of National Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops and established to recognize the vital contributions of the thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for ongoing contributions to education and for playing a vital role in promoting and ensuring a brighter, stronger future for the United States.

SENATE RESOLUTION 358—DESIGNATING FEBRUARY 1 THROUGH 5, 2016, AS "NATIONAL SCHOOL COUNSELING WEEK"

Mrs. MURRAY (for herself, Ms. COLLINS, Mr. DURBIN, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. FRANKEN, Ms. STABENOW, Mr. MURPHY, Mr. WYDEN, Ms. MIKULSKI, Mr. CASEY, Mr. CORNYN, Mr. DONNELLY, Mr. KING, Mr. SCHATZ, and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 358

Whereas the American School Counselor Association has designated February 1 through 5, 2016, as "National School Counseling Week";

Whereas school counselors have long advocated for equal opportunities for all students;

Whereas school counselors help develop well-rounded students by guiding students through academic, personal, social, and career development;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors play a vital role in ensuring that students are ready for college and careers;

Whereas school counselors play a vital role in making students aware of opportunities for financial aid and college scholarships;

Whereas school counselors assist with and coordinate efforts to foster a positive school climate, resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with personal trauma as well as tragedies in their communities and the United States;

Whereas students face myriad challenges every day, including peer pressure, bullying, mental health issues, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas a school counselor is one of the few professionals in a school building who is trained in both education and social and emotional development;

Whereas the roles and responsibilities of school counselors are often misunderstood;

Whereas the school counselor position is often among the first to be eliminated to meet budgetary constraints;

Whereas the national average ratio of students to school counselors is 482 to 1, almost twice the 250 to 1 ratio recommended by the American School Counselor Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week will increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 1 through 5, 2016, as "National School Counseling Week"; and

(2) encourages the people of the United States to observe National School Counseling Week with appropriate ceremonies and activities that promote awareness of the role school counselors play in schools and the community at large in preparing students for fulfilling lives as contributing members of society.

SENATE RESOLUTION 359—CELEBRATING THE 10TH ANNIVERSARY OF THE UNIFICATION OF THE AIR AND MARINE ASSETS OF U.S. CUSTOMS AND BORDER PROTECTION TO ESTABLISH THE AIR AND MARINE OPERATIONS OF U.S. CUSTOMS AND BORDER PROTECTION

Ms. HEITKAMP (for herself, Mr. JOHNSON, Mr. CARPER, Mr. UDALL, Mr. CASSIDY, Mr. PETERS, Mr. LANKFORD, Mrs. MURRAY, Mrs. BOXER, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 359

Whereas the Air and Marine Operations of U. S. Customs and Border Protection (referred to in this preamble as "AMO") and the legacy agencies of AMO have a long history of working to safeguard the borders of the United States;

Whereas, 10 years before the date of adoption of this resolution, U.S. Customs and Border Protection (referred to in this preamble as "CBP") integrated the marine assets of CBP with the aircraft fleet of CBP to serve and protect the people of the United States through the core competencies of AMO, which include—

- (1) interdiction;
- (2) investigation;

- (3) domain awareness; and
- (4) contingency operations and national tasking missions;

Whereas AMO conducts the mission of AMO along the land borders and maritime approaches of the United States from more than 90 locations throughout the United States and Puerto Rico, with—

- (1) 1,800 Federal agents and specialists;
- (2) a fleet of more than 250 aircraft and more than 280 marine vessels; and
- (3) an array of surveillance and domain awareness technologies; and

Whereas AMO has leveraged the capabilities of AMO by forging crucial partnerships with Federal, State, local, and tribal agencies, and the United States Armed Forces, for—

- (1) law enforcement;
- (2) disaster relief;
- (3) humanitarian operations;
- (4) joint operations; and
- (5) National Special Security Events: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 10th anniversary of the unification of the air and marine assets of U.S. Customs and Border Protection to establish the Air and Marine Operations of U.S. Customs and Border Protection;

(2) recognizes the contribution of the Air and Marine Operations of U.S. Customs and Border Protection to—

(A) the border security mission of U.S. Customs and Border Protection; and

(B) the multilayered approach to homeland security by the Department of Homeland Security; and

(3) commends the agents and mission support staff of the Air and Marine Operations of U.S. Customs and Border Protection, who are dedicated to serving and protecting—

- (A) the people of the United States; and
- (B) the borders of the United States in air and maritime environments.

SENATE RESOLUTION 360—CONGRATULATING THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE ON THE CELEBRATION OF ITS 100TH ANNIVERSARY

Mr. ROBERTS (for himself, Ms. STABENOW, Mr. TILLIS, and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 360

Whereas the National Association of State Departments of Agriculture (referred to in this preamble as "NASDA") was established in 1916 to provide a cohesive, science-based voice for State perspectives in discussions on national agriculture policy issues;

Whereas the first meeting of NASDA was held on May 4, 1916, in the hearing room of the Committee on Court of Claims of the Senate;

Whereas since 1916, NASDA has provided exemplary nonpartisan representation of the departments of agriculture in all 50 States and 4 United States territories in order to promote sound public policy and programs in support of United States agriculture;

Whereas NASDA has become a national leader in growing and enhancing agriculture through the forging of partnerships to achieve sound policy outcomes among State departments of agriculture, the Federal Government, and stakeholders;

Whereas NASDA has successfully amplified the voices of all State departments of agriculture by achieving consensus on a breadth

of issues, including food safety, agriculture labor, international trade, and the environment; and

Whereas 1 century later, NASDA continues its deep commitment to promoting the interests of the farmers and ranchers of the United States, both domestically and worldwide: Now, therefore, be it

Resolved, That the Senate congratulates the National Association of State Departments of Agriculture on the celebration of the 100th anniversary of its founding.

SENATE RESOLUTION 361—URGING ROBUST FUNDING FOR HUMANITARIAN RELIEF FOR SYRIA

MR. CORKER (for himself, Mr. CARDIN, Mr. PERDUE, Mrs. BOXER, Mr. MURPHY, Mr. MARKEY, Mrs. SHAHEEN, Mr. COONS, Mr. UDALL, Mr. KAINE, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 361

Whereas the conflict in Syria, which is in its fifth year, has taken the lives of over 250,000 Syrians and displaced millions more;

Whereas the humanitarian needs for Syria are overwhelming and require a sustained, tangible response from the entire international community to ensure that the short- and long-term needs of the Syrian people are addressed;

Whereas as the short- and long-term needs of the Syrian people increase, the availability of basic services for the almost 4,600,000 Syrians sheltering in Jordan, Lebanon, and other neighboring countries, which are already under severe strain, is diminishing;

Whereas addressing the humanitarian situation in Syria and in Syrian refugee-hosting countries is an essential component to providing stability to the region;

Whereas the Government of Kuwait, notably, hosted pledging conferences in 2013, 2014, and 2015 to raise funds for United Nations humanitarian appeals for Syria;

Whereas the pledges to previous United Nations humanitarian appeals for Syria have failed to meet the humanitarian needs of the Syrian crisis, as determined by the United Nations;

Whereas not all pledges are fully converted into donations, further adding to the difficulty in meeting the humanitarian needs of Syria;

Whereas on February 4, 2016, the Governments of the United Kingdom, Germany, Kuwait, and Norway will host a fourth Syria conference in London to raise funds and support for the United Nations humanitarian appeal for Syria;

Whereas the fourth Syria conference aims to significantly increase funding—

(1) to address the immediate and long-term needs of individuals affected by the Syrian conflict; and

(2) to maintain pressure on parties to the conflict to protect civilians affected by the conflict;

Whereas as of February 2016, the United States is the largest single humanitarian donor to the Syrian crisis and has given over \$4,500,000,000 in humanitarian relief for Syria; and

Whereas the United Kingdom, Kuwait, Germany, and Norway are allies of the United States and have demonstrated commitment to addressing the humanitarian crisis in Syria: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Governments of the United Kingdom, Kuwait, Germany, and Norway for their efforts to address the humanitarian crisis in Syria, including the substantial financial commitments made by the Governments of the United Kingdom, Kuwait, Germany, and Norway;

(2) encourages the international community to act with urgency—

(A) to alleviate the humanitarian crisis in Syria and in Syrian refugee-hosting countries in the region; and

(B) to support the upcoming Syria conference in London by joining the United States and other countries with substantial pledges of assistance; and

(3) urges each donor country to fulfil the United Nations pledging commitments to Syria to address the short- and long-term humanitarian needs of the Syrian people.

Mr. CARDIN. Mr. President, Senator CORKER and I are submitting a resolution today that urges all nations to contribute in order to address the humanitarian crisis in Syria. On February 4, in London, the British, German, Kuwaiti, and Norwegian governments will join with the United Nations to host the “Supporting Syria and the Region” conference.

The numbers are well known, but bear repeating. The international community has a responsibility to help the 13.5 million vulnerable and displaced people inside Syria, and the 4.2 million Syrian refugees in neighbouring countries. We must step up our efforts.

Current pledges to the 2015 UN appeal have not even reached last year's levels—\$3.3 billion against an appeal of \$8.4 billion. Even this figure still masks the fact that not all pledges are met, building up needs for future years. The world must do more, and now is the time to act.

The United States is already the largest donor to Syria, giving more than \$4.5 billion to date, and Congress has been instrumental and bipartisan in its support of humanitarian relief for Syria. We must maintain this effort, as the need has never been greater. But we also need the entire international community to stand up on this issue. It cannot just be the responsibility of the usual generous donors to meet the needs of Syria.

The humanitarian crisis in Syria is a stain on the conscience of the world, and the whole world needs to be part of the solution. This is not just a moral question, although it ought to be. We need to bring peace to Syria, food to Syrians, and safety to Syria's children. Without these basic elements, we are allowing a breeding ground for disillusionment, extremism, and indeed terrorism to grow. So this is also about our shared national security interests. Every nation should therefore step up to the plate: all responsibility cannot and should not fall on Syria and its neighbours.

We urge all nations to participate in the conference in London on February 4, prepared to make significant dona-

tions that meet the UN appeal. We hope that senior-level representation and contributions by donor states will redefine the nature of this conference to prepare for long term humanitarian support to Syrians.

Five years into the Syrian conflict, it is easy for donor fatigue to set in. But this is nothing compared to what Syrian refugees are experiencing daily. Whether they have been displaced inside Syria, whether they are building lives in refugee camps in Turkey and Jordan, whether they are trying to integrate into a new city, or whether they are risking their lives in crossing open seas, refugees are facing daily challenges to their very existence. Our resolve to alleviate the hardships and suffering this conflict has caused must, at a minimum, equal theirs.

The February 4 conference in London is an opportunity for nations to meet this crisis with the resources and determination necessary to address the short and long term needs of the Syrian people. The bipartisan resolution Senator CORKER and I are putting forward encourages the international community to act with urgency to alleviate the humanitarian crisis in Syria and in Syrian refugee-hosting countries in the region. It encourages nations to not only fulfill their previous pledges, but to commit to doing more.

We must find ways to reduce the barriers preventing refugees from rebuilding their lives. Granting refugees the right to work and access basic services, and funding integration programs, are important goals in that respect.

Education is also key. We must ensure that all children and young people affected by the conflict have access to a safe and quality education by both strengthening national education systems and investing in alternative learning pathways. When parents can't find educational opportunities for their children, they move away or put their children into the workforce. Without education, we risk losing a generation of young people.

The United States, which has been the largest single humanitarian donor to date, will continue to lead in this effort, along with our partners. We will continue to lead because addressing the humanitarian crisis is part and parcel of achieving a political resolution to the conflict. It is integral to preserving regional stability and global stability.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3232. Mr. MARKEY (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3233. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to

be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3234. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3235. Mr. WICKER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3236. Mr. WYDEN (for himself, Mr. DURBIN, Mr. CASEY, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3237. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3238. Mr. WYDEN (for himself, Mr. BENNET, Ms. CANTWELL, Mr. SCHUMER, Ms. STABENOW, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mrs. MURRAY, Mr. DURBIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. COONS, and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3239. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3240. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3241. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3242. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3243. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3244. Mr. MARKEY (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3245. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3246. Mr. ENZI (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3247. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3248. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3249. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3250. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3251. Mr. INHOFE (for himself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3252. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3253. Mr. ISAKSON (for himself and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3254. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3255. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3256. Mr. SCHATZ (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3257. Ms. CANTWELL (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3258. Mr. DAINES (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3259. Mr. DAINES (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3260. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3261. Mr. BOOZMAN (for himself, Mr. ALEXANDER, Mr. BLUNT, and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3262. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3263. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3264. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3265. Mr. VITTER (for himself, Mr. KAINE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3266. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3267. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3268. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. KAINE, Mr. SCOTT, Mr. VITTER, Mr. TILLIS, and Mr. WARNER) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3269. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3270. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3271. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3044 submitted by Mr. MANCHIN and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3272. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3273. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3274. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3275. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3276. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3277. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3278. Mr. MCCONNELL (for Mr. RUBIO (for himself and Mr. CARDIN)) proposed an amendment to the bill H.R. 907, to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

SA 3279. Ms. MURKOWSKI (for Mr. LEE (for himself and Mrs. MURRAY)) proposed an amendment to the bill H.R. 3033, to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation

and to require the National Science Foundation to conduct research on dyslexia.

TEXT OF AMENDMENTS

SA 3232. Mr. MARKEY (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM 181 AREA, 181 SOUTH AREA, AND 2002-2007 PLANNING AREAS OF GULF OF MEXICO.

Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note) is amended to read as follows:

“SEC. 105. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM 181 AREA, 181 SOUTH AREA, AND 2002-2007 PLANNING AREAS OF GULF OF MEXICO.

“Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to the other provisions of this section, for each applicable fiscal year, the Secretary of the Treasury shall deposit—

“(1) 87.5 percent of qualified outer Continental Shelf revenues in the general fund of the Treasury; and

“(2) 12.5 percent of qualified outer Continental Shelf revenues in a special account in the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, from which the Secretary shall disburse, without further appropriation, 100 percent to provide financial assistance to States in accordance with section 200305 of that title, which shall be considered income to the Land and Water Conservation Fund for purposes of section 200302 of that title.”.

SA 3233. Mr. WARNER (for himself and Mr. Kaine) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—MISCELLANEOUS

SEC. 6001. INTERAGENCY TRANSFER OF LAND ALONG GEORGE WASHINGTON MEMORIAL PARKWAY.

(a) DEFINITION.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) RESEARCH CENTER.—The term “Research Center” means the Federal Highway Administration’s Turner-Fairbank Highway Research Center.

(3) MAP.—The term “Map” means the map titled “George Washington Memorial Parkway—Claude Moore Farm Proposed Boundary Adjustment”, numbered 850_130815, and dated December 2015.

(b) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) TRANSFER OF JURISDICTION.—The Secretary and the Secretary of Transportation, as appropriate, are authorized to exchange administrative jurisdiction of—

(A) approximately 0.342 acres of Federal land under the jurisdiction of the Department of the Interior within the boundary of the George Washington Memorial Parkway, generally depicted as “B” on the Map; and

(B) the approximately 0.479 acres of Federal land within the boundary of the Research Center land under the jurisdiction of the Department of Transportation adjacent to the boundary of the George Washington Memorial Parkway, generally depicted as “A” on the Map.

(2) USE RESTRICTION.—The Secretary shall restrict the use of 0.139 acres of Federal land within the boundary of the George Washington Memorial Parkway immediately adjacent to part of the north perimeter fence of the Research Center, generally depicted as “C” on the Map, by prohibiting the storage, construction, or installation of any item that may interfere with the Research Center’s access to the land for security and maintenance purposes.

(3) REIMBURSEMENT OR CONSIDERATION.—The transfers of administrative jurisdiction under this section shall occur without reimbursement or consideration.

(4) COMPLIANCE WITH AGREEMENT.—

(A) AGREEMENT.—The National Park Service and the Federal Highway Administration shall comply with all terms and conditions of the Agreement entered into by the parties on September 11, 2002, regarding the transfer of administrative jurisdiction, management, and maintenance of the lands discussed in that Agreement.

(B) ACCESS TO RESTRICTED LAND.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), the Secretary shall allow the Research Center to access the land described in paragraph (1)(B) for purposes of transportation to and from the Research Center and maintenance in accordance with National Park Service standards, including grass mowing, weed control, tree maintenance, fence maintenance, and maintenance of the visual appearance of the land.

(ii) PRUNING AND REMOVAL OF TREES.—No tree on the land described in paragraph (1)(B) that is 6 inches or more in diameter shall be pruned or removed without the advance written permission of the Secretary.

(iii) PESTICIDES.—The use of pesticides on the land described in paragraph (1)(B) shall be approved in writing by the Secretary prior to application of the pesticides.

(c) MANAGEMENT OF TRANSFERRED LANDS.—

(1) INTERIOR LAND.—The Federal land transferred to the Secretary under this section shall be included in the boundaries of the George Washington Memorial Parkway and shall be administered by the National Park Service as part of the parkway subject to applicable laws and regulations.

(2) TRANSPORTATION LAND.—The Federal land transferred to the Secretary of Transportation under this section shall be included in the boundary of the Research Center and shall be removed from the boundary of parkway.

(3) RESTRICTED-USE LAND.—The Federal land the Secretary has designated for restricted use under subsection (b)(2) shall be maintained by the Research Center.

(d) MAP ON FILE.—The Map shall be available for public inspection in the appropriate offices of the National Park Service, Department of Interior.

SA 3234. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to pro-

vide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At end, add the following:

TITLE VI—NATURAL RESOURCES

Subtitle A—Land Conveyances and Related Matters

SEC. 6001. ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundary of the Arapaho National Forest in the State of Colorado is adjusted to incorporate the approximately 92.95 acres of land generally depicted as “The Wedge” on the map entitled “Arapaho National Forest Boundary Adjustment” and dated November 6, 2013, and described as lots three, four, eight, and nine of section 13, Township 4 North, Range 76 West, Sixth Principal Meridian, Colorado. A lot described in this subsection may be included in the boundary adjustment only after the Secretary of Agriculture obtains written permission for such action from the lot owner or owners.

(b) BOWEN GULCH PROTECTION AREA.—The Secretary of Agriculture shall include all Federal land within the boundary described in subsection (a) in the Bowen Gulch Protection Area established under section 6 of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j).

(c) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306(a)(2)(B)(i) of title 54, United States Code, the boundaries of the Arapaho National Forest, as modified under subsection (a), shall be considered to be the boundaries of the Arapaho National Forest as in existence on January 1, 1965.

(d) PUBLIC MOTORIZED USE.—Nothing in this section opens privately owned lands within the boundary described in subsection (a) to public motorized use.

(e) ACCESS TO NON-FEDERAL LANDS.—Notwithstanding the provisions of section 6(f) of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j(f)) regarding motorized travel, the owners of any non-Federal lands within the boundary described in subsection (a) who historically have accessed their lands through lands now or hereafter owned by the United States within the boundary described in subsection (a) shall have the continued right of motorized access to their lands across the existing roadway.

SEC. 6002. LAND CONVEYANCE, ELKHORN RANCH AND WHITE RIVER NATIONAL FOREST, COLORADO.

(a) LAND CONVEYANCE REQUIRED.—Consistent with the purpose of the Act of March 3, 1909 (43 U.S.C. 772), all right, title, and interest of the United States (subject to subsection (b)) in and to a parcel of land consisting of approximately 148 acres as generally depicted on the map entitled “Elkhorn Ranch Land Parcel-White River National Forest” and dated March 2015 shall be conveyed by patent to the Gordman-Leverich Partnership, a Colorado Limited Liability Partnership (in this section referred to as “GLP”).

(b) EXISTING RIGHTS.—The conveyance under subsection (a)—

(1) is subject to the valid existing rights of the lessee of Federal oil and gas lease COC-75070 and any other valid existing rights; and

(2) shall reserve to the United States the right to collect rent and royalty payments on the lease referred to in paragraph (1) for the duration of the lease.

(c) EXISTING BOUNDARIES.—The conveyance under subsection (a) does not modify the exterior boundary of the White River National

Forest or the boundaries of Sections 18 and 19 of Township 7 South, Range 93 West, Sixth Principal Meridian, Colorado, as such boundaries are in effect on the date of the enactment of this Act.

(d) **TIME FOR CONVEYANCE; PAYMENT OF COSTS.**—The conveyance directed under subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act. The conveyance shall be without consideration, except that all costs incurred by the Secretary of the Interior relating to any survey, platting, legal description, or other activities carried out to prepare and issue the patent shall be paid by GLP to the Secretary prior to the land conveyance.

SEC. 6003. LAND EXCHANGE IN CRAGS, COLORADO.

(a) **PURPOSES.**—The purposes of this section are—

(1) to authorize, direct, expedite, and facilitate the land exchange set forth herein; and

(2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the Pike National Forest near Pikes Peak, Colorado, via acquisition of the non-Federal land and trail easement.

(b) **DEFINITIONS.**—In this section:

(1) **BHI.**—The term “BHI” means Broadmoor Hotel, Inc., a Colorado corporation.

(2) **FEDERAL LAND.**—The term “Federal land” means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a non-exclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled “Proposed Craggs Land Exchange—Federal Parcel—Emerald Valley Ranch”, dated March 2015.

(3) **NON-FEDERAL LAND.**—The term “non-Federal land” means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—

(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled “Proposed Craggs Land Exchange—Non-Federal Parcel—Craggs Property”, dated March 2015; and

(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled “Proposed Craggs Land Exchange—Barr Trail Easement to United States”, dated March 2015, and which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, unless otherwise specified.

(c) **LAND EXCHANGE.**—

(1) **IN GENERAL.**—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.

(2) **LAND TITLE.**—Title to the non-Federal land conveyed and donated to the Secretary under this section shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) **PERPETUAL ACCESS EASEMENT TO BHI.**—The nonexclusive perpetual access easement to be granted to BHI as shown on the map referred to in subsection (b)(2) shall allow—

(A) BHI to fully maintain, at BHI's expense, and use Forest Service Road 371 from

its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and

(B) full and continued public and administrative access and use of FSR 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.

(4) **ROUTE AND CONDITION OF ROAD.**—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.

(5) **EXCHANGE COSTS.**—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this section, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

(d) **EQUAL VALUE EXCHANGE AND APPRAISALS.**—

(1) **APPRAISALS.**—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practice;

(C) appraisal instructions issued by the Secretary; and

(D) shall be performed by an appraiser mutually agreed to by the Secretary and BHI.

(2) **EQUAL VALUE EXCHANGE.**—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) **SURPLUS OF FEDERAL LAND VALUE.**—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(B) **USE OF FUNDS.**—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”; 16 U.S.C. 484a); and

(ii) made available to the Secretary for the acquisition of land or interests in land in Region 2 of the Forest Service.

(C) **SURPLUS OF NON-FEDERAL LAND VALUE.**—If the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A) exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to BHI, and surplus value of the non-Federal land shall be considered a donation by BHI to the United States for all purposes of law.

(3) **APPRAISAL EXCLUSIONS.**—

(A) **SPECIAL USE PERMIT.**—The appraised value of the Federal land parcel shall not reflect any increase or diminution in value due to the special use permit existing on the date of the enactment of this Act to BHI on the parcel and improvements thereunder.

(B) **BARR TRAIL EASEMENT.**—The Barr Trail easement donation identified in subsection (b)(3)(B) shall not be appraised for purposes of this section.

(e) **MISCELLANEOUS PROVISIONS.**—

(1) **WITHDRAWAL PROVISIONS.**—

(A) **WITHDRAWAL.**—Lands acquired by the Secretary under this section shall, without

further action by the Secretary, be permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(B) **WITHDRAWAL REVOCATION.**—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the Federal land parcel to BHI.

(C) **WITHDRAWAL OF FEDERAL LAND.**—All Federal land authorized to be exchanged under this section, if not already withdrawn or segregated from appropriation or disposal under the public lands laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land to BHI.

(2) **POSTEXCHANGE LAND MANAGEMENT.**—Land acquired by the Secretary under this section shall become part of the Pike-San Isabel National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

(3) **EXCHANGE TIMETABLE.**—It is the intent of Congress that the land exchange directed by this section be consummated no later than 1 year after the date of the enactment of this Act.

(4) **MAPS, ESTIMATES, AND DESCRIPTIONS.**—

(A) **MINOR ERRORS.**—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(B) **CONFLICT.**—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and BHI mutually agree otherwise.

(C) **AVAILABILITY.**—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the headquarters of the Pike-San Isabel National Forest a copy of all maps referred to in this section.

SEC. 6004. CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.

(a) **DEFINITIONS.**—In this section:

(1) **MAP.**—The term “map” means the map entitled “Río Grande del Norte National Monument Proposed Wilderness Areas” and dated July 28, 2015.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **WILDERNESS AREA.**—The term “wilderness area” means a wilderness area designated by subsection (b)(1).

(b) **DESIGNATION OF CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.**—

(1) **IN GENERAL.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the Río Grande del Norte National Monument are designated as wilderness and as components of the National Wilderness Preservation System:

(A) **CERRO DEL YUTA WILDERNESS.**—Certain land administered by the Bureau of Land Management in Taos County, New Mexico, comprising approximately 13,420 acres as generally depicted on the map, which shall be known as the “Cerro del Yuta Wilderness”.

(B) **RÍO SAN ANTONIO WILDERNESS.**—Certain land administered by the Bureau of Land Management in Río Arriba County, New Mexico, comprising approximately 8,120 acres, as generally depicted on the map, which shall be known as the “Río San Antonio Wilderness”.

(2) **MANAGEMENT OF WILDERNESS AREAS.**—Subject to valid existing rights, the wilderness areas shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this section, except that with respect to the wilderness areas designated by this subsection—

(A) any reference to the effective date of the Wilderness Act shall be considered to be a reference to the date of enactment of this Act; and

(B) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(3) **INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.**—Any land or interest in land within the boundary of the wilderness areas that is acquired by the United States shall—

(A) become part of the wilderness area in which the land is located; and

(B) be managed in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.);

(ii) this section; and

(iii) any other applicable laws.

(4) **GRAZING.**—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(5) **BUFFER ZONES.**—

(A) **IN GENERAL.**—Nothing in this section creates a protective perimeter or buffer zone around the wilderness areas.

(B) **ACTIVITIES OUTSIDE WILDERNESS AREAS.**—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(6) **RELEASE OF WILDERNESS STUDY AREAS.**—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land within the San Antonio Wilderness Study Area not designated as wilderness by this subsection—

(A) has been adequately studied for wilderness designation;

(B) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(C) shall be managed in accordance with this section.

(7) **MAPS AND LEGAL DESCRIPTIONS.**—

(A) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file the map and legal descriptions of the wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) **FORCE OF LAW.**—The map and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the legal description and map.

(C) **PUBLIC AVAILABILITY.**—The map and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(8) **NATIONAL LANDSCAPE CONSERVATION SYSTEM.**—The wilderness areas shall be administered as components of the National Landscape Conservation System.

(9) **FISH AND WILDLIFE.**—Nothing in this section affects the jurisdiction of the State of New Mexico with respect to fish and wildlife located on public land in the State.

(10) **WITHDRAWALS.**—Subject to valid existing rights, any Federal land within the wilderness areas designated by paragraph (1), including any land or interest in land that is acquired by the United States after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(11) **TREATY RIGHTS.**—Nothing in this section enlarges, diminishes, or otherwise modifies any treaty rights.

SEC. 6005. CLARIFICATION RELATING TO A CERTAIN LAND DESCRIPTION UNDER THE NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT OF 2005.

Section 104(a)(5) of the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 (Public Law 109-110; 119 Stat. 2356) is amended by inserting before the period at the end “, which, notwithstanding section 102(a)(4)(B), includes the N $\frac{1}{2}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, the N $\frac{1}{2}$, N $\frac{1}{2}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, and the N $\frac{1}{2}$, N $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, sec. 34, T. 22 N., R. 2 E., Gila and Salt River Meridian, Coconino County, comprising approximately 25 acres”.

SEC. 6006. COOPER SPUR LAND EXCHANGE CLARIFICATION AMENDMENTS.

Section 1206(a) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1018) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking “120 acres” and inserting “107 acres”; and

(B) in subparagraph (E)(ii), by inserting “improvements,” after “buildings,”; and

(2) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “As soon as practicable after the date of enactment of this Act, the Secretary and Mt. Hood Meadows shall select” and inserting “Not later than 120 days after the date of the enactment of the Energy Policy Modernization Act of 2016, the Secretary and Mt. Hood Meadows shall jointly select”;

(ii) in clause (ii), in the matter preceding subclause (I), by striking “An appraisal under clause (i) shall” and inserting “Except as provided under clause (iii), an appraisal under clause (i) shall assign a separate value to each tax lot to allow for the equalization of values and”; and

(iii) by adding at the end the following:

“(iii) **FINAL APPRAISED VALUE.**—

“(I) **IN GENERAL.**—Subject to subclause (II), after the final appraised value of the Federal land and the non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value for a period of up to 3 years, beginning on the date of the approval by the Secretary of the final appraised value.

“(II) **EXCEPTION.**—Subclause (I) shall not apply if the condition of either the Federal land or the non-Federal land referred to in subclause (I) is significantly and substantially altered by fire, windstorm, or other events.

“(iv) **PUBLIC REVIEW.**—Before completing the land exchange under this Act, the Secretary shall make available for public review the complete appraisals of the land to be exchanged.”; and

(B) by striking subparagraph (G) and inserting the following:

“(G) **REQUIRED CONVEYANCE CONDITIONS.**—Prior to the exchange of the Federal and non-Federal land—

“(i) the Secretary and Mt. Hood Meadows may mutually agree for the Secretary to reserve a conservation easement to protect the identified wetland in accordance with applicable law, subject to the requirements that—

“(I) the conservation easement shall be consistent with the terms of the September 30, 2015, mediation between the Secretary and Mt. Hood Meadows; and

“(II) in order to take effect, the conservation easement shall be finalized not later than 120 days after the date of enactment of the Energy Policy Modernization Act of 2016; and

“(ii) the Secretary shall reserve a 24-foot-wide nonexclusive trail easement at the existing trail locations on the Federal land that retains for the United States existing rights to construct, reconstruct, maintain, and permit nonmotorized use by the public of existing trails subject to the right of the owner of the Federal land—

“(I) to cross the trails with roads, utilities, and infrastructure facilities; and

“(II) to improve or relocate the trails to accommodate development of the Federal land.

“(H) **EQUALIZATION OF VALUES.**—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (A), in addition to or in lieu of monetary compensation, a lesser area of Federal land or non-Federal land may be conveyed if necessary to equalize appraised values of the exchange properties, without limitation, consistent with the requirements of this Act and subject to the approval of the Secretary and Mt. Hood Meadows.

“(ii) **TREATMENT OF CERTAIN COMPENSATION OR CONVEYANCES AS DONATION.**—If, after payment of compensation or adjustment of land area subject to exchange under this Act, the amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows under subparagraph (A) exceeds the appraised value of the land conveyed by the Secretary under subparagraph (A) shall be considered a donation by Mt. Hood Meadows to the United States.”.

SEC. 6007. EXPEDITED ACCESS TO CERTAIN FEDERAL LAND.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE.**—The term “eligible”, with respect to an organization or individual, means that the organization or individual, respectively, is—

(A) acting in a not-for-profit capacity; and

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have attained the age of majority under the law of the State where the mission takes place.

(2) **GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.**—The term “good Samaritan search-and-recovery mission” means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior or the Secretary of Agriculture, as applicable.

(b) **PROCESS.**—

(1) **IN GENERAL.**—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(2) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access under this section—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) chapter 81 of title 5, United States Code (commonly known as the “Federal Employees Compensation Act”), shall not apply to an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section, and the conduct of the good Samaritan search-and-recovery mission shall not constitute civilian employment.

(c) RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

(1) IN GENERAL.—The Secretary shall notify an eligible organization or individual of the approval or denial of a request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section by not later than 48 hours after the request is made.

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) PARTNERSHIPS.—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery

mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

SEC. 6008. BLACK HILLS NATIONAL CEMETERY BOUNDARY MODIFICATION.

(a) DEFINITIONS.—In this section:

(1) CEMETERY.—The term “Cemetery” means the Black Hills National Cemetery in Sturgis, South Dakota.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 200 acres of Bureau of Land Management land adjacent to the Cemetery, generally depicted as “Proposed National Cemetery Expansion” on the map entitled “Proposed Expansion of Black Hills National Cemetery-South Dakota” and dated September 28, 2015.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(b) TRANSFER AND WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND FOR CEMETERY USE.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(A) IN GENERAL.—Subject to valid existing rights, administrative jurisdiction over the Federal land is transferred from the Secretary to the Secretary of Veterans Affairs for use as a national cemetery in accordance with chapter 24 of title 38, United States Code.

(B) LEGAL DESCRIPTIONS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice containing a legal description of the Federal land.

(ii) EFFECT.—A legal description published under clause (i) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical and typographical errors in the legal description.

(iii) AVAILABILITY.—Copies of the legal description published under clause (i) shall be available for public inspection in the appropriate offices of—

(I) the Bureau of Land Management; and

(II) the National Cemetery Administration.

(iv) COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary for the costs incurred by the Secretary in carrying out this subparagraph, including the costs of any surveys and other reasonable costs.

(2) WITHDRAWAL.—Subject to valid existing rights, for any period during which the Federal land is under the administrative jurisdiction of the Secretary of Veterans Affairs, the Federal land—

(A) is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws; and

(B) shall be treated as property as defined under section 102(9) of title 40, United States Code.

(3) BOUNDARY MODIFICATION.—The boundary of the Cemetery is modified to include the Federal land.

(4) MODIFICATION OF PUBLIC LAND ORDER.—Public Land Order 2112, dated June 6, 1960 (25 Fed. Reg. 5243), is modified to exclude the Federal land.

(c) SUBSEQUENT TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) NOTICE.—On a determination by the Secretary of Veterans Affairs that all or a portion of the Federal land is not being used for purposes of the Cemetery, the Secretary of Veterans Affairs shall notify the Secretary of the determination.

(2) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Subject to paragraphs (3) and (4), the

Secretary of Veterans Affairs shall transfer to the Secretary administrative jurisdiction over the Federal land subject to a notice under paragraph (1).

(3) DECONTAMINATION.—The Secretary of Veterans Affairs shall be responsible for the costs of any decontamination of the Federal land subject to a notice under paragraph (1) that the Secretary determines to be necessary for the Federal land to be restored to public land status.

(4) RESTORATION TO PUBLIC LAND STATUS.—The Federal land subject to a notice under paragraph (1) shall only be restored to public land status on—

(A) acceptance by the Secretary of the Federal land subject to the notice; and

(B) a determination by the Secretary that the Federal land subject to the notice is suitable for—

(i) restoration to public land status; and

(ii) the operation of 1 or more of the public land laws with respect to the Federal land.

(5) ORDER.—If the Secretary accepts the Federal land under paragraph (4)(A) and makes a determination of suitability under paragraph (4)(B), the Secretary may—

(A) open the accepted Federal land to operation of 1 or more of the public land laws; and

(B) issue an order to carry out the opening authorized under subparagraph (A).

Subtitle B—National Park Management, Studies, and Related Matters

SEC. 6101. REFUND OF FUNDS USED BY STATES TO OPERATE NATIONAL PARKS DURING SHUTDOWN.

(a) IN GENERAL.—The Director of the National Park Service shall refund to each State all funds of the State that were used to reopen and temporarily operate a unit of the National Park System during the period in October 2013 in which there was a lapse in appropriations for the unit.

(b) FUNDING.—Funds of the National Park Service that are appropriated after the date of enactment of this Act shall be used to carry out this section.

SEC. 6102. LOWER FARMINGTON AND SALMON BROOK RECREATIONAL RIVERS.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(213) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—Segments of the main stem and its tributary, Salmon Brook, totaling approximately 62 miles, to be administered by the Secretary of the Interior as follows:

“(A) The approximately 27.2-mile segment of the Farmington River beginning 0.2 miles below the tailrace of the Lower Collinsville Dam and extending to the site of the Spoonville Dam in Bloomfield and East Granby as a recreational river.

“(B) The approximately 8.1-mile segment of the Farmington River extending from 0.5 miles below the Rainbow Dam to the confluence with the Connecticut River in Windsor as a recreational river.

“(C) The approximately 2.4-mile segment of the main stem of Salmon Brook extending from the confluence of the East and West Branches to the confluence with the Farmington River as a recreational river.

“(D) The approximately 12.6-mile segment of the West Branch of Salmon Brook extending from its headwaters in Hartland, Connecticut to its confluence with the East Branch of Salmon Brook as a recreational river.

“(E) The approximately 11.4-mile segment of the East Branch of Salmon Brook extending from the Massachusetts-Connecticut

State line to the confluence with the West Branch of Salmon Brook as a recreational river.”.

(b) **MANAGEMENT.**—

(1) **IN GENERAL.**—The river segments designated by subsection (a) shall be managed in accordance with the management plan and such amendments to the management plan as the Secretary determines are consistent with this section. The management plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(2) **COMMITTEE.**—The Secretary shall coordinate the management responsibilities of the Secretary under this section with the Lower Farmington River and Salmon Brook Wild and Scenic Committee, as specified in the management plan.

(3) **COOPERATIVE AGREEMENTS.**—

(A) **IN GENERAL.**—In order to provide for the long-term protection, preservation, and enhancement of the river segment designated by subsection (a), the Secretary is authorized to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act with—

- (i) the State of Connecticut;
- (ii) the towns of Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut; and
- (iii) appropriate local planning and environmental organizations.

(B) **CONSISTENCY.**—All cooperative agreements provided for under this section shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) **LAND MANAGEMENT.**—

(A) **ZONING ORDINANCES.**—For the purposes of the segments designated in subsection (a), the zoning ordinances adopted by the towns in Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut, including provisions for conservation of floodplains, wetlands and watercourses associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) **ACQUISITION OF LAND.**—The provisions of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) that prohibit Federal acquisition of lands by condemnation shall apply to the segments designated in subsection (a). The authority of the Secretary to acquire lands for the purposes of the segments designated in subsection (a) shall be limited to acquisition by donation or acquisition with the consent of the owner of the lands, and shall be subject to the additional criteria set forth in the management plan.

(5) **RAINBOW DAM.**—The designation made by subsection (a) shall not be construed to—

- (A) prohibit, pre-empt, or abridge the potential future licensing of the Rainbow Dam and Reservoir (including any and all aspects of its facilities, operations and transmission lines) by the Federal Energy Regulatory Commission as a federally licensed hydroelectric generation project under the Federal Power Act, provided that the Commission may, in the discretion of the Commission and consistent with this section, establish such reasonable terms and conditions in a hydropower license for Rainbow Dam as are necessary to reduce impacts identified by the Secretary as invading or unreasonably diminishing the scenic, recreational, and fish and wildlife values of the segments designated by subsection (a); or

(B) affect the operation of, or impose any flow or release requirements on, the unlicensed hydroelectric facility at Rainbow Dam and Reservoir.

(6) **RELATION TO NATIONAL PARK SYSTEM.**—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Lower Farmington River shall not be administered as part of the National Park System or be subject to regulations which govern the National Park System.

(c) **FARMINGTON RIVER, CONNECTICUT, DESIGNATION REVISION.**—Section 3(a)(156) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended in the first sentence—

- (1) by striking “14-mile” and inserting “15.1-mile”; and
- (2) by striking “to the downstream end of the New Hartford-Canton, Connecticut town line” and inserting “to the confluence with the Nepaug River”.

(d) **DEFINITIONS.**—For the purposes of this section:

(1) **MANAGEMENT PLAN.**—The term “management plan” means the management plan prepared by the Salmon Brook Wild and Scenic Study Committee entitled the “Lower Farmington River and Salmon Brook Management Plan” and dated June 2011.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 6103. SPECIAL RESOURCE STUDY OF PRESIDENT STREET STATION.

(a) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **STUDY AREA.**—The term “study area” means the President Street Station, a railroad terminal in Baltimore, Maryland, the history of which is tied to the growth of the railroad industry in the 19th century, the Civil War, the Underground Railroad, and the immigrant influx of the early 20th century.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

- (A) the results of the study; and
- (B) any conclusions and recommendations of the Secretary.

SEC. 6104. SPECIAL RESOURCE STUDY OF THURGOOD MARSHALL'S ELEMENTARY SCHOOL.

(a) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **STUDY AREA.**—The term “study area” means—

(A) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(B) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

- (A) the results of the study; and
- (B) any conclusions and recommendations of the Secretary.

SEC. 6105. SPECIAL RESOURCE STUDY OF JAMES K. POLK PRESIDENTIAL HOME.

(a) **IN GENERAL.**—The Secretary of the Interior (referred to in this section as the “Secretary”) shall conduct a special resource study of the site of the James K. Polk Home in Columbia, Tennessee, and adjacent property (referred to in this section as the “site”).

(b) **CRITERIA.**—The Secretary shall conduct the study under subsection (a) in accordance with section 100507 of title 54, United States Code.

(c) **CONTENTS.**—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the site;

(2) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(3) include cost estimates for any necessary acquisition, development, operation, and maintenance of the site;

(4) consult with interested Federal, State, or local governmental entities, private and nonprofit organizations, or other interested individuals; and

(5) identify alternatives for the management, administration, and protection of the site.

(d) **REPORT.**—Not later than 3 years after the date on which funds are made available to carry out the study under subsection (a),

the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings and conclusions of the study; and

(2) any recommendations of the Secretary.

SEC. 6106. NORTH COUNTRY NATIONAL SCENIC TRAIL ROUTE ADJUSTMENT.

(a) **ROUTE ADJUSTMENT.**—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended in the first sentence—

(1) by striking “thirty two hundred miles, extending from eastern New York State” and inserting “4,600 miles, extending from the Appalachian Trail in Vermont”; and

(2) by striking “Proposed North Country Trail” and all that follows through “June 1975.” and inserting “‘North Country National Scenic Trail, Authorized Route’ dated February 2014, and numbered 649/116870.”.

(b) **NO CONDEMNATION.**—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended by adding at the end the following: “No land or interest in land outside of the exterior boundary of any Federally administered area may be acquired by the Federal Government for the trail by condemnation.”.

SEC. 6107. DESIGNATION OF JAY S. HAMMOND WILDERNESS AREA.

(a) **DESIGNATION.**—The approximately 2,600,000 acres of National Wilderness Preservation System land located within the Lake Clark National Park and Preserve designated by section 201(e)(7)(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh(e)(7)(a)) shall be known and designated as the “Jay S. Hammond Wilderness Area”.

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the wilderness area referred to in subsection (a) shall be deemed to be a reference to the “Jay S. Hammond Wilderness Area”.

SEC. 6108. ADVISORY COUNCIL ON HISTORIC PRESERVATION.

Section 304101(a) of title 54, United States Code, is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (12), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) The General Chairman of the National Association of Tribal Historic Preservation Officers.”.

SEC. 6109. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.

(a) **DEFINITION OF ARLINGTON RIDGE TRACT.**—In this section, the term “Arlington Ridge tract” means the parcel of Federal land located in Arlington County, Virginia, known as the “Nevius Tract” and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) **ESTABLISHMENT OF VISITOR SERVICES FACILITY.**—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services to include a public restroom facility on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

Subtitle C—Sportsmen’s Access and Land Management Issues

PART I—NATIONAL POLICY

SEC. 6201. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) **IN GENERAL.**—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and

(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) **EXCLUSION.**—In this subtitle, the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

PART II—SPORTSMEN’S ACCESS TO FEDERAL LAND

SEC. 6211. DEFINITIONS.

In this part:

(1) **FEDERAL LAND.**—The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary of the Interior, with respect to land described in paragraph (1)(B).

SEC. 6212. FEDERAL LAND OPEN TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) **IN GENERAL.**—Subject to subsection (b), Federal land shall be open to hunting, fishing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 6213.

(b) **EFFECT OF PART.**—Nothing in this part opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of the date of enactment of this Act.

SEC. 6213. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) **AUTHORIZATION.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and in accordance with section 302(b) of the

Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the Secretary concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

(2) **REQUIREMENT.**—In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

(b) **CLOSURE PROCEDURES.**—

(1) **IN GENERAL.**—Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall—

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

(2) **PUBLIC NOTICE AND COMMENT.**—

(A) **IN GENERAL.**—Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding”; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of—

(I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

(B) **FINAL DECISION.**—In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

(iii) show how the resolution led to the closure.

(c) **TEMPORARY CLOSURES.**—

(1) **IN GENERAL.**—A temporary closure under this section may not exceed a period of 180 days.

(2) **RENEWAL.**—Except in an emergency, a temporary closure for the same area of land closed to the same activities—

(A) may not be renewed more than 3 times after the first temporary closure; and

(B) must be subject to a separate notice and comment procedure in accordance with subsection (b)(2).

(3) **EFFECT OF TEMPORARY CLOSURE.**—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting

under this section shall not become permanently closed to that activity without a separate public notice and opportunity to comment in accordance with subsection (b)(2).

(d) **REPORTING.**—On an annual basis, the Secretaries concerned shall—

(1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and

(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—

(A) a list of each area of Federal land temporarily or permanently subject to a closure;

(B) the acreage of each closure; and

(C) a survey of—

(i) the aggregate areas and acreage closed under this section in each State; and

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) **APPLICATION.**—This section shall not apply if the closure is—

(1) less than 14 days in duration; and

(2) covered by a special use permit.

SEC. 6214. SHOOTING RANGES.

(a) **IN GENERAL.**—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) **EXCEPTION.**—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range, within—

(1) a component of the National Landscape Conservation System;

(2) a component of the National Wilderness Preservation System;

(3) any area that is—

(A) designated as a wilderness study area;

(B) administratively classified as—

(i) wilderness-eligible; or

(ii) wilderness-suitable; or

(C) a primitive or semiprimitive area;

(4) a national monument, national volcanic monument, or national scenic area; or

(5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

SEC. 6215. FEDERAL ACTION TRANSPARENCY.

(a) **MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.**—

(1) **AGENCY PROCEEDINGS.**—Section 504 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking “, United States Code”;

(B) by redesignating subsection (f) as subsection (i); and

(C) by striking subsection (e) and inserting the following:

“(e)(1) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year under this section.

“(2) Each report under paragraph (1) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information

that may aid Congress in evaluating the scope and impact of such awards.

“(3)(A) Each report under paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(B) The disclosure of fees and other expenses required under subparagraph (A) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(f) As soon as practicable, and in any event not later than the date on which the first report under subsection (e)(1) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this section made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

“(1) The case name and number of the adversary adjudication, if available, hyperlinked to the case, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(h) The head of each agency shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).”

(2) **COURT CASES.**—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5)(A) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Energy Policy Modernization Act of 2016, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection.

“(B) Each report under subparagraph (A) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(C)(i) Each report under subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(ii) The disclosure of fees and other expenses required under clause (i) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(D) The Chairman of the Administrative Conference of the United States shall include

and clearly identify in each annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

“(i) any amounts paid under section 1304 of title 31 for a judgment in the case;

“(ii) the amount of the award of fees and other expenses; and

“(iii) the statute under which the plaintiff filed suit.

“(6) As soon as practicable, and in any event not later than the date on which the first report under paragraph (5)(A) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this subsection made on or after the date of enactment of the Energy Policy Modernization Act of 2016, the following information:

“(A) The case name and number, hyperlinked to the case, if available.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).”

(3) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 2412 of title 28, United States Code, is amended—

(A) in subsection (d)(3), by striking “United States Code,”; and

(B) in subsection (e)—

(i) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(ii) by striking “of such title” and inserting “of this title”.

(b) **JUDGMENT FUND TRANSPARENCY.**—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

“(d) Beginning not later than the date that is 60 days after the date of enactment of the Energy Policy Modernization Act of 2016, and unless the disclosure of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this section is tendered, the following information with regard to that payment:

“(1) The name of the specific agency or entity whose actions gave rise to the claim or judgment.

“(2) The name of the plaintiff or claimant.

“(3) The name of counsel for the plaintiff or claimant.

“(4) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.

“(5) A brief description of the facts that gave rise to the claim.

“(6) The name of the agency that submitted the claim.”.

PART III—FILMING ON FEDERAL LAND MANAGEMENT AGENCY LAND

SEC. 6221. COMMERCIAL FILMING.

(a) IN GENERAL.—Section 1 of Public Law 106-206 (16 U.S.C. 4601-6d) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITION OF SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior or the Secretary of Agriculture, as applicable, with respect to land under the respective jurisdiction of the Secretary.”;

(3) in subsection (b) (as so redesignated)—

(A) in paragraph (1)—

(i) in the first sentence, by striking “of the Interior or the Secretary of Agriculture (hereafter individually referred to as the ‘Secretary’ with respect to land (except land in a System unit as defined in section 100102 of title 54, United States Code) under their respective jurisdictions)”;

(ii) in subparagraph (B), by inserting “, except in the case of film crews of 3 or fewer individuals” before the period at the end; and

(B) by adding at the end the following:

“(3) FEE SCHEDULE.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, to enhance consistency in the management of Federal land, the Secretaries shall publish a single joint land use fee schedule for commercial filming and still photography.”;

(4) in subsection (c) (as so redesignated), in the second sentence, by striking “subsection (a)” and inserting “subsection (b)”;

(5) in subsection (d) (as so redesignated), in the heading, by inserting “Commercial” before “Still”;

(6) in paragraph (1) of subsection (f) (as so redesignated), by inserting “in accordance with the Federal Lands Recreation Enhancement Act (16 U.S.C. 6801 et seq.)” after “without further appropriation.”;

(7) in subsection (g) (as so redesignated)—

(A) by striking “The Secretary shall” and inserting the following:

“(1) IN GENERAL.—The Secretary shall”;

and

(B) by adding at the end the following:

“(2) CONSIDERATIONS.—The Secretary shall not consider subject matter or content as a criterion for issuing or denying a permit under this Act.”; and

(8) by adding at the end the following:

“(h) EXEMPTION FROM COMMERCIAL FILMING OR STILL PHOTOGRAPHY PERMITS AND FEES.—The Secretary shall not require persons holding commercial use authorizations or special recreation permits to obtain an additional permit or pay a fee for commercial filming or still photography under this Act if the filming or photography conducted is—

“(1) incidental to the permitted activity that is the subject of the commercial use authorization or special recreation permit; and

“(2) the holder of the commercial use authorization or special recreation permit is an individual or small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632)).

“(i) EXCEPTION FROM CERTAIN FEES.—Commercial filming or commercial still photography shall be exempt from fees under this Act, but not from recovery of costs under subsection (c), if the activity—

“(1) is conducted by an entity that is a small business concern (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632));

“(2) is conducted by a crew of not more than 3 individuals; and

“(3) uses only a camera and tripod.

“(j) APPLICABILITY TO NEWS GATHERING ACTIVITIES.—

“(1) IN GENERAL.—News gathering shall not be considered a commercial activity.

“(2) INCLUDED ACTIVITIES.—In this subsection, the term ‘news gathering’ includes, at a minimum, the gathering, recording, and filming of news and information related to news in any medium.”.

(b) CONFORMING AMENDMENTS.—Chapter 1009 of title 54, United States Code, is amended—

(1) by striking section 100905; and

(2) in the table of sections for chapter 1009 of title 54, United States Code, by striking the item relating to section 100905.

PART IV—BOWS, WILDLIFE MANAGEMENT, AND ACCESS OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING

SEC. 6231. BOWS IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 5001(a)), is amended by adding at the end the following:

“§ 104909. Bows in parks

“(a) DEFINITION OF NOT READY FOR IMMEDIATE USE.—The term ‘not ready for immediate use’ means—

“(1) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

“(2) with respect to a crossbow, uncocked.

“(b) VEHICULAR TRANSPORTATION AUTHORIZED.—The Director shall not promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit in the vehicle of the individual if—

“(1) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

“(2) the bows or crossbows that are not ready for immediate use remain inside the vehicle of the individual throughout the period during which the bows or crossbows are transported across System land; and

“(3) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code (as amended by section 5001(b)), is amended by inserting after the item relating to section 104908 the following:

“104909. Bows in parks.”.

SEC. 6232. WILDLIFE MANAGEMENT IN PARKS.

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 6231(a)), is amended by adding at the end the following:

“SEC. 104910. WILDLIFE MANAGEMENT IN PARKS.

“(a) USE OF QUALIFIED VOLUNTEERS.—If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law (including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.

“(b) REQUIREMENTS FOR QUALIFIED VOLUNTEERS.—Qualified volunteers providing assistance under subsection (a) shall be subject to—

“(1) any training requirements or qualifications established by the Secretary; and

“(2) any other terms and conditions that the Secretary may require.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54 (as amended by section 6231(b)), United States

Code, is amended by inserting after the item relating to section 104909 the following:

“104910. Wildlife management in parks.”.

SEC. 6233. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means—

(A) the Secretary of the Interior, with respect to land administered by—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service; and

(iii) the Director of the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—

(A) a State office of the Bureau of Land Management; or

(B) a regional office of—

(i) the National Park Service;

(ii) the United States Fish and Wildlife Service; or

(iii) the Forest Service.

(3) TRAVEL MANAGEMENT PLAN.—The term “travel management plan” means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section 4.10 of title 36, Code of Federal Regulations (or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(C) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(b) PRIORITY LISTS REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, annually during the 10-year period beginning on the date on which the first priority list is completed, and every 5 years after the end of the 10-year period, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

(A) to which there is no public access or egress; or

(B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) MINIMUM SIZE.—Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) CONSIDERATIONS.—In preparing the priority list required under paragraph (1), the Secretary shall consider with respect to the land—

(A) whether access is absent or merely restricted, including the extent of the restriction;

(B) the likelihood of resolving the absence of or restriction to public access;

(C) the potential for recreational use;

(D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and

(E) any other factor as determined by the Secretary.

(4) **ADJACENT LAND STATUS.**—For each parcel of land on the priority list, the Secretary shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) another Federal agency;

(B) a State, local, or tribal government; or

(C) a private landowner.

(5) **NOMINATION PROCESS.**—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) **ACCESS OPTIONS.**—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

(1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;

(2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or tribal governments to allow for such access and egress; and

(3) is consistent with the travel management plan in effect on the land.

(d) **PROTECTION OF PERSONALLY IDENTIFYING INFORMATION.**—In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) **WILLING OWNERS.**—For purposes of providing any permits to, or entering into agreements with, a State, local, or tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or tribal government or private landowner has granted or denied public access or egress to the land.

(f) **MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.**—In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(1) by motorized or non-motorized vehicles; and

(2) on foot or horseback.

(g) **EFFECT.**—

(1) **IN GENERAL.**—This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

(2) **EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.**—In preparing the priority list under subsection (b), the Secretary shall

only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

PART V—FEDERAL LAND TRANSACTION FACILITATION ACT

SEC. 6241. FEDERAL LAND TRANSACTION FACILITATION ACT.

(a) **IN GENERAL.**—The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking “on the date of enactment of this Act was” and inserting “is”;

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking “(as in effect on the date of enactment of this Act)”;

and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking “96-568” and inserting “96-586”; and

(ii) by striking “; or” and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting “Public Law 105-263;” before “112 Stat.”; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432; 120 Stat. 3028);

“(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2403);

“(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111-11);

“(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111-11);

“(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1108); or

“(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1121).”

(b) **FUNDS TO TREASURY.**—Of the amounts deposited in the Federal Land Disposal Account, there shall be transferred to the general fund of the Treasury \$1,000,000 for each of fiscal years 2016 through 2025.

PART VI—MISCELLANEOUS

SEC. 6251. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this subtitle or the amendments made by this subtitle—

(1) affects or modifies any treaty or other right of any federally recognized Indian tribe; or

(2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

SEC. 6252. NO PRIORITY.

Nothing in this subtitle or the amendments made by this subtitle provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

Subtitle D—Water Infrastructure and Related Matters

PART I—FONTENELLE RESERVOIR

SEC. 6301. AUTHORITY TO MAKE ENTIRE ACTIVE CAPACITY OF FONTENELLE RESERVOIR AVAILABLE FOR USE.

(a) **IN GENERAL.**—The Secretary of the Interior, in cooperation with the State of Wyoming, may amend the Definite Plan Report for the Seedskaadee Project authorized under the first section of the Act of April 11, 1956

(commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620), to provide for the study, design, planning, and construction activities that will enable the use of all active storage capacity (as may be defined or limited by legal, hydrologic, structural, engineering, economic, and environmental considerations) of Fontenelle Dam and Reservoir, including the placement of sufficient riprap on the upstream face of Fontenelle Dam to allow the active storage capacity of Fontenelle Reservoir to be used for those purposes for which the Seedskaadee Project was authorized.

(b) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—The Secretary of the Interior may enter into any contract, grant, cooperative agreement, or other agreement that is necessary to carry out subsection (a).

(2) **STATE OF WYOMING.**—

(A) **IN GENERAL.**—The Secretary of the Interior shall enter into a cooperative agreement with the State of Wyoming to work in cooperation and collaboratively with the State of Wyoming for planning, design, related preconstruction activities, and construction of any modification of the Fontenelle Dam under subsection (a).

(B) **REQUIREMENTS.**—The cooperative agreement under subparagraph (A) shall, at a minimum, specify the responsibilities of the Secretary of the Interior and the State of Wyoming with respect to—

(i) completing the planning and final design of the modification of the Fontenelle Dam under subsection (a);

(ii) any environmental and cultural resource compliance activities required for the modification of the Fontenelle Dam under subsection (a) including compliance with—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(III) subdivision 2 of division A of subtitle III of title 54, United States Code; and

(iii) the construction of the modification of the Fontenelle Dam under subsection (a).

(c) **FUNDING BY STATE OF WYOMING.**—Pursuant to the Act of March 4, 1921 (41 Stat. 1404, chapter 161; 43 U.S.C. 395), and as a condition of providing any additional storage under subsection (a), the State of Wyoming shall provide to the Secretary of the Interior funds for any work carried out under subsection (a).

(d) **OTHER CONTRACTING AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of the Interior may enter into contracts with the State of Wyoming, on such terms and conditions as the Secretary of the Interior and the State of Wyoming may agree, for division of any additional active capacity made available under subsection (a).

(2) **TERMS AND CONDITIONS.**—Unless otherwise agreed to by the Secretary of the Interior and the State of Wyoming, a contract entered into under paragraph (1) shall be subject to the terms and conditions of Bureau of Reclamation Contract No. 14-06-400-2474 and Bureau of Reclamation Contract No. 14-06-400-6193.

SEC. 6302. SAVINGS PROVISIONS.

Unless expressly provided in this part, nothing in this part modifies, conflicts with, preempts, or otherwise affects—

(1) the Act of December 31, 1928 (43 U.S.C. 617 et seq.) (commonly known as the “Boulder Canyon Project Act”);

(2) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000);

(3) the Act of July 19, 1940 (43 U.S.C. 618 et seq.) (commonly known as the “Boulder Canyon Project Adjustment Act”);

(4) the Treaty between the United States of America and Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, and supplementary protocol signed November 14, 1944, signed at Washington February 3, 1944 (59 Stat. 1219);

(5) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31);

(6) the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.);

(7) the Colorado River Basin Project Act (Public Law 90-537; 82 Stat. 885); or

(8) any State of Wyoming or other State water law.

PART II—BUREAU OF RECLAMATION TRANSPARENCY

SEC. 6311. DEFINITIONS.

In this part:

(1) **ASSET.**—

(A) IN GENERAL.—The term “asset” means any of the following assets that are used to achieve the mission of the Bureau of Reclamation to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:

(i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.

(ii) Capitalized and noncapitalized heavy equipment and other installed equipment.

(B) **INCLUSIONS.**—The term “asset” includes assets described in subparagraph (A) that are considered to be mission critical.

(2) **ASSET MANAGEMENT REPORT.**—The term “Asset Management Report” means—

(A) the annual plan prepared by the Bureau of Reclamation known as the “Asset Management Plan”; and

(B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau of Reclamation to evaluate and manage infrastructure assets of the Bureau of Reclamation.

(3) **MAJOR REPAIR AND REHABILITATION NEED.**—The term “major repair and rehabilitation need” means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

(4) **RECLAMATION FACILITY.**—The term “Reclamation facility” means each of the infrastructure assets that are owned by the Bureau of Reclamation at a Reclamation project.

(5) **RECLAMATION PROJECT.**—The term “Reclamation project” means a project that is owned by the Bureau of Reclamation, including all reserved works and transferred works owned by the Bureau of Reclamation.

(6) **RESERVED WORKS.**—The term “reserved works” means buildings, structures, facilities, or equipment that are owned by the Bureau of Reclamation for which operations and maintenance are performed by employees of the Bureau of Reclamation or through a contract entered into by the Bureau of Reclamation, regardless of the source of funding for the operations and maintenance.

(7) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(8) **TRANSFERRED WORKS.**—The term “transferred works” means a Reclamation facility at which operations and maintenance of the facility is carried out by a non-Federal entity under the provisions of a formal oper-

ations and maintenance transfer contract or other legal agreement with the Bureau of Reclamation.

SEC. 6312. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—

(1) describes the efforts of the Bureau of Reclamation—

(A) to maintain in a reliable manner all reserved works at Reclamation facilities; and

(B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and

(2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).

(b) **INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.**—

(1) IN GENERAL.—The Asset Management Report submitted under subsection (a) shall include—

(A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and

(B) to the extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.

(2) **INCLUSIONS.**—To the extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—

(A) a budget level cost estimate of the appropriations needed to complete each item; and

(B) an assignment of a categorical rating for each item, consistent with paragraph (3).

(3) **RATING REQUIREMENTS.**—

(A) IN GENERAL.—The system for assigning ratings under paragraph (2)(B) shall be—

(i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and

(ii) subject to the guidance and instructions issued under subparagraph (B).

(B) **GUIDANCE.**—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.

(4) **PUBLIC AVAILABILITY.**—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the Internet, the Asset Management Report required under subsection (a).

(5) **CONFIDENTIALITY.**—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.

(c) **UPDATES.**—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 6313(b)(2).

(d) **CONSULTATION.**—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—

(1) the Secretary of the Army (acting through the Chief of Engineers); and

(2) water and power contractors.

SEC. 6313. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

(a) IN GENERAL.—The Secretary shall coordinate with the non-Federal entities responsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 6312(b).

(b) **GUIDANCE.**—

(1) IN GENERAL.—After considering input from water and power contractors of the Bureau of Reclamation, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under section 6312(b)(3).

(2) **UPDATES.**—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 6312(c).

SEC. 6314. OFFSET.

Notwithstanding any other provision of law, in the case of the project authorized by section 1617 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h-12c), the maximum amount of the Federal share of the cost of the project under section 1631(d)(1) of that Act (43 U.S.C. 390h-13(d)(1)) otherwise available as of the date of enactment of this Act shall be reduced by \$2,000,000.

PART III—YAKIMA RIVER BASIN WATER ENHANCEMENT

SEC. 6321. SHORT TITLE.

This part may be cited as the “Yakima River Basin Water Enhancement Project Phase III Act of 2016”.

SEC. 6322. MODIFICATION OF TERMS, PURPOSES, AND DEFINITIONS.

(a) **MODIFICATION OF TERMS.**—Title XII of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by striking “Yakama Indian” each place it appears (except section 1204(g)) and inserting “Yakama”; and

(2) by striking “Superintendent” each place it appears and inserting “Manager”.

(b) **MODIFICATION OF PURPOSES.**—Section 1201 of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) to protect, mitigate, and enhance fish and wildlife and the recovery and maintenance of self-sustaining harvestable populations of fish and other aquatic life, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin through—

“(A) improved water management and the constructions of fish passage at storage and diversion dams, as authorized under the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.);

“(B) improved instream flows and water supplies;

“(C) improved water quality, watershed, and ecosystem function;

“(D) protection, creation, and enhancement of wetlands; and

“(E) other appropriate means of habitat improvement;”;

(2) in paragraph (2), by inserting “, municipal, industrial, and domestic water supply

and use purposes, especially during drought years, including reducing the frequency and severity of water supply shortages for prorateable irrigation entities" before the semicolon at the end;

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

"(3) to authorize the Secretary to make water available for purchase or lease for meeting municipal, industrial, and domestic water supply purposes;"

(6) by redesignating paragraphs (5) and (6) as paragraphs (6) and (8), respectively;

(7) by inserting after paragraph (4) (as so redesignated) the following:

"(5) to realize sufficient water savings from implementing the Yakima River Basin Integrated Water Resource Management Plan, so that not less than 85,000 acre feet of water savings are achieved by implementing the first phase of the Integrated Plan pursuant to section 1213(a), in addition to the 165,000 acre feet of water savings targeted through the Basin Conservation Program, as authorized on October 31, 1994;"

(8) in paragraph (6) (as so redesignated)—

(A) by inserting "an increase in" before "voluntary"; and

(B) by striking "and" at the end;

(9) by inserting after paragraph (6) (as so redesignated) the following:

"(7) to encourage an increase in the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities to enhance water management in the Yakima River basin;"

(10) in paragraph (8) (as redesignated by paragraph (6)), by striking the period at the end and inserting a semicolon; and

(11) by adding at the end the following:

"(9) to improve the resilience of the ecosystems, economies, and communities in the Basin as they face drought, hydrologic changes, and other related changes and variability in natural and human systems, for the benefit of both the people and the fish and wildlife of the region; and

"(10) to authorize and implement the Yakima River Basin Integrated Water Resource Management Plan as Phase III of the Yakima River Basin Water Enhancement Project, as a balanced and cost-effective approach to maximize benefits to the communities and environment in the Basin."

(c) MODIFICATION OF DEFINITIONS.—Section 1202 of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by redesignating paragraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (8), (10), (11), (13), (14), (15), (16), (18), and (19), respectively;

(2) by inserting after paragraph (5) the following:

"(6) DESIGNATED FEDERAL OFFICIAL.—The term 'designated Federal official' means the Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

"(7) INTEGRATED PLAN.—The terms 'Integrated Plan' and 'Yakima River Basin Integrated Water Resource Plan' mean the plan and activities authorized by the Yakima River Basin Water Enhancement Project Phase III Act of 2016 and the amendments made by that part, to be carried out in cooperation with and in addition to activities of the State of Washington and Yakama Nation."

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:

"(9) MUNICIPAL, INDUSTRIAL, AND DOMESTIC WATER SUPPLY AND USE.—The term 'municipal, industrial, and domestic water supply and use' means the supply and use of water for—

"(A) domestic consumption (whether urban or rural);

"(B) maintenance and protection of public health and safety;

"(C) manufacture, fabrication, processing, assembly, or other production of a good or commodity;

"(D) production of energy;

"(E) fish hatcheries; or

"(F) water conservation activities relating to a use described in subparagraphs (A) through (E)."

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

"(12) PRORATABLE IRRIGATION ENTITY.—The term 'prorateable irrigation entity' means a district, project, or State-recognized authority, board of control, agency, or entity located in the Yakima River basin that—

"(A) manages and delivers irrigation water to farms in the basin; and

"(B) possesses, or the members of which possess, water rights that are proratable during periods of water shortage."; and

(5) by inserting after paragraph (16) (as redesignated by paragraph (1)) the following:

"(17) YAKIMA ENHANCEMENT PROJECT; YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.—The terms 'Yakima Enhancement Project' and 'Yakima River Basin Water Enhancement Project' mean the Yakima River basin water enhancement project authorized by Congress pursuant to this Act and other Acts (including Public Law 96-162 (93 Stat. 1241), section 109 of Public Law 98-381 (16 U.S.C. 839b note; 98 Stat. 1340), Public Law 105-62 (111 Stat. 1320), and Public Law 106-372 (114 Stat. 1425)) to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima River basin."

SEC. 6323. YAKIMA RIVER BASIN WATER CONSERVATION PROGRAM.

Section 1203 of Public Law 103-434 (108 Stat. 4551) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking "title" and inserting "section"; and

(ii) in the third sentence, by striking "within 5 years of the date of enactment of this Act"; and

(B) in paragraph (2), by striking "irrigation" and inserting "the number of irrigated acres";

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in each of subparagraphs (A) through (D), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (E), by striking the comma at the end and inserting "; and";

(iii) in subparagraph (F), by striking "Department of Wildlife of the State of Washington, and" and inserting "Department of Fish and Wildlife of the State of Washington"; and

(iv) by striking subparagraph (G);

(B) in paragraph (3)—

(i) in each of subparagraphs (A) through (C), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (D), by striking ", and" and inserting a semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(F) provide recommendations to advance the purposes and programs of the Yakima

Enhancement Project, including the Integrated Plan."; and

(C) by striking paragraph (4) and inserting the following:

"(4) AUTHORITY OF DESIGNATED FEDERAL OFFICIAL.—The designated Federal official may—

"(A) arrange and provide logistical support for meetings of the Conservation Advisory Group;

"(B) use a facilitator to serve as a moderator for meetings of the Conservation Advisory Group or provide additional logistical support; and

"(C) grant any request for a facilitator by any member of the Conservation Advisory Group.";

(3) in subsection (d), by adding at the end the following:

"(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

"(A) IN GENERAL.—The State or the Federal Government may fund not more than the 17.5 percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding by the Federal Government of the local share of the costs shall provide a quantifiable public benefit in meeting Federal responsibilities in the Basin and the purposes of this title.

"(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title."

(4) in subsection (e), by striking the first sentence and inserting the following: "To participate in the Basin Conservation Program, as described in subsection (b), an entity shall submit to the Secretary a proposed water conservation plan.";

(5) in subsection (i)(3)—

(A) by striking "purchase or lease" each place it appears and inserting "purchase, lease, or management"; and

(B) in the third sentence, by striking "made immediately upon availability" and all that follows through "Committee" and inserting "continued as needed to provide water to be used by the Yakima Project Manager as recommended by the System Operations Advisory Committee and the Conservation Advisory Group"; and

(6) in subsection (j)(4), in the first sentence, by striking "initial acquisition" and all that follows through "flushing flows" and inserting "acquisition of water from willing sellers or lessors specifically to provide improved instream flows for anadromous and resident fish and other aquatic life, including pulse flows to facilitate outward migration of anadromous fish".

SEC. 6324. YAKIMA BASIN WATER PROJECTS, OPERATIONS, AND AUTHORIZATIONS.

(a) YAKAMA NATION PROJECTS.—Section 1204 of Public Law 103-434 (108 Stat. 4555) is amended—

(1) in subsection (a)(2), in the first sentence, by striking "not more than \$23,000,000" and inserting "not more than \$100,000,000"; and

(2) in subsection (g)—

(A) by striking the subsection heading and inserting "REDESIGNATION OF YAKAMA INDIAN NATION TO YAKAMA NATION.—";

(B) by striking paragraph (1) and inserting the following:

"(1) REDESIGNATION.—The Confederated Tribes and Bands of the Yakama Indian Nation shall be known and designated as the

'Confederated Tribes and Bands of the Yakama Nation'.'; and

(C) in paragraph (2), by striking "deemed to be a reference to the 'Confederated Tribes and Bands of the Yakama Indian Nation'." and inserting "deemed to be a reference to the 'Confederated Tribes and Bands of the Yakama Nation'.".

(b) OPERATION OF YAKIMA BASIN PROJECTS.—Section 1205 of Public Law 103-434 (108 Stat. 4557) is amended—

(1) in subsection (a)—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting "additional" after "secure";

(bb) by striking "flushing" and inserting "pulse"; and

(cc) by striking "uses" and inserting "uses, in addition to the quantity of water provided under the treaty between the Yakama Nation and the United States";

(II) by striking clause (ii);

(III) by redesignating clause (iii) as clause (ii); and

(IV) in clause (ii) (as so redesignated) by inserting "and water rights mandated" after "goals"; and

(i) in subparagraph (B)(i), in the first sentence, by inserting "in proportion to the funding received" after "Program";

(2) in subsection (b) (as amended by section 6322(a)(2)), in the second sentence, by striking "instream flows for use by the Yakima Project Manager as flushing flows or as otherwise" and inserting "fishery purposes, as"; and

(3) in subsection (e), by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—Additional purposes of the Yakima Project shall be any of the following:

"(A) To recover and maintain self-sustaining harvestable populations of native fish, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin.

"(B) To protect, mitigate, and enhance aquatic life and wildlife.

"(C) Recreation.

"(D) Municipal, industrial, and domestic use.".

(c) LAKE CLE ELUM AUTHORIZATION OF APPROPRIATIONS.—Section 1206(a)(1) of Public Law 103-434 (108 Stat. 4560), is amended, in the matter preceding subparagraph (A), by striking "at September" and all that follows through "to—" and inserting "not more than \$12,000,000 to—".

(d) ENHANCEMENT OF WATER SUPPLIES FOR YAKIMA BASIN TRIBUTARIES.—Section 1207 of Public Law 103-434 (108 Stat. 4560) is amended—

(1) in the heading, by striking "SUPPLIES" and inserting "MANAGEMENT";

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "supplies" and inserting "management";

(B) in paragraph (1), by inserting "and water supply entities" after "owners"; and

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting "that choose not to participate or opt out of tributary enhancement projects pursuant to this section" after "water right owners"; and

(ii) in subparagraph (B), by inserting "non-participating" before "tributary water users";

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking the paragraph designation and all that follows through "(but not limited to)—" and inserting the following:

"(1) IN GENERAL.—The Secretary, following consultation with the State of Washington, tributary water right owners, and the Yakama Nation, and on agreement of appropriate water right owners, is authorized to conduct studies to evaluate measures to further Yakima Project purposes on tributaries to the Yakima River. Enhancement programs that use measures authorized by this subsection may be investigated and implemented by the Secretary in tributaries to the Yakima River, including Taneum Creek, other areas, or tributary basins that currently or could potentially be provided supplemental or transfer water by entities, such as the Kittitas Reclamation District or the Yakima-Tieton Irrigation District, subject to the condition that activities may commence on completion of applicable and required feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development, as appropriate. Measures to evaluate include—";

(ii) by indenting subparagraphs (A) through (F) appropriately;

(iii) in subparagraph (A), by inserting before the semicolon at the end the following: ", including irrigation efficiency improvements (in coordination with programs of the Department of Agriculture), consolidation of diversions or administration, and diversion scheduling or coordination";

(iv) by redesignating subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively;

(v) by inserting after subparagraph (B) the following:

"(C) improvements in irrigation system management or delivery facilities within the Yakima River basin when those improvements allow for increased irrigation system conveyance and corresponding reduction in diversion from tributaries or flow enhancements to tributaries through direct flow supplementation or groundwater recharge;

"(D) improvements of irrigation system management or delivery facilities to reduce or eliminate excessively high flows caused by the use of natural streams for conveyance or irrigation water or return water";

(vi) in subparagraph (E) (as redesignated by clause (iv)), by striking "ground water" and inserting "groundwater recharge and";

(vii) in subparagraph (G) (as redesignated by clause (iv)), by inserting "or transfer" after "purchase"; and

(viii) in subparagraph (H) (as redesignated by clause (iv)), by inserting "stream processes and" before "stream habitats";

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "the Taneum Creek study" and inserting "studies under this subsection";

(ii) in subparagraph (B)—

(I) by striking "and economic" and inserting "infrastructure, economic, and land use"; and

(II) by striking "and" at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(D) any related studies already underway or undertaken."; and

(C) in paragraph (3), in the first sentence, by inserting "of each tributary or group of tributaries" after "study";

(4) in subsection (c)—

(A) in the heading, by inserting "AND NON-SURFACE STORAGE" after "NONSTORAGE"; and

(B) in the matter preceding paragraph (1), by inserting "and nonsurface storage" after "nonstorage";

(5) by striking subsection (d);

(6) by redesignating subsection (e) as subsection (d); and

(7) in paragraph (2) of subsection (d) (as so redesignated)—

(A) in the first sentence—

(i) by inserting "and implementation" after "investigation";

(ii) by striking "other" before "Yakima River"; and

(iii) by inserting "and other water supply entities" after "owners"; and

(B) by striking the second sentence.

(e) CHANDLER PUMPING PLANT AND POWER-PLANT-OPERATIONS AT PROSSER DIVERSION DAM.—Section 1208(d) of Public Law 103-434 (108 Stat. 4562; 114 Stat. 1425) is amended by inserting "negatively" before "affected".

(f) INTERIM COMPREHENSIVE BASIN OPERATING PLAN.—Section 1210(c) of Public Law 103-434 (108 Stat. 4564) is amended by striking "\$100,000" and inserting "\$200,000".

(g) ENVIRONMENTAL COMPLIANCE.—Section 1211 of Public Law 103-434 (108 Stat. 4564) is amended by striking "\$2,000,000" and inserting "\$5,000,000".

SEC. 6325. AUTHORIZATION OF PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

Title XII of Public Law 103-434 (108 Stat. 4550) is amended by adding at the end the following:

"SEC. 1213. AUTHORIZATION OF THE INTEGRATED PLAN AS PHASE III OF YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.

"(a) INTEGRATED PLAN.—

"(1) IN GENERAL.—The Secretary shall implement the Integrated Plan as Phase III of the Yakima River Basin Water Enhancement Project in accordance with this section and applicable laws.

"(2) INITIAL DEVELOPMENT PHASE OF THE INTEGRATED PLAN.—

"(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and Yakama Nation and subject to feasibility studies, environmental reviews, and the availability of appropriations, shall implement an initial development phase of the Integrated Plan, to—

"(i) complete the planning, design, and construction or development of upstream and downstream fish passage facilities, as previously authorized by the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.) at Cle Elum Reservoir and another Yakima Project reservoir identified by the Secretary as consistent with the Integrated Plan, subject to the condition that, if the Yakima Project reservoir identified by the Secretary contains a hydropower project licensed by the Federal Energy Regulatory Commission, the Secretary shall cooperate with the Federal Energy Regulatory Commission in a timely manner to ensure that actions taken by the Secretary are consistent with the applicable hydropower project license;

"(ii) negotiate long-term agreements with participating prorateable irrigation entities in the Yakima Basin and, acting through the Bureau of Reclamation, coordinate between Bureaus of the Department of the Interior and with the heads of other Federal agencies to negotiate agreements concerning leases, easements, and rights-of-way on Federal land, and other terms and conditions determined to be necessary to allow for the non-Federal financing, construction, operation, and maintenance of—

"(I) new facilities needed to access and deliver inactive storage in Lake Kachess for the purpose of providing drought relief for irrigation (known as the 'Kachess Drought Relief Pumping Plant'); and

“(II) a conveyance system to allow transfer of water between Keechelus Reservoir to Kachess Reservoir for purposes of improving operational flexibility for the benefit of both fish and irrigation (known as the ‘K to K Pipeline’);

“(iii) participate in, provide funding for, and accept non-Federal financing for—

“(I) water conservation projects, not subject to the provisions of the Basin Conservation Program described in section 1203, that are intended to partially implement the Integrated Plan by providing 85,000 acre-feet of conserved water to improve tributary and mainstem stream flow; and

“(II) aquifer storage and recovery projects;

“(iv) study, evaluate, and conduct feasibility analyses and environmental reviews of fish passage, water supply (including groundwater and surface water storage), conservation, habitat restoration projects, and other alternatives identified as consistent with the purposes of this Act, for the initial and future phases of the Integrated Plan;

“(v) coordinate with and assist the State of Washington in implementing a robust water market to enhance water management in the Yakima River basin, including—

“(I) assisting in identifying ways to encourage and increase the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities in the Yakima River basin;

“(II) providing technical assistance, including scientific data and market information; and

“(III) negotiating agreements that would facilitate voluntary water transfers between entities, including as appropriate, the use of federally managed infrastructure; and

“(vi) enter into cooperative agreements with, or, subject to a minimum non-Federal cost-sharing requirement of 50 percent, make grants to, the Yakama Nation, the State of Washington, Yakima River basin irrigation districts, water districts, conservation districts, other local governmental entities, nonprofit organizations, and land owners to carry out this title under such terms and conditions as the Secretary may require, including the following purposes:

“(I) Land and water transfers, leases, and acquisitions from willing participants, so long as the acquiring entity shall hold title and be responsible for any and all required operations, maintenance, and management of that land and water.

“(II) To combine or relocate diversion points, remove fish barriers, or for other activities that increase flows or improve habitat in the Yakima River and its tributaries in furtherance of this title.

“(III) To implement, in partnership with Federal and non-Federal entities, projects to enhance the health and resilience of the watershed.

“(B) COMMENCEMENT DATE.—The Secretary shall commence implementation of the activities included under the initial development phase pursuant to this paragraph—

“(i) on the date of enactment of this section; and

“(ii) on completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development.

“(3) INTERMEDIATE AND FINAL PHASES.—

“(A) IN GENERAL.—The Secretary, in coordination with the State of Washington and in consultation with the Yakama Nation, shall develop plans for intermediate and final development phases of the Integrated

Plan to achieve the purposes of this Act, including conducting applicable feasibility studies, environmental reviews, and other relevant studies needed to develop the plans.

“(B) INTERMEDIATE PHASE.—The Secretary shall develop an intermediate development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 10 years after the date of enactment of this section.

“(C) FINAL PHASE.—The Secretary shall develop a final development phase to implement the Integrated Plan that, subject to authorization and appropriation, would commence not later than 20 years after the date of enactment of this section.

“(4) CONTINGENCIES.—The implementation by the Secretary of projects and activities identified for implementation under the Integrated Plan shall be—

“(A) subject to authorization and appropriation;

“(B) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development;

“(C) implemented on public review and a determination by the Secretary that design, construction, and operation of a proposed project or activity is in the best interest of the public; and

“(D) in compliance with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

“(5) PROGRESS REPORT.—

“(A) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Secretary, in conjunction with the State of Washington and in consultation with the Yakama Nation, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a progress report on the development and implementation of the Integrated Plan.

“(B) REQUIREMENTS.—The progress report under this paragraph shall—

“(i) provide a review and reassessment, if needed, of the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan;

“(ii) assess, through performance metrics developed at the initiation of, and measured throughout the implementation of, the Integrated Plan, the degree to which the implementation of the initial development phase addresses the objectives and all elements of the Integrated Plan;

“(iii) identify the amount of Federal funding and non-Federal contributions received and expended during the period covered by the report;

“(iv) describe the pace of project development during the period covered by the report;

“(v) identify additional projects and activities proposed for inclusion in any future phase of the Integrated Plan to address the objectives of the Integrated Plan, as applied to all elements of the Integrated Plan; and

“(vi) for water supply projects—

“(I) provide a preliminary discussion of the means by which—

“(aa) water and costs associated with each recommended project would be allocated among authorized uses; and

“(bb) those allocations would be consistent with the objectives of the Integrated Plan; and

“(II) establish a plan for soliciting and formalizing subscriptions among individuals

and entities for participation in any of the recommended water supply projects that will establish the terms for participation, including fiscal obligations associated with subscription.

“(b) FINANCING, CONSTRUCTION, OPERATION, AND MAINTENANCE OF KACHESS DROUGHT RELIEF PUMPING PLANT AND K TO K PIPELINE.—

“(1) AGREEMENTS.—Long-term agreements negotiated between the Secretary and participating proratable irrigation entities in the Yakima Basin for the non-Federal financing, construction, operation, and maintenance of the Drought Relief Pumping Plant and K to K Pipeline shall include provisions regarding—

“(A) responsibilities of the participating proratable irrigation entities for the planning, design, and construction of infrastructure in consultation and coordination with the Secretary;

“(B) property titles and responsibilities of the participating proratable irrigation entities for the maintenance of and liability for all infrastructure constructed under this title;

“(C) operation and integration of the projects by the Secretary in the operation of the Yakima Project;

“(D) costs associated with the design, financing, construction, operation, maintenance, and mitigation of projects, with the costs of Federal oversight and review to be nonreimbursable to the participating proratable irrigation entities and the Yakima Project; and

“(E) responsibilities for the pumping and operational costs necessary to provide the total water supply available made inaccessible due to drought pumping during the preceding 1 or more calendar years, in the event that the Kachess Reservoir fails to refill as a result of pumping drought storage water during the preceding 1 or more calendar years, which shall remain the responsibility of the participating proratable irrigation entities.

“(2) USE OF KACHESS RESERVOIR STORED WATER.—

“(A) IN GENERAL.—The additional stored water made available by the construction of facilities to access and deliver inactive storage in Kachess Reservoir under subsection (a)(2)(A)(ii)(I) shall—

“(i) be considered to be Yakima Project water;

“(ii) not be part of the total water supply available, as that term is defined in various court rulings; and

“(iii) be used exclusively by the Secretary—

“(I) to enhance the water supply in years when the total water supply available is not sufficient to provide 70 percent of proratable entitlements in order to make that additional water available up to 70 percent of proratable entitlements to the Kittitas Reclamation District, the Roza Irrigation District, or other proratable irrigation entities participating in the construction, operation, and maintenance costs of the facilities under this title under such terms and conditions to which the districts may agree, subject to the conditions that—

“(aa) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from Kachess Reservoir inactive storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

“(bb) the additional supply made available under this clause shall be available to participating individuals and entities in proportion to the proratable entitlements of the participating individuals and entities, or in such other proportion as the participating entities may agree; and

“(II) to facilitate reservoir operations in the reach of the Yakima River between Keechelus Dam and Easton Dam for the propagation of anadromous fish.

“(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

“(3) COMMENCEMENT.—The Secretary shall not commence entering into agreements pursuant to subsection (a)(2)(A)(ii) or subsection (b)(1) or implementing any activities pursuant to the agreements before the date on which—

“(A) all applicable and required feasibility studies, environmental reviews, and cost-benefit analyses have been completed and include favorable recommendations for further project development, including an analysis of—

“(i) the impacts of the agreements and activities conducted pursuant to subsection (a)(2)(A)(ii) on adjacent communities, including potential fire hazards, water access for fire districts, community and homeowner wells, future water levels based on projected usage, recreational values, and property values; and

“(ii) specific options and measures for mitigating the impacts, as appropriate;

“(B) the Secretary has made the agreements and any applicable project designs, operations plans, and other documents available for public review and comment in the Federal Register for a period of not less than 60 days; and

“(C) the Secretary has made a determination, consistent with applicable law, that the agreements and activities to which the agreements relate—

“(i) are in the public interest; and

“(ii) could be implemented without significant adverse impacts to the environment.

“(4) ELECTRICAL POWER ASSOCIATED WITH KACHESS DROUGHT RELIEF PUMPING PLANT.—

“(A) IN GENERAL.—The Administrator of the Bonneville Power Administration, pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.), shall provide to the Secretary project power to operate the Kachess Pumping Plant constructed under this title if inactive storage in Kachess Reservoir is needed to provide drought relief for irrigation, subject to the requirements of subparagraphs (B) and (C).

“(B) DETERMINATION.—Power may be provided under subparagraph (A) only if—

“(i) there is in effect a drought declaration issued by the State of Washington;

“(ii) there are conditions that have led to 70 percent or less water delivery to proratable irrigation districts, as determined by the Secretary; and

“(iii) the Secretary determines that it is appropriate to provide power under that subparagraph.

“(C) PERIOD OF AVAILABILITY.—Power under subparagraph (A) shall be provided until the date on which the Secretary determines that power should no longer be provided under that subparagraph, but for not more than a 1-year period or the period during which the Secretary determines that drought mitigation measures are necessary in the Yakima River basin.

“(D) RATE.—The Administrator of the Bonneville Power Administration shall provide power under subparagraph (A) at the then-applicable lowest Bonneville Power Administration rate for public body, cooperative, and Federal agency customers firm obligations, which as of the date of enactment of this section is the priority firm Tier 1 rate, and shall not include any irrigation discount.

“(E) LOCAL PROVIDER.—During any period in which power is not being provided under subparagraph (A), the power needed to operate the Kachess Pumping Plant shall be obtained by the Secretary from a local provider.

“(F) COSTS.—The cost of power for such pumping, station service power, and all costs of transmitting power from the Federal Columbia River Power System to the Yakima Enhancement Project pumping facilities shall be borne by irrigation districts receiving the benefits of that water.

“(G) DUTIES OF COMMISSIONER.—The Commissioner of Reclamation shall be responsible for arranging transmission for deliveries of Federal power over the Bonneville system through applicable tariff and business practice processes of the Bonneville system and for arranging transmission for deliveries of power obtained from a local provider.

“(c) DESIGN AND USE OF GROUNDWATER RECHARGE PROJECTS.—

“(1) IN GENERAL.—Any water supply that results from an aquifer storage and recovery project shall not be considered to be a part of the total water supply available if—

“(A) the water for the aquifer storage and recovery project would not be available for use, but instead for the development of the project;

“(B) the aquifer storage and recovery project will not otherwise impair any water supply available for any individual or entity entitled to use the total water supply available; and

“(C) the development of the aquifer storage and recovery project will not impair fish or other aquatic life in any localized stream reach.

“(2) PROJECT TYPES.—The Secretary may provide technical assistance for, and participate in, any of the following 3 types of groundwater recharge projects (including the incorporation of groundwater recharge projects into Yakima Project operations, as appropriate):

“(A) Aquifer recharge projects designed to redistribute Yakima Project water within a water year for the purposes of supplementing stream flow during the irrigation season, particularly during storage control, subject to the condition that if such a project is designed to supplement a mainstem reach, the water supply that results from the project shall be credited to instream flow targets, in lieu of using the total water supply available to meet those targets.

“(B) Aquifer storage and recovery projects that are designed, within a given water year or over multiple water years—

“(i) to supplement or mitigate for municipal uses;

“(ii) to supplement municipal supply in a subsurface aquifer; or

“(iii) to mitigate the effect of groundwater use on instream flow or senior water rights.

“(C) Aquifer storage and recovery projects designed to supplement existing irrigation water supply, or to store water in subsurface aquifers, for use by the Kittitas Reclamation District, the Roza Irrigation District, or any other proratable irrigation entity participating in the repayment of the construction,

operation, and maintenance costs of the facilities under this section during years in which the total water supply available is insufficient to provide to those proratable irrigation entities all water to which the entities are entitled, subject to the conditions that—

“(i) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from aquifer storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions to which the Bureau of Indian Affairs and the Yakama Nation may agree; and

“(ii) nothing in this subparagraph affects (as in existence on the date of enactment of this section) any contract, law (including regulations) relating to repayment costs, water right, or Yakama Nation treaty right.

“(d) FEDERAL COST-SHARE.—

“(1) IN GENERAL.—The Federal cost-share of a project carried out under this section shall be determined in accordance with the applicable laws (including regulations) and policies of the Bureau of Reclamation.

“(2) INITIAL PHASE.—The Federal cost-share for the initial development phase of the Integrated Plan shall not exceed 50 percent of the total cost of the initial development phase.

“(3) STATE AND OTHER CONTRIBUTIONS.—The Secretary may accept as part of the non-Federal cost-share of a project carried out under this section, and expend as if appropriated, any contribution (including in-kind services) by the State of Washington or any other individual or entity that the Secretary determines will enhance the conduct and completion of the project.

“(4) LIMITATION ON USE OF OTHER FEDERAL FUNDS.—Except as otherwise provided in this title, other Federal funds may not be used to provide the non-Federal cost-share of a project carried out under this section.

“(e) SAVINGS AND CONTINGENCIES.—Nothing in this section shall—

“(1) be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.);

“(2) affect any contract in existence on the date of enactment of the Yakima River Basin Water Enhancement Project Phase III Act of 2016 that was executed pursuant to the reclamation laws;

“(3) affect any contract or agreement between the Bureau of Indian Affairs and the Bureau of Reclamation;

“(4) affect, waive, abrogate, diminish, define, or interpret the treaty between the Yakama Nation and the United States; or

“(5) constrain the continued authority of the Secretary to provide fish passage in the Yakima Basin in accordance with the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.).

“SEC. 1214. OPERATIONAL CONTROL OF WATER SUPPLIES.

“The Secretary shall retain authority and discretion over the management of project supplies to optimize operational use and flexibility to ensure compliance with all applicable Federal and State laws, treaty rights of the Yakama Nation, and legal obligations, including those contained in this Act. That authority and discretion includes the ability of the United States to store, deliver, conserve, and reuse water supplies deriving from projects authorized under this title.”

PART IV—RESERVOIR OPERATION IMPROVEMENT

SEC. 6331. RESERVOIR OPERATION IMPROVEMENT.

(a) DEFINITIONS.—In this section:

(1) **RESERVED WORKS.**—The term “reserved works” means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Army.

(3) **TRANSFERRED WORKS.**—The term “transferred works” means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity, under the provisions of a formal operation and maintenance transfer contract.

(4) **TRANSFERRED WORKS OPERATING ENTITY.**—The term “transferred works operating entity” means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) **REPORT.**—Not later than 360 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report including, for any State in which a county designated by the Secretary of Agriculture as a drought disaster area during water year 2015 is located, a list of projects, including Corps of Engineers projects, and those non-Federal projects and transferred works that are operated for flood control in accordance with rules prescribed by the Secretary pursuant to section 7 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 890, chapter 665), including, as applicable—

(1) the year the original water control manual was approved;

(2) the year for any subsequent revisions to the water control plan and manual of the project;

(3) a list of projects for which—

(A) operational deviations for drought contingency have been requested;

(B) the status of the request; and

(C) a description of how water conservation and water quality improvements were addressed; and

(4) a list of projects for which permanent or seasonal changes to storage allocations have been requested, and the status of the request.

(c) **PROJECT IDENTIFICATION.**—Not later than 60 days after the date of completion of the report under subsection (b), the Secretary shall identify any projects described in the report—

(1) for which the modification of the water operations manuals, including flood control rule curve, would be likely to enhance existing authorized project purposes, including for water supply benefits and flood control operations;

(2) for which the water control manual and hydrometeorological information establishing the flood control rule curves of the project have not been substantially revised during the 15-year period ending on the date of review by the Secretary; and

(3) for which the non-Federal sponsor or sponsors of a Corps of Engineers project, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, has submitted to the Secretary a written request to revise water operations manuals, including flood control rule curves, based on the use of improved weather forecasting or run-off forecasting methods, new watershed data, changes to project operations, or structural improvements.

(d) **PILOT PROJECTS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of identification of projects under subsection (c), if any, the Secretary shall carry out not fewer than 15 pilot projects, which shall include not less than 6 non-Federal projects, to implement revisions of water operations manuals, including flood control rule curves, based on the best available science, which may include—

(A) forecast-informed operations;

(B) new watershed data; and

(C) if applicable, in the case of non-Federal projects, structural improvements.

(2) **CONSULTATION.**—In implementing a pilot project under this subsection, the Secretary shall consult with all affected interests, including—

(A) non-Federal entities responsible for operations and maintenance costs of a Federal facility;

(B) individuals and entities with storage entitlements; and

(C) local agencies with flood control responsibilities downstream of a facility.

(e) **COORDINATION WITH NON-FEDERAL PROJECT ENTITIES.**—If a project identified under subsection (c) is—

(1) a non-Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with the non-Federal project owner; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with the non-Federal project owner describing the scope and goals of the activity and the coordination among the parties; and

(2) a Federal project, the Secretary, prior to carrying out an activity under this section, shall—

(A) consult with each Federal and non-Federal entity (including a municipal water district, irrigation district, joint powers authority, transferred works operating entity, or other local governmental entity) that currently—

(i) manages (in whole or in part) a Federal dam or reservoir; or

(ii) is responsible for operations and maintenance costs; and

(B) enter into a cooperative agreement, memorandum of understanding, or other agreement with each such entity describing the scope and goals of the activity and the coordination among the parties.

(f) **CONSIDERATION.**—In designing and implementing a forecast-informed reservoir operations plan under subsection (d) or (g), the Secretary may consult with the appropriate agencies within the Department of the Interior and the Department of Commerce with expertise in atmospheric, meteorological, and hydrologic science to consider—

(1) the relationship between ocean and atmospheric conditions, including—

(A) the El Niño and La Niña cycles; and

(B) the potential for above-normal, normal, and below-normal rainfall for the coming water year, including consideration of atmospheric river forecasts;

(2) the precipitation and runoff index specific to the basin and watershed of the relevant dam or reservoir, including incorporating knowledge of hydrological and meteorological conditions that influence the timing and quantity of runoff;

(3) improved hydrologic forecasting for precipitation, snowpack, and soil moisture conditions;

(4) an adjustment of operational flood control rule curves to optimize water supply storage and reliability, hydropower production, environmental benefits for flows and

temperature, and other authorized project benefits, without a reduction in flood safety; and

(5) proactive management in response to changes in forecasts.

(g) **FUNDING.**—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to fund all or a portion of the cost of carrying out a review or revision of operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, operational agreements with non-Federal entities, and any associated environmental documentation for—

(1) a Corps of Engineers project;

(2) a non-Federal project regulated for flood control by the Secretary; or

(3) a Bureau of Reclamation transferred works regulated for flood control by the Secretary.

(h) **EFFECT.**—

(1) **MANUAL REVISIONS.**—A revision of a manual shall not interfere with the authorized purposes of a Federal project or the existing purposes of a non-Federal project regulated for flood control by the Secretary.

(2) **EFFECT OF SECTION.**—

(A) Nothing in this section authorizes the Secretary to carry out, at a Federal dam or reservoir, any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act.

(B) Nothing in this section affects or modifies any obligation of the Secretary under State law.

(C) Nothing in this section affects or modifies any obligation to comply with any applicable Federal law.

(3) **BUREAU OF RECLAMATION RESERVED WORKS EXCLUDED.**—This section—

(A) shall not apply to any dam or reservoir operated by the Bureau of Reclamation as a reserved work, unless all non-Federal project sponsors of a reserved work jointly provide to the Secretary a written request for application of this section to the project; and

(B) shall apply only to Bureau of Reclamation transferred works at the written request of the transferred works operating entity.

(4) **PRIOR STUDIES.**—The Secretary shall—

(A) to the maximum extent practicable, coordinate the efforts of the Secretary in carrying out subsections (b), (c), and (d) with the efforts of the Secretary in completing—

(i) the report required under section 1046(a)(2)(A) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2319 note; Public Law 113-121); and

(ii) the updated report required under subsection (a)(2)(B) of that section; and

(B) if the reports are available before the date on which the Secretary carries out the actions described in subsections (b), (c), and (d), consider the findings of the reports described in clauses (i) and (ii) of subparagraph (A).

(i) **MODIFICATIONS TO MANUALS AND CURVES.**—Not later than 180 days after the date of completion of a modification to an operations manual or flood control rule curve, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the components of the forecast-based reservoir operations plan incorporated into the change.

PART V—HYDROELECTRIC PROJECTS

SEC. 6341. TERROR LAKE HYDROELECTRIC PROJECT UPPER HIDDEN BASIN DIVERSION AUTHORIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **TERROR LAKE HYDROELECTRIC PROJECT.**—The term “Terror Lake Hydroelectric Project” means the project identified in section 1325 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3212), and which is Federal Energy Regulatory Commission project number 2743.

(2) **UPPER HIDDEN BASIN DIVERSION EXPANSION.**—The term “Upper Hidden Basin Diversion Expansion” means the expansion of the Terror Lake Hydroelectric Project as generally described in Exhibit E to the Upper Hidden Basin Grant Application dated July 2, 2014 and submitted to the Alaska Energy Authority Renewable Energy Fund Round VIII by Kodiak Electric Association, Inc.

(b) **AUTHORIZATION.**—The licensee for the Terror Lake Hydroelectric Project may occupy not more than 20 acres of Federal land to construct, operate, and maintain the Upper Hidden Basin Diversion Expansion without further authorization of the Secretary of the Interior or under the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

(c) **SAVINGS CLAUSE.**—The Upper Hidden Basin Diversion Expansion shall be subject to appropriate terms and conditions included in an amendment to a license issued by the Federal Energy Regulatory Commission pursuant to the Federal Power Act (16 U.S.C. 791a et seq.), including section 4(e) of that Act (16 U.S.C. 797(e)), following an environmental review by the Commission under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 6342. STAY AND REINSTATEMENT OF FERC LICENSE NO. 11393 FOR THE MAHONEY LAKE HYDROELECTRIC PROJECT.

(a) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Federal Energy Regulatory Commission.

(2) **LICENSE.**—The term “license” means the license for Commission project number 11393.

(3) **LICENSEE.**—The term “licensee” means the holder of the license.

(b) **STAY OF LICENSE.**—On the request of the licensee, the Commission shall issue an order continuing the stay of the license.

(c) **LIFTING OF STAY.**—On the request of the licensee, but not later than 10 years after the date of enactment of this Act, the Commission shall—

(1) issue an order lifting the stay of the license under subsection (b); and

(2) make the effective date of the license the date on which the stay is lifted under paragraph (1).

(d) **EXTENSION OF LICENSE.**—On the request of the licensee and notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) for commencement of construction of the project subject to the license, the Commission shall, after reasonable notice and in accordance with the good faith, due diligence, and public interest requirements of that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods, notwithstanding any other provision of law.

(e) **EFFECT.**—Nothing in this section prioritizes, or creates any advantage or disadvantage to, Commission project number 11393 under Federal law, including the Federal Power Act (16 U.S.C. 791a et seq.) or the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), as compared to—

(1) any electric generating facility in existence on the date of enactment of this Act; or

(2) any electric generating facility that may be examined, proposed, or developed

during the period of any stay or extension of the license under this section.

SEC. 6343. EXTENSION OF DEADLINE FOR HYDROELECTRIC PROJECT.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission shall reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SEC. 6344. EXTENSION OF DEADLINE FOR CERTAIN OTHER HYDROELECTRIC PROJECTS.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) projects numbered 12737 and 12740, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—If the period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

SEC. 6345. EQUUS BEDS DIVISION EXTENSION.

Section 10(h) of Public Law 86-787 (74 Stat. 1026; 120 Stat. 1474) is amended by striking “10 years” and inserting “20 years”.

SEC. 6346. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CANNONS-VILLE DAM.

(a) **IN GENERAL.**—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due dili-

gence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b) **REINSTATEMENT OF EXPIRED LICENSE.**—

(1) **IN GENERAL.**—If the required date of the commencement of construction described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) **EXTENSION.**—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

PART VI—PUMPED STORAGE HYDROPOWER COMPENSATION

SEC. 6351. PUMPED STORAGE HYDROPOWER COMPENSATION.

Not later than 180 days after the date of enactment of this Act, the Federal Energy Regulatory Commission shall initiate a proceeding to identify and determine the market, procurement, and cost recovery mechanisms that would—

(1) encourage development of pumped storage hydropower assets; and

(2) properly compensate those assets for the full range of services provided to the power grid, including—

(A) balancing electricity supply and demand;

(B) ensuring grid reliability; and

(C) cost-effectively integrating intermittent power sources into the grid.

SA 3235. Mr. WICKER (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle I—Renewable Fuel Standard

SEC. 3801. SUNSET OF RENEWABLE FUEL STANDARD.

Section 211(o)(2) of the Clean Air Act (42 U.S.C. 7545(o)(2)) is amended by adding at the end the following:

“(C) **SUNSET.**—The authority provided by this paragraph terminates on December 31, 2022.”

SEC. 3802. REGULATIONS.

Effective beginning on January 1, 2023, the regulations contained in subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date), shall have no force or effect.

SA 3236. Mr. WYDEN (for himself, Mr. DURBIN, Mr. CASEY, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle B of title III, add the following:

SEC. 3105. ENERGY TRAIN DATA COLLECTION.

The Administrator of the Energy Information Administration, in coordination with the Secretary of Transportation—

- (1) shall collect information regarding—
 - (A) the volume of energy products transported by rail, including—
 - (i) petroleum crude oil;
 - (ii) ethanol;
 - (iii) liquefied natural gas; and
 - (iv) other energy products selected by the Administrator; and
 - (B) the origins and destinations of the energy products transported by rail described in subparagraph (A), including—
 - (i) energy products transported by rail within Petroleum Administration Defense Districts;
 - (ii) energy products transported by rail between Petroleum Administration Defense Districts;
 - (iii) energy products imported to the United States by rail from international origins; and
 - (iv) energy products exported from the United States by rail to international destinations;
- (2) may collect additional information to carry out the purposes of this section from other sources, including—
 - (A) surveys conducted by the Administrator;
 - (B) information collected by the Department of Transportation;
 - (C) foreign governments; and
 - (D) third-party data; and
- (3) shall make the information collected under paragraphs (1) and (2) available to the public on an Internet website that is updated monthly and does not aggregate the volume of energy products transported by rail with the volume of energy products transported by other modes of transportation.

SA 3237. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31. REPORT ON INCORPORATING INTERNET-BASED LEASE SALES.

Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress a report containing recommendations for the incorporation of Internet-based lease sales at the Bureau of Land Management in accordance with section 17(b)(1)(C) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)(C)) in the event of an emergency or other disruption causing a disruption to a sale.

SA 3238. Mr. WYDEN (for himself, Mr. BENNET, Mr. CANTWELL, Mr. SCHUMER, Ms. STABENOW, Mr. MENENDEZ, Mr. CARPER, Mr. CARDIN, Mrs. MURRAY, Mr. DURBIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. COONS, and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—INVESTING IN CLEAN ENERGY**SEC. 6001. AMENDMENT OF 1986 CODE.**

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

Subtitle A—Clean Energy Tax Credits**SEC. 6011. CLEAN ENERGY PRODUCTION CREDIT.**

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

“SEC. 45S. CLEAN ENERGY PRODUCTION CREDIT.

“(a) AMOUNT OF CREDIT.—

“(1) IN GENERAL.—For purposes of section 38, the clean energy production credit for any taxable year is an amount equal to the product of—

“(A) the applicable credit rate (as determined under paragraph (2)), multiplied by

“(B) the kilowatt hours of electricity—

“(i) produced by the taxpayer at a qualified facility, and

“(ii) (I) sold by the taxpayer to an unrelated person during the taxable year, or

“(II) in the case of a qualified facility which is owned and operated by an unrelated person, sold, consumed, or stored by the taxpayer during the taxable year.

“(2) APPLICABLE CREDIT RATE.—

“(A) IN GENERAL.—

“(i) MAXIMUM CREDIT RATE.—Except as provided in clause (ii), the applicable credit rate is 1.5 cents.

“(ii) REDUCTION OF CREDIT BASED ON GREENHOUSE GAS EMISSION RATE.—The applicable credit rate shall be reduced (but not below zero) by an amount which bears the same ratio to the amount in effect under clause (i) as the greenhouse gas emissions rate for the qualified facility bears to 372 grams of CO₂e per KWh.

“(B) ROUNDING.—If any amount determined under subparagraph (A)(ii) is not a multiple of 0.1 cent, such amount shall be rounded to the nearest multiple of 0.1 cent.

“(b) GREENHOUSE GAS EMISSIONS RATE.—

“(1) IN GENERAL.—For purposes of this section, the term ‘greenhouse gas emissions rate’ means the amount of greenhouse gases emitted into the atmosphere by a qualified facility in the production of electricity, expressed as grams of CO₂e per KWh.

“(2) NON-FOSSIL FUEL COMBUSTION AND GASIFICATION.—In the case of a qualified facility which produces electricity through combustion or gasification of a non-fossil fuel, the greenhouse gas emissions rate for such facility shall be equal to the net rate of greenhouse gases emitted into the atmosphere by such facility in the production of electricity, expressed as grams of CO₂e per KWh.

“(3) ESTABLISHMENT OF SAFE HARBOR FOR QUALIFIED FACILITIES.—

“(A) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall, by regulation, establish safe-harbor greenhouse gas emissions rates for types or categories of qualified facilities, which a taxpayer may elect to use for purposes of this section.

“(B) ROUNDING.—In establishing the safe-harbor greenhouse gas emissions rates for qualified facilities, the Secretary may round such rates to the nearest multiple of 37.2 grams of CO₂e per KWh (or, in the case of a greenhouse gas emissions rate which is less than 18.6 grams of CO₂e per KWh, by rounding such rate to zero).

“(4) CARBON CAPTURE AND SEQUESTRATION EQUIPMENT.—For purposes of this subsection,

the amount of greenhouse gases emitted into the atmosphere by a qualified facility in the production of electricity shall not include any qualified carbon dioxide (as defined in section 48E(c)(3)(A)) that is captured and disposed of by the taxpayer.

“(c) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of a calendar year beginning after 2018, the 1.5 cent amount in clause (i) of subsection (a)(2)(A) shall be adjusted by multiplying such amount by the inflation adjustment factor for the calendar year in which the sale or use of the electricity occurs. If any amount as increased under the preceding sentence is not a multiple of 0.1 cent, such amount shall be rounded to the nearest multiple of 0.1 cent.

“(2) ANNUAL COMPUTATION.—The Secretary shall, not later than April 1 of each calendar year, determine and publish in the Federal Register the inflation adjustment factor for such calendar year in accordance with this subsection.

“(3) INFLATION ADJUSTMENT FACTOR.—The term ‘inflation adjustment factor’ means, with respect to a calendar year, a fraction the numerator of which is the GDP implicit price deflator for the preceding calendar year and the denominator of which is the GDP implicit price deflator for the calendar year 1992. The term ‘GDP implicit price deflator’ means the most recent revision of the implicit price deflator for the gross domestic product as computed and published by the Department of Commerce before March 15 of the calendar year.

“(d) CREDIT PHASE-OUT.—

“(1) IN GENERAL.—Subject to paragraph (3), if the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States are equal to or less than 72 percent of the annual greenhouse gas emissions from electrical production in the United States for calendar year 2005, the amount of the clean energy production credit under subsection (a) for any qualified facility placed in service during a calendar year described in paragraph (2) shall be equal to the product of—

“(A) the amount of the credit determined under subsection (a) without regard to this subsection, multiplied by

“(B) the phase-out percentage under paragraph (2).

“(2) PHASE-OUT PERCENTAGE.—The phase-out percentage under this paragraph is equal to—

“(A) for a facility placed in service during the first calendar year following the calendar year in which the determination described in paragraph (1) is made, 75 percent,

“(B) for a facility placed in service during the second calendar year following such determination year, 50 percent,

“(C) for a facility placed in service during the third calendar year following such determination year, 25 percent, and

“(D) for a facility placed in service during any calendar year subsequent to the year described in subparagraph (C), 0 percent.

“(3) DEADLINE TO BEGIN PHASE-OUT.—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States for each year before calendar year 2026 are greater than the percentage specified in paragraph (1), then the determination described in such paragraph shall

be deemed to have been made for calendar year 2025.

“(e) DEFINITIONS.—In this section:

“(1) CO₂e PER KWH.—The term ‘CO₂e per KWH’ means, with respect to any greenhouse gas, the equivalent carbon dioxide per kilowatt hour of electricity produced.

“(2) GREENHOUSE GAS.—The term ‘greenhouse gas’ has the same meaning given such term under section 211(o)(1)(G) of the Clean Air Act (42 U.S.C. 7545(o)(1)(G)), as in effect on the date of the enactment of this section.

“(3) QUALIFIED FACILITY.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the term ‘qualified facility’ means a facility which is—

“(i) used for the generation of electricity, and

“(ii) originally placed in service after December 31, 2017.

“(B) 10-YEAR PRODUCTION CREDIT.—For purposes of this section, a facility shall only be treated as a qualified facility during the 10-year period beginning on the date the facility was originally placed in service.

“(C) EXPANSION OF FACILITY; INCREMENTAL PRODUCTION.—A qualified facility shall include either of the following in connection with a facility described in subparagraph (A)(i) that was previously placed in service, but only to the extent of the increased amount of electricity produced at the facility by reason of the following:

“(i) A new unit placed in service after December 31, 2017.

“(ii) Any efficiency improvements or additions of capacity placed in service after December 31, 2017.

“(D) COORDINATION WITH OTHER CREDITS.—The term ‘qualified facility’ shall not include any facility for which—

“(i) a renewable electricity production credit determined under section 45 is allowed under section 38 for the taxable year or any prior taxable year,

“(ii) an energy credit determined under section 48 is allowed under section 38 for the taxable year or any prior taxable year, or

“(iii) a clean energy investment credit determined under section 48E is allowed under section 38 for the taxable year or any prior taxable year.

“(f) FINAL GUIDANCE.—Not later than January 1, 2017, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall issue final guidance regarding implementation of this section, including calculation of greenhouse gas emission rates for qualified facilities and determination of clean energy production credits under this section.

“(g) SPECIAL RULES.—

“(1) ONLY PRODUCTION IN THE UNITED STATES TAKEN INTO ACCOUNT.—Consumption or sales shall be taken into account under this section only with respect to electricity the production of which is within—

“(A) the United States (within the meaning of section 638(1)), or

“(B) a possession of the United States (within the meaning of section 638(2)).

“(2) COMBINED HEAT AND POWER SYSTEM PROPERTY.—

“(A) IN GENERAL.—For purposes of subsection (a)(1)(B), the kilowatt hours of electricity produced by a taxpayer at a qualified facility shall include any production in the form of useful thermal energy by any combined heat and power system property within such facility.

“(B) COMBINED HEAT AND POWER SYSTEM PROPERTY.—For purposes of this paragraph, the term ‘combined heat and power system property’ has the same meaning given such

term by section 48(c)(3) (without regard to subparagraphs (A)(iv), (B), and (D) thereof).

“(C) CONVERSION FROM BTU TO KWH.—

“(i) IN GENERAL.—For purposes of subparagraph (A), the amount of kilowatt hours of electricity produced in the form of useful thermal energy shall be equal to the quotient of—

“(I) the total useful thermal energy produced by the combined heat and power system property within the qualified facility, divided by

“(II) the heat rate for such facility.

“(ii) HEAT RATE.—For purposes of this subparagraph, the term ‘heat rate’ means the amount of energy used by the qualified facility to generate 1 kilowatt hour of electricity, expressed as British thermal units per net kilowatt hour generated.

“(3) PRODUCTION ATTRIBUTABLE TO THE TAXPAYER.—In the case of a qualified facility in which more than 1 person has an ownership interest, except to the extent provided in regulations prescribed by the Secretary, production from the facility shall be allocated among such persons in proportion to their respective ownership interests in the gross sales from such facility.

“(4) RELATED PERSONS.—Persons shall be treated as related to each other if such persons would be treated as a single employer under the regulations prescribed under section 52(b). In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated return, such corporation shall be treated as selling electricity to an unrelated person if such electricity is sold to such a person by another member of such group.

“(5) PASS-THRU IN THE CASE OF ESTATES AND TRUSTS.—Under regulations prescribed by the Secretary, rules similar to the rules of subsection (d) of section 52 shall apply.

“(6) ALLOCATION OF CREDIT TO PATRONS OF AGRICULTURAL COOPERATIVE.—

“(A) ELECTION TO ALLOCATE.—

“(i) IN GENERAL.—In the case of an eligible cooperative organization, any portion of the credit determined under subsection (a) for the taxable year may, at the election of the organization, be apportioned among patrons of the organization on the basis of the amount of business done by the patrons during the taxable year.

“(ii) FORM AND EFFECT OF ELECTION.—An election under clause (i) for any taxable year shall be made on a timely filed return for such year. Such election, once made, shall be irrevocable for such taxable year. Such election shall not take effect unless the organization designates the apportionment as such in a written notice mailed to its patrons during the payment period described in section 1382(d).

“(B) TREATMENT OF ORGANIZATIONS AND PATRONS.—The amount of the credit apportioned to any patrons under subparagraph (A)—

“(i) shall not be included in the amount determined under subsection (a) with respect to the organization for the taxable year, and

“(ii) shall be included in the amount determined under subsection (a) for the first taxable year of each patron ending on or after the last day of the payment period (as defined in section 1382(d)) for the taxable year of the organization or, if earlier, for the taxable year of each patron ending on or after the date on which the patron receives notice from the cooperative of the apportionment.

“(C) SPECIAL RULES FOR DECREASE IN CREDITS FOR TAXABLE YEAR.—If the amount of the credit of a cooperative organization determined under subsection (a) for a taxable year

is less than the amount of such credit shown on the return of the cooperative organization for such year, an amount equal to the excess of—

“(i) such reduction, over

“(ii) the amount not apportioned to such patrons under subparagraph (A) for the taxable year,

shall be treated as an increase in tax imposed by this chapter on the organization. Such increase shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter.

“(D) ELIGIBLE COOPERATIVE DEFINED.—For purposes of this section, the term ‘eligible cooperative’ means a cooperative organization described in section 1381(a) which is owned more than 50 percent by agricultural producers or by entities owned by agricultural producers. For this purpose an entity owned by an agricultural producer is one that is more than 50 percent owned by agricultural producers.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended—

(A) in paragraph (35), by striking “plus” at the end,

(B) in paragraph (36), by striking the period at the end and inserting “, plus”, and

(C) by adding at the end the following new paragraph:

“(37) the clean energy production credit determined under section 45S(a).”.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

“Sec. 45S. Clean energy production credit.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to facilities placed in service after December 31, 2017.

SEC. 6012. CLEAN ENERGY INVESTMENT CREDIT.

(a) BUSINESS CREDIT.—

(1) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 is amended by inserting after section 48D the following new section:

“SEC. 48E. CLEAN ENERGY INVESTMENT CREDIT.

“(a) INVESTMENT CREDIT FOR QUALIFIED PROPERTY.—

“(1) IN GENERAL.—For purposes of section 46, the clean energy investment credit for any taxable year is an amount equal to the sum of—

“(A) the clean energy percentage of the qualified investment for such taxable year with respect to any qualified facility, plus

“(B) 30 percent of the qualified investment for such taxable year with respect to qualified carbon capture and sequestration equipment, plus

“(C) 30 percent of the qualified investment for such taxable year with respect to energy storage property.

“(2) CLEAN ENERGY PERCENTAGE.—

“(A) IN GENERAL.—

“(i) MAXIMUM PERCENTAGE.—Except as provided in clause (ii), the clean energy percentage is 30 percent.

“(ii) REDUCTION OF PERCENTAGE BASED ON GREENHOUSE GAS EMISSIONS RATE.—The clean energy percentage shall be reduced (but not below zero) by an amount which bears the same ratio to 30 percent as the anticipated greenhouse gas emissions rate for the qualified facility bears to 372 grams of CO₂e per KWh.

“(B) ROUNDING.—If any amount determined under subparagraph (A)(ii) is not a multiple of 1 percent, such amount shall be rounded to the nearest multiple of 1 percent.

“(3) COORDINATION WITH REHABILITATION CREDIT.—The clean energy percentage shall

not apply to that portion of the basis of any property which is attributable to qualified rehabilitation expenditures (as defined in section 47(c)(2)).

“(b) QUALIFIED INVESTMENT WITH RESPECT TO ANY QUALIFIED FACILITY.—

“(1) IN GENERAL.—For purposes of subsection (a)(1)(A), the qualified investment with respect to any qualified facility for any taxable year is the basis of any qualified property placed in service by the taxpayer during such taxable year which is part of a qualified facility.

“(2) QUALIFIED PROPERTY.—The term ‘qualified property’ means property—

“(A) which is—

“(i) tangible personal property, or

“(ii) other tangible property (not including a building or its structural components), but only if such property is used as an integral part of the qualified facility,

“(B) with respect to which depreciation (or amortization in lieu of depreciation) is allowable,

“(C) which is constructed, reconstructed, erected, or acquired by the taxpayer, and

“(D) the original use of which commences with the taxpayer.

“(3) QUALIFIED FACILITY.—The term ‘qualified facility’ has the same meaning given such term by section 45S(e)(3) (without regard to subparagraphs (B) and (D) thereof). Such term shall not include any facility for which a renewable electricity production credit under section 45 or an energy credit determined under section 48 is allowed under section 38 for the taxable year or any prior taxable year.

“(C) QUALIFIED INVESTMENT WITH RESPECT TO QUALIFIED CARBON CAPTURE AND SEQUESTRATION EQUIPMENT.—

“(1) IN GENERAL.—For purposes of subsection (a)(1)(B), the qualified investment with respect to qualified carbon capture and sequestration equipment for any taxable year is the basis of any qualified carbon capture and sequestration equipment placed in service by the taxpayer during such taxable year.

“(2) QUALIFIED CARBON CAPTURE AND SEQUESTRATION EQUIPMENT.—The term ‘qualified carbon capture and sequestration equipment’ means property—

“(A) installed in a facility placed in service before January 1, 2018, which produces electricity,

“(B) which results in at least a 50 percent reduction in the carbon dioxide emissions rate at the facility, as compared to such rate before installation of such equipment, through the capture and disposal of qualified carbon dioxide (as defined in paragraph (3)(A)),

“(C) with respect to which depreciation is allowable,

“(D) which is constructed, reconstructed, erected, or acquired by the taxpayer, and

“(E) the original use of which commences with the taxpayer.

“(3) QUALIFIED CARBON DIOXIDE.—

“(A) IN GENERAL.—The term ‘qualified carbon dioxide’ means carbon dioxide captured from an industrial source which—

“(i) would otherwise be released into the atmosphere as industrial emission of greenhouse gas,

“(ii) is measured at the source of capture and verified at the point of disposal or injection,

“(iii) is disposed of by the taxpayer in secure geological storage, and

“(iv) is captured and disposed of within the United States (within the meaning of section 638(1)) or a possession of the United States (within the meaning of section 638(2)).

“(B) SECURE GEOLOGICAL STORAGE.—The term ‘secure geological storage’ has the same meaning given to such term under section 45Q(d)(2).

“(d) QUALIFIED INVESTMENT WITH RESPECT TO ENERGY STORAGE PROPERTY.—

“(1) IN GENERAL.—For purposes of subsection (a)(1)(C), the qualified investment with respect to energy storage property for any taxable year is the basis of any energy storage property placed in service by the taxpayer during such taxable year.

“(2) ENERGY STORAGE PROPERTY.—The term ‘energy storage property’ means property—

“(A) installed at or near a facility which produces electricity,

“(B) which receives, stores, and delivers electricity or energy for conversion to electricity which is sold by the taxpayer to an unrelated person (or, in the case of a facility which is equipped with a metering device which is owned and operated by an unrelated person, sold or consumed by the taxpayer), which may include—

“(i) hydroelectric pumped storage,

“(ii) compressed air energy storage,

“(iii) regenerative fuel cells,

“(iv) batteries,

“(v) superconducting magnetic energy storage,

“(vi) thermal energy storage systems,

“(vii) fuel cells (as defined in section 48(c)(1)),

“(viii) any other relevant technology identified by the Secretary (in consultation with the Secretary of Energy), and

“(ix) any combination of the properties described in clauses (i) through (viii),

“(C) with respect to which depreciation is allowable,

“(D) which is constructed, reconstructed, erected, or acquired by the taxpayer,

“(E) the original use of which commences with the taxpayer, and

“(F) which is placed in service after December 31, 2017.

“(e) GREENHOUSE GAS EMISSIONS RATE.—

“(1) IN GENERAL.—For purposes of this section, the term ‘greenhouse gas emissions rate’ has the same meaning given such term under subsection (b) of section 45S.

“(2) ESTABLISHMENT OF SAFE HARBOR FOR QUALIFIED PROPERTY.—

“(A) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall, by regulation, establish safe-harbor greenhouse gas emissions rates for types or categories of qualified property which are part of a qualified facility, which a taxpayer may elect to use for purposes of this section.

“(B) ROUNDING.—In establishing the safe-harbor greenhouse gas emissions rates for qualified property, the Secretary may round such rates to the nearest multiple of 37.2 grams of CO₂e per kWh (or, in the case of a greenhouse gas emissions rate which is less than 18.6 grams of CO₂e per kWh, by rounding such rate to zero).

“(f) CERTAIN PROGRESS EXPENDITURE RULES MADE APPLICABLE.—Rules similar to the rules of subsection (c)(4) and (d) of section 46 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of subsection (a).

“(g) CREDIT PHASE-OUT.—

“(1) IN GENERAL.—Subject to paragraph (3), if the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States are equal to or less than 72

percent of the annual greenhouse gas emissions from electrical production in the United States for calendar year 2005, the amount of the clean energy investment credit under subsection (a) for any qualified facility, qualified carbon capture and sequestration equipment, or energy storage property placed in service during a calendar year described in paragraph (2) shall be equal to the product of—

“(A) the amount of the credit determined under subsection (a) without regard to this subsection, multiplied by

“(B) the phase-out percentage under paragraph (2).

“(2) PHASE-OUT PERCENTAGE.—The phase-out percentage under this paragraph is equal to—

“(A) for a facility or property placed in service during the first calendar year following the calendar year in which the determination described in paragraph (1) is made, 75 percent,

“(B) for a facility or property placed in service during the second calendar year following such determination year, 50 percent,

“(C) for a facility or property placed in service during the third calendar year following such determination year, 25 percent, and

“(D) for a facility or property placed in service during any calendar year subsequent to the year described in subparagraph (C), 0 percent.

“(3) DEADLINE TO BEGIN PHASE-OUT.—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States for each year before calendar year 2026 are greater than the percentage specified in paragraph (1), then the determination described in such paragraph shall be deemed to have been made for calendar year 2025.

“(h) DEFINITIONS.—In this section:

“(1) CO₂e PER KWh.—The term ‘CO₂e per kWh’ has the same meaning given such term under section 45S(e)(1).

“(2) GREENHOUSE GAS.—The term ‘greenhouse gas’ has the same meaning given such term under section 45S(e)(2).

“(i) RECAPTURE OF CREDIT.—For purposes of section 50, if the Administrator of the Environmental Protection Agency determines that—

“(1) the greenhouse gas emissions rate for a qualified facility is significantly higher than the anticipated greenhouse gas emissions rate claimed by the taxpayer for purposes of the clean energy investment credit under this section, or

“(2) with respect to any qualified carbon capture and sequestration equipment installed in a facility, the carbon dioxide emissions from such facility cease to be captured or disposed of in a manner consistent with the requirements of subsection (c), the facility or equipment shall cease to be investment credit property in the taxable year in which the determination is made.

“(j) FINAL GUIDANCE.—Not later than January 1, 2017, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall issue final guidance regarding implementation of this section, including calculation of greenhouse gas emission rates for qualified facilities and determination of clean energy investment credits under this section.”

(2) CONFORMING AMENDMENTS.—

(A) Section 46 is amended by inserting a comma at the end of paragraph (4), by striking “and” at the end of paragraph (5), by

striking the period at the end of paragraph (6) and inserting “, and”, and by adding at the end the following new paragraph:

“(7) the clean energy investment credit.”.

(B) Section 49(a)(1)(C) is amended by striking “and” at the end of clause (v), by striking the period at the end of clause (vi) and inserting a comma, and by adding at the end the following new clauses:

“(vii) the basis of any qualified property which is part of a qualified facility under section 48E,

“(viii) the basis of any qualified carbon capture and sequestration equipment under section 48E, and

“(ix) the basis of any energy storage property under section 48E.”.

(C) Section 50(a)(2)(E) is amended by inserting “or 48E(e)” after “section 48(b)”.

(D) The table of sections for subpart E of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 48D the following new item:

“48E. Clean energy investment credit.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2017, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(b) INDIVIDUAL CREDIT.—

(1) IN GENERAL.—Section 25D is amended to read as follows:

“SEC. 25D. CLEAN RESIDENTIAL ENERGY CREDIT.

“(a) ALLOWANCE OF CREDIT.—

“(1) IN GENERAL.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

“(A) the clean energy percentage of the expenditures made by the taxpayer for qualified property which is—

“(i) installed in a dwelling unit which is located in the United States and used as a residence by the taxpayer, and

“(ii) placed in service during such taxable year, plus

“(B) 30 percent of the expenditures made by the taxpayer for energy storage property which is—

“(i) installed in a dwelling unit which is located in the United States and used as a residence by the taxpayer, and

“(ii) placed in service during such taxable year.

“(2) CLEAN ENERGY PERCENTAGE.—

“(A) IN GENERAL.—

“(i) MAXIMUM PERCENTAGE.—Except as provided in clause (ii), the clean energy percentage is 30 percent.

“(ii) REDUCTION OF PERCENTAGE BASED ON GREENHOUSE GAS EMISSIONS RATE.—The clean energy percentage shall be reduced (but not below zero) by an amount which bears the same ratio to 30 percent as the anticipated greenhouse gas emissions rate for the qualified property bears to 372 grams of CO₂e per KWh.

“(B) ROUNDING.—If any amount determined under subparagraph (A)(ii) is not a multiple of 1 percent, such amount shall be rounded to the nearest multiple of 1 percent.

“(C) DEFINITIONS.—For purposes of this section, the terms ‘greenhouse gas emissions rate’ and ‘CO₂e per KWh’ have the same meanings given such terms under subsections (b) and (e)(1) of section 45S, respectively.

“(3) ESTABLISHMENT OF SAFE HARBOR FOR QUALIFIED PROPERTY.—

“(A) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall, by regulation, establish safe-harbor greenhouse gas emissions rates for types or categories of qualified property which are installed in a dwelling unit, which a taxpayer may elect to use for purposes of this section.

“(B) ROUNDING.—In establishing the safe-harbor greenhouse gas emissions rates for qualified property, the Secretary may round such rates to the nearest multiple of 37.2 grams of CO₂e per KWh (or, in the case of a greenhouse gas emissions rate which is less than 18.6 grams of CO₂e per KWh, by rounding such rate to zero).

“(b) QUALIFIED PROPERTY.—The term ‘qualified property’ means property—

“(1) which is tangible personal property,

“(2) which is used for the generation of electricity,

“(3) which is constructed, reconstructed, erected, or acquired by the taxpayer,

“(4) the original use of which commences with the taxpayer, and

“(5) which is originally placed in service after December 31, 2017.

“(c) ENERGY STORAGE PROPERTY.—The term ‘energy storage property’ means property which receives, stores, and delivers electricity or energy for conversion to electricity which is consumed by the taxpayer, which may include—

“(1) batteries,

“(2) thermal energy storage systems,

“(3) fuel cells,

“(4) any other relevant technology identified by the Secretary (in consultation with the Secretary of Energy), and

“(5) any combination of the properties described in paragraphs (1) through (4).

“(d) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by section 26(a) for such taxable year reduced by the sum of the credits allowable under this subpart (other than this section), such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.

“(e) CREDIT PHASE-OUT.—

“(1) IN GENERAL.—Subject to paragraph (3), if the Secretary determines that the annual greenhouse gas emissions from electrical production in the United States are equal to or less than the percentage specified in section 48E(g), the amount of the credit allowable under subsection (a) for any qualified property or energy storage property placed in service during a calendar year described in paragraph (2) shall be equal to the product of—

“(A) the amount of the credit determined under subsection (a) without regard to this subsection, multiplied by

“(B) the phase-out percentage under paragraph (2).

“(2) PHASE-OUT PERCENTAGE.—The phase-out percentage under this paragraph is equal to—

“(A) for property placed in service during the first calendar year following the calendar year in which the determination described in paragraph (1) is made, 75 percent,

“(B) for property placed in service during the second calendar year following such determination year, 50 percent,

“(C) for property placed in service during the third calendar year following such determination year, 25 percent, and

“(D) for property placed in service during any calendar year subsequent to the year described in subparagraph (C), 0 percent.

“(3) DEADLINE TO BEGIN PHASE-OUT.—If the Secretary, in consultation with the Sec-

retary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States for each year before calendar year 2026 are greater than the percentage specified in section 48E(g), then the determination described in paragraph (1) shall be deemed to have been made for calendar year 2025.

“(f) SPECIAL RULES.—For purposes of this section:

“(1) LABOR COSTS.—Expenditures for labor costs properly allocable to the onsite preparation, assembly, or original installation of the qualified property or energy storage property and for piping or wiring to interconnect such property to the dwelling unit shall be taken into account for purposes of this section.

“(2) TENANT-STOCKHOLDER IN COOPERATIVE HOUSING CORPORATION.—In the case of an individual who is a tenant-stockholder (as defined in section 216) in a cooperative housing corporation (as defined in such section), such individual shall be treated as having made his tenant-stockholder's proportionate share (as defined in section 216(b)(3)) of any expenditures of such corporation.

“(3) CONDOMINIUMS.—

“(A) IN GENERAL.—In the case of an individual who is a member of a condominium management association with respect to a condominium which the individual owns, such individual shall be treated as having made the individual's proportionate share of any expenditures of such association.

“(B) CONDOMINIUM MANAGEMENT ASSOCIATION.—For purposes of this paragraph, the term ‘condominium management association’ means an organization which meets the requirements of paragraph (1) of section 528(c) (other than subparagraph (E) thereof) with respect to a condominium project substantially all of the units of which are used as residences.

“(4) ALLOCATION IN CERTAIN CASES.—If less than 80 percent of the use of a property is for nonbusiness purposes, only that portion of the expenditures for such property which is properly allocable to use for nonbusiness purposes shall be taken into account.

“(g) BASIS ADJUSTMENT.—For purposes of this subtitle, if a credit is allowed under this section for any expenditures with respect to any property, the increase in the basis of such property which would (but for this subsection) result from such expenditures shall be reduced by the amount of the credit so allowed.

“(h) FINAL GUIDANCE.—Not later than January 1, 2017, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall issue final guidance regarding implementation of this section, including calculation of greenhouse gas emission rates for qualified property and determination of residential clean energy property credits under this section.”.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (1) of section 45(d) is amended by striking “Such term” and all that follows through the period and inserting the following: “Such term shall not include any facility with respect to which any expenditures for qualified property (as defined in subsection (b) of section 25D) which uses wind to produce electricity is taken into account in determining the credit under such section.”.

(B) Paragraph (34) of section 1016(a) is amended by striking “section 25D(f)” and inserting “section 25D(h)”.

(C) The item relating to section 25D in the table of contents for subpart A of part IV of

subchapter A of chapter 1 is amended to read as follows:

“Sec. 25D. Clean residential energy credit.”.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2017.

SEC. 6013. EXTENSIONS AND MODIFICATIONS OF VARIOUS ENERGY PROVISIONS.

(a) NONBUSINESS ENERGY PROPERTY.—

(1) IN GENERAL.—Paragraph (2) of section 25C(g) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2016.

(b) RESIDENTIAL ENERGY EFFICIENT PROPERTY.—

(1) IN GENERAL.—Subsection (g) of section 25D is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) ELIMINATION OF PHASEOUT.—Division P of the Consolidated Appropriations Act, 2016 (Pub. L. 114-113) is amended by striking section 304.

(c) ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.—

(1) IN GENERAL.—Paragraph (1) of section 30C(g) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2016.

(d) 2- AND 3-WHEELED PLUG-IN ELECTRIC VEHICLES.—

(1) IN GENERAL.—Clause (ii) of section 30D(g)(E) is amended to read as follows:

“(ii) after December 31, 2016, and before January 1, 2018.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to vehicles acquired after December 31, 2016.

(e) ELECTRICITY PRODUCED FROM CERTAIN RENEWABLE RESOURCES.—

(1) IN GENERAL.—The following provisions of section 45(d) are each amended by striking “January 1, 2017” each place it appears and inserting “January 1, 2018”:

(A) Paragraph (2)(A).

(B) Paragraph (3)(A).

(C) Paragraph (4)(B).

(D) Paragraph (6).

(E) Paragraph (7).

(F) Paragraph (9).

(G) Paragraph (11)(B).

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2017.

(f) CREDIT FOR PRODUCTION FROM ADVANCED NUCLEAR POWER FACILITIES.—Section 45J(d)(1)(B) is amended by striking “2021” and inserting “2018”.

(g) NEW ENERGY EFFICIENT HOME CREDIT.—

(1) IN GENERAL.—Subsection (g) of section 45L is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to any qualified new energy efficient home acquired after December 31, 2016.

(h) REPEAL OF ENERGY EFFICIENT APPLIANCE CREDIT.—

(1) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of subtitle A is amended by striking section 45M.

(2) CONFORMING AMENDMENTS.—

(A) Section 38(b) is amended by striking paragraph (24).

(B) The table of sections for subpart D of part IV of subchapter A of chapter 1 of subtitle A is amended by striking the item relating to section 45M.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(i) CREDIT FOR CARBON DIOXIDE SEQUESTRATION.—Section 45Q(c) is amended—

(1) in paragraph (2), by striking “and” at the end,

(2) in paragraph (3), by striking the period at the end and inserting “, and”, and

(3) by adding at the end the following new paragraph:

“(4) which is placed in service before January 1, 2018.”.

(j) ELIMINATION OF PHASEOUT OF CREDITS FOR WIND FACILITIES AND SOLAR ENERGY PROPERTY.—

(1) WIND FACILITIES.—

(A) IN GENERAL.—Paragraph (1) of section 45(d) is amended by striking “January 1, 2020” and inserting “January 1, 2018”.

(B) PHASEOUT.—Subsection (b) of section 45 is amended by striking paragraph (5).

(C) QUALIFIED INVESTMENT CREDIT FACILITY.—

(i) IN GENERAL.—Section 48(a)(5)(C)(ii) is amended by striking “January 1, 2017” and all that follows through “section 45(d)” and inserting “January 1, 2018”.

(ii) PHASEOUT.—Paragraph (5) of section 48(a) is amended by striking subparagraph (E).

(D) EFFECTIVE DATE.—The amendments made by this paragraph shall take effect on January 1, 2017.

(2) SOLAR ENERGY PROPERTY.—

(A) IN GENERAL.—Subclause (II) of section 48(a)(2)(A)(i) is amended by striking “property the construction of which begins before January 1, 2022” and inserting “periods ending before January 1, 2018”.

(B) PHASEOUT.—Subsection (a) of section 48 is amended by striking paragraph (6).

(C) CONFORMING AMENDMENT.—Subparagraph (A) of section 48(a)(2) is amended by striking “Except as provided in paragraph (6), the energy percentage” and inserting “The energy percentage”.

(D) EFFECTIVE DATE.—The amendments made by this paragraph shall take effect on January 1, 2017.

(k) ENERGY CREDIT.—

(1) SOLAR ENERGY PROPERTY.—Section 48(a)(3)(A) is amended—

(A) in clause (i), by inserting “but only with respect to periods ending before January 1, 2018” after “swimming pool.”, and

(B) in clause (ii), by striking “January 1, 2017” and inserting “January 1, 2018”.

(2) GEOTHERMAL ENERGY PROPERTY.—Section 48(a)(3)(A)(iii) is amended by inserting “with respect to periods ending before January 1, 2018, and” after “but only”.

(3) THERMAL ENERGY PROPERTY.—Section 48(a)(3)(A)(vii) is amended by striking “January 1, 2017” and inserting “January 1, 2018”.

(4) QUALIFIED FUEL CELL PROPERTY.—Section 48(c)(1)(D) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(5) QUALIFIED MICROTURBINE PROPERTY.—Section 48(c)(2)(D) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(6) COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48(c)(3)(A)(iv) is amended by striking “January 1, 2017” and inserting “January 1, 2018”.

(7) QUALIFIED SMALL WIND ENERGY PROPERTY.—Section 48(c)(4)(C) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(l) QUALIFYING ADVANCED ENERGY PROJECT CREDIT.—

(1) IN GENERAL.—Section 48C is amended—

(A) by redesignating subsection (e) as subsection (f), and

(B) by inserting after subsection (d) the following new subsection:

“(e) ADDITIONAL QUALIFYING ADVANCED ENERGY PROGRAM.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary, in consultation with the Secretary of Energy, shall establish an additional qualifying advanced energy project program to consider and award certifications for qualified investments eligible for credits under this section to qualifying advanced energy project sponsors.

“(B) LIMITATION.—The total amount of credits that may be allocated under the program described in subparagraph (A) shall not exceed \$5,000,000,000.

“(2) CERTIFICATION.—

“(A) APPLICATION PERIOD.—Each applicant for certification under this paragraph shall submit an application containing such information as the Secretary may require during the 2-year period beginning on the date the Secretary establishes the program under paragraph (1).

“(B) TIME TO MEET CRITERIA FOR CERTIFICATION.—Each applicant for certification shall have 1 year from the date of acceptance by the Secretary of the application during which to provide to the Secretary evidence that the requirements of the certification have been met.

“(C) PERIOD OF ISSUANCE.—An applicant which receives a certification shall have 3 years from the date of issuance of the certification in order to place the project in service and if such project is not placed in service by that time period, then the certification shall no longer be valid.

“(3) SELECTION CRITERIA.—In determining which qualifying advanced energy projects to certify under this section, the Secretary shall consider the same criteria described in subsection (d)(3).

“(4) REVIEW AND REDISTRIBUTION.—

“(A) REVIEW.—Not later than 4 years after the date of enactment of this subsection, the Secretary shall review the credits allocated pursuant to this subsection as of such date.

“(B) REDISTRIBUTION.—The Secretary may reallocate credits awarded under this section if the Secretary determines that—

“(i) there is an insufficient quantity of qualifying applications for certification pending at the time of the review, or

“(ii) any certification made pursuant to paragraph (2) has been revoked pursuant to paragraph (2)(B) because the project subject to the certification has been delayed as a result of third party opposition or litigation to the proposed project.

“(C) REALLOCATION.—If the Secretary determines that credits under this section are available for reallocation pursuant to the requirements set forth in paragraph (2), the Secretary is authorized to conduct an additional program for applications for certification.

“(5) DISCLOSURE OF ALLOCATIONS.—The Secretary shall, upon making a certification under this subsection, publicly disclose the identity of the applicant and the amount of the credit with respect to such applicant.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(m) ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.—

(1) IN GENERAL.—Subsection (h) of section 179D is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2016.

Subtitle B—Clean Fuel Tax Credits

SEC. 6021. CLEAN FUEL PRODUCTION CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1, as amended by section 01, is amended by adding at the end the following new section:

“SEC. 45T. CLEAN FUEL PRODUCTION CREDIT.

“(A) AMOUNT OF CREDIT.—

“(1) IN GENERAL.—For purposes of section 38, the clean fuel production credit for any taxable year is an amount equal to the product of—

“(A) \$1.00 per energy equivalent of a gallon of gasoline with respect to any transportation fuel which is—

“(i) produced by the taxpayer at a qualified facility, and

“(ii) sold or used by the taxpayer in a manner described in paragraph (2), and

“(B) the emissions factor for such fuel (as determined under subsection (b)(2)).

“(2) SALE OR USE.—For purposes of paragraph (1)(A)(ii), the transportation fuel is sold or used in a manner described in this paragraph if such fuel is—

“(A) sold by the taxpayer to an unrelated person—

“(i) for use by such person in the production of a fuel mixture that will be used as a transportation fuel,

“(ii) for use by such person as a transportation fuel in a trade or business, or

“(iii) who sells such fuel at retail to another person and places such fuel in the fuel tank of such other person, or

“(B) used or sold by the taxpayer for any purpose described in subparagraph (A).

“(3) ROUNDING.—If any amount determined under paragraph (1) is not a multiple of 0.1 cent, such amount shall be rounded to the nearest multiple of 0.1 cent.

“(b) EMISSIONS FACTORS.—

“(1) EMISSIONS FACTOR.—

“(A) IN GENERAL.—The emissions factor of a transportation fuel shall be an amount equal to the quotient of—

“(i) an amount (not less than zero) equal to—

“(I) 77.23, minus

“(II) the emissions rate for such fuel, divided by

“(ii) 77.23.

“(B) ESTABLISHMENT OF SAFE HARBOR EMISSIONS RATE.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall establish the safe harbor emissions rate for similar types and categories of transportation fuels based on the amount of lifecycle greenhouse gas emissions (as described in section 211(o)(1)(H) of the Clean Air Act (42 U.S.C. 7545(o)(1)(H)), as in effect on the date of the enactment of this section) for such fuels, expressed as kilograms of CO₂e per mmBTU, which a taxpayer may elect to use for purposes of this section.

“(C) ROUNDING OF SAFE HARBOR EMISSIONS RATE.—The Secretary may round the safe harbor emissions rates under subparagraph (B) to the nearest multiple of 7.723 kilograms of CO₂e per mmBTU, except that, in the case of an emissions rate that is less than 3.862 kilograms of CO₂e per mmBTU, the Secretary may round such rate to zero.

“(D) PROVISIONAL SAFE HARBOR EMISSIONS RATE.—

“(i) IN GENERAL.—In the case of any transportation fuel for which a safe harbor emissions rate has not been established by the Secretary, a taxpayer producing such fuel may file a petition with the Secretary for determination of the safe harbor emissions rate with respect to such fuel.

“(ii) ESTABLISHMENT OF PROVISIONAL AND FINAL SAFE HARBOR EMISSIONS RATE.—In the case of a transportation fuel for which a petition described in clause (i) has been filed, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall—

“(I) not later than 12 months after the date on which the petition was filed, provide a provisional safe harbor emissions rate for such fuel which a taxpayer may use for purposes of this section, and

“(II) not later than 24 months after the date on which the petition was filed, establish the safe harbor emissions rate for such fuel.

“(E) ROUNDING.—If any amount determined under subparagraph (A) is not a multiple of 0.1, such amount shall be rounded to the nearest multiple of 0.1.

“(2) PUBLISHING SAFE HARBOR EMISSIONS RATE.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall publish a table that sets forth the safe harbor emissions rate (as established pursuant to paragraph (1)) for similar types and categories of transportation fuels.

“(c) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of calendar years beginning after 2018, the \$1.00 amount in subsection (a)(1)(A) shall be adjusted by multiplying such amount by the inflation adjustment factor for the calendar year in which the sale or use of the transportation fuel occurs. If any amount as increased under the preceding sentence is not a multiple of 1 cent, such amount shall be rounded to the nearest multiple of 1 cent.

“(2) INFLATION ADJUSTMENT FACTOR.—For purposes of paragraph (1), the inflation adjustment factor shall be the inflation adjustment factor determined and published by the Secretary pursuant to section 45S(c), determined by substituting ‘calendar year 2017’ for ‘calendar year 1992’ in paragraph (3) thereof.

“(d) CREDIT PHASE-OUT.—

“(1) IN GENERAL.—Subject to paragraph (3), if the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the greenhouse gas emissions from transportation fuel produced and sold at retail annually in the United States are equal to or less than 72 percent of the greenhouse gas emissions from transportation fuel produced and sold at retail in the United States during calendar year 2005, the amount of the clean fuel production credit under this section for any qualified facility placed in service during a calendar year described in paragraph (2) shall be equal to the product of—

“(A) the amount of the credit determined under subsection (a) without regard to this subsection, multiplied by

“(B) the phase-out percentage under paragraph (2).

“(2) PHASE-OUT PERCENTAGE.—The phase-out percentage under this paragraph is equal to—

“(A) for a facility placed in service during the first calendar year following the calendar year in which the determination described in paragraph (1) is made, 75 percent,

“(B) for a facility placed in service during the second calendar year following such determination year, 50 percent,

“(C) for a facility placed in service during the third calendar year following such determination year, 25 percent, and

“(D) for a facility placed in service during any calendar year subsequent to the year described in subparagraph (C), 0 percent.

“(3) DEADLINE TO BEGIN PHASE-OUT.—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the greenhouse gas emissions from transportation fuel produced and sold at retail annually in the United States are, for each year before calendar year 2026, greater than the percentage specified in paragraph (1), then the determination described in such paragraph shall be deemed to have been made for calendar year 2025.

“(e) DEFINITIONS.—In this section:

“(1) mmBTU.—The term ‘mmBTU’ means 1,000,000 British thermal units.

“(2) CO₂e.—The term ‘CO₂e’ means, with respect to any greenhouse gas, the equivalent carbon dioxide.

“(3) GREENHOUSE GAS.—The term ‘greenhouse gas’ has the same meaning given that term under section 211(o)(1)(G) of the Clean Air Act (42 U.S.C. 7545(o)(1)(G)), as in effect on the date of the enactment of this section.

“(4) QUALIFIED FACILITY.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the term ‘qualified facility’ means a facility used for the production of transportation fuels.

“(B) 10-YEAR PRODUCTION CREDIT.—For purposes of this section, a facility shall only qualify as a qualified facility—

“(i) in the case of a facility that is originally placed in service after December 31, 2017, for the 10-year period beginning on the date such facility is placed in service, or

“(ii) in the case of a facility that is originally placed in service before January 1, 2018, for the 10-year period beginning on January 1, 2018.

“(5) TRANSPORTATION FUEL.—The term ‘transportation fuel’ means a fuel which is suitable for use as a fuel in a highway vehicle or aircraft.

“(f) FINAL GUIDANCE.—Not later than January 1, 2017, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall issue final guidance regarding implementation of this section, including calculation of emissions factors for transportation fuel, the table described in subsection (b)(2), and the determination of clean fuel production credits under this section.

“(g) SPECIAL RULES.—

“(1) ONLY REGISTERED PRODUCTION IN THE UNITED STATES TAKEN INTO ACCOUNT.—

“(A) IN GENERAL.—No clean fuel production credit shall be determined under subsection (a) with respect to any transportation fuel unless—

“(i) the taxpayer is registered as a producer of clean fuel under section 4101 at the time of production, and

“(ii) such fuel is produced in the United States.

“(B) UNITED STATES.—For purposes of this paragraph, the term ‘United States’ includes any possession of the United States.

“(2) PRODUCTION ATTRIBUTABLE TO THE TAXPAYER.—In the case of a facility in which more than 1 person has an ownership interest, except to the extent provided in regulations prescribed by the Secretary, production from the facility shall be allocated among such persons in proportion to their

respective ownership interests in the gross sales from such facility.

“(3) **RELATED PERSONS.**—Persons shall be treated as related to each other if such persons would be treated as a single employer under the regulations prescribed under section 52(b). In the case of a corporation which is a member of an affiliated group of corporations filing a consolidated return, such corporation shall be treated as selling fuel to an unrelated person if such fuel is sold to such a person by another member of such group.

“(4) **PASS-THRU IN THE CASE OF ESTATES AND TRUSTS.**—Under regulations prescribed by the Secretary, rules similar to the rules of subsection (d) of section 52 shall apply.

“(5) **ALLOCATION OF CREDIT TO PATRONS OF AGRICULTURAL COOPERATIVE.**—

“(A) **ELECTION TO ALLOCATE.**—

“(i) **IN GENERAL.**—In the case of an eligible cooperative organization, any portion of the credit determined under subsection (a) for the taxable year may, at the election of the organization, be apportioned among patrons of the organization on the basis of the amount of business done by the patrons during the taxable year.

“(ii) **FORM AND EFFECT OF ELECTION.**—An election under clause (i) for any taxable year shall be made on a timely filed return for such year. Such election, once made, shall be irrevocable for such taxable year. Such election shall not take effect unless the organization designates the apportionment as such in a written notice mailed to its patrons during the payment period described in section 1382(d).

“(B) **TREATMENT OF ORGANIZATIONS AND PATRONS.**—The amount of the credit apportioned to any patrons under subparagraph (A)—

“(i) shall not be included in the amount determined under subsection (a) with respect to the organization for the taxable year, and

“(ii) shall be included in the amount determined under subsection (a) for the first taxable year of each patron ending on or after the last day of the payment period (as defined in section 1382(d)) for the taxable year of the organization or, if earlier, for the taxable year of each patron ending on or after the date on which the patron receives notice from the cooperative of the apportionment.

“(C) **SPECIAL RULES FOR DECREASE IN CREDITS FOR TAXABLE YEAR.**—If the amount of the credit of a cooperative organization determined under subsection (a) for a taxable year is less than the amount of such credit shown on the return of the cooperative organization for such year, an amount equal to the excess of—

“(i) such reduction, over

“(ii) the amount not apportioned to such patrons under subparagraph (A) for the taxable year,

shall be treated as an increase in tax imposed by this chapter on the organization. Such increase shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter.

“(D) **ELIGIBLE COOPERATIVE DEFINED.**—For purposes of this section the term ‘eligible cooperative’ means a cooperative organization described in section 1381(a) which is owned more than 50 percent by agricultural producers or by entities owned by agricultural producers. For this purpose an entity owned by an agricultural producer is one that is more than 50 percent owned by agricultural producers.”

(b) **CONFORMING AMENDMENTS.**—

(1) Section 38(b), as amended by section 01, is amended—

(A) in paragraph (36), by striking “plus” at the end,

(B) in paragraph (37), by striking the period at the end and inserting “, plus”, and

(C) by adding at the end the following new paragraph:

“(38) the clean fuel production credit determined under section 45T(a).”

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by section 01, is amended by adding at the end the following new item:

“Sec. 45T. Clean fuel production credit.”

(3) Section 4101(a)(1) is amended by inserting “every person producing a fuel eligible for the clean fuel production credit (pursuant to section 45T),” after “section 6426(b)(4)(A)).”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to transportation fuel produced after December 31, 2017.

SEC. 6022. TEMPORARY EXTENSION OF EXISTING FUEL INCENTIVES.

(a) **SECOND GENERATION BIOFUEL PRODUCER CREDIT.**—

(1) **IN GENERAL.**—Section 40(b)(6) is amended—

(A) in subparagraph (E)(i)—

(i) in subclause (I), by striking “and” at the end,

(ii) in subclause (II), by striking the period at the end and inserting “, and”, and

(iii) by inserting at the end the following new subclause:

“(III) qualifies as a transportation fuel (as defined in section 45T(e)(5)).”, and

(B) in subparagraph (J)(i), by striking “2017” and inserting “2018”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to qualified second generation biofuel production after December 31, 2016.

(b) **BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.**—

(1) **IN GENERAL.**—Section 40A is amended—

(A) in subsection (f)(3)(B), by striking “or D396”, and

(B) in subsection (g), by striking “2016” and inserting “2017”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2016.

(c) **CREDIT FOR BIODIESEL AND ALTERNATIVE FUEL MIXTURES.**—

(1) **IN GENERAL.**—Section 6426 is amended—

(A) in subsection (c)(6), by striking “2016” and inserting “2017”,

(B) in subsection (d)—

(i) in paragraph (1), by striking “motor vehicle” and inserting “highway vehicle”,

(ii) in paragraph (2)(D), by striking “liquefied”, and

(iii) in paragraph (5), by striking “2016” and inserting “2017”, and

(C) in subsection (e), by amending paragraph (3) to read as follows:

“(3) **TERMINATION.**—This subsection shall not apply to any sale or use for any period after—

“(A) in the case of any alternative fuel mixture sold or used by the taxpayer for the purposes described in subsection (d)(1), December 31, 2017,

“(B) in the case of any sale or use involving hydrogen that is not for the purposes described in subsection (d)(1), December 31, 2017, and

“(C) in the case of any sale or use not described in subparagraph (A) or (B), December 31, 2016.”

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2016.

(d) **BIODIESEL, BIODIESEL MIXTURES, AND ALTERNATIVE FUELS.**—

(1) **IN GENERAL.**—Section 6427(e)(6) is amended—

(A) in subparagraph (B), by striking “2016” and inserting “2017”, and

(B) in subparagraph (C), by striking “2016” and inserting “2017”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2016.

Subtitle C—Energy Efficiency Incentives
SEC. 6031. CREDIT FOR NEW ENERGY EFFICIENT RESIDENTIAL BUILDINGS.

(a) **IN GENERAL.**—Section 45L is amended to read as follows:

“SEC. 45L. NEW ENERGY EFFICIENT HOME CREDIT.

“(a) **ALLOWANCE OF CREDIT.**—For purposes of section 38, in the case of an eligible contractor, the new energy efficient home credit for the taxable year is the applicable amount for each qualified residence which is—

“(1) constructed by the eligible contractor, and

“(2) acquired by a person from such eligible contractor for use as a residence during the taxable year.

“(b) **APPLICABLE AMOUNT.**—

“(1) **IN GENERAL.**—For purposes of subsection (a), the applicable amount shall be an amount equal to \$1,500 increased (but not above \$3,000) by \$100 for every 5 percentage points by which the efficiency ratio for the qualified residence is certified to be greater than 25 percent.

“(2) **EFFICIENCY RATIO.**—For purposes of this section, the efficiency ratio of a qualified residence shall be equal to the quotient, expressed as a percentage, obtained by dividing—

“(A) an amount equal to the difference between—

“(i) the annual level of energy consumption of the qualified residence, and

“(ii) the annual level of energy consumption of the baseline residence, by

“(B) the annual level of energy consumption of the baseline residence.

“(3) **BASELINE RESIDENCE.**—For purposes of this section, the baseline residence shall be a residence which is—

“(A) comparable to the qualified residence, and

“(B) constructed in accordance with the standards of the 2015 International Energy Conservation Code, as such Code (including supplements) is in effect on the date of the enactment of the American Energy Innovation Act.

“(c) **DEFINITIONS.**—For purposes of this section:

“(1) **ELIGIBLE CONTRACTOR.**—The term ‘eligible contractor’ means—

“(A) the person who constructed the qualified residence, or

“(B) in the case of a qualified residence which is a manufactured home, the manufactured home producer of such residence.

“(2) **QUALIFIED RESIDENCE.**—The term ‘qualified residence’ means a dwelling unit—

“(A) located in the United States,

“(B) the construction of which is substantially completed after the date of the enactment of this section, and

“(C) which is certified to have an annual level of energy consumption that is less than the baseline residence and an efficiency ratio of not less than 25 percent.

“(3) **CONSTRUCTION.**—The term ‘construction’ does not include substantial reconstruction or rehabilitation.

“(d) **CERTIFICATION.**—

“(1) **IN GENERAL.**—A certification described in this section shall be made—

“(A) in accordance with guidance prescribed by, and

“(B) by a third-party that is accredited by a certification program approved by,

the Secretary, in consultation with the Secretary of Energy. Such guidance shall specify procedures and methods for calculating annual energy consumption levels, and shall include requirements to ensure the safe operation of energy efficiency improvements and that all improvements are installed according to the applicable standards of such certification program.

“(2) COMPUTER SOFTWARE.—

“(A) IN GENERAL.—Any calculation under paragraph (1) shall be prepared by qualified computer software.

“(B) QUALIFIED COMPUTER SOFTWARE.—For purposes of this paragraph, the term ‘qualified computer software’ means software—

“(i) for which the software designer has certified that the software meets all procedures and detailed methods for calculating energy consumption levels as required by the Secretary, and

“(ii) which provides such forms as required to be filed by the Secretary in connection with energy consumption levels and the credit allowed under this section.

“(e) BASIS ADJUSTMENT.—For purposes of this subtitle, if a credit is allowed under this section in connection with any expenditure for any property (other than a qualified low-income building, as described in section 42(c)(2)), the increase in the basis of such property which would (but for this subsection) result from such expenditure shall be reduced by the amount of the credit so determined.

“(f) COORDINATION WITH INVESTMENT CREDITS.—For purposes of this section, expenditures taken into account under section 25D or 47 shall not be taken into account under this section.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to any qualified residence acquired after December 31, 2017.

SEC. 6032. ENERGY EFFICIENCY CREDIT FOR EXISTING RESIDENTIAL BUILDINGS.

(a) IN GENERAL.—Section 25C is amended to read as follows:

“SEC. 25C. CREDIT FOR ENERGY EFFICIENCY IMPROVEMENTS TO RESIDENTIAL BUILDINGS.

“(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the lesser of—

“(1) the applicable amount for the qualified residence based on energy efficiency improvements made by the taxpayer and placed in service during such taxable year, or

“(2) 30 percent of the amount paid or incurred by the taxpayer for energy efficiency improvements made to the qualified residence that were placed in service during such taxable year.

“(b) APPLICABLE AMOUNT.—

“(1) IN GENERAL.—For purposes of subsection (a)(1), the applicable amount shall be an amount equal to \$1,750 increased (but not above \$6,500) by \$300 for every 5 percentage points by which the efficiency ratio for the qualified residence is certified to be greater than 20 percent.

“(2) EFFICIENCY RATIO.—For purposes of this section, the efficiency ratio of a qualified residence shall be equal to the quotient, expressed as a percentage, obtained by dividing—

“(A) an amount equal to the difference between—

“(i) the projected annual level of energy consumption of the qualified residence after the energy efficiency improvements have been placed in service, and

“(ii) the annual level of energy consumption of such qualified residence prior to the energy efficiency improvements being placed in service, by

“(B) the annual level of energy consumption described in subparagraph (A)(ii).

“(3) COORDINATION WITH CREDIT FOR RESIDENTIAL ENERGY EFFICIENT PROPERTY.—For purposes of paragraph (2)(A), the determination of the difference in annual levels of energy consumption of the qualified residence shall not include any reduction in net energy consumption related to qualified property or energy storage property for which a credit was allowed under section 25D.

“(c) DEFINITIONS.—For purposes of this section:

“(1) QUALIFIED RESIDENCE.—The term ‘qualified residence’ means a dwelling unit—

“(A) located in the United States,

“(B) owned and used by the taxpayer as the taxpayer’s principal residence (within the meaning of section 121), and

“(C) which is certified to have—

“(i) a projected annual level of energy consumption after the energy efficiency improvements have been placed in service that is less than the annual level of energy consumption prior to the energy efficiency improvements being placed in service, and

“(ii) an efficiency ratio of not less than 20 percent.

“(2) ENERGY EFFICIENCY IMPROVEMENTS.—

“(A) IN GENERAL.—The term ‘energy efficiency improvements’ means any property installed on or in a dwelling unit which has been certified to reduce the level of energy consumption for such unit or to provide for onsite generation of electricity or useful thermal energy, provided that—

“(i) the original use of such property commences with the taxpayer, and

“(ii) such property reasonably can be expected to remain in use for at least 5 years.

“(B) AMOUNTS PAID OR INCURRED FOR ENERGY EFFICIENCY IMPROVEMENTS.—For purposes of subsection (a)(2), the amount paid or incurred by the taxpayer—

“(i) shall include expenditures for design and for labor costs properly allocable to the onsite preparation, assembly, or original installation of the property, and

“(ii) shall not include any expenditures related to expansion of the building envelope.

“(d) SPECIAL RULES.—For purposes of this section:

“(1) TENANT-STOCKHOLDER IN COOPERATIVE HOUSING CORPORATION.—In the case of an individual who is a tenant-stockholder (as defined in section 216) in a cooperative housing corporation (as defined in such section), such individual shall be treated as having made his tenant-stockholder’s proportionate share (as defined in section 216(b)(3)) of any expenditures for energy efficiency improvements of such corporation.

“(2) CONDOMINIUMS.—

“(A) IN GENERAL.—In the case of an individual who is a member of a condominium management association with respect to a condominium which the individual owns, such individual shall be treated as having made the individual’s proportionate share of any expenditures for energy efficiency improvements of such association.

“(B) CONDOMINIUM MANAGEMENT ASSOCIATION.—For purposes of this paragraph, the term ‘condominium management association’ means an organization which meets the requirements of paragraph (1) of section

528(c) (other than subparagraph (E) thereof) with respect to a condominium project substantially all of the units of which are used as residences.

“(3) ALLOCATION IN CERTAIN CASES.—If less than 80 percent of the use of a property is for nonbusiness purposes, only that portion of the expenditures for energy efficiency improvements for such property which is properly allocable to use for nonbusiness purposes shall be taken into account.

“(e) CERTIFICATION.—

“(1) IN GENERAL.—A certification described in this section shall be made—

“(A) in accordance with guidance prescribed by, and

“(B) by a third-party that is accredited by a certification program approved by,

the Secretary, in consultation with the Secretary of Energy. Such guidance shall specify procedures and methods for calculating annual energy consumption levels, with such calculations to take into account onsite generation of electricity or useful thermal energy, and shall include requirements to ensure the safe operation of energy efficiency improvements and that all improvements are installed according to the applicable standards of such certification program.

“(2) COMPUTER SOFTWARE.—

“(A) IN GENERAL.—Any calculation under paragraph (1) shall be prepared by qualified computer software.

“(B) QUALIFIED COMPUTER SOFTWARE.—For purposes of this paragraph, the term ‘qualified computer software’ has the same meaning given such term under section 45L(d)(2).

“(f) BASIS ADJUSTMENT.—For purposes of this subtitle, if a credit is allowed under this section for any expenditures with respect to any energy efficiency improvements, the increase in the basis of such property which would (but for this subsection) result from such expenditures shall be reduced by the amount of the credit so allowed.

“(g) COORDINATION WITH INVESTMENT CREDITS.—For purposes of this section, expenditures taken into account under section 25D or 47 shall not be taken into account under this section.”

(b) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 is amended by striking the item relating to section 25C and inserting after the item relating to section 25B the following item:

“Sec. 25C. Credit for energy efficiency improvements to residential buildings.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any energy efficiency improvements placed in service after December 31, 2017.

SEC. 6033. DEDUCTION FOR NEW ENERGY EFFICIENT COMMERCIAL BUILDINGS.

(a) IN GENERAL.—Section 179D is amended to read as follows:

“SEC. 179D. ENERGY EFFICIENT COMMERCIAL BUILDING DEDUCTION.

“(a) IN GENERAL.—There shall be allowed as a deduction an amount equal to the applicable amount for each qualified building placed in service by the taxpayer during the taxable year.

“(b) APPLICABLE AMOUNT.—

“(1) IN GENERAL.—For purposes of subsection (a), the applicable amount shall be an amount equal to the product of—

“(A) the applicable dollar value, and

“(B) the square footage of the qualified building.

“(2) APPLICABLE DOLLAR VALUE.—For purposes of paragraph (1)(A), the applicable dollar value shall be an amount equal to \$1.00

increased (but not above \$4.75) by \$0.25 for every 5 percentage points by which the efficiency ratio for the qualified building is certified to be greater than 25 percent.

“(3) **EFFICIENCY RATIO.**—For purposes of this section, the efficiency ratio of a qualified building shall be equal to the quotient, expressed as a percentage, obtained by dividing—

“(A) an amount equal to the difference between—

“(i) the annual level of energy consumption of the qualified building, and

“(ii) the annual level of energy consumption of the baseline building, by

“(B) the annual level of energy consumption of the baseline building.

“(4) **BASILINE BUILDING.**—For purposes of this section, the baseline building shall be a building which—

“(A) is comparable to the qualified building, and

“(B) meets the minimum requirements of Standard 90.1-2013 of the American Society of Heating, Refrigerating, and Air Conditioning Engineers and the Illuminating Engineering Society of North America (as in effect on December 31, 2014).

“(c) **QUALIFIED BUILDING.**—The term ‘qualified building’ means a building—

“(1) located in the United States,

“(2) which is owned by the taxpayer, and

“(3) which is certified to have an annual level of energy consumption that is less than the baseline building and an efficiency ratio of not less than 25 percent.

“(d) **ALLOCATION OF DEDUCTION.**—

“(1) **IN GENERAL.**—In the case of a qualified building owned by an eligible entity, the Secretary shall promulgate regulations to allow the allocation of the deduction to the person primarily responsible for designing the property in lieu of the owner of such property, with such person to be treated as the taxpayer for purposes of this section.

“(2) **ELIGIBLE ENTITY.**—For purposes of this subsection, the term ‘eligible entity’ means—

“(A) a Federal, State, or local government or a political subdivision thereof,

“(B) an Indian tribe (as defined in section 45A(c)(6)), or

“(C) an organization described in section 501(c) and exempt from tax under section 501(a).

“(e) **BASIS ADJUSTMENT.**—For purposes of this subtitle, if a deduction is allowed under this section with respect to any qualified building, the basis of such property shall be reduced by the amount of the deduction so allowed.

“(f) **CERTIFICATION.**—

“(1) **IN GENERAL.**—A certification described in this section shall be made—

“(A) in accordance with guidance prescribed by, and

“(B) by a third-party that is accredited by a certification program approved by, the Secretary, in consultation with the Secretary of Energy. Such guidance shall specify procedures and methods for calculating annual energy consumption levels, and shall include requirements to ensure the safe operation of energy efficiency improvements and that all improvements are installed according to the applicable standards of such certification program.

“(2) **COMPUTER SOFTWARE.**—

“(A) **IN GENERAL.**—Any calculation under paragraph (1) shall be prepared by qualified computer software.

“(B) **QUALIFIED COMPUTER SOFTWARE.**—For purposes of this paragraph, the term ‘qualified computer software’ means software—

“(i) for which the software designer has certified that the software meets all procedures and detailed methods for calculating energy consumption levels as required by the Secretary, and

“(ii) which provides such forms as required to be filed by the Secretary in connection with energy consumption levels and the deduction allowed under this section.”.

(b) **CONFORMING AMENDMENT.**—The table of sections for part VI of subchapter B of chapter 1 is amended by striking the item relating to section 179D and inserting after the item relating to section 179C the following item:

“Sec. 179D. Energy efficient commercial building deduction.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any qualified building placed in service after December 31, 2017.

SEC. 6034. ENERGY EFFICIENCY DEDUCTION FOR EXISTING COMMERCIAL BUILDINGS.

(a) **IN GENERAL.**—Part VI of subchapter B of chapter 1 is amended by inserting after section 179E the following new section:

“SEC. 179F. DEDUCTION FOR ENERGY EFFICIENCY IMPROVEMENTS TO COMMERCIAL BUILDINGS.

“(a) **IN GENERAL.**—There shall be allowed as a deduction an amount equal to the lesser of—

“(1) the applicable amount for the qualified building based on energy efficiency improvements made by the taxpayer and placed in service during the taxable year, or

“(2) 30 percent of the amount paid or incurred by the taxpayer for energy efficiency improvements made to the qualified building which were placed in service during the taxable year.

“(b) **APPLICABLE AMOUNT.**—

“(1) **IN GENERAL.**—For purposes of subsection (a), the applicable amount shall be an amount equal to the product of—

“(A) the applicable dollar value, and

“(B) the square footage of the qualified building.

“(2) **APPLICABLE DOLLAR VALUE.**—For purposes of paragraph (1), the applicable dollar value shall be an amount equal to \$1.25 increased (but not above \$9.25) by \$0.50 for every 5 percentage points by which the efficiency ratio for the qualified building is certified to be greater than 20 percent.

“(3) **EFFICIENCY RATIO.**—For purposes of this section, the efficiency ratio of a qualified building shall be equal to the quotient, expressed as a percentage, obtained by dividing—

“(A) an amount equal to the difference between—

“(i) the projected annual level of energy consumption of the qualified building after the energy efficiency improvements have been placed in service, and

“(ii) the annual level of energy consumption of such qualified building prior to the energy efficiency improvements being placed in service, by

“(B) the annual level of energy consumption described in subparagraph (A)(ii).

“(4) **COORDINATION WITH CLEAN ENERGY INVESTMENT CREDIT.**—For purposes of paragraph (3)(A), the determination of the difference in annual levels of energy consumption of the qualified building shall not include any reduction in net energy consumption related to qualified property or energy storage property for which a credit was allowed under section 48E.

“(c) **DEFINITIONS.**—

“(1) **QUALIFIED BUILDING.**—The term ‘qualified building’ means a building—

“(A) located in the United States,

“(B) which is owned by the taxpayer, and

“(C) which is certified to have—

“(i) a projected annual level of energy consumption after the energy efficiency improvements have been placed in service that is less than the annual level of energy consumption prior to the energy efficiency improvements being placed in service, and

“(ii) an efficiency ratio of not less than 20 percent.

“(2) **ENERGY EFFICIENCY IMPROVEMENTS.**—

“(A) **IN GENERAL.**—The term ‘energy efficiency improvements’ means any property installed on or in a qualified building which has been certified to reduce the level of energy consumption for such building or to increase onsite generation of electricity, provided that depreciation (or amortization in lieu of depreciation) is allowable with respect to such property.

“(B) **AMOUNTS PAID OR INCURRED FOR ENERGY EFFICIENCY IMPROVEMENTS.**—For purposes of subsection (a)(2), the amount paid or incurred by the taxpayer—

“(i) shall include expenditures for design and for labor costs properly allocable to the onsite preparation, assembly, or original installation of the property, and

“(ii) shall not include any expenditures related to expansion of the building envelope.

“(d) **CERTIFICATION.**—

“(1) **IN GENERAL.**—A certification described in this section shall be made—

“(A) in accordance with guidance prescribed by, and

“(B) by a third-party that is accredited by a certification program approved by, the Secretary, in consultation with the Secretary of Energy. Such guidance shall specify procedures and methods for calculating annual energy consumption levels, with such calculations to take into account onsite generation of electricity or useful thermal energy, and shall include requirements to ensure the safe operation of energy efficiency improvements and that all improvements are installed according to the applicable standards of such certification program.

“(2) **COMPUTER SOFTWARE.**—

“(A) **IN GENERAL.**—Any calculation under paragraph (1) shall be prepared by qualified computer software.

“(B) **QUALIFIED COMPUTER SOFTWARE.**—For purposes of this paragraph, the term ‘qualified computer software’ has the same meaning given such term under section 179D(f)(2).

“(e) **ALLOCATION OF DEDUCTION.**—

“(1) **IN GENERAL.**—In the case of a qualified building owned by an eligible entity, the Secretary shall promulgate regulations to allow the allocation of the deduction to the person primarily responsible for designing the energy efficiency improvements in lieu of the owner of such property, with such person to be treated as the taxpayer for purposes of this section.

“(2) **ELIGIBLE ENTITY.**—For purposes of this subsection, the term ‘eligible entity’ has the same meaning given such term under section 179D(d)(2).

“(f) **BASIS REDUCTION.**—For purposes of this subtitle, if a deduction is allowed under this section with respect to any energy efficiency improvements, the basis of such property shall be reduced by the amount of the deduction so allowed.

“(g) **COORDINATION WITH OTHER CREDITS.**—For purposes of this section, expenditures taken into account under section 47 or 48E shall not be taken into account under this section.”.

(b) **CONFORMING AMENDMENT.**—

(1) Section 263(a) is amended—

(A) in subparagraph (K), by striking “or” at the end,

(B) in subparagraph (L), by striking the period and inserting “, or”, and

(C) by inserting at the end the following new subparagraph:

“(M) expenditures for which a deduction is allowed under section 179F.”.

(2) Section 312(k)(3)(B) is amended—

(A) in the heading, by striking “OR 179E” and inserting “179E, OR 179F”, and

(B) by striking “or 179E” and inserting “179E, or 179F”.

(3) Section 1016(a) is amended—

(A) in paragraph (36), by striking “and” at the end,

(B) in paragraph (37), by striking the period at the end and inserting “, and”, and

(C) by inserting at the end the following new paragraph:

“(38) to the extent provided in section 179D(f).”.

(4) Section 1245(a) is amended—

(A) in paragraph (2)(C), by inserting “179F,” after “179E,” and

(B) in paragraph (3)(C), by inserting “179F,” after “179E.”.

(5) The table of sections for part VI of subchapter B of chapter 1 is amended by inserting after the item relating to section 179E the following new item:

“Sec. 179F. Deduction for energy efficiency improvements to commercial buildings.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any energy efficiency improvements placed in service after December 31, 2017.

Subtitle D—Clean Electricity and Fuel Bonds SEC. 6041. CLEAN ENERGY BONDS.

(a) **IN GENERAL.**—Subpart J of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

“SEC. 54BB. CLEAN ENERGY BONDS.

“(a) **IN GENERAL.**—If a taxpayer holds a clean energy bond on one or more interest payment dates of the bond during any taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to such dates.

“(b) **AMOUNT OF CREDIT.**—The amount of the credit determined under this subsection with respect to any interest payment date for a clean energy bond is 28 percent of the amount of interest payable by the issuer with respect to such date.

“(c) **LIMITATION BASED ON AMOUNT OF TAX.**—

“(1) **IN GENERAL.**—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

“(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under this part (other than subpart C and this subpart).

“(2) **CARRYOVER OF UNUSED CREDIT.**—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year (determined before the application of paragraph (1) for such succeeding taxable year).

“(d) **CLEAN ENERGY BOND.**—

“(1) **IN GENERAL.**—For purposes of this section, the term ‘clean energy bond’ means any bond issued as part of an issue if—

“(A) 100 percent of the excess of the available project proceeds (as defined in section

54A(e)(4)) of such issue over the amounts in a reasonably required reserve (within the meaning of section 150(a)(3)) with respect to such issue are to be used for capital expenditures incurred by an entity described in subparagraph (B) for 1 or more qualified facilities,

“(B) the bond is issued by—

“(i) a governmental body (as defined in paragraph (3) of section 54C(d)),

“(ii) a public power provider (as defined in paragraph (2) of such section), or

“(iii) a cooperative electric company (as defined in paragraph (4) of such section), and

“(C) the issuer makes an irrevocable election to have this section apply.

“(2) **APPLICABLE RULES.**—For purposes of applying paragraph (1)—

“(A) for purposes of section 149(b), a clean energy bond shall not be treated as federally guaranteed by reason of the credit allowed under subsection (a) or section 6433,

“(B) for purposes of section 148, the yield on a clean energy bond shall be determined without regard to the credit allowed under subsection (a), and

“(C) a bond shall not be treated as a clean energy bond if the issue price has more than a de minimis amount (determined under rules similar to the rules of section 1273(a)(3)) of premium over the stated principal amount of the bond.

“(3) **QUALIFIED FACILITY.**—The term ‘qualified facility’ means a facility—

“(A) which is described in subsection (e)(3) of section 45S and has a greenhouse gas emissions rate of less than 186 grams of CO₂e per KWh (as such terms are defined in subsections (b)(1) and (e)(1) of such section), or

“(B) which is described in subsection (e)(4) of section 45T and only produces transportation fuel which has an emissions rate of less than 38.62 kilograms of CO₂e per mmBTU (as such terms are defined in subsections (b) and (e) of such section).

“(e) **INTEREST PAYMENT DATE.**—For purposes of this section, the term ‘interest payment date’ means any date on which the holder of record of the clean energy bond is entitled to a payment of interest under such bond.

“(f) **CREDIT PHASE OUT.**—

“(1) **ELECTRICAL PRODUCTION.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), in the case of a clean energy bond for which the proceeds are used for capital expenditures incurred by an entity for a qualified facility described in subsection (d)(3)(A), if the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States are equal to or less than the percentage specified in section 45S(d)(1), the amount of the credit determined under subsection (b) with respect to any clean energy bond issued during a calendar year described in paragraph (3) shall be equal to the product of—

“(i) the amount determined under subsection (b) without regard to this subsection, multiplied by

“(ii) the phase-out percentage under paragraph (3).

“(B) **DEADLINE TO BEGIN PHASE-OUT.**—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electrical production in the United States for each year before calendar year 2026 are greater than the percentage specified in section 45S(d)(1), then the deter-

mination described in subparagraph (A) shall be deemed to have been made for calendar year 2025.

“(2) **FUEL PRODUCTION.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), in the case of a clean energy bond for which the proceeds are used for capital expenditures incurred by an entity for a qualified facility described in subsection (d)(3)(B), if the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from transportation fuel produced and sold at retail annually in the United States are equal to or less than the percentage specified in section 45T(d)(1), the amount of the credit determined under subsection (b) with respect to any clean energy bond issued during a calendar year described in paragraph (3) shall be equal to the product of—

“(i) the amount determined under subsection (b) without regard to this subsection, multiplied by

“(ii) the phase-out percentage under paragraph (3).

“(B) **DEADLINE TO BEGIN PHASE-OUT.**—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from transportation fuel produced and sold at retail annually in the United States for each year before calendar year 2026 are greater than the percentage specified in section 45T(d)(1), then the determination described in subparagraph (A) shall be deemed to have been made for calendar year 2025.

“(3) **PHASE-OUT PERCENTAGE.**—The phase-out percentage under this paragraph is equal to—

“(A) for any bond issued during the first calendar year following the calendar year in which the determination described in paragraph (1)(A) or (2)(A) is made, 75 percent,

“(B) for any bond issued during the second calendar year following such determination year, 50 percent,

“(C) for any bond issued during the third calendar year following such determination year, 25 percent, and

“(D) for any bond issued during any calendar year subsequent to the year described in subparagraph (C), 0 percent.

“(g) **SPECIAL RULES.**—

“(1) **INTEREST ON CLEAN ENERGY BONDS INCLUDIBLE IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES.**—For purposes of this title, interest on any clean energy bond shall be includible in gross income.

“(2) **APPLICATION OF CERTAIN RULES.**—Rules similar to the rules of subsections (f), (g), (h), and (i) of section 54A shall apply for purposes of the credit allowed under subsection (a).

“(h) **REGULATIONS.**—The Secretary may prescribe such regulations and other guidance as may be necessary or appropriate to carry out this section and section 6433.”.

(b) **CREDIT FOR QUALIFIED CLEAN ENERGY BONDS ALLOWED TO ISSUER.**—Subchapter B of chapter 65 of subtitle F is amended by adding at the end the following new section:

“SEC. 6433. CREDIT FOR QUALIFIED CLEAN ENERGY BONDS ALLOWED TO ISSUER.

“(a) **IN GENERAL.**—The issuer of a qualified clean energy bond shall be allowed a credit with respect to each interest payment under such bond which shall be payable by the Secretary as provided in subsection (b).

“(b) **PAYMENT OF CREDIT.**—

“(1) **IN GENERAL.**—The Secretary shall pay (contemporaneously with each interest payment date under such bond) to the issuer of

such bond (or to any person who makes such interest payments on behalf of the issuer) 28 percent of the interest payable under such bond on such date.

“(2) INTEREST PAYMENT DATE.—For purposes of this subsection, the term ‘interest payment date’ means each date on which interest is payable by the issuer under the terms of the bond.

“(c) APPLICATION OF ARBITRAGE RULES.—For purposes of section 148, the yield on a qualified clean energy bond shall be reduced by the credit allowed under this section.

“(d) QUALIFIED CLEAN ENERGY BOND.—For purposes of this section, the term ‘qualified clean energy bond’ means a clean energy bond (as defined in section 54BB(d)) issued as part of an issue if the issuer, in lieu of any credit allowed under section 54BB(a) with respect to such bond, makes an irrevocable election to have this section apply.”.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subpart J of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

“Sec. 54BB. Clean energy bonds.”.

(2) The heading of such subpart (and the item relating to such subpart in the table of subparts for part IV of subchapter A of chapter 1) are each amended by striking “**Build America Bonds**” and inserting “**Build America Bonds and Clean Energy Bonds**”.

(3) The table of sections for subchapter B of chapter 65 of subtitle F is amended by adding at the end the following new item:

“Sec. 6433. Credit for qualified clean energy bonds allowed to issuer.”.

(4) Subparagraph (A) of section 6211(b)(4) is amended by striking “and 6431” and inserting “6431, and 6433”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of the enactment of this Act.

SA 3239. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 42. NATIONAL SCIENCE AND TECHNOLOGY COUNCIL COORDINATING SUBCOMMITTEE FOR HIGH-ENERGY PHYSICS.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the National Science and Technology Council shall establish a subcommittee to coordinate Federal efforts relating to high-energy physics research (referred to in this section as the “subcommittee”).

(b) PURPOSES.—The purposes of the subcommittee are—

(1) to maximize the efficiency and effectiveness of United States investment in high-energy physics; and

(2) to support a robust, internationally competitive United States high-energy physics program that includes—

(A) underground science and engineering research; and

(B) physical infrastructure.

(c) CO-CHAIRS.—The Director of the National Science Foundation and the Secretary shall serve as co-chairs of the subcommittee.

(d) RESPONSIBILITIES.—The responsibilities of the subcommittee shall be—

(1) to provide recommendations on planning for construction and stewardship of large facilities participating in high-energy physics;

(2) to provide recommendations on research coordination and collaboration among the programs and activities of Federal agencies;

(3) to establish goals and priorities for high-energy physics, underground science, and research and development that will strengthen United States competitiveness in high-energy physics;

(4) to propose methods for engagement with international, Federal, and State agencies and Federal laboratories not represented on the subcommittee to identify and reduce regulatory, logistical, and fiscal barriers that inhibit United States leadership in high-energy physics and related underground science; and

(5) to develop, and update once every 5 years, a strategic plan to guide Federal programs and activities in support of high-energy physics research.

(e) ANNUAL REPORT.—Annually, the subcommittee shall update Congress regarding—

(1) efforts taken in support of the strategic plan described in subsection (d)(5);

(2) an evaluation of the needs for maintaining United States leadership in high-energy physics; and

(3) identification of priorities in the area of high-energy physics.

(f) SUNSET.—The subcommittee shall terminate on the date that is 10 years after the date of enactment of this Act.

SA 3240. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . DISALLOWANCE OF DEDUCTION FOR PUNITIVE DAMAGES.

(a) DISALLOWANCE OF DEDUCTION.—

(1) IN GENERAL.—Section 162(g) of the Internal Revenue Code of 1986 is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,

(B) by striking “If” and inserting:

“(1) TREBLE DAMAGES.—If”, and

(C) by adding at the end the following new paragraph:

“(2) PUNITIVE DAMAGES.—No deduction shall be allowed under this chapter for any amount paid or incurred for punitive damages in connection with any judgment in, or settlement of, any action.”.

(2) CONFORMING AMENDMENT.—The heading for section 162(g) of such Code is amended by inserting “OR PUNITIVE DAMAGES” after “LAWS”.

(b) INCLUSION IN INCOME OF PUNITIVE DAMAGES PAID BY INSURER OR OTHERWISE.—

(1) IN GENERAL.—Part II of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 91. PUNITIVE DAMAGES COMPENSATED BY INSURANCE OR OTHERWISE.

“Gross income shall include any amount paid to or on behalf of a taxpayer as insurance or otherwise by reason of the taxpayer’s liability (or agreement) to pay punitive damages.”.

(2) REPORTING REQUIREMENTS.—Section 6041 of such Code is amended by adding at the end the following new subsection:

“(h) SECTION TO APPLY TO PUNITIVE DAMAGES COMPENSATION.—This section shall apply to payments by a person to or on behalf of another person as insurance or otherwise by reason of the other person’s liability (or agreement) to pay punitive damages.”.

(3) CONFORMING AMENDMENT.—The table of sections for part II of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 91. Punitive damages compensated by insurance or otherwise.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to damages paid or incurred on or after the date of the enactment of this Act.

SA 3241. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

Sec. . Notwithstanding any other provisions of this Act, sections 2303, 3009 and 3017 shall have no force or effect.

SA 3242. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

Sec. . Notwithstanding any other provisions of this Act, sections 1004, 2303, 3009 and 3017 shall have no force or effect.

SA 3243. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 34. FEDERAL COAL LEASING PROGRAM.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Federal coal leasing program should be reviewed—

(A) to ensure that taxpayers receive a fair rate of return for Federal minerals;

(B) to provide appropriate transparency; and

(C) to ensure that management of Federal land and minerals is in the public interest;

(2) the responsible development of coal resources on Federal land provides an important source of jobs and revenue for States and local economies; and

(3) the review under paragraph (1) should be completed as soon as practicable after the date of enactment of this Act.

(b) ROYALTY POLICY COMMITTEE.—

(1) IN GENERAL.—To ensure consultation with key State, tribal, environmental, energy and Federal stakeholders, not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall reestablish the Royalty Policy Committee (referred to in this subsection as the “Committee”) in accordance with the charter of

the Secretary of the Interior, dated March 26, 2010, as modified by this subsection.

(2) DUTIES.—The Committee shall—

(A) provide advice to the Secretary of the Interior, acting through the Director of the Office of Natural Resource Revenue, on the management of Federal and Indian mineral leases and revenues under the law governing the Department of the Interior;

(B) review and comment on revenue management and other mineral and energy-related policies; and

(C) provide a forum to convey views representative of mineral lessees, operators, revenue payers, revenue recipients, governmental agencies, and public interest groups.

(3) ADVISORY.—The duties of the Committee shall be solely advisory.

(4) MEETINGS.—The Committee shall meet at least once a year at the request of the Secretary of the Interior.

(5) DURATION.—The charter of the Committee may be renewed in 2-year increments by the Secretary of the Interior.

(6) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Interior shall appoint non-Federal members and alternates to the Committee for a term of up to 3 years.

(B) TERMS.—

(i) IN GENERAL.—The terms of non-Federal Committee members and alternates shall be staggered to preserve the integrity of the Committee.

(ii) TERMS.—Except as provided in clause (iii), the terms of new or reappointed non-Federal members of the Committee shall be 3 years.

(iii) SHORTER TERMS.—If a term of 3 years would result in more than 1/3 of the terms of the non-Federal members expiring in any year, appointments of non-Federal members may be extended for 1-year or 2-terms to provide continuity of the Committee.

(iv) MAXIMUM NUMBER OF YEARS.—

(i) IN GENERAL.—Subject to subclause (II), non-Federal members may not serve more than 6 consecutive years as a member of the Committee.

(II) REAPPOINTMENT.—After a 2-year break in service, any non-Federal member who have served 6 consecutive years shall be eligible for reappointment to the Committee.

(C) MEETINGS.—The Secretary of the Interior may revoke the appointment of a member of the Committee and the alternate if the appointed member or alternate fails to attend 2 or more consecutive meetings of the Committee.

(D) BALANCED REPRESENTATION.—Committee members shall be comprised of non-Federal and Federal members in order to ensure fair and balanced representation with consideration for the efficiency and fiscal economy of the Committee.

(E) DISCRETIONARY SERVICE.—All members of the Committee shall serve at the discretion of the Secretary of the Interior.

(F) NON-FEDERAL MEMBERS.—In appointing non-Federal members of the Committee, the Secretary of the Interior shall appoint up to—

(i) 5 members who represent States that receive over \$10,000,000 annually in royalty revenues from Federal leases;

(ii) 5 members who represent Indian tribes;

(iii) 5 members who represent various mineral or energy interests; and

(iv) 5 members who represent public interest groups.

(G) FEDERAL MEMBERS.—The following officials, or their designees, shall be nonvoting, ex-officio members of the Committee:

(i) The Assistant Secretary of Indian Affairs

(ii) The Director of the Bureau of Land Management.

(iii) The Director of the Office of Natural Resources Revenue.

(7) SUBCOMMITTEES.—

(A) IN GENERAL.—Subject to the approval of the Secretary of the Interior and subparagraph (B), subcommittees or workgroups of the Committee may be formed for the purposes of compiling information or conducting research.

(B) ADMINISTRATION.—Subcommittees or workgroups of the Committee shall—

(i) act only under the direction of the Committee; and

(ii) report their recommendations to the full Committee for consideration.

(C) APPOINTMENT.—The Committee Chair, with the approval of the Secretary of the Interior, shall appoint subcommittee or workgroup members.

(D) MEETINGS.—Subcommittees and workgroups of the Committee shall meet as necessary to accomplish assignments, subject to the approval of the Secretary of the Interior and the availability of resources.

(c) EMERGENCY LEASING.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall amend section 3425.1-4 of title 43, Code of Federal Regulations and Secretarial Order 3338, dated January 15, 2016, to authorize earlier emergency leasing than is authorized under section 3425.1-4 of title 43, Code of Federal Regulations (as of the date of enactment of this Act).

(2) ADMINISTRATION.—In carrying out paragraph (1), the Secretary shall substitute “4 years” for “3 years” each place it appears in section 3425.1-4 of title 43, Code of Federal Regulations for the duration of the programmatic review of the Federal coal program and the limitations on the issuance of Federal coal leases described in Secretarial Order 3338.

SA 3244. Mr. MARKEY (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM 181 AREA, 181 SOUTH AREA, AND 2002–2007 PLANNING AREAS OF GULF OF MEXICO.

Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note) is amended to read as follows:

“SEC. 105. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM 181 AREA, 181 SOUTH AREA, AND 2002–2007 PLANNING AREAS OF GULF OF MEXICO.

“Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to the other provisions of this section, for each applicable fiscal year, the Secretary of the Treasury shall deposit—

“(1) 87.5 percent of qualified outer Continental Shelf revenues in the general fund of the Treasury, to be used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate; and

“(2) 12.5 percent of qualified outer Continental Shelf revenues in a special account in

the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, from which the Secretary shall disburse, without further appropriation, 100 percent to provide financial assistance to States in accordance with section 200305 of that title, which shall be considered income to the Land and Water Conservation Fund for purposes of section 200302 of that title.”.

SA 3245. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. SEAWARD BOUNDARIES.

(a) IN GENERAL.—Section 4 of the Submerged Lands Act (43 U.S.C. 1312) is amended—

(1) in the first sentence, by striking “The” and inserting the following:

“(a) GENERAL RULE.—

“(1) IN GENERAL.—Except for the States described in subsection (b), the”;

(2) in the second sentence, by striking “Any State” and inserting the following:

“(2) EXTENSIONS.—Any State”;

(3) in the third sentence, by striking “Any claim” and inserting the following:

“(3) CLAIMS.—Any claim”;

(4) in the fourth sentence, by striking “Nothing” and inserting the following:

“(4) PRIOR APPROVAL.—Nothing”; and

(5) by adding at the end the following:

“(b) SEAWARD BOUNDARIES OF CERTAIN COASTAL STATES.—Subject to subsection (a), for management activities pursuant to the fishery management plan for the reef fish resources of the Gulf of Mexico or any amendment to such plan, the seaward boundary of each of the following States shall be a line 3 marine leagues distant from the coast line of the State as of the date that is 1 day before the date of enactment of this subsection:

“(1) Alabama.

“(2) Florida.

“(3) Louisiana.

“(4) Mississippi.”.

(b) CONFORMING AMENDMENTS.—Section 2 of the Submerged Lands Act (43 U.S.C. 1301) is amended—

(1) in subsection (a)(2), by inserting “, or 3 marine leagues distant from the coast line of a State described in section 4(b),” after “the coast line of each such State”; and

(2) in subsection (b)—

(A) by striking “from the coast line”;

(B) by inserting “from the coast line of a State, or more than 3 marine leagues from the coast line of a State described in section 4(b),” after “three geographical miles”; and

(C) by inserting “from the coast line of a State, or more than 3 marine leagues from the coast line of a State described in section 4(b),” after “three marine leagues”.

SA 3246. Mr. ENZI (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—NATIONAL FOREST SYSTEM TRAIL MAINTENANCE

SEC. 6001. DEFINITIONS.

In this title:

(1) **ADMINISTRATIVE UNIT.**—The term “Administrative Unit” means a national forest or national grassland.

(2) **OUTFITTER OR GUIDE.**—The term “outfitter or guide” means an individual, organization, or business who provides outfitting or guiding services, as defined in section 251.51 of title 36, Code of Federal Regulations.

(3) **PARTNER.**—The term “partner” means a non-Federal entity that engages in a partnership.

(4) **PARTNERSHIP.**—The term “partnership” means arrangements between the Department of Agriculture or the Forest Service and a non-Federal entity that are voluntary, mutually beneficial, and entered into for the purpose of mutually agreed upon objectives.

(5) **PRIORITY AREA.**—The term “priority area” means a well-defined region on National Forest System land selected by the Secretary under section 6003(a).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(7) **STRATEGY.**—The term “strategy” means the National Forest System Trails Volunteer and Partnership Strategy authorized by section 6002(a).

(8) **TRAIL MAINTENANCE.**—The term “trail maintenance” means any activity to maintain the usability and sustainability of trails within the National Forest System, including—

(A) ensuring trails are passable by the users for which they are managed;

(B) preventing environmental damage resulting from trail deterioration;

(C) protecting public safety; and

(D) averting future deferred maintenance costs.

(9) **VOLUNTEER.**—The term “volunteer” means an individual whose services are accepted by the Secretary without compensation under the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a et seq.).

SEC. 6002. NATIONAL FOREST SYSTEM TRAILS VOLUNTEER AND PARTNERSHIP STRATEGY.

(a) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in trail maintenance.

(b) **REQUIRED ELEMENTS.**—The strategy required by subsection (a) shall—

(1) augment and support the capabilities of Federal employees to carry out or contribute to trail maintenance;

(2) provide meaningful opportunities for volunteers and partners to carry out trail maintenance in each region of the Forest Service;

(3) address the barriers to increased volunteerism and partnerships in trail maintenance identified by volunteers, partners, and others;

(4) prioritize increased volunteerism and partnerships in trail maintenance in those regions with the most severe trail maintenance needs, and where trail maintenance backlogs are jeopardizing access to National Forest lands; and

(5) aim to increase trail maintenance by volunteers and partners by 100 percent by the date that is 5 years after the date of the enactment of this Act.

(c) **ADDITIONAL REQUIREMENT.**—As a component of the strategy, the Secretary shall study opportunities to improve trail maintenance

by addressing opportunities to use fire crews in trail maintenance activities in a manner that does not jeopardize firefighting capabilities, public safety, or resource protection. Upon a determination that trail maintenance would be advanced by use of fire crews in trail maintenance, the Secretary shall incorporate these proposals into the strategy, subject to such terms and conditions as the Secretary determines to be necessary.

(d) **VOLUNTEER LIABILITY.**—

(1) **IN GENERAL.**—Section 3 of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558c) is amended by adding at the end the following new subsection:

“(e) For the purposes of subsections (b), (c), and (d), the term ‘volunteer’ includes a person providing volunteer services to the Secretary who—

“(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement with the Secretary; and

“(2) performs such volunteer services under the supervision of the cooperator as directed by the Secretary in the mutual benefit agreement, including direction that specifies—

“(A) the volunteer services to be performed by the volunteers and the supervision to be provided by the cooperator;

“(B) the applicable project safety standards and protocols to be adhered to by the volunteers and enforced by the cooperator; and

“(C) the on-site visits to be made by the Secretary, when feasible, to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon.”.

(2) **ADDITIONAL REQUIREMENT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall adopt regulations implementing this section. These regulations shall ensure that the financial risk from claims or liability associated with volunteers undertaking trail maintenance is shared by all administrative units.

(e) **CONSULTATION.**—The Secretary shall develop the strategy in consultation with volunteer and partner trail maintenance organizations, a broad array of outdoor recreation stakeholders, and other relevant stakeholders.

(f) **VOLUNTEER AND PARTNERSHIP COORDINATION.**—The Secretary shall require each administrative unit to develop a volunteer and partner coordination implementation plan for the strategy which clearly defines roles and responsibilities for the administrative unit and district staff, and includes strategies to ensure sufficient coordination, assistance, and support for volunteers and partners to improve trail maintenance.

(g) **REPORT.**—

(1) **CONTENTS.**—The Secretary shall prepare a report on—

(A) the effectiveness of the strategy in addressing the trail maintenance backlog;

(B) the increase in volunteerism and partnership efforts on trail maintenance as a result of the strategy;

(C) the miles of National Forest System trails maintained by volunteers and partners, and the approximate value of the volunteer and partnership efforts;

(D) the status of the stewardship credits for outfitters and guides pilot program described in section 6005 that includes the number of participating sites, total amount of the credits offered, estimated value of trail maintenance performed, and suggestions for revising the program; and

(E) recommendations for further increasing volunteerism and partnerships in trail maintenance.

(2) **SUBMISSION.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit the report required by paragraph (1) to—

(A) the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives.

SEC. 6003. PRIORITY TRAIL MAINTENANCE PROGRAM.

(a) **SELECTION.**—In accordance with subsections (b) and (c), not later than 6 months after the date of the enactment of this Act, the Secretary of Agriculture shall select no fewer than 9 and no more than 15 priority areas for increased trail maintenance accomplishments.

(b) **CRITERIA.**—Priority areas shall include a well-defined region on National Forest System land where the lack of trail maintenance has—

(1) reduced access to public land;

(2) led to an increase, or risk of increase, in harm to natural resources;

(3) jeopardized public safety;

(4) resulted in trails being impassible by the intended managed users; or

(5) increased future deferred trail maintenance costs.

(c) **REQUIREMENTS.**—In selecting priority areas, the Secretary shall—

(1) consider any public input on priority areas received within 3 months of the date of enactment of this Act;

(2) consider the range of trail users (including motorized and non-motorized trail users); and

(3) include at least one priority area in each region of the United States Forest Service.

(d) **INCREASED TRAIL MAINTENANCE.**—

(1) **IN GENERAL.**—Within 6 months of the selection of priority areas under subsection (a), and in accordance with paragraph (2), the Secretary shall develop an approach to substantially increase trail maintenance accomplishments within each priority area.

(2) **CONTENTS.**—In developing the approach under paragraph (1), the Secretary shall—

(A) consider any public input on trail maintenance priorities and needs within any priority area;

(B) consider the costs and benefits of increased trail maintenance within each priority area; and

(C) incorporate partners and volunteers in the trail maintenance.

(3) **REQUIRED TRAIL MAINTENANCE.**—Utilizing the approach developed under paragraph (1), the Secretary shall substantially increase trail maintenance within each priority area.

(e) **COORDINATION.**—The regional volunteer and partnership coordinators may be responsible for assisting partner organizations in developing and implementing volunteer and partnership projects to increase trail maintenance within priority areas.

(f) **REVISION.**—The Secretary shall periodically review the priority areas to determine whether revisions are necessary and may revise the priority areas, including the selection of new priority areas or removal of existing priority areas, at his sole discretion.

SEC. 6004. COOPERATIVE AGREEMENTS.

(a) **IN GENERAL.**—The Secretary may enter into a cooperative agreement with any State, tribal, local governmental, and private entity to carry out this title.

(b) CONTENTS.—Cooperative agreements authorized under this section may—

- (1) improve trail maintenance in a priority area;
- (2) implement the strategy; or
- (3) advance trail maintenance in a manner deemed appropriate by the Secretary.

SEC. 6005. STEWARDSHIP CREDITS FOR OUTFITTERS AND GUIDES.

(a) PILOT PROGRAM.—Within 1 year after the date of enactment of this Act, in accordance with this section, the Secretary shall establish a pilot program on not less than 20 administrative units to offset all or part of the land use fee for an outfitting and guiding permit by the cost of the work performed by the permit holder to construct, improve, or maintain National Forest System trails, trailheads, or developed sites that support public use under terms established by the Secretary.

(b) ADDITIONAL REQUIREMENTS.—In establishing the pilot program authorized by subsection (a), the Secretary shall—

- (1) select administrative units where the pilot program will improve trail maintenance; and
- (2) establish appropriate terms and conditions, including meeting National Quality Standards for Trails and the Trail Management Objectives identified for the trail.

SA 3247. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

Part B of the Safe Drinking Water Act (42 U.S.C. 300g et seq.) is amended by adding at the end the following:

“SEC. 1420A. LEAD PREVENTION GRANT PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) CITY.—The term ‘City’ means the City of Flint, Michigan.

“(2) STATE.—The term ‘State’ means the State of Michigan.

“(b) GRANT PROGRAM.—

“(1) ESTABLISHMENT.—Using funds made available under section 4805(a) of the Energy Policy Modernization Act of 2016, the Administrator shall make grants to the State and the City for use in accordance with this subsection.

“(2) USE OF FUNDS.—The use of funds from a grant made under this subsection shall be—

“(A) determined by the Administrator, in consultation with the State and the City; and

“(B) used only for an activity authorized under paragraph (3).

“(3) AUTHORIZED ACTIVITIES.—

“(A) IN GENERAL.—The Administrator may authorize the use by the State or the City of funds from a grant under this subsection to carry out any activity that the Administrator determines is necessary to ensure that the drinking water supply of the City does not contain—

“(i) lead levels that threaten public health or the environment; or

“(ii) lead, other drinking water contaminants, and pathogens that pose a threat to public health.

“(B) INCLUSIONS.—Authorized activities under subparagraph (A) may include—

“(i) testing, evaluation, and sampling of public and private water service lines in the water distribution system of the City;

“(ii) repairs and upgrades to water treatment facilities that serve the City;

“(iii) optimization of corrosion control treatment of the public and private water service lines in the water distribution system of the City;

“(iv) repairs to water mains and replacement of public and private water service lines in the water distribution system of the City; and

“(v) modification or construction of new pipelines and treatment system startup evaluations needed to ensure optimal treatment of water from the Karegnondi Water Authority before and after the transition to this new source.

“(4) MATCHING REQUIREMENT.—As a condition of the State or the City receiving a grant under this subsection, the Administrator shall require the State to provide funds from non-Federal sources in an amount that is at least equal to the amount provided by the Federal Government.

“(5) RELATIONSHIP TO OTHER REQUIREMENTS.—Unless explicitly waived, the requirements of section 1450(e) apply to funding made available under this subsection.

“(c) ADMINISTRATION.—The Administrator may use funds made available under section 4805(a) of the Energy Policy Modernization Act of 2016—

“(1) for the costs of technical assistance provided by the Environmental Protection Agency or by contractors of the Environmental Protection Agency; and

“(2) for administrative activities in support of authorized activities.

“(d) REPORT.—Not later than 45 days after the first day of each of fiscal years 2017, 2018, 2019, 2020, and 2021, the Administrator shall submit to the Committee on Appropriations of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the actions taken to carry out the purposes of the grant program, as described in subsection (b)(3).

“(e) SUNSET.—The authority provided by this section terminates on March 1, 2021.”.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, that in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) CONFORMING AMENDMENTS.—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) CITY.—The term “City” means the City of Flint, Michigan.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means the State of Michigan.

(b) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by contract, grant, or cooperative agreement, establish in the City a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, public health agencies of Genesee County in the State, and the State in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) **APPLICATION OF FACA.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Conduct research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Develop lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Conduct education and outreach efforts for the City, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct regular meetings in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) **REPORT.**—Biannually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or with the Center; and

(3) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

SEC. 4805. FUNDING.

(a) **LEAD PREVENTION GRANT PROGRAM.**—

(1) **IN GENERAL.**—Not later than 5 days after the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Environmental Protection Agency to carry out section 1420A of the Safe Drinking Water Act (as added by section 4801) \$400,000,000, to remain available until March 1, 2021.

(2) **RECEIPT AND ACCEPTANCE.**—The Administrator of the Environmental Protection Agency shall be entitled to receive, shall accept, and shall use to carry out section 1420A of the Safe Drinking Water Act (as added by section 4801) the funds transferred under paragraph (1), without further appropriation.

(3) **REVERSION OF FUNDS.**—Any funds transferred under paragraph (1) that are unobligated as of March 1, 2021, shall revert to the general fund of the Treasury.

(b) **CENTER OF EXCELLENCE ON LEAD EXPOSURE.**—

(1) **IN GENERAL.**—On October 1, 2016, and on each October 1 thereafter through October 1, 2025, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Health and Human Services to carry out section 4804 \$20,000,000, to remain available until expended.

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary of Health and Human Services shall be entitled to receive, shall accept, and shall use to carry out section 4804 the funds transferred under paragraph (1), without further appropriation.

SEC. 4806. EMERGENCY DESIGNATION.

(a) **IN GENERAL.**—This subtitle and the amendments made by this subtitle are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) **DESIGNATION IN SENATE.**—In the Senate, this subtitle and the amendments made by this subtitle are designated as an emergency requirement pursuant to section 403(a) of S.

Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 3248. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle I—Prevention of and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **ELIGIBLE STATE.**—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) **ELIGIBLE SYSTEM.**—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) **STATE REVOLVING LOAN FUND ASSISTANCE.**—

(1) **IN GENERAL.**—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) **AUTHORIZATION.**—

(A) **IN GENERAL.**—Using funds provided under subsection (f)(1), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) **INCLUSION.**—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) **LIMITATION.**—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) **WATER INFRASTRUCTURE FINANCING.**—

(1) **SECURED LOANS.**—

(A) **IN GENERAL.**—Using funds provided under subsection (f)(2), the Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) **AMOUNT.**—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) **FEDERAL INVOLVEMENT.**—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) **ASSET MANAGEMENT PLAN.**—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) **NONDUPLICATION OF WORK.**—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) **FUNDING.**—

(1) **ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.**—

(A) **IN GENERAL.**—The Secretary of the Treasury shall make available to the Administrator \$200,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) for fiscal year 2016 for the purposes described in subsection (b)(2).

(B) **SUPPLEMENTED INTENDED USE PLANS.**—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

- (i) a description of the project;
- (ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;
- (iii) the estimated cost of the project; and
- (iv) the projected start date for construction of the project.

(C) **UNOBLIGATED AMOUNTS.**—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(D) **APPLICABILITY.**—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) **WIFIA FUNDING.**—

(A) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$60,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not

more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) **DEADLINE.**—The Administrator, in consultation with the Director of the Office of Management and Budget, shall provide to an eligible State a secured loan under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) **USE.**—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(D) **EXCESS AMOUNTS.**—If the Administrator determines, in fiscal year 2020 or any fiscal year thereafter, that an amount less than \$60,000,000 for credit subsidies is required to issue secured loans under subparagraph (A) for the fiscal year, the excess amount made available under this paragraph for that fiscal year shall be transferred to the Leaking Underground Storage Tank Trust Fund established by section 9508(a) of the Internal Revenue Code of 1986.

(3) **APPLICABILITY.**—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) **HEALTH EFFECTS EVALUATION, FLINT, MICHIGAN.**—

(1) **IN GENERAL.**—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the City of Flint, Michigan.

(2) **CONSULTATIONS.**—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

(h) **OFFSET.**—

(1) **IN GENERAL.**—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(4) **ADDITIONAL TRANSFER.**—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated \$260,000,000 to be transferred to the Administrator of the Environmental Protection Agency for purposes of making expenditures described in section 4801 of the Energy Policy Modernization Act of 2016.”.

(2) **CONFORMING AMENDMENT.**—Section 9508(c)(1) of such Code is amended by striking “paragraphs (2) and (3)” and inserting “paragraphs (2), (3), and (4)”.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public

Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by contract, grant, or cooperative agreement, establish in the City a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) **APPLICATION OF FACAA.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring on a voluntary basis for City residents who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support through a grant or contract research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer,

heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) **REPORT.**—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) **FUNDING.**—

(1) **MANDATORY FUNDING.**—

(A) **IN GENERAL.**—On October 1, 2016, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$20,000,000, to remain available until expended.

(B) **RECEIPT AND ACCEPTANCE.**—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to

carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

(3) **OFFSET.**—

(A) **IN GENERAL.**—Subsection (c) of section 9508 of the Internal Revenue Code of 1986, as amended by section 4801, is amended by adding at the end the following new paragraph:

“(5) **ADDITIONAL TRANSFER TO HHS.**—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated to be transferred to the Secretary of Health and Human Services \$20,000,000 on October 1, 2016, for purposes of making expenditures to carry out the requirements of section 4804 of the Energy Policy Modernization Act of 2016.”.

(B) **CONFORMING AMENDMENT.**—Section 9508(c)(1) of such Code, as amended by section 4801, is amended by striking “and (4)” and inserting “(4), and (5)”.

SEC. 4805. GAO REVIEW AND REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) **REVIEW.**—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) **CONTENTS OF REPORT.**—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle J—Contamination on Transferred Land

SEC. 4901. RESPONSE ACTIONS ON ALASKA NATIVE CLAIMS CONVEYANCES.

Section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620) is amended by adding at the end the following:

“(k) **ALASKA NATIVE CLAIMS CONVEYANCES.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **HAZARDOUS SUBSTANCE.**—In addition to the substances included in the definition of the term in section 101(14), the term ‘hazardous substance’ includes petroleum (including crude oil or any fraction thereof), natural gas, natural gas liquids, liquefied

natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

“(B) NATIVE CORPORATION.—The term ‘Native Corporation’ has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

“(2) OBLIGATION TO TAKE RESPONSE ACTION.—

“(A) IN GENERAL.—The United States shall be responsible for taking all response actions necessary to ensure the protection of human health and the environment with regard to the release or threatened release of any hazardous substance on land conveyed to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) prior to the date of enactment of this subsection.

“(B) REQUIREMENT.—All response actions shall be taken consistent with this Act and the National Oil and Hazardous Substances Pollution Contingency Plan described in part 300 of title 40, Code of Federal Regulations (or successor regulations).

“(3) ENFORCEMENT.—A Native Corporation may commence a civil action for enforcement of this subsection in accordance with section 310 on or before the date that is 6 years after the date of enactment of this subsection.”.

SA 3249. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle I—Prevention of and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (f)(1), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replace-

ment of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (f)(2), the Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(C) LIMITATION.—No project receiving a secured loan under this subsection may be financed (directly or indirectly), in whole or in part, with proceeds of any obligation—

(i) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which a credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) ASSET MANAGEMENT PLAN.—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator \$200,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) for fiscal year 2016 for the purposes described in subsection (b)(2).

(B) SUPPLEMENTED INTENDED USE PLANS.—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$60,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) DEADLINE.—The Administrator, in consultation with the Director of the Office of Management and Budget, shall provide to an eligible State a secured loan under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(D) EXCESS AMOUNTS.—If the Administrator determines, in fiscal year 2020 or any fiscal year thereafter, that an amount less than \$60,000,000 for credit subsidies is required to issue secured loans under subparagraph (A) for the fiscal year, the excess amount made available under this paragraph for that fiscal year shall be transferred to the Leaking Underground Storage Tank Trust Fund established by section 9508(a) of the Internal Revenue Code of 1986.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) HEALTH EFFECTS EVALUATION, FLINT, MICHIGAN.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center

for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the City of Flint, Michigan.

(2) **CONSULTATIONS.**—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

(h) **OFFSET.**—

(1) **IN GENERAL.**—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(4) **ADDITIONAL TRANSFER.**—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated \$260,000,000 to be transferred to the Administrator of the Environmental Protection Agency for purposes of making expenditures described in section 4801 of the Energy Policy Modernization Act of 2016.”.

(2) **CONFORMING AMENDMENT.**—Section 9508(c)(1) of such Code is amended by striking “paragraphs (2) and (3)” and inserting “paragraphs (2), (3), and (4)”.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by contract, grant, or cooperative agreement, establish in the City a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to

advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) **APPLICATION OF FAC.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring on a voluntary basis for City residents who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support through a grant or contract research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) REPORT.—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) FUNDING.—

(1) MANDATORY FUNDING.—

(A) IN GENERAL.—On October 1, 2016, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$20,000,000, to remain available until expended.

(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

(3) OFFSET.—

(A) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986, as amended by section 4801, is amended by adding at the end the following new paragraph:

“(5) ADDITIONAL TRANSFER TO HHS.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated to be transferred to the Secretary of Health and Human Services \$20,000,000 on October 1, 2016, for purposes of making expenditures to carry out the requirements of section 4804 of the Energy Policy Modernization Act of 2016.”.

(B) CONFORMING AMENDMENT.—Section 9508(c)(1) of such Code, as amended by section 4801, is amended by striking “and (4)” and inserting “(4), and (5)”.

SEC. 4805. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle J—Contamination on Transferred Land

SEC. 4901. RESPONSE ACTIONS ON ALASKA NATIVE CLAIMS CONVEYANCES.

Section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620) is amended by adding at the end the following:

“(k) ALASKA NATIVE CLAIMS CONVEYANCES.—

“(1) DEFINITIONS.—In this subsection:

“(A) HAZARDOUS SUBSTANCE.—In addition to the substances included in the definition of the term in section 101(14), the term ‘hazardous substance’ includes petroleum (including crude oil or any fraction thereof), natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

“(B) NATIVE CORPORATION.—The term ‘Native Corporation’ has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

“(2) OBLIGATION TO TAKE RESPONSE ACTION.—

“(A) IN GENERAL.—The United States shall be responsible for taking all response actions necessary to ensure the protection of human health and the environment with regard to the release or threatened release of any hazardous substance on land conveyed to a Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) prior to the date of enactment of this subsection.

“(B) REQUIREMENT.—All response actions shall be taken consistent with this Act and the National Oil and Hazardous Substances Pollution Contingency Plan described in part 300 of title 40, Code of Federal Regulations (or successor regulations).

“(3) ENFORCEMENT.—A Native Corporation may commence a civil action for enforcement of this subsection in accordance with section 310 on or before the date that is 6 years after the date of enactment of this subsection.”.

SA 3250. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1104 (relating to third-party certification under the Energy Star program).

SA 3251. Mr. INHOFE (for himself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 150, between lines 14 and 15, insert the following:

SEC. 131. GASEOUS FUEL DUAL FUELED AUTOMOBILES.

Section 32905 of title 49, United States Code, is amended by striking subsection (d) and inserting the following:

“(d) GASEOUS FUEL DUAL FUELED AUTOMOBILES.—

“(1) MODEL YEARS 1993 THROUGH 2016.—For any model of gaseous fuel dual fueled automobile manufactured by a manufacturer in model years 1993 through 2016, the Administrator shall measure the fuel economy for that model by dividing 1.0 by the sum of—

“(A) .5 divided by the fuel economy measured under section 32904(c) of this title when operating the model on gasoline or diesel fuel; and

“(B) .5 divided by the fuel economy measured under subsection (c) of this section when operating the model on gaseous fuel.

“(2) SUBSEQUENT MODEL YEARS.—For any model of gaseous fuel dual fueled automobile manufactured by a manufacturer in model year 2017 or any subsequent model year, the Administrator shall calculate fuel economy in accordance with section 600.510-12 (c)(2)(vii) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this paragraph) if the vehicle qualifies under section 32901(c).”.

SA 3252. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 272, between lines 3 and 4, insert the following:

(i) COORDINATED REVIEW.—In the case of an interstate natural gas pipeline project, for purposes of the due process requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Commission shall consider, and address in the environmental impact statement required for the interstate natural gas pipeline project under that Act, the cumulative impacts of other interstate natural gas pipeline projects located within the same State, within 100 miles of the project, that are filed with the Commission—

(1) during the 1-year period beginning on the filing of the initial project with the Commission; and

(2) before the issuance of the draft environmental impact statement by the Commission.

SA 3253. Mr. ISAKSON (for himself and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1008.
Strike subtitle G of title III.

SA 3254. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . MODIFICATIONS TO INCOME EXCLUSION FOR CONSERVATION SUBSIDIES.

(a) IN GENERAL.—Subsection (a) of section 136 of the Internal Revenue Code of 1986 is amended—

(1) by striking “any subsidy provided” and inserting “any subsidy—

“(1) provided”,

(2) by striking the period at the end and inserting “, or”, and

(3) by adding at the end the following new paragraph:

“(2) provided (directly or indirectly) by a public utility to a customer, or by a State or local government to a resident of such State or locality, for the purchase or installation of any water conservation measure or storm water management measure.”.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION OF WATER CONSERVATION MEASURE AND STORM WATER MANAGEMENT MEASURE.—Section 136(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking “ENERGY CONSERVATION MEASURE” in the heading thereof and inserting “DEFINITIONS”,

(B) by striking “IN GENERAL.” in the heading of paragraph (1) and inserting “ENERGY CONSERVATION MEASURE”, and

(C) by redesignating paragraph (2) as paragraph (4) and by inserting after paragraph (1) the following:

“(2) WATER CONSERVATION MEASURE.—For purposes of this section, the term ‘water conservation measure’ means any installation or modification primarily designed to reduce consumption of water or to improve the management of water demand with respect to a dwelling unit.

“(3) STORM WATER MANAGEMENT MEASURE.—For purposes of this section, the term ‘storm water management measure’ means any installation or modification of property primarily designed to manage amounts of storm water with respect to a dwelling unit.”.

(2) DEFINITION OF PUBLIC UTILITY.—Subparagraph (B) of section 136(c)(4) of such Code (as redesignated by paragraph (1)(C)) is amended by striking “or natural gas” and inserting “, natural gas, or water or the provision of storm water management”.

(3) CLERICAL AMENDMENTS.—

(A) The heading of section 136 of such Code is amended—

(i) by inserting “AND WATER” after “ENERGY”, and

(ii) by striking “PROVIDED BY PUBLIC UTILITIES”.

(B) The item relating to section 136 in the table of sections of part III of subchapter B of chapter 1 of such Code is amended—

(i) by inserting “and water” after “energy”, and

(ii) by striking “provided by public utilities”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after January 1, 2015.

SA 3255. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 31 . DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) in paragraph (1), by striking “50” and inserting “25”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “50” and inserting “75”; (B) in subparagraph (A)—

(i) by striking “75” and inserting “50”; and (ii) by striking “and” after the semicolon;

(C) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(C) 25 percent to provide financial assistance to States in accordance with section 906(b) of the National Oceans and Coastal Security Act (Public Law 114–113), which shall be considered income to the National Oceans and Coastal Security Fund for purposes of section 904 of that Act.”.

SA 3256. Mr. SCHATZ (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2307 and insert the following:

SEC. 2307. STATE AND REGIONAL ENERGY PARTNERSHIPS.

(a) DEFINITIONS.—In this section:

(1) COOPERATIVE AGREEMENT.—The term “cooperative agreement” has the meaning given the term in sections 6302 and 6305 of title 31, United States Code.

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) SECRETARIES.—The term “Secretaries” means—

(A) the Secretary, acting through the Assistant Secretary of the Office of Electricity Delivery and Energy Reliability in consultation with the Assistant Secretary of Energy Efficiency and Renewable Energy, the Assistant Secretary of Fossil Energy, and the Director of the Office of Nuclear Energy, Science, and Technology Programs; and

(B) the Secretary of the Interior, acting through the Assistant Secretary for Land and Minerals Management in consultation with the Director of the Bureau of Land Management, the Director of the Bureau of Ocean Energy Management, the Assistant Secretary for Indian Affairs, and the Assistant Secretary for Fish and Wildlife and Parks.

(4) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(5) TRIBAL ORGANIZATION.—

(A) IN GENERAL.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(B) INCLUSION.—The term “tribal organization” includes a Native Hawaiian organization (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)).

(b) REGIONAL ENERGY PARTNERSHIPS.—

(1) IN GENERAL.—The Secretaries shall provide assistance in accordance with this subsection for the purpose of developing energy strategies and plans that help harmonize and promote national, regional, and State energy goals, including goals for advancing resilient energy systems to mitigate risks and prepare for emerging energy challenges.

(2) ELECTRICITY DISTRIBUTION.—

(A) DISTRIBUTION PLANNING.—On the request of a State or a regional organization, the Secretary shall partner with the State or regional organization to facilitate the development of State and regional electricity distribution plans by—

(i) conducting a resource assessment and analysis of future demand and distribution requirements; and

(ii) developing open source tools for State and regional planning and operations.

(B) RISK AND SECURITY ANALYSIS.—An assessment under subparagraph (A)(i) shall include—

(i) an evaluation of the physical and cybersecurity needs of an advanced distribution management system and the integration of distributed energy resources; and

(ii) the advanced use of grid architecture to analyze risks in an all-hazards approach that includes communications infrastructure, control systems architecture, and power systems architecture.

(C) GRID INTEGRATION.—Consistent with the authorization of assistance provided to units of general local government and Indian tribes under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), the Secretary may provide assistance to a State or regional partnership (including a public-private partnership) to carry out projects designed to improve the performance and efficiency of the future electric grid that demonstrate—

(i) secure integration and management of 2 or more energy resources, including distributed energy generation, combined heat and power, micro-grids, energy storage, electric vehicles, energy efficiency, demand response, and intelligent loads; and

(ii) secure integration and interoperability of communications and information technologies.

(3) TECHNICAL ASSISTANCE.—In addition to the assistance authorized under paragraphs (1) and (2), the Secretaries may provide such technical assistance to States, political subdivisions of States, substate regional organizations (including organizations that cross State boundaries), multistate regional organizations, Indian tribes, tribal organizations, and nonprofit organizations as the Secretaries determine appropriate to promote—

(A) the development and improvement of regional energy strategies and plans that sustain and promote energy system modernization across the United States;

(B) investment in energy infrastructure, technological capacity, innovation, and workforce development to keep pace with the changing energy ecosystem;

(C) the structural transformation of the financial, regulatory, legal, and institutional

systems that govern energy planning, production, and delivery within States and regions; and

(D) public-private partnerships for the implementation of regional energy strategies and plans.

(4) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The Secretaries may enter into cooperative agreements with 1 or more States and Indian tribes to develop and implement strategies and plans to address the energy challenges of States, Indian tribes, and regions.

(B) REQUIREMENTS.—A cooperative agreement entered into under this paragraph shall include provisions covering or providing—

(i) the purpose and goals of the cooperative agreement, such as advancing energy efficiency, clean energy, fuel and supply diversity, energy system resiliency, economic development, or other goals to make measurable, significant progress toward specified metrics and objectives that are agreed to by the States or Indian tribes and the Secretaries;

(ii) the roles and responsibilities of the States or Indian tribes and the Secretaries for various functions of the cooperative agreement, including outreach, communication, resources, and capabilities;

(iii) a comprehensive framework for the development of energy strategies and plans for States, Indian tribes, or regions;

(iv) timeframes with associated metrics and objectives;

(v) a governance structure to resolve conflicts and facilitate decision making consistent with underlying authorities; and

(vi) other provisions determined necessary by the Secretaries, in consultation with the States or Indian tribes, to achieve the purposes described in subparagraph (A).

(5) STAFF.—

(A) IN GENERAL.—Not later than 30 days after the date of the entering into a cooperative agreement under paragraph (4), the Secretaries shall, as appropriate, assign or employ individuals who have expertise in the technical and regulatory issues relating to the cooperative agreement, including particular expertise in (as applicable)—

(i) energy systems integration;

(ii) renewable energy and energy efficiency;

(iii) innovative financing mechanisms;

(iv) utility regulatory policy;

(v) modeling and analysis;

(vi) facilitation and arbitration;

(vii) energy assurance and emergency preparedness; and

(viii) cyber and physical security of energy systems.

(B) DUTIES.—Each individual assigned to carry out a cooperative agreement under subparagraph (A) shall—

(i) be responsible for issues and technical assistance relating to the cooperative agreement;

(ii) participate as part of the team of personnel working on developing and implementing the applicable regional energy strategy and plan; and

(iii) build capacity within the State, Indian tribe, or region to continue to implement the goals of this section after the expiration of the cooperative agreement.

(6) COMPREHENSIVE FRAMEWORK.—Under a cooperative agreement, a comprehensive framework shall be developed that identifies opportunities and actions across various energy sectors and cross-cutting issue areas, including—

(A) end-use efficiency;

(B) energy supply, including electric generation and fuels;

(C) energy delivery;

(D) transportation;

(E) technical integration, including standards and interdependencies;

(F) institutional structures;

(G) regulatory policies;

(H) financial incentives; and

(I) market mechanisms.

(7) AWARDS.—

(A) DEFINITIONS.—In this paragraph:

(i) APPLICATION GROUP.—The term “application group” means a group of States or Indian tribes that have—

(I) entered into a cooperative agreement, on a regional basis, with the Secretaries under paragraph (4); and

(II) submitted an application for an award under subparagraph (B)(i).

(ii) PARTNER STATE.—The term “partner State” means a State or Indian tribe that is part of an application group.

(B) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an application group may apply to the Secretaries for awards under this paragraph.

(ii) INDIVIDUAL STATES.—An individual State or Indian tribe that has entered into a cooperative agreement with the Secretaries under paragraph (4) may apply to the Secretaries for an award under this paragraph if the State or Indian tribe demonstrates to the Secretaries the uniqueness of the energy challenges facing the State or Indian tribe.

(C) BASE AMOUNT.—Subject to subparagraph (D), the Secretaries may provide not more than 6 awards under this paragraph, with a base amount of \$20,000,000 for each award.

(D) BONUS AMOUNT FOR APPLICATION GROUPS.—

(i) IN GENERAL.—Subject to clause (ii), the Secretaries shall increase the amount of an award provided under this paragraph to an application group for a successful application under subparagraph (B)(i) by the quotient obtained by dividing—

(I) the product obtained by multiplying—

(aa) the number of partner States in the application group; and

(bb) \$100,000,000; by

(II) the total number of partner States of all successful applications under this paragraph.

(ii) MAXIMUM AMOUNT.—The amount of a bonus determined under clause (i) shall not exceed an amount that represents \$5,000,000 for each partner State that is a member of the relevant application group.

(E) LIMITATION.—A State or Indian tribe shall not be part of more than 1 award under this paragraph.

(F) SELECTION CRITERIA.—In selecting applications for awards under this paragraph, the Secretaries shall consider—

(i) existing commitments from States or Indian tribes, such as memoranda of understanding;

(ii) for States that are part of the contiguous 48 States, the number of contiguous States involved that cover a region;

(iii) the diversity of the regions represented by all applications;

(iv) the amount of cost-share or in-kind contributions from States or Indian tribes;

(v) the scope and focus of regional and State programs and strategies, with an emphasis on energy system resiliency and grid modernization, efficiency, and clean energy;

(vi) a management and oversight plan to ensure that objectives are met;

(vii) an outreach plan for the inclusion of stakeholders in the process for developing and implementing State or regional energy strategies and plans;

(viii) the inclusion of tribal entities;

(ix) plans to fund and sustain activities identified in regional energy strategies and plans;

(x) the clarity of roles and responsibilities of each State and the Secretaries; and

(xi) the average retail cost of electricity in the State.

(G) USE OF AWARDS.—

(i) IN GENERAL.—Awards provided under this paragraph shall be used to achieve the purpose of this section, including by—

(I) conducting technical analyses, resource studies, and energy system baselines;

(II) convening and providing education to stakeholders on emerging energy issues;

(III) building decision support and planning tools; and

(IV) improving communication between and participation of stakeholders.

(ii) LIMITATION.—Awards provided under this paragraph shall not be used for—

(I) capitalization of green banks or loan guarantees; or

(II) building facilities or funding capital projects.

(c) FUNDING.—

(1) AWARDS.—Of the amounts made available to carry out paragraphs (4) through (7) of subsection (b)—

(A) at least 40 percent shall be used for the bonus amount of awards under subsection (b)(7)(D); and

(B) not more than 10 percent shall be used for the administrative costs of carrying out this section, including—

(i) the assignment of staff under subsection (b)(5); and

(ii) if the Secretaries determine appropriate, the sharing of best practices from regional partnerships by parties to cooperative agreements entered into under this section.

(2) STATE ENERGY OFFICES.—Funds provided to a State under this section shall be provided to the office within the State that is responsible for developing the State energy plan for the State under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(3) MAINTENANCE OF FUNDING.—It is the intent of Congress that funding provided to States under this section shall supplement (and not supplant) funding provided under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

SA 3257. Ms. CANTWELL (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV, add the following:

SEC. 42. SENSE OF THE SENATE ON ACCELERATING ENERGY INNOVATION.

(a) FINDINGS.—The Senate finds that—

(1) although important progress has been made in cost reduction and deployment of clean energy technologies, accelerating clean energy innovation will meet critical competitiveness, energy security, and environmental goals;

(2) many of the greatest advancements in the science of energy production have taken place in the United States, where key Federal investment, public private partnerships, and a robust, diverse energy industry have helped to power and fuel the United States economy;

(3) the United States is home to the most advanced energy research institutions in the world, and those institutions attract the brightest and most talented individuals to study and develop energy solutions to meet the energy needs of the United States and the world;

(4) early-stage involvement of the private sector is critical to ensuring commercialization and cost-effectiveness of energy breakthroughs;

(5) the Secretary is working with international and domestic partners and institutions, including units of government, private investors, and technology innovators—

(A) to make data available;

(B) to aggregate technology expertise, if possible;

(C) to share facilities and analysis;

(D) to promote development, commercialization, and dissemination of clean energy technologies; and

(E) to dramatically increase the range of technology options for private sector investment and commercialization;

(6) the Secretary is working closely with other committed nations and the private sector to increase access to investment for earlier-stage clean energy companies that emerge from government research and development programs;

(7) the Secretary is building and improving technology innovation roadmaps and other tools—

(A) to help innovation efforts;

(B) to understand where research and development is already happening; and

(C) to identify gaps and opportunities for new kinds of innovation;

(8) accelerating the pace of clean energy innovation in the United States calls for—

(A) supporting existing research and development programs at the Department and the world-class National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)); and

(B) exploring and developing new pathways for innovators, investors, and decision-makers to leverage the resources of the Department for addressing the challenges and comparative strengths of geographic regions;

(9) the energy supply, demand, policies, markets, and resource options of the United States vary by geographic region; and

(10) a regional approach to innovation can bridge the gaps between local talent, institutions, and industries to identify opportunities and convert United States investment into domestic companies.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress and the Secretary should advance efforts that promote international, domestic, and regional cooperation on the research and development of energy innovations that—

(1) provide clean, affordable, and reliable energy for everyone;

(2) promote economic growth; and

(3) are critical for energy security.

SA 3258. Mr. DAINES (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, line 14, strike “life-cycle”.

On page 25, strike line 11 and insert the following:

“(4) PAYBACK.—Any proposal submitted by the Secretary under paragraph (3) shall have

a simple payback (the time in years that is required for energy savings to exceed the incremental first cost of a new requirement) of 10 years or less.

“(5) ANALYSIS METHODOLOGY.—The Secretary

SA 3259. Mr. DAINES (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, line 14, strike “life-cycle”.

On page 25, strike line 11 and insert the following:

“(4) PAYBACK.—Any proposal submitted by the Secretary under paragraph (3) shall have a simple payback (the time in years that is required for energy savings to exceed the incremental first cost of a new requirement) of 10 years or less.

“(5) ANALYSIS METHODOLOGY.—The Secretary

SA 3260. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. INTERSTATE TRANSMISSION DETERMINATION REQUIRED WITH RESPECT TO CERTAIN TRANSMISSION INFRASTRUCTURE PROJECTS.

Section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421) is amended by adding at the end the following:

“(h) INTERSTATE TRANSMISSION REQUIREMENT.—The Secretary shall not carry out a Project under subsection (a) or (b) unless the Secretary has issued a determination that the laws of the applicable State do not allow for interstate transmission projects.”.

SA 3261. Mr. BOOZMAN (for himself, Mr. ALEXANDER, Mr. BLUNT, and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title II, add the following:

SEC. 23. REPORTING REQUIREMENT FOR CERTAIN TRANSMISSION INFRASTRUCTURE PROJECTS.

Section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421) is amended by adding at the end the following:

“(h) REPORTING REQUIREMENT.—Before carrying out a Project under subsection (a) or (b), the Secretary shall submit to Congress a report that—

“(1) describes the impact that the proposed Project would have on electricity rates;

“(2) demonstrates that the proposed Project meets the requirements of paragraphs (1) and (2) of subsection (a) and paragraphs (1) and (2) of subsection (b); and

“(3) includes a list of utilities that have entered into contracts for the purchase of power from the proposed Project.

“(i) DECISION.—The Secretary may not issue a decision on whether to carry out a Project under subsection (a) or (b) before the date that is 180 days after the date of submission of a report required under subsection (h).”.

SA 3262. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

PART II—ENERGY INNOVATION AND PRODUCTION

SEC. 3111. SHORT TITLE.

This part may be cited as the “American Energy Innovation and Production Act”.

SEC. 3112. ENERGY SECURITY TRUST FUND.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, there shall be established in the Treasury of the United States a trust fund, to be known as the “Energy Security Trust Fund” (referred to in this section as the “Fund”), consisting of such amounts as are transferred to the Fund pursuant to subsection (b), to be administered by the Secretary in accordance with this section.

(b) FUNDING.—

(1) TRANSFERS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, subject to paragraph (2), the Secretary of the Treasury shall transfer to the Fund for each fiscal year an amount equal to 50 percent of the revenues received during the preceding fiscal year in the form of bonus bids, lease rental receipts, and production royalties from oil and gas development or production in any other Federal territory or area that becomes available for oil or gas leasing after the date of enactment of this Act.

(B) AVAILABILITY.—The amounts in the Fund—

(i) shall be available without fiscal year limitation; and

(ii) shall not be subject to appropriation.

(2) MAXIMUM ANNUAL AMOUNT.—The total amount transferred to the Fund pursuant to paragraph (1) for any 1 fiscal year shall not exceed \$500,000,000.

(3) USE OF EXCESS REVENUES.—Any revenues described in paragraph (1)(A) that are received for a fiscal year in excess of the maximum annual amount referred to in paragraph (2) shall be used to reduce the debt of the Federal Government.

(4) LACK OF SUFFICIENT REVENUES.—If, during an applicable fiscal year, the development or production activities described in paragraph (1)(A) are obstructed for any reason, and no amounts are generated from activities described in paragraph (1)(A), no amounts shall be transferred to the Fund pursuant to this subsection for the following fiscal year.

(c) USE.—

(1) IN GENERAL.—The Secretary shall use amounts in the Fund to make grants in accordance with this section to pay the Federal share of the cost of conducting research on precommercial sciences and technologies with the near- and medium-term potential for reducing petroleum use and increasing fuel diversity in the transportation sector.

(2) REQUIREMENT.—Amounts in the Fund shall be used only for research and development activities focused on transportation-related technologies and fuels.

(3) ADVISORY BOARD.—

(A) IN GENERAL.—The Secretary shall establish an advisory board, to be composed of representatives from the private sector and relevant sectors of academia, to evaluate the technologies to be eligible for funding under this section.

(B) ANNUAL REVIEWS.—The advisory board established under subparagraph (A) shall, not less frequently than once each year—

(i) review relevant technologies to determine whether the technologies should be eligible to receive funding under this section; and

(ii) submit to the Secretary recommendations regarding the allocation of finding for each technology determined to be eligible under clause (i).

(d) ALLOCATION.—

(1) IN GENERAL.—For each applicable fiscal year, of the amounts in the Fund, the Secretary shall allocate—

(A) 50 percent to make grants to national laboratories that are federally funded research and development centers or institutions of higher education to enhance the ability of the national laboratories to create opportunities for relevant public-private research partnerships;

(B) 15 percent to the Secretary of Defense to fund research and development programs of the Department of Defense that are focused on reducing transportation-related oil consumption; and

(C) 35 percent to make grants to eligible entities, as determined by the Secretary, to enhance existing research programs and establish new fields of research relevant to the eligible technologies described in subsection (c)(3)(B).

(2) LIMITATIONS.—

(A) MAXIMUM AMOUNT.—The amount of a grant provided under this section shall not exceed \$25,000,000.

(B) PER PROJECT.—Not more than 1 grant shall be provided for a single project under this section.

(e) USE OF GRANTS.—

(1) IN GENERAL.—A national laboratory or other eligible entity described in subparagraph (A) or (C) of subsection (d)(1) may use a grant provided under this section to carry out activities relating to—

(A) research or development regarding vehicles and fuels that has a demonstrable market application, such as advanced-technology vehicle components and associated infrastructure, including—

- (i) storage tanks for compressed natural gas vehicles;
- (ii) onboard energy storage for electric and plug-in hybrid electric vehicles;
- (iii) hydrogen fuel cells;
- (iv) advanced liquid fuels;
- (v) increased fuel efficiency in combustion engines; and
- (vi) advancements to alternative fuel storage and dispensing;

(B) field or market research and development of the comprehensive systems required to support new vehicles and fuels that differ significantly from conventional vehicles, which shall—

(i) focus on determining best practices in comprehensive vehicle and infrastructure deployments;

(ii) have a strong experimental design to ensure that different deployment activities can be tested using quantitative metrics for various fuels; and

(iii) be structured and used to provide valuable lessons and best practices for use throughout the United States to ensure smooth, widespread deployment of alternative fuel vehicles; or

(C) increased public-private research and development collaboration and more-rapid technology transfer from the Federal Government to the private sector, with a focus on removing unnecessary obstacles in bringing to the private sector oil-reduction technologies with commercial applications that are developed by the national laboratories or eligible entities.

(2) LIMITATIONS.—A grant provided under this section may not be—

- (A) sold;
- (B) transferred; or
- (C) used to repay a Federal loan.

(3) NATIONAL LABORATORIES.—A national laboratory that receives a grant under this section—

(A) shall be encouraged to enter into cooperative research and development agreements and other mechanisms to facilitate public-private partnerships in accordance with this section; and

(B) may serve as a program or funding manager for any such partnership.

(f) Cost Sharing and Review.—Amounts disbursed from the Fund under this section shall be subject to the cost sharing and merit review requirements of section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352), including the requirement under subsection (c)(1) of that section that not less than 50 percent of the cost of a project or activity carried out using the amounts shall be provided by a non-Federal source.

(g) REPORTS.—

(1) SECRETARY.—The Secretary shall prepare and submit to Congress—

(A) not less frequently than once each year, a report that describes, with respect to the preceding fiscal year—

- (i) the amounts deposited in the Fund;
- (ii) expenditures from the Fund; and
- (iii) the means in which grants from the Fund were used by recipients, including a description of each project funded using such a grant; and

(B) not less frequently than once every 5 years, a report that describes, with respect to the preceding 5-year period—

- (i) any breakthroughs that occurred as a result of grants from the Fund; and
- (ii) the quantity of technology transfer that took place as a result of activities funded by the Fund.

(2) GAO.—Not less frequently than once every 5 years, the Comptroller General of the United States shall submit to Congress a report that describes the results of the projects that received grants from the Fund during the preceding 5-year period, including an assessment of progress resulting from those projects with respect to developing and bringing to market oil-saving technologies.

SA 3263. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the

Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (f)(1)(B), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(B); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) ASSET MANAGEMENT PLAN.—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the

lifecycle of the assets at minimum practicable cost.

(e) **NONDUPLICATION OF WORK.**—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) **FUNDING.**—

(1) **ADDITIONAL SRF CAPITALIZATION GRANTS.**—

(A) **RESCISSION.**—There is rescinded the unobligated balance of amounts made available to carry out the advanced technology vehicles manufacturing incentive program established under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013).

(B) **AVAILABILITY OF RESCINDED FUNDS.**—Of the amounts rescinded under subparagraph (A), \$200,000,000 shall be made available to the Administrator to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) for fiscal year 2016 for the purposes described in subsection (b)(2).

(C) **SUPPLEMENTED INTENDED USE PLANS.**—The Administrator shall disburse to an eligible State amounts made available under subparagraph (B) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(D) **UNOBLIGATED AMOUNTS.**—Any amounts made available to the Administrator under subparagraph (B) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(E) **APPLICABILITY.**—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (C).

(2) **WIFIA FUNDING.**—

(A) **IN GENERAL.**—For fiscal year 2016, out of amounts rescinded under paragraph (1)(A), the Secretary of the Treasury shall make available to the Administrator \$60,000,000, to remain available until expended, to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) **DEADLINE.**—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) **USE.**—A credit subsidy provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(3) **APPLICABILITY.**—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure

Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) **HEALTH EFFECTS EVALUATION.**—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients.”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the

Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) **ESTABLISHMENT.**—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

(A) an epidemiologist;

(B) a toxicologist;

(C) a mental health professional;

(D) a pediatrician;

(E) an early childhood education expert;

(F) a special education expert;

(G) a dietitian;

(H) an environmental health expert; and

(I) 2 community representatives.

(2) **APPLICATION OF FACA.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) **REPORT.**—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) **REVIEW.**—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) **CONTENTS OF REPORT.**—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

SA 3264. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 220 . MARKET-DRIVEN REINSTATEMENT OF OIL EXPORT BAN.

(a) **DEFINITIONS.**—In this section:

(1) **AVERAGE NATIONAL PRICE OF GASOLINE.**—The term “average national price of gasoline” means the average of retail regular gasoline prices in the United States, as calculated (on a weekday basis) by, and published on the Internet website of, the Energy Information Administration.

(2) **GASOLINE INDEX PRICE.**—The term “gasoline index price” means the average of retail regular gasoline prices in the United States, as calculated (on a monthly basis) by, and published on the Internet website of, the Energy Information Administration, during the 60-month period preceding the date of the calculation.

(b) REINSTATEMENT OF OIL EXPORT BAN.—

(1) **IN GENERAL.**—Effective on the date on which the event described in paragraph (2) occurs, subsections (a), (b), (c), and (d) of section 101 of division O of the Consolidated Appropriations Act, 2016 (Public Law 114-113), are repealed, and the provisions of law amended or repealed by those subsections are restored or revived as if those subsections had not been enacted.

(2) **EVENT DESCRIBED.**—The event referred to in paragraph (1) is the date on which the average national price of gasoline has been 50 percent greater than the gasoline index price for 30 consecutive days.

(c) **PRESIDENTIAL AUTHORITY.**—Notwithstanding subsection (b), the President may affirmatively allow the export of crude oil from the United States to continue for a period of not more than 1 year after the date of the reinstatement described in subsection (b), if the President—

(1) declares a national emergency and formally notices the declaration of a national emergency in the Federal Register; or

(2) finds and reports to Congress that a ban on the export of crude oil pursuant to this section has caused undue economic hardship.

(d) **EFFECTIVE DATE.**—This section takes effect on the date that is 10 years after the date of enactment of the Consolidated Appropriations Act, 2016 (Public Law 114-113).

SA 3265. Mr. VITTER (for himself, Mr. KAINE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3602(d)(9), strike “or” at the end.

In section 3602(d)(10), strike the period and insert a semicolon.

In section 3602(d), insert at the end the following:

(11) establish a community college or 2-year technical college-based “Center of Excellence” for an energy and maritime workforce technical training program, such as a program of a community college located in a coastal area or in a shale play area of the United States; or

(12) are located in close proximity to marine or port facilities in the Gulf of Mexico, Atlantic Ocean, Pacific Ocean, or Great Lakes.

SA 3266. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. GAO REPORT ON BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT STATUTORY AND REGULATORY AUTHORITY FOR THE PROCUREMENT OF HELICOPTER FUEL.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that defines the statutory and regulatory authority of the Bureau of Safety and Environmental Enforcement with respect to legally procuring privately owned helicopter fuel, without agreement, from lessees, permit holders, operators of federally leased offshore facilities, or independent third parties not under contract with the Bureau of Safety and Environmental Enforcement or an agent of the Bureau of Safety and Environmental Enforcement.

SA 3267. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. ESTABLISHMENT OF CENTER FOR RECURRENT FLOODING.

(a) **PURPOSE.**—The purpose of this section is to encourage intergovernmental cooperation among State, local, and regional units of government, institutions of higher education in the Commonwealth of Virginia (referred to in this section as the “Commonwealth”), and the Federal Government, in addressing recurrent flooding and sea level rise in the Hampton Roads region of the Commonwealth, through the Commonwealth Center for Recurrent Flooding (referred to in this section as the “Center”).

(b) **MEMBERSHIP.**—The Center shall be composed of representatives of—

(1) the counties and cities composing the Virginia Beach-Norfolk-Newport News Metropolitan Statistical Area;

(2) Accomack County, Virginia;

(3) Northampton County, Virginia;

(4) public institutions of higher education in the Commonwealth;

(5) other participants in the missions and activities described in the Hampton Roads Sea Level Rise Preparedness and Resilience Intergovernmental Planning Pilot Project Charter, dated October 10, 2014; and

(6) the Federal partner agencies described in subsection (c).

(c) **FEDERAL PARTNER AGENCIES.**—The Federal partner agencies referred to in subsection (b)(6) are—

(1) the Department;

(2) the Department of Defense;

(3) the Department of Housing and Urban Development;

(4) the Department of the Interior;

(5) the Department of Transportation;

(6) the Environmental Protection Agency;

(7) the Federal Emergency Management Agency;

(8) the National Oceanic and Atmospheric Administration; and

(9) the National Aeronautics and Space Administration.

(d) **FEDERAL PARTICIPATION.**—The Federal partner agencies shall participate in the activities of the Center by—

(1) consulting on policies, programs, studies, plans, and best practices relating to re-

current flooding and sea level rise in Hampton Roads, Virginia; and

(2) making available to the Center, as appropriate, physical, biological, and socioeconomic data sources that facilitate informed decision-making on the activities described in paragraph (1).

(e) **EFFECT.**—Nothing in this section shall require additional spending by any Federal partner agency.

SA 3268. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3192 submitted by Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. KAINE, Mr. SCOTT, Mr. VITTER, Mr. TILLIS, and Mr. WARNER) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 1 of the amendment, strike lines 5 through 7 and insert the following:

105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “50” and inserting “25”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “50” and inserting “75”;

(ii) in subparagraph (A)—

(I) by striking “75” and inserting “50”; and

(II) by striking “and” after the semicolon;

(iii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(C) 25 percent to provide financial assistance to States in accordance with section 906(b) of the National Oceans and Coastal Security Act (Public Law 114-113), which shall be considered income to the National Oceans and Coastal Security Fund for purposes of section 904 of that Act.”; and

(2) in subsection (f), by striking paragraph (1) and inserting the following:

SA 3269. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 385, strike line 11 and all that follows through page 389, line 18, and insert the following: provide notice of a plan to collect information identifying all oil inventories, and other physical oil assets (including all petroleum-based products and the storage of such products in off-shore tankers), that are owned by the 50 largest traders of oil contracts (including derivative contracts); and

“(B) not later than 90 days after the date on which notice is provided under subparagraph (A), implement the plan described in that subparagraph.

“(2) **INFORMATION.**—The plan required under paragraph (1) shall include a description of the plan of the Administrator for collecting company-specific data, including—

“(A) volumes of product under ownership; and

“(B) storage and transportation capacity (including owned and leased capacity).

“(3) **PROTECTION OF PROPRIETARY INFORMATION.**—Section 12(f) of the Federal Energy

Administration Act of 1974 (15 U.S.C. 771(f)) shall apply to information collected under this subsection.

“(o) **COLLECTION OF INFORMATION ON STORAGE CAPACITY FOR OIL AND NATURAL GAS.**—

“(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this subsection, the Administrator of the Energy Information Administration shall collect information quantifying the commercial storage capacity for oil and natural gas in the United States.

“(2) **UPDATES.**—The Administrator shall update annually the information required under paragraph (1).

“(3) **PROTECTION OF PROPRIETARY INFORMATION.**—Section 12(f) of the Federal Energy Information Administration Act of 1974 (15 U.S.C. 771(f)) shall apply to information collected under this subsection.

“(p) **FINANCIAL MARKET ANALYSIS OFFICE.**—

“(1) **ESTABLISHMENT.**—There shall be within the Energy Information Administration a Financial Market Analysis Office.

“(2) **DUTIES.**—The Office shall—

“(A) be responsible for analysis of the financial aspects of energy markets;

“(B) review the reports required by section 4503(c) of the Energy Policy Modernization Act of 2016 in advance of the submission of the reports to Congress; and

“(C) not later than 1 year after the date of enactment of this subsection—

“(i) make recommendations to the Administrator of the Energy Information Administration that identify and quantify any additional resources that are required to improve the ability of the Energy Information Administration to more fully integrate financial market information into the analyses and forecasts of the Energy Information Administration;

“(ii) conduct a review of implications of policy changes (including changes in export or import policies) and changes in how crude oil and refined petroleum products are transported with respect to price formation of crude oil and refined petroleum products; and

“(iii) notify the Committee on Energy and Natural Resources, the Committee on Appropriations, and the Committee on Agriculture of the Senate and the Committee on Energy and Commerce, the Committee on Appropriations, and the Committee on Agriculture of the House of Representatives of the recommendations described in clause (i).

“(3) **ANALYSES.**—The Administrator of the Energy Information Administration shall take analyses by the Office into account in conducting analyses and forecasting of energy prices.”.

(b) **CONFORMING AMENDMENT.**—Section 645 of the Department of Energy Organization Act (42 U.S.C. 7255) is amended by inserting “(15 U.S.C. 3301 et seq.) and the Natural Gas Act (15 U.S.C. 717 et seq.)” after “Natural Gas Policy Act of 1978”.

SEC. 4502. WORKING GROUP ON ENERGY MARKETS.

(a) **ESTABLISHMENT.**—There is established a Working Group on Energy Markets (referred to in this section as the “Working Group”).

(b) **COMPOSITION.**—The Working Group shall be composed of—

(1) the Secretary;

(2) the Secretary of the Treasury;

(3) the Chairman of the Federal Energy Regulatory Commission;

(4) the Chairman of Federal Trade Commission;

(5) the Chairman of the Securities and Exchange Commission; and

(6) the Administrator of the Energy Information Administration.

SA 3270. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 304, strike line 11 and all that follows through page 311, line 7, and insert the following:

(b) ESTABLISHMENT OF COAL TECHNOLOGY PROGRAM.—The Energy Policy Act of 2005 (as amended by subsection (a)) is amended by inserting after section 961 (42 U.S.C. 16291) the following:

“SEC. 962. COAL TECHNOLOGY PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) LARGE-SCALE PILOT PROJECT.—The term ‘large-scale pilot project’ means a pilot project that—

“(A) represents the scale of technology development beyond laboratory development and bench scale testing, but not yet advanced to the point of being tested under real operational conditions at commercial scale;

“(B) represents the scale of technology necessary to gain the operational data needed to understand the technical and performance risks of the technology before the application of that technology at commercial scale or in commercial-scale demonstration; and

“(C) is large enough—

“(i) to validate scaling factors; and

“(ii) to demonstrate the interaction between major components so that control philosophies for a new process can be developed and enable the technology to advance from large-scale pilot plant application to commercial-scale demonstration or application.

“(2) NET-NEGATIVE CARBON DIOXIDE EMISSIONS PROJECT.—The term ‘net-negative carbon dioxide emissions project’ means a project—

“(A) that employs a technology for thermochemical coconversion of coal and biomass fuels that—

“(i) uses a carbon capture system; and

“(ii) with carbon dioxide removal, can provide electricity, fuels, or chemicals with net-negative carbon dioxide emissions from production and consumption of the end products, while removing atmospheric carbon dioxide;

“(B) that will proceed initially through a large-scale pilot project for which front-end engineering will be performed for bituminous, subbituminous, and lignite coals; and

“(C) through which each use of coal will be combined with the use of a regionally indigenous form of biomass energy, provided on a renewable basis, that is sufficient in quantity to allow for net-negative emissions of carbon dioxide (in combination with a carbon capture system), while avoiding impacts on food production activities.

“(3) PROGRAM.—The term ‘program’ means the program established under subsection (b)(1).

“(4) TRANSFORMATIONAL TECHNOLOGY.—

“(A) IN GENERAL.—The term ‘transformational technology’ means a power generation technology that represents an entirely new way to convert energy that will enable a step change in performance, efficiency, and cost of electricity as compared to the technology in existence on the date of enactment of this section.

“(B) INCLUSIONS.—The term ‘transformational technology’ includes a broad

range of technology improvements, including—

“(i) thermodynamic improvements in energy conversion and heat transfer, including—

“(I) oxygen combustion;

“(II) chemical looping; and

“(III) the replacement of steam cycles with supercritical carbon dioxide cycles;

“(ii) improvements in turbine technology;

“(iii) improvements in carbon capture systems technology; and

“(iv) any other technology the Secretary recognizes as transformational technology.

“(b) COAL TECHNOLOGY PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a coal technology program to ensure the continued use of the abundant, domestic coal resources of the United States through the development of technologies that will significantly improve the efficiency, effectiveness, costs, and environmental performance of coal use.

“(2) REQUIREMENTS.—The program shall include—

“(A) a research and development program;

“(B) large-scale pilot projects;

“(C) demonstration projects; and

“(D) net-negative carbon dioxide emissions projects.

“(3) PROGRAM GOALS AND OBJECTIVES.—In consultation with the interested entities described in paragraph (4)(C), the Secretary shall develop goals and objectives for the program to be applied to the technologies developed within the program, taking into consideration the following objectives:

“(A) Ensure reliable, low-cost power from new and existing coal plants.

“(B) Achieve high conversion efficiencies.

“(C) Address emissions of carbon dioxide through high-efficiency platforms and carbon capture from new and existing coal plants.

“(D) Support small-scale and modular technologies to enable incremental capacity additions and load growth and large-scale generation technologies.

“(E) Support flexible baseload operations for new and existing applications of coal generation.

“(F) Further reduce emissions of criteria pollutants and reduce the use and manage the discharge of water in power plant operations.

“(G) Accelerate the development of technologies that have transformational energy conversion characteristics.

“(H) Validate geological storage of large volumes of anthropogenic sources of carbon dioxide and support the development of the infrastructure needed to support a carbon dioxide use and storage industry.

“(I) Examine methods of converting coal to other valuable products and commodities in addition to electricity.

“(4) CONSULTATIONS REQUIRED.—In carrying out the program, the Secretary shall—

“(A) undertake international collaborations, as recommended by the National Coal Council;

“(B) use existing authorities to encourage international cooperation; and

“(C) consult with interested entities, including—

“(i) coal producers;

“(ii) industries that use coal;

“(iii) organizations that promote coal and advanced coal technologies;

“(iv) environmental organizations;

“(v) organizations representing workers; and

“(vi) organizations representing consumers.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall submit to Congress a report describing the performance standards adopted under subsection (b)(3).

“(2) UPDATE.—Not less frequently than once every 2 years after the initial report is submitted under paragraph (1), the Secretary shall submit to Congress a report describing the progress made towards achieving the objectives and performance standards adopted under subsection (b)(3).

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

“(A) for activities under the research and development program component described in subsection (b)(2)(A)—

“(i) \$275,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$200,000,000 for fiscal year 2021;

“(B) for activities under the demonstration projects program component described in subsection (b)(2)(C)—

“(i) \$50,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$75,000,000 for fiscal year 2021;

“(C) subject to paragraph (2), for activities under the large-scale pilot projects program component described in subsection (b)(2)(B), \$285,000,000 for each of fiscal years 2017 through 2021; and

“(D) for activities under the net-negative carbon dioxide emissions projects program component described in subsection (b)(2)(D), \$22,000,000 for each of fiscal years 2017 through 2021.

“(2) COST SHARING FOR LARGE-SCALE PILOT PROJECTS.—Activities under subsection (b)(2)(B) shall be subject to the cost-sharing requirements of section 988(b).”.

SA 3271. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3044 submitted by Mr. MANCHIN and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 8 of the amendment, strike line 9 and all that follows through the end of the amendment and insert the following:

“(d) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

“(A) for activities under the research and development program component described in subsection (b)(2)(A)—

“(i) \$275,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$200,000,000 for fiscal year 2021;

“(B) for activities under the demonstration projects program component described in subsection (b)(2)(C)—

“(i) \$50,000,000 for each of fiscal years 2017 through 2020; and

“(ii) \$75,000,000 for fiscal year 2021;

“(C) subject to paragraph (2), for activities under the large-scale pilot projects program component described in subsection (b)(2)(B), \$285,000,000 for each of fiscal years 2017 through 2021; and

“(D) for activities under the net-negative carbon dioxide emissions projects program

component described in subsection (b)(2)(D), \$22,000,000 for each of fiscal years 2017 through 2021.

“(2) COST SHARING FOR LARGE-SCALE PILOT PROJECTS.—Activities under subsection (b)(2)(B) shall be subject to the cost-sharing requirements of section 988(b).”.

SA 3272. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3017.

SA 3273. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3009.

SA 3274. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2303.

SA 3275. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1004.

SA 3276. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2303.
Strike section 3009.
Strike section 3017.

SA 3277. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1004.
Strike section 2303.
Strike section 3009.
Strike section 3017.

SA 3278. Mr. McCONNELL (for Mr. RUBIO (for himself and Mr. CARDIN)) proposed an amendment to the bill H.R. 907, to improve defense coopera-

tion between the United States and the Hashemite Kingdom of Jordan; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States-Jordan Defense Cooperation Act of 2015”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of January 22, 2015, the United States Government has provided \$3,046,343,000 in assistance to respond to the Syria humanitarian crisis, of which nearly \$467,000,000 has been provided to the Hashemite Kingdom of Jordan.

(2) As of January 2015, according to the United Nations High Commissioner for Refugees, there were 621,937 registered Syrian refugees in Jordan and 83.8 percent of whom lived outside refugee camps.

(3) In 2000, the United States and Jordan signed a free-trade agreement that went into force in 2001.

(4) In 1996, the United States granted Jordan major non-NATO ally status.

(5) Jordan is suffering from the Syrian refugee crisis and the threat of the Islamic State of Iraq and the Levant (ISIL).

(6) The Government of Jordan was elected as a non-permanent member of the United Nations Security Council for a 2-year term ending in December 2015.

(7) Enhanced support for defense cooperation with Jordan is important to the national security of the United States, including through creation of a status in law for Jordan similar to the countries in the North Atlantic Treaty Organization, Japan, Australia, the Republic of Korea, Israel, and New Zealand, with respect to consideration by Congress of foreign military sales to Jordan.

(8) The Colorado National Guard's relationship with the Jordanian military provides a significant benefit to both the United States and Jordan.

(9) Jordanian pilot Moaz al-Kasasbeh was brutally murdered by ISIL.

(10) On February 3, 2015, Secretary of State John Kerry and Jordanian Foreign Minister Nasser Judeh signed a new Memorandum of Understanding that reflects the intention to increase United States assistance to the Government of Jordan from \$660,000,000 to \$1,000,000,000 for each of the years 2015 through 2017.

(11) On December 5, 2014, in an interview on CBS This Morning, Jordanian King Abdullah II stated—

(A) in reference to ISIL, “This is a Muslim problem. We need to take ownership of this. We need to stand up and say what is wrong”; and

(B) “This is our war. This is a war inside Islam. So we have to own up to it. We have to take the lead. We have to start fighting back.”.

SEC. 3. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to support the Hashemite Kingdom of Jordan in its response to the Syrian refugee crisis;

(2) to provide necessary assistance to alleviate the domestic burden to provide basic needs for the assimilated Syrian refugees;

(3) to cooperate with Jordan to combat the terrorist threat from the Islamic State of Iraq and the Levant (ISIL) or other terrorist organizations; and

(4) to help secure the border between Jordan and its neighbors Syria and Iraq.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Hashemite Kingdom of Jordan under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security;

(2) Congress welcomes the statement of King Abdullah II quoted in section (2)(11); and

(3) it is in the interest of peace and stability for regional members of the Global Coalition to Combat ISIL to continue their commitment to, and increase their involvement in, addressing the threat posed by ISIL.

SEC. 5. ENHANCED DEFENSE COOPERATION.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Hashemite Kingdom of Jordan shall be treated as if it were a country listed in the provisions of law described in subsection (b) for purposes of applying and administering such provisions of law.

(b) ARMS EXPORT CONTROL ACT.—The provisions of law described in this subsection are—

(1) subsections (b)(2), (d)(2)(B), (d)(3)(A)(i), and (d)(5) of section 3 of the Arms Export Control Act (22 U.S.C. 2753);

(2) subsections (e)(2)(A), (h)(1)(A), and (h)(2) of section 21 of such Act (22 U.S.C. 2761);

(3) subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 of such Act (22 U.S.C. 2776);

(4) section 62(c)(1) of such Act (22 U.S.C. 2796a(c)(1)); and

(5) section 63(a)(2) of such Act (22 U.S.C. 2796b(a)(2)).

SEC. 6. MEMORANDUM OF UNDERSTANDING.

Subject to the availability of appropriations, the Secretary of State is authorized to enter into a memorandum of understanding with the Hashemite Kingdom of Jordan to increase economic support funds, military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

SA 3279. Ms. MURKOWSKI (for Mr. LEE (for himself and Mrs. MURRAY)) proposed an amendment to the bill H.R. 3033, to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia; as follows:

Strike section 4 of the bill and insert the following:

SEC. 4. DYSLEXIA.

(a) IN GENERAL.—Consistent with subsection (c), the National Science Foundation shall support multi-directorate, merit-reviewed, and competitively awarded research on the science of specific learning disability, including dyslexia, such as research on the early identification of children and students with dyslexia, professional development for teachers and administrators of students with dyslexia, curricula and educational tools needed for children with dyslexia, and implementation and scaling of successful models of dyslexia intervention. Research supported

under this subsection shall be conducted with the goal of practical application.

(b) **AWARDS.**—To promote development of early career researchers, in awarding funds under subsection (a) the National Science Foundation shall prioritize applications for funding submitted by early career researchers.

(c) **COORDINATION.**—To prevent unnecessary duplication of research, activities under this Act shall be coordinated with similar activities supported by other Federal agencies, including research funded by the Institute of Education Sciences and the National Institutes of Health.

(d) **FUNDING.**—The National Science Foundation shall devote not less than \$5,000,000 to research described in subsection (a), which shall include not less than \$2,500,000 for research on the science of dyslexia, for each of fiscal years 2017 through 2021, subject to the availability of appropriations, to come from amounts made available for the Research and Related Activities account or the Education and Human Resources Directorate under subsection (e). This section shall be carried out using funds otherwise appropriated by law after the date of enactment of this Act.

(e) **AUTHORIZATION.**—For each of fiscal years 2016 through 2021, there are authorized out of funds appropriated to the National Science Foundation, \$5,000,000 to carry out the activities described in subsection (a).

SEC. 5. DEFINITION OF SPECIFIC LEARNING DISABILITY.

In this Act, the term “specific learning disability”—

(1) means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations;

(2) includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia; and

(3) does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 3, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 3, 2016, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Stream Protection Rule: Impacts on the Environment and Implications for Endangered Species Act and Clean Water Act Implementation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 3, 2016, at 10 a.m., to conduct a hearing entitled “Strains on the European Union: Implications for American Foreign Policy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 3, 2016, at 10 a.m., to conduct a hearing entitled “Canada’s Fast-Track Refugee Plan: Unanswered Questions and Implications for National Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on February 3, 2016, in room SH-216 of the Hart Senate Office Building at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BLUNT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 3, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Need for Transparency in the Asbestos Trusts.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. BLUNT. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on February 3, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Sebastian Gomez-Devine, have the privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF ADOPTION OF REGULATIONS AND SUBMISSION FOR APPROVAL

Mr. HATCH. Mr. President, I ask unanimous consent that the attached documentation from the Office of Compliance be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, February 3, 2016.

Hon. ORRIN HATCH,
President Pro Tempore of the U.S. Senate,
Washington, DC.

DEAR MR. PRESIDENT: Section 304(b)(3) of the Congressional Accountability Act (“CAA”), 2 U.S.C. §1384(b)(3), requires that, with regard to substantive regulations under the CAA, after the Board of Directors of the Office of Compliance (“Board”) has published a general notice of proposed rulemaking as required by subsection (b)(1), and received comments as required by subsection (b)(2), “the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.”

The Board has adopted the regulations in the Notice of Adoption of Substantive Regulations and Transmittal for Congressional Approval which accompany this transmittal letter. The Board requests that the accompanying Notice be published in the Senate version of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal.

The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

All inquiries regarding this notice should be addressed to Barbara J. Sapin, Executive Director of the Office of Compliance, Room LA-200, 110 2nd Street, SE, Washington, DC 20540; (202) 724-9250.

Sincerely,
BARBARA L. CAMENS,
Chair of the Board of Directors,
Office of Compliance.

FROM THE BOARD OF DIRECTORS OF THE
OFFICE OF COMPLIANCE

NOTICE OF ADOPTION OF REGULATIONS AND
SUBMISSION FOR APPROVAL

Regulations Extending Rights and Protections Under the Americans with Disabilities Act (“ADA”) Relating to Public Services and Accommodations, Notice of Adoption of Regulations and Submission for Approval as Required by 2 U.S.C. §1331, the Congressional Accountability Act of 1995, as Amended (“CAA”).

Summary:

The Congressional Accountability Act of 1995, PL 104-1 (“CAA”), was enacted into law on January 23, 1995. The CAA, as amended, applies the rights and protections of thirteen federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 210 of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by Titles II and III (sections 201 through 230, 302,

303, and 309) of the Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12131–12150, 12182, 12183, and 12189 (“ADA”) shall apply to legislative branch entities covered by the CAA. The above provisions of section 210 became effective on January 1, 1997. 2 U.S.C. § 1331(h).

The Board of Directors, Office of Compliance, after considering comments to its Notice of Proposed Rulemaking (“NPRM”) published on September 9, 2014 in the Congressional Record, has adopted, and is submitting for approval by the Congress, final regulations implementing section 210 of the CAA.

For further information contact: Executive Director, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street SE, Washington, D.C. 20540–1999. Telephone: (202) 724–9250.

Supplementary Information:

Background and Summary

Section 210(b) of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by the provisions of Titles II and III (sections 201 through 230, 302, 303, and 309) of the Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12131–12150, 12182, 12183, and 12189 (“ADA”) shall apply to specified legislative branch offices. 2 U.S.C. § 1331(b). Title II of the ADA prohibits discrimination on the basis of disability in the provision of services, programs, or activities by any “public entity.” Section 210(b)(2) of the CAA defines the term “public entity” for Title II purposes as any of the listed legislative branch offices that provide public services, programs, or activities. 2 U.S.C. § 1331(b)(2). Title III of the ADA prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards.

Section 210(e) of the CAA requires the Board of Directors of the Office of Compliance to issue regulations implementing Section 210. 2 U.S.C. § 1331(e). Section 210(e) further states that such regulations “shall be the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) of this section except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.” *Id.* Section 210(e) further provides that the regulations shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (b), the entity responsible for correction of a particular violation. 2 U.S.C. § 1331(e)(3). On September 9, 2014, the Board published in the Congressional Record a NPRM, 160 Cong. Rec. H7363 & 160 Cong. Rec. S5437 (daily ed., Sept. 9, 2014). In response to the NPRM, the Board received four sets of written comments. After due consideration of the comments received in response to the proposed regulations, the Board has adopted and is submitting these final regulations for approval by Congress.

Summary of Comments and Board’s Adopted Rules

A. Request for additional rulemaking proceedings.

One commenter requested that the Board withdraw its proposed regulations and “create” new regulations. The commenter suggested that the Board’s authority to adopt

regulations does not include the authority to incorporate existing regulations by reference and also suggested that the Board would be adopting future changes to the incorporated regulations unless it specified that the regulations in existence on the adoption date were the ones being incorporated rather than the regulations in existence on the issuance date (which was proposed in the NPRM and occurs after Congress has approved the regulations). The Board has determined that further rulemaking proceedings are not required because the publication requirements of Section 304(b)(1) of the CAA, which requires compliance with 5 U.S.C. § 553(b), is satisfied by incorporating “material readily available to the class of persons affected” by the proposed regulation. See, 5 U.S.C. § 552(a)(1)(E). Nonetheless, in response to this comment, the Board has modified the proposed regulation to incorporate the regulations in existence on the adoption date rather than the issuance date. In addition, to further avoid any confusion, the adopted regulations require that the full text of the incorporated regulations be published on the Office of Compliance website.

B. General comments regarding proposed regulations.

1. Compliance with both Titles II and III of the ADA.

Several commenters questioned whether it was necessary to adopt regulations under both Title II and Title III when Title II typically applies only to public entities and Title III typically applies only to private entities. Section 210 of the CAA can be confusing because it requires legislative branch offices (which are “public entities”) to comply with sections of the ADA that are part of both Title II and Title III. Ordinarily, as the commenters suggested, the major distinction between Title II and Title III of the ADA is that Title II solely applies to public entities while Title III solely applies to private entities that are considered public accommodations. In contrast, under the CAA, the legislative branch offices listed in Section 210(a) must comply with Sections 201 through 230 of Title II of the ADA and Sections 302, 303 and 309 of Title III of the ADA. 42 U.S.C. § 1331(b)(1). For purposes of the application of Title II of the ADA, the term “public entity” means any of these legislative branch offices. 42 U.S.C. § 1331(b)(2). For the purposes of Title III of the ADA, the CAA does not incorporate the definitions contained in Section 301 of Title III, which limits the application of Title III to private entities which own, operate, lease or lease to places of public accommodation. Consequently, since the CAA expressly applies Title III to legislative branch offices that are “public entities,” those offices must at all times provide services, programs and activities that are in compliance with Title II of the ADA and, when those services, programs, activities or accommodations are provided directly to the public (as in places of public accommodations), they must also comply with Sections 302, 303 and 309 of Title III of the ADA. In other words, services, programs and activities that involve constituents and other members of the public must comply with both Titles II and III of the ADA, while those services, programs and activities that are not open or available to the public must only comply with Title II (and Title I when employment practices are involved).

As noted in the NPRM, Congress applied provisions of both Title II and Title III of the ADA to legislative branch offices to ensure that individuals with disabilities are provided the most access to public services, pro-

grams, activities and accommodations provided by law. To that end, the NPRM proposed an admittedly simple rule for deciding which regulation applies when there are differences between the applicable Title II and Title III regulations: the regulation providing the most access shall be followed. In response to the concerns expressed by the commenters, the Board has further reviewed the Title II and III regulations and determined that, when the regulations address the same subject, compliance with the applicable Title II regulation will be sufficient to meet the requirements of both Title II and Title III. For this reason, and to eliminate the potential confusion expressed by the commenters, the Board has adopted only the DOJ’s Title II regulation when the DOJ’s Title II and Title III regulations address the same subject.

2. Providing services, programs, activities or accommodations directly to the public out of a leased space.

Several commenters raised questions regarding how the regulations would be applied when a legislative branch office is leasing space from a private landlord. Under the ADA regulations (both Title II and Title III), the space being leased, the building where it is located, the building site, the parking lots and the interior and exterior walkways are all considered to be “facilities.” If the facility is being used to meet with members of the public, under the CAA, the facility is a place of public accommodation operated by a public entity and therefore the office must meet the obligations imposed by those sections of Titles II and III of the ADA applied to legislative branch entities under the CAA. Because the private landlord is leasing a facility to a place of public accommodation, the private landlord will also have to comply with the DOJ’s Title III regulations, subject to enforcement by the DOJ or by an individual with a disability through legal action. The private landlord is not covered by the CAA.

Under the DOJ regulations that are incorporated by the adopted regulations, the obligations imposed by Title II and Title III differ depending upon when the leased facility was constructed. Entities covered by either Title II or Title III of the ADA (or both) must have designed and constructed their facilities in strict compliance with the applicable ADA Standards for Accessible Design (ADA Standards) if they were constructed after January 26, 1992. This means that both landlords and tenants are legally obligated to remove all barriers to access in such leased facilities caused by noncompliance with the applicable ADA Standards. Alterations made after January 26, 1992 to facilities constructed before January 26, 1992 must also be in compliance with the ADA Standards to the maximum extent feasible, and any alterations made to primary function areas after this date trigger a separate obligation to make the path of travel to those areas accessible to the extent that it can be made so without incurring disproportionate costs. If barriers to access exist in these alterations and in the path of travel to altered primary function areas, both the landlord and the tenant are legally obligated to remove those barriers. The regulations allow consideration of the provisions of the lease to determine who is primarily responsible for performing the barrier removal work;¹ however, because the legal duty is jointly imposed upon both of the parties, legal liability for any violation cannot be avoided by a private contract.²

All entities covered by Title III of the ADA who are lessors or lessees of facilities that

were both constructed after January 26, 1992, and not altered since that date, must remove access barriers if such removal is “readily achievable.” 42 U.S.C. § 12182(b)(2)(A)(iv), 28 C.F.R. § 36.304. The phrase “readily achievable” means “easily accomplishable and able to be carried out without much difficulty or expense.” 42 U.S.C. § 12181(9); 28 C.F.R. § 36.304(a). Examples of “readily achievable” steps for removal of barriers include: installing ramps; making curb cuts in sidewalks and entrances; repositioning shelves, furniture, vending machines, displays, and telephones; adding raised markings and elevator control buttons; installing visual alarms; widening doors; installing accessible door devices; rearranging toilet partitions to increase maneuvering space; raising toilet seats; and creating designated accessible parking spaces. 28 C.F.R. § 36.304(b).

Because legislative branch offices are “public entities” that must always comply with Title II of the ADA, these offices must also operate each of their services, programs and activities so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. 28 C.F.R. § 35.150(a). While this requirement does not usually require a public entity to make each of its existing facilities accessible and usable by individuals with disabilities [28 C.F.R. § 35.150(a)(1)], a public entity must “give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate” when choosing a method of providing readily accessible and usable services, programs and activities. While structural changes in existing facilities are not required when the public entity can show that other methods are effective in meeting this access requirement, when a public entity is renting solely one facility in a locality, the only practical method of providing accessibility is to make sure that this leased facility is readily accessible. When a legislative branch office has only one facility in a particular locality and uses that facility to conduct meetings with constituents, it can be difficult, if not impossible, for that office to show that each of its programs, services and activities meet the accessibility requirements of 28 C.F.R. § 35.150 when that facility is not readily accessible. Constituents using wheelchairs who are unable to attend meetings at a local Congressional office because the facility is not readily accessible do not find that each of the office’s services, programs or activities, when viewed in its entirety, is readily accessible or usable by them. Offices are usually placed in a locality so that staff can meet personally with constituents who live nearby. Nearby constituents using wheelchairs who find that they cannot personally participate in such meetings upon reaching the facility are effectively being denied the access being provided to other constituents.

Because the adopted regulations adequately explain the rights and responsibilities of the parties involved in leasing facilities to public entities or public accommodations, the adopted regulations contain no changes based upon these comments.

3. Access requirements in rural and urban areas.

One commenter suggested that the Board should recognize that the access requirements in rural areas differ from those in urban areas and should therefore adopt regulations that recognize this distinction. The ADA is a civil rights statute and not a building code, although it is sometimes mistak-

enly viewed as one. While alterations and construction in rural areas may not be regulated by local building codes, under the ADA, the individuals with disabilities living in those areas are entitled to the same rights and protections as those living in urban areas. This means that public entities and public accommodations must comply with the same applicable ADA access requirements regardless of their location. For this reason, following the DOJ and DOT, the Board has not made any changes in the proposed regulations to reflect distinctions between rural and urban areas.

4. Accessibility requirements for leased facilities.

In the NPRM, the Board proposed adoption of an Access Board regulation based on 36 C.F.R. § 1190.34 (2004) which since July 23, 2004 has been incorporated into the Access Board’s Architectural Barriers Act Accessibility Guidelines (“ABAAG”). This regulation provides that buildings and facilities leased with federal funds shall contain certain specified accessible features. Buildings or facilities leased for 12 months or less are not required to comply with the regulation as long as the lease cannot be extended or renewed.

The Access Board’s leasing regulation implements a key provision of the Architectural Barriers Act (“ABA”) which Congress originally passed in 1968 and amended in 1976. The ABA was originally enacted “to insure that all public buildings constructed in the future by or on behalf of the Federal Government or with loans or grants from the Federal Government are designed and constructed in such a way that they will be accessible to and usable by the physically handicapped.” S.Rep. No. 538, 90th Cong., 1st Sess., reprinted in 1968 U.S. Code Cong. & Admin. News 3214, 3215. Prior to being amended in 1976, the ABA covered only leased facilities that were “to be leased in whole or in part by the United States after [August 12, 1968], after construction or alteration in accordance with plans and specifications of the United States.” Pub. L. No. 90-480 § 1, 82 Stat. 718 (1968). In 1975, the GAO issued a report to Congress entitled *Further Action Needed to Make All Buildings Accessible to the Physically Handicapped* which found that “leased buildings were consistently more inaccessible [than federally-owned buildings] and posed the most serious problems to the handicapped” and further found that “[s]ince the Government leases many existing buildings without substantial alteration, the [ABA’s] coverage is incomplete to the extent that those buildings are excluded.” Comptroller General, *Further Action Needed to Make All Buildings Accessible to the Physically Handicapped* (July 15, 1975) at 25, 28. In response to the GAO Report, Congress amended the ABA by deleting the phrase “after construction or alteration in accordance with plans and specifications of the United States” thereby providing coverage for all buildings and facilities “to be leased in whole or in part by the United States after [January 1, 1977].” The House Report accompanying the bill that became law described the purpose of the 1976 Amendments as being to “assure more effective implementation of the congressional policy to eliminate architectural barriers to physically handicapped persons in most federally occupied or sponsored buildings.” H.R. Rep. No. 1584—Part I, 94th Cong., 2d Sess. 1 (1976). The hearings on the bill also make it clear that Congress amended the ABA in 1976 to close the loophole through which inaccessible buildings and facilities were leased

without alteration. See, *Public Buildings Cooperative Use: Hearings on HR 15134 Before the Subcommittee on Public Buildings and Grounds of the House Committee on Public Works and Transportation*, 94th Cong., 2d Sess. 107 (1976) (statement of Representative Edgar).

Consequently, since 1976, a hallmark of federal policy regarding people with disabilities has been to require accessibility of buildings and facilities constructed or leased using federal funds. Although, in the CAA, Congress required legislative branch compliance with only the public access provisions of the ADA rather than the Rehabilitation Act of 1973 or the ABA, the ADA itself was enacted in 1990 to expand the access rights of individuals with disabilities beyond what was previously provided by the Rehabilitation Act and the ABA. One of the sections of the ADA that Congress incorporated into the CAA is Section 204. Section 204 requires that the regulations promulgated under the ADA with respect to existing facilities “shall be consistent” with the regulations promulgated by the DOJ in 28 C.F.R. Part 39. 42 U.S.C. § 12134(b). Under 28 C.F.R. § 39.150(b), a covered entity is required to meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended, and any regulations implementing it.

As several commenters noted, when the DOJ promulgated its ADA regulations in 1991, it stated in its guidelines that it had intentionally omitted a regulation that required public entities to lease only accessible facilities because to do so “would significantly restrict the options of State and local governments in seeking leased space, which would be particularly burdensome in rural or sparsely populated areas.” 29 C.F.R. Pt. 35, App. B § 35.151. In these same guidelines, however, the DOJ also noted that, under the Access Board’s regulations, the federal government may not lease facilities unless they meet the minimum accessibility requirements specified in 36 C.F.R. § 1190.34 (2004) (and now in ABAAG § F202.6). This is true even if the facility is located in rural or sparsely populated areas. None of the commenters provided any specific examples of how complying with a regulation regarding leased facilities otherwise applicable to the federal government would be unduly burdensome. Since the supply of accessible facilities has increased during the past twenty-four years through alterations and new construction, the burdensomeness of this regulation is certainly much less than it was in 1991.

A commenter also noted that under the current House rules a Member may not use representational funds to obtain reimbursement for capital improvements and this might affect the removal of barriers in facilities that are inaccessible. However, the proposed regulation does not require that any Member specifically pay for capital improvements. Instead, prior to entering into a lease with a Member for a facility that is in need of alterations to meet the minimum accessibility requirements, the landlord is obligated to make the needed alterations as a condition of doing business with Congress. While it is likely that the landlord will recover some of the costs associated with these alterations by increasing the rent paid by federal tenants, Congress determined when it amended the ABA to provide coverage for all leased facilities that the increased cost associated with requiring the federal government to lease only accessible facilities would be minimal and well worth the benefit gained

by improving accessibility to all federal facilities. H.R. Rep. No. 1584—Part II, 94th Cong., 2d Sess. 9, reprinted in 1976 U.S. Code Cong. & Admin. News 5566, 5571–72. In the NPRM, the Board noted that the most common ADA public access complaint received by the OOC General Counsel from constituents relates to the lack of ADA access to spaces being leased by legislative branch offices. Given the frequency of these complaints and the clear Congressional policy embodied in the ABA requiring leasing of only accessible spaces by the United States, the Board found good cause to propose adoption of the Access Board's regulation formerly known as 36 C.F.R. §1190.34 (2004) and now known as §F202.6 of the ABAAG and the ABAAS. Because, under CAA §210(e)(2), the OOC Board of Directors ("the Board") is authorized to propose a regulation that does not follow the DOJ regulations when it determines "for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section," the Board has decided to require the leasing of accessible spaces as required in §F202.6 of the ABAAS.

5. Regulations regarding the investigation and prosecution of charges of discrimination and regarding periodic inspections and reporting.

Several commenters suggested that the regulations in Part 2, regarding the investigation and prosecution of charges of discrimination, and in Part 3, regarding periodic inspections and reporting, describe powers of the General Counsel that are beyond what is provided in the CAA. These commenters suggested that, under the CAA, the General Counsel does not have the discretion to determine how to conduct investigations and inspections nor the authority to act upon ADA requests for inspection from persons who request anonymity or persons who do not identify themselves as disabled.

Section 210(d) of the CAA requires the General Counsel to accept and investigate charges of discrimination filed by qualified individuals with disabilities who allege a violation of Section 210 of the CAA by a covered entity. The CAA provides no details regarding how charges shall be investigated. Similarly, while Section 210(f) of the CAA requires that the General Counsel, on a regular basis, at least once each Congress, inspect the facilities of covered entities to ensure compliance with Section 210 of the CAA and submit a report to Congress containing the results of such periodic inspections, the statute provides no details regarding how the inspections are to be conducted.

"The power of an administrative agency to administer a congressionally created . . . program necessarily requires the formulation of policy and the making of rules to fill any gap left, implicitly or explicitly, by Congress." *Morton v. Ruiz*, 415 U.S. 199, 231, 94 S.Ct. 1055, 1072, 39 L.Ed.2d 270 (1974) (cited with approval by *Chevron v. Nat'l Resources Defense Council*, 467 U.S. 837, 843, 104 S.Ct. 2778, 81 L.Ed.2d 694 (1984)). When Congress expressly leaves a gap for the agency to fill, there is an express delegation of authority to the agency to elucidate the statute. *Id.* at 844.

The OOC General Counsel has been conducting ADA inspections since January 23, 1995, when the CAA authorized commencement of such inspections. The OOC General Counsel has been investigating charges of discrimination since January 1, 1997, the effective date of Section 210(d). Since the cre-

ation of the office, the General Counsel has endeavored to conduct these inspections and investigations in a manner that is not disruptive to the offices involved and has not received complaints or comments indicating that its ADA investigations or inspections have ever been disruptive. The regulations merely propose that the General Counsel conduct investigations and inspections in the manner that they have always been conducted.

Due to the lack of inspection resources, the General Counsel is unable to conduct ADA inspections of all facilities used by the covered entities at least once each Congress. The General Counsel is unable to inspect all of the facilities located in the Washington, D.C. area, much less all of the facilities used by the district and state offices that are also covered by Section 210 of the CAA. In light of the General Counsel's limited resources and the large number of facilities that are covered by the CAA, the General Counsel must prioritize its ADA inspections. The proposed regulations allow the General Counsel to continue its practice of giving priority to inspection of areas that have raised concerns from constituents. By allowing anyone to file a request for inspection and by allowing requestors to remain anonymous to the covered office (the requestor is required to provide his or her identity to the General Counsel), the General Counsel is better able to identify and examine potential access problems and then pass this information on to the covered offices who are in the best position to address these potential issues. The General Counsel has found that, without exception, covered offices have been very responsive to the access concerns raised by constituents through the request for inspection process and are usually appreciative of information concerning constituent access issues of which they might otherwise be unaware.

Under the proposed regulations, requests for inspection filed anonymously or by persons without disabilities are not considered "charges of discrimination" that could result in a formal complaint being filed by the General Counsel against the covered office. Unlike Section 215 of the CAA, relating to occupational safety and health ("OSH") inspections and investigations, Section 210 of the CAA does not authorize the General Counsel to initiate enforcement proceedings unless a qualified individual with a disability has filed a charge of discrimination. But like Section 215, Section 210 of the CAA does authorize the General Counsel to inspect any facility and report its findings to the covered offices and to Congress. The proposed regulations merely recognize the General Counsel's long standing and common sense approach that concentrates limited inspection resources on the areas of most concern to constituents.

The other concern mentioned in the comments is that the proposed regulations define the General Counsel's investigatory authority in a manner that is broader than what Section 210 provides. Section 210 directs the General Counsel to investigate charges of discrimination without specifying how those investigations are to be conducted. To fill this gap, the proposed regulations allow the General Counsel to use modes of inquiry and investigation traditionally employed or useful to execute the investigatory authority provided by the statute which can include conducting inspections, interviewing witnesses, requesting documents and requiring answers to written questions. These methods of investigation are consistent with how

other federal agencies investigate charges of discrimination. There is nothing in this proposed regulation that is contrary to the statutory language in Section 210. For this reason, the Board has not made any changes in the adopted regulations in response to these comments.

6. Request to create new regulations relating to safety and security.

One commenter suggested that the Board use these regulations to recognize the Capitol Police Board's statutory authority relating to safety and security and create new regulations defining this authority with respect to Section 210 of the CAA. In response, the Board does not find any statutory language in the CAA which would allow it to define the authority of the Capitol Police Board by regulation and therefore does not find good cause to modify the language of the DOJ or DOT regulations in the manner requested.

7. Comments to specific regulations.

a. Sec. 1.101—Purpose and Scope. One commenter suggested that, when describing how the CAA incorporates sections of Title II and III of the ADA, the regulation should use the language contained in the incorporated statutory sections. The Board has made this change in the adopted regulations. The same commenter suggested that mediation should be mentioned when describing the charge and complaint process. The Board has also made this change in the adopted regulations.

b. Sec. 1.102—Definitions. One commenter suggested that the incorporated definition of the "Act" should be reconciled with the definition of "ADA" provided in the proposed definitions. The Board has added "or Americans with Disabilities Act" after "ADA" in the definition section of the adopted regulations. This will clarify that references to the "Americans with Disabilities Act" or the "Act" will refer to only those sections of the ADA that are applied to the legislative branch by the CAA. One commenter suggested that there should be some discussion in this section regarding when a covered entity will be considered to be operating a "place of public accommodation" within the meaning of Title III. The Board has provided additional guidance on this topic in this Notice of Adoption and has added a provision in the adopted regulations providing that the regulations shall be interpreted in a manner consistent with the Notice of Adoption.

c. Sec. 1.103—Authority of the Board. One commenter suggested that this section be modified in a way that would allow the Board to adopt the Pedestrian Right of Way Accessible Guidelines ("PROWAG") as a standard. Because the PROWAG are only proposed guidelines and they have not been adopted by the DOT as standards by regulation, these are not among the current DOT regulations that the Board can adopt under Section 210(e)(2) of the CAA. For this reason, the Board has not acted upon this suggestion.

d. Sec. 1.104—Method for identifying entity responsible. A commenter suggested that the term "this section" refers to both the statutory and regulatory language at different times. In response to this suggestion, the Board has changed the first reference to "this section" to "Section 210 of the CAA" in the adopted regulation. A commenter has also suggested that the regulation refers to allocating responsibility between covered entities rather than identifying the entity responsible and notes that there may be instances where access issues arise because a private landlord has failed to comply with the lease with the covered entity and the

General Counsel would be unable to “allocate responsibility” between the covered entity and the private landlord. In response, the Board notes that Section 1.104(c) describes how the entities responsible for correcting violations are identified. Section 1.104(d) describes how responsibility is allocated when more than one covered entity is responsible for the correction. Because a private landlord is not a “covered entity” within the meaning of the CAA, Section 1.104(d) would not be applicable when deciding how to allocate responsibility between a private landlord and a covered legislative branch office. To further clarify this distinction, the Board has added the word “covered” before “entity” in Section 1.104(d) of the adopted regulation. Another commenter requested that this regulation be clarified so that only violations of the sections of the ADA incorporated in the CAA will be considered violations. In response, the Board notes that this has been accomplished by defining the “ADA” as including only those sections incorporated by the CAA. Another comment requested a definition of the term “order” in the last sentence of Section 1.104(d). In response, this word has been deleted in the adopted regulations.

e. Sec. 1.105—Title II Regulations incorporated by reference. The Architect of the Capitol suggested a slight modification to the definition of “historic property” in Sec. 1.105(a)(4) which would add the word “properties” to the list including “facilities” and “buildings.” The Board has made this change in the adopted regulations. Another commenter requested that the definition of “historic” properties be modified to include properties designated as historic by state or local law to cover district offices located in such buildings. In response, the Board notes that the definition contained in Sec. 1.105(a)(4) merely supplements the definition of historic properties contained in Section 35.104, which includes those properties designated as historic under State or local law. To further clarify this, the Board has added the word “also” to the definition in the adopted regulation. Another comment suggested that, rather than providing a general rule of interpretation, all potentially conflicting regulations should be rewritten to reconcile all possible conflicts. In response, as noted earlier in response to the general comments, the Board has adopted only the Title II regulation when both a DOJ Title II and Title III regulation address the same subject.

(1) Section 35.103(a). A comment suggested that this regulation should not be adopted because it references Title V of the Rehabilitation Act which includes employment discrimination issues. In response, the Board notes that Section 35.103(a) is based on Section 204 of the ADA, 42 U.S.C. §12134, which is incorporated by reference into the CAA; consequently, this provision remains in the adopted regulations.

(2) Section 35.104. A comment suggested that this regulation should be rewritten to delete all terms that are irrelevant, duplicative, or otherwise inapplicable. In response, the Board notes that definitions of terms that are not used in the incorporated regulations are not incorporated by reference, as made clear by the additional language added in §1.105(a); consequently, there is no need to rewrite the regulation.

(3) Section 35.105 (Self-Evaluation) and Section 35.106 (Notice). A comment suggested that these regulations should not be adopted because they might require covered entities to report findings to the OOC or keep and

maintain certain records. The Board does not find this reason to be “good cause” for modifying the existing DOJ regulation. Unlike some of the other statutes incorporated by the CAA, the ADA does not contain a specific section about recordkeeping that Congress declined to apply to legislative branch entities.

(4) Section 35.107 (Designation of responsible employee and adoption of grievance procedures). A comment suggested that this regulation should not be adopted because the CAA contains other enforcement provisions. The Board does not find “good cause” for modifying the existing DOJ regulation. The DOJ placed these provisions in the regulations even though the ADA contains enforcement provisions. These regulations provide an opportunity to promptly address access issues by allowing individuals with disabilities to complain directly to the covered entity about an access problem.

(5) Section 35.131 (Illegal use of drugs). A comment suggested that this regulation should not be adopted because it may raise Fourth Amendment issues. The Board finds that there is not “good cause” for modifying the existing DOJ regulation. The Fourth Amendment also applies to state and local governments. This regulation exists to make clear that covered entities can legally prohibit participants in government sponsored sport and recreational activities from illegally using drugs.

(6) Section 35.133 (Maintenance of accessible features). A comment suggested that this regulation should be modified to exclude offices that have no “direct care and control” over accessible features because only certain offices control the common areas in buildings. In response, the Board finds that there is not “good cause” for modifying the existing DOJ regulation. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the Proposed Regulations.

(7) Section 35.137 (Mobility Devices). A comment suggested that this regulation should be modified to exclude offices that do not have direct control over the daily operation of legislative branch facilities. In response, the Board has failed to find “good cause” for modifying the existing DOJ regulation. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the Proposed Regulations.

(8) Section 35.150 (Existing Facilities). A comment suggested that this proposed regulation should be modified so that it requires that only accessible facilities be leased and that Section 35.150(d) be removed because it requires the development of a transition plan which imposes recordkeeping requirements not adopted in the CAA. The Board does not find “good cause” for modifying the existing DOJ regulation. The accessibility requirements of leased facilities are addressed in a separate regulation. Regarding transition plans, as noted earlier, unlike some of the other statutes incorporated by the CAA, the ADA does not contain a specific section about recordkeeping that Congress declined to apply to legislative branch entities. The transition planning requirement is a key element of the DOJ regulations since it compels public entities to develop a plan for making all of their facilities accessible.

(9) Section 35.160 (Communications—General). A comment suggested modifying this regulation so that it is consistent with Section 36.303(c) (Effective communication). In response, the Board notes that the adopted regulations do not include Section 36.303(c)

so there is no longer a reason for modifying the existing DOJ Title II regulation.

(10) Section 35.163 (Information and Signage). A comment suggested excluding offices that do not have direct control over signage in common areas from this regulation. In response, the Board does not find “good cause” for modifying the existing DOJ regulation. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the adopted regulations.

(11) Appendices to Part 35 Regulations. A commenter suggested correcting the titles of the Appendices to Parts 35 and 36. The titles have been corrected in the adopted regulations.

f. Sec. 1.105—Title III Regulations incorporated by reference.

(1) Section 36.101 (Purpose). A comment suggested that this regulation be modified to state that only those sections of Title III incorporated by the CAA are being implemented. The Board finds that this change is not necessary because the adopted regulations define the term “Americans with Disabilities Act” as including only those sections of the ADA incorporated by the CAA.

(2) Section 36.103 (Relationship with other Laws). A comment suggested deleting this regulation because it references Title V of the Rehabilitation Act. In response, the Board notes that Section 36.103 is based in part on Section 204 of the ADA, 42 U.S.C. §12134, which is incorporated by reference into the CAA, and therefore finds no cause for deleting this regulation.

(3) Section 36.104 (Definitions). Several comments suggested that this regulation be modified to remove all definitions that are irrelevant, duplicative, or otherwise inapplicable. The Board notes that definitions of terms that are not used in the incorporated regulations are not incorporated by reference and therefore finds no cause for altering the regulation. As noted earlier, because the Notice of Adoption will be included as an appendix to the regulations, the notice will serve as guidance for interpreting the regulations.

(4) Section 36.209 (Illegal use of drugs). The Board has not responded to comments regarding this regulation because it has not been incorporated into the adopted regulations.

(5) Section 36.211 (Maintenance of accessible features). The Board has not responded to comments regarding this regulation because it has not been incorporated into the adopted regulations.

(6) Section 36.303 (Effective communication). The Board has not responded to comments regarding this regulation because it has not been incorporated into the adopted regulations.

(7) Section 36.304 (Removal of Barriers). A comment suggested modifying this regulation to acknowledge that the General Counsel has no authority over private landlords. The Board does not find good cause for modifying this regulation. As noted earlier, there is nothing in the regulations suggesting that the CAA applies to private landlords. In many cases, barrier removal is the responsibility of both the landlord and the tenant. If the tenant has a lease provision that places this responsibility on the landlord, it is up to the tenant to take appropriate action to enforce this provision.

(8) Sections 36.402 (Alterations), 36.403 (Alterations: Path of travel), 36.404 (Alterations: Elevator exemption), 36.405 (Alterations: Historic preservation) and 36.406 (Standards for new construction and alterations). A comment suggested modifying these regulations

to consider the limited control that some offices have over capital improvement and alterations to buildings and to modify the historic preservation definition to include buildings designated as historic by state and local governments. The Board does not find good cause for modifying the existing DOJ regulations. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the adopted regulations. As noted earlier, the definition contained in Sec. 1.105(a)(4) merely supplements the definition of historic properties contained in Section 36.405(a), which includes those properties designated as historic under State or local law.

(9) Appendices to Part 36 Regulations. A commenter suggested correcting the titles of the Appendices to Parts 35 and 36. The titles have been corrected in the adopted regulations.

g. Section 1.105(e)—36 C.F.R. Part 1190 (2004) & ABAAG § F202.6

(1) Several commenters suggested that 36 C.F.R. Part 1190 (2004) should not be adopted because it is no longer in the Code of Federal Regulations. The Board does not find good cause to reconsider its decision to adopt this regulation. As noted earlier, although the regulation was removed from the C.F.R. in 2004 when the substance of the regulation became part of the ABA Accessibility Guidelines (“ABAAG”) at § F202.6, it is still an enforceable standard applied to the United States Government. Since 1976, when Congress amended the ABA, it has been a hallmark of federal policy regarding people with disabilities to require accessibility of buildings and facilities constructed or leased using federal funds.

h. Part 2—Matters Pertaining to Investigation and Prosecution of Charges of Discrimination

(1) Section 2.101 (Purpose and Scope). Several commenters suggested that this regulation explain in more detail how the General Counsel will exercise statutory authority by procedural rule or policy. In response, the Board has deleted this sentence from the adopted regulation.

(2) Section 2.102(b). A comment suggested that this regulation be modified to further clarify what “other means” can be used to “file a charge” other than those listed in the regulation. In response, the Board has deleted the reference to “other means.”

(3) Section 2.102(c). Commenters suggested that this regulation should be modified because subpart (2) of the definition of “the occurrence of the alleged violation” is currently phrased in a way that seems to assume that a violation has occurred and is too broad because it might allow a charge to be filed beyond 180 days of the date of the alleged discrimination. In response to these comments, the adopted regulations retain only the definition of occurrence in subpart (1).

(4) Section 2.103. Commenters suggested modifying this regulation because it appears to expand the General Counsel’s authority beyond what the CAA provides. For the reasons stated earlier in the response to the general comments, the Board disagrees with this assessment and therefore this section has not been changed in the adopted regulations.

(5) Section 2.107(a)(2). Commenters suggested removing this regulation because they believe that the CAA does not provide compensatory damages as a remedy for violations of Section 210. After due consideration of these comments, the Board has decided that the issue of what constitutes an

appropriate remedy should be decided on a case-by-case basis through the statutory hearing and appeals process rather than by regulation. It should be noted, however, that the analysis in *Lane v. Pena*, 518 U.S. 187 (1996) may not be applicable to ADA cases under the CAA by virtue of the language in Section 210(b)(2) which defines “public entity” as including any of the covered entities listed in Section 210(a) and the language in Section 210(c) which provides for “such remedy as would be appropriate if awarded under section 203 or 308(a) of the American with Disabilities Act of 1990.” These provisions, when read together, may very well constitute an express waiver of sovereign immunity for all damages that can be appropriately awarded against a public entity, which would include compensatory damages.

i. Part 3—Matters Pertaining to Periodic Inspections and Reporting

(1) Section 3.101 (Purpose and Scope). Several commenters suggested that this regulation explain in more detail how the General Counsel will exercise statutory authority by procedural rule or policy. In response, the Board has deleted this sentence from the adopted regulation.

(2) Section 3.102 (Definitions). A commenter suggested that the definition of “facilities of a covered entity” be narrowed so that the General Counsel would only inspect spaces occupied solely by a legislative branch office and would not inspect common spaces, entrances or accessible pathways used to access the solely occupied spaces. The Board finds that such a narrow definition of “facilities of a covered entity” would be inconsistent with the DOJ regulations and the purpose of the statutory mandate to inspect facilities for compliance with Titles II and III of the ADA; therefore, it has not modified this definition in the adopted regulations.

(3) Section 3.103 (Inspection Authority). Commenters suggested that the General Counsel not be allowed to conduct an inspection or investigation initiated by someone who wishes to remain anonymous. For the reasons stated earlier in response to the general comments, the Board rejects this suggestion and has therefore not changed this section in the adopted regulations. The Architect of the Capitol suggested that, in the interest of simplicity and timeliness, Section 3.103(d) be shortened to: “The Office of the Architect of the Capitol shall, within one year from the effective date of these regulations, develop a process with the General Counsel to identify potential barriers to access prior to the completion of alteration and construction projects.” Because the language used in the NPRM more thoroughly describes what this preconstruction process should entail, the Board does not find good cause to modify this regulation in the manner suggested.

Adopted Regulations:

PART 1—MATTERS OF GENERAL APPLICABILITY TO ALL REGULATIONS PROMULGATED UNDER SECTION 210 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

§ 1.101 PURPOSE AND SCOPE

§ 1.102 DEFINITIONS

§ 1.103 AUTHORITY OF THE BOARD

§ 1.104 METHOD FOR IDENTIFYING THE ENTITY RESPONSIBLE FOR CORRECTING VIOLATIONS OF SECTION 210

§ 1.105 REGULATIONS INCORPORATED BY REFERENCE

§ 1.101 Purpose and scope.

(a) CAA. Enacted into law on January 23, 1995, the Congressional Accountability Act

(“CAA”) in Section 210(b) provides that the rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303, and 309 of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131–12150, 12182, 12183, and 12189 (“ADA”), shall apply to the following entities:

(1) each office of the Senate, including each office of a Senator and each committee;

(2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;

(3) each joint committee of the Congress;

(4) the Office of Congressional Accessibility Services;

(5) the United States Capitol Police;

(6) the Congressional Budget Office;

(7) the Office of the Architect of the Capitol (including the Botanic Garden);

(8) the Office of the Attending Physician; and

(9) the Office of Compliance;

Title II of the ADA prohibits discrimination on the basis of disability in the provision of public services, programs, activities by any “public entity.” Section 210(b)(2) of the CAA provides that for the purpose of applying Title II of the ADA the term “public entity” means any entity listed above that provides public services, programs, or activities. Title III of the ADA prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with accessibility standards. Section 225(f) of the CAA provides that, “[e]xcept where inconsistent with definitions and exemptions provided in [this Act], the definitions and exemptions of the [ADA] shall apply under [this Act.]” 2 U.S.C. § 1361(f)(1).

Section 210(d) of the CAA requires that the General Counsel of the Office of Compliance accept and investigate charges of discrimination filed by qualified individuals with disabilities who allege a violation of Title II or Title III of the ADA by a covered entity. If the General Counsel believes that a violation may have occurred, the General Counsel may request, but not participate in, mediation under Section 403 of the CAA and may file with the Office a complaint under Section 405 of the CAA against any entity responsible for correcting the violation. 2 U.S.C. § 1331(d).

Section 210(f) of the CAA requires that the General Counsel of the Office of Compliance on a regular basis, and at least once each Congress, conduct periodic inspections of all covered facilities and to report to Congress on compliance with disability access standards under Section 210. 2 U.S.C. § 1331(f).

(b) **Purpose and scope of regulations.** The regulations set forth herein (Parts 1, 2, and 3) are the substantive regulations that the Board of Directors of the Office of Compliance has promulgated pursuant to Section 210(e) of the CAA. Part 1 contains the general provisions applicable to all regulations under Section 210, the method of identifying entities responsible for correcting a violation of Section 210, and the list of executive branch regulations incorporated by reference which define and clarify the prohibition against discrimination on the basis of disability in the provision of public services and accommodations. Part 2 contains the provisions pertaining to investigation and prosecution of charges of discrimination. Part 3 contains the provisions regarding the periodic inspections and reports to Congress on compliance with the disability access standards.

§ 1.102 Definitions.

Except as otherwise specifically provided in these regulations, as used in these regulations:

(a) **Act** or **CAA** means the Congressional Accountability Act of 1995 (Pub. L. 104-1, 109 Stat. 3, 2 U.S.C. §§ 1301-1438).

(b) **ADA** or **Americans with Disabilities Act** means those sections of the Americans with Disabilities Act of 1990 incorporated by reference into the CAA in Section 210: 42 U.S.C. §§ 12131-12150, 12182, 12183, and 12189.

(c) **Covered entity and public entity** include any of the entities listed in § 1.101(a) that provide public services, programs, or activities, or operates a place of public accommodation within the meaning of Section 210 of the CAA. In the regulations implementing Title III, **private entity** includes **covered entities**.

(d) **Board** means the Board of Directors of the Office of Compliance.

(e) **Office** means the Office of Compliance.

(f) **General Counsel** means the General Counsel of the Office of Compliance.

§ 1.103 Authority of the Board.

Pursuant to Sections 210 and 304 of the CAA, the Board is authorized to issue regulations to implement the rights and protections against discrimination on the basis of disability in the provision of public services and accommodations under the ADA. Section 210(e) of the CAA directs the Board to promulgate regulations implementing Section 210 that are "the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section." 2 U.S.C. § 1331(e). Specifically, it is the Board's considered judgment, based on the information available to it at the time of promulgation of these regulations, that, with the exception of the regulations adopted and set forth herein, there are no other "substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) [of Section 210 of the CAA]" that need be adopted.

In promulgating these regulations, the Board has made certain technical and nomenclature changes to the regulations as promulgated by the Attorney General and the Secretary of Transportation. Such changes are intended to make the provisions adopted accord more naturally to situations in the Legislative Branch. However, by making these changes, the Board does not intend a substantive difference between these regulations and those of the Attorney General and/or the Secretary of Transportation from which they are derived. Moreover, such changes, in and of themselves, are not intended to constitute an interpretation of the regulations or of the statutory provisions of the CAA upon which they are based.

§ 1.104 Method for identifying the entity responsible for correction of violations of section 210.

(a) **Purpose and scope.** Section 210(e)(3) of the CAA provides that regulations under Section 210(e) include a method of identifying, for purposes of Section 210 of the CAA and for categories of violations of Section 210(b), the entity responsible for correcting a particular violation. This section sets forth

the method for identifying responsible entities for the purpose of allocating responsibility for correcting violations of Section 210(b).

(b) **Violations.** A covered entity may violate Section 210(b) if it discriminates against a qualified individual with a disability within the meaning of Title II or Title III of the ADA.

(c) **Entities Responsible for Correcting Violations.** Correction of a violation of the rights and protections against discrimination is the responsibility of the entities listed in subsection (a) of Section 210 of the CAA that provide the specific public service, program, activity, or accommodation that forms the basis for the particular violation of Title II or Title III rights and protections and, when the violation involves a physical access barrier, the entities responsible for designing, maintaining, managing, altering or constructing the facility in which the specific public service program, activity or accommodation is conducted or provided.

(d) **Allocation of Responsibility for Correction of Title II and/or Title III Violations.** Where more than one covered entity is found to be an entity responsible for correction of a violation of Title II and/or Title III rights and protections under the method set forth in this section, as between those parties, allocation of responsibility for correcting the violations of Title II or Title III of the ADA may be determined by statute, contract, or other enforceable arrangement or relationship.

§ 1.105 Regulations incorporated by reference.

(a) **Technical and Nomenclature Changes to Regulations Incorporated by Reference.** The definitions in the regulations incorporated by reference ("incorporated regulations") shall be used to interpret these regulations except: (1) when they differ from the definitions in § 1.102 or the modifications listed below, in which case the definition in § 1.102 or the modification listed below shall be used; or (2) when they define terms that are not used in the incorporated regulations. The incorporated regulations are hereby modified as follows:

(1) When the incorporated regulations refer to "Assistant Attorney General," "Department of Justice," "FTA Administrator," "FTA regional office," "Administrator," "Secretary," or any other executive branch office or officer, "General Counsel" is hereby substituted.

(2) When the incorporated regulations refer to the date "January 26, 1992," the date "January 1, 1997" is hereby substituted.

(3) When the incorporated regulations otherwise specify a date by which some action must be completed, the date that is three years from the effective date of these regulations is hereby substituted.

(4) When the incorporated regulations contain an exception for an "historic" property, building, or facility, that exception shall also apply to properties, buildings, or facilities designated as an historic or heritage asset by the Office of the Architect of the Capitol in accordance with its preservation policy and standards and where, in accordance with its preservation policy and standards, the Office of the Architect of the Capitol determines that compliance with the requirements for accessible routes, entrances, or toilet facilities (as defined in 28 C.F.R. Parts 35 and 36) would threaten or destroy the historic significance of the property, building or facility, the exceptions for alterations to qualified historic property, buildings or facilities for that element shall be permitted to apply.

(b) **Rules of Interpretation.** When regulations in (c) conflict, the regulation providing the most access shall apply. The Board's Notice of Adoption shall be used to interpret these regulations and shall be made part of these Regulations as Appendix A.

(c) **Incorporated Regulations from 28 C.F.R. Parts 35 and 36.** The Office shall publish on its website the full text of all regulations incorporated by reference. The following regulations from 28 C.F.R. Parts 35 and 36 that are published in the Code of Federal Regulations on the date of the Board's adoption of these regulations are hereby incorporated by reference as though stated in detail herein:

§ 35.101 Purpose.

§ 35.102 Application.

§ 35.103 Relationship to other laws.

§ 35.104 Definitions.

§ 35.105 Self-evaluation.

§ 35.106 Notice.

§ 35.107 Designation of responsible employee and adoption of grievance procedures.

§ 35.130 General prohibitions against discrimination.

§ 35.131 Illegal use of drugs.

§ 35.132 Smoking.

§ 35.133 Maintenance of accessible features.

§ 35.135 Personal devices and services.

§ 35.136 Service animals

§ 35.137 Mobility devices.

§ 35.138 Ticketing

§ 35.139 Direct threat.

§ 35.149 Discrimination prohibited.

§ 35.150 Existing facilities.

§ 35.151 New construction and alterations.

§ 35.152 Jails, detention and correctional facilities.

§ 35.160 General.

§ 35.161 Telecommunications.

§ 35.162 Telephone emergency services.

§ 35.163 Information and signage.

§ 35.164 Duties.

Appendix A to Part 35—Guidance to Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services.

Appendix B to Part 35—Guidance on ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services Originally Published July 26, 1991.

§ 36.101 Purpose.

§ 36.102 Application.

§ 36.103 Relationship to other laws.

§ 36.104 Definitions.

§ 36.201 General.

§ 36.202 Activities.

§ 36.203 Integrated settings.

§ 36.204 Administrative methods.

§ 36.205 Association.

§ 36.207 Places of public accommodations located in private residences.

§ 36.208 Direct threat.

§ 36.210 Smoking.

§ 36.213 Relationship of subpart B to subparts C and D of this part.

§ 36.301 Eligibility criteria.

§ 36.302 Modifications in policies, practices, or procedures.

§ 36.304 Removal of barriers.

§ 36.305 Alternatives to barrier removal.

§ 36.307 Accessible or special goods.

§ 36.308 Seating in assembly areas.

§ 36.309 Examinations and courses.

§ 36.310 Transportation provided by public accommodations.

§ 36.402 Alterations.

§ 36.403 Alterations: Path of travel.

§ 36.404 Alterations: Elevator exemption.

§ 36.405 Alterations: Historic preservation.

§ 36.406 Standards for new construction and alterations.

Appendix A to Part 36—Guidance on Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability by Public Accommodations and Commercial Facilities.

Appendix B to Part 36—Analysis and Commentary on the 2010 ADA Standards for Accessible Design.

(d) Incorporated Regulations from 49 C.F.R. Parts 37 and 38. The following regulations from 49 C.F.R. Parts 37 and 38 that are published in the Code of Federal Regulations on the effective date of these regulations are hereby incorporated by reference as though stated in detail herein:

§ 37.1 Purpose.

§ 37.3 Definitions.

§ 37.5 Nondiscrimination.

§ 37.7 Standards for accessible vehicles.

§ 37.9 Standards for accessible transportation facilities.

§ 37.13 Effective date for certain vehicle specifications.

§ 37.21 Applicability: General.

§ 37.23 Service under contract.

§ 37.27 Transportation for elementary and secondary education systems.

§ 37.31 Vanpools.

§ 37.37 Other applications.

§ 37.41 Construction of transportation facilities by public entities.

§ 37.43 Alteration of transportation facilities by public entities.

§ 37.45 Construction and alteration of transportation facilities by private entities.

§ 37.47 Key stations in light and rapid rail systems.

§ 37.61 Public transportation programs and activities in existing facilities.

§ 37.71 Purchase or lease of new non-rail vehicles by public entities operating fixed route systems.

§ 37.73 Purchase or lease of used non-rail vehicles by public entities operating fixed route systems.

§ 37.75 Remanufacture of non-rail vehicles and purchase or lease of remanufactured non-rail vehicles by public entities operating fixed route systems.

§ 37.77 Purchase or lease of new non-rail vehicles by public entities operating a demand responsive system for the general public.

§ 37.79 Purchase or lease of new rail vehicles by public entities operating rapid or light rail systems.

§ 37.81 Purchase or lease of used rail vehicles by public entities operating rapid or light rail systems.

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§ 37.101 Purchase or lease of vehicles by private entities not primarily engaged in the business of transporting people.

§ 37.105 Equivalent service standard.

§ 37.121 Requirement for comparable complementary paratransit service.

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Appendix A to Part 37—Modifications to Standards for Accessible Transportation Facilities.

Appendix D to Part 37—Construction and Interpretation of Provisions of 49 CFR Part 37.

§ 38.1 Purpose.

§ 38.2 Equivalent facilitation.

§ 38.3 Definitions.

§ 38.4 Miscellaneous instructions.

§ 38.21 General.

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§ 38.39 Destination and route signs.

§ 38.51 General.

§ 38.53 Doorways.

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§ 38.57 Interior circulation, handrails and stanchions.

§ 38.59 Floor surfaces.

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§ 38.73 Doorways.

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§ 38.85 Between-car barriers.

§ 38.87 Public information system.

§ 38.171 General.

§ 38.173 Automated guideway transit vehicles and systems.

§ 38.179 Trams, and similar vehicles, and systems.

Figures to Part 38.

Appendix to Part 38—Guidance Material.

(e) Incorporated Standard from the Architectural Barriers Act Accessibility Standards (“ABAAS”) (May 17, 2005). The following standard from the ABAAS is adopted as a standard and hereby incorporated as a regulation by reference as though stated in detail herein:

§ F202.6 Leases.

PART 2—MATTERS PERTAINING TO INVESTIGATION AND PROSECUTION OF CHARGES OF DISCRIMINATION.

§ 2.101 PURPOSE AND SCOPE

§ 2.102 DEFINITIONS

§ 2.103 INVESTIGATORY AUTHORITY

§ 2.104 MEDIATION

§ 2.105 COMPLAINT

§ 2.106 INTERVENTION BY CHARGING INDIVIDUAL

§ 2.107 REMEDIES AND COMPLIANCE

§ 2.108 JUDICIAL REVIEW

§ 2.101 Purpose and scope.

Section 210(d) of the CAA requires that the General Counsel accept and investigate charges of discrimination filed by qualified individuals with disabilities who allege a violation of Title II or Title III of the ADA by a covered entity. Part 2 of these regulations contains the provisions pertaining to investigation and prosecution of charges of discrimination.

§ 2.102 Definitions.

(a) *Charge* means any written document from a qualified individual with a disability or that individual’s designated representative which suggests or alleges that a covered entity denied that individual the rights and protections against discrimination in the provision of public services and accommodations provided in Section 210(b)(1) of the CAA.

(b) *File a charge* means providing a charge to the General Counsel in person, by mail, or by electronic transmission. Charges shall be filed within 180 days of the occurrence of the alleged violation.

(c) *The occurrence of the alleged violation* means the date on which the charging individual was allegedly discriminated against.

(d) *The rights and protections against discrimination in the provision of public services and accommodations* means all of the rights and protections provided by Section 210(b)(1) of the CAA through incorporation of Sections 201 through 230, 302, 303, and 309 of the ADA and by the regulations issued by the Board to implement Section 210 of the CAA.

§ 2.103 Investigatory Authority.

(a) *Investigatory Methods.* When investigating charges of discrimination and conducting inspections, the General Counsel is authorized to use all the modes of inquiry and investigation traditionally employed or useful to execute this investigatory authority. The authorized methods of investigation include, but are not limited to, the following: (1) requiring the parties to provide or produce ready access to: all physical areas subject to an inspection or investigation, individuals with relevant knowledge concerning the inspection or investigation who can be interviewed or questioned, and documents pertinent to the investigation; and (2) requiring the parties to provide written answers to questions, statements of position, and any other information relating to a potential violation or demonstrating compliance.

(b) *Duty to Cooperate with Investigations.* Charging individuals and covered entities shall cooperate with investigations conducted by the General Counsel. Cooperation includes providing timely responses to reasonable requests for information and documents (including the making and retention of copies of records and documents), allowing the General Counsel to review documents and interview relevant witnesses confidentially and without managerial interference or influence, and granting the General Counsel ready access to all facilities where covered services, programs and activities are being provided and all places of public accommodation.

§ 2.104 Mediation.

(a) *Belief that violation may have occurred.* If, after investigation, the General Counsel

believes that a violation of the ADA may have occurred and that mediation may be helpful in resolving the dispute, prior to filing a complaint, the General Counsel may request, but not participate in, mediation under subsections (b) through (d) of Section 403 of the CAA between the charging individual and any entity responsible for correcting the alleged violation.

(b) **Settlement.** If, prior to the filing of a complaint, the charging individual and the entity responsible for correcting the violation reach a settlement agreement that fully resolves the dispute, the General Counsel shall close the investigation of the charge without taking further action.

(c) **Mediation Unsuccessful.** If mediation under (a) has not succeeded in resolving the dispute, and if the General Counsel believes that a violation of the ADA may have occurred, the General Counsel may file with the Office a complaint against any entity responsible for correcting the violation.

§ 2.105 Complaint.

The complaint filed by the General Counsel shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of Section 405 of the CAA. The decision of the hearing officer shall be subject to review by the Board pursuant to Section 406 of the CAA.

§ 2.106 Intervention by Charging Individual.

Any person who has filed a charge may intervene as of right, with the full rights of a party, whenever a complaint is filed by the General Counsel.

§ 2.107 Remedies and Compliance.

(a) **Remedy.** The remedy for a violation of Section 210 of the CAA shall be such remedy as would be appropriate if awarded under Section 203 or 308(a) of the ADA.

(b) **Compliance Date.** Compliance shall take place as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the order requiring correction becomes final and not subject to further review.

§ 2.108 Judicial Review.

A charging individual who has intervened or any respondent to the complaint, if aggrieved by a final decision of the Board, may file a petition for review in the United States Court of Appeals for the Federal Circuit, pursuant to Section 407 of the CAA.

PART 3—MATTERS PERTAINING TO PERIODIC INSPECTIONS AND REPORTING.

§ 3.101 PURPOSE AND SCOPE

§ 3.102 DEFINITIONS

§ 3.103 INSPECTION AUTHORITY

§ 3.104 REPORTING, ESTIMATED COST & TIME, AND COMPLIANCE DATE

§ 3.101 Purpose and scope.

Section 210(f) of the CAA requires that the General Counsel, on a regular basis, at least once each Congress, inspect the facilities of covered entities to ensure compliance with the Titles II and III of the ADA and to prepare and submit a report to Congress containing the results of the periodic inspections, describing any violations, assessing any limitations in accessibility, and providing the estimated cost and time needed for abatement. Part 3 of these regulations contains the provisions pertaining to these inspection and reporting duties.

§ 3.102 Definitions.

(a) **The facilities of covered entities** means all facilities used to provide public programs, activities, services or accommodations that are designed, maintained, altered or constructed by a covered entity and all fa-

cilities where covered entities provide public programs, activities, services or accommodations.

(b) **Violation** means any barrier to access caused by noncompliance with the applicable standards.

(c) **Estimated cost and time needed for abatement** means cost and time estimates that can be reported as falling within a range of dollar amounts and dates.

§ 3.103 Inspection authority.

(a) **General scope of authority.** On a regular basis, at least once each Congress, the General Counsel shall inspect the facilities of covered entities to ensure compliance with Titles II and III of the ADA. When conducting these inspections, the General Counsel has the discretion to decide which facilities will be inspected and how inspections will be conducted. The General Counsel may receive requests for ADA inspections, including anonymous requests, and conduct inspections for compliance with Titles II and III of the ADA in the same manner that the General Counsel receives and investigates requests for inspections under Section 215(c)(1) of the CAA.

(b) **Review of information and documents.** When conducting inspections under Section 210(f) of the CAA, the General Counsel may request, obtain, and review any and all information or documents deemed by the General Counsel to be relevant to a determination of whether the covered entity is in compliance with Section 210 of the CAA.

(c) **Duty to cooperate.** Covered entities shall cooperate with any inspection conducted by the General Counsel in the manner provided by § 2.103(b).

(d) **Pre-construction review of alteration and construction projects.** Any project involving alteration or new construction of facilities of covered entities are subject to inspection by the General Counsel for compliance with Titles II and III of the ADA during the design, pre-construction, construction, and post construction phases of the project. The Office of the Architect of the Capitol shall, within one year from the effective date of these regulations, develop a process with the General Counsel to identify potential barriers to access prior to the completion of alteration and construction projects that may include the following provisions:

- (1) Design review or approval;
- (2) Inspections of ongoing alteration and construction projects;
- (3) Training on the applicable ADA standards;
- (4) Final inspections of completed projects for compliance; and
- (5) Any other provision that would likely reduce the number of ADA barriers in alterations and new construction and the costs associated with correcting them.

§ 3.104 Reporting, estimating cost & time, and compliance date.

(a) **Reporting duty.** On a regular basis, at least once each Congress, the General Counsel shall prepare and submit a report to Congress containing the results of the periodic inspections conducted under § 3.103(a), describing any violations, assessing any limitations in accessibility, and providing the estimated cost and time needed for abatement.

(b) **Estimated cost & time.** Covered entities shall cooperate with the General Counsel by providing information needed to provide the estimated cost and time needed for abatement in the manner provided by § 2.103(b).

(c) **Compliance date.** All barriers to access identified by the General Counsel in its periodic reports shall be removed or otherwise

corrected as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the report describing the barrier to access was issued by the General Counsel.

Recommended Method of Approval:

The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

Signed at Washington, D.C., on this 3rd day of February, 2016.

BARBARA L. CAMENS,
CHAIR OF THE BOARD, OFFICE OF
COMPLIANCE.

ENDNOTES

1. 28 C.F.R. § 36.201(b) reads as follows: "Landlord and tenant responsibilities. Both the landlord who owns the building that houses a place of public accommodation and the tenant who owns or operates the place of public accommodation are public accommodations subject to the requirements of this part. As between the parties, allocation of responsibility for complying with the obligations of this part may be determined by lease or other contract."

2. The DOJ's illustrations and descriptions in its Technical Assistance Manuals regarding compliance with Titles II and Title III by tenants and landlords make this clear. See, U.S. Dept. of Justice, ADA Title III Technical Assistance Manual § III.-1.2000 (Nov. 1993) ("The title III regulation permits the landlord and the tenant to allocate responsibility, in the lease, for complying with particular provisions of the regulation. However, any allocation made in a lease or other contract is only effective as between the parties, and both landlord and tenant remain fully liable for compliance with all provisions of the ADA relating to that place of public accommodation."); U.S. Dept. of Justice, ADA Title II Technical Assistance Manual § II.-1.3000 (Nov. 1993) (Both manuals are available online at www.ada.gov). Also see, Gabreille P. Whelan, Comment, The "Public Access" Provisions of Title III of the Americans with Disabilities Act, 34 Santa Clara L. Rev. 215, 217-18 (1993).

3. Several commenters correctly noted that the NPRM contains a technical error because the year (2004) was omitted from the C.F.R. citation, which was a potential source of confusion because the regulation was removed from the C.F.R. in 2004 when the substance of the regulation became part of the ABA Guidelines at § F202.6. Fortunately, all of the commenters were sufficiently able to ascertain the subject matter of the proposed regulation to participate fully in the rule-making process by providing detailed comments about the proposed regulation, which is all that is required of a NPRM. See e.g., *Am. Iron & Steel Inst. v. EPA*, 568 F.2d 284, 293 (3d Cir. 1977); *United Steelworkers v. Marshall*, 647 F.2d 1189, 1121 (D.C. Cir. 1980); and *Am. Med. Ass'n v. United States*, 887 F.2d 760, 767 (7th Cir. 1989).

4. Under § F202.6 of the ABAAG, "Buildings or facilities for which new leases are negotiated by the Federal government after the effective date of the revised standards issued pursuant to the Architectural Barriers Act, including new leases for buildings or facilities previously occupied by the Federal government, shall comply with F202.6." F202.6 then proceeds to describe the requirements for an accessible route to primary function areas, toilet and bathing facilities, parking, and other elements and spaces. The ABAAG

became the ABA Accessibility Standards ("ABAAS") on May 17, 2005 when the GSA adopted them as the standards. See 41 C.F.R. §102.76.65(a) (2005).

5. These features include at least one accessible route to primary function areas, at least one accessible toilet facility for each sex (or an accessible unisex toilet facility if only one toilet is provided), accessible parking spaces, and, where provided, accessible drinking fountains, fire alarms, public telephones, dining and work surfaces, assembly areas, sales and service counters, vending and change machines, and mail boxes.

RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLLEXIA ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 3033 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3033) to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia.

There being no objection, the Senate proceeded to consider the bill.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Lee-Murray amendment, which is at the desk, be agreed to; I ask that the bill, as amended, be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3279) was agreed to, as follows:

(Purpose: To amend the National Science Foundation program on research on the science of dyslexia)

Strike section 4 of the bill and insert the following:

SEC. 4. DYSLLEXIA.

(a) IN GENERAL.—Consistent with subsection (c), the National Science Foundation shall support multi-directorate, merit-reviewed, and competitively awarded research on the science of specific learning disability, including dyslexia, such as research on the early identification of children and students with dyslexia, professional development for teachers and administrators of students with dyslexia, curricula and educational tools needed for children with dyslexia, and implementation and scaling of successful models of dyslexia intervention. Research supported under this subsection shall be conducted with the goal of practical application.

(b) AWARDS.—To promote development of early career researchers, in awarding funds under subsection (a) the National Science Foundation shall prioritize applications for funding submitted by early career researchers.

(c) COORDINATION.—To prevent unnecessary duplication of research, activities under this Act shall be coordinated with similar activities supported by other Federal agencies, including research funded by the Institute of Education Sciences and the National Institutes of Health.

(d) FUNDING.—The National Science Foundation shall devote not less than \$5,000,000 to research described in subsection (a), which shall include not less than \$2,500,000 for research on the science of dyslexia, for each of fiscal years 2017 through 2021, subject to the availability of appropriations, to come from amounts made available for the Research and Related Activities account or the Education and Human Resources Directorate under subsection (e). This section shall be carried out using funds otherwise appropriated by law after the date of enactment of this Act.

(e) AUTHORIZATION.—For each of fiscal years 2016 through 2021, there are authorized out of funds appropriated to the National Science Foundation, \$5,000,000 to carry out the activities described in subsection (a).

SEC. 5. DEFINITION OF SPECIFIC LEARNING DISABILITY.

In this Act, the term "specific learning disability"—

(1) means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations;

(2) includes such conditions as perceptual disabilities, brain injury, minimal brain dys-

function, dyslexia, and developmental aphasia; and

(3) does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 3033), as amended, was passed.

ORDERS FOR THURSDAY, FEBRUARY 4, 2016

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, February 4; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate then resume consideration of S. 2012; finally, that the time until 11 a.m. be equally divided between the two managers or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:23 p.m., adjourned until Thursday, February 4, 2016, at 10 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, February 3, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JOLLY).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 3, 2016.

I hereby appoint the Honorable DAVID W. JOLLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

MAKE PROGRESS ON LEGAL IMMIGRATION RATHER THAN BLAME PRESIDENT OBAMA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, tomorrow, Republicans in the House are holding a hearing that will blame the Obama administration because thousands of children and young adults are fleeing three countries in Central America and are seeking safety in the United States and in other countries.

The premise, as far as the Republicans on the committee are concerned, is that President Obama has not deported anyone or enforced any immigration laws. As far as they are concerned, the President's executive actions—which we should remember are for a different set of immigrants altogether and which Republicans have delayed until the Supreme Court decides on a lawsuit this summer—are a clarification call to everyone in these three particular countries to attempt to come to the U.S. It is not the rampant murders, the extortion, the forced conscription into street gangs, or the utter collapse of civil society and civil order that is

driving people to risk their lives to seek safety here. No. It is “that” President whom Republicans love to hate. He is to blame.

I hope that at least a little time at the Judiciary hearing on Thursday will be devoted to the problems our government has faced over the past couple of years in handling young and unaccompanied asylum seekers from Central America. We know that some women were kept in lockups for too long, that the term “humane family detention” is an oxymoron, that children were released to guardians who did not have the children's best interests in mind, and that some were forced into human trafficking situations, and we should have been more vigilant. Those are the issues I hope we can focus on.

We should be asking: How can we remain a society that protects the innocent, that cares for children who have put themselves in our care, and that does so in accordance with the laws of this Nation and the laws of basic decency?

Unfortunately, at this point, we know what Judiciary Committee hearings are not about. They are not serious attempts to craft legislation that creates an immigration system that works for the American people. Hearings in this Congress are not about how the Congress can create legal and controlled immigration alternatives so that people do not try to come illegally or spend thousands of dollars on smugglers and traffickers.

We will probably not discuss how a generation of temporary protected status for certain immigrants has not created a long-term, sustainable situation in immigrant communities or sending countries so that immigration is safe, legal, orderly, and voluntary.

We will spend a lot of time discussing whether President Obama is to blame but very little time actually discussing why people come in the dead of night, holding onto a freight train, and running a gauntlet with smugglers and not what can be done to have immigration where people come in the light of day with visas, passports, and plane tickets.

We simply will not discuss how we get from this broken reality to a feasible and sustainable future of immigration. Rather, the Judiciary Committee will continue to feed the hucksterism and red meat politics that Americans hate, and they hate it with good reason.

In the years since 2007, when President George Bush started ramping up

raids and deportations, right through the 2 million deportations of President Obama's, I can honestly say I have not seen such fear and anxiety in immigrant communities, where mothers and fathers are keeping their children out of school because of the fear of being arrested by immigration authorities.

The home raids announced by the Obama administration around Christmas have struck a nerve. They have sparked rumors and panic and have multiplied as city after city has experienced raids or the rumors of raids. Children are taken as they go to school—yes, as they go to school. The government has stopped them and has arrested them.

The fear and anxiety has nothing to do with Donald Trump or with the fantasy that he has of deporting millions of immigrants or of barring people from this country because of their religion. The fear and anxiety is born of decades of congressional inaction and of leaders in Washington who hope that the problem will just go away; but we will not be discussing that at the hearing tomorrow.

As for the path forward that will allow the country to move beyond the legislative roadblock imposed by the opponents of legal immigration, we will, again, not discuss how we make progress but, rather, yes, how we blame Obama.

For all of the Americans who want a legal and accountable immigration system and for all of the families who fear a knock on their doors, this Congress, again, seems to have nothing and to do nothing other than to let the demagogues and fear rule the day.

Mr. Speaker, that is a shame.

IN RECOGNITION AND IN CELEBRATION OF THE WORK OF DR. ANGUS STEWART DEATON

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, I rise to recognize and to celebrate the tremendous work of Dr. Angus Stewart Deaton of Princeton, New Jersey, who was awarded the 2015 Nobel Prize in Economic Sciences. Dr. Deaton is a renowned academic, who is the Dwight D. Eisenhower Professor of International Affairs and Professor of Economics and International Affairs at the Woodrow Wilson School of Public and International Affairs and the Economics Department at Princeton University.

The Royal Swedish Academy of Sciences selected Dr. Deaton for the

Swedish National Bank Prize in Economic Sciences in Memory of Alfred Nobel for his work regarding consumption, poverty, and welfare. The work is of critical importance to the entire world.

The Nobel Committee said in its selection announcement: "The Laureate, Angus Deaton, has deepened our understanding of different aspects of consumption. His research concerns issues of immense importance for human welfare, not least in poor countries. Deaton's research has greatly influenced both practical policymaking and the scientific community. By emphasizing the links between individual consumption decisions and outcomes for the whole economy, his work has helped transform modern microeconomics, macroeconomics, and development economics."

The Nobel Committee elaborated on its decision:

Dr. Deaton received this year's prize in Economic Sciences for three related achievements: the system for estimating the demand for different goods that he and John Muellbauer developed around 1980; the studies of the link between consumption and income that he conducted around 1990; and the work he has carried out in later decades on measuring living standards and poverty in developing countries with the help of household surveys.

Dr. Deaton is a man of the world. A native of Edinburgh, Scotland, he was educated as a foundation scholar at Fettes College and received his undergraduate, master's, and doctorate of philosophy degrees from the University of Cambridge, where he was later a fellow at Fitzwilliam College. He was a faculty member at the University of Bristol before coming to Princeton. He has studied and visited many nations, has used research and experiences from around the world to shape the direction of his work, and has written extensively on societal issues facing the global community.

His spouse, Dr. Anne C. Case, is the Alexander Stewart 1886 Professor of Economics and Public Affairs and Professor of Economics and Public Affairs at the Woodrow Wilson School and Economics Department at Princeton. She is also an accomplished and acclaimed faculty member who has published groundbreaking economic research. Angus Deaton has two adult children, and in their spare time, he and Professor Case enjoy the opera and trout fishing.

Dr. Deaton is a superb professor, mentor, colleague, friend, and Princetonian. He is extremely worthy of this preeminent international honor. My wife, Heidi, and I and my twin brother, Jim, are proud to call Angus and Anne our friends. It is a great honor to Dr. Deaton's country of birth, the United Kingdom, and to his adopted country, the United States of America, that he has received this year's Nobel Prize in Economic Sciences. It is

also a great honor to Princeton University, whose motto is: "In the nation's service and in service of all nations."

On behalf of the Congress of the United States, I congratulate Professor Deaton. May he continue his momentous work for the betterment of the human condition in the many years that lie ahead.

FEDERAL GOVERNMENT TO MAKE STATE AND LOCAL GOVERNMENTS WHOLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, the armed occupation by out-of-State invaders in eastern Oregon is now in its second month. There has already been violence, loss of life, damage to Federal property, and the total disruption of this small, quiet community in far eastern Oregon.

From this unfortunate and unnecessary spectacle, there are some lessons and conclusions to be drawn:

First and foremost, it must be made clear that the armed takeover of government or of private facilities for grievances real or imagined is absolutely unacceptable and won't be tolerated;

Second, while it is easy to be an armchair quarterback and second-guess the authorities, I think it is clear that a firmer response to the earlier Bundy law breaking in Nevada—owing the Federal Government over \$1 million and resisting Federal authorities at gunpoint—might have prevented or at least not encouraged this latest outrage, which includes some of his family members coming to Oregon from Nevada;

This is a call to action for Americans who treasure our public spaces—our parks, our forests, our rangelands, our marine sanctuaries. These are treasures that belong to all Americans, and it is important for us to understand what we have and to understand what is at stake for forces that would threaten our heritage;

If America somehow decides to give up these treasures, as some demand, special consideration would not be given to the rich—putting it up for the highest bidder—or for people who just happen to be in the proximity. Special consideration should be given to the Native Americans, who ought to be first in line, who have been systematically shortchanged by the Federal Government, which has denied them their treaty rights, systematically taking away land that was promised to them by treaties that were negotiated—presumably in good faith—ratified by Congress, and signed by past Presidents;

And it is not just enough to enforce the law. We should recover damages from lawbreakers who tear up the land-

scape, degrade wildlife habitat, and destroy property.

I have introduced legislation that would allow the Federal Government—in fact, not allow, but require the Federal Government—to make payments to State and local governments that have had to incur significant costs because of threats to Federal property. H.R. 4431 would reimburse State and local officials for these extraordinary costs incurred due to threats to Federal property.

When we talk in trillions here in Washington, D.C., maybe talk of \$100,000 here or \$1 million there doesn't sound like very much.

□ 1015

To the State of Oregon it matters. And, for this tiny community, a few hundred thousand dollars has a significant impact on the local taxpayer and their services. They shouldn't be made to pay the bill.

I'm also working with Congressman THOMPSON, to close a loophole that would not allow us to recover for damages to Federal facilities by these lawbreakers, this legislation would allow the Federal Government to go back to recover its costs from people who willfully inflict this damage.

Let's act now, put this matter to rest, make the people in eastern Oregon whole, and discourage such reckless and dangerous behavior in the future.

EVERY STUDENT SUCCEEDS ACT WILL RETURN CONTROL TO OUR SCHOOLS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last month I met with teachers, administrators, school board members, even educators in higher education that train our next generation of teachers and some graduate students who are in that program to discuss the Every Student Succeeds Act, or ESSA, which replaces No Child Left Behind as our Nation's elementary and secondary education law.

I was honored to be appointed by Speaker RYAN to the conference committee that was tasked with settling the differences between the House and Senate versions of ESSA to assure this legislation will prepare students for life success.

The ESSA reins in the unilateral power of the United States Secretary of Education and gives it back to the States and the local education agencies. It prohibits the Secretary from adding new requirements to State education plans, being involved in the peer review process, and exceeding his or her statutory authority. It also allows school districts to disentangle themselves from Common Core without penalty.

Additionally, the ESSA eliminates the controversial adequate yearly progress provision, paving the way for States to develop their own accountability systems. While the new law keeps annual standardized testing requirements for students in grade 3 through 8 in place to monitor progress, it eliminates most of the burden of testing on teachers and students and it sets up a process to further reduce even more standardized testing in the future.

While assessments for elementary schools must be the same for all public school students statewide, States may also choose. They have flexibility to offer nationally recognized local assessments at the high school level as long as the assessments are reliable, valid, and comparable.

In other words, a local education agency could use the SATs or ACTs to evaluate high school students instead of being held solely to tests mandated by the Federal Government.

Now, this flexibility should, could, and will be extended to career- and technical-education-focused students whose trade-specific competency is appropriately measured by the NOCTI performance test.

This flexibility will benefit our students and strengthen our overall economy. High school students will have increased access to pathways leading to careers in high-skill, high-wage jobs in technological industries.

The connection between education and our students' future careers is also enhanced by a provision in this law that encourages businesses to get involved with their local schools.

Schools will be able to apply for funds to provide apprenticeships that offer academic credit toward comprehensive career counseling.

Now, this was the result of bipartisan legislation I introduced with Congressman JIM LANGEVIN aimed at informing school counselors of local labor market conditions so that they can best guide the decisionmaking process of these students and their parents.

Not only does ESSA lift overly strict testing requirements, it also ends the Federal mandate on teacher assessments.

States will be able to enact their own evaluation system in accordance with stakeholders, including teachers, paraprofessionals, and their unions. The profession of their system will no longer be tied to Federal funding as it was in No Child Left Behind.

ESSA provides flexibility in the use of Federal funding, allowing teachers and district administrators to finance priorities set at the local level. This commonsense provision restores control to those on the front lines of educating our students and our children.

The ESSA also calls for the United States Department of Education to study how title I funds are allocated.

Now, title I funds are used to offset the impact of poverty, one of the leading influences in the academic achievement of our children. I have long been concerned that the children are put at a disadvantage based upon the population of the school district rather than the concentration of poverty.

This study is the result of an amendment I introduced, which gained the support of the entire conference committee responsible for merging the House and Senate versions of the legislation.

Title I funds are vastly important to students who are low income, disadvantaged, or who have disabilities. I am hopeful this study will make a strong argument for a more equitable distribution of funds for the areas which need them most. Funding must be based on student need, not a school district's ZIP code.

The ESSA is 4-year reauthorization of the Elementary and Secondary Education Act. Feedback from those involved in educating our students is so essential to making the right changes to our education system, and I appreciate the feedback that came in this process as we succeeded in this reform.

Now, as these changes are put into practice, I want to hear from you. If a particular provision of the ESSA is having a great effect on your student or your school district, whether it is good or whether it is bad, Congress needs to know.

As the implementation of this new law begins, I will continue to travel across Pennsylvania's Fifth Congressional District, keeping our schools up to date on the change that was long overdue.

CLIMATE CHANGE—A TIPPING POINT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, 2015 was a landmark year for global climate change, and that is not a good thing. According to the National Oceanic and Atmospheric Administration, 2015 was our planet's hottest year on record. Last year the global average land surface temperature was 1.33 Celsius above the 20th century average, and 10 of the last 12 months tied or broke existing records for highest monthly global temperatures.

Despite the fact that climate science and research consistently display the reality of climate change, some of my colleagues still debate its validity in this very Chamber.

What is there to debate? More than 12,000 peer-reviewed, scientific studies are in agreement that climate change is real and humans are significantly to blame. For those of you keeping track at home, there are zero peer-reviewed scientific studies that state the opposite.

One of the primary concerns of these scientific studies is that climate change might trigger events that will dramatically alter the Earth as we know it. Scientists have discovered a number of tipping points where abrupt changes in climate could create a variety of national and global effects. It is hard to predict when these events could occur; but we know that when they do, we will have very little warning.

Reaching these critical points could lead to abrupt changes in the ocean, snow cover, permafrost, and the Earth's biosphere. Alarming, many of these events are triggered by warming levels of less than 2 degrees.

We now know that, in the latter part of this century, we will find the planet's temperature pushing not 2 degrees, but 4, 5, even 6, degrees Celsius of warming.

While it may seem minor, each degree makes a significant difference. A 2-degree shift in temperatures could lead to an increased rise in sea level by 55 centimeters. Levels have already risen by about 20 centimeters over the course of the 20th century, increasing flooding along coastlines, impacting people and properties. A 3-degree increase could impact water availability and accelerate drought and extreme heat waves.

Each of these conditions would negatively impact the production of major crops, like wheat and rice, leading to global food security risks.

Anything above a 4-degree increase would cause even more drastic consequences, such as extreme ocean acidification, a decline in glaciers, a change in ocean currents, and a nearly ice-free Arctic in the summer.

While the majority of the detected shifts are distant from major population centers, the implications will be felt over large distances, creating significant economic and humanitarian consequences.

As with any abrupt change in the Earth's system, a cascade of other transformations will likely follow, each building upon and exacerbating the others. We could see a shift in ecosystems, the collapse of permafrost in the Arctic, and an extensive species loss. Each of these changes would trigger massive implications for the natural systems and society as a whole.

So what does all this mean? It means we must act now. As President Obama said in his State of the Union address: If you want to debate the science of climate change, feel free to do so, but you will be pretty lonely.

Today America's business leaders, the Pentagon, the majority of Americans, the scientific community, and nations around the world recognize that we cannot wait to act.

We saw evidence of this last year when more than 40,000 negotiators from 196 countries descended on the French

capital for the Paris Climate Summit. The Summit provided the world with an effective global framework for addressing climate change, but our work is far from over.

It is time to recognize that the consequences of inaction are far too great. If my colleagues are willing to put political ideologies aside and recognize that acting on climate change is not just in our planet's interest, but in the interest of humanity, we may still have a fighting chance.

Albert Einstein once said: "The world, as we have created it, is a process of our thinking. It cannot be changed without changing our thinking."

Now is the time for Congress to change our thinking and address the reality of climate change.

ARMY SERGEANT RODDIE EDMONDS OF KNOXVILLE, TENNESSEE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, the word hero is used way too lightly these days, but an extraordinary man from my district was a true hero of legendary proportions.

During World War II, Army Sergeant Roddie Edmonds of Knoxville, Tennessee, was captured at the Battle of the Bulge by the Nazis and sent to a POW camp. When the war was nearing an end, the camp's commander ordered all of the Jewish prisoners to report for what they knew was certain death.

As the highest ranking American in the camp, Sergeant Edmonds called on all 1,000 servicemen imprisoned there to step forward.

The German commander explained: They cannot all be Jews.

Sergeant Edmonds responded, with a pistol at his head: We are all Jews here.

The German commander backed down.

Sergeant Edmonds has now been designated Righteous Among the Nations, Israel's highest award for non-Jews. He is the first American serviceman to receive this honor.

Much has been written about the Greatest Generation, Mr. Speaker. It is because of people like Sergeant Edmonds. His son was given this great award on behalf of his father at the Israeli Embassy last week.

I am introducing a bill requesting that Sergeant Edmonds be awarded a Medal of Honor posthumously.

Director Steven Spielberg has purchased the rights to Sergeant Edmonds' story, and I hope a movie about his life will come out in the near future. The story of his valor should be made known to all Americans.

FEDERAL AIR MARSHAL SERVICE

Mr. DUNCAN of Tennessee. Mr. Speaker, I want to go in a different di-

rection at this point and mention another topic.

A couple of months ago, in interviews both by National Public Radio and CBS News, I described the air marshal program as possibly the most needless, useless, wasteful program in the entire Federal Government.

Shortly thereafter, the Los Angeles Times published an editorial entitled "It's Time to Ground America's Air Marshals" and said, "Duncan has a point."

The editorial pointed out that there is no data showing marshals successfully put down in-flight threats and added: "In fact, passengers are apparently more likely to stop troublemakers on board than armed marshals." The Times said that air marshals are a placebo the country should stop taking.

I became concerned a few years ago about this when I read in USA Today that more air marshals had been arrested than arrests by air marshals. At that point, the Service was costing \$200 million per arrest.

I was able to get the Appropriations Committee to start reducing their funding from a high of \$966 million, after they had been given big increases each year, to \$790 million this fiscal year.

Having airport screeners and simply locking aircraft doors have done much more good than the many, many billions we have spent just so air marshals can fly back and forth, back and forth, back and forth, usually in first class. This money is money that could and should be spent on much more cost-effective security measures.

In fact, Mr. Speaker, The Wall Street Journal, a few months after 9/11, when they noticed that almost every department and agency in the Federal Government was sending up requests for more money based on security, said a wise legislative policy to follow would be that, from now on, if any legislation came to the Congress with the word "security" attached, it should be given twice the scrutiny and four times the weight.

Unfortunately, we have wasted many, many billions on different programs in this country just because they had the word security attached. We need to take the advice of The Wall Street Journal and give those bills much more scrutiny.

□ 1030

CANCER IMMUNOTHERAPY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. FOSTER) for 5 minutes.

Mr. FOSTER. Mr. Speaker, last month President Obama came to this Chamber to speak, inter alia, of a moonshot to cure cancer under the leadership of Vice President BIDEN.

This week the President announced specific plans to invest \$1 billion to fund that moonshot.

As a scientist and as the manager of large scientific projects, I am naturally inclined to be skeptical of such bold claims from politicians. President Nixon famously launched the same war on cancer in 1971. Tragically, we continue to wage that war today.

More recently, Andrew von Eschenbach, the director of the National Cancer Institute under President Bush, set the goal of eliminating suffering and death from cancer by 2015. We all know, unfortunately, that that goal was never met.

So why is this cancer moonshot any different? Is this a moment like 1961 when President Kennedy stood before a joint session of Congress and announced his goal of sending a man to the Moon by the end of the decade and succeeded? Or is this a moment like 1971 when President Nixon declared war on cancer and failed?

I believe that President Obama's cancer initiative will succeed, and the reason that it will succeed is brutally simple: Science, basic science and technology that exists today and did not exist 45 years ago; technology that was generated by decades of curiosity-driven federally funded research paid for by the United States taxpayer.

There are many decades of federally supported basic scientific advances that will allow the Obama-Biden cancer moonshot to succeed: The ability to fully genome sequence individual cancers, the ability to manipulate the genome and produce animal models to study and to test the basic mechanisms of cancer, and immunotherapy treatment, which was named Science magazine's breakthrough of the year in 2013 and has been capturing so many headlines around the world.

Immunotherapy is an ingenious and revolutionary treatment that uses the body's own immune system to fight cancer. Since time immemorial, there have been stories of miraculous remissions of cancer when patients with apparently incurable cancers have experienced spontaneous and often complete remissions. These were often attributed to an act of God or perhaps the moral character of the patient.

We now understand that for most, if not all, of these remissions that they happen when the body's immune system, which has evolved over millions of years of combat with foreign viral and bacterial invaders, finally understands that cancer is an enemy and has all the horsepower that it needs to attack and to clean it up. Immunotherapy now gives us the scientific understanding of how to mass produce those miracles.

This would never have been discovered without decades of sustained Federal investment in R&D, and although the breakthroughs in immunotherapy rest upon a large pyramid of federally

funded research, there are two parallel threads of federally funded research that directly led to this breakthrough.

One was pioneered by Jim Allison, then of UC Berkeley, and Arlene Sharpe of Harvard Medical School. The other was pioneered by Lieping Chen of the Mayo Clinic, all three labs using Federal funds to study how the immune system is controlled and how it knows to kill foreign cells but not its own cells. This was a fascinating scientific question, but not one which was obviously relevant to cancer.

All three labs were sponsored by basic science peer-reviewed grants from the National Institutes of Health, which I mention, Mr. Speaker, because of the way that peer review seems to be coming under attack by members of your party. In the 1990s these groups were all working on what became known as immune checkpoints, which are regulatory pathways to turn down the immune system to prevent it from attacking its own body.

Even once this basic discovery was made, the established pharmaceutical companies would not touch it, but in 1999 Medarex, a small biotech in Princeton, New Jersey, funded by the National Institutes of Health, took on the project. Ten years later, only after Medarex was well on the way to showing that their cancer immunotherapy approach worked in humans, it was purchased by Bristol-Myers Squibb for \$2.4 billion. Now there are many drug companies developing checkpoint inhibitor drugs to treat cancer as well as other immune system-related treatments for cancer.

So, as I mentioned before, the Obama-Biden cancer moonshot will likely succeed because of the technology and basic science that was generated by decades of curiosity-driven scientific research funded by the United States Government.

Mr. Speaker, I am the representative of U.S. citizens, but one who does not share your party's monomania about small government or a desire to keep our government small and indebted simply to provide low tax rates for wealthy donors because Americans know that small government does not accomplish great things, like sending a man to the Moon or curing cancer.

Mr. Speaker, last month, President Obama came to this chamber to speak, *inter alia*, of a "moonshot" to cure cancer, under the leadership of Vice President BIDEN. This week the President announced specific plans to invest one billion dollars to fund that "moonshot." As a scientist, and as the manager of large scientific projects, I am naturally inclined to be skeptical of such bold claims from politicians. President Richard Nixon famously launched the same "war on cancer" in 1971. Tragically, we continue to wage that war today. More recently, Andrew von Eschenbach, the director of the National Cancer Institute under President Bush, set the goal of "eliminating suffering and death from cancer by 2015." We all

know, unfortunately, that goal was not met. So why is this "cancer moonshot" any different?

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I believe that President Obama's cancer initiative will succeed. And the reason it will succeed is brutally simple: science. Basic science and technology that exists today, and did not exist 45 years ago. Technology that was generated by decades of curiosity-driven scientific research—paid for by the United States Taxpayer. There are many decades of federally-supported basic scientific advances that will allow the Obama-Biden cancer moonshot succeed: the ability to fully genome sequence individual cancers, the ability to manipulate the genome to produce animal models to study and test the basic mechanisms of cancer, and immunotherapy treatment, which was named Science Magazine's breakthrough of the year in 2013, and which has been capturing so many headlines around the world. Immunotherapy is an ingenious and revolutionary treatment that uses the body's own immune system to fight cancer.

Since time immemorial, there have been stories of "miraculous remissions" of cancer, where patients with apparently incurable cancers have experienced spontaneous and often complete remissions. These were often attributed to an act of God, or perhaps the moral character of the patient.

We now understand that most, if not all, of these remissions happen when the body's immune system, which has evolved over millennia of combat with foreign viral and bacterial invaders, finally understands the cancer as an enemy, and has all of the horsepower it needs to attack it and to clean it up. And immunotherapy now gives us the scientific understanding of how to mass produce those miracles. But this would never have been discovered without decades of sustained federal investments in R&D.

Although the breakthroughs of immunotherapy rest on a pyramid of largely taxpayer-funded research, there are two parallel threads of federally funded research that directly led to this breakthrough. One was pioneered by Jim Allison, then of UC Berkeley, and Arlene Sharpe, of Harvard Medical School. The other was pioneered by Lieping Chen of the Mayo Clinic. All three labs were using federal funds to study how the immune system is controlled, how it knows to kill foreign cells but not its own cells. This was a fascinating scientific question, but not one that was obviously relevant to cancer. All three labs are supported by basic-science from the National Institutes of Health peer-reviewed grants. Which I mention, Mr. Speaker, because of the way that peer review is coming under attack by members of your party.

In the 1990s, they were all working on what have come to be known as immunological checkpoints, which are regulatory pathways that turn down the immune system to prevent it from attacking its own body.

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would not touch it. But in 1999, Medarex, a small biotech in Princeton, NJ, funded by the National Institutes of Health, took on the project. Ten years later, only after Medarex was well on the way to showing that their cancer immunotherapy approach worked in humans, it was purchased by Bristol-Myers Squibb for 2.4 billion dollars. There are now many drug companies developing checkpoint inhibitor drugs to treat cancer, as well as other immune-system-related treatments for cancer.

So as I mentioned before, the Obama-Biden cancer moonshot will likely succeed, because of the technology and basic science that was generated by decades of curiosity-driven scientific research—funded by the United States Government. Or, funded by big government, Mr. Speaker, as your colleagues like to say. Funded by a big government, directed by a vast, unelected, overpaid, lazy, wasteful federal bureaucracy. A bureaucracy that will save millions of American lives. I often hear my colleagues on the other side of the aisle claim we don't need to make federal investments in R&D, because if it's worth doing, the private sector will do it. Immunotherapy is a perfect example of why that logic doesn't work.

The private sector took over, but not until researchers spent decades and millions of taxpayer dollars elucidating the basic science and proving this method could work.

I also hear my colleagues cherry picking studies that they can't make sense of and label them as wasteful spending, then trumpeting their success in cutting "wasteful" government spending. When the truth is those "wasteful" programs often lead to breakthroughs like immunotherapy. The cancer moonshot being led by Vice President BIDEN is likely to succeed, but only because of sustained investments in federal funding for research and development. As we work in the coming months to develop a budget, I hope my colleagues will keep this in mind. I am the representative of U.S. citizens, Mr. Speaker, but one that does not share your party's monomania about "small government", or a desire to keep government small and indebted simply to provide low tax rates for its wealthy donors. Because Americans know that small government does not accomplish great things, like sending a man to the moon, or curing cancer.

CELEBRATING RELIGIOUS LIBERTY AND CONSTRICTING INDIVIDUAL FREEDOMS

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, as I come to the floor this morning, I want to express appreciation for our 64th annual National Prayer Breakfast that takes place tomorrow. I think this is such a wonderful gathering that we have every year, where our Nation focuses on praying for our Nation. I want to welcome my guests, Dr. and Mrs. Franklin Page, who will join us this week to recognize this time and to set aside time to celebrate our religious liberty and the individual freedom that becomes the focus of this week.

There is also another focus that comes into mind as we talk about this religious liberty. I want to take a moment and welcome and recognize the arrival of my new nephew, Grayson Lee Hunter. He is joining brothers Worth and Preston, his cousin Georgia Kate, and his cousins Jack and Chase, who are my grandsons. We know that being able to grow up in freedom is such a wonderful gift, and we are excited about that and excited about what individual freedom means to each of us.

I want to turn our attention now to something that constricts that freedom, and that is what we see through the President's healthcare law. Again, yesterday we came to the floor to push to repeal that law. This is something that we will continue. There is a reason for this.

Let me give you some examples. Last week I was out in my district. I visited with constituents who are employers. I want to cite three examples. One, an employer of 76 people, another an employer of 400 people, and another a franchise owner, 3,000 people that are in this group.

Let me tell you what I heard from each and every one of these individuals. Their employees, many of whom are my constituents, want to see a return to patient-centered, affordable health care. They do not want more Big Government and more unfunded mandates that they are being forced to deal with. It changes the kind of health care that they can get.

Now, when it comes to health insurance, what we have found is the escalation of cost to the individual because of what is happening with the mandate. The insurance cost has gone up, the out-of-pocket deductibles, all of this is going up. What we also see is a cramping of access because of narrowed networks.

Another thing that is happening is what is taking place through the oversight boards, the preventive service task forces. These could also be called some of those oxymoronic Federal agencies because instead of opening up the healthcare process, what we see is they are reducing what you have access to, and it is also a slowdown in payment reimbursements for so many of our Medicare recipients. That is what is happening in health care, and we are hearing about it from our employers.

Now, there are options that are out there. Let me cite just a couple for my colleagues. H.R. 2300, Empowering Patients First Act, that is the bill from Dr. PRICE, and also, special attention to, the Republican Study Committee plan, the American Health Care Reform Act. It is H.R. 2653. Leading this charge has been my Tennessee colleague Dr. PHIL ROE, who has worked with each of us as we have pulled provisions into this bill to make certain that we return to the principles of affordability, accessibility, and account-

ability in patient-centered health care. We think it is time for these moves to take place.

Mr. Speaker, I would like to return everyone's attention to the need to address the issue of replacing the ObamaCare legislation so that we reduce the cost and increase the access of health care for all Americans.

DR. OMALU'S DISCOVERIES AND ACHIEVEMENTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCNERNEY) for 5 minutes.

Mr. MCNERNEY. Mr. Speaker, I rise today to recognize the medical achievements and discoveries of an extraordinary man from my district, Dr. Bennet Omalu.

Dr. Omalu's medical achievements, focusing primarily on brain injuries, have recently come to prominence with the movie "Concussion," which chronicles Dr. Omalu's career and the controversies that his discoveries have created within the National Football League. Dr. Omalu's medical research is also particularly relevant as we prepare to watch Super Bowl 50 this weekend.

Dr. Omalu was born in Nnokwa, Nigeria, and was the sixth of seven siblings. His mother was a seamstress, and his father was a mining engineer and respected community leader who encouraged Omalu's career in medicine. His long medical career began at the age of 16 when he started attending medical school at the University of Nigeria. Omalu earned a bachelor of medicine and a bachelor of surgery in 1990.

In 1994, Dr. Omalu moved to Seattle, Washington, and completed an epidemiology fellowship at the University of Washington. In 1995, he moved to New York to complete his residency training in anatomic and clinical pathology. After completing his residency, Dr. Omalu trained as a forensic pathologist at the Allegheny County Coroner's Office in Pittsburgh.

It was here, after conducting an autopsy on former Pittsburgh Steeler Mike Webster, that Dr. Omalu made a groundbreaking discovery that would forever change our understanding of brain injuries. Dr. Omalu was the first to identify and diagnose and name chronic traumatic encephalopathy. Chronic traumatic encephalopathy, or CTE, is a disease prevalent in athletes who participate in high-contact sports like football, boxing, and wrestling.

Since Dr. Omalu's discovery, we now know that CTE is a progressive, degenerative disease that is found in people who have suffered repetitive brain trauma, including subconcussive hits that do not show any immediate symptoms. Early symptoms of CTE are usually detected 8 to 10 years after the original trauma and include disorientation, dizziness, and headaches.

As the disease progresses, individuals with CTE can experience memory loss, social instability, erratic behavior, and poor judgment. The worst cases of CTE show symptoms of dementia, vertigo, impeded speech, tremors, deafness, slowing of muscular movements, and suicidal tendencies.

Dr. Omalu's continued research on brain injuries and CTE has given us a greater understanding of the long-term effects of repeated brain trauma.

According to the CDC, approximately 3.8 million Americans every year suffer from concussions and approximately 208,000 people seek treatment in emergency rooms for traumatic brain injuries.

□ 1045

Approximately two-thirds of those emergency room visits are children ages 5 to 18. The rate of recurrence with traumatic brain injuries is high. An athlete who sustains a concussion is four to six times more likely to sustain a second concussion.

Of course, CTE research will also apply to veterans who suffer from traumatic brain injuries from combat activity.

Dr. Omalu has advocated for more education among athletes who play high-contact sports, teaching them about the risks associated with repetitive brain trauma. He has committed himself to advancing the medical understanding of CTE, brain injuries, and their effects on the people who suffer from them.

Today, Dr. Omalu has eight advanced degrees and board certifications, including master of public health and epidemiology and master of business administration. He resides in Lodi, California, and serves as the chief medical examiner of San Joaquin County, California, and as a professor at the UC Davis Department of Medical Pathology and Laboratory Medicine.

The Bennet Omalu Foundation is committed to funding research, raising awareness, providing care, and finding cures for people who suffer from CTE and traumatic brain injuries. It is imperative, as a Nation, that we support research on CTE and brain injuries and figure out how much high-impact sports are affecting the health of our children and athletes. I ask my colleagues to join me in honoring the research and achievements of Dr. Bennet Omalu and all he has done to further the understanding of the human brain.

HUD OVER-INCOME HOUSING

The SPEAKER pro tempore (Mr. WOODALL). The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today in support of bipartisan legislation that the House recently passed, H.R. 3700, the Housing Opportunity Through

Modernization Act, and specifically section 103 that addresses a disturbing trend in taxpayer federally subsidized housing.

Last summer, HUD's inspector general published an audit revealing that over 25,000 recipients of taxpayer-supported housing actually exceeded the maximum allowable income to qualify for housing assistance. Importantly, roughly triple that number is on a wait list for housing. In fact, those on the wait list are economically qualified.

Worse, to pay for these over-income tenants, American taxpayers—you and I—are on the hook for \$104 million next year. While hundreds of thousands of desperate low-income American families legitimately in need of taxpayer-supported housing today sit on those lists idly waiting for much-needed help, tens of thousands of over-income tenants sit in taxpayer-supported housing.

In one instance, a New York family with an income of nearly \$500,000 is receiving taxpayer-subsidized public housing. In Nebraska, an individual with double the income limit and \$1.6 million in assets is living in taxpayer-supported housing, paying \$300 a month. In my home State of Florida, we have many cases as well.

It is very clear that eliminating this kind of waste, fraud, and abuse is the reason that we serve today. It is critical that we do so.

A combination of inadequate congressional directives and an indifferent Federal bureaucracy has let down the American people—the people who trust Congress to responsibly and effectively allocate tax dollars. It has also let down the low-income families on the wait list who are hoping for an opportunity to climb out of poverty.

I am pleased that the House acted responsibly yesterday to pass legislation to stop this failed policy. Section 103 of the Housing Opportunity Through Modernization Act sets clear requirements for HUD and, now, for local housing authorities.

Under this section, households currently in public housing whose income exceeds 120 percent of the median income level for 2 consecutive years will no longer be permitted to receive taxpayer assistance. Further, public housing authorities will be required to report annually to Congress and the American people on tenant incomes so that we might maintain proper oversight of this program.

These are reasonable reforms that bring accountability to a Federal program that desperately needs it, ensures a smooth pathway for over-income households to a reasonable transition off of taxpayer assistance, and should create new opportunities for those on the wait list.

I am also pleased to see that HUD is finally taking steps to address this matter. It is far too late, but at least

they are. Just yesterday, the agency announced that it will consider a much-needed new rule to strengthen oversight of over-income tenancy in public housing.

Mr. Speaker, we should not rest until we can be sure that taxpayer dollars, those of the men and women who entrust us to represent them, are going to support only those American families most in need of assistance.

We still have much work remaining, but with passage of the Housing Opportunity Through Modernization Act, we have made a very important first step. Let us, together, hope that the Senate and the President will join with us in this important work on behalf of the American taxpayers that we represent.

AMERICAN HEART ASSOCIATION: GO RED FOR WOMEN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, today I rise in support of the American Heart Association's Go Red for Women campaign.

The Go Red for Women campaign is a critical public awareness platform that the American Heart Association uses to help promote heart-healthy lifestyles. More than 627,000 women's lives have been saved from heart disease since the Go Red for Women campaign was created in 2004. We have made tremendous progress, Mr. Speaker, in the fight against cardiovascular disease, but we still have a long way to go.

Heart disease is the number one killer of women and is more deadly than all forms of cancer combined. Heart disease causes one in three women's death each year, killing approximately 1 woman every minute. Ninety percent of women have one or more risk factors for developing heart disease. Since 1984, more women than men have died from heart disease.

Heart disease is, unfortunately, a silent killer. According to the American Heart Association, nearly half of all women are not aware that heart disease is the leading cause of death for women.

For African American women, the risk of heart disease is especially great. Cardiovascular disease is the leading cause of death for African American women. Of African American women 20 years of age and older, 46.9 percent have cardiovascular disease; yet only 43 percent of African American women know that heart disease is their greatest health risk. In fact, I did not realize that I was at risk for stroke.

In 1999, I suffered a cerebral brain stem stroke. Because of my personal experience, I decided to be part of the solution. As this epidemic continues, I decided to not sit on the sidelines.

In 2000, I was elected to serve on the National American Heart Association

Board of Directors. I was the only non-physician or nonmedical professional on the board at that time. As a board member, I served as a leader, guiding the American Heart Association's mission, cultural sensitivities, and national efforts.

Here in Congress, my advocacy continues. As a member of the Congressional Heart and Stroke Coalition, my colleagues and I work to raise awareness about the prevalence and severity of cardiovascular disease.

Last Congress, I introduced two pieces of legislation that raise awareness for stroke and other cardiovascular diseases. One, the Return to Work Awareness Act, would assist survivors of stroke and other debilitating health occurrences in returning to work. Both pieces of legislation had the support of the American Heart Association and the National Stroke Association.

I will reintroduce, Mr. Speaker, these important pieces of legislation this month during American Heart Month. I encourage all my colleagues, Democrats and Republicans, to join me as an original sponsor.

Mr. Speaker, you will notice that many of our colleagues today will be wearing the red American Heart Association pin. By wearing this pin, we help raise the awareness of cardiovascular disease in women and provide an important reminder that it is never too early to take action to protect our health.

This month, American Heart Month, let us recommit ourselves to improving heart-healthy lifestyles and to continue to fight against this deadly disease for ourselves and our families.

Lastly, Mr. Speaker, I want to recognize all the survivors of heart disease and those who are battling heart disease. I salute their family members and friends who are their source of love and encouragement to them as they fight this disease, as well as my friend, American Heart Association CEO Nancy Brown, and all the healthcare professionals and medical researchers who are working to find cures to improve treatments.

Please join us. Sign onto my bill and support a healthy lifestyle.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Compassionate and merciful God, we give You thanks for giving us another day.

Bless the Members of this people's House with strength, fortitude, and patience. Fill their hearts with charity, their minds with understanding, and their wills with courage.

In the work to be done now, may they rise together to accomplish what is best for our great Nation and, indeed, for all the world, for you have blessed us with many graces and given us the responsibility of being a light shining on a hill.

On this feast of St. Blaise, may all Members be healed of every infirmity of their throat.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

CONGRATULATING CAROL JOHNSON

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last week the National Safety Council honored Carol Johnson, president and CEO of Savannah River Nuclear Solutions, with their annual CEOs Who Get It award.

This award recognizes leaders who have built a positive safety protocol through leadership and employee engagement, safety management solutions, risk reduction, and performance measurement.

Ms. Johnson was recognized for her focus on safety at SRNS, promoting a

positive culture and continuously implementing safety measures at the site. She was commended by the Department of Energy for her role in recognizing and correcting safety errors.

This achievement represents Carol's strong commitment to prioritize safety for every employee and every task with fulfilling jobs.

I appreciate Carol's dedication to the employees of SRNS. Her focus on safety strengthens the community and makes the Central Savannah River area a world-class place to live and work. She has truly exemplified the goal of continuous improvement with zero harm. Congratulations to Carol on this well-deserved recognition and award.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

STANDING WITH THE FAMILIES OF COLGAN FLIGHT 3407

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, next Friday will mark the seventh anniversary of the crash of Continental Colgan Flight 3407.

The cause of the accident was pilot error due to inexperience. The families of those who were lost fought for and won reforms that require pilots to be sufficiently experienced before they are entrusted with the safety of the flying public.

But regional airlines are trying to roll back these higher standards, claiming that they cannot find enough experienced pilots. That is simply not true. The airlines would see that if they increased starting salaries for pilots from \$16,000 a year to a level commensurate with the responsibility they are given.

Yesterday the Western New York congressional delegation stood with the families to serve notice that we will relentlessly oppose any attempt to water down these reforms. We will honor those who died by ensuring that never again will our loved ones be entrusted with inexperienced pilots.

ISRAELI DEFENSE FORCE LIEUTENANT HADAR GOLDIN

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, yesterday I had the honor of meeting Simha and Leah Goldin. They are the parents of Israeli Defense Force Lieutenant Hadar Goldin, and they have started the campaign Bring Hadar Home.

Hours after the declaration of the international brokered cease-fire to

the 2014 Gaza conflict, Hamas terrorists murdered Lieutenant Goldin and dragged his body deep into one of the underground tunnels in Gaza.

A year and a half after this brave and patriotic young man's murder, the family still languishes in limbo, unable to give Hadar a proper burial because Hamas is holding his body hostage.

This was a cease-fire entered into by Israel at the urging of Secretary Kerry and the U.N., and they should bear some responsibility for securing Hadar's return home to Israel.

We have noticed how little Hamas regards human life by its indiscriminate rocket attacks against innocent Israeli citizens and by holding Palestinian citizens as human shields.

We must demand Hadar's return home and support the Goldin family in its efforts to give Hadar a proper burial and put an end to this nightmare.

D-STRONG

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to honor Dorian Murray, an 8-year-old boy from Westerly, Rhode Island, who was diagnosed with a rare tissue and bone cancer. After learning in December that his disease was no longer treatable, Dorian told his father that his goal was to become famous all around the world.

In recent weeks, after his parents posted his request on Facebook, the world has responded. People in China, Italy, Brazil, Germany, and other countries have come together to post their messages of support for Dorian during his courageous fight against cancer.

Dorian's hashtag, #DStrong, has now been viewed on social media platforms by millions and millions of people.

I am keeping Dorian, his mom Melissa, and his dad Chris in my thoughts and prayers.

Today the United States House of Representatives is D-Strong.

MIKE MIRON—FARMER OF TOMORROW

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate Mike Miron of Hugo, who recently won the Young Farmers and Ranchers Excellence in Agricultural national competition at the American Farm Bureau Federation's annual meeting.

Mike is the fifth generation to work in his family's dairy and crop farm. In addition, he is also a high school teacher and Future Farmers of America adviser in Forest Lake, Minnesota.

Agriculture is one of the more important sectors of the American economy. Thanks to farmers who are educators,

like Mike Miron, my State of Minnesota is a national leader in agriculture.

We need to celebrate the hard-working men and women who contribute to agriculture in Minnesota and all across this Nation.

Thank you, Mike, for what you have done and what you continue to do for agriculture today and tomorrow, and congratulations for your Excellence in Agriculture.

BENEFICIAL OWNERSHIP BILL

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this Sunday "60 Minutes" highlighted an explosive undercover investigation by Global Witness, which showed just how easy it is for criminals and corrupt officials to use anonymous shell companies to bring dirty money into the United States.

The reason it is so easy is because States don't require the disclosure of the true beneficial ownership of shell companies. This is unacceptable, and it has to stop. As Global Witness stated, "anonymous shell companies are like getaway cars for crooks."

That is why I am reintroducing a law, along with my good friend and colleague, Representative PETER KING, which would require that the person creating the corporation say who the beneficial owner is and, also, to explain who really owns the company.

If States do not require and get this information, then, as a backstop, the United States Treasury will have this information before an account can be opened.

This is a commonsense, bipartisan attack on what is a major national security and law enforcement issue.

I urge my colleagues to join us in passing this important legislation.

THE IMPORTANCE OF AGRICULTURE

(Mrs. ROBY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROBY. Mr. Speaker, I rise to draw attention to the important role that agriculture plays in this country.

I am honored to serve in a district in which agriculture represents the largest employer and is responsible for \$11 billion in economic impact.

It is why, during my time on the House Agriculture Committee, I was proud to help craft a new farm bill that delivers modern, more conservative policy for our farmers.

That is why now, as a member of the Appropriations Committee, I have remained diligent in making sure that the promises we made in the farm bill are kept.

We faced a challenge last year in the crop insurance program when it was gutted in the budget. This is the system that we promised our farmers to help transition away from direct payments.

Cutting it was unfair. I was proud to help restore that program funding before the end of the year, but it demonstrated something of a disconnect.

Mr. Speaker, not everyone in Congress represents a district with such a large agricultural footprint. What I try to explain to my colleagues is that, when you mess around with the crop insurance program, you aren't just affecting farmers who put seed in the ground.

You are affecting the ones who sell the seed, who build the equipment to cultivate and harvest the crop, and those who help process the goods for their final products.

That farming dollar turns over many times, and there is an entire agriculture supply chain that is affected by the farm policies we set in Congress.

My farmers know I have their back and I always will as long as I am in Congress.

GO RED FOR WOMEN CAMPAIGN

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise in support of the American Heart Association's Go Red for Women campaign.

Heart disease and stroke cause one in three deaths among women each year, killing approximately one woman every 80 seconds. The troubling numbers are more than a statistic. They are a fact of life that cause unnecessary pain and suffering to families across our country.

I say unnecessary pain and suffering because we have the power to change it. We can save lives. As much as 80 percent of heart disease and stroke-related deaths can be prevented with education and action.

That is why I am standing to raise awareness and encourage my fellow members and constituents across north Florida to Go Red by participating in National Wear Red Day on Friday.

Wear something red, like this jacket, to show your support for women fighting heart disease and strokes. Together, we can save lives.

ZIKA RESPONSE AND SAFETY ACT

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, yesterday the World Health Organization declared the Zika virus outbreak a global public health emergency.

The virus is particularly dangerous to pregnant women as it has been

linked to serious physical and neurological defects in their unborn children. As the father of six children, I understand how frightening this could be.

Experts fear the virus will spread more widely to the United States, especially with the Olympic Games in Brazil on the horizon. That is why I have introduced the Zika Response and Safety Act, to ensure that key agencies have the resources necessary to combat this growing threat.

In 2014, Congress allocated more than \$2 billion to fight Ebola. Much of that money is still unspent. I would like to make some of that funding available to be used to combat the Zika virus.

This virus is a global health threat that requires our immediate attention. I urge my colleagues to support the Zika Response and Safety Act so that we can provide the necessary resources to understand and to prevent the harmful effects from Zika.

□ 1215

WE NEED TO PROPERLY MANAGE WATER

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise to bring attention to the failure of California State agencies and Federal agencies to properly manage California's water system as a result of the El Nino storms that we have been receiving.

El Nino years, like this one, are California's hope of digging out of the historical drought conditions that we are facing. There is very high likelihood that most of the State will experience flood conditions, while communities in the San Joaquin Valley that I represent will receive a zero water allocation.

This year we have already missed an opportunity to move significant amounts of water to regions of California that need it most in the San Joaquin Valley.

As a result of the State and Federal agencies' inability to operate in the most flexible range allowable, over 160,000 acre-feet of water has been lost this week alone and over half a million acre-feet has been lost this year. Meanwhile, an estimated total of 2 million acre-feet of water has gone out to the ocean.

State and Federal agencies are failing to take advantage of the water in the system today, and that is unacceptable. It is a disservice to all Californians. It is simply immoral.

HONORING AMBASSADOR GARY DOER

(Mr. HUIZENGA of Michigan asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to honor the Honorable Gary Doer, the outgoing Canadian Ambassador to the United States.

Canada is one of our Nation's longest and greatest allies. Our bilateral trade with Canada was nearly \$734 billion last year alone, and it supports over 9 million jobs. In fact, my home State of Michigan sells more goods to Canada than our next 12 largest trading partners combined.

Over the last 7 years, Ambassador Doer has built a long list of accomplishments, including improved U.S.-Canadian regulatory cooperation, advocating for the Congressional Gold Medal for the Devil's Brigade, and the repeal of burdensome country of origin labeling requirements.

Mr. Speaker, I am grateful for Ambassador Doer's personal friendship to me and his relentless service to Canada and his friendship with the United States. I wish him well in his future endeavors.

As chair of the U.S.-Canada Inter-parliamentary Group, I look forward to working with Canada's incoming Ambassador, David MacNaughton, to further build on our Nation's great partnership.

NATIONAL CATHOLIC SCHOOLS WEEK

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, this is National Catholic Schools Week. I want to recognize the outstanding contributions that Catholic schools make to our Nation.

As a proud graduate of St. Symphorosa Grammar School and St. Ignatius College Prep, and as a strong supporter of Catholic education, I have introduced H. Res. 592 to honor Catholic Schools Week.

Since 1974, this week has celebrated the important role that Catholic education plays in America, especially the dedication of Catholic schools to academic excellence and service. This year's theme—Communities of Faith, Knowledge, and Service—highlights the values that are central to a Catholic education.

Earlier this week I visited St. Joseph's School in Lockport, which has the distinction of receiving three national awards in the past 6 years, including awards for Pastor Father Greg and Principal Lynne Scheffler. Later this week I look forward to visiting Bridgeport Catholic Academy and St. Barnabas School, both in Chicago.

I applaud the work of these and other Catholic schools across the country and all they contribute to our great Nation.

HONORING COACH GLENN ROBINSON

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today in honor of Coach Glenn Robinson of Franklin and Marshall College in Lancaster.

For 45 years, since he was only 25 years old, Coach Robinson has been leading the F&M Diplomats to victory. Coach Robinson is the winningest coach in the history of Division III basketball. He is now only the third college basketball coach ever to win 900 games, behind only legendary Bobby Knight of Indiana and Philadelphia's Bob Magee.

Four times he has broken his own school record for best record in the season, 12 times he has been named Region Coach of the Year by the National Association of Basketball Coaches, 12 times he has been Conference Coach of the Year, he has once been Division Coach of the Year, and he has won 93 postseason victories, 42 NCAA tournament victories, including 16 trips to the Sweet 16, 10 trips to the Elite 8, five trips to the Final 4, and one national championship appearance.

True leadership is servant leadership, the kind that finds people's strengths. Coach Robinson is an exemplary leader, and the proof of that is that he brings out the best in his players, 25 of whom have gone all-American.

Coach Robinson is one of the greatest coaches in college history, and Lancaster will always be rightly proud of him.

WE MUST FIX OUR BROKEN IMMIGRATION SYSTEM

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, with one item, the American people speak with a single voice. They want Congress to tackle our broken immigration system, secure our borders, and restore the rule of law. Yet here we are, more than halfway through the 114th Congress, and not a single immigration bill that fixes the problem has even been brought to the floor or committee or passed.

We hear Presidential candidates on both sides of the aisle tapping into the enormous public sentiment that says stop what you are doing and fix our broken immigration system. There are 11 million people or more in our country illegally. The rule of law has been made a mockery of, families are being torn apart by ICE and DHS at great cost to taxpayers. Let's fix our immigration system.

Comprehensive immigration reform will save over \$200 billion, create hun-

dreds of thousands of jobs for Americans, secure our borders, and restore the rule of law.

What is not to like? Let's come together around finally fixing the problem rather than simply complaining about it.

HONORING DAVID LAWSON, ROCHESTER VOLUNTEER FIREFIGHTER

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize and pay tribute to a brave individual in my district. Rochester volunteer firefighter David Lawson was returning home from an early-morning medical call last month when he hit a deer. While the accident only caused minor damage to his vehicle, it delayed his trip home. While he was driving, he saw smoke coming out of the vents of a nearby property.

He called 9-1-1. He headed to the house and began banging on the front door to wake up the residents. He woke up the adults. The adults grabbed the four kids, and they got out safely. We later found out the fire started in the attic, which is why it did not set off smoke detectors.

David Lawson's courage and resolve to protect the residents of northern Indiana is truly remarkable. On behalf of the people of Indiana's Second Congressional District, I want to personally thank David and every brave man and woman who represent Indiana's finest first responder community for their collective service and commitment to protecting all of our loved ones.

REMEMBERING THE LEGACY OF SACRIFICE AND SERVICE OF DAVID MAURITSON AND PHIL DRYDEN

(Mr. BYRNE asked and was given permission to address the House for 1 minute.)

Mr. BYRNE. Mr. Speaker, I rise today to remember two remarkable individuals who tragically died Monday evening in a plane crash in Mobile County, Alabama.

Major David Mauritson of Fairhope and Lieutenant Phil Dryden of Gulf Shores were members of the Civil Air Patrol, and they were returning from a compassion flight to Baton Rouge where they helped transport a fellow citizen for medical care when their plane went down.

David Mauritson had been a member of the Civil Air Patrol since 1991 and worked for years as a cardiologist and a lawyer. He had been flying all his life and was committed to helping others through charity medical flights.

Phil Dryden served our country in Vietnam as a combat medic. He had

just joined the Civil Air Patrol last year and served as the Mobile squadron's assistant operations officer.

Mr. Speaker, one day our time on this Earth will draw to a close. When that day comes, we will be remembered not for what we had, we will be remembered for what we did.

David Mauritson and Phil Dryden left this world helping others. The legacy of service and sacrifice is how they will always be remembered.

On behalf of Alabama's First Congressional District, I offer my deepest condolences to their families. These great Americans will be sorely missed.

IRAN NUCLEAR DEAL

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, as part of the Iran nuclear deal, the Iranian regime will receive up to \$150 billion in sanctions relief. Secretary of State John Kerry has admitted that some of the sanctions relief will go to the Iranian Revolutionary Guard Corps, which provides funding and training to terrorist groups like Hezbollah and Hamas. The Revolutionary Guard Corps is also responsible for supporting Shia militias that killed American troops and are currently fueling sectarian tensions in Iraq.

Like most of my colleagues in Congress, I opposed the Iranian deal and continue to believe it will not guarantee a nuclear weapons-free Iran.

But the simple fact that this deal has moved forward should not be an excuse for allowing sanctions relief to benefit terrorists.

Yesterday the House passed a commonsense bill that prohibits President Obama from removing sanctions on foreign financial institutions that are doing business with Iran's Revolutionary Guard Corps. I urge immediate adoption of this legislation.

We also need to deal with the victims of Iran's terrorism—Americans who were subject to terrorism by Iranian actions. Out of the \$150 billion, up to \$40 billion of awarded money should be received by these people because of this action.

The Obama administration has already made too many of these concessions. We can still prevent sanctions relief from ending up in the pockets of terrorists.

THE CORPUS CHRISTI CROSS

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, last weekend I attended the groundbreaking of the tallest cross in the Western Hemisphere and the second

tallest cross in the world that is going to be built in Corpus Christi, Texas, my hometown, by the Abundant Life Fellowship under the leadership of Pastor Rick Milby.

Wrought of five-eighths inch cold-rolled steel, the Corpus Christi cross will be visible for miles along Interstate 37 and to flights coming into and departing from the Corpus Christi International Airport. Standing at 210 feet tall, and possibly taller, depending on fund-raising success, the Corpus Christi cross will be the largest cross on this side of the Atlantic Ocean.

Corpus Christi is the perfect setting for the tallest cross in the Western Hemisphere because Corpus Christi, translated from Latin, means "the body of Christ." The cross, a symbol of hope, will be located directly across Interstate 37 from the Coastal Bend State Veterans Cemetery. What better location is there for a reminder that Christ died for our sins than next to the resting place of those who fought for our freedom.

Good work, Pastor Milby, Abundant Life Fellowship, and everybody else in Corpus Christi supporting this project. God bless you all.

DEFENDING THE UNBORN

(Mr. GRAVES of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Louisiana. Mr. Speaker, last month Washington, D.C. was home to the March for Life, and thousands of Americans came from all across the country to attend it. The State of Louisiana was disproportionately represented with hundreds of folks from our State, Louisiana being one of the most pro-life States in the Nation, one of the highest percentages of churchgoers, and one of the highest percentages of believers in America.

The term "sanctity of life" gets thrown around a lot when we start talking about pro-life versus pro-choice in political debate, but it is more than a slogan. Its relevance transcends the issue of life in our country.

Human dignity is the foundational principle of freedom and human flourishing. A substantive application of the sanctity of life should inform all our efforts in this Chamber, on both sides of the aisle.

I am pro-life because I believe that all human beings, at every stage of life, every state of consciousness or self-awareness are of equal and immeasurable worth and dignity.

I applaud and join the efforts of my colleagues to defend the unborn, those who can't defend themselves, but I also call upon both political parties to respect and value the dignity of human existence at all stages of life, from the womb all the way to life's natural conclusion. I believe we all have an obliga-

tion to the fundamental principle of human dignity.

As we consider important issues like criminal justice reform, the War on Poverty—policies designed to help people improve their quality of life—let us engage in political debates with this in mind.

DEMANDING ACTION TO CRACK DOWN ON VISA OVERSTAYS

(Mr. MARCHANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARCHANT. Mr. Speaker, according to a recent report by the Department of Homeland Security, nearly 500,000 foreign nationals overstayed their visa in fiscal year 2015. This is unacceptable and dangerous. These people are breaking the law, and they have violated the trust of the American people.

Visa overstays are an ongoing failure by this administration. Approximately 12 million illegal immigrants now live in our country. An estimated 40 percent can be attributed to visa overstays. Now there are a half million more.

ISIS is working tirelessly to exploit our national security weakness. Meanwhile, the administration is turning a blind eye to the vast majority of visa overstays.

Half a million foreign nationals overstayed their visas last year, but less than 1 percent of that group is currently being investigated. I have written Secretary Johnson to demand that immediate action be taken to crack down on these visa overstays. This issue poses a clear risk to our safety and the safety of my constituents.

□ 1230

THANK YOU TO FAMILY FIRST CENTER

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, today I rise to recognize the Family First Center in Waukegan, Illinois, for their contributions to the Toys for Tots program.

The Toys for Tots program, as you know, was created by the U.S. Marine Corps. Each and every year, they collect toys to distribute to less fortunate children during the holidays.

The Family First Center of Lake County, under the direction of Dr. Evelyn Chenier, has been a huge partner with the Toys for Tots program. Just last year, they distributed nearly 75,000 toys to over 19,000 children in the Lake County community.

Toys for Tots is just one of the numerous programs with which the Family First Center is involved. For example, last summer, I hosted a job fair

with the Family First Center that helped connect job seekers in Lake County with many of the businesses that call our community home.

The Family First Center's success is an inspirational example of a community organization putting families first and bringing about positive change in our community. I offer my sincere thanks to the Family First Center and Dr. Chenier for their leadership to strengthen our community.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. SIMPSON) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 3, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 3, 2016 at 11:02 a.m.:

That the Senate passed S. 2306.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1675, ENCOURAGING EM- PLOYEE OWNERSHIP ACT OF 2015, AND PROVIDING FOR CONSIDER- ATION OF H.R. 766, FINANCIAL INSTITUTION CUSTOMER PRO- TECTION ACT OF 2015

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 595 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 595

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1675) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-43. That amendment in the nature of a substitute shall be considered as read.

All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 766) to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-41. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the

Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1 hour.

Mr. STIVERS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. STIVERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STIVERS. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule for H.R. 1675, the Encouraging Employee Ownership Act of 2015, and for H.R. 766, the Financial Institution Customer Protection Act of 2015. House Resolution 595 provides for a structured rule for consideration of both H.R. 1675 and H.R. 766.

The resolution provides 1 hour of debate equally divided between the chair and ranking member of the Committee on Financial Services for H.R. 1675 and H.R. 766. Additionally, the resolution provides for consideration of all seven amendments which were offered to H.R. 1675, and two of the three amendments offered to H.R. 766. Finally, Mr. Speaker, the resolution provides for a motion to recommit for each bill.

Mr. Speaker, I rise today in support of the resolution and the underlying legislation. H.R. 1675 is a vehicle for a group of five legislative items, and I will speak about each one of them briefly by title.

Title I, the Encouraging Employee Ownership Act, would amend SEC rule 701, which hasn't been modified since 1999.

Although small companies are at the forefront of technological innovation and job growth, they often face significant obstacles that are often attributable to the proportionately larger burdens on them that securities regulations—written for large public companies—place on small companies when they seek to go public.

SEC rule 701 permits private companies to offer their own securities as part of written compensation agreements to employees, directors, general partners, trustees, officers, or even certain consultants without having to comply with very expensive and burdensome security registration requirements. SEC rule 701, therefore, allows

small companies to reward their employees through employee stock ownership in a company. These ESOPs have been very successful.

The \$5 million threshold in rule 701 has not been adjusted since 1999. If the disclosure threshold had been adjusted for inflation, it would be more than \$7 million today. The SEC has authority to increase the \$5 million disclosure threshold via rulemaking, but like the 500 shareholder rule that we had to fix—and my colleague from Colorado was very active in helping with—rule 701 has not been changed. It is unlikely to happen without congressional intervention. That is why this is so important.

This is about getting employees access to ownership in their companies. It is about building ownership structures that make these companies stable over time. It allows businesses to incentivize their employees with a direct stake in the ownership in their company. It will help with employee retention, makes sure that these firms have great opportunities for retirement programs, and helps employees reap some of the benefits of their life's work that they worked so hard for every day.

I will give an example, Mr. Speaker. There is a company in my district called Allied Mineral. I talked about this, as my colleague from Colorado may remember, yesterday in the Rules Committee.

Allied Mineral is a company in Hilliard, Ohio, that has an ESOP, or employee stock ownership model, and many of those folks who operate forklifts in their warehouse will retire with over \$1 million in their 401(k). It really helps these folks want to stay in their company; therefore, it improves retention and cuts down on training new employees, but it helps them in their retirement. It is a great vehicle to make these companies productive and stable, as well.

That is title I. Title I is really important. Title I is pretty universally agreed to.

Title II, the Fair Access to Investment Research Act, directs the SEC to create a safe harbor for certain publications or distributions of research reports by brokers or dealers distributing securities, such as exchange-traded funds.

An exchange-traded fund is an investment company whose shares are traded intraday on stock exchanges at market-determined prices. Investors can buy and sell exchange-traded funds through a broker or in a brokerage account, just as they would any other publicly traded company.

Over the past three decades, exchange-traded funds have grown from 100 funds with about \$100 billion in assets to over 1,300 funds worth \$1.8 trillion in assets. However, due to anomalies in our securities laws and regulations, most of the broker-dealers don't

publish research about these exchange-traded funds, despite their growth in popularity.

The SEC has implemented similar safe harbors to what this bill would suggest for other asset classes, including listed equities, corporate debt, and closed-end funds. This section will help investors get access to useful information when deciding whether to invest in exchange-traded funds and similar products.

Title II, I think, is also pretty agreed to.

Title III, the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act, amends the Securities Exchange Act to exempt merger and acquisition brokers from registration with the Securities and Exchange Commission. Merger and acquisition brokers perform services in connection with the transfer of ownership of mostly smaller privately held companies.

An estimated \$10 trillion of privately owned companies will be sold or traded as baby boomers retire and folks want to figure out what to do with their life's work and how to move their company in a way that the company can continue to exist. But it is important for us to reduce the costs associated with this flow of capital because the registration with SEC for these M&A brokers can be very expensive.

M&A brokers currently help successful entrepreneurs take the capital out of their company and maybe move on to the next phase of their life, while simultaneously aiding new entrepreneurs in the ability to invest their capital in the continued success of their company. They foster economic development, growth, and innovation.

Despite the valuable services of these M&A brokers, the compliance costs for this new regulation with the SEC and FINRA can be very expensive. For each individual broker inside an organization, it can cost \$150,000. Ongoing costs are about \$75,000 a year.

Let's say somebody does four deals a year. Deals take a little while to happen, and they are not going to do a ton of deals. A small firm might do that few number of deals. If you do four deals a year, the first year you have just added \$75,000 to the cost of each deal.

□ 1245

That is too high. It is causing problems. We need to make sure that we streamline this and allow these small companies to have access to the same type of access to capital that our big companies have.

The limit in this is up to \$250 million in sales. As many people in this Congress know, up to about \$500 million in sales is what we call middle-market companies.

Middle-market companies dot the maps of each one of our districts. These middle-market companies aren't nec-

essarily names you might recognize or the American people would recognize, but they are the fastest growing part of our economy. They are major employers in our communities, and they deserve access to capital, just like the big companies do.

So that is why title III is so important. It will relieve some of the fees for these merger and acquisition brokerage houses that help these companies get access to capital.

Title IV, the Small Company Disclosure Simplification Act, provides a voluntary exemption for emerging growth companies, again, with annual revenues up to \$250 million from the eXtensible Business Reporting Language.

Basically, it is exportable files. The data is still available. The point here in title IV is that the data will be available, but it might not be in a downloadable format that you can put in a spreadsheet. You might have to look at it in a PDF.

Investors look at a lot of things in PDF. I can look at PDFs on my phone, and it won't deny anybody information. But the cost of this new format is adding up to \$50,000 in costs for these small companies. The question is: Does the cost really meet the benefit?

So it allows an exemption for these small companies. And, again, it is an optional exemption. It is not a mandatory exemption. It doesn't end this downloadable program, but it allows these small companies to be more flexible in the way they do it because of the cost.

Title IV requires the SEC to report to Congress on the XBRL requirements so that it can better analyze and understand how to utilize XBRL and structure data moving forward.

Finally, we have title V, the Streamlining Excessive and Costly Regulations Review Act, in the Securities and Exchange Commission. It actually is built on some executive orders. Title V is modeled after executive orders that the President did last year.

It would force the independent agencies and require the Federal Reserve, OCC, and FDIC to review regulations at least every 10 years and identify any outdated and unnecessary regulations that are imposed on depository institutions.

We need to do the same thing for the SEC. That is what this does. I think it will help streamline and make sure that paperwork is more reasonable over time, especially for duplicative, outdated, and overly burdensome regulations.

So that is H.R. 1675.

The other bill is H.R. 766, the Financial Institution Customer Protection Act.

You may have all heard about Operation Choke Point, where law enforcement, the Department of Justice, partnered with a lot of other agencies. Their plan was to "choke off" banking

services from businesses that they found undesirable.

Rather than investigating and prosecuting companies that were alleged to have committed crimes like fraud and any other misdeeds, the Department of Justice issued subpoenas to financial institutions to ask about entire industries and effectively coerced financial institutions to cease offering banking services to many of those industries.

The Department of Justice partnered with the FDIC, the Federal Deposit Insurance Corporation, to identify merchants that they said posed high risk for consumers, notwithstanding the question of whether these merchants were operating under the law or illegally.

In doing so, the FDIC equated legitimate and regulated industries, such as coin dealers, firearms and ammunition sales industries, with inherently illegal activities, such as Ponzi schemes, debt consolidation scams, and drug paraphernalia.

So that is the real problem here, that they didn't separate out legal businesses with illegal businesses. If they want to do something with regard to businesses that are already illegal and make sure that those folks can't get access to banking services, that is a legitimate thing.

But the way they identified high risk made a lot of legal businesses lose their access to financial services. They were terminated by their banks and they had, in many cases, no place to turn.

This is a blatant overreach by our Federal regulators. And many of us, including me, believe this bill is an important step to make sure that businesses that are legally operating have confidence that they will have access to banking services. That is the key here.

This last section of this last bill makes sure that legally operating businesses have access to legal banking services and that the banks can't be intimidated by their regulators to make sure that legally operated businesses don't have access to banking services.

I look forward to debating these bills with our House colleagues. I urge support for both the rule and the underlying legislation.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Ohio for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in reluctant opposition to this rule today because it is close—it is close—to a rule that would have substantial bipartisan support.

The rule today provides for consideration of H.R. 1675, the Encouraging Employee Ownership Act of 2015, and H.R. 766, the Financial Institution Customer Protection Act of 2015.

In terms of process, there is some credit to be given under this rule. The rule was very close, with one major

fault, which I will discuss in detail, to fulfilling the promises laid out by the new Speaker of the House of Representatives.

As you might recall, Mr. Speaker, there was a promise to all Members that each Member of this body would have a chance to consider his or her ideas on the House floor through a more open amendment process.

And you know what? That is a good idea.

Of course, if it was an idea that didn't have a majority of support, that is fine. But there would be a vote. We could debate it. We could vote on it.

If ideas came to the floor, were debated and considered worthy by a majority of this body, they would pass. Even if a particular committee chair of jurisdiction didn't like the bill, even if leadership on either side didn't like the amendment, the will of the body could be heard for commonsense improvements.

Now, this promise of regular order is so simple, so attractive, so desirable, by the American people who let us do our job, yet, unfortunately, it still remains elusive.

Now, on the first bill here today, H.R. 1675, the Encouraging Employee Ownership Act, there were seven amendments submitted to the Rules Committee, four of which I was a cosponsor of.

I am proud to say all seven amendments were made in order to be considered on the House floor. If that was all that this rule contained, I would be proud to support that rule.

In addition to that, H.R. 1675 is actually good legislation. Look, any one of us can say we don't personally agree with every word, and there are amendments to address some of the deficiencies in the bill.

But in its total, it is a package that should be considered for an affirmative vote by Members of both parties. I am confident that it will have strong bipartisan support in the underlying bill.

It promotes and makes needed updates in employee ownership, which is a great form of corporate governance that I think each Member of this body should support. We have companies in my district that use it.

The legislation also clears away red tape for small- and middle-market companies, which my good friend from Ohio (Mr. STIVERS) spoke about here on the floor as well as in the Rules Committee.

I do believe that one of the bill's titles, in its current form, takes away and reduces market transparency in the wrong direction.

But I am proud to say, Mr. Speaker, we have amendments that will be considered today by Mr. ISSA and Mr. ELLISON, as well as cosponsored by myself, that would address that matter—to encourage transparency in financial markets—because financial markets are

predicated on as-close-to-perfect information as we can achieve and step towards perfect information, enhance the efficiency of markets; steps away from perfect information, decreased efficiency of markets.

Now, the second bill, H.R. 766, unfortunately is a piece of legislation that again addresses a real need, but I can't support it.

Again, I would be proud to vote for the rule if it included a simple amendment which I will be talking about in a moment. But, unfortunately, the process through the Rules Committee shut that down.

I want to be clear. H.R. 766 takes a look at a critical, legitimate issue, the issue of the Justice Department and Operation Choke Point.

Now, unfortunately, what it does is it goes too far in limiting the tools that are available to DOJ to combat actual illegal activities, like Ponzi schemes, banking fraud, and situations where the banks themselves are complicit in committing the alleged fraud.

It also fails to deliver on what Mr. STIVERS indicated its goal was, to allow legally operating businesses to access the banking system.

It fails to deliver on that because, while there were nine amendments that were made in order, a critical amendment offered by my colleagues, Mr. PERLMUTTER of Colorado and Mr. HECK of Washington State, was not allowed, an amendment that would have furthered the goal of this bill to allow legally operating businesses to access banking services.

It was a germane amendment. There were no points of order. In fact, a majority of the Members of this body have supported this amendment, in full or in part, in various floor votes in earlier times.

A majority of this body supports a real-world solution to a real-world problem, not just one we face in Colorado, but many States face. The fact that legal, legitimate marijuana-related businesses cannot interact with legitimate banking institutions is an enormous problem for economic growth and a security risk.

It is a problem for law enforcement that we hear from police and sheriff departments back home every day, and it is a problem for the safety of our communities.

It is simply not acceptable to meet the standard of an open and transparent process that the Speaker has promised to eliminate from even consideration and a vote, this very important amendment that addresses the accessibility of banking services to companies that are engaged in a legal State business. For 23 States and the District of Columbia, this is an enormous problem right now.

To be clear, what we are talking about is not just people who run medical marijuana dispensaries, but also

highly regulated growing operations. Even farmers producing industrial hemp are turned away from opening bank accounts, cannot accept credit cards, have to haul around large amounts of cash to pay their employees every day, placing themselves and their employees at enormous risk of physical assault and robbery, as well as detracting from the very law enforcement ability to trace transactions that our law enforcement officials are clamoring for.

Due to Congress' inaction, hundreds of businesses in Colorado and 22 other States are forced to operate on a dangerous, untrackable, cash-only system that raises serious public safety concerns, increases tax fraud, and is an enormous burden on our economy.

Now, those are facts that are not in dispute. I know that there are many Members on both sides of the debate about how we should treat hemp and marijuana, whether they should be legal or illegal. That is not the issue.

The issue is that 22 States and the District of Columbia have chosen to legalize it under State law. It is illegal under Federal law. We are not debating that here now either. That is fine. That wouldn't be germane for this bill, to say let's legalize it federally. That is not even what we are talking about here.

What we are talking about is, in the States that it is legal, it is absolutely critical from even a law enforcement perspective—even if you want it to continue to be illegal federally—that the interactions are through our normal banking system in a traceable way.

These are facts that are not in dispute. My good friend from Ohio knows these issues. In the lead-up to Ohio's possible consideration of legalization, I am confident that many Ohioans had conversations with law enforcement, walking through officials on the issue of making this a cash-based business.

That was a significant issue in the Ohio election and in other States.

□ 1300

The issues of taxation and record-keeping are critical. But do you know what, that points to the necessity of this legislation. Do you know what, Mr. PERLMUTTER's amendment would likely have passed this body with Republican and Democratic support. It would have won a majority of bipartisan support this week. It is not the job of the Rules Committee to pick winners and losers. If it is particularly objectionable for the Rules Committee to abuse its power to kill a measure that has demonstrated a bipartisan level of support, that is not an appropriate use of the discretion of our committee or our chair to have their personal opinions guide what amendments are forwarded to this body for full consideration.

What else can Members do? We write thoughtful amendments that solve

real-world problems in our State. We garner support for these amendments year by year talking to Republicans and Democrats. And then what, it just dies because we can't get it to a floor vote? How is that an open and transparent process? It is not.

Mr. PERLMUTTER and Mr. HECK are fighters. They will keep working on this. We will win this debate eventually. This is simply a speed bump in making sure that we address this issue for which there are no legitimate arguments on the other side regardless of where one stands on the legal treatment or regulation of substances that are currently classified.

We should have won this week with this debate. This type of bipartisan work should be rewarded in this body, and the 23 States and the District of Columbia that face this issue deserve better. This amendment had no drafting error. There was no political gimmick to it. It wasn't nongermane. It didn't even rewrite in any substantial way the underlying bill. It was perfectly consistent. It wasn't even controversial. I can't understand why it didn't deserve consideration by this body—not even a 10-minute debate, not even a 1-minute debate.

Will the gentleman from Ohio amend the rule to allow at least a 1-minute debate on this amendment? I will yield for a "yes" or "no."

Reclaiming my time, I think the gentleman from Ohio won't even allow a 1-minute debate. The gentleman from Ohio said he wanted legally operating State businesses to have access to banking services which is the very purpose of this bill. It is a great shame that we cannot fix this issue now. Because you know what, otherwise I give credit to the gentleman from Ohio and my colleagues on the Rules Committee for allowing 9 of 10 amendments to be considered on the House floor under these two bills.

This is the rule that I am coming closest to supporting of any rule that we have debated thus far in the 114th Congress here on the floor, but because of this one glaring deficiency which prevents, through an open and transparent process, a real-world problem that Democrats and Republicans agree need to be solved from being addressed in any appropriate bill in an appropriate way, I cannot recommend to my colleagues that they support this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like quickly to respond to what the gentleman referred to, and he did change some of my words. I said that these are legally operating businesses. Mr. Speaker, by the gentleman from Colorado's own admission, these are not federally legal businesses. They are illegal under Federal law. Marijuana is illegal in U.S. Code

21, section 812. The gentleman knows that.

Maybe we should debate whether marijuana should be legal under Federal law. If he wants to debate that, that is okay. But this is a recognition for banking services of businesses that are operating lawfully under both Federal and State law, not ambiguous businesses that are legal under State law but illegal under Federal law. At the most, these businesses are ambiguous, but clearly they are illegal under Federal law. I didn't say businesses that are operating legally under State law in my comments. I said legally operating businesses. That means under Federal and State law.

We live in a Federal republic with a State and a Federal Government. If something is illegal under Federal law, under U.S. Code 21, section 812, then it is illegal. Those businesses are not legally operating businesses. That is the distinction. That is why the amendment from Mr. PERLMUTTER and Mr. HECK was not allowed, because these businesses—drug-related businesses—are illegal under Federal code. That is the reason we are not debating that amendment here.

I would say to the gentleman's point earlier where he wanted a minute of debate, I think he has gotten more than a minute on both sides on this. So he has done pretty well.

I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS), a fellow from the Rules Committee.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate my friend from Ohio for the time today.

Mr. Speaker, I rise today in support of House Resolution 595 providing for consideration of H.R. 766, the Financial Institution Customer Protection Act and H.R. 1675, the Encouraging Employee Ownership Act of 2015. I strongly support this rule and the underlying measures.

H.R. 766 is a vitally important response to the administration's unacceptable executive overreach through Operation Choke Point. Operation Choke Point is another example of the administration's circumventing Congress. It is a disturbing abuse of authority to achieve politically motivated results, and the fine folks in northeast Georgia have made it clear that they won't stand for it.

Under the program, the Justice Department and Federal financial regulators have coerced banks and other financial institutions into cutting off relations with legal businesses simply because the administration does not like them.

The administration has painted a target on certain industries ranging from payment processors and short-term lenders to gun and ammunition stores to other small businesses. Again,

it is the administration who has decided under the guise of customer protection to target entire industries simply because they deem them offensive.

This is not the way the government is supposed to operate, and it is time we prevent it from happening. I have had the opportunity to meet with some of the hardworking individuals in the industries affected, and it is clear action is needed.

A few weeks ago I met with several members of the electronic payments industry. This is an industry that promotes innovation, is rapidly growing, and plays a large and important role in Georgia's economy. To give you an idea of the enormity of this industry, the electronic consumer spending is projected to exceed \$7.3 trillion in 2017. Yet the administration has been increasingly exerting pressure on this industry. They have increasingly tried to make the payments industry responsible in part for the misdeeds of bad actors in other segments of the industry.

Possibly even more disturbing, by forcing payments processors and banks to assume the role of regulators and police the industry for bad actors, known or unknown, the administration is promoting discrimination of legal businesses if they belong to a certain industry that isn't supported by the White House's political agenda. What has happened to fairness under the law? It is amazing to me. The administration is choking legitimate businesses off from needed capital and other resources by painting them with a scarlet letter, and they are burdening the payments industry by trying to use it as a means to carry out their own dirty work.

Another industry long targeted by Operation Choke Point is the gun industry. As Americans, we have a constitutional right to bear arms under the Second Amendment. Just this week I had the privilege of visiting Honor Defense, a gun manufacturer located in my hometown of Gainesville, Georgia. I talked with the owner, toured their facilities, and assembled actually one of their fine firearms.

These are hardworking American businesses operating legal businesses. The administration doesn't like this industry, though, so they have painted a target on their back. This is not right. We should be encouraging businessowners to grow their businesses and celebrating their success, not trying to force them out of business.

Stories of industries and legitimate small businesses that have been targeted are widespread. It is time for this to stop. The government has a legitimate role in protecting consumers and preventing fraud. But that necessary role should not be abused to achieve political goals. Financial regulators should not be able to target legal businesses by choking off their lines of

credit and forcing them out of business.

Mr. Speaker, Operation Choke Point is misguided and politically motivated, and it is time we rein it in to protect small businesses and legitimate enterprises of hardworking Americans.

Mr. Speaker, I urge my colleagues to support the rule and the underlying legislation.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up a bill to help prevent mass shootings by promoting research into the causes of gun violence and making it easier to identify and treat those prone to committing violent acts.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. To further discuss our proposal, I yield 4 minutes to the distinguished gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Speaker, I thank my colleague.

Mr. Speaker, I rise in opposition to the previous question. If we defeat the previous question, Mr. POLIS will be able to offer an amendment to the rule to bring my Gun Violence Research Act to the floor for an immediate vote.

My Gun Violence Research Act would lift the over 19-year-old ban on the Centers for Disease Control and Prevention with respect to objectively studying the health aspects of gun violence.

Former Republican Congressman from Arkansas, the Honorable Jay Dickey, who was the author of the CDC ban, has gone on record regretting his decision—expressing that the prohibition was rooted in partisan politics, not sound public policy.

With well over 32,000 Americans killed by gunshots per year and roughly 88 Americans killed every day—every day—gun violence is undoubtedly a public health crisis that necessitates attention.

I represent Silicon Valley, and I have seen firsthand the role and value objective research plays in expanded knowledge and informed decisionmaking.

Research on gun violence should not be controversial or partisan. It is a commonsense tool to help us understand why tens of thousands of our fellow citizens are being killed every year by gunshots.

Without being able to adequately understand why the problem is occurring, we are unable to effectively tackle our Nation's gun violence epidemic and protect the American people whom we represent.

This is why I urge my Republican colleagues to allow a vote on this critical legislation and lift the ban on desperately needed gun violence research. When we understand the problem, we can make informed public policy decisions to keep Americans safe without eroding the Second Amendment and demonizing the millions of law-abiding gun owners.

Mr. Speaker, I urge a "no" vote on the previous question.

Mr. STIVERS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. ROHRABACHER). He is a member of the Foreign Affairs and Science, Space, and Technology Committees.

Mr. ROHRABACHER. Mr. Speaker, I rise today in support of the underlying rule and in support of H.R. 1675, a bill that aims to lessen many of the regulatory burdens that employers currently experience. Of particular interest to me and of interest to working men and women throughout America is title I of the bill entitled Encouraging Employee Ownership Act of 2015. This title would make it easier for private employers to grant their employees with greater ownership stake in their own companies without having to disclose certain sensitive information.

The consideration of the bill is but the latest in a long history of actions taken by the Federal Government to promote an ownership society. President Jefferson recognized ownership of private property as the keystone of a free society. President Lincoln pushed for, and Congress delivered, the Homestead Act of 1862 which has proven to be one of the most important manifestations of Jefferson's vision of a broad-based ownership property society. More recently, President Reagan supported employee stock ownership, labeled it "the next logical step, a path that benefits a free people."

In the near future, I will reintroduce legislation that incentivizes employee ownership even further than we currently have it by treating as tax-free any broad-based distribution of employer stock that is held by the employees for a certain period of time. Yes, it would be ESOPs on steroids. We would dramatically increase the amount of employee ownership in our country and all the benefits that go with that.

I would ask my colleagues to consider my bill. It will be proposed probably next week. My proposal is simple and easy to understand. No team of lawyers or accountants would be needed to be hired in order for an employer to participate in this expansion of employee ownership of his or her company. As such, it has great potential to give a shot in the arm to many small upstart companies that do not have significant sums of cash to offer employees or to attract the very people who actually have the skills necessary

for their new company to succeed, but instead have an idea that if an employee is willing to work hard and make a company grow, prosper, and succeed that that company's benefits would be shared with the employee.

Mr. Speaker, I urge my colleagues to consider joining me in support of the working people of this country by giving them the opportunity to achieve the American Dream and make employees partners instead of adversaries to management.

One of the things in this bill that we are talking about today is taking a step forward in employee ownership. I certainly support that. The legislation I will propose takes another step.

I would like to congratulate my friends who have been involved with this bill today.

Mr. Speaker, I ask my colleagues to support the rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from California. I look forward to discussing with him his bill next week and seeing whether it is something that I can support.

I strongly believe in encouraging employee ownership through ESOPs options. This bill does part. We can do a lot more. It is a big thing that we can do to address the increasing income disparities that this country has in making sure that workers can participate in capital formation and capital growth along with owners and executives. We look forward to working with the gentleman on that bill and contacting the gentleman as well.

The gentleman from Ohio said that somehow legal operating businesses must have access to banking resources, the goal of this bill. He said, oh, wait a minute, I mean Federal ones not State ones, not Federal not State. This is where you have a difference. Of course, you won't have any disagreement that there is an ambiguity here with regard to types of businesses that are legal at the State level and are not legal federally. But this is where you will find that most Democrats believe very strongly in States' rights.

□ 1315

Most Republicans believe here, with the exception of the other gentleman from California who just spoke and a number of others who would allow a majority to support this bill, but apparently the gentleman from Ohio believes in an overarching Federal definition telling States what they can and can't do indirectly through the banking system, effectively constraining their ability to allow banks to serve businesses that might sell types of firearms that are illegal federally, or types of marijuana or hemp or other products that might be illegal federally. Effectively, they are arguing that the Fed-

eral Government should tell them what to do and impose a one-size-fits-all solution on States that are as diverse as Texas and California and Colorado and North Dakota.

I disagree with that premise, as do most of the Democrats here today. We feel that while this body, of course—and I agree with the gentleman—should continue with the discussion about the regulatory structure of legal treatment of cannabis products federally, that should in no way, shape, or form stand in the way of a simple fix that says, whether you want it to be legal or illegal, transactions should be traceable, safe, through the banking system for businesses that are legal at the State level.

Let me address H.R. 1675, the Encouraging Employee Ownership Act, also being named the Capital Markets Improvement Act. It is a good piece of bipartisan legislation that I think can be made even better through the amendment process.

Title I of this bill, which will revise the SEC's rule 701 by raising and indexing for inflation the threshold under which companies can issue stock to employees without running into government red tape, is a commonsense, good piece of legislation. I hope it is something that most of my colleagues on both sides of the aisle agree with. I am an early cosponsor of this legislation, and I think we should promote and applaud the structure, the indexation, and, of course, allowing employees to have a stake in their companies.

That is not the only solution. The gentleman from California (Mr. ROHR-ABACHER) might have some other ideas I look forward to discussing, as do I. But if you want to help solve some of our Nation's issues with income inequality and the wealth gap, then we should applaud and promote companies that incorporate employee stock or option ownership.

Whether you issue stock in the manner under this bill or whether you operate in ESOP or any of the other forms that allow workers to benefit from the growth of your company, we should find ways to work together to promote and encourage this style of corporate governance.

Title II is a safe harbor for investment research, a bill that will help improve available market information for investors and something that has broad bipartisan support. I know my colleague from Delaware (Mr. CARNEY) will also be pleased to see this pass, as an original sponsor.

My colleague from Ohio, who is a co-chair with me of the Congressional Caucus for Middle Market Growth, spoke yesterday and today about how this overall package of legislation will help grow companies in the all-important middle market. This is Main Street America. These are companies that might not be big enough to be

multinational, multibillion-dollar brand names, and they are not startups or small companies, but it is the engine of our economy, the portion of the market that is a vital piece of our economic engine creating jobs on Main Street.

Title III of this bill will work to reduce red tape for these very middle market companies.

These provisions have broad bipartisan support, and I applaud them. The SEC has largely agreed with this. In fact, the only argument against it has been we already do this, and I think that is a weak argument because we ought to put it in statute. The SEC has agreed and has taken action, but, unfortunately, some of their actions have added in some increased investor impediments as well.

I hope the administration can work with Congress to improve this bill if there are specific issues they have with it. But the bill is necessary. It is better to fix things in statute. I think that we can work together to reduce red tape to grow small- and middle-sized companies.

Title V of the bill is another bipartisan piece of legislation that is in line with the sort of regulatory review that we already ask in many agencies. It is the sort of good government legislation I think both sides of the aisle can find agreement on and hopefully support now.

Title IV of H.R. 1675, unfortunately, is a bit of a step in the wrong direction, and it is something we discussed extensively in the committee yesterday. Fortunately, for this provision, there was an open process. Mr. ISSA and Mr. ELLISON have amendments that will be considered that improve the portion of the bill or remove it entirely. Unfortunately, the bill, as written, is a move away from searchable financial reporting that can be done digitally. It is a step away from sortable and downloadable formats. It is a return to the pen and paper and inefficient world of the 20th century rather than a step forward to the open data transparency world of the 21st century.

Across the board, market participants, investors, and regulators want information that is already required—we are not talking about any new requirements—information that is already required, financial information, to simply be available in a digital, searchable format. That is all we seek to preserve and not eliminate.

It is an odd and outdated use of government resources to deal with this information by hand, by pen, by paper. It puts investors and others at an enormous disadvantage, and it prevents and reduces the amount of information in the marketplace. Searchable and sortable data can be better used to track trends, find anomalies, find investment

opportunities, and help regulators notice trouble spots in markets and hopefully catch the next Enron before it explodes.

Just as importantly, investors need information. So do entrepreneurial folks, who want to take this information and package it in new and interesting and exciting ways and sell it on to institutional and individual investors. We heard yesterday from detractors who said investors aren't asking for this information.

We also heard that the committee didn't include any investors in their testimony; they only included operating companies. I am not sure who they are speaking for; but in my conversations, I have never heard any investor say, "I want less information," or, "I want information to be harder to search or find." No investor says, "I want to know less about a company's earnings. I want it to be in an archaic pen and paper format." That argument that this information isn't welcome by investors is simply incorrect, and it is counter to anything you will ever hear from anyone in the investment community.

Hopefully, we will fix these issues through amendment. Overall, I believe this package should merit serious consideration and support from my colleagues on both sides of the aisle.

H.R. 766, the Financial Institution Customer Protection Act, does address a very important issue, and that is the inexcusable actions of Operation Choke Point, which, at best, could be described as an overzealous use of the Department of Justice's power, or, at worst, as a pernicious attempt to root out activities that are determined to be politically unpopular.

Unfortunately, as we examine this bill, it looks like it has some unintended consequences which are not addressed through the amendment process. The amendment process also fails to include a simple amendment that would further the goals of this bill with regard to the regulated marijuana industry in 22 States.

I hope that we can address the Operation Choke Point issue. I hope we can prevent this administration and future administrations from engaging, having DOJ engage in this kind of troublesome use of authority to coerce closures of accounts for otherwise legitimate and legal customers of local financial institutions.

If a bank or credit union has a legal business, it is legal in the State, they deem it creditworthy, they are a good customer and they want to open an account with them, they should be able to serve that customer. The Federal Government should not use the bank itself as an intermediary in a dispute. If the DOJ has a dispute with a bank's customer, that should be resolved between the DOJ and the customer, not the bank.

I hope that there is groundwork for bipartisan legislation in this area that can ensure that this President and future Presidents and the future Department of Justices do not abuse their authority in this area.

One real-life, everyday issue where this concept comes up of the Department of Justice and the Federal Government interfering with the bank working with its legal customer would have been addressed by the Perlmutter amendment that I spoke about earlier. It is not just a Colorado issue. Frankly, if this bill addressed that issue, despite it being overarching in other areas, I would probably support it.

Thus is the importance of this issue from local law enforcement in our State. But, unfortunately, not even a minute, not even a second of debate is allowed on the issue. The gentleman from Ohio claimed that we were having that debate.

To be clear, we are not. We are debating the underlying rule. There is no time for the sponsors of the amendment to make their case or for opponents of the amendment to make their case. We are outlaying the time for other amendments. Many amendments have 10 minutes; many amendments have more. There is not even a second for the debate of that amendment sponsored by Mr. PERLMUTTER. That is why I cannot support this rule.

213 million Americans live in a State or jurisdiction where the voters have allowed for some legal marijuana use. Colorado tried to solve the problem locally, but we were rejected by Federal banking regulators in courts, so Congress needs to be the one to make this change. Only Congress can address this issue.

While there remains a need to align Federal and State laws, while the DOJ and Treasury have issued some guidance, some institutions are providing banking services to the DOJ and Treasury guidance issues, the guidance does not solve the problem, which is why we need to change the law and provide certainty, which this very simple amendment that has bipartisan support and likely would have passed on the floor would have done. But it is completely shut down under this rule even though it furthers the actual goal of the legislation, is germane to the legislation, is consistent with the legislation, and yet it is completely shut down in a closed process that runs contrary to the Speaker's stated goal of allowing Members on both sides of the aisle to contribute to making things better.

I reserve the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself such time as I may consume.

I would like to address two quick points made by the gentleman.

With regard to H.R. 1675 and exportable data, the gentleman tries to claim that this data will not be available. It will be available in scanned-in informa-

tion, so you can still look at it and see it. It is not pen and paper data the way he alleges. It is still very accessible on the electronic systems. It is just not exportable data.

The question is: Is that exportable data worth the \$50,000 cost for these small companies? It is only a few small companies that will benefit from being relieved from this burden because the cost is more than the benefit.

Secondly, the gentleman continues to ignore the fact that marijuana businesses are not legal under Federal law. If he wants to have the debate about whether they should be legal under Federal law, we should have that debate. That is not germane in this bill.

What we are talking about are legal businesses that are legal under Federal and State law, not ambiguous businesses that are only legal one place or the other. In our Federal system, there is both a Federal and a State component. If he wants to debate making marijuana legal at the Federal level, that is legitimate; it is just not germane in this bill. This is for businesses that are legal at the State and Federal level.

I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), who is a distinguished member of the Committee on Oversight and Government Reform that had a lot of hearings on Operation Choke Point.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman from Ohio for yielding and for his leadership on this important issue.

Mr. Speaker, I rise today in support of H.R. 766, the Financial Institution Customer Protection Act of 2015.

Over the past several years, the Obama administration's Department of Justice has strong-armed the financial industry in an attempt to cut off payment processors, short-term lenders, gun and ammunition stores, and other companies from banking services simply because they do not like their line of business.

Operation Choke Point is just another example of this administration trying to advance its radical leftist agenda through executive power overreach with a disregard for Americans' due process rights. In effect, these businesses are being treated as if they are guilty until proven innocent.

The bill before us today prevents Federal bureaucrats from abusing their executive power to prevent legitimate businesses from using depository banks. It also requires written justification of any request to terminate or restrict a business' account, unless the business poses a legitimate threat to national security.

In the First Congressional District of Georgia that I represent, we have a large, multi-State licensed consumer finance company that services more than 1,000 new customers every day. This is just another example of this administration working to limit economic growth and Americans' free will.

I urge my colleagues to support this bill so we can put an end to this administration's unconstitutional actions and restore the rule of law.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

In closing, I appreciate the committee of jurisdiction's work and the Rules Committee's work to make 9 out of 10 amendments submitted in order today—that is 9 out of 10. But I have to reiterate again that the one that is most important to not only my home State, but the jurisdictions in which 213 million Americans live—22 States plus the District of Columbia—is omitted from consideration in its appropriate, germane bill.

I strongly object to the unnecessary gatekeeping of the Rules Committee and what they have engaged in and the way that they have treated this excellent idea and real-world solution from Mr. PERLMUTTER and Mr. HECK.

Access to banking services is an issue of fundamental importance for all businesses, as the proponents of this bill have argued. Do you know what? That includes State legal marijuana businesses. Just because some Members of Congress—and they are in the minority, by the way, and they are decreasing every day—object to the very existence of these businesses does not mean that they should obstruct the entire legislative process and shut down our ability to make it possible for these businesses to exist, grow, and succeed.

□ 1330

The Perlmutter-Heck amendment is a germane, thoughtful solution to a real-world problem, and I hope this House will atone for its error today by swiftly taking up legislation—and there is a stand-alone bill—to solve this banking issue once and for all.

This was a discussion that we had in our committee yesterday, but, unfortunately, it is a discussion that we are not allowed to have on the people's floor of the House of Representatives. There is not an amendment that would have somehow legalized or have made any judgment about the legality or the morality of marijuana. It simply would have addressed a banking issue that both proponents and opponents of marijuana law reform agree needs to be addressed. Now, I am happy to have that conversation about how we should treat marijuana federally at a separate point. That is fine. I have legislation to regulate marijuana like alcohol, and others have other ideas.

Those who are following at home need to know that the Perlmutter-Heck amendment is not that discussion. It was germane to the bill we were discussing, and it, frankly, gets at the issue of why our banks are being used as a chokepoint for doing business with otherwise legal and legitimate customers as determined by the States.

Mr. Speaker, for these reasons, while I support one of the two underlying

ills—and I would like to be here to support the other if it would simply deal with the urgent issue of 213 million Americans who live in jurisdictions that face it—I urge my colleagues to vote “no” and defeat the previous question and to vote “no” on the rule.

I yield back the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself the balance of my time.

I appreciate the gentleman from Colorado's points.

These two bills are great bills. The first bill helps to preserve and to incentivize employee stock ownership. It decreases burdensome regulations so as to allow these middle market companies, which I talked about earlier, to have access to capital and to continue to grow, and it ensures that entrepreneurs can have access to the capital markets in an affordable and efficient way.

H.R. 766 addresses legal businesses. Again, I want to stress “legal” businesses. The gentleman from Colorado, Mr. Speaker, I think, would welcome the day of the Articles of Confederation. He wants to ignore that we have the State and the Federal governments. He wants the States to just make decisions and not allow the Federal Government to do anything. If marijuana is illegal at the Federal level, that is a fact. If he wants to have the debate about making marijuana legal at the Federal level, we should do that. That is not germane to this bill.

These businesses are, at best, ambiguously legal, and they are clearly illegal at the Federal level. So let's clear up the ambiguity. Then they can have the same access that other legal businesses have, like gun dealers and automotive dealers and short-term lenders, which are already legal at both the State and Federal levels. They need access to banking services. H.R. 766 makes sure they will continue to have access to banking services.

There are some amendments that I will be supporting and that others will be supporting. Make one's mind up on the amendments, but I think both of these bills are important. I urge my colleagues to support the rule and the underlying bills.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 595 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3926) to amend the Public Health Service Act to provide for better understanding of the epidemic of gun violence, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the

chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3926.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. STIVERS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution, if ordered.

The vote was taken by electronic device, and there were—ayes 240, noes 176, not voting 17, as follows:

[Roll No. 55]

AYES—240

Abraham	Comstock	Gosar
Aderholt	Conaway	Gowdy
Allen	Cook	Granger
Amash	Costello (PA)	Graves (GA)
Babin	Cramer	Graves (LA)
Barletta	Crawford	Graves (MO)
Barr	Crenshaw	Griffith
Barton	Culberson	Grothman
Benishkek	Curbelo (FL)	Guinta
Bilirakis	Davis, Rodney	Guthrie
Bishop (MI)	Denham	Hanna
Bishop (UT)	Dent	Hardy
Black	DeSantis	Harper
Blackburn	DesJarlais	Harris
Blum	Diaz-Balart	Hartzler
Bost	Dold	Heck (NV)
Boustany	Donovan	Hensarling
Brady (TX)	Duffy	Hill
Brat	Duncan (SC)	Holding
Bridenstine	Duncan (TN)	Hudson
Brooks (AL)	Ellmers (NC)	Huelskamp
Brooks (IN)	Emmer (MN)	Huizenga (MI)
Buchanan	Farenthold	Hultgren
Buck	Fincher	Hunter
Bucshon	Fitzpatrick	Hurd (TX)
Burgess	Fleischmann	Hurt (VA)
Byrne	Flores	Issa
Calvert	Forbes	Jenkins (KS)
Carter (GA)	Fortenberry	Jenkins (WV)
Carter (TX)	Fox	Johnson (OH)
Chabot	Franks (AZ)	Johnson, Sam
Chaffetz	Frelinghuysen	Jolly
Clawson (FL)	Garrett	Jones
Coffman	Gibbs	Jordan
Cole	Gibson	Joyce
Collins (GA)	Gohmert	Katko
Collins (NY)	Goodlatte	Kelly (MS)

Kelly (PA)	Nugent	Shimkus
King (IA)	Nunes	Shuster
King (NY)	Olson	Simpson
Kinzinger (IL)	Palazzo	Smith (MO)
Kline	Palmer	Smith (NE)
Knight	Paulsen	Smith (NJ)
Labrador	Pearce	Smith (TX)
LaHood	Perry	Stefanik
LaMalfa	Peterson	Stewart
Lamborn	Pittenger	Stivers
Lance	Pitts	Stutzman
Latta	Poe (TX)	Thompson (PA)
LoBiondo	Poliquin	Thornberry
Long	Pompeo	Tiberi
Love	Posey	Tipton
Lucas	Price, Tom	Trott
Luetkemeyer	Ratcliffe	Turner
Lummis	Reed	Upton
MacArthur	Reichert	Valadao
Marchant	Renacci	Wagner
Marino	Ribble	Walberg
Massie	Rice (SC)	Walden
McCarthy	Rigell	Walker
McCaul	Roby	Walorski
McClintock	Roe (TN)	Walters, Mimi
McHenry	Rogers (AL)	Weber (TX)
McKinley	Rogers (KY)	Webster (FL)
McMorris	Rohrabacher	Wenstrup
Rodgers	Rokita	Westerman
McSally	Rooney (FL)	Whitfield
Meadows	Ros-Lehtinen	Williams
Meehan	Roskam	Wilson (SC)
Messer	Ross	Wittman
Mica	Rothfus	Womack
Miller (FL)	Rouzer	Woodall
Miller (MI)	Royce	Yoder
Moolenaar	Russell	Yoho
Mooney (WV)	Salmon	Young (AK)
Mullin	Sanford	Young (IA)
Mulvaney	Scalise	Young (IN)
Murphy (PA)	Schweikert	Zeldin
Neugebauer	Scott, Austin	Zinke
Newhouse	Sensenbrenner	
Noem	Sessions	

NOES—176

Adams	Duckworth	Lipinski
Aguilar	Edwards	Loeb
Ashford	Engel	Loftis
Bass	Eshoo	Lowenthal
Beatty	Esty	Lowe
Becerra	Farr	Lujan Grisham
Bera	Fattah	(NM)
Bishop (GA)	Foster	Lujan, Ben Ray
Blumenauer	Frankel (FL)	(NM)
Bonamici	Fudge	Lynch
Boyle, Brendan	Gabbard	Maloney,
F.	Gallo	Carolyn
Brady (PA)	Garamendi	Maloney, Sean
Brown (FL)	Graham	Matsui
Brownley (CA)	Grayson	McCormack
Bustos	Green, Al	McDermott
Butterfield	Green, Gene	McGovern
Capps	Grijalva	McNerney
Cárdenas	Gutiérrez	Meeks
Carney	Hastings	Meng
Cartwright	Heck (WA)	Moore
Castor (FL)	Higgins	Moulton
Chu, Judy	Himes	Murphy (FL)
Cicilline	Hinojosa	Nadler
Clark (MA)	Honda	Napolitano
Clarke (NY)	Hoyer	Neal
Clay	Huffman	Nolan
Cleaver	Israel	Norcross
Clyburn	Jackson Lee	O'Rourke
Cohen	Jeffries	Pallone
Connolly	Johnson (GA)	Pascarella
Cooper	Johnson, E. B.	Payne
Costa	Kaptur	Pelosi
Courtney	Keating	Perlmutter
Crowley	Kelly (IL)	Peters
Cuellar	Kennedy	Pingree
Cummings	Kildee	Pocan
Davis (CA)	Kilmer	Polis
Davis, Danny	Kind	Price (NC)
DeFazio	Kirkpatrick	Quigley
DeGette	Kuster	Rangel
Delaney	Langevin	Rice (NY)
DeLauro	Larsen (WA)	Richmond
DelBene	Larson (CT)	Roybal-Allard
DeSaulnier	Lawrence	Ruiz
Dingell	Lee	Ruppersberger
Doggett	Levin	Ryan (OH)
Doyle, Michael	Lewis	Sanchez, Linda
F.	Lieu, Ted	T.

Sanchez, Loretta	Speier	Veasey
Schakowsky	Swalwell (CA)	Vela
Schiff	Takal	Velázquez
Schrader	Takano	Visclosky
Scott (VA)	Thompson (CA)	Walz
Scott, David	Thompson (MS)	Wasserman
Serrano	Titus	Schultz
Sewell (AL)	Tonko	Waters, Maxine
Sherman	Torres	Watson Coleman
Sinema	Tsongas	Welch
Sires	Van Hollen	Wilson (FL)
Slaughter	Vargas	Yarmuth

NOT VOTING—17

Amodei	Deutch	Loudermilk
Beyer	Ellison	Rush
Capuano	Fleming	Sarbanes
Carson (IN)	Hahn	Smith (WA)
Castro (TX)	Herrera Beutler	Westmoreland
Conyers	Hice, Jody B.	

□ 1352

Ms. SPEIER changed her vote from "aye" to "no."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. JODY B. HICE of Georgia. Mr. Speaker, on rollcall No. 55, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. LOUDERMILK. Mr. Speaker, on rollcall No. 55, I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 175, not voting 16, as follows:

[Roll No. 56]

AYES—242

Abraham	Cole	Frelinghuysen
Aderholt	Collins (GA)	Garrett
Allen	Collins (NY)	Gibbs
Amash	Comstock	Gibson
Ashford	Conaway	Gohmert
Babin	Cook	Goodlatte
Barletta	Costello (PA)	Gosar
Barr	Cramer	Gowdy
Barton	Crawford	Granger
Benishkek	Crenshaw	Graves (GA)
Bilirakis	Culberson	Graves (LA)
Bishop (MI)	Curbelo (FL)	Graves (MO)
Bishop (UT)	Davis, Rodney	Griffith
Black	Denham	Grothman
Blackburn	Dent	Guinta
Blum	DeSantis	Guthrie
Bost	DesJarlais	Hanna
Boustany	Diaz-Balart	Hardy
Brady (TX)	Dold	Harper
Brat	Donovan	Harris
Bridenstine	Duffy	Hartzler
Brooks (AL)	Duncan (SC)	Heck (NV)
Brooks (IN)	Duncan (TN)	Hensarling
Buchanan	Ellmers (NC)	Hice, Jody B.
Buck	Emmer (MN)	Holding
Bucshon	Farenthold	Hudson
Burgess	Fincher	Huelskamp
Byrne	Fitzpatrick	Huizenga (MI)
Calvert	Fleischmann	Hultgren
Carter (GA)	Fleming	Hunter
Carter (TX)	Flores	Hurd (TX)
Chabot	Forbes	Hurt (VA)
Chaffetz	Fortenberry	Issa
Clawson (FL)	Fox	Jenkins (KS)
Coffman	Franks (AZ)	Jenkins (WV)

Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar

Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)

Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Amodei
Beyer
Capuano
Carson (IN)
Castro (TX)
Deutch

Ellison
Gutiérrez
Herrera Beutler
Hill
Lawrence
Paulsen

Rush
Sarbanes
Smith (WA)
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SMITH of Nebraska) (during the vote). There are 2 minutes remaining.

□ 1359

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HILL. Mr. Speaker, on rollcall No. 56, I was unavoidably detained with constituents. Had I been present, I would have voted "yes."

Mr. PAULSEN. Mr. Speaker, on rollcall No. 56, I was not present due to a meeting with constituents. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 55 on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 1675 and H.R. 766. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "nay."

Mr. Speaker, my vote was not recorded on rollcall No. 56 on H. Res. 595, the Rule providing for consideration of both H.R. 1675, Encouraging Employee Ownership Act of 2015 and H.R. 766, Financial Institution Customer Protection Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "nay."

ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2015

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and submit extraneous materials on the bill, H.R. 1675, to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 595 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1675.

The Chair appoints the gentleman from Pennsylvania (Mr. THOMPSON) to preside over the Committee of the Whole.

□ 1402

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1675) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, with Mr. THOMPSON of Pennsylvania in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 1675, the Encouraging Employee Ownership Act.

I do this because, as you know, Mr. Chairman, regrettably, we saw that in the last quarter this economy grew at a paltry seven-tenths of 1 percent. On an annualized basis, this economy is limping along at roughly half the normal growth rate.

That means that this economy is not working for working families, who under 8 years of Obamanomics have found themselves with smaller paychecks and smaller bank accounts and greater anxiety about how are they going to make their mortgage payments, how are they going to make their car payments, are they going to be able to save enough to send somebody to college.

This economy is still underperforming for American families. So it is critical that we help our small businesses, which are truly the job engine in our economy, Mr. Chairman, as you well know.

I want to commend the sponsors of the five bills that make up H.R. 1675, Representatives HULTGREN, HILL, HUIZENGA, and HURT. Their work has resulted in a bipartisan bill that we think will help create a healthier economy.

Again, we know that 60 percent of the Nation's new jobs over the past couple decades have come from our small businesses. If we are going to have a healthier economy that offers more opportunity, we have to offer more opportunities for small business growth and

NOES—175

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett

Doyle, Michael
F.
Duckworth
Edwards
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee

Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarella
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond

small business startups. We have to ensure that they have capital and the credit they need to grow. You can't have capitalism without capital, Mr. Chairman.

Yet, we have heard from countless witnesses in our committee—from community banks to credit unions, the primary source of small business loans—that they are drowning, drowning in a sea of complex, complicated, expensive regulations, many of them emanating from the Dodd-Frank Act, which is causing a huge burden on the economy and working families.

The same is true of many of our burdensome security regulations as well. Many of them are well intentioned, but, Mr. Chairman, they were written with our largest public companies in mind, but they end up hurting our smaller companies. It is time that we help level that playing field for small businesses with smarter regulations that will still maintain our fair and efficient markets, protect investors, but allow small competitors the chance to succeed. We make some progress today on this bipartisan bill, H.R. 1675.

Now, it is a modest bill, Mr. Chairman. It is only 20 pages long—anybody can read it—but it provides many overdue improvements that will help spur capital formation, and the legislation gives companies options and choices on how to best attract investment and capital. In a free society, isn't that where we should be?

It updates rules to allow small businesses to better compensate their employees with ownership in the business. Let them have a piece of the American Dream. In so doing, it strengthens provisions enacted into law in the bipartisan JOBS Act and the FAST Act to give employees a greater opportunity to share in the success of their employer.

It codifies no action relief issued by the SEC to remove regulatory burdens for individuals who assist with the transfer of ownership of small- and mid-sized privately held companies.

It will provide investors with more research on exchange-traded funds, or ETFs, by extending a liability safe harbor consistent with other securities offerings.

It provides a voluntary, Mr. Chairman—I repeat voluntary—exemption from reporting in XBRL data format for emerging growth companies and smaller public companies, the cost and use of which have continually been questioned in our committee.

The committee received testimony from a biotechnology executive who said that outreach to his analyst investors yielded a consensus response that they weren't even aware of XBRL, but the witness went on to say that his company is having to spend \$50,000 annually in compliance costs that obviously could have been better spent in productivity and job creation.

Finally, it requires the SEC to conduct a retrospective review every 10 years to update or eliminate outdated, unnecessary, and duplicative regulations. This is also known, Mr. Chairman, as common sense. The administration claims that this provision is duplicative because the SEC is already encouraged to review their regulations. Well, encouragement doesn't quite get the job done. We need to ensure that these regulations are looked at and at least looked at on an every-decade basis.

You will hear some say that, well, the SEC's resources are stretched too thin. I am happy to go back and amend Dodd-Frank so that they have more resources to devote to capital formation. By the way, they just got a big, fat raise in the latest omnibus. Mr. Chairman, I don't think that argument holds much water.

By enacting H.R. 1675, we are going to ease the burdens on small businesses and job creators. Isn't that what we ought to be about? We will help foster capital formation so that Americans can go back to work, have better careers, pay their mortgages, pay their healthcare premiums, and ultimately give their families a better life.

I urge my colleagues to join me in supporting H.R. 1675.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong opposition to H.R. 1675. It is really a package of five bills which will harm investors and, perversely, the very small businesses Republicans say they want to help. It does so by ignoring and supplanting the good judgment of the Securities and Exchange Commission, which has already sought to provide small businesses with regulatory relief in these same areas while also ensuring that investors in those businesses have the protections they deserve.

The SEC's balanced approach makes sense as investors who are not confident in the integrity of our markets will simply not invest, which means that job-creating companies will not have the capital they need to grow. In particular, this bill would reduce corporate transparency for employee stockholders by allowing private companies to compensate their employees with up to \$10 million in stock every year without having to provide them with relatively simple disclosures about the financials of the company or the risk associated with these securities.

Mr. Chairman and Members, I am not going to attempt to hide the facts of this bill with a lot of rhetoric. The fact of the matter is, if employees are being given stock up to \$10 million that they don't know the value of, and the companies don't have to disclose anything

about the stock, they could end up with worthless stock, not worth anything, where they had great expectations that somehow in lieu of raises and more money that they probably deserve, they are being given rotten stock.

This provision would double the current disclosure threshold, allowing larger companies with at least \$34 million in total assets to encourage overinvestment by employees in a company that they cannot value and that may never permit them to sell except back to the company at a price set by the company. That is another aspect of this.

This type of deregulation invites more Enron-type fraud into the market. Remember Enron? I hope we have not forgotten it already and what happened to those employees. Sometimes you had two members of the family, the husband and the wife, who both had this bad stock that they couldn't sell back, they couldn't do anything with, where employees have to trust the accounting of their companies but instead are left with valueless stock.

Similarly, this bill would exempt over 60 percent of public companies from using a computer-readable format known as XBRL in their SEC filings. Exempting such a large number of filers would prevent these companies from being easily compared to other companies that use XBRL, to the disadvantage of analysts, researchers and the SEC, investors, and even the companies themselves.

Basically, what you are doing is saying, we are going to have a bill here that would prevent the kind of information that analysts and researchers, the SEC and investors should have, comparing them with other companies because somehow we want to protect those who don't want people to really know what their worth is.

This is very serious stuff. According to the SEC's Investor Advocate, this exemption seriously impedes the ability of the SEC to bring disclosure into the 21st century. That is their quote.

Title III of the bill further supplants the SEC's good judgment by significantly expanding the Commission's recently provided relief for certain mergers and acquisition brokers without imposing eight important investor protections granted by the SEC. As a result, bad actors who may have committed fraud and shell companies could use this relief and brokers wouldn't have to make basic disclosures about their conflict of interest.

In committee markup, Democrats attempted to close these loopholes, but our efforts were rejected in a party-line vote.

Can you imagine that the SEC has taken a big step, and they have listened to concerns, they have listened to complaints, and they have gone overboard to make sure that they were

providing relief for certain kinds of mergers and acquisitions.

□ 1415

What this bill would do is take away the ability of the SEC to have investor protections that they have already been granted.

So again, this bill, which includes five bills all designed, basically, to disregard the investors, disregard the small-business people, disregard the average American citizen, is a bill that would simply go in the wrong direction, helping the corporations who would simply not want to disclose and not want to be seen for what they are.

Title II also fails to sufficiently protect investors, as it eliminates offering liability for brokers who, under the guise of providing exchange-traded funds, or ETFs, could selectively use data to promote and sell highly risky, complex, and little-known ETFs to unsuspecting investors.

Finally, the bill seeks to impose additional regulatory burdens on the SEC by requiring it to conduct a duplicative and more onerous retrospective review of its rules.

Specifically, title V would require the SEC to, within 5 years of enactment, review and revise all of its rules, which I should mention date back to 1934. It would also allow the SEC to override congressional mandates, including those in the Dodd-Frank Wall Street reform bill.

Republicans on the Financial Services Committee are always claiming that the SEC is unresponsive to Congress, yet this provision in the bill would allow the Commission to unilaterally repeal the will of Congress at their whim. Indeed, this title is a thinly veiled Republican attempt to impose cost-benefit type analyses on our regulators as a means of eliminating rules designed to benefit the public and protect investors.

H.R. 1675 is an anti-investor bill that will reduce transparency, establish additional administrative burdens on the SEC, and create easily exploited loopholes for bad actors.

It is well known that Members on the opposite side of the aisle do not like our “cop on the block,” which is the SEC. While they talk about what the SEC will, can, or will not do, they simply try and strangle it by being opposed to them having the adequate funding that they need in order to do their job.

So, when we hear today, for example, as the chairman said, that he would be willing to support some funding for the SEC, it is very important that they put their money where their mouths are and make sure that the SEC has the money to do its job.

In conclusion, this bill goes in the wrong direction. It is unfortunate that, at a time when we have gone through a recession based on 2008 and the unwill-

ingness or the inability for our regulatory agencies to watch over our investors and to watch over our average small-business people and homeowners, et cetera, and while we are trying desperately to clean up this mess with Dodd-Frank reforms, we would come in here at this time, having experienced all of this, with a bill like this that would try and protect the worst actors in the financial services industry.

I urge my colleagues to oppose H.R. 1675.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois (Mr. HULTGREN), a workhorse on our committee and the chief sponsor of H.R. 1675, to bring more jobs to the American people.

Mr. HULTGREN. I thank Chairman HENSARLING for his great work on the Financial Services Committee, and I specifically want to thank him for his help on this bill coming to the floor today.

Mr. Chair, today I am very proud to speak in support of the Capital Markets Improvement Act. The bill includes a number of important titles that my colleagues on the House Financial Services Committee, Republicans and Democrats, are confident will improve our capital markets, whether it is reducing regulatory requirements for emerging growth companies subject to redundant reporting requirements to the SEC or making it easier for investors to have access to investment reports on exchange-traded funds.

This bill also includes a title I worked on diligently with Mr. DELANEY to make it easier for companies in Illinois and nationwide to let hardworking employees own a stake in the business they are part of.

The Illinois Biotechnology Industry Organization, which represents companies that employ thousands of residents in my district and throughout Illinois, believes that making it easier for companies to offer employee ownership helps Illinois businesses expand and hire more workers.

Warren Ribley, the president and CEO of iBIO, has stated:

As someone who has worked in economic development for most of my career, I know that offering an ownership stake to employees is a critical tool in recruiting top talent to job-generating companies. And there is no doubt that an equity stake encourages employees to drive hard for success of the enterprise.

EEOA promises to aid in job creation in Illinois' growing technology sector, especially for the many early-stage companies with whom we assist along their commercialization path.

Unfortunately, some companies are shying away from offering employee ownership because of regulations that limit how much ownership they can safely offer.

SEC rule 701 mandates various disclosures for privately held companies that sell more than \$5 million worth of securities for employee compensation over a 12-month period. In 1999, the SEC arbitrarily set this threshold at \$5 million without a concrete explanation for why investors would face difficulties with sales above this number.

For businesses who want to offer more stock to more employees, this rule forces those businesses to make confidential disclosures that could greatly damage future innovations if they fell into the wrong hands. This required information includes business-sensitive information, including the financials and corresponding materials like future plans and capital expenditures.

The SEC originally acknowledged this, and some voiced their concern that a disgruntled employee could use this confidential information to harm their former employer. Leaving aside the risk involved in disclosing this confidential information, it is costly to prepare these disclosures just so a business can offer the benefits of ownership to their employees.

My bill is simple. It is a simple, bipartisan fix that changes that. EEOA amends SEC rule 701 to raise the disclosure threshold from \$5 million to \$10 million and adjust the threshold for inflation every 5 years.

To be clear, issuers that are exempt from disclosure would still have to comply with all pertinent antifraud and civil liability requirements. The employees purchasing these securities go to their business every day and already have a good sense of how their company is operating.

Support for this effort to improve the utility of rule 701 can actually be found in the SEC's own Government-Business Forum on Small Business Capital Formation Final Reports for 2001, 2004–2005, and 2013.

As the Chamber of Commerce has explained, this legislation would “help give employees of American businesses a greater chance to participate in the success of their company.” Increasing this threshold, they explain, would “ensure that rule 701 remains a viable provision for businesses to use in the future” and “decrease the likelihood of unnecessary regulatory requirements.”

There is no evidence to suggest that rule 701 is not working for companies and their employees, and we have every reason to make this option available to more Americans with the desire to build their wealth through their company's success.

Finally, I want to underscore how important it is that the Capital Markets Improvement Act pass with a strong bipartisan vote, just like each title passed in the Financial Services Committee under Chairman HENSARLING's leadership.

My bill, the Encouraging Employee Ownership Act, had a bipartisan vote of

45-15 in committee. Mr. HILL's bill, making investment reports on ETFs more accessible, had a vote of 48-9. Mr. HUIZENGA's bill, creating a simplified SEC registration system for M&A brokers, had a vote of 36-24. Mr. HURT's bill, allowing an optional exemption for emerging growth companies for SEC reporting requirement, had a vote of 44-11. Also, Mr. HURT's bill, requiring the SEC to retroactively review regulations, had a 46-16 vote.

I urge all my colleagues to vote in support of the Capital Markets Improvement Act of 2016.

Mrs. MAXINE WATERS of California. I yield 3 minutes to the gentlewoman from Ohio, (Mrs. BEATTY), a member of the Financial Services Committee.

Mrs. BEATTY. Mr. Chairman, I think it is simple today. We have heard Congresswoman MAXINE WATERS outline our position for this.

Let me just say that this bill is flawed, overly broad, avoids appropriate oversight, duplicative of existing administrative authorities, and could be wasteful and costly. I join Ms. MAXINE WATERS of California today in opposition to H.R. 1675, a package of capital market deregulatory bills that undermine the Security and Exchange Commission's effective oversight of capital markets and places the GOP special interests ahead of those hard-working Americans whom we are here to serve.

Secondly, the package also excludes exemptions from certain investor disclosures and SEC filing requirements and a safe harbor from certain broker-dealer liabilities, all without commensurate investor protections.

A key component of this package is title V, H.R. 2354, which is an unnecessary, burdensome, and unfunded mandate requiring a full-scale review designed to hamstring the SEC's ability to perform basic oversight of the financial markets.

Title III of the package exempts small business merger and acquisition brokers from registering as a broker-dealer with the SEC.

Mr. Chairman, let me sum it up by saying that the bad outweighs the good in this bill. I stand in opposition to it.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. ROYCE), a valued member of the Financial Services Committee and chairman of the House Foreign Affairs Committee.

Mr. ROYCE. Mr. Chairman, the reason this legislation is on the floor, frankly, is because of the anemic economic growth that the United States is facing. We have got less than 2 percent economic growth. If we are going to figure out a way to get the economic engine running again, we have got to do something to remove the barriers to access to capital. That is what the Capital Markets Improvement Act attempts to do here. H.R. 2354, the

Streamlining Excessive and Costly Regulations Review Act, does just that.

Let's face it, regulators aren't perfect. They are like lawmakers in that sense. Regulators have a certain obligation to examine their record to determine failures and to rectify missteps as needed.

The Streamlining Excessive and Costly Regulations Review Act will give the Securities and Exchange Commission the opportunity to do so. It would set that up on an ongoing basis. It requires a retrospective Commission review of rules and regulations that have an annual economic impact or cost of \$100 million or more, result in a major increase of costs or prices for consumers, or harm the ability of U.S. enterprises to compete against foreign competitors.

Commissioners will be able to reverse ineffective, insufficient, or excessively burdensome regulations with the guidance of public notice and comment, and it ensures that the SEC isn't simply rolling out the red tape in a vacuum, oblivious to the negative economic impact that their actions have on consumers, investors, or businesses.

The success of a regulation or rule-making shouldn't be measured in quantity. Instead, we need smart guidelines to protect our economy and preserve the world's strongest capital markets here in the United States.

Mr. Chairman, I thank the author of this bill, Mr. HURT of Virginia, for his leadership on this issue, and I urge my colleagues to join me in supporting this.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), the ranking member of the Task Force to Investigate Terrorism Financing on the Financial Services Committee.

□ 1430

Mr. LYNCH. Mr. Chairman, I thank the gentlewoman for yielding.

It is very rare that I get to speak in opposition to such bad legislation, but not only do we have a single bill that is bad legislation, my friends across the aisle have packaged five bad bills and put them all together. My only regret is that I only have 3 minutes to speak about these bills.

Let me single one out, the Encouraging Employee Ownership Act of 2015. Currently, employee benefit plans must disclose information to employees who invest in those plans if the plan's assets are above \$5 million.

H.R. 1675, the Encouraging Employee Ownership Act of 2015, now 2016, modifies SEC rule 701 by allowing private companies to compensate their employees up to \$10 million, indexed for inflation.

So they can pay their employees in stock, basically. But the key here is

that they don't have to provide the same information that they would to outside investors in that same stock. Therein lies the danger here.

This means that employees in smaller companies, start-ups, especially—small drug companies, small software companies—those employees with smaller plans, oftentimes those companies are more subject to, more vulnerable to, the ups and downs of the economy. These are the most vulnerable.

So the employees in those small plans that are paid with company stock would be less protected as to how their stocks are performing.

Last Congress I voted against a similar bill, H.R. 4571, when it was marked up in our committee. I also spoke in opposition to this bill when it was included as title XI of H.R. 37.

This bill uses the veneer of job creation to provide special treatment for well-connected corporations, mergers and acquisition advisers, and financial institutions, while doing very little for and probably doing much damage to employees and working families.

I strongly support employees receiving equity. I think that is a good deal. If employees can receive stock options and, importantly, if they can know about the value of those stocks and know about the condition of these companies, that can be a huge advantage.

Employees will buy into the company, but they have to have the information about what the stock is worth. This bill allows them to be denied that information. They are buying a pig in a poke. They don't know what the stocks are worth. So it puts them at a tremendous disadvantage.

And, again, these companies are the ones that are most vulnerable to ups and downs in the economy going forward.

I agree the remarks of Professor Theresa Gabaldon from George Washington University during our April 29 Capital Markets and Government Sponsored Enterprises Subcommittee hearing. During her testimony, the professor expressed opposition to this bill for the very reasons I have stated.

The CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. I yield another 30 seconds to the gentleman.

Mr. LYNCH. She opposed this bill because employees deserve the same protections, she said, as investors.

This makes sense. This is easy. We should be able to do what we want to do here and stimulate the economy, yet, at the same time, allow these employees to have the information that they need to know what the value of the stocks they are being paid with are worth. It is as simple as that.

I thank the ranking member for her indulgence.

Mr. HENSARLING. Mr. Chair, I yield myself 10 seconds to remind my friends

who have spoken that title I of this bill passed 45-15, with Democratic support; title II, 48-9, with Democratic support; title III, in the last Congress, passed the floor 420-0; title IV, 44-11, with Democratic support; title V, 41-16, with Democratic support. So perhaps they should discuss these attacks amongst themselves first.

I yield 6 minutes to the gentleman from Virginia (Mr. HURT), one of the prime sponsors and author of title IV and title V.

Mr. HURT of Virginia. Mr. Chairman, I thank the chairman of the Financial Services Committee for his leadership in moving this legislation to the floor.

I rise today in support of this bill, the Capital Markets Improvement Act.

As I travel across Virginia's Fifth District, the number one issue facing the families I represent is the desperate need for job creation.

Making sure that hardworking Virginians and Americans have adequate access to capital markets is imperative to job creation and to sustained economic growth for our great Nation.

This is why it is so important that the Financial Services Committee and the House of Representatives continue to push legislation that will make it easier for our businesses, for our farmers, and for families to be successful.

Indeed, every provision within this bill today we are considering has received bipartisan support, and each title of this bill is critical to enhancing access to capital and ensuring that the U.S. capital markets remain the most vibrant in the world.

Within this Capital Markets Improvement Act, I am pleased that two provisions that I have sponsored have been included, the Small Company Disclosure Simplification Act and the Streamlining Excessive and Costly Regulations Review Act.

The first provision is contained in title IV. The Small Company Disclosure Simplification Act addresses a 2009 mandate from the SEC which required the use of eXtensible Business Reporting Language, or XBRL, for public companies.

While the SEC's rule is well-intended, this requirement has become another example of a regulation where the costs often outweigh the potential benefits.

These companies spend thousands of dollars and more complying with the regulation, yet there is little evidence that investors actually use XBRL, leading one to question its real-world benefits.

The provision before us today is a measured step that would offer small companies relief from the burdens of XBRL. Title IV provides a voluntary—let me say that again—a voluntary exemption for emerging growth companies and smaller public companies from the SEC's requirements to file their financial statements via XBRL in addi-

tion to their regular filings with the SEC.

It is important to note that nothing in this bill precludes companies from utilizing XBRL for their filings with the SEC. The exemption is completely optional and allows smaller companies to assess whether the costs incurred for compliance are outweighed by any benefits using this technology.

During our committee's hearing on this issue, one company reported that it spent \$50,000 on complying with XBRL. That is a real cost to a small company, especially when that cost does not yield a significant benefit.

I am not suggesting that every firm pays this much, but certainly we can agree that, when filing fees are this high, we should ensure that the requirements result in a benefit to investors and to those public companies being regulated.

It is also very important to note that, with this legislation, all public companies will continue to file quarterly and annual statements with the SEC.

Furthermore, this bill will not kill the implementation of XBRL or structured data at the SEC. It is merely providing a temporary and voluntarily exemption for smaller companies so that they may better utilize their capital.

It is about choice and ensuring that these companies can use their capital to create jobs instead of using it to comply with unnecessary red tape.

This bill has previously received strong bipartisan support in the Financial Services Committee and on the floor of this House when this measure was part of the Promoting Job Creation and Reducing Small Business Burdens Act.

Similarly, during the last Congress, this measure was also approved with a strong bipartisan vote in the House. I ask that my colleagues once again support this commonsense legislation today.

In addition to the disclosure simplification issues, we have also sponsored title V of this Capital Markets Improvement Act. This is a bipartisan bill that I crafted with my colleague, Ms. KYRSTEN SINEMA of Arizona.

The Streamlining Excessive and Costly Regulations Review Act is about accountable and representative government and making sure that the SEC is taking an ongoing retrospective look at its regulation.

This legislation would simply require the SEC to review its major rules and regulations on a regular basis to determine whether they are still effective or outdated or whether they need to be changed in some regard. In fact, other prudential regulators, such as the FDIC, the OCC, and the Federal Reserve, are already doing this.

During the mid-1990s, the Economic Growth and Regulatory Paperwork Reduction Act, or EGRPA, required

these entities to conduct a retrospective review of all of their regulations to determine if they were still effective and, subsequently, report their findings to Congress.

Because the House Banking Committee at the time did not have jurisdiction over the SEC, the SEC was left out of this process.

Title V would simply require the SEC to retrospectively review its regulations with the goal of ensuring that they are effective and up to date. It would enable the SEC to operate in the most effective manner possible. It would afford the SEC the autonomy and flexibility to make this mandate effective.

President Obama himself endorsed this idea in multiple 2011 executive orders, and the other prudential regulators are already operating under a similar review process. This legislation simply puts the SEC on the same playing field as the other regulators.

Moreover, this bill provides Congress with the insight it needs to hold the Commission accountable, and the legislation adheres to the requirements of the Administrative Procedure Act.

All said, the structure and the process of title V will provide industry, the SEC, and Congress, with the structure and time necessary to ensure that this retrospective review process is effective.

I ask my colleagues to join me in supporting this title so that we can continue to improve the SEC's regulatory regime.

In closing, let me again thank the committee chairman, Chairman HENSARLING, and Chairman GARRETT, who is our Capital Markets and Government Sponsored Enterprises Subcommittee chair, for making these two provisions a part of this act. I urge my colleagues to vote "yes" on this good bill.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Subcommittee on Capital Markets and Government Sponsored Enterprises of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I thank the ranking member for yielding and for her leadership on this committee and on this legislation.

I rise today in opposition to H.R. 1675. It would curtail the existing regulatory structure protecting investors.

While this package includes bills that I have supported, including the ETF research bill, which simply allows more research on a fast-growing market, ultimately, I have to oppose this package because it would roll back the progress that we have made in many areas, including on XBRL.

I rise in opposition to the prior speaker from the great State of Virginia, really, one of my favorite Republicans to work with on the committee,

but I oppose very much his bill that would roll back XBRL and would allow roughly 60 percent of all public companies to opt out of the requirement to use XBRL.

I believe that this would hurt the overall economy, the liquidity of the markets, and the information that investors are able to gain and gather.

I am a big supporter of XBRL, which allows companies to file their financial statements in a computer-readable format. XBRL makes it possible for investors and analysts to quickly download standardized financial statements for an entire industry directly to a spreadsheet and immediately start making cross-company comparisons in order to identify the best performers.

I would argue that this would increase the amount of investment in start-ups and small businesses. This would enable investors to more easily identify the companies that are diamonds in the rough, so to speak; and very often, these are small companies that have innovative business models but have trouble attracting the attention of analysts and institutional investors.

One reason is it is simply too time-consuming for analysts and investors to pick through every small company's 100-page financial filings.

A small company's filings may tell an incredible story about why that company is poised to be the next Apple or Google. But if the so-called search costs are high enough that analysts and investors never see them, then that company will never get the capital infusion it needs to grow and our economy will never realize the benefits that the company has to offer.

This is where XBRL comes in. It dramatically reduces the search costs by making it fast and cheap for investors to gather standardized financial statements for entire industries, including the small businesses that the investors wouldn't have bothered with before.

So if you want to improve small companies' access to capital, rolling back XBRL is the last thing you would want to do. I believe that we should be moving forward, not backward, on XBRL.

We are already far behind the rest of the developed world in using structured data. I rise in opposition to this bill.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. I yield the gentlewoman an additional 1 minute.

Mrs. CAROLYN B. MALONEY of New York. I think we should think very hard about an issue before we take away a tool that literally benefits both investors and small companies.

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Unfortunately, that is what this bill would do. Instead of moving forward on XBRL and making it even more useful for analysts and investors, the bill

would allow roughly 60 percent of all public companies to opt out of their requirements to use XBRL. This would effectively take our capital markets back to the 20th century.

Mr. Chairman, I urge my colleagues to oppose this bill which doesn't benefit investors and I would say the overall economy.

I urge a "no" vote from my colleagues.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), the chairman of the Monetary Policy and Trade Subcommittee of the Financial Services Committee and the author of title III of this act.

Mr. HUIZENGA of Michigan. Mr. Chairman, I rise today to alert the American people: we have a red herring alert. This is a legislative equivalent to an Amber Alert because we have folks who talk a good game behind closed doors, who come out here, though, in the light of day and do something very different, and they are missing. They are missing in action from solving the problem. This red herring alert is very disturbing. We instead are seeing today trumped-up attacks on commonsense reforms that need to happen that many people will behind closed doors agree need to happen.

In my particular case with section 3, we have a "no-action" letter put out by the SEC that those on the other side of the aisle say, "We don't need to do anything. The SEC is taking care of it." The problem is that it took years for the SEC to even address the issue. Apparently what is good enough for a "no-action" letter should be good enough for the law. So they know full well that many of the things that we are trying to address in H.R. 1675 are coming from unintended consequences.

This important piece of legislation is a package of bipartisan ideas designed to help Main Street businesses promote job creation and economic growth. The Second District of Michigan, west Michigan, is full of these types of family-owned companies.

Mr. Chairman, small businesses, private companies, and entrepreneurs need access to capital, but burdensome, needless regulations out of Washington and the SEC have created barriers to that investment capital.

Main Street small businesses are the heart and soul of our Nation. In fact, they have created the majority of the Nation's new jobs over the last couple of decades. So what does that mean? It is not the big, major companies that are creating those job opportunities. It is our small, innovative companies that are. For these small businesses to survive and thrive in a healthy, growing economy, we must reduce barriers to capital and encourage small business growth and the small business entrepreneur without putting the taxpayer or the economy at risk.

H.R. 1675 does exactly that. This compilation of bipartisan regulatory relief provisions will ensure that Main Street businesses continue to have access to the capital that they need to grow the economy and create new jobs.

Mr. Chairman, I urge a "yes" vote on H.R. 1675. You need to ignore the red herrings that are getting thrown out there. The capital markets need to have these reforms. I look forward to working with my Senate colleagues to see H.R. 1675 make its way to President Obama's desk for his signature.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a true progressive champion.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in opposition to H.R. 1675, the Encouraging Employee Ownership Act.

As a young housewife in suburban Chicago, I joined a handful of women in a successful campaign to get freshness dates on grocery products. At the time, expiration dates were coded. The stores knew, but consumers were in the dark about whether the milk they were buying had been on the shelf too long.

Getting that information was really important. It gave us the facts and the power to make the right food choices for our families. Getting information about our stocks—whether those stocks are in the form of compensation or investments—is equally important. Again, information is power—the key to being able to protect the financial well-being of our families.

Simply, workers deserve to know the value of the stocks they are receiving instead of wages. We are living in a time of serious wage stagnation. According to the National Employment Law Project, real hourly wages were 4 percent lower on average in 2014 than in 2009. So it is important for workers who are offered stock compensation to have accurate data about the value of those stocks.

Similarly, we are experiencing a real retirement security crisis. Median savings for all working households is \$2,500 for retirement. For those near retirement, it is \$14,500—not a heck of a lot of money saved for retirement. So we need to encourage investments. But if we want Americans to invest, we need to give them information. They need to be able to judge the risks and make wise decisions.

Yet, instead of giving American workers or investors more information, H.R. 1675 would give them less. This bill would double the threshold that triggers disclosure of information to workers. It would reduce the requirements for broker-dealers to be accountable for certain information that they provide. It would make it harder to find information on SEC filings, and it would give the SEC unilateral power to overturn congressionally enacted laws to protect investors.

Those are all really bad ideas, and I think we should vote "no" on H.R. 1675.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time is remaining on both sides?

The CHAIR. The gentleman from Texas has 9 minutes remaining. The gentlewoman from California has 9½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. HILL). He is the author of title II of the act.

Mr. HILL. Mr. Chairman, today I rise in support of H.R. 1675 and particularly want to speak about title II, which is called the Fair Access to Investment Research Act, which I sponsored along with my friend and colleague, Mr. CARNEY from Delaware.

Since starting my most recent investment firm that I had back in the 1990s before I came to Congress a year ago, I have seen the investment category exchange-traded funds, or ETFs, grow from about 100 funds with \$100 billion in assets to over 1,400 funds with almost \$2 trillion in assets—a significant increase over that time.

Despite their growing popularity and use by retail investors and small institutional investors, most broker-dealers in this country do not publish research on ETFs. Primarily, the lack of that publication is due to anomalies in the securities laws and regulations, and that is at the heart of what we are talking about here. It is an important investment category. It deserves research, and it deserves more information, not less.

Title II's mission is simple. It directs the SEC to provide a safe harbor for research reports that cover ETFs so that those reports are not considered offers under section 5 of the Securities Act of 1933. Therefore, ETF research is just treated like all other stock corporate research.

This is a commonsense proposal, and it mirrors other research safe harbors implemented by the SEC which clarify the law and allow broker-dealers to publish ETF research allowing investors more information about this rapidly growing and important market.

Further, this bill holds the SEC accountable—a large challenge before the Congress—to follow our direction. This bill requires the SEC to finalize the rules within 120 days, and if the deadline is not met, an interim safe harbor will take effect until the SEC's rules are finalized.

I might add to my friends at the Commission, this is not a topic unfamiliar to you as it has been raised at the Commission many times, including by the Commission staff over the past 17 years—and yet no action has happened. So we are no longer out ahead of the curve on this topic, we are behind it, as there are some 6 million U.S. households currently using ETFs in their investment portfolios, and they need access to this research.

Having worked in the banking and investment industry for three decades,

I appreciate Chairman HENSARLING and Congress' efforts to promote capital formation, reduce unnecessary barriers, provide sunshine, provide information to our investors, and, by definition, grow jobs and our economy.

I want to finally thank Mr. CARNEY of Delaware for working with me on this project and for being so patient along its way in the last weeks.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members, when my colleague from Massachusetts came to the floor and started to talk about this bill, he said this is a bad bill, and included in this bill a total of five bad bills.

As we go through each of these bills, we cannot help but wonder why any public policymaker would want to endanger small businesses and investors in the way that this bill does. One must ask one's self why, why would any elected official want to eliminate financial disclosures for employees regarding their stock compensation? Why would you want to do that? Why don't you want employees to know what they are being given? Why don't you want employees to understand that this stock that they are being given may or may not be worth the paper that it is written on? Why would we want to keep this information away from them?

As it was stated by the gentlewoman from Illinois, she said basically that many of these companies are not increasing wages. As a matter of fact, we have stagnation in wages in this country and in all of the major companies, for example. So what is happening is these employees believe that when they are being given stock instead of a raise, then maybe they have something valuable.

They need to know what they are getting. They need to know exactly what their company is holding out to them is valuable. So I raise the question, why would any public policymaker want to keep this information from employees?

Further, the opposite side of the aisle always talks about they are for dealing with crime, that they are about criminal justice. But here they are allowing bad actors to engage in small business mergers and acquisitions. I am talking about people who have been convicted. I am talking about people whom you have administrative orders against. I am talking about swindlers. I am talking about bad people that will be allowed, by this bill, to engage in small business mergers and acquisitions. I don't understand it, and I don't know why.

Increasingly, the people of this country are looking at the Members of Congress, and they are saying that they are not with us, they are against us, and that we don't have anybody that is

really protecting our interests. More and more, it is being discussed. They are finally getting on to it that somehow too many of the Members of Congress are siding with the big guys, siding with the large corporations, and with the big banks, and not looking out for the interests of the people. They want to know why.

Again, title III of this bill would significantly expand an exemption for registration granted by the SEC to certain mergers and acquisition brokers who deal with small businesses without providing significant protections for those businesses or investors.

Last Congress when we considered this exemption, it was meant to prompt action by the SEC to finalize its no-action letter to exempt these merger and acquisition brokers from registration. Two weeks after that bill passed the House floor, the SEC granted relief. Yet you wouldn't know it if you read this bill. This bill ignores that relief, and, worse, it inexplicably omits eight—omits eight—of the important investment protections that it includes.

As a result, it would allow, again, these bad actors, these cheaters, these people who commit fraud, and these scammers to use this exemption providing them with an opportunity just to swindle our small businesses. Yet they claim they support small business.

It is fashionable to say, "I am for small business." Everybody is for small business. But when you take a look at what we do, you can determine who is for the small business and who really are for the big businesses, for the swindlers, and for the cheaters who rob small businesses of the opportunity to be successful.

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It would also allow M&A brokers to merge public shell companies that have no assets of their own.

Even some of my Republican colleagues who will be offering an amendment to add in these two protections are unable to justify the omission, but my friends on the opposite side of the aisle completely ignore the other six investor protections in the SEC's no action relief.

I am not going to go any further with that. That is quite obvious.

But let me say this. Not only do we have these bad bills with bad public policy, we have a trick in the bill and the bill attempts to tie the hands of the SEC by saying they need to go back—oh, back to 1934 and review everything that they have done, all of these regulations.

Do you know why they are doing that? It is the same reason that they won't support them getting additional funding to do their job. They just want to tie their hands so that they won't be able to do the job that they are supposed to do.

When we call these bills bad, we are simply not sharing with you some rhetoric about some meaningless harm that may come because of these bills. We are telling you these are harmful bills, these are truly bad bills.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. GARRETT), the chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee.

Mr. GARRETT. Mr. Chairman, I thank the chairman.

I want to commend Mr. HULTGREN, Mr. HILL, and all of the sponsors who have worked so hard on the underlying legislation and for the dedication to doing what? Improving the capital markets and creating jobs in this country.

Mr. Chairman, the last decade has really not been kind to middle class Americans and to lower income Americans as well, where people are struggling to make it to the 15th of the month or the end of the month.

We have not experienced in this country a 3 percent GDP since, I think, back in 2005. Middle class income wages are basically stagnating, and the number of people in poverty in this country during this administration has reached an astonishing 50 million people.

Did you hear that? Fifty million people during the Obama administration find themselves still in poverty right now.

Yet, the Obama administration continues—if you listen to him and our committee meetings from the other side of the aisle, they tout the supposed strength of the recovery, despite the fact that, under President Obama, only the rich in this country have gotten richer while the poor and the middle class continue to struggle.

Today our committee brings to the floor a package of bills that will do what, they will help small businesses. They will help people get new jobs. They will help the creation of new hiring. They will help those hardworking Americans who want to get a better job and improve themselves to create wealth in this country and not just rely, as in the past, on taxpayer economic sugar highs provided by the Federal Reserve or wasteful stimulus programs.

What do we have right now? We have five bills. We have Mr. HULTGREN's legislation that will help hardworking Americans by giving Americans more chance to do what? Invest their money so they can work.

We have Mr. HURT's legislation initiatives to hold the SEC accountable, yes, hold American bureaucrats accountable and reduce Washington's unnecessary burdens on small public companies.

We have Mr. HUIZENGA's bill to make it easier for small businesses to simply receive advice from professionals.

Finally, we have Mr. HILL's bill over here that will allow investors greater access to research on investment funds before they invest their money.

Mr. Chairman, what we have here is that not a single one of these provisions will grow the bureaucracy, not a single one of these provisions will throw more taxpayer dollars at the situation in the hopes that it will solve some perceived problem out there, and not a single one of these provisions include any new Federal mandates on the job creators of this country: small businesses.

Each and every one of these is a positive solution to our economic problems. As an added bonus, they all have the benefit of being bipartisan.

Again, I thank you and all the sponsors for their support.

I urge my colleagues to support H.R. 1675.

Ms. MAXINE WATERS of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, how much time is remaining on each side?

The Acting CHAIR (Mr. BYRNE). The gentleman from Texas has 3½ minutes remaining. The gentlewoman from California has 3 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Arizona (Ms. SINEMA), one of the Democratic cosponsors and cosponsor of title V of the bill.

Ms. SINEMA. Mr. Chairman, I thank Chairman HENSARLING for including legislation to review outdated and unnecessary regulation in this important bill.

And thank you to Congressman HURT for working across the aisle with me to advance this commonsense measure.

Business owners in Arizona regularly tell me that our inefficient and often confusing regulatory environment hurts their ability to grow and hire. This commonsense legislation requires the SEC to improve and repeal outdated regulations, holding them accountable, and providing certainty for businesses and consumers in Arizona.

This bill requires the SEC to within 5 years of enactment and then once every 10 years thereafter review all significant SEC rules and determine by Commission vote whether they are outmoded, ineffective, insufficient, excessively burdensome or are no longer in the public interest or consistent with the SEC's mission to protect investors, facilitate capital formation, and maintain fair, orderly, and efficient markets.

The Commission would then be required to provide notice and solicit public comment on whether such rules should be amended or repealed and then amend or repeal any such rule by vote in accordance with the Administrative Procedures Act.

Finally, the Commission would report to Congress within 45 days after

any final vote, including any suggestions for legislative changes.

The bill would require the SEC to only review major or significant rules. It would not allow mandatory rulemakings to be repealed unilaterally by the SEC.

Should the SEC determine that legislation is necessary to amend or repeal a regulation, the bill requires the Commission to include in their report to Congress recommendations for such legislation.

Finally, the bill would prevent additional litigation by clarifying that the initial SEC vote would not be subject to judicial review.

I believe that reviewing significant rules at the SEC, as directed by the administration's executive order, is a worthwhile use of SEC resources.

I hope Members join me in supporting this bipartisan legislation.

I thank Chairman HENSARLING and Congressman HURT for advancing this important legislation.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, I yield myself such time as I may consume.

Since the gentleman from New Jersey talked about the President and blamed him for everything he could think of, the administration is sending you a message. The administration strongly opposes H.R. 1675.

"Among other flaws, this bill includes several provisions that pose risks to investors, are overly broad, allow financial institutions to avoid appropriate oversight, and are duplicative of existing administrative authorities."

Thank you from President Obama.

H.R. 1675 is yet another Republican attempt to deregulate Wall Street during the 114th Congress. We have seen time and time again that Republicans will stop at nothing to launch attacks at the expense of American consumers and taxpayers in order to help the largest Wall Street banks. This bill is another example of these tactics.

So far during this Congress, Republicans on the Financial Services Committee have taken a number of measures to undermine consumers, undermine investors, and undermine financial stability. Some of the worst examples of this include:

Change in the structure of the Consumer Financial Protection Bureau. Ladies and gentlemen, the Republicans hate the Consumer Financial Protection Bureau, and they have tried to bog the agency down in partisan gridlock and disfunction. Republicans never wanted to create the CFPB. Now that it is there and it is successful, they want to undercut it.

Deregulating large banks by removing the enhanced prudential standards established by the Dodd-Frank Act. This would allow large regional megabanks to escape basic rules related to capital, liquidity, and leverage established after the crisis.

Allowing discriminatory markups on automobile loans for racial and ethnic minority borrowers. Republicans want auto finance companies to be able to gouge minority consumers with interest rate markups even when those consumers are equally creditworthy compared to their White counterparts.

Removing consumer protections on mortgages for the largest banks. The Republicans would remove vital consumer protections from the riskiest mortgage products sold by the largest banks in this country.

The bill also would allow mortgage brokers to get hefty bonuses for steering borrowers into expensive and complex mortgage products.

Eliminating Dodd-Frank protections related to manufactured housing loans, thereby allowing consumers to be charged sky-high interest rates without providing them guaranteed housing counseling or legal recourse.

Undermining the Financial Stability Oversight Council. Our consolidated regulator in charge of monitoring systemic risk among the financial system by doubling the time it would take for them to designate risky nonbank companies for extra supervision.

We should not be surprised about this bill today. It is consistent with everything that they have been doing in order to protect Wall Street, the biggest banks that are too big to fail. This again is consistent with everything they have been doing.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am very proud of the fact, as the chairman of the Financial Services Committee, that we move a lot of bipartisan legislation. I take great pride in that. It is just so rare that the Democratic ranking member chooses to be a part of any of it.

Here we have major titles of this bill. Title I supported 45–15 with Democratic support; title II passed 48–9 with Democratic support; title III, 36–24; title IV, 44–11; title V, 41–16, yet another bipartisan exercise where men and women of goodwill come together to try to work on behalf of the working families of America. Yet again, the ranking member and those who are close to her choose not to be a part of this.

I guess I would ask, Mr. Chairman, how many more people have to suffer in this economy? Working families are struggling. Their paychecks are less since the President came to office, since we have had 8 years of Obamanomics. They have 10 to 15 percent less in their bank accounts. We have tried it their way, Mr. Chairman, and it has failed.

Why does the ranking member and other Democrats continue this war on small business? We are losing our small businesses. Entrepreneurship in America is at a generational low.

We are trying to give them a little bit of a bipartisan lifeline to breath a

little life into these small businesses to allow them to create more jobs and better career paths so that so many people don't struggle to pay their mortgages and to pay their healthcare premiums.

These are modest changes. I am glad that a number of Democrats have decided to cross the ranking member and want to do something that is common-sense that will help small businesses and help the struggling working people in America.

I urge all to vote for the act. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-43. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1675

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Capital Markets Improvement Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ENCOURAGING EMPLOYEE OWNERSHIP

Sec. 101. Increased threshold for disclosures relating to compensatory benefit plans.

TITLE II—FAIR ACCESS TO INVESTMENT RESEARCH

Sec. 201. Safe harbor for investment fund research.

TITLE III—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION

Sec. 301. Registration exemption for merger and acquisition brokers.

Sec. 302. Effective date.

TITLE IV—SMALL COMPANY DISCLOSURE SIMPLIFICATION

Sec. 401. Exemption from XBRL requirements for emerging growth companies and other smaller companies.

Sec. 402. Analysis by the SEC.

Sec. 403. Report to Congress.

Sec. 404. Definitions.

TITLE V—STREAMLINING EXCESSIVE AND COSTLY REGULATIONS REVIEW

Sec. 501. Regulatory review.

TITLE I—ENCOURAGING EMPLOYEE OWNERSHIP

SEC. 101. INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from \$5,000,000 to \$10,000,000 the aggregate sales price or amount

of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest \$1,000,000.

TITLE II—FAIR ACCESS TO INVESTMENT RESEARCH

SEC. 201. SAFE HARBOR FOR INVESTMENT FUND RESEARCH.

(a) **EXPANSION OF SAFE HARBOR.**—Not later than the end of the 45-day period beginning on the date of enactment of this Act, the Securities and Exchange Commission shall propose, and not later than the end of the 120-day period beginning on such date, the Commission shall adopt, upon such terms, conditions, or requirements as the Commission may determine necessary or appropriate in the public interest, for the protection of investors, and for the promotion of capital formation, revisions to section 230.139 of title 17, Code of Federal Regulations, to provide that a covered investment fund research report—

(1) shall be deemed, for purposes of sections 2(a)(10) and 5(c) of the Securities Act of 1933, not to constitute an offer for sale or an offer to sell a security that is the subject of an offering pursuant to a registration statement that the issuer proposes to file, or has filed, or that is effective, even if the broker or dealer is participating or will participate in the registered offering of the covered investment fund's securities; and

(2) shall be deemed to satisfy the conditions of subsection (a)(1) or (a)(2) of section 230.139 of title 17, Code of Federal Regulations, or any successor provisions, for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization.

(b) **IMPLEMENTATION OF SAFE HARBOR.**—In implementing the safe harbor pursuant to subsection (a), the Commission shall—

(1) not, in the case of a covered investment fund with a class of securities in substantially continuous distribution, condition the safe harbor on whether the broker's or dealer's publication or distribution of a covered investment fund research report constitutes such broker's or dealer's initiation or reinitiation of research coverage on such covered investment fund or its securities;

(2) not—

(A) require the covered investment fund to have been registered as an investment company under the Investment Company Act of 1940 or subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 for any period exceeding twelve months; or

(B) impose a minimum float provision exceeding that referenced in subsection (a)(1)(i)(A)(i) of section 230.139 of title 17, Code of Federal Regulations;

(3) provide that a self-regulatory organization may not maintain or enforce any rule that would—

(A) condition the ability of a member to publish or distribute a covered investment fund research report on whether the member is also participating in a registered offering or other distribution of any securities of such covered investment fund;

(B) condition the ability of a member to participate in a registered offering or other distribution of securities of a covered investment fund on whether the member has published or distributed a covered investment fund research report about such covered investment fund or its securities; or

(C) require the filing of a covered investment fund research report with such self-regulatory organization; and

(4) provide that a covered investment fund research report shall not be subject to sections 24(b) or 34(b) of the Investment Company Act of 1940 or the rules and regulations thereunder.

(c) **RULES OF CONSTRUCTION.**—Nothing in this section shall be construed as in any way limiting—

(1) the applicability of the antifraud provisions of the Federal securities laws; or

(2) the authority of any self-regulatory organization to examine or supervise a member's practices in connection with such member's publication or distribution of a covered investment fund research report for compliance with otherwise applicable provisions of the Federal securities laws or self-regulatory organization rules.

(d) **INTERIM EFFECTIVENESS OF SAFE HARBOR.**—From and after the 120-day period beginning on the date of enactment of this Act, if the Commission has not met its obligations pursuant to subsection (a) to adopt revisions to section 230.139 of title 17, Code of Federal Regulations, and until such time as the Commission has done so, a covered investment fund research report published or distributed by a broker or dealer after such date shall be deemed to meet the requirements of section 230.139 of title 17, Code of Federal Regulations, and to satisfy the conditions of subsection (a)(1) or (a)(2) thereof for purposes of the Commission's rules and regulations under the Federal securities laws and the rules of any self-regulatory organization, as if revised and implemented in accordance with subsections (a) and (b).

(e) **DEFINITIONS.**—For purposes of this section:

(1) **COVERED INVESTMENT FUND RESEARCH REPORT.**—The term “covered investment fund research report” means a research report published or distributed by a broker or dealer about a covered investment fund or any of its securities.

(2) **COVERED INVESTMENT FUND.**—The term “covered investment fund” means—

(A) an investment company registered under, or that has filed an election to be treated as a business development company under, the Investment Company Act of 1940 and that has filed a registration statement under the Securities Act of 1933 for the public offering of a class of its securities, which registration statement has been declared effective by the Commission; and

(B) a trust or other person—

(i) that has a class of securities listed for trading on a national securities exchange;

(ii) the assets of which consist primarily of commodities, currencies, or derivative instruments that reference commodities or currencies, or interests in the foregoing; and

(iii) that allows its securities to be purchased or redeemed, subject to conditions or limitations, for a ratable share of its assets.

(3) **RESEARCH REPORT.**—The term “research report” has the meaning given to that term under section 2(a)(3) of the Securities Act of 1933, except that such term shall not include an oral communication.

(4) **SELF-REGULATORY ORGANIZATION.**—The term “self-regulatory organization” has the meaning given to that term under section 3(a)(26) of the Securities Exchange Act of 1934.

TITLE III—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION

SEC. 301. REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.

Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

“(13) **REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), an M&A broker shall be exempt from registration under this section.

“(B) **EXCLUDED ACTIVITIES.**—An M&A broker is not exempt from registration under this paragraph if such broker does any of the following:

“(i) Directly or indirectly, in connection with the transfer of ownership of an eligible privately held company, receives, holds, transmits, or has custody of the funds or securities to be exchanged by the parties to the transaction.

“(ii) Engages on behalf of an issuer in a public offering of any class of securities that is registered, or is required to be registered, with the Commission under section 12 or with respect to which the issuer files, or is required to file, periodic information, documents, and reports under subsection (d).

“(C) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to limit any other authority of the Commission to exempt any person, or any class of persons, from any provision of this title, or from any provision of any rule or regulation thereunder.

“(D) **DEFINITIONS.**—In this paragraph:

“(i) **CONTROL.**—The term ‘control’ means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. There is a presumption of control for any person who—

“(I) is a director, general partner, member or manager of a limited liability company, or officer exercising executive responsibility (or has similar status or functions);

“(II) has the right to vote 20 percent or more of a class of voting securities or the power to sell or direct the sale of 20 percent or more of a class of voting securities; or

“(III) in the case of a partnership or limited liability company, has the right to receive upon dissolution, or has contributed, 20 percent or more of the capital.

“(ii) **ELIGIBLE PRIVATELY HELD COMPANY.**—The term ‘eligible privately held company’ means a company that meets both of the following conditions:

“(I) The company does not have any class of securities registered, or required to be registered, with the Commission under section 12 or with respect to which the company files, or is required to file, periodic information, documents, and reports under subsection (d).

“(II) In the fiscal year ending immediately before the fiscal year in which the services of the M&A broker are initially engaged with respect to the securities transaction, the company meets either or both of the following conditions (determined in accordance with the historical financial accounting records of the company):

“(aa) The earnings of the company before interest, taxes, depreciation, and amortization are less than \$25,000,000.

“(bb) The gross revenues of the company are less than \$250,000,000.

“(iii) **M&A BROKER.**—The term ‘M&A broker’ means a broker, and any person associated with a broker, engaged in the business of effecting securities transactions solely in connection with the transfer of ownership of an eligible privately held company, regardless of whether the broker acts on behalf of a seller or buyer, through the purchase, sale, exchange, issuance, repurchase, or redemption of, or a business combination involving, securities or assets of the eligible privately held company, if the broker reasonably believes that—

“(I) upon consummation of the transaction, any person acquiring securities or assets of the eligible privately held company, acting alone or in concert, will control and, directly or indirectly, will be active in the management of the eligible privately held company or the business conducted with the assets of the eligible privately held company; and

“(II) if any person is offered securities in exchange for securities or assets of the eligible privately held company, such person will, prior to becoming legally bound to consummate the transaction, receive or have reasonable access to the most recent year-end balance sheet, income statement, statement of changes in financial position, and statement of owner's equity of the issuer of the securities offered in exchange, and, if the financial statements of the issuer are audited, the related report of the independent auditor, a balance sheet dated not more than 120 days before the date of the offer, and information pertaining to the management, business, results of operations for the period covered by the foregoing financial statements, and material loss contingencies of the issuer.

“(E) **INFLATION ADJUSTMENT.**—

“(i) **IN GENERAL.**—On the date that is 5 years after the date of the enactment of the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2015, and every 5 years thereafter, each dollar amount in subparagraph (D)(ii)(II) shall be adjusted by—

“(I) dividing the annual value of the Employment Cost Index For Wages and Salaries, Private Industry Workers (or any successor index), as published by the Bureau of Labor Statistics, for the calendar year preceding the calendar year in which the adjustment is being made by the annual value of such index (or successor) for the calendar year ending December 31, 2012; and

“(II) multiplying such dollar amount by the quotient obtained under subclause (I).

“(ii) **ROUNDING.**—Each dollar amount determined under clause (i) shall be rounded to the nearest multiple of \$100,000.”.

SEC. 302. EFFECTIVE DATE.

This title and any amendment made by this title shall take effect on the date that is 90 days after the date of the enactment of this Act.

TITLE IV—SMALL COMPANY DISCLOSURE SIMPLIFICATION

SEC. 401. EXEMPTION FOR XBRL REQUIREMENTS FOR EMERGING GROWTH COMPANIES AND OTHER SMALLER COMPANIES.

(a) **EXEMPTION FOR EMERGING GROWTH COMPANIES.**—Emerging growth companies are exempted from the requirements to use Extensible Business Reporting Language (XBRL) for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such companies may elect to use XBRL for such reporting.

(b) **EXEMPTION FOR OTHER SMALLER COMPANIES.**—Issuers with total annual gross revenues of less than \$250,000,000 are exempt from the requirements to use XBRL for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such issuers may elect to use XBRL for such reporting. An exemption under this subsection shall continue in effect until—

(1) the date that is five years after the date of enactment of this Act; or

(2) the date that is two years after a determination by the Commission, by order after conducting the analysis required by section 402, that the benefits of such requirements to such issuers outweigh the costs, but no earlier than three years after enactment of this Act.

(c) **MODIFICATIONS TO REGULATIONS.**—Not later than 60 days after the date of enactment of this Act, the Commission shall revise its regulations under parts 229, 230, 232, 239, 240, and 249 of title 17, Code of Federal Regulations, to reflect the exemptions set forth in subsections (a) and (b).

SEC. 402. ANALYSIS BY THE SEC.

The Commission shall conduct an analysis of the costs and benefits to issuers described in section 401(b) of the requirements to use XBRL for

financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such analysis shall include an assessment of—

(1) how such costs and benefits may differ from the costs and benefits identified by the Commission in the order relating to interactive data to improve financial reporting (dated January 30, 2009; 74 Fed. Reg. 6776) because of the size of such issuers;

(2) the effects on efficiency, competition, capital formation, and financing and on analyst coverage of such issuers (including any such effects resulting from use of XBRL by investors);

(3) the costs to such issuers of—

(A) submitting data to the Commission in XBRL;

(B) posting data on the website of the issuer in XBRL;

(C) software necessary to prepare, submit, or post data in XBRL; and

(D) any additional consulting services or filing agent services;

(4) the benefits to the Commission in terms of improved ability to monitor securities markets, assess the potential outcomes of regulatory alternatives, and enhance investor participation in corporate governance and promote capital formation; and

(5) the effectiveness of standards in the United States for interactive filing data relative to the standards of international counterparts.

SEC. 403. REPORT TO CONGRESS.

Not later than one year after the date of enactment of this Act, the Commission shall provide the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report regarding—

(1) the progress in implementing XBRL reporting within the Commission;

(2) the use of XBRL data by Commission officials;

(3) the use of XBRL data by investors;

(4) the results of the analysis required by section 402; and

(5) any additional information the Commission considers relevant for increasing transparency, decreasing costs, and increasing efficiency of regulatory filings with the Commission.

SEC. 404. DEFINITIONS.

As used in this title, the terms “Commission”, “emerging growth company”, “issuer”, and “securities laws” have the meanings given such terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

TITLE V—STREAMLINING EXCESSIVE AND COSTLY REGULATIONS REVIEW

SEC. 501. REGULATORY REVIEW.

(a) REVIEW AND ACTION.—Not later than 5 years after the date of enactment of this Act, and at least once within each 10-year period thereafter, the Securities and Exchange Commission shall—

(1) review each significant regulation issued by the Commission;

(2) determine by Commission vote whether each such regulation—

(A) is outmoded, ineffective, insufficient, or excessively burdensome; or

(B) is no longer necessary in the public interest or consistent with the Commission’s mandate to protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation;

(3) provide notice and solicit public comment as to whether a regulation described in subparagraph (A) or (B) of paragraph (2) (as determined by Commission vote pursuant to such paragraph) should be amended to improve or modernize such regulation so that such regulation is in the public interest, or whether such regulation should be repealed; and

(4) amend or repeal any regulation described in subparagraph (A) or (B) of paragraph (2), as determined by Commission vote pursuant to such paragraph.

(b) DEFINITION.—As used in this section and for purposes of the review required by subsection (a) the term “significant regulation” has the meaning given the term “major rule” in section 804(2) of title 5, United States Code.

(c) REPORT TO CONGRESS.—Not later than 45 days after any final Commission vote described in subsection (a)(2), the Commission shall transmit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate describing the Commission’s review under subsection (a), its vote or votes, and the actions taken pursuant to paragraph (3) of such subsection. If the Commission determines that legislation is necessary to amend or repeal any regulation described in subparagraph (A) or (B) of subsection (a)(2), the Commission shall include in the report recommendations for such legislation.

(d) NOT SUBJECT TO JUDICIAL REVIEW.—Any vote by the Commission made pursuant to subsection (a)(2) shall be final and not subject to judicial review.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114-414. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY
MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 114-414.

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, after line 17, insert the following:
SEC. 102. STUDY AND REPORT.

Not later than 1 year after the date of the enactment of this Act, the Securities and Exchange Commission shall complete a study and submit to Congress a report on the prevalence of employee ownership plans within companies that have a flexible or social benefit component in the articles of incorporation or similar governing documents of such companies, as permitted under applicable State law.

The Acting CHAIR. Pursuant to House Resolution 595, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 1515

Mr. DESAULNIER. Mr. Chairman, this is a straightforward study amendment that intends to build on the potential links between employee-owned corporations and social benefit cor-

porations. This amendment requires the SEC to study overlaps between employee-owned corporations and alternative corporate forms authorized under various State laws.

Alternative corporate forms allow corporations, with the consent of their shareholders, to pursue social and environmental goals as a for-profit business enterprise. With legal protections that allow companies to consider the interests of all stakeholders, benefit corporations can help solve social and environmental challenges through their businesses. Benefit corporation status and other corporate forms allow companies to differentiate themselves and appeal to all consumers.

Alternative corporate forms provide legal protections that benefit innovators, entrepreneurs, investors, and consumers. These legal protections have helped create opportunities for innovation in States like California, which currently attracts almost half of all venture capital investment in the United States.

Some of these alternative corporate forms include flexible purpose corporations, benefit corporations, and low-profit limited liability companies. Benefit corporations, the most common type of alternative corporate form, are authorized in 30 States, including in the District of Columbia, and are currently being considered in five more States. L3Cs are authorized in eight States.

My amendment simply seeks to improve the availability of data so Congress can explore connections between employee-owned corporations and these increasingly popular alternative corporate forms.

Specifically again, this amendment requires the SEC to study and report to Congress the prevalence of employee-owned ownership plans within corporations that also include a flexible or a social benefit component in their articles of incorporation as allowed under relevant State laws.

Mr. Chairman, I urge my colleagues to support this commonsense amendment to improve our understanding of employee-owned corporations.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I appreciate the gentleman’s amendment, but I find it somewhat ironic when I continue to hear pleas from the other side of the aisle on how terribly burdened the SEC is and what great need they have that they can’t make due with the resources that they have, and then here is a study which would be yet another burden on the SEC. First, Mr. Chairman, I find that somewhat ironic.

I don’t find that the gentleman’s amendment really has anything to do

with encouraging employee ownership at privately held companies. I guess what really disturbs me, Mr. Chairman, is that this goal or this agenda of many is to take disclosure from those items that will enhance shareholder value and to, instead, take this into a debate about social values.

We are a very diverse country, and this is a good thing. There may be some investors who are interested in companies that support a pro-life position, and there may be others who are interested in a company that supports a pro-abortion position; but that has very little to do with the investment return, which, for most American families, is what they care about when they wonder if they are going to be able to pay for their home mortgages, to pay their utility bills, or to send their kids to college.

There are some people in America who support the Second Amendment, and there are some people who don't. Again, there is a wide diversity of social issues, and for those who wish to invest along those lines, in a relatively free society, they ought to be able to do that. If they can't get the information they need from a corporation, they have a multitude of investment opportunities. If they don't feel they are getting the type of social value information they need, they have a variety of opportunities.

I feel that the gentleman from California's amendment leads us down a road that, I think, ultimately, is harmful to working Americans who are trying to invest their meager savings in order to make ends meet. I urge that we reject the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DESAULNIER. Mr. Chairman, while I respect the gentleman's understanding and his years of work in this field, I think my experience as a new Member who is coming from a State legislature that involved the business community in the development of some of these alternative forms, it is merely providing more information for shareholders and investors. That is why, when we did it in California, we had bipartisan support, including having the support from the business community.

That is the spirit, at least, in which I am offering the amendment. I don't think it would be, from a cost-benefit standard, very hard for the SEC to provide this information to Congress so that, as these forms continue to move throughout the States, we have a better understanding. That is the purpose and the spirit of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DESAULNIER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HUIZENGA
OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 114-414.

Mr. HUIZENGA of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 16, insert the following:

“(iii) Engages on behalf of any party in a transaction involving a public shell company.

“(C) DISQUALIFICATIONS.—An M&A broker is not exempt from registration under this paragraph if such broker is subject to—

“(i) suspension or revocation of registration under paragraph (4);

“(ii) a statutory disqualification described in section 3(a)(39);

“(iii) a disqualification under the rules adopted by the Commission under section 926 of the Investor Protection and Securities Reform Act of 2010 (15 U.S.C. 77d note); or

“(iv) a final order described in paragraph (4)(H).”.

Page 9, line 17, strike “(C)” and insert “(D)”.

Page 9, line 23, strike “(D)” and insert “(E)”.

Page 10, line 23, insert “privately held” after “means a”.

Page 13, beginning on line 6, strike “year-end balance sheet” and all that follows through “report of the independent auditor” and insert “fiscal year-end financial statements of the issuer of the securities as customarily prepared by the management of the issuer in the normal course of operations and, if the financial statements of the issuer are audited, reviewed, or compiled, any related statement by the independent accountant”.

Page 13, after line 20, insert the following:

“(iv) PUBLIC SHELL COMPANY.—The term ‘public shell company’ is a company that at the time of a transaction with an eligible privately held company—

“(I) has any class of securities registered, or required to be registered, with the Commission under section 12 or that is required to file reports pursuant to subsection (d);

“(II) has no or nominal operations; and

“(III) has—

“(aa) no or nominal assets;

“(bb) assets consisting solely of cash and cash equivalents; or

“(cc) assets consisting of any amount of cash and cash equivalents and nominal other assets.”.

Page 13, line 21, strike “(E)” and insert “(F)”.

Page 14, beginning on line 2, strike “subparagraph (D)(ii)(II)” and insert “subparagraph (E)(ii)(II)”.

The Acting CHAIR. Pursuant to House Resolution 595, the gentleman from Michigan (Mr. HUIZENGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Mr. Chairman, it has been estimated that approximately \$10 trillion—with a T, 12 zeros—worth of small, privately owned, and family-operated businesses will be sold or closed in the coming years as baby boomers retire. Mergers and acquisitions brokers, or M&A brokers as they are often called, will play a critical role in facilitating the transfer of ownership of these small, privately held companies.

If you were here earlier today, you would have heard me issue a red herring alert. This is exhibit A, what we are dealing with right now, as to what that red herring alert is and as you are hearing from my colleagues on the other side of the aisle. This is exhibit A, what I used to use as an example of Washington working.

Last Congress, I had this exact bill, and it passed this body unanimously. Let me repeat that—unanimously. There were zero votes against it. It went on as a suspension bill. It went on suspension because it was non-controversial. It was agreed that this was the right direction to go. Unfortunately, I now have to use this bill and my portion—this amendment that we are dealing with—as an example of how D.C. is broken, and we wonder why the American people are cynical. Let's get to the heart of the matter.

Why do we need to do this? Why do we need to address this particular issue regarding these M&A brokers?

Today, Federal securities regulations require an M&A broker to be registered and regulated by the Securities and Exchange Commission and FINRA, just like Wall Street investment bankers who buy and sell publicly traded companies. So let's just get this point clear. These are not folks on Wall Street. These are folks in Holland, Michigan, in Grand Rapids, Michigan, in California, in Texas, in Florida, and anywhere else that one is selling a small, family-owned business. That is right. Anyone who is dealing with a sale or who is brokering the sale of a business anywhere in America is forced to register with the Federal Government and be regulated as a securities broker-dealer regardless of the size of the business or the sale transaction. This red tape is, of course, in addition to the State laws that already regulate those transfers.

How did we get here?

This bill corrects an unintended consequence of a 1985 Supreme Court ruling that overturned a lower court that created the sale of business doctrine. Prior to that decision, private company sales were exempted from Federal regulation. Since 1985, the SEC has issued many nonaction—or no action—letters that, under various but differing factual circumstances, have

granted relief for M&A brokers. However, the other side is not willing to actually put it into law.

Let's be clear. Title III of H.R. 1675 does not do away and does not change in any way, affect, or limit the SEC's jurisdiction or powers to investigate and enforce Federal securities laws. Rather, it simply exempts M&A brokers from SEC registration as broker-dealers, which makes the transfer of these small, family-owned businesses affordable. In fact, what do you do when you own a small family business? I own one. If I am able to save money on one side, I am able to invest it into my employees, and I am able to invest it into the equipment that is in my business.

Federal securities regulation is primarily designed to protect passive investors in public security markets. Passive investors are people like you and me who might just buy a share in a company somewhere. Privately negotiated M&A transactions are vastly different and benefit little from SEC and FINRA registration and regulation but are burdened by the same regulatory requirements, obligations, and associated costs. M&A brokers, themselves, are small businesses.

Title III of H.R. 1675 includes my bipartisan legislation, H.R. 686, the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act, which would create a simplified system for brokers facilitating the transfer of ownership of small, privately held companies. Yes, it was a bipartisan bill that passed our committee.

My amendment would further clarify two things:

First, any broker or associated person who is subject to suspension or revocation of registration is disqualified from the exemption. In other words, if you are a bad actor, you are exempted. You are not allowed to take part in this;

Second is the inapplicability of the exemption to any M&A transaction where one party or more is a shell company. We heard that being brought up as a reason we shouldn't be doing this. Again, we offer an exemption. If there is a shell company, that is not allowed to be used.

By including these additional investor protections—let me repeat, “additional”—this amendment strikes an appropriate balance between the legitimate interests of all stakeholders and maintains strong protections for investors and small businesses.

Today, Mr. Chairman, I just hope that we will see some common sense, that we will not chase after the red herrings that are being thrown out there, and that we will support H.R. 1675.

I yield back the balance of my time.
Ms. MAXINE WATERS of California.
Mr. Chairman, I rise in opposition to

the amendment even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. MAXINE WATERS of California.
Mr. Chairman, I would like to thank Mr. HUIZENGA for addressing one of the many glaring problems with this bill.

Title III of this bill significantly expands an exemption granted by the SEC to certain brokers but without providing the significant protections the SEC deemed important for small businesses or investors.

This amendment would prevent people who have committed fraud and securities violations—individuals who couldn't sell used stock but who could sell your small business in the underlying bill—from claiming this exemption.

However, why does the amendment limit the bad actor provision to just this title? Why not make it explicit that persons and companies that have committed fraud are not eligible to take advantage of any of the exemptions provided in this act?

I also appreciate that the amendment prevents public shell companies from taking advantage of this title, which would otherwise allow private companies to circumvent important public company disclosure requirements.

Mr. Chairman, I would like to know why the author completely ignores the other six investor protections in the SEC's no action relief. I am not aware of any witness before our committee who explained how these other investor protections were burdensome. Indeed, they seemed like commonsense protections.

For example, the SEC required merger and acquisition brokers who represent both parties of the transaction to obtain the consent of both parties to that conflict of interest. Similarly, the SEC prohibited M&A brokers from engaging in private placements and arranging buyer financing because the narrow exemption from registration is intended for persons who fairly facilitate the merger of small businesses, not for the promoters who are compensated for their ability to hype up the value of the companies and attract new investment.

□ 1530

If Republicans truly wanted to codify the SEC's administrative action to provide legal certainty for these brokers, then they should have accepted the Democratic amendment adding back in these protections. But that isn't the point of this bill, and this amendment is just a sleight of hand that all is well.

Let me just mention here that registered broker-dealers are subject to a variety of regulatory requirements that nonbroker-dealer M&A advisers are not, including, without limitation,

regarding antimoney laundering, privacy of customer information, supervisory reporting and recordkeeping requirements, inspections by the SEC and SRO, such as FINRA, supervision and regulation of employees' trading and outside business activities, insider trading, and regulations governing interactions between a broker-dealer's investment banking and research departments.

H.R. 686 risks promoting lower standards and less rigor and regulatory oversight in the providing of this important advice.

It is worthy to add that SIFMA is opposed to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. SHERMAN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 114-414.

Mr. SHERMAN. Mr. Chairman, I offer my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 16, insert the following:

“(C) DISQUALIFICATION FOR CERTAIN CONDUCT.—An M&A broker may not make use of the exemption under this paragraph if the broker—

“(i) has been barred from association with a broker or dealer by the Commission, any State, or any self-regulatory organization; or

“(ii) is suspended from association with a broker or dealer.

“(D) TRANSACTIONS INVOLVING SHELL COMPANIES PROHIBITED.—

“(i) IN GENERAL.—An M&A broker making use of the exemption under this paragraph may not engage in a transaction involving a shell company, other than a business combination related shell company.

“(ii) SHELL COMPANY DEFINED.—In this subparagraph, the term ‘shell company’ means a company that—

“(I) has no or nominal operations; and

“(II) has—

“(aa) no or nominal assets;

“(bb) assets consisting solely of cash and cash equivalents; or

“(cc) assets consisting of any amount of cash and cash equivalents and nominal other assets.

“(iii) BUSINESS COMBINATION RELATED SHELL COMPANY DEFINED.—In this subparagraph, the term ‘business combination related shell company’ means a shell company that is formed by an entity that is not a shell company solely for the purpose of—

“(I) changing the corporate domicile of such entity solely within the United States; or

“(II) completing a business combination transaction (as defined in section 230.165(f) of title 17, Code of Federal Regulations) among one or more entities other than the shell company, none of which is a shell company.

“(E) FINANCING BY M&A BROKERS PROHIBITED.—An M&A broker may not provide financing, either directly or indirectly, related to the transfer of ownership of an eligible privately held company.

“(F) DISCLOSURE AND CONSENT.—To the extent an M&A broker represents both buyers

and sellers of an eligible privately held company, the broker shall provide clear written disclosure as to the parties the broker represents and obtain written consent from all parties to the joint representation.

“(G) PASSIVE BUYERS PROHIBITED.—An M&A broker may not engage in a transaction involving the transfer of ownership of an eligible privately held company to a passive buyer or group of passive buyers.

“(H) NO AUTHORITY TO BIND PARTY TO TRANSFER.—The M&A broker may not bind a party to a transfer of ownership of an eligible privately held company.

“(I) RESTRICTED SECURITIES.—Any securities purchased or received by the buyer or M&A broker in connection with the transfer of ownership of an eligible privately held company are restricted securities (as defined in section 230.144(a)(3) of title 17, Code of Federal Regulations).

Page 10, line 8, insert “, and” after “officer”.

Page 10, beginning on line 11, strike “20 percent” and insert “25 percent”.

Page 10, line 14, strike “20 percent” and insert “25 percent”.

Page 10, line 19, strike “20 percent” and insert “25 percent”.

Page 12, beginning on line 19, strike “will be active in the management of” and insert “will actively operate”.

The Acting CHAIR. Pursuant to House Resolution 595, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Chairman, there may be some acrimony on the floor from time to time, but I think we are mostly in agreement.

The SEC, under some tutelage from the committee, in January of 2014 issued its no-action letter providing that, in certain circumstances, a small business merger or acquisitions broker would not have to register. They issued this in January of 2014.

The gentleman from Michigan brought forward a good bill designed to codify that decision by the SEC, but he did not in his codification include six of the limitations that the SEC had in its no-action letter.

Now he has brought forward and I think we just adopted an amendment to add to his bill the two most important limitations that the SEC had in its no-action letter.

It excludes from the exemption those who have been bad actors in the past and barred from association with broker-dealers, and it excludes shell companies.

As far as it goes, I think that is a good amendment. I am glad we adopted it.

But if we are going to deal with this area with statute, we should take a look at the other exclusions from the exemption that the SEC included in its no-action letter.

The amendment that is before us today is the same amendment I offered in committee. It does everything that the gentleman from Michigan's amend-

ment does and takes the additional exclusions that the SEC had in its no-action letter.

The most important of these is to require that, to be eligible, a broker would have to disclose to both parties and get consent from both parties if they are getting paid by both parties.

So if you are getting a seller's commission and a buyer's commission, you would tell the buyer and the seller that that is the case. This amendment would add that as a requirement for the exemption.

We would also have, as the SEC had in its no-action letter, an exclusion where there are passive buyers. So this is the amendment I offered in committee. It includes the amendment that we just adopted. It includes the other exclusions from the exemption that the SEC adopted.

None of the SEC's exclusions from its exemption have been controversial. So I would like to go beyond the gentleman from Michigan's amendment and include all of those exclusions from the exemption.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I do appreciate the gentleman from California's amendment. I think there are a lot of well-thought ideas here. I appreciate the sentiment by which he approached the amendment.

I do believe, though, that, in this particular case, this amendment goes a little bit too far in the wrong direction and ultimately can prove to hurt a number of small businesses and economic growth.

Number one, a lot of what the gentleman is trying to achieve I think has already been achieved in the amendment by the gentleman from Michigan that we just approved on voice vote here on the floor.

I would also add that, with the amendment from the gentleman from Michigan, who has the underlying title of this bill, the language now is identical to the bipartisan Senate language.

We know how difficult it is to get laws passed. I think it is important, where we can, to align the language with the other side of the Capitol. I think this could ease passage of a bill which is bipartisan, again, on both ends of the Capitol.

Again, I appreciate what the gentleman from California is trying to do, but I think that the gentleman from Michigan strikes the appropriate balance.

Mr. SHERMAN. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from California.

Mr. SHERMAN. Mr. Chair, there might be some advantage to having

language identical to the Senate, if the bill was identical to a Senate bill.

In this case, this title is being added to five other titles. In the committee, we dealt with it as six separate bills. Here on the floor, it is one bill. So there is no particular advantage to conforming to the Senate.

If the Senate language does not exclude from the exemption those brokers that fail to disclose that they are representing both sides, then that proves the additional wisdom—

Mr. HENSARLING. Mr. Chairman, reclaiming my time. I appreciate the gentleman's pushback, but I am still not going to quite see things his way.

I believe that the gentleman from Michigan strikes the proper balance here, particularly at a time when, again, our working families are struggling and this economy is limping along. We had a fourth-quarter GDP report where this economy was barely on life support systems.

We have to jump-start our small businesses. We have to jump-start capital formation. The gentleman from Michigan has the right balance.

I reserve the balance of my time.

Mr. SHERMAN. Mr. Chairman, we have tough economic conditions out in our country. We need more jobs. We need business to operate smoothly.

How many jobs do we create by telling merger and acquisition brokers that they can get fees from the seller and get fees from the buyer and not tell either party that they are getting paid by both parties?

That is not an essential element. That failure to disclose is not an essential element of rejuvenating the American economy.

This bill is not identical to the Senate bill because this bill has six titles. The Senate bill has one title.

Here is a chance for the House to show its superior wisdom to include language that neither the author of the bill nor the chairman of the committee argues against in substance to add language that says that, if you want to enjoy this exemption, you have to tell both parties that you are being paid by both parties if, indeed, you are being paid by both parties.

So this additional disclosure requirement is good on the merits. It does nothing to delay the adoption of the additional legislation. I am confident that a rejuvenation of our economy does not require that we conceal from those who are buying and selling businesses the fact that their broker is getting paid by both sides. Let's provide for full disclosure. Let's revitalize the economy.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Mr. Chairman, I appreciate the efforts of

my colleague from California. We have worked well on a number of these issues.

I would point out, though, that maybe not you, but some others are trying to act like this is the monumental thing whereas mergers and acquisitions are going to fail or flounder whether your amendment is passed.

While it may be of some interest and I think it has some things that are either benign or not terribly objectionable, we do know—and I think we probably would both jointly agree—that oftentimes our problem isn't between us. It is between trying to get this body and the Senate to agree. If we can have one less thing to have a disagreement with them on as we are advancing this, I am all for it.

I will specifically say subsection (C) on page 1, as you are talking about, my amendment adds what you have in there and more bad actor disqualifications. Actually, your amendment would roll that back. I don't think that was your intention, but that is what it would do.

In subsection (D), our amendment adds the same disqualification, but is shorter and simpler to understand, which is also important as we are dealing with the Senate.

In subsection (E), there is no apparent reason to prevent private business sellers and buyers from getting a transaction fee from a bank that is affiliated with an M&A broker. There shouldn't be some sort of exclusion on that.

In subsection (F), it is highly, highly unusual that an M&A broker would work for both the seller and the buyer in the same transaction. So I think this is maybe a section in search of a problem.

Subsection (G), adding this prohibition is frankly redundant, in our view, and could cause some more confusion.

In subsection (H), the reasonable belief element sort of does the same thing. I am not sure what we are trying to get at other than maybe causing some more confusion. It is not, again, an intention of that but is what it would do.

Subsection (I) is simply restating the existing law.

So I think, as we are going through this, we are not wildly out of disagreement. I just believe that the amendment that was offered and passed earlier, which puts us in line, again, with the efforts of the Senate, is a better way to go.

Again, to my friend from California, this is not you that I will direct this at, but others on your side of the aisle who are pointing to the no-action letter as the reason why we don't have to do this legislation.

Yet, now we are saying we have to pass your amendment because it is only a no-action letter and we need this into the law. So we can't have it both ways.

Mr. HENSARLING. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was rejected.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. THORNBERRY) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2015

The Committee resumed its sitting.

The Acting CHAIR (Mr. BYRNE). It is now in order to consider amendment No. 4 printed in part A of House Report 114-414, which the Chair understands will not be offered.

It is now in order to consider amendment No. 5 printed in part A of House Report 114-414, which the Chair understands will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. ISSA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 114-414.

Mr. ISSA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, after line 9, insert the following:

(d) LIMITATION TO NEW FILERS.—The exemptions set forth in subsections (a) and (b) shall apply only with respect to issuers that are first required to file financial statements and other periodic reporting with the Commission under the securities laws after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 595, the gentleman from California (Mr. ISSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Chair, my amendment quite simply makes this bill better. Since 2011, almost 5 years, virtually every single public company has reported financial statements to the SEC by electronic, searchable, readable data format, often called XBRL.

□ 1545

This searchable data allows the investor community to look through data in a way they never could under paper, and its accuracy is as good or as bad as the source material that goes onto that paper.

Now, both the author of the bill and myself agree on one thing: printing

paper and sending electronic format is outdated. There is no question at all that the SEC, the Securities and Exchange Commission, is long overdue to convert to an all-electronic filing.

As a matter of fact, for most of the people that will be listening and watching today, they are already electronically filing their income tax and then printing out a paper copy to stick in a drawer. The idea that a public company who spends two, three, four or more millions of dollars in compliance every year would file paper, and then that paper would be electronically scanned, sent to India, converted to data, and then analyzed by the investment community is truly about the most backwards way one could imagine doing it.

What my amendment to Mr. HURT's bill that is enclosed in the larger bill says is, we understand that some small startup companies, even though they are going public, may have a difficult time transitioning, and the idea that they would be allowed to go optional, as Congressman HURT's bill intends, is acceptable if, in fact, it is for a short period of time, as the eventual transition to all-electronic filing goes forward.

The many thousands of companies who have been successfully filing electronically and who have software that makes it simply a push of a button, coming off of this would, in fact, be a giant step backwards.

As we go toward all-electronic filing and the elimination of the absurdity of paper as the standard of the Securities and Exchange Commission, we only ask that this provision be one that is focused on new companies for a short period of time. That is the reason the amendment takes the 5-year exemption to all companies to be simply an exemption to new IPOs; in other words, companies that may not at the time of their public offering already have the software in place to do this filing.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in gentle opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I say I rise in gentle opposition—I do not say that tongue in cheek—because the gentleman from California is highly respected as a Member of this body. His opinions are respected as an entrepreneur and as a small-business individual. His acumen is respected as an investor, and so it is not a pleasant experience to oppose one of his amendments. I appreciate the sentiment with which he offers it.

I would just remind all that title IV of the bill provides an optional exemption from the XBRL data filing requirements for emerging growth and smaller public companies for a limited period of time. I think there is an open

question. One thing that the gentleman didn't get the benefit of was hearing all the testimony that we had within our committee. There was a lot of testimony about just how costly this is to a number of these companies.

Now, if the investing public demands it, then smaller companies will do it. For example, there was a Sarbanes-Oxley exemption for some smaller companies and only roughly half of them took it because for certain smaller companies what they found out was, well, the investors demanded it.

I would say, again, why don't we let the free market determine this. We are not talking about the types of information that are provided in disclosure. We are talking about the format. We are talking about the format of disclosure.

We have heard testimony from a company that is spending over \$50,000 annually on XBRL compliance and, at least in their case, they can't find people who follow their company who are actually using it, so that is \$50,000 a year that could go into R&D, that could go into productivity enhancement, that could go into hiring more individuals.

I am not saying that XBRL is unimportant, but I think to some extent that at least for the smaller companies, and particularly at this time in our country's economic history, where we came off of an incredibly horrendous quarter, and we know that after 8 years of Obamanomics, we are limping along at half of our average economic growth, I think we want to err on the side of our small businesses, of our entrepreneurial ventures, of our small business startups, so I appreciate the value that XBRL provides to a lot of companies, a lot of investors, but I think if they demand it enough, we will provide it.

Mr. Chairman, I reserve the balance of my time.

Mr. ISSA. Mr. Chairman, I yield 30 seconds to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), a senior member of the Committee on Financial Services.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I rise in support of the gentleman's well thought out and meaningful amendment.

All financial regulators in the developed world require searchable PDFs, as his bill would allow, and that is why the Securities and Exchange Commission began requiring the extensible business reporting language. XBRL is the global standard for structured financial reporting. Why should we be any different?

By removing the requirement for 60 percent of the firms, as H.R. 1965 does, is a step backward for corporate transparency and the ability for investors to invest in new startups. It is a well-thought-out amendment. I congratulate you on it. I support it.

Mr. HENSARLING. Mr. Chairman, I reserve the balance of my time.

Mr. ISSA. Mr. Chairman, may I inquire as to how much time each side has remaining?

The Acting CHAIR. The gentleman from California has 1¾ minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. ISSA. Mr. Chairman, in closing, I have been on the board of a public company, of multiple public companies. I have taken a company public, as have many of the supporters of this amendment. I know the cost of taking a company public. It is in the millions. It is not in the thousands.

I also know that whether it is Bernie Madoff or Enron or WorldCom or a host of much smaller companies that have deceived the public, the Securities and Exchange Commission has an obligation to continuously improve the material available to the financial community and to make sure that it is equally searchable and equally accessible to the large and small investor. That is the reason that I strongly believe that elimination of paper, not covered in this bill, should not be replaced by elimination in any way of the reporting under the digital reporting requirements of the Securities and Exchange Commission.

I would urge Members that this is narrowly focused, much more narrow than the bill itself. It recognizes that if somebody wants to go public and not do this, they would have the ability to do so. As Mrs. MALONEY said, for 60 percent of the reporting companies to be exempted out would begin to rot away the underpinnings of a 5-year-old program that has been successful.

I would hope people would realize that it is not a necessary, a draconian backwards step to before 2011. In fact, from my information and from my experience, it is a de minimis cost to simply include a digital format that the world can look at and evaluate quicker and with greater accuracy.

I would like to thank the gentleman from Texas (Mr. HENSARLING), the chairman of the full committee, for bringing a combined bill that I generally approve of and hope that this amendment will make it a bill I can vote for.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I am happy to yield the balance of my time to the gentleman from Virginia (Mr. HURT), the author of title IV of H.R. 1675.

Mr. HURT of Virginia. Mr. Chairman, I join the chairman of the Committee on Financial Services in my respect for the proponent of this amendment. I certainly appreciate his efforts in attempting to make this title better, but I would point out a couple of things.

The first thing I would say, as the chairman of the Committee on Financial Services has said, this is a voluntary exemption. It is a temporary

exemption. We heard in the committee this Congress and in previous Congresses that the XBRL format that has been required by the SEC since 2009 has not been reliable. A Columbia study that was done in 2012 indicated at that time that only 10 percent of investors actually used, found XBRL format useful in doing analysis of public companies.

It is for those reasons that we believe that this temporary, voluntary option for smaller companies not submitting to the SEC in this format makes sense.

I would submit to you that what this amendment does is it would require all companies that are currently submitting in this form to continue. What it would do is exempt future companies. Well, it strikes me like this. If this XBRL format and process is not ready for prime time, if it is not ready for prime time for future users, then we also ought to give relief for those who are currently having to do it and would like not to do it.

I believe that we should allow all emerging growth companies and smaller issuers to take advantage of this voluntary exemption while the SEC is getting this format ready for prime time.

This amendment goes to the very essence of the underlying measure and would not substantively provide any relief to the small companies who are currently being negatively impacted by this failed XBRL system.

I urge my colleagues to oppose this amendment and ask for the support of the underlying bill.

Mr. HENSARLING. Mr. Chairman, I yield back the balance of the time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. ISSA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 7 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 114-414.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, as the designee of the gentleman from Minnesota (Mr. ELLISON), the prime author of the amendment, of which I am a lead co-sponsor, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike title IV.

The Acting CHAIR. Pursuant to House Resolution 595, the gentlewoman from New York (Mrs. CAROLYN B.

MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, this amendment strikes title IV of H.R. 1675.

Title IV of this bill requires the Securities and Exchange Commission exempt public companies with less than \$250 million in annual revenue from reporting their financial information as searchable data. This exemption would cut off access to searchable, easily accessible data for about 60 percent of all public companies.

Instead of using searchable, structured data, we would return to a paper-based system. Exempting 60 percent of public companies from filing their financials in a structured, understandable way makes it harder for the people who review corporate financial disclosure documents to understand what is going on in a company. Eliminating the requirement for searchable data harms researchers and academics, regulators, investors, and the general public. All of them will have a harder time understanding the financial performance of corporations.

If title IV is passed, documents that are nonsearchable must be manually reviewed to extract useful information, and manual review is much more prone to error. No other financial regulator in the developed world does not require searchable PDFs. That is why the Securities and Exchange Commission began requiring reporting in eXtensible Business Reporting Language, XBRL. It is the global standard for structural financial reporting. We would be behind the world if we do this.

By removing the requirement for 60 percent of firms, H.R. 1675 is a backward step for corporate transparency and for investor knowledge and investors.

I support this amendment, and I believe that we need to move our financial analysis into the modern world.

□ 1600

We spend a great deal of time on the Financial Services Committee talking about ways to improve small companies' access to capital. Well, that is exactly what XBRL can do. So I am puzzled that some of my colleagues on the other side of the aisle would want to move backward on XBRL instead of moving forward.

XBRL makes it possible for investors and analysts to very quickly download standardized financial information for an entire industry and make immediate cross-company comparisons in order to identify the best performers. It makes it easier for them to invest in startups. This allows investors to spend more time analyzing data and less time gathering data.

This will also enable investors to more easily identify the companies

that are diamonds in the rough, so to speak. Very often, these are small companies that are innovative. These are building models that we need to support.

Right now, these small companies have trouble attracting the attention of analysts and institutional investors—this is a fundamental fact, and we spend a lot of time on the Financial Services Committee trying to figure out why this is.

Well, one reason is it's simply too time-consuming for analysts and investors to pick through every small company's hundred-page financial filings. Economists call these costs "search costs"—and unfortunately, they still dramatically outweigh the benefits.

A small company's filings may tell a fantastic story about why that company is poised to be the next Apple, but if the "search costs" are high enough that analysts and investors never see them, that company will never get the capital infusion it needs to grow. And our economy will never realize the benefits that the company has to offer.

This is where XBRL comes in. It dramatically reduces the "search costs" by making it fast and cheap for investors to gather standardized financial statements for entire industries—including the small companies that the investor wouldn't have bothered with before.

If those small companies offer greater value than the bigger, more established companies in the industry, then it will likely be obvious to the investor when she looks at the data. This will result in capital flowing more efficiently—not just to the biggest, most well-known companies, but to the companies that can use that capital in the most efficient way.

But it's important to remember that if those small companies don't file their financial information in XBRL format, then their financial statements won't be part of the investor's data set—and thus will never get a much-needed capital infusion from that investor.

This is how XBRL can help improve small companies' access to capital.

So if you're concerned about access to capital, then you should vote for this amendment.

I urge my colleagues to support the amendment.

I yield the balance of my time to the gentleman from Minnesota (Mr. ELLISON), my distinguished colleague, who is now here.

Mr. ELLISON. Mr. Chairman, if you are a company that is going public, if you are a company that wants to sell shares to retail investors, you are not a small business. You are a big business. You are in the big leagues.

Along with the privileges comes some responsibility. If you are too small to report your data, then you are too small to be on the NASDAQ. If you can't run with the big dogs, you should stay on the porch.

True, they could choose to report in searchable, structured data, but that would result in a fractured system. Some report by searchable data, some by PDFs.

I want the people who review corporate financial disclosure documents to have the data that they need. They

need to find corporate financial data faster, in more detail, and at lower cost. That is where eXtensible Business Reporting Language, or XBRL, comes in. XBRL is operating now.

When the exemption was brought before the previous Congress, two witnesses testified to costs of \$50,000 or more to file in XBRL. But these two companies appear to be outliers.

The American Institute for Certified Public Accountants found that smaller firms pay, on average, \$10,000 a year. Meanwhile, the group of companies that would be exempt under this bill paid more than \$1 million in legal and financial banking fees in 2013 just to raise capital from investors. So the cost of XBRL is minuscule compared to the other costs of being a public company.

This amendment is meritorious, and I ask for its support.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, every working American knows this economy stinks. There are no two ways about it.

We have got to jump-start our small businesses and our emerging growth companies. Entrepreneurship is at a generational low. Let's do something to actually help our small businesses raise capital. You can't have capitalism without capital.

The gentleman from Virginia, the author of title IV, provides a very simple optional exemption from the XBRL data filing requirement. It has nothing to do with the content of disclosure, Mr. Chairman. All it has to do with is the format—a format that is very expensive for a number of our emerging growth companies, some of whom testified that a lot of investors don't even use it.

So what we are essentially hearing from the author of the amendment and others is a rough translation that this is in the small business' best interest because they will need it to attract investors. Well, why don't we let them make that decision? This is almost the analog of ObamaCare: the American people were too stupid to know what kind of health care they needed.

If XBRL works for these small companies, they will use it. If it doesn't, then they will opt out of it. It is optional for emerging growth companies and smaller public companies. It is temporary. It is a huge burden on these companies at a time when we just had one of the worst quarters of economic growth we have seen in years and when the economy continues to lag at roughly half of its historic economic growth.

At some point, I would hope the other side of the aisle would end the war on small businesses and emerging growth companies. We need title IV.

I yield the balance of my time to the gentleman from Virginia (Mr. HURT), the author of title IV of H.R. 1675.

Mr. HURT of Virginia. Mr. Chairman, I rise in opposition to this amendment.

The first amendment that we heard about from the gentleman from California was certainly couched as a friendly amendment. This amendment, to be sure, is not a friendly amendment because what it does is strike title IV altogether. I certainly appreciate the comments made by the gentleman and the gentlewoman in support of the amendment, but I would suggest to you that this amendment is not a constructive approach.

There have been a lot of misstatements about what this title does, but the fact is this: If the SEC were ready to effectively implement XBRL, we wouldn't be having this conversation, but the SEC is not. Smaller and emerging growth companies are wasting valuable resources on a system that is not ready for prime time.

One of the things that was said earlier was that this exemption would affect 60 percent of the companies that are regulated. The truth of it is and the perspective that needs to be remembered is this:

Number one, among those 60 percent of companies, we are talking about only less than 7 percent of the market value of all public companies. So, in the grand scheme of things, we are talking about companies that are small.

The second thing we know about them is they are our most dynamic job creators, period; and the purpose of this bill, the purpose of this title, is to support those that are actually creating jobs in an economy where we need jobs desperately.

The other point that I would make is to reiterate again what the chairman said, and that is that title IV is voluntary. It is optional. If it is good for the company, then the company can choose to continue to submit this information in that format. If a company doesn't believe that it is in its best interest and there is not value to it and to potential investors, then it is something they should not have to waste time on.

The second point is that it is completely temporary. It is a completely temporary exemption that will expire in 5 years.

I agree with where we want to go in terms of the technology, but asking these small companies who are our Nation's most dynamic job creators to waste their resources on a system that is not yet useful to them or to their investors is something that we should not stand for.

With that, I ask my colleagues to oppose this amendment.

Mrs. CAROLYN B. MALONEY of New York. I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tlewoman from New York (Mrs. CAROLYN B. MALONEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 114-414 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. DESAULNIER of California.

Amendment No. 6 by Mr. ISSA of California.

Amendment No. 7 by Mrs. CAROLYN B. MALONEY of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. DESAULNIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 243, not voting 10, as follows:

[Roll No. 57]

AYES—180

Adams	Cohen	Fudge
Aguilar	Connolly	Gabbard
Ashford	Conyers	Gallego
Bass	Cooper	Garamendi
Beatty	Costa	Gibson
Becerra	Courtney	Graham
Bera	Crowley	Grayson
Bishop (GA)	Cuellar	Green, Al
Blumenauer	Cummings	Green, Gene
Bonamici	Davis (CA)	Grijalva
Boyle, Brendan F.	Davis, Danny	Gutiérrez
Brady (PA)	DeFazio	Hahn
Brown (FL)	DeGette	Hastings
Brownley (CA)	Delaney	Heck (WA)
Bustos	DeLauro	Higgins
Capps	DelBene	Himes
Capuano	DeSaulnier	Hinojosa
Cárdenas	Dingell	Honda
Carney	Doggett	Hoyer
Carson (IN)	Doyle, Michael F.	Huffman
Cartwright	Duckworth	Israel
Castor (FL)	Edwards	Jackson Lee
Chu, Judy	Ellison	Jeffries
Ciçilline	Engel	Johnson, E. B.
Clark (MA)	Eshoo	Kaptur
Clarke (NY)	Esty	Keating
Clay	Fattah	Kelly (IL)
Cleaver	Foster	Kennedy
Clyburn	Frankel (FL)	Kildee
		Kilmer

Kind	Murphy (FL)	Scott, David
Kirkpatrick	Nadler	Serrano
Kuster	Napolitano	Sewell (AL)
Langevin	Neal	Sherman
Larsen (WA)	Nolan	Sinema
Larson (CT)	Norcross	Sires
Lawrence	O'Rourke	Slaughter
Lee	Pallone	Speier
Levin	Payne	Swalwell (CA)
Lewis	Pelosi	Takai
Lieu, Ted	Perlmutter	Takano
Lipinski	Peters	Thompson (CA)
Loeb sack	Peterson	Thompson (MS)
Lofgren	Pingree	Titus
Lowenthal	Pocan	Tonko
Lowe	Polis	Torres
Lujan Grisham (NM)	Price (NC)	Tsongas
Lujan, Ben Ray (NM)	Quigley	Van Hollen
Lynch	Rangel	Vargas
Maloney, Carolyn	Rice (NY)	Veasey
Maloney, Sean	Richmond	Vela
Matsui	Roybal-Allard	Velázquez
McCollum	Ruiz	Visclosky
McDermott	Ruppersberger	Walz
McGovern	Ryan (OH)	Wasserman
McNerney	Sánchez, Linda T.	Schultz
Meeks	Sanchez, Loretta	Waters, Maxine
Meng	Sarbanes	Watson Coleman
Moore	Schakowsky	Welch
Moulton	Schiff	Wilson (FL)
	Schrader	Yarmuth
	Scott (VA)	

NOES—243

Abraham	Farenthold	Labrador
Aderholt	Fincher	LaHood
Allen	Fitzpatrick	LaMalfa
Amash	Fleischmann	Lamborn
Amodei	Fleming	Lance
Babin	Flores	Latta
Barletta	Forbes	LoBiondo
Barr	Fortenberry	Long
Barton	Fox	Loudermill
Benish	Franks (AZ)	Love
Bilirakis	Frelinghuysen	Lucas
Bishop (MI)	Garrett	Luetkemeyer
Bishop (UT)	Gibbs	Lummis
Black	Gohmert	MacArthur
Blackburn	Goodlatte	Marchant
Blum	Gosar	Marino
Bost	Gowdy	Massie
Boustany	Granger	McCarthy
Brady (TX)	Graves (GA)	McCaul
Brat	Graves (LA)	McClintock
Bridenstine	Graves (MO)	McHenry
Brooks (AL)	Griffith	McKinley
Brooks (IN)	Grothman	McMorris
Buchanan	Guinta	Rodgers
Buck	Guthrie	McSally
Bucshon	Hanna	Meadows
Burgess	Hardy	Meehan
Butterfield	Harper	Messer
Byrne	Harris	Mica
Calvert	Hartzer	Miller (FL)
Carter (GA)	Heck (NV)	Miller (MI)
Carter (TX)	Hensarling	Moolenaar
Chabot	Hice, Jody B.	Mooney (WV)
Chaffetz	Hill	Mullin
Clawson (FL)	Holding	Mulvaney
Coffman	Hudson	Murphy (PA)
Cole	Huelskamp	Neugebauer
Collins (GA)	Huizenga (MI)	Newhouse
Collins (NY)	Hultgren	Noem
Comstock	Hunter	Nugent
Conaway	Hurd (TX)	Nunes
Cook	Hurt (VA)	Olson
Costello (PA)	Issa	Palazzo
Crawford	Jenkins (KS)	Palmer
Crenshaw	Jenkins (WV)	Pascarell
Culberson	Johnson (GA)	Paulsen
Curbelo (FL)	Johnson (OH)	Pearce
Davis, Rodney	Johnson, Sam	Perry
Denham	Jolly	Pittenger
Dent	Jones	Pitts
DeSantis	Jordan	Poe (TX)
DesJarlais	Joyce	Poliquin
Diaz-Balart	Katko	Pompeo
Dold	Kelly (MS)	Posey
Donovan	Kelly (PA)	Price, Tom
Duffy	King (IA)	Ratcliffe
Duncan (SC)	King (NY)	Reed
Duncan (TN)	Kinzinger (IL)	Reichert
Ellmers (NC)	Kline	Renacci
Emmer (MN)	Knight	Ribble

Rice (SC)	Shimkus	Walker	Castor (FL)	Huffman	Pascrell	Kline	Olson	Sinema
Rigell	Shuster	Walorski	Chu, Judy	Israel	Payne	Knight	Palazzo	Smith (MO)
Roby	Simpson	Walters, Mimi	Cicilline	Issa	Pelosi	Labrador	Paulsen	Smith (NJ)
Roe (TN)	Smith (MO)	Weber (TX)	Clark (MA)	Jackson Lee	Peters	LaHood	Pearce	Smith (TX)
Rogers (AL)	Smith (NE)	Webster (FL)	Clarke (NY)	Jeffries	Peterson	Lamborn	Perlmutter	Stefanik
Rogers (KY)	Smith (NJ)	Wenstrup	Clay	Johnson (GA)	Pingree	Lance	Perry	Stewart
Rohrabacher	Smith (TX)	Westerman	Cleaver	Johnson, E. B.	Pitts	Latta	Pittenger	Stivers
Rooney (FL)	Stefanik	Whitfield	Clyburn	Jones	Pocan	Long	Poe (TX)	Stutzman
Ros-Lehtinen	Stewart	Williams	Cohen	Katko	Polis	Love	Poliquin	Thompson (PA)
Roskam	Stivers	Wilson (SC)	Connolly	Keating	Price (NC)	Lucas	Pompeo	Thornberry
Ross	Stutzman	Wittman	Conyers	Kelly (IL)	Quigley	Luetkemeyer	Posey	Tiberi
Rothfus	Thompson (PA)	Womack	Cooper	Kennedy	Rangel	Lummis	Price, Tom	Tipton
Rouzer	Thornberry	Woodall	Costa	Kildee	Rice (NY)	MacArthur	Ratcliffe	Trott
Royce	Tiberi	Yoder	Courtney	Kilmer	Richmond	Marchant	Reed	Turner
Russell	Tipton	Yoho	Crowley	Kind	Roybal-Allard	Marino	Reichert	Upton
Salmon	Trott	Young (AK)	Cummings	Kirkpatrick	Ruiz	Massie	Renacci	Valadao
Sanford	Turner	Young (IA)	Davis (CA)	Kuster	Ruppersberger	McCarthy	Ribble	Vargas
Scalise	Upton	Young (IN)	Davis, Danny	Langevin	Russell	McCaul	Rice (SC)	Wagner
Schweikert	Valadao	Zeldin	DeFazio	Larsen (WA)	Ryan (OH)	McClintock	Rigell	Walberg
Scott, Austin	Wagner	Zinke	DeGette	Larson (CT)	Sánchez, Linda T.	McKinley	Roby	Walden
Sensenbrenner	Walberg		DeLauro	Lawrence	Sanchez, Loretta	McMorris	Roe (TN)	Walker
Sessions	Walden		Lee	Lee	Sanford	Rodgers	Rogers (AL)	Walorski
			DeSaulnier	Levin	Sarbanes	McSally	Rohrabacher	Walters, Mimi
			Dingell	Lewis	Schakowsky	Meadows	Rokita	Weber (TX)
			Doggett	Lieu, Ted	Schiff	Meehan	Rooney (FL)	Wenstrup
			F.	Lipinski	Schrader	Mica	Ros-Lehtinen	Westerman
			Doyle, Michael	LoBiondo	Scott (VA)	Miller (FL)	Roskam	Whitfield
				Loeb sack	Scott, David	Miller (MI)	Ross	Williams
				Lofgren	Serrano	Moolenaar	Rothfus	Wilson (SC)
				Loudermilk	Sewell (AL)	Mooney (WV)	Rouzer	Wittman
				Lowenthal	Sherman	Mullin	Royce	Womack
				Lujan Grisham	Sires	Mulvaney	Scalise	Woodall
				(NM)	Slaughter	Murphy (FL)	Schweikert	Yoder
				Luján, Ben Ray	Speier	Murphy (PA)	Scott, Austin	Yoho
				(NM)	Swallow (CA)	Neugebauer	Sensenbrenner	Young (AK)
				Lynch	Takai	Newhouse	Sessions	Young (IA)
				Maloney,	Takano	Noem	Shimkus	Young (IN)
				Carolyn	Thompson (CA)	Nugent	Shuster	Zeldin
				Maloney, Sean	Thompson (MS)	Nunes	Simpson	Zinke
				Matsui	Titus			
				McCollum	Tonko			
				McDermott	Torres			
				McGovern	Tsongas			
				McHenry	Van Hollen			
				McNerney	Veasey			
				Meeks	Vela			
				Meng	Velázquez			
				Messer	Visclosky			
				Moore	Walz			
				Moulton	Wasserman			
				Nadler	Schultz			
				Napolitano	Waters, Maxine			
				Neal	Watson Coleman			
				Nolan	Webster (FL)			
				Norcross	Welch			
				O'Rourke	Wilson (FL)			
				Pallone	Yarmuth			

NOT VOTING—10

Beyer	Farr	Smith (WA)
Castro (TX)	Herrera Beutler	Westmoreland
Cramer	Rokita	
Deutch	Rush	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1628

Mrs. McMORRIS RODGERS, Mrs. COMSTOCK, Messrs. CRAWFORD, MEEHAN, BISHOP of Michigan, McCLINTOCK, RODNEY DAVIS of Illinois, WEBSTER of Florida, BOSTANY, KATKO, MARCHANT, and GROTHMAN changed their vote from “aye” to “no.”

Mrs. BEATTY, Mses. BROWNLEY of California and PINGREE, Mrs. KIRKPATRICK, Messrs. LIPINSKI and LEWIS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. ISSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ISSA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 221, not voting 18, as follows:

[Roll No. 58]

AYES—194

Adams	Blum	Bustos
Aguilar	Blumenauer	Butterfield
Ashford	Bonamici	Calvert
Bass	Boyle, Brendan	Capps
Beatty	F.	Capuano
Becerra	Brady (PA)	Cárdenas
Bera	Brown (FL)	Carney
Bishop (GA)	Brownley (CA)	Carson (IN)
Bishop (UT)	Burgess	Cartwright

NOES—221

Abraham	Cook	Graves (LA)
Aderholt	Costello (PA)	Graves (MO)
Allen	Crawford	Griffith
Amash	Crenshaw	Grothman
Amodei	Culberson	Guinta
Babin	Curbelo (FL)	Guthrie
Barletta	Davis, Rodney	Gutiérrez
Barr	Delaney	Hardy
Barton	Denham	Harper
Benishak	Dent	Harris
Bilirakis	DeSantis	Hartzler
Bishop (MI)	DesJarlais	Heck (NV)
Black	Diaz-Balart	Hensarling
Blackburn	Dold	Hice, Jody B.
Bost	Donovan	Hill
Boustany	Duffy	Holding
Brady (TX)	Ellmers (NC)	Hudson
Brat	Emmer (MN)	Huelskamp
Bridenstine	Engel	Huizenga (MI)
Brooks (AL)	Farenthold	Hultgren
Brooks (IN)	Fincher	Hunter
Buchanan	Fitzpatrick	Hurd (TX)
Buck	Fleming	Hurt (VA)
Bucshon	Flores	Jenkins (KS)
Byrne	Forbes	Jenkins (WV)
Carter (GA)	Fortenberry	Johnson (OH)
Carter (TX)	Fox	Johnson, Sam
Chabot	Jolly	Jolly
Chaffetz	Garrett	Jordan
Capps	Gibbs	Joyce
Clawson (FL)	Gibson	Kaptur
Coffman	Gohmert	Kelly (MS)
Collins (GA)	Gowdy	Kelly (PA)
Collins (NY)	Granger	King (NY)
Comstock	Graves (GA)	Kinzing
Conaway		

NOT VOTING—18

Beyer	Goodlatte	Rogers (KY)
Castro (TX)	Grayson	Rush
Cole	Herrera Beutler	Salmon
Cramer	King (IA)	Smith (NE)
Cuellar	LaMalfa	Smith (WA)
Deutch	Palmer	Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1632

Ms. KAPTUR changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CUELLAR. Mr. Chair, on Wednesday, February 3, 2016, I am not recorded on rollcall vote No. 58, Issa of California Part A Amendment No. 6. Had I voted, I would have voted “aye.”

AMENDMENT NO. 7 OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 248, not voting 12, as follows:

[Roll No. 59]

AYES—173

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego

Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton

Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—248

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishke
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert

Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan

Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta

Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huitzenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaull
McClintock
McHenry

McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus

Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Beyer
Castro (TX)
Deutch
Goodlatte

Herrera Beutler
Himes
King (IA)
Palmer

Rush
Smith (WA)
Stivers
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1635

So the amendment was rejected.
The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YOUNG of Iowa) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1675) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, and, pursuant to House Resolution 595, he reported the bill back to the House

with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. FRANKEL of Florida. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. FRANKEL of Florida. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Frankel of Florida moves to recommit the bill H.R. 1675 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Insert after section 1 the following:

SEC. 2. PROHIBITION ON BAD ACTORS AND PROTECTION OF AMERICAN RETIREES.

(a) PROHIBITION.—A bad actor may not make use of any exemption, safe harbor, or other authority provided by this Act or an amendment made by this Act or a regulation issued pursuant to this Act or an amendment made by this Act.

(b) RULEMAKING.—The Securities and Exchange Commission shall issue such regulations as may be necessary to carry out subsection (a).

(c) BAD ACTOR DEFINED.—For purposes of this section, the term “bad actor” means any person that has been convicted of a felony or a misdemeanor involving securities, including those securities used for investing in retirement.

Page 19, after line 22, insert the following:

(b) PROTECTION OF AMERICAN SENIORS.—The Commission may not amend or repeal any regulation pursuant to subsection (a) if such amendment or repeal would weaken the protections provided for American seniors.

Ms. FRANKEL of Florida (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 5 minutes.

Ms. FRANKEL of Florida. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, in a bipartisan spirit, I offer a motion to recommit in order to make needed improvements to the current proposal.

Let me start with the story of Charles Bacino, as noted in "The Street," a financial news service.

Charles grew up in Pueblo, Colorado. He was an accomplished musician. He taught music for over 30 years and brought joy to audiences across our country, from Disney World in Orlando to the Venetian in Las Vegas. He even performed alongside the famed tenor, Luciano Pavarotti. But most importantly, Charles was the loving father of three children and seven grandchildren.

At age 73, as Charles lay dying of pancreatic cancer in a hospital bed in Las Vegas, he called his financial affairs manager to his bedside to discuss his investments and put his final affairs in order. As a morphine drip was working to ease his pain, Charles' financial adviser persuaded him to invest \$82,000 in a cocoa and banana plantation in Ecuador. Charles gave the adviser the keys to his house to get his checkbook, and in a matter of moments, his money was gone.

Financial fraud against our seniors cuts deep. Sadly, there are many more out there like Charles. One in five Americans over age 65 have been victimized by financial fraud. This equates to seniors losing nearly \$13 billion a year due to financial fraud.

I am sad to report to you that close to 1 million seniors are currently forgoing meals as a result of economic hardship due to financial abuse, and this problem may get worse as older Americans live longer.

Here is the thing: the bill that my colleagues on the other side of the aisle bring to us today shields abusers like Charles' so-called financial adviser and strips Congress of the power to protect our grandmothers and grandfathers from con artists who swindle them.

Mr. Speaker, my motion to recommit would preserve decades of SEC consumer protections designed to help folks just like Charles. It would ensure that those criminals who prey on seniors will be held accountable.

My amendment adds something to this legislation that every person in this Chamber—Democratic and Republican—should want to do and get behind: stronger protections for the people who held us in their arms when we were young and that sheltered us and shared their wisdom with us as we grew. As they protected us, we must protect them.

Mr. Speaker, I urge my colleagues to vote "yes."

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, that was a heartbreaking story, and I have no doubt that it is true. But I would urge the gentlewoman to perhaps actually read the bill. Unlike ObamaCare and unlike Dodd-Frank, perhaps if the gentlewoman actually read the bill, which is 20 pages, not 2,000 pages, she would understand that H.R. 1675 has nothing to do with her story.

□ 1645

Fraud is illegal. I repeat: Fraud is illegal. If one is convicted of a felony under the Securities and Exchange Act of 1934, there is a statutory prohibition from doing what she has described.

Mr. Speaker, at best, this is a duplicative amendment, it is a superfluous amendment, and it takes away from the fact that under 8 years of Obamanomics this economy is not working for working people. It is time to help our small businesses, it is time to help our growth companies, it is time to put America back to work, and it is time to reject the motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. FRANKEL of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 241, not voting 8, as follows:

[Roll No. 60]

AYES—184

Adams	Clark (MA)	Ellison
Aguilar	Clarke (NY)	Engel
Ashford	Clay	Eshoo
Bass	Cleaver	Esty
Beatty	Clyburn	Farr
Becerra	Cohen	Fattah
Bera	Connolly	Foster
Bishop (GA)	Cooper	Frankel (FL)
Blum	Costa	Fudge
Blumenauer	Courtney	Gabbard
Bonamici	Crowley	Gallego
Boyle, Brendan	Cuellar	Garamendi
F.	Cummings	Graham
Brady (PA)	Davis (CA)	Grayson
Brown (FL)	Davis, Danny	Green, Al
Brownley (CA)	DeFazio	Green, Gene
Bustos	DeGette	Grijalva
Butterfield	Delaney	Gutiérrez
Capps	DeLauro	Hahn
Capuano	DeBene	Hastings
Cárdenas	DeSaunier	Heck (WA)
Carney	Dingell	Higgins
Carson (IN)	Doggett	Himes
Cartwright	Doyle, Michael	Hinojosa
Castor (FL)	F.	Honda
Chu, Judy	Duckworth	Hoyer
Cicilline	Edwards	Huffman

Israel	McCollum	Sarbanes
Jackson Lee	McDermott	Schakowsky
Jeffries	McGovern	Schiff
Johnson (GA)	McNerney	Schrader
Johnson, E. B.	Meeks	Scott (VA)
Jones	Meng	Scott, David
Kaptur	Moore	Serrano
Keating	Moulton	Sewell (AL)
Kelly (IL)	Murphy (FL)	Sherman
Kennedy	Nadler	Shinema
Kildee	Napolitano	Sires
Kilmer	Neal	Slaughter
Kind	Nolan	Speier
Kirkpatrick	Norcross	Swalwell (CA)
Kuster	O'Rourke	Takai
Langevin	Pallone	Takano
Larsen (WA)	Pascarella	Thompson (CA)
Larson (CT)	Payne	Thompson (MS)
Lawrence	Pelosi	Titus
Lee	Perlmutter	Tonko
Levin	Peters	Torres
Lewis	Peterson	Tsongas
Lieu, Ted	Pingree	Van Hollen
Lipinski	Pocan	Vargas
Loebach	Polis	Veasey
Lofgren	Price (NC)	Vela
Lowenthal	Quigley	Velázquez
Lowe	Rangel	Visclosky
Lujan Grisham	Rice (NY)	Walz
(NM)	Richmond	Wasserman
Lujan, Ben Ray	Roybal-Allard	Schultz
(NM)	Ruiz	Waters, Maxine
Lynch	Ruppersberger	Watson Coleman
Maloney,	Ryan (OH)	Welch
Carolyn	Sánchez, Linda	Wilson (FL)
Maloney, Sean	T.	Yarmuth
Matsui	Sanchez, Loretta	

NOES—241

Abraham	Duncan (SC)	Kelly (PA)
Aderholt	Duncan (TN)	King (IA)
Allen	Ellmers (NC)	King (NY)
Amash	Emmer (MN)	Kinzinger (IL)
Amodei	Farenthold	Kline
Babin	Fincher	Knight
Barletta	Fitzpatrick	Labrador
Barr	Fleischmann	LaHood
Barton	Fleming	LaMalfa
Benishek	Flores	Lamborn
Billirakis	Forbes	Lance
Bishop (MI)	Fortenberry	Latta
Bishop (UT)	Fox	LoBiondo
Black	Franks (AZ)	Long
Blackburn	Frelinghuysen	Loudermilk
Bost	Garrett	Love
Boustany	Gibbs	Lucas
Brady (TX)	Gibson	Luetkemeyer
Brat	Gohmert	Lummis
Bridenstine	Gosar	MacArthur
Brooks (AL)	Gowdy	Marchant
Brooks (IN)	Granger	Marino
Buchanan	Graves (GA)	Massie
Buck	Graves (LA)	McCarthy
Bucshon	Graves (MO)	McCaul
Burgess	Griffith	McClintock
Byrne	Grothman	McHenry
Calvert	Guinta	McKinley
Carter (GA)	Guthrie	McMorris
Carter (TX)	Hanna	Rodgers
Chabot	Hardy	McSally
Chaffetz	Harper	Meadows
Clawson (FL)	Harris	Meehan
Coffman	Hartzler	Messer
Cole	Heck (NV)	Mica
Collins (GA)	Hensarling	Miller (FL)
Collins (NY)	Hice, Jody B.	Miller (MI)
Comstock	Hill	Moolenaar
Conaway	Holding	Mooney (WV)
Conyers	Hudson	Mullin
Cook	Huelskamp	Mulvaney
Costello (PA)	Huizenga (MI)	Murphy (PA)
Cramer	Hultgren	Neugebauer
Crawford	Hunter	Newhouse
Crenshaw	Hurd (TX)	Noem
Culberson	Hurt (VA)	Nugent
Curbelo (FL)	Issa	Nunes
Davis, Rodney	Jenkins (KS)	Olson
Denham	Jenkins (WV)	Palazzo
Dent	Johnson (OH)	Palmer
DeSantis	Johnson, Sam	Paulsen
DesJarlais	Jolly	Pearce
Diaz-Balart	Jordan	Perry
Dold	Joyce	Pittenger
Donovan	Katko	Pitts
Duffy	Kelly (MS)	Poe (TX)

Poliquin	Salmon	Valadao	Hardy	McMorris	Rouzer	Meeks	Ruiz	Thompson (MS)
Pompeo	Sanford	Wagner	Harper	Rodgers	Royce	Meng	Ryan (OH)	Titus
Posey	Scalise	Walberg	Harris	McSally	Ruppersberger	Moore	Sánchez, Linda	Tonko
Price, Tom	Schweikert	Walden	Hartzler	Meadows	Russell	Moulton	T.	Torres
Ratcliffe	Scott, Austin	Walker	Heck (NV)	Meehan	Salmon	Nadler	Sanchez, Loretta	Tsongas
Reed	Sensenbrenner	Walorski	Hensarling	Messer	Sanford	Napolitano	Sarbanes	Van Hollen
Reichert	Sessions	Walters, Mimi	Hice, Jody B.	Mica	Scalise	Neal	Schakowsky	Vargas
Renacci	Shimkus	Weber (TX)	Higgins	Miller (FL)	Schrader	Nolan	Schiff	Veasey
Ribble	Shuster	Webster (FL)	Hill	Miller (MI)	Schweikert	Norcross	Scott (VA)	Velázquez
Rice (SC)	Simpson	Wenstrup	Himes	Moolenaar	Scott, Austin	O'Rourke	Scott, David	Visclosky
Rigell	Smith (MO)	Westerman	Holding	Mooney (WV)	Sensenbrenner	Pallone	Serrano	Walz
Roby	Smith (NE)	Whitfield	Hudson	Mullin	Sessions	Pascrell	Sewell (AL)	Wasserman
Roe (TN)	Smith (NJ)	Williams	Huelskamp	Mulvaney	Shimkus	Payne	Sherman	Schultz
Rogers (AL)	Smith (TX)	Wilson (SC)	Huizenga (MI)	Murphy (FL)	Shuster	Pelosi	Sires	Waters, Maxine
Rogers (KY)	Stefanik	Wittman	Hultgren	Murphy (PA)	Simpson	Pingree	Slaughter	Watson Coleman
Rohrabacher	Stewart	Womack	Hunter	Neugebauer	Sinema	Pocan	Speier	Welch
Rokita	Stivers	Woodall	Hurd (TX)	Newhouse	Smith (MO)	Price (NC)	Swalwell (CA)	Wilson (FL)
Rooney (FL)	Stutzman	Yoder	Hurt (VA)	Noem	Smith (NE)	Rangel	Takai	Yarmuth
Ros-Lehtinen	Thompson (PA)	Yoho	Issa	Nugent	Smith (NJ)	Richmond	Takano	
Roskam	Thornberry	Young (AK)	Jenkins (KS)	Nunes	Smith (TX)	Roybal-Allard	Thompson (CA)	
Ross	Tiberi	Young (IA)	Jenkins (WV)	Olson	Stefanik			
Rothfus	Tipton	Young (IN)	Johnson (OH)	Palazzo	Stewart			
Rouzer	Trott	Zeldin	Johnson, Sam	Palmer	Stivers			
Royce	Turner	Zinke	Jolly	Paulsen	Stutzman			
Russell	Upton		Jordan	Pearce	Thompson (PA)			
			Joyce	Perlmutter				
			Katko	Perry				
			Kelly (MS)	Peters				
			Kelly (PA)	Peterson				
			Kind	Pittenger				
			King (IA)	Pitts				
			King (NY)	Poe (TX)				
			Kinzinger (IL)	Poliquin				
			Kline	Polis				
			Knight	Pompeo				
			Labrador	Posey				
			LaHood	Price, Tom				
			LaMalfa	Quigley				
			Lamborn	Ratcliffe				
			Lance	Reed				
			Latta	Reichert				
			LoBiondo	Renacci				
			Long	Ribble				
			Loudermilk	Rice (NY)				
			Love	Rice (SC)				
			Lucas	Rigell				
			Luetkemeyer	Roby				
			Lummis	Roe (TN)				
			MacArthur	Rogers (AL)				
			Marchant	Rogers (KY)				
			Marino	Rohrabacher				
			Massie	Rokita				
			McCarthy	Rooney (FL)				
			McCaul	Ros-Lehtinen				
			McClintock	Roskam				
			McHenry	Ross				
			McKinley	Rothfus				

NOT VOTING—8

Beyer	Goodlatte	Smith (WA)
Castro (TX)	Herrera Beutler	Westmoreland
Deutch	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1653

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 265, nays 159, not voting 9, as follows:

(Roll No. 61)

YEAS—265

Abraham	Carter (GA)	Duffy
Aderholt	Carter (TX)	Duncan (SC)
Allen	Chabot	Duncan (TN)
Amash	Chaffetz	Ellmers (NC)
Amodei	Clawson (FL)	Emmer (MN)
Ashford	Coffman	Farenthold
Babin	Cole	Fincher
Barletta	Collins (GA)	Fitzpatrick
Barr	Collins (NY)	Fleischmann
Barton	Comstock	Fleming
Benishek	Conaway	Flores
Bilirakis	Connolly	Forbes
Bishop (MI)	Cook	Fortenberry
Bishop (UT)	Cooper	Foxx
Black	Costa	Franks (AZ)
Blackburn	Costello (PA)	Frelinghuysen
Blum	Courtney	Garrett
Bost	Cramer	Gibbs
Boustany	Crawford	Gibson
Brady (TX)	Crenshaw	Gohmert
Brat	Cuellar	Gosar
Bridenstine	Culberson	Gowdy
Brooks (AL)	Curbelo (FL)	Graham
Brooks (IN)	Davis, Rodney	Granger
Buchanan	Delaney	Graves (GA)
Buck	Denham	Graves (LA)
Bucshon	Dent	Graves (MO)
Burgess	DeSantis	Griffith
Byrne	DesJarlais	Grothman
Calvert	Diaz-Balart	Guinta
Cárdenas	Dold	Guthrie
Carney	Donovan	Hanna

Adams	DeBene	Johnson, E. B.
Aguilar	DeSaulnier	Jones
Bass	Dingell	Kaptur
Beatty	Doggett	Keating
Becerra	Doyle, Michael	Kelly (IL)
Bera	F.	Kennedy
Bishop (GA)	Duckworth	Kildee
Blumenauer	Edwards	Kilmer
Bonamici	Ellison	Kirkpatrick
Boyle, Brendan	Engel	Kuster
F.	Eshoo	Langevin
Brady (PA)	Esty	Larsen (WA)
Brown (FL)	Farr	Larson (CT)
Brownley (CA)	Fattah	Lawrence
Bustos	Foster	Lee
Butterfield	Frankel (FL)	Levin
Capps	Fudge	Lewis
Capuano	Gabbard	Lieu, Ted
Carson (IN)	Gallego	Lipinski
Cartwright	Garamendi	Loeb sack
Castor (FL)	Grayson	Lofgren
Chu, Judy	Green, Al	Lowenthal
Cicilline	Green, Gene	Lowe y
Clark (MA)	Grijalva	Lujan Grisham
Clarke (NY)	Gutiérrez	(NM)
Clay	Hahn	Luján, Ben Ray
Cleaver	Hastings	(NM)
Clyburn	Heck (WA)	Lynch
Cohen	Hinojosa	Maloney,
Crowley	Honda	Carolyn
Cummings	Hoyer	Maloney, Sean
Davis (CA)	Huffman	Matsui
Davis, Danny	Israel	McCollum
DeFazio	Jackson Lee	McDermott
DeGette	Jeffries	McGovern
DeLauro	Johnson (GA)	McNerney

NAYS—159

NOT VOTING—9

Beyer	Deutch	Rush
Castro (TX)	Goodlatte	Smith (WA)
Conyers	Herrera Beutler	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1659

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SMITH of Nebraska. Mr. Chair, on rollcall No. 58, I was unavoidably detained. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 57 on the DeSaulnier Amendment for consideration of H.R. 1675, Encouraging Employee Ownership Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "aye."

Mr. Speaker, my vote was not recorded on rollcall No. 58 on the Issa/Polis Amendment for consideration of H.R. 1675—Encouraging Employee Ownership Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "aye."

Mr. Speaker, my vote was not recorded on rollcall No. 59 on the Maloney/Ellison/Quigley/Polis Amendment for consideration of H.R. 1675, Encouraging Employee Ownership Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "aye."

Mr. Speaker, my vote was not recorded on rollcall No. 60 on the Motion to recommit for consideration of H.R. 1675—Encouraging Employee Ownership Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "aye."

Mr. Speaker, my vote was not recorded on rollcall No. 61 on the final passage of H.R. 1675, Encouraging Employee Ownership Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "nay."

ESTABLISHING JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 28) to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 28

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this resolution referred to as the "joint committee") consisting of 3 Senators and 3 Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017.

SEC. 2. SUPPORT OF THE JOINT COMMITTEE.

The joint committee—

(1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of those departments and agencies, in connection with the inaugural proceedings and ceremonies; and

(2) may accept gifts and donations of goods and services to carry out its responsibilities.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF ROTUNDA AND EMANCIPATION HALL BY JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 29) to authorize the use of the Rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 29

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL.

The rotunda and Emancipation Hall of the United States Capitol are authorized to be used on January 20, 2017, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO PRESENT THE CONGRESSIONAL GOLD MEDAL TO THE FOOT SOLDIERS WHO PARTICIPATED IN THE 1965 SELMA TO MONTGOMERY MARCHES

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 109, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 109

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDAL TO THE FOOT SOLDIERS WHO PARTICIPATED IN THE 1965 SELMA TO MONTGOMERY MARCHES.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on February 24, 2016, for a ceremony to present the Congressional Gold Medal to the foot soldiers who participated in the 1965 Selma to Montgomery marches, in recognition of their heroic bravery and sacrifice, which served as a catalyst for the Voting Rights Act of 1965. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOURLY MEETING ON TOMORROW

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that

when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-97)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2016.

The Government of Côte d'Ivoire and its people continue to make significant progress in promotion of democratic, social, and economic development. We congratulate Côte d'Ivoire on holding a peaceful and credible presidential election, which represents an important milestone on the country's road to full recovery. The United States also supports the advancement of national reconciliation and impartial justice in Côte d'Ivoire. The United States is committed to helping Côte d'Ivoire strengthen its democracy and stay on the path of peaceful democratic transition, and we look forward to working with the Government and people of Côte d'Ivoire to ensure continued progress and lasting peace for all Ivoirians.

While the Government of Côte d'Ivoire and its people continue to make progress towards consolidating democratic gains and peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency and related measures blocking

the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.
THE WHITE HOUSE, February 3, 2016.

SUCCESS OF SOUTH HILLS SCHOOL OF BUSINESS & TECHNOLOGY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, as co-chairman of the bipartisan Career and Technical Education Caucus, I want to recognize the accomplishments of the South Hills School of Business & Technology, which has campuses based in Pennsylvania's Fifth Congressional District.

I was recently notified by school officials that they have placed 86 percent of their 2014 graduates in jobs within their fields of study. Now, that statistic is 10 percent higher than the average occupational placement rate for associate degree graduates. Additionally, the school achieved a job placement rate of close to 100 percent for graduates of their criminal justice, business office specialist, and administrative medical assistant programs.

This stands as further evidence that careers in our career and technical education fields are in demand. It also serves as a reminder for high school students across the Nation that a technical education is a great option for their futures.

Madam Speaker, the South Hills School of Business & Technology is just one example of how these institutions create job-ready employees for 21st century careers.

HONORING KENTUCKY SENATOR GEORGIA POWERS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, I rise to celebrate the life and service of Georgia Davis Powers, former State senator and civil rights icon from my hometown of Louisville, Kentucky.

Senator Powers, who passed away early Saturday morning, leaves behind a city and commonwealth that are fairer and offer more opportunity because of her lifelong dedication to the fight for justice.

Generations of Kentuckians have benefited from the sacrifices she made on the front lines of protests and from the trails she blazed as both the first woman and first African American to be elected to the Kentucky Senate. As we strive to build on the difficult work of creating a more equal and just society, I know that her inspiration will continue to lift us and show us the way.

Louisville has lost a great champion, but her legacy will live on, in our com-

munity and beyond, forever. I am honored to have called Senator Powers a friend and that she called Kentucky "home."

HONORING GARY FULKS

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Madam Speaker, I rise to honor and thank Mr. Gary Fulks for his work and service to Missouri's Fourth District. Gary is retiring as the general manager of Sho-Me Power Electric Cooperative after 42 years of providing energy to communities from San Diego to south central Missouri.

Mr. Fulks has been an outspoken leader for reliable and affordable sources of energy for the people of the Fourth District. Serving on the NRECA Transmission Task Force, the Southwest Power Pool Engineering & Operations Committee, the Executive Committee of the Southeastern Electric Reliability Council, and several other councils and committees, Mr. Fulks has been pivotal in enacting programs that are cost-effective and innovative, which have greatly benefited members and co-op employees.

Under Mr. Fulks' leadership, Sho-Me Power has continued the legacy of progressively meeting the growing needs of Missourians and in providing wholesale power to nine distribution cooperatives. Increasing his impact on the region, he has helped start and operate Sho-Me Technologies, which makes available an extensive network of fiber-optic communications to members, many of whom are without other forms of Internet access.

Thank you, once again, Gary, for your devotion and work for the benefit of the Fourth District. You are an example of the leadership that this Nation needs. I anticipate hearing of your new chapter in life and know it will benefit not only Missouri, but our Nation.

EXECUTIVE WAIVES NEW VISA WAIVER RESTRICTIONS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Madam Speaker, the Constitution is clear: Congress shall make the law, the judiciary interprets the law, and the executive enforces the law.

The President, however, seems to think he can make and interpret the law.

Last year, Congress passed the Visa Waiver Improvement and Terrorist Travel Prevention Act. It requires foreign nationals from certain countries to obtain a visa before they come to the United States. Now the administra-

tion has decided to waive this new requirement. The President plans to allow dual citizens and people who have traveled to places like Syria, the Sudan, Iraq, and Iran to waltz back into the United States without a visa.

The Department of Homeland Security estimates that 5,000 Westerners have made the journey to Iraq and Syria to fight with militant groups like ISIS. Allowing this new executive edict will only weaken U.S. national security.

The Founders implemented the separation of powers to protect the people from an all-powerful—omnipotent—government. The administration's executive overreach violates the Constitution and puts Americans and our security at risk.

And that is just the way it is.

CONGRESSIONAL PROGRESSIVE CAUCUS: THE FLINT, MICHIGAN, WATER CRISIS

The SPEAKER pro tempore (Mrs. MIMI WALTERS of California). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Madam Speaker, the city of Flint, Michigan, has been hit by a crisis of massive proportion. Its impact on the long-term health and future success of its residents remains unclear.

The fact I find most disturbing is that it is a completely manmade crisis. It grew out of the same kind of stubborn faith in austerity measures that has handicapped our ability to govern for years. It grew out of a failure to protect the Flint River from environmental damage. It grew out of both a failure to invest in Flint's crumbling infrastructure and in the willful disregard for the people of that city, a city in which more than 40 percent of the residents live below the poverty line and in which the majority of families are African American.

My colleagues and I are here on the floor this evening to urge every Member of this body to understand one thing: If we fail to acknowledge the issues that led to the Flint water crisis, we will see similar and equally devastating events in more and more cities across the country.

We need to recognize that tunnel vision for deficit reduction creates more

problems than it solves. The emergency manager appointed by Governor Snyder instituted a plan to run Flint like a business in order to bring it back from the brink of death. In the process, he sought out the least expensive options for basic needs, like water. In doing so, he decided to pull from the corrosive and contaminated Flint River without ensuring the treatment protocol necessary to ensure the water was clean. We now know that, although the Flint River is in poor shape, a little additional spending could have prevented this crisis. Instead, Flint went the bare bones route, leaving a generation of residents to suffer the permanent consequences.

Madam Speaker, Congress has, once more, been so focused on reducing the deficit that we have lost sight of our responsibility to govern. Only a few months ago did we finally abandon the absurd policy of sequestration, which has hampered the functioning of countless programs over the past several years. The benefits of austerity and small government are questionable at best. Flint has proven that, and we would all be wise to remember it.

Unfortunately, that is not the only lesson that we can take away from this crisis. This Congress has made undermining environmental and energy regulations one of its core missions. In the first 100 days of the 114th Congress, it voted on more environmental and energy issues than on any other topic, and not a single one was aimed at protecting resources, like the Flint River, from the kind of contamination that allowed its water to corrode lead pipes.

□ 1715

If reducing the deficit has been the first priority for my colleagues on the other side of the aisle, allowing corporations and big businesses to take whatever liberties with our environment they choose has to be a close second.

Under the majority of this House, our babies would choke on smog before we limit the amount of pollution a single smokestack can spew out. Our streams and rivers would poison even the fish swimming in them before we would set restrictions on where these companies can dump their chemical byproducts. Our forests and farmlands would turn barren before we would question the long-term impact of fracking.

It took years to turn the Flint River into the downright dangerous water source that has caused so many problems. But for other rivers, lakes, or streams, there may still be time to repair or prevent the damage that we have done. Flint should move us to strengthen, not weaken, our environmental protections.

Madam Speaker, there is one more lesson to learn here, and it is perhaps the most important. The infrastructure in Flint, like in so many other cities, is

outdated, and no one at the local, State or Federal level seems willing or capable of making the necessary investments.

Today in our Oversight and Government Reform Committee hearing, one of the topics of concern was that, even if individual homes had replaced their old lead pipes, the city's pipes would still have caused a major problem. Madam Speaker, that is a matter of infrastructure at the most basic level.

In my home State of New Jersey, we spent more than a decade leading the way in the battle against lead poisoning. But with the onset of Governor Christie's administration, all these advances have also come to an abrupt halt there.

There are now 11 cities with levels of lead higher than what has been reported in Flint right in my State of New Jersey. This contamination from lead comes from paint instead of water.

Nonetheless, it is a reflection of the reduction and diminution of services and resources to make our environment safe for our communities. Two of these cities are right in my district.

Still, Governor Christie's administration has ignored the problem and thoroughly failed our children by choosing not to fund our State's lead abatement fund.

Here at the Federal level we can take this even further. Our failure to invest in transportation and energy infrastructure is building up to a crisis of a different kind, a time when our roads, our bridges, and our power grids begin to fail.

Madam Speaker, there are so many lessons we need to learn from Flint. I have a number of colleagues who are here with me this evening who have raised their voices in support of the people of Flint and who I know agree with me that this must be a watershed moment.

We need to change course to prevent this from happening again and ensure the future of our Nation.

Before I turn this over, I want to take a moment to add that there are a number of organizations, coalitions, and other associations that consistently are dedicated to protecting our natural resources. They defend the Clean Water Act, and they fight for the Clean Air Act. I hope to see more of them fighting for Flint in the near future.

Madam Speaker, I yield to the gentleman from Michigan (Mr. KILDEE), who not only represents the district in which there is Flint, but he is a resident born and raised in the city of Flint, Michigan.

Mr. KILDEE. Madam Speaker, I thank my colleague for conducting this Special Order and raising attention to this situation. Particularly on behalf of the people that I represent, the 100,000 people in my hometown of Flint, as difficult as this time has been, they

do get some strength from the fact that Members of Congress from all across the country and, frankly, Members of Congress from both sides of the aisle have expressed their concern.

It is my sincere hope that the concern expressed for the people of Flint will not just come in the form of sympathy, but will actually move us to take action.

Let me just take a moment to tell you about my hometown. This is a city that was the birthplace of General Motors in 1908. This is a city that actually helped build the labor movement.

In 1936 and 1937, the workers in the factories occupied those factories until, on February 11, they got that first UAW contract that actually helped build the middle class.

The reason I mention that is that it is a city that has great pride in the contribution that it has made over the decades to the incredible productive capacity of our society.

With that pride as a backdrop, the last few decades have been really tough because we have seen the loss of manufacturing jobs. We have seen big changes in our economy. The community has become smaller. It has gone from 200,000 people to about 100,000 now.

We have lost an enormous amount of the manufacturing base that we once had, and it was really the engine of our economy. Of course, the effect of all that is to challenge the community and its very existence.

The city itself has struggled to keep its budgets balanced to provide essential services. Then a few years ago a decision was made at the State level to reduce and, in fact, eliminate State support for cities.

That kind of support was necessary for the city to provide the essential role that it plays in a regional economy. As a result of that decision, the city was in significant financial stress, really on the verge of bankruptcy.

The State of Michigan's solution, rather than provide support—additional funding, economic development, workforce development, better schools—that is not the solution. Those are the things that would make a difference.

Instead, the State of Michigan appoints an emergency manager that suspends the authority of the city council and the mayor, as if this city that is struggling as a result of disinvestment only needs new management.

Worse yet, the charge to these emergency managers—and we have them in Michigan and lots of different communities and school districts—is to get in there and get the budget balanced. The tool they have is a budget scalpel. There are no additional resources, just a knife to cut the budget.

In the case of Flint, one of the places they chose to cut was the essential service of drinking water, temporarily

shifting, as a result of an emergency manager's decision, to the Flint River.

Now, folks don't need to be mad at the river. It is just the river. Actually, it is quite beautiful now since it is no longer used as an open sewer. Some of it has been restored, but it is still river water. It is 19 times more corrosive than the Great Lakes water that we have drawn from decades as our water source.

In a rush to save money, the decision was made to use this river. In an almost inexplicable decision to save a few hundred dollars—really, I think it is estimated at about \$100 a day—they didn't treat the water with orthophosphate to control corrosion of the pipes.

That is what led to the pipes leaching lead into the water system, into the households, into the bodies of human beings, and into 9,000 children under the age of 6 who are the real victims of this.

It is not good for adults. There is no acceptable level of lead in the human body. It is a neurotoxin. But for children it is especially dangerous because it affects brain development in a way that is permanent.

So what we need now, since this was done to Flint by the failure of the emergency manager to think about something other than dollars and cents, and the failure of the State, despite repeated warnings, including warnings from the EPA, that they should be applying corrosion control and that this is going to have consequences, they treated it like it was a public relations problem for them, not a public health problem for 100,000 people. So the damage has been done.

We have two questions to ask ourselves. One is: How do we make sure this never happens again? Getting rid of the emergency manager law would be a big step in the right direction, making sure that not only do we have adequate regulations regarding clean water, but the agencies charged with them have adequate authority and resources to enforce. That would go a long way to prevent this from happening again.

Legislation that myself and my colleagues from Michigan are introducing would ensure that, when the EPA is aware of a problem like this, they would have to make it public. That would go a long way.

The other question is: How do we make it right for the people in Flint, especially for the children? The State did this. It was their decision. Virtually everybody back home has no doubt about that question.

There is an effort right now to try to obfuscate responsibility. That is really because, in my view—and this is only my opinion—by accepting responsibility for what happened means that there is the responsibility to make it right. I just fear that the State of

Michigan is trying to avoid that kind of responsibility.

To make it right, we need to spend some money on infrastructure, take up those lead service lines that have been so damaged by this corrosive water and replace them with something that will not deliver lead into the water system and to improve the infrastructure so that it is more sustainable.

Most importantly and finally, to make it right in Flint, we have to make sure the kids, who are the real victims of this, are given every opportunity that we can give them to overcome something that their government did to them.

That means giving them opportunities like every child having access to Early Head Start, every child being enrolled in Head Start, every child having enrichment opportunities, every child being given all the help they can, all the support they can, for proper nutrition, every child having a small class size so that teacher-student contact is real and not packed in a classroom of 35 or 40 kids, summer youth activity, summer employment.

All of the things that we would do as parents for one of our own children struggling to overcome a developmental hurdle is what the State of Michigan owes to the 9,000 children of Flint under the age of 6 that have been subjected to high levels of lead. That is the moral obligation of the State of Michigan.

I just hope—and I know my colleagues stand with me—that, if the State is unwilling to step up and do the right thing, we recognize that these children, these citizens, the people I represent, just like the people we all represent, are not just residents of a State, but they are citizens of the United States, just like when a storm hits, when we have a chance and the capacity to do something to ease that suffering, to provide opportunity to overcome a manmade disaster, that we are willing to stand up and do that.

I can't tell you how much I thank my colleagues for taking some time this week—particularly my colleagues from Michigan, but the folks from all over the country, have been helpful. This is a real crisis, and it deserves a response equal to the gravity of the crisis.

On behalf of the people I represent, thank you so much.

Mrs. WATSON COLEMAN. Madam Speaker, we are particularly grateful for both Representative KILDEE and Representative LAWRENCE for having elevated this discussion to the point that we are giving it serious consideration.

I yield to the gentlewoman from Michigan (Mrs. LAWRENCE), a cosponsor of this Special Order hour.

Mrs. LAWRENCE. Madam Speaker, I stand before you today a true Michigan girl, born and raised in the city of Detroit, having traveled and been in pub-

lic service for over 25 years in multiple capacities.

Today I had the opportunity, after calling for a hearing to Chairman CHAFFETZ, to call a hearing about this Flint water situation.

I want to tell you, being in Congress and knowing that there are two aisles, two philosophies, two groups—the Republicans and the Democrats—that I was so impressed that the chairman responded and granted my request for a hearing.

He understood how important and how volatile the situation is. We struggled a little bit with who would be able to be witnesses, but we had the hearing.

I wanted to tell you that this is something that is not a partisan issue. The message I want to get out today is that this issue where children and families are affected because of the lack of government doing their job is unacceptable. It is unacceptable in these United States of America.

□ 1730

I can tell you, Americans ask for three basic things whoever you are, wherever you live, and that is that we have safe food to consume, clean air to breathe, and clean water to drink because we need all those things to merely live.

We trust our government to protect those things and to ensure that our consumption will not harm us. Clearly, we failed. We failed as a government. This isn't about wearing your R or D. This is about the government of these United States restoring the trust.

I want you to imagine a mother holding her child and, doing what a mother does with an infant, is feeding that child. She may mix formula and use water to mix the formula. Then she gives the baby the bottle. She holds that baby, and that is just such a special bonding moment. Or she may breastfeed. When you are breastfeeding, they tell you to drink a lot of water.

In each of those scenarios, she was poisoning her child, poisoning her child for over 7 months before someone stood up and said: Stop using the water. There are mothers all over this country who are holding their babies closer and praying, I hope this never happens to me.

I feel it is the role of government, Democrats and Republicans, coming together to say never again in these United States of America. We need to find out why this happened, when it happened, and when you knew about it, what did you do about it at all levels of government—Federal and State—and there is enough blame to go around.

It doesn't do those families in Flint any good if we just point fingers. We have to find out and have a full investigation so that we can find out what we need to fix, so that we can stand before the citizens of this great country

and say: As your government, we are starting to rebuild the trust, and we are going to fix this.

I want to be on the record that I feel those who made the decisions, from the emergency manager and the Governor, and those who were in a position to make decisions should be providing statements and should be a witness to tell us what happened, why it happened, when did they know, what responsibility lies where.

We have already identified so many areas that legislation will be coming forward. I hope they will be bipartisan. First of all, we need legislation to find out when we find lead in water on a State level, who has the primary role of protecting the water in that State? Where is the power of EPA? We must make it very clear, the notification of the public once lead is identified in water.

We are hearing statements that are all over about why that didn't happen. What we need to do is legislate that so it doesn't happen again, make it very clear and enforce it. We need to increase the enforcement and testing of our water so that we will not have excuses in the future.

The last thing I want to say is: This is an election year, and as those of us who serve in Congress go around and ask people to trust us, to give us their vote, we should also be able to say, in these United States of America we have a history where we didn't always get it right in America. In America our history will teach us, there are times where one side or the other didn't quite get it right, but our democracy and the voice of the people rose to a level that demanded action happen.

Today, with this hearing and with us having this opportunity to put this on the record, we are demanding that action be taken, that our government stand up and do what it is supposed to do. We need to fund the correctional actions that we need to do for the children who have been affected. We need to ensure that we are going to fix the pipes, and this is a bigger discussion, and that is infrastructure.

This Congress cannot continue to kick the can down the road when it comes to infrastructure. This issue is about, yes, we did not treat the water, but these lead pipes in older communities are an issue across this country. We are going to have to stand up as a government, address it, fund it, and get about the work of fixing our infrastructure.

Mrs. WATSON COLEMAN. I would like to thank the Congresswoman. Another very strong and strident voice on behalf of all the citizens in the State of Michigan, and particularly with regard to the issue confronting our victims, the citizens as well as the city officials in Flint, Michigan, is our Congresswoman DINGELL from Michigan.

Mrs. DINGELL. Madam Speaker, I want to thank Congresswoman WATSON

COLEMAN for helping to organize this as well as the leadership of Congresswoman BRENDA LAWRENCE and Congressman DAN KILDEE, who is fighting for the people of his district.

Madam Speaker, the first responsibility of government is to keep the American people safe, and it is clear that the government at every level failed the people of Flint. Clean and safe drinking water is a basic human right. Now we need to focus on the people of Flint first, the men and women and children, and what is happening there.

The most immediate need which we are still struggling with is what they need. People have been donating bottled water, but in Flint, mothers don't know what is safe and what is not safe because they are still getting conflicting information as to whether the water is safe to bathe in. They have rashes that no one can talk about. We have a Governor who says if he had grandchildren, it would be safe, and an attorney general who is saying if he had children in Flint, he wouldn't let them bathe. They don't even know what is safe.

We need to make sure that we are taking care of people, that they have access and clean water. These families have no transportation. They have set up water sites at five firehouses, and yet we don't think about it because we are so lucky. These people don't have transportation. Many of them have no way to get there. They are allowed one case of water a day. Now, think about that. If you are trying to bathe your children and you don't know if tap water is safe or if the filter is there. Think about if you are cooking spaghetti, a very common meal, you need bottled water to just cook the spaghetti. So we really need to think about the people of Flint and what it means to their daily life.

Secondly, we need to determine what it is they need long term, figure out the resources they need and all work together to get them. As my colleagues have so eloquently said—Mr. KILDEE, Mrs. LAWRENCE—who is accountable? Hold people accountable and make sure this never happens again in America.

But having said that, there are 153,000 water systems in this country. Very bad decisions were made that made a community totally toxic. As my colleague Mr. KILDEE said, not only do we have to fix the infrastructure, but we have almost 10,000 children who are going to need Head Start, they are going to need access for resources for probably a lifetime, for decades for health care, et cetera. How are we going to ensure that they have it? But how are we going to make sure that we are addressing this problem across the country and making sure it never happens again? We need to make sure that our government at every level never fails another community again.

The bringing of this tonight, the talking that all of us are doing, may we all work together to fix this man-made crisis and make sure we keep America safe for every other community.

Mrs. WATSON COLEMAN. Thank you very much, Congresswoman. I now yield to the distinguished gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Madam Speaker, as a citizen and representative of the State of New York, I want to express my concern to all my colleagues from Michigan that in New York we care very deeply about this issue.

I want to thank certainly Congresswoman WATSON COLEMAN for her leadership in allowing me to speak tonight. I rise today, Madam Speaker, as the only microbiologist in Congress to discuss the current health disaster in Flint. It is not only a public health disaster but is also a violation of our social contract.

The magnitude of the public health crisis in Flint first became apparent nearly a year ago, when lead levels of 397 parts per billion were first detected in the city's drinking water, 26 times the limit that the EPA uses to trigger action. In fact, last summer, a group of researchers found lead levels high enough to meet the EPA's definition of toxic waste. No wonder that the filters that have been given to the people of Flint have been rendered useless.

The truth is, the only safe level of lead in water is zero. Sadly, children are particularly susceptible to the damaging effects of lead poisoning. The proportion of infants and children with above-average levels of lead in their blood in Flint has nearly doubled since this crisis. This toxic metal robs their brains of gray matter in the regions that enable people to pay attention, to regulate emotions, and control impulses. For the rest of their lives, these children will likely suffer from neurodevelopmental damage, reduced intelligence, behavioral changes, anemia, hypertension, renal impairment, and other lifelong effects of lead poisoning, including a higher risk of incarceration.

What is worse, these children have been poisoned as a result of deliberate decisions and systematic failures by the State of Michigan. Make no mistake about it, all of us who serve in this House and in yonder hall, as they serve in the Senate, have a responsibility for these children because our oath requires that we will protect everyone from enemies both foreign and domestic. We have no right, and I think it borders on criminal that we would allow this kind of thing to happen to children who are also in our care. The failures of the Michigan State government are inexcusable, and doing this to our smallest citizens is criminal.

Need I remind us that the democratically elected city council was superseded by a State-appointed emergency manager—I don't know what the emergency was, but he certainly created one—who made these dreadful decisions that brought us to this process and to this democratic process that was undermined and the hundreds who live with the consequences of it.

Those in Congress who have blocked investments in our Nation's infrastructure need to take another look at the consequences of their inactions. Instead of investing in roads, bridges, and pipes, we spent trillions of dollars on bombs, on decimating other countries, on war and wounding about 60,000 young Americans. While this failure impacts all Americans, it disproportionately harms the low-income areas, communities of color, doubling down on the already wide racial, health, and economic disparities across the country.

Now, Flint is only the latest example of this disturbing reality. I fear that it is a bellwether for the rest of the Nation. Just under foot nationwide are century-old water pipes in almost every city, certainly in the New England States, that may be the very next to fail. We have got to take the steps to reverse the failed choices that brought Flint to the brink, but also to ensure that what happened in Flint does not happen in other communities across the country. Again, that is our responsibility.

I thank Congresswoman WATSON COLEMAN for her timely concern over the issue and for yielding to me.

Mrs. WATSON COLEMAN. I thank the gentlewoman very much for not only her eloquent words but the fact that she can speak from her scientific background, being a microbiologist. Absolutely there is science in this issue.

Now I yield to the co-chair of the Progressive Caucus, the gentleman from Minnesota (Mr. ELLISON).

□ 1745

Mr. ELLISON. Madam Speaker, this is the Progressive Caucus Special Order hour. I am so honored that BONNIE WATSON COLEMAN leads our Caucus in this regard. It couldn't be more important tonight than to have an excellent leader guiding us in this discussion because, in my opinion, the Flint water crisis is one of the most stunning failures of the philosophy that you ought to run a government entity like a business that I have ever seen.

Tonight the Flint water crisis that is in front of us is not a tsunami, it is not a tornado, and it is not a flood. It is decisions by people who have inflicted massive harm and damage on children and the community at large.

When we say children, the damage to the children is absolutely incontrovertible, but what about our seniors? What

about our people in the prime of their lives who cannot use the water in the city that they expect to use it in?

I submit to you that this problem is the responsibility of Governor Snyder, who believes in running government like a business. The former leader of Gateway Computers promised outcomes and deliverables during his campaign, but he wasn't selling computers. You are supposed to be giving public services to the people. It is very different. Apparently, the deliverables that he wanted to deliver, delivered awful, horrible outcomes for the people of Flint.

Before the Flint crisis, Mr. Snyder spent \$1.8 billion in tax cuts for corporations, leaving very little for small, struggling cities like Flint. Of course, it is all based on the philosophy that if you don't regulate rich people and big companies and you give them all the tax breaks they ever want, then they are going to invest it all in the plant and equipment and wages and make it better off. What a stunning failure. It is a lie, an untruth, and a demonstrably false claim.

To save money, the Governor has been appointing political cronies as financial managers to mostly Black, mostly poor municipalities around the State. When I say that folks in Flint are mostly Black, I want to say this. They are not all Black. There is a shared harm on White communities and Latino communities as well. I don't want people across America to think: "Well, I am not Black, so it is not really my problem." No, it is your problem, if you are living in Flint and drinking water, no matter what your skin color or ethnic background is.

In Flint, the emergency manager suggested switching the city's drinking water supply to the Flint River to save the city about \$5 million. Thank you. It will cost billions to correct the damage that this perverted philosophy of money before people has resulted in. The conservative mantra says that cutting spending and shrinking government is the way to go. Well, he sure did that, and now we have this crisis on our doorstep.

The government and businesses do not have the same bottom line, they should not have the same bottom line, and we should treat businesses like businesses and public services and government like that. They should not confuse one for the other.

We have a crisis of democracy in Flint. Under the guise of fiscal responsibility—which we all know only applies to low-income people and never the well-to-do and the well-heeled—they are never asked to be fiscally responsible. For example, in Florida, the poor have to be fiscally responsible. They even have to be drug tested to get welfare. We give farm subsidies away—that is welfare, too—and nobody is asked to do anything. It is ridiculous. It is a double standard.

Under the guise of fiscal responsibility, Governor Snyder used the State's emergency manager law to remove local power and appoint his own personal emergency managers to run the city of Flint and numerous other committees in Michigan, including my own hometown where I was born and raised in Detroit, Michigan.

I am a proud Representative of Minneapolis, Minnesota, and its suburbs today, but I was born in Detroit. I can never—nor would I want to—disconnect my connection to this crisis. This is my crisis. This is the State where I was born and where my two older brothers and my parents and nieces and nephews live right now. My brother, Reverend Brian Ellison of Church of the New Covenant Baptist, was born in Flint.

Of the 25 times that emergency financial managers have been appointed in Michigan since 1990, Rick Snyder has appointed 15 of them. In doing so, he has denied these communities their right to representative democracy. This kind of idea that when your town is in trouble, democracy and the voice of the people cannot be part of the solution, is offensive to anybody who cares about democracy. Instead, it turns over control to an outside dictator who reports only to the Governor, not anyone in the community.

I want to talk about Flint by the numbers just for a moment:

8,657 is the number of children under the age of 16 exposed to lead poisoning—it may be more now;

\$5 million is the amount of money that Flint's emergency manager was trying to save by switching the water supply to the Flint River;

\$1.5 billion is estimated as what it would cost to now replace Flint's corroded water pipes;

\$100 is the amount of money per day it would have cost to treat Flint's water with an anticorrosive agent;

10 is the number of Flint residents who have died from a Legionnaires' outbreak in Flint that experts suspect could be linked to waterborne illnesses;

Zero is the number of corroded pipes removed from Flint since the Governor decided to appoint this emergency manager.

Now, as I close, I just want to say that there is another group of people who I just want to bring to light today, and that is a group of people in our society who live among us who clean hotel rooms, work on farms, and who really work superhard. These are people who may not have documentation to live in the United States.

One of the stories that we have yet to really put a lot of light on is the fact that undocumented people are being, according to reports, turned away from services. You need an ID to get the water. There are cases where undocumented people have not been able to get the services that they need.

I just want to say that Flint's undocumented migrants hesitated to request help during the water crisis. On

this floor and in other legislatures around this country, conservative legislators are talking about the aliens and all this kind of stuff as if these people are from another planet, but my God, you deny them water? Come on. The fact of the matter is that this is a humanitarian crisis. It deserves the full attention of our government.

The Progressive Caucus will offer an entry in our budget addressing this crisis and coming at it with the money. Yes, we think the health and safety of the children and the people of Flint are more important than somebody's tax cut. We do believe that to be true, and we are going to be standing firm for that.

We also urge all of our Members in this body to say wait a minute. Anytime public policy says the only thing that matters is cutting taxes and we don't really care about public services, you are going to get a crisis like this.

Now that we have seen what this abhorrent philosophy will bring, I think we can all say we need to slow down and ask ourselves the question: Isn't it worth a moment to spend time to deliver quality public services to all of the people of this country? Isn't it time to let government do what it is supposed to do, to protect the people?

Mrs. WATSON COLEMAN. I thank Mr. ELLISON, and I appreciate him taking the time to be here.

I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank Congresswoman WATSON COLEMAN for her leadership in coordinating this Special Order, and thank you to the Michigan Representatives who have been working so hard to try to respond to this tragedy.

Madam Speaker, there will be a lot of investigations designed to find out what happened, whose fault it was, whether or not any crimes were committed, and how to prevent this from happening in the future, but there is one thing we know, and that is that children have been poisoned by lead exposure.

As the ranking member of the Committee on Education and the Workforce, we have begun the process to determine how to appropriately respond, because we know that lead poisoning creates severe challenges to the public school system.

Children are entitled to an equal educational opportunity. That goes back to the *Brown v. Board of Education* case where the Court found that it is doubtful that any child may reasonably be expected to succeed in life if denied the opportunity of an education. That opportunity is a right which must be made available to all on equal terms.

The local, State, and Federal governments have all failed our children, allowing them to be poisoned by lead exposure. We owe it to our children to

mitigate, to the extent possible, the adverse effects of lead poisoning so they can achieve an equal educational opportunity.

Research already shows that the adverse effects of lead exposure are great due to decreased academic attainment, increased need for special education, higher likelihood of behavioral challenges, and it can result in a significant loss in earnings and tax revenues, additional burdens to the criminal justice system, and great stress on our hospital systems.

The opportunity for a strong start to a successful life will be stunted for Flint's children if they are not given the necessary resources including early interventions and access to high-quality early learning programs such as Head Start to help them overcome the lifelong effects of exposure to lead.

We have an obligation to provide these resources—and provide them as soon as possible—while they can be most effective. Current funding, however, only allows 20 percent of Flint children who are eligible for Head Start to actually attend.

The children who are able to participate in Head Start can receive early screening services for developmental disabilities. Families can receive counseling and assistance in accessing services. Head Start can provide the Flint families affected by the disaster with early intervention services that they desperately need. But in order to do so, all families eligible for Head Start—not just the 20 percent presently participating—need to be able to access Head Start. We need to come up with the money to make that possible.

But make no mistake; we should not expect the fix to this crisis to be easy or cheap. The impact of lead exposure on young children is long-lasting, and our response must have a long-term approach. We must use all of the tools available to us, starting with prenatal care and screenings for pregnant moms, early intervention to identify special education needs, title I funding from ESEA, after-school programs, and even investments in college access efforts.

Our children's futures have been compromised by bad government decisions, but we know how to mitigate that damage. The response has to be more than just the infrastructure improvements and repairs to finally provide clean water. We need a comprehensive response. Members of the Committee on Education and the Workforce will be working to formulate the appropriate response to the educational challenges. Other committees will work to the responses within their jurisdictions. But one thing is certain: it is imperative that these resources be provided now, without delay.

Mrs. WATSON COLEMAN. I yield to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Madam Speaker, as a member of the Congressional Progressive Caucus, I thank Mrs. WATSON COLEMAN for her leadership, and I stand with my colleagues from the Michigan delegation and our colleagues throughout this House in our outrage over what has occurred and the pursuit of justice for the people of Flint.

As a New Yorker, I say to myself: There, but for the grace of God, go I. We, too, in New York City faced a lead crisis when callous landlords did nothing to abate lead paint in their older housing stock. A crisis that impacted untold numbers of young New Yorkers remains with us to this very day. But then, that was the private sector. Who will speak for the marginalized and disenfranchised that depended on the State leadership of the Governor, Mr. Snyder, and his team to keep them safe from harm?

The decision of the State of Michigan to change the source of water for the sake of saving money showed an utter disregard for the well-being of the people of Flint. It is a national disgrace. It is a national tragedy. This callous disregard for the poor and the vulnerable leaves us all culpable for what has happened in our Nation.

□ 1800

The timeline of events is especially unnerving. The source of Flint's water was changed in April of 2014. For nearly 1 year, complaints about the water quality were ignored by the Michigan Department of Environmental Quality.

It took the EPA one series of tests to determine that the water was unusable, just one series of tests. And we know, as a result of that, that this water was definitely unsafe for human consumption.

The result is babies, children, nursing mothers, the elderly, some with compromised immune systems and health, were poisoned by their own government.

Access to clean water and clean air are fundamental human rights. The State of Michigan has failed the people of Flint. Its State leadership has demonstrated a contempt and marginalization of the humanity of her people.

Who will speak for the marginalized and disenfranchised of the callous disregard for the poor and the most vulnerable?

Well, tonight and every night across this Nation Americans are standing up to say that this cannot be tolerated, that justice is due, that we have to speak out for the vulnerable communities, often minority and impoverished, that are victims of environmental injustice.

We must stand firm in our resolve to see that the people of Flint are dealt with in a humane manner, that their lives are enhanced by a quick remedy

to what they are currently experiencing.

The malaise, the laid-back way in which people—in particular, the Governor and his administration—are dealing with this crisis leaves all of us uneasy.

You have heard from my colleagues this evening about the impact of lead on the brains of developing children. You have heard about how lead impacts the health of those with compromised immune systems.

We are also hearing about other contagions within the waters of the Flint River maybe even being tied to Legionnaires' disease. We will continue to see health crises emerge as more and more is discovered about actually what is in the Flint River.

We have also been told that the level of lead within this water is so over the top that the filtration systems that have been given to the people are no longer capable of providing them with a safe source of water.

So it is now up to Governor Snyder to do right by his own people, to stand up and to do what is right by the people of Flint, Michigan. The effects of what has taken place in Flint will be effects that will be felt and experienced by the people of Flint, Michigan, now and into the years to come.

It is our sincere hope that the Governor and his team will do right by the people of Flint, Michigan, and, by extension, the people of the United States by moving swiftly to apply the resources of Michigan to the mitigation of this problem as well as to make sure that every life, every soul, that has been impacted by the poisonous water that they have consumed will be taken care of today and for the rest of their lives.

So I thank BONNIE WATSON COLEMAN for her leadership this evening. I thank all of my colleagues for standing up, for speaking out, for being consistent, in demanding that this Governor do right by his people, that he come out with a plan immediately to direct the resources needed to fix this problem, and to address the illness that is ultimately going to be a part of the lives of a significant portion of this population for the rest of their lives. It is the right thing to do.

Mrs. WATSON COLEMAN. Thank you very much to the Congresswoman.

Madam Speaker, could you tell me how much time I have left?

The SPEAKER pro tempore. The gentlewoman from New Jersey has 7 minutes remaining.

Mrs. WATSON COLEMAN. Very quickly, I would like to acknowledge the fact that Congressman JOHN CONYERS of the 13th District of Michigan was here and has left a statement, which I will submit, with regard to this issue and the fact that he visited Flint, Michigan, just the other day.

I also want to just state two things very briefly, number one, something

that Congresswoman CLARKE spoke to, which is that these are permanent concerns that we have. This impairment that has taken place as a result of exposure to lead is something that these young people will carry the rest of their lives.

It is not just what we are going to do about trying to educate them now. It is how we are going to address this as they move through adulthood and how that impacts their ability to take care of their lives and to have careers, to be responsible.

So I do hope that the Governor does, indeed, do the investigations and the work that he needs to do in order to address these issues immediately. I hope the Federal Government does the kind of investigation of everybody included in this situation, including the Governor, to see just why this had to happen in the first place.

Finally, I yield to the eloquent and vivacious and ever-ready Congresswoman from the great State of Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, may I have the time remaining?

The SPEAKER pro tempore. The gentlewoman from New Jersey has 5 minutes remaining.

Ms. JACKSON LEE. Madam Speaker, let me thank the gentlewoman for her generosity, and let me, first of all, thank her for leading the Congressional Progressive Caucus.

I understand she is due a recognition, of which I celebrate, that she will have shortly. But let me thank her for her astuteness about state government.

You come from state government. You understand oversight. You understand the responsibilities. You are the right person to lead this particular Special Order.

Madam Speaker, it is important today to say that I fully support the proposed supportive services that have been accounted or recounted by Congressman KILDEE, Congresswoman LAWRENCE, and Congressman SCOTT, who is the ranking member of the Committee on Education and the Workforce. We must embrace and surround those children.

I must say it again. I said it earlier. For those of us who remember Jim Jones, who left California and gave a poisonous concoction to children in a foreign country, we have a Jim Jones in Michigan giving a poisonous concoction to the children of Flint, Michigan.

So we are obviously upset about this, and we want the services to be provided for children, who are innocent.

But, at the same time, wearing a hat that deals with the law and law and order, I must make the argument that there has to be a criminal investigation.

Let me applaud the Department of Justice because I sent a letter January 14, 2016, to ask the Department of Justice to immediately investigate the ac-

tions of State officials in Michigan. They are actively engaged. The FBI is actively engaged, and their work is not for naught.

Let me give you an example, Madam Speaker, very quickly. The Governor was asked to release his e-mails. Part of what he released was this black, redacted pages of information.

He released some other materials that I think are telling. Here we are: "We need Treasury to work with Dan in Flint on a clear side by side comparison of the health benefits and costs of GLWA [Great Lakes Water Authority] vs. a more optimized Flint system."

But here's the real key: "Also, we need to look at what financing mechanisms are available to Flint to pay for any higher cost actions."

Madam Speaker, the Governor of the State of Michigan is sitting on \$1 billion. Yet, he is asking a city that is near bankruptcy, controlled by an emergency manager under a State law that was rejected by the people of Michigan, to find out how they can pay for better water. They have no money to pay for better water.

But let me tell you what they did. Instead of helping Flint pay for better water, helping them have a plan for anticorrosion, they paid an emergency manager under a law that was rejected by the voters of Michigan.

This individual led the Detroit's Public Schools as an emergency manager. I am told that that was literally brought to collapse. He was paid \$180,000. Well, he didn't do that well enough that they wanted to give him \$221,000.

Let me say this. The emergency manager payment for the city of Flint—let me correct that—was \$180,000. When he did it for Detroit's Public Schools, that came to near collapse. It was \$221,000.

From my perspective, there is much here that warrants a criminal investigation.

Let me add to the point. On April 25, 2014, the city switches its water supply. Let me be very clear. The city leaders—I served on city council—had no authority because the emergency manager was in place.

Did the emergency manager have an anticorrosion plan? No.

Did they test the water when they opted to go cheap and save \$5 million and go into the Flint River? No.

The city switches its water supply, because of money, from a Detroit system that works. The switch was made as a cost-saving measure for the struggling majority-Black city of Flint.

Soon after, residents began to complain about the water's color, taste, odor, and to report rashes and concerns about bacteria.

In August and September 2014, city officials suggested that they boil the water, the complete wrong thing to do.

They did not have a plan for anticorrosion. They did not follow the

Federal law that indicated that you had to put phosphate, an anticorrosive element, into the water. So it continued to deteriorate and deteriorate.

Guess what, Madam Speaker, and my colleagues. The emergency manager was never a scientist. It was not someone who said: Let me test the water before I order citizens to drink the water.

That sounds to me like there is culpability and criminal culpability because lives have been endangered. And so I am looking forward to the attorney general of Michigan coming in, just as the Governor should, and looking forward to a thorough investigation, Madam Speaker, that will find some relief.

My final point, Madam Speaker, is to say that the Governor is culpable. The Governor right now needs to go into his rainy day fund and provide the full funding requested by Mr. KILDEE and all others to fix the Flint water system.

Mrs. WATSON COLEMAN. Madam Speaker, I yield back the balance of my time.

Mr. CONYERS. Madam Speaker, I rise today in support of my neighbors in Flint, Michigan, who are facing one of the greatest disasters in American history. We cannot erase their pain. But I know that I stand with my colleagues in saying we will do everything in our power to help them recover and help make sure it never happens again.

The sort of regulatory neglect that has brought Flint to its knees has a well-known disparate impact on urban, low-income, and minority communities. Residents who cannot afford to move to suburbs and wealthier neighborhoods, or who do not want to leave their longtime communities, are treated as second-class citizens. Here in Michigan, the twofold combination of negligent environmental protection and underinvestment in infrastructure is forcing those in underserved communities to pay with their health and lives.

We see this in places like Detroit, where 8% of children have elevated blood levels—16 times the national average according to the Centers for Disease Control. We see it in places like Flint, where an unelected emergency manager switched the city's water to an unsafe, untreated source, which has exposed tens of thousands of residents to toxic lead levels.

Exposure to lead—a potent neurotoxin—carries lifelong consequences. Flint parents must now raise children who face lifelong developmental and behavioral challenges, cover economic costs their city cannot afford, and confront mounting medical bills that cannot undo the harm they have suffered. Our thoughts and prayers are with them. But they need more than that—they need action.

It has become an all too common tale that whenever an urban or low-income community's water or air quality is in question, risks to the health and safety of its residents are ignored. This must stop. Underserved communities generally face so-called "acceptable" risks that no other community or suburb would ever accept—or be asked to accept. This must stop. In Flint, the decision was made by some-

one they never voted for and approved by someone who did not care that it might lead to toxic exposure for city's residents. This must stop.

The time when apologies and resignations would suffice has passed. The disregard for the health and safety of our neighbors in Flint will mean massive, heartbreaking consequences for those affected and their city. Anything less than a transformative, lasting shift in the Michigan Department of Environmental Quality and Michigan's other regulatory bodies—from panderers to guardians—simply adds insult to injury. We are not dealing with isolated events of negligence. There is a pattern and practice of disregard for the quality of our air and water that has become intolerable, and we will not settle for mere assurances to do better.

Unfortunately, it appears those responsible for Flint are more focused on surviving the scandal than fixing the problem. Governor Snyder has said he is sorry but he's only offering half measures: free water that they cannot drink anyway, a fraction of what is needed to fix Flint's plumbing, and resources that cannot possibly overcome the health impacts of lead exposure. It appears the only time he thinks Michigan, the City of Flint, and the federal government should work together is when it is time to apportion blame, or when it is time to do everything he says on his terms.

But we know how that story ends. It is time for those of us in Congress who care about a safe environment more than the business environment to act. That means directing federal resources to help Flint recover and rebuild, figuring out exactly what went wrong, and ensuring that this never happens again.

Fixing this problem starts with providing government services that will actually help these people heal. Especially the children so they can succeed in life—which means a proper education, comprehensive healthcare, and access to everything a child in a wealthy community would have if they were similarly exposed. It means repairing the infrastructure, so that they can have clean water again.

Preventing this from happening in the future starts with strengthening—not cutting—our enforcement capacity. It means eliminating emergency management programs that cut government regardless of the cost and strip citizens of their democratic rights. It means stopping with the idea that a small government is a good government, and it means stopping efforts to undermine our government by cutting its budgets to the bone.

Ms. LEE. Madam Speaker, I'd like to thank Congressman DAN KILDEE for his tireless work to bring justice for the residents of Flint. His work, and the work of Congressman JOHN CONYERS, Congresswoman BRENDA LAWRENCE, Congresswoman DEBBIE DINGELL, and so many Members of the Michigan Delegation, is essential to providing the families of Flint a voice as we address this crisis.

Madam Speaker, the situation in Flint is nothing short of a tragedy—and a tragedy that could have been prevented.

Every day, we learn more information about how Michigan public officials sacrificed the health and futures of Flint residents in order to save a few dollars in water costs.

This is a shame and a disgrace. The people of Flint deserve better from their leaders.

As Members of Congress, we cannot stand silent while Americans are poisoned.

First, to truly understand this crisis—you have to understand Flint.

Flint is a majority African American city and the average household income is just \$24,834 a year—that's barely HALF the average household income for the state. Let me say that again, the average household in Flint earns JUST half of what other Michigan households earn.

Even before the water switched from Detroit to the Flint River, Flint had fallen on hard times.

It was a city in need and instead of taking action, Governor Rick Snyder balanced the budget at the expense of Flint children, their health and their safety.

Even after residents complained of brown water coming out of the taps, the state insisted nothing was wrong.

But not everyone got the same treatment.

Last January—a full year ago—state workers complained about the quality of water. While Flint residents were told the water was perfectly safe, the state employees were provided with bottled water.

Even before that, in October 2014, the Flint General Motors factory complained that the water was corroding car parts. The city helped General Motors tap into a different, safer water line.

While officials lined up to protect state employees and corporate profits, the residents of Flint were fed lies and lead.

Madam Speaker—I have to ask:

Would this have happened in another city, where the residents had the advantage of wealth?

Or do these gross breaches of public trust only happen in cities where politicians see the residents as expendable?

Sadly, I think we all know the answer to that question.

Tragically, this isn't the first time a poor town has been poisoned—and then ignored.

In far too many low-income communities and communities of color across the country, this story is very familiar.

They, like the families in Flint, have had their health, their well-being and their futures traded in by callous politicians more concerned with expanding corporate profits than serving the public good.

It's past time for Congress to take steps to address environmental racism and ensure that everyone—no matter their zip code—has the opportunity to grow up safe and healthy.

President Obama took the first step by declaring a state of emergency and extending \$80 million in federal funding.

But more can and must be done to address this public health crisis and ensure that this never happens again—in any community, anywhere.

When I was in the California legislature, I worked to pass one of the first state bills regulating lead. This toxin was disproportionately impacting communities of color. I have seen firsthand the devastating impact of lead on children.

I support the work of my colleagues who are demanding state and local officials are held accountable for this man-made disaster, a disaster that never should have happened.

The tragedy in Flint reveals the real impacts of structural and institutional racism and classism on our community. I stand with the people of Flint in my outrage and will continue to demand answers.

As we do so, we must come together to address the impacts of lead poisoning on Flint's residents, particularly Flint's children. Because, sadly, for them, this crisis is just beginning.

CONGRATULATING ABIT MASSEY FOR RECEIVING THE UNIVERSITY OF GEORGIA PRESIDENT'S MEDAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

Mr. COLLINS of Georgia. Madam Speaker, I rise today to congratulate Abit Massey on receiving the prestigious University of Georgia President's Award in recognition of his extraordinary service to UGA and the State of Georgia.

Abit is an institution in Georgia. He has served as the head of the Georgia Department of Commerce, the UGA Alumni Association, and on the board of the Georgia Research Foundation, among numerous other prestigious positions.

In my part of the world, Abit is better known as the dean of the poultry industry due to his tireless commitment to and advocacy on behalf of the industry. Abit served as the executive director of the Georgia Poultry Federation for almost 50 years and now serves as its president emeritus.

One of the most amazing things about Abit is that not only does everyone know him, but everyone respects him. He is the dean of the State lobbyists at the Georgia Capitol, but he still makes time to say hello to everyone he meets and often greets them by name because his memory never forgets anyone.

Abit's service to Georgia and commitment to the State is obvious, but I am glad to see UGA recognize that service through bestowing him the President's Award. I am honored to recognize this great Georgian and hope he continues to work to improve future generations of Georgians.

ENGLISH LANGUAGE UNITY ACT

Mr. COLLINS of Georgia. Madam Speaker, I rise today in support of H.R. 997, the English Language Unity Act, introduced by my friend, Mr. KING, from Iowa. I am a proud cosponsor of this important and commonsense bill.

The English Language Unity Act establishes English as the official language of the United States, requires all official functions of the United States to be conducted in English, and establishes a uniform language requirement for naturalization.

□ 1815

A common language creates a shared bond. It strengthens our shared cultural fabric and identity. English as the official language does not mean other languages cannot be spoken. It simply recognizes that officially. We speak the language already spoken and shared by the vast majority of the country.

Failure to have a national language can create costly and burdensome translation requirements and create legal confusion. It can also hinder new citizens from assimilating quickly.

The diversity of the United States is one of our strengths. We should continue to celebrate the many cultures that make up our melting pot. This great country gives us the freedom to share our differences. But at the end of the day, we are one Nation and one people. And as one Nation, we should speak with one tongue when conducting official business.

Mr. Speaker, I urge my colleagues to support the English Language Unity Act.

HONORING DAN SUMMER OF GAINESVILLE, GEORGIA

Mr. COLLINS of Georgia. Mr. Speaker, it is with a heavy heart that I rise to pay honor to a friend and a colleague, Mr. Dan Summer. Dan was an attorney in Gainesville. As a young attorney just getting started, he was one of the people that I could turn to and ask questions of. He was somebody who listened. He was somebody who cared.

Dan and his wife, Chandelle, ran a firm. Everyone in Gainesville knew that if you went to them, you are going to get treated like family and have somebody that takes not only the fight for your justice and for your fairness, but makes it very personal.

When Dan passed away recently, he fought all the way to the end. ALS took him from us, but his memory is strong.

What he has meant to Georgia and the legal community will go on for many generations. He is one that stood up for rights. Many times when others may have disagreed, Dan always stood up for the rights of others. Dan was always making it his business to be the protector of those in need. Dan Summer is who make Gainesville, Georgia. It is people like Dan Summer; his character, his loving kindness, and his smile.

I remember one of the last times that I saw Dan, it was a little bit ago. He was walking across the Square in Gainesville. I pulled up, and I saw him walking across. I yelled: Hello, and the first thing he did was turn around. And I saw that smile. It is Dan's smile, his concern, and his life that will be remembered.

Mr. Speaker, I would encourage all of us to strive for what is better in us. Dan Summer is one of those people that meant the world to me. His family

will experience this loss, but I know they will continue to relish the love that he gave to not only his family but to his community. With that, I remember Dan Summer.

LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS

Mr. COLLINS of Georgia. Life. Liberty. The pursuit of happiness. Mr. Speaker, in the United States Constitution, our Founders cast their vision for our Nation whose members would enjoy unparalleled freedom because of these basic truths.

Life, liberty, and the pursuit of happiness. Unfortunately, today, many have lost the pursuit of happiness in favor of the guarantee of happiness. They are mistaking what we have as a guarantee in that pursuit of happiness. These Founding Fathers believed in individual worth and individual rights. While the challenging realities faced by citizens of nations that prey on individual and economic liberties sometimes remind us of the particular blessings we enjoy, we take these rights so often for granted.

I believe one of the things that is beginning to pervade our society today, Mr. Speaker, is a society that does not value life or liberty or the pursuit of happiness. In fact, I believe there is an anti-life culture that is developing, one that does not value the personhood that comes at conception and ends at natural death, the one that says that we are made by God in His image, and we have infinite value not based on who we are, but based on the fact that He breathed life into us. It is an abortion culture, an ending culture, that we are being strangled with in the United States.

Abortion is literally killing generations of promise in our country. But yet we have some who really just want to turn their back. They believe it is a choice.

I am so glad, Mr. Speaker, that your family didn't view it that way and my family didn't view it that way. Because when you look at life, you take life as God has given it to us. And it is only up to Him, who gives life, the Maker and Creator of life, that determines the potential and the possibilities. Whatever path we go on, He has given us that hope.

In my own family, this became very real for me. I have had many years of pastoring, but it happened back in 1992. You see, there was a young youth minister and his wife excited about the news that they were going to be parents. Everything was great. Everything was moving along. They were working. They were doing everything that they thought that they were supposed to be doing, until one day my bride called me and said: Let's do an ultrasound. We have one last ultrasound. The doctor wants to do one last ultrasound.

I came running back. I was off on a business trip. I got back just in time to get there. They were doing the

ultrasound. Ultrasounds are amazing because they show life—not a fetus, not a blob—they show a life in the womb. It starts when God breathes it in. If you don't believe me, just take a look.

Even back then when they started to go around, I could see my child whom I had not had a chance to meet yet. Then a little bit later, the nurse stopped. She said: I need to go get the doctor. At that point my wife looked at me, and she said: Something is wrong. Tears started coming down her face.

I said: Sweetheart, they are just going to get the doctor. He is just going to look at it. It is all good. She said: No, something is wrong.

It came back. The doctor looked and said: I need to show you something.

On a little spot, a little white spot that I could have not told the difference of, the doctor told us the words that have now rung for me for almost 23 years. He said: Doug, Lisa, your baby has spinal bifida. He actually used a big term called myelomeningocele. All I knew was something was wrong.

We spent the next few days in sort of disbelief. We knew this was not a mistake. We knew this was not anything except we were supposed to have a child, and, undoubtedly, this was just going to be a little different. We talked to doctors, and we found out it just continued on.

Then one day, Lisa went back to school after it had become known that we were having an issue and the pregnancy was now going to be high risk. One of the teachers came up to Lisa and said: You know you have a choice. Lisa looked at her and said: Well, we are going to Atlanta, and we are going to have the baby in Atlanta. She said: No, no, no. You have a choice. You don't have to keep going.

At that point, it clicked. This teacher was telling my wife that she could kill my baby. Lisa realized it real quickly. Lisa said: You realize you are talking about my child.

When I hear of Planned Parenthood cavalierly talking about a choice to kill a baby, it is horrifying.

In this body, the reconciliation is addressed that we are going to continue to because there was a choice made this week. You had a chance to vote for life, and if you voted "no," you voted against life. Don't try to make it any other thing.

The country has a choice coming up this year. It can take a culture of life from conception to death, natural death, or it can continue to value life, as man does, as throwaway, as maybe not good. You see, prioritizing and saying this is what we believe is what makes this life, liberty, and the pursuit of happiness worth pursuing.

They told us that Jordan would have trouble. I actually had somebody one time in a town hall say: Well, her quality of life may not be good. You may have done her a disservice. I choked

back my angry tears, and I said: You don't know my daughter.

You see, it is that time of the year when elections come around. My daughter just got back home from her job skills training. She is looking for a job. She is 23 years old. She is back home. She is going out to find where she can make a place in this world. She has a smile that will light up a room. Her little chair whips around faster than you can imagine.

I was thinking about even my own election, and my wife looked at me the other night, and she said: You know, you realize you got something coming up this year. I said: What's that? She said: Your secret weapon comes home on Friday. She is daddy's girl.

You see, life is what you make it. Life is not what somebody else says your life is.

When we have a culture of life, abortion is an abomination to that culture of life. It is why we need to continue every day to put forward a culture of life on this world, Mr. Speaker. It is why we will continue to put forward a culture of life that says we value all.

When we do that, no one has to ask where DOUG COLLINS stands. DOUG COLLINS stands with life. DOUG COLLINS stands with those of all. Because I am one who believes that no matter who you see in a day, Mr. Speaker, when you look into their eyes, you see someone of infinite worth, of infinite value, not because of anything they have done, but because of the life that was put into them by their Creator.

It is abortion that takes that away. It is why I will continue to come to this floor as many times as I possibly can and stand for life because that is the life, the liberty, and the pursuit of happiness that our Founders spoke of.

Mr. Speaker, I yield back the balance of my time.

RESTORING ARTICLE I AUTHORITY OF THE UNITED STATES CONGRESS

The SPEAKER pro tempore (Mr. BOST). Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my honor to be recognized to address you here on the floor of the United States House of Representatives. I appreciate your attention to these matters that come before the House and the House Members that are in attendance, observing in their office, and all the staff people around.

Mr. Speaker, it is important that we carry these messages out. I come to the floor tonight to raise a topic that is important to all Americans, especially the Americans who take our Constitution seriously, and even more importantly, those Americans who have

taken an oath to support and defend the Constitution, and that would include all of our servicemen and -women along with many law enforcement officers and officers of the article III courts, the entire House of Representatives, the entire United States Senate, and, to my knowledge, the entire body of legislators across the country and the State legislators. I have many times—a number of times—taken an oath to support and defend our United States Constitution but, in the State senate, also the constitution of the State of Iowa.

Our Founding Fathers structured our Constitution so that we would have three branches of government, and some say three equal branches of government. I do not completely agree with that assessment, Mr. Speaker. Instead, I contend that the three branches of government were separate, and they are separate. But the judicial branch of government was designed to be the weakest of the three. Our Founding Fathers understood that there would be competition between the branches of government.

So as part of this discussion, I would like to announce into the RECORD here, Mr. Speaker, that our chairman of the Judiciary Committee, Chairman GOODLATTE, has initiated a task force—a task force—that is designed to address the article I overreach of the President of the United States and the executive branch—not only this President, but previous administrations as well.

I appreciate and compliment Chairman GOODLATTE for his insight and foresight for taking this initiative. I thank him for suggesting and then ratifying today that I will be chairing the Task Force on Executive Overreach. It will be comprised of members of the Judiciary Committee, Republicans and Democrats. It will be bipartisan. I had hoped that it would be non-partisan. Judging from some of the tone in the debate today, there could be a little flavor of partisanship in there, Mr. Speaker. That is fine, because that is how we bring about our disagreements.

In any case, a task force has been set up, and it will function for 6 months. Some time in August its authorization will either expire or it will be reauthorized and extended for another period of time.

The theme is, again, restoring the article I authority of our Congress and to address the executive overreach.

The circumstances that bring us to this point are myriad. The objectives of the task force, as I would design them, and the object of a chair of a committee is to bring out the will of the group.

I would point out, Mr. Speaker, that the object, the plan, and the strategy is this: First, it is my intention to intake all of the input that we get from Democrats and Republicans from the bipartisan side in the committee and to

build a rather expansive list of the executive overreach that we have seen from the article II branch of government.

I say it that way so that we bring everything into our consideration. Then once that expansive list is made, then we will pare it down to those things that can be sustained as the authority of this Congress versus the authority of the executive branch of government.

I would point out that the executive overreach isn't only about the unconstitutional overreaches that have taken place, especially recently within this administration, but it is also, Mr. Speaker, about the constitutional overreach when a President will act under authority that maybe has been granted to the executive branch of government by the legislative branch of government, or an authority that has been expanded off of an authority that was granted by the United States Congress.

□ 1830

A big piece of this will be the rules and the regulations that are the authority that we have granted to the executive branch of government over the Administrative Procedures Act.

We know that when the executive branch publishes rules, we have been getting more and more rules that are published. Once they are published for the prescribed amount of time, and the comment periods for the prescribed amount of time are allowed and the American public is allowed to weigh in, at a certain point they have complied with the requirements of the Administrative Procedures Act and then the rules go into effect. Often the rules that are written by the executive branch of government are without the purview of Congress, but they have the full force and effect of law. That is troubling to me.

Our Founding Fathers envisioned this. They gave us the republican form of government and a constitutional Republic. This constitutional Republic is designed to be a limited government, Mr. Speaker. They didn't envision that the Federal Government would grow to the expansive lengths that it has. They thought that they would be able to keep it in a narrow limited form and that the States would be dealing with the more detailed issues that the Federal Government was not the benefit of.

We have the enumerated powers. They intended for us to stay within the enumerated powers. The definitions that have come forward here by Congress, they reached out and stretched the limits of the enumerated powers.

They didn't imagine that there would be speed limits on the dirt trails that had horses and buggies on them, and they didn't imagine that the Federal Government would be subsidizing roads in a way that would allow the Federal Government to set speed limits across

this country. That is an example of events that have given the Federal Government—this Congress—some authority tied to the dollars that our Founding Fathers didn't envision, and it is one that I think simply we can understand.

There is a proper role for the Federal Government. There is a proper role in requiring conditions that go along with Federal dollars. I illustrate that point, though, to illustrate how far we have diverged from the intent of our Founding Fathers.

As our Founding Fathers framed the Constitution and established that all laws would be passed here in the United States Congress and not by the executive branch of government and not by the judicial branch of government, that separation of powers was envisioned to be this: Congress has the legislative authority. It is article I. It is article I for a reason, because the voice and the power of the people is vested in this Congress.

Our Founding Fathers envisioned that the policy would come forth here from the various populations of the Thirteen Original Colonies and the States that later joined. Today, if we applied the vision of the Founding Fathers, we would look at 50 States and the territories, and we would imagine that there are—and this is simply close to a fact—320 million people across those 50 States and the territories.

Out of those 320 million people would be generated ideas. There would be grievances that would be brought forward and brought to the Representatives of Congress, and there would be ideas generated to solve the various problems that we have in our country. There might be a consensus that might be formed what the tax rates should be, what the debt burden should be allowed to be, what the size of government should be allowed to be, and what kind of policies might come out of this Congress. Our Founding Fathers envisioned that.

They envisioned then that the voice of the people would be transferred and translated up through and out of the population into the mind and the heart, any activity of their elected representative.

They envisioned also that, out of the corners of the country, the Thirteen Original Colonies—and now from as far away as Guam to Washington, D.C., the corners of the United States, Alaska to Hawaii, to Florida, to Maine, and down to California certainly—that all of the ideas within that would have to compete with other ideas, and that their elected representatives in this republican form of government that is guaranteed in our Constitution would bring the best of those ideas. Not all of them, not the clutter of bad ideas, but sort the clutter of the ideas so that just the cream of the crop, the best ideas, would come from the corners of the United

States and be brought here into this Congress, that an individual Member of Congress, one of the 435, would bring those ideas into the competition of the ideas of the marketplace here.

The ideas of the marketplace here would have to compete against each other. Of the now 435 Members, there would be various ideas that would compete with other ideas. The best ideas that could develop the consensus out of the voice of the people would be sorted here in this Congress, and we would advance those ideas that reflected the will of "we the people." That is the vision of this republican form of government. That is the vision that required that the Congress be established by article I.

The vision for article II was that the executive branch would be headed by a President of the United States, who is the Commander in Chief of our Armed Forces. We wouldn't have any Armed Forces if it weren't for Congress having the enumerated power to establish a military—an Army, a Navy, and, subsequent to that, an Air Force.

So the Founding Fathers envisioned the executive branch and the President of the United States—the President, specifically, the Commander in Chief of our Armed Forces—and that his oath is to preserve, protect, and defend the Constitution of the United States—that is the oath, so help him, God, today, as is in his oath, although it wasn't in the original oath—and that he take care that the laws be faithfully executed. That is the Take Care Clause.

Some of us say somewhat facetiously that the President of the United States took that wrong and decided to execute the Constitution instead of taking care that the laws be faithfully executed. That is something that we will debate and discuss in the task force that addresses the executive overreach, Mr. Speaker.

Our Founding Fathers also established article III, which is the courts. I will speak to that briefly in this segment, Mr. Speaker, because most of the focus of this task force is on the executive overreach. We do need to look into the judicial overreach as well. I believe that there is an effort to give that a review as well. But the Constitution requires that there be a Supreme Court, that they establish a Supreme Court, and then the various other courts are at the discretion of Congress.

I have made this argument to Justice Scalia in somewhat a semiformal setting—I might say an informal setting—a few years ago. I would argue that under the Constitution, if you read article III, the only court that is required by the Constitution is the Supreme Court. It is required that it be led and headed by a Chief Justice.

As you look at the language in the Constitution, I argued that the Supreme Court is not required to be—

well, first of all, there are no other Federal courts that are required. The authority to establish them is granted in article III to Congress. Congress could develop all the Federal courts that they choose to, or they could decide to, essentially, abolish any of the Federal districts. In theory, at least, they could abolish all the Federal districts.

The only Federal Court that is required under the Constitution is the Supreme Court. Under constitutional authority, Congress could eliminate and reduce the Federal Court system all the way down to the Supreme Court. There is no requirement that there be nine Justices or seven or five or three. There is a requirement that there be a Chief Justice.

In the end, if Congress wanted to control the judicial branch, they could reduce their judicial branch down to the Chief Justice, and he is not required to have a Supreme Court building or a budget. They could reduce the Chief Justice down to himself or herself, as the case may be, with his own card table, with his own candle, and no staff. That is how narrow and small the judicial branch of government could be if Congress decided to utilize its constitutional authority.

Of course, we don't do that. But there is a history of two judicial Federal districts being abolished by this Congress back in about 1802. It was debated in the House and the Senate and successfully eliminated a couple of Federal districts—I don't suggest that we do that at all, Mr. Speaker, for those who would get on their Twitter account—illustrating the function of the Constitution itself. But the judicial branch of government has now defined it down to that. It explains that the third branch, article III, the third branch of government, was not designed to be a coequal branch of government. It was designed to be the weakest of the three branches of government.

Then *Marbury v. Madison* came along that established judicial review, and off we are to the races and the growth of the judicial branch of government. That can be shrunk or it can be allowed to grow, and its influence can be allowed to grow or it could be shrunk.

But I would make the point, Mr. Speaker, that it isn't only the Supreme Court that weighs in on what the Constitution says. It is each one of us here in this Chamber and each Senator down at the other end of the United States Capitol Building. We all have our obligation to interpret the Constitution because we all take an oath to uphold it.

We are not taking an oath to uphold it the way the Supreme Court would amend it. In fact, the nine Justices of the Supreme Court—or five, as the case may be—are the last people on the planet who should be amending the Constitution of the United States.

Whether it is a literal amendment or whether it is a de facto amendment is what has taken place with regard to the *Obergefell* case, for example, Mr. Speaker.

The judicial branch of government, article III, is designed to be the weakest of the three branches of government. If it stayed that way or if it becomes that again, we still have the conflict, the struggle for power that is going on between article I, the Congress; article II, the President and the executive branch; article III, the courts; and that static balance that is there between the three branches of government. There is a little tug-of-war going on for the balance between each of those branches of government.

Our Founding Fathers envisioned that it would be impossible to precisely define the differences, the power structure, among the three branches of government. They did, I think, a really good job given the limits of language and imagination, and also the limits of not having a complete crystal ball on what would happen here in this country. But they understood that even though they defined it as precisely as I think was humanly possible in that period of time, or even now today, they understood that each branch of government would jealously protect the authority granted to it within its particular article within the Constitution.

For a long time that is what happened. Even now we have debates about what authority the Congress has versus what authority the President has. That is the heart of the executive overreach task force that was established today in the Judiciary Committee, I would say the brainchild of Chairman GOODLATTE.

I don't believe that the Congress has done a very good job of defending and jealously protecting its constitutional authority. It started a long time ago—someone today said 100 years ago—as Congress began delegating authority to the executive branch of government. It was accelerated with the passage of the Administrative Procedures Act, which sets out the parameters for the executive branch of government to write the rules and regulations that have the full force and effect of law.

That came about, I think, Mr. Speaker, because this Congress was overwhelmed with all of the functions of a growing Federal Government. The various committees and the various task forces that are established here in this Congress grew and emerged out of the duties that this Congress recognized.

But at a certain point, Congress was bogged down with the details of governing. Willingly, to take some of that workload off of their back, they delegated it to the executive branch of government. In doing so, they had to delegate authority to the executive branch of government, too.

Not only was it the workload, in my opinion, Mr. Speaker, but it also was

sometimes the political heat that is required to do the right thing. I have seen this in the State legislature, and I have seen this in Congress multiple times. Issues come up. You can't reach agreement. One side or the other is scoring political points, sometimes it is both sides scoring political points, and the heat of that gets so great sometimes it brings about a decision here. But also, the heat of that might cause the legislative branch of government to pass that responsibility over to the executive branch, take the heat off, and let them make the decision.

The result of executive decisions taking authority might be—let me pick an example—the waters of the United States rule, where this executive branch, during the terms of this President, President Obama, decided that they wanted to regulate a lot more of the real estate in the United States of America. I looked back at a time in about 1992 when I saw another effort to do the same thing as there was a designation in my State that was driven by the EPA to designate 115 streams in Iowa as protected streams.

Looking at that list of protected streams, I began wondering why would they call some drainage ditches protected streams. I read down through the rule. In there, it said, in order to preserve the natural riparian beauty, these streams, according to their geographically defined boundaries in the rule—which I never actually saw the geographically defined boundaries. They just said they were there. I don't know that they were. But according to their geographically defined boundaries, these streams shall be protected streams, and these streams and waters hydrologically connected to them. I will put that in quotes, Mr. Speaker, “and waters hydrologically connected to them.”

□ 1845

When I read the language and I saw that that was the rule that was published, I began to go and deliver the public comment.

I asked the representatives of the rule writers: What does “hydrologically connected to” mean?

Their answer was: We don't know.

And I said: Then take it out of the rule.

No. We can't.

Do you mean you are representing something, and you do not know what it means, but you just know you can't take it out?

That's right. We can't take it out. This is the published rule, and now we have to get this rule passed.

In any case, that brought about a battle within the State of Iowa. Eventually, they got the rule in that said these streams and waters hydrologically connected to them will be regulated by the regulators and that they will decide what practices the

rightful property owner can implement on that real estate that they have now defined to be within the regulation of the government. The phrase “waters hydrologically connected to” thereby became the target of years and years of litigation—of, perhaps, nearly 20 years of litigation or of maybe even more than 20 years of litigation. I guess we would be at 25 or so years of litigation.

Finally, the courts concluded that the phrase “hydrologically connected to” was too vague to be able to enforce it, and the collection—the menagerie—of the article III Court’s ruling on an initiative that was brought forward by the executive branch of government that was not the intention of the legislative branch of government tied all three branches of government together in confusion that eroded the property rights of people who were guaranteed those property rights under the Fifth Amendment.

All of that was being litigated through that period of time when we saw the Kelo decision when the Court decided they could amend the Constitution, and the minority opinion was written by Justice Sandra Day O’Connor. I stood on this floor and almost unknowingly quoted her minority opinion because we had come to the same conclusion independently that the Court had taken three words out of the Fifth Amendment, and those three words were “for public use.” So now, effectively, the Fifth Amendment reads: nor shall private property be taken without just compensation.

We know a little about that debate taking place in the Presidential race because we have a candidate who believes that that is the right thing—to take people’s private property for private use if you can convince the government that would be confiscating it, that it is of better use if it pays more taxes. I disagree with that, Mr. Speaker, and I believe that the Kelo decision will be reversed one day when we appoint constitutionalists to the judicial branch of government. I believe also in the result of that, over a period of time, if we get the right President who will make the right appointments to the Supreme Court.

What I have illustrated here is how the three branches of government can get involved in a convoluted conflict, and in that convoluted conflict, the tension between the three branches of government was designed to get sorted out so that we would be back to the Constitution, itself, and that the Constitution would rule. But when the Supreme Court effectively strikes three words out of the Fifth Amendment to our Constitution, then we have the Court’s ruling without the will of the people, and the will of the people is going to be reflected through, especially and first, the House of Representatives—the quick reaction strike force. There is a reason we all take the

oath to uphold the Constitution. It is so we understand it, and we define it. We take our oath seriously, and we defend it.

In the other two parts of that, when you had an executive branch that initiated a policy—protected streams—that wasn’t the initiative of the legislature, then you have a superlegislature outside the purview of the legislative body. My detractors will turn around and say: But any rule that is passed can be nullified by the United States Congress. So why do you worry about that? Why don’t you just do your job in Congress and nullify the rules if you don’t like them? Mr. Speaker, it works a little bit differently than that, of course, especially when you have a President of the United States who will veto that legislation that would be nullifying the rule; so we are back into the circle again.

If the President initiates a rule without regard to whether there is a court ruling on that rule, the legislature then would be obligated to nullify the rule. The difficulty of that is it takes a supermajority here then to undo something that appointed—but not elected—executive branch officials have initiated often without the knowledge of the President of the United States, himself. That is an upside-down way to get things done.

It is supposed to be and is designed to be the will of the people—the voice of the people—of the United States. They initiate the policy. They send that policy up through Congress. Congress is to bring it before our committees. It evaluates the various ideas, competes, and debates those ideas. It votes them through the various subcommittees and committees after having hearings so that the public can see what is going on—all out in the open, all out in the sunlight. We bring it here to the floor of the Congress and vote on it; and if the Senate agrees, it becomes law. There was not designed to be a superlegislature within the executive branch; but, Mr. Speaker, that is what we have today. We have thousands and thousands of pages of regulations that are initiated by a robust executive branch of government.

I expect that, in the duration of this administration, as we have heard from the President of the United States, he intends to make his days count as we count down to the end of his Presidency. I take him at his word. He has had a robust approach to stretching the limits of the executive branch of government throughout all of his time in office. Now he is sitting in a place where he has the appropriations he needs for the functioning of the Federal Government all the way up until September 30. By September 30, this Congress is going to be in a place where they are seeing the last weeks of a Presidential campaign play themselves out in October and then in early No-

vember. So we are probably right at 5 weeks. Let’s see. Five weeks from the end of the fiscal year will be the vote for the Presidency, and absentee balloting will be taking place at the same time.

The President of the United States has all of the levers that he needs, he has got all of the tools that he needs, and he has got the funding that he needs. He also has the robust idea that the executive branch of government should be stronger, not weaker, and that it should do more, not less. If we wonder about that, Mr. Speaker, we can look around at some of the President’s actions and those of the executive branch of government that I take great issue with. Many of them are tied up in the development, in the implementation, of ObamaCare.

ObamaCare, itself, Mr. Speaker, was legislation that was passed by hook, by crook, by legislative shenanigan. March 22, 2010, was the final passage, and it was a sad day for America because the will of the people was not reflected in this Congress that day. It was a dramatic time to be here. Those who will argue will say: Oh, the House passed this legislation, and the Senate passed this legislation, and it actually was a function of the legislative body. I repeat again—hook, crook, legislative shenanigan. It is not only I who says that, Mr. Speaker. There have been Democrats who have voiced the same thing, but there are far fewer of them these days as a result of force-feeding ObamaCare to the United States Congress.

As the President began implementing ObamaCare, he began changing the law. He made some changes along the way. For example, the employer mandate was delayed. The individual mandate was delayed. Some of it was litigated over to the Supreme Court. Some of these changes were not. He decided which components of the law he wanted to ignore and which ones he wanted to enforce. He took an oath, though, to take care that the laws be faithfully executed. That is all of them. That is not part of them. Yet, as we went through ObamaCare time after time after time, there were changes made along the way in the implementation and enforcement of ObamaCare, and that brought about a great deal of confusion in this country, and it upset a lot of people. It disadvantaged a lot of people, and it advantaged some people.

He granted waiver after waiver for his favorite groups and entities that were, I will say, people who were typically considered to be his supporters. I didn’t see much relief for the people who were typically not considered to be his supporters, such as the Little Sisters of the Poor, for example. They are in the business of having to litigate their religious freedom versus an imposition of the Federal Government’s that, under all of their health insurance policies, they are now commanded

to fund contraceptives, which violates their religious freedom. By the way, it violates my religious convictions as well. So we have a very robust President who has laid out a whole series of demands not only through ObamaCare legislation, but also we have seen this happen with immigration.

The President has said publicly 22 times “I don’t have the constitutional authority to do what you want me to do” when he has been talking to illegal immigrants who are in America and are pressing this government to change the policy to accommodate them in the form of amnesty, which I have described on this floor many times, Mr. Speaker. The President said 22 times: “I don’t have the constitutional authority to do this.”

After he was well vented in his position of explaining the Constitution right out here at a high school in Washington, D.C., the President answered a question from one of the students at the high school. He said, “I used to teach the Constitution,” which he did for 10 years as an adjunct professor at the University of Chicago. He taught constitutional law. He said that the job of Congress is to write the laws, that the job of the President and of the executive branch is to enforce the laws, and that the job of the judicial branch of government is to interpret the laws.

I would bring this back to Chief Justice Roberts, who said clearly in his confirmation hearing some years ago that his job as a Justice is to call the balls and strikes. I agreed with that, and it was very encouraging to hear that, and I certainly supported his confirmation. Yet I see that on June 24 of last year—that would be a Thursday—in the opinion on ObamaCare that was written by Chief Justice Roberts, in a narrow majority opinion where Chief Justice Roberts joined with four other Justices, they decided they could write words into ObamaCare, itself. “Or Federal Government” would be the three words. Maybe the three words they took out of the Fifth Amendment, “for public use,” they get to put in a bank somewhere, and when they need to add some words into law, they can just borrow them from that little word bank. If they strike them out of the Constitution, maybe the three words would be left in the word bank, and the Supreme Court could then pull three words out by choice and say, “or Federal Government.”

Now ObamaCare reads, “an exchange established by the State”—insert “or Federal Government.” Now, that is what happened as to that decision on ObamaCare on June 24, Thursday, the following day. The Supreme Court announced that they had created a new command in the Constitution. It is not just a new right. Remember, I said the Justices of the Supreme Court should be the last people on the planet to amend the Constitution or to discover

any new language in it. They are to call the balls and strikes. That is what I agree with, and that is part of my oath, to defend the Constitution in that fashion. The Supreme Court, instead, inserted those words into ObamaCare, “or Federal Government.”

The following day, they created a command that says not just that there is a new right to same-sex marriage, Mr. Speaker, but that there is a command that, if the States are to conduct or to honor civil marriage, they shall conduct and honor also same-sex marriages without regard to the convictions of their people, who no longer enjoy the 10th Amendment authority to establish that policy on marriage within the States. The Federal Government took that onto themselves, and they issued not just a right to same-sex marriage but a command that everyone, especially the States and the political subdivisions thereof, shall honor same-sex marriage. That is a breathtaking overreach of the Supreme Court. It would be worse than the worst nightmare that any of our Founding Fathers ever would have had with regard to the limitations of this government.

So we are sitting here today with a Federal Government that has been distorted beyond what would be the belief of our Founding Fathers, and they had their share of fears. This Congress needs to reassert itself. It needs to reestablish its constitutional authority. It needs to take a good, hard look at the article I authority that is vested to it in the Constitution, itself, and recognize that all legislative powers exist here in the House and in the Senate. The overreach of the executive branch takes place sometimes because Congress wanted to take the heat off of us, and we gave that responsibility over to the executive branch of government. Sometimes the President decides he wants to do things outside the bounds of his constitutional authority. Sometimes it is a mix of the two, and sometimes it is the President who enjoys the majority support of his party in the House and/or in the Senate. It is more likely that in this Congress that the Members of his party will accept an overreach of a President of their own party than they will an overreach of a President of the opposite party.

□ 1900

It is also true, Mr. Speaker, that we have different views on what is executive overreach and what the Constitution says.

In fact, in some of the debate today, I said that the Constitution has to mean what it says. The very literal words that are in the Constitution have to mean what they say and they have to mean to all of us what they were understood to mean at the time of ratification of the base document of the Constitution and, also, of the var-

ious amendments as we move along through the amendments in the Constitution.

We need to have enough history to understand what those amendments and what the Constitution meant to the people that ratified it, and then we need to recognize that the Constitution itself is an intergenerational guarantee, an intergenerational document signed off on by our Founding Fathers with their hand and agreed to in an oath to that Constitution by millions of Americans over time.

Many of them pledged their lives, their fortunes, and their sacred honor to preserve, support, and defend the Constitution of the United States.

It is a document that is fixed into the letter of the words that are there in the Constitution and the understanding of those words, not living and breathing, but an intergenerational contractual guarantee from our Founding Fathers down to our descendants, as far as they shall go to the end of the Republic, should it ever end. I pray it does never end as long as this Earth exists.

So the multiple generational great-, great-, great- —many times great-grandfathers all the way to the Founding Fathers said: Here is a contract, and I am going to pass this contract on to the next generation. The next generation has to preserve, protect, and defend it and then pass it to the next generation and the next generation and the next generation.

As Ronald Reagan said, freedom is not something that you inherited. It is something that has to be preserved and fought for each generation and defended each generation. So if we lose the understanding of what the Constitution means, we also have lost our Constitution itself, Mr. Speaker.

This task that we have is to preserve this language: “All legislative powers herein granted shall be vested in a Congress of the United States.” It is simple, pure, beautiful, worth preserving, protecting, fighting for, bleeding for and, if need be, dying for.

That is why our honorable and noble military men and women take an oath to support this Constitution, because it is worth defending. They are not defending the President of the United States specifically. They are defending this Constitution when they go into battle.

We need to defend it here in the House of Representatives. We have a task force now to address the executive overreach and will be defining the unconstitutional overreach. I am willing to accept the President’s definition on the constitutional limitations with regard to immigration.

When the President said he doesn’t have the authority to establish and pass amnesty legislation, I agree with him. It is an enumerated power here in this Constitution that is preserved for

the Congress to establish a uniform naturalization, and that has been defined by the courts to mean the immigration policies of the United States.

If we get this right, we will have a Congress that is empowered more, but also an empowered Congress that is more accountable to we, the people.

As Congress steps up and says let's claw that executive overreach power back into the House of Representatives and back into the United States Senate, what we are really saying, Mr. Speaker, is let's claw that executive overreach power and authority back here and hand it back to we, the people.

Now, let's go back and turn our ear to we, the people, so that this republican form of government that is guaranteed to us in this Constitution can gather the best ideas from all across this land and bring those ideas here to Washington, D.C., where the ideas compete with each other. The best ideas float to the top like the cream rises to the top, and the public can look in and they can weigh in.

Additionally, Mr. Speaker, we need more oversight into the executive branch of government. I have drafted and introduced legislation that addresses some of this in a way, I will put out here, to perhaps be a little provocative to start some ideas. Then the competition of ideas, the best ones, as I said, need to float to the top.

That would be legislation that does this: It requires of this mountain and myriad of regulations that we have that go on in perpetuity, that can't be practically reduced or shrunk down or nullified by this Congress—as long as the President is willing to veto a nullification bill and push it back at us, the legislation that I am proposing that sunsets all of the regulations over a period of 10 years sunsets any new regulation at the end of 10 years and it requires Congress to have an affirmative vote before any regulation can have a force and effect of law.

We have passed out of the floor of the House here once, perhaps more than that, what we call the REINS Act. This comes from a retired Member of Congress, a friend, a former ranger, Jeff Davis of Kentucky, who initiated the legislation that there would be a requirement of an affirmative vote of Congress before a regulation that had more than \$100 million of impact on our economy could take effect.

That addresses this. It addresses this going forward with new regulation. It doesn't go backward to other regulations. All of the old regulations are essentially de facto grandfathered by the REINS Act.

The legislation that I had put together before he introduced the REINS Act was more detailed. This legislation is called the Sunset Act. It sunsets all regulations, but it sunsets them in increments of 10 percent of the regula-

tions from each department each year for 10 years.

The departments have to offer up their regulations. They can sort which ones they want to expose to Congress for a vote over a period of 10 years. But over 10 years, they have to offer up their regulations here to Congress.

Congress then evaluates those regulations. Any Member of Congress can come in and offer an amendment to those regulations, maybe an amendment to strike, maybe an amendment to add.

Maybe there are people in this Congress that want more regulations, not less, and they would like to write them into law and affirmatively vote them in.

Well, Mr. Speaker, that idea of sunseting all regulations—10 percent a year for 10 years incrementally—is coupled with the idea of sunseting any new regulation, also, at the end of 10 years and requiring an affirmative vote on any regulation before all new regulations of any kind.

Doing so then restrains the executive branch of government and makes the legislative branch of government responsible to the people.

Our regulators that are writing these rules will know that, if they write a rule that is egregious to the people, the people that have not been heard from the executive branch of government, when they go into the office of, say, the EPA and they press their case to Gina McCarthy, for example, and her people, they don't have a motive to listen because they are insulated from the accountability to the people.

If they knew that those same individuals that are aggrieved by the proposed regulation can come to visit their Member of Congress and press their demand on their Member of Congress, they have to know that that Member of Congress will come forward, come down here to the floor of the House of Representatives and offer an amendment to strike those regulations or amend those regulations so that it is acceptable to we, the people. That is a vision to restrain an overgrowth of the executive branch of government, Mr. Speaker.

I advocate that as one of the things to consider, but neither do I think that I have all the good ideas. There are 435 Members of the House of Representatives and 100 Members of the Senate. There are good ideas that come into every one of our offices from the 750,000 or so people that each of us represent.

With the ideas that come from the public, if we sort them in the fashion envisioned by our Founding Fathers, if we limit the overgrowth of the executive branch of government, we take the responsibility back to us, it will press on us, Mr. Speaker, the kind of changes that are good for the people in this Republic, that are good for the responsibilities of the Members of the House

and of the Senate. We can take America, and we can take America onwards and upwards to the next level of our ascending destiny.

Mr. Speaker, I appreciate your indulgence and your attention.

I yield back the balance of my time.

SAVE CHRISTIANS FROM GENOCIDE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, today I rise to call my colleagues' attention and the attention of the public to the legislation I have proposed.

The bill number is H.R. 4017. This act is the Save Christians from Genocide Act. I would ask my colleagues to consider cosponsoring this legislation. A number have already done so.

I would ask the public to make sure that they know that their Congressperson knows exactly what is going on with H.R. 4017 and that they would hope that their Member of Congress would also be a cosponsor of the bill.

By calling your Congressman's office, I am sure the Members of Congress will be very happy to hear your opinion. Many Members of this body need to know that their constituents support the Save Christians from Genocide Act, H.R. 4017.

What this legislation does is set a priority for immigration and refugee status for those Christians who are now under attack, targeted for genocide in Syria, Iran, Iraq, Libya, and Pakistan.

Genocide is taking place. Mass murder is happening. Christians have been targeted for slaughter and elimination by radical Islamic terrorists in the Middle East. We have to acknowledge that or millions—not just hundreds of thousands—of Christian brethren will die.

Another group, the Yazidis, have also been similarly targeted, and my bill covers those people as well, although they are not Christians.

The greatest threat to our country today is radical Islamic terrorism. So it should not be a difficult decision on the part of our President or the people or the public or this body to decide that we are going to do what we can to save Christians who have been targeted for slaughter by those very same forces who are now the greatest threat to our own security. However, what we have is not just a foot dragging, but a negative response from this administration.

Our President has been unable to defeat or even to turn back the onslaught of radical Islamic terrorism. Yes. I have to admit this President was dealt a pretty bad hand. Things were not good when he took over in the Middle East.

I think the mistake the United States made—it is clear that, when we

sent our troops into Iraq, we did indeed break a stability that has caused us problems. It was a bad situation at that time when our President became President.

Well, this President has turned a bad situation into a catastrophe. We have almost lost—and with our President's policies, we would have lost—Egypt to radical Islamic terrorism.

Our President supported the Muslim Brotherhood leader of Egypt, a man named Mohamed Morsi, who was at that time President of Egypt during the early years of this administration.

President Obama went all the way to Egypt in order to give a speech, standing beside President Morsi to the Muslim people of that region.

What it was was basically an acceptance of the Muslim Brotherhood, which people now know is the philosophical godfather to all of the radical Islamic terrorist movements that now slaughter Christians and threaten the peace and stability of the world.

Our President encouraged them in the beginning, feeling, if we did, again, treat someone nicely, they will respect you.

What happened? Moderate regimes and, yes, regimes in the Middle East that were not democratic, were less than free, have been replaced with radical Islamists who mean to destroy the Middle East and turn it into a caliphate, radical Islamic terrorists who conduct terrorist raids into Western countries, radical Islamic terrorists who murder people in Turkey, in Russia, in San Bernardino.

This is what has happened since this President took over and reached out with the hand of friendship and understanding to those who would become the radical Islamic terrorists of that region and, I might say, a threat to the entire world, including the people of every city in the United States.

□ 1915

Had Egypt been left the way that the President wanted it to be, had we instead not supported the effort by the Egyptian people to rid themselves of Morsi and his government at the time when Morsi was trying to destroy their supreme court and their court system, at a time when Morsi was trying to establish a caliphate that is totally rejected by the Egyptian people, had our President been able to support General el-Sisi, perhaps the revolution could have happened peacefully. But, instead, Morsi was removed by General el-Sisi when he tried to betray the Egyptian people.

Today General el-Sisi now has been elected by a landslide in Egypt. And General el-Sisi—now President el-Sisi—has done everything he can to try to find a way to reconcile between Islam and the other faiths, of not only the region but the world.

President el-Sisi is the only leader, the only President of Egypt ever to go

to a Coptic Christian church and help them celebrate Christmas. This was an incredible act on his part. He also went to the Muslim clerics and personally pleaded with the leadership of the Muslim faith in Egypt and in that part of the world, pleaded for a rejection of the radicalism and pleaded for a rejection of those people who would commit acts of violence on others and try to repress the freedom of religion of other people.

President el-Sisi begged and pleaded for the Egyptian clerics, the Muslim clerics to come out strongly for respect of other people's faiths, respect of freedom of religion and tolerance toward others. When have we ever had a leader like that? Our President resented him because he overthrew a man who was in the Muslim Brotherhood who was trying to lay the foundation for a caliphate of terrorists who would have tried to attack the entire Western world.

So what did General el-Sisi get for being this courageous person? What did General el-Sisi get from us, from our President because he now basically saved Egypt, but not only Egypt—because had Egypt become a radical terrorist state—the entire Middle East would have fallen. It would have been totally out of control. And General el-Sisi stepped up.

What did he get from our President because of that? He got a feeling that our President really didn't like him. He got the feeling, not only the feeling, but he got rejection on those requests that he made for support from the United States, legitimate requests of how he could have weapons systems that would help him defeat the same radical Islamic terrorists that are murdering our own people and conducting murderous terrorist acts throughout the world.

At that time, I might add, they were also conducting mass murders of Christians and of other people of other faiths in the Middle East, burning people to death, taking people out and sawing their heads off and doing this in a very public way, capturing young women, raping them en masse because they are Christians or some other faith than Islam.

Yes, we needed to confront that at that time. But, instead, when General el-Sisi needed help, what did he get? I went to Egypt several years ago, and General el-Sisi pleaded: We have F-16s that we need to combat this threat. We need spare parts for our tanks. He pleaded with us: We need these things or we can't police the desert areas on both sides of Egypt where these radicals are beginning to try to establish some kind of an uprising and some kind of a conflict that is hard to get at. So they need helicopters, they need the spare parts for their tanks, and they need their F-16, airplanes as well.

So I came back and I put together, along with several of my other col-

leagues, the Egyptian Caucus. The Egyptian Caucus is nothing more than a group of probably 20 of us who are trying to do our best to see that the radical Islamists do not take over Egypt and that General el-Sisi is successful in reaching out to the moderate Muslims and trying to create goodwill between people of faith who are people of goodwill and should be working together and rejecting the radical terrorists that now threaten the whole world and threaten the region.

So we are trying to help el-Sisi. He is the point man. I came back a year later, and I talked to General el-Sisi. Well, did you get your spare parts? Well, did you get the F-16s yet? No. Did you get spare parts for the tanks you mentioned? No. Well, did you get those Apache helicopters? He said: Yeah, we got the Apache helicopters, but the defensive systems needed to send Apache helicopters into a combat zone were not included, so we can't use them.

Now, what I just described to you is not something that just happened by bureaucratic happenstance or somebody forgot to send the paperwork out. This was the policy of the Obama administration. I have worked in the White House and seen how these games are played. They are looking at el-Sisi as an enemy, and they are trying to play games with him, making sure his helicopters didn't have the equipment needed to do their job, and that the F-16s didn't come and the spare parts didn't come.

Finally—after 2 years, I might add—I went back a year later, and finally they had arrived, after we had raised hell in this body and the American people had their say that people like el-Sisi and other moderate people, like Abdullah in Jordan and people like that who are moderate in their religious beliefs. They are moderate people, and they believe in giving people of other faiths respect and tolerance. These are the type of leaders we should be siding with.

I might add that General el-Sisi has worked with Israel. He has gone out of his way to make sure there isn't war between Israel and Egypt. What could be better than a man who is reaching out, asking for tolerance among all faiths, a man who reaches out to a country where they have been at war before and is trying to say: We will never be at war again, we will work together to build a better world. That is what he is doing. But that is what our President is trying to undermine.

Our President basically has been unable to use the words "radical Islamic terrorism." We keep saying that. That is why right after the Benghazi fiasco, that is why immediately when they started talking about: Oh, these weren't really terrorists who murdered our Ambassador, it was all caused by a movie that had been shown, and it just enraged these Muslim people and a

demonstration got out of hand, and that is when they went in and murdered our Ambassador. Do you remember that?

I remember hearing it four or five times. The very first time that I heard it, I said: That is a lie. Everybody who knew what was going on, that is what struck them, our government was lying to us in order to protect what? And, I might add, our Secretary of State then, Hillary Clinton, when she was confronted with that lie—and finally by the time we confronted her with it, it was clearly a lie—she said: Well, what difference does it make whether it was a radical terrorist group or whether it was some people who were demonstrating against a movie? What difference does it make?

I will tell you what difference it makes. The difference it makes is that you are sending a message to radicals who murdered our Ambassador that they have gotten away with it, and we are going to wink and nod and let them get away with it. We are not going to challenge them. We are not going after the terrorist murderers. We are not even giving them credit or making them accountable for it. We are going to blame it on somebody else so the American people won't get mad and insist that we do something against it.

So, yeah, that was what the administration was trying to tell us. This is the same administration, as I say, that can't get itself to help General el-Sisi, who has saved us from the horror story of having Egypt turned into a radical Islamic terrorist camp. And now we can't even tell the American people that their Ambassador has been murdered by radical Islamic terrorists.

In fact, those words, "radical Islamic terrorists" have not been uttered. I would challenge the President tonight, not including this in a list of long things, but just get up and say one sentence specifically about "I reject radical Islamic terrorism, and the radical Islamic terrorists of the world have to know that." We haven't heard that from him. We haven't heard that from him at all. Give me the quote.

By the way, I think he did use the phrase in passing saying Christian terrorists and radical Islamic terrorists and blah-blah. No, that is not it. Let's have a condemnation of radical Islamic terrorism. But, no, we haven't been able to do that.

That same President, then, at a time when the situation is spiraling out of control because these terrorists are flooding the Middle East and various countries—whether it is Syria, Iraq, and those parts—this area is becoming so unstable that if we do not do something to save the people there who are under attack in two ways, number one, those people who are there, like the Kurds, like the Sunnis in the Anbar Province who are anti-ISIL, like General el-Sisi and Abdullah of Jordan, we

have to make sure we help them. That is the first thing we have to do.

But the second thing we have to do is make sure we do what is morally right when it comes to those people who have been targeted to be slaughtered. We are talking about a genocide that is existing. We know that the Christian communities have been targeted for extinction by a mass slaughter being conducted by radical Islamic terrorists. Those people who have been targeted deserve to come to the United States.

Number one, our government needs to help those who are fighting ISIL. Number two, our government needs to make sure that those people who are targeted for genocide can find safe haven here instead of bringing healthy, young Muslim men from that area and letting them come into the United States, letting them flood into Europe rather than those people, those Christians who are being targeted.

I went up to Munich and took a look at one of these refugee camps. We all have seen this, video after video of young, healthy Muslim men by the hundreds of thousands pouring in to Western Europe. We don't know how many of them are terrorists. But here is the point. If those young men don't like radical Islam and this terrorism, they should be back in their home country fighting it.

If they do like radical Islam, they certainly shouldn't be permitted into the Western democracies. The same is true in the United States. We should not be permitting—and our President has been, I would say, not doing the job that we have been expecting him to do to protect our interests when it comes to the people who are flooding into our country, whether they are radical Islamic terrorists or whether they are just people coming in from the Middle East who we haven't checked out yet enough. And, of course, we have hundreds of thousands, and, yes, millions of people who have come here illegally—we don't even know who they are—who have swarmed across the border.

This President talks about amnesty, talks about giving children who have come here illegally free education and health care, the DREAM Act, et cetera. What do you think this does? This encourages hundreds of thousands or millions of people to come here.

The trouble is, when there is a flood, we don't know if in that group of hundreds of thousands and millions of people in the last few years, how many of them have been terrorists. Do you really believe that our enemies, that these people who slaughter innocent people, these people who are rampaging through the Middle East, raping thousands of young girls because they are Christians, you think that they would care about lying to come here and they would refrain from coming here because they would have to cross the bor-

der and break the law? We don't know how many of them are here, but they are here. It is the President of the United States who is at fault.

We should have had a system of coming into our country a long time ago that handled refugees and handled people with legitimate immigration status, and everyone that would come here from the Middle East should have been vetted that way.

I was briefed, along with my colleagues, on the vetting process. Top level people in this government admit that they have not been able to really verify the things that the people claim is their background.

I would suggest and I would insist, there is legislation here as well that is pending that I am a cosponsor of that insists on a lie detector test for everybody that comes here, at least from that region.

□ 1930

We could ask them five questions, like: Have you ever advocated violence for your religion? Do you believe in sharia law or the Constitution? That is all we have to do, just take an extra 5 minutes. We haven't even done that.

We have millions of people here. Maybe 10,000 of them have animosity toward us or are here to try to shoot people like they did in San Bernardino, right in our own area. Innocent people were just slaughtered.

I went to Paris. These kids were in a dance club and these guys came in and just massacred them. They kept shooting at them for minutes at a time. They loaded their guns again.

This is what we are up against. It is evil. And this administration, this President can't use the words "radical Islamic terrorists."

Well, I ask my colleagues today to please join me in cosponsoring my legislation, H.R. 4017. It does this. At the very least, we can try to save those Christians in Yazidi cities that have been targeted for genocide.

And how we do it is this. You have a certain number of those on refugee status, a certain number on immigration status coming from these five countries that I mentioned in the Middle East. These are the areas where the Christians are the most under attack. What my bill simply says is that Christians and these Yazidis who have also been targeted for genocide are going to get priority. They deserve to be on the top of the list. They deserve priority long before these healthy, young Muslim men who want to come here. And then we will let them in. We will, of course, vet them, make sure we know who they are, and they will get the priority.

Now, the President made a statement—he didn't use the number of my bill, but he talked about it—and said: Well, we don't believe in that. That is discriminating because of religion. It is

a religious test. We don't do religious tests in America.

Are you kidding? We cannot prioritize what we do to make sure that what we are doing is helping the person who is most in danger? Is a life-guard in some way showing disrespect in not helping those other people in the water by going out and saving someone who is drowning?

This isn't discrimination. This is a prioritization of the people who are under attack and will be slaughtered. This intellectualism will result in what, if we accept the President and this administration saying, "Oh, you can't prioritize for Christians"?

By the way, he doesn't seem to have any trouble prioritizing for anybody else, but it is very clear that he won't let us prioritize for Christians who are targeted for genocide. No, I reject that totally. It is not racism.

We had another incident like this in our history. In 1939, there was at least one boatload of Jews that made it to the United States. They prayed and pleaded with us to let them in. At that moment, Nazi Germany was in the process of picking up the Jews and putting them in concentration camps.

These people got away with their families and they came here. And what did we do? We turned them back. We turned them back for the same reason. Oh, if we let you in, it is a special favor to you. These people were targeted for genocide, and we let them go back. Many of them died in these Nazi concentration camps. Let's not do that again.

I would ask my colleagues to join me in cosponsoring my bill, H.R. 4017, the Save Christians from Genocide Act. Join me and we will send a message to the world that, yes, we are still the same good-hearted people that we have always claimed to be but have not always met that standard.

Today we deserve to stand up and be the champion of the type of values that I am talking about. That is what our Founding Fathers had in mind. America was the refuge of the world. America was the shining city on the hill that inspired the whole world. But we weren't cowards. We weren't someone who undermined some person in his country who is fighting an evil force like General el-Sisi. No, our Founding Fathers made sure that those people who are struggling for a better world had our support.

By the way, let me just note that I worked on speeches for Ronald Reagan. I was Reagan's speechwriter for 7 years in the White House. I was actually researching one of his speeches, and I came across the fact that a man named Kossuth, from Hungary, came to the United States and was pleading for help for the Hungarian people who were then in an uprising against the Austro-Hungarian Empire and were fighting for their freedom. He was there in the

Midwest giving speeches and trying to get the American people to support him. I read a couple of his speeches.

Then I noted that in Springfield, Illinois, right after his speech, the town liked him. He was a freedom fighter. But they passed a resolution at their meeting that said the United States is a noninterventionist power and we should not get involved overseas, something like that.

Kossuth was still in town. He read the newspaper account of it. And when the word got out that he was so in despair that the people of the United States would say such a thing and side with the oppressor through their inaction, when the people heard about this, they called a second meeting.

In the second meeting, they passed a resolution saying that while we don't want to send our military forces all over the world—which is still a good idea—we will support those people who are struggling for freedom throughout the world. We will open up our arsenals. We will give them what they need to defeat the forces of tyranny that oppress them. That second resolution, then, was passed and was signed by the people of Springfield, Illinois; and in the last phases, I might add, one of the people who signed that document was one A. Lincoln.

I will tell you this about that speech of Mr. Kossuth. That speech ended with:

And we do this and we make this commitment so that government of the people, by the people, and for the people shall not perish from this Earth.

Lincoln was there in that room when that speech was given, and he later united the people of the United States with that thought from that man, that freedom fighter overseas.

There are people who are struggling for their freedom. There are people who are struggling for their existence. We do not have to send American military boys to fight the fight that they should be fighting for themselves. But at the very least, we must give them the support they need to defeat the evil forces in the world that would slaughter them, slaughter their families, and come after us next.

That is what the war with radical Islam terrorism is all about. They are at war with us, and they mean to kill our families and they mean to push Western civilization out of the history books of the world in the future. They want it to be a radical Islamic world, and they will kill all of us to get it.

Now, that is not all of the Muslims. I agree with our President that we should not say all Muslims are this way. After all, General el-Sisi is a Muslim; Abdullah of Jordan is a Muslim.

The people that we need on our side to defeat radical Islam are the moderate Muslims of the world. I think at least 80 percent of the Muslims of the world are moderate and would want to

be our friends. We need now to recognize that that segment of Islam is now a threat to our safety, our well-being.

This is an historic moment. We can either meet this challenge or we will lose. But the most important thing, no matter what we do, if our President doesn't want to send troops there, fine, but at least let us ensure that history will record that we saved those Christians who were targeted for the genocide of this evil force that was expanding in that part of the world. Shame on us if we do not.

I ask my colleagues to join me in support of H.R. 4017. I ask the people of the United States to let their Congressmen know that they expect them to support honorable and noble and moral stands like this. It is not discrimination. It is prioritizing towards those people who have been targeted for genocide. Nothing could be better for our soul than to help those who have been so targeted.

I ask that my colleagues to join me in supporting this legislation.

Mr. Speaker, I yield back the balance of my time.

SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2306. An act to require the Secretary of the Army, acting through the Chief of Engineers, to undertake re-mediation oversight of the West Lake Landfill located in Bridge-ton, Missouri; to the Committee on Energy and Commerce; in addition, to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 515. An act to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.

H.R. 4188. An act to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2152. An act to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of

power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 4, 2016, at 10 a.m.

NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, February 3, 2016.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Section 304(b)(3) of the Congressional Accountability Act ("CAA"), 2 U.S.C. §1384(b)(3), requires that, with regard to substantive regulations under the CAA, after the Board of Directors of the Office of Compliance ("Board") has published a general notice of proposed rulemaking as required by subsection (b)(1), and received comments as required by subsection (b)(2), "the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal."

The Board has adopted the regulations in the Notice of Adoption of Substantive Regulations and Transmittal for Congressional Approval which accompany this transmittal letter. The Board requests that the accompanying Notice be published in the House version of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal.

The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

All inquiries regarding this notice should be addressed to Barbara J. Sapin, Executive Director of the Office of Compliance, Room LA-200, 110 2nd Street, SE, Washington, DC 20540; (202) 724-9250.

Sincerely,

BARBARA L. CAMENS,
Chair of the Board of Directors,
Office of Compliance.

FROM THE BOARD OF DIRECTORS OF THE
OFFICE OF COMPLIANCE

NOTICE OF ADOPTION OF REGULATIONS AND
SUBMISSION FOR APPROVAL

Regulations Extending Rights and Protections Under the Americans with Disabilities Act ("ADA") Relating to Public Services and Accommodations, Notice of Adoption of Regulations and Submission for Approval as Required by 2 U.S.C. §1331, the Congressional Accountability Act of 1995, as Amended ("CAA").

Summary:

The Congressional Accountability Act of 1995, PL 104-1 ("CAA"), was enacted into law

on January 23, 1995. The CAA, as amended, applies the rights and protections of thirteen federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 210 of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by Titles II and III (sections 201 through 230, 302, 303, and 309) of the Americans With Disabilities Act of 1990, 42 U.S.C. §§12131-12150, 12182, 12183, and 12189 ("ADA") shall apply to legislative branch entities covered by the CAA. The above provisions of section 210 became effective on January 1, 1997. 2 U.S.C. §1331(h).

The Board of Directors, Office of Compliance, after considering comments to its Notice of Proposed Rulemaking ("NPRM") published on September 9, 2014 in the Congressional Record, has adopted, and is submitting for approval by the Congress, final regulations implementing section 210 of the CAA. For further information contact: Executive Director, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street SE, Washington, D.C. 20540-1999. Telephone: (202) 724-9250.

Supplementary Information:

Background and Summary

Section 210(b) of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by the provisions of Titles II and III (sections 201 through 230, 302, 303, and 309) of the Americans With Disabilities Act of 1990, 42 U.S.C. §§12131-12150, 12182, 12183, and 12189 ("ADA") shall apply to specified legislative branch offices. 2 U.S.C. §1331(b). Title II of the ADA prohibits discrimination on the basis of disability in the provision of services, programs, or activities by any "public entity." Section 210(b)(2) of the CAA defines the term "public entity" for Title II purposes as any of the listed legislative branch offices that provide public services, programs, or activities. 2 U.S.C. §1331(b)(2). Title III of the ADA prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards.

Section 210(e) of the CAA requires the Board of Directors of the Office of Compliance to issue regulations implementing Section 210. 2 U.S.C. §1331(e). Section 210(e) further states that such regulations "shall be the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) of this section except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section." *Id.* Section 210(e) further provides that the regulations shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (b), the entity responsible for correction of a particular violation. 2 U.S.C. §1331(e)(3). On September 9, 2014, the Board published in the Congressional Record a NPRM, 160 Cong. Rec. H7363 & 160 Cong. Rec. S5437 (daily ed., Sept. 9, 2014). In response to the NPRM, the Board received four sets of written comments. After due consideration of the comments received in response to the proposed regulations, the Board has adopted and is submitting these final regulations for approval by Congress.

Summary of Comments and Board's Adopted Rules

A. Request for additional rulemaking proceedings.

One commenter requested that the Board withdraw its proposed regulations and "create" new regulations. The commenter suggested that the Board's authority to adopt regulations does not include the authority to incorporate existing regulations by reference and also suggested that the Board would be adopting future changes to the incorporated regulations unless it specified that the regulations in existence on the adoption date were the ones being incorporated rather than the regulations in existence on the issuance date (which was proposed in the NPRM and occurs after Congress has approved the regulations). The Board has determined that further rulemaking proceedings are not required because the publication requirements of Section 304(b)(1) of the CAA, which requires compliance with 5 U.S.C. §553(b), is satisfied by incorporating "material readily available to the class of persons affected" by the proposed regulation. See, 5 U.S.C. §552(a)(1)(E). Nonetheless, in response to this comment, the Board has modified the proposed regulation to incorporate the regulations in existence on the adoption date rather than the issuance date. In addition, to further avoid any confusion, the adopted regulations require that the full text of the incorporated regulations be published on the Office of Compliance website.

B. General comments regarding proposed regulations.

1. Compliance with both Titles II and III of the ADA.

Several commenters questioned whether it was necessary to adopt regulations under both Title II and Title III when Title II typically applies only to public entities and Title III typically applies only to private entities. Section 210 of the CAA can be confusing because it requires legislative branch offices (which are "public entities") to comply with sections of the ADA that are part of both Title II and Title III. Ordinarily, as the commenters suggested, the major distinction between Title II and Title III of the ADA is that Title II solely applies to public entities while Title III solely applies to private entities that are considered public accommodations. In contrast, under the CAA, the legislative branch offices listed in Section 210(a) must comply with Sections 201 through 230 of Title II of the ADA and Sections 302, 303 and 309 of Title III of the ADA. 42 U.S.C. §1331(b)(1). For purposes of the application of Title II of the ADA, the term "public entity" means any of these legislative branch offices. 42 U.S.C. §1331(b)(2). For the purposes of Title III of the ADA, the CAA does not incorporate the definitions contained in Section 301 of Title III, which limits the application of Title III to private entities which own, operate, lease or lease to places of public accommodation. Consequently, since the CAA expressly applies Title III to legislative branch offices that are "public entities," those offices must at all times provide services, programs and activities that are in compliance with Title II of the ADA and, when those services, programs, activities or accommodations are provided directly to the public (as in places of public accommodations), they must also comply with Sections 302, 303 and 309 of Title III of the ADA. In other words, services, programs and activities that involve constituents and other members of the public must comply with both Titles II and III of the ADA, while those

services, programs and activities that are not open or available to the public must only comply with Title II (and Title I when employment practices are involved).

As noted in the NPRM, Congress applied provisions of both Title II and Title III of the ADA to legislative branch offices to ensure that individuals with disabilities are provided the most access to public services, programs, activities and accommodations provided by law. To that end, the NPRM proposed an admittedly simple rule for deciding which regulation applies when there are differences between the applicable Title II and Title III regulations: the regulation providing the most access shall be followed. In response to the concerns expressed by the commenters, the Board has further reviewed the Title II and III regulations and determined that, when the regulations address the same subject, compliance with the applicable Title II regulation will be sufficient to meet the requirements of both Title II and Title III. For this reason, and to eliminate the potential confusion expressed by the commenters, the Board has adopted only the DOJ's Title II regulation when the DOJ's Title II and Title III regulations address the same subject.

2. Providing services, programs, activities or accommodations directly to the public out of a leased space.

Several commenters raised questions regarding how the regulations would be applied when a legislative branch office is leasing space from a private landlord. Under the ADA regulations (both Title II and Title III), the space being leased, the building where it is located, the building site, the parking lots and the interior and exterior walkways are all considered to be "facilities." If the facility is being used to meet with members of the public, under the CAA, the facility is a place of public accommodation operated by a public entity and therefore the office must meet the obligations imposed by those sections of Titles II and III of the ADA applied to legislative branch entities under the CAA. Because the private landlord is leasing a facility to a place of public accommodation, the private landlord will also have to comply with the DOJ's Title III regulations, subject to enforcement by the DOJ or by an individual with a disability through legal action. The private landlord is not covered by the CAA.

Under the DOJ regulations that are incorporated by the adopted regulations, the obligations imposed by Title II and Title III differ depending upon when the leased facility was constructed. Entities covered by either Title II or Title III of the ADA (or both) must have designed and constructed their facilities in strict compliance with the applicable ADA Standards for Accessible Design (ADA Standards) if they were constructed after January 26, 1992. This means that both landlords and tenants are legally obligated to remove all barriers to access in such leased facilities caused by noncompliance with the applicable ADA Standards. Alterations made after January 26, 1992 to facilities constructed before January 26, 1992 must also be in compliance with the ADA Standards to the maximum extent feasible, and any alterations made to primary function areas after this date trigger a separate obligation to make the path of travel to those areas accessible to the extent that it can be made so without incurring disproportionate costs. If barriers to access exist in these alterations and in the path of travel to altered primary function areas, both the landlord and the tenant are legally obligated to re-

move those barriers. The regulations allow consideration of the provisions of the lease to determine who is primarily responsible for performing the barrier removal work;¹ however, because the legal duty is jointly imposed upon both of the parties, legal liability for any violation cannot be avoided by a private contract.²

All entities covered by Title III of the ADA who are lessors or lessees of facilities that were both constructed after January 26, 1992, and not altered since that date, must remove access barriers if such removal is "readily achievable." 42 U.S.C. § 12182(b)(2)(A)(iv), 28 C.F.R. § 36.304. The phrase "readily achievable" means "easily accomplishable and able to be carried out without much difficulty or expense." 42 U.S.C. § 12181(9); 28 C.F.R. § 36.304(a). Examples of "readily achievable" steps for removal of barriers include: installing ramps; making curb cuts in sidewalks and entrances; repositioning shelves, furniture, vending machines, displays, and telephones; adding raised markings and elevator control buttons; installing visual alarms; widening doors; installing accessible door devices; rearranging toilet partitions to increase maneuvering space; raising toilet seats; and creating designated accessible parking spaces. 28 C.F.R. § 36.304(b).

Because legislative branch offices are "public entities" that must always comply with Title II of the ADA, these offices must also operate each of their services, programs and activities so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. 28 C.F.R. § 35.150(a). While this requirement does not usually require a public entity to make each of its existing facilities accessible and usable by individuals with disabilities [28 C.F.R. § 35.150(a)(1)], a public entity must "give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate" when choosing a method of providing readily accessible and usable services, programs and activities. While structural changes in existing facilities are not required when the public entity can show that other methods are effective in meeting this access requirement, when a public entity is renting solely one facility in a locality, the only practical method of providing accessibility is to make sure that this leased facility is readily accessible. When a legislative branch office has only one facility in a particular locality and uses that facility to conduct meetings with constituents, it can be difficult, if not impossible, for that office to show that each of its programs, services and activities meet the accessibility requirements of 28 C.F.R. § 35.150 when that facility is not readily accessible. Constituents using wheelchairs who are unable to attend meetings at a local Congressional office because the facility is not readily accessible do not find that each of the office's services, programs or activities, when viewed in its entirety, is readily accessible or usable by them. Offices are usually placed in a locality so that staff can meet personally with constituents who live nearby. Nearby constituents using wheelchairs who find that they cannot personally participate in such meetings upon reaching the facility are effectively being denied the access being provided to other constituents.

Because the adopted regulations adequately explain the rights and responsibilities of the parties involved in leasing facilities to public entities or public accommodations, the adopted regulations contain no changes based upon these comments.

3. Access requirements in rural and urban areas.

One commenter suggested that the Board should recognize that the access requirements in rural areas differ from those in urban areas and should therefore adopt regulations that recognize this distinction. The ADA is a civil rights statute and not a building code, although it is sometimes mistakenly viewed as one. While alterations and construction in rural areas may not be regulated by local building codes, under the ADA, the individuals with disabilities living in those areas are entitled to the same rights and protections as those living in urban areas. This means that public entities and public accommodations must comply with the same applicable ADA access requirements regardless of their location. For this reason, following the DOJ and DOT, the Board has not made any changes in the proposed regulations to reflect distinctions between rural and urban areas.

4. Accessibility requirements for leased facilities.

In the NPRM, the Board proposed adoption of an Access Board regulation based on 36 C.F.R. § 1190.34 (2004) which since July 23, 2004 has been incorporated into the Access Board's Architectural Barriers Act Accessibility Guidelines ("ABAAG"). This regulation provides that buildings and facilities leased with federal funds shall contain certain specified accessible features. Buildings or facilities leased for 12 months or less are not required to comply with the regulation as long as the lease cannot be extended or renewed.

The Access Board's leasing regulation implements a key provision of the Architectural Barriers Act ("ABA") which Congress originally passed in 1968 and amended in 1976. The ABA was originally enacted "to insure that all public buildings constructed in the future by or on behalf of the Federal Government or with loans or grants from the Federal Government are designed and constructed in such a way that they will be accessible to and usable by the physically handicapped." S.Rep. No. 538, 90th Cong., 1st Sess., reprinted in 1968 U.S. Code Cong. & Admin. News 3214, 3215. Prior to being amended in 1976, the ABA covered only leased facilities that were "to be leased in whole or in part by the United States after [August 12, 1968], after construction or alteration in accordance with plans and specifications of the United States." Pub. L. No. 90-480 § 1, 82 Stat. 718 (1968). In 1975, the GAO issued a report to Congress entitled *Further Action Needed to Make All Buildings Accessible to the Physically Handicapped* which found that "leased buildings were consistently more inaccessible [than federally-owned buildings] and posed the most serious problems to the handicapped" and further found that "[s]ince the Government leases many existing buildings without substantial alteration, the [ABA's] coverage is incomplete to the extent that those buildings are excluded." Comptroller General, *Further Action Needed to Make All Buildings Accessible to the Physically Handicapped* (July 15, 1975) at 25, 28. In response to the GAO Report, Congress amended the ABA by deleting the phrase "after construction or alteration in accordance with plans and specifications of the United States" thereby providing coverage for all buildings and facilities "to be leased in whole or in part by the United States after [January 1, 1977]." The House Report accompanying the bill that became law described the purpose of the 1976 Amendments as being to "assure more effective implementation of the congressional policy to

eliminate architectural barriers to physically handicapped persons in most federally occupied or sponsored buildings." H.R. Rep. No. 1584—Part I, 94th Cong., 2d Sess. 1 (1976). The hearings on the bill also make it clear that Congress amended the ABA in 1976 to close the loophole through which inaccessible buildings and facilities were leased without alteration. See, Public Buildings Cooperative Use: Hearings on HR 15134 Before the Subcommittee on Public Buildings and Grounds of the House Committee on Public Works and Transportation, 94th Cong., 2d Sess. 107 (1976) (statement of Representative Edgar).

Consequently, since 1976, a hallmark of federal policy regarding people with disabilities has been to require accessibility of buildings and facilities constructed or leased using federal funds. Although, in the CAA, Congress required legislative branch compliance with only the public access provisions of the ADA rather than the Rehabilitation Act of 1973 or the ABA, the ADA itself was enacted in 1990 to expand the access rights of individuals with disabilities beyond what was previously provided by the Rehabilitation Act and the ABA. One of the sections of the ADA that Congress incorporated into the CAA is Section 204. Section 204 requires that the regulations promulgated under the ADA with respect to existing facilities "shall be consistent" with the regulations promulgated by the DOJ in 28 C.F.R. Part 39. 42 U.S.C. §12134(b). Under 28 C.F.R. §39.150(b), a covered entity is required to meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended, and any regulations implementing it.

As several commenters noted, when the DOJ promulgated its ADA regulations in 1991, it stated in its guidelines that it had intentionally omitted a regulation that required public entities to lease only accessible facilities because to do so "would significantly restrict the options of State and local governments in seeking leased space, which would be particularly burdensome in rural or sparsely populated areas." 29 C.F.R. Pt. 35, App. B §35.151. In these same guidelines, however, the DOJ also noted that, under the Access Board's regulations, the federal government may not lease facilities unless they meet the minimum accessibility requirements specified in 36 C.F.R. §1190.34 (2004) (and now in ABAAG §F202.6). This is true even if the facility is located in rural or sparsely populated areas. None of the commenters provided any specific examples of how complying with a regulation regarding leased facilities otherwise applicable to the federal government would be unduly burdensome. Since the supply of accessible facilities has increased during the past twenty-four years through alterations and new construction, the burdensomeness of this regulation is certainly much less than it was in 1991.

A commenter also noted that under the current House rules a Member may not use representational funds to obtain reimbursement for capital improvements and this might affect the removal of barriers in facilities that are inaccessible. However, the proposed regulation does not require that any Member specifically pay for capital improvements. Instead, prior to entering into a lease with a Member for a facility that is in need of alterations to meet the minimum accessibility requirements, the landlord is obligated to make the needed alterations as a condition of doing business with Congress. While it is likely that the landlord will recover

some of the costs associated with these alterations by increasing the rent paid by federal tenants, Congress determined when it amended the ABA to provide coverage for all leased facilities that the increased cost associated with requiring the federal government to lease only accessible facilities would be minimal and well worth the benefit gained by improving accessibility to all federal facilities. H.R. Rep. No. 1584—Part II, 94th Cong., 2d Sess. 9, reprinted in 1976 U.S. Code Cong. & Admin. News 5566, 5571-72. In the NPRM, the Board noted that the most common ADA public access complaint received by the OOC General Counsel from constituents relates to the lack of ADA access to spaces being leased by legislative branch offices. Given the frequency of these complaints and the clear Congressional policy embodied in the ABA requiring leasing of only accessible spaces by the United States, the Board found good cause to propose adoption of the Access Board's regulation formerly known as 36 C.F.R. §1190.34 (2004) and now known as §F202.6 of the ABAAG and the ABAAS. Because, under CAA §210(e)(2), the OOC Board of Directors ("the Board") is authorized to propose a regulation that does not follow the DOJ regulations when it determines "for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section," the Board has decided to require the leasing of accessible spaces as required in §F202.6 of the ABAAS.

5. Regulations regarding the investigation and prosecution of charges of discrimination and regarding periodic inspections and reporting.

Several commenters suggested that the regulations in Part 2, regarding the investigation and prosecution of charges of discrimination, and in Part 3, regarding periodic inspections and reporting, describe powers of the General Counsel that are beyond what is provided in the CAA. These commenters suggested that, under the CAA, the General Counsel does not have the discretion to determine how to conduct investigations and inspections nor the authority to act upon ADA requests for inspection from persons who request anonymity or persons who do not identify themselves as disabled.

Section 210(d) of the CAA requires the General Counsel to accept and investigate charges of discrimination filed by qualified individuals with disabilities who allege a violation of Section 210 of the CAA by a covered entity. The CAA provides no details regarding how charges shall be investigated. Similarly, while Section 210(f) of the CAA requires that the General Counsel, on a regular basis, at least once each Congress, inspect the facilities of covered entities to ensure compliance with Section 210 of the CAA and submit a report to Congress containing the results of such periodic inspections, the statute provides no details regarding how the inspections are to be conducted.

"The power of an administrative agency to administer a congressionally created . . . program necessarily requires the formulation of policy and the making of rules to fill any gap left, implicitly or explicitly, by Congress." *Morton v. Ruiz*, 415 U.S. 199, 231, 94 S.Ct. 1055, 1072, 39 L.Ed.2d 270 (1974) (cited with approval by *Chevron v. Nat'l Resources Defense Council*, 467 U.S. 837, 843, 104 S.Ct. 2778, 81 L.Ed.2d 694 (1984)). When Congress expressly leaves a gap for the agency to fill, there is an express delegation of authority to the agency to elucidate the statute. *Id.* at 844.

The OOC General Counsel has been conducting ADA inspections since January 23, 1995, when the CAA authorized commencement of such inspections. The OOC General Counsel has been investigating charges of discrimination since January 1, 1997, the effective date of Section 210(d). Since the creation of the office, the General Counsel has endeavored to conduct these inspections and investigations in a manner that is not disruptive to the offices involved and has not received complaints or comments indicating that its ADA investigations or inspections have ever been disruptive. The regulations merely propose that the General Counsel conduct investigations and inspections in the manner that they have always been conducted.

Due to the lack of inspection resources, the General Counsel is unable to conduct ADA inspections of all facilities used by the covered entities at least once each Congress. The General Counsel is unable to inspect all of the facilities located in the Washington, D.C. area, much less all of the facilities used by the district and state offices that are also covered by Section 210 of the CAA. In light of the General Counsel's limited resources and the large number of facilities that are covered by the CAA, the General Counsel must prioritize its ADA inspections. The proposed regulations allow the General Counsel to continue its practice of giving priority to inspection of areas that have raised concerns from constituents. By allowing anyone to file a request for inspection and by allowing requestors to remain anonymous to the covered office (the requestor is required to provide his or her identity to the General Counsel), the General Counsel is better able to identify and examine potential access problems and then pass this information on to the covered offices who are in the best position to address these potential issues. The General Counsel has found that, without exception, covered offices have been very responsive to the access concerns raised by constituents through the request for inspection process and are usually appreciative of information concerning constituent access issues of which they might otherwise be unaware.

Under the proposed regulations, requests for inspection filed anonymously or by persons without disabilities are not considered "charges of discrimination" that could result in a formal complaint being filed by the General Counsel against the covered office. Unlike Section 215 of the CAA, relating to occupational safety and health ("OSH") inspections and investigations, Section 210 of the CAA does not authorize the General Counsel to initiate enforcement proceedings unless a qualified individual with a disability has filed a charge of discrimination. But like Section 215, Section 210 of the CAA does authorize the General Counsel to inspect any facility and report its findings to the covered offices and to Congress. The proposed regulations merely recognize the General Counsel's long standing and common sense approach that concentrates limited inspection resources on the areas of most concern to constituents.

The other concern mentioned in the comments is that the proposed regulations define the General Counsel's investigatory authority in a manner that is broader than what Section 210 provides. Section 210 directs the General Counsel to investigate charges of discrimination without specifying how those investigations are to be conducted. To fill this gap, the proposed regulations allow the General Counsel to use modes of inquiry and

investigation traditionally employed or useful to execute the investigatory authority provided by the statute which can include conducting inspections, interviewing witnesses, requesting documents and requiring answers to written questions. These methods of investigation are consistent with how other federal agencies investigate charges of discrimination. There is nothing in this proposed regulation that is contrary to the statutory language in Section 210. For this reason, the Board has not made any changes in the adopted regulations in response to these comments.

6. Request to create new regulations relating to safety and security.

One commenter suggested that the Board use these regulations to recognize the Capitol Police Board's statutory authority relating to safety and security and create new regulations defining this authority with respect to Section 210 of the CAA. In response, the Board does not find any statutory language in the CAA which would allow it to define the authority of the Capitol Police Board by regulation and therefore does not find good cause to modify the language of the DOJ or DOT regulations in the manner requested.

7. Comments to specific regulations.

a. Sec. 1.101—Purpose and Scope. One commenter suggested that, when describing how the CAA incorporates sections of Title II and III of the ADA, the regulation should use the language contained in the incorporated statutory sections. The Board has made this change in the adopted regulations. The same commenter suggested that mediation should be mentioned when describing the charge and complaint process. The Board has also made this change in the adopted regulations.

b. Sec. 1.102—Definitions. One commenter suggested that the incorporated definition of the "Act" should be reconciled with the definition of "ADA" provided in the proposed definitions. The Board has added "or Americans with Disabilities Act" after "ADA" in the definition section of the adopted regulations. This will clarify that references to the "Americans with Disabilities Act" or the "Act" will refer to only those sections of the ADA that are applied to the legislative branch by the CAA. One commenter suggested that there should be some discussion in this section regarding when a covered entity will be considered to be operating a "place of public accommodation" within the meaning of Title III. The Board has provided additional guidance on this topic in this Notice of Adoption and has added a provision in the adopted regulations providing that the regulations shall be interpreted in a manner consistent with the Notice of Adoption.

c. Sec. 1.103—Authority of the Board. One commenter suggested that this section be modified in a way that would allow the Board to adopt the Pedestrian Right of Way Accessible Guidelines ("PROWAG") as a standard. Because the PROWAG are only proposed guidelines and they have not been adopted by the DOT as standards by regulation, these are not among the current DOT regulations that the Board can adopt under Section 210(e)(2) of the CAA. For this reason, the Board has not acted upon this suggestion.

d. Sec. 1.104—Method for identifying entity responsible. A commenter suggested that the term "this section" refers to both the statutory and regulatory language at different times. In response to this suggestion, the Board has changed the first reference to "this section" to "Section 210 of the CAA" in the adopted regulation. A commenter has

also suggested that the regulation refers to allocating responsibility between covered entities rather than identifying the entity responsible and notes that there may be instances where access issues arise because a private landlord has failed to comply with the lease with the covered entity and the General Counsel would be unable to "allocate responsibility" between the covered entity and the private landlord. In response, the Board notes that Section 1.104(c) describes how the entities responsible for correcting violations are identified. Section 1.104(d) describes how responsibility is allocated when more than one covered entity is responsible for the correction. Because a private landlord is not a "covered entity" within the meaning of the CAA, Section 1.104(d) would not be applicable when deciding how to allocate responsibility between a private landlord and a covered legislative branch office. To further clarify this distinction, the Board has added the word "covered" before "entity" in Section 1.104(d) of the adopted regulation. Another commenter requested that this regulation be clarified so that only violations of the sections of the ADA incorporated in the CAA will be considered violations. In response, the Board notes that this has been accomplished by defining the "ADA" as including only those sections incorporated by the CAA. Another comment requested a definition of the term "order" in the last sentence of Section 1.104(d). In response, this word has been deleted in the adopted regulations.

e. Sec. 1.105—Title II Regulations incorporated by reference. The Architect of the Capitol suggested a slight modification to the definition of "historic property" in Sec. 1.105(a)(4) which would add the word "properties" to the list including "facilities" and "buildings." The Board has made this change in the adopted regulations. Another commenter requested that the definition of "historic" properties be modified to include properties designated as historic by state or local law to cover district offices located in such buildings. In response, the Board notes that the definition contained in Sec. 1.105(a)(4) merely supplements the definition of historic properties contained in Section 35.104, which includes those properties designated as historic under State or local law. To further clarify this, the Board has added the word "also" to the definition in the adopted regulation. Another comment suggested that, rather than providing a general rule of interpretation, all potentially conflicting regulations should be rewritten to reconcile all possible conflicts. In response, as noted earlier in response to the general comments, the Board has adopted only the Title II regulation when both a DOJ Title II and Title III regulation address the same subject.

(1) Section 35.103(a). A comment suggested that this regulation should not be adopted because it references Title V of the Rehabilitation Act which includes employment discrimination issues. In response, the Board notes that Section 35.103(a) is based on Section 204 of the ADA, 42 U.S.C. §12134, which is incorporated by reference into the CAA; consequently, this provision remains in the adopted regulations.

(2) Section 35.104. A comment suggested that this regulation should be rewritten to delete all terms that are irrelevant, duplicative, or otherwise inapplicable. In response, the Board notes that definitions of terms that are not used in the incorporated regulations are not incorporated by reference, as made clear by the additional language added

in §1.105(a); consequently, there is no need to rewrite the regulation.

(3) Section 35.105 (Self-Evaluation) and Section 35.106 (Notice). A comment suggested that these regulations should not be adopted because they might require covered entities to report findings to the OOC or keep and maintain certain records. The Board does not find this reason to be "good cause" for modifying the existing DOJ regulation. Unlike some of the other statutes incorporated by the CAA, the ADA does not contain a specific section about recordkeeping that Congress declined to apply to legislative branch entities.

(4) Section 35.107 (Designation of responsible employee and adoption of grievance procedures). A comment suggested that this regulation should not be adopted because the CAA contains other enforcement provisions. The Board does not find "good cause" for modifying the existing DOJ regulation. The DOJ placed these provisions in the regulations even though the ADA contains enforcement provisions. These regulations provide an opportunity to promptly address access issues by allowing individuals with disabilities to complain directly to the covered entity about an access problem.

(5) Section 35.131 (Illegal use of drugs). A comment suggested that this regulation should not be adopted because it may raise Fourth Amendment issues. The Board finds that there is not "good cause" for modifying the existing DOJ regulation. The Fourth Amendment also applies to state and local governments. This regulation exists to make clear that covered entities can legally prohibit participants in government sponsored sport and recreational activities from illegally using drugs.

(6) Section 35.133 (Maintenance of accessible features). A comment suggested that this regulation should be modified to exclude offices that have no "direct care and control" over accessible features because only certain offices control the common areas in buildings. In response, the Board finds that there is not "good cause" for modifying the existing DOJ regulation. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the Proposed Regulations.

(7) Section 35.137 (Mobility Devices). A comment suggested that this regulation should be modified to exclude offices that do not have direct control over the daily operation of legislative branch facilities. In response, the Board has failed to find "good cause" for modifying the existing DOJ regulation. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the Proposed Regulations.

(8) Section 35.150 (Existing Facilities). A comment suggested that this proposed regulation should be modified so that it requires that only accessible facilities be leased and that Section 35.150(d) be removed because it requires the development of a transition plan which imposes recordkeeping requirements not adopted in the CAA. The Board does not find "good cause" for modifying the existing DOJ regulation. The accessibility requirements of leased facilities are addressed in a separate regulation. Regarding transition plans, as noted earlier, unlike some of the other statutes incorporated by the CAA, the ADA does not contain a specific section about recordkeeping that Congress declined to apply to legislative branch entities. The transition planning requirement is a key element of the DOJ regulations since it compels public entities to develop a plan for making all of their facilities accessible.

(9) Section 35.160 (Communications—General). A comment suggested modifying this regulation so that it is consistent with Section 36.303(c) (Effective communication). In response, the Board notes that the adopted regulations do not include Section 36.303(c) so there is no longer a reason for modifying the existing DOJ Title II regulation.

(10) Section 35.163 (Information and Signage). A comment suggested excluding offices that do not have direct control over signage in common areas from this regulation. In response, the Board does not find “good cause” for modifying the existing DOJ regulation. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the adopted regulations.

(11) Appendices to Part 35 Regulations. A commenter suggested correcting the titles of the Appendices to Parts 35 and 36. The titles have been corrected in the adopted regulations.

f. Sec. 1.105—Title III Regulations incorporated by reference.

(1) Section 36.101 (Purpose). A comment suggested that this regulation be modified to state that only those sections of Title III incorporated by the CAA are being implemented. The Board finds that this change is not necessary because the adopted regulations define the term “Americans with Disabilities Act” as including only those sections of the ADA incorporated by the CAA.

(2) Section 36.103 (Relationship with other Laws). A comment suggested deleting this regulation because it references Title V of the Rehabilitation Act. In response, the Board notes that Section 36.103 is based in part on Section 204 of the ADA, 42 U.S.C. §12134, which is incorporated by reference into the CAA, and therefore finds no cause for deleting this regulation.

(3) Section 36.104 (Definitions). Several comments suggested that this regulation be modified to remove all definitions that are irrelevant, duplicative, or otherwise inapplicable. The Board notes that definitions of terms that are not used in the incorporated regulations are not incorporated by reference and therefore finds no cause for altering the regulation. As noted earlier, because the Notice of Adoption will be included as an appendix to the regulations, the notice will serve as guidance for interpreting the regulations.

(4) Section 36.209 (Illegal use of drugs). The Board has not responded to comments regarding this regulation because it has not been incorporated into the adopted regulations.

(5) Section 36.211 (Maintenance of accessible features). The Board has not responded to comments regarding this regulation because it has not been incorporated into the adopted regulations.

(6) Section 36.303 (Effective communication). The Board has not responded to comments regarding this regulation because it has not been incorporated into the adopted regulations.

(7) Section 36.304 (Removal of Barriers). A comment suggested modifying this regulation to acknowledge that the General Counsel has no authority over private landlords. The Board does not find good cause for modifying this regulation. As noted earlier, there is nothing in the regulations suggesting that the CAA applies to private landlords. In many cases, barrier removal is the responsibility of both the landlord and the tenant. If the tenant has a lease provision that places this responsibility on the landlord, it is up to the tenant to take appropriate action to enforce this provision.

(8) Sections 36.402 (Alterations), 36.403 (Alterations: Path of travel), 36.404 (Alterations: Elevator exemption), 36.405 (Alterations: Historic preservation) and 36.406 (Standards for new construction and alterations). A comment suggested modifying these regulations to consider the limited control that some offices have over capital improvement and alterations to buildings and to modify the historic preservation definition to include buildings designated as historic by state and local governments. The Board does not find good cause for modifying the existing DOJ regulations. The entity or entities responsible for correcting violations are identified in accordance with Section 1.104(c) of the adopted regulations. As noted earlier, the definition contained in Sec. 1.105(a)(4) merely supplements the definition of historic properties contained in Section 36.405(a), which includes those properties designated as historic under State or local law.

(9) Appendices to Part 36 Regulations. A commenter suggested correcting the titles of the Appendices to Parts 35 and 36. The titles have been corrected in the adopted regulations.

g. Section 1.105(e)—36 C.F.R. Part 1190 (2004) & ABAAG §F202.6

(1) Several commenters suggested that 36 C.F.R. Part 1190 (2004) should not be adopted because it is no longer in the Code of Federal Regulations. The Board does not find good cause to reconsider its decision to adopt this regulation. As noted earlier, although the regulation was removed from the C.F.R. in 2004 when the substance of the regulation became part of the ABA Accessibility Guidelines (“ABAAG”) at §F202.6, it is still an enforceable standard applied to the United States Government. Since 1976, when Congress amended the ABA, it has been a hallmark of federal policy regarding people with disabilities to require accessibility of buildings and facilities constructed or leased using federal funds.

h. Part 2—Matters Pertaining to Investigation and Prosecution of Charges of Discrimination

(1) Section 2.101 (Purpose and Scope). Several commenters suggested that this regulation explain in more detail how the General Counsel will exercise statutory authority by procedural rule or policy. In response, the Board has deleted this sentence from the adopted regulation.

(2) Section 2.102(b). A comment suggested that this regulation be modified to further clarify what “other means” can be used to “file a charge” other than those listed in the regulation. In response, the Board has deleted the reference to “other means.”

(3) Section 2.102(c). Commenters suggested that this regulation should be modified because subpart (2) of the definition of “the occurrence of the alleged violation” is currently phrased in a way that seems to assume that a violation has occurred and is too broad because it might allow a charge to be filed beyond 180 days of the date of the alleged discrimination. In response to these comments, the adopted regulations retain only the definition of occurrence in subpart (1).

(4) Section 2.103. Commenters suggested modifying this regulation because it appears to expand the General Counsel’s authority beyond what the CAA provides. For the reasons stated earlier in the response to the general comments, the Board disagrees with this assessment and therefore this section has not been changed in the adopted regulations.

(5) Section 2.107(a)(2). Commenters suggested removing this regulation because

they believe that the CAA does not provide compensatory damages as a remedy for violations of Section 210. After due consideration of these comments, the Board has decided that the issue of what constitutes an appropriate remedy should be decided on a case-by-case basis through the statutory hearing and appeals process rather than by regulation. It should be noted, however, that the analysis in *Lane v. Pena*, 518 U.S. 187 (1996) may not be applicable to ADA cases under the CAA by virtue of the language in Section 210(b)(2) which defines “public entity” as including any of the covered entities listed in Section 210(a) and the language in Section 210(c) which provides for “such remedy as would be appropriate if awarded under section 203 or 308(a) of the American with Disabilities Act of 1990.” These provisions, when read together, may very well constitute an express waiver of sovereign immunity for all damages that can be appropriately awarded against a public entity, which would include compensatory damages.

i. Part 3—Matters Pertaining to Periodic Inspections and Reporting

(1) Section 3.101 (Purpose and Scope). Several commenters suggested that this regulation explain in more detail how the General Counsel will exercise statutory authority by procedural rule or policy. In response, the Board has deleted this sentence from the adopted regulation.

(2) Section 3.102 (Definitions). A commenter suggested that the definition of “facilities of a covered entity” be narrowed so that the General Counsel would only inspect spaces occupied solely by a legislative branch office and would not inspect common spaces, entrances or accessible pathways used to access the solely occupied spaces. The Board finds that such a narrow definition of “facilities of a covered entity” would be inconsistent with the DOJ regulations and the purpose of the statutory mandate to inspect facilities for compliance with Titles II and III of the ADA; therefore, it has not modified this definition in the adopted regulations.

(3) Section 3.103 (Inspection Authority). Commenters suggested that the General Counsel not be allowed to conduct an inspection or investigation initiated by someone who wishes to remain anonymous. For the reasons stated earlier in response to the general comments, the Board rejects this suggestion and has therefore not changed this section in the adopted regulations. The Architect of the Capitol suggested that, in the interest of simplicity and timeliness, Section 3.103(d) be shortened to: “The Office of the Architect of the Capitol shall, within one year from the effective date of these regulations, develop a process with the General Counsel to identify potential barriers to access prior to the completion of alteration and construction projects.” Because the language used in the NPRM more thoroughly describes what this preconstruction process should entail, the Board does not find good cause to modify this regulation in the manner suggested.

Adopted Regulations:

PART 1—MATTERS OF GENERAL APPLICABILITY TO ALL REGULATIONS PROMULGATED UNDER SECTION 210 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

§ 1.101 PURPOSE AND SCOPE

§ 1.102 DEFINITIONS

§ 1.103 AUTHORITY OF THE BOARD

§ 1.104 METHOD FOR IDENTIFYING THE ENTITY RESPONSIBLE FOR CORRECTING VIOLATIONS OF SECTION 210

§ 1.105 REGULATIONS INCORPORATED BY REFERENCE

§ 1.101 Purpose and scope.

(a) **CAA.** Enacted into law on January 23, 1995, the Congressional Accountability Act (“CAA”) in Section 210(b) provides that the rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303, and 309 of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131–12150, 12182, 12183, and 12189 (“ADA”), shall apply to the following entities:

- (1) each office of the Senate, including each office of a Senator and each committee;
- (2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;
- (3) each joint committee of the Congress;
- (4) the Office of Congressional Accessibility Services;
- (5) the United States Capitol Police;
- (6) the Congressional Budget Office;
- (7) the Office of the Architect of the Capitol (including the Botanic Garden);
- (8) the Office of the Attending Physician; and
- (9) the Office of Compliance;

Title II of the ADA prohibits discrimination on the basis of disability in the provision of public services, programs, activities by any “public entity.” Section 210(b)(2) of the CAA provides that for the purpose of applying Title II of the ADA the term “public entity” means any entity listed above that provides public services, programs, or activities. Title III of the ADA prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with accessibility standards. Section 225(f) of the CAA provides that, “[e]xcept where inconsistent with definitions and exemptions provided in [this Act], the definitions and exemptions of the [ADA] shall apply under [this Act.]” 2 U.S.C. § 1361(f)(1).

Section 210(d) of the CAA requires that the General Counsel of the Office of Compliance accept and investigate charges of discrimination filed by qualified individuals with disabilities who allege a violation of Title II or Title III of the ADA by a covered entity. If the General Counsel believes that a violation may have occurred, the General Counsel may request, but not participate in, mediation under Section 403 of the CAA and may file with the Office a complaint under Section 405 of the CAA against any entity responsible for correcting the violation. 2 U.S.C. § 1331(d).

Section 210(f) of the CAA requires that the General Counsel of the Office of Compliance on a regular basis, and at least once each Congress, conduct periodic inspections of all covered facilities and to report to Congress on compliance with disability access standards under Section 210. 2 U.S.C. § 1331(f).

(b) **Purpose and scope of regulations.** The regulations set forth herein (Parts 1, 2, and 3) are the substantive regulations that the Board of Directors of the Office of Compliance has promulgated pursuant to Section 210(e) of the CAA. Part 1 contains the general provisions applicable to all regulations under Section 210, the method of identifying entities responsible for correcting a violation of Section 210, and the list of executive branch regulations incorporated by reference which define and clarify the prohibition

against discrimination on the basis of disability in the provision of public services and accommodations. Part 2 contains the provisions pertaining to investigation and prosecution of charges of discrimination. Part 3 contains the provisions regarding the periodic inspections and reports to Congress on compliance with the disability access standards.

§ 1.102 Definitions.

Except as otherwise specifically provided in these regulations, as used in these regulations:

(a) **Act** or **CAA** means the Congressional Accountability Act of 1995 (Pub. L. 104–1, 109 Stat. 3, 2 U.S.C. §§ 1301–1438).

(b) **ADA** or **Americans with Disabilities Act** means those sections of the Americans with Disabilities Act of 1990 incorporated by reference into the CAA in Section 210: 42 U.S.C. §§ 12131–12150, 12182, 12183, and 12189.

(c) **Covered entity and public entity** include any of the entities listed in § 1.101(a) that provide public services, programs, or activities, or operates a place of public accommodation within the meaning of Section 210 of the CAA. In the regulations implementing Title III, **private entity** includes **covered entities**.

(d) **Board** means the Board of Directors of the Office of Compliance.

(e) **Office** means the Office of Compliance.

(f) **General Counsel** means the General Counsel of the Office of Compliance.

§ 1.103 Authority of the Board.

Pursuant to Sections 210 and 304 of the CAA, the Board is authorized to issue regulations to implement the rights and protections against discrimination on the basis of disability in the provision of public services and accommodations under the ADA. Section 210(e) of the CAA directs the Board to promulgate regulations implementing Section 210 that are “the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.” 2 U.S.C. § 1331(e). Specifically, it is the Board’s considered judgment, based on the information available to it at the time of promulgation of these regulations, that, with the exception of the regulations adopted and set forth herein, there are no other “substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) [of Section 210 of the CAA]” that need be adopted.

In promulgating these regulations, the Board has made certain technical and nomenclature changes to the regulations as promulgated by the Attorney General and the Secretary of Transportation. Such changes are intended to make the provisions adopted accord more naturally to situations in the Legislative Branch. However, by making these changes, the Board does not intend a substantive difference between these regulations and those of the Attorney General and/or the Secretary of Transportation from which they are derived. Moreover, such changes, in and of themselves, are not intended to constitute an interpretation of the regulations or of the statutory provisions of the CAA upon which they are based.

§ 1.104 Method for identifying the entity responsible for correction of violations of section 210.

(a) **Purpose and scope.** Section 210(e)(3) of the CAA provides that regulations under Section 210(e) include a method of identifying, for purposes of Section 210 of the CAA and for categories of violations of Section 210(b), the entity responsible for correcting a particular violation. This section sets forth the method for identifying responsible entities for the purpose of allocating responsibility for correcting violations of Section 210(b).

(b) **Violations.** A covered entity may violate Section 210(b) if it discriminates against a qualified individual with a disability within the meaning of Title II or Title III of the ADA.

(c) **Entities Responsible for Correcting Violations.** Correction of a violation of the rights and protections against discrimination is the responsibility of the entities listed in subsection (a) of Section 210 of the CAA that provide the specific public service, program, activity, or accommodation that forms the basis for the particular violation of Title II or Title III rights and protections and, when the violation involves a physical access barrier, the entities responsible for designing, maintaining, managing, altering or constructing the facility in which the specific public service program, activity or accommodation is conducted or provided.

(d) **Allocation of Responsibility for Correction of Title II and/or Title III Violations.** Where more than one covered entity is found to be an entity responsible for correction of a violation of Title II and/or Title III rights and protections under the method set forth in this section, as between those parties, allocation of responsibility for correcting the violations of Title II or Title III of the ADA may be determined by statute, contract, or other enforceable arrangement or relationship.

§ 1.105 Regulations incorporated by reference.

(a) **Technical and Nomenclature Changes to Regulations Incorporated by Reference.** The definitions in the regulations incorporated by reference (“incorporated regulations”) shall be used to interpret these regulations except: (1) when they differ from the definitions in § 1.102 or the modifications listed below, in which case the definition in § 1.102 or the modification listed below shall be used; or (2) when they define terms that are not used in the incorporated regulations. The incorporated regulations are hereby modified as follows:

(1) When the incorporated regulations refer to “Assistant Attorney General,” “Department of Justice,” “FTA Administrator,” “FTA regional office,” “Administrator,” “Secretary,” or any other executive branch office or officer, “General Counsel” is hereby substituted.

(2) When the incorporated regulations refer to the date “January 26, 1992,” the date “January 1, 1997” is hereby substituted.

(3) When the incorporated regulations otherwise specify a date by which some action must be completed, the date that is three years from the effective date of these regulations is hereby substituted.

(4) When the incorporated regulations contain an exception for an “historic” property, building, or facility, that exception shall also apply to properties, buildings, or facilities designated as an historic or heritage asset by the Office of the Architect of the Capitol in accordance with its preservation

policy and standards and where, in accordance with its preservation policy and standards, the Office of the Architect of the Capitol determines that compliance with the requirements for accessible routes, entrances, or toilet facilities (as defined in 28 C.F.R. Parts 35 and 36) would threaten or destroy the historic significance of the property, building or facility, the exceptions for alterations to qualified historic property, buildings or facilities for that element shall be permitted to apply.

(b) **Rules of Interpretation.** When regulations in (c) conflict, the regulation providing the most access shall apply. The Board's Notice of Adoption shall be used to interpret these regulations and shall be made part of these Regulations as Appendix A.

(c) **Incorporated Regulations from 28 C.F.R. Parts 35 and 36.** The Office shall publish on its website the full text of all regulations incorporated by reference. The following regulations from 28 C.F.R. Parts 35 and 36 that are published in the Code of Federal Regulations on the date of the Board's adoption of these regulations are hereby incorporated by reference as though stated in detail herein:

- § 35.101 Purpose.
- § 35.102 Application.
- § 35.103 Relationship to other laws.
- § 35.104 Definitions.
- § 35.105 Self-evaluation
- § 35.106 Notice.
- § 35.107 Designation of responsible employee and adoption of grievance procedures.
- § 35.130 General prohibitions against discrimination.
- § 35.131 Illegal use of drugs.
- § 35.132 Smoking.
- § 35.133 Maintenance of accessible features.
- § 35.135 Personal devices and services.
- § 35.136 Service animals
- § 35.137 Mobility devices.
- § 35.138 Ticketing
- § 35.139 Direct threat.
- § 35.149 Discrimination prohibited.
- § 35.150 Existing facilities.
- § 35.151 New construction and alterations.
- § 35.152 Jails, detention and correctional facilities.
- § 35.160 General.
- § 35.161 Telecommunications.
- § 35.162 Telephone emergency services.
- § 35.163 Information and signage.
- § 35.164 Duties.

Appendix A to Part 35—Guidance to Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services.

Appendix B to Part 35—Guidance on ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services Originally Published July 26, 1991.

- § 36.101 Purpose.
- § 36.102 Application.
- § 36.103 Relationship to other laws.
- § 36.104 Definitions.
- § 36.201 General.
- § 36.202 Activities.
- § 36.203 Integrated settings.
- § 36.204 Administrative methods.
- § 36.205 Association.
- § 36.207 Places of public accommodations located in private residences.
- § 36.208 Direct threat.
- § 36.210 Smoking.
- § 36.213 Relationship of subpart B to subparts C and D of this part.
- § 36.301 Eligibility criteria.
- § 36.302 Modifications in policies, practices, or procedures.
- § 36.304 Removal of barriers.

- § 36.305 Alternatives to barrier removal.
- § 36.307 Accessible or special goods.
- § 36.308 Seating in assembly areas.
- § 36.309 Examinations and courses.
- § 36.310 Transportation provided by public accommodations.
- § 36.402 Alterations.
- § 36.403 Alterations: Path of travel.
- § 36.404 Alterations: Elevator exemption.
- § 36.405 Alterations: Historic preservation.
- § 36.406 Standards for new construction and alterations.

Appendix A to Part 36—Guidance on Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability by Public Accommodations and Commercial Facilities.

Appendix B to Part 36—Analysis and Commentary on the 2010 ADA Standards for Accessible Design.

(d) **Incorporated Regulations from 49 C.F.R. Parts 37 and 38.** The following regulations from 49 C.F.R. Parts 37 and 38 that are published in the Code of Federal Regulations on the effective date of these regulations are hereby incorporated by reference as though stated in detail herein:

- § 37.1 Purpose.
- § 37.3 Definitions.
- § 37.5 Nondiscrimination.
- § 37.7 Standards for accessible vehicles.
- § 37.9 Standards for accessible transportation facilities.
- § 37.13 Effective date for certain vehicle specifications.
- § 37.21 Applicability: General.
- § 37.23 Service under contract.
- § 37.27 Transportation for elementary and secondary education systems.
- § 37.31 Vanpools.
- § 37.37 Other applications.
- § 37.41 Construction of transportation facilities by public entities.
- § 37.43 Alteration of transportation facilities by public entities.
- § 37.45 Construction and alteration of transportation facilities by private entities.
- § 37.47 Key stations in light and rapid rail systems.
- § 37.61 Public transportation programs and activities in existing facilities.
- § 37.71 Purchase or lease of new non-rail vehicles by public entities operating fixed route systems.
- § 37.73 Purchase or lease of used non-rail vehicles by public entities operating fixed route systems.
- § 37.75 Remanufacture of non-rail vehicles and purchase or lease of remanufactured non-rail vehicles by public entities operating fixed route systems.
- § 37.77 Purchase or lease of new non-rail vehicles by public entities operating a demand responsive system for the general public.
- § 37.79 Purchase or lease of new rail vehicles by public entities operating rapid or light rail systems.
- § 37.81 Purchase or lease of used rail vehicles by public entities operating rapid or light rail systems.
- § 37.83 Remanufacture of rail vehicles and purchase or lease of remanufactured rail vehicles by public entities operating rapid or light rail systems.
- § 37.101 Purchase or lease of vehicles by private entities not primarily engaged in the business of transporting people.
- § 37.105 Equivalent service standard.
- § 37.121 Requirement for comparable complementary paratransit service.
- § 37.123 ADA paratransit eligibility: Standards.
- § 37.125 ADA paratransit eligibility: Process.

- § 37.127 Complementary paratransit service for visitors.
- § 37.129 Types of service.
- § 37.131 Service criteria for complementary paratransit.
- § 37.133 Subscription service.
- § 37.135 Submission of paratransit plan.
- § 37.137 Paratransit plan development.
- § 37.139 Plan contents.
- § 37.141 Requirements for a joint paratransit plan.
- § 37.143 Paratransit plan implementation.
- § 37.147 Considerations during FTA review.
- § 37.149 Disapproved plans.
- § 37.151 Waiver for undue financial burden.
- § 37.153 FTA waiver determination.
- § 37.155 Factors in decision to grant an undue financial burden waiver.
- § 37.161 Maintenance of accessible features: General.
- § 37.163 Keeping vehicle lifts in operative condition: Public entities.
- § 37.165 Lift and securement use.
- § 37.167 Other service requirements.
- § 37.171 Equivalency requirement for demand responsive service operated by private entities not primarily engaged in the business of transporting people.
- § 37.173 Training requirements.

Appendix A to Part 37—Modifications to Standards for Accessible Transportation Facilities.

Appendix D to Part 37—Construction and Interpretation of Provisions of 49 CFR Part 37.

- § 38.1 Purpose.
- § 38.2 Equivalent facilitation.
- § 38.3 Definitions.
- § 38.4 Miscellaneous instructions.
- § 38.21 General.
- § 38.23 Mobility aid accessibility.
- § 38.25 Doors, steps and thresholds.
- § 38.27 Priority seating signs.
- § 38.29 Interior circulation, handrails and stanchions.
- § 38.31 Lighting.
- § 38.33 Fare box.
- § 38.35 Public information system.
- § 38.37 Stop request.
- § 38.39 Destination and route signs.
- § 38.51 General.
- § 38.53 Doorways.
- § 38.55 Priority seating signs.
- § 38.57 Interior circulation, handrails and stanchions.
- § 38.59 Floor surfaces.
- § 38.61 Public information system.
- § 38.63 Between-car barriers.
- § 38.71 General.
- § 38.73 Doorways.
- § 38.75 Priority seating signs.
- § 38.77 Interior circulation, handrails and stanchions.
- § 38.79 Floors, steps and thresholds.
- § 38.81 Lighting.
- § 38.83 Mobility aid accessibility.
- § 38.85 Between-car barriers.
- § 38.87 Public information system.
- § 38.171 General.
- § 38.173 Automated guideway transit vehicles and systems.
- § 38.179 Trams, and similar vehicles, and systems.

Figures to Part 38.

Appendix to Part 38—Guidance Material.

(e) **Incorporated Standard from the Architectural Barriers Act Accessibility Standards ("ABAAS")** (May 17, 2005). The following standard from the ABAAS is adopted as a

standard and hereby incorporated as a regulation by reference as though stated in detail herein:

§ F202.6 Leases.

PART 2—MATTERS PERTAINING TO INVESTIGATION AND PROSECUTION OF CHARGES OF DISCRIMINATION.

§ 2.101 PURPOSE AND SCOPE

§ 2.102 DEFINITIONS

§ 2.103 INVESTIGATORY AUTHORITY

§ 2.104 MEDIATION

§ 2.105 COMPLAINT

§ 2.106 INTERVENTION BY CHARGING INDIVIDUAL

§ 2.107 REMEDIES AND COMPLIANCE

§ 2.108 JUDICIAL REVIEW

§ 2.101 Purpose and scope.

Section 210(d) of the CAA requires that the General Counsel accept and investigate charges of discrimination filed by qualified individuals with disabilities who allege a violation of Title II or Title III of the ADA by a covered entity. Part 2 of these regulations contains the provisions pertaining to investigation and prosecution of charges of discrimination.

§ 2.102 Definitions.

(a) **Charge** means any written document from a qualified individual with a disability or that individual's designated representative which suggests or alleges that a covered entity denied that individual the rights and protections against discrimination in the provision of public services and accommodations provided in Section 210(b)(1) of the CAA.

(b) **File a charge** means providing a charge to the General Counsel in person, by mail, or by electronic transmission. Charges shall be filed within 180 days of the occurrence of the alleged violation.

(c) **The occurrence of the alleged violation** means the date on which the charging individual was allegedly discriminated against.

(d) **The rights and protections against discrimination in the provision of public services and accommodations** means all of the rights and protections provided by Section 210(b)(1) of the CAA through incorporation of Sections 201 through 230, 302, 303, and 309 of the ADA and by the regulations issued by the Board to implement Section 210 of the CAA.

§ 2.103 Investigatory Authority.

(a) **Investigatory Methods.** When investigating charges of discrimination and conducting inspections, the General Counsel is authorized to use all the modes of inquiry and investigation traditionally employed or useful to execute this investigatory authority. The authorized methods of investigation include, but are not limited to, the following: (1) requiring the parties to provide or produce ready access to: all physical areas subject to an inspection or investigation, individuals with relevant knowledge concerning the inspection or investigation who can be interviewed or questioned, and documents pertinent to the investigation; and (2) requiring the parties to provide written answers to questions, statements of position, and any other information relating to a potential violation or demonstrating compliance.

(b) **Duty to Cooperate with Investigations.** Charging individuals and covered entities shall cooperate with investigations conducted by the General Counsel. Cooperation includes providing timely responses to reasonable requests for information and documents (including the making and retention of copies of records and documents), allowing the General Counsel to review documents

and interview relevant witnesses confidentially and without managerial interference or influence, and granting the General Counsel ready access to all facilities where covered services, programs and activities are being provided and all places of public accommodation.

§ 2.104 Mediation.

(a) **Belief that violation may have occurred.** If, after investigation, the General Counsel believes that a violation of the ADA may have occurred and that mediation may be helpful in resolving the dispute, prior to filing a complaint, the General Counsel may request, but not participate in, mediation under subsections (b) through (d) of Section 403 of the CAA between the charging individual and any entity responsible for correcting the alleged violation.

(b) **Settlement.** If, prior to the filing of a complaint, the charging individual and the entity responsible for correcting the violation reach a settlement agreement that fully resolves the dispute, the General Counsel shall close the investigation of the charge without taking further action.

(c) **Mediation Unsuccessful.** If mediation under (a) has not succeeded in resolving the dispute, and if the General Counsel believes that a violation of the ADA may have occurred, the General Counsel may file with the Office a complaint against any entity responsible for correcting the violation.

§ 2.105 Complaint.

The complaint filed by the General Counsel shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of Section 405 of the CAA. The decision of the hearing officer shall be subject to review by the Board pursuant to Section 406 of the CAA.

§ 2.106 Intervention by Charging Individual.

Any person who has filed a charge may intervene as of right, with the full rights of a party, whenever a complaint is filed by the General Counsel.

§ 2.107 Remedies and Compliance.

(a) **Remedy.** The remedy for a violation of Section 210 of the CAA shall be such remedy as would be appropriate if awarded under Section 203 or 308(a) of the ADA.

(b) **Compliance Date.** Compliance shall take place as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the order requiring correction becomes final and not subject to further review.

§ 2.108 Judicial Review.

A charging individual who has intervened or any respondent to the complaint, if aggrieved by a final decision of the Board, may file a petition for review in the United States Court of Appeals for the Federal Circuit, pursuant to Section 407 of the CAA.

PART 3—MATTERS PERTAINING TO PERIODIC INSPECTIONS AND REPORTING.

§ 3.101 PURPOSE AND SCOPE

§ 3.102 DEFINITIONS

§ 3.103 INSPECTION AUTHORITY

§ 3.104 REPORTING, ESTIMATED COST & TIME, AND COMPLIANCE DATE

§ 3.101 Purpose and scope.

Section 210(f) of the CAA requires that the General Counsel, on a regular basis, at least once each Congress, inspect the facilities of covered entities to ensure compliance with the Titles II and III of the ADA and to prepare and submit a report to Congress containing the results of the periodic inspections, describing any violations, assessing any limitations in accessibility, and pro-

viding the estimated cost and time needed for abatement. Part 3 of these regulations contains the provisions pertaining to these inspection and reporting duties.

§ 3.102 Definitions.

(a) **The facilities of covered entities** means all facilities used to provide public programs, activities, services or accommodations that are designed, maintained, altered or constructed by a covered entity and all facilities where covered entities provide public programs, activities, services or accommodations.

(b) **Violation** means any barrier to access caused by noncompliance with the applicable standards.

(c) **Estimated cost and time needed for abatement** means cost and time estimates that can be reported as falling within a range of dollar amounts and dates.

§ 3.103 Inspection authority.

(a) **General scope of authority.** On a regular basis, at least once each Congress, the General Counsel shall inspect the facilities of covered entities to ensure compliance with Titles II and III of the ADA. When conducting these inspections, the General Counsel has the discretion to decide which facilities will be inspected and how inspections will be conducted. The General Counsel may receive requests for ADA inspections, including anonymous requests, and conduct inspections for compliance with Titles II and III of the ADA in the same manner that the General Counsel receives and investigates requests for inspections under Section 215(c)(1) of the CAA.

(b) **Review of information and documents.** When conducting inspections under Section 210(f) of the CAA, the General Counsel may request, obtain, and review any and all information or documents deemed by the General Counsel to be relevant to a determination of whether the covered entity is in compliance with Section 210 of the CAA.

(c) **Duty to cooperate.** Covered entities shall cooperate with any inspection conducted by the General Counsel in the manner provided by § 2.103(b).

(d) **Pre-construction review of alteration and construction projects.** Any project involving alteration or new construction of facilities of covered entities are subject to inspection by the General Counsel for compliance with Titles II and III of the ADA during the design, pre-construction, construction, and post construction phases of the project. The Office of the Architect of the Capitol shall, within one year from the effective date of these regulations, develop a process with the General Counsel to identify potential barriers to access prior to the completion of alteration and construction projects that may include the following provisions:

- (1) Design review or approval;
- (2) Inspections of ongoing alteration and construction projects;
- (3) Training on the applicable ADA standards;
- (4) Final inspections of completed projects for compliance; and
- (5) Any other provision that would likely reduce the number of ADA barriers in alterations and new construction and the costs associated with correcting them.

§ 3.104 Reporting, estimating cost & time, and compliance date.

(a) **Reporting duty.** On a regular basis, at least once each Congress, the General Counsel shall prepare and submit a report to Congress containing the results of the periodic inspections conducted under § 3.103(a), describing any violations, assessing any limitations in accessibility, and providing the estimated cost and time needed for abatement.

(b) **Estimated cost & time.** Covered entities shall cooperate with the General Counsel by providing information needed to provide the estimated cost and time needed for abatement in the manner provided by § 2.103(b).

(c) **Compliance date.** All barriers to access identified by the General Counsel in its periodic reports shall be removed or otherwise corrected as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the report describing the barrier to access was issued by the General Counsel.

Recommended Method of Approval:

The Board has adopted the same regulations for the Senate, the House of Representatives, and the other covered entities and facilities, and therefore recommends that the adopted regulations be approved by concurrent resolution of the Congress.

Signed at Washington, D.C., on this 3rd day of February, 2016.

BARBARA L. CAMENS,
CHAIR OF THE BOARD, OFFICE OF
COMPLIANCE.

ENDNOTES

1. 28 C.F.R. § 36.201(b) reads as follows: "Landlord and tenant responsibilities. Both the landlord who owns the building that houses a place of public accommodation and the tenant who owns or operates the place of public accommodation are public accommodations subject to the requirements of this part. As between the parties, allocation of responsibility for complying with the obligations of this part may be determined by lease or other contract."

2. The DOJ's illustrations and descriptions in its Technical Assistance Manuals regarding compliance with Titles II and Title III by tenants and landlords make this clear. See, U.S. Dept. of Justice, ADA Title III Technical Assistance Manual § III.-1.2000 (Nov. 1993) ("The title III regulation permits the landlord and the tenant to allocate responsibility, in the lease, for complying with particular provisions of the regulation. However, any allocation made in a lease or other contract is only effective as between the parties, and both landlord and tenant remain fully liable for compliance with all provisions of the ADA relating to that place of public accommodation."); U.S. Dept. of Justice, ADA Title II Technical Assistance Manual § II.-1.3000 (Nov. 1993) (Both manuals are available online at www.ada.gov). Also see, Gabreille P. Whelan, Comment, The "Public Access" Provisions of Title III of the Americans with Disabilities Act, 34 Santa Clara L. Rev. 215, 217-18 (1993).

3. Several commenters correctly noted that the NPRM contains a technical error because the year (2004) was omitted from the C.F.R. citation, which was a potential source of confusion because the regulation was removed from the C.F.R. in 2004 when the substance of the regulation became part of the ABA Guidelines at § F202.6. Fortunately, all of the commenters were sufficiently able to ascertain the subject matter of the proposed regulation to participate fully in the rule-making process by providing detailed comments about the proposed regulation, which is all that is required of a NPRM. See e.g., *Am. Iron & Steel Inst. v. EPA*, 568 F.2d 284, 293 (3d Cir. 1977); *United Steelworkers v. Marshall*, 647 F.2d 1189, 1121 (D.C. Cir. 1980); and *Am. Med. Ass'n v. United States*, 887 F.2d 760, 767 (7th Cir. 1989).

4. Under § F202.6 of the ABAAG, "Buildings or facilities for which new leases are negotiated by the Federal government after the effective date of the revised standards issued

pursuant to the Architectural Barriers Act, including new leases for buildings or facilities previously occupied by the Federal government, shall comply with F202.6." F202.6 then proceeds to describe the requirements for an accessible route to primary function areas, toilet and bathing facilities, parking, and other elements and spaces. The ABAAG became the ABA Accessibility Standards ("ABAAS") on May 17, 2005 when the GSA adopted them as the standards. See 41 C.F.R. § 102.76.65(a) (2005).

5. These features include at least one accessible route to primary function areas, at least one accessible toilet facility for each sex (or an accessible unisex toilet facility if only one toilet is provided), accessible parking spaces, and, where provided, accessible drinking fountains, fire alarms, public telephones, dining and work surfaces, assembly areas, sales and service counters, vending and change machines, and mail boxes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4203. A letter from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Hispanic-Serving Agricultural Colleges and Universities (HSACU) (RIN: 0524-AA39) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4204. A letter from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Competitive and Noncompetitive Non-formula Federal Assistance Programs — General Award Administrative Provisions and Specific Administrative Provisions (RIN: 0524-AA58) received February 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4205. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's proposed rule — Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Farmer Mac Investment Eligibility (RIN: 3052-AC86) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4206. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's Major final rule — Single Family Housing Guaranteed Loan Program (RIN: 0575-AC18) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4207. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals; Technical Amendment [Docket No.: FDA-2011-N-0922] (RIN: 0910-AG10) received February 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4208. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Cyazofamid; Pesticide Tolerances [EPA-HQ-OPP-2015-0263; FRL-9940-46] received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4209. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Protection of Stratospheric Ozone: Revisions to Reporting and Recordkeeping for Imports and Exports [EPA-HQ-OAR-2015-0309; FRL-9941-82-OAR] (RIN: 2060-AS68) received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4210. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of February 25, 2011, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

4211. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-276, "Washington Metropolitan Area Transit Authority Safety Regulation Temporary Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4212. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-277, "Microstamping Implementation Temporary Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4213. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-275, "Office of the Attorney General Personnel and Procurement Clarification Temporary Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

4214. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2016 Atlantic Shark Commercial Fishing Season [Docket No.: 150413357-5999-02] (RIN: 0648-XD898) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4215. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Blueline Tilefish Fishery; Secretarial Emergency Action [Docket No.: 150311250-5474-01] (RIN: 0648-BE97) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4216. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Revise Maximum Retainable Amounts for Skates in the Gulf of Alaska [Docket No.: 150126078-5999-02] (RIN: 0648-BE85) received

January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4217. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's notice — Revised Jurisdictional Thresholds for Section 8 of the Clayton Act received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4218. A letter from the Secretary, Department of Energy, transmitting a submission of proposed legislation to amend Section 4601(c) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)); jointly to the Committees on Armed Services and Energy and Commerce.

4219. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products [Docket No.: DEA-347] (RIN: 1117-AB30) received January 29, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and the Judiciary.

4220. A letter from the Chair, Office of Compliance, transmitting a notice of adoption of regulations and submission for approval, pursuant to 2 U.S.C. 1384(b)(3); Public Law 104-1, Sec. 304; (109 Stat. 29); jointly to the Committees on House Administration and Education and the Workforce.

4221. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter and relevant documentation concerning the implementation of limited waivers of certain sanctions with respect to Iran under the Iran Freedom and Counter-Proliferation Act of 2012, the Iran Sanctions Act of 1996, and Sec. 1245 of the National Defense Authorization Act for Fiscal Year 2012; jointly to the Committees on Foreign Affairs, Financial Services, Oversight and Government Reform, the Judiciary, and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself and Mr. LOBIONDO):

H.R. 4441. A bill to transfer operation of air traffic services currently provided by the Federal Aviation Administration to a separate not-for-profit corporate entity, to reauthorize and streamline programs of the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BLACK (for herself, Mr. WELCH, Mr. HARPER, and Mr. THOMPSON of California):

H.R. 4442. A bill to amend titles XVIII and XI of the Social Security Act to promote cost savings and quality care under the Medicare program through the use of telehealth and remote patient monitoring services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOLLY (for himself, Mr. MICA, Mr. JONES, Mr. NUGENT, Mr. DUFFY, and Mr. NOLAN):

H.R. 4443. A bill to amend the Federal Election Campaign Act of 1971 to prohibit individuals holding Federal office from directly soliciting contributions to or on behalf of any political committee under such Act, and for other purposes; to the Committee on House Administration.

By Mrs. ELLMERS of North Carolina (for herself, Ms. DEGETTE, Mr. POMPEO, Ms. MATSUI, and Mr. DENT):

H.R. 4444. A bill to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself, Mrs. CAPPS, Mr. DEUTCH, Mr. TAKANO, Mr. ELLISON, Mr. LEWIS, Ms. KAPTUR, Mr. MCGOVERN, Mr. HASTINGS, Mr. CARTWRIGHT, and Mr. GALLEGO):

H.R. 4445. A bill to direct the Federal Trade Commission to submit to Congress a report on the consumer harm arising from the use, in advertisements and other media for the promotion of commercial products and services, of images that have been altered to materially change the appearance and physical characteristics of the faces and bodies of the individuals depicted; to the Committee on Energy and Commerce.

By Mr. STEWART (for himself, Mr. BISHOP of Utah, and Ms. ROS-LEHTINEN):

H.R. 4446. A bill to authorize the use of Ebola funds for Zika response and preparedness; to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY (for himself, Mr. LARSON of Connecticut, Mr. RANGEL, Ms. KUSTER, Mr. PERLMUTTER, Mr. CICILLINE, Ms. PINGREE, Mr. LYNCH, Ms. ESTY, and Mr. VAN HOLLEN):

H.R. 4447. A bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESANTIS (for himself, Mr. LAMBORN, Mr. CRENSHAW, Mr. ROKITA, Mr. SMITH of Texas, Mr. ROHRBACHER, Mr. HARPER, Mr. BISHOP of Michigan, Mr. ROSS, Mr. COLLINS of New York, Mr. DESJARLAIS, Mr. YOHO, Mr. SALMON, Mr. CLAWSON of Florida, Mr. WEBER of Texas, Mr. PERRY, Mr. MEADOWS, Mr. JORDAN, Mr. ZELDIN, Mr. WALKER, and Ms. MCSALLY):

H.R. 4448. A bill to amend the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to secure the authority of State and local governments to adopt and enforce measures restricting investment in business enterprises in Iran, and for other purposes; to the Committee on Financial Services.

By Mr. KATKO (for himself and Mr. LIPINSKI):

H.R. 4449. A bill to direct the Secretary of Transportation to establish a remote air traffic control tower pilot program; to the Committee on Transportation and Infrastructure.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. KING of New York, Ms. MAXINE WATERS of California, Mr. LYNCH, Mr. CAPUANO, and Ms. MOORE):

H.R. 4450. A bill to amend title 31, United States Code, to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes; to the Committee on Financial Services.

By Ms. MCSALLY (for herself, Mr. FRANKS of Arizona, Mr. ZINKE, and Mr. MCCAUL):

H.R. 4451. A bill to amend the Homeland Security Act of 2002 to establish a program to prioritize efforts to secure the international borders of the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. MEADOWS:

H.R. 4452. A bill to designate the area between the intersections of International Drive Northwest and Van Ness Street Northwest and International Drive Northwest and International Place Northwest in Washington, District of Columbia, as "Liu Xiaobo Plaza", and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MOORE:

H.R. 4453. A bill to amend the FAA Modernization and Reform Act of 2012 to review the number of contracts for new disadvantaged small business concerns at certain airports with Disadvantaged Business Enterprises, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. PINGREE (for herself and Ms. GABBARD):

H.R. 4454. A bill to amend title 38, United States Code, to provide for the eligibility under the Post-9/11 Educational Assistance Program of certain individuals with service-connected disabilities who transfer to reserve components before discharge from the Armed Forces; to the Committee on Veterans' Affairs.

By Mrs. RADEWAGEN:

H.R. 4455. A bill to improve air service capabilities in American Samoa, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROGERS of Kentucky (for himself, Mr. CARTWRIGHT, Mr. JENKINS of West Virginia, Mr. GRIFFITH, and Mr. BEYER):

H.R. 4456. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mr. SALMON (for himself and Mr. FRANKS of Arizona):

H.R. 4457. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. SANFORD:

H.R. 4458. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit M13; to the Committee on Natural Resources.

By Mrs. WAGNER:

H.R. 4459. A bill to amend the Internal Revenue Code of 1986 to require the Secretary of the Treasury to issue identity protection personal identification numbers with respect to identity theft-related tax fraud; to the Committee on Ways and Means.

By Mr. MOULTON (for himself, Mr. RIBBLE, Mr. KENNEDY, Mr. CONNOLLY, and Mr. DUNCAN of South Carolina):

H. Res. 600. A resolution reaffirming the right for the United States to use all available options, including the use of military force, to prevent Iran from acquiring a nuclear weapon; to the Committee on Foreign Affairs.

By Mr. BRADY of Pennsylvania (for himself, Mr. HASTINGS, Mrs. WATSON COLEMAN, Mr. VAN HOLLEN, Mr. JEFFRIES, Ms. NORTON, Ms. JUDY CHU of California, Mr. DELANEY, Mr. COSTA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINOJOSA, Mr. BUTTERFIELD, Ms. SLAUGHTER, Mr. FATTAH, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Mrs. LOVE, Ms. TITUS, Ms. LEE, Ms. MOORE, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. TAKAI, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. GRAYSON, Mr. THOMPSON of Mississippi, Mrs. BEATTY, Mr. LARSON of Connecticut, Mrs. NAPOLITANO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SMITH of Washington, Mr. CLAWSON of Florida, Mr. LEWIS, Ms. LOFGREN, Mr. FOSTER, Ms. FUDGE, Mr. SEAN PATRICK MALONEY of New York, Mr. VEASEY, Mr. RUIZ, Mr. PETERS, Mr. ELLISON, Mr. MCNERNEY, Mr. RICHMOND, and Mr. AL GREEN of Texas):

H. Res. 601. A resolution recognizing the 146th anniversary of the ratification of the 15th amendment to the Constitution of the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

170. The SPEAKER presented a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 5, urging the Centers for Disease Control and Prevention to take action to improve prevention, diagnosis, and treatment of Lyme disease; to the Committee on Energy and Commerce.

171. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 5, urging the Centers for Disease Control and Prevention to take action to improve prevention, diagnosis, and treatment of Lyme disease; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SHUSTER:

H.R. 4441.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 and Clause 18.

By Mrs. BLACK:

H.R. 4442.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I Section 8

By Mr. JOLLY:

H.R. 4443.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. ELLMERS of North Carolina:

H.R. 4444.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause—Article 1, Section 8, Clause 3: "To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes;"

By Ms. ROS-LEHTINEN:

H.R. 4445.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. STEWART:

H.R. 4446.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COURTNEY:

H.R. 4447.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Mr. DESANTIS:

H.R. 4448.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. KATKO:

H.R. 4449.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 4450.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. MCSALLY:

H.R. 4451.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States;

Article 1, Section 8, Clause 12—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MEADOWS:

H.R. 4452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Ms. MOORE:

H.R. 4453.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Ms. PINGREE:

H.R. 4454.

Congress has the power to enact this legislation pursuant to the following:

Section I, Article 8

The Congress shall have power to lay and collect taxes; duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States

By Mrs. RADEWAGEN:

H.R. 4455.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Congress shall have power. . . to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes.

By Mr. ROGERS of Kentucky:

H.R. 4456.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (General Welfare) and Article I, Section 8, Clause 18 (Necessary and Proper Clause)

By Mr. SALMON:

H.R. 4457.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 9—"The Congress shall have the power to constitute Tribunals inferior to the supreme Court;"

By Mr. SANFORD:

H.R. 4458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. WAGNER:

H.R. 4459.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 228: Mr. QUIGLEY.
H.R. 244: Mr. ALLEN.
H.R. 250: Mr. O'ROURKE and Mr. JONES.
H.R. 333: Ms. MCSALLY.
H.R. 532: Mr. KEATING.
H.R. 546: Mr. ROYCE.
H.R. 605: Ms. MOORE and Mr. FARR.
H.R. 612: Mr. MICA and Mrs. NOEM.
H.R. 649: Mr. KATKO.
H.R. 662: Mr. LAHOOD and Mr. CRAMER.
H.R. 752: Mr. NORCROSS.
H.R. 800: Ms. KAPTUR.
H.R. 842: Mr. VALADAO.
H.R. 864: Mr. COFFMAN.
H.R. 911: Mr. BLUM and Mr. MCGOVERN.
H.R. 921: Mr. RENACCI and Mrs. BUSTOS.
H.R. 953: Mr. DONOVAN, Mr. ENGEL, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 970: Mrs. HARTZLER.
H.R. 997: Mr. HUNTER and Mr. BOUSTANY.
H.R. 1002: Mr. LOWENTHAL.
H.R. 1062: Mr. LABRADOR and Mr. EMMER of Minnesota.

H.R. 1094: Mr. RATCLIFFE.
 H.R. 1116: Mr. WILSON of South Carolina and Mr. MARINO.
 H.R. 1220: Mr. PAULSEN.
 H.R. 1258: Mrs. BLACK.
 H.R. 1288: Mr. KATKO and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 1310: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 1475: Mr. SMITH of Nebraska, Ms. LEE, Mrs. CAROLYN B. MALONEY of New York, Mr. COSTA, Mr. SCOTT of Virginia, and Ms. Eddie BERNICE JOHNSON of Texas.
 H.R. 1511: Mr. DESANTIS.
 H.R. 1587: Ms. SLAUGHTER.
 H.R. 1608: Ms. FUDGE, Mr. BERA, and Mr. REED.
 H.R. 1708: Ms. ESHOO.
 H.R. 1818: Mr. CALVERT.
 H.R. 1854: Mr. RUIZ.
 H.R. 1911: Mr. DEFazio.
 H.R. 1941: Mr. BOUSTANY.
 H.R. 1942: Ms. BROWN of Florida.
 H.R. 2005: Mr. BEYER.
 H.R. 2058: Mr. STIVERS, Mr. BYRNE, Mr. ROGERS of Kentucky, and Mr. HECK of Nevada.
 H.R. 2096: Ms. BONAMICI.
 H.R. 2144: Mr. BISHOP of Michigan.
 H.R. 2264: Mr. VELA and Mr. FATTAH.
 H.R. 2292: Ms. NORTON.
 H.R. 2334: Mr. ROYCE.
 H.R. 2367: Mr. GRAYSON, Mr. LOWENTHAL, Ms. LOFGREN, and Mr. CONYERS.
 H.R. 2400: Mrs. ELLMERS of North Carolina.
 H.R. 2493: Ms. DUCKWORTH.
 H.R. 2519: Mrs. HARTZLER.
 H.R. 2539: Mrs. BUSTOS.
 H.R. 2546: Mrs. NAPOLITANO.
 H.R. 2612: Ms. DUCKWORTH.
 H.R. 2613: Mr. GRIJALVA, Ms. EDWARDS, Ms. TSONGAS, and Mr. QUIGLEY.
 H.R. 2698: Mr. ABRAHAM, Mr. SESSIONS, and Mr. BISHOP of Michigan.
 H.R. 2715: Mr. ELLISON, Mr. SERRANO, Mr. RANGEL, Mr. CUMMINGS, Ms. MATSUI, Mr. HONDA, Mr. CÁRDENAS, Mr. MOULTON, Mr. DESAULNIER, Mr. DAVID SCOTT of Georgia, and Mr. MEEKS.
 H.R. 2731: Mr. HONDA.
 H.R. 2805: Mr. WALDEN.
 H.R. 2817: Mr. COSTA, Mr. NEWHOUSE, and Mr. LAMALFA.
 H.R. 2844: Mr. TONKO and Ms. KELLY of Illinois.

H.R. 2946: Mr. EMMER of Minnesota.
 H.R. 2948: Mr. HINOJOSA.
 H.R. 3048: Mr. CUELLAR.
 H.R. 3225: Mr. TAKAI and Mr. LUCAS.
 H.R. 3268: Mr. WALDEN, Mr. DOGGETT, and Mr. ROYCE.
 H.R. 3326: Mrs. ELLMERS of North Carolina.
 H.R. 3355: Mr. BYRNE.
 H.R. 3356: Mr. POMPEO.
 H.R. 3384: Mr. HONDA.
 H.R. 3514: Ms. DUCKWORTH and Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 3516: Mr. LOUDERMILK, Mr. WOMACK, and Mr. THOMPSON of Pennsylvania.
 H.R. 3535: Mr. BRADY of Pennsylvania.
 H.R. 3542: Ms. MOORE.
 H.R. 3565: Mrs. DAVIS of California.
 H.R. 3591: Mr. RANGEL.
 H.R. 3640: Mr. THOMPSON of California and Ms. DUCKWORTH.
 H.R. 3643: Mr. HUNTER.
 H.R. 3684: Ms. SINEMA.
 H.R. 3706: Mr. BARTON and Mr. PETERS.
 H.R. 3710: Mr. BENISHEK.
 H.R. 3765: Mr. RANGEL.
 H.R. 3805: Mr. CLEAVER.
 H.R. 3861: Ms. MOORE and Mr. ASHFORD.
 H.R. 3945: Mrs. WALORSKI.
 H.R. 3952: Mr. BOST and Mr. LEWIS.
 H.R. 3957: Mr. MICA.
 H.R. 3991: Ms. MCSALLY.
 H.R. 4113: Ms. SCHAKOWSKY.
 H.R. 4126: Mr. HUDSON, Mr. CLAWSON of Florida, Mr. PEARCE, Mr. ABRAHAM, Mr. LAMBORN, Mr. CHABOT, Mr. POLIQUIN, Mr. SANFORD, Mrs. BLACKBURN, Mr. ALLEN, Mr. WILSON of South Carolina, Mr. ISSA, Mr. LAMALFA, and Mr. HARDY.
 H.R. 4137: Mrs. BEATTY.
 H.R. 4153: Mrs. NAPOLITANO.
 H.R. 4179: Ms. SLAUGHTER.
 H.R. 4199: Mr. YOUNG of Alaska and Mr. DIAZ-BALART.
 H.R. 4210: Mr. ROYCE.
 H.R. 4223: Ms. LOFGREN.
 H.R. 4224: Mr. ALLEN.
 H.R. 4238: Mr. TONKO, Mr. OLSON, Mr. KEATING, Mr. RUSH, Mr. SCHRADER, Mr. BUTTERFIELD, Mr. WELCH, Mr. COHEN, and Mr. PERLMUTTER.
 H.R. 4247: Mr. HARDY.
 H.R. 4249: Mr. DAVID SCOTT of Georgia.
 H.R. 4262: Mr. POMPEO, Mr. LAMBORN, and Mr. COLE.
 H.R. 4263: Mr. SEAN PATRICK MALONEY of New York.

H.R. 4278: Mr. NORCROSS.
 H.R. 4293: Ms. JENKINS of Kansas.
 H.R. 4336: Ms. DUCKWORTH, Ms. BROWNLEY of California, and Mr. BRADY of Texas.
 H.R. 4352: Mr. HURD of Texas.
 H.R. 4376: Mr. GRIJALVA.
 H.R. 4397: Mr. WALZ.
 H.R. 4399: Mr. RANGEL.
 H.R. 4400: Ms. BONAMICI.
 H.R. 4406: Mr. BISHOP of Michigan.
 H.R. 4420: Mr. WEBER of Texas, Mr. BROOKS of Alabama, Mr. FARENTHOLD, Mr. PEARCE, Mr. DESJARLAIS, Mr. ROUZER, Mr. BARR, and Mr. ROE of Tennessee.
 H.R. 4430: Mr. HONDA and Mrs. LAWRENCE.
 H.R. 4435: Ms. CLARKE of New York, Mr. CÁRDENAS, and Mr. BEN RAY LUJÁN of New Mexico.
 H.J. Res. 22: Mrs. KIRKPATRICK.
 H. Con. Res. 75: Mr. JORDAN, Mr. BARLETTA, and Mr. BUCK.
 H. Con. Res. 100: Mr. POE of Texas.
 H. Res. 14: Mr. COFFMAN.
 H. Res. 32: Mr. BISHOP of Georgia.
 H. Res. 339: Mr. SHERMAN.
 H. Res. 469: Mr. CICILLINE.
 H. Res. 549: Mr. COHEN.
 H. Res. 569: Ms. CLARKE of New York.
 H. Res. 571: Mr. YOUNG of Alaska, Mr. MARCHANT, Mr. VARGAS, Mr. BOST, Mr. DESJARLAIS, Mr. CALVERT, Mr. FLORES, and Mr. ROHRBACHER.
 H. Res. 592: Mr. POMPEO.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

43. The SPEAKER presented a petition of the Police Commissioner, City of New York, New York, relative to a letter urging Congress to approve the Denying Firearms and Explosives to Dangerous Terrorists Act; to the Committee on the Judiciary.

44. Also, a petition of the City of Lauderdale Lakes, Florida, relative to Resolution No.: 2015-149, endorsing the "Ban the Box" campaign and urging others to endorse the same; jointly to the Committees on Education and the Workforce and Oversight and Government Reform.

EXTENSIONS OF REMARKS

SUPPORTING PRESIDENT MA OF
TAIWAN AND THE PROPOSED
SOUTH CHINA SEA PEACE INI-
TIATIVE ROAD MAP

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. FARENTHOLD. Mr. Speaker, on January 28, President Ma Ying-jeou of the Republic of China (Taiwan) visited Taiping Island in the Nansha Islands ahead of the Lunar New Year to see the guards and medical staff stationed there. He unveiled "the South China Sea Peace Initiative Road Map" which could be applied as a reference to the parties concerned in the region. The content of the South China Sea Peace Initiative Road Map is stated as below:

"1. "Yes" to cooperation, "no" to confrontation: A cooperation and development mechanism that contributes to peace and prosperity in the South China Sea should first be established, and sovereignty disputes should be set aside for future resolution through peaceful means.

2. "Yes" to sharing, "no" to monopolizing: A cooperation and development mechanism should ensure equal participation and resource sharing among all parties concerned in the region in order to avoid undermining the rights and interests of any party.

3. "Yes" to pragmatism, "no" to intransigence: The initial focus should be on aspects which are beneficial to all parties concerned and on which consensus can be easily achieved; various cooperation items should be pragmatically and gradually promoted so as to avoid missing out on cooperation opportunities as a result of any party insisting on its position.

The viable path consists of shelving disputes, integrated planning, and zonal development. The two essential elaborations are: First, all parties concerned in the region should be included in the consultation mechanism for this initiative so that they can engage in cooperation and negotiations on integrated planning for the South China Sea. Second, the cooperation and consultation mechanism proposed in this initiative should be a provisional arrangement of a practical nature, and should not undermine the position of any party concerned or jeopardize or hamper the reaching of a final agreement on the South China Sea."

As a member of the Taiwan Congressional Caucus, I am glad to see that the national leader of Taiwan is willing to provide a peaceful approach to decrease the tension in this region.

IN RECOGNITION OF LIEUTENANT
MATTHEW VANDERSLICE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize Lieutenant Matt Vanderslice of the United States Coast Guard for his extraordinary actions on February 15, 2015.

Lieutenant Vanderslice, a native of Stonington, Connecticut, was accepted into the prestigious U.S. Coast Guard Academy, where he graduated in 2008 with a Bachelor of Science in Operations Research and Computer Analysis. While at the Academy, he was known to be an avid member of the rowing team and served as the team captain his senior year.

Following commissioning, Lieutenant Vanderslice served as a Deck Watch Officer aboard the USCGC *Hollyhock*, a 225-foot ice breaking buoy tender home ported near Detroit, Michigan. During his two year tenure, he sailed all five Great Lakes before being accepted to the flight training program.

Upon completion of helicopter pilot training, Lieutenant Vanderslice was stationed at Coast Guard Air Station Cape Cod Massachusetts for three years as a duty standing helicopter pilot. It was during this time, assigned as the co-pilot of the helicopter CGNR 6033, that Lieutenant Vanderslice, along with three other crewmembers, were tasked with responding to a distress signal picked up by the Coast Guard Rescue Coordination Center in Boston from the fishing vessel *Sedona*. The *Sedona* was stranded 200 nautical miles off the coast of Cape Cod.

Lieutenant Vanderslice and the aircraft commander, Lieutenant Hess, exhibited exceptional skill as they safely navigated through near-zero visibility, 55 knot winds, and unrelenting snow and sleet. Even when extreme weather conditions caused equipment to malfunction and act erratically, Lieutenant Vanderslice was able to locate the vessel by manipulating the aircraft's avionics system and by making precise fuel calculations. His calm professionalism inspired the rest of the crew to remain confident and focused, which was essential to successful mission completion. In addition to his calm yet quick thinking, he managed to keep the operational commander apprised of mission progress, keep the aircraft clear of the *Sedona* as it was tossed about in the violent seas, and carefully manage fuel burn rates—giving Lieutenant Hess the ability to focus all of his attention on keeping the aircraft in a safe hoisting position. As CGNR 6033 returned to base, Lieutenant Vanderslice communicated with air traffic control and the operational commander to coordinate arrival procedures and initiate medical treatment for the survivors. Lieutenant Vanderslice main-

tained exceptional composure for the entirety of the mission.

Lieutenant Vanderslice has since received orders to Coast Guard Air Station Sitka, Alaska, where he continues to fly the MH-60T on various Coast Guard missions. Lieutenant Vanderslice is married to Stephanie, his wife of 3 years. In his spare time, he is a passionate guitar player and roasts the best coffee in Sitka.

Mr. Speaker, I am proud to rise in honor of Lieutenant Matthew Vanderslice, who perfectly exemplifies the highest standards of the United States Coast Guard. I ask my colleagues to join me in recognizing this distinguished member of our Armed Services and wishing him the best of luck in his future endeavors.

CONGRATULATING BRIANNA DUDA
ON RECEIVING THE CITIZEN
SCHOLAR AWARD FROM MIS-
SOURI STATE UNIVERSITY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Brianna Duda, an outstanding student at Missouri State University, on her selection to receive the Citizen Scholar Award.

Each year, this prestigious award is given by Missouri State University's Board of Governors to students who have contributed to the university, furthered the university's public affairs mission, and have been significantly engaged in extra-curricular accomplishments and/or in important service activities in the community. Since the award was created in 2007, only forty-seven students have been recognized for their stellar achievements.

Brianna, from St. Louis, Missouri, was one of six exceptional students to receive the award this year. She is currently a junior socio-political communication major with a minor in political science. Brianna has been recognized for her skills in identifying intersections of identities and historically excluded groups. She has navigated these issues with great maturity, while addressing the conflict and barriers surrounding them with grace.

Mr. Speaker, Brianna Duda's accomplishments have set a great example of what a Citizen Scholar should be, this award represents a great deal of her hard work and dedication. I am proud to represent students like her and I urge my colleagues to join me in congratulating her on this well-deserved achievement.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN MEMORY OF LT. COL. MICHAEL
MIERAU

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. REICHERT. Mr. Speaker, today I rise to honor the life of Lt. Col. Michael Mierau, who passed away just last week on January 29, 2016.

Lt. Col. Mierau served in the U.S. Army for 26 years. In 1956, he received a nomination to attend the United States Military Academy, where he later graduated in June of 1960, finishing ninth in rank of order of merit. Following his graduation, he was commissioned as an infantry officer and was deployed overseas several times, including tours in West Germany, Vietnam, and what is now South Korea. Lt. Col. Mierau had a decorated military career, earning the Parachute Badge, the Ranger Tab, the Combat Infantry Badge, the Silver Star, the Legion of Merit, the Bronze Star and the Army Commendation Medal with V Device.

After Lt. Col. Mierau retired from the U.S. Army, he founded a consulting company and continued to use his experience in the military by serving as a volunteer member of the Washington State Army Advisory Board, working as a U.S. Military Academy Field Force member in the 17th Congressional District of Ohio, and joining the Board of Governors of the West Point Society of Washington and Puget Sound.

Lt. Col. Mierau is survived by his wife Julie Mierau and five children and stepchildren, several of whom have followed in his footsteps and joined the military.

Mr. Speaker, I thank Lt. Col. Mierau for his service to our community and country and for his friendship. My thoughts and prayers are with his family during this difficult time.

RECOGNIZING THE CAREER AND RETIREMENT OF KARY "BERNARD" EVANS, MILITARY AND VETERANS AFFAIRS DISTRICT FIELD REPRESENTATIVE FOR THE FIRST CONGRESSIONAL DISTRICT OF MISSISSIPPI

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. KELLY of Mississippi. Mr. Speaker, today I rise to recognize the career and retirement of Bernard Evans, who has served as the Military and Veterans Affairs Field Representative for the First Congressional District of Mississippi for the past five years. Bernard's work is personal for him. As a Vietnam Veteran, he served with the 173rd Petroleum Co. in Phu Bai, Vietnam from 1968 to 1969. After 28 years of military service, he retired from the Mississippi National Guard. Bernard had an impressive career with the Mississippi Highway Safety Patrol. During his 25 years of service, he performed a multitude of roles before retiring with the rank of Lieutenant. He has also worked with the Department of Correc-

tions as a probation officer, the Lee County Sheriff's Office as a deputy sheriff, and as the Lee County Veterans Service Officer.

A life-long resident of Mississippi, Bernard is also a man committed to his faith and family. He has been married to his wife, Gail White Evans, for 24 years and together they have five children, 14 grandchildren, and one great-grandchild. He is a member of the Saltillo First United Methodist Church. In his spare time his hobbies include antique cars, motorcycles, and traveling. He is a lifetime member of the American Legion, Military Officers Association of America, Vietnam Veterans of America, and the National Rifle Association. He is also the President of the Tupelo Veterans Park Council.

Veterans in the First Congressional District of Mississippi were given invaluable guidance and support from Bernard Evans. I would like to take this time to thank Bernard for his continued commitment to providing assistance and care for our returning veterans. I know he will continue to accomplish great things for the state of Mississippi.

IN RECOGNITION OF LIEUTENANT
JOHN D. HESS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. KEATING. Mr. Speaker, I rise today in recognition of Lieutenant John D. Hess of the United States Coast Guard and his extraordinary actions on February 15, 2015.

Lieutenant Hess, a native of Pittsburgh, Pennsylvania, enlisted in the U.S. Coast Guard after completing Coast Guard basic training in 1997. He went on to prove himself extremely capable on assignments aboard the USCGC *Victorious* and at Coast Guard Stations Ashtabula and Chatham. Upon receiving his commission in 2004, Lieutenant Hess attended Officer Candidate School (OCS) in New London, Connecticut, and went on to receive his wings of gold in 2006.

As an aviator, Lieutenant Hess's first assignment was as an MH-60 Jayhawk pilot at Air Station Clearwater, Florida. There, he served as an Instructor Pilot and subsequently a Flight Examiner. He transferred to Air Station Cape Cod in Massachusetts where he served in the same role as well as Aircraft Commander aboard CGNR 6033.

It was during this time, on February 15, 2015, that Lieutenant Hess—along with the other three crewmembers aboard CGNR 6033—responded to a distress signal picked up by the Coast Guard Rescue Coordination Center in Boston from the fishing vessel *Sedona*, which was floundering two hundred nautical miles off the coast of Cape Cod.

Lieutenant Hess and his copilot, Lieutenant Matthew Vanderslice, showed exemplary aeronautical skill as they navigated through extreme conditions, facing no overhead cover through ice, lightning, and unrelenting snow squalls, all of which resulted in very little visibility. After finding the *Sedona*, he directed the survivors to abandon ship and swim toward the awaiting rescue swimmer, Petty Officer

Staph. Upon failure of the primary hoist system, he expertly maneuvered the aircraft to coordinate with Petty Officer Suba, the on-board flight mechanic, to successfully lift Petty Officer Staph and the survivors out of the frigid, stormy seas. He then safely brought everyone back to the airfield, landing the aircraft despite whiteout conditions and extremely low visibility. Lieutenant Hess' extraordinary skill and quick thinking under desperate conditions were instrumental in saving lives.

Today, Lieutenant Hess continues to serve in the Coast Guard at Air Station Kodiak, Alaska as a MH-60 Jayhawk Aircraft Commander. His wife, Kimberly, is also a Coast Guard pilot, and they have four children.

Mr. Speaker, I am proud to rise in honor of Lieutenant John Hess, who perfectly exemplifies the highest standards of the United States Coast Guard. I ask my colleagues to join me in recognizing this distinguished member of our Armed Services and wishing him the best of luck in his future endeavors.

IN RECOGNITION OF STAN MOR-
TON UPON RECEIVING THE DR.
BETTYE MYERS HUMANITARIAN
AWARD

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. BURGESS. Mr. Speaker, I rise today to recognize and congratulate Stan Morton on receiving the United Way Dr. Bettye Myers Humanitarian Award for his service to the local community.

Prior to his retirement last month, Stan Morton served as the President of Texas Health Presbyterian Hospital, Denton since March 2003. His impact in the community rivals his accomplishments as the leader of the hospital. Stan served on the board of directors for United Way of Denton County for nine years, is a past board chair and, upon completing his service on the board, was honored with the distinction of Lifetime Member.

In addition to serving as United Way of Denton County's board chair, Stan also served as the 2006 Campaign Chair. Under Stan's leadership, the organization reached the \$2 million fundraising threshold for the first time in the organization's history.

While serving on the Health Services of North Texas Board of Directors, Stan was instrumental in positioning them to successfully apply for Federally Qualified Health Center designation.

Recipients of this prestigious Dr. Bettye Myers Humanitarian Award are dedicated to helping others and promoting human welfare and have shown active engagement in the community. I would like to congratulate Stan Morton who is well deserving of this award and thank him for his tireless service to our community.

PASTOR IRENE STAGGERS HARRIS

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Pastor Irene Staggers Harris. Pastor Irene Staggers Harris was canonized a Bishop in December of 2013 and has been selected as the first woman president of the South East Dade Ministerial Alliance.

God placed Bishop Harris in a position to make a difference in her family, her church, and in the community-at-large. After receiving her education in Miami-Dade County Public Schools and graduating from the South Dade Senior High School, she sought higher education and attended the Miami Dade Community College. Following her academic endeavors, Bishop Harris was employed at the Turkey Point Nuclear Plant for numerous years before hearing the call from God to embrace full-time ministry in the Lord's Church.

After being licensed and ordained an Elder by the House of God Saints in Christ, Inc., Bishop Harris led the congregation of the Greater St. Matthews Holiness Church where she extended the church name to include and embrace the "Temple of Love". In October of 1997, Bishop Harris became the Shepherd of Greater St. Matthews Holiness Church and communicated to her congregation a message of dependence on the Word of the Lord.

Bishop Irene Staggers Harris has dedicated her life to the Call of God. Her invaluable contributions to the Miami-Dade community serve as the embodiment of her selflessness. I commend Bishop Harris for her unyielding commitment to the word of God and love for all people. She will undoubtedly continue to serve admirably as the president of the South East Dade Ministerial Alliance.

RECOGNIZING JIM HARRIGER FOR HIS LEADERSHIP OF THE VICTORY MISSION OF SPRINGFIELD, MO

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LONG. Mr. Speaker, I rise today to thank Jim Harriger for his role in leading the Victory Mission of Springfield, Missouri, for the last 23 years.

The Victory Mission is a non-denominational ministry which offers educational and emergency services to the community of Springfield. The ministry offers rehabilitative and conciliatory services, as well as providing food and education for those struggling with financial turmoil. It is a certified member of the national Association of Gospel Rescue Missions and has been a pillar of the Springfield community since its founding in 1976.

Under Harriger's leadership, the Victory Mission has expanded and improved in significant ways. He was instrumental in the establishment of the Victory Trade School, which has helped countless citizens on their way to ob-

taining a productive career. The Mission has also drastically expanded their ability to help the needy in Springfield, feeding thousands of hungry people and offering a safe and supportive environment for those who needed help in their daily lives.

Jim retired from his position as Executive Director of the Victory Mission after a 23-year career. Far from being the type of man to sit idly in retirement, Jim believes that his next step in life will be just as exciting as his time with the Victory Mission, and will likely involve helping others improve their lives.

Mr. Speaker, Jim Harriger is not only a dedicated member of the Springfield community, but an embodiment of the ideals that we hold dear in Missouri. He has demonstrated compassion, a commitment to helping his fellow man and has gone above and beyond to lead the Victory Mission in their admirable goals. I urge my fellow colleagues to join me in appreciation for his accomplishments.

HONORING THE VETERANS OF
FOREIGN WARS WILLIE
BARRAZA POST 9173

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. O'ROURKE. Mr. Speaker, I rise today in honor and recognition of the Veterans of Foreign Wars Willie Barraza Post 9173 in my district of El Paso, Texas. The Post was founded in 1949 and is named after Mr. Willie Barraza, an Army Sergeant from an area in El Paso known as Smeltertown who went Missing in Action during World War II. Smeltertown is tied to El Paso as a historical location where workers of the American Smelting and Refining Company (ASARCO) resided and from where many of these workers decided to serve our country during WWII. The Willie Barraza Post is an important veteran service organization that has a longstanding tradition of aiding veterans, their families and the El Paso community.

The Willie Barraza Post is a leader among El Paso's veteran service organization community, with 300 members dedicated to serving Veterans, Active Duty, Reservists and their families as well as others in my district. The Post has helped fund and organize the VFW Voice of Democracy essay contest in the El Paso region, providing scholarships for students and a chance for these students to compete and showcase their writing talents at the state and national levels.

The Willie Barraza Post also works to ensure that Service Members at Fort Bliss are supported. Recently, the Post adopted a regiment from Fort Bliss and corresponded with these Soldiers while they were stationed in Afghanistan. Members also honor Active Duty Service Members with welcome back and farewell picnics.

I am proud to know that great veteran service organizations such as Veterans of Foreign Wars Willie Barraza Post 9173 are present in my district. The Post strives year-after-year to honor veterans, care for America's Service Members and their families at Fort Bliss and

support our community, and for that I thank them.

IN RECOGNITION OF THOMAS P. RUFER UPON HIS RETIREMENT FROM THE UNIVERSITY OF NORTH TEXAS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. BURGESS. Mr. Speaker, I rise today to recognize and thank Thomas P. Rufer for his service at the University of North Texas since his arrival in August of 2006. Retiring as Associate Vice President of Auxiliary Services, Tom, as he is known on campus, has been responsible for the leadership and management of seven auxiliary service operations on UNT's Denton Campus. In this role, he oversaw the operations of Student Housing and Residence Life, the University Union, Summer Conferences, Campus Vending Services. Tom also served as the contract administrator for the UNT Bookstore and the self-operated Food Services, the Gateway Center and Coliseum. It is in the Gateway Center and Coliseum where I have experienced first-hand the quality and service UNT students and staff provide under his capable direction.

Prior to arriving in Denton, Tom worked in the hospitality and higher education industries for over 25 years, which proved to be excellent preparation for effectively managing all aspects of his position with UNT overseeing a breadth and variety of services necessary on a campus with over 37,000 students. Serving during a time of continued growth, Tom's efforts in expanding operations have allowed him to leave an indelible mark on the campus in the day-to-day operations management of food and facilities, but also in the campus facilities with the construction of Rawlins Hall and the opening of the new \$137 million Student Union Building—the largest construction project in the university's 125 year history.

Due to Tom's professionalism and commitment to service, the students and the greater Denton Community have reaped the benefits of the efficiency and discipline he has brought to the campus. On behalf of the 26th Congressional District, I also thank him for his service years to our nation in the Air Force and wish him the best in his well-earned retirement.

JOHN AND PATRICIA MANSON'S
50TH WEDDING ANNIVERSARY

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. ROONEY of Florida. Mr. Speaker, I would like to wish John and Patricia Manson of Sun City Center, in the 17th District of Florida, a happy 50th wedding anniversary.

On January 29, 2016, John and Patricia celebrated their golden anniversary. Fifty years together is a remarkable accomplishment and a testament to the love and devotion

John and Patricia share. Nothing attests to their love better than the lives of their six children and eleven grandchildren.

John and Patricia also share a long history of service. John spent his career as an agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and came out of retirement to return to federal service under the Department of Homeland Security after the attacks on September 11, 2001. After raising five boys and one girl, Patricia worked as a substitute teacher and also worked with children with emotional and mental disabilities.

Patricia and John Manson have also been dedicated volunteers. Both have spent thousands of hours as Boy Scout and Cub Scout leaders during their children's scouting years, serving in every role possible from Den Leader and Assistant Scoutmaster to Boy Scout Troop Committee Chairman. In retirement they have continued their volunteer work in the Sun City Center area with their local Catholic church as leaders in St. Vincent de Paul, serving the poor and vulnerable in the surrounding areas. In addition to their work with the Catholic Church, they also volunteer with the Florida Guardian Ad Litem program serving as court-appointed advocates for vulnerable children appearing in Florida's dependency courts.

Patricia and John instilled their commitment to service in their children, four of which served in the United States Marine Corps—where all but one Manson Marine saw combat in either Afghanistan or Iraq.

It is with deep respect that I commend John and Patricia for their dedication to one another as well as their nation and community. It is an honor to represent them in Congress, and to be a part of this celebration. I join their children John, Christopher, Patrick, Andrew, Peter and Sarah in wishing them a very happy 50th wedding anniversary and many blessings in the years ahead.

ANNIVERSARY OF THE BATTLE
FOR HILL 64

HON. E. SCOTT RIGELL
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. RIGELL. Mr. Speaker, I rise today on behalf of the family of the late Corporal Jerry Clark Burkhead, to commemorate the brave sacrifice of Corporal Burkhead and his fellow Marines who were lost in the Battle for Hill 64 on February 8, 1968 during the Vietnam War. His family asked me to submit the following remarks:

Corporal (CPL) Jerry Clark Burkhead, United States Marine Corps, will forever be remembered by family and friends for his caring heart, unwavering loyalty, mischievous nature, and wry sense of humor. Those who knew Jerry well lived fuller lives because of his presence in theirs. Jerry was born in Justisville, Virginia. Jerry is the youngest son of Mr. and Mrs. J. J. Burkhead and brother to Maxine Cherrix (Esley), Colleen Walker (Brice), Janet Williams (Alton), Shirley Johnson (Aaron), Virginia Burkhead, Judi Zimmerman (Doug), Edwyn (Winnie), Dumont (Peggy), Lindo (Pat), Joe (Shirley), and John Daniel (JD). Jerry's

large family was the center of his life and the source of his strong character and values. He was a 1966 graduate of Parksley High School and a member of Zion Baptist Church. He joined the United States Marine Corps and deployed from Camp Pendleton, California to the Republic of Vietnam (ROV) in November 1967. On February 8, 1968, during the Tet Offensive by the North Vietnamese Army, Jerry was killed in action in Quang Tri, South Vietnam—officially the Republic of Vietnam (1955 to 1975). This is the story of Corporal Jerry Burkhead and the brave Marines who fought for Hill 64 during the Vietnam War.

CPL Jerry Burkhead was an M-60 Machine-Gun Squad Leader in Weapons Platoon reinforcing 1st Rifle Platoon of Alpha Company 1st Battalion, 9th Marine Regiment (A CO 1/9) in I Corps, the ROV. The 1/9, the "Walking Dead", were rapidly moved from Camp Evans and flown in by helicopter to the Khe Sanh Combat Base (KSCB) on January 22, 1968. Their mission was to protect the southern perimeter of the 26th Marines (reinforced) at the KSCB.

The 1st Platoon of A CO 1/9 (reinforced) was assigned a forward defensive position called the Alpha-1 outpost. The Alpha-1 outpost was a small hill named Hill 64 because of the 62 Marines, including Jerry, and two Navy Corpsmen, who were dug in at a defensive position. Hill 64 was 60 meters long, 40 meters wide, and 20 meters in height. In other words, Hill 64 was shaped like a football with a perimeter of concertina wire, tangle-foot single strand barbed wire, and Claymore mines connected by integrated and concentric trenches with bunkers throughout, dug deep and lined with sand bags. The Hill 64 Marines dug and fortified their position for two weeks while the North Vietnamese Army (NVA) was frequently trying to kill them with artillery and sniper rounds. Somehow, these Marines survived with minimum water, food, sleep, and were exposed to the elements while surrounded by tens of thousands of NVA assault troops. Hill 64, manned by 64 young and brave Americans, was detached from any friendly forces, due to its location 600 meters west of the 1/9 Command Post Perimeter and a mile from the KSCB in the middle of no-man's land.

The NVA moved past Hill 64 for the attack at the KSCB with several NVA Divisions in the immediate area, or staged nearby. The NVA had been ferociously attacking other nearby bases, camps, and hills almost every day for weeks prior to the attack on Hill 64, in an effort to completely isolate the KSCB. At 4:15 a.m. on the foggy morning of February 8, 1968, the Battle for Hill 64 began with a barrage of mortars, recoilless rifles, satchel charges, RPGs, and automatic weapons, in a determined multi-pronged assault by a reinforced battalion from the 101D Regiment of the 325C NVA Division against the "Walking Dead" platoon.

The overwhelming attack by the NVA on the waiting 1st Platoon (reinforced) of A CO 1/9 Marines on Hill 64 is an example of some of the most brutal combat of the Vietnam War. These tenacious foes were locked in savage trench warfare, and often engaged in hand-to-hand combat. The 1st Platoon (reinforced) of A CO 1/9 Marines held against a numerically superior NVA force on Hill 64.

From the USMC, 1/9 perimeter, Alpha Company Commander Captain "Mac" Radcliffe bravely led twenty volunteers from 2 squads of the 2nd Platoon A CO 1/9 to relieve his brave Marines on Hill 64, and systematically cleared all remaining NVA early on February 8, 1968. CPL Jerry Clark Burkhead was 21 years old as he and his "Brother" Marines fought for each other, Hill 64, A CO 1/9, the "Walking Dead", the KSCB, I Corps, the RVN, and America. Sadly, 28 brave Americans were killed in action that foggy morning. The Battle for Hill 64 was the last all-out attack by the NVA on the KSCB American and Allied Forces during the 77 day siege of the KSCB. All KSCB veterans from January 20th to April 1, 1968 later received the Presidential Unit Citation for extraordinary heroism in action against the numerically superior NVA forces. Devotion to duty by A CO 1/9 Marines was exemplified during the Battle of Hill 64.

Captain "Mac" Radcliffe said of those who fought in the Battle for Hill 64: "There is a price for freedom, it is called obedience. Obedience to country, to the call it places upon its young men in war, and obedience to oneself. The men in this story paid that price, some with their very lives. We honor them with the memory of their sacrifice. May it never be forgotten."

CPL Jerry Clark Burkhead, USMC, was posthumously awarded the Purple Heart, Presidential Unit Citation (January 20, 1968 to April 1, 1968), National Defense Service Medal, Vietnam Service Medal with Tet Counteroffensive Campaign Bronze Battle Star (January 30, 1968 to April 1, 1968), and the Vietnam Campaign Medal for his efforts and sacrifice during the Battle for Hill 64.

Jerry: we miss you every day, love you every second, and mourn your passing while bravely and selflessly defending the freedom of people everywhere and these United States of America while so young and strong in life.

HONORING THE LIFE OF MR. JACK
REED, SR.

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. KELLY of Mississippi. Mr. Speaker, today I rise to honor the life of one of Mississippi's most dedicated citizens, Mr. Jack Reed, Sr. Albert Einstein said, "What is right is not always popular and what is popular is not always right." This quote comes to mind when I reflect on the phenomenal life's work of Jack Reed. Even if it was not popular at the time, he always strived to support policies that he believed would improve the state. A dynamic figure, he was a successful business leader and devoted himself to economic development and community service.

After serving in World War II and graduating from Vanderbilt University and New York University, Mr. Reed returned home to Tupelo to work for the family business, Reed's retail store. In this role, he grew the family legacy and successfully expanded the business to other regions in the state. As the first Chairman of the State Board of Education, he was

instrumental in education reform and was an advocate and powerful voice for desegregation in the South. His accomplishments and leadership roles are both impressive and far-reaching. He chaired the Yocona Area Council of Boy Scouts of America and was a founder and long-serving Board of Directors member of LIFT, Mississippi's first community action agency. He served as president and was a member of the Executive Committee of both the Community Development Foundation and CREATE, Inc. His reach and influence in community projects and initiatives was truly remarkable and these only serve as a few examples of his exemplary commitment to making Mississippi a better place to live and raise a family.

Most importantly, Mr. Reed was a man of family and faith. In 1950, he married Frances Camille Purvis and together they have four children, twelve grandchildren, and ten great-grandchildren. He was a staple at First United Methodist Church where he also taught an adult Sunday school class. It is often stated that Jack Reed was "the best governor Mississippi never had." His legacy is one of service and dedication to leave Mississippi a better place than he found it. Without a doubt, he accomplished that goal. My thoughts and prayers continue to be with Mr. Reed's family and friends.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call vote 50 on Tuesday, February 2, 2016. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for one roll call vote on Tuesday, February 2, 2016. Had I been present, I would have voted in this manner:

Roll Call Vote Number 50—Palazzo of Mississippi Amendment No. 7—no.

CONGRATULATING CAITLIN KEMP-SHUKWIT ON RECEIVING THE CITIZEN SCHOLAR AWARD FROM MISSOURI STATE UNIVERSITY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Caitlin Kemp-Shukwit,

an outstanding student at Missouri State University, on her selection to receive the Citizen Scholar Award.

Each year, this prestigious award is given by Missouri State University's Board of Governors to students who have contributed to the university, furthered the university's public affairs mission, and have been significantly engaged in extra-curricular accomplishments and/or in important service activities in the community. Since the award was created in 2007, only forty-seven students have been recognized for their stellar achievements.

Caitlin, from St. Louis, Missouri, is one of only six students to receive the Citizen Scholar award this year. She is a senior majoring in both Dance Performance and Public Relations at Missouri State University. She hopes to travel the world and explore different cultures after graduation, which is emblematic of her drive for cultural enrichment and appreciation. Her professors praise her exemplary leadership skills, which she uses to benefit both the college and local communities.

Mr. Speaker, Caitlin Kemp-Shukwit's accomplishments have set a great example of what a Citizen Scholar should be, this award represents a great deal of her hard work and dedication. I am proud to represent students like her and I urge my colleagues to join me in congratulating her on this well-deserved achievement.

COMMEMORATING JULIE BAKER DOBSKI, RECIPIENT OF ILLINOIS STATE UNIVERSITY FOUNDERS DAY HONORARY DEGREE

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LAHOOD. Mr. Speaker, I would like to honor Julie Baker Dobski, the 2016 Honorary Degree Recipient of Illinois State University Founders Day.

Julie Baker Dobski, a citizen of Bloomington-Normal since 1988, is a successful business person and philanthropist who serves her fellow citizens in more ways than one. In 1982, she and her husband, Bob, opened their first McDonald's in Farmington, Missouri and has since expanded their franchise to serve Big Macs and Happy Meals in Bloomington, Normal, McLean and Gibson City. However, she soon realized that local boys and girls were hungry for something greater such as knowledge. In 2004, Julie fulfilled those needs by opening her first of three Little Jewels Learning Centers. These centers provide family-oriented child care with a variety of programs and activities that engage the children and prepare them for school in a safe, loving, and nurturing environment.

Julie continued her service and devotion in the community by serving on various executive boards such as the McLean County Chamber of Commerce, American Red Cross, United Way as well as many others. She currently serves on the Baby Fold, BN Advantage Leadership Council, and the Illinois State University College of Business Advisory Board.

In addition, her great leadership does not go unrecognized as she was awarded with the

McDonald's People Award and the McDonald's Ronald Award twice. Under her tenure as president of the Bloomington-Normal Sunrise Rotary, her club was donned the Club of the Year. Because of her values of leadership, hard work, and passion to help others, those around her also achieve success. In short, where ever she goes, success ultimately follows.

Again, I want to congratulate Julie Baker Dobski and her continued service to the 18th District.

CONGRATULATING WEST VALLEY HIGH SCHOOL STUDENTS WHO PARTICIPATED IN THE WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION PROGRAM

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. YOUNG of Alaska. Mr. Speaker, I would like to congratulate a group of outstanding students from West Valley High School in Fairbanks, Alaska who participated in the We the People: The Citizen and the Constitution program.

The We the People: The Citizen and the Constitution program, administered by the Center for Civic Education, complements regular school curricula by providing upper elementary, middle, and high school students with an innovative course of instruction on the history and principles of U.S. constitutional democracy.

The We the People program's culminating activity is a simulated Congressional hearing in which students evaluate and defend positions on relevant historical and contemporary issues. These young constitutional experts from West Valley High School won the state competition in Alaska on December 2, 2015 and qualified for the We the People national finals competition held in Washington, D.C.

The students from West Valley High School who qualified to compete at the national competition are:

Alicia Alabran, Dylan Brabham, Jennifer Campbell, Mitch Wilson, Robin O'Donoghue, Ileana Casiano, Skylar Watt, Emma Wiegand, Samuel Hilttenbrand, Daniel Hornbuckle, Teddy Edquid, Colton Scribner, Teresa Wrobel, Jacqueline Lundberg, Natilly Hovda, Carl Birchard, Caleb Moretz, Jonathan Gates, Jewel Hediger, Siani Post, Amber Szmyd, Jenna Zusi-Cobb, Nicholas Kowalski, Tara Vaughn, Brinley Jarvis, Hunter Meltvedt, and Celia Richards.

I would like to recognize their teacher Amy Gallaway for her dedication and contributions as one of the top civics teachers in the country. I would also like to recognize Alaska's We the People state coordinator, Maida Buckley, who has done such an outstanding job throughout the years organizing and directing the program for our state.

TRIBUTE TO DR. ARTHUR
OBERMAYER

HON. JOSEPH P. KENNEDY III

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. KENNEDY. Mr. Speaker, I rise today in memory of a dear friend and mentor who passed away recently.

Dr. Arthur Obermayer was a talented entrepreneur, generous philanthropist, and a passionate advocate. He committed his life to making his community, our country and the world a better place.

Throughout his life, he showed how words like justice and opportunity were not just words, but principles to be pursued and, if necessary, fought for.

He was a man of many accomplishments, among them, advocating for federal investment in small businesses and focusing on and fostering research and development. In 1982, due in large part to the efforts of Dr. Obermayer the US Small Business Innovation Research grant was created with the support of my late uncle, Senator Ted Kennedy.

In a true testament to this remarkable accomplishment, the Obermayer family was inducted into the Small Business Innovation Research Hall of Fame for their pioneering efforts in a White House ceremony last June.

Dr. Obermayer inspired many, and though our country has lost a champion his values and vision live on through all those he touched.

My thoughts and prayers are with the Obermayer Family during this difficult time.

May his memory be a blessing for us all.

HONORING BILL BARNETT FOR HIS
SERVICE AS CHRISTIAN COUNTY
COMMISSIONER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Bill Barnett, for his service as County Commissioner to Christian County for more than twenty years.

After two decades, Bill has now decided to retire from this long held position. Bill began a career of outstanding service in 1994, and is now one of less than a handful of county employees who has more than twenty years of experience. His passion for his work stemmed from his passion for helping fellow residents.

During his time serving as Commissioner, Bill has contributed to his community in many ways and accomplished much, but none he is more proud of than the barn that was built for the county's road crews, finally providing them with a central location to better serve the community. Over the years he handled adversity with disdain and dignity, balancing the community's need for services and the community's desire to maintain a low cost of living. Bill saw taxes as a last resort, traditionally setting the property tax of his district at zero.

Mr. Speaker, Bill Barnett's work as County Commissioner has set a great example of ex-

ceptional public service for the people of Christian County. I am proud to represent citizens like him and I urge my colleagues to join me in congratulating him on his well-deserved retirement from service.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,975,719,827,131.21. We've added \$9,349,942,778,218.13 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding missed votes on Tuesday, February 2, 2016. Had I been present for roll call vote number 50, the Palazzo Amendment to H.R. 3700, I would have vote "yea." Had I been present for roll call vote number 51, the Green Amendment to H.R. 3700, I would have voted "nay."

RUSSIAN INCURSION OF TURKISH
AIRSPACE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to call our attention to Russia's unprovoked aggression against a friend and NATO ally of the United States.

As you may know, in recent months, the Republic of Turkey has reported several incidents of Russian incursion of Turkish airspace. As my colleagues will remember, in November 2015, the Turkish military was forced to shoot down a Russian warplane that entered its airspace. That action was condemned by the Russian Federation, but Turkish officials have repeatedly disclosed that they provided significant warnings to those pilots, as well as allowed ample time for the plane to correct its course. This shows the Russian incursion into Turkish airspace was no incursion.

This weekend, the Pentagon confirmed another such incident of a Russian fighter jet entering Turkish airspace without authorization. While this incident did not result in any violence or loss of life, it is disappointing to see

continued disrespect from Russia towards the Turkish boundary. The Department of Defense released a statement calling on the Russians "to respect Turkish airspace and cease activities that risk further heightening instability in the region."

Mr. Speaker, I applaud the Pentagon and the Obama Administration for standing with Turkey and the rest of our NATO allies in condemning Russia's unprovoked aggression. The world is most stable when the United States acts in conjunction with its partners around the world in standing up to those who would do them harm. I urge the Administration to continue to stand strong with our friends in Turkey as well as with our NATO allies around the world in condemning this unprovoked encroachment and protecting allies' borders.

CONGRATULATING MELANIE MOR-
GAN ON RECEIVING THE CITIZEN
SCHOLAR AWARD FROM MIS-
SOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Melanie Morgan, an outstanding student at Missouri State University, on her selection to receive the Citizen Scholar Award.

Each year, this prestigious award is given by Missouri State University's Board of Governors to students who have contributed to the university, furthered the university's public affairs mission, and have been significantly engaged in extra-curricular accomplishments and/or in important service activities in the community. Since the award was created in 2007, only forty-seven students have been recognized for their stellar achievements.

Melanie, from Springfield, Missouri, was one of a handful of exceptional students to receive the award this year. She is currently a senior dietetics major with minors in biomedical sciences and international nutrition. Melanie has been recognized for her dedication to help and serve the community, never focusing on herself and demonstrating a strong desire to help others.

Mr. Speaker, Melanie Morgan's accomplishments have set a great example of what a Citizen Scholar should be, this award represents a great deal of her hard work and dedication. I am proud to represent students like her and I urge my colleagues to join me in congratulating her on this well-deserved achievement.

IN HONOR OF HUGH VICTOR
BROWNE II

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. NORCROSS. Mr. Speaker, I rise today to offer my sincere condolences and to honor the memory of Cpl. Hugh Victor Browne II for his achievements, contributions, and service to

his community as a Marine, loving husband, father, grandfather, and great-grandfather.

A life-long Woodbury resident, Cpl. Browne graduated from Woodbury High School in June 1943 and was recruited into the Montford Point Marines, the military's first all-black Marine unit. Among the first from New Jersey recruited as a black Marine, Cpl. Browne, along with other 20,000 black men, dealt with racism and segregation and ultimately helped to break the Marine color barrier in the midst of World War II.

In 2012, Cpl. Browne, along with his fellow servicemen in the Montford Point Marines, was awarded the Congressional Gold Medal, our nation's highest civilian honor for distinguished achievement in the military.

Cpl. Browne, the only surviving sibling of six children born to Baptist minister Rev. Sylvanus and Lovie Browne, was predeceased by his wife, Erma, and son Hugh Victor Browne III. However, his legacy will continue to serve as an inspiration to millions of Americans through his surviving children, 12 grandchildren, and 6 great-grandchildren.

Mr. Speaker, Cpl. Hugh Victor Browne II was an extraordinary man and proud United States Marine. He and his fellow black servicemen fought not only our nation's external enemies, but the scourge of racism and segregation and conquered them both. I join with my community and all of New Jersey in honoring the achievements and selfless service of this truly exceptional man.

IN APPRECIATION FOR THE LIFE
AND SERVICE OF ROGER HAGGINS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. CONYERS. Mr. Speaker, today, I wish to ask my colleagues to join me in celebrating the esteemed life of Roger Haggins, a clerk for the House Office Buildings. A kind and generous man, Roger's life was tragically cut short on January 8. For a dozen years Roger was our coworker in the halls of Congress. After graduating from high school as an honors student in 2003, he began working for the Architect of the Capitol as an elevator operator and continued to assist the Members and staff of this body admirably. This honorable young man was senselessly killed and was, as far too many of our citizens are, victimized by the epidemic of gun violence that infects the United States.

Roger was among the many whose exemplary work and commitment supporting the functioning of the House is rarely given its just appreciation and recognition. To his family, friends, and coworkers in this time of grief, I extend my heartfelt sympathy. In the words of President Lincoln, "I feel how weak and fruitless must be any word of mine which should attempt to beguile you from the grief of a loss so overwhelming."

Roger will be missed.

TRIBUTE TO WILLIAM CLAYTON
CALDWELL

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. MICA. Mr. Speaker, I rise to recognize both the life and humanitarian efforts of William C. Caldwell, III. He is the son of Bill and Marion Caldwell, scion of Wica Manufacturing. Mr. William Caldwell is a generous Christian of known faith and good deed and I take this opportunity to commend him for both.

William C. Caldwell, III, a lay expert on amateur and professional basketball, baseball, and football teams, and Duke University's number one sports fan, grew up in Cocoa Beach, FL prior to graduating from Rollins College and, later, attending Duke Business School.

A private investor, philanthropist, and internationally-respected numismatist, Bill Caldwell recently bequeathed a record gift to be divided equally between Rollins College in Winter Park, FL and Duke University's Fuqua School of Business in Durham, NC.

Along with his gift he stated, "I want to shine a spotlight on these beloved, but demanding, institutions that I have been so proud to be a part of. I decided to align this joyous announcement with the July 1, 2015 start date for incoming Rollins president, Grant Cornwell, who brings his international prominence as a liberal arts champion and scholar to the Winter Park, FL campus which also includes the highly-ranked Crummer Graduate School of Business."

Mr. Caldwell's bequests are fixed portions of his estate and each beneficiary will eventually expect to receive a generous donation amounting to seven figures.

Fellow Rollins graduate, William M. Graves, Jr., who is an executor of Mr. Caldwell's estate as well as his personal representative and spokesperson, explains why he was moved to assist his friend in giving back to institutions that played very significant roles in his life:

The reason I volunteered to help my best friend, Bill Caldwell, with all of this is that I've found him to be the most loving, caring, loyal, and generous individual imaginable. Now, Winter Park and Durham are finding out what I've known for more than 40 years. Bill Caldwell is an extremely humble, unsung hero who deserves to be widely-applauded for his selfless compassion and kind-hearted philanthropy. In addition to his bequests to Rollins College and Duke University, he is also championing with his philanthropy: The American Diabetes Association, The American Lung Association, The American Numismatic Association, and The Billy Graham Evangelistic Association. Andrew Carnegie gave away most of his wealth. Warren Buffett has given away most of his wealth. You can add Bill Caldwell to the list. God Bless You, Bill Caldwell.

PASSING OF DOCTOR CYNTHIA
GORALNIK

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. SCHWEIKERT. Mr. Speaker, on December 29th, 2015, Phoenix lost a dedicated doctor, beloved mother and friend. Dr. Cynthia Goralnik worked as a revered radiologist who served the community for many years. She was much loved by all who knew her, from the patients she cared for, her coworkers to whom she was an inspiration, her family, and her friends.

CONGRATULATING NADIA
PSHONYAK ON RECEIVING THE
CITIZEN SCHOLAR AWARD FROM
MISSOURI STATE UNIVERSITY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Nadia Pshonyak, an outstanding student at Missouri State University, on her selection to receive the Citizen Scholar Award.

Each year, this prestigious award is given by Missouri State University's Board of Governors to students who have contributed to the university, furthered the university's public affairs mission, and have been significantly engaged in extra-curricular accomplishments and/or in important service activities in the community. Since the award was created in 2007, only forty-seven students have been recognized for their stellar achievements.

Nadia, from West Plains, Missouri, is one of only six students to receive the Citizen Scholar award this year. She has obtained her Associates degree from Missouri State University, and plans to enlist in the Peace Corps and to eventually obtain a Ph.D. in a related field. This is evidence of her passion to not only better herself, but to also better the situation of people worldwide.

Mr. Speaker, Nadia Pshonyak's accomplishments have set a great example of what a Citizen Scholar should be, this award represents a great deal of her hard work and dedication. I am proud to represent students like her and I urge my colleagues to join me in congratulating her on this well-deserved achievement.

PERSONAL EXPLANATION

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. DESAULNIER. Mr. Speaker, I was unavoidably detained yesterday during the last series of votes. Had I been here, I would have voted in the following manner: Roll Call Vote No. 51, I would have voted "aye."

RECOGNIZING THE CAREER AND
RETIREMENT OF MABEL
MCCLANAHAN MURPHREE, DIS-
TRICT DIRECTOR FOR THE FIRST
CONGRESSIONAL DISTRICT OF
MISSISSIPPI

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. KELLY of Mississippi. Mr. Speaker, today I rise to recognize the career and retirement of Mabel McClanahan Murphree, Ph.D., who has served as the District Director for the First Congressional District of Mississippi for the past five years. Not only has Dr. Murphree been an essential asset as District Director, but her involvement and active participation in the community is commendable and far-reaching.

Dr. Murphree, is a former director of the Appalachian Regional Commission Office for Mississippi and a former senior vice president of the CREATE Foundation. In addition, Dr. Murphree served as the first Director of the Mississippi Corridor Consortium, which is a partnership among East Mississippi Community College, Itawamba Community College, and Northeast Mississippi Community College. This partnership was formed to strengthen the institutions' ability to provide services on a regional basis in the areas of workforce, community, and economic development as well as to increase the opportunities to leverage funding for regional initiatives at the local, state, and federal levels. Dr. Murphree has been involved in a variety of educational, economic development, community development, and telecommunication projects that range from designing teacher technology training programs to helping bring broadband access to Northeast Mississippi.

She holds a doctorate degree from Mississippi State University in education with an emphasis in technology and a minor in curriculum and instruction. She also holds degrees from Mississippi University for Women and the University of Mississippi, and has received post-graduate training from Harvard University. Dr. Murphree was honored in 2014 by being awarded the Distinguished Alumni Achievement Award by Mississippi University for Women.

Dr. Murphree serves or has served on the Boards of Directors for the Mississippi Economic Growth Alliance and Point of Presence (MEGAPOP), North Mississippi Medical Center, The Learning Skills Center, CATCH Kids, The Link Center, and the Community Development Foundation as well as the City of Tupelo's Planning Committee. She is a past President of the Natchez Trace Parkway Association and a Life Member of the Tupelo Junior Auxiliary.

She was born and raised in Columbus, Mississippi. Presently she resides with her husband in Tupelo, Mississippi, where they are members of First United Methodist Church. They have two sons and three grandchildren.

The people of the First Congressional District of Mississippi were well served under Dr. Murphree's leadership and her wisdom and positive attitude will be greatly missed. Her

achievements will have a lasting impact on the First Congressional District and our state, and I know she will continue to accomplish great things for the state of Mississippi. I would like to thank Dr. Murphree for her years of dedication and service to the First Congressional District and our state, and wish her the best of luck in the next chapter of her life.

ST. PAUL MISSIONARY BAPTIST
CHURCH

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize St. Paul Missionary Baptist Church for its designation as the oldest African-American church in South Miami-Dade County. The church property was identified by the City of Homestead as a significant historic structure and I truly believe it warrants this recognition.

The first permanent church was built in 1911 by Linton Connors and the wooden frame building was given the name "Saint Paul Missionary Baptist Church". Reverend W.M. Baker served as the first pastor of the church and during his tenure, the reverend organized their first choir and established the missionary society 'Home Mission' to aid those in need within the community. This Mission continues to be in existence to this day.

Since then, the Saint Paul Missionary Church has continued to give back to the community through its organization of programs that allow its faithful members to serve. I would like to express my gratitude to church leaders and congregations, past and present. You have all been essential in sustaining the fortitude of this truly historic place of worship. May God continue to bless you.

IN RECOGNITION OF CHRISTINA
ANTON

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Christina Anton, a student in my district who was chosen to receive a grant to do a community service project through GenerationOn and the National Rural Electrical Cooperative Association. GenerationOn is a global youth service movement with the goal to empower youth to change the world around them through service to both their communities and countries abroad. GenerationOn is the culmination of a number of youth service organizations that was formed five years ago in 2010. The National Rural Electric Cooperative is very selective, choosing only one Youth Tour student from each state to receive a grant. Christina Anton is an exceptional student and strives to create a better world for herself and her peers through community service. Her community service project is one that is of great importance to

Virginia's 10th Congressional District, and concerns an issue I have been working on for a number of years, Lyme disease.

The town of Clifton has a beautiful park that gives the community access to a number of trails. The amount of ticks has grown quickly in recent years and has caused people to avoid the area. As a direct result of the increase in ticks, a campsite in the park has become overgrown. Christina aims to partner with my former colleague in the Virginia House of Delegates, Delegate Tim Hugo, Fairfax County Supervisor Pat Herrity, and the Clifton Betterment Association to assist with Lyme disease prevention and clean up the campsite. This is an admirable project that will greatly contribute to the prevention of Lyme disease, a terrible and debilitating disease that affects so many. I truly appreciate all that Christina is doing to help our community.

IN RECOGNITION OF OUR ALLY
TURKEY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. SESSIONS. Mr. Speaker, I rise today in support of our allies in Turkey as they face encroachment on their territorial integrity and recover from devastating terror attacks in Istanbul and cities across the country.

Turkey is a longstanding friend and ally of the United States. From the Cold War to the fight against international terror, we have stood together against challenges and threats. During the Cold War, Turkey held down NATO's longest border with the Soviet Union. After the Soviet Union fell, greater threats such as terrorism, drug and human trafficking and extremism emerged. Again, Turkey remained on the front line of NATO, exposed to these threats.

The suicide attacks in Istanbul perpetrated by ISIS are yet another reminder of the dangers our allies face caused by the instability and uncertainty in the Middle East. Syria has become a breeding ground for terrorism and extremism, and is proof that inaction also carries a cost. The inability of the Administration to show leadership in the face of rising threats has caused the situation to spiral even further out of control.

Our ally Turkey has suffered from numerous acts of terrorism including suicide bombings in Suruc, Ankara, and others, which have cost thousands of lives. This situation cannot continue. The U.S. must show leadership.

These recent developments highlight the importance of Turkey as an ally and call for stronger U.S.-Turkish relations to help counter the threats faced by NATO and our allies.

PERSONAL EXPLANATION

HON. SETH MOULTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mr. MOULTON. Mr. Speaker, due to unavoidable circumstances, I missed two Roll

Call votes yesterday, February 2, 2016. Had I been present, I would have voted nay on the Palazzo Amendment (Roll Call vote 50), and yea on the Al Green of Texas Amendment (Roll Call vote 51).

HONORING SUPERVISOR JANET CLARKE ON HER SERVICE TO LOUDOUN COUNTY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize Janet Clarke on her retirement from the Loudoun County Board of Supervisors and I want to take this opportunity to thank Supervisor Clarke for her extraordinary service to the people of western Loudoun County, as Blue Ridge District Supervisor. My congressional district includes all of Loudoun County, and it has been a privilege to have worked with an elected official of such high caliber and commitment.

The Blue Ridge district is situated east of the Blue Ridge Mountains in some of the most scenic countryside imaginable. Encompassing 45% of the area of the county, the Blue Ridge District includes the beautiful, historic towns of Purcellville, where Janet earlier served on the Town Council, Middleburg, Round Hill, Hillsboro, Aldie, St. Louis, Bluemont, Arcola, Brambleton, Upperville and Philomont.

From the moment she was sworn in to office, Janet Clarke began taking action to preserve and protect the special history and rural character of western Loudoun County, by finding ways to strengthen its economic viability and the quality of life of its people.

Supervisor Clarke was a strong ally of the Rural Economic Development Council, an important advisory board of Loudoun County government that promotes the sustainable growth and vitality of Loudoun County's agricultural, horticultural, equine and other rural industries. And to bolster the effectiveness of the commission, she successfully advocated for the hiring of another staff member, dedicated to supporting the commission's work.

Another aspect of maintaining the rural character of the region is the ongoing challenge of maintaining roughly 280 miles of rural roads. After organizing meetings with their western Loudoun constituents, Supervisor Clarke and her colleague, Supervisor Geary Higgins from the neighboring Catocin District, with the legislative help of State Delegate Randy Minchew, worked with the Virginia Department of Transportation to initiate a repair and restoration project on gravel roads, prioritizing 11 roads that were in most need of repair.

To protect and enhance the quality of life of her constituents, Supervisor Clarke took on another vexing problem. Many of the people she represented could not obtain adequate connectivity to the Internet. Collaborating with those who had an interest in improving the situation, she and Supervisor Higgins held a Broadband Summit at Woodgrove High School, that included a panel discussion consisting of members of the Loudoun County

Communications Commission, Loudoun County Public Schools and other county experts and various improvements are taking place. While the broadband problem has not been fully solved, Supervisor Clarke and Supervisor Higgins are to be commended for initiating the Let's Stand for Broadband! movement, that is gradually resulting in better educational opportunities for students, expanding economic opportunities for businesses and providing greater public safety for western Loudoun residents.

Shortly after taking office, Supervisor Clarke immersed herself in another complex problem affecting the quality of life of her constituents. Although Lyme Disease is generally under-reported, in 2011 alone, 261 cases of the disease from Loudoun County were reported to the Virginia Department of Health. Realizing that Loudoun County was at the epicenter of this epidemic, and after months of gathering information and speaking with Lyme experts and citizens, then Vice Chairman Clarke, along with her colleagues Supervisors Higgins and Ken Reid, put forth a Resolution and Proclamation Recognizing 2012 as Lyme Disease Awareness Year, as well as a 10-Point Action Plan to Mitigate Lyme Disease in Loudoun County. One of the action plan items was the creation of the Loudoun Lyme Disease Commission which is made up of citizens and health care professionals with a strong interest in Lyme Disease prevention and education. The commission has been instrumental in implementing other provisions of the 10-point plan, including the development of educational materials for schools, information for the county website, and the launching of Lyme Education Forums throughout the county.

In August, 2013, the initiative of Supervisor Clarke and her two colleagues, entitled "Loudoun Targets Lyme," was recognized by the Virginia Association of Counties as a model government program in the area of Health and Human Services.

Janet Clarke was also a great champion of capital improvements for the people of her magisterial district. Her efforts included advancing the construction project for Loudoun Valley High School into the budget and onto the ballot for approval. She also secured funding to assist the town of Purcellville with improvements to Fireman's Field and to design the Purcellville to Franklin Park trail. Supervisor Clarke's efforts also led to the construction of the second entrance and exit to Woodgrove High School, the sidewalks in Middleburg and Purcellville, the Hillsboro water improvement project, the Upper Loudoun Youth Football League facility, and lighted fields at Franklin Park.

Supervisor Clarke's desire to protect and enhance the quality of life of the people she represented included standing with Delegate Randy Minchew and the Green Mill Preserve residents in stopping the expansion of the gas compression station and tirelessly working to ground the Red Hill water tower. These types of controversies often pitted one group of constituents against another, but Supervisor Clarke did not hesitate to take a stand and advocate for what she believed was in the best interests of her constituents.

At Thanksgiving in 2011, shortly after being elected to the office of County Supervisor,

Janet Clarke wrote a message to her Blue Ridge District constituents promising three things: First, that she would work hard to preserve their community's culture and heritage; second, that she would represent their diverse interests and needs with an open door policy; and third, that because our "children are watching," she would attempt to do her work "in a respectful manner that they can be proud of and learn from." Mr. Speaker, in my view, Janet Clarke managed to fulfill these promises with grace, courage and compassion and our children and grandchildren will be the ultimate beneficiaries.

After having given so much of herself to protect and preserve the quality of life of others, it is understandable that Janet Clarke has decided to focus on her own quality of life, by spending more time with family, church and her own health and well-being, not to mention the job that helps provide financial sustenance for her and her family. Whatever she does in the next chapter of her life, whether it is in the area of education, mental health or some other societal need, I know that Janet Clarke will approach it with total commitment and effort and will continue to leave a lasting positive influence on the lives she will touch.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 4, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 9

9:30 a.m.

Committee on Armed Services

To hold hearings to examine worldwide threats.

SD-G50

10 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 2030, to allow the sponsor of an application for the approval of a targeted drug to rely upon data and information with respect to such sponsor's previously approved targeted drugs, S. 1622, to amend the Federal Food, Drug, and Cosmetic Act with respect to devices, S. 2014, to demonstrate a commitment

to our Nation's scientists by increasing opportunities for the development of our next generation of researchers, S. 800, to improve, coordinate, and enhance rehabilitation research at the National Institutes of Health, S. 849, to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases, an original bill entitled, "Preventing Superbugs and Protecting Patients Act", and an original bill entitled, "Improving Health Information Technology".

SD-430

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine Department of Defense nuclear acquisition programs and the nuclear doctrine in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SR-232A

Committee on Environment and Public Works

Subcommittee on Fisheries, Water, and Wildlife

To hold an oversight hearing to examine Federal interactions with state management of fish and wildlife.

SD-406

5 p.m.

Committee on Foreign Relations

To receive a closed briefing on the way forward in Syria and Iraq.

SVC-217

FEBRUARY 10

10 a.m.

Committee on Environment and Public Works

To hold an oversight hearing to examine the importance of enacting a new Water Resources Development Act.

SD-406

Committee on Homeland Security and Governmental Affairs

Business meeting to consider H.R. 3572, to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, S. 1526, to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, S. 236, to amend the Pay-As-You-Go Act of 2010 to create an expedited procedure to enact recommendations of the Government Accountability Office for consolidation and elimination to reduce duplication, S. 1411, to amend the Act of August 25,

1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, S. 795, to enhance whistleblower protection for contractor and grantee employees, S. 2450, to amend title 5, United States Code, to address administrative leave for Federal employees, S. 2418, to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists, S. 2340, to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, H.R. 3361, to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, S. Res. 104, to express the sense of the Senate regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers, H.R. 1656 and an original bill entitled, "Secret Service Improvements Act of 2015", to provide for additional resources for the Secret Service, and to improve protections for restricted areas, an original bill entitled, "DHS Acquisition and Accountability Reform Act", an original bill entitled, "Combat Terrorist Use of Social Media Act of 2016", an original bill entitled, "Federal Property Management Reform Act of 2016", an original bill to amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists, an original resolution directing the Senate Legal Counsel to bring civil action to enforce a subpoena of the Permanent Subcommittee on Investigations, and the nomination of Beth F. Cobert, of California, to be Director of the Office of Personnel Management for a term of four years.

SD-342

Committee on the Judiciary

To hold hearings to examine mental health and the justice system.

SD-226

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine proposed budget estimates for fiscal year 2017 for the Air Force.

SD-192

Committee on Finance

To hold hearings to examine revenue proposals in the President's proposed budget request for fiscal year 2017.

SD-215

2 p.m.

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2017.

SD-215

2:30 p.m.

Special Committee on Aging

To hold hearings to examine a new scam by global drug traffickers perpetrated against our nation's seniors.

SD-562

FEBRUARY 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the National Commission on the Future of the United States Army in review of the Defense Authorization Request for Fiscal Year 2017 and the Future Years Defense Program.

SD-G50

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine agency discretion in setting and enforcing regulatory fines and penalties.

SD-342

10 a.m.

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2017.

SD-215

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 483, to improve enforcement efforts related to prescription drug diversion and abuse, and S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

SD-226

FEBRUARY 23

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior.

SD-366

MARCH 3

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Securities, Insurance, and Investment

To hold hearings to examine regulatory reforms to improve equity market structure.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy.

SD-366

MARCH 8

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Forest Service.

SD-366

HOUSE OF REPRESENTATIVES—Thursday, February 4, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MOONEY of West Virginia).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 4, 2016.

I hereby appoint the Honorable ALEXANDER X. MOONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, O merciful God, for giving us another day.

There have been many prayers this day rising to You from those engaged in the political discourse of this Nation. We give You thanks for those who were able to gather at the National Prayer Breakfast and those across this land who joined their prayer intentions with the many who attended.

Bless the Members of this people's House now as they gather to do the legislative work they are called to do. May their prayers this day be authentic and heard by You, the living God.

May their work be fruitful and beneficial to those whom You favor—the poor—and may all they do be done in humility and charity, knowing that we are all earthen vessels through whom Your spirit might shine forth.

And, finally, may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New York (Ms. STEFANIK) come forward and lead the House in the Pledge of Allegiance.

Ms. STEFANIK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

HONORING EDWARD ROBB "TED" BARRETT

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise to pay tribute to the life of Edward Robb "Ted" Barrett.

Ted was born on September 14, 1991, and passed away on January 30, 2016—far, far too early. Ted was a loving son, a brother to six, and a loyal friend to countless more in our community. Ted had a unique ability to light up any room he entered. His lighthearted, joyful spirit uplifted everyone he met.

A graduate of Christian Brothers Academy in Syracuse, of Deerfield Academy in Massachusetts, and of Hamilton College, Ted thrived as an athlete and always looked for ways to give back to those less fortunate. He had a passion and a deep admiration for America's heroes and valued Team Red, White, and Blue's great work in enriching the lives of veterans in need.

I had the great privilege of knowing Ted personally and was inspired by his kindness, his humor, and his love for his family and country. Ted will always be remembered as an honorable young man who touched many lives, having a lasting positive impact on all who knew and loved him.

May his name forever be remembered in the CONGRESSIONAL RECORD and in the great United States of America.

AMERICAN HEROES COLA ACT

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, I rise to urge the swift consideration of H.R. 677, the American Heroes COLA Act.

This bill includes two of my bills, H.R. 2691, the Veterans' Survivors Claims Processing Automation Act, and H.R. 732, the Veterans Access to Speedy Review Act.

The claims and appeals backlog that is plaguing veterans in my district and across the Nation is unacceptable. The

Veterans' Survivors Claims Processing Automation Act will allow veterans' surviving families to mourn their loss and grieve without unnecessary bureaucratic steps in the benefit claims process.

The Veterans Access to Speedy Review Act will allow veterans to voluntarily use video conferencing technology to accelerate the appeals process. Veterans and their families deserve to have their claims reviewed and to receive the benefits that they have earned and deserve in a timely and efficient manner.

I came to Washington to fight for pragmatic solutions to meet our Nation's most pressing needs. These two bills are pragmatic solutions for our veterans.

Mr. Speaker, join me in honoring our veterans by bringing this legislation to a vote.

INVASIVE SPECIES SUMMIT

(Ms. STEFANIK asked and was given permission to address the House for 1 minute.)

Ms. STEFANIK. Mr. Speaker, from Lake George to the Saint Lawrence Seaway to the pristine waters of Lake Champlain and all of the beautiful mountains and maple trees that run between, my district is home to many ecological treasures.

Many of these natural wonders have fallen under siege to invasive species that threaten the health and beauty of these natural habitats. Our environment is our lifeblood in upstate New York, and we must protect it from these predators so as to boost our economy and ensure we protect our environment for future generations.

This Friday, I will be proud to join with stakeholders, who have been working tirelessly on this issue across my district and across New York State, at an Invasive Species Summit in Clayton, New York. Together, we will explore best practices and information sharing as well as to work on innovative new solutions to stop this epidemic.

By working together at the Federal, State, and local levels, I know we can preserve our natural treasures for generations to come.

HONORING THE LIFE AND SERVICE OF VERNON J. ALSTON, UNITED STATES CAPITOL POLICE OFFICER

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. CARNEY. Mr. Speaker, I rise to honor the life of Vernon J. Alston, a U.S. Capitol Police Officer for 20 years and a constituent of mine from Delaware. Sadly, Mr. Alston left us far too soon, at the age of 44.

Vernon Alston came from a military family and, from a young age, was drawn to the service of our country. In 1991, he joined the U.S. Army Reserve, and, in 1996, he began working as a Capitol Police Officer. He spent the rest of his life protecting the Capitol and those who work here. Mr. Alston commuted each day from Magnolia, Delaware.

I speak for every one of my colleagues and staff who walk through these doors each day when I say to Mr. Alston, "Thank you." Vernon Alston put his life on the line for us, and we owe him a debt of gratitude.

Our hearts and prayers go out to Mr. Alston's wife, Nicole, and his five children. Mr. Alston's neighbors in Delaware and his family here on Capitol Hill share in their grief. Vernon Alston leaves a legacy of service to country that serves as an inspiration to us all.

HONORING THE MEMORY OF JIM TRULL

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute.)

Mr. NEWHOUSE. Mr. Speaker, I rise to honor the life of a respected constituent of mine whom I was proud to have called a dear friend.

James Trull was the kind of leader who could be depended on to bring people together and advance solutions on behalf of their communities. He was passionate about water issues. It was his life's work. He served as the district manager of the Sunnyside Valley Irrigation District for 34 years. He understood the complicated western water law like no one else. Jim was a valued leader in our community. He was kind and was loved by those who knew him.

While Jim will be missed by many, we can honor his legacy by striving to follow the kind of leadership he embodied in his life.

As we remember Jim, the passage from the Prophet Isaiah comes to mind: "For I will pour water upon him that is thirsty and floods upon the dry ground . . ."

I ask my colleagues to join me in remembering my friend, Jim Trull.

HONORING THE LIFE OF PHIL NEIGHBORS

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I rise to honor the life of Phil Neighbors.

Phil was a pillar in the San Angelo community, and I had the pleasure of

working with him frequently over the last 10 years. Phil dedicated his life to three things: to God, to his family, and to his community.

He and his wife, Susan, had two children together and four grandchildren. It was not uncommon for Phil to run straight to a city event from his grandsons' ball games. He always made time for both his family and the city of San Angelo.

A graduate of Angelo State University, he led the San Angelo Chamber of Commerce for the last 10 years. He was the bridge between the Goodfellow Air Force Base and the San Angelo community, helping to create a strong and lasting bond. He loved our military and was always willing to support our military in any way that he could.

As a deacon in the Baptist church, Phil led the church's college program and many mission trips to Mexico. He was a selfless servant, a trait that extended beyond the city's, State's, and country's borders.

We lost Phil far too soon, just days after his 64th birthday. San Angelo lost a truly great leader yesterday. Please join me in remembering the extraordinary life of my friend, Phil Neighbors.

COMBATING THE DRUG EPIDEMIC IN JEFFERSON COUNTY, WEST VIRGINIA

(Mr. MOONEY of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. MOONEY of West Virginia. Mr. Speaker, last month, I received notice from Michael Botticelli, the Director of the Office of National Drug Control Policy, that, after a year of hard work from Federal, State, and local officials, Jefferson County, West Virginia, was designated as a High Intensity Drug Trafficking Area. This designation will bring critical resources to Jefferson County to combat the drug epidemic that is ravaging our communities and way of life.

I would like to thank a few people for helping secure this designation:

Tom Carr, the executive director of the Washington-Baltimore HIDTA Bureau. Tom was kind enough to even go down to Romney, West Virginia, to participate in a roundtable discussion I led with local officials.

Jefferson County Sheriff Pete Dougherty, who leads Jefferson County law enforcement in combating drug trafficking every day and who worked hard on this HIDTA application.

U.S. Attorney Bill Ihlenfeld, who prosecutes dangerous drug dealers and who also gave his invaluable input to the HIDTA application.

I thank the entire West Virginia delegation for helping to lock in this designation: Senators CAPITO and MANCHIN and my colleagues Congressmen MCKINLEY and JENKINS.

Every American needs to do his part to fight back against the drug addictions that are plaguing our country.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. NEWHOUSE) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 4, 2016 at 9:06 a.m.:

That the Senate passed with an amendment H.R. 907.

That the Senate passed with an amendment H.R. 3033.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

FINANCIAL INSTITUTION CUSTOMER PROTECTION ACT OF 2015

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to submit extraneous materials on the bill, H.R. 766, to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 595 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 766.

The Chair appoints the gentleman from West Virginia (Mr. MOONEY) to preside over the Committee of the Whole.

□ 1013

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 766) to provide requirements for the appropriate Federal banking agencies when

requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes, with Mr. MOONEY of West Virginia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

□ 1015

Mr. LUETKEMEYER. Mr. Chairman, I yield myself such time as I may consume.

I am proud to offer H.R. 766, Mr. Chairman. It is a bipartisan piece of legislation that provides transparency and accountability among Federal banking regulators and the Department of Justice.

This legislation comes in response to the abuse of authority by DOJ, FDIC, and other banking agencies under the action called Operation Choke Point, an initiative which seeks to deny legally operating businesses the financial services they need to operate and survive.

The notion that Operation Choke Point is limited to payday lenders or the banks serving them is far from the truth. This initiative has spread across many industries, including tobacco shops, gun manufacturers and dealers, pawnbrokers, even a coal mine and an auto dealer. Even attorneys and data companies that serve these industries have been impacted.

While regulators will tell you this activity has stopped, Operation Choke Point remains a very live issue. For more than a year, I have asked Americans impacted by this initiative to submit their story at our email address of chokepointstory@mail.house.gov.

Just this week I heard from a payday lender in Missouri who recently received account termination notices from his financial institution. Gregory Bone, whose businesses have served borrowers in Branson, Pineville, and Neosho, has operated since 1998 and is registered with both the State of Missouri and the U.S. Treasury Department. On January 21st, there is a similar story from a credit bureau in California and, before that, a tobacco shop in Florida.

The underlying problem here cannot be overstated. The Federal Government should not be able to intimidate financial institutions into dropping entire sectors of the economy as customers based not on wrongdoing, but purely on personal and political motivations and without due process.

We have the internal DOJ and the FDIC memos that prove these motives that are driving Operation Choke Point. The Committee on Oversight and Government Reform did a fantastic job of putting together two reports that take the different agencies' own emails and show what is actually going on and the motivation for those actions.

This program sets a dangerous precedent that shouldn't be permitted under any administration. William Isaac, the former chairman of the FDIC, appointed to the board by President Carter and named chairman by President Reagan, stated in committee that Operation Choke Point is the most dangerous government program he has seen in his 45-year career as a banker, a bank consultant, and as a regulator.

H.R. 766 offers a straightforward approach to a complicated problem. First, it dictates that banking regulators cannot suggest, request, or order an institution to terminate a banking relationship unless the regulator has a material reason beyond reputational risk.

The bill also strikes the word "affecting" in FIRREA and replaces it with "by" or "against." This modest change will help ensure that broad interpretations of the law are limited and that the intent of the statute, penalizing fraud against or by financial institutions, is restored.

It is essential that DOJ and financial regulators maintain the ability to pursue bad actors, and I fully support these efforts. This is something they must continue to do. But the checks and balances in this legislation would ensure accountability and would not hinder the ability to pursue those suspected of fraudulent activity.

The provisions contained in H.R. 766 are reasonable. In fact, the FDIC used its authority to already put them in place. Agency policy now requires staff to track and document account termination orders, which must be made in writing and cannot rely on reputational risk. The willingness of the FDIC to put these standards into place tells other regulators that they can and should follow suit.

I am proud the House is working in a bipartisan fashion to address this issue, including the passage of limitation amendments by voice votes in the 113th and 114th Congresses.

Republicans and Democrats alike have talked to regulators about the dangers of such a program. Many of my friends on the other side of the aisle have expressed their concerns to me privately as well. This bipartisan legislation takes a responsible approach to curbing the malpractice we have seen.

I want to take this opportunity to thank Chairman HENSARLING for his outstanding support as we have gone through this 2½ year process.

I urge my colleagues to support H.R. 766.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members, if you listen carefully to my colleague on the opposite side of the aisle, Mr. LUETKEMEYER, you would think that the major point of this bill is the Choke Point controversy.

Considerable time was spent by my colleague on the opposite side of the aisle talking about Choke Point. Well, I do not want that discussion to obscure the real problem with this very bad legislation.

H.R. 766 eliminates core provisions of the Financial Institutions Reform, Recovery, and Enforcement Act, or FIRREA, that the Justice Department has used to investigate and prosecute bank fraud. This is what this discussion should be about: bank fraud.

FIRREA has proven to be the Justice Department's most effective tool for holding Wall Street accountable. We hear a lot of talk about Wall Street. We went through 2008 and the subprime meltdown, the bailout, and all of that.

Most of the Members on both sides of the aisle agree that we had to rein in the practices of Wall Street. Here we have a bill today that would basically protect them and take away the very tool that is used in order to make them accountable.

After using FIRREA to secure historic settlements against Wall Street, including a \$7 billion settlement against Citibank, a \$5 billion settlement against Goldman Sachs, a \$13 billion settlement against JPMorgan Chase, and a historic \$16 billion settlement against Bank of America, now H.R. 766 seeks to stifle the Justice Department's investigative powers over financial fraud. In fact, there are still ongoing settlement negotiations with banks like Wells Fargo and Goldman Sachs that were announced just this week.

Without investigatory powers and an extended statute of limitations granted to the Justice Department by FIRREA, it would be impossible for us to identify and rectify the fraudulent activity that set us up for a crisis 10 years ago.

Apparently, H.R. 766 supporters believe that actually holding banks accountable for fraud was too much of a burden for them, replacing our system of too big to jail with one where our biggest banks are now too frail to fine.

H.R. 766 also invites the next crisis by imposing burdensome requirements—listen to this—imposing burdensome requirements on the Justice Department's ability to investigate bank fraud, allowing fraud schemes to continue at the expense of consumers and the financial system.

The Justice Department's ability to identify and rout out fraud would be critical in averting future crises, and H.R. 766 would be a free pass to banks

that make their money by breaking the law.

That would include banks like Plaza, Commerce West, and Four Oaks, all of which knowingly aided fraudsters, despite the many red flags raised by their financial activities.

At Commerce West in particular, the bank admitted fraud for failing to file suspicious activity reports with regulators even after the bank's own employees determined that one of their customers was routinely submitting fraudulent checks to the bank.

According to the Justice Department's complaint, the bank also failed to heed the warning of other banks that pointed out to Commerce West that some of their customers were fraudulent businesses.

Furthermore, H.R. 766's account closure provisions are a solution in search of a problem as regulators are now forcing financial institutions to close customer accounts.

Every Federal banking regulator has been clear, except for rare cases involving national security or systemic risks. The responsibility for closing accounts is a decision for financial institutions.

Some financial institutions are simply deciding that they would rather lose a customer than invest in the resources needed to ensure that our financial system is not being used for money laundering or other criminal activity.

In order to protect our economy from the next financial crisis, regulators have to have the necessary tools to prevent fraud and protect consumers.

Americans are still reeling from the effects of the financial crisis. We should be in the business of seeking ways to continue to hold banks more accountable for their misconduct, not rolling back the Federal Government's most effective tool for protecting consumers, investors, and taxpayers from bank fraud. Banks that break the law don't deserve get-out-of-jail-free cards.

The administration will veto H.R. 766. I urge my Democratic colleagues to oppose H.R. 766.

I just want to say that, despite yesterday when we had five bills that had been rolled into one that I warned our Members of Congress about because of what they literally did, particularly in terms of allowing corporations to not have to disclose information about the stock that they were giving to their employees, and I talked about how bad that was.

This is worse. This is worse because we are able to call names and to point out banks because we have the information. It is real.

We are able to point out how the Justice Department has been affected in making these banks accountable. So why in the world would we want to take away the Justice Department's tool that is FIRREA? Why would we want to prevent the Justice Depart-

ment from going after these banks who know they are dealing with crooks and fraudsters?

I would ask for a "no" vote on this bill.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY), the cosponsor of the bill.

Mr. MULVANEY. Mr. Chair, I thank my friend from Missouri. We have been working on this now 2½ to 3 years.

The bill is fairly simple, Mr. Chairman, in what it actually does. It just takes a second to read the operative line that an appropriate banking Federal agency may not formally or informally request or order a depository institution to terminate a specific customer account without a really good reason.

I want people to think about that, Mr. Chairman. The fact that we have to actually debate this frightens me. The fact that we have to bring a bill to the floor of the United States House that says the Federal Government regulators cannot force a bank to close an account without a good reason should frighten people.

I heard Mr. LUETKEMEYER talk about many of the companies that have been impacted: gun manufacturers, pawnshops. It has now spread, Mr. Chairman, to individuals.

We are hearing reports that individuals engaged in legal businesses—every single one of the victims are engaged in legal activity.

We are hearing now that individuals who happen to engage in legal poker playing in Las Vegas, Nevada, which is a completely legal endeavor—you may not like it—are having their bank accounts shut off by the Federal Government.

My dad told me when I got to this job: The difference between the government when I was your age and the government that you are going into is that I was never afraid of my government. Your children will grow up afraid of their government because of things exactly like this.

We are debating a bill on the floor of the House that says the government can't force banks to shut down legal business banking accounts. It is outrageous, but it is real, and it has happened for a long time.

It has happened, by the way, Mr. Chairman, because this administration has not been able to accomplish their agenda through legislative process. So they are doing it now through regulation.

There is a report that our committee put out. It is an excellent report. I commend it to everybody. There are emails from within the regulators. I will read one.

It says:

I have never said this to you, but I am sincerely passionate about this. I literally can-

not stand payday lending. They are abusive, fundamentally wrong, hurt people, and do not deserve to be in any way associated with banking.

It is a completely legal business, Mr. Chairman.

I hope that we have bipartisan support for this. We have had cosponsors on both sides. I encourage wholehearted support of this so we can get the Federal Government out of making decisions like this.

□ 1030

Ms. MAXINE WATERS of California. Mr. Chairman and Members, I would simply like to point out that Mr. MULVANEY just continued in the vein that Mr. LUETKEMEYER started out in, obscuring the real point of this bill.

They are going to keep telling you it is all about Choke Point. What they are not going to talk about is taking away the Justice Department's ability to use FIRREA to go after these banks that are committing crimes.

I don't want the Members to be misled. Ask them why they are refusing to talk about the main point of this bill.

I yield 4 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chair, I want to thank the ranking member and the chair of the committee. I would also like to say that this is a situation where there are—and I have even seen myself—some closures of accounts, which I think were not adequately justified, but this bill doesn't just solve that problem. It solves a whole lot of problems that are not problems.

So they take what could be a legitimate issue, and then they use that little hole in the tent to push in a whole bunch of other stuff that will literally weaken the whole system.

My good friend from South Carolina, if that was all the bill said, it wouldn't be that bad of a problem, but that is not only what it says. In fact, it weakens financial protections and lets bad actors in the system off the hook. If we are concerned about small accounts being closed, we should focus on that issue, but this particular bill goes way beyond that.

As Members contemplate how they want to vote on this bill, they had better think about and read this bill carefully because it goes far beyond just simply calling for a justification for arbitrarily closing accounts. That is why I oppose the bill.

I oppose the bill, the Financial Institution Customer Protection Act, H.R. 766. This bill would do the opposite of what is asserted in the title. H.R. 766 would not protect customers of financial institutions actually. Instead, it would make it more difficult to hold financial institutions accountable, and it will achieve that goal in a bait-and-switch way by acknowledging what may be, in some cases, a legitimate issue of arbitrary account closures, but

then coming in, sneaking in the back door, all this other stuff, to weaken the financial system.

Many Americans, including those who saw the movie "The Big Short," cannot understand how so few people went to jail for the schemes that caused the financial crisis. People made loans they knew would fail, sold those bad loans to investors, and caused the financial crisis that cost our economy \$14 trillion.

Twelve million people lost their jobs, and 11 million people lost their homes. Who went to jail for all this mortgage fraud? Well, I think there is only one person I have been able to find. I would be happy to find anyone else. Teresa Giudice from "The Real Housewives of New Jersey," football player Irving Fryar, and straw buyers in Michigan, those are the only people I could find who went to jail for this. Other people who committed massive fraud, they paid fines, but they walked away.

I am incredibly frustrated by the fact that the Department of Justice has not pursued more criminal prosecutions of people at the multinational corporations who caused the financial crisis. But the answer to that problem is stronger enforcement, not to take away the most important tool Federal prosecutors have to pursue financial fraud.

There is this thing called FIRREA. I know people watching C-SPAN are like, what is that? These Congress people always speak in acronyms. It is the Financial Institutions Reform, Recovery, and Enforcement Act. FIRREA was specifically designed to hold bankers accountable for destabilizing the financial system with their fraudulent activity. This bill weakens that.

In an Orwellian twist, it says that FIRREA cases cannot be brought when fraud is committed against a bank instead of by a bank. I will say it again. If this bill passes today, FIRREA cases can only be brought when fraud is committed against a bank and not by a bank. That is bad.

It also limits law enforcement's subpoena power. Don't we want to be able to subpoena these guys? Why would we want to be able to weaken that?

The Acting CHAIR (Mr. NEWHOUSE). The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Chair, I yield an additional 1 minute to the gentleman.

Mr. ELLISON. It eliminates the bankers' regulators' ability to ensure safety and soundness of the financial system. We need to enforce the law, not wink at it.

Members, they are dangling a shiny, little object in front of you by saying they are going to stop arbitrary account closures. This bill is way more than that. I urge a "no" vote.

Mr. LUETKEMEYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Chairman, I thank the gentleman from Missouri for his work on this very important bill.

The Constitution is clear: the right of the people to keep and bear arms shall not be infringed, yet time and time again, this administration has attempted to circumvent the constitutional rights of Americans to further their political agenda.

Today, under the guise of protecting consumers, the Department of Justice and the Federal Deposit Insurance Corporation are targeting payment companies to choke off credit for certain businesses they deem high risk, including ammunition and firearms stores, lending institutions, and other lawful businesses as well.

Instead of protecting consumers, this initiative is restricting consumer choice and crippling legitimate businesses. This policy makes financial service providers responsible for policing their customers. That is not fair to either banks or their consumers.

This commonsense legislation we are considering today will protect consumer access to banking services and restrict the administration from using the highly substantive notion of reputational risk to undercut constitutional rights and terminate the accounts of lawful businesses. I urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 3 minutes to the gentleman from Washington (Mr. HECK), a valued member of the Committee on Financial Services.

Mr. HECK of Washington. Mr. Chair, as a fellow Washingtonian, might I just observe that you make that dais look good.

I actually counterintuitively want to start out by thanking my friend, the gentleman from Missouri (Mr. LUETKEMEYER), for taking this issue on.

We had a problem in a lot of communities around the country with businesses getting access to the banking system, and I know he worked this very hard last year. He investigated; he talked to banks, businesses, and regulators; and he actually negotiated a solution with the FDIC that he had pushed and pushed until they actually adopted it.

It was a good solution. In fact, part of this bill would essentially codify that. What it would say is, you can't use FIRREA to go after whole sectors of the economy. It has to be specifically and individually based. You have to have a reason to believe that an individual business was engaged in fraud if you were going to use the banking system to get at them. Good solution, constructive solution. My hat is off to you, sir.

Unfortunately, this bill, as has been suggested earlier, goes farther. Section 3 makes it a lot harder for the Department of Justice to investigate financial solutions because, as has been sug-

gested, it takes direct and specific aim at the powers under FIRREA, as the gentleman from Minnesota had indicated. It puts limits on them as to when subpoenas can be issued. To me, frankly, that is a solution in search of a problem.

FIRREA has been the key statute in going after fraud that, in fact, helped lead to the Great Recession and the crisis, and the wiping out of \$13 trillion in net worth. Frankly, I am one of those people who believes we need more prosecutions, not fewer, for all the damage and harm done to Americans throughout this land.

I am very reluctant to embrace any language that substantially weakens or obstructs FIRREA's ability to investigate fraud. I do agree with my friend that investigations and our oversight of them could be improved by requiring a paper trail. I worked with him to see if we could find a compromise that did that, but we couldn't. So ultimately, we had to disagree, and this is a disagreement that I will characterize as being a very strong one.

The truth of the matter is, in the last two calendar years alone, FIRREA was the operative statute which led to \$40 billion in fines and recoveries being levied. Truth be told, it is very, very unlikely, if not highly unlikely, that any of those \$40 billion in fines or restitution could have been recovered if the language of this legislation had been in effect; \$20 billion of which was restitution to harmed parties, people who lost their homes inappropriately because they had had fraud perpetuated upon them.

I don't think that is what the American public wants right now. I think the American public is still eager for some accountability for the actions and behavior that led to the Great Recession.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. I yield an additional 1 minute to the gentleman.

Mr. HECK of Washington. So I join in the chorus of my colleagues who suggest that this bill is actually not just a step backward but two giant steps backward. There is an issue here that could be worked on. This is not the right solution; and, I might add, it is not going to become law because it has already been indicated by the executive branch this probably isn't going anywhere.

I would entreat you—in the spirit of trying to find a solution to a real problem—please, let us set aside, vote "no," and not enact that which is a solution in search of a problem that doesn't exist and, in fact, does considerable harm to the American public and to our ability to hold people accountable.

Mr. LUETKEMEYER. Mr. Chairman, it is certainly rewarding and heartwarming to see that the ladies and gentlemen on the other side of the aisle

continue to support our bill from the standpoint they recognize that where there is a problem, Operation Choke Point exists, that our bill is the solution. The only thing they seem to have problems with is the part that we try and do something with the DOJ with regards to FIRREA.

To settle that and enlarge on that discussion, I am proud to yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. DUFFY), our Oversight and Investigation Subcommittee chairman who will provide some information with regard to that very thing.

Mr. DUFFY. Mr. Chair, I appreciate the chairman yielding. I am grateful for Chairman LUETKEMEYER's work on this important issue.

Our financial systems are the bedrock of our economy. When financial systems work, our economy works. And we have seen when our financial system doesn't work, things come crashing down. To make sure our financial system is safe and sound, we have empowered regulators to keep an eye over it, to make sure we don't do things that are too risky that can endanger the financial system and then, therefore, the economy.

One of the problems, though, is that those regulators have stepped outside that traditional role and have tried to impact policy decisions that should be made in this institution by rules and regulations that come out from their oversight capacity.

I look at the liberals, or it might be the progressives, inside the FDIC who, in line with the administration, said: I don't like gun dealers, I don't like ammunition manufacturers. Who cares about the Second Amendment? I don't like them.

Now, if you don't like guns and you don't like ammunition and you don't like short-term lenders, if you want to get rid of those things, have a debate about it. Have an argument. Introduce a bill, and let's vote on it. Let the American people see it. But the administration knows they will lose because most Americans like their guns, they like their Second Amendment.

So instead of going through this institution, they very craftily thought: Wow, just think, if we were able to, as regulators, put pressure on banks so banks would stop banking legal businesses that we don't like—guess what happens if they can't bank? They will go out of business, and we will have less guns, less ammunition, and we will have less short-term lending. That is exactly what they have done.

But we didn't empower the FDIC to make policy decisions. We said, hey, keep the banking system safe and sound. But like so many corners of this administration, they have expanded that authority to advance their liberal, progressive agenda.

I know my friends across the aisle, who I like very much and are friends of

mine, are trying to focus on big banks and Wall Street. But, Mr. Chairman, to the ranking member I would say: Listen, big banks aren't being affected by Choke Point. It is the smallest, little businesses in our communities that don't have the power to stand up and fight back and push back. They are the ones that are affected.

□ 1045

Big banks on Wall Street don't get hit by this. It is the little guy. This is a bill that Mr. LUETKEMEYER crafted that stands up for the little guy—the little one that doesn't have the lobbyist and the money to come to town to talk to Members of Congress—who is being affected by this liberal progressive agenda today that they know can't be get passed by law, so they do it by regulation.

This is one more horrible example of how your government isn't working and how this institution isn't representing the people that we were sent here to represent.

This is a great bill. Let's pass it. Let's join together and let's stop Operation Choke Point.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Again, my friends on the opposite side of the aisle will talk about guns. They will talk about Choke Point. They will talk about unfairness to businesses based on a bank's ability to close accounts. They will talk about everything except the real point of this legislation.

I don't know why, I don't know where it came from, and I don't know who can convince a serious public policymaker that somehow you are to take away the investigative power of the Justice Department, a Justice Department that has proven that it could use FIRREA—that is the Financial Institutions Reform, Recovery, and Enforcement Act—to investigate banks that are guilty of fraud. I don't know where this would come from. Given what we have gone through in this country, starting in 2008, I don't know why any serious public policymaker would want to do that.

What have we witnessed in this country, based on the predatory practices of banks? We have seen whole communities devastated. We have seen foreclosures and people lose their homes. We have seen homes underwater. We have increased homelessness. We have seen the targeting of some of the most vulnerable communities in our country, based on the fraudulent practices of banks.

The Justice Department has a tool, and they are using this tool. Why would any credible Member of Congress want to take away the Justice Department's ability to investigate and to fine these institutions?

No, ladies and gentlemen, this is not about Choke Point. This is not about

guns. This is not about any of that other stuff that they are trying to make you believe you should pay attention to.

Every legislator and every public policymaker should ask themselves: Do I want to be a part of ever allowing this institution to once again revert back to the practices that caused people to lose their homes, that threw this country into a recession, that still has us reeling from the negative impacts of those decisions by a bank?

Why would anybody want to take away the Justice Department's investigative powers? In addition to that, this bill will not even allow the Justice Department to exercise its authority to subpoena. Why do you want to do that? It doesn't make good sense.

Again, you can talk about Choke Point all night long. You can describe it as being unfair to businesses, you can talk about what we need to do, but that is not what this is about.

I know why you don't want to talk about it because you have got to be ashamed of it. You have got to be ashamed of the fact that you are leading this institution to do away with investigative powers of the Justice Department.

Let me just say this. The Department of Justice has relied heavily on the powers granted under FIRREA to pursue billions of dollars of mortgage fraud cases since the financial crisis. In these cases, financial firms defrauded the government by knowingly selling faulty mortgages while representing them as high quality.

Without FIRREA, investigations would have stalled and taxpayers would have been left on the hook for even more losses. FIRREA powers were also instrumental in securing the historic \$25 billion mortgage servicing settlement.

As many of our colleagues know, there are still many more problems in the mortgage servicing industry, and eliminating this tool would encourage fraudulent practices by mortgage services that end up wrongfully kicking Americans out of their homes.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Chairman, may I inquire how much time is remaining on each side, please.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The gentleman from Missouri has 19 minutes remaining, and the gentlewoman from California has 9 minutes remaining.

Mr. LUETKEMEYER. Mr. Chairman, I yield myself such time as I may consume.

I just want to make a few comments here. It seems that the ranking member, as eloquently as she has spoken, continues to deflect from the bill we are talking about with regard to talking about mortgage servicing assets, the mortgage crisis that we had a few years ago. That is not in this bill.

We are talking about Operation Choke Point, which is recognized by the Department of Justice. The Oversight and Government Reform Committee has a report from their own email showing that within their own agency there was a discussion among the legal staff, believing they didn't have the ability to do what they do. They thought it was illegal themselves to do what they were doing, and yet they did this.

Mr. Chairman, for anybody who is listening and watching today, it should send a chill down their spine when you sit here and have the leading law enforcement agency in this country believe and know that they are doing something wrong and still do it. That, Mr. Chairman, cannot happen.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida (Mr. ROSS), a cosponsor of the bill and a member of the Financial Services Committee.

Mr. ROSS. Mr. Chairman, want to thank Chairman LUETKEMEYER for introducing this legislation which prohibits the Department of Justice from cutting off financial support to law-abiding businesses through its Operation Choke Point.

Created under the guise of a program to root out banking fraud and money laundering, Operation Choke Point has morphed into an instrument used by administration bureaucrats to pressure and force banks to end relationships with the legitimate businesses the administration considers to be a "reputational risk."

This country is made up of all walks of lives and all walks of entrepreneurs and small businesses, yet this administration has targeted these small and legitimate businesses.

I have a cigar retailer back home who was told by his bank that he could no longer do business there. I have a gun store owner who was told the same thing. I have a pawnshop that was told the same thing.

These targeted business owners do not receive a note from the bank stating: "Due to Operation Choke Point, we regretfully must end our financial relationship with your business." No. They are just discontinued from doing any banking relationship, without any notice whatsoever.

If what we have done with the Department of Justice and the FDIC is empower them with the ability to send a fundamental right of constitutional due process, then yes, we need to correct it. We have that obligation.

As the chairman points out, we ought to be outraged over these administrators doing this to our legitimate businesses.

This legislation, introduced by my colleague, will prohibit any Federal banking agency from suggesting, requesting, or ordering a depository institution to terminate a customer ac-

count or prohibiting an institution from maintaining a banking relationship with specific customers unless the agency has a material reason to do so, and that reason is not solely based on reputational risk.

This bipartisan, commonsense legislation passed the Financial Services Committee by a vote of 35-19. In voting to pass H.R. 766 today, I will be voting to rein in this out-of-control administration and its assault on small, legal businesses not only in Florida, but across the country.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Let me draw Members' attention to what is being attempted on the opposite side. They keep talking about Choke Point and how they want to save payday lenders and rent-to-own and pawnshops and all of that. I may have some issues with some of that, but that is not what this is about today. Today, this is about the fact that they refuse to tell you what is really in this bill.

They cannot stand up and defend why in the world they would be taking away the Justice Department's ability to investigate bad banks. They cannot tell you why they are ignoring the lessons of 2008 and predatory lending and what the Justice Department has been able to do using FIRREA and investigating and fining and getting settlements.

They cannot tell you why they would ignore the fact that many innocent middle class folks who work every day and who fought hard to make down payments and signed on the dotted line for mortgages didn't know that they were being tricked into signing mortgages that they could never really keep up with and that the interest rates would reset and go higher and higher and they were going to lose their homes.

They cannot defend the predatory lending practices. They cannot defend the fraud. They cannot defend the undermining of the average American family. They cannot defend the fact that Americans lost their homes. So they are going to keep talking about Choke Point and how they have got to protect payday lenders and how they have got to protect pawnshop owners and how they have got to protect rent-to-own and all those businesses they hold so dearly and want to protect.

This really doesn't have anything to do with that. If they want to have a real discussion about Choke Point, we are willing to do that; but, this is not the time to do it.

This is not the time to use this to hide behind the fact that you want to protect the big banks. As a matter of fact, this is so outrageous, it basically says that, instead of the Justice Department or anyone going after the banks, it would protect the banks by saying that you can't go after the

banks and you have to protect them and you can't go against them.

I am simply saying over and over again that I don't care how many Members they call up and I don't care how many Members come and talk about Choke Point, somebody needs to tell us why they can't talk about taking away the investigatory powers and the power to subpoena from the Justice Department, a Justice Department that has proven that it is willing to use its investigatory powers in order to deal with these big banks.

So listen very carefully and listen to all this Choke Point stuff that they are trying to ram down your throats. Listen and look them in the eye and see if they can look you back in the eye and defend what they are doing.

Don't allow them to mislead you, Members of this Congress, into thinking that this bill is all about protecting payday lenders and rent-to-own and pawnshop owners and all these businesses that they care so much about.

This is about stripping the Department of Justice of their power to investigate and subpoena. This is about pulling the rug out from under the citizens of this country who have tried to own homes and who have not been protected by their own government until we had reform. This is about saying they don't care what the Justice Department has been able to do to rein in these practices. They are going to come here today with a bill and tell you it is all about Choke Point.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), an outstanding member of the committee.

Mr. TIPTON. I thank the chairman for yielding.

Mr. Chairman, we found some common ground. The ranking member was just talking about listening to Operation Choke Point. I think that is important for every American, because we are talking about freedom. We are talking about reining in an out-of-control bureaucracy. We are talking about actually preserving freedom in this country, to take it back for the American people and for businesses as well.

I want to applaud Chairman LUETKEMEYER for his leadership on this issue. It prevents Federal banking issues from pressuring banks and credit unions to terminate customer accounts with legal businesses.

Although it is important to be able to prevent fraud in the banking system, Operation Choke Point has largely been abused by the agencies and their regulators, pressuring and manipulating financial institutions based on personal prejudices of Federal bureaucrats.

In my district and many others across the U.S., legitimate businesses have found themselves shut out of the banking system after years of longstanding relationships with banks and

credit unions. Oftentimes, this derisking means that these legal businesses are further shunned by other financial institutions fearful of civil and criminal liability as well as greater regulatory scrutiny.

Thankfully, this legislation puts commonsense restraints on regulators that have been running amok. By requiring Federal banking agencies to provide a material reason other than reputational risk for terminating a customer account, this bill establishes necessary, clear standards to avoid further abuses.

□ 1100

Instead of relying on implicit or explicit threats from regulators, this legislation requires written justification of any request to terminate or restrict customer accounts.

It is clear that, despite several letters, hearings, and warning by Congress, financial institutions continue to face unwarranted pressure from the regulators. These requirements provide the necessary oversight to ensure banks, credit unions, and their customers are treated in a fair manner.

I am happy to lend my support to this bill, and I encourage my colleagues to support this commonsense measure. I again thank the gentleman from Missouri for his efforts on this legislation.

Ms. MAXINE WATERS of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. WILLIAMS), another outstanding member of our committee.

Mr. WILLIAMS. Mr. Chairman, thank you for the time.

I rise today to support H.R. 766, the Financial Institution Customer Protection Act of 2016.

As a small-business owner for 44 years, I have seen it all—or at least I thought I saw it all—and I am deeply troubled over a Federal Government program that I believe to be, at best, immoral and, at worst, illegal: Operation Choke Point.

The Obama White House has single-handedly granted itself the authority to cut off relationships between private financial institutions and the perfectly legitimate businesses which they serve. This Congress has not passed any legislation granting the executive branch such immense power.

Mr. Chairman, all of us here have bore witness to the Obama administration's willingness to bypass the law-making branch of our government, but this is a new low. Operation Choke Point is the worst example of the Obama White House telling Americans what is best for them, and there is no appeals process.

Mr. Chairman, this is the worst form of government intrusion I have ever seen and can think of. Operation Choke

Point is another example of this administration's going around Congress to create laws rather than do their job, to enforce the laws we already have on the books.

As a second-generation small-business owner, I support H.R. 766, which will rein in this abuse of power. Operation Choke Point is un-American and deceiving. It is simply wrong.

I urge my colleagues to support this bill and do away with Operation Choke Point once and for all. Let's save small business. Let's save Main Street America.

In God we trust.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Mr. Chairman and Members, after the Justice Department finally began to use the Financial Institutions Reform, Recovery, and Enforcement Act that we refer to as FIRREA to create some semblance of justice for financial crisis-era bank fraud and misconduct, my Republican colleagues respond by restricting the Department of Justice's most powerful tool for holding banks accountable.

This is an interesting debate that we are having. We are sitting here wondering why it is that not one Member on the Republican side of the aisle who has taken to the floor to debate this bill will talk about FIRREA and will talk about the Justice Department and what you are doing in stripping away their powers.

I know why. Because you know that, if, in fact, you really got up and talked about what you were doing, you would lose all of the votes even on your side of the aisle. This is outrageous. So you are hiding behind Choke Point.

Not one Member on the opposite side of the aisle has the guts to get up and say: I can't do this. I am going to talk about what this bill is really about.

And so they continue to march down here, taking their orders to talk about Choke Point, Choke Point, Choke Point.

No. No. No. This is about stripping the Justice Department of its investigatory powers and its subpoena powers.

FIRREA is the last line of defense between consumers and investors and bank fraud. Central to the DOJ's ability to investigate fraud and to build cases against financial institutions is its subpoena power, power that H.R. 766 singles out for unprecedented and burdensome restrictions.

Instead of bolstering the Justice Department's ability to investigate mortgage fraud, H.R. 766 seeks to actually protect the banks and to insulate them from accountability. Wow. Wow.

Can you just imagine that anyone could go home to their constituents and say: I just voted for a bill that would actually protect banks and insulate them from accountability, I just

voted for a bill to strip the Justice Department of its power to investigate?

Bank fraud should be met with the full force of the Federal Government. H.R. 766 is a dangerous step backwards for an economy still reeling from financial crisis-era fraud and misconduct.

Every regulator has been clear that account closures aren't the result of pressure from regulators, but from banks that have decided that, for some customers, they would rather lose their business than investigate any anti-fraud practices to protect our financial system from money laundering.

Look, you have got people who are willing to work on that part of public policy that you would like to see some changes in, but this is not it.

When you couple that discussion to overshadow what you are doing, to strip the Justice Department of its powers to investigate, what you are doing is you are setting up a situation to take us backwards and to harm so many people.

Have you forgotten the lessons already of 2008? Have you forgotten already what this country went through? Have you forgotten that the citizens of this country had to bail out the biggest banks to keep us from going into a depression?

We went into a recession. We tore up communities. We threw people out of their homes. We increased homelessness.

Now you want to come back and give the banks an opportunity to do what got us into trouble in the first place? Well, I can't imagine that you are prepared to defend that.

The common theme throughout H.R. 766 and many of the proposals that, unfortunately, cleared the Financial Services Committee is that, even in the aftermath of the financial crisis, my Republican colleagues would have you believe it is the big banks that are the ones in need of protection, protection from the Consumer Financial Protection Bureau.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. Members are reminded to please address their remarks to the Chair.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL), one of the most knowledgeable members of our committee.

Mr. HILL. Mr. Chairman, I am pleased to address H.R. 766.

Before I talk about what my constituents have asked me to talk about, Mr. Chairman, which is the problems with Operation Choke Point, for I do take my instruction from my constituents at home, I do want to call my distinguished ranking member's concern to this report about this bill, which says, "or a Federally insured financial institution against an unaffiliated third person."

So I have to say, Mr. Chairman, I don't understand where the gentleman from California is coming from in terms of gutting FIRREA. It was certainly my privilege to serve at Treasury when FIRREA was negotiated with the Congress and enacted into law.

I rise today, though, to support H.R. 766, the Financial Institution Customer Protection Act, which helps to target and stop the egregious abuse of executive power in what has been known as Operation Choke Point.

Bank examiners want our commercial banks across the country to be conscious of reputation risk, something every institution, large and small, takes very, very seriously.

Our boards of directors of our banks understand that, just like credit risk, reputation risk is important. We don't need to be lectured on the dangers of doing business with some high-risk customers.

But, in Operation Choke Point, we find subtle and not-so-subtle pressure from regulators to terminate business relationships rather than to expose that reputation risk.

I have heard from pawnbrokers in Arkansas, legally licensed State and Federally regulated businesses, that they are victims of Operation Choke Point by having their bank servicing limited or cut off.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 30 seconds.

Mr. HILL. Just last week, Mr. Chairman, not 2 years ago, a firearms dealer in my hometown of Little Rock was dumped by his payment processor and is now having to pay more in interest, having less control of his cash.

These are small, legitimate businesses that do business with our banks, and they are being penalized by the prejudiced, politicized agenda of this administration.

This is not the only example. It is reminiscent of the IRS targeting of conservative groups.

So, with great pleasure, I support my friend from Missouri's bill. It is a reasonable, targeted approach. I urge all my colleagues to support it.

Mr. HENSARLING. Mr. Chairman, how much time is remaining, please?

The Acting CHAIR. The gentleman from Texas has 20 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER), my friend and chairman of our Financial Institutions and Consumer Credit Subcommittee.

Mr. NEUGEBAUER. Mr. Chairman, I rise today to support H.R. 766, the Financial Institution Customer Protection Act of 2015, offered by my good friend from Missouri (Mr. LUETKEMEYER).

This legislation is critical to ensure small businesses across the country are

able to access basic banking services without the threat of being targeted at the political or ideological whims of Washington bureaucrats.

As my colleagues have mentioned, H.R. 766 prohibits the Federal Government banking regulators from formally or informally prohibiting banks to serve lawful and legitimate businesses. Let me repeat that. It keeps them from prohibiting banks from serving lawful and legitimate businesses.

Over the last several years, we have seen an effort by the Department of Justice, in cooperation with the Federal banking regulators, to target certain categories of lawful merchants. These merchants include gun stores, short-term, small-dollar credit lenders, and others. This effort has been officially named Operation Choke Point.

Operation Choke Point has used a perverse interpretation of the Financial Institutions Reform, Recovery, and Enforcement Act, currently referred to as FIRREA, to force banks to terminate banking relationships with certain categories of merchants even if its unlawful behavior isn't present.

Representative LUETKEMEYER's bill would clarify the original intent of FIRREA. Unfortunately, the minority leader and the ranking member of the committee have been spreading misinformation about the impact of H.R. 766. So I will spend the rest of my remarks outlining exactly what the bill will do and what it will not do.

It does not decriminalize any type of fraud. All of these criminal statutes comprising FIRREA's predicted offenses are untouched by this bill.

H.R. 766 does not prohibit the Department of Justice from holding financial institutions accountable. FIRREA tools are still available for the pursuit of any of the frauds committed by bank insiders against the bank.

Additionally, the bill expressly provides that FIRREA's civil tools also apply to fraud committed by the bank against an unaffiliated third party.

In other words, where a bank defrauds a purchaser of a mortgage-backed security, as was alleged by the big bank settlements, FIRREA's civil tools remain available to the Department of Justice.

H.R. 766 does prohibit the use of FIRREA tools where fraud is committed by a bank's account holder, but not by the bank itself.

This is the type of self-affecting fraud that the Department of Justice asserted that gave rise to Operation Choke Point. In other words, the fraud must be committed by the bank or against the bank for FIRREA to apply.

I hope everyone will read page 6, lines 21–25, of the bill.

Finally, H.R. 766 does limit the ability of the Attorney General to delegate issuance of FIRREA civil subpoenas.

As a result, FIRREA subpoenas must be signed by the Attorney General or

the Deputy Attorney General rather than a low-ranking Department of Justice attorney.

Unfortunately, we yet have another example of the minority not actually reading the text of the bill before making public statements.

Going forward, I hope the minority will study the text of the bill instead of relying on false statements and talking points of the senior Senator from Massachusetts.

□ 1115

Mr. HENSARLING. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Texas has 7 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I have had the privilege to serve in this body for a number of terms, but I have not lost my ability to be outraged. Operation Choke Point is an outrage to the American people.

Who will stand up and defend the small mom and pop shops on Main Street from the billions of dollars and the thousands of lawyers at the so-called Justice Department who wake up one day and decide that, notwithstanding current law, they are going to put them out of business?

Fortunately, Mr. Chairman, we have one outstanding Member of Congress, the gentleman from Missouri (Mr. LUETKEMEYER), my colleague who is standing up to these people. He is standing up to these people by authoring H.R. 766, and he is saying enough is enough. And we must say enough is enough.

Fortunately, Mr. Chairman, a number of Democrats on the other side of the aisle have actually joined with our side to say that justice must prevail and that the rule of law must prevail. I suspect that is why the ranking member—bless her heart—had to spend so much time speaking herself, because she probably couldn't find any other speakers to come and help her out.

It is an outrage, Mr. Chairman, that this administration continues to trample on the Constitution. Clearly, we know the President has his pen and he has his phone. But he clearly doesn't have a copy of the Constitution. For legally constituted businesses to have to fear that, in the dark of night, they are going to be shut down by the awesome power of the Obama administration is an outrage. All Americans should be outraged.

Frankly, when is it that we will have the ranking member and others stand up for the rule of law? We are losing the rule of law to the discretion of regulators. If there was any justice in the Obama Justice Department, somebody would be indicted over Operation Choke Point. Perhaps, Mr. Chairman, they should indict themselves for bringing forth something we haven't seen since the Nixon era. What else is going to be in the bag of dirty tricks?

Somebody has to stand up against the elites in Washington who bypass article I, section 1 of our Constitution. All legislative power is vested in this body. It is not vested in the Justice Department, Mr. Chairman. They are supposed to enforce the law, not make the law.

To wake up one morning and find out that your bank account and your access to funds have been choked off by an oppressive Federal Government, lawlessly, has to be stopped. Where is the justice, Mr. Chairman? I ask you, where is the justice?

Now, just yesterday I learned that on the other side of the Capitol, we had a Senator from Massachusetts who invoked the names of three dead African Americans who tragically lost their lives and used that bloody shirt to attack this bill. Then this very same Senator turned around and put out a fundraising appeal on H.R. 766.

The American people have not lost their ability to be outraged at those who may possess Ivy League degrees and Washington, D.C., addresses who have the arrogance to tell them what is best for them, their businesses, their lives, and their families.

It is time that we respect the rule of law. It is time that we respect the Constitution. It is time that we choke off Operation Choke Point and put it into the dustbin of history: the history of dirty tricks and the history of lawlessness.

That is why it is so important, Mr. Chairman, that all Members—Democrat, Republican, and liberals—let their voice be heard by casting their vote for H.R. 766.

Why—why—do Members outsource their legislative authority to the unaccountable and unelected? Sooner or later, Mr. Chairman, the shoe is going to be on the other foot.

Who will stand for justice today? We will look closely as the names come up on the big board. The American people are watching, and they want to know: Who is going to stand with me? Who is going to stand for the rule of law? Who is going to stand for the Constitution? Who is going to stand for the little people in America?

I am proud to stand with Chairman LUETKEMEYER and the Republicans of the House Financial Services Committee to ensure that Operation Choke Point is choked off once and for all.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-41. That amend-

ment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Financial Institution Customer Protection Act of 2015".

SEC. 2. REQUIREMENTS FOR DEPOSIT ACCOUNT TERMINATION REQUESTS AND ORDERS.

(a) *TERMINATION REQUESTS OR ORDERS MUST BE MATERIAL.—*

(1) *IN GENERAL.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate a specific customer account or group of customer accounts or to otherwise restrict or discourage a depository institution from entering into or maintaining a banking relationship with a specific customer or group of customers unless—*

(A) *the agency has a material reason for such request or order; and*

(B) *such reason is not based solely on reputation risk.*

(2) *TREATMENT OF NATIONAL SECURITY THREATS.—If an appropriate Federal banking agency believes a specific customer or group of customers poses a threat to national security, including any belief that such customer or group of customers is involved in terrorist financing, such belief shall satisfy the materiality requirement under paragraph (1)(A).*

(b) *NOTICE REQUIREMENT.—*

(1) *IN GENERAL.—If an appropriate Federal banking agency formally or informally requests or orders a depository institution to terminate a specific customer account or a group of customer accounts, the agency shall—*

(A) *provide such request or order to the institution in writing; and*

(B) *accompany such request or order with a written justification for why such termination is needed, including any specific laws or regulations the agency believes are being violated by the customer or group of customers, if any.*

(2) *JUSTIFICATION REQUIREMENT.—A justification described under paragraph (1)(B) may not be based solely on the reputation risk to the depository institution.*

(c) *CUSTOMER NOTICE.—*

(1) *NOTICE NOT REQUIRED.—Nothing in this section shall be construed as requiring a depository institution or an appropriate Federal banking agency to inform a customer or customers of the justification for the customer's account termination described under subsection (b).*

(2) *NOTICE PROHIBITED IN CASES OF NATIONAL SECURITY.—If an appropriate Federal banking agency requests or orders a depository institution to terminate a specific customer account or a group of customer accounts based on a belief that the customer or customers pose a threat to national security, neither the depository institution nor the appropriate Federal banking agency may inform the customer or customers of the justification for the customer's account termination.*

(d) *REPORTING REQUIREMENT.—Each appropriate Federal banking agency shall issue an annual report to the Congress stating—*

(1) *the aggregate number of specific customer accounts that the agency requested or ordered a depository institution to terminate during the previous year; and*

(2) *the legal authority on which the agency relied in making such requests and orders and the frequency on which the agency relied on each such authority.*

(e) *DEFINITIONS.—For purposes of this section:*

(1) *APPROPRIATE FEDERAL BANKING AGENCY.—The term "appropriate Federal banking agency" means—*

(A) *the appropriate Federal banking agency, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and*

(B) *the National Credit Union Administration, in the case of an insured credit union.*

(2) *DEPOSITORY INSTITUTION.—The term "depository institution" means—*

(A) *a depository institution, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and*

(B) *an insured credit union.*

SEC. 3. AMENDMENTS TO THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989.

Section 951 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833a) is amended—

(1) in subsection (c)(2), by striking "affecting a federally insured financial institution" and inserting "against a federally insured financial institution or by a federally insured financial institution against an unaffiliated third person"; and

(2) in subsection (g)—

(A) in the header, by striking "SUBPOENAS" and inserting "INVESTIGATIONS"; and

(B) by amending paragraph (1)(C) to read as follows:

"(C) summon witnesses and require the production of any books, papers, correspondence, memoranda, or other records which the Attorney General deems relevant or material to the inquiry, if the Attorney General—

"(i) requests a court order from a court of competent jurisdiction for such actions and offers specific and articulable facts showing that there are reasonable grounds to believe that the information or testimony sought is relevant and material for conducting an investigation under this section; or

"(ii) either personally or through delegation no lower than the Deputy Attorney General, issues and signs a subpoena for such actions and such subpoena is supported by specific and articulable facts showing that there are reasonable grounds to believe that the information or testimony sought is relevant for conducting an investigation under this section."

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 114-414. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SHERMAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-414.

Mr. SHERMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 6, strike "poses" and all that follows through "such belief" and insert the following: "is, or is acting as a conduit for, an entity which—

(A) poses a threat to national security;

(B) is involved in terrorist financing;

(C) is an agency of the government of Iran, North Korea, Syria, or any country listed from time to time on the State Sponsors of Terrorism list;

(D) is located in, or is subject to the jurisdiction of, any country specified in subparagraph (C); or

(E) does business with any entity described in subparagraph (C) or (D), unless the appropriate Federal banking agency determines that the customer or group of customers has used due diligence to avoid doing business with any entity described in subparagraph (C) or (D), such belief

Page 2, line 9, strike "materiality requirement under paragraph (1)(A)" and insert "requirement under paragraph (1)".

Page 3, line 16, after "security" insert the following: "; or are otherwise described under subsection (a)(2)".

The Acting CHAIR. Pursuant to House Resolution 595, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. Mr. Chair, this is really two bills that have been put together. One deals with Operation Choke Point, and for reasons explained by the majority, it is important that we pass that part of the legislation. The other imposes restrictions on FIRREA, and for reasons eloquently expressed by the ranking member, I do not support that part of the bill. I, frankly, do not know how I am going to vote because of these portions of the bill, one is important to pass, and the other is a restriction that I cannot support.

I will point out for all of us who want to deal with Operation Choke Point that it is unfortunate that these two bills have been put together into one because we know the President isn't going to sign this bill if it has got the FIRREA portion in it. So it is my hope that we put on the President's desk a bill that protects American businesses from Operation Choke Point, a bill that the President can sign.

I want to use the time allotted here to try to improve the Operation Choke Point provisions because I hope they are ultimately signed into law.

Now, why are those Operation Choke Point provisions important? As the majority has explained, various businesses that are currently unpopular with the bureaucracy are being targeted, and it is an extremely powerful tool to destroy a business and to cut off its access to financial institutions.

Today they come for the gun stores and the tobacco dealers. And I don't have friends who are gun store owners and tobacco dealers, so some would say I should be quiet. But I do not know who the next President of the United States will be. And as I listen to the RECORD, I know that if they have the power, they will come after the Planned Parenthood clinics and the environmental organizations.

Woe be to a Congress that yields extreme power to the executive branch in the expectation that the executive branch will use it in a way that they favor knowing that the tide turns and the other party could be in control of that branch. So it is important that we improve the Operation Choke Point provisions of this bill.

Every speaker who talked about the Operation Choke Point provisions of this bill focused on mom and pop businesses, domestic businesses. Every bit of the discussion in committee focused on that, and that is why it is important that this bill not have an unintended consequence never discussed by anyone at committee; that is, that it would affect our anti-terrorism and national security efforts.

So in the words of the Democratic Daily Whip from Whip HOYER, the Sherman amendment clarifies that the underlying bill does not prevent banking regulators from requesting a financial institution terminate a relationship because the customer poses a national security threat, is engaged in terrorist financing, or is domiciled in Iran, North Korea, Syria, or another state sponsor of terrorism.

I think it is a step forward to improve the Operation Choke Point portions of this bill. I think that, as further improved, those provisions should and, I believe, will become law. So I ask support for an amendment that makes it clear that a bill that was discussed only in the sense of domestic businesses, only in the sense of ma and pa and Main Street, does not have an effect that the author never included in our national security policy.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Chairman, I would like to thank the gentleman from California who has shown his concern about the Choke Point provisions of the bill. He is absolutely right. Both of these issues are in this bill. We cannot divide it in the way that we are moving forward. And it means that if this bill passes, no matter what the concern may be, the overriding concern must be about stripping the Justice Department of its investigatory power and its subpoena power. It must be about undermining the Justice Department's ability to hold these big banks accountable.

I don't think you can divide this. This is one bill.

Mr. SHERMAN. Reclaiming my time, Mr. Chairman, this bill will be going through the legislative process. It is important that we improve the Operation Choke Point provisions.

I have enjoyed working with the gentleman from Missouri, and I hope that he will see fit to accept this amendment and to narrow it to a focus outside of terrorism policy.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I want to thank the gentleman from California (Mr. SHERMAN), who is a very thoughtful member of the House Financial Services Committee.

I wish to accept his amendment. I believe it adds greater granularity and specificity on a very important issue. Since he lost an amendment yesterday, I want him to bat at least .500.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN). The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-414.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike lines 4 through 9 and insert the following:

(1) NOTICE REQUIRED.—Except as provided under paragraph (2), if an appropriate Federal banking agency orders a depository institution to terminate a specific customer account or a group of customer accounts, the depository institution shall inform the customer or customers of the justification for the customer's account termination described under subsection (b).

The Acting CHAIR. Pursuant to House Resolution 595, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will protect customers of financial institutions and increase transparency between them and the Federal Government.

I applaud the committee for bringing this bill to the floor to protect consumers and businesses from an overreaching Federal Government. I am especially grateful to Representative LUETKEMEYER for his work on the bill, and I am proud to be a cosponsor.

My amendment will increase transparency by requiring the financial institutions to provide notice to customers if their account is ordered terminated by a Federal banking regulator. Customers have a right to be informed when the Federal Government has instructed a financial institution to close their accounts.

In the base bill, Federal banking agencies are required to notify the financial institution and provide written justification as to why the termination is needed. My amendment would simply require the depository institution to share that justification with the customer.

□ 1130

One of the ways the Federal Government has abused its powers in the past regarding customers of financial institutions is Operation Choke Point. Operation Choke Point was an unconstitutional program created by the Obama administration that put pressure on banks and payment processors to shut down industries like gun stores and pawn shops that President Obama and the attorney general just didn't like.

After continued pressure from Chairman LUETKEMEYER, myself, and other Members of Congress, the Federal Deposit Insurance Corporation, FDIC, announced in January of 2015 that some changes to this terrible program were to be made. While this was a positive step, this bill and my amendment are still very necessary. Congress needs to codify these customer protections to prevent future abuses by an overreaching Federal Government.

My amendment will help put an end to the abuses of Operation Choke Point. President Obama has been staunch in his assault on the Second Amendment, and Operation Choke Point was simply another way for the President and the DOJ to infringe upon the rights of lawful gun owners and businesses.

American citizens do not want Big Government to have the power to arbitrarily terminate their accounts at financial institutions based on ideological opposition to individuals or organizations. This simple, commonsense amendment, which is supported by Americans for Limited Government, the National Rifle Association, Gun Owners of America, and Eagle Forum, is about protecting consumers and increasing transparency.

CBO has informed me that this amendment will not score. As such, there is no reason not to pass this amendment or this bill that will increase transparency and protect consumers throughout the Nation.

I urge my colleagues to support this amendment and H.R. 766.

I thank the distinguished chair and ranking member.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, Mr. GOSAR's amendment is a dangerous amendment to an already highly problematic bill. As the

OCC deputy comptroller noted in 2015 testimony before our committee: "In the rare cases where a customer has engaged in suspected criminal or other illegal activity," the OCC "may order the bank through an enforcement action to terminate the customer's account."

H.R. 766 creates a national security exception for customer notice, but it leaves the term undefined in a case where the illegal activity does not pose a threat to national security. Mr. GOSAR's amendment would potentially force banks to tip off someone engaging in criminal activity, frustrating regulators' oversight of Federal anti-money laundering laws.

Mr. GOSAR's amendment exacerbates an already highly problematic proposal, and I would urge my colleagues to oppose this amendment.

Mr. Chairman and Members, again, I just want to point out, since I have time on this amendment, that this bill is not about all of this anyway. They keep focusing on Choke Point, and they come up with these questionable amendments, et cetera, such as Mr. GOSAR's.

This is about the Republicans on the opposite side of the aisle stripping the Justice Department of its authority to go after these too big to fail banks and taking away their investigatory powers and their subpoena powers, thus threatening the citizens of this country once again to the kind of predatory lending that helped to almost bring down this economy starting in 2008.

I ask for a "no" on this amendment, and I am going to ask for a "no" on the bill.

I reserve the balance of my time.

Mr. GOSAR. Mr. Chairman, I am miffed. I am absolutely miffed that a customer, or a consumer, would not have the ability to understand that their account was actually closed. I am totally miffed at personal rights and responsibilities and the coordination with the Justice Department.

Once again, this is the second amendment I have offered on Financial Services with the same type of attitude and idiocracy that I have actually seen in defiance of a commonsense amendment.

I oppose the gentlewoman's objections, and I would ask everyone to vote for this amendment.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, I would ask the Members of this Congress to not pay attention to what has been attempted by the opposite side of the aisle.

Again, I challenged them and I asked them to talk about FIRREA. I asked them to talk about the bill that takes away the investigatory powers of the Justice Department. I asked them to explain why they would take away subpoena powers from the Justice Depart-

ment. I asked them if they remembered what happened when this country went into a recession, almost a depression, because of predatory lending. I asked them did they want to have their name and their vote behind big banks that are guilty of fraud, who have been fined enormous sums of money by the Justice Department because they were found guilty, and I am asking them to talk about this. So this is a distraction. This is obscuring the real bill that is before us.

Forget about this Choke Point part of the bill. We have time to work on that. There are some Members on the opposite side of the aisle that share some of those concerns, but not in this bill. They coupled it with this taking away of the Department of Justice power because they knew that they could somehow divert the attention over to the so-called Choke Point and talk about this administration and talk about guns and talk about payday loans and talk about rent to own and pawn shops and all that.

This is not about small business protection. This is about using the Choke Point argument as a way to divert attention away from what they are really doing.

Ladies and gentlemen, you can't go home and explain to your constituents why you would protect the too big to fail banks, why you would take away the power to make them accountable. They have harmed this country. They have harmed our citizens. They have caused people to lose their homes, and they have increased the homelessness with their predatory lending.

We have reform that we are trying to implement. I know every trick in the book has been played to try to undermine Dodd-Frank and to keep us from having the kind of reform because there are people who are just very close to the big banks and they are not going to cross the big banks. As a matter of fact, they used too much of their career to protect the big banks.

This is an outrage. I want the Members of this Congress to understand, we have got time to have a discussion about Choke Point and all of that. We have Members on both sides of the aisle who would work with you on those issues. This is not it.

You should not have placed this part in this bill. You should not have had to try and make believe that this is all about Choke Point when, in fact, the real big deal in this bill is about how you are going to try to protect the biggest and the worst banks.

We have pointed out to you in this discussion all of the big fines that have been imposed against these banks. Did these banks say, "No, we didn't do it"? Did these banks say, "I am not going to accept this. I am going to court, and I am going to fight"? You know they rolled over because they are guilty, and you know that they are.

Please do not be diverted from the real meaning of this bill. This bill is about crippling the Department of Justice and not about Choke Point.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOMACK). The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 766) to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes, and, pursuant to House Resolution 595, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on adoption of the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. CASTOR of Florida. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Ms. CASTOR of Florida. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Castor of Florida moves to recommit the bill H.R. 766 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Sections 2 and 3 shall take effect on the date that the Attorney

General and the Federal financial institutions regulatory agencies jointly certify to the Congress that in the preceding 5 years no federally regulated financial institution has been subject to—

(1) a consent order, settlement, deferred prosecution agreement, civil or criminal penalty for a violation of the Servicemembers Civil Relief Act;

(2) a consent order, settlement, deferred prosecution agreement, civil or criminal penalty for bank fraud, wire fraud, or mail fraud relating to the origination, servicing, securitization, or sale of a mortgage product; or

(3) a consent order, settlement, deferred prosecution agreement, civil or criminal penalty for unfair or deceptive acts and practices relating to the origination, servicing, securitization, or sale of a mortgage product.

(b) DEFINITION.—For purposes of this section, the term “Federal financial institutions regulatory agencies” has the meaning given that term under section 1121 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3350).

Ms. CASTOR of Florida (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Ms. CASTOR of Florida. Mr. Speaker and Members, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I rushed to come to the floor to offer this motion to recommit because this bill, H.R. 766, is so outrageous. Under this bill, the Republicans in Congress are poised to give a get out of jail free card to big banks and Wall Street interests when it comes to fraud. Republicans propose to take away tools and investigatory powers from the Department of Justice in cases of fraud and undermine the Department of Justice's ability to prosecute mortgage fraud and other crimes to the detriment of American families and our neighbors back home.

Americans expect that the big banks that have broken the rules be held accountable for any of their financial misdeeds. However, the House Republicans are trying to give their special interest friends a break they do not need at the expense of hardworking Americans.

Shortly after I was sworn into Congress in 2007, my neighbors started to come to me and express, sincerely, about a problem that was happening. It started in Florida almost earlier than anywhere else.

As the financial crisis took hold and people began to lose their jobs or their employers cut back on their hours, they couldn't keep up with their mortgages. The deeper we dug in to it, we began to see a pattern of fraudulent practices by many in the mortgage loan business.

After 2007, I had six foreclosure prevention workshops. At that time, I will never forget looking into the eyes of my neighbors, who asked for a little bit of breathing room, a little bit of help.

We came to Washington and we asked for that help on behalf of American families, not to let them off the hook for their mortgages, but to give them a little breathing room. The response here in Washington was, instead, the huge, multibillion-dollar Wall Street bailout.

We asked, as part of that Wall Street bailout of the big banks: Could you allow homeowners to have a little more breathing room so they could stay in their homes? But, no, that couldn't be part of the multibillion-dollar Wall Street package. That was a lesson to everyone across America who really holds the power here in Washington, D.C.

Next week, I am still going to have another foreclosure prevention workshop with HOPE NOW and my local partners, because people are not healed and the fraud continues.

On Monday of this week, I sat down with my U.S. attorney in the middle district of Florida, one of the busiest districts in America, especially when it comes to fraud. Do you know what U.S. Attorney Lee Bentley said? He said we need more tools to fight fraud. They are winning big cases and big settlements when it comes to Medicare fraud and mortgage fraud and rooting out waste in the system.

So it is appalling. You bring H.R. 766 to take away those investigatory tools, the subpoena powers, for white-collar crime.

Today, House Republicans are aiming to weaken the vital financial fraud fighting law, Financial Institutions Reform, Recovery, and Enforcement Act. This is irresponsible. House Republicans should be called out for it.

Republicans will eliminate the authority of thousands of Federal prosecutors to issue subpoenas for the purpose of investigating and prosecuting any big banks or other financial institutions that engage in financial fraud or other financial crimes.

□ 1145

So I am offering an amendment, a motion to recommit, that, instead, sides with our hardworking families back home. My amendment will prevent the legislation from taking effect until the Department of Justice and banking regulators certify that no financial institutions that are covered by the act have broken the law by taking advantage of servicemembers or by perpetrating abuses in the mortgage market. That is the very least my Republican colleagues could do.

In the meantime, American families who are appalled at this kind of action in the Congress should know that the Democrats are united for opportunity

for hardworking Americans, especially for servicemembers and homeowners who are seeking to enjoy the American Dream. Americans should be appalled that Republicans want to take the financial cops off the beat and take tools away from our Department of Justice and U.S. attorneys.

I ask my House Republican colleagues to join us in working to build an economy that works for all Americans, not just for the privileged few.

I urge a “yes” vote on the motion. Side with American families.

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I rise in opposition to the gentlewoman's motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I think I have finally found some common ground with my friends on the other side of the aisle, which is that we lament how few prosecutions there have been after the great financial crisis.

How about all of the former Democratic officials who used to warrant Fannie and Freddie, which took tens of millions of dollars of bonuses only to see hundreds of billions of dollars of taxpayer bailouts? Where are those prosecutions, Mr. Speaker?

How about all of the Democratic lawmakers who came and said, “Let's roll the dice for taxpayer bailouts”? Guess what? The dice were rolled, and taxpayers were rolled as well. Where are the prosecutions there? It has been 8 years of the Obama administration's Justice Department.

They are trying to take you away from what this is truly about. It is about, again, Operation Choke Point. It is about the awesome resources and power of the Federal Government that is being used to crush small businesses that somehow appear on the Obama administration's enemy list.

Today, those small businesses that deal with ammunition sales, that are coin dealers, dating services—all on the enemies list—that deal with fireworks sales, payday loans, pharmaceutical sales. It is all right here in the FDIC Supervisory Insights. It reads that, even though you are a perfectly legal business, if we don't like you, we are going to crush you, and there is nothing you can do about it because we are the Federal Government.

Mr. Speaker, there is something we can do about it. We can pass H.R. 766. All the motion to recommit says is that the Justice Department gets to decide whether the law is ever enacted. It is not worth the paper it is printed on.

When is this body going to quit outsourcing its constitutional authority to unelected, unaccountable bureaucrats? It is an outrage. Operation

Choke Point is an outrage. It is an affront to the Constitution. It is an affront to the rule of law. It is an affront to all of the hardworking mom-and-pop shops all across America. It strikes fear in the hearts of Americans.

It is time to stand up for the Constitution. It is time to stand up for the rule of law. It is time to stand up for those who do not have voice, for those who do not have power. Reject this motion to recommit, and enact H.R. 766.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 177, nays 240, not voting 16, as follows:

[Roll No. 62]

YEAS—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Cappers
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doggett

Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Poster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee

Levin
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger

Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sinema

Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Van Hollen
Vargas

NAYS—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Rohy
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Beyer	Herrera Beutler	Sanchez, Loretta
Boyle, Brendan F.	Huizenga (MI)	Smith (WA)
	Murphy (FL)	Takai
Castro (TX)	Pitts	Titus
Fincher	Rooney (FL)	Westmoreland
Green, Gene	Rush	

□ 1208

Mr. ROKITA changed his vote from “yea” to “nay.”

Messrs. JEFFRIES, HUFFMAN, VARGAS, and BUTTERFIELD changed their votes from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE FOR THE 12 U.S. MARINES STATIONED AT KANEHOE MARINE CORPS BASE

(By unanimous consent, Ms. GABBARD was allowed to speak out of order.)

Ms. GABBARD. Mr. Speaker, today we are gathered and rising in memory of the 12 United States Marines stationed at the Kaneohe Marine Corps base in my district who were tragically lost the night of January 14 in a training accident.

We must never forget the risks that our servicemembers take every single day, whether they are in training or in combat as they put their lives on the line for the security of our Nation.

Major Shawn Campbell, College Station, Texas.

Captain Brian Kennedy, Philadelphia, Pennsylvania.

Captain Kevin Rouche, St. Louis, Missouri.

Captain Steven Torbert, Florence, Alabama.

Sergeant Dillon Semolina, Chaska, Minnesota.

Sergeant Adam Schoeller, Gardners, Pennsylvania.

Sergeant Jeffrey Sempler, Woodruff, South Carolina.

Sergeant William Turner, Floral, Alabama.

Corporal Matthew Drown, Spring, Texas.

Corporal Thomas Jardas, Fort Myers, Florida.

Corporal Christopher Orlando, Hingham, Massachusetts.

Lance Corporal Ty Hart, Aumsville, Oregon.

May we offer them a moment of silence to honor their service, support their loved ones, and our entire U.S. Marines Corps in this tragic loss.

The SPEAKER pro tempore. Members will please rise for a moment of silence.

Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 250, nays 169, not voting 14, as follows:

[Roll No. 63]

YEAS—250

Abraham	Graves (LA)	Paulsen
Aderholt	Graves (MO)	Pearce
Allen	Griffith	Perry
Amash	Grothman	Peterson
Amodei	Guinta	Pittenger
Ashford	Guthrie	Pitts
Babin	Hanna	Poe (TX)
Barletta	Hardy	Poliquin
Barr	Harper	Pompeo
Barton	Harris	Posey
Benishek	Hartzler	Price, Tom
Bilirakis	Hastings	Ratcliffe
Bishop (GA)	Heck (NV)	Reed
Bishop (MI)	Hensarling	Reichert
Bishop (UT)	Hice, Jody B.	Renacci
Black	Hill	Ribble
Blackburn	Holding	Rice (SC)
Blum	Hudson	Rigell
Bost	Huelskamp	Roby
Boustany	Hultgren	Roe (TN)
Brady (TX)	Hunter	Rogers (AL)
Brat	Hurd (TX)	Rogers (KY)
Bridenstine	Hurt (VA)	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Ros-Lehtinen
Buchanan	Jenkins (WV)	Roskam
Buck	Johnson (OH)	Ross
Bucshon	Johnson, Sam	Rothfus
Burgess	Jolly	Rouzer
Byrne	Jones	Royce
Calvert	Jordan	Russell
Cárdenas	Joyce	Salmon
Carter (GA)	Katko	Sanford
Carter (TX)	Kelly (MS)	Scalise
Chabot	Kelly (PA)	Schweikert
Chaffetz	King (IA)	Scott, Austin
Clawson (FL)	King (NY)	Scott, David
Coffman	Kinzinger (IL)	Sensenbrenner
Cole	Kline	Sessions
Collins (GA)	Knight	Shimkus
Collins (NY)	Labrador	Shuster
Comstock	LaHood	Simpson
Conaway	LaMalfa	Sinema
Cook	Lamborn	Smith (MO)
Costa	Lance	Smith (NE)
Costello (PA)	Latta	Smith (NJ)
Cramer	LoBiondo	Smith (TX)
Crawford	Long	Stefanik
Crenshaw	Loudermilk	Stewart
Cuellar	Love	Stivers
Culberson	Lucas	Stutzman
Curbelo (FL)	Luetkemeyer	Thompson (PA)
Davis, Rodney	Lummis	Thornberry
Denham	MacArthur	Tiberi
Dent	Marchant	Tipton
DeSantis	Marino	Trott
DesJarlais	Massie	Turner
Diaz-Balart	McCarthy	Upton
Dold	McCaul	Valadao
Donovan	McClintock	Wagner
Duffy	McHenry	Walberg
Duncan (SC)	McKinley	Walden
Duncan (TN)	McMorris	Walker
Ellmers (NC)	Rodgers	Walorski
Emmer (MN)	McSally	Walters, Mimi
Farenthold	Meadows	Walz
Fitzpatrick	Meehan	Weber (TX)
Fleischmann	Messer	Webster (FL)
Fleming	Mica	Wenstrup
Flores	Miller (FL)	Westerman
Forbes	Miller (MI)	Whitfield
Fortenberry	Moolenaar	Williams
Fox	Mooney (WV)	Wilson (SC)
Franks (AZ)	Mullin	Wittman
Frelinghuysen	Mulvaney	Womack
Garrett	Murphy (PA)	Woodall
Gibbs	Neugebauer	Yoder
Gibson	Newhouse	Yoho
Gohmert	Noem	Young (AK)
Goodlatte	Nugent	Young (IA)
Gosar	Nunes	Young (IN)
Gowdy	Olson	Zeldin
Granger	Palazzo	Zinke
Graves (GA)	Palmer	

NAYS—169

Adams	Garamendi	Napolitano
Aguilar	Graham	Neal
Bass	Grayson	Nolan
Beatty	Green, Al	Norcross
Becerra	Grijalva	O'Rourke
Bera	Gutiérrez	Pallone
Blumenauer	Hahn	Pascrell
Bonamici	Heck (WA)	Payne
Brady (PA)	Higgins	Pelosi
Brown (FL)	Himes	Perlmutter
Brownley (CA)	Hinojosa	Peters
Bustos	Honda	Pingree
Butterfield	Hoyer	Pocan
Capps	Huffman	Polis
Capuano	Israel	Price (NC)
Carney	Jackson Lee	Quigley
Carson (IN)	Jeffries	Rangel
Cartwright	Johnson (GA)	Rice (NY)
Castor (FL)	Johnson, E. B.	Richmond
Chu, Judy	Kaptur	Roybal-Allard
Cicilline	Keating	Ruiz
Clark (MA)	Kelly (IL)	Ruppersberger
Clarke (NY)	Kennedy	Ryan (OH)
Clay	Kildee	Sánchez, Linda T.
Cleaver	Kilmer	Sarbanes
Clyburn	Kind	Schakowsky
Cohen	Kirkpatrick	Schiff
Connolly	Kuster	Schrader
Conyers	Langevin	Scott (VA)
Cooper	Larsen (WA)	Serrano
Courtney	Larson (CT)	Sewell (AL)
Crowley	Lawrence	Sherman
Cummings	Lee	Sires
Davis (CA)	Levin	Slaughter
Davis, Danny	Lewis	Speier
DeFazio	Lieu, Ted	Swalwell (CA)
DeGette	Lipinski	Takai
Delaney	Loeback	Takano
DeLauro	Lofgren	Thompson (CA)
DelBene	Lowenthal	Thompson (MS)
DeSaulnier	Lowe	Tonko
Deutch	Lujan Grisham (NM)	Torres
Dingell	Lujan, Ben Ray (NM)	Tsongas
Doggett	Maloney, F.	Van Hollen
Doyle, Michael F.	Maloney, Carolyn	Vargas
Duckworth	Maloney, Sean	Veasey
Edwards	Matsui	Vela
Ellison	McCollum	Velázquez
Engel	McDermott	Visclosky
Eshoo	McGovern	Wasserman
Esty	McNerney	Schultz
Farr	Meeks	Waters, Maxine
Fattah	Meng	Watson Coleman
Foster	Moore	Welch
Frankel (FL)	Moulton	Wilson (FL)
Fudge	Nadler	Yarmuth
Gabbard		
Gallego		

NOT VOTING—14

Beyer	Green, Gene	Rush
Boyle, Brendan F.	Herrera Beutler	Sanchez, Loretta
	Huizenga (MI)	Smith (WA)
Castro (TX)	Murphy (FL)	Titus
Fincher	Rooney (FL)	Westmoreland

□ 1217

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SMITH of Washington. Mr. Speaker, on Monday, February 1; Tuesday, February 2; Wednesday, February 3; and Thursday, February 4, 2016, I was on medical leave while recovering from hip replacement surgery and unable to be present for recorded votes. Had I been present, I would have voted: “Yes” on rollcall vote No. 46 (on the motion to suspend the rules and pass H.R. 2187, as amended). “Yes” on rollcall vote No. 47 (on the motion to suspend the rules and pass H.R. 4168). “No” on rollcall vote No. 48 (on ordering the previous question on H. Res. 594). “No” on rollcall vote No. 49 (on agreeing to the resolution

H. Res. 594). "No" on rollcall vote No. 50 (on agreeing to the Palazzo Amendment to H.R. 3700). "Yes" on rollcall vote No. 51 (on agreeing to the Al Green Amendment to H.R. 3700). "Yes" on rollcall vote No. 52 (on passage of H.R. 3700). "No" on rollcall vote No. 53 (on passage of H.R. 3762, objections of the President to the contrary notwithstanding). "No" on rollcall vote No. 54 (on passage of H.R. 3662). "No" on rollcall vote No. 55 (on ordering the previous question on H. Res. 595). "No" on rollcall vote No. 56 (on agreeing to the resolution H. Res. 595). "Yes" on rollcall vote No. 57 (on agreeing to the DeSaulnier Amendment to H.R. 1675). "Yes" on rollcall vote No. 58 (on agreeing to the Issa Amendment to H.R. 1675). "Yes" on rollcall vote No. 59 (on agreeing to the Carolyn Maloney Amendment to H.R. 1675). "Yes" on rollcall vote No. 60 (on the motion to recommit H.R. 1675, with instructions). "No" on rollcall vote No. 61 (on passage of H.R. 1675). "Yes" on rollcall vote No. 62 (on the motion to recommit H.R. 766, with instructions). "No" on rollcall vote No. 63 (on passage of H.R. 766).

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 62 on the Motion to Recommit for consideration of H.R. 766, Financial Institution Customer Protection Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have voted "aye."

Mr. Speaker, my vote was not recorded on rollcall No. 63 on the final consideration of H.R. 766, Financial Institution Customer Protection Act of 2015. I am not recorded because I was absent due to the birth of my son in San Antonio, Texas. Had I been present, I would have vote "nay."

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science, Space, and Technology:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 2016.

Hon. PAUL D. RYAN,
Office of the Speaker of the House,
Washington, DC.

MR. SPEAKER: Due to my recent appointment to the House Budget Committee, I hereby resign my position on the House Science, Space, & Technology Committee.

Sincerely,

BILL JOHNSON,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 2016.

Hon. PAUL D. RYAN,
Office of the Speaker,
Washington, DC.

MR. SPEAKER: In light of my recent appointment to the House Transportation and Infrastructure Committee, I hereby resign my position on the House Small Business Committee.

Best Regards,

MIKE BOST,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Budget:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 2016.

Hon. PAUL D. RYAN,
Office of the Speaker,
Washington, DC.

MR. SPEAKER: In light of my recent appointment as Chairman of the Select Panel on Infant Lives, I hereby resign my position on the House Budget Committee.

Best Regards,

MARSHA BLACKBURN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 3293, SCIENTIFIC RESEARCH IN THE NATIONAL INTEREST ACT, AND H.R. 2017, COMMON SENSE NUTRITION DISCLOSURE ACT

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, yesterday the Committee on Rules issued two announcements outlining the amendment processes for H.R. 3293, the Scientific Research in the National Interest Act, and H.R. 2017, the Common Sense Nutrition Disclosure Act of 2015.

The amendment deadline for H.R. 3293 has been set for Monday, February 8, at 3 p.m. The amendment deadline for H.R. 2017 has been set for 10 a.m. on Tuesday, February 9.

Amendments should be drafted to the text of each bill posted on the Committee on Rules Web site. Please feel free to contact me or my staff at the Committee on Rules for any questions.

ELECTING CERTAIN MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. SESSIONS. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 602

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON THE BUDGET: Mr. Guinta, to rank immediately after Mr. Stutzman; and Mr. Johnson of Ohio.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Bost.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RANKING MEMBERS OF A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 603

Resolved, That the following named Members be and are hereby ranked as follows on the following standing committee of the House of Representatives:

(1) COMMITTEE ON SMALL BUSINESS.—Mr. Takai, after Mrs. Lawrence; and Ms. Adams, after Ms. Clarke of New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLLEXIA ACT

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3033) to require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike section 4 of the bill and insert the following:

SEC. 4. DYSLLEXIA.

(a) *IN GENERAL*.—Consistent with subsection (c), the National Science Foundation shall support multi-directorate, merit-reviewed, and competitively awarded research on the science of specific learning disability, including dyslexia,

such as research on the early identification of children and students with dyslexia, professional development for teachers and administrators of students with dyslexia, curricula and educational tools needed for children with dyslexia, and implementation and scaling of successful models of dyslexia intervention. Research supported under this subsection shall be conducted with the goal of practical application.

(b) **AWARDS.**—To promote development of early career researchers, in awarding funds under subsection (a) the National Science Foundation shall prioritize applications for funding submitted by early career researchers.

(c) **COORDINATION.**—To prevent unnecessary duplication of research, activities under this Act shall be coordinated with similar activities supported by other Federal agencies, including research funded by the Institute of Education Sciences and the National Institutes of Health.

(d) **FUNDING.**—The National Science Foundation shall devote not less than \$5,000,000 to research described in subsection (a), which shall include not less than \$2,500,000 for research on the science of dyslexia, for each of fiscal years 2017 through 2021, subject to the availability of appropriations, to come from amounts made available for the Research and Related Activities account or the Education and Human Resources Directorate under subsection (e). This section shall be carried out using funds otherwise appropriated by law after the date of enactment of this Act.

(e) **AUTHORIZATION.**—For each of fiscal years 2016 through 2021, there are authorized out of funds appropriated to the National Science Foundation, \$5,000,000 to carry out the activities described in subsection (a).

SEC. 5. DEFINITION OF SPECIFIC LEARNING DISABILITY.

In this Act, the term “specific learning disability”—

(1) means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations;

(2) includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia; and

(3) does not include a learning problem that is primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage.

Mr. SMITH of Texas (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Texas?

There was no objection.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY), the majority leader, for the purpose of inquiring about the

schedule for the week to come and perhaps thereafter.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House. On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

Mr. Speaker, the House will also consider H.R. 3293, the Scientific Research in the National Interest Act, sponsored by Representative LAMAR SMITH. This bill will go a long ways toward providing greater transparency and accountability at the National Science Foundation. It is essential that we ensure precious Federal dollars are spent on Federal grants that promote science but do so in a way that is in the best interest of the United States.

Additionally, the House will consider H.R. 3442, the Debt Management and Fiscal Responsibility Act, sponsored by Representative KENNY MARCHANT. This commonsense bill simply requires the administration to report to Congress on the status of the Nation's debt and their plans to address our fiscal problems prior to the Nation reaching its debt limit. With more than \$18 trillion in public debt, we have a responsibility, both Democrats and Republicans, to show the American people a path toward solvency.

Finally, Mr. Speaker, the House will consider H.R. 2017, the Common Sense Nutrition Disclosure Act, sponsored by Representative CATHY MCMORRIS RODGERS. This important bill addresses a harmful menu labeling regulation that will burden every grocery store, convenience store, and pizza restaurant in the country. Instead, our approach will provide a reasonable and flexible way for these businesses to provide customers with nutritional information.

I thank the gentleman.

Mr. HOYER. I thank the gentleman for that information with respect to the legislation that is going to be on the floor next week.

I would simply say with respect to one of these bills, the Debt Management and Fiscal Responsibility Act, I don't know whether that bill requires the House to do the same, but certainly both the executive and the legislative branches of government need to have a responsible fiscal program and analysis so that, in fact, we can move toward fiscal balance. I look forward to having that discussion next week on the floor.

Mr. Leader, we had a prayer breakfast this morning. It was a moving and very, I think, unifying time here in

Washington where we had Republicans and Democrats and a lot of people from around the world attending. We talked about coming together. We talked about respecting one another, talking to one another, and serving our country and our people in a way consistent with our various faiths.

In that context, I am going to ask the gentleman some questions on the scheduling, but I am hopeful that the Speaker has indicated that he wants to consider some broad issues. He refers to five in particular: national security, jobs and economic growth, health care, poverty and opportunity, and restoring the Constitution. I am not sure exactly what that last phrase means, but in any event, I think all of us want to make sure the Constitution is honored and certainly adhered to.

However, it also appears—and we had this discussion last week—that substantive legislation—that is, translating thoughts and objectives and visions into legislation—may not occur in 2016. I don't know that to be the case, but I fear that to be the case, that we will not offer to the American people in this critically important election year specifics as to what we might do.

I mention specifically the Affordable Care Act, which I know the gentleman's party believes is not good policy, whether or not we were going to consider an alternative to do what your party has said it is going to do for the last 5 years, and that is repeal, but replace with policies. I think that would be a useful discussion for us to have and do so in a way that respects the integrity of each person's view as to what the best interests of our country are.

□ 1230

In addition, one of the pieces of legislation would be the Voting Rights Act amendment. I bring that up now because Speaker RYAN said yesterday, as I understand it, that he was in favor of doing a voting rights bill. I don't know that he went into specifics.

We believe that we need to address this bill because we believe it was substantially undermined by the recent decision of the Supreme Court some few years ago. He indicated that that was not going to be brought to the floor because of Mr. GOODLATTE's opposition to that or, perhaps, the failure of Mr. GOODLATTE to address that in committee.

I bring that up specifically because I know, Mr. Leader, you made the observation, and I think you are quoted as saying you believe the two parties can achieve consensus on that legislation, but we may not be able to move it forward this year.

Excuse me. That speaks to criminal justice system reform, not to voting rights. I think we can reach consensus on the criminal justice reform. I think

both parties believe that there are substantial areas that need to be addressed in criminal justice reform. Senator CORNYN has certainly indicated that. Republicans and Democrats in this House have indicated that.

My question to you is with respect to the issues that I think we have all discussed and that the Speaker has discussed, such as: jobs and economic growth; health care; poverty and opportunity, which we believe is a very important issue; criminal justice reform; job creation; long-term fiscal agreements so that we can replace the sequester with a permanent rather than an every-2-year resolution; comprehensive tax reform, which almost all of us have said we are for—Mr. CAMP brought a bill forward on that—comprehensive immigration reform; restoring voting rights, which I mentioned; taking action to address gun violence, which we are in favor of, and I think clearly your side has indicated that mental health is very much a component of that and you want to address that; and addressing our national security challenges, which I agree with the Speaker that is a primary responsibility and concern of, I think, everybody on the floor of this House.

My question, therefore, Mr. Leader, is: Do you expect any substantive legislation, rather than simply ideas that both parties might express and put out to the public, that would be transparent, specific, and on which we could have debates on alternative policies? Do you expect, in the relatively short time we have this year, to have legislation on the floor dealing with one or more of those subjects?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

I did take notes because you raised a lot of different issues.

The first point, you talked about Congressman KENNY MARCHANT's bill asking the administration to set a path forward. I agree with you. That is why I believe that any budget that comes before this floor should balance in the 10-year window. I am proud of the fact that, on this side of the aisle, we have been able to do it, because that shows you the path to solvency and how you deal with this debt through big changes.

You talked about what Speaker RYAN laid out. These are big, bold, new ideas. The Speaker says that they are going to go through committee. Every Member of this body, your side and ours, will be able to participate. The legislation will come through committee.

Knowing these are bold ideas and the time we have here, some will get done and some may not get done by the end of this calendar year, but that doesn't mean that we can't finish the job.

If we want to save this country and put us on a path of solvency and increased growth, these are areas that we

find need to get done. We look forward to you working with us on all of these areas.

Mr. HOYER. I thank the gentleman.

I think, certainly, we agree that we ought to work together. He and I have worked together, as a matter of fact, on some very significant legislation more than a month ago that passed the House. I think the American public wants that.

My urging to the majority leader would be that each of these ideas, if we are going to ultimately make them policy, has to be translated into legislation.

The gentleman says all of us will be able to participate. Frankly, the gentleman knows, as well as I do, that legislation has to come to the floor for all of us to engage in, hopefully, with the ability to offer amendments and our ideas on how to perfect legislation that may come out of the committees. I would hope that we would see that.

The gentleman mentioned the budget. I think the gentleman and others have said they want to accelerate the budget process. I think that is a good idea. I have always felt that we ought to move the budget and the appropriations bills earlier than we have historically done so that we can get those to the Senate, so they have time to work on them and bring them back, in order to have all 12 appropriations bills done seriatim, one after another.

In my view, we are going to need a bipartisan effort and not have poison pills or the so-called riders in them in order for the Senate to consider them and be able to work their will and then go to conference and get that done all prior to October 1. I don't know whether that is possible, but I think the gentleman would say that would be certainly good to do, if in fact we could get that done.

When does the gentleman expect the budget, which is the start of that process, to be on the floor?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Well, I was just speaking with the Budget Committee chairman. He is trying to move that process up. It is our goal. If we can reach that goal before the first part of March and get that done, we can move up the appropriations process.

As you know, it is difficult to move too fast because you have the committee hearings and you want the input and to be able to have the accountability and oversight of all the agencies. We have to have those hearings so that both sides of the aisle are in those committees and are able to produce something that is very productive.

Yes, it is our goal to try to move the process up this year. As soon as we have that scheduled for the floor, I will let you know.

Mr. HOYER. Am I correct, then, in saying that our target is the first week in March or the second week in March, at the latest, for the budget?

Mr. MCCARTHY. We are looking at that timeframe, yes.

Mr. HOYER. I appreciate that information.

Let me discuss a number of other specific issues, if I can.

First of all, the Speaker indicated that he wanted to see legislation on the floor of the House by March 31 on Puerto Rico. As you and I both know, Puerto Rico is facing a fiscal crisis of its own. It is going to need some authority to deal with that crisis so that neither the Americans living in Puerto Rico are disadvantaged nor the children and others—whether it is through the educational system, the healthcare system, providing power, or whatever services are necessary—will not be adversely impacted.

Can the gentleman give me an idea as to what progress we are making towards seeing legislation on the floor by March 31?

I yield to my friend.

Mr. MCCARTHY. I thank my friend for yielding.

As the gentleman knows, we are committed to addressing this issue. We have had numerous meetings and we have also had committee hearings. Even this week, Chairman BISHOP and the Natural Resources Committee are hard at work to find the best path forward.

We are committed to getting this done. I will not prejudge the committee on what the solution should be, but I know they are hard at work. We continually monitor it week to week. As soon as we have it scheduled, I will notify the gentleman.

Mr. HOYER. I thank the gentleman for that.

Again, I would reiterate that, on the voting rights issue, the Speaker is supportive of some legislative treatment addressing that issue.

Does the gentleman have any idea when that might occur?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

I think the gentleman is referring to an article that we both read. I am not sure that you were in the meeting. I was not in the meeting.

Mr. HOYER. I was not.

Mr. MCCARTHY. One thing that Speaker RYAN has laid out for this body is that it is not top-down, it is bottom-up, and that we go through regular order. Committees are there to do their work.

Look at the metrics of just this last year: If you take the 25-year average, it is usually a little over 300 bills come through committee to this floor. We are well over 500. So we've shown that we are taking that path and improving on having them come to the floor.

I think what the Speaker said and what I read was that he may have a personal opinion, but he wants it to go through committee so that all voices are heard and we have the opportunity for amendments. When it gets out of committee, we can move it to the floor.

I will keep you posted on when it is scheduled.

Mr. HOYER. I appreciate you keeping me posted, but my frustration is that this issue has been hanging around for a very long period of time. When Mr. Cantor had your position as majority leader, he indicated he was receptive to addressing it. The gentleman is correct; I was not there either, but I believe the Speaker is reported as having said it needs to be addressed.

I understand bottom-up, but if bottom doesn't work, you never get up. I refer to the Export-Import Bank that lay sanguinely for 2 years in the committee because the chairman was opposed to it when the majority of your party was for it when it came to the floor.

So it is one thing to say that we ought to work bottom-up, but if the bottom is a stopper and creates gridlock, frankly, this body does not get to do what its responsibility is, and that is to reflect the will of the people, as we did on the Export-Import Bank.

So I sympathize with the bottom-up, and that is the way it ought to work; but if, in fact, what we have is a blockage to the people's Representatives having the ability to work their will and reflect the United States citizens' views, then democracy is not working.

We saw that in the Export-Import Bank, in my opinion, which I worked on very, very assiduously for over 2 years to get to this floor. Very frankly, when it did get to this floor, as I said repeatedly, it would enjoy the majority's support.

In my view, if a voting rights bill gets to this floor, it will enjoy the majority's support. As you know, Mr. SEN-SENRENNER was the sponsor. President Bush was President when we passed the Voting Rights Act in 2006. It passed overwhelmingly in the House, overwhelmingly in the Senate, and was signed by President Bush.

I am certainly sympathetic to wanting to make sure that we follow regular order, but if regular order precludes democracy from working, then it is irregular order and not in the best interests of our country.

Lastly, Mr. Leader, recently, all of us are concerned about Zika. We are all focused on Zika. Can the gentleman tell me whether or not there are any planned efforts to address what is clearly a very serious health crisis that confronts not only us, but certainly South America, Latin America, and other parts of the world?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding, but I do want to

thank the gentleman for still being able to work Ex-Im Bank into the colloquy.

Mr. HOYER. You gave me such a great opening.

Mr. MCCARTHY. The gentleman brings up a very serious issue. This is something that should not be taken lightly. This should not be partisan in any way shape or form. This is something we should get ahead of. That is why the Energy and Commerce Committee has already scheduled and sent out letters for hearings. SUSAN BROOKS has a bill that she has been working on dealing with this as well.

So, yes, we want to get in front of this. I know we have been talking to the administration as well. I look forward to working with you in dealing with this issue because this is not something that should lay by the wayside. This is something we have to get in front of.

Mr. HOYER. I thank the gentleman. We certainly agree on that. I look forward to working together to address it.

I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, FEBRUARY 4, 2016, TO MONDAY, FEBRUARY 8, 2016

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and that the order of the House of January 5, 2016, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore (Mr. KNIGHT). Is there objection to the request of the gentleman from California?

There was no objection.

□ 1245

OBAMA ADMINISTRATION'S HANDLING OF IRAN

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, I feel compelled to give voice to the millions of Americans who continue to be dumbfounded and frustrated by this administration's handling of Iran.

Shortly before President Obama's final State of the Union address, news broke that 10 U.S. sailors had been captured by Iran's Islamic Revolutionary Guard.

Remarkably, the President did not even mention our sailors in his speech while TVs across the world became littered with pictures of our sailors on their knees at gunpoint.

Even worse, Iran's Supreme Leader celebrated this incident last week by awarding medals to those Iranians who captured the intruding Americans.

Once the situation was resolved, Secretary Kerry had the audacity to actu-

ally thank the Iranians, and Mr. Obama then released billions of dollars in sanctions to the Iranians.

This is yet another embarrassing episode of weakness and capitulation that only serves to embolden our enemies and increase the likelihood of further conflict.

It is time that this administration set aside what I would characterize as disdain for our military and, instead, defend our servicemembers with the passion and respect that they have earned and deserve.

EARTHQUAKE WARNING SYSTEMS

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, my home State of Oregon sits on the Cascadia subduction zone, a fault that separates the Juan de Fuca and North America tectonic plates. We are due—some say overdue—for an earthquake.

Oregonians are well aware of the dangers facing our State, and I applaud the President and Interior Secretary Jewell for recognizing this potentially devastating threat to the West Coast.

On Tuesday the White House convened scientists, public officials, and private companies at a summit to discuss how to improve warning systems and resilience to earthquakes. Oregon was well represented by the Oregon director of Emergency Management and by representatives from the University of Oregon and Intel.

The University of Oregon manages the USGS Pacific Northwest Seismic Network and assists local governments in preparing for disaster resilience. Intel is a leader in efforts to involve the private sector in helping businesses and communities prepare for an earthquake.

We all know that better warning systems can save lives and save property. I look forward to continuing to work with all of my colleagues in Congress to help communities prepare for earthquakes and related hazards.

WISHING MELISSA TRAYLOR A HAPPY 110TH BIRTHDAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to wish Melissa Traylor of North East, located in Pennsylvania's Fifth Congressional District, a very happy 110th birthday.

Melissa was born on February 6, 1906, on a farm located along the Pennsylvania and New York border. She later married and moved to Detroit, where she attended beautician school, eventually opening her own hair salon and working for around three decades before retiring in the 1960s.

Melissa later moved to Florida before eventually moving back to Erie County in 2006 to be closer to her nieces and nephews.

Mrs. Traylor remained active even after her 100th birthday, flying in an ultralight airplane with her nephew when she turned 101.

Now I am looking forward to traveling to the Erie area this weekend to join family, friends, and other local and State officials in wishing Melissa a very happy birthday.

Mr. Speaker, only one out of 10,000 people live to be 100 years old. Even more impressive is the fact that only 1 in 7 million people turn 110.

I wish Mrs. Traylor the best as she continues her wonderful life.

CELEBRATING BLACK HISTORY MONTH

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to recognize Black History Month.

Black History Month is an opportunity for our Nation to honor the contributions and accomplishments that African Americans and civil rights organizations like the NAACP have etched in the cornerstone of this America they helped change.

The NAACP is the Nation's oldest and preeminent civil rights organization. Established in 1909 to curb the rampant discrimination plaguing our country, today's NAACP envisions an America not defined by color.

Mr. Speaker, I stand here today to ask Congress to help make the NAACP's dream a reality. Let's restore the full protection of the Voting Rights Act, fix our broken criminal justice system, and end the school-to-prison pipeline.

We must continue to move forward to ensure equality of opportunity for all Americans, not just the privileged few.

During Black History Month, Mr. Speaker, and every month, let us recommit ourselves to ending the journey and having a more just and perfect union.

Lastly, I salute the NAACP and its chairperson, Rosalyn Brock, and my Columbus chapter NAACP chair, Nana Jones.

THE JUSTICE FOR VICTIMS OF TRAFFICKING ACT—CHANGING THE LANDSCAPE FOR HUMAN TRAFFICKING VICTIMS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Brooke was a victim of human trafficking and child pornography at the age of 7. The nanny was selling Brooke

on the marketplace of sex slavery in the United States. A small child sold for sex in the United States is shameful.

Brooke was scared, feeling alone, and didn't tell anyone about her plight. No one spoke about sex trafficking then. But sex slavery has been going on in the United States for a long time, women and children forced into this scourge.

Brooke, with the help of her mother, has spoken out against this evil.

Congress has also spoken out. Congress passed a law last year that will change the way we address human trafficking in the United States.

The Justice for Victims of Trafficking Act will provide and ensure that America provides grants to rescue and restore survivors like Brooke, grants to educate the public, law enforcement, doctors, and educators to identify, prevent, and prosecute human trafficking.

Monsters that hurt victims will be prosecuted, the sellers and the buyers. Most importantly, the victims of slavery will be rescued, restored, and treated as victims of crime.

Mr. Speaker, Congress has said that our children are not for sale.

And that is just the way it is.

LESS OF US, MORE OF GOD

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week in Washington was one where many came together in order to express their faith and fellowship and, also, to pray.

It culminated in the National Prayer Breakfast, where the President and our House Speaker both were there with many Congressional Members and leaders and international leaders, all there with the theme of "Less of us, more of God" expressed several times, spoken by our President as well.

Also, he spoke of unity, as many did in that gathering, unity that I think is best expressed by this verse from the Bible, 2 Chronicles 7:14:

"If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sin and will heal their land."

Indeed, less of us, more of God.

ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until Monday, February 8, 2016, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4222. A letter from the Director, Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule — Highly Fractionated Indian Land (HFIL) Loan Program (RIN: 0560-AI32) received February 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4223. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Bernard S. Champoux, United States Army, and his advancement to the grade of lieutenant general on the retired list, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

4224. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's reports entitled "Community Services Block Grant Reports to Congress for Fiscal Years 2011 and 2012" and "Community Services Block Grant Performance Measurement Reports", pursuant to Secs. 678B(c) and 678E(b)(2) of the Community Services Block Grant Act; to the Committee on Education and the Workforce.

4225. A letter from the PRAO Branch Chief, Supplemental Nutrition Assistance Program, Food and Nutrition Service, Department of Agriculture, transmitting the Department's interim final rule — SNAP Requirement for National Directory of New Hires Employment Verification and Annual Program Activity Reporting [FNS-2015-0029] (RIN: 0584-AE36) received February 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

4226. A letter from the Deputy Chief, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Comprehensive Review of Licensing and Operating Rules for Satellite Services [IB Docket No.: 12-267] received February 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4227. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

4228. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting reports containing the status of the Foreign Military Financing Account Direct Loans, the Foreign Military Liquidating Account Direct Loans, and the Foreign Military Debt Reduction Account Direct Loans as of September 30, 2015 as required by Sec. 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4229. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4230. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4231. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4232. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4233. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4234. A letter from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4235. A letter from the Assistant Director, Executive and Political Personnel, Department of the Air Force, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4236. A letter from the Assistant Director, Senior Executive Management Office, Department of the Army, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4237. A letter from the Assistant Director, Senior Executive Management Office, Department of the Army, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4238. A letter from the Assistant Director, Senior Executive Management Office, Department of the Navy, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4239. A letter from the Secretary, Department of the Interior, transmitting the annual Report to Congress for the North Slope Science Initiative, pursuant to 42 U.S.C. 15906(e); Public Law 109-58, Sec. 348(e); (119 Stat. 708); to the Committee on Natural Resources.

4240. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's interim final rule — Visas: Documentation of Non-immigrants under the Immigration and Nationality Act, as Amended (RIN: 1400-AD17) received February 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4241. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the City of Manhattan, Kansas Local Protection Project: Flood Risk

Management Feasibility Study for April 30, 2016, pursuant to Public Law 91-611, Sec. 216; (84 Stat. 1830) (H. Doc. No. 114—98); to the Committee on Transportation and Infrastructure and ordered to be printed.

4242. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Charleston Harbor Post 45: Final Integrated Feasibility Report and Environmental Impact Statement for January 2016, pursuant to Public Law 91-611, Sec. 216; (84 Stat. 1830) (H. Doc. No. 114—99); to the Committee on Transportation and Infrastructure and ordered to be printed.

4243. A letter from the Senior Assistant Chief Counsel for Hazmat Safety Law Division, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Adoption of Special Permits (MAP-21) (RRR) [Docket No.: PHMSA-2013-0042 (HM-233F)] (RIN: 2137-AF00) received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

4244. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Leon Creek Watershed: Texas Interim Feasibility Report and Integrated Environmental Assessment for April 2014 (H. Doc. No. 114—100); to the Committee on Transportation and Infrastructure and ordered to be printed.

4245. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Ruling: 2016 Prevailing State Assumed Interest Rates (Rev. Rul. 2016-02) received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4246. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revocation of Rev. Rul. 2008-15 (Rev. Rul. 2016-3) received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4247. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure 2016-10 (Rev. Proc. 2016-10) received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4248. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2016-07] received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4249. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance Relating to Refunds of Foreign Tax for Which an Election Was Made Under Section 853 [Notice 2016-10] received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4250. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Section 506 Notification Requirement for New and Certain Existing Section 501(c)(4) Organizations [Notice 2016-09] re-

ceived February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4251. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — February 2016 [Rev. Rul. 2016-4] received February 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

4252. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's interim final rule — State Health Insurance Assistance Program (SHIP) (RIN: 0985-AA11) received February 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

4253. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled "FY 2015 Report to Congress: Review of Medicare's Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program", pursuant to 42 U.S.C. 1395ll(b); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1875(b) (as amended by Public Law 110-275, Sec. 125(b)(4)); (122 Stat. 2519); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 901. A bill to prohibit accessing pornographic web sites from Federal computers, and for other purposes (Rept. 114-415). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASCRELL (for himself and Mr. ROONEY of Florida):

H.R. 4460. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TOM PRICE of Georgia (for

himself, Mr. ALLEN, Mrs. BLACKBURN, Mr. BRAT, Mr. BUCK, Mr. BURGESS, Mr. COLLINS of Georgia, Mr. CRAMER, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. HUDSON, Mr. KING of Iowa, Mr. LAMALFA, Mr. PALAZZO, Mr. PALMER, Mr. PEARCE, Mr. RATCLIFFE, Mr. ROKITA, Mr. ROUZER, Mr. SALMON, Mr. STEWART, Mr. STUTZMAN, Mr. WESTERMAN, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. YOHIO, Mrs. LUMMIS, and Mr. MICA):

H.R. 4461. A bill to amend title 5, United States Code, to provide that agencies may not deduct labor organization dues from the pay of Federal employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CARTWRIGHT (for himself, Mr. ROSKAM, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. CÁRDENAS, Mr. CARNEY, Mr. RODNEY DAVIS of Illinois, Mr. DEFazio, Mr. DELANEY, Mr. DOGGETT, Ms. ESHOO, Mr. HANNA, Mr. HONDA, Ms. JACKSON LEE, Ms. KAPTUR, Mr. LARSON of Connecticut, Mr. LOEBACK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PIERLUISI, Ms. SLAUGHTER, Mr. SWALWELL of California, Mr. THOMPSON of California, Mr. VAN HOLLEN, Mr. VARGAS, Mr. PETERS, Mr. TONKO, Mr. ENGEL, and Mr. CUMMINGS):

H.R. 4462. A bill to amend the Higher Education Act of 1965 to require certain institutions of higher education to provide notice of tuition levels for students; to the Committee on Education and the Workforce.

By Ms. ESTY (for herself and Mr. GIBSON):

H.R. 4463. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to brownfield remediation grants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. LIPINSKI, Ms. EDWARDS, Mr. GRAYSON, and Ms. ESTY):

H.R. 4464. A bill to ensure that Federal research and development in support of civil aviation remains at the forefront of addressing challenges confronting the Nation's air transportation system, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. DENHAM (for himself, Mr. CHAFFETZ, Mr. SHUSTER, Mr. CUMMINGS, Mr. DEFazio, Mr. BARLETTA, and Mr. CARSON of Indiana):

H.R. 4465. A bill to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Mr. SESSIONS, and Mr. RATCLIFFE):

H.R. 4466. A bill to exempt the Lower Bois d'Arc Creek Reservoir Project from the Federal Water Pollution Control Act; to the Committee on Transportation and Infrastructure.

By Mr. BLUMENAUER (for himself, Mr. ROHRBACHER, Mr. HUFFMAN, and Ms. BONAMICI):

H.R. 4467. A bill to amend the Controlled Substances Act to allow for advertising relating to certain activities in compliance with State law; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. HANNA, and Mr. DUNCAN of Tennessee):

H.R. 4468. A bill to establish a Water Infrastructure Investment Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KELLY of Pennsylvania, and Ms. JENKINS of Kansas):

H.R. 4469. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself, Mr. UPTON, Mr. CONYERS, Mr. LEVIN, Mrs. MILLER of Michigan, Mr. WALBERG, Mr. AMASH, Mr. BENISHEK, Mr. HUIZenga of Michigan, Mr. BISHOP of Michigan, Mrs. DINGELL, Mrs. LAWRENCE, Mr. MOOLENAAR, Mr. TROTT, Mr. RYAN of Ohio, Mr. PAYNE, and Ms. EDWARDS):

H.R. 4470. A bill to amend the Safe Drinking Water Act with respect to the requirements related to lead in drinking water, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself and Mr. HINOJOSA):

H.R. 4471. A bill to improve quality and accountability for educator preparation programs; to the Committee on Education and the Workforce.

By Mr. YOUNG of Indiana (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 4472. A bill to amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, and for other purposes; to the Committee on Ways and Means.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. SALMON, Mr. SCHWEIKERT, Mrs. KIRKPATRICK, Mr. GALLEG0, Ms. SINEMA, and Ms. MCSALLY):

H.R. 4473. A bill to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. ABRAHAM (for himself, Mr. DENHAM, Mr. CRAWFORD, Mr. KIND, Mr. LUCAS, Mr. BISHOP of Georgia, Mr. ASHFORD, Mr. POMPEO, and Mr. BLUM):

H.R. 4474. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By Ms. ADAMS (for herself, Mr. TAKAI, Ms. VELÁZQUEZ, Ms. KELLY of Illinois, Ms. JACKSON LEE, Ms. NORTON, Ms. MOORE, Ms. LEE, Mr. CONYERS, Mr. GRIJALVA, Mr. HASTINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. LAWRENCE, Mr. DAVID SCOTT of Georgia, Ms. EDWARDS, Mr. RICHMOND, Mr. TED LIEU of Cali-

fornia, Mr. QUIGLEY, Ms. PLASKETT, Mr. RANGEL, Ms. MAXINE WATERS of California, Ms. JUDY CHU of California, Mrs. DAVIS of California, Mr. MCDERMOTT, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. NADLER, Mr. PAYNE, Mr. VAN HOLLEN, and Mr. HONDA):

H.R. 4475. A bill to authorize the Secretary of Health and Human Services to award grants to support the access of marginalized youth to sexual health services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BLUM:

H.R. 4476. A bill to provide that the rates of pay for Members of Congress shall be reduced following any fiscal year in which there is a Federal deficit; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAWSON of Florida (for himself, Mr. BLUM, and Mr. ROONEY of Florida):

H.R. 4477. A bill to amend title 38, United States Code, to require voice mail for certain telephone lines paid for by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HUNTER (for himself and Mr. ZINKE):

H.R. 4478. A bill to amend the Military Selective Service Act to extend the registration and conscription requirements of the Selective Service System, currently applicable only to men between the ages of 18 and 26, to women between those ages to reflect the opening of Combat Arms Military Occupational Specialties to women; to the Committee on Armed Services.

By Mr. KILDEE:

H.R. 4479. A bill to provide emergency assistance related to the Flint water crisis, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Education and the Workforce, Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOWENTHAL (for himself, Mr. DESAULNIER, Mr. KEATING, Ms. NORTON, and Mr. PIERLUISI):

H.R. 4480. A bill to implement the Agreement on the Conservation of Albatrosses and Petrels, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself and Mr. REICHERT):

H.R. 4481. A bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes; to the Committee on Foreign Affairs.

By Ms. MCSALLY (for herself, Mr. CARTER of Georgia, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. MCSAUL, Mr. WALKER, Mr. YOUNG of Iowa, Ms. SINEMA, Mr. ZINKE, Mr. SALMON, and Mr. SCHWEIKERT):

H.R. 4482. A bill to require the Secretary of Homeland Security to prepare a southwest border threat analysis, and for other purposes; to the Committee on Homeland Security.

By Mr. PEARCE:

H.R. 4483. A bill to appoint a special investigator to determine the role of the Environmental Protection Agency in the Gold King Mine spill and its downstream environmental effects, provide compensation to injured persons, fund certain long-term water quality monitoring programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, Rules, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of NEW YORK (for herself, Mr. ISRAEL, Mr. KING of New York, Mr. MEEKS, and Mr. ZELDIN):

H.R. 4484. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating Long Island's aviation history, including a determination of the suitability and feasibility of designating parts of the study area as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. ROE of Tennessee:

H.R. 4485. A bill to ensure that public housing dwelling units are occupied by low-income families, and for other purposes; to the Committee on Financial Services.

By Mr. WENSTRUP (for himself, Mr. BRIDENSTINE, Mr. JORDAN, Mr. MASSIE, and Mr. FLORES):

H.R. 4486. A bill to hold the salaries of Members of a House of Congress in escrow if the House of Congress does not hold a vote on final passage of each regular appropriation bill for a fiscal year prior to the beginning of that fiscal year, and for other purposes; to the Committee on House Administration.

By Mr. SESSIONS:

H. Res. 602. A resolution electing certain Members to standing committees of the House of Representatives; considered and agreed to.

By Mr. BECERRA:

H. Res. 603. A resolution ranking Members of a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. LARSON of Connecticut (for himself, Mr. COLE, Mr. LOEBACK, Mr. MCNERNEY, Mrs. LOWEY, Mr. PRICE of North Carolina, Mr. WELCH, Mr. LEVIN, Mr. FARR, Mr. SWALWELL of California, Ms. ESHOO, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. MEEKS, Ms. MOORE, Mr. RUSH, Mr. AL GREEN of Texas, Mrs. BEATTY, Ms. KAPTUR, Ms. MAXINE WATERS of California, Ms. WASSERMAN SCHULTZ, Mr. BISHOP of Utah, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. NOEM, Mr. RODNEY DAVIS of Illinois, Mrs. WALORSKI, Mr. CLAY, Mr. TAKAI, Mr. RYAN of Ohio, Mr. NORCROSS, Mr. HONDA, Mr. SIREN, Mr. ELLISON, Ms. WILSON of Florida, Mr. JEFFRIES, Mr. CLEAVER, Ms. BROWN of Florida, Mr. HASTINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. JACKSON LEE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. LORETTA SANCHEZ of California, Mrs. CAPPS, Mr. CAPUANO, Mr. PASCRELL, Ms. DEGETTE, Mr.

CASTRO of Texas, Mr. CROWLEY, Ms. PINGREE, Ms. EDWARDS, Ms. MCCOLLUM, Ms. SEWELL of Alabama, Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, Mr. TONKO, Mr. PALLONE, Mr. DAVID SCOTT of Georgia, Mr. DOLD, Mr. COURTNEY, Mr. TED LIEU of California, Mr. SERRANO, Ms. ESTY, Mr. KENNEDY, Mr. O'ROURKE, Mr. MOULTON, Mr. ISRAEL, Mr. TAKANO, Mrs. TORRES, Ms. JUDY CHU of California, Mr. THOMPSON of California, Mr. GARAMENDI, Ms. MATSUI, Mr. HECK of Washington, Ms. BONAMICI, Mr. BEYER, Mr. KILMER, Mr. JOHNSON of Georgia, Mr. RICE of South Carolina, Mr. VELA, Mr. PETERS, Mr. THOMPSON of Mississippi, Mr. SCHIFF, Mrs. DINGELL, Mr. SEAN PATRICK MALONEY of New York, Mr. CARTWRIGHT, Mr. CONNOLLY, Mr. BLUMENAUER, Mr. BERA, Mr. CUELLAR, Ms. ADAMS, Mr. AGUILAR, Mr. CÁRDENAS, Ms. CASTOR of Florida, Mr. DELANEY, Ms. DELBENE, Ms. DUCKWORTH, Mr. GALLEGO, Mr. GRIJALVA, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mr. NOLAN, Mr. POLIS, Miss RICE of New York, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. DEFAZIO, Mr. HIGGINS, Mr. HINOJOSA, Mr. CARNEY, Mr. QUIGLEY, Mr. YARMUTH, Ms. HAHN, Mr. PETERSON, Ms. TSONGAS, Mr. KING of New York, Mr. ZELDIN, Mr. DONOVAN, Mr. HOYER, Mr. VARGAS, Mr. FATTAH, Mr. VAN HOLLEN, Mr. KIND, Mr. ENGEL, Mr. VISCLOSKEY, Mr. LARSEN of Washington, Mr. CICILLINE, Mr. DANNY K. DAVIS of Illinois, Ms. DELAUNO, Mr. GOWDY, Mr. GUTIERREZ, Mr. PAYNE, Mr. DOGGETT, Mr. VEASEY, Ms. GABBARD, Mr. CLYBURN, Ms. FUDGE, Mr. BISHOP of Georgia, Mr. RICHMOND, Ms. SINEMA, Mr. COSTA, Mr. RUIZ, Mr. KILDEE, Ms. MENG, Mr. DEUTCH, Ms. KELLY of Illinois, Ms. SLAUGHTER, Ms. KUSTER, Mrs. DAVIS of California, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mr. BEN RAY LUJÁN of New Mexico, Mr. CARSON of Indiana, Mr. SHUSTER, Mr. BECERRA, Mr. SHERMAN, Mr. SMITH of Washington, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BASS, Mr. LANGEVIN, Mr. RANGEL, Mr. RUPERSBERGER, Mr. CUMMINGS, Mr. COHEN, Mr. CONYERS, Mr. DESAULNIER, Mr. KEATING, Mr. NEAL, Mr. LYNCH, Ms. GRAHAM, Mr. COOPER, Mr. SCHRADER, Mr. FORTENBERRY, Mr. ASHFORD, Mr. LIPINSKI, Mr. WALZ, Mr. LOWENTHAL, Mr. PERLMUTTER, Mr. HUFFMAN, Mr. HIMES, Mrs. WATSON COLEMAN, Mrs. BUSTOS, Mr. BRADY of Pennsylvania, Ms. FRANKEL of Florida, Ms. TITUS, Mr. FOSTER, Mr. GRAYSON, Mr. MCGOVERN, Ms. BROWNLEY of California, Ms. LINDA T. SANCHEZ of California, Mrs. LAWRENCE, Ms. LEE, Mr. MCDERMOTT, Mr. POCAN, Ms. CLARK of Massachusetts, Mr. MURPHY of Florida, Mr. GIBSON, Mr. COLLINS of New York, Mr. HANNA, Mr. REED, Mr. KATKO, Ms. STEFANIK, Mr. HOLDING, Mr. KELLY of Pennsylvania, Mr. TIBERI, Mr. RENACCI, Mr. MEEHAN, Ms. JENKINS of Kansas, Mr. BARTON, Mr. BRADY of Texas, Mrs. WAGNER, Mr. BURGESS, Mr. KING of Iowa, Mr. YODER, Mr. HUNTER, Mr. MCHENRY, Mr. WALBERG, Mr. HULTGREN, Mr. CRENSHAW, Mr. JOLLY, Mr. SMITH of New

Jersey, Mr. PITTS, Mr. SIMPSON, Mr. POMPEO, Mr. WEBSTER of Florida, Mr. RIGELL, Mr. BRAT, Mr. HURT of Virginia, Mr. HURD of Texas, Mr. SMITH of Nebraska, Mr. CONAWAY, Mr. HILL, Mr. WOMACK, Mr. ROGERS of Kentucky, Mrs. ELLMERS of North Carolina, Mr. YOUNG of Alaska, Mr. ROONEY of Florida, Mr. WITTMAN, Mr. JOHNSON of Ohio, Mr. AMODEI, Mr. KLINE, Mr. LUCAS, and Mr. MULLIN):

H. Res. 604. A resolution recognizing the establishment of the Congressional Patriot Award and congratulating the first award recipients, Sam Johnson and John Lewis, for their patriotism and selfless service to the country; to the Committee on House Administration.

By Mr. FOSTER:

H. Res. 605. A resolution expressing the sense of the House of Representatives that the Office of Technology Assessment should be reestablished; to the Committee on House Administration.

By Mr. ISRAEL (for himself, Mr. HIGGINS, Mr. GRIJALVA, Ms. SPEIER, Mr. NOLAN, Mr. LEVIN, Mr. DENT, Ms. MCCOLLUM, Ms. LEE, Mr. RANGEL, Ms. BORDALLO, Mrs. DINGELL, Ms. SLAUGHTER, Mr. VAN HOLLEN, Mr. CONNOLLY, Mr. COOPER, Mr. CICILLINE, and Mr. MCGOVERN):

H. Res. 606. A resolution expressing support for designation of February 4, 2016, as National Cancer Prevention Day; to the Committee on Energy and Commerce.

By Mr. ROSS:

H. Res. 607. A resolution condemning and censuring President Barack Obama; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PASCRELL:

H.R. 4460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. TOM PRICE of Georgia:

H.R. 4461.

Congress has the power to enact this legislation pursuant to the following:

The authority enumerated in clause 18 of Section 8 of Article 1 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 4462.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)

By Ms. ESTY:

H.R. 4463.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 4464.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. DENHAM:

H.R. 4465.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and clause 17 (relating to authority over district as the seat of government), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. SAM JOHNSON of Texas:

H.R. 4466.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. BLUMENAUER:

H.R. 4467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BLUMENAUER:

H.R. 4468.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: "to provide for . . . the general Welfare of the United States;"

By Mr. PAULSEN:

H.R. 4469.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (to lay and collect taxes) and Clause 18 (necessary and proper)

By Mr. KILDEE:

H.R. 4470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. HONDA:

H.R. 4471.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. YOUNG of Indiana:

H.R. 4472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. GOSAR:

H.R. 4473.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause).

Under this clause, Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States- and with this authority Congress is vested with the power to all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated grant as one "without limitation" *Kleppe v New Mexico*, 426 U.S. 529, 542-543 (1976) ("And while the furthest reaches of the power granted by the Property Clause have not

been definitely resolved, we have repeatedly observed that the power over the public land thus entrusted to Congress is without limitation.")

Historically, the federal government transferred ownership of federal property to either private ownership or the states in order to pay off large Revolutionary War debts and to assist with the development of infrastructure. The transfers codified by this legislation are thus constitutional.

By Mr. ABRAHAM:

H.R. 4474.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Ms. ADAMS:

H.R. 4475.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United, or in any Department or Officer thereof.

By Mr. BLUM:

H.R. 4476.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1

Article I, Section 8, Clause 18

By Mr. CLAWSON of Florida:

H.R. 4477.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8

By Mr. HUNTER:

H.R. 4478.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12-14: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; To provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval Forces

By Mr. KILDEE:

H.R. 4479.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. LOWENTHAL:

H.R. 4480.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. LOWEY:

H.R. 4481.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Ms. MCSALLY:

H.R. 4482.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18—To make Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PEARCE:

H.R. 4483.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Miss RICE of New York:

H.R. 4484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;"

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. ROE of Tennessee:

H.R. 4485.

Congress has the power to enact this legislation pursuant to the following:

The constitutional power of congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. WENSTRUP:

H.R. 4486.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6, Clause 1

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. TOM PRICE of Georgia.
H.R. 131: Mr. NEWHOUSE.
H.R. 140: Mr. BRAT.
H.R. 188: Mr. FATTAH and Mr. ENGEL.
H.R. 228: Mr. MARINO and Mr. PETERS.
H.R. 250: Mr. ASHFORD.
H.R. 267: Mr. JONES and Ms. BORDALLO.
H.R. 343: Mr. FRELINGHUYSEN.
H.R. 347: Mr. WILLIAMS.
H.R. 448: Mr. LEVIN.
H.R. 534: Mr. SMITH of Missouri.
H.R. 624: Mr. KINZINGER of Illinois.
H.R. 721: Ms. FUDGE.
H.R. 793: Mr. PRICE of North Carolina.
H.R. 840: Ms. KUSTER.
H.R. 850: Mr. BEYER.
H.R. 939: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1197: Mr. BEYER.
H.R. 1227: Mr. AGUILAR.
H.R. 1391: Mr. GUTIÉRREZ, Mr. VEASEY, Ms. ROYBAL-ALLARD, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1397: Mr. FRELINGHUYSEN.
H.R. 1421: Mr. GUTIÉRREZ.
H.R. 1427: Mr. PALAZZO.
H.R. 1475: Ms. LOFGREN.
H.R. 1486: Mr. RODNEY DAVIS of Illinois, Mr. GIBBS, Mr. ALLEN, Mr. WILSON of South Carolina, Mr. LAMALFA, Mr. COLE, Mr. CHABOT, Mr. POLIQUIN, Mr. JORDAN, Mr. STEWART, Mr. DESANTIS, Mr. GOSAR, and Mr. PALMER.
H.R. 1492: Mr. LOEBSACK.
H.R. 1581: Ms. MCSALLY and Mr. SCHWEIKERT.
H.R. 1635: Mr. WESTMORELAND.
H.R. 1671: Mr. BRAT.
H.R. 1769: Mr. WENSTRUP and Mr. CARTER of Georgia.
H.R. 1887: Mr. HANNA.
H.R. 1988: Mrs. BEATTY.
H.R. 2005: Mr. BLUMENAUER.
H.R. 2460: Mr. SERRANO.

- H.R. 2518: Mr. PETERS.
 H.R. 2566: Mrs. KIRKPATRICK.
 H.R. 2698: Mr. ROSKAM.
 H.R. 2737: Mr. POE of Texas.
 H.R. 3036: Mr. FRELINGHUYSEN, Mr. NORCROSS, and Mr. GARRETT.
 H.R. 3051: Mr. BEYER and Mr. O'ROURKE.
 H.R. 3088: Mr. MACARTHUR.
 H.R. 3099: Mr. DESJARLAIS, Mrs. BEATTY, Mrs. DAVIS of California, and Mr. BEYER.
 H.R. 3119: Mr. GUINTA and Ms. SLAUGHTER.
 H.R. 3177: Mr. PETERS.
 H.R. 3209: Mr. MARCHANT and Mr. BISHOP of Michigan.
 H.R. 3223: Mr. GUTIÉRREZ.
 H.R. 3229: Mr. SHUSTER.
 H.R. 3308: Mr. LEWIS and Ms. NORTON.
 H.R. 3513: Mr. HONDA and Mr. BLUMENAUER.
 H.R. 3516: Mr. AMODEI and Mr. NEWHOUSE.
 H.R. 3537: Mr. PETERS.
 H.R. 3713: Ms. KAPTUR, Mr. MCGOVERN, and Mr. GARRETT.
 H.R. 3765: Mr. OLSON.
 H.R. 3779: Mr. FORBES and Ms. GABBARD.
 H.R. 3917: Mr. LOEBSACK, Mr. PETERSON, Mr. KEATING, Mr. BEN RAY LUJÁN of New Mexico, and Mr. MCGOVERN.
 H.R. 3926: Mr. LARSEN of Washington and Ms. LEE.
 H.R. 3952: Mr. WEBSTER of Florida.
 H.R. 3965: Mr. HUFFMAN and Mr. HONDA.
 H.R. 3970: Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 4009: Mr. FARR.
 H.R. 4019: Mrs. LOWEY.
 H.R. 4043: Mr. PETERS.
 H.R. 4073: Mr. LANGEVIN and Mr. TROTT.
 H.R. 4087: Mr. LOEBSACK.
 H.R. 4114: Mr. HECK of Nevada.
 H.R. 4140: Mr. NUGENT.
 H.R. 4197: Mr. BRAT.
 H.R. 4207: Mr. BLUMENAUER.
 H.R. 4229: Mr. DEUTCH and Mrs. MIMI WALTERS of California.
 H.R. 4247: Mr. BABIN and Mr. MILLER of Florida.
 H.R. 4262: Mr. FRANKS of Arizona.
 H.R. 4313: Mr. AMODEI.
 H.R. 4333: Mr. MCCLINTOCK and Mrs. LOWEY.
 H.R. 4342: Mr. SCHRADER.
 H.R. 4365: Ms. JENKINS of Kansas.
 H.R. 4371: Mr. GOHMERT and Mr. DESJARLAIS.
 H.R. 4380: Mr. RANGEL.
 H.R. 4386: Mr. SWALWELL of California, Mr. GALLEGU, and Ms. GABBARD.
 H.R. 4400: Ms. ROS-LEHTINEN, Ms. SPEIER, and Ms. PINGREE.
 H.R. 4420: Mrs. LUMMIS, Mr. BRAT, Mr. CHABOT, Mr. BURGESS, Mr. WALBERG, Mr. GRIFFITH, Mr. TIPTON, Mr. BABIN, Mrs. MILLER of Michigan, Mr. MCCLINTOCK, Mr. FLORES, Mr. MCKINLEY, and Mr. YOH. H.
 H.R. 4448: Mr. BURGESS.
 H.J. Res. 55: Mr. BISHOP of Michigan.
 H. Con. Res. 98: Mr. MCGOVERN and Mr. SMITH of Washington.
 H. Con. Res. 105: Mr. PERRY.
 H. Con. Res. 108: Mr. MILLER of Florida, Mr. KELLY of Pennsylvania, and Mr. COLLINS of Georgia.
 H. Res. 154: Mr. ROYCE.
 H. Res. 220: Mr. BLUMENAUER, Mr. PERLMUTTER, and Mrs. LOWEY.
 H. Res. 343: Ms. PINGREE.
 H. Res. 393: Mr. LEVIN.
 H. Res. 419: Mr. DIAZ-BALART, Mr. KINZINGER of Illinois and Mr. ROONEY of Florida.
 H. Res. 424: Mr. JOLLY.
 H. Res. 469: Mr. BABIN.
 H. Res. 561: Mr. PETERS.
 H. Res. 567: Mr. KINZINGER of Illinois, Mr. HUDSON, Mr. CARTER of Georgia, Miss RICE of New York, and Mr. TOM PRICE of Georgia.
 H. Res. 571: Mr. YOH, Mr. SAM JOHNSON of Texas, and Mr. PERRY.
 H. Res. 588: Mr. ALLEN, Mr. FRANKS of Arizona, and Mr. ZINKE.
 H. Res. 591: Mr. ROUZER, Mr. YOH, Mr. LUCAS, Mr. GARAMENDI, Mr. BOST, Mr. BISHOP of Georgia, Mr. WILLIAMS, Mr. CUELLAR, Mr. PALAZZO, Mr. LARSEN of Washington, Mr. HURT of Virginia, Mr. NEWHOUSE, Mr. COLLINS of New York, Mr. MOOLENAAR, Mr. GRAVES of Missouri, Mr. ROONEY of Florida, Mr. ROSS, Mrs. KIRKPATRICK, Mr. MCGOVERN, Mr. NOLAN, Mr. BEN RAY LUJÁN of New Mexico, Mr. WESTERMAN, Mr. BISHOP of Michigan, Mr. HUIZENG of Michigan, Mr. CRAWFORD, Mr. HURD of Texas, Mr. WOMACK, Mr. DENHAM, Ms. DELBENE, Mr. HARPER, Mr. SCHRADER, Mr. THOMPSON of Pennsylvania, Mr. COSTA, Mr. MOONEY of West Virginia, Mr. ABRAHAM, Mr. MCKINLEY, Mr. VAN HOLLEN, Mr. WALBERG, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. FLORES, Mr. GIBBS, Mr. LAMALFA, Mr. KELLY of Mississippi, Mr. RODNEY DAVIS of Illinois, Mr. BROOKS of Alabama, and Ms. ESTY.

SENATE—Thursday, February 4, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father of love, who lives and reigns in majesty, we honor Your Name.

Today, use our lawmakers to advance Your kingdom of good will on Earth. Deliver them from ungodly pride and ungenerous judgments, as You inspire them to seek Your wisdom and to follow Your precepts. Give them the wisdom to labor to mend broken hearts, to repair shattered dreams, and to leave the world better than they found it. Lord, teach them to cherish the things that endure, remembering always their accountability to You.

Lord, bless also the many members of their staffs who work faithfully behind the scenes to keep America strong.

We pray in Your precious Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. FLAKE). The majority leader is recognized.

75TH ANNIVERSARY OF THE USO

Mr. MCCONNELL. Mr. President, when Americans hear “USO,” they often think of Bob Hope. There is no question that he helped to lift the spirits of countless men and women in uniform, but the USO impacts military personnel in a number of other important ways, too, which is something it has been doing literally for decades—in fact, 75 years to the day. I think every colleague will join me in commemorating this impressive 75-year history.

Our men and women in uniform sacrifice a great deal to defend us, and so do their families. One of the things the USO excels at is helping them to stay connected—connected to hometowns, connected to loved ones, connected to the simpler joys in life. From providing deployed soldiers, sailors, airmen, and marines with an opportunity to phone

home, to providing world-class entertainment, to helping servicemembers find meaningful employment once their service is complete, the USO’s mission is broad in scope and has made a lasting and positive impact on many since it was first conceived just before World War II. Much of that credit is due to Americans’ willingness to volunteer.

Our military personnel—especially our forward deployed and combat arms units—willingly trade the comforts of home for harsh living conditions. They often forgo life’s precious moments, such as celebrating a child’s birthday or a first day at school, and they are willing to put everything on the line for us. The USO provides one more platform to say “thank you” for that service, to show gratitude for that sacrifice, to let every man and woman in uniform know what they mean to us.

Congratulations to the USO for 75 years of service to our troops and their families. We hope you will continue your important work for many years to come.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture vote with respect to the Murkowski amendment No. 2953 occur at 11:30 a.m. today and that the cloture vote with respect to S. 2012 follow that vote in the usual form and that the additional time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

75TH ANNIVERSARY OF THE USO AND COMMENDING WAYNE NEWTON

Mr. REID. Mr. President, I want to join my Republican colleague, the distinguished Senator from Kentucky, and underscore everything he said about the USO. As just a point of personal privilege, one of the successors of Bob Hope is Wayne Newton. President Bush selected him to lead the USO, which he did for many years.

There has never been a more successful nightclub entertainer than Wayne Newton. He is known all over the world for his voice and his performances. He traveled the world during the time he was that person chosen by the Presi-

dent to represent the USO. He is one of the most patriotic persons I have ever known, and I admire him very much. I want to ensure that the record reflects his friendship to me and all the veterans in America.

Certainly, I appreciate very much joining in this celebration of the USO.

FLINT, MICHIGAN, WATER CRISIS

Mr. REID. Mr. President, 100,000 people in Flint, MI, have been poisoned, but sadly the Republicans are doing nothing. Nine thousand children, all under the age of 6, have been poisoned. Their brains have been attacked. Still, Republicans have refused to do anything to help.

For the last 2 weeks, the Senators from Michigan have worked on an amendment that would allow Federal funds to address the Flint water crisis. Senators STABENOW and PETERS worked hard to negotiate with Republicans. But almost having an agreement in place is not an agreement. We need Republicans to work with us to reach an agreement and let the people of Flint know that help is on its way; otherwise, Senate Republicans will continue ignoring Flint. If that is the case, then I would like my Republican colleagues to come to the floor and explain to this country why this man-made disaster in Flint is not worthy of the Republicans’ attention. Tell us why 100,000 Americans should be forced to drink polluted water and bathe in poisonous water.

One mother told Senator STABENOW: I was doing everything I could for my children. I made sure that they stopped drinking soda pop. So they didn’t have soda pop. They drank water. But it was horrible water, and it has affected my children’s lives. She said: I am responsible for the poisoning of my children.

I heard statements made by the assistant Republican leader earlier this week, and here is a direct quote: “While we all have sympathy for what’s happened in Flint, this is primarily a local and State responsibility.”

I don’t know if “outrageous” is sufficient to describe this. After all, it was the assistant Republican leader who just last year welcomed Federal disaster assistance for the people of Texas because of the terrible flooding that was taking place. Again in 2013, the town of West, which is in Texas, suffered a catastrophic explosion of a fertilizer plant—another manmade disaster. The Senator from Texas was quick to seek Federal assistance. He said:

We will aggressively pursue this matter with FEMA and pursue all appeals and remedies available to us. . . . This was a disaster area and their failure to acknowledge it as such is just inexcusable. We're going to get the residents of West the assistance they need.

The junior Senator from Texas—one of the many Republicans running for President—was just as eager to accept Federal funds. He said:

I am confident that the Texas congressional delegation, Senator Cornyn and I . . . will stand united as Texans in support of the Federal Government fulfilling its statutory obligations, and stepping in to respond to this natural disaster.

According to Senator CRUZ, the Federal Government had an obligation to help Texas. He is right. We had an obligation, and we fulfilled that obligation. But we also have an obligation to help Flint, MI.

I ask my colleagues from Texas and the other Republicans here in the Senate, why are floods and explosions in Texas disasters worthy of Federal support and not the help needed for 100,000 poisoned people in Flint, MI? Why do Texans deserve Federal assistance but not the people of Flint? What could the reason be?

The sad thing is that this sort of hypocrisy isn't limited to just the Senators from Texas. The junior Senator from Florida—one of the many running for President on the Republican side—is doing the same thing.

Last year Florida was hit with extreme flooding. Senator RUBIO appealed for Federal assistance. He wrote a letter to the President. He said: "As Floridians continue to reel from the effects of last month's torrential rains and flooding, I respectfully request you consider Governor Scott's appeal for a Major Disaster Declaration for Individual Assistance for the five impacted counties." That is what he wrote to President Obama last year, but, like it always is with the Senator from Florida, that was then and this is now. This is what the junior Senator from Florida says now: "I believe the federal government's role in some of these things [is] largely limited unless it involves a federal jurisdictional issue." That is a buzz word for saying "Good luck, Flint." According to Senator RUBIO, Floridians deserve disaster assistance but not the people of Flint. This Senator hopes to become President; yet he refuses to treat all Americans the same.

There are plenty of other examples. Whenever their States have been hard hit, Republican Senators run here to the Senate floor and demand Federal aid—as well they should. The Federal Government should help in times of disaster. There has to be a bit of consistency from Republicans. They must be fair to everyone. The people of Flint are just like every other American. They are deserving of the Federal Government's help.

Mr. President, I have a letter from the Congressional Black Caucus. I am not going to read the whole letter, but I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

CONGRESSIONAL BLACK CAUCUS,
Washington, DC, February 4, 2016.

Senator MITCH MCCONNELL,
Majority Leader, U.S. Senate, The Capitol,
Washington, DC.

DEAR SENATOR MCCONNELL: The state of emergency in Flint, Michigan requires immediate action from the United States Senate. Our children have been poisoned because of poor decision-making by some and inaction by others who are responsible for protecting the most vulnerable among us. Senate Republicans should not prevent federal emergency assistance to the people of Flint by blocking the common-sense amendments offered by Michigan Senators Debbie Stabenow and Gary Peters to the Energy Policy and Modernization Act. Instead, both parties should come to an agreement on an emergency relief package for the people of Flint.

While there are no flooded streets or people stranded on the roof of their home, poisoned water still runs through the faucets in Flint. There are children with visible scars, and those who will have mental health issues and learning disabilities that we cannot yet see. Bottled water is not a solution. It is a band-aid that will not heal this gaping wound. The City of Flint is in crisis.

Providing emergency assistance to Flint is not a bailout. The Stabenow-Peters amendments would: a) provide emergency funding to help repair Flint's water infrastructure, b) notify the public of concentrations of lead in the water, and c) connect children and adults exposed to lead poisoning with community services and health experts. Moreover, other communities currently dealing with lead water crises in states like Ohio and elsewhere could also benefit from these resources.

Republican senators have routinely requested this type of assistance when disasters occurred in their states. The people of Flint deserve nothing less. Republicans must join Democrats in meeting our moral obligation to protect the health of our children.

Senator McConnell, we are asking for your leadership to ensure your Republican colleagues do not condemn the people of Flint to more pain and suffering by blocking these amendments.

Very truly yours,

G. K. BUTTERFIELD,

Chairman,

The Congressional Black Caucus.

Mr. REID. Here is what is said in the final two paragraphs:

Republican Senators have routinely requested this type of assistance when disasters occurred in their states. The people of Flint deserve nothing less. Republicans must join Democrats in meeting our moral obligation to protect the health of our children.

This is what is said by Congressman BUTTERFIELD, who is the chair of the Congressional Black Caucus.

The final paragraph in the letter says:

Senator McConnell, we are asking for your leadership to ensure your Republican colleagues do not condemn the people of Flint to more pain and suffering by blocking these amendments.

I would hope my Republican colleagues would look in the mirror and ask themselves a simple question: What would I do if 100,000 of my constituents were poisoned?

I urge my Republican colleagues to join us in addressing this critical issue.

In a conference held in Las Vegas, NV, yesterday, one of the foremost experts dealing with water, Pat Mulroy, said that the "stupid stunt" that led to widespread lead contamination in Flint, MI, has dealt a blow to public confidence in water systems everywhere—even in places such as Southern Nevada, where lead pipes are not an issue. "It has given a black eye [to water management] not just in Michigan, not just in the United States, but around the world."

She went on to say:

I was angry. I was very angry. They did it to save money. But was it really worth affecting these children's lives forever to save a couple of bucks?

She also said that complaints about the water began a month after the switch, but officials waited for almost 2 years. By then, tests showed elevated levels of lead, which causes brain damage.

She said:

The finger-pointing is going to be endless for a while, especially as lawsuits begin to emerge. . . . I think there will be criminal charges.

I don't know if there will be criminal charges, but these are pretty egregious actions taken by the State of Michigan.

She said that ready access to clean water is something most Americans take for granted, but something like this can cast doubt on the whole system. "Now there is a crack in that trust relationship," she said. "In Flint it is gone." That is certainly true.

So I would certainly hope my Republican colleagues will understand it is important that we do something now to help these people. We have something that can be done. It should be done. Republicans should stop it. It is not something that is a local issue or a State issue.

RELIGIOUS LIBERTY

Mr. REID. Mr. President, yesterday, President Obama visited a mosque in Baltimore, MD. It was a powerful expression to counter the divisive, hateful rhetoric used by too many Republicans and to emphasize the importance of giving all Americans the respect and dignity they deserve. For years right-wing extremists have attacked the religion of Islam and stoked fear about the presence of Muslims in our country.

Some of those same extremists attacked President Obama for visiting the mosque yesterday. That is an attack on millions of American citizens who are being slandered. I was so gratified that the Presiding Officer had the

courage to show solidarity with the Muslims in the State of Arizona and the country by visiting a mosque a short time ago. The Presiding Officer was attacked by rightwing extremists for this visit. I am sorry about that, but I admire what he did.

When hateful extremists set their sights on attacking one religion, they are attacking the core values of American society upon which our Nation was founded. President Obama could not have made this point more clearly yesterday. He said, "An attack on one faith is an attack on all our faiths."

Religious liberty is a priceless American value that should be cherished. We cannot allow the threat from menacing radicals to change who we are and how we treat our fellow citizens. As President Obama also said yesterday, "We are one American family. We will rise and fall together." So I applaud the President for his courage and willingness to combat the detestable hatred that leading Republicans have embraced and far too few Republicans have spoken out against—the hateful rhetoric—especially in the Presidential election by our Republican colleagues.

As defenders of democracy, we must stand against the bigotry wherever it arises. Doing so is the only way to ensure that we stay true to our fundamental values. As election season begins to kick into high gear, I encourage the American people to heed the call that President Obama made yesterday at the Islamic Society of Baltimore, when he closed by saying, "We have to reaffirm that most fundamental of truths—we are all God's children, all born equal with inherent dignity."

Will the Chair announce the business before the Senate today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1012, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 1012) to provide for the modernization of the energy policy of the United States, and for other purposes.

Pending:

Murkowski amendment No. 2953, in the nature of a substitute.

Murkowski (for Cassidy/Markay) amendment No. 2954 (to amendment No. 2953), to provide for certain increases in, and limitations on, the drawdown and sales of the Strategic Petroleum Reserve.

Murkowski amendment No. 2963 (to amendment No. 2953), to modify a provision relating to bulk-power system reliability impact statements.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 a.m. will be equally divided between the two managers or their designees.

The assistant Democratic leader.

FLINT, MICHIGAN, WATER CRISIS

Mr. DURBIN. Mr. President, what happened in Flint, MI, is incredible. In the 21st century, in the most developed country on Earth, to think that 100,000 people were exposed to contaminated water, to think that 9,000 or 10,000 children were exposed to lead poisoning—it was not a natural disaster but the results are disastrous. It was a disaster created by those who were in charge of managing the city of Flint.

The governmental agencies and those who worked for them made what they considered to be the right budgetary decisions, but they certainly made the wrong decisions when it came to the health and the well-being of the poor people who were victimized by their wrongdoing. Every time I hear the story, the same question comes to my mind: Who is going to jail for poisoning 9,000 children? Think about the circumstances here. A knowing decision by a city manager to switch to a water supply which was contaminated endangered the health of thousands of children, tens of thousands of citizens. If that is not the grounds for at least investigation, I don't what is.

So the Senators from Michigan, Senator PETERS, Senator STABENOW, have come to the floor of the Senate and said to America: Will you help Flint, MI? It is right that they do so. I have been fortunate to serve in the House and Senate for many years. I cannot tell you how many times Senators from States all across the Nation have asked that same question: Will you help us in Louisiana? Will you help us in Alabama? Will you help us in Texas?

There is hardly a State that has not come to the floor of the Senate asking for help. Yet, for reasons I cannot explain, the Republican majority in the Senate is resisting this idea. Almost 100,000 people were forced to live without access to clean water in their homes. They could not turn on their faucets in the morning to make breakfast or to take a shower, as all of us do. They started their day by waiting in long lines for bottled water to feed and bathe their kids, to take showers, and to stay healthy. They started rationing the water.

The elderly and disabled who could not make it to a pickup location for bottled water, they were left with the option of continuing to use water they know was poisoning their bodies. This is a disaster by any definition. I cannot understand why there is not more understanding and empathy from my colleagues when it comes to Flint, MI. It could happen anywhere. If it happened, would you hesitate for a moment as a Member of the Senate to ask for help?

Nine thousand children exposed to lead poisoning has been called an ear-

mark by the critics of our Senators from Michigan. They said it is just special interest legislation to try to help these victims. That is hard to imagine, that it could reach that level in criticizing this effort. Just like those who suffered from tornadoes and hurricanes, these families did nothing to deserve it. Just as the Federal Government always helps when Americans are hit by disasters, we should do it in Flint.

There were no complaints last May when the Federal Government declared an emergency and reached out to the residents of Texas to help them rebuild their lives after a tornado hit. So I am wondering if the Republican Presidential candidate from Texas is willing to step up, the junior Senator from Texas, and ask for the same level of Federal assistance for Flint, MI, that he asked for his own State.

This crisis is not the fault of the kids, the pregnant women who still call Flint home. Their only crime was living in a city that was so poorly mismanaged by the Michigan State government. Their only crime, if there was one, was being the victims of cheap, dirty water. These kids and pregnant women are the most vulnerable when it comes to lead contamination. We are not going to know for years the extent of the damage, but we know there will be damage.

Many of them live in homes that have been found to have 10 times the EPA limits for lead in drinking water. The Senator from Michigan, Ms. STABENOW, yesterday told us that some of the lead samples reached the level of toxic dumps, so far beyond the level that is acceptable for human consumption. This means a generation of Flint kids are in danger of suffering brain damage, developmental delays, and behavior issues for the rest of their lives.

To add insult to injuries, when mothers came to the State nurse to fight for their children, they were met with apathy. Listen to what they were told:

It's just a few IQ points. . . . It's not the end of the world.

This is supposedly a quote from a State nurse. The Flint water crisis truly is a tragedy. We need to step forward. It does not just mean funding. It reminds us of the importance of clean drinking water that we all take for granted. When I think of all of the efforts on the floor of the Senate to dismantle the Environmental Protection Agency and to remove their authority to deal with issues involving clean water, it is hard to imagine that they could envision what happened in Flint, because having access to clean water should not be determined by your ZIP Code or your government. I hope my Republican colleagues will work with us on a bipartisan basis, the way we always do it when it comes to disasters that hurt innocent people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, as all of our colleagues know, we have been working very hard to come together around a reasonable path to provide some support and assistance to the people of Flint, MI, who got up this morning—if they took a shower, it was with bottled water. If they were getting breakfast for their children, if a mom was mixing baby food formula, it was with bottled water.

That has gone on now, for some people, 18 months or more. I mean, originally, they were told the water was safe, and they were drinking it and then found incredibly high lead levels in their children. Now it is bottled water. We have businesses downtown who have gone to the expense of creating their own water systems that are totally safe, but no one will come. Doors are closing.

We have small businesses in neighborhoods—we have a revitalization effort in downtown Flint that has been really quite extraordinary. The chamber, a wide variety of organizations, the University of Michigan-Flint, a whole range of groups investing in downtown Flint.

This is all collapsing because of the fact that people are afraid to come and to drink the water or to eat food mixed with the water, even though our businesses downtown are doing things to rectify this right now. The citizens of Flint, rightly, are in a position where they have been told that the water was safe to drink. They gave it to their children. It wasn't. They are poisoned.

Now they are in a situation where they have great despair and great anger. I share in both of those feelings, a multitude of feelings, as does my friend and colleague Senator PETERS. We are joined together in our commitment on a whole range of efforts to be able to help the children and families of Flint. There was one report—by the way, this is what the water looks like—brown, smells.

There was one story on the news of a house where they went to talk with folks and looked at the lead levels. It was above toxic waste dump levels. I talked to a mom who talked about—and I heard another mom as well, being interviewed, saying: You know, I took my children off of what we call pop in Michigan, other people call it soda, Coke, Pepsi, because I was told that was not healthy for my children. So when my children were playing last summer, I told them to drink water to hydrate because I did not want them

getting the extra sugar, the ingredients from pop. Now I know I was poisoning my children.

I can only imagine what that mom feels right now. We have a lot of infrastructure problems around the country, no question. We have colleagues on both sides of the aisle working together on various proposals that I support to deal long term with infrastructure.

But this is way beyond that. This is an entire city of 100,000 people who have poisoned water because of decisions that none of them made. We can talk later about whose fault it is. There is certainly culpability and accountability. But right now we are focused on helping the people who had nothing to do with creating this. It is 100,000 people. The entire system has lead in it. Some levels are thousands of points higher than is acceptable. No lead is acceptable, but some of it is higher than a toxic waste belt.

So we are on the floor asking to help the children of Flint by doing what we do all the time. We just step up as Americans and help a community rebuild their water system. There is a lot more to do. We are so grateful for colleagues who have reached out to say we want to help in a variety of ways—with their education needs, nutrition needs, and health care needs,—but the basic issue is fixing the water system so that the people of Flint have the dignity that we have of knowing that when they turn on the faucet there is going to be clean water.

You have probably seen the picture, but in this example in Time magazine, this is a child whose mom was bathing her children, and there are rashes. We have seen rashes, sores, hair falling out, and lead levels because a community drinking water system has been decimated.

Americans responded across the country by sending bottled water, and people are very grateful for that. But we also know Americans support and join us by saying bottled water is not enough. This baby cannot be bathed in bottled water every day for years and years and years.

I had one citizen say to me: Ma'am, I can't take a shower in bottled water. We have to support fixing the infrastructure. We do that all the time.

So what we have done—and I appreciate the chair of the Energy Committee working with us. She spent a lot of time—as has the ranking member, who has been ferocious in her support, for which we are so grateful—trying to work this out. Originally, we thought we had a path forward. Then there were procedural issues that came up. Yesterday we thought we had another path forward that would give us bipartisan support on a solution that we could get done and passed here. Then that was paused. I am not exactly sure why that happened, but that was paused.

So today we are asking for colleagues to give us some more time. We have very key people in this Chamber who are now stepping up to give us additional ideas on how we could get this fixed. We can do this quickly if there is the will to do that. So we are asking colleagues to give us more time.

As we know, the cloture vote in front of us today is to basically shut off amendments and go to the next step in third reading. What we are saying is give us some time. There are other issues that need to be resolved as well, certainly issues with working men and women around Davis-Bacon laws. There are other issues. We know that we can come to a resolution if there is the political will and a little more time, so that it is not just some bogus proposal. We have had things thrown out that don't solve the problem. We are not looking for something that just gives somebody political cover. We have resisted a lot of folks who would love just to make this a political issue. These children should not be a political football.

I think Members of this body know that Senator PETERS and I are people who want to get things done. We work across the aisle every single day. If we wanted to blow this up as a political issue, believe me, there would be a different way to do it, and the story writes itself.

We are asking people to care and see these children like you see your own children. These children, these families have been ignored and not seen. We see them. Their faces are burned in my memory. We are asking colleagues to see them, to hold them with as much value as you would children in your own family and in the States that you represent. That is what we are asking—nothing more, nothing less.

We have not proposed that the Federal Government take full responsibility on cost—far from it. In fact, we have been told by colleagues that we have not proposed enough. We have been willing, in fact, to come to an agreement on something that is less than half of what we originally asked for.

But these children deserve the dignity of knowing we will step up and help them. Too many of these children—9,000 of them under the age of 6 and a whole lot of many more thousands above the age of 6—are going to be set back and not have the opportunity to be all they can be. How many scientists, doctors, business people, and teachers are we going to lose because of lead poisoning in this community?

It doesn't go away. I have learned more than I have ever wanted to know about lead. I didn't know that once it enters the body, it never goes away. So the children who are poisoned are going to have to live with this, and the best we can do is mitigate it through nutrition and through other strategies.

But they deserve to know that we are going to fix this, and we can't begin to deal with it unless the water system works. That is all we are asking for.

Today, because we know there is a path, people of good will have been trying to get it done. We need a little more time. I think these children deserve a little more time. I think these families deserve a little more time.

Let us get this together. If we vote next week, next Tuesday, we will be OK. How many kids, how many bottles of water—how many bottles will be used between now and next Tuesday by the people of Flint?

We can take a couple of extra days to do something that will dramatically change the opportunity for our future in a city that is as important as any other city in our country. So that is what we are asking for. We are grateful that our colleagues are standing with us—our colleagues on our side of the aisle—to give us more time.

We are hoping that the leadership will decide to give us that time so that we can say to this child: We see you, we hear you, we care about you, and we are doing our part in the Senate to make things better.

Thank you.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today to urge my colleagues on both sides of the aisle to oppose the upcoming cloture vote on the Energy Policy Modernization Act. This is not because I think this is a bad bill. In fact, I know this bill is the result of months of hard work on both sides of the aisle, and it contains many provisions that will move our economy forward.

I appreciate the efforts of Chairman MURKOWSKI and Ranking Member CANTWELL, including their willingness to include bipartisan legislation that I offered with Senators ALEXANDER and STABENOW to support the development of next-generation clean vehicle technologies. While I sincerely hope that we are able to advance this bill out of the Senate, it is simply too soon to cut off debate and invoke cloture.

Senator STABENOW, Senator CANTWELL, and I have been negotiating with our Republican colleagues to secure critical assistance for the city of Flint, MI, whose residents are continuing to suffer from a manmade disaster. Nearly 2 years ago, an unelected emergency manager appointed by Michigan's Governor changed the city of Flint's water to a source of the Flint River in an attempt to save money while the city prepared to transition to a new regional water authority.

After switching away from clean water sourced from the Detroit water department, Flint residents began to receive improperly treated Flint River water, long known to be contaminated and potentially very corrosive. Brown or yellow water poured from Flint fau-

cets that tasted and smelled terrible. This water wasn't just disgusting, it turned out to be poisonous. This corrosive water leached lead from aging but previously stable infrastructure.

A generation of children in Flint are now at risk for the severe effects of lead exposure, which can cause long-term development problems, nervous system damage, and decreased bone and muscle growth. Even though Flint is no longer pulling its water from the contaminated river and is back to drawing safe Lake Huron water, the recently damaged pipes and infrastructure contaminate the water before it pours from the tap.

Flint residents are unable to use their showers and need to wash themselves with baby wipes. Some walk as far as 2 miles to pick up bottled water to drink—the same bottled water they use to cook and to brush their teeth. This is simply not sustainable.

Flint needs the support of all levels of government to overhaul its damaged water infrastructure and help the children of Flint, who will be dealing with the health effects of lead exposure for decades to come.

What makes America so exceptional is its resiliency and the unity of our people in the face of a tragedy or a crisis. While Flint has faced decades of economic hardship, it is now facing a full-blown crisis, and now is the time for all of us to pull together.

On Monday, I heard from a woman who was on the verge of tears as she discussed her fears of the health conditions that her children face.

Yesterday I met another mom from Flint who brought a baby bottle filled with brown water that she poured from her tap—and brought it to Washington—to show my colleagues and Congress just how immediate a public health threat this public crisis is. This image that appeared on the cover of Time magazine is clearly a haunting cry for help.

I ask my colleagues to look into those eyes and to hear that cry, to see that cry for help. I believe that if any of my colleagues saw this tragedy such as we are seeing in our home State—Senator STABENOW and I—they would be standing here doing everything in their power to deliver assistance. Whether the crisis is natural or manmade, it simply doesn't matter. This is a crisis.

It is also important to know that this crisis has raised questions about the safety of our Nation's infrastructure. It is possible that other communities could be affected.

While other communities may not suffer a crisis like Flint, across the country communities are learning about the vulnerabilities of their own water supply and what may happen in the future.

I should also reiterate that the proposal Senator STABENOW and I have

been negotiating would provide funding for any State that has had an emergency declaration related to lead or other contamination in public drinking water systems. So it is not just about Flint. This is about any community that is suffering from contamination of their drinking water.

While we often talk about crumbling roads or bridges, hundreds, if not thousands of American cities, towns, and villages have aging water infrastructure and lead pipes.

Should one of our colleague's communities experience a similar crisis in the coming months, this funding we are fighting for today will be available to them as well.

Now is the time for action and to help the families of Flint. I hope that we can reach a resolution on our negotiations with our Republican colleagues, but we are not quite there yet. I urge all of my colleagues to oppose cloture on this bill until we have a deal.

Whether in Flint or elsewhere in America, we have a responsibility to care for our children. We must repair the trust Flint residents have lost in the ability of government officials to protect them and provide the most basic of all services.

I strongly urge my colleagues to join us in our efforts to help Flint recover from this unnecessary, manmade disaster.

Standing up for the children of this country is not a Republican or a Democratic issue, and I hope that today we show the American people that we can come together at times of crisis. This is common ground on which we can stand together and stand up for the people and children of Flint.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I see that the distinguished Senator from Alaska has come to the floor as the manager of the bill. I have a statement I wish to give, but I didn't know if she needed to say something.

Mr. President, I rise today to add my heartfelt and impassioned voice to call for action to help the people who live in Flint, MI, with this emergency situation. We have to be in it to deal with the emergency today and the long haul for tomorrow.

This is of catastrophic, almost Armageddon, proportion. An American city has been poisoned because of a situation that has been self-induced and self-inflicted. What is happening in Flint, MI, is appalling. It is a tragedy, it is a disgrace, and it will be for a long time. We need to fix the pipes right away, but the fixing of human beings is going to take a long, long time.

Let's get real. We are now bogged down in parliamentary inertia. We are now bogged down in Washington wonky budgetary talk: Where are the offsets?

What is this? What is this? Are we human beings? We take an oath to defend the Constitution against all enemies, foreign and domestic, but sometimes an enemy is a tragedy. It can come from—God knows—a hurricane or tornado, and we rush in to help. If this had been a terrorist attack, oh, my gosh, we would be willing to go to war to defend America. Well, we need to go to the edge of our chair to help Flint. My gosh.

The Senators from Michigan are looking for \$400 million. That is no small amount of money, but I bring to my colleague's attention that it is the price of four F-35s—four F-35s that are supposed to protect America. Good for that. But right now I think the people of Michigan would say they would like to have the help they need. If we are talking about a threat to the people, the threat is here.

Now, where are we? We have to deal with this. I am the vice chair of the Appropriations Committee. I say to my colleagues: Guess what, gang. All this budgetary stuff, all the battles with sequester and so on—we have only \$800 million for safe drinking water, less than \$1 billion. Flint today is asking for \$400 million. We know it is a down payment. I say to my colleagues from Michigan, this could happen to any State. It could happen to any State because our infrastructure is not only aging in place, it is becoming dysfunctional in place and it is becoming dangerous in place—\$800 million.

Senators STABENOW and PETERS have already shared horror stories. Gosh, they have done a great job speaking up for the people. I really compliment their advocacy. But we are all Flint. We are all Flint. The facts will speak for themselves as we talk about how the Flint water is contaminated because its pipes are permanently damaged. I understand that replacing Flint's corroded water infrastructure will cost anywhere from \$700 million to \$1.5 billion—approximately 500 miles of old iron pipe and thousands of lead service lines.

It is an untold, big cost, but I am going to speak about the children. I am going to speak about the people. My gosh, what are you going through? I don't know how you can run a family. Well, you can't run a family on bottled water. You can't run a business on bottled water. You can't run a city on bottled water. I don't know how you wash. I don't know how you take care of your children. I wouldn't go anywhere in Flint unless I personally prepared my food or washed my clothes or saw what I was doing. I would be scared to death. I bet those parents are too. And what are we afraid of? We need to get there.

Now I am going to talk about the children and the human cost. I say to my colleagues, both from Michigan and here, Senator CARDIN and I know a lot about lead poisoning. We have been

through really difficult problems in Baltimore because of lead paint poisoning and the legacy of paint used during World War II. We know what it does. It lowers IQs. It causes significant developmental delays. There are behavioral issues, including attention deficit disorder. It is a lifetime; that little boy or girl at 6 years old, God willing that they live to their 80s, they are going to carry this in their blood unless there are incredible medical breakthroughs for the rest of their lives. Senator STABENOW and I have discussed possible medical breakthroughs, but, gosh, we have to get on it. We have to get on it. Again, the effects of poisoning could take a lifetime.

What I know about lead paint in Baltimore goes back to my days in city council where the paint was poisonous. They were coming into Johns Hopkins and the University of Maryland Medical Center, kids just so sick. I remember the story about a little boy who was so weak that on his way to school he lay down in the middle of the street. He was so depleted because of the consequences of lead paint.

That is why I support the Stabenow amendment to provide \$800 million in loans and grants and also to provide about \$20 million to HHS to bring together the best thinking to have the best responses to the human infrastructure.

I have worked on this issue for a long time, going back to Senator Kit Bond, my pal and partner when we had the old VA-HUD Appropriations Subcommittee. Senator Bond was a real champion on this. There can be a bipartisan solution. Let's make it an American solution. This isn't about "you," and it is not about "Democrats." It is about "us."

As vice chair of the Appropriations Committee, I certainly want to work with my colleagues on how we can do this. But let's get the lead out of the pipes, let's get the lead out of the water, let's get the lead out of the way the Senate has functioned and move to make a down payment on this.

Mr. President, I really want us to understand we have to solve this problem.

I will conclude with this. I just want to say something to the mothers of America: We need you right now. The mothers of Flint need you. The mothers of Flint need you. The fathers of Flint need you. The mothers and fathers of Flint need you. If you are a mother or father anywhere, you could be a mother or father in Flint. Let's organize ourselves in the most effective way to solve this problem, and let's begin to heal the critical infrastructure so we begin to prevent this from happening in any other American city.

Mr. President, today I wish to support an amendment filed by my friend and colleague Senator COLLINS that would require the Department of En-

ergy to identify a mitigation strategy to help protect our critical infrastructure in the electric sector from a catastrophic cyber attack. When it comes to our national security, there is no such thing as partisanship, and we have to work together on a bipartisan basis to ensure our Nation is safe and protected. We need to act, and we need to act in the defense of the United States of America. The Senate has a great opportunity today to pass an amendment to help protect and defend our Nation's critical infrastructure from a devastating cyber attack.

What do I mean by critical infrastructure? It is our electric power grid, our financial services, our water supplies, those things that are the bread and butter of keeping America, its business, and its families going. These are entities that are vital to the safety, health, and economic well-being of the American people; so we need to do our part to help keep our critical infrastructure hardened and resilient against attack.

You don't have to be a science fiction enthusiast to understand how devastating an attack that disabled our power grid would be—millions without power. I am not worried that we will have to put away our iPhones; I am worried about vulnerable populations lacking heat in the dead of winter, about emergency responders who can't get calls, and about patients who need power for lifesaving medical devices.

The possibility of an attack on our power grid is not far-fetched. We know that there are already attacks going on in our energy sector. The committee report accompanying this bill notes that one-third of reported cyber attacks involve the energy sector.

But not only do I worry about an attack, I equally worry about our inertia, where we do nothing. I bring to the attention of the Senate that Jim Clapper, the Director of National Intelligence, testified that the No. 1 cyber concern he has is an attack on our Nation's critical infrastructure, saying the greatest threat facing our country was in the cyber domain. His testimony is backed up by several intrusions into the industrial control systems of critical infrastructure, which are the computers that control operations of industrial processes, including energy plants. Just a couple of weeks ago, Marty Edwards, who runs the Department of Homeland Security's Industrial Control Systems Cyber Emergency Response Team, warned that he had seen an increase in attacks over the past year, saying systems are vulnerable because they are exposed to the Internet.

Admiral Rogers, the Director of the National Security Agency, with responsibility for cyber space, testified in a hearing this summer that our country was at a "5 or 6" in preparedness for a cyber attack against our critical infrastructure.

In November 2015, Richard Ledgett, the Deputy Director of the NSA, was asked if foreign actors already have the capability to shut down key U.S. infrastructure during a CNN interview, such as the financial sector, national gas distribution and energy sector, transportation network, and air traffic control system. His response was “Absolutely.”

We don’t want a digital Pearl Harbor. We can act now. We can act when it is within our power to protect, defend, and deter these attacks. That is what I want. I want us to have a sense of urgency. If we wait for another major cyber attack, we risk overreacting, overregulating, overspending, and overlegislating. The time to act is now.

This amendment would take the commonsense approach of requiring the Federal agencies responsible for the cyber security of the electric grid to review those entities that matter most and to propose actions that can reduce the risk of a catastrophic attack that could cause thousands of deaths or a catastrophic blow to our economy and national defense.

Congress has missed opportunities to improve our Nation’s cyber preparedness, and we need to take action before a “cyber 9/11” occurs. Right now, our adversaries are watching us, and it looks like we are doing nothing—that when all is said and done, more gets said than gets done.

Our adversaries don’t have to spy on us. They can just look at the Senate floor and say, “What the heck are they doing?” You know what they are going to do? They are going to look at us and say, “There they go again.” Our own inability to pass legislation, our own partisan gridlock and deadlock emboldens our predatory enemies who know we have done nothing to strengthen vulnerable critical infrastructure by putting in place those hardened, resilient systems and policies to protect, defend, and deter.

A cyber attack has the same intent as a traditional terrorist attack—to create chaos, to create civil instability, and to create economic catastrophe. Just think about a cyber attack in which our grid goes down. Think of a blackout in New York. Think of a blackout in Baltimore. When the Senate, at my urging, did the cyber exercise on what an attack would look like on our critical infrastructure, it showed what would happen. The stoplights go down, the lights go out in the hospitals, and the respirators go off. Business shuts down. Commerce shuts down, and 9-1-1 shuts down. America would be shut down, and we would be powerless and impotent to put it back on in any quick and expeditious manner.

This happened in Ukraine in December 2015. Ukrainians lost power in what the U.S. Department of Homeland Security and Ukrainian authorities as-

sessed was a cyber attack. The attack caused a blackout for tens of thousands of people, and industry experts identified this as the first-known power outage caused by a cyber attack. This is no longer a theoretical risk; it is here, and it is real.

Think of the chaos of no electricity. We will all go through blackouts. Snowzilla roared through the east coast last week leaving hundreds of thousands without power. No matter how delayed Pepco, BG&E, and Dominion were at responding, they got it back on.

But what happens if they can’t get it back on? What happens if they can’t get it back on for weeks or longer? Remember, the attack is to humiliate, intimidate, and cripple. Humiliate? Making us look powerless. Intimidate? To show there is this power that can cripple our functioning as a society. I find it chilling.

I have been immersed in cyber issues since I was elected to the Senate. Our cyber warriors at the National Security Agency are in Maryland, and I have been working with the NSA to ensure signals intelligence was a national security focus even before cyber was a method of warfare. In my role on the Intelligence Committee, I served on the Cyber Working Group, which developed findings to guide Congress on getting cyber governance right, protecting civil liberties, and improving the cyber workforce.

As vice chairwoman of the Appropriations Committee, I have insisted on a robust cyber budget and fought to increase our cyber security investments in the fiscal year 2016 Omnibus to keep us safe, putting funds in the Federal checkbook for critical cyber security agencies on the order of \$12 billion. These include the Federal Bureau of Investigation, which investigates cyber crime; the Department of Homeland Security, which safeguards critical infrastructure in cyber space; the Department of Defense, or DoD, which defends our homeland, national interests, and DoD networks against cyber attacks and includes intelligence and cyber agencies, like the National Security Agency, U.S. Cyber Command, the Central Intelligence Agency, and Intelligence Advanced Research Projects Activity, which are coming up with the new ideas to keep our country safe; the National Institute of Standards and Technology, which works with the private sector to develop standards for cyber security technology; and the National Science Foundation, which researches ways to secure our Nation. These funds are critical to building the workforce and providing the technology and resources to make our cyber security smarter, safer, and more secure.

Good people in this body have been working on both sides of the aisle for some time now. So I conclude my re-

marks by saying to my colleagues on both sides of the aisle: Let’s do what we need to do to protect and defend the United States of America and adopt this amendment now. Working together, we can make our Nation safer and stronger and show the American people we can cooperate to get an important job done.

Mr. President, I yield the floor.

Mr. TESTER. Mr. President, I would like to speak about the Energy Policy Modernization Act that we have been considering on the Senate floor.

This bill has a lot of good things in it. It includes provisions to support a wide array of energy technologies, from improving conventional energy sources to promoting renewables to advancing long-overdue policies to increase energy efficiency. It supports energy infrastructure, which is critical for energy exporting States like Montana. It includes specific provisions that I have worked on to promote geothermal development, and I thank Chairman MURKOWSKI and Ranking Member CANTWELL for including them. In the course of this debate, we have adopted amendments to boost research and development overall and to clarify policies to recognize the value of energy development from forest biomass. I am also hopeful we will also be able to add provisions from the Public Lands Renewable Energy Development Act that I have championed for years.

Furthermore, this bill includes permanent reauthorization of the land and water conservation fund with my making public lands public provision to increase access to our public lands for hunters, fishers, and others who want to enjoy them. Although it does not provide the money to fully fund the LWCF, a permanent authorization would help us avoid letting the fund lapse, as it did last fall for over 2 months. It also invests in our national parks as we celebrate the centennial year of the Park Service. Though I may not agree with everything in the bill, these provisions I have highlighted are tremendously important to Montana.

But we are also in the midst of a developing environmental catastrophe. The people of Flint, MI, including as many as 9,000 children, have been exposed to lead-contaminated water for a prolonged period due to decisions made by the State of Michigan in the interest of saving money. A generation of kids in this community could see lifelong effects from a completely avoidable and manmade disaster. As we know all too well in Montana, clean water is far more valuable than money. It is completely unacceptable that this has happened.

In Montana, there are places where we are still living with the legacy of environmental pollution. In Butte, Anaconda, Libby, and elsewhere, long-term cleanups continue from mining

development, industrial activities, and the tragedy of widespread asbestos use. The human health costs of these disasters have been tremendous. We must not stand by and watch another community and more kids be affected by manmade disasters without stepping in to help. If we have a chance to stop this particular catastrophe before it gets any worse, we ought to. We have to.

And that is why I am disappointed that we are not currently able to provide meaningful and immediate assistance to help fix the pipes and address broader impacts. I hope we can figure out how to pass this bill. Let's stay on this bill, let's find a way to do right by folks in Flint, and let's pass this bill.

AMENDMENT NO. 3140, AS MODIFIED

Mr. President, I want to speak briefly about a bipartisan amendment offered by Senator COLLINS that was adopted this week. I support this amendment to help bolster forest biomass in our renewable energy portfolio and provide consistency across Federal programs. Our Nation has long depended on the flow of wood and fiber from our forests. Now, we are recognizing the role of forest biomass in lowering our carbon emissions and increasing our energy independence. When harvested sustainably, the carbon benefits of forest biomass can be great. Carbon emitted to the atmosphere from forest biomass is eventually removed again with forest growth, and this cycle can happen again and again.

Forest biomass is also good for jobs, particularly in rural communities. Recognizing the carbon benefits of forest biomass can increase its value. This will help keep our Nation's forests healthy by making it economically feasible to conduct forest health treatments and reduce hazardous fuels that threaten our communities. It will also help the timber industry by allowing them to use more wood that would otherwise be wasted.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, the Energy Committee has worked really hard over the past year to develop the broad bipartisan energy legislation that is before us. Members in both parties focused on areas of common ground, worked across the aisle, and developed legislation that ultimately earned the support of more than 80 percent of their colleagues, Republicans and Democrats alike.

Here is what some of our Democratic friends have had to say about the broad bipartisan Energy Policy Modernization Act.

The junior Senator from New Mexico said this bill "is critical to protecting" his State's "treasured public lands and outdoor heritage."

The junior Senator from Minnesota pointed out that "several key measures" he wrote are in this bill and that

this bill represents "a good step" forward.

The junior Senator from Hawaii noted that her proposals in the bill "will bolster energy reliability and security" in her State.

The senior Senator from West Virginia said he was able to include "critical measures" in the bill to help coal jobs and low-cost electricity in his State. "It is critical for America to establish an all-of-the-above energy portfolio that includes all of our domestic resources," he said, and, "I truly believe that this bipartisan bill will bring us one step closer to achieving U.S. energy independence." That is the senior Senator from West Virginia, a Democrat.

The top Democrat on the Energy Committee said:

If we want to continue to compete in th[e] global economy, we must continue to improve energy productivity and that is exactly what this bill does. The Energy Policy Modernization Act will help ensure that the nation is eliminating energy wastage and making improvements in new technologies that will improve our competitiveness for the 21st century.

That was the ranking Democrat on the Energy Committee. She worked hard with Senator MURKOWSKI on the Energy Committee to develop this bill, and they have worked together to manage it here on the floor as well. Under their leadership, more than 30 amendments from both Democrats and Republicans have already been adopted.

For example, one of our Democratic friends offered an amendment that he said would "strengthen this bipartisan energy bill and help us move towards a 21st century economy." The Senate adopted it.

Another of our Democratic friends said his amendment would "empower us with knowledge" and help us "make informed decisions to protect consumers, key sectors of our economy and our energy security." The Senate adopted that amendment too.

There is a lot for both parties to like in this bill. The Energy Policy Modernization Act is the result of a year's worth of constructive and collaborative work. So let's not risk that progress. Let's keep working together and vote today to advance this measure. If we want to help Americans produce more energy, let's vote to advance the measure. If we want to help Americans pay less for energy, let's vote to advance it. If we want to help Americans save energy, let's vote to advance it. And if we want to help bolster our country's long-term national security, one more time, let's vote to advance it.

I would note one more thing the top Democrat on the Energy Committee recently said: "Sometimes we can be cynical about this place and what we can get done; then, all of a sudden, we have a great opportunity to move something forward."

She continued:

This is a milestone for the Senate. The fact that we are considering energy policy legislation on the Senate floor in a bipartisan bill, or any bill, for the first time since 2007 is a tremendous milestone.

That is the ranking Democrat on the Energy Committee.

So let's bring this bill to the finish line. Let's vote to bring America's energy policies in line with today's demands so we can prepare for tomorrow's opportunities too.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I also want to, as I did before, commend those working on this bill, and I share the majority leader's feeling that a lot of positive progress has been made. We are just not done yet. So while I commend, and have commended, the chair and the ranking member, we have important issues and an energy bill that deals with energy, water, and all kinds of issues. Certainly addressing what is happening in Flint, MI, with the catastrophe is appropriate. We just want to know that we have an agreement—not vote, but an agreement—to get this done.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate the comments from my colleagues raising attention to the issue in Flint, MI. I think we have had good, constructive discussions, not only very intensely yesterday, but working with the two Senators from Michigan on this issue for several months right now. As the Senator said, the discussions are still ongoing, and I want to speak to where we are in that process.

I would like to start my comments this morning by recognizing that we are very close to the time that has been set for this first cloture vote on this broad bipartisan bill.

As we approach it, I want to follow on the majority leader's comments in terms of reminding Members of what we have incorporated within this measure, to reiterate the strong bipartisan support that our bill has drawn, and to lay out what I believe is our best path to final passage.

This Energy Policy Modernization Act, as I have mentioned, is more than a year's worth of hard work by those of us who serve on the Energy and Natural Resources Committee, it has been the result of Member-to-Member conversations, listening sessions, legislative hearings, bipartisan negotiations, and then we had a marathon 3-day markup in July. At the end of that markup, we moved it out by a vote of 18-to-4. It was pretty strong support—10 Republicans and 8 Democrats in favor.

The reason the bill passed out of the committee on such a strong bipartisan basis was not just because of our commitment to good process. We matched

that with an equal commitment to good policy. I think that is important to recognize. It was processed, but it was also policy.

We worked together to include the priorities from Members of both sides of the aisle as well as from within the committee and outside of the committee. We agreed to include a bill to streamline LNG exports that was written by Senator BARRASSO and 17 other bipartisan Members. We agreed to include a major efficiency bill headed up by Senators PORTMAN and SHAHEEN and 13 other bipartisan Members. We agreed to improve our mineral security, an effort that I have led with Senators RISCH, HELLER and CRAPO. We agreed to promote the use of hydro-power, a clean renewable resource that is favored by almost everybody in this Chamber. We agreed to expedite the permitting of natural gas pipelines without sacrificing any environmental review or public participation. This was an effort that was led by Senator CAPITO.

We agreed to a new oil and gas permitting pilot program, one of several ideas that Senator HOEVEN contributed. We took up a proposal from Senator COLLINS to boost the efficiency of schools. We agreed to approve our Nation's cyber security based on legislation from Senator RISCH and Senator HEINRICH. We also made innovation a key priority to promote the development of new technologies. As part of that, we agreed to reauthorize many of the energy-related portions of the America COMPETES Act, thanks to the leadership of Senator ALEXANDER. We agreed to take commonsense steps to promote geothermal energy, which is a key issue to Senator WYDEN, certainly myself, and so many others. We agreed to promote vehicle innovation based on a bipartisan measure from Senator ALEXANDER and our friends from Michigan, Senator PETERS, Senator STABENOW. We agreed to reauthorize the coal R&D program at the Department of Energy based on yet another bipartisan proposal from Senators MANCHIN, CAPITO, and PORTMAN.

In the context of our broader bill—and only in the context of the broader bill—we also agreed to reauthorize and reform the Land and Water Conservation Fund. What we came away with was a good, timely bipartisan measure that has a very real chance of being the first Energy bill to be signed into law in over 8 years. It is a measure that will help America produce more energy. It will help Americans save money, and it will help ensure that the energy can be transported from where it is produced to where it is needed. It will bolster our Nation's status as the best innovator in the world, something we should all aim to support. It will boost our economy, especially our manufacturers, and it will cement our status as a global energy superpower.

As I said, it does all of this without raising taxes, without imposing any new mandates, and without adding to the Federal deficit. I think because of all of that, that is why you have seen the good, strong support for this measure. That was our base bill. That was where we started. When we came to the floor, it got better. Our starting point at the Senate floor was good and strong. Since we have taken up the debate for a week now, we have continued to work in a very open, very bipartisan, sometimes a little bit lengthy and tedious process, but it works.

We committed to an open amendment process and most Members have held back on, whether you call them gotchas or gimmies or poison pills, but there has been a great deal of cooperation. We voted on 38 amendments now. We have accepted 32 of the 38. We have added even more good ideas from even more Members to an already bipartisan bill.

I will recount a few of the things we have done with that. We agreed to boost our Nation's efforts to develop advanced nuclear technologies. This was a great amendment led by Senators CRAPO, WHITEHOUSE, RISCH, BOOKER, HATCH, KIRK, and DURBIN. We voiced our strong support for carbon capture and utilization storage technologies thanks to an idea from Senators HEITKAMP, CAPITO, BOOKER, WHITEHOUSE, MANCHIN, BLUNT, and FRANKEN. We have reaffirmed the need for consistent Federal policies that recognize the carbon neutrality of forest biomass. This was an effort that was championed by Senators COLLINS, KLOBUCHAR, AYOTTE, KING, FRANKEN, DAINES, CRAPO, and RISCH.

You do not often see these large groups of Senators coming together in a way that we have seen on this bill. Some would look at the names I read off and say: I did not know that they had anything to work on. But these issues have brought them together. This truly has been a team effort, with Members reaching out to one another, lining up behind each other's ideas, working with Senator CANTWELL and me to ensure their adoption.

The best proof of that is simple review of our bill. Right now the Energy Policy Modernization Act includes priorities sponsored or cosponsored by at least 62 Members of the Senate. When was the last time we saw that level of cooperation and collaboration? Think about it. More than three-fifths of the Senate has contributed something to this Energy bill, and we are not done processing amendments yet. My staff and the staff of Senator CANTWELL have been comparing notes about the feedback we have been getting outside the Chamber. What we found is that from the very time we started working through the committee process to our time on the Senate floor, a very wide range of individuals, businesses, groups

have come out and supported the bill or certainly pieces of it. We have had provisions endorsed by major associations whose membership account for hundreds of companies and millions of American workers. This includes the U.S. Chamber of Commerce, American Chemistry Council, National Electrical Manufacturers Association, the Alliance of Automobile. We have also heard from labor groups—North America's Building Trades Union, the United Autoworkers, the United Brotherhood of Carpenters. They have all weighed in with support for ideas that are included within the bill.

We have a huge coalition from the Alliance to Save Energy to Seattle City Light that has welcomed the work we are doing on efficiency. I have gotten good, strong support from Alaskans from our Department of Natural Resources, the Alaska Power Association, the Bristol Bay Native Corporation, Cordova Electric Cooperative, and a whole lot more. As you might expect, we have also received great encouragement from the people who keep the lights on, who keep our fuel affordable, who help produce the materials that make modern life that much more enjoyable—whether it is the National Mining Association, American Exploration & Mining, the Business Council for Sustainable Energy, American Public Power Association, Edison Electric, and others.

The reality is, those who have weighed in, in support of this measure are too many to name this morning, but that is a good problem to have when you are legislating that you have run out of time in outlining the coalitions that have come together in support.

So that I do not get into any trouble this morning, I want to be clear that many of the groups and the entities I have listed have endorsed parts of the bill, not all of it. I am not suggesting that everyone who likes our work to streamline LNG Exports is automatically supportive of what we are doing to clean up the U.S. Code. That is entirely fair. Not everything in this is going to appeal to everyone.

In a lot of ways, that is how things work in a place like the Senate. Not everyone likes every provision of this bill. I do not like every provision of this bill. Not everyone is getting everything they want. It is pretty tough to find a situation where you get 100 percent of everything you would want. This is not the bill I would have written on my own, but it is the bill we have written together first as a committee of 22 and now as a Senate working together.

Our work has produced a good bill, a good bill worth debating, worth advancing, and worth passing. That brings us to the point where we are with the cloture vote we will soon take. This vote is on the first of two

cloture motions we will need to approve before we can move to final passage.

There are two votes. There is one on the substitute amendment, and there is one on the underlying bill. This means this vote we will see very shortly is a means to advance debate, not to conclude it, on our Energy Policy Modernization Energy Act. It is also a choice. I think it is important to lay out clearly to Members where we are, what we are voting on this morning.

By voting for cloture, Members will be ensuring that we remain on this bill for at least another 30 hours of legislative activity. You will be voting to continue this process, to continue this debate, and to continue processing amendments whether by voice, as we have done so many of them, or by roll-call vote that we hope to set up. You will also be giving us the time we need to focus on matters that are simply not settled yet.

As we have heard from our colleagues from Michigan, there are some matters they wish to have resolved that are not yet settled, but this allows us that time to do that but to do this in a way that is going to be acceptable to the majority of our Members. The reality is, if you are not comfortable with where we are 30 hours from now, you can still vote against the next cloture motion that comes up. That is one choice, and that is going to be my choice. Here is the other: If you vote against cloture, you will be effectively voting not to prolong debate but to move us off this bipartisan bill. You will be voting to effectively be giving up on so much of what we have done, a year of process, agreement on almost 50 Energy bills that we have incorporated into this base bill, and the strong approval of 32 separate amendments and counting that we have advanced through the floor.

I believe you will be voting to give up our best opportunity—certainly our most immediate opportunity—to address the issue to help the people of Flint, MI, and in other parts of the country that may have similar issues. Every time I leave the Senate floor—at least this past week—I am swarmed by reporters who want to know what is going on, what is the latest discussion. What is going to happen with Flint? Is Flint going to bring this bill down?

This morning I want to speak directly to this to let Members know what has gone on because we were not out here on the floor all day yesterday hashing things back and forth. We have been discussing very earnestly, and I believe very constructively, what our options are, how we can find a path forward that will yield a result, not just send a message but yield a result to help the people in Flint, MI.

The first thing I will say is that I share the concern, the heartbreak for what the people of Flint, MI, have

faced and are facing. It is a crisis. It is a tragedy. It is heartbreakingly avoidable. Unfortunately, we look at how we got here, and it is a failure of local, State, and Federal Governments to regulate and monitor that city's water supply.

What has happened in Flint has hurt people. It is hurting children. It has damaged property. It has left families in a horrible predicament, through no fault of their own, where they cannot drink their tapwater, they cannot bathe their children. There is plenty of blame to go around here. I know my colleagues from Michigan would agree with me, but our job in the U.S. Senate is not to play this blame game. It is to own up to what that Federal role is because I believe there is that Federal role, and then on that basis do what we can to help and make sure that our response is proportionate to that role. So why then consider all of this in the context of an energy bill, you might ask, and it is a fair and legitimate question. Well, it is because this is the first piece of legislation that is on the floor since the extent of the crisis in Flint became clear to us.

Senator STABENOW and I began discussions about the situation in Flint in very early December as we were trying to move through an omnibus bill to see if there was not something we might be able to address through the appropriations bill. Since that time, again, more has been learned, and we are here today with legislation that gives us an opportunity to consider it.

I did not shy away from this discussion, as hard it was. I did not say: Hey, that is going to be a poison pill. I cannot deal with it. I said: Let us try to figure this out because if we do not address the situation, it is not going to go away. We have a role here. Let us figure out what that responsibility is, and let us engage in this conversation.

Senator CANTWELL and I have been fully engaged, most directly with the Senators in Michigan, trying to find a responsible path forward. The negotiations have been earnest, in good faith, and ongoing, but I think that there has been a little bit of confusion about the status of the negotiations. I want to outline where I believe we are right now.

We have made headway on Federal assistance—something that we know cannot be borne by our Energy bill alone. We have found programs that could be good fits to provide aid.

We also recognize that this is not Flint's burden alone, but there are other communities in other States, including my State, that face similar crises as a result of government failures. We hear about them as Members and talk about these situations. I believe the Senator from Maryland used the phrase "We are all Flint." I think we all have situations—maybe not to the crisis proportion that they have in

Michigan right now, where they needed a Presidential declaration, but we all recognize that we all have issues that are troubling us a great deal when it comes to how we provide safe drinking water for our families.

Our problem is not about whether we should offset the cost of this assistance; it is how we do so in a manner that does not destroy the underlying Energy bill and does not violate the Constitution or the rules we have here in the Senate. I made myself very clear when we began, at the outset of the debate on this measure, that we have to make sure we do not have scoring issues with CBO, and we have to make sure there are no blue slip issues because that would kill the bill, and then where would we be? Then nobody would win in that scenario. In that scenario we would end up with no energy bill and nothing to address the situation in Flint.

This morning I filed a second-degree amendment to provide support for the people of Flint. My amendment will make up to \$550 million available, including \$50 million which will be made immediately available for the people of Flint. What we are seeking to do here is bridge the gap between what has been proposed and what I believe the Senate can agree to. It requires that 90 percent of the money we provide be paid back over time. Its cost is fully offset with a pay-for that we have been working on back and forth with CBO and are confident that they will accept. It includes provisions—and we have been working with the Senators from Michigan on this issue—as they relate to EPA notification and a loan forgiveness, language that I think has been in different iterations of measures that have been going forward. I am told that the House is looking at that as well.

That is where we are at this time as we are going into a cloture motion. I believe we have made progress. We are working constructively to help the people of Flint, and what this second-degree amendment would do is make \$550 million available to them. It has been challenging. We have done a lot of hard work to get to this point, but I think we owe it to every American, whether you are in Flint or somewhere else, to do that work and overcome that challenge.

We have gotten to where we are in the discussion. Again, we have the cloture motion going forward. We have been trying to make good progress. We have been trying to conduct an open and fair amendment process. We want to process more amendments this morning so that we can move to complete the bill.

Mr. President, at this time I ask unanimous consent that it be in order to call up the following amendments and make them pending, and that is Stabenow amendment No. 3129; Murkowski second-degree on Flint, amendment No. 3282; Cantwell amendment

No. 3242; Flake amendment No. 3055; Flake amendment No. 3050; Murkowski-Cantwell amendment No. 3234; Isakson amendment No. 3202; Markey amendment No. 3232; and Cassidy amendment No. 3192.

The PRESIDING OFFICER. Is there objection?

The Senator from Michigan.

Ms. STABENOW. Mr. President, reserving the right to object. I first want to thank the chair. She lists a lot of bipartisan efforts that have gone on. I know a lot of work has been done, but nowhere in that list have the needs of the folks of Flint been addressed, including the children.

The PRESIDING OFFICER. The Senator will state her objection.

Ms. STABENOW. Mr. President, we want to get this solved and not just have votes that go down.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CORNYN. Mr. President, I ask through the Chair if the chairman of the Energy Committee will yield for a question.

Ms. MURKOWSKI. Certainly.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, the chairman of the Energy Committee has done tremendous work with the ranking member, Senator CANTWELL, to try to find some way to address the legitimate concerns we all share and have with what has happened in Flint, but I want to clarify some basic facts. I wish to ask for a comment or answer from the distinguished Senator from Alaska.

Isn't it true that there is not yet a comprehensive assessment and plan in place by the State of Michigan or Flint as to how they might even spend this money at this point to address their concerns about lead in the water supply in Flint?

Ms. MURKOWSKI. It is my understanding that there is an assessment and analysis that is due out, I believe, toward the end of next week. The State has been working aggressively to determine the costs, as well as how they would move forward with an action plan. That is my understanding.

Mr. CORNYN. Mr. President, if the Senator will yield for another question.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Since there is no plan announced yet, or in place, it strikes me as putting the cart before the horse to say that the Senate ought to vote on a \$600 million emergency appropriations deal to pay for a plan that has not yet been created or disclosed to the American people.

I ask the Senator through the Chair, isn't it a fact that the State itself has already appropriated \$40 million to deal with this issue on an emergency basis and the Obama administration has made available another \$80 million

through the EPA that is available to the State of Michigan to help Flint deal with this problem, so a total of roughly \$120 million has already been made available?

Ms. MURKOWSKI. I cannot speak to the accuracy of exactly how much has been made available to the State. It is my understanding that the State has received, through the EPA, the State's annual receipts from the EPA's clean water fund. I do not know if that is specific to Flint or whether that is the State's share, as the State of Texas receives and the State of Alaska receives. It is my understanding that the President did make that announcement.

Ms. STABENOW. Mr. President, might I ask the Senator to yield for a question so we can share the information?

Mr. CORNYN. Mr. President, the Senator is out of order.

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. CORNYN. Mr. President, I ask the Senator from Alaska if she would yield for one last question on topic.

The PRESIDING OFFICER. Will the Senator yield for a question?

Ms. MURKOWSKI. Yes.

Mr. CORNYN. Isn't it true that the Senators from Michigan made this demand for a \$600 million earmark before a plan was actually put together by the State of Michigan or the city of Flint—either to analyze the problem or what the solution might look like and how much it might cost—and that the Senator from Alaska, in her capacity as the bill manager, has made an effort to come up with some compromises? In fact, I believe the Senator from Alaska mentioned a compromise that would include upfront funds of \$50 million plus a loan, in effect, that would be paid back over time.

I ask the Senator, doesn't it make sense—because there is no plan in place and because there is money already available for Flint and Michigan to begin to address this problem—for us to take our time and handle any additional requests for funding from Flint or Michigan through the regular appropriations process? I believe the Senator is the chair of the subcommittee that has jurisdiction over these issues, and I am just wondering whether that wouldn't be a more orderly, responsible process than a \$600 million earmark before a plan is even in place.

Ms. MURKOWSKI. Well, to answer the Senator's question, I have been working aggressively and constructively with the Senators from Michigan to try to figure out how we can provide for a level of response. I do not doubt the anxiety and urgency the people in Flint must feel. This is a difficult situation to be in, and it is not a situation that any of us would want any of our constituents to be in. I think there is an imperative from

those who are seeking this assistance that—given that there is a Federal role, how can we help to facilitate the appropriate response on the Federal side? If there is a way to help expedite funding to move toward a solution, I think that is appropriate.

I think the Senator's question is, Are we jumping ahead here if we do not know how much? I think it is fair to say that the original estimates were based on the disaster declaration the State had requested. I think it is going to be critical that we understand what the costs will be, and hopefully we will learn about that next week. I know they have been working aggressively to determine that.

We also need to know what the spend plan is because we saw what happened with the stimulus. You can almost get too much money—if that is possible—going in, and you cannot spend it in the way it is best needed. I think we want to be thoughtful and responsible stewards of the taxpayers' dollars in recognizing that, and I think we want to also recognize that the role we have ought to be a proportionate role, and how we can be working to advance that is something we have been attempting to do.

Ms. STABENOW. Will the chair yield for a question?

Ms. MURKOWSKI. In a moment.

The solution I have put down this morning is one that I think recognizes that there is assistance that is needed, and this is where the opportunity to access loans through the WIFIA Program that will be available not only to the State of Michigan but to other States should they be in a similar situation—so that avoids the earmark. Because I, too, want to make sure we have a situation where we do not allow this to continue in Michigan, but we also do not want to see it in other States as well. So we do that through opportunities for loans through WIFIA. But the direct assistance, which would be \$50 million in addition to whatever may be out there already from the EPA and through the State, I think is a reasonable approach. Again, it is one that is legitimately paid for, and I think that is an important part of our responsibility here, as well as to make sure we not only address the urgency of the situation but also the responsibility we have not only to the people of Flint but to all of our constituencies.

Mr. President, if I could just conclude, and then I will yield.

The PRESIDING OFFICER. All time for debate has expired.

Ms. STABENOW. Will the distinguished leader yield for a question? I have been asking for the opportunity to ask a question, and I ask unanimous consent to ask a question.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Is the chair aware that the dollars we have asked for require a comprehensive plan from the

State and that at this point only \$28 million—most going to health—has been allocated to the State?

Ms. MURKOWSKI. Through the Chair, I am aware that what you have required, as well as what we have been working on jointly, does require an action plan that describes the spend-down and how that would be allocated. It is my understanding that it will be very helpful to have that analysis from the State. That will be forthcoming—hopefully, next week.

Ms. STABENOW. I will be happy to continue the discussion.

I thank the Chair.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 2953, the substitute amendment to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Cory Gardner, Mike Crapo, John Cornyn, John Barrasso, Steve Daines, Richard Burr, Bill Cassidy, Pat Roberts, John Hoeven, Shelley Moore Capito, John Thune, James E. Risch, Lamar Alexander, John McCain, Rob Portman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 2953, as amended, offered by the Senator from Alaska, Ms. MURKOWSKI, to S. 2012, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. WHITEHOUSE (when his name was called). Present.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 50, as follows:

[Rollcall Vote No. 16 Leg.]

YEAS—46

Alexander	Daines	Hoeven
Barrasso	Donnelly	Inhofe
Blunt	Enzi	Isakson
Capito	Ernst	Johnson
Cassidy	Fischer	Kaine
Coats	Gardner	King
Cochran	Graham	Kirk
Collins	Grassley	Manchin
Corker	Hatch	McCain
Cornyn	Heitkamp	Moran
Crapo	Heller	Murkowski

Perdue	Sessions	Tillis
Portman	Shaheen	Vitter
Risch	Shelby	Wicker
Roberts	Sullivan	
Rounds	Thune	

NAYS—50

Ayotte	Flake	Nelson
Baldwin	Franken	Paul
Bennet	Gillibrand	Peters
Blumenthal	Heinrich	Reed
Booker	Hirono	Reid
Boozman	Klobuchar	Sasse
Boxer	Lankford	Schatz
Brown	Leahy	Schumer
Burr	Lee	Scott
Cantwell	Markey	Stabenow
Cardin	McCaskill	Tester
Carper	McConnell	Toomey
Casey	Menendez	Udall
Coons	Merkley	Warner
Cotton	Mikulski	Warren
Durbin	Murphy	Wyden
Feinstein	Murray	

ANSWERED “PRESENT”—1

Whitehouse

NOT VOTING—3

Cruz	Rubio	Sanders
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The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 50. One Senator responded “present.”

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 218, S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Cory Gardner, Mike Crapo, John Cornyn, John Barrasso, Steve Daines, Richard Burr, Bill Cassidy, Pat Roberts, John Hoeven, Shelley Moore Capito, John Thune, James E. Risch, Lamar Alexander, John McCain, Rob Portman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 43, nays 54, as follows:

[Rollcall Vote No. 17 Leg.]

YEAS—43

Alexander	Gardner	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Perdue
Capito	Hatch	Portman
Cassidy	Heitkamp	Roberts
Coats	Heller	Rounds
Cochran	Hoeven	Sessions
Collins	Inhofe	Shaheen
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Daines	Kaine	Thune
Donnelly	King	Tillis
Enzi	Kirk	Wicker
Ernst	Manchin	
Fischer	McCain	

NAYS—54

Ayotte	Flake	Paul
Baldwin	Franken	Peters
Bennet	Gillibrand	Reed
Blumenthal	Heinrich	Reid
Booker	Hirono	Risch
Boozman	Klobuchar	Sasse
Boxer	Lankford	Schatz
Brown	Leahy	Schumer
Burr	Lee	Scott
Cantwell	Markey	Stabenow
Cardin	McCaskill	Tester
Carper	McConnell	Toomey
Casey	Menendez	Udall
Coons	Merkley	Vitter
Cotton	Mikulski	Warner
Crapo	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Nelson	Wyden

NOT VOTING—3

Cruz	Rubio	Sanders
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The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 54.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. MCCONNELL. Madam President, I wish to say to my colleagues that Senator MURKOWSKI and Senator CANTWELL are going to continue to work over the weekend on the path forward. Hopefully, we will be able to salvage this important bipartisan legislation in the next few days.

In the meantime, the next vote will be at 5:30 p.m. on Monday.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority whip.

FLINT, MICHIGAN, WATER CRISIS

Mr. CORNYN. Madam President, I know there are others waiting to speak, and I will be brief. I want to

take a couple of minutes to reflect on what just happened on the Senate floor.

We had a bipartisan bill that was shepherded through the Energy Committee by the chair, Senator MURKOWSKI, and the ranking member, Senator CANTWELL. Because our colleagues from Michigan refused to take yes for an answer—objecting to a vote on their very amendment—the Democratic caucus has come together and brought down this bipartisan bill—killing it, at least for the time being.

I share the majority leader's hope that discussions can continue and cooler, more reasonable minds will prevail, rather than just the gamesmanship that, frankly, frustrates all of us and gives Congress a bad name. We know that the vote that just went down was not about the Energy bill. This was about trying to embarrass Republicans and to try to make us look bad and portray us as having no compassion for the poor people of Flint—which is exactly the opposite of true.

The fact is that Senator MURKOWSKI, who is the bill manager and chairman of the Energy Committee, made an offer for a vote on a \$550 million package—a \$550 million package. The Senator from Michigan has asked for a check for \$600 million, but Senator MURKOWSKI, in good faith, trying to be responsible, offered them an alternative of a \$550 million package, and they refused it, instead choosing to bring down this legislation.

I think it is important to note that the State of Michigan has already appropriated somewhere close to \$37 million, including funds specifically set aside for outside experts to conduct an infrastructure integrity study. The fact is, the State of Michigan and the city of Flint don't yet know what they need to do to fix the problem or how much it will cost, and the Senators from Michigan come in here and say: We don't need a plan. We just need cash upfront of \$600 million. We want this added to the national debt—which is already \$19 trillion.

I think the Senator from Alaska, the bill manager, made a very reasonable suggestion: Let the State and the city get started with the money that has been appropriated by the State, together with the tens of millions of dollars the Obama administration is making available to the State of Michigan that can then be available to the city of Flint to get started, to do the infrastructure integrity study, to come up with a plan. Then the Senators can come back to Congress—hopefully during the regular appropriations process—and come up with a responsible, shared plan for this local government, for the State government, and for the Federal Government to help the poor people of Flint out of this terrible crisis.

Instead, what we seem to have found happening is, in the immortal words of

Rahm Emanuel—now the mayor of Chicago, formerly chief of Staff of the White House—never let a crisis go to waste. That is what is happening here. It is not responsible. It is not reasonable. And I think Senator MURKOWSKI's counteroffer to the demands of the Senators from Michigan demonstrates it is not even a good-faith effort to try to solve the problem. It is just trying to put on a show vote and embarrass people.

We also need to understand that the Environmental Protection Agency bears significant responsibility. The Obama administration's Environmental Protection Agency failed the people of Flint when they didn't act sooner. We heard that one Agency director has already resigned.

But let me be clear. There is no disagreement that we all want to work together to help the people of Flint find a solution once we have more information about the needs of the city and the State of Michigan and they know exactly what kind of help they need and in what amount. What we disagree on is that this bipartisan Energy bill should be held hostage until we know the solution. Frankly, that is beyond frustrating. It is disappointing. It is not serving our constituents and the American people the way we should, in a responsible, commonsense, bipartisan way. This is all about gamesmanship. This is all about "gotcha." In other words, this is all about the things the American people have come to loathe and hate about the political process in Washington, DC.

We can do better. We must do better. And I share the majority leader's wish that negotiations continue and that cooler, more sensible minds come together on solutions that we can perhaps agree to.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Ms. KLOBUCHAR. Madam President, this is the fourth time I have come to the floor urging Senator CRUZ to remove his hold on these very important nominees for two of our best allies, the countries of Sweden and Norway.

Norway has been without a confirmed ambassador for 860 days. As we know, the first nominee withdrew, but many of these days have been filled up by the second nominee, who is not controversial—Sam Heins from the State of Minnesota—who made it through the committee without objection. In the case of Sweden, it has been 469 days since the President nominated Azita Raji to be ambassador.

There is no issue with these nominees. In fact, in the words of Senator COTTON from Arkansas, my Republican colleague, "I believe both [nominees]

are qualified . . . and we have significant interests in Scandinavia. My hope is that both nominees receive a vote in the Senate sooner than later." We know we have the support of Senator CORKER, the head of the Foreign Relations Committee. We thank Senator CARDIN for his support. We thank Majority Leader MCCONNELL. We thank Senator REID.

This vote is not a controversial vote. Senator CRUZ is not here to object. We understand Senator LEE is here on his behalf. But I would like to know why Senator CRUZ isn't here to object. I think I know why he isn't here to object—because he is in the State of my colleague Senator SHAHEEN.

We cannot hold up the business of the Senate like this. We have two nominees for two countries, the 11th and 12th biggest investors in the United States of America, Sweden and Norway. The country of Norway is the purchaser of 52 Lockheed fighter planes, 22 just ordered at \$200 million apiece, all made in Fort Worth, TX, the home State of Senator CRUZ.

These are allies who are taking in refugees by the thousands. These are allies who are at our side in the fight against Russia to stand up against their aggression in Ukraine. They have stood with us in the fight against Islamic extremism. They have stood with us in the fight against ISIS. And what do we say to them? You can have ambassadors from Russia or from China, you can have ambassadors from every country but not from the United States of America.

I ask Senator CRUZ and I ask his colleagues—or perhaps his staff to ask him—why every other European nation of any major size has an ambassador and why not these two Scandinavian countries.

So it is my hope—and the reasons for these holds are completely unrelated. They are varied. They are many. They change every day. I am hopeful that we are able to negotiate something because Senator SHAHEEN and I have pledged to come to the floor nearly every single day when the Senate is in session to continue asking, and his colleagues are going to have to come and object on his behalf.

Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: the nomination of Samuel Heins to be Ambassador to the country of Norway, Calendar No. 263; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Madam President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. Madam President, I now ask unanimous consent that the Senate proceed to executive session to consider the following nomination: the nomination of Azita Raji to be Ambassador to the country of Sweden, Calendar No. 148; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Madam President, on behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. KLOBUCHAR. Madam President, I see the Senator from New Hampshire is here. She is a leader on the Foreign Relations Committee. I know she has a few things to say. But, again, we are simply asking for a vote. Senator CRUZ can choose to be here or not. He can choose to vote or not. He can choose to vote no if he wants. We know these two nominees would pass because they are not controversial. I am tired of hearing from people in America and people who represent and live in these countries: What is wrong with America? Why are you "dissing" us when we stand by your side every day? This has to stop.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I am joining my colleague, Senator KLOBUCHAR, to talk not just about these two positions of Ambassadors to Sweden and Norway but also about some of the other 27 nominees who deal with national security issues.

As Senator KLOBUCHAR said yesterday when we were on the floor, we said we were going to come down here every day. The Senate is not going to be in session every day, so we won't be here every day, but we will be back as often as possible to point out that we need to confirm these nominees. It is in the country's national security interests.

The Presiding Officer serves with me on the Senate Armed Services Committee, so she understands just how critical it is that we have a team in place that can be part of the team that protects this Nation.

As Senator KLOBUCHAR said, Azita Raji has been waiting over a year since she was nominated. She went through the Foreign Relations Committee unanimously. Nobody objected. Sam Heins was nominated almost a year ago. He is nominated to be U.S. Ambassador to Norway.

Again, this is not about just these two individuals; this is also about the message we are sending to two of our best partners and allies, Sweden and Norway. Both of these countries have

been part of the anti-ISIL coalition fighting with us against the terrorists. Sweden has been on the frontlines of the refugee crisis, taking in thousands of refugees in Europe. As we think about the strains that the European Union is under right now, for us to have failed to put ambassadors in two of our most important allies is unforgivable.

Yesterday I said it was in 1914 that Norway had to scramble their F-16 fighters. We know they didn't have F-16 fighters in 1914. It was 2014. So a little over a year ago, Norway, which is a NATO ally, scrambled its F-16 fighters 74 times to intercept Russian warplanes.

As we think about the threats from Russian aggression, Sweden and Norway are right there. They are on the frontlines. Norway has committed to participate in NATO's missile defense system. So, again, it is very important as we are looking at our efforts to stop Russian aggression.

Yesterday in the Senate Foreign Relations Committee we were talking about the strains on Europe. We had witnesses for both the majority and the minority who confirmed that our failure to move these nominees on the Senate floor is "an enormous issue," a "disastrous policy," and sends the message that Washington does not "care about European security"—both minority and majority witnesses—even arguing that the United States does not have "players on the field."

Not only are there national security implications, but, as the Senator from Minnesota pointed out, vacancies in Sweden and Norway mean that some \$11.3 billion in U.S. exports lack a strong champion in-country.

I hope the Senator from Texas—who is out running for President—will come back or will lift his hold so we can send the message that we should be sending to our European allies about how important they are and how strongly we want to support what is happening in those countries.

Madam President, I ask unanimous consent to move two other national security nominees.

The first is Ambassador Tom Shannon. He has been nominated to be Under Secretary of State for Political Affairs. Again, he has been waiting 136 days since being nominated. He also went through the Foreign Relations Committee without any opposition. He would be responsible for working with Europeans on the implementation of the Iran agreement, on coordinating the G7 to combat Russian aggression, as well as providing daily oversight and direction to all the Department's regional bureaus. He is a career Foreign Service officer who has served in five administrations, two Democratic and three Republican.

At this time I ask unanimous consent that the Senate proceed to execu-

tive session to consider the following nomination: the nomination of Ambassador Tom Shannon to be Under Secretary of State for Political Affairs, Calendar No. 375; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. On behalf of the junior Senator from Texas, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, I am hopeful the junior Senator from Texas is going to do what he should have done all along, which is lift his hold and allow both the Ambassadors to Sweden and Norway and Ambassador Shannon to move forward.

UNANIMOUS CONSENT REQUEST— PRESIDENTIAL NOMINATION

Mrs. SHAHEEN. Madam President, finally, I want to ask unanimous consent to move Adam Szubin, who has been nominated to be Under Secretary for Terrorism and Financial Crimes. He has also been waiting almost a year. He is somebody who Senator SHELBY, chairman of the Banking Committee, has said is eminently qualified, but the Banking Committee still has not voted to move his nomination to the Senate floor.

His position is very critical because he would lead the policy, enforcement, regulatory, and intelligence functions of the Treasury Department. They are aimed at identifying and disrupting the lines of financial support to international terrorist organizations to a whole range of other bad actors.

Next week on the Senate floor we are supposed to take up sanctions on North Korea. How can we in good faith tell the American people we are going to enforce sanctions on North Korea when we haven't been willing to fill the position that is responsible for doing that enforcement? It belies understanding that we are not going to move forward.

Again, this is a position that I know is supported by the Foreign Relations Committee. The Republican chair of the Foreign Relations Committee has been very supportive of moving Adam Szubin's nomination, just as he has been supportive of moving the two Ambassadors, of moving Ambassador Shannon.

This is not a partisan issue. This is an issue about what we are doing to ensure the national security of this country. It is unfortunate we have rules in the Senate that allow one person to hold things up for an indefinite period of time when the national security of the country is at stake.

Madam President, I ask unanimous consent that the Senate proceed to executive session and the Banking Committee be discharged from further consideration of PN371, the nomination of Adam Szubin to be Under Secretary for Terrorism and Financial Crimes; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. On behalf of the senior Senator from Alabama, I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Again, it is disappointing that the senior Senator from Alabama isn't here to talk about his concerns about Adam Szubin and why he is still on hold in the Banking Committee and that we haven't heard from the majority leader in the Senate about the importance of moving not only Adam Szubin's nomination but these other nominations that are critical as we make sure we do what we need to, to protect this country.

I am disappointed, but as Senator KLOBUCHAR said, we will be back.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

ANNUAL NATIONAL PRAYER BREAKFAST

Mr. NELSON. Madam President, I want to chronicle for the Senate and to make a part of the CONGRESSIONAL RECORD that nearly 5,000 people gathered this morning for the annual National Prayer Breakfast with the President, members of the Cabinet, members of the Joint Chiefs, most of the Diplomatic Corps, and a lot of the Members of Congress.

The national breakfast is sponsored by the Senate prayer group that meets on Wednesday morning and the House prayer group that meets on Thursday morning. This year it was the House's turn to be the cochair. We do have co-chairs in the House and the Senate prayer group, one from each party. In

the case of the Senate prayer group, we were ably represented, as they spoke from the podium, by Senator BOOZMAN of Arkansas and Senator Kaine of Virginia. They will be the cochairmen of the breakfast next year.

It was the eighth time that President Obama has spoken. This Senator feels it was the best speech at the Prayer Breakfast I have heard President Obama give. It was one of the best speeches that this Senator, after attending Prayer Breakfasts for over three decades, has ever heard. He quoted the Scriptures from the writings of Paul which say that our faith can keep us from fear. The President illustrated that throughout so much of his remarks.

During his closing remarks, he told a story that he had heard a week or so ago, and I wish to share that story here on the Senate floor. It was about a U.S. Army sergeant whose entire unit had been captured by the Nazis during World War II. While he was in the POW camp, a Nazi colonel told the sergeant, who was the senior official: I want the names of the Jewish soldiers in this unit, and I want them to report to me. The sergeant refused.

The Nazi colonel then decided to assemble all 200 of the sergeant's troops in the POW camp in formation, with the sergeant at the head of the formation. As the colonel approached him again, obviously trying to single out and take and probably try to annihilate the Jewish-American soldiers, he again said, as all the troops were standing there in formation: Sergeant, I want to know who the Jews are. The sergeant replied: Sir, we are all Jews. The colonel then took his pistol out of the holster, cocked it, and put it to the head of the sergeant and made the same demand again. The faith of that Christian sergeant overcame his fear for he was looking out for his troops, and he repeated again: Sir, we are all Jews. The Nazis backed down in that POW camp. The Jewish soldiers were not revealed and, therefore, protected.

That was just one of the many stories that were recounted as the President gave what was an extraordinary conclusion for his last National Prayer Breakfast as President. It is an occasion that so many of us join in on every Wednesday here as we come together and put aside our partisan, regional and any other differences that we have and are unified and joined in prayer. So I thought it fitting, the National Prayer Breakfast having just concluded, that I share this story with the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAKATA AIRBAGS

Mr. NELSON. Madam President, we have had quite a running story about the maker of inflatable airbags, which are usually in the steering wheel of an automobile and also over on the passenger side. These airbags have saved countless lives. Yet what we have found is that a manufacturer named Takata from Japan has consistently had different airbags under recall. Well, we just found out yesterday that another one of the automobile manufacturers that uses Takata airbags has now had a further recall just yesterday with 2.2 million of their vehicles. Why? Because of defective airbags.

These bags are supposed to save lives, not harm and kill lives. Yet I remember the lady in Orlando who had a minor fender-bender collision in an intersection, and her air bag deployed. When the police got there, they thought there was a homicide. Her neck was lacerated, and she bled to death. There is a fireman, also near Orlando, who will never be a fireman again because he lost his right eye after the explosion of the air bag. The airbag is defectively manufactured and explodes with such force that the air bag becomes a hand grenade which explodes, and pieces of shrapnel fly into the face of the driver or the passenger.

In the case of the lady in Orlando, her jugular was slashed and she was killed. We have seen a score of these deaths around the country. There was recently another one from a defective Takata airbag in South Carolina. There are now well over 20 million vehicles that have been recalled.

I will be talking to the head of the National Highway Transportation Safety Administration and will be asking all of these questions about safety, such as this: Why are we having the drip, drip, drip of recalls here and recalls there? Why isn't this agency taking an aggressive approach and going after all of these inflators?

It is expected that it is the explosive compound ammonium nitrate that becomes extremely explosive when exposed to humidity and causes the metal to shred and, therefore, go right into the very driver or the passenger it was intended to save.

This is a matter of grave concern, and now the latest news is that Honda has recalled over 2 million more vehicles nationwide. There have been over 20 million vehicles that have been recalled worldwide. We have to get to the bottom of this and get those defective airbags out of the steering wheels of those cars and replace them with safe airbags.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

ENERGY POLICY MODERNIZATION
BILL

Ms. MURKOWSKI. Madam President, I would note for Members that we have just concluded the first cloture votes on the Energy Policy Modernization Act. There has been some interesting discussion about where we are in the process and how we might find a path forward toward completion of this very important bipartisan measure—a measure that has, I think, reflected good, strong work throughout the committee process and good, strong work throughout the floor process, but we have yet more work to do. Know that this Senator, along with the ranking member on the Energy and Natural Resources Committee, is committed to doing just that, along with the Senators from Michigan as well as many on this side.

So I think the message to those who are wondering what is happening after that noon vote—the word is that work is continuing, and I am optimistic about the outlook for the final passage of the Energy Policy Modernization Act.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

REMEMBERING MARLOW W. COOK

Mr. MCCONNELL. Mr. President, I rise with sadness to remark on the passing of an old friend, Kentucky's former U.S. Senator, Marlow W. Cook. Senator Cook served in this Chamber for only a single term, but his political impact in the Commonwealth of Kentucky was substantial. So was his impact on my life.

Marlow Cook gave me my first real opportunity in politics. He gave me a chance to be a State youth chairman in his successful campaign for the U.S. Senate back in 1968. He also gave me an important opportunity in government. He won his election. I came to Washington with him, and I was what they called in those days chief legislative assistant. I think the term we use now is legislative director. I worked for him for 2 years. I recall that time very, very fondly. I can tell you that over the years I remained extremely grateful for the opportunity he gave me to get started.

Marlow Cook was someone who proved that Republican success was possible in a Commonwealth at that time completely dominated by Democrats. That was no easy task when he ran for office, but he succeeded anyway. You might even say he sketched

out a political blueprint for victory: launch an improbable campaign for Jefferson County judge executive in your thirties and win, secure reelection, and then launch a bid for U.S. Senator. That is the political path Marlow Cook took, and that is the exact political path I took as well.

Some might say the similarities end there or note that we haven't agreed on every issue in the years since, but what two people ever do? It doesn't change my enduring gratitude for the opportunities Marlow Cook brought to me. It certainly doesn't change my respect for him. This is a man who enlisted in the Navy when his country called and when he was still a teenager.

Marlow Cook served his country honorably in both the Atlantic and Pacific theaters in World War II. He served his country honorably in the U.S. Senate.

I should note that Marlow Cook was the first Roman Catholic elected to statewide office in Kentucky. Believe it or not, that was something of an issue back then. It is hard to imagine today.

One more thing. Marlow Webster Cook's impact was felt in the course of the Commonwealth's history in the shape of the riverfront in Louisville. He bought the Belle of Louisville, the sternwheeler that is still going up and down the Ohio River today and is a particularly big thing during the Kentucky Derby week every year.

He had a huge impact on a lot of young Kentuckians, such as myself. I knew his family well. Nancy, his now widow, and his five kids were all running around during that campaign way back then.

I want to say to Nancy and all of Marlow and Nancy's kids how much we admire him. Elaine and I are truly saddened by his loss. We are going to continue to remember this veteran, this extraordinary county official, and our United States Senator fondly. I am sure colleagues will join me in that sentiment. I ask them also to join me in sending our best to all of Marlow's family and friends.

UNANIMOUS CONSENT AGREE-
MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, on an entirely different matter, I ask unanimous consent that the Senate, on Monday, February 8, at 5 p.m., proceed to executive session to consider the following nomination: Calendar No. 360; that there be 30 minutes for debate on the nomination equally divided in the usual form; that upon the use or yielding back of time, the Senate vote without intervening action or debate on the nomination; that if confirmed, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Washington.

STUDENT LOAN DEBT

Mrs. MURRAY. Mr. President, last week I asked students and families to share with me their experiences with student loans and college affordability, and I want to start by sharing one of those stories. It is from a young woman named Rebeckah from my home State of Washington. When she was 18, Rebeckah signed up for student loans so she could go to college, and her parents took out what are called PLUS loans to help their daughter afford it. Rebeckah worked hard in college and graduated with her degree. But now she is facing a mountain of student debt, and that is preventing her and her partner from buying a house and starting a family. Not only that, Rebeckah found out that her parents have been taking money out of their retirement savings to pay off their PLUS loans, and they have even resorted to taking a lien out on their home to pay down the debt.

Rebeckah said when she enrolled in college, she was sure that getting a good education would pay off. But now, with all the overwhelming student debt, it feels as if she signed her family up for financial ruin.

When I hear stories like Rebeckah's, it is clear that college costs and student debt are holding families back. I consider it to be one of my most important jobs as a Senator to make sure Washington State families have a seat at the table and a voice in our Nation's Capital, and on an issue as important as this, I am going to make sure their voices are heard loud and clear here in this Congress. I am going to continue to work with my fellow Democrats on ways to make college more affordable. I am going to keep fighting to reduce the crushing burden of student debt for so many families in my home State of Washington and across the country.

Today, the yearly costs of tuition and room and board at a public 4-year institution are 5½ times what they were in the early 1980s. There are many reasons that colleges have gotten more and more expensive, but the result has been the same. It has strained the budgets of middle-class families across the country, and, in some cases, it prevents students from even applying and has forced many others to drop out before they ever earn a degree. With skyrocketing college costs, we are sending the message that college is reserved for the wealthiest few and not for middle-class families and those who want to get there.

We have all heard the numbers of student debt. Overall, Americans hold more than \$1.3 trillion in student loan debt. That is a huge number, and it is actually a little hard to wrap your

head around, so let's try this: Every second that goes by, student debt in our country grows by nearly \$3,000. That is every second. And behind those numbers are people who invested in themselves by furthering their education but are now saddled with debt, preventing them from buying a home or even starting a small business or a family.

A young man from Washington State named Alex told me his income barely covers his monthly expenses, let alone paying down his student loans. He says he feels financially stagnant because "I don't know if I will ever overcome the crippling college debt."

I am glad that Democrats have a plan to help students and families who are in the red. When more students are able to further their education, it doesn't help just them. A highly educated workforce helps our economy grow from the middle out, not from the top down, and it strengthens the workforce we will need to compete and lead the world in the 21st century economy. That is why Democrats want to give students the chance they need to attend community college tuition free.

Of course, many students and families take out student loans to help them finance higher education, but some are locked in with a high interest rate. Today, you can find offers to refinance your mortgage at 3.5 percent or your car loan for around 3.2 percent. I have heard from many borrowers who are paying an interest rate that is twice that amount, and some are paying even more.

Democrats want to make sure that borrowers can refinance their student loans at today's lower rates. We also want to hold the institutions of higher education accountable for providing a high-quality degree so students have confidence that the education they receive and pay for will get them ahead. Democrats want to increase investments in need-based aid, such as Pell grants, so students can keep up with the rising cost of college.

It has been just one week since I asked students and families to submit their stories online to us, and I want to hear from many more because I know there are so many people out there who are struggling. But I must admit, I was taken aback by the constant theme that showed up in so many of the experiences that I have seen so far. I heard story after story from people who said they felt hopeless. They feel buried under student debt, and they see no end in sight. It shouldn't have to be this way. Democrats are offering solutions, and I sincerely hope our Republican friends will join us.

For me, this isn't just another issue; this is really personal. When I was young, my dad was diagnosed with multiple sclerosis. Within a few short years, he couldn't work any longer, and without warning, my own family had

fallen on hard times. My brothers and sisters and I—and I have six brothers and sisters—were all able to afford to go to college with the help of what we now call Pell grants, and my mom was able to get the skills she needed to get a better paying job through a worker training program at Lake Washington Vocational School. This country was there for us and never turned its back on my family.

Today, we can't turn our backs on the millions of families just like mine who need a path forward to pay back their student debt. These students want to stay in school to finish their degree even as the costs go up, and they want to one day be able to save up so their kids can afford to pursue their dreams.

It is time to make college more affordable and make sure students can graduate without the crushing burden of student debt. It is time for Democrats and Republicans to work together on solutions, and it is time to reaffirm that, in our country, earning your degree will pay off for you, your future, and the future of this country.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate in morning business and to engage in a colloquy with the Senator from South Carolina, Mr. GRAHAM.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN LEADERSHIP AND SYRIA

Mr. MCCAIN. Mr. President, not surprisingly, the talks that are commonly known as Geneva III, in an effort to stop the ongoing genocide taking place in Syria, have now been "suspended."

I quote from this morning's Washington Post: "Syrian peace talks are suspended before they even really begin."

That should surprise no one. The fact is that the situation on the ground, thanks to our total lack of a coherent strategy or even a serious effort, has resulted in Russian airstrikes, ensuring Bashar al-Assad's continued strength. Along with the Iranians, along with Hezbollah that the Iranians have brought in from Lebanon—they all have given the overwhelming majority position to Bashar Assad, who is not about to leave office with the advantage he has now obtained on the battlefield, to a large degree because of Rus-

sian airstrikes that are relentless and that have mostly targeted the Western-backed opposition to Bashar Assad's rule. Those airstrikes, according to the Washington Post, have proven sufficient to push beyond doubt any likelihood that Assad will be removed from power by the nearly 5-year-old revolt against his rule.

The gains on the ground are also calling into question whether there can be meaningful negotiations to end the conflict Assad and his allies now seem convinced they can win.

Let's go back about 4 years. Bashar Assad was about to fall. The President of the United States said that it is not a matter of whether Bashar Assad will fall, it is a matter of when. All the momentum was on their side.

At a Senate Armed Services Committee hearing, the Secretary of Defense—then Leon Panetta—said that the departure of Bashar Assad was "inevitable." And then the Chairman of the Joint Chiefs of Staff said it was inevitable that Bashar Assad will leave.

So a policy which was doomed to failure—rejecting a no-fly zone, rejecting robust training and equipping of those who were seeking to stop the slaughter—has now resulted in what many now view as an international crisis; that is, the refugee problem where millions of refugees are flowing into European countries not just from Syria but primarily from Syria, Iraq, and other countries as far away as Afghanistan. So everyone—especially our European friends—is moaning, and their hearts go out and they are trying to accommodate this.

This is not the cause of the problem; this is the result of a failure of American leadership, a feckless American leadership, and a Secretary of State—this Geneva Convention is not the first or the second but the third time—this is the third time our Secretary of State has convened a whole bunch of people in five-star hotels in Geneva, where, of course, the result has been nonexistent because the facts on the ground favor Bashar Assad, the Russians, and Hezbollah.

So what has happened? Now, for the first time since 1973, when Anwar Sadat threw the Russians out of Egypt, the Russians now have a major role to play in the Middle East. They now have protected their base at Latakia. They now are conducting airstrikes in an indiscriminate fashion against—guess who—not ISIS but against the moderates who were fighting to overthrow Bashar Assad, while our Secretary of State calls him up, has conversations with him, begs them to start peace talks, et cetera. And it goes on.

I think sometimes we all get a little numb, but we shouldn't be numb. We shouldn't be numb to 250,000 killed and slaughtered, chemical attacks that indiscriminately kill men, women, and children. These Russian airstrikes are

pervasive in the areas where the moderate opposition exists, and they are using what we call dumb bombs—not the precision bombs—slaughtering hundreds of innocent men, women, and children. Places are surrounded where people are starving to death, and our Secretary of State calls for another meeting in Geneva. It is absolutely remarkable.

I wish to point out again that according to the Washington Post story, Secretary of State John F. Kerry scrambled to rearrange his Thursday schedule after de Mistura—that is the U.N. guy—decided to delay the talks. The article states:

“The continued assault by Syrian regime forces—enabled by Russian airstrikes—against opposition-held areas, as well as regime and allied militias’ continued besiegement of hundreds of thousands of civilians, have clearly signaled the intention to seek a military solution rather than enable a political one.” . . .

Kerry repeated demands made by the opposition groups as preconditions for negotiations. . . . [but] both the opposition and human rights organizations have cited an increase in Russian bombing over the past several days that they said has targeted civilian areas, including camps for displaced persons in the western part of the country.

Russia maintains that it is only bombing “terrorists,” but its definition of that word includes parts of the opposition that has been fighting a civil war against Syrian President Bashar al-Assad for more than four years, whose representatives are among those on the opposition negotiating team in Geneva.

How can we expect them to negotiate while the Russian airstrikes are intensified? How can we possibly expect something positive to happen, when clearly the momentum and the strength is on the side of the Russians, the Iranians, and Bashar Assad?

Friends, this is another chapter in American history of humiliation and a failure of leadership. Of course, all of that is no better epitomized and symbolized than by what happened when the Iranians captured two American vessels that happened to stray into their territorial waters. Everybody should know that when a ship goes into another country’s territorial waters, the first thing to be done is to go out and guide them out of it. It is against international law to take them at gunpoint all over the world but particularly—all over the Middle East is the picture of American servicemen and one woman on their knees with Iranian Revolutionary Guards holding their automatic weapons on them. This is an incredible act of arrogance and a humiliation for our American sailors.

What is the most aggravating is the response by the administration after this totally unlawful action and humiliation of American servicemembers and sailors. The response by the administration was—and I am not making this up—White House Press Secretary Josh Earnest said that the sailors were

offered “the proper courtesy that you would expect.” Being held at gunpoint on their knees with their hands behind their neck is, in the words of the White House Press Secretary, “the proper courtesy that you would expect.”

The Secretary of State, John Kerry, offered his “gratitude to Iranian authorities for their cooperation in swiftly resolving this matter.” That is the American Secretary of State after a gross violation of international law. Our American servicemen are put on their knees by a bunch of two-bit Iranians.

Vice President JOE BIDEN described the incident as “standard nautical practice.” The Vice President of the United States says that when you put Americans on their knees and point weapons at them with evil intention, that is standard nautical practice. What planet has the Vice President of the United States been on?

Now, to cap it all off, this week the Iranian Ayatollah Khamenei pinned the Order of Fat’h Medal to the chests of those who mistreated and humiliated American personnel. These people were given awards and medals by the Ayatollah Khamenei. The Obama administration has still failed to condemn Iran’s behavior for what it was, a violation of international law and centuries of maritime tradition. According to a recent article in the Navy Times, legal experts all agree that this hostile incident represents a gross violation of international law.

So I ask my friend from South Carolina: Is there any explanation that could possibly be understood about this act, a violation of international law and the humiliation of American servicemembers? There is only one reason; that is, they don’t want to upset the Iranians. They don’t want to disturb the \$100 billion or so that is going to the Iranians as we speak while they buy weapons and toys all over Europe.

So here we have now seen American service personnel put on their knees with guns to their heads, and the most important people in our government praised the Iranians for their actions. I would ask my friend, how else could you explain—not passivity, but—the absolute endorsement by the Vice President of the United States and the Secretary of State for this kind of humiliating behavior?

Mr. GRAHAM. I say to Senator MCCAIN, I think it is a disconnection from reality—trying to shape a reality that does not exist.

Can you imagine your good friend Ronald Reagan, if he had been President, what the Iranians would have done?

Mr. MCCAIN. Could I remind our colleague that some of our colleagues recall that the day Ronald Reagan was sworn in as President of the United States, the hostages that were being held from our Embassy in Iran came home.

Mr. GRAHAM. This is about lack of respect for the Obama administration, John Kerry, and everybody else in our government. The Iranians did this, Senator MCCAIN, I think for one reason—to show the region they are not intimidated by the United States.

Mr. MCCAIN. Or that they can intimidate the United States—

Mr. GRAHAM. Right, that they can test our resolve. They do it all the time. They fired two missile tests in violation of existing U.N. resolutions. The Obama administration did nothing about it. They captured two boats. These are lightly armored naval vessels with two 50-caliber machine guns. One of them became disabled and they drifted into Iranian waters. The Iranians reacted as if it was some kind of invasion by America. They humiliated these sailors.

Instead of standing up for our naval personnel, basically we thanked the Iranians for being so nice to people that they captured at gunpoint in violation of international law, but it goes to a deeper point. The Iranians are letting everybody in the region know they are not changing their behavior with this nuclear deal: Don’t mistake us having a nuclear agreement with a behavior change.

The Ayatollah and his henchmen are still in charge. They are not part of a family of nations. Since the deal has been signed, they fired missiles in violation of international resolutions, they are on the ground helping the “Butcher of Damascus,” Iranians are still the largest state sponsor of terrorism, and this is just the cherry on top of all that misbehavior.

One thing I do want to talk about—and I will get your view of this because you are so knowledgeable. Syria has literally held on, and 250,000 people have been slaughtered in Syria by Bashar Assad and his regime. Those people who took to the streets during the Arab Spring in Damascus were from all different backgrounds and different sects. They wanted to live in a country not run by Assad in such a brutal fashion. His response to their plea for better transparency, democracy, and economic opportunity was literally to shoot them down.

Now we have an all-out war in Syria. The radical Islamic groups have moved into Syria. The caliphate headquarters of ISIL is in Syria. It has been the biggest misjudgment since Munich by this administration. They had Assad on the ropes 3 or 4 years ago and they didn’t act, and what you see today is a result of a failure to act.

What I find astonishing is that the Syrian people, who are being slaughtered by the thousands, are being asked by the U.S. Government to sit down with Assad and negotiate an end to this war. The Russians and Iranians are all in for Bashar Assad. The people we have trained to replace Assad have

been killed by the Russian President. Our President hasn't lifted a finger. Now we have a Secretary of State basically browbeating the Syrian opposition to go to Geneva and enter into peace talks with Bashar Assad, who is in full control of his part of Syria. I can't believe we would do this to the Syrian people. The Syrian opposition called Senator MCCAIN—this says a lot about you, my friend. They were calling Senator MCCAIN to pass on a message: You have been our best friend. We are not going to sit down and talk with Assad until the U.N. resolutions calling for his removal have been honored.

Our government wants a deal in Syria—regardless of the quality of it—to say they stopped the war on their watch. They are now asking the Syrian people basically to kowtow to the man who has killed their families.

This deal with Iran is a nightmare for the region. You give the Iranian Ayatollah a pathway to a bomb, even if he doesn't cheat, a missile to deliver the bomb, and money to pay for it all. Now they want to take the same negotiating team into Syria and lock into place Bashar Assad's regime, which has slaughtered the Syrian people, give the Russians and Iranians a foothold in Damascus through negotiations that they could never have dreamed of a year ago.

I ask Senator MCCAIN, what do you think the consequence would be of any peace agreement as long as the Russians and Iranians are supporting Assad and we are indifferent to the Syrian opposition in terms of their military needs?

Mr. MCCAIN. I think it is very possible that the Secretary of State will call another gathering in Geneva. After all, this is only the third. He has another year, and maybe we will have Geneva IV and V.

Mr. GRAHAM. What leverage do we have over Assad?

Mr. MCCAIN. That is the point. There is no leverage. I say to my colleague. Meanwhile, while the Secretary of State is pressuring the Free Syria forces and threatening to cut off assistance to them, Russia is escalating their bombing campaign and continues the slaughter of innocent people. Meanwhile, there are also enclaves around Aleppo and other places where people are literally starving to death—literally starving to death. There are pictures, my friends, on the Internet, if you would like to see it.

What does our Secretary of State do? He calls Lavrov. He calls Lavrov and complains. Lavrov, of course—it would be very interesting to know what is going through Mr. Lavrov's mind—but it is very clear that the Secretary of State is a supplicant, and this incredibly weak economy, with a brutal dictator in charge, is now achieving goals that have been age-old ambitions of the Russians. They are now playing a major role in the Middle East.

Mr. GRAHAM. I ask Senator MCCAIN, may I read to you an exchange?

This is John Kerry 2 days ago:

"[T]here will be a ceasefire." Kerry predicted Tuesday in Rome. "We expect a ceasefire. And we expect an adherence to the ceasefire. And we expect full humanitarian access."

Two days later, the Russian bombing hasn't stopped and thousands of Syrians remain starving.

Not only has the Russian bombing continued, Putin has sent in advanced fighter jets to do the bombing.

Kerry said he was assured by the Russian counterpart [Lavrov] the Russians would stop bombing.

When asked, Lavrov said, "Russia's strikes will not cease. . . . I don't see why these air strikes should be stopped."

Whom is he talking to? The Russians are telling John Kerry to his face: We are going to keep bombing. John Kerry keeps telling the world they are going to stop bombing. In the meantime, Syrians are being slaughtered and starved to death and we are fiddling while Syria burns.

Mr. MCCAIN. I want to mention one other aspect of this with my colleague, and that is the refugee issue.

It is surprising to many people in the world, this flood of millions of refugees, not just from Iraq and Syria but Iraq and even as far away as Afghanistan. Our European friends have treated it like maybe it was an earthquake or flood or natural disaster. It was not a natural disaster. It was a natural occurrence when the situation became so terrible that people believed they couldn't stay and live where they were.

Why did that happen? Because we watched the Russians, Bashar Assad, Hezbollah, and the Iranian Revolutionary Guard—we watched them commit all of this slaughter in Syria. No one can live in Syria today without fear for their very lives, unless they happen to be one of Bashar Assad's allies.

So now we have this huge refugee immigration crisis, which sooner or later we are going to have to be involved in, in some way or another, and it is a result of the failed policies of this President of the United States.

This President sat by and watched the chemical weapons use. This President refused to keep a sustaining force in Iraq. This President, when asked by his Secretary of State, his Secretary of Defense, and the head of the CIA to provide a safe zone turned it down. I still say to my colleague—and I would be interested in his views—that we still could establish a safe zone in Syria, where these people could go, we could protect them, and they wouldn't have to leave and flood Europe and eventually try to come to the United States of America.

That would be the best thing we could do in the short term, and this President refuses to do it.

Mr. GRAHAM. Well, let's get a little closer to the region. JOHN MCCAIN and LINDSEY GRAHAM have been saying for 3 years now that if we don't end the war in Syria—which means requiring the Islamic State, or ISIL, to be destroyed with a ground component and not by the air alone—we are going to get hit here at home and a Paris-style attack is coming our way. This strategy to destroy ISIL will never work. President Obama is trying to pass it on to the next the President. We have been begging the President to change his strategy in Iraq and Syria before we get hit here at home.

Another casualty of the war in Syria is the neighborhood itself. There are more Syrian children going to primary schools in Lebanon than Lebanese children. Our friends in Lebanon are being overrun by Syrian refugees because of the Hell-on-Earth nature of Syria.

But one of our best allies in the entire world is the King of Jordan. Let me tell you what he has experienced as a result of us as a nation allowing Syria to fall completely apart. This was yesterday:

The leader of a key U.S. ally in the Middle East warned Tuesday that his country [Jordan] is so packed with Syrian refugees, many with ties to the Islamic State terror group, that his nation has reached a "boiling point."

Sooner or later, I think, the dam is going to burst.

The bottom line is I have been saying this for 2 years now, along with Senator MCCAIN: If you don't end this war in Syria, one of the victims is going to be the King of Jordan. And the King of Jordan says that our welcoming nature has to come to an end.

Here is the lay of the land. Jordan cannot take any more. Lebanon is overrun. The Europeans are pushing back, and you are going to create a process where people in Syria have no place to go unless we help them. They are going to be slaughtered. They are in between ISIL and Assad. What we are suggesting is to create a safe haven inside of Syria where they can go without being killed, raped, and murdered so they don't have to go to Lebanon, Jordan, Europe or the United States.

If John Kerry and Barack Obama do not change their approach to Syria, Syria is going to be the catalyst for a meltdown in the Middle East. Their approach is going to allow the Iranians to control Damascus. Any deal done in Geneva under these circumstances is going to have one certain outcome: The Russians and the Iranians are going to win, and the Syrian people are going to lose. If we don't destroy the caliphate with a ground component soon—not just from the air—we are going to get hit here at home. The center of the caliphate is in Syria. If we don't bring this war to an end soon by getting rid of ISIL and Assad—which would require both to end the war—Lebanon and Jordan are going to fall.

So to the Obama administration, when you were Senators, you really took it to President Bush. He made his fair share of mistakes, but at least he corrected them. Senator Obama and Senator Kerry both opposed the surge in Iraq.

On President Obama's watch, he was handed an Iraq that was becoming secure and that was on a glidepath to stability, and he chose to withdraw all of our troops—against sound military advice—to fulfill a political promise. Three years ago, at the urging of Senator McCain and myself, we had Bashar al-Assad on the ropes. His entire national security team advised President Obama to arm the Free Syrian Army while they were intact. That would have been the end of Assad, and Syria would be in the process of healing itself. But President Obama said no to his entire national security team. He drew a redline against Assad a couple of years ago and said: If you use chemical weapons, I will act. Assad used chemical weapons, and nothing of consequence happened. Assad is still in power. He will be in power when Obama leaves.

In the meantime, Russia has introduced itself in the Middle East unlike at any time since the early 1970s.

Now the Iranians are on the ground, fully behind Assad. The balance of power has shifted. Assad is in a good place. The Syrian people are in a lousy, terrible, horrible place. John Kerry and Barack Obama's foreign policy is in free fall.

I will make a prediction—and I hope I am wrong—that if they don't change their policies toward Syria, the region is going to have an imbalance that we have never seen in our lifetime. An attack against this homeland is coming. It is coming from Syria. It is being planned as I speak. We didn't know exactly what they were trying to do before 9/11, but we were worried that we were going to get attacked by Al Qaeda.

I can tell you exactly where the attack is coming from. It is coming from Raqqa, Syria. It is being planned while I speak. Every day the caliphate is allowed to exist is another day of danger and peril for the United States.

So if President Obama and John Kerry do not change their policies to destroy the caliphate sooner rather than later, we will be hit here at home. If we don't get Syria in a better spot soon, Jordan and Lebanon are going to be victims of this war.

To Senator McCain, I just wish to end with that thought.

Mr. McCain. Let me make a couple of additional points and then we will yield the floor.

To go back, these refugees are putting a strain on Europe that may basically lead to the dissolution of the European Union. You cannot have so many thousands—tens of thousands or

more people—flood into a country with which they are totally unfamiliar without there being some problems there. So the very fabric of the EU may be tested here.

But one of the things I want to mention to my friend is that the apologists for the Obama Administration have constantly and persistently pursued a dishonest line of interpretation of history, and that is that after the surge was won—and it is a fact—at great sacrifice, at enormous sacrifice we had Iraq stable. The attacks were down. The Shiite militias were repressed. The battle of Fallujah had been won at great cost. There was a bright future that could lie ahead for Iraq, but it required a continuing American presence. That was an absolute necessity. It was the same reason why we didn't leave Korea after the Korean war, the same reason why we haven't left Bosnia, and the same reason why we didn't leave Germany or Japan.

But the apologists in the liberal media—and we all know who they are—are saying: Oh, they couldn't stay because they didn't have a status of forces agreement through the Iraqi Parliament and it couldn't be done. That absolutely made it impossible for us to say.

Mr. GRAHAM. If I may, could I interject?

Mr. McCain. Yes.

Mr. GRAHAM. We couldn't have troops on the ground because Iraqis said no. Do we have troops on the ground today, I ask Senator McCain?

Mr. McCain. That is the point. Now we have at least 3,500 troops on the ground in Iraq.

Mr. GRAHAM. Where is the Parliament?

Mr. McCain. We don't have a status of forces agreement. Their Parliament has not endorsed it. Where are our liberal friends on the other side? Aren't they concerned that there isn't a status of forces agreement and we continue to incrementally—a classic example of mission creep—gradually increase our presence more and more.

Actually—and I don't use this line very often but these apologists, particularly in the liberal media, the so-called commentators—they are lying. They are lying when they say that we couldn't keep a sustaining force there. We could, and we could have done it without the approval of their Parliament, including the fact that we have troops in a number of other countries where their Parliaments haven't approved a specific status of forces agreement. So it is really aggravating.

But the reason why they tell this lie is because if it were really a fact that at great sacrifice we had stabilized Iraq and it had a bright future at that time, their calls for a complete withdrawal and the President's announcement that the last combat soldier had left Iraq—remember that? Remember that one of

his underlings said: We are leaving behind the most stable, prosperous, democratic Iraq in history. That was the statement. I think it was Blinken or one of those guys. It was great.

We have gotten everybody out of Iraq, just as the President promised when he ran for President of the United States. But leading from behind doesn't work. Just because you leave a conflict, that does not mean the conflict is over.

Again, this morning, they are trying to make that same mistake in Afghanistan, although I pray they have learned that they cannot go to what the President originally announced—that they would go to an embassy specific force of about 1,000. The question is how many and what their missions will be.

So I think it is important to emphasize that this did not have to happen. If we had kept that stabilizing force behind, you would never have had Baghdadi break off from Al Qaeda and move to Syria and seeing the things we are seeing today.

I am afraid my friend from South Carolina is right. In fact, I know he is right. There will be further attacks on the United States of America and Europe because it is inevitable. When Mr. Baghdadi controls a large piece of geography from which he can train, equip, motivate, and send people out to commit acts of terror, that will happen, and the responsibility will lay at the doorstep of Barack Obama and his minions.

Mr. GRAHAM. If I could, just to wrap this up, I wish we were wrong. When the President decided to withdraw all troops from Iraq against sound military advice, we cautioned—literally begged—the President and the Vice President. We went to Baghdad itself to try to help with this problem. I remember saying that I think all hell will break loose because this is so irresponsible. Iraq is in a good spot, but if we leave now, it will all fall apart. I hope I am wrong. Well, we weren't wrong.

When the Syrian people took to the streets to demand more freedom and our response was to ignore their plea, when the people of Iran went to the streets and the Ayatollah shot them down and our President said that he didn't want to discuss negotiations with the regime, when Assad had his back to the wall and President Obama declined to take good advice to arm the Free Syrian Army and the people of Syria to get rid of their dictator, all the things that Senator McCain and I have predicted have come true.

The point of being here today is that the worst is yet to come and, God, I hope I am wrong because this is what I think is going to happen. I think there is going to be an attack on our country that is being planned as I speak, coming from Syria. If we went on the ground in the region—not 100,000 U.S.

troops but mostly people from the region with some of us—we could destroy the caliphate and we could disrupt their plans against our homeland, but we are not doing that.

If we don't change our strategy regarding Syria, we are going to lose one of the best allies America has ever had, and that is the Kingdom of Jordan, because it is being overrun by refugees. The whole seam of the Middle East is splitting wide open.

I will say this. Everybody makes mistakes—Bush, LINDSEY GRAHAM, and JOHN MCCAIN. The key is to adjust. The problem I have with this administration is that they seem unable and unwilling to adjust. If they don't change their strategy, we are all going to regret it. As bad as it is today, the worst is yet to come.

Mr. MCCAIN. Could I just add one other point to my friend from South Carolina?

The President is very good at setting up straw men. He says that we only have two choices—to send in a couple of hundred thousand troops or to do nothing. Neither LINDSEY GRAHAM or I or any smart person I know are advocating that.

What we are advocating is about a 10,000 American force providing the capabilities of ISR training, forward air controllers and others, with a large contingent of Arab countries that would then move to Raqqa on the ground with the use of American air power.

Please do not be fooled by this constant barrage of untruths that are being said about those of us that we want to send in hundreds of thousands. We do not. This has to be an Arab coalition with the United States a small part of it, and, by the way, have them pay for it as well. With the proper American leadership and commitment and credibility, which is totally absent now in the region, that could be done. Otherwise, we will fight them there or we will fight them here.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The senior Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to proceed in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUG ABUSE

Mr. LEAHY. Mr. President, I had planned to be in the Senate Judiciary Committee today, debating and pushing for passage of the Comprehensive Addiction and Recovery Act, or CARA. Unfortunately, the markup was postponed. I wish it had not been. So I hope next week we can make progress on this important bill. We have a need for this legislation, and we also need the money for it. Senator SHAHEEN has an

emergency supplemental appropriations bill. These are actually both urgent matters.

States such as mine, Vermont, and our neighboring State of New Hampshire have been deeply affected by this wave of addiction. The media has covered this very personal and ravaging epidemic as never before. We have seen a transformation in how we talk about this issue and the need for solutions. It used to be that if you had a drug problem, they would bring in the police to straighten it out. We have removed the stigma of drug addiction, but we need more than talk. I have visited many of these communities. They are devastated by this epidemic and need resources for prevention and treatment. It is time for Congress to act.

For years I have been convening field hearings and sitting at kitchen tables, listening to Vermonters discuss innovative approaches to confront drug abuse and related crimes. I have also sat at kitchen tables and listened to tragic stories about a member of the family who had been hit with opioid addiction. What I have heard in the meetings I have had with the police, doctors, family members, faith community, and educators is that we cannot arrest or jail our way out of this problem. We have lost the war on drugs—if we were ever winning it—because we relied primarily on unnecessarily harsh sentencing laws.

I spent 8 years in law enforcement, and I know that law enforcement practices will always play an important role. That is why I have worked to secure funding for State-led, anti-heroin task forces. But if we want to find lasting solutions to these problems, we have to identify and support effective prevention, treatment, and recovery programs. CARA does just that. This legislation would support innovative, evidence-based solutions—best practices that are already showing great progress in States like mine.

We need to do all we can to prevent and treat the abuse of prescription opioids. I have pushed for years to have the FDA promote safer alternatives to powerful prescription pain killers and to remove from the market the older, less safe drugs. The FDA's announcement to expand access to abuse-deterrent formulations of these powerful drugs is a step in the right direction in response to my concerns, but the FDA can and must do more.

Mr. President, I ask unanimous consent to have printed in the RECORD the April 28, 2014, Leahy-Blumenthal letter to the FDA Commissioner.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, April 28, 2014.

HON. MARGARET A. HAMBURG,
Commissioner, Food and Drug Administration,
Silver Spring, MD.

DEAR COMMISSIONER HAMBURG: We are writing to urge the expedited review of New Drug

Applications for abuse-deterrent formulations of single-entity hydrocodone products. Zohydro ER was the first pure hydrocodone product to receive FDA market approval. The drug was approved despite lacking any abuse-deterrent properties and over strong objections from the FDA's own independent advisory committee. We share the concerns of the many governors and state attorneys general who believe this powerful drug is all but certain to exacerbate our nation's addiction to opioid analgesics, which results in tens of thousands of overdose deaths each year.

Given their potency and ease of abuse, we have little doubt that pure opioid products may lead more Americans to addiction, some even to heroin. The FDA has already recognized the heightened risks of overdose and death with Zohydro ER, even at recommended doses. Drug developers continue to seek regulatory approval for other easy to abuse opioids, such as Moxduo IR. To the extent that pure opioid products fill a necessary niche in responsible pain management practices, the FDA must now take all available measures to ensure that patients are soon provided safer alternatives. This process begins by prioritizing review of abuse-deterrent formulations. Such formulations are much more difficult to crush or dissolve, two preferred methods of abuse.

As safer, abuse-deterrent opioids are approved, the FDA should act swiftly to remove any older, less safe versions. In the past, it has taken up to three years for the FDA to ban products that lack abuse-deterrent properties when a safer equivalent exists. Americans should not have to wait this long with Zohydro ER.

We also request that the FDA brief our staff on your plans to monitor the use of Zohydro ER, including what metrics will be used to potentially reevaluate its status as an approved drug if widespread problems develop. We also ask that you share your planned efforts to curb prescription drug abuse generally, including the development and approval of effective non-opioid painkillers that may finally break the cycle of opioid addiction. Each year, the opioid epidemic seeps into more communities and takes more lives. We are eager to learn how we can assist the FDA to finally get ahead of this scourge.

Thank you for your prompt attention to this matter. We look forward to hearing from you.

Sincerely,

RICHARD BLUMENTHAL,
U.S. Senator.

PATRICK J. LEAHY,
U.S. Senator.

Mr. LEAHY. I am also concerned that rural communities are in desperate need of the lifesaving drug naloxone so that opioid overdoses can be stopped. I have heard from law enforcement officers and grateful families what a miracle this drug can be, so we need to make sure we have it supplied where it can literally save lives. I have had police officers tell me that they arrived at a scene with an overdose, and because they had that with them, they saved the life of the person. If they had not had it, the person would have been dead by the time the ambulance arrived.

In Vermont, we have seen a 65 percent increase in the number of Vermonters getting treatment for their

addiction over the past 2 years. This is encouraging progress and reflects the fact that our Governor and also State legislators of both parties have stepped up. But we know that there are hundreds more who are on waiting lists, and patients in the very rural corners of my State travel hours just to get their medication. We need to do more about this real threat to our communities.

I am very proud to cosponsor Senator SHAHEEN's emergency supplemental appropriations bill. I want to be able to fund additional public health outreach, treatment, recovery, and law enforcement efforts. We have passed much larger emergency supplemental bills to address swine flu and Ebola. We passed huge supplemental bills on Ebola when we did not have a single case of Ebola originate here in the United States. We were worried about it coming in, but it did not originate here. But here, we have tens of thousands in the Presiding Officer's State, in my State, and in every other State. We have to take the health epidemic already in our communities just as seriously as we did those diseases that did not originate on our shores.

(The remarks of Mr. LEAHY and Mr. FRANKEN pertaining to the introduction of S. 2506 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Mr. President, this is the first week of February, and a new month brings a new "Waste of the Week" speech from the Senator from Indiana. In preparing for this, we learned another disturbing fact about our economy, and that is that the United States has hit yet another new mark. Our national debt now exceeds \$19 trillion.

It wasn't that long ago that I was standing on this floor and talking about the fact that we are approaching \$11 trillion of debt, and in just a few years that has accelerated in a most dramatic way. Now it has reached \$19 trillion. Obviously, it is having and it is going to have a significant impact on the future of this country and our economic growth. In fact, the Bureau of Economic Analysis said that our Nation's gross domestic product—the measure of our Nation's economic activity—grew a very anemic 0.7 percent in the last quarter of 2015. We simply cannot sustain our economy and grow and provide economic opportunity for Americans and jobs for Americans at a growth rate of 0.7 percent. In fact, the growth rate on the average is now about 2 percent. We can't even keep our heads above water in terms of providing employment opportunities for people if we don't grow at a much fast-

er pace, particularly following one of the deepest and most damaging recessions we have ever had.

Clearly there are issues that need to be addressed, issues that need to be talked about, and actions that need to be taken that put us on a better path to growth. Not having come up with the ability to address our long-term debt in any kind of a macro sense after many opportunities over the years and many efforts—some of them bipartisan and all of them denied by the President of the United States in terms of going forward for "political reasons"—I have shifted my talk to, say, at least let's try to stop spending money that falls in the category of waste, fraud, and abuse.

I have documented over the last year or so well over \$130 billion of documented waste, fraud, and abuse. This isn't just conjuring up some story or picking up stories out of a newspaper; these are documented examples by independent agencies of the Federal Government that examine our spending and come up with ways in which they can point out that the spending is not necessary and that these funds can be used for much better purposes, the best purpose of which would be to not increase our national debt in paying for waste and not demanding ever-more tax increases from our constituents to help pay for waste.

This week I am going to highlight something that wastes taxpayers' money and literally wastes space, warehouse space. The Department of Homeland Security owns or leases a number of warehouses around the country. They need this because they need to have in place the equipment that is necessary to address a disaster. Whether it is a natural or manmade disaster or whether it is a terrorist attack—for whatever reason, they need a number of these warehouses. They either buy or lease these warehouses to store this equipment that is needed for emergency situations.

In 2013 the Department of Homeland Security spent \$60 million to own or lease a total of 1,628 warehouses that, when added together, occupy 6.3 million square feet. That is a lot of leased space. That is a lot of space to own or lease to store equipment. That is the size of 110 football fields.

No one is questioning the need to be prepared for disasters or the need for warehouse space in different locations around the country, but, as is the case with so many government agencies, in the use of taxpayer dollars, we need to oversee and make sure the money is being spent in an efficient and effective way.

Thank goodness for these inspectors general. Without them, we would not be able to determine and find out what is going on at these various agencies regarding the handling of taxpayer money.

The latest report from the DHS inspector general said that there are some warehouses that are ripe for elimination, which would save taxpayers about \$9.7 million over a 10-year period of time. The inspector general said that the first of these buildings holds primarily a bunch of broken chairs—unused furniture. It is storage space for paperwork that is no longer necessary—and indicated that the DHS leases this warehouse in Northern Virginia for \$934,000 a year. I wish I owned that warehouse. I would be prohibited under the ethics code from doing that, but that is a pretty good deal. You build a warehouse and you lease it to DHS and charge them \$934,000 a year, and it is filled with equipment that is either broken or needs to be thrown out. In a macro sense, it kind of reminds me of my garage. I started thinking, well, there is a bunch of broken stuff in there sitting around on a shelf. Why don't I just get rid of it? Then I would have the space to store something that is needed.

I guess what the Inspector General is saying is, look, this stuff looks like a bunch of broken chairs and stuff we don't need, so why don't we get rid of it and save the taxpayers some money? Over the next decade, this could save the taxpayers a lot of money.

Let me show another picture. DHS also leases a 6,500-square-foot warehouse in Northern California. That is only \$74,000 of taxpayers' money on an annual basis. The warehouse is virtually empty. Maybe they have a plan to put something in there, but it is sitting there empty, and it is costing the taxpayers \$74,000.

The IG said: There are some old computers there which we don't use anymore. We bought new ones. There is a lot of broken equipment in there. There is old office furniture, and there are some books.

Again, it sounds a little bit like my garage on a macro basis. Why do we pay over \$70,000 to lease this warehouse when that is what it contains? I mean, let's throw it out.

These are just a few of the items the IG found. Clearly, though, it is an example of an inefficient use of taxpayer dollars, and it can add up to some significant numbers. Those numbers, as I have been posting here over the last year or so, are now totaling \$130,146,746,016. It is a waste of a lot of money, and it is a waste that needn't take place.

I am going to keep coming down here week after week highlighting to my colleagues that we can do a better job of oversight, we can do a better job of running this government, and we can do a better job for the taxpayers, who are working hard to earn money that is taxed by Uncle Sam. Some of it is wasted or spent through fraud or abuse.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, I come to the floor today to talk about our relations with Iran and the enforcement of the U.S.-Iran—the international nuclear deal.

Let me first start with a few observations to reinforce an important point: that Iran is neither our friend nor our ally. Just last Wednesday, as the international community marked the 71st anniversary of the liberation of Auschwitz as part of UNESCO's Holocaust Remembrance Day, when countries from around the world came together in solemn remembrance of the Shoah, united in a shared commitment that the atrocities of the Holocaust must never happen again, Iran's Supreme Leader, Ayatollah Khamenei, issued a very different proclamation. It came in the form of a video uploaded to his official Web site in which the narrator condemns the nations of the world for supporting Israel and questions the legitimacy and magnitude of the Holocaust.

Just a few days later, the Supreme Leader of Iran awarded medals to the members of the Revolutionary Guard Corps who detained American sailors last month under very dubious circumstances. The Iranian Supreme Leader, eager to use this incident for his own propaganda purposes, called them Medals of Conquest.

These two actions are despicable and not the sign of a nation ready to rejoin the international community. These actions by Iran's Supreme Leader are just the most recent in a series of provocations and reminders that the Iranian regime is neither America's ally nor friend.

A nation such as Iran that continues to suppress dissent, promotes terrorism on its regional neighbors, and blatantly disregards international law and norms, is a destabilizing force, a revolutionary regime not to be trusted. It is precisely for this reason—because we are deeply distrustful of Iran and its intentions—that we have to come together to rigorously, aggressively enforce the terms of the nuclear deal with Iran and push back on its bad behavior, from its support for terrorism, to its human rights abuses, to its illegal ballistic missile tests.

Today I wanted to focus on one of the most vital elements of the nuclear deal—the so-called Joint Comprehensive Plan of Action, or the nuclear deal with Iran, which is the dramatic in-

crease in access and surveillance that the International Atomic Energy Agency, or the IAEA, has gained through this agreement.

After implementation day was reached, one of the significant consequences of that milestone is not just that Iran has taken dramatic action to push back its own nuclear trajectory but that it has granted unprecedented access to the world's nuclear watchdog agency to monitor its compliance with the deal. As Congress, the administration, and the international community now focus on enforcing the terms of the JCPOA, it is worth taking a much deeper look at what exactly makes this IAEA access so unprecedented and so important to maintain.

I recently visited the headquarters of the IAEA in Vienna, Austria, with a delegation of eight Senators. This agency has a huge amount riding on its ability to successfully detect any Iranian cheating under this deal. It is no understatement to say that the very credibility of the IAEA is on the line as it monitors, inspects, and verifies the status of Iran's nuclear program—not just for a week, a month, or a year, but for decades into the future. I was pleased and reassured to see that they are using some of the very innovative inspection techniques developed at America's own National Laboratories. These are just a few of the topics I want to touch on in the minutes ahead.

The nuclear deal reached with Iran required that they provide the IAEA with around-the-clock, 24/7 access to monitor Iran's entire nuclear fuel cycle. What is a nuclear fuel cycle? It is all the different steps required to go from mining the raw ore to actually producing highly enriched uranium—from uranium mines, uranium mills, centrifuge production workshops, to every known and declared uranium enrichment site connected to Iran's nuclear program.

Simply put, before this agreement—before the JCPOA—Iran could have converted its uranium or its plutonium into material useful for a nuclear weapon. On implementation day, Iran disabled its Arak reactor. They filled the core of that reactor with concrete, shutting off the so-called plutonium pathway to a nuclear weapon.

Today I will focus on the uranium pathway of the commercial nuclear fuel cycle, which includes the four parts I just mentioned—mills, mines, conversion facilities, and enrichment facilities. These different components of their entire fuel cycle are scattered across the nation of Iran, as you can see in the graphic to my right.

The fuel cycle begins at uranium mines where hundreds of tons of dirt, rocks, and ore which contain tiny, trace amounts of uranium—typically just 0.1 percent—are dug up, blasted into smaller pieces, dumped into huge trucks, and then transported to the next stage, uranium mills.

Two mills exist in Iran near Gachin and Saghand. Under the JCPOA, the IAEA will maintain continuous access to these mills. In these uranium mills, the rocks retrieved from mines are then ground into dust from which uranium is extracted. This raw uranium ore concentrate is then transported—again, under the supervision of the IAEA—to a uranium conversion facility at Isfahan, where it is converted into uranium hexafluoride gas, or UF₆.

The final and most critical step of the fuel cycle takes place at so-called enrichment facilities where rapidly spinning centrifuges enrich uranium hexafluoride to the point where it can be used for research and development, industrial purposes, or, if enriched to a very high level as fissile material, it can be used for a nuclear weapon.

Critically, the nuclear deal gives the IAEA access to inspect and oversee every one of these stages, not just enrichment facilities, as other deals with other countries previously required. If the JCPOA only required the Iranians to give nuclear inspectors access to their enrichment facilities, Tehran could easily continue to mine, meld, convert, and then quite likely enrich uranium undetected elsewhere, such as undeclared secret facilities. That is why it is so important that mills, mines, and the whole rest of the fuel cycle are subject to regular inspections and continuous oversight. Access to the entire fuel cycle means that the IAEA—and thus the world—will know if Iran tries to move any nuclear material to undeclared covert facilities.

One of the biggest advances in this new, continuous monitoring approach is a whole new series of inspection techniques and technologies. It is not enough for nuclear inspectors themselves to be able to access every step of the fuel cycle because it is impossible for even the best inspectors to be physically present everywhere all of the time in a nuclear fuel cycle system as complex as Iran's. That is why effective oversight and enforcement demands that the IAEA be able to monitor enrichment efforts remotely and constantly. That level of monitoring is provided by the continuous real-time monitoring of all of Iran's declared nuclear facilities.

Here is one of the ways that works. The small device to my right here is an IAEA monitoring device—known as an online enrichment monitor, or an OLEM—which is installed at the Natanz fuel enrichment plant in Iran. The pipe labeled "A" is a processing pipe that transports gaseous uranium hexafluoride gas from cascades of spinning centrifuges. These centrifuges are the devices that take the uranium previously mined from the ground and then milled to be transformed or enriched into uranium possibly useful for either civilian or military purposes.

Inside the box at the bottom right, this “B,” is a gamma ray detector which measures the amount of uranium hexafluoride gas flowing through the centrifuge at key measurement points. These gamma ray detectors send continuous, real-time, 24/7 information to the IAEA so it can make sure that Iran’s uranium enrichment levels remain at or below the agreed-upon 3.67 percent—dramatically lower than the 90 percent enrichment threshold required for fissile material useable for a weapon.

In addition to these gamma ray detectors, pressure and temperature sensors continuously monitor the present quantities of gaseous uranium hexafluoride gas. Measurements from these sensors, combined with data from the gamma ray detectors, allow the IAEA to effectively monitor all uranium enrichment. This monitoring equipment runs autonomously, has backup battery power to ensure reliability, and is encased, as you can see, in sealed containers that contain tamper-resistant equipment to allow the international community to know if Iran tries to alter or tamper with the monitoring equipment.

Before the IAEA developed and implemented these continuous monitoring devices, nuclear inspectors had only two options for verifying compliance: Send inspectors directly, physically into each facility to retrieve physical samples or attempt to measure compliance, even remotely, by taking environmental samples. As a stand-alone method, these two techniques were unreliable and time-intensive, requiring weeks to collect, ship, and analyze samples. Today, instead of waiting weeks or months for results, the IAEA now has real-time, around-the-clock access, so it is aware of exactly what Iran is doing at its enrichment facilities.

These nonstop monitoring devices that were recently developed will also be supplemented by traditional sampling and analysis performed in person by IAEA inspectors. Continuous monitoring devices are in place at all of Iran’s uranium enrichment facilities, as well as every known site at which Iran mills and converts uranium and manufactures or stores centrifuges.

That represents every single location involved in Iran’s fuel cycle—except uranium mines. That is because real-time monitoring of a mine would serve no scientific purpose. Uranium mines consist of thousands of tons of raw dirt, rock, and ore. Only a minuscule amount of uranium is naturally present, and even that raw uranium is typically present in such tiny concentrations—just a fraction of a percent—that they are unusable without further processing and enrichment.

IAEA inspectors have regular access, as I have said, to all known uranium mines, and because of the huge amount

of activity required to process and mine uranium, regular inspectors are more than sufficient to uncover and monitor Iran’s behavior at mines.

Throughout Iran’s nuclear facilities, the IAEA has also installed both still and video cameras. These cameras provide a 90-percent increase in the number of images generated per day compared to before the nuclear agreement, giving the international community another vital window into Iran’s activities.

In addition, gamma ray monitors—as well as all nuclear material, centrifuges, and equipment—are all secured with tamper-evident seals to protect the integrity of the equipment.

In our Nation’s history of dealing with rogue states seeking a nuclear weapons capability—from Saddam Hussein’s Iraq to Qadhafi’s Libya to North Korea—there has never been an inspection protocol that allowed the IAEA this level of access to monitor and oversee every stage of the nuclear fuel cycle. Under this level of oversight, to produce a nuclear weapon, Iran would need to construct an entirely separate fuel cycle—a whole supply chain, including mining, milling, conversion, and enrichment facilities—completely in secret—an exceptionally difficult undertaking.

But access alone is not enough. For us to be ensured that Iran is not developing a nuclear weapon, the IAEA must also have the resources to turn that access into effective oversight.

Under the terms of the JCPOA, Iran must declare every nuclear and nuclear-related facility that exists within its borders. In response, inspectors have three roles: first, to confirm that Iran’s site declarations are accurate and comprehensive; second, to monitor all declared sites to make sure Iran’s behavior complies with the terms of the deal; and, third, to track material that leaves each facility to make sure Iran is not pursuing illicit nuclear activity at undeclared sites elsewhere in the country.

Inspectors have regular, complete access to every segment of the nuclear supply chain: conversion, enrichment, mines, mills, fuel manufacturing, the reactors themselves, and spent fuel. To reach the level of necessary oversight, the IAEA has increased its number of inspectors by 120 percent. But I will remind my colleagues that for the next 25 years or more, these physical inspections will have to be sustained to provide a critical supplement to the continuous monitoring technology I referenced before.

Even so, if the IAEA doesn’t have enough capable nuclear scientists to effectively monitor, evaluate, and investigate every aspect of Iran’s nuclear fuel cycle, the international community will not, for the decades to come, be able to effectively enforce the terms of the JCPOA.

It takes years to train capable nuclear scientists and even longer to develop new and better monitoring technologies.

As the name of the IAEA implies, fully supporting the IAEA requires support from each of our international partners. But Congress can and should take a step forward by providing reliable, continuous, long-term funding for the IAEA so they can increase the number of their fully trained and available inspectors. It would send a strong signal to both our allies and to Iran that we are serious about holding Iran to the terms of the deal not just this year but over the decades to come.

The IAEA needs the resources to do its job effectively and efficiently. Working effectively means the inspections are not only uncovering violations or potential violations of the deal but also deterring Iran from covert action by knowing with certainty that they will be caught. Working efficiently means the IAEA can devote as many resources as necessary to searching for undeclared sites and monitoring those that are known. To this end, I hope that when the President’s budget is released next week, it will include a significant increase in resources for the IAEA.

Adequately funding the IAEA is something I will be speaking about in greater detail in the weeks to come, but it is also important to note that there is a direct correlation between our investments in Federal research and development—specifically, in our National Laboratories—and our effectiveness in keeping Iran’s nuclear ambitions and the threat of proliferation throughout the rest of the world in check.

For over 35 years—back to 1980—every single IAEA inspector has been trained at least once at Los Alamos National Laboratory in New Mexico.

The Idaho, Oak Ridge, and Brookhaven National Labs are also part of the vital training network for IAEA inspectors. On average, our national labs are training 150 IAEA inspectors every year—about one-fifth of the entire inspection staff—every single year, developing key skills to keep us and the world safe, like learning how to make accurate, prompt measurements of nuclear material.

Our National Labs also play a key role in improving existing technologies and developing new ones that we can’t even imagine today. The online enrichment monitors I described earlier, which will allow for continuous, real-time oversight of Iran’s enrichment activities, were originally developed at Oak Ridge National Lab in Tennessee.

In fact, most of America’s 17 National Labs have supported or are currently supporting some element of the IAEA safeguards technology, both as individual labs and as part of a 10-nation, 20-lab network of analytical labs

that include Los Alamos, Oak Ridge, Lawrence Livermore, Pacific Northwest, and New Brunswick National Labs.

In conclusion, congressional oversight is essential to the most stringent implementation of the nuclear deal with Iran and for our national security as a whole. Making investments in our National Labs and in Federal research and development today means better trained, better equipped nuclear inspectors for the years and the decades to come. Adequately funding the IAEA today means the international community takes full advantage of the unprecedented access we negotiated in this deal.

Effectively enforcing the JCPOA and pushing back on Iran's bad behavior today makes it clear that we intend to hold Iran accountable and to lay the groundwork for security for generations to come.

If we are serious about enforcing the terms of the nuclear deal, we need more than access; we need action.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I came to the floor to listen to my friend talk about one of the most important issues that we have dealt with in this body for many years. There is no one who is more articulate and more understanding of the issues that face us in foreign policy than the junior Senator from Delaware. So I extend my appreciation to him, and I am glad I had the opportunity to come and listen to what he had to say. The stuff he talked about is not simple stuff. It took someone of his ability to explain so we all understand what he has said, and pointing the way forward for peace and security not only in that part of the world but the other work he has done on the Foreign Relations Committee to promote peace and security around a lot of the world.

STATE DEPARTMENT INSPECTOR GENERAL MEMO

Mr. REID. Mr. President, we have always known that the Republicans have an obsession with Secretary Clinton's emails, but their obsession is a trumped up, partisan political crusade.

Today we received a new revelation about just how bankrupt the Republicans' campaign against Secretary Clinton truly is. The inspector general of the State Department issued something that is quite important. It is unclassified. He wrote a memo stating that emails received by former Secretary Colin Powell and aides to Secretary Condoleezza Rice may contain classified information.

This is the same trumped up allegation for which Republicans are currently trying to railroad Secretary Clinton.

As vice chairman FEINSTEIN said last week: "It has never made sense to me that Secretary Clinton can be held responsible for e-mail exchanges that originated with someone else."

Yet Republicans would have us believe that these emails posed a grave threat.

Secretary Colin Powell said it best. Here is what he said upon reading such emails: "A normal, air-breathing mammal would look at them and say, 'What's the issue?'"

Just like they turned Benghazi into a political issue, Republicans are looking for anything that can be twisted into a partisan political tool—for former Senator and former Secretary of State Hillary Clinton—and for obvious reasons.

The pursuit of her email records has caused the Republicans to waste millions of dollars of taxpayers' money and, of course, abuse the congressional oversight process. They have held up scores of State Department nominees—from USAID workers in Africa and around the world to the State Department's Legal Adviser. Because of what is being done here, the State Department—they have numerous people, I say numerous people, who should be confirmed so the State Department can operate. But, no, they are being held up—even the Legal Adviser. The State Department does not have its own lawyer because it is being held up. All they say is opposition to emails. It is an effort to develop opposition research for the campaign trail. This is what some would say is a watershed moment.

We can now hold Republicans' allegations up to the light and see them for the flimsy, transparent attempts to score political points that they always have been.

If we were to believe Republicans, then we would have to criminally charge Secretary Rice, Secretary Powell, their senior staff, and everyone else who received these emails. We might have to indict the entire senior level of America's national security community.

Of course General Powell should not be indicted. Of course Secretary Rice should not be indicted. But by Republicans' logic, they should be. This is absurd. It is absurd because the inspector general makes it very clear: These charges are a bunch of trumped up baloney. It is absurd because this campaign against Secretary Clinton has always been a ridiculously partisan, political waste of time and taxpayer dollars.

Today we see this more clearly than ever before, but no one has seen it more clearly than Secretary Powell. This man has held numerous positions in our government—Chairman of the Joint Chiefs of Staff, a four-star general. I repeat what he said today, and I quote again: "A normal, air-breathing mammal would look at them and say, 'What's the issue?'"

There is no issue.

I yield the floor.

Seeing no one on the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO TODD WEBSTER

Mr. COONS. Mr. President, I rise today to express my thanks to my chief of staff of the last 5 years, Todd Webster. It is a bittersweet day for me because my office says farewell to someone who has been a trusted, loyal, reliable, energetic, patient, faithful leader of the Coons team for my first 5 years here in Washington. He is someone who has been warm and humorous, caring, and always ready with a funny story to tell. He is down to earth, someone who takes interest in whomever he is speaking to; who seems to know everyone here, and who is well liked and well respected. He is a true family man who helped plan a surprise birthday party for his father Peter who recently turned 75; whose delightful and beautiful wife Lisa last fall was named president and CEO of Physicians for Peace and who joins him in their commitment to public service; and whose wonderful children, his daughter Sydney, son Peter, and daughter Catherine have sustained and supported him in his service—his 5 years with me in the Senate and his years before that with other Senators. Even their dog Kili, an Irish doodle, has been a part of the extended Webster family that has helped engage and entertain and support my office these last 5 years.

When I first came to Washington, under the most unlikely circumstances in 2010, I was looking for someone who could help me navigate the culture and folkways of this building, and there was no one better suited for that than Todd Webster. He worked on the campaigns of Senators Harkin and Byrd, as the deputy communications director for the Gore-Lieberman campaign, and as the communications director for Senator PATTY MURRAY. After that he was the communications director for Senator Tom Daschle.

After those years of service in the Senate, he had gone off on his own to form the WebStrong Group, and he was the owner of Webster Strategies and a regular commentator on MSNBC.

So when I had the chance to first meet him in 2010, I was encouraged that he was willing to offer his significant skills and talent to the challenge of helping me shape my team and decide on my trajectory here in the Senate. So this 9-year Senate veteran, this

graduate of Bowdoin College and possessor of a master's degree from the GW Graduate School of Political Management set off with me on a fascinating and at times challenging trip.

Todd is a great athlete. He is someone who is a dedicated golfer, "an honorable player," as was commented by JJ Singh, one of our great team members in the office. You can tell a lot about a person by how they behave on the golf course, and Todd is a gentleman. He plays fast so as not to hold up others, but will go out of his way to look for your lost ball in the woods.

If Todd left the office a few minutes early on Fridays, he would announce that he was "going to investigate some greenspace." Although rare, his outings on golf courses, I know, were a source of encouragement and relief.

On the softball field he was also a great contributor. A member of my team commented that "he was a valuable member" of our team, known as the Small Wonders, after Delaware's nickname, "and was known for his ability to turn triples into doubles and sacrificing his body at first base to get much-needed outs."

"He was also instrumental," JJ wrote, "to the team's magical 2014 turnaround season and Cinderella run to the playoffs."

On the management side, Todd would constantly walk around the office unannounced, just to check in and see how folks were doing. Rather than making staff find him, he would proactively seek out staff. His door was always open, whether to chat about something work-related or to vent or to listen about something personal. He always had a funny story to tell and was willing to listen and offer meaningful advice.

When Tom sensed that the afternoon was dragging on and our subterranean executive suite was in need of a pick-me-up, he would go on what we call in Delaware a "WaWa run," picking up snacks and caffeinated beverages to keep everybody focused until the end of what are sometimes very long days.

I got one interesting comment from a constituent staffer who has worked for me and for several other Senators in her many long years at the Senate. She commented that on one visit to DC, Todd cared enough to make sure our whole constituent relations team had lunch in the Senate dining room. She was astonished that he took time out of his busy day to have lunch and get to know them and get to know what they do on behalf of the people of Delaware every day.

Todd also understood and connected with my commitment to my home State and enthusiastically made an annual trek to the Delaware State Fair and devoted himself to learning more about Delaware's all-important poultry business. I will say that in equal part I did my best to learn more about sports,

going to Caps events, Wizards events, and on golf outings with Todd. He joined me in going to memorable visits of processing plants where thousands of chickens made the eye-opening transition from being broilers to being dinner. In addition, I want to thank him for his strong constitution and his dedication for advancing the agricultural interests of my home State, which even included trying scrapple on one occasion.

At a time when congressional budgets have constantly been under pressure and many in America believe our political system is dysfunctional, Capitol Hill depends on dedicated, loyal, optimistic, and positive public servants like Todd—not only for the kind of policy and political accomplishments that ultimately show up on a resume or a job description but even more for the qualities and characteristics that make this place function—an unquestioningly positive attitude, a management style that makes everyone from interns to seasoned professionals feel welcome and valued, a willingness to speak candidly about himself and the office, about our challenges and prospects, a keen perspective on the absurdity of the many aspects of the modern political process, and the relentless idealism that inspires those around him to keep believing and working hard. These are the hallmarks of Todd's time over the past 5 years.

In the 5 years I have had the joy of working with him. He has always been at my side, helping my office get up and running and teaching me the ways of this town and this institution. Walking around Capitol Hill with him was often like walking beside the "mayor of the Senate." Every few steps, every few minutes, someone would stop to say hello, to catch up, to reconnect or talk about what is next. Far too often, people leave the Hill, having forgotten long ago why they ever got into public service in the first place. Todd never has. Throughout his 9 years serving three different Senators, he has remained cheerful, optimistic, tireless, and committed.

His car is often the very first one in the Russell garage in the morning, and he often has been the last staffer to leave and go home at the end of a long workday. Whether it is his willingness to call a staff member after the passing of a family member or bounding into the office every morning with a smile, saying, "top of the morning to you, hello friends, hello Meg, hello T, hello Chels," my office will simply not be the same without him—without his cheer, without his loyalty, without his hard work, without his energy, and without his optimism about what we can still do together here in this greatest institution in the American constitutional order.

So with that, I would like to offer my thanks and best wishes to my departing chief of Staff, Todd Webster.

Thank you.

REMEMBERING U.S. CAPITOL POLICE OFFICER VERNON ALSTON, JR.

Mr. COONS. Mr. President, I rise today to honor a fellow Delawarean, U.S. Capitol Police Officer Vernon Alston, who passed away unexpectedly last month at the much too young age of 44.

Officer Alston was a fixture in the House of Representatives, spending nearly 20 years on the Hill with the Capitol Police. As one of his colleagues, Officer Scott McBane, noted, Vernon was a "gentle giant." His wife Nicole describes him as "a very genuine man" who had a deep and genuine love for people.

While I didn't have the privilege of knowing Officer Alston personally, we shared at least two commitments: to be in Washington each morning to go to work and to be back home in Delaware to see our kids each night.

For years, Vernon's shift started at 5 a.m., meaning he would be beginning his 90-minute commute from Magnolia, DE, at a time when few, if any, of the people he would soon be protecting would even be awake. For those who knew him, Vernon's willingness to drive 3 hours a day just to be home with his family every night wasn't the only reflection of his commitment to service and his family.

In fact, Vernon's entire career is a testament to his passion for helping others. While still a student at Howard University, he joined the U.S. Army Reserve and served as an Army reservist until 1994. After graduating from college in 1995, Vernon joined the DC Army National Guard and served as a member of the Guard for another decade.

In 1996, Vernon joined the U.S. Capitol Police and spent the next two decades dedicated not just to keeping lawmakers and their families and our offices' visitors safe but doing so with humility, a smile, and with a relentlessly positive attitude.

It is not just the job Vernon chose to dedicate his life to that says so much about his character but how he did it. Those who served with him will tell you how he always wore a smile on his face and never had a harsh word to say.

Two weeks ago Vernon died as he lived both his professional and personal life—helping people around him. In this case, he was shoveling snow for his next door neighbor in the aftermath of one of the biggest storms to hit our beloved home State of Delaware in years.

From the employees of the House and Senate who work around-the-clock to keep the lights on to the Members of Congress ourselves, everyone plays their part in keeping this institution working and in making our country's

legislative process functional and accessible. That accessibility, that openness, is a guiding light to which nations around the world aspire, and that is in many ways a direct reflection of the efforts of Officer Alston and fellow Capitol Police officers who serve with bravery and tirelessness, day in and day out.

When we talk about public service on this floor, we are often referring to our country or our constituents, but just as important is service to our colleagues, family, and friends.

Vernon first met his wife Nicole when they were both students at Howard in 1992, but they didn't truly connect until running into each other near this Capitol 15 years ago. It was just 6 months after that, Nicole remembers, that she married the man of her dreams.

Let me leave with you a passage from the Scriptures, Galatians 6:9–10, which teaches us:

Let us not become weary in doing good, for at the proper time we will reap a harvest if we do not give up. Therefore, as we have opportunity, let us do good to all people.

Whether in the Army Reserve, at his post outside the Cannon House Office Building or at his home in Delaware, Vernon sought the opportunity to do good to all people, and in doing so he made a real difference in the lives of those he knew and those he served.

While the words and tributes to Officer Alston that have poured forth from his colleagues and his friends may provide little comfort today to his friends and family, it is my hope and prayer that Nicole, Brittany, Yasmeen, Brandon, Israel, and Breyden can take solace in knowing in the years to come that the man they so loved was beloved by so many people.

Thank you.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, the Senator, my colleague from Delaware, and I are close friends and we ride the same train together a lot of days, coming and going to Delaware. I would like to think that we think alike and share a lot of the same values. It was interesting to listen to his remarks about Vernon Alston, which actually reflect and track very closely with what I am prepared to say. But there are some differences. I am happy to be here with him, and I think it is great that we are here. I think we are also speaking for JOHN CARNEY, who is our Congressman, and who would, if he could speak on this floor, join us today as well.

Mr. President, I also want to join Senator COONS and the Presiding Officer, who presides in the chair almost every time I speak on this floor. I don't know how this works out, but it is good to see the Presiding Officer and this new group of pages who have joined us this week to tell you about a man you

never had a chance to meet who was a Capitol policeman for almost 20 years.

Senator COONS talked about him. I am going to say a few words about him, and then we will probably head for the train and head home.

Let me just say a few things about Vernon J. Alston, Jr. His Dad is also Vernon J. Alston. As Senator COONS said, he passed away at the age of 44. We did have a big snowstorm. We had a lot of snow. We had a couple of feet here and almost that much in parts of Delaware.

When Vernon died, he had actually just finished helping a neighbor shovel out after the snowstorm, and that sort of epitomized his life. He was always helping other people, not asking for anything much in return but setting a good example to every one of us. But in life and death, Vernon epitomized the best of our country—people who put their lives on the line to protect and serve in this Capitol Complex and those of us who live and work in this part of the Nation.

The U.S. Capitol Police are some of the finest men and women in uniform. I say this as a former naval flight officer and a retired Navy captain. We have wonderful men and women who serve us and all the folks who come from all over the world to visit this place throughout the year. But each day these officers perform perhaps the most important jobs here on the Hill—protecting those of us who are privileged to work here either as Members of the Senate and the House or staff and also the millions of visitors and folks who travel here from not just the 50 States but from a lot of places around the globe.

Whether these officers are patrolling the ground to prevent or detect mischief, investigating suspicious activity or responding to emergencies, their mission is the same. Their mission is to protect one of our country's principal symbols of democracy—the United States Capitol. Their mission is not one that comes without sacrifice. Just 17 years ago, I remember this to the day, in 1998, two of our Capitol Police officers, not far from the sound of my voice, were gunned down in the line of duty when a gunman opened fire, trying to force his way into the Capitol.

Vernon, in his service with the U.S. Army Reserve, with the National Guard, and with the Capitol Police force, consistently exhibited unwavering courage, devotion to duty, and, above all, honor. In the way he lived his life and how we remember him, Vernon reminds each of us just how good we can be and ought to be.

Vernon Alston was born in 1971 to his mom Barbara Alston and Vernon Alston, Sr.—and not in this country. He was born in Vincenza, which is a town in Italy where his dad Vernon, Sr., was stationed in the U.S. Air Force. Vernon

spent the first 10 years of his life in Italy before his father was transferred to Dover Air Force Base in Dover, DE. There Vernon attended grade school on the Air Force base and later graduated from Dover High School, a school that I have been privileged to visit many times. He went on to attend Howard University in Washington, DC, and graduated from there about 20 years ago in 1995.

Vernon was still a student at Howard University when he answered the call of duty, following the footsteps of his dad Vernon, Sr., and his grandfather David Alston, who was a U.S. Army World War II veteran. In 1991, Vernon—this is the son—joined the U.S. Army Reserve, and he served in the Army Reserve until 1994. After graduating from college in 1995, Vernon joined the District of Columbia Army National Guard and served as a member of the Army National Guard for another 10 years.

I am sure our Presiding Officer spends time with his Guard troops in his home State. We do, too. We have an Army Guard and an Air Guard in Delaware. We are very proud of the literally thousands of men and women who serve our country. I think 300 are in Afghanistan. We will welcome some folks home this weekend. We are welcoming some folks home this weekend.

But this is what Winston Churchill used to say about people who serve in the Guard or Reserve and have their own day jobs. Winston Churchill said they are twice the citizen. Think about that—twice the citizen.

I know a lot of people who are in the Army Guard who used to be in the Army, and a lot of folks in the Air Guard in Delaware who used to be in the Air Force. They have their day jobs, and they serve our State and our Nation through the Guard. They are two-times the citizen. So was Vernon.

He began his service with the Capitol Police Force 20 years ago, and for those 20 years he protected and served the Capitol Complex and its community, including folks such as us here: Senators, staff, our pages sitting here at the dais today, members of our families, staffs, members of their families, and millions of folks who visit our Capitol throughout each year. Vernon's positive energy, which Senator COONS has alluded to, and his attitude made a lasting impression with his Capitol Police colleagues.

In the latter part of his career, most recently Vernon was stationed at the Capitol powerplant, which provides steam and water that is used to heat and cool buildings across the Capitol Complex. At that plant, it was his responsibility to check visitors and staff at the door and work to keep that facility safe and secure every day, 24 hours a day, 7 days a week, throughout the year.

According to his colleagues, he always found time to ask others: Well,

how are you doing? And he possessed the all-too-rare quality of being a patient listener. My dad used to say to my sister and me that God gave us two ears, one mouth, and we should use them in that proportion—listen a lot more than we talk. I always admire good listeners, and Vernon was one of those.

One of his fellow officers described Vernon as a “beacon.” A beacon of what? Well, a “beacon of positivity,” a positive force. No matter the mission—an early morning for a Presidential inauguration or a late night for the State of the Union Address at the other end of the Capitol—Vernon always wore a smile on his face.

In 2008, while Vernon was on the job and patrolling the Capitol grounds, he ran into a woman whom he had actually run into before named Nicole Davis. Despite attending Howard University at the same time, Vernon and Nicole never really knew each other. But earlier this week, I talked to Nicole, who for years also made the commute from Magnolia, DE—just south of Dover—to serve not in the Capitol Police but to serve our country in another capacity here in our Nation’s Capital. She told me their love story or an abbreviated version of it. When they were at Howard University at roughly the same point in time, Vernon would see her from afar and would admire her. He never really summoned the courage—if you will, the temerity—to go up to her and say: Here is who I am; who are you? But he sort of admired her from afar and wished he could get to know her.

Many years later, while he was on patrol, I think at the corner of First and Independence, guess who comes walking along—that same woman whom he had admired from afar all those years ago. They struck up a conversation, hit it off, and went out on a date together. The rest is history. Six months later they were married. I know some people who married that quickly, and I am one of them. Vernon and Nicole knew what they were looking for. They were looking for each other, and they found each other. They have a wonderful family they have raised.

Later when they were onboard the *Spirit of Washington*, they became husband and wife. After they married, they moved, in this case to Delaware. As I said, people in Magnolia—their claim to fame is that Magnolia, DE, is a little town that is the center of the universe. There are probably other places where people think they are the center of the universe, but the Alston family lived in Magnolia, the center of the universe, for a number of years.

Nicole, as Senator COONS said—not only did Vernon get up and drive to work every day, so did Nicole. And they didn’t carpool many days; they each drove separately. They both loved Delaware, but they wanted to work

here and to serve our Nation in different roles. Nicole served and worked for a number of years at the Smithsonian’s National Zoo, while Vernon was keeping things safe here in our Capitol. Together they have five children: Brittany, a sophomore at Delaware State University, the home of the Hornets in Dover; Yasmeen, a senior at Polytech High School in Delaware, the home of the Panthers, just south of Dover; Brandon, a sophomore at Paul Public Charter School in DC; and Israel and Breyden, who are both in preschool.

I am close to closing, but I want to share a story that we heard from Vernon’s mom the other day. It deals with the time when he was in the fourth grade. Vernon’s principal told Vernon’s parents that he was a great example to his peers, to other students. The principal said he knew he would come to learn about Vernon’s accomplishments and achievements in the newspapers years down the road.

Think of that. I don’t know what my principals were thinking about me when I was in the fourth or fifth or sixth grade, but I don’t think any of them thought that I would end up in the Senate or that they would be reading about me in the newspaper or watching me on television. But when Vernon was not even 10 years old, his principal knew he was a guy who was on his way to being somebody his parents could be enormously proud of.

I think it is clear through the outpouring of love and accounts of so many others after Vernon’s untimely passing that Vernon’s principal was right. If he is out there listening somewhere and if his teachers are out there listening somewhere, I thank them for helping—along with Vernon’s parents—raise a remarkable young man.

Today I rise to commemorate Vernon, to celebrate his life with Senator COONS by my side, and on behalf of Congressman JOHN CARNEY, our at-large Congressman from Delaware. We want to offer to Vernon’s family—particularly to Nicole, their children, their friends, and family—our support and our deepest sympathy on their tragic loss and really the loss to all of us here. We consider Vernon and those with whom he served as part of our family.

I asked my staff to see if they could find a couple of people who serve in the Capitol Police who might have something to say about Vernon, and I want to quote them and maybe close my remarks with their words.

These are the words Officer Scott McBane said about Vernon Alston:

Vern Alston was an outstanding human being. To know Vern was to love him. I was privileged to work with Vern for three years at the Traffic One checkpoint of the House Division [on the House side]. He treated everyone he met with patience, good humor, and remarkable kindness. A great talker who told very funny stories, he also had that rare

quality of being a sympathetic and a patient listener.

We heard that before, didn’t we?

Continuing:

Smart, positive, and always supportive, people would stop by all day to see Vern and share their stories with him. A warm and sympathetic friend to so many, Vern will be greatly missed by all who knew him.

Thank you, Scott McBane, an officer with the Capitol Police, for sharing those memories of Vern Alston.

I have one more from another Capitol Police officer who knew and worked with Vernon. This officer’s name is Michael Woodward. Michael said these words about Vernon Alston:

Of all the people I have had the honor to work with Vernon Alston was by far the most positive, warm, friendly and outgoing person I have ever met.

Let me just stop there. How many people in the world do you suppose there are who would say those words about us? Whether we happen to be Senators, our staff, our families, those are wonderful words for someone to say about us, that we were the most “positive, warm,” or “friendly and outgoing person” that someone ever met. What a compliment.

He continues:

He was always one to greet you with a smile, and ask how you and your family were doing. It doesn’t matter what was going on—if we were coming in early for the Inauguration or staying late for the State of the Union—he always had a smile. I never heard him speak a negative word or raise his voice. He treated everyone as a close friend and was a beacon of positivity. His passing leaves a hole that cannot be filled.

Senator COONS closed with a little Scripture from the New Testament. I think it was Galatians, if I am not mistaken. I will try to paraphrase a little something maybe from Luke and from the Book of James: People may not believe what we say; they will believe what we do. We lead by our example. And in our lives, it cannot be do as I say, but really do as I do.

Throughout his life, Vernon was a great example, not just for the people with whom he worked on the police force here, not just for all of us who came into contact with him throughout the day or week, but for some of those millions of people whose only lasting impression of our country that they took home with them wherever they came from around the world was this wonderful Capitol Police officer who took the time to talk with them, to listen to them, to be patient, to be helpful, and to be friendly.

There is a great lesson for all of us in that—a great lesson for all of us. For that, Vernon, we thank you. God bless you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL EXPORT EXPANSION ACT

Ms. HEITKAMP. Mr. President, I rise to talk about a bill which I introduced that I would love to have the Presiding Officer's sponsorship, given how important the Port of Louisiana is to American agriculture and certainly commodities that we ship across the world. It is called the Agricultural Export Expansion Act that I introduced with Senator BOOZMAN as my cosponsor. We have a great bipartisan lineup of people who are interested in this.

So what does this bill do? I will say, very rarely does a day go by—whether I am in North Dakota or whether I am here in Washington, DC—that I don't speak with or hear from North Dakota farmers and ranchers. The agriculture economy is absolutely critical to North Dakota. Almost one-quarter of North Dakota workers are farmers and ranchers or they are employed in farm-related jobs. During every meeting, farmers and ranchers express the urgent need—the urgent need—to open trade with Cuba and to stop tying the hands of our producers.

Just on Tuesday our barley growers were in my office telling me about how important the market in Cuba could be. Last week it was the Dry Bean Council telling me what I already know from my visit with Cuba: The products we grow in the United States—like North Dakota pinto beans or Arkansas rice—are compatible with the Cuban diet, and there is high demand for our high-quality products.

These aren't just crops that North Dakota grows. These are crops that North Dakota knows exceptionally well and that we excel in. My State is the No. 1 producer of barley, multiple varieties of beans, lentils, and certain types of wheat. Enabling agriculture exports to Cuba would be a huge boon for North Dakota farmers and ranchers, as well as those from many other States.

Unfortunately, because of trade barriers the United States puts on itself, the Cuban people aren't eating North Dakota beans, Kansas wheat or Arkansas rice. Instead, they are importing those products from countries much further away—like Brazil, Canada, Europe, and even Vietnam. I would say not only in terms of proximity of our product to the Cuban market—which is a huge freight advantage—we also have the highest quality of products. So we are forfeiting what in fact would be a natural market for us. Think about that. In this day, where trade is so important—where improving our balance of trade is so important—we will not be able to access the Cuban market.

Congress has eased some restrictions on exports to Cuba for agricultural

products. They did that back in 2000 with the passage of the Trade Sanctions Reform and Export Enhancement Act. That was a great first step. We did make some progress in increased sales to Cuba. Unfortunately, now that same law is holding us back.

The administration made important changes to U.S. policy and opened some travel and some trade to Cuba starting with their January 2015 changes. Most recently, including last month, the administration made more changes, including allowing for financing of authorized exports to Cuba. Unfortunately, those exports are other than agricultural exports. Because of our once forward-looking bill, agricultural exporters are prohibited now from offering financing that all other exporters can provide to Cuba. That needs changing.

In 2014 I visited Cuba. I met with Cuban agricultural trade officials to discuss bilateral economic benefits of expanding agricultural exports from North Dakota and the United States to Cuba. These are conversations we need to continue to have.

Last April I and Senator BOOZMAN introduced our bipartisan bill to level the playing field for our farmers and ranchers and make sure we can compete with the rest of the world in Cuba. What does that bill do and how does it improve our trade relationship with Cuba? One of the greatest barriers we have in getting our products to Cuba is we can't finance it. Some might say: Well, we don't want to put government taxpayer dollars at risk. This bill does not put one taxpayer dollar at risk. We are talking about opening the market so we can access private financing for agricultural exports to Cuba. Let me repeat that. No taxpayer dollars are at risk. It is based entirely on individual risk assessment and decisions. Our bill is supported by the U.S. Agricultural Coalition for Cuba, a wide-ranging coalition including every grower group and industry association.

This week, the Cuban Government announced that El Nino is going to create an even greater loss of agricultural products in Cuba. This is going to create an even greater opportunity for our agricultural exports—a greater opportunity. Why—why—why would we let other countries keep eating our lunch and dominating this important market, especially given our proximity? It is time for Congress to get out of American agriculture's way and let private businesses make exporting and financing decisions.

I urge all of my colleagues to cosponsor and help pass our bill, S. 1049, the Agricultural Export Expansion Act.

Finally, I want to talk about the challenges that American agriculture has. Higher-dollar value has put tremendous stress on our products. We have seen corn prices drop, we have seen soybean prices drop, we have seen

American agriculture challenged in ways we haven't seen for the last decade. How do we fix that problem? With another government program? Maybe we will have to help or expand the farm bill to deal with our food security issues created by low commodity prices. I will not take that off the table, but I will say the surest way that we can get out from underneath these challenges is export, is to provide for trade. It is one of the reasons I supported TPA. I believe it is great for American commodities to access additional markets and take down trade barriers to provide us with market, but why are we artificially standing in the way of private investment and private financing of American agricultural products? It is time that we do the right thing by American agriculture and open this market. We can take this incremental step without having this body agree to lifting any kind of embargo. We can take this incremental step without changing the prohibition we have on Federal-sponsored marketing programs. We can begin to access the Cuban market and introduce our high-quality beans, edible peas, and lentils. We can do that.

I will close with a story about my great friend MARIA CANTWELL from the State of Washington. Washington also grows what we call a lot of cross crops—although, I would argue that ours are probably even lot better than what is grown in the State of Washington.

MARIA CANTWELL went on a trade mission to try to sell Washington State lentils. After hours of listening to the trade officials and Mr. Castro, she was successful in convincing him to buy lentils. The lentils he eventually bought were from North Dakota.

We have an opportunity to access this market—not just for North Dakota but for the State of Washington, for the State of Louisiana, for the State of Arkansas, for the State of Kansas. For all of our agricultural producers, open this market, give us the ability to do what we do in every other place. We aren't putting taxpayer dollars at risk. We are simply asking for access to markets.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING GEORGIA POWERS

Mr. McCONNELL. Mr. President, I wish to mourn the loss of an honored Kentuckian and civil rights icon, Georgia Powers, who fought for civil rights

and marched in protest of racial injustice, died on January 30. She was 92 years old.

As the first African American to serve in Kentucky's State Senate, Georgia Powers paved the way for African Americans in Kentucky to enter public service. Even before her election to the senate, she had earned recognition across the State for her efforts to fight for equal rights.

In 1964 she helped organize a march on Frankfort to support a bill that would open public accommodations to African Americans. In 1966, thanks in part to her work, the Kentucky General Assembly passed a civil rights law, making Kentucky the first southern State to do so.

Among the many supporters Powers brought to Frankfort for the 1964 march were baseball legend Jackie Robinson—the man who broke the color barrier in professional baseball—and the Reverend Dr. Martin Luther King, Jr. Powers remained a close confidant of King's until his death in 1968.

Georgia Powers was born in 1923 in Washington County, KY, as one of nine children. Her family moved to Louisville when she was a little girl, and Louisville was the city that she loved her whole life and represented in the Kentucky Senate.

Georgia Powers' political career was born out of her fight for civil rights. She tried to work with members of the Kentucky Legislature on antidiscrimination laws and found them unreceptive. So when the incumbent senator in her home district in Louisville chose not to run again in 1967, she moved from protest to politics.

The first piece of legislation she sponsored in the senate, a bill for open housing, passed 28 to 3. That was the beginning of a successful 21-year political career. She would go on to become the chairwoman of the senate's labor and industry committee and the sponsor of the Equal Rights Amendment in Kentucky.

One of the earliest bills she introduced in the State senate was to remove racial identification from State drivers' licenses. Powers has said that she was prompted to do this based on her own experience as a 16-year-old trying to get a drivers' license. She was asked her race and the sting of discrimination stayed with her.

Georgia Powers built a stronger, fairer Kentucky by her life's work and her leadership. She was an inspiration to many, including me, for her determination in the face of injustice. I knew and worked with Senator Powers back when I served as the Judge-Executive of Jefferson County. I can personally attest that she was funny, tenacious, and tough as nails—an admirable woman and a respected senator.

Georgia Powers is remembered and mourned by many, including Louisville Mayor Greg Fischer, Kentucky Gov-

ernor Matt Bevin, and even boxing legend Muhammad Ali. Many Kentuckians in public service today cite her as a guiding influence.

Georgia Powers made fighting discrimination her legacy. I ask my Senate colleagues to join me in honoring her as one of Kentucky's most important leaders and a champion of civil rights. She will be remembered as a Kentuckian of courage and conviction, and she is greatly missed.

REMEMBERING U.S. CAPITOL POLICE OFFICER VERNON ALSTON, JR.

Mr. REID. Mr. President, today I wish to remember U.S. Capitol Police Officer Vernon Alston, who passed away on January 23, 2016. Officer Alston was a fixture on the Capitol Grounds for 20 years, and he is missed by the many who were honored to have known him.

Those who knew Officer Alston best describe him as someone who loved his family, his job, and helping others. For two decades, he helped members of the Capitol Hill community by keeping us safe, and on the day he passed away, he helped members of his own community in Magnolia, DE, by shoveling snow for his neighbors.

Officer Alston was a caring and modest man who took great pride in his work. As a former Capitol Police officer myself, I understand the dedication and sacrifice required of members of the Capitol Police force, and Officer Alston was an exemplar of these traits. I am saddened that the U.S. Capitol Police has lost one of our own, but I will always be grateful for Officer Alston's service to the Capitol Police force and to our Nation.

Officer Alston was loved dearly by his friends and family. He is survived by his wife Nicole; daughters Brittany and Yasmeen; and sons Brandon, Israel, and Bryden. My condolences go out to Officer Alston's family during this difficult time.

RECENT REGULATORY CHANGES RELATED TO CUBA

Mr. LEAHY. Mr. President, last week the administration took another step in unraveling the web of onerous, misguided, and self-defeating restrictions on the ability of American citizens to travel to Cuba and to interact with the people of Cuba.

Effective as of January 27, the Departments of Treasury and Commerce published revised regulations that end certain payment and financing restrictions, allow for more authorized exports to Cuba in a variety of sectors, and expand authorized travel categories and allow additional travel-related transactions.

Restrictions on providing access to credit, which have been among the

most commonly cited barriers to exporting to Cuba, were removed. Treasury's Office of Foreign Assets Control amended regulations regarding non-agricultural exports, and it is now possible for U.S. banks to provide direct financing for authorized exports to Cuba, as opposed to requiring cash in advance or routing through a third country which had stymied many transactions that could benefit American companies and Cuban consumers.

General licenses, meaning that a specific license application is no longer required, are now provided for a variety of categories, including telecommunications items that improve communications to, from, and among Cubans; certain agricultural items, such as insecticides and equipment, although not agricultural commodities; items for the safety of civil aviation and safe operation of commercial aircraft; and items necessary for the environmental protection of U.S. and international air quality, waters, or coastlines including items related to renewable energy or energy efficiency.

And it is now permissible, subject to case-by-case review, to export to some Cuban state-owned enterprises that "provide goods and services to the Cuban people." This includes items for agricultural production, education, food processing, public transportation, wholesale distribution, and construction of facilities for supplying energy, among others. As much as we disagree with many of the policies of the Cuban Government, it is undeniable that it provides health care, education, public transportation, and many other services that the Cuban people rely on.

However, exports to state-owned enterprises that primarily generate revenue for the government remain ineligible to receive U.S. exports along with military, police, intelligence, and security services.

Categories for authorized travel to Cuba have been expanded to include organizing professional meetings and for professional media and artistic productions such as movies, TV, and music, among others. These are long overdue and will be welcomed by American scholars, artists, and journalists. I am disappointed, however, that American tourists are still prohibited from traveling to Cuba, unlike to any other country in the world.

These are all positive steps, for which I commend the White House. Frankly, it is hard to believe that it has taken so long to finally begin to dismantle a policy of unilateral sanctions against Cuba when it has been obvious for so many years that it has failed to achieve any of its objectives, while it was hurting the people of both countries.

But a great deal remains to be done to reverse 50 years of an ill-conceived, punitive policy. It is for that reason that I urge the Administration to act

expeditiously to take further action, including amending regulations that would allow Cuba to use the U.S. dollar in third-party country transactions, which would greatly facilitate U.S.-Cuban commerce.

The Treasury Department should also do what the American people want by letting them travel to Cuba on a people-to-people license as individuals and stop treating them like children and making them pay thousands of dollars to large tour group operators. The U.S. Government is not in the business of requiring costly chaperones for Americans who travel anywhere else overseas, and it should not do so for Americans traveling 90 miles to Cuba.

Allowing all Americans to travel under a general license would significantly boost the number of Americans traveling to Cuba, it would create a much richer travel experience, and it would save taxpayers money.

There are some who will undoubtedly continue to insist that any change in policy is somehow a capitulation to the Cuban Government and that, because Cuba's Communist Party remains in control, we should continue supporting a policy that has helped keep them there. That illogical, myopic view has been repudiated by a huge majority of the Cuban people, including some of Cuba's most outspoken critics of the government, and it is rejected by a large and increasing majority of Americans, including Cuban-Americans.

The White House has all the support it needs from the American public, the business community, farmers, ranchers, energy companies, faith-based groups, academia, the media, the scientific and medical community, and so many others across this country to take bold action to expand engagement with Cuba. There is no time to waste.

TRIBUTE TO STEVEN M. DETTELBACH

Mr. LEAHY. Mr. President, I would like to recognize U.S. Attorney Steven M. Dettelbach for his years of excellent public service as he begins a new chapter in his legal career. Steve has served as the U.S. attorney for the northern district of Ohio for nearly 7 years after the Senate unanimously confirmed him to this position in 2009. Steve is a former member of my Judiciary Committee staff, and I have known him for more than a decade. I am very proud of all that he has accomplished.

Steve earned his undergraduate degree from Dartmouth College and his law degree from Harvard Law School. After law school, Steve clerked for Judge Stanley Sporkin of the U.S. District Court for the District of Columbia. He went on to serve in the Department of Justice's civil rights division from 1992 to 1997 and then in the U.S. attorney's office for the district of Maryland from 1997 to 2001.

In 2001, Steve joined my Judiciary Committee staff. Steve impressed me with his sound judgment and his outstanding work with both Republican and Democratic offices. Steve worked on a broad range of issues, including drafting and negotiating key whistleblower and criminal fraud provisions of the Sarbanes-Oxley Act. He played a central role on our oversight team and helped draft an important bipartisan report on the implementation of FISA. The report, written with Senators GRASSLEY and SPECTER, was the culmination of the committee's first comprehensive oversight effort of the FBI in nearly two decades. After his tenure with my office, Steve served as an assistant U.S. attorney in the northern district of Ohio. He then joined Baker & Hostetler as a partner before he was nominated to his current position.

As the U.S. attorney for the northern district of Ohio, Steve has been at the forefront of enforcing civil rights laws, including bringing some of the first cases under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009. He has organized educational events on issues such as human trafficking, hate crimes, and police use of force, and formed the United Against Hate religious coalition in the wake of a racially motivated arson at a church in his district.

As a member of the Attorney General's Advisory Committee, AGAC, Steve led the AGAC's civil rights subcommittee and worked to establish civil rights units in U.S. attorney's offices across the country. His work will ensure that civil rights remain a Department priority for years to come. Steve is a model public servant who approaches his job with integrity, tenacity, good humor, and sharp negotiating skills that I know will serve him well as he moves back to private practice.

Ohio is a safer and better place because of Steve's tireless effort and dedication. I commend Steve for his years of service and wish him and his wonderful family the best in their future endeavors.

TRIBUTE TO ESTHER OLAVARRIA

Mr. LEAHY. Mr. President, I am proud to recognize Ms. Esther Olavarria, an extraordinary public servant who has worked for decades to build an immigration system that is fair and just for all. I know Esther from her time in the Senate as Senator Kennedy's lead advisor on immigration matters for the Judiciary Committee. In the Senate and more recently in the administration, Esther's intelligent, thoughtful advice and analysis has been invaluable. She is stepping down this week after serving as senior counselor to Department of Homeland Security Secretary Johnson. I have no doubt the Secretary will miss her, as I do here in the Senate.

Esther was an early appointee of the Obama administration, serving first as a member of the President's transition team on immigration, then as the Department's Deputy Assistant Secretary for Immigration and Border Security and later as counselor to Secretary Janet Napolitano. During that time she advocated fixing our Nation's broken immigration system and the pressing need to provide protection for asylees and refugees, improve detention conditions, and ensure accountability and transparency in immigration enforcement.

In 2013, Esther was asked to serve as the White House Director of Immigration Reform. Her wealth of experience made her an invaluable asset in our bipartisan effort to pass the Border Security, Economic Opportunity and Immigration Modernization Act in 2013. The bill overwhelmingly passed the Senate with the bipartisan support of 68 Senators. I remain disappointed that that important bill was not taken up in the House, and I hope the Senate will one day turn again to this legislation. When we do, I know that Esther will be ready to provide her support once again as she has so many times when the Senate has turned its focus to the issue of immigration.

In the Senate, Esther understood the importance of working across the aisle to get something done. Like her boss, Senator Kennedy, Esther forged unlikely partnerships and found partners who were drawn to her passion, her sense of humanity, and her dedication. She was a key adviser for the comprehensive immigration reform bills of 2004, 2005, 2006, and 2007. Many of us remember Senator Kennedy turning to Esther during the 2007 negotiations not only so that he could seek her counsel, but so that other Senators could benefit from her expertise. Everyone—Republicans, Democrats, advocates, journalists—listened, and everyone was better off for having Esther nearby.

Esther, like her late boss, has always been driven by a deep commitment to making our communities stronger and more vibrant. She has advocated on behalf of immigrant children and she has fought to reform inhumane detention practices. And she has underscored the critical importance of the relationship between law enforcement and the immigrant community so that all our communities are safe.

A Cuban immigrant who came to the United States at the age of 5, Esther has always sought to advance immigration policies rooted in the American values of fairness and family. Her life experiences as a child led her to a career in immigration law, first helping low-income immigrants in Florida through direct client representation and by cofounding the not-for-profit legal assistance organization Florida Immigrant Advocacy Center, and then coming to Washington, DC.

I have no doubt that Esther will continue to be an important adviser, but more importantly a devoted friend to so many who have been fortunate to know her. She is an exemplary public servant. I commend Esther for her years of service and wish her and her family the best in their future endeavors.

STRENGTHENING THE EUROPEAN UNION

Mr. CARDIN. Mr. President, today I wish to speak about the European Union, to both recognize the peace and prosperity that it has brought to Europe for more than 75 years and the unprecedented challenges confronting the union today.

The Senate Foreign Relations Committee recently held a hearing on the threats to the European Union and the implications for U.S. foreign policy. Our committee was also briefed this week by Assistant Secretary of State for European Affairs Victoria Nuland on these issues.

Coming out of these discussions, I am absolutely convinced that the U.S. has an obligation to stand with our friends in Europe during these challenging times in support of the principles that we all share: democracy and the rule of law, respect for human rights, economic prosperity, and peace and security.

I would like to lay out how I see these challenges threatening the cohesion and stability of the EU. This is not meant to be an exhaustive list, but is intended to create a sense of urgency among my colleagues regarding the crises faced by the EU and our transatlantic alliance.

First, I want to reiterate the remarkable trajectory of the democratic process and peace in Europe since the World Wars of the last century. Emerging from the ashes of World War II, what started as the European Coal and Steel Community expanded to become the European Economic Community, which created a single market for the free movement of goods, people, capital, and services. The ideal of a single market guaranteeing freedom of movement for all member citizens still underpins the EU today, as it has grown from 6 to 28 members.

This basis in an economic union was always intended to grow into a political union as well. Jean Monnet, often regarded as the father of the European Union, stated that “we are not forming coalitions of states, we are uniting men.” This principle serves as the basis for cooperation amongst member states as they have pooled diplomatic resources to address some of the most pressing issues around the world, usually in concert and in lock-step with the United States. In capitals around the world, the U.S. works with EU representatives to address vexing regional

challenges, the provision of humanitarian assistance, and support for values that we hold dear.

The allure of EU membership has served as a powerful incentive, especially for countries in Central and Eastern Europe, to reform and adopt high governance standards in preparation for EU membership. Nowhere else in the world does such an incentive exist; and, while not without its challenges, this accession process has improved the economic circumstances, political rights, and civil liberties of millions across the continent.

Today, however, the EU is confronting its most serious crises, which collectively threaten the future of the European project. These threats to European cohesion are both internal and external, between north and south and east and west, as well as within and outside individual member states.

First, the refugee and migrant crisis today consumes policymakers in Brussels and across Europe. Tensions have grown among member states on the right approach to accepting them, as more than 1 million entered Germany alone in 2015, with the prospect of more in 2016. The heated debate within the Union on how to deal with the crisis has called into question the ability of Brussels to enforce commitments by its member states on borders, Schengen visa-free travel, and quotas associated with resettlement.

In recent months, member states have agreed to resettlement quotas and border protocols, only to see those agreements fall apart in quick succession. Some are now concerned that this trend could extend to other EU member states’ commitments in areas like sanctions on Russia.

Second, the 2008 financial crisis and the possibility of Greece exiting the Eurozone drew attention to the fiscal policy differences between Europe’s industrialized north and less developed south and shook the foundations of the monetary union. The EU has not yet weathered this particular storm, and while perhaps not as prominent in the news due to other challenges, the fiscal situation in Greece remains very precarious. Member states and the IMF remain focused on resolving the crisis, but the natural tension between painful economic reforms and the associated political and humanitarian costs remains.

Third, governments across the EU are contending with the very real threat of domestic terrorism and foreign fighters. Horrific attacks have galvanized European leaders to action, but significant challenges remain as the necessity for enhanced counterterrorism and intelligence measures interact with real concerns regarding privacy.

Fourth, an alarming nationalist trend has emerged in several countries across the Union. Although nation-

alism has, of course, existed for years across the Continent, it has been exacerbated by the migrant crisis. In some countries, governments have embraced a brand of “illiberal democracy” which calls into question the very democratic values of the EU and the four freedoms that make up its core.

Every member state signed up for these values when they joined the Union—many of which had to enact difficult reforms to make them a reality. It is unfortunate and worrying that we have seen an erosion of support for these principles in some corners, a dynamic that deserves increased attention and understanding.

Fifth, Russia continues to place pressure on the EU and poses a threat to the security of EU countries in the east. Ukraine is the clearest example, where Ukrainian aspirations for an association agreement with the EU were met with the illegal Russian annexation of Crimea and subsequent invasion of eastern Ukraine.

We have worked closely with the EU to establish and maintain a sanctions regime on Russia that is having a measurable impact. We must stay united on sanctions until the Minsk II agreement is fully implemented and Crimea is returned to Ukrainian control.

For years, Russia has also sought to erode support for EU institutions though a sustained propaganda campaign across the Union. We understand that Russia works to fund and influence anti-EU political parties, think tanks, NGOs, and media voices within the Union and among aspirant countries.

Russia is using the very strengths of Europe’s democratic societies against it—free press, civil society, and open debate. We should be prepared to push back against these revanchist efforts, not through propaganda, but a clear and forceful debate on facts.

Russia has not been reluctant to use its energy resources as a weapon as it seeks to pursue its ambitions, including by withholding energy exports to Europe in order to extract concessions on other issues. Much of Europe imports a considerable share of its oil and gas supplies from Russia.

The EU plays an important role in negotiating energy deals with Russia and must constantly contend with the threat that the country poses to the energy needs of member states. The collective negotiating power the EU wields with Russia is critical to ensuring the individual energy security of all EU nations.

Finally, UK Prime Minister Cameron is negotiating a new settlement between Britain and the 27 other members of the EU prior to a referendum this summer on the UK’s continued participation in the EU. Although the Prime Minister has said that the “best answer” is for the UK to remain part of

a reformed EU, it is up to the British citizens to vote to remain within the Union.

All of this matters greatly to the United States. EU member states include some of our oldest and closest allies in the world. Our partnership with the EU has afforded us the possibility of addressing some of the most challenging international issues—this partnership has made us safer and stronger.

We also draw great economic benefit from a stable EU—the Union is our largest trading partner and our economies are intertwined in beneficial ways for citizens on both sides of the Atlantic. This partnership is vital to our interests, but only works if the EU's institutions are vibrant and able to respond to the challenges before it.

While many of these problems will be up to the EU member states to resolve, I strongly believe that we should stand in solidarity with the Union through this difficult period and take tangible action to support our friends.

First, we must continue to make clear our support for the democratic principles that serve as the basis for the EU and should be clear in speaking out against the growing chorus of illiberal voices. The U.S. should reenergize ties with civil society across the continent, especially in Central and Eastern Europe where strong civil society connections established after the Cold War atrophied as attention shifted elsewhere.

We also need to reinvigorate the transatlantic dialogue—among governments, think tanks, NGOs, and civil society organizations—on these issues. The transatlantic relationship always has and always will benefit from enhanced ties among our people.

The U.S. should also work to develop a new generation of foreign policy and security policy leaders and analysts that focus on Europe and the centrality that the continent has for our interests.

Second, we should support European efforts to bolster energy security across the continent in a way that ensures reliability and decreased dependence on Russian supply.

Third, we should continue to work with Europe on strengthening security, its border controls, and the vitality of the Schengen visa-free zone. This means sharing of intelligence and best practices on how to prevent terrorist attacks before they happen. I also want to applaud the administration's intention to invest \$3.4 billion into the European Reassurance Initiative, which will ensure a sustained U.S. military presence in Europe to help deter further Russian aggression.

Fourth, we should continue our robust support for the UN High Commissioner for Refugees, International Organizations for Migration, and several outstanding NGOs which work directly with refugees and migrants across Eu-

rope. We should be proud of this commitment and continue to support the most vulnerable populations.

Fifth, we should continue to work closely with the EU and member states on working to ensure that the Minsk II deal is fully implemented. Success to date has been rooted in U.S.-EU solidarity, and we must finish the job—the sanctions regime must remain in place until Minsk II is realized and Crimea is returned to Ukrainian control.

Finally, we should continue our robust support for Ukraine while holding the government accountable to progress in the fight against corruption. I am concerned by the recent departure of Ukraine's Minister of Economy who resigned in protest against the slow pace of reform and anti-corruption efforts.

The U.S. Congress passed two pieces of legislation last year supporting Ukraine's economy, Ukrainian civil society, and the government's broad-based reform efforts. Although some progress has been made, we must finish the job.

The success of Ukraine will be the success of Europe and the ideals that have drawn sovereign states to join its ranks for the last 75 years. I call on this body to continue to support Ukraine's reformers throughout civil society and government as they continue to make real strides towards integration with the west and adoption of the democratic ideals that we uphold.

More importantly, I again call upon Ukraine's leaders to prove that they are serious about countering corruption. The international community's patience in this regard exists, but is not limitless. We need to see concrete results soon.

In 2012, the Nobel Peace prize was awarded in recognition of the EU's central role in providing stability in Europe. The chairman of the Nobel committee said the following at the ceremony: "We are not gathered here today in the belief that the EU is perfect. We are gathered in the belief that here in Europe we must solve our problems together. For that purpose we need institutions that can enter into the necessary compromises. We need institutions to ensure that both nation-states and individuals exercise self-control and moderation. In a world of so many dangers, compromise, self-control and moderation are the principal needs of the 21st century."

These words continue to ring true today as pressure on the Union grows. Across the ocean here in the U.S., we should resolutely stand in solidarity with our friends in Europe and the principles they embrace. Never before has the EU been so challenged or our transatlantic alliance so valuable. We must bolster our ties this year and renew our commitment to a robust transatlantic relationship.

GENERIC DRUG USER FEE AMENDMENTS: ACCELERATING PATIENT ACCESS TO GENERIC DRUGS

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks to the Senate Committee on Health, Education, Labor, and Pensions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GENERIC DRUG USER FEE AMENDMENTS: ACCELERATING PATIENT ACCESS TO GENERIC DRUGS

In December, the president signed into law the Every Student Succeeds Act, a bill to fix No Child Left Behind and proof that this committee can work together to tackle very difficult issues.

But a law not properly implemented isn't worth the paper it's written on, which is why I'm going to be working with Senator Murray to set up a strong oversight process during 2016 to make sure the teachers, governors, chief state school officers, parents and students who counted on us to fix that law see that it's implemented properly.

We're here today for a similar purpose: to conduct oversight of the 2012 Food and Drug Administration (FDA) Safety and Innovation Act—specifically the law's Generic Drug User Fee Amendments, which are fees negotiated between the FDA and generic drug makers to give the agency additional resources intended to speed the review of generic drugs.

This is Congress' first oversight hearing since these agreements were passed in 2012, and it comes at a critical time for patients: Despite the FDA receiving nearly \$1 billion in user fees since 2012 as a result of these user fee agreements, performance is not living up to Congress' or patients' expectations, as the number of generic drugs approved per year remains about the same.

The user fee agreements are due to be reauthorized next year, and discussions between the FDA and industry are already underway—making now the appropriate time for us to better understand whether or not these 2012 agreements are working to give Americans better access to generic drugs.

The generic drug program, established by the Hatch-Waxman Amendments over 30 years ago, has had great success increasing competition and lowering drug prices.

The program was created to make it easier for generic drugs to enter the market.

Let me quickly explain how this works: Once a drug is approved by the FDA, for example, Lipitor—which is widely used to help lower cholesterol—no other manufacturer can make that drug for a period of time. When that period of time expires, a manufacturer may make a copy of that drug—and we call that a generic drug.

That generic copy must also have FDA approval.

This generic approval process doesn't include full clinical trials, which often are long and expensive, contributing to higher prices for brand drugs.

As a result, more generic drugs in the market creates competition and lowers prices for consumers.

And today, 88 percent of prescription drugs purchased in the United States are generic drugs.

However, in 2012, 26 years after the law first passed, it became clear the generic drug approval program needed an overhaul.

More generic drugs were coming from overseas. Generic drug companies in China and

India were inspected much less frequently than American companies, putting American companies at a disadvantage and, more importantly, putting patients at risk.

There was a backlog of 4,700 applications waiting to be reviewed, and the median approval time to get review of a generic drug was 30 months, far surpassing the 180-day timeframe for review as laid out in the Hatch-Waxman amendments in 1984.

Additionally, in 2012, many generic sterile injectable drugs were in shortage, causing doctors and hospitals to scramble to ensure patients were getting the best treatment possible.

To address these problems, Congress passed the first Generic Drug User Fee Amendments (often referred to by its acronym GDUFA or as congressional staff and industry insiders call it—"Ga-DOO-Fa") as part of the FDA Safety and Innovation Act.

This built on the success of similar agreements that Congress had previously passed between drug and device manufacturers and their regulators in the FDA.

This user fee agreement was the first agreement between the generic industry and the FDA on how to improve the review process for generic drugs.

With the enactment of these amendments, Congress anticipated:

One: that generic drug facilities abroad would be brought up to the same standards as facilities in the United States; and

Two: that American patients would benefit from faster approval of generic drugs. These two actions would bring more competition to the market and lower the price of drugs for consumers.

But there are concerns about the implementation of this program.

Some progress has been made on the backlog of applications for generic drugs—some progress, but certainly not enough. In 2012 there was a backlog of 4,700 pending applications and that has now dropped to just over 3,500 applications pending approval, according to the Generic Pharmaceutical Association.

The HHS Inspector General has reported that the FDA is improving its inspections abroad, one of the important goals of the user fee agreements.

But, the troubling news is that it is taking longer for the FDA to get drugs through the approval process, and according to a survey of generic drug makers, the median approval times have slowed from 30 to 48 months.

According to one estimate, once there are six or more generic competitors, a drug costs about 10 percent of the brand price—so, these slower approval times mean less competition and higher costs for consumers.

This slowdown in approval time is despite the fact that the FDA has received nearly \$1 billion in user fees since this law was passed—that's funding that is on top of the money that Congress annually provides to the FDA through the appropriations bill.

That's about \$300 million a year, or 20 percent of the total amount that the FDA spent researching, inspecting, and reviewing all drugs—generic and brand name alike—in fiscal year 2015.

I understand that the FDA has met most of the goals laid out in the agreement for industry user fees for regulatory actions, hiring staff, and increasing inspections.

But I look forward to hearing whether these metrics are the most appropriate, given I continue to hear that generic drug approval is too slow from manufacturers and patients.

While industry provides funding according to the agreement, the American taxpayer,

through the Congressional appropriations process, provided over 40 percent for the generic drug review program in fiscal year 2014, according to the FDA's financial report.

But the data points that matter to American people are generic drug approval times and the number of approvals, which to them mean increased market competition, a reduction in drug shortages, and more, lower-cost drugs available for patients.

Another issue we're hearing a lot about is drug pricing—and here are some points to consider:

One: While the cost of drugs is a legitimate concern for many Americans—it's part of an even larger problem of rising health care costs.

Just this week, the Congressional Budget Office (CBO) announced in its annual "Budget and Economic Outlook" that for the first time, federal spending for the major health care programs (Medicare, Medicaid, SCHIP, Obamacare) represents the largest fraction—more than 60 percent—of the projected growth in mandatory spending in 2016. CBO notes that this spending is partially driven by the increase in per capita health care costs.

Two: While we work to lower the cost of drugs, we need to invest in and incentivize the development of life-saving therapies.

Congress last year added \$2 billion in the appropriations process, bringing NIH's total budget in FY2016 up to around \$32 billion—but this is still less than what's spent in the private sector.

Members of the Pharmaceutical Manufacturers of America, who only represent a portion of the market, spent over \$50 billion in FY2014 alone coming up with new cures and treatments.

The clinical trials required to prove that medicine is safe cost hundreds of millions of dollars, even for the ninety percent of drugs that fail. In addition, the regulatory approval process is lengthy, which also adds costs.

As a result of this effort, biotech and drug companies big and small have done remarkable things to help patients with diseases like HIV, Cystic Fibrosis, and cancer live longer, healthier lives—a critical development we do not want to interrupt.

Third: To best restrain the growth of drug prices we must encourage investment in life-saving therapies, avoid unnecessary regulatory burdens that slow down development and drive up costs, and ensure the marketplace remains competitive.

For the past year, this committee—in a bipartisan way—has been looking at ways to reduce unnecessary regulatory burden so we can get safe, innovative, life-saving therapies into patients' medicine cabinets more quickly.

At the same time, Sens. Collins and McCaskill, leaders of the Aging Committee, have been examining what improvements may be necessary to ensure that the FDA expedites applications for generic drugs to keep the marketplace competitive, which will help keep drug prices down, and I look forward to working with them on that effort.

The generic drug industry really is a remarkable story. Over the last 30 years—generic drugs have gone from a very small fraction of the marketplace to 88 percent. It's hard to imagine what the prescription drug market would look like today without generic drugs.

I look forward to hearing from our witness today to learn more about where Congress can help make improvements to the regulatory process and ensure that the FDA has

the tools it needs to create a generic drug review system that functions as Congress intended and as American patients and taxpayers deserve.

ADDITIONAL STATEMENTS

TRIBUTE TO DWAN EDWARDS AND BROCK OSWEILER

• Mr. DAINES. Mr. President, today I wish to recognize two outstanding and nationally prominent pro athletes, Carolina Panthers defensive tackle Dwan Edwards and Denver Broncos backup quarterback Brock Osweiler.

I am so proud that Montana will be well represented in this year's Super Bowl, and I am so proud to honor these men for their leadership and athletic accomplishments.

Dwan grew up in Columbus, MT, and graduated in 1999 from Columbus High School. He then went on to play for Oregon State University and eventually was drafted by the Baltimore Ravens in 2004, where he played for five seasons. In 2010, he was picked up by the Buffalo Bills for two seasons. He signed with the Carolina Panthers in 2012 and is now playing in his 12th NFL season.

Dwan has certainly not forgotten where he is from. He is currently making arrangements to bring former Columbus High School football coach John Smith out to watch Dwan play in his first Super Bowl game. This summer, he will put on the eighth Dwan Edwards Elite Football camp, where he spends a week in Billings helping young players develop their football skills.

Brock represents Kalispell, where he attended Flathead High School. He graduated in 2009 as an honor roll student and was coached by Russell McGarvel. Brock played college football for Arizona State and was drafted by the Denver Broncos in 2012.

During his time playing in the NFL, he has given back to Flathead and its football program by regularly sending letters of encouragement to the high school team and donating a Flathead Football captains board in 2014. The football team's captains' names are etched into the board each year, which serves as a great honor for these young leaders.

My biggest congratulations goes out to both of these fine men for representing the great State of Montana well, both on and off the field. Best of luck to you both in Super Bowl 50 this Sunday. Keep making Montana proud.●

TRIBUTE TO COLONEL JEANNIE LEAVITT

• Mr. HELLER. Mr. President, today I wish to congratulate Col. Jeannie Leavitt on her recent selection as commander of the 57th Wing at Nellis Air Force Base. Colonel Leavitt is the first

woman to command the wing, making her the highest ranking female officer to command at Nellis AFB. It gives me great pleasure to recognize her achievement in this historic moment.

Colonel Leavitt joined the U.S. Air Force in 1992 after earning her bachelor's degree in aerospace engineering from the University of Texas and her master's degree in aeronautics and astronautics from Stanford University. She completed pilot training at the top of her class in 1992, kicking off the start of her successful career. Since then, she has logged over 300 hours of combat, serving in Afghanistan and Iraq, as well as Operation Southern Watch.

In 1993, Colonel Leavitt became the first female fighter pilot and later the service's first woman to graduate from the Air Force Weapons School at Nellis AFB. In addition, in 2012, she became the Nation's first female fighter wing commander when she assumed command of the 4th Fighter Wing at Seymour Johnson Air Force Base in North Carolina, and she will now be the first woman to assume command of the 57th Wing at the Silver State's Nellis AFB. She is truly a role model, demonstrating a great amount of strength and courage.

I extend my deepest gratitude to Colonel Leavitt for her courageous contributions to the United States of America. Her unwavering dedication to her career is commendable, and she stands as a shining example for future generations of heroes. Colonel Leavitt's service to her country and her bravery earn her a place among the outstanding men and women who have valiantly defended our nation.

As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve our Nation, but also to ensure they are cared for when they return home. Equally as important, it is crucial that female servicemembers and veterans have access to their specific health care needs. There are countless distinguished women who have made sacrifices beyond measure and deserve nothing but the best treatment. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation and will continue to fight until this becomes a reality.

During her tenure, Colonel Leavitt has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the Air Force. I am both humbled and honored by her service and am proud to have such a distinguished member of the Air Force serving in the State of Nevada. Today I ask my colleagues to join me in recognizing Colonel Leavitt for all of her accomplishments and wish her well in all of her future endeavors.●

TRIBUTE TO JANE ALBRIGHT

● Mr. HELLER. Mr. President, today I wish to congratulate a true role model in the Nevada Wolf Pack community, women's basketball coach Jane Albright, on reaching a significant milestone of 500 collegiate basketball wins. This is a tremendous accomplishment for Ms. Albright, who has dedicated eight seasons to making Nevada women's basketball the best it can be.

Ms. Albright began her career coaching collegiate basketball in 1981, when she served as a graduate assistant for the University of Tennessee. She later spent one season as an assistant coach at the University of Cincinnati before taking on her first role as head coach at Northern Illinois. During her 10 seasons with this university, Ms. Albright led the women's basketball team in its most successful run in Northern Illinois history with a record of 188 wins to 110 losses from 1984-94.

Following her tenure at Northern Illinois, Ms. Albright coached the women's basketball team at the University of Wisconsin, where she revitalized the program. Ms. Albright led this team, which previously had experienced nine losing seasons, to eight consecutive winning seasons. Prior to her tenure with the University of Nevada, Reno, UNR, Ms. Albright served as head coach at Wichita State.

Beginning in 2008, Ms. Albright became a member of the Pack, taking on the role of UNR's head women's basketball coach. Throughout her first year at Nevada, Ms. Albright achieved the most wins as a first-year coach, with an overall record of 18 wins to 14 losses. In that same season, she also picked up her 400th career win when Nevada defeated Northern Iowa. In the 2013-14 season, Ms. Albright led the Wolf Pack in winning 12 Mountain West games, setting a program record for most conference wins in a single season and securing the number three seed for the Mountain West Championships.

She was also awarded the 2014 Carol Eckman Award this season, recognizing her for her commitment to the incredible student athletes on her team. On January 27, 2016, Ms. Albright reached her 500th career win, leading the Pack against San Diego State. Her ability as a coach is remarkable, and we are lucky to have someone like Ms. Albright representing UNR.

Aside from her incredible record as a coach, Ms. Albright also goes above and beyond to keep her team involved in the community, as well as in the classroom. In 2009-10 alone, UNR logged more than 530 hours of service to the city of Reno. Ms. Albright is a shining example of true leadership for our community.

Ms. Albright is an inspiration to many across northern Nevada both on and off the basketball court. Her enthusiasm and passion for her team

have not gone unnoticed. Today I join citizens across the Silver State in congratulating Ms. Albright on this incredible achievement and wish her well as she continues to lead the Nevada Wolf Pack.●

REMEMBERING MICHAEL A. WERMUTH

● Mr. SESSIONS. Mr. President, today I wish to recognize the life of Michael Wermuth of Birmingham, AL.

Michael Anthony Wermuth was born in Birmingham, AL, in 1946, was commissioned in the U.S. Army upon graduating from the University of Alabama, earned his law degree from the University of Alabama School of Law, and practiced law in Mobile, AL, as a partner of the firm Wilkins, Druhan & Wermuth. While in Mobile, Mike became involved in local politics and worked on the senatorial campaign of ADM Jeremiah A. Denton. Upon Admiral Denton's election to the Senate, Mike and his family moved to Washington where he served as Senator Denton's chief counsel and legislative director from 1980 to 1987.

After his time in the U.S. Senate, Mike served in the Department of Justice as a legislative counsel for civil rights and was Deputy Assistant Attorney General for legislative affairs. In 1989, he was named Deputy Assistant Secretary of Defense for drug enforcement policy and was instrumental in the implementation of President George H.W. Bush's national drug control strategy that was highly effective in reducing drug use and importation.

After 30 years of service, Mike retired as a colonel in the Army Reserves. That same year, he joined the RAND Corporation as the director of its homeland security program and was the executive director of a Federal advisory panel on terrorism. During his time at RAND, he worked on a variety of issues including infrastructure protection, emergency preparedness, risk management, border control, and intelligence.

After leaving RAND in 2010, Mike continued his work as a consultant there and served as an adjunct faculty member at the Texas A&M University Bush School of Government and Public Service. He taught graduate level online courses in homeland security defense. His influence in terrorism defense strategy was vast, and his enduring legacy will be his dedication to the stewardship of the next generation of policymakers.

I knew Mike for many years. In Mobile, we served in the same Army Reserve center. He was a conscientious and superior officer with a steady sense of duty and love of country. As a top member of Senator Denton's staff, he was dedicated, loyal, and effective. He was tireless in his work to advance the agenda in which Senator Denton so

deeply believed. I can say his support and that of Senator Denton was critical to my appointment as U.S. attorney. In the U.S. Army, the U.S. Senate, the Department of Justice, the RAND Corporation, and as a teacher and lawyer, Mike always excelled. Discipline, work, loyalty, and patriotism were his hallmarks. He was indeed a talented American patriot.

Michael passed away on November 1, 2015. He is survived by his wonderful wife of 35 years, Fran; his children, Ken and Heather; and numerous other family members. His partner throughout, Fran is highly accomplished in her own right having served in top positions within the U.S. Marshals Service. Our sympathy is extended to her, the family, and friends upon his passing.●

100TH ANNIVERSARY OF THE NEWPORT WINTER CARNIVAL

● Mrs. SHAHEEN. Mr. President, the 100th anniversary Newport Winter Carnival opens this week to great expectations. Citizens in Newport, NH, are pretty confident that theirs is the oldest continuous winter carnival in the Nation, and they are certain it is the very best.

Newport is a town of classic New England charm, nestled in the scenic hills of western New Hampshire. Much has changed in Newport since the town held its first winter carnival. A century ago, the swift currents of the Sugar River turned water wheels that powered the town's prosperous textile mills. During long winters, townspeople enjoyed skiing, skating, snowshoeing, and other activities that were at the heart of the first Newport Winter Carnival.

Today those mills are no longer in operation, but their handsome brick buildings have been repurposed as offices, shops, restaurants, and apartments. Like many other former mill towns in rural New Hampshire, Newport has weathered economic challenges in recent decades. During many visits over the years, I have admired the town's resilience and indomitable spirit, which have earned it the nickname "the Sunshine Town."

Despite a century of dramatic changes and challenges, the Newport Winter Carnival has been a proud constant. People from neighboring communities come to Newport in mid-winter to enjoy the warmth and friendliness of their neighbors and to have lots of old-fashioned fun.

This year's carnival will begin with a reenactment. In 1917, a Dartmouth student from Newport skied the 29 miles from Hanover to his hometown to enjoy the Winter Carnival. His feat will be reenacted on Friday by his grandson and five others, who will light the ceremonial torch on Newport Common to start the festival. Festivities this year include the traditional Carnival Queen

contest, a parade and talent pageant, broom hockey games, skijoring, and an arm wrestling competition with "armed and ready" Cathy Merrill, a Newport resident who recently won gold medals at the U.S. Arm Wrestling Nationals. The carnival will close on Sunday evening, February 14, with a fireworks display.

I salute the Newport carnival committee and the scores of additional volunteers who put in countless hours to make the carnival a success. For them, this is truly a labor of love. I also salute the townspeople and families of Newport, who warmly welcome visitors not only for the carnival, but year-round, and always make us proud to be Granite Staters.

Congratulations to the entire Newport community, and I wish everyone yet another successful Newport Winter Carnival.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) reported that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 515. An act to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.

H.R. 4188. An act to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

At 11:45 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1675. An act to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans.

The message also announced that the House agrees to the concurrent resolution (S. Con. Res. 28) to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2017.

The message further announced that the House agrees to the concurrent resolution (S. Con. Res. 29) to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 109. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the foot soldiers who participated in the 1965 Selma to Montgomery marches.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1675. An act to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. MCCAIN for the Committee on Armed Services.

*Army nomination of Lt. Gen. John W. Nicholson, Jr., to be General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself, Mr. CRAPO, Mr. DAINES, Mr. KIRK, Mr. ISAKSON, and Mrs. CAPITO):

S. 2497. A bill to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself and Mr. PORTMAN):

S. 2498. A bill to amend title XVIII of the Social Security Act to establish a pilot program to improve care for the most costly Medicare fee-for-service beneficiaries through the use of comprehensive and effective care management while reducing costs to the Federal Government for these beneficiaries, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. RUBIO, Mr. BARRASSO, and Mr. JOHNSON):

S. 2499. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 2500. A bill to provide for the establishment of a health insurance premium reduction program to ensure that health insurance premiums remain low for American families; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI:

S. 2501. A bill to amend the Internal Revenue Code of 1986 to modify the exemption for certain aircraft from the excise taxes on transportation by air; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mr. KIRK, Mr. COTTON, Mr. DAINES, and Mr. WICKER):

S. 2502. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY:

S. 2503. A bill to establish requirements for reusable medical devices relating to cleaning instructions and validation data, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. MERKLEY, and Mrs. MURRAY):

S. 2504. A bill to amend the Controlled Substances Act to allow for advertising relating to certain activities in compliance with State law; to the Committee on the Judiciary.

By Mr. KIRK (for himself, Mr. ISAKSON, Mr. BLUNT, Ms. AYOTTE, Mr. COTTON, and Mr. WICKER):

S. 2505. A bill to amend the Internal Revenue Code of 1986 to ensure that retirement investors receive advice in their best interests, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. WHITEHOUSE):

S. 2506. A bill to restore statutory rights to the people of the United States from forced arbitration; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 2507. A bill to amend title 38, United States Code, to provide payment of Medal of Honor special pension under such title to the surviving spouse of a deceased Medal of Honor recipient, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL (for himself, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 2508. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself, Mr. PORTMAN, Mr. JOHNSON, Mr. KING, Ms. HEITKAMP, and Mr. LANKFORD):

S. 2509. A bill to improve the Government-wide management of Federal property; to the

Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself and Mr. TILLIS):

S. Res. 362. A resolution recognizing the contributions of the Montagnard indigenous tribespeople of the Central Highlands of Vietnam to the United States Armed Forces during the Vietnam War, and condemning the ongoing violation of human rights by the Government of the Socialist Republic of Vietnam; to the Committee on Foreign Relations.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. Res. 363. A resolution congratulating the University of Mount Union football team for winning the 2015 National Collegiate Athletic Association Division III Football Championship; considered and agreed to.

By Mr. MCCONNELL (for himself, Mr.

REID, Mr. PAUL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 364. A resolution relative to the death of Marlow Cook, former United States Senator for the Commonwealth of Kentucky; considered and agreed to.

ADDITIONAL COSPONSORS

S. 356

At the request of Mr. LEE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Montana

(Mr. TESTER) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 591

At the request of Mr. BLUNT, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 591, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 728

At the request of Mr. SCHUMER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 728, a bill to provide for programs and activities with respect to the prevention of underage drinking.

S. 800

At the request of Mr. KIRK, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 800, a bill to improve, coordinate, and enhance rehabilitation research at the National Institutes of Health.

S. 979

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1049

At the request of Ms. HEITKAMP, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1302

At the request of Mr. TESTER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1302, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 1455

At the request of Mr. MARKEY, the name of the Senator from Rhode Island

(Mr. REED) was added as a cosponsor of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2021

At the request of Mr. BOOKER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2332

At the request of Mr. HATCH, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2332, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2377

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. HENRICH) was added as a cosponsor of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

S. 2415

At the request of Mr. FLAKE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2415, a bill to implement integrity measures to strengthen the EB-5 Regional Center Program in order

to promote and reform foreign capital investment and job creation in American communities.

S. 2423

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2423, a bill making appropriations to address the heroin and opioid drug abuse epidemic for the fiscal year ending September 30, 2016, and for other purposes.

S. 2446

At the request of Mr. HOEVEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2446, a bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment.

S. 2452

At the request of Mr. MORAN, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2452, a bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts.

S. 2464

At the request of Mr. PAUL, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 2464, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 2466

At the request of Mr. PETERS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2466, a bill to amend the Safe Water Drinking Act to authorize the Administrator of the Environmental Protection Agency to notify the public if a State agency and public water system are not taking action to address a public health risk associated with drinking water requirements.

S. 2487

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2495

At the request of Mr. CRAPO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cospon-

sor of S. 2495, a bill to amend the Social Security Act relating to the use of determinations made by the Commissioner.

S. RES. 184

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 184, a resolution expressing the sense of the Senate that conversion therapy, including efforts by mental health practitioners to change the sexual orientation, gender identity, or gender expression of an individual, is dangerous and harmful and should be prohibited from being practiced on minors.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Louisiana (Mr. CASSIDY), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Mr. FRANKEN), the Senator from West Virginia (Mr. MANCHIN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Wyoming (Mr. ENZI) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 355

At the request of Ms. HEITKAMP, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 355, a resolution designating the week beginning February 7, 2016, as "National Tribal Colleges and Universities Week".

AMENDMENT NO. 3249

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 3249 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. MERKLEY, and Mrs. MURRAY):

S. 2504. A bill to amend the Controlled Substances Act to allow for advertising relating to certain activities in compliance with State law; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, today I am introducing the Marijuana Advertising In Legal States Act to allow small businesses and newspapers in States that have legalized marijuana to advertise marijuana products.

In the last few years, voters in Oregon, Washington, Colorado and Alaska overwhelmingly approved initiatives to legalize the adult use and sale of marijuana. Additionally, 23 States, the District of Columbia and Guam have legalized full medical marijuana programs,

and 17 more States have approved more limited medical marijuana programs. In many of these States, State-approved dispensaries are up and running, bringing the industry out of the shadows of the black market and creating a safe, regulated system in much of America.

Despite passage of these state laws, marijuana remains stuck in the past as a Schedule I substance according to the Federal Controlled Substances Act, CSA. This designation means it is a felony to distribute, possess or consume it. Recognizing this discrepancy, the Obama administration issued a memorandum in 2013 which held: so long as certain enforcement criteria were met, Federal law enforcement entities would not interfere with legal state marijuana activity. Congress then followed suit and barred the Department of Justice from expending resources in contravention of state medical marijuana laws.

However, since marijuana is designated as a Schedule I substance, according to Federal law it is still unlawful for anyone to place an advertisement for marijuana, including a medical marijuana product, in any newspaper, magazine, handbill or other publication, even if that activity is legal under State law. This creates a legally conflicted reality in States, like Oregon, where marijuana is legal for those marijuana businesses that seek to advertise in local newspapers, as well as for the many newspapers around the country that rely on advertising revenue.

Further complicating the matter, the United States Postal Service, USPS, recently declared that it is illegal to mail any items, including newspapers, which contain advertisements offering to buy or sell marijuana, even if the marijuana-related activity is in compliance with a state law. The USPS stated that if it uncovers any items deemed to be "non-mailable," it would report the item to the Postal Inspection Service, which would refer it to a law enforcement agency for investigation. Despite the 2013 Obama administration memo indicating Federal law enforcement would not interfere, these businesses are concerned. Small businesses and community newspapers rely on the USPS to reach their customers, especially in rural areas. The USPS policy could have the effect of stopping all written marijuana advertisements in states that have already made the decision to legalize marijuana, which would be a blow to newspapers and small businesses that are already struggling financially.

My proposal would create a narrow exception in CSA to allow for the written advertisement of an activity, involving marijuana, if it is in compliance with State law.

I am pleased to be joined on this bill by my colleague from Oregon Senator

JEFF MERKLEY who has worked closely with me over the years to ensure that the decision that Oregon voters made at the polls is respected by the Federal Government.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2504

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Marijuana Advertising in Legal States Act of 2016" or the "MAILS Act".

SEC. 2. AMENDMENT.

Section 403(c)(1) of the Controlled Substances Act (21 U.S.C. 843(c)(1)) is amended by adding at the end the following: "This paragraph does not apply to an advertisement to the extent that the advertisement relates to an activity, involving marijuana, that is in compliance with the law of the State in which that activity takes place."

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. WHITEHOUSE):

S. 2506. A bill to restore statutory rights to the people of the United States from forced arbitration; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I rise to discuss legislation I am introducing today to protect workers and families in Vermont and across the country who are being forced to give up crucial rights because of legal fine print forced on them by corporations.

The Restoring Statutory Rights Act combats the injustice of forced arbitration. It will ensure that hardworking men and women can vindicate their rights in court instead of being forced into a private, shadow justice program. Some of the contracts people sign automatically, with little, tiny type, say: If we overbill you, if we give you defective equipment, if we do anything to you, it will go to arbitration. Guess what. The only people who primarily get to pick the arbitrators are those who side with the corporations.

Mr. President, I am introducing this legislation on behalf of myself, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. DURBIN, and Mr. WHITEHOUSE.

Today I want to speak about a problem that many Americans are unaware of but that affects all of us in our daily lives. When Americans sign cell phone agreements, rent an apartment, or accept a contract for a job, most of us focus on the service we are about to receive or that we are about to provide. What Americans do not realize—until it is too late—is that too often we are also signing away crucial legal rights. Legal fine print tips the scales against us. It is forcing consumers into private arbitration, denying us of our constitutional right to protect ourselves in

court and to have others learn about the harm caused by corporations.

This problem has meaningful, real-world implications for Americans' ability to seek justice. When victims are forced into private arbitration, their cases proceed without public record. The cases cannot serve as precedent for future injustices, and the plaintiffs—hardworking consumers—cannot obtain a meaningful appeal. An arbitrator is selected by the corporate defendant, creating incentives that favor repeat corporate players. In many cases, forced arbitration stops victims' legal actions altogether: by requiring victims to waive their legal right to join with other victims in a class action, arbitration clauses often remove the crucial tool that plaintiffs need to afford pursuing their claims.

The injustice of forced arbitration affects consumers, workers, seniors, veterans, and families in every State across the country. The cases are heart-wrenching. In one recent case, a pregnant woman suffered a tragic miscarriage and was not able to work for 7 days. When she returned to work, she was fired. When this woman attempted to hold her employer accountable in court for violating the Family and Medical Leave Act and her State's pregnancy discrimination laws, her case was forced into private arbitration. We do not know the outcome of the case, but that is precisely the problem. In private arbitration, there is no way to know if she obtained justice, no precedent to deter other employers from such behavior, and no public accountability for the corporation that may have violated both State and Federal law.

In another recent case, an hourly employee at a hospital realized she was not being paid for all of the time she worked because her employer's payroll system was "rounding down" her time. When she attempted to bring a class action on behalf of all the hourly employees at the hospital, her lawsuit was dismissed and forced into individual arbitration. To seek justice, the hospital employees must now pay to bring their complaints case-by-case, even though the cost of bringing an individual arbitration almost certainly outweighs the lost wages any worker would receive.

Forced arbitration has also been a favorite tool for well-heeled corporations to make an end-run around our civil rights laws. When working women are paid less for doing the same job; when minorities are denied promotions despite their success; or when banks target poor minority neighborhoods with predatory loans, the closed and unaccountable forum of private arbitration lets them conceal their discriminatory actions.

This system of forced arbitration denies individuals access to justice. But it also guts vital protections we have fought for in our laws. Whether we are

talking about family and medical leave, equal pay, or crucial civil rights protections, what strength do our laws have when the legal process Congress created to enforce them is stripped away without recourse? Through legal fine print, corporations are giving themselves a “get out of jail free” pass that guts citizens’ rights and shields bad actors from accountability.

When Congress passed the Federal Arbitration Act, it was intended to give sophisticated businesses an alternative venue to resolve their disputes. There is a valid role for arbitration when parties choose it willingly, after a dispute arises, as an alternative to court. But arbitration should not be forced upon consumers and workers through take-it-or-leave-it contracts they have no real choice but to accept. And it should not—it must not—prevent Americans from enforcing their rights under fundamental State and Federal laws.

Nor should Federal law interfere when States take action to address the injustice of forced arbitration. A full 47 of our 50 States have tried to protect their citizens in some way from forced arbitration, but these efforts have been thwarted by Federal law. In Vermont, lawmakers required that arbitration clauses be accompanied by a written acknowledgement signed by both parties, to ensure that consumers were aware of them. This reasonable, commonsense requirement was invalidated because it conflicted with Federal law.

Following a 2011 Supreme Court case, *AT&T v. Concepcion*, other efforts in Vermont and across the country to protect citizens from forced arbitration have also been invalidated. Vermonters who tried to sue their phone service provider for disturbing them with unwanted text messages and Vermont drivers who tried to sue their car insurers over coverage have all been forced into private arbitration despite conflicting measures in Vermont law. This restriction on States’ authority is wrong, especially when the enforceability of contracts is traditionally an area left to State law. This is not a partisan issue. Both Republican and Democratic attorneys general have repeatedly spoken out against the Federal Arbitration Act’s intrusion on State sovereignty and a State’s compelling interest in protecting the health and welfare of its citizens.

Congress must act to stop these abuses. That is why today I am introducing legislation to limit the injustice of forced arbitration and protect Americans’ right to seek justice in our courts. The Restoring Statutory Rights Act will ensure that critical State and Federal laws can actually be effective, by ensuring that citizens cannot be stripped of their ability to enforce their rights using our independent justice system. It will also ensure that when States take action to address

forced arbitration, they are not preempted by an overbroad reading of our Federal arbitration laws.

This effort is supported by the Leadership Conference for Civil and Human Rights, the National Employment Lawyers’ Association, Americans For Financial Reform, Alliance for Justice, Earthjustice and consumer groups such as Consumers Union, Public Citizen, the National Consumer Law Center, and Consumers for Auto Reliability and Safety. These groups and many others have worked tirelessly to highlight the injustice of forced arbitration and the unparalleled scope and number of people it affects.

All Senators should care about the implications of forced arbitration for statutes that this body writes, debates, and enacts into law. Senators should also care about their home States’ ability to protect consumers from unconscionable contracts when their State chooses to act. I urge Members to support this bill.

Mr. LEAHY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today to discuss the widespread and harmful impact of forced arbitration—mandatory arbitration. Last November, the New York Times published a three-part investigative series, which I recommend to every Member, on the pervasive use of forced arbitration—or mandatory arbitration. Mandatory arbitration is a privatized system of justice that corporations rely on when their customers or workers seek justice for being cheated, injured, or mistreated.

The series in the New York Times, while shocking, illustrates something that I have been saying for a long time: Mandatory arbitration agreements—forced arbitration agreements, which are often buried in the fine print of employment and service contracts, severely restrict Americans’ access to justice by stripping consumers and workers of their legal rights and insulating corporations from liability. From nursing home contracts and employment agreements to credit card and cell phone contracts, corporate America uses forced arbitration clauses to rig the system against ordinary Americans in a wide variety of cases.

My staff recently heard from a Minnesota lawyer who represents families with serious injury and wrongful death claims. He told the heartbreaking story of a man who suffered from dementia and was eventually checked into a nursing home. Twenty-one days after entering the home, it became clear to the man’s family that his life was in danger; he was rapidly losing weight and had fallen into a coma. He was then sent to a hospital, where it was discovered that he was suffering from “profound dehydration.” Unfortu-

nately, the hospital could not correct the harm caused by the nursing home, and the man died shortly thereafter. He was 71 years old. Then, instead of being able to take the nursing home to court, the man’s family was forced to settle their wrongful death claim through arbitration. When all was said and done, the arbitrators actually received greater compensation than the family, and the nursing home got away with a slap on the wrist.

Egregious cases like that of this Minnesota family are not rare. Time and again, arbitration clauses stack the deck in favor of big business and against consumers, as if the deck weren’t stacked enough already. As the number of unbelievable stories grows, the need for reform has become clearer and more urgent. That is why I am proud to be joining Senator LEAHY, as well as Senators BLUMENTHAL, DURBIN, and WHITEHOUSE, in introducing the Restoring Statutory Rights Act to ensure that Americans can enforce their civil rights.

As Members of Congress, we have fought hard to pass legislation that will protect Americans from discrimination. This critical work is undermined, however, if we strip away their right to go to court and instead force these claims into a privatized justice system.

Remember that corporations can write the rules for the arbitration proceedings; everything can be done in secret, without public rulings; discovery can be limited, making it hard for consumers to get the evidence they need to prove their case; and there is no meaningful judicial review, so there is not much a consumer or an employee can do if the arbitrator gets it wrong. It is simply not fair.

I have also introduced with a number of colleagues my own bill, the Arbitration Fairness Act, which would fix these unfair practices by amending the Federal Arbitration Act to prohibit the use of mandatory, predispute arbitration agreements in consumer, employment, civil rights, and anti-trust cases. This bill gives Americans a real choice: If a consumer or worker wants to take his claim into arbitration, then, by all means, he is free to do so, provided that the corporation is willing to do so as well. However, if the consumer or employee wants to go to court, that option will once again be available.

To put it simply, both of these bills are about reopening the courthouse doors to American consumers and workers, because the courthouse doors never should have been closed in the first place.

I ask others to please join me in fighting back against mandatory arbitration and cosponsor the Restoring Statutory Rights Act and the Arbitration Fairness Act.

Mr. President, I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 362—RECOGNIZING THE CONTRIBUTIONS OF THE MONTAGNARD INDIGENOUS TRIBESPEOPLE OF THE CENTRAL HIGHLANDS OF VIETNAM TO THE UNITED STATES ARMED FORCES DURING THE VIETNAM WAR, AND CONDEMNING THE ONGOING VIOLATION OF HUMAN RIGHTS BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM

Mr. BURR (for himself and Mr. TILLIS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 362

Whereas the Montagnards are an indigenous tribespeople living in Vietnam's Central Highlands region;

Whereas the Montagnards were driven into the mountains by invading Vietnamese and Cambodians in the 9th century;

Whereas French Roman Catholic missionaries converted many of the Montagnards in the 19th century and American Protestant missionaries subsequently converted many to various Protestant sects;

Whereas, during the 1960s, the United States Mission in Saigon, the Central Intelligence Agency (CIA), and United States Army Special Forces, also known as the Green Berets, trained the Montagnards in unconventional warfare;

Whereas an estimated 61,000 Montagnards, out of an estimated population of 1,000,000, fought alongside the United States and the Army of the Republic of Vietnam (ARVN) forces against the North Vietnamese Army and the Viet Cong;

Whereas the Central Intelligence Agency, United States Special Forces, and the Montagnards cooperated on the Village Defense Program, a forerunner to the War's Strategic Hamlet Program, and an estimated 43,000 Montagnards were organized into "Civilian Irregular Defense Groups" (CIDGs) to provide protection for the areas around the CIDGs' operational bases;

Whereas, at its peak, the CIDGs had approximately 50 operational bases, with each base containing a contingent of two United States Army officers and ten enlisted men, and an ARVN unit of the same size, and each base trained 200 to 700 Montagnards, or "strikers";

Whereas another 18,000 Montagnards were reportedly enlisted into mobile strike forces, and various historical accounts describe a strong bond between the United States Special Forces and the Montagnards, in contrast to Vietnamese Special Forces and ARVN troops;

Whereas the lives of thousands of members of the United States Armed Forces were saved as a result of the heroic actions of the Montagnards, who fought loyally and bravely alongside United States Special Forces in the Vietnam War;

Whereas, after the fall of the Republic of Vietnam in 1975, thousands of Montagnards fled across the border into Cambodia to escape persecution;

Whereas the Government of the reunified Vietnamese nation, renamed the Socialist Republic of Vietnam, deeply distrusted the Montagnards who had sided with the United States and ARVN forces and subjected them

to imprisonment and various forms of discrimination and oppression after the Vietnam War ended;

Whereas, after the Vietnam War, the United States Government resettled large numbers of Montagnards, mostly in North Carolina, and an estimated several thousand Montagnards currently reside in North Carolina, which is the largest population of Montagnards residing outside of Vietnam;

Whereas the Socialist Republic of Vietnam currently remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to restrict freedom of religion, movement, land and property rights, and political expression;

Whereas officials of the Government of Vietnam have forced Montagnards to publicly denounce their religion, arrested and imprisoned Montagnards who organized public demonstrations, and mistreated Montagnards in detention;

Whereas some Montagnard Americans have complained that Vietnamese authorities either have prevented them from visiting Vietnam or have subjected them to interrogation upon re-entering the country on visits;

Whereas the Department of State's 2014 Country Reports on Human Rights Practices ("2014 Human Rights Report") documents that, despite Vietnam's significant economic growth, some indigenous and ethnic minority communities benefitted little from improved economic conditions, even though such communities formed a majority of the population in certain areas, including the Northwest and Central Highlands and portions of the Mekong Delta;

Whereas the 2014 Human Rights Report states that, although Vietnamese law prohibits discrimination against ethnic minorities, such social discrimination was longstanding and persistent, notably in the Central Highlands;

Whereas the 2014 Human Rights Report documents that land rights protesters have reported regular instances of government authorities physically harassing and intimidating them at land expropriation sites around the country;

Whereas, in its 2015 Annual Report, the United States Commission on International Religious Freedom (USCIRF) references the accounts of Montagnards, including children, fleeing persecution in Vietnam to seek refugee status in Cambodia, only to suffer harsh conditions while hiding in the jungles and forcibly returned to Vietnam by Cambodian officials;

Whereas USCIRF reports the Government of Vietnam continues to detain numerous prisoners of conscience and the number of new church registrations is exceptionally low when compared to the thousands of congregations that either choose to remain independent or are denied registration, leaving them no choice but to operate illegally;

Whereas the Department of State's 2014 International Religious Freedom Report documents that leaders of unregistered Protestant denominations continued to report that local authorities in the Central Highlands discriminated against their followers by threatening to exclude them from state programs if they did not denounce their faith and that students who were openly Protestant often suffered discrimination; and

Whereas USCIRF recommends that Vietnam be designated a Country of Particular Concern (CPC) as ongoing human rights violations "serve as a cautionary tale of the potential for backsliding in religious freedoms when vigilance in monitoring such abuses ceases": Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of the Montagnards who fought loyally and bravely with United States Armed Forces during the Vietnam War and who continue to suffer persecution in Vietnam as a result of this relationship;

(2) condemns ongoing actions by the Government of Vietnam to suppress basic human rights and civil liberties for all its citizens;

(3) calls on the Government of Vietnam to allow human rights groups access to all regions of the country and to end restrictions of basic human rights, including the right for Montagnards to practice their Christian faith freely, the right to land and property, freedom of movement, the right to retain ethnic identity and culture, and access to an adequate standard of living; and

(4) urges the President and Congress to develop policies that support Montagnards and other marginalized ethnic minority and indigenous populations in Vietnam and reflect United States interests and commitment to upholding human rights and democracy abroad.

SENATE RESOLUTION 363—CONGRATULATING THE UNIVERSITY OF MOUNT UNION FOOTBALL TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION III FOOTBALL CHAMPIONSHIP

Mr. BROWN (for himself and Mr. PORTMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 363

Whereas, on December 18, 2015, the University of Mount Union Purple Raiders football team (referred to in this preamble as the "Purple Raiders") won the 2015 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division III Football Championship with a 49 to 35 victory over the University of St. Thomas Tommies;

Whereas the head coach of the Purple Raiders led the team to a national championship win in his third year as the head coach of the Purple Raiders;

Whereas the University of Mount Union has won 12 national championships in NCAA Division III football;

Whereas the victory of the Purple Raiders broke their own record for the most national titles in football held by a program in any division;

Whereas the Purple Raiders defeated the 2014 national champion, the University of Wisconsin-Whitewater Warhawks, in the semifinal of the 2015 season, 36 to 6, to advance to the national championship game;

Whereas, in the 2015 national championship game—

(1) the running back of the Purple Raiders, number 34, rushed for 220 yards and 2 touchdowns on 25 carries;

(2) the quarterback of the Purple Raiders, number 11, threw for 201 yards and 3 touchdowns with zero interceptions;

(3) the wide receiver of the Purple Raiders, number 3, caught 5 passes for 127 yards, including a 63-yard catch;

(4) the freshman defensive back of the Purple Raiders, number 21, recorded the only interception by any player in the game;

Whereas, in the 2015 football season, the Purple Raiders—

(1) finished with a record of 14 wins and zero losses;

(2) continued a 103-game regular season winning streak, which began in 2005; and

(3) won the Ohio Athletic Conference championship, which was—

(A) the 24th consecutive Ohio Athletic Conference title won by the Purple Raiders; and

(B) the 27th conference title won by the Purple Raiders;

Whereas, in the 2015 football season—

(1) the junior offensive lineman of the Purple Raiders, number 52, was named the winner of the Division III Rimington Award, which is awarded to the most outstanding center in NCAA Division III football;

(2) the senior defensive lineman of the Purple Raiders, number 90, was named to the American Football Coaches Association Division III Coaches' All-America team;

(3) the senior linebacker of the Purple Raiders, number 4, a 3-time team captain, was named—

(A) a winner of the NCAA ELITE 90 award for the third straight year; and

(B) the Academic All-American of the Year for Division III football by the College Sports Information Directors of America; and

(4) the senior safety of the Purple Raiders, number 31, was named 1 of the 10 finalists for the Gagliardi Trophy, which is awarded to the top all-around player in NCAA Division III football;

Whereas the President and the director of athletics of the University of Mount Union have fostered a continuing tradition of athletic and academic excellence at the University of Mount Union;

Whereas the University of Mount Union has proven to be a perennial championship contender in NCAA Division III football; and

Whereas the marching band, cheerleaders, students, faculty, alumni, and fans of the University of Mount Union have supported the Purple Raiders through a season filled with triumph: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Mount Union Purple Raiders football team for winning the 2015 National Collegiate Athletic Association Division III Football Championship;

(2) recognizes the players, coaches, staff, and fans of the University of Mount Union Purple Raiders football team, whose hard work led to the team winning the 2015 National Collegiate Athletic Association Division III Football Championship; and

(3) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of the University of Mount Union;

(B) the director of athletics of the University of Mount Union; and

(C) the head coach of the University of Mount Union football team.

SENATE RESOLUTION 364—RELATIVE TO THE DEATH OF MARLOW COOK, FORMER UNITED STATES SENATOR FOR THE COMMONWEALTH OF KENTUCKY

Mr. McCONNELL (for himself, Mr. REID, Mr. PAUL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS,

Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 364

Whereas Marlow Cook was born in New York in 1926;

Whereas during World War II, Marlow Cook entered the United States Navy at age seventeen and served in the submarine service in the Atlantic and Pacific Oceans;

Whereas Marlow Cook graduated from University of Louisville Law School in 1950, was admitted to the Kentucky bar and practiced law in Louisville, Kentucky;

Whereas Marlow Cook was elected to the Kentucky House of Representatives in 1957 in which he served two terms and was elected as a Jefferson County judge in 1961 and re-elected in 1965;

Whereas Marlow Cook as Jefferson County judge purchased and refurbished the boat known today as the Belle of Louisville, an essential element of the famed annual Kentucky Derby Festival;

Whereas Marlow Cook was first elected to the United States Senate in 1968 and served as a Senator for the Commonwealth of Kentucky until 1974;

Whereas Marlow Cook was the first Roman Catholic elected to major statewide office in the Commonwealth of Kentucky;

Whereas Marlow Cook was known for his integrity, humility and dedication to public service: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Marlow Cook, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Marlow Cook.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3280. Ms. CANTWELL submitted an amendment intended to be proposed to

amendment SA 3077 submitted by Mr. ROBERTS (for himself and Mr. BOOZMAN) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3281. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3263 submitted by Mr. INHOFE and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3282. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3129 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3283. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3247 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3284. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3248 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3285. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3249 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3286. Mr. HELLER (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3287. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3288. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3289. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3290. Mr. ALEXANDER (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3280. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3077 submitted by Mr. ROBERTS (for himself and Mr. BOOZMAN) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to

provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be stricken, insert the following:

SEC. 4501. STUDY ON ENERGY MARKET REGULATORY COORDINATION AND INFORMATION COLLECTION.

(a) **STUDY.**—The Energy Information Administration, in consultation with the Commodity Futures Trading Commission, the Department of Energy, the Federal Trade Commission, and the Federal Energy Regulatory Commission, shall conduct a study—

(1) to identify the factors that affect the pricing of crude oil, refined petroleum products, natural gas, and electricity; and

(2) to review and assess—

(A) existing statutory authorities and regulatory coordination relating to the oversight and regulation of markets critical to the energy security of the United States; and

(B) the need for additional information collection for and statutory authority within the Federal Government to effectively oversee and regulate physical markets critical to the energy security of the United States.

(b) **ELEMENTS OF STUDY.**—The study shall include—

(1) an examination of price formation of crude oil, refined petroleum products, natural gas, and electricity in physical markets;

(2) an examination of relevant international regulatory regimes;

(3) an examination of changes in energy market transparency, liquidity, and structure and the impact of those changes on price formation in physical markets;

(4) an examination of the effect of increased financial investment in energy commodities on energy prices and the energy security of the United States; and

(5) an examination of the owners of the 50 largest volumes of oil and natural gas, as well as storage and transportation capacity for each.

(c) **REPORT AND RECOMMENDATIONS.**—The Energy Information Administration shall issue a final report not later than 1 year after the date of enactment of this Act that—

(1) describes the results of the study; and

(2) provides options for appropriate additional Federal regulatory coordination of oversight and regulatory actions to ensure transparency of energy product pricing and the elimination of excessive speculation, including recommendations on data collection and analysis to be carried out by the Energy Information Administration.

(d) **CONSULTATION.**—In conducting the study, the Energy Information Administration shall consult, as appropriate, with representatives of the various exchanges, clearinghouses, self-regulatory bodies, other major market participants, consumers, and the general public.

SA 3281. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3263 submitted by Mr. INHOFE and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **ELIGIBLE STATE.**—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) **ELIGIBLE SYSTEM.**—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) **STATE REVOLVING LOAN FUND ASSISTANCE.**—

(1) **IN GENERAL.**—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) **AUTHORIZATION.**—

(A) **IN GENERAL.**—Using funds provided under subsection (f)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) **INCLUSION.**—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) **LIMITATION.**—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) **WATER INFRASTRUCTURE FINANCING.**—

(1) **SECURED LOANS.**—

(A) **IN GENERAL.**—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) **AMOUNT.**—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) **FEDERAL INVOLVEMENT.**—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) **ASSET MANAGEMENT PLAN.**—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Admin-

istrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) **NONDUPLICATION OF WORK.**—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) **FUNDING.**—

(1) **ADDITIONAL SRF CAPITALIZATION GRANTS.**—

(A) **APPROPRIATION.**—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in subsection (b)(2).

(B) **SUPPLEMENTED INTENDED USE PLANS.**—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) **UNOBLIGATED AMOUNTS.**—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.), to remain available until expended.

(D) **APPLICABILITY.**—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) **WIFIA FUNDING.**—

(A) **APPROPRIATION.**—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available until expended, to provide credit subsidies and administrative costs, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) **DEADLINE.**—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) **USE.**—Secured loans provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and

replacement of public and private drinking water infrastructure.

(3) **APPLICABILITY.**—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) **OFFSET.**—There is rescinded the unobligated balance of amounts made available to carry out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

(h) **HEALTH EFFECTS EVALUATION.**—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) **ESTABLISHMENT.**—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

(A) an epidemiologist;

(B) a toxicologist;

(C) a mental health professional;

(D) a pediatrician;

(E) an early childhood education expert;

(F) a special education expert;

(G) a dietitian;

(H) an environmental health expert; and

(I) 2 community representatives.

(2) **APPLICATION OF FACA.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that

assist with cognitive, developmental, and health problems associated with lead exposure.

(f) **REPORT.**—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) **REVIEW.**—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) **CONTENTS OF REPORT.**—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

SA 3282. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3129 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and

for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **ELIGIBLE STATE.**—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) **ELIGIBLE SYSTEM.**—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) **STATE REVOLVING LOAN FUND ASSISTANCE.**—

(1) **IN GENERAL.**—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) **AUTHORIZATION.**—

(A) **IN GENERAL.**—Using funds provided under subsection (f)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) **INCLUSION.**—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) **LIMITATION.**—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) **WATER INFRASTRUCTURE FINANCING.**—

(1) **SECURED LOANS.**—

(A) **IN GENERAL.**—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) **AMOUNT.**—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) **FEDERAL INVOLVEMENT.**—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) **ASSET MANAGEMENT PLAN.**—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) **NONDUPLICATION OF WORK.**—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) **FUNDING.**—

(1) **ADDITIONAL SRF CAPITALIZATION GRANTS.**—

(A) **APPROPRIATION.**—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in subsection (b)(2).

(B) **SUPPLEMENTED INTENDED USE PLANS.**—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) **UNOBLIGATED AMOUNTS.**—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.), to remain available until expended.

(D) **APPLICABILITY.**—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) **WIFIA FUNDING.**—

(A) **APPROPRIATION.**—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available until expended, to provide credit subsidies and administrative costs, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) **DEADLINE.**—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) USE.—Secured loans provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C.300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) OFFSET.—There is rescinded the unobligated balance of amounts made available to carry out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

(h) HEALTH EFFECTS EVALUATION.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients.”

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) CONFORMING AMENDMENTS.—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) CITY.—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) COMMUNITY.—The term “community” means the community of the City.

(4) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(5) STATE.—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) ESTABLISHMENT.—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) COLLABORATION.—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) ADVISORY COMMITTEE.—

(1) IN GENERAL.—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to

advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) APPLICATION OF FACAA.—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) RESPONSIBILITIES.—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) REPORT.—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

SA 3283. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3247 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to

provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (f)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section

1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) ASSET MANAGEMENT PLAN.—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) FUNDING.—

(1) ADDITIONAL SRF CAPITALIZATION GRANTS.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in subsection (b)(2).

(B) SUPPLEMENTED INTENDED USE PLANS.—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.), to remain available until expended.

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available until expended, to provide credit subsidies and administrative costs, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) DEADLINE.—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a

credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) **USE.**—Secured loans provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(3) **APPLICABILITY.**—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) **OFFSET.**—There is rescinded the unobligated balance of amounts made available to carry out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

(h) **HEALTH EFFECTS EVALUATION.**—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients.”

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an

exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) **ESTABLISHMENT.**—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) **APPLICATION OF FACAA.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of

lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) REPORT.—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

SA 3284. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3248 submitted by Ms. STABENOW (for herself and Mr.

PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (f)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are

not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) ASSET MANAGEMENT PLAN.—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) FUNDING.—

(1) ADDITIONAL SRF CAPITALIZATION GRANTS.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in subsection (b)(2).

(B) SUPPLEMENTED INTENDED USE PLANS.—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.), to remain available until expended.

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available until expended, to provide credit subsidies and administrative costs, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) DEADLINE.—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) USE.—Secured loans provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C.300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) OFFSET.—There is rescinded the unobligated balance of amounts made available to carry out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

(h) HEALTH EFFECTS EVALUATION.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients.”

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) CONFORMING AMENDMENTS.—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) CITY.—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) COMMUNITY.—The term “community” means the community of the City.

(4) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(5) STATE.—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) ESTABLISHMENT.—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) COLLABORATION.—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health

agencies in the development and operation of the Center.

(d) ADVISORY COMMITTEE.—

(1) IN GENERAL.—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) APPLICATION OF FACA.—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) RESPONSIBILITIES.—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational

impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) REPORT.—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

SA 3285. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3249 submitted by Ms. STABENOW (for herself and Mr. PETERS) and intended to be proposed to the amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (f)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infra-

structure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) ASSET MANAGEMENT PLAN.—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) FUNDING.—

(1) ADDITIONAL SRF CAPITALIZATION GRANTS.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in subsection (b)(2).

(B) SUPPLEMENTED INTENDED USE PLANS.—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.), to remain available until expended.

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available until expended, to provide credit subsidies and administrative costs, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection

(c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) DEADLINE.—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) USE.—Secured loans provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) OFFSET.—There is rescinded the unobligated balance of amounts made available to carry out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

(h) HEALTH EFFECTS EVALUATION.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients.”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) CONFORMING AMENDMENTS.—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) CITY.—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) COMMUNITY.—The term “community” means the community of the City.

(4) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(5) STATE.—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) ESTABLISHMENT.—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) COLLABORATION.—The Center shall collaborate with relevant Federal agencies, re-

search institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) ADVISORY COMMITTEE.—

(1) IN GENERAL.—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) APPLICATION OF FACAA.—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) RESPONSIBILITIES.—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities

impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) REPORT.—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a

similar situation in the future and to protect public health.

SA 3286. Mr. HELLER (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 244, between lines 13 and 14, insert the following:

Subpart B—Development of Geothermal, Solar, and Wind Energy on Public Land

SEC. 3011A. DEFINITIONS.

In this subpart:

(1) COVERED LAND.—The term “covered land” means land that is—

(A) public land administered by the Secretary; and

(B) not excluded from the development of geothermal, solar, or wind energy under—

(i) a land use plan established under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(ii) other Federal law.

(2) EXCLUSION AREA.—The term “exclusion area” means covered land that is identified by the Bureau of Land Management as not suitable for development of renewable energy projects.

(3) PRIORITY AREA.—The term “priority area” means covered land identified by the land use planning process of the Bureau of Land Management as being a preferred location for a renewable energy project.

(4) PUBLIC LAND.—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(5) RENEWABLE ENERGY PROJECT.—The term “renewable energy project” means a project carried out on covered land that uses wind, solar, or geothermal energy to generate energy.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(7) VARIANCE AREA.—The term “variance area” means covered land that is—

(A) not an exclusion area; and

(B) not a priority area.

SEC. 3011B. LAND USE PLANNING; SUPPLEMENTS TO PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENTS.

(a) PRIORITY AREAS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy, shall establish priority areas on covered land for geothermal, solar, and wind energy projects.

(2) DEADLINE.—

(A) GEOTHERMAL ENERGY.—For geothermal energy, the Secretary shall establish priority areas as soon as practicable, but not later than 5 years, after the date of enactment of this Act.

(B) SOLAR ENERGY.—For solar energy, the solar energy zones established by the 2012 western solar plan of the Bureau of Land Management shall be considered to be priority areas for solar energy projects.

(C) WIND ENERGY.—For wind energy, the Secretary shall establish priority areas as soon as practicable, but not later than 3 years, after the date of enactment of this Act.

(b) VARIANCE AREAS.—To the maximum extent practicable, variance areas shall be considered for renewable energy project development, consistent with the principles of multiple use as defined in the Federal Land Pol-

icy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(c) REVIEW AND MODIFICATION.—Not less frequently than once every 10 years, the Secretary shall—

(1) review the adequacy of land allocations for geothermal, solar, and wind energy priority and variance areas for the purpose of encouraging new renewable energy development opportunities; and

(2) based on the review carried out under paragraph (1), add, modify, or eliminate priority, variance, and exclusion areas.

(d) COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT.—For purposes of this section, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

(1) for geothermal energy, by supplementing the October 2008 final programmatic environmental impact statement for geothermal leasing in the western United States;

(2) for solar energy, by supplementing the July 2012 final programmatic environmental impact statement for solar energy projects; and

(3) for wind energy, by supplementing the July 2005 final programmatic environmental impact statement for wind energy projects.

(e) NO EFFECT ON PROCESSING APPLICATIONS.—A requirement to prepare a supplement to a programmatic environmental impact statement under this section shall not result in any delay in processing an application for a renewable energy project.

(f) COORDINATION.—In developing a supplement required by this section, the Secretary shall coordinate, on an ongoing basis, with appropriate State, tribal, and local governments, transmission infrastructure owners and operators, developers, and other appropriate entities to ensure that priority areas identified by the Secretary are—

(1) economically viable (including having access to transmission);

(2) likely to avoid or minimize conflict with habitat for animals and plants, recreation, and other uses of covered land; and

(3) consistent with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), including subsection (c)(9) of that section.

(g) REMOVAL FROM CLASSIFICATION.—In carrying out subsections (a), (c), and (d), if the Secretary determines an area previously suited for development should be removed from priority or variance classification, not later than 90 days after the date of the determination, the Secretary shall submit to Congress a report on the determination.

SEC. 3011C. ENVIRONMENTAL REVIEW ON COVERED LAND.

(a) IN GENERAL.—If the Secretary determines that a proposed renewable energy project has been sufficiently analyzed by a programmatic environmental impact statement conducted under section 3011B(d), the Secretary shall not require any additional review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) ADDITIONAL ENVIRONMENTAL REVIEW.—If the Secretary determines that additional environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is necessary for a proposed renewable energy project, the Secretary shall rely on the analysis in the programmatic environmental impact statement conducted under section 3011B(d), to the maximum extent practicable when analyzing the potential impacts of the project.

(c) RELATIONSHIP TO OTHER LAW.—Nothing in this section modifies or supersedes any requirement under applicable law, including

the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 3011D. PROGRAM TO IMPROVE RENEWABLE ENERGY PROJECT PERMIT COORDINATION.

(a) **ESTABLISHMENT.**—The Secretary shall establish a program to improve Federal permit coordination with respect to renewable energy projects on covered land.

(b) **MEMORANDUM OF UNDERSTANDING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section, including to specifically expedite the environmental analysis of applications for projects proposed in a variance area, with—

(A) the Secretary of Agriculture; and

(B) the Assistant Secretary of the Army for Civil Works.

(2) **STATE PARTICIPATION.**—The Secretary may request the Governor of any interested State to be a signatory to the memorandum of understanding under paragraph (1).

(c) **DESIGNATION OF QUALIFIED STAFF.**—

(1) **IN GENERAL.**—Not later than 90 days after the date on which the memorandum of understanding under subsection (b) is executed, all Federal signatories, as appropriate, shall identify for each of the Bureau of Land Management Renewable Energy Coordination Offices an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) consultation regarding, and preparation of, biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a);

(E) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(F) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); and

(G) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) **DUTIES.**—Each employee assigned under paragraph (1) shall—

(A) be responsible for addressing all issues relating to the jurisdiction of the home office or agency of the employee; and

(B) participate as part of the team of personnel working on proposed energy projects, planning, monitoring, inspection, enforcement, and environmental analyses.

(d) **ADDITIONAL PERSONNEL.**—The Secretary may assign additional personnel for the renewable energy coordination offices as are necessary to ensure the effective implementation of any programs administered by those offices, including inspection and enforcement relating to renewable energy project development on covered land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) **RENEWABLE ENERGY COORDINATION OFFICES.**—In implementing the program established under this section, the Secretary may establish additional renewable energy coordination offices or temporarily assign the qualified staff described in subsection (c) to a State, district, or field office of the Bureau of Land Management to expedite the permitting of renewable energy projects, as the Secretary determines to be necessary.

(f) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act, and each February 1 thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the progress made pursuant to the program under this subpart during the preceding year.

(2) **INCLUSIONS.**—Each report under this subsection shall include—

(A) projections for renewable energy production and capacity installations; and

(B) a description of any problems relating to leasing, permitting, siting, or production.

On page 244, line 14, strike “**Subpart B**” and insert “**Subpart C**”.

SA 3287. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle I—Prevention and Protection From Lead Exposure

SEC. 4801. DRINKING WATER INFRASTRUCTURE.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **ELIGIBLE STATE.**—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(3) **ELIGIBLE SYSTEM.**—The term “eligible system” means a public drinking water supply system that is the subject of an emergency declaration referred to in paragraph (2).

(b) **STATE REVOLVING LOAN FUND ASSISTANCE.**—

(1) **IN GENERAL.**—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) **AUTHORIZATION.**—

(A) **IN GENERAL.**—Using funds provided under subsection (f)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) **INCLUSION.**—Assistance under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(3) **LIMITATION.**—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (f)(1)(A); or

(B) any other loan provided to an eligible system.

(c) **WATER INFRASTRUCTURE FINANCING.**—

(1) **SECURED LOANS.**—

(A) **IN GENERAL.**—The Administrator may make a secured loan to an eligible State to carry out a project to address lead or other contaminants in drinking water in an eligible system.

(B) **AMOUNT.**—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) **FEDERAL INVOLVEMENT.**—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) **ASSET MANAGEMENT PLAN.**—Any individual or entity that carries out construction of infrastructure using assistance provided under this section shall develop and implement, in consultation with the Administrator and appropriate officials of the applicable eligible State, a strategic and systematic process of operating, maintaining, and improving affected physical assets, with a focus on engineering and economic analysis based on quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair during the lifecycle of the assets at minimum practicable cost.

(e) **NONDUPLICATION OF WORK.**—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(f) **FUNDING.**—

(1) **ADDITIONAL SRF CAPITALIZATION GRANTS.**—

(A) **APPROPRIATION.**—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available for obligation for 1 year after the date on which the amounts are made available, to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in subsection (b)(2).

(B) **SUPPLEMENTED INTENDED USE PLANS.**—The Administrator shall disburse to an eligible State amounts made available under subparagraph (A) by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) **UNOBLIGATED AMOUNTS.**—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 1 year after the date on which the amounts are made available shall be available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33

U.S.C. 3901 et seq.), to remain available until expended.

(D) **APPLICABILITY.**—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) **WIFIA FUNDING.**—

(A) **APPROPRIATION.**—There is appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, \$50,000,000, to remain available until expended, to provide credit subsidies and administrative costs, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) in an amount equal to not more than \$600,000,000 to eligible States under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(B) **DEADLINE.**—The Administrator and the Director of the Office of Management and Budget shall provide to an eligible State a credit subsidy under subparagraph (A) by not later than 60 days after the date of receipt of a loan application from the eligible State.

(C) **USE.**—Secured loans provided pursuant to subparagraph (A) shall be available for activities to address lead and other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(3) **APPLICABILITY.**—Unless explicitly waived, all requirements under section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j-9(e)) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(g) **OFFSET.**—There is rescinded the unobligated balance of amounts made available to carry out section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

(h) **HEALTH EFFECTS EVALUATION.**—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall—

(1) in coordination with other Federal departments and agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water; and

(2) provide for those individuals consultations regarding health issues relating to that exposure.

SEC. 4802. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 4803. DISCLOSURE OF PUBLIC HEALTH THREATS FROM LEAD EXPOSURE.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis.”;

(2) in paragraph (2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of being notified by the primary agency of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice, either on a case-specific or more general basis, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414 (c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 4804. CENTER OF EXCELLENCE ON LEAD EXPOSURE.

(a) **DEFINITIONS.**—In this section:

(1) **CENTER.**—The term “Center” means the Center of Excellence on Lead Exposure established under subsection (b).

(2) **CITY.**—The term “City” means a City that has been exposed to lead through a water system or other source.

(3) **COMMUNITY.**—The term “community” means the community of the City.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(5) **STATE.**—The term “State” means a State containing a City that has been exposed to lead through a water system or other source.

(b) **ESTABLISHMENT.**—The Secretary may, by contract, grant, or cooperative agreement, establish a center to be known as the “Center of Excellence on Lead Exposure”.

(c) **COLLABORATION.**—The Center shall collaborate with relevant Federal agencies, research institutions, hospitals, Federally qualified health centers, school-based health centers, community behavioral health providers, and State and local public health agencies in the development and operation of the Center.

(d) **ADVISORY COMMITTEE.**—

(1) **IN GENERAL.**—The Center shall establish an advisory committee to provide scientific and technical support for the Center and to advise the Secretary, consisting of, at a minimum—

- (A) an epidemiologist;
- (B) a toxicologist;
- (C) a mental health professional;
- (D) a pediatrician;
- (E) an early childhood education expert;
- (F) a special education expert;
- (G) a dietician;
- (H) an environmental health expert; and
- (I) 2 community representatives.

(2) **APPLICATION OF FACA.**—The advisory committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **RESPONSIBILITIES.**—The Center shall, at minimum, develop and carry out the following components and responsibilities:

(1) Establish a health registry with the following responsibilities:

(A) Survey City residents on a voluntary basis about exposure to lead, and inform City residents of the health and developmental impacts that may have resulted from that exposure.

(B) Identify and provide ongoing monitoring for City residents on a voluntary basis who have been exposed to lead.

(C) Collect and analyze clinical data related to the monitoring and treatment of City residents.

(D) Provide culturally and linguistically relevant personnel and materials necessary for City residents.

(2) Without duplicating other Federal research efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, research on physical, behavioral, and developmental impacts, as well as other health or educational impacts associated with lead exposure, including cancer, heart disease, liver disease, neurological impacts, developmental delays, reproductive health impacts, and maternal and fetal health impacts.

(3) Without duplicating other Federal efforts, develop or recommend that the Secretary develop or support the development of, through a grant or contract, lead mitigation recommendations and allocate resources, as appropriate, for health-, education-, and nutrition-related interventions, as well as other interventions, to mitigate lead exposure in children and adults.

(4) Establish a partnership with the Regional Center of Excellence on Nutrition Education of the Department of Agriculture

to provide any relevant nutrition information for lead mitigation, including—

(A) identifying and implementing best practices in nutrition education regarding lead-mitigating foods; and

(B) making recommendations and conducting outreach to improve access to lead-mitigating foods in the community.

(5) Without duplicating other Federal efforts, conduct or recommend that the Secretary conduct or support, through a grant or contract, education and outreach efforts for the City and State, including the following:

(A) Create a publicly accessible website that provides, at minimum, details about the health registry for City residents, available testing and other services through the Center for City residents and other communities impacted by lead exposure, any relevant information regarding health and educational impacts of lead exposure, any relevant information on mitigation services, and any research conducted through the Center.

(B) Conduct at least 2 meetings annually in the City to discuss the ongoing impact of lead exposure on residents and solicit community input regarding ongoing mitigation needs.

(C) Establish a navigation program to connect City residents to available Federal, State, and local resources and programs that assist with cognitive, developmental, and health problems associated with lead exposure.

(f) REPORT.—Annually, the Secretary shall submit to the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report—

(1) assessing the impacts of the Center on City health and education systems and outcomes;

(2) describing any research conducted by or in connection with the Center;

(3) describing any mitigation tools used or developed by the Center including outcomes; and

(4) making any recommendations for the City, State, or other communities impacted by lead exposure, as appropriate.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2017 through 2026, to remain available until expended.

SEC. 4805. GAO REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to

the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

SA 3288. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

SEC. 44. KLAMATH PROJECT WATER AND POWER.

(a) ADDRESSING WATER MANAGEMENT AND POWER COSTS FOR IRRIGATION.—The Klamath Basin Water Supply Enhancement Act of 2000 (Public Law 106-498; 114 Stat. 2221) is amended—

(1) by redesignating sections 4 through 6 as sections 5 through 7, respectively; and

(2) by inserting after section 3 the following:

“SEC. 4. POWER AND WATER MANAGEMENT.

“(a) DEFINITIONS.—In this section:

“(1) COVERED POWER USE.—The term ‘covered power use’ means a use of power to develop or manage water for irrigation, wildlife purposes, or drainage on land that is—

“(A) associated with the Klamath Project, including land within a unit of the National Wildlife Refuge System that receives water due to the operation of Klamath Project facilities; or

“(B) irrigated by the class of users covered by the agreement dated April 30, 1956, between the California Oregon Power Company and Klamath Basin Water Users Protective Association and within the Off Project Area (as defined in the Upper Basin Comprehensive Agreement entered into on April 18, 2014), only if each applicable owner and holder of a possessory interest of the land is a party to that agreement (or a successor agreement that the Secretary determines provides a comparable benefit to the United States).

“(2) KLAMATH PROJECT.—

“(A) IN GENERAL.—The term ‘Klamath Project’ means the Bureau of Reclamation project in the States of California and Oregon.

“(B) INCLUSIONS.—The term ‘Klamath Project’ includes any dams, canals, and other works and interests for water diversion, storage, delivery, and drainage, flood control, and similar functions that are part of the project described in subparagraph (A).

“(3) POWER COST BENCHMARK.—The term ‘power cost benchmark’ means the average net delivered cost of power for irrigation and drainage at Reclamation projects in the area

surrounding the Klamath Project that are similarly situated to the Klamath Project, including Reclamation projects that—

“(A) are located in the Pacific Northwest; and

“(B) receive project-use power.

“(b) WATER, ENVIRONMENTAL, AND POWER ACTIVITIES.—

“(1) IN GENERAL.—Pursuant to the reclamation laws and subject to appropriations and required environmental reviews, the Secretary may carry out activities, including entering into an agreement or contract or otherwise making financial assistance available—

“(A) to plan, implement, and administer programs to align water supplies and demand for irrigation water users associated with the Klamath Project, with a primary emphasis on programs developed or endorsed by local entities comprised of representatives of those water users;

“(B) to plan and implement activities and projects that—

“(i) avoid or mitigate environmental effects of irrigation activities; or

“(ii) restore habitats in the Klamath Basin watershed, including restoring tribal fishery resources held in trust; and

“(C) to limit the net delivered cost of power for covered power uses.

“(2) EFFECT.—Nothing in subparagraph (A) or (B) of paragraph (1) authorizes the Secretary—

“(A) to develop or construct new facilities for the Klamath Project without appropriate approval from Congress under section 9 of the Reclamation Projects Act of 1939 (43 U.S.C. 485h); or

“(B) to carry out activities that have not otherwise been authorized.

“(c) REDUCING POWER COSTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Policy Modernization Act of 2016, the Secretary, in consultation with interested irrigation interests that are eligible for covered power use and representative organizations of those interests, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

“(A) identifies the power cost benchmark; and

“(B) recommends actions that, in the judgment of the Secretary, are necessary and appropriate to ensure that the net delivered power cost for covered power use is equal to or less than the power cost benchmark, including a description of—

“(i) actions to immediately reduce power costs and to have the net delivered power cost for covered power use be equal to or less than the power cost benchmark in the near term, while longer-term actions are being implemented;

“(ii) actions that prioritize water and power conservation and efficiency measures and, to the extent actions involving the development or acquisition of power generation are included, renewable energy technologies (including hydropower);

“(iii) the potential costs and timeline for the actions recommended under this subparagraph;

“(iv) provisions for modifying the actions and timeline to adapt to new information or circumstances; and

“(v) a description of public input regarding the proposed actions, including input from water users that have covered power use and the degree to which those water users concur with the recommendations.

“(2) IMPLEMENTATION.—Not later than 180 days after the date of submission of the report under paragraph (1), the Secretary shall implement those recommendations described in the report that the Secretary determines will ensure that the net delivered power cost for covered power use is equal to or less than the power cost benchmark, subject to availability of appropriations, on the fastest practicable timeline.

“(3) ANNUAL REPORTS.—The Secretary shall submit to each Committee described in paragraph (1) annual reports describing progress achieved in meeting the requirements of this subsection.

“(d) TREATMENT OF POWER PURCHASES.—

“(1) IN GENERAL.—Any purchase of power by the Secretary under this section shall be considered to be an authorized sale for purposes of section 5(b)(3) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c(b)(3)).

“(2) EFFECT.—Nothing in this section authorizes the Bonneville Power Administration to make a sale of power from the Federal Columbia River Power System at rates, terms, or conditions better than those afforded preference customers of the Bonneville Power Administration.

“(e) GOALS.—The goals of activities under subsections (b) and (c) shall include, as applicable—

“(1) the short-term and long-term reduction and resolution of conflicts relating to water in the Klamath Basin watershed; and

“(2) compatibility and utility for protecting natural resources throughout the Klamath Basin watershed, including the protection, preservation, and restoration of Klamath River tribal fishery resources, particularly through collaboratively developed agreements.

“(f) PUMPING PLANT D.—The Secretary may enter into 1 or more agreements with the Tulalake Irrigation District to reimburse the Tulalake Irrigation District for not more than 69 percent of the cost incurred by the Tulalake Irrigation District for the operation and maintenance of Pumping Plant D, on the condition that the cost benefits the United States.”.

(b) CONVEYANCE OF NON-PROJECT WATER; REPLACEMENT OF C CANAL.—

(1) DEFINITION OF KLAMATH PROJECT.—In this subsection:

(A) IN GENERAL.—The term “Klamath Project” means the Bureau of Reclamation project in the States of California and Oregon.

(B) INCLUSIONS.—The term “Klamath Project” includes any dams, canals, and other works and interests for water diversion, storage, delivery, and drainage, flood control, and similar functions that are part of the project described in subparagraph (A).

(2) CONVEYANCE OF NON-PROJECT WATER.—

(A) IN GENERAL.—An entity operating under a contract entered into with the United States for the operation and maintenance of Klamath Project works or facilities, and an entity operating any work or facility not owned by the United States that receives Klamath Project water, may use any of the Klamath Project works or facilities to convey non-Klamath Project water for any authorized purpose of the Klamath Project, subject to subparagraphs (B) and (C).

(B) PERMITS; MEASUREMENT.—An addition, conveyance, and use of water pursuant to subparagraph (A) shall be subject to the requirements that—

(i) the applicable entity shall secure all permits required under State or local laws; and

(ii) all water delivered into, or taken out of, a Klamath Project facility pursuant to that subparagraph shall be measured.

(C) EFFECT.—A use of Klamath Project water under this paragraph shall not—

(i) adversely affect the delivery of water to any water user or land served by the Klamath Project; or

(ii) result in any additional cost to the United States.

(3) REPLACEMENT OF C CANAL FLUME.—The replacement of the C Canal flume within the Klamath Project shall be considered to be, and shall receive the treatment authorized for, emergency extraordinary operation and maintenance work in accordance with Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(c) ADMINISTRATION.—

(1) COMPLIANCE.—In implementing this section and the amendments made by this section, the Secretary of the Interior shall comply with—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) all other applicable laws.

(2) EFFECT.—Nothing in this section—

(A) modifies the authorities or obligations of the United States with respect to the tribal trust and treaty obligations of the United States; or

(B) creates or determines water rights or affects water rights or water right claims in existence on the date of enactment of this Act.

SA 3289. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. QUALIFYING OFFSHORE WIND FACILITY CREDIT.

(a) IN GENERAL.—Section 46 of the Internal Revenue Code of 1986 is amended—

(1) by striking “and” at the end of paragraph (5),

(2) by striking the period at the end of paragraph (6) and inserting “, and”, and

(3) by adding at the end the following new paragraph:

“(7) the qualifying offshore wind facility credit.”.

(b) AMOUNT OF CREDIT.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 48D the following new section:

“SEC. 48E. CREDIT FOR OFFSHORE WIND FACILITIES.

“(a) IN GENERAL.—For purposes of section 46, the qualifying offshore wind facility credit for any taxable year is an amount equal to 30 percent of the qualified investment for such taxable year with respect to any qualifying offshore wind facility of the taxpayer.

“(b) QUALIFIED INVESTMENT.—

“(1) IN GENERAL.—For purposes of subsection (a), the qualified investment for any taxable year is the basis of eligible property placed in service by the taxpayer during such taxable year which is part of a qualifying offshore wind facility.

“(2) CERTAIN QUALIFIED PROGRESS EXPENDITURES RULES MADE APPLICABLE.—Rules simi-

lar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of this section.

“(c) DEFINITIONS.—For purposes of this section—

“(1) QUALIFYING OFFSHORE WIND FACILITY.—

“(A) IN GENERAL.—The term ‘qualifying offshore wind facility’ means an offshore facility using wind to produce electricity.

“(B) OFFSHORE FACILITY.—The term ‘offshore facility’ means any facility located in the inland navigable waters of the United States, including the Great Lakes, or in the coastal waters of the United States, including the territorial seas of the United States, the exclusive economic zone of United States, and the outer Continental Shelf of the United States.

“(2) ELIGIBLE PROPERTY.—The term ‘eligible property’ means any property—

“(A) which is—

“(i) tangible personal property, or

“(ii) other tangible property (not including a building or its structural components), but only if such property is used as an integral part of the qualifying offshore wind facility, and

“(B) with respect to which depreciation (or amortization in lieu of depreciation) is allowable.

“(d) QUALIFYING CREDIT FOR OFFSHORE WIND FACILITIES PROGRAM.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, in consultation with the Secretary of Energy and the Secretary of the Interior, shall establish a qualifying credit for offshore wind facilities program to consider and award certifications for qualified investments eligible for credits under this section to qualifying offshore wind facility sponsors.

“(B) LIMITATION.—The total amount of megawatt capacity for offshore facilities with respect to which credits may be allocated under the program shall not exceed 3,000 megawatts.

“(2) CERTIFICATION.—

“(A) APPLICATION PERIOD.—Each applicant for certification under this paragraph shall submit an application containing such information as the Secretary may require beginning on the date the Secretary establishes the program under paragraph (1).

“(B) PERIOD OF ISSUANCE.—An applicant which receives a certification shall have 5 years from the date of issuance of the certification in order to place the facility in service and if such facility is not placed in service by that time period, then the certification shall no longer be valid.

“(3) SELECTION CRITERIA.—In determining which qualifying offshore wind facilities to certify under this section, the Secretary shall—

“(A) take into consideration which facilities will be placed in service at the earliest date, and

“(B) take into account the technology of the facility that may lead to reduced industry and consumer costs or expand access to offshore wind.

“(4) REVIEW, ADDITIONAL ALLOCATIONS, AND REALLOCATIONS.—

“(A) REVIEW.—Periodically, but not later than 4 years after the date of the enactment of this section, the Secretary shall review the credits allocated under this section as of the date of such review.

“(B) ADDITIONAL ALLOCATIONS AND REALLOCATIONS.—The Secretary may make additional allocations and reallocations of

credits under this section if the Secretary determines that—

“(i) the limitation under paragraph (1)(B) has not been attained at the time of the review, or

“(ii) scheduled placed-in-service dates of previously certified facilities have been significantly delayed and the Secretary determines the applicant will not meet the timeline pursuant to paragraph (2)(B).

“(C) ADDITIONAL PROGRAM FOR ALLOCATIONS AND REALLOCATIONS.—If the Secretary determines that credits under this section are available for further allocation or reallocation, but there is an insufficient quantity of qualifying applications for certification pending at the time of the review, the Secretary is authorized to conduct an additional program for applications for certification.

“(5) DISCLOSURE OF ALLOCATIONS.—The Secretary shall, upon making a certification under this subsection, publicly disclose the identity of the applicant and the amount of the credit with respect to such applicant.

“(e) DENIAL OF DOUBLE BENEFIT.—A credit shall not be allowed under this section with respect to any facility if—

“(1) a credit has been allowed to such facility under section 45 for such taxable year or any prior taxable year,

“(2) a credit has been allowed with respect to such facility under section 46 by reason of section 48(a) or 48C(a) for such taxable or any preceding taxable year, or

“(3) a grant has been made with respect to such facility under section 1603 of the American Recovery and Reinvestment Act of 2009.”

(c) CONFORMING AMENDMENTS.—

(1) Section 49(a)(1)(C) of the Internal Revenue Code of 1986 is amended—

(A) by striking “and” at the end of clause (v),

(B) by striking the period at the end of clause (vi) and inserting “, and”, and

(C) by adding after clause (vi) the following new clause:

“(vii) the basis of any property which is part of a qualifying offshore wind facility under section 48E.”

(2) The table of sections for subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 48D the following new item:

“48E. Credit for offshore wind facilities.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SA 3290. Mr. ALEXANDER (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1306, add the following:

(h) SECONDARY USE APPLICATIONS.—

(1) IN GENERAL.—The Secretary shall carry out a research, development, and demonstration program that—

(A) builds on any work carried out under section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195);

(B) identifies possible uses of a vehicle battery after the useful life of the battery in a vehicle has been exhausted;

(C) conducts long-term testing to verify performance and degradation predictions and lifetime valuations for secondary uses;

(D) evaluates innovative approaches to recycling materials from plug-in electric drive vehicles and the batteries used in plug-in electric drive vehicles;

(E)(i) assesses the potential for markets for uses described in subparagraph (B) to develop; and

(ii) identifies any barriers to the development of those markets; and

(F) identifies the potential uses of a vehicle battery—

(i) with the most promise for market development; and

(ii) for which market development would be aided by a demonstration project.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an initial report on the findings of the program described in paragraph (1), including recommendations for stationary energy storage and other potential applications for batteries used in plug-in electric drive vehicles.

(3) SECONDARY USE DEMONSTRATION.—

(A) IN GENERAL.—Based on the results of the program described in paragraph (1), the Secretary shall develop guidelines for projects that demonstrate the secondary uses and innovative recycling of vehicle batteries.

(B) PUBLICATION OF GUIDELINES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(i) publish the guidelines described in subparagraph (A); and

(ii) solicit applications for funding for demonstration projects.

(C) PILOT DEMONSTRATION PROGRAM.—Not later than 21 months after the date of enactment of this Act, the Secretary shall select proposals for grant funding under this section, based on an assessment of which proposals are mostly likely to contribute to the development of a secondary market for batteries.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 4, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, 2016, at 10:30 a.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled “Ensuring Intermodal USF Support for Rural America.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Com-

mittee on Finance be authorized to meet during the session of the Senate on February 4, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Hearing to consider the nominations of Mary Katherine Wakefield, Andrew LaMont Eanes, Elizabeth Ann Copeland, and Vik Edwin Stoll.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 4, 2016, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 4, 2016, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to Karen Dildei, effective today through March 1, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the following fellows in Senator DURBIN’s office be granted floor privileges for the remainder of the 114th Congress: Jeremy Ward, Elizabeth Lawrence, Karla Hagan, and Craig Crawford.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar No. 465; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate’s action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

IN THE ARMY

The following named officer for appointment in the United States Army to the grade

indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. John W. Nicholson, Jr.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING USE OF EMANCIPATION HALL

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 109, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 109) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the foot soldiers who participated in the 1965 Selma to Montgomery marches.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SASSE. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 109) was agreed to.

CONGRATULATING THE UNIVERSITY OF MOUNT UNION FOOTBALL TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION III FOOTBALL CHAMPIONSHIP

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 363, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 363) congratulating the University of Mount Union football team for winning the 2015 National Collegiate Athletic Association Division III Football Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The resolution (S. Res. 363) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RELATIVE TO THE DEATH OF MARLOW COOK

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 364, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 364) relative to the death of Marlow Cook, former United States Senator for the Commonwealth of Kentucky.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 364) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the provisions of S. Con. Res. 28 (114th Congress), appoints the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: the Honorable MITCH MCCONNELL of Kentucky, the Honorable ROY BLUNT of Missouri, and the Honorable CHARLES SCHUMER of New York.

ORDERS FOR MONDAY, FEBRUARY 8, 2016

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, February 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that the Senate adjourn under the provisions of S. Res. 364 as a mark of respect for the late Marlow Cook, former Senator from the Commonwealth of Kentucky.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 8, 2016, AT 2 P.M.

Mr. SASSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:47 p.m., adjourned until Monday, February 8, 2016, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

PATRICK A. BURKE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS, VICE EDWIN DONOVAN SLOANE, RETIRED.

THE JUDICIARY

STEPHANIE A. FINLEY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE RICHARD T. HAIK, SR., RETIRED.

CLAUDE J. KELLY III, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE IVAN L. R. LEMELLE, RETIRED.

CONFIRMATION

Executive nomination confirmed by the Senate February 4, 2016:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN W. NICHOLSON, JR.

EXTENSIONS OF REMARKS

HONORING CAPTAIN BRIAN T.
KENNEDY

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I stand here today to pay tribute and express my deepest appreciation for the service and sacrifice of the 12 Marines missing off the coast of Hawaii, and especially Marine Captain Brian T. Kennedy of Malvern, PA.

Growing up in the Tredyffrin Township, Captain Kennedy attended school at the Tredyffrin/Eastown School District and graduated from Conestoga High School as a member of the National Honors Society and co-captain of the varsity football team.

Upon graduation, Captain Kennedy had the noble desire to serve his country and followed that aspiration to the U.S. Naval Academy where he continued his academic excellence and graduated with a major in Oceanography.

He was a leader by nature, holding many leadership positions at the Academy: a battalion weapons coach, a company platoon sergeant, a company executive officer, a company conduct officer, and a company squad leader.

After joining the Marine Corps as an officer, he was stationed in California where he met his loving and devoted wife, Captain Paige Kennedy.

Together, they both served to protect our country and our freedoms.

Mr. Speaker, as a CH-53E Super Stallion pilot, Captain Kennedy fought bravely for our freedoms in the Global War on Terror, which is proven by the numerous decorations awarded.

Unfortunately, after the helicopter crash in Hawaii and an exhaustive search over 40,000 nautical square miles by the Marines and Coast Guard, Captain Kennedy and his comrades have not been found.

We as a nation are truly indebted to those 12 Marines for the ultimate sacrifice they have made in service to this great nation.

And it is with great respect and appreciation that I extend my condolences to their friends and families.

RECOGNIZING WAWA EMPLOYEE
OWNERSHIP

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. MEEHAN. Mr. Speaker, yesterday, the House passed H.R. 1675, the Encouraging Employee Ownership Act of 2015. This legislation will make it easier for companies to let

hardworking employees have a stake in the company where they work every day. Companies who have significant employee ownership regularly realize a boost in the company's performance, because ownership gives the employees a vested interest in the success of the company.

I'd like to especially highlight one such organization in my district, Wawa, Inc. Wawa has had an Employee Stock Ownership Plan (ESOP) since 1992 and has shared ownership with its associates for more than 40 years. Wawa associates own almost 41 percent of the company through the ESOP, and that pride in ownership is on display every single day. From customer services associates to general managers, Wawa employees share in the company's success and are able to accumulate significant retirement savings. It is important to these workers and those across the country who participate in ESOPs that these ownership and retirement programs remain strong.

HONORING OFFICER MATTHEW
MOORE AFTER HIS PASSING ON
JANUARY 23, 2016

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. GUINTA. Mr. Speaker, I rise today to honor Granite State hero and fallen police officer Matthew Moore of Hampstead, New Hampshire.

On January 23, 2016, the State of New Hampshire lost a true Granite State hero. During this time of great sadness, we remember and celebrate the life of not only a tremendous police officer, but also a father, husband and friend.

Moore devoted his life to protecting our families and our communities through his military service as a Marine, and his time as a police officer in the towns of Pelham, Sandown and Hampstead.

As his family, friends, neighbors and fellow police officers knew, Moore was really one of a kind. The dedication and compassion he demonstrated during his years of service are not—and will not—be forgotten.

It takes a remarkable individual like Matthew Moore to risk their life daily to keep us safe and protect us from harm. So let us take a moment today and pause, reflect, and celebrate the life and valor of Officer Moore. He put his life on the line to protect the Granite State, and we are forever grateful.

TRIBUTE TO DEAN STONE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. DUNCAN of Tennessee. Mr. Speaker, Dean Stone has served as Editor of The Daily Times in Maryville, Tennessee for more than six decades.

Recently, he retired from his full-time position.

As The Daily Times recounted in a tribute piece devoted to Dean, he oversaw and outlasted an industry that changed from "hot type, to computer-generated type, to the internet."

Dean is the standard of journalistic fairness and integrity in my District and a towering figure in East Tennessee.

Mr. Speaker, I call to the attention of my colleagues and other readers the tribute to Dean's career that ran in The Daily Times on December 27, 2015, and wish him well on his much-earned retirement.

STONE, FIXTURE IN TENNESSEE JOURNALISM
SINCE 1948, RETIRES FROM THE DAILY TIMES

(By Daryl Sullivan)

H. Dean Stone has outlasted four owners and six publishers, while seeing the news move from hot type, to computer-generated type, to the Internet, all the while recording Blount County history.

Stone will still be writing, but as 2015 comes to a close, he is retiring from the newsroom—but not without having made an indelible mark on Tennessee journalism and his community, a mark that has earned him the title of editor emeritus at The Daily Times.

"Dean Stone serves as an exemplar for all who are engaged in community journalism," said Gregg Jones, president and CEO of Jones Media Inc., owner of The Daily Times. "Dean never limited himself to merely leading the newsroom, but served as a leader in community affairs. He understood, and exemplified, that community journalism is best practiced when one is immersed in the community one serves, and he has done so—from Alcoa Kiwanis, to Great Smoky Mountains National Park. I first met Dean Stone decades ago when The Daily Times was owned and published by the late, great Tutt Bradford. It didn't take me long to see what a giant Dean was in terms of the passion he felt for his beloved community and for good journalism. Dean became, and will remain, one of Blount County's greatest treasures, and I will always be proud to claim him as a friend for whom I have great respect and affection."

"It's hard to express how humbled and appreciative I am to have had the opportunity to work with Dean, day in and day out, the past five years," Publisher Carl Esposito said. "As he's done his entire career, he's contributed greatly to our success during that period, and I'm grateful he'll continue to contribute as editor emeritus. He's become not only a valued and trusted colleague, but a great friend as well."

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Stone arrived at what was then The Maryville-Alcoa Daily Times on June 19, 1948, but did not begin his full-time journalism career until 1949, when he was named editor of the paper's first Sunday edition. The Sunday edition was short-lived—published from February through June of that year—but Stone, who was then named managing editor, began laying the groundwork for a career that has spanned more than 66 years.

WORKING JOURNALIST

"I've been very well blessed with the people I've been associated with at The Times over the years," Stone said. "I've enjoyed my time here. This is my birthplace. It's my home county."

As for his own personal success, he attributes that to a trait many leaders with successful careers fields share.

"I feel blessed in that I've had a determination to work. Now that comes not from seeking recognition, but from achievement, knowing that I've done something worthwhile," Stone said. "I've received a lot of really nice recognitions, but I worked because I feel like there's a need for all humans to work and earn our keep. I'm thankful that I've been driven by that all these years, and still am."

NEWSPAPER OF RECORD

Under his direction in 1953, The Maryville-Alcoa Times won the University of Tennessee's State Press award for Public Service. Since then, it has captured literally hundreds of state and regional awards.

In 1955, Tutt S. Bradford became the fifth owner of Blount County's newspaper of record, and Stone was there to greet him.

In 1988, Stone was named editor.

In December 1989, the Bradford family sold The Daily Times to Persis Corp., a Honolulu-based newspaper group headed by Thurston Twigg-Smith, publisher of The Honolulu Advertiser. Persis Corp. was also owner of The Knoxville Journal, what was then a daily newspaper. Stone greeted them, and said goodbye to both: The Journal ceased publication on New Years Eve 1991, and Persis Corp. later sold The Daily Times to Horvitz Newspapers, headed by Peter Horvitz.

In 2010, Jones Media Inc., a Greeneville-based family newspaper group with deep roots in Tennessee journalism, purchased The Daily Times. Stone, with his deep appreciation of community and history, was here to greet them.

(In December 1989, when the company that owned The Knoxville Journal purchased The Daily Times from the Bradford family, the late Phyllis Cable greeted this journalist in the newsroom with the words, "I hope they know they bought a tremendous amount of goodwill when they bought this newspaper." I learned over the following years that a huge amount of that goodwill came through the work of Dean Stone.)

YEARS OF SERVICE

Over the years, Stone has served in numerous nonprofit organizations, even outlasting some of them: president and campaign chair of United Way of Blount County; president of Maryville-Alcoa Jaycees and Alcoa Kiwanis; board member of Great Smoky Mountains Heritage Center, Little River Railroad Museum, Sam Houston Schoolhouse, Hillbilly Homecoming, Passion Play, Friendsville Academy, Townsend Chamber of Commerce; deacon in Maryville First Baptist Church, and chaired publication of a history of Chihowee Baptist Association churches.

He founded and co-founded numerous community organizations, including the Empty Pantry Fund, in 1952, and Leadership Blount,

which in 2002 awarded him the Community Leadership Award.

Stone has received countless other awards, including Blount County's Pride of Tennessee Award, the Distinguished Alumni Award from the University of Oklahoma, special recognition from the director of the National Park Service, and the Tennessee Air National Guard's highest award, the Minuteman Award.

He was longtime chairman of the Tennessee Great Smoky Mountains Park Commission, member of the Tennessee Historical Commission, and the Southeastern Regional Council of the National Parks Conservation Association. In 2003, Stone was presented the Tennessee Outstanding Achievement Award for service on state commissions, and in 2006 he was recognized for his community service with a joint state Senate and House resolution.

PRESERVING HISTORY

In 2007, he was awarded the East Tennessee Historical Society's first Professional Achievement Award for his ongoing preservation of local history, most recently through a series of books entitled, "Snapshots of Blount County History."

During his journalism career, he has twice served as president of Tennessee Associated Press Managing Editors, is a lifelong member of the Society of Professional Journalists, a 50-year member of the Professional Photographers of America, and author of a newspaper handbook, "Newspapers: Making the Most of the News Department."

And perhaps the award that says it all is this: In 2013, Stone was in the inaugural group of those inducted into the Tennessee Journalism Hall of Fame.

Stone once told an interviewer, "To be perfectly honest with you, probably the last thing I ever thought I'd do would be to end up writing."

Quite an accomplishment for something that was the "last thing" on his mind.

GRATITUDE FOR THE SERVICE OF NORBERTO SALINAS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. CONYERS. Mr. Speaker, I, along with House Judiciary Committee Chairman BOB GOODLATTE of Virginia, would like to honor Norberto Salinas for his nearly nine years of dedicated service to the Committee on the Judiciary. Norberto's work in advising and crafting policy on intellectual property, state taxation, arbitration, sports law, and many other issues were invaluable to the Committee.

A proud native of Arlington, Texas, Norberto came to the Committee after practicing law in the District of Columbia. He earned his Bachelor's degree from Wabash College and graduated from the University of Michigan Law School. During law school, he interned at the Michigan Poverty Law Program, which provides support services to legal aid programs throughout Michigan, and the Lawyers Committee for Civil Rights Under Law. He continued his passionate work for legal services on the Committee, where he served as the lead counsel and liaison to the Legal Services Corporation, a critical federally-funded program

that provides grants for civil legal assistance to the indigent.

He played an important role on budget and appropriations issues for the Committee. He also organized forums for the Committee on the impact certain budget proposals and the Federal shutdown and sequestration would have on the provision of justice in the United States.

Throughout his tenure with the Committee, Norberto worked with his colleagues across the aisle on a wide variety of bills. He was responsible for helping guide several legislative measures including remote sales tax, the Fairness in Nursing Home Arbitration Act, the Mobile Workforce State Income Tax Simplification Act, the Innovation Protection Act, the Open Book on Equal Access to Justice Act, and updates to the Internet Tax Freedom Act. He also worked on regulatory and arbitration provisions in several comprehensive legislative proposals, including the Dodd-Frank Wall Street Reform and Consumer Protection Act and the 2008 Farm bill.

Norberto's friendly nature, work ethic, and expertise earned him the respect and admiration of his colleagues on both sides of the aisle. He has been a valued member of the Committee's staff.

We are grateful to have had the opportunity to work with Norberto. Norberto and his talents will be sorely missed by the Committee. We wish him well in his future endeavors.

IN HONOR OF ASSISTANT CHIEF MARK DANT'S RETIREMENT FROM THE CARROLLTON POLICE DEPARTMENT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. MARCHANT. Mr. Speaker, I rise today to honor Mark Dant for his thirty-eight years of public service, ending this month as an Assistant Chief for the Carrollton, Texas Police Department. Prior to his service with the Carrollton Police Department, Mark served four years in the United States Air Force and two and a half years as a firefighter with the Dallas/Ft. Worth International Airport Department of Public Safety. For the last thirty-two years, Mark has been serving and protecting the people of Carrollton as a Patrol Officer, Detective, Patrol Sergeant, Lieutenant, and Assistant Chief of Police.

Mark's service to the community isn't limited to his direct roles for the Carrollton Police Department, far from it—he and his family have become national leading advocates for patients of rare diseases. It is through this work that I have had the distinct pleasure of working with Mark for almost ten years. Mark and his wife Jeanne are parents of one child, Ryan, who currently attends the University of Louisville. In 1992, their son Ryan was diagnosed with the then terminal genetic disease Mucopolysaccharidosis (MPS Type 1). Shortly after learning of this diagnosis, Mark founded The Ryan Foundation to raise funds for developing treatments for the disease. The Dant family's first fundraising effort, a bake sale,

netted \$342. The foundation has come a very long way since that first bake sale, much to the tenacious determination of Mark Dant. Millions of research dollars over the years have been donated to scientists searching for treatments to help those afflicted with the various forms of MPS. The Ryan Foundation's efforts spearheaded the funding for the first MPS Enzyme Replacement Therapy—Aldurazyme. Ryan Dant is the longest treated person in the world on Aldurazyme, which to date is approved to treat children with MPS in more than 75 countries. What all started as a bake sale in Carrollton has blossomed into helping children with a previously untreatable disease all around the world.

To help support the tireless efforts of the Dant family and the countless individuals, I introduced the Ryan Dant Health Care Opportunity Act, H.R. 1441 in the 111th Congress. Much to the hard work of Mark Dant and his family, this legislation achieved over fifty bipartisan cosponsors. Mark's advocacy for individuals afflicted by rare diseases will not cease anytime soon—he is expanding upon the initial volunteer efforts of a heartfelt concerned father many years ago, and will now serve as the Executive Director of the National MPS Society in Durham, North Carolina. I can think of no one better suited or well qualified for this position than Mark. Though the people of Carrollton are losing one of their finest public servants, countless affected individuals will now have the best person they could ever ask for leading the efforts in developing treatments and awareness for MPS.

I ask for all of my colleagues to join me in congratulating Mark Dant on his well-earned retirement from the Carrollton Police Department. I wish Mark, and the Dant family much new success with the National MPS Society.

**HONORING POLICE SERGEANT
STEVEN HENDERSON ON THE OC-
CASION OF HIS RETIREMENT
FROM THE HAMPTON POLICE DE-
PARTMENT AFTER 30 YEARS IN
LAW ENFORCEMENT**

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Sgt. Steven Henderson on his retirement after 30 years of service with the Hampton Police Department, and thank him for the outstanding work he did during his career.

Sgt. Henderson's continuous progression within the law enforcement ranks during his time exemplifies his intelligence, positive attitude, and commitment to protecting and serving his community with the utmost professionalism. It's clear that Sgt. Henderson leaves an example of strong leadership and compassion for others to emulate in his wake.

It is with great admiration that I congratulate Sgt. Henderson on his retirement, and wish him the best on all future endeavors.

**H.R. 1675, THE CAPITAL MARKETS
IMPROVEMENTS ACT AND H.R.
766, THE FINANCIAL INSTITUTION
CUSTOMER PROTECTIONS ACT**

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. BLUMENAUER. Mr. Speaker, this week, I voted against H.R. 1675, the Capital Markets Improvements Act and H.R. 766, the Financial Institution Customer Protections Act—both missed opportunities to garner the strong bipartisan consensus needed to appropriately refine our nation's financial oversight rules.

While I am sympathetic to concerns of small businesses, and remain ready to work with my Republican colleagues to address those concerns, I continue to support strong, targeted oversight of our financial markets. Strong consumer and market protection regulations, administered by the Securities and Exchange Commission (SEC), are needed to prevent the risky practices that badly damaged our economy during the Great Recession. These rules are also necessary to put a stop to the predatory lending practices and financial gimmickry that wreaked havoc on the economic security of Oregon's working families.

These two bills exemplify the Republican leadership's unwillingness to work with Democrats to strengthen our nation's financial oversight. It is clear that these bills were unnecessarily partisan, making them unpalatable in the Senate and veto targets for President Obama. While there are elements of H.R. 1675 that I have voted for in the past and continue to support, the bill that was brought to the floor yesterday included poison pills, like requiring a review and full commission vote on every major rule every 10 years under full Administrative Procedure Act-style requirements would severely hinder the SEC's ability to monitor markets and protect investors. The vast majority of Democrats rejected a similar proposal in the previous Congress. Today, the Financial Services Committee leadership forced a partisan vote on H.R. 766 by including provisions that would restrict the ability of government watchdogs to investigate and hold accountable those who perpetrate financial wrongdoing.

Appropriate financial rules should protect American families and the broader economy without being unduly burdensome to small businesses and innovative entrepreneurs. When the Administration misses this mark, it is my hope that Congress can work in a constructive, bipartisan manner to refine regulations, tailoring them to strike an appropriate balance between business and consumer needs. Unfortunately, this week's efforts fail to meet that standard.

PERSONAL EXPLANATION

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. HIMES. Mr. Speaker, on February 3, 2016, I was unable to be present to cast my

vote on the Carolyn B. Maloney of New York amendment to H.R. 1675. Had I been present for rollcall No. 59, I would have voted "AYE."

**RECOGNIZING THE RETIREMENT
OF COMMANDER AXEL W. SPENS**

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Commander Axel W. Spens's retirement and twenty-two years of service in the United States Navy.

Commander Spens is a native of Morgantown, West Virginia, and most recently served as the commanding officer of Naval Recruiting District (NRD) Atlanta. He graduated in 1994 from David Lipscomb University in Nashville, Tennessee, with a degree in American Studies and he received his commission in the U.S. Navy from Vanderbilt University NROTC. In 1993, he was recognized as a NAIA Academic All-American athlete in cross country. In 2000, he received a Master of Public Administration degree from Valdosta State University.

Commander Spens completed submarine training at Naval Nuclear Power School in Orlando, Florida, Nuclear Power Training Unit in Charleston, South Carolina, and the officer basic course in Groton, Connecticut. He served as a division officer in USS *West Virginia* in Kings Bay, Georgia, as the Navigator in USS *Florida* in Bangor, Washington, and the Combat Systems Officer in both USS *Newport News* in Norfolk, Virginia, as well as in USS *La Jolla* in Pearl Harbor, Hawaii. His most recent sea assignment was as the executive officer on USS *Cheyenne* in Hawaii. He has completed two Mediterranean deployments, two Western Pacific deployments and seven strategic patrols.

Commander Spens has also served as an instructor and class director at the Naval Nuclear Power School in Charleston, South Carolina, at the Bureau of Naval Personnel in Millington, Tennessee, the operations officer at Submarine Squadron One at Pearl Harbor, and as a Navy Legislative Fellow on the personal staff of Congressman Jack Kingston. His most recent assignment was on the Navy Staff as the Executive Assistant for the Director of Undersea Warfare.

Mr. Speaker, it is my privilege to recognize Commander Axel Spens and to celebrate his many years of hard work and dedication to the United States Navy.

**HONORING MR. AND MRS.
BUCHENAUER OF MANCHESTER,
NH ON CELEBRATING THEIR 65TH
ANNIVERSARY**

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Mr. and Mrs. Buchenauer of Manchester, New Hampshire

for recently celebrating their 65th anniversary. After 65 years of marriage, I applaud their dedication and commitment to one another. It's clear they have both been exemplary members of our community, and I wish them the best in all future endeavors.

CELEBRATING 2016 NATIONAL
CATHOLIC SCHOOLS WEEK

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. BENISHEK. Mr. Speaker, I rise today to celebrate 2016 National Catholic Schools Week. Across the First District of Michigan, there are 22 Catholic schools providing a first rate education to over 4,100 students that combines faith with academic excellence. Since coming to Congress, it has been an honor to meet with students in Catholic schools across my district at St. Francis de Sales in Manistique, Manistee Catholic Central School in Manistee, and Menominee Catholic Central School in Menominee, among others.

This year, the theme of National Catholic Schools Week is "Catholic Schools: Communities of Faith, Knowledge, and Service." As a lifelong Catholic, former student, and frequent guest of schools across Northern Michigan, I know that the Catholic schools in our region are certainly living up to these goals.

This year, Congress was blessed to hear from Pope Francis. Pope Francis has called on all Catholic schools to "provide an education which teaches critical thinking and encourages the development of mature moral values."

In light of this, I have signed onto House Resolution 35, a resolution that honors the contributions that Catholic schools have made to the United States and its people. I rise today in strong support of H. Res. 35, and urge my colleagues to support this resolution as well. Together, we must all recognize the significant contributions that Catholic schools have made to our country.

HONORING BOONE EVANS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Boone Evans. Boone is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and earning the most prestigious award of Eagle Scout.

Boone has been very active with his troop, participating in many scout activities. Over the many years Boone has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Boone has led his troop as the Senior Patrol Leader, earned the rank of Firebuilder in the Tribe of Mic-O-Say, and has become a Broth-

erhood member of the Order of the Arrow. Boone has also contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Boone Evans for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF NICOLINA
(NICKI) R. CARDWELL FOR HER
DEDICATED CAREER OF PUBLIC
SERVICE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. CLEAVER. Mr. Speaker, I rise today to recognize one of our own. On Friday, January 22, 2016, Ms. Nicolina (Nicki) Cardwell retired from my office after serving a combined seventeen years for the people of Missouri's Fifth Congressional District as a Community Affairs Liaison for eleven years in my Independence District Office and six years with my predecessor. Overall, Nicki dedicated four decades of public service to our community, as a teacher, county employee, and ultimately retiring from Congressional service, spending much of her career based in Eastern Jackson County, Missouri.

Born May 7, 1947, to an Italian mother, Silva Piva, and a Kansan father, George Morris, Nicolina Rowena Maria Cardwell often reminds folks of her proud Italian heritage. After studying at Central Missouri State University and taking time to raise a beautiful family, Nicki returned to school. At the University of Missouri-Kansas City, she earned a Bachelor of Science in Physical Education and Health, going on to teach in public and private schools in Independence, helping to shape future generations.

Nicki has spent much of her adult life as a resident of Independence, Missouri, home to Harry S. Truman, 33rd President of the United States. She is well known throughout the area, as she has been an active volunteer in the community and politically active for causes and individuals she supports. In 1988, Nicki joined the Jackson County Parks and Recreation Department, holding a variety of positions over the next ten years, including in the Speaker's Bureau, where she helped introduce thousands of individuals to Jackson County's programs, facilities, and parks. Among many other responsibilities, Nicki assisted with marketing, group events, and public relations while working for the County.

In 1999, Nicki joined the staff of my predecessor, Congresswoman Karen McCarthy. While being considered for the position, some of her prior employers called her, "the best we've ever had dealing with the public," and "a hard worker—very good." As she assumed her new role as a caseworker, Nicki handled passports, immigration, and veterans issues among others impacting residents of Missouri's Fifth District. She was often the recipient of great praise from constituents she helped, including in one letter to the editor in which the constituent had faced repeated

roadblocks before making his first call to a Congressional office. He wrote:

"... I called [the Congressional] office expecting another difficult process. Nicki Cardwell called me back within five minutes. She proceeded to treat me as if I were 'family.' I know that she is very busy, but I felt like I was the only one on her agenda. She went beyond the call of duty and even met with me on a Saturday afternoon to complete the paperwork I needed... She made me feel very comfortable throughout the entire process. She took a lot of stress off my shoulders, and I would just like others to know how considerate and kind a government employee can be."

This type of praise was not uncommon for Nicki. Her personnel folder is full of thank you notes and emails referring to her as "jumping right into the action", "could not have been more helpful", and "beyond the call of duty." Her dedication to constituents led one individual to even refer to her positively as a "bull-dog" and went on to say "You're lucky to have such a person on your staff."

So it should come as no surprise, Mr. Speaker, that when I was first elected to Congress in November, 2004, I knew immediately who my first staff hire would be. The list of civic leaders and elected officials advocating that I hire Nicki was lengthy, but they did not need to convince me. I knew after our conversation that a more passionate and caring caseworker did not exist.

Over the past eleven years, Nicki has helped thousands of constituents. She has worked primarily with our veterans and active military personnel, but does not hesitate to jump in to help whenever needed. She often would spend hours listening to constituents in person or on the telephone as they shared their struggles with her, pleased to find an empathetic listener. Her compassion for the men and women in uniform who have served and continue to serve our nation is unparalleled. She regularly attended Stand Downs, Veterans Day, and Memorial Day events with me, or on my behalf. She worked to honor veterans through helping to arrange special events for Vietnam veterans, Korean veterans, World War I veterans, World War II veterans, and Tuskegee Airmen, just to name a few. She created a Veterans Advisory Committee to help serve as a sounding board when important issues arose within the VA system or in proposed legislation. In addition, Nicki spent countless hours every year helping our young people going through the Academy nomination process, giving counsel and advice to those eager to join our prestigious military institutions.

Given Nicki's background, she often assisted with many of our special projects as well. There have been too many projects to name them all, but the one that stands out is our annual Congressional Art Contest. Nicki's leadership helped shepherd record participation with nearly 200 pieces of artwork from high school students around the Fifth District being submitted for consideration. She worked personally with principals and art teachers to encourage submissions to guarantee all parts of the District were well represented. She carefully handled and displayed each piece as if it were her own. She helped secure some of

our community's strongest advocates for the arts to judge the students' submissions to ensure the winning artwork hanging in the Cannon Tunnel represented the best of our District. Students and teachers alike have come to rely on Nicki's friendship and expertise and they will surely miss her guidance, as will I.

In addition to Nicki's primary role as a caseworker, she also regularly represented the office at meetings and events throughout the District. She was a regular at the Independence Chamber of Commerce, the Eastern Jackson County Betterment Council, the National World War I Museum and Memorial, the Truman Presidential Library and Museum, and 40 Club to name but a few. She is as well known in our community as anyone and oftentimes when I would join her for an appearance at one of these events, individuals would approach me to share how much they appreciated Nicki's active participation and unequalled dedication to the people of our District.

Mr. Speaker, as my colleagues in this Chamber know, we are regularly pulled in many directions as we try to represent the nearly 800,000 constituents in our Districts. Oftentimes, it is our staff, serving behind the scenes, helping to ensure those constituents get prompt attention as they maneuver through the bureaucratic hurdles that regrettably get in the way. There is not a member of this esteemed body who wouldn't be proud to have Nicki Cardwell on their team, and her service has certainly been a blessing for me. She is a loyal, caring, and compassionate individual whose commitment to Missouri's Fifth District will be sorely missed. As she retires to spend more time with her family and loved ones, I encourage my colleagues to join me in recognizing her lifetime of dedication to our community and country and wishing her continued success. The people of Missouri's Fifth District, including me, are better off because of Ms. Nicolina R. Cardwell.

IN RECOGNITION OF CHIEF
RODNEY JONES

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mrs. TORRES. Mr. Speaker, I rise today to honor Chief Rodney Jones of the Fontana Police Department for his 35 years of service to the Inland Empire.

Chief Jones began his career as a public safety official in 1981 and has since served in various capacities to lead police activity in the City of Fontana where his work throughout the years has earned him praise from both his peers and residents of the community. Chief Jones' leadership has also garnered him numerous commendations from national, state, and local police organizations for his outstanding service. All of these accolades highlight his extraordinary commitment to public safety, which has greatly benefited the people of our region.

Chief Jones' distinguished career in law enforcement is further bolstered by his role as head of the Fontana Police Department.

Throughout his tenure as Chief of Police, he administered many reforms that have enhanced public safety in the region. His accomplishments include overseeing a \$12 million expansion of Fontana's police headquarters and implementing modern police procedures to improve operations in the area.

On Friday, February 5th, Chief Jones will retire from the Fontana Police Department. He will be missed by the community. I thank him for his contributions to our region and wish him the best in his future endeavors.

For his many contributions to the Fontana Police Department and other achievements, I would like to recognize Chief Rodney Jones.

CONGRATULATING RONNIE
METSKE

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. YODER. Mr. Speaker, I rise today to congratulate my good friend Ronnie Metsker for his appointment to serve the State of Kansas as Johnson County Election Commissioner.

Ronnie is honest, trustworthy, sincere, and a true gentleman.

He served with me as a member of the Kansas State House of Representatives from 2006 to 2009.

He's been a long-time member of both the Overland Park and Northeast Johnson County Chambers of Commerce, as well as on the Shawnee Mission Rotary Board of Directors, working to bring more jobs and better paychecks to the community.

He's fought for the best education for our children and future generations on the Shawnee Mission School District Committee for Excellence.

But most of all, he is my friend.

I want to thank Ronnie for making Johnson County a better place over the course of decades of hard work on behalf of the community.

I should also mention Ronnie's wife, Susan, is a member of my district staff. Together these two make a great team and much have dedicated their lives to public service.

There is no better person to ensure the integrity of the elections in our county.

Mr. Speaker, on behalf of this great body, I send heartfelt congratulations to Commissioner Metsker.

HONORING GRANT CORKILL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Grant Corkill. Grant is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1412, and earning the most prestigious award of Eagle Scout.

Grant has been very active with his troop, participating in many scout activities. Over the

many years Grant has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Grant has contributed to his community through his Eagle Scout project. Grant planned and led the construction of a perch pole at Smithville Lake for eagles and other birds to rest on within easy sight for bird-watchers.

Mr. Speaker, I proudly ask you to join me in commending Grant Corkill for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE 75TH
ANNIVERSARY OF THE USO

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the 75th anniversary of the United Service Organizations Inc. (USO). The USO is a shining example of what can be achieved by an organization committed to serving those who wear the uniform. Throughout its proud history, the USO has served millions of servicemembers and their families, ensuring that our Nation's heroes remain connected to their communities and families wherever their service to our country may take them.

As Thomas Jefferson wrote during his time as the United States Ambassador to France, "No society is so precious as that of one's own family." The brave men and women who choose to serve our Nation, to protect and uphold our Constitution, understand that their decision may lead to extended absences from their loved ones. While they take on this sacrifice without asking for anything in return, the USO was founded on the belief that, when the military mission takes our servicemembers away from their loved ones, we have a duty to support them by keeping them connected to their family, their home, and our country.

The USO was formed during one of the most challenging periods in our history. With the United States on the brink of entry into World War II, President Franklin Roosevelt brought together six private organizations—the YMCA, YWCA, National Catholic Community Service, the National Jewish Welfare Board, the Traveler's Aid Association and the Salvation Army—to create a new organization wholly dedicated to maintaining the bonds of family and comforts of home. In response, these organizations pooled their resources, and, on February 4, 1941, the USO was born.

As American servicemembers began fighting in World War II, the USO teamed up with Coca-Cola to provide every servicemember with the taste of home, and they also established the world famous USO show concept. From 1941 to 1947, an incredible 428,521 USO shows were performed, and by the end of World War II more than 1.5 million Americans had volunteered on the USO's behalf.

Building on their incredibly successful efforts during World War II, the USO has accompanied our troops during wartime in Korea,

Vietnam, the Persian Gulf, Afghanistan, and Iraq. In Korea, not a single day passed without a USO show for the troops, while in Vietnam the USO's 17 centers in Vietnam and six in Thailand served more than a million servicemembers a month, including with the famous Bob Hope USO Christmas shows. In recognition of their work, the USO entered into a memorandum of agreement with the Department of Defense in 1987, which recognized the USO as the principal channel representing civilian concerns for servicemembers worldwide.

Today, the USO, with the support of 30,000 volunteers and 600 employees, provides services, entertainment, and programs at more than 180 locations worldwide. From Afghanistan, Kuwait, the United Arab Emirates, and Djibouti, to Germany Italy, Japan, South Korea, and Guam, and of course right here at home, USO centers are visited more than 7 million times a year by servicemembers and their families. These USO centers allow traveling servicemembers and their families to have a place to enjoy some of the comforts of home, and they are an integral part of the USO's success.

Mr. Speaker, assisting our servicemembers and fighting for our veterans as Chairman of the House Committee on Veterans' Affairs and as Founding Co-Chair of the USO Congressional Caucus is my greatest honor serving in Congress. The men and women who put on the uniform choose a life of selflessness, putting their service to our Nation above all else. As a grateful Nation, we have a duty and responsibility to support them in any way possible, and there is no greater example of civilians coming together to show our recognition and support for our servicemembers than the USO. The USO keeps our brave men and women in uniform driving on, while adhering to that simple promise made by President Lincoln so many years ago: "To care for him who shall have borne the battle." My wife Vicki and I congratulate the USO on their 75th anniversary, and thank the dedicated volunteers and all those who work with the USO to help show our Nation's eternal gratitude to our servicemembers and their families "until everyone comes home."

IN HONOR OF PASTOR WILLIE E.
MANLEY

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. VARGAS. Mr. Speaker, I rise today to honor Pastor Willie E. Manley, a true leader and servant of the community of San Diego. Pastor Manley passed away on Friday, February 2, 2016, in his beloved city of San Diego.

Pastor Manley was born in 1933 in Stephens, Arkansas. In 1966, he left his congregation in chilly Milwaukee, Wisconsin, to conduct a revival in San Diego. On May 4, 1973, he started his pastoral duties at the Greater Life Baptist Church of San Diego, which he founded and served as pastor emeritus.

Pastor Manley was well known throughout the church and civic community for his honesty and integrity. Many residents in the San Diego community would call on him for answers and solutions. He was a man of great strength and courage. One who did not boast of himself, but rather, humbly gave his all to the people. Under his leadership, the Greater Life Baptist Church congregation has grown from forty-five to over three hundred members, giving many a safe place to come together and worship.

Pastor Manley was also a dedicated public servant and an incredibly active member of our community. He spent several years as a member of my staff when I was a Councilmember in the City of San Diego and as district staff to former Member of Congress, Randall Duke Cunningham.

Pastor Manley was a relentless champion for civil rights. He was the president and first ever vice president of the San Diego branch of National Association for the Advancement of Colored People (NAACP). His commitment was recognized globally and he was honored, in 2003, with the very prestigious Ambassador of Peace Award. The award is given to an individual who has promoted goodwill among all peoples without respect to one's race, creed, color, religion, or national origin. Pastor Manley did not only promote these values at home but also traveled extensively across the country and around the world promoting spiritual and religious harmony.

Pastor Manley was an outstanding individual, husband, father, preacher and friend to many. He was considerate, genuine and devoted to making this world a better, more just place. His leadership is sure to leave a lasting legacy. He will be missed by his family—his wife and seven children, and his San Diego community.

PERSONAL EXPLANATION

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. GOODLATTE. Mr. Speaker, I was unavoidably detained during four votes of the second series on February 3, 2016. Had I been present, I would have voted "No" on the amendment offered by Mr. ISSA to H.R. 1675, "No" on the amendment offered by Mrs. MALONEY to H.R. 1675, "No" on the Motion to Recommit with Instructions, and "Yes" on final passage of H.R. 1675, the Encouraging Employee Ownership Act of 2015.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. CONYERS. Mr. Speaker, yesterday, I was detained and unable to cast my vote. Had I been present, I would have voted "no" on Roll Call Vote 61.

HONORING GREEK AMERICAN EDUCATORS

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor three remarkable and distinguished members of the Greek Orthodox community in the Tampa Bay area. These three Greek American educators continually demonstrate excellence in transmitting the value of Hellenic education to the next generation of scholars, tying historic Hellenic values and culture to today's contemporary policy and cultural discussions in the United States. Together, these scholars promote and enhance the teaching of our incredible culture and affect a change that enhances Hellenism throughout the world.

The V. Rev. Fr. James Rousakis, Vicar for Western Florida, is a dear friend from Saint Nicholas Greek Orthodox Cathedral in Tarpon Springs, Florida, who demonstrates a tireless effort to preserve the Greek-American Orthodox values and instill the Hellenic culture to the next generation of Greek-Americans. He has served the Orthodox faithful in Rochester, New York; Atlanta, Georgia; Portland, Maine; Indianapolis, Indiana; Clearwater and now Tarpon Springs, Florida. With his boundless energy, Father James has helped to foster incredible growth in the membership and ministries at Holy Trinity.

The Honorable Steve Christopoulos is a remarkable educator and coordinator who continually puts forth a dynamic effort to organize almost a dozen charter schools in the Florida community. Born in Akovos, Greece, Christopoulos moved to the United States at the age of twelve and his family settled in Lynn, Massachusetts. After a rewarding career in commercial real estate, Christopoulos began his current leadership of Superior Schools, which operates numerous schools of choice throughout the Tampa area. His unwavering commitment to excellence sets him apart in the world of challenging and supportive educational environments. His dedication to Hellenic values and the superior learning environments he has created consistently produces outstanding citizens and Philhellenes.

Mrs. Catherine Diacogianni is a heralded educator who has contributed to our local Tampa Greek communities by teaching the Greek language and cultural history for over thirty years. After studying and working for the Red Cross in Athens early in her life, Diacogianni moved to Florida in 1977 and dedicated her life to teaching the Greek language to future generations as well as her peers. Despite a consistent tenure at Holy Trinity Greek School, Diacogianni also established the St. Stephanos Greek School in St. Petersburg where she worked tirelessly as teacher and director for 14 years. I am constantly in awe of Diacogianni's untiring efforts and passion to educate everyone she comes in contact with about the significance of Hellenic history and language so that it may live on in our community.

I commend the Federation of Hellenic American Educators and the Greek Teacher Association of Florida for highlighting these three

pillars of our community, and I hope every American can learn from and emulate the determined efforts of these extraordinary educators.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Ms. SINEMA. Mr. Speaker, during Roll Call vote number 50 on Feb. 2, 2016, I was unavoidably detained. Had I been present, I would have voted NO.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on 2/3/2016. Had I been present, I would have voted as follows:

NO on Roll Call Number 58;

NO on Roll Call Number 59.

CELEBRATING THE LIFE OF
KATHLEEN P. DEVINE

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. COURTNEY. Mr. Speaker, it is with great sadness that I rise to honor the life of a great journalist and public servant from the state of Connecticut, and life-long friend, Kathleen P. Devine, who passed away in Groton, Connecticut after a brief illness last week. Kathleen was known to all who had the privilege of meeting her as a deeply principled, hardworking, and positive public servant with a distinguished career in both finance and journalism.

Kathleen served as the Treasurer of the City of Hartford, Connecticut from 1998 to 2011, during which time she advocated fiercely for the city's employees and pensioners. Her tireless work ethic and grasp of financial markets translated into positive results for the City and its workforce. When she left office she left behind a distinguished career in public service which began with her role as Deputy Treasurer to Denise Nappier and staff member for State Treasurer Frank Borges.

Before her many years in office, Kathleen was a well-respected journalist and member of the Editorial Board of the Hartford Courant. There, she spoke up for underrepresented voices, particularly women and minorities, to ensure that their stories were told. She was a trailblazing woman in a field that at the time was mostly dominated by men. Her poise, determination, and grit left a decades-long impact on her colleagues. One Courant colleague, Susan Campbell, recently recalled Kathleen's role as a mentor during her first

months as a journalist, noting her humor and down-to-earth personality. Kathleen always made a point to recognize people for the good work that they did, even when most in the newsroom would keep their head down in self-interest.

Kathleen was an incredible mentor, public servant, writer, advocate and friend. Her tenacity and sense of justice will certainly be missed in Connecticut and in the lives of her many friends and family. As I said, Kathleen was a lifelong friend as a result of the closeness of my family and the Palm family that went back to the 1950s. She never failed to remind me, and anyone else I was with at social and political gatherings, that she babysat for me, and as a result I better shape up as a state legislator and Congressman or she would embarrass me with stories of early years. I never doubted for a moment that she would and did my best to live up to her high standards.

Kathleen's passing is a real loss to the world—she was a bright spirit who could light up a room and make you laugh and think at the same time. What a rare gift it was to have known her. I ask all my colleagues to please join me in sending my sincere condolences to those who will feel this loss most deeply: her daughter, step-son, sister, brother, sister-in-law, nieces and nephews, and grandchildren.

HONORING RAUL R. RENDON

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. CASTRO of Texas. Mr. Speaker, I rise today to honor the life of Mr. Raul R. Rendon, a San Antonio resident who passed away on January 28 and whose life was marked by service to his nation. Born on September 14, 1928, Mr. Rendon served in the United States Marine Corps in the Korean War. On September 27, 1950, he was injured at Yudam-ni during the Chosin Reservoir Campaign. Mr. Rendon and his comrades in that battle were awarded the Presidential Unit Citation, a decoration given to a unit that displays gallantry, determination, and esprit de corps in accomplishing its mission under extremely difficult and hazardous conditions as to set it apart from other units participating in the same campaign. He was also a Purple Heart recipient.

Mr. Rendon was preceded in death by his beloved wife Elvia, parents Romana and Trinidad, and sisters Alma Vergara and Freya Mirta Rendon Garcia. He is survived by his brother Trinidad, and his legacy lives on through his children—Raul Jr., Robert, and Rosanna—and his grandchildren—Mark, Elyse, Justin, and Gianna.

It is brave Americans like Mr. Rendon whose patriotism and selflessness make our nation great and keep us safe. While the San Antonio community mourns this loss, we draw strength from our memories of Mr. Rendon's courage and kind spirit.

INTRODUCTION OF THE WATER INFRASTRUCTURE TRUST FUND ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. BLUMENAUER. Mr. Speaker, water infrastructure is a local issue—from a giant sinkhole in Gresham, OR, to poisoned water in Flint, MI. For too long, we've let critical water systems simply fall apart. The American Society of Civil Engineers (ASCE) gave our nation's wastewater and drinking water infrastructure a grade of "D" in their most recent report card. While our clean water needs are estimated to be nearly \$15 billion a year, appropriations for clean water infrastructure have averaged less than over \$2 billion a year since 2000. Drinking water infrastructure is in no better shape. The EPA estimates that we need to invest over \$19 billion annually to ensure the provision of safe tap water, while Congress appropriates less than \$1 billion.

As seen by the recent lead water crisis in Flint, MI, the costs of inaction are not just numbers in a needs assessment. Our failure to adequately invest in aging infrastructure is having detrimental effects on our health and economy. Last year alone, Americans across the country suffered from more than 240,000 water main breaks and saw overflowing combined sewer systems—causing contamination, property damage, disruptions in the water supply, and massive traffic jams.

In order to address this, the Water Infrastructure Trust Fund Act will provide needed revenue for states and local governments to make overdue investments in wastewater and drinking water infrastructure and will also take a hard look at the systemic challenges affecting access to safe water in low-income populations.

The Water Infrastructure Trust Fund Act allows businesses to choose to place a small label on their products indicating their commitment to protecting America's clean water, contributing \$0.03 to the Water Infrastructure Trust Fund for each unit bearing the label. The Trust Fund revenue will be distributed to the states as grants and loans through the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF) to help public water systems finance wastewater and drinking water infrastructure projects. The legislation also commissions an EPA study of the water affordability gap facing low-income populations and an analysis of solutions to systemic barriers affecting access to safe water systems.

Congress must do more, not only to meet the huge need for water infrastructure investments, but also to understand why failing infrastructure hits the most vulnerable communities the hardest.

RECOGNIZING AND CONGRATULATING GARY FAULKNER, JR. FOR WINNING THE 2015 ROLLTECH PROFESSIONAL BOWLERS ASSOCIATION WORLD CHAMPIONSHIP

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. COHEN. Mr. Speaker, I rise today to recognize and congratulate Gary Faulkner, Jr. of Memphis, Tennessee for winning the 2015 Rolltech Professional Bowlers Association World Championship at the National Bowling Stadium in Reno, Nevada. In his first professional television appearance, Gary Faulkner beat top qualifier EJ Tackett to become the second African American ever to win a PBA Tour title in the PBA's 57-year history after George Branham III won the Brunswick Memorial World Open in 1986.

Gary learned the game of bowling at the early age of two when he bowled with his father, Pastor Gary Faulkner, Sr. of Cummings Street Baptist Church. As a sophomore at Germantown High School, Gary won the Division I Bowling Championship title in the Tennessee Secondary School Athletic Association individual bowling tournament. At that time, his best series bowling score was 833. While enrolled at Webber International University, Gary helped lead his team to the 2012 Intercollegiate Team Championship.

Gary Faulkner maintained his focus and determination to win the Rolltech Championship. On his way to victory, Gary threw 10 strikes on his first 11 shots to ultimately defeat Scott Norton of Mission Viejo, California 262–218. He also defeated Ryan Ciminelli of Cheektowaga, New York, 247–237, who was seeking to win his third title, back-to-back, to become the first player to win three consecutive PBA titles on American soil since 1971. Gary opened this match with a spare and four strikes. In his final three-game match, Gary impressively rolled six strikes on his first eight attempts and threw only two bad shots. Gary's opponent, EJ Tackett of Huntington, Indiana, on the other hand, left three splits in his first five frames, setting up a 49 pin deficit from which he could not rebound against Faulkner. Gary Faulkner won the title 216–178.

After winning, Gary said, "The first shot I was nervous, but after that I didn't think about anything. My mind was free. I didn't watch the other guys. I don't show a lot of emotions. My goal is always to win; I didn't come here to lose." With a goal set in mind to win, Gary Faulkner has represented his family and the city of Memphis well, and I look forward to reading about his future accomplishments. Mr. Speaker, I ask all of my colleagues to join me in congratulating Gary Faulkner, Jr. on winning the 2015 Rolltech Professional Bowlers Association World Championship.

HONORING THE LEGACY OF DR. CARTER G. WOODSON

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the legacy of Dr. Carter G. Woodson. I am proud to celebrate his achievements with my friends at Marshall University and the city of Huntington as they commemorate Dr. Carter G. Woodson Day.

Dr. Woodson, a former Huntington, West Virginia, resident, is known as the "Father of African-American History." He believed in the importance of education, and early in his career served as principal of Douglass High School, his alma mater. Dr. Woodson then became one of the first African Americans to earn a doctorate in history from Harvard University. Dr. Woodson also pioneered the observation of Black History Month each February and devoted his life to documenting the important contributions African Americans have made to our nation's history.

I would also like to congratulate Marshall University's Carter G. Woodson Professor of Journalism and Mass Communications, Burnis Morris. He was recently honored as a 2016 History Hero at West Virginia History Day in Charleston, West Virginia. Mr. Morris' extensive research on Dr. Woodson has helped preserve Dr. Woodson's legacy and ensures that future generations have the opportunity to learn about the legacy of this remarkable historical icon.

I extended my wishes for a successful event celebrating the life of Dr. Woodson and all that he has achieved—he is one of Huntington's greatest icons and contributed greatly to ensuring that the stories of African Americans continue to be honored by all Americans.

RECOGNIZING THE NATIONAL LEAGUE OF AMERICAN PEN WOMEN, INC. (NLAPW)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing a treasured historical landmark in our midst, The National League of American Pen Women, Inc. (NLAPW). The League's headquarters is located in the heart of the nation's capital between Dupont Circle and Scott Circle, just blocks away from the White House. With affiliates all across the United States, the League is a key nonprofit neighbor, whose headquarters building is a magnificent architectural gem.

The League is dedicated to the recognition and advancement of women in the arts and letters in the District of Columbia and nationwide. Its mission is to represent and foster women's outstanding cultural and educational contributions to the nation. The League's membership, comprising some 82 branches throughout the country, encompasses a cross

section of American women—all ages, races, religions, and cultures. For generations, the League has highlighted the great contributions and careers of creative American Women. Since its founding in 1897, luminaries such as Nobel Laureate Pearl Buck, Margaret Mitchell and Eudora Welty were illustrious members, among many others. Eleanor Roosevelt was a very active Pen Woman, as was Vinnie Ream, who sculpted the Lincoln statue that stands in the Capitol's Rotunda, as well as the statue of Admiral Farragut at Farragut Square.

It should also be noted that the League's beautiful, mansion-class headquarters at 1300 17th Street NW is steeped in history. Its interior has been lovingly maintained. To walk through it, as so many did during the recent Dupont Circle House Tour sponsored by the Dupont Circle Citizens Association, is to experience the elegance and inspiration of a bygone era. It is also to realize that the Pen Arts Building was once the home of Robert Todd Lincoln, Abraham Lincoln's oldest son. That is an especially noteworthy historical perspective in this 150th anniversary year of the death of Abraham Lincoln.

Regrettably, the League has become financially stressed, a situation hindering the preservation efforts of many nonprofits today. Losing the League, which has been in the District for 64 years, would be a terrible blow to the city, to the Dupont Circle neighborhood, to preservation, and to history itself. I also ask the House to recognize the League's unfortunate current financial plight, and the efforts of TENAC, the D.C. Tenants' Advocacy Coalition, to help preserve this beautiful landmark. Under the leadership of its chairman, Jim McGrath, TENAC has long been the District's unrivaled champion of tenants' rights, helping the homeless, and historic preservation.

Helping the League remain in the District and maintain its magnificent headquarters building here is a very worthy cause, enthusiastically supported by a broad variety of others in the city, including D.C. Councilmember Jack Evans, the Dupont Circle Citizens Association, and the historic Tabard Inn, among many others. I ask the House to recognize these efforts, and join in supporting this cause. At a time when women seem to be under attack in this country and all over the globe, assisting the National League of American Pen Women would be a worthy step in trying to redress that balance.

For all of these reasons, I ask the House to join me in expressing support for the League and its successful mission, and to recognize the importance of saving it. I know the League would be profoundly grateful for that support.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. CONYERS. Mr. Speaker, yesterday, I was detained and unable to cast my vote. Had I been present, I would have voted No on Roll Call Vote 55.

TRIBUTE TO DR. HAROLD
MCFARLANE

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. SIMPSON. Mr. Speaker, I rise today to offer my thanks to a dedicated public servant. After forty-three years of service, achievement and recognition, Dr. Harold McFarlane is retiring from the Idaho National Laboratory. Speaking at a colleague's retirement ceremony years ago, Harold noted that his colleague "came to work every day and made a difference." The same can be said of Dr. McFarlane, he came to work every day and he made a difference.

If you are going to try to pay tribute to Harold McFarlane, you are going to need lots of time and lots of paper. Harold's accomplishments and contributions as a scientist, an administrator, and a leader are as impactful as they are extensive.

After graduating from high school in Texas, Harold earned a Bachelor of Science degree from the University of Texas. Harold then went to the California Institute of Technology to earn his Ph.D. in engineering science. After a short stint teaching nuclear engineering at New York University, in 1973 Harold moved his young family to Idaho to join Argonne-West National Laboratory to start up the Zero Power Plutonium Reactor, or ZPPR as it is known in Idaho. Thus began Harold's forty-three year career at Argonne-West and the Idaho National Laboratory. At the labs, Harold became involved in almost every major Department of Energy advanced reactor, nuclear fuel cycle, international collaboration, and space power project.

While working at Argonne-West, Harold took up another challenge and earned his Master's in Business Administration from the University of Chicago. As recognition of his skills and leadership became better known, in 2006 Harold was elected President of the American Nuclear Society.

In 2011, Harold served special assignment in Washington, DC supporting the Office of Nuclear Energy, and in the wake of the Fukushima earthquake and tsunami, Harold became a key technical source for Secretary Chu and others at the Department of Energy (DOE) explaining what was happening on the ground. Harold later received a special commendation from DOE for his contribution during this time.

Harold continued his contribution to international nuclear collaboration when he served as the Technical Director of the Generation IV International Forum (GIF) and later Chief of Staff to the GIF chairman.

Throughout his career, Harold has been put in charge of difficult technical projects, and he led, mentored, and executed all with professionalism and distinction. Along the way, Harold accumulated a cadre of colleagues, friends and young scientists who wanted to work with him.

Since his days at the University of Texas, Harold has had one partner in this wonderful career and life, his wife Mary Ellen. Harold would be the first to acknowledge that al-

though his work and reputation made him one of the most recognizable nuclear professionals in the world, in Idaho Falls he is best known as Mary Ellen's husband.

Harold and Mary Ellen are avid golfers and the two have played courses around the world in another pursuit of excellence. Along with their son Matt, Mary Ellen and Harold deserve our thanks and well wishes as his career at the lab ends.

Harold, thank you for coming to work every day and for making a difference.

HONORING SENATOR JAMES
METZEN FOR HIS 42 YEARS OF
PUBLIC SERVICE ON THE OCCA-
SION OF HIS RETIREMENT FROM
THE MINNESOTA SENATE

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Ms. MCCOLLUM. Mr. Speaker, it is an honor to rise today to pay tribute to Minnesota State Senator James "Jim" Metzen. Senator Metzen has been a leader in the Minnesota legislature for more than 40 years, representing my hometown of South Saint Paul and surrounding communities. He recently announced that he plans to retire later this year at the end of his current term. His legislative work is not yet complete, however, it is well worth reflecting on his more than four decades of public service that have shaped a remarkable legacy for the community and the state.

First elected to the Minnesota House of Representatives in 1974, Metzen quickly established a reputation as an approachable, evenhanded and effective advocate for his constituents. In 1986 he was elected to the Minnesota Senate, bringing his "can-do" outlook with him to forge important alliances and build consensus throughout the state and the community—among constituents, Democrats and Republicans, business and labor leaders.

During his time in the Senate, leaders have recognized Senator Metzen's extensive knowledge about the legislative process and the respect he has earned among his colleagues. It was no surprise in 2003 when he was elected by his peers to be Senate President, a role he served for seven years. Additionally, he has been appointed chair of several influential committees. Currently, he chairs the Senate Commerce Committee.

Senator Metzen's ability to build bridges between Democrats and the business community and get important things done has come naturally through the executive roles he has served in local community banks. Throughout his public and private sector service, improving his community has been his priority. He has always delivered—both large and small, from supporting the Mighty Ducks youth hockey program, to the transformation of industrial landfill into the Kaposia Landing park, to the replacement of the Wakota Bridge over the Mississippi River. His influential advocacy continues on projects like developing the Robert Street transit corridor. Residents of South Saint Paul, West Saint Paul, Inver Grove Heights, Mendota and Mendota Heights have been fortunate to have Jim working for them.

To call Jim a friend is a privilege for my family and me. I have fond memories of joining my father to put up yard signs for Jim during his early campaigns, and it is probably no coincidence that our mutual strong support of public education comes from us both attending Central Grade School in South Saint Paul. Throughout my own public service, he was always among the first to offer encouragement and help. It was wonderful to join the hundreds of "friends of Jim" last fall at the Croatian Hall in South Saint Paul to recognize his many contributions on behalf of the community. I wish Jim and his wife Sandie all the best.

Mr. Speaker, please join me in paying tribute to Senator James "Jim" Metzen as he prepares to retire after more than 40 years of distinguished public service.

INTRODUCTION OF MARIJUANA
ADVERTISING IN LEGAL STATES
ACT OF 2016 OR THE "MAILS"
ACT OF 2016

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. BLUMENAUER. Mr. Speaker, today, I am introducing the Marijuana Advertising in Legal States Act of 2016 or the "MAILS" Act, which creates an exception to the Controlled Substances Act to allow for the written advertisement of an activity, involving marijuana, if it is in compliance with state law.

the last few years, voters in Oregon, Washington, Colorado and Alaska overwhelmingly approved initiatives to legalize the adult use and sale of marijuana. Additionally, 23 states, the District of Columbia and Guam have legalized full medical marijuana programs, and 17 more states have approved more limited medical marijuana programs. In many of these states, state-approved dispensaries are up and running, bringing the industry out of the shadows of the black market and creating a safe, regulated system in much of America.

Despite this progress, marijuana remains stuck in the past as a Schedule I substance at the federal level. Recognizing this discrepancy, the Obama Administration issued a memorandum in 2013 which explained that so long as certain enforcement criteria were met, federal law enforcement would not interfere with state legal marijuana activity. Congress then followed suit and barred the Department of Justice from expending resources in contravention of state medical marijuana laws.

According to the Controlled Substances Act (CSA), it is unlawful for anyone to place an advertisement for a Schedule I substance, including a medical marijuana product, in any newspaper, magazine, handbill or other publication even if that activity is legal under state law. This creates a confusing reality in states where marijuana is legal for marijuana businesses that seek to advertise in local newspapers, as well as for the many newspapers around the country that rely on advertising revenue.

In December 2015, the United States Postal Service (USPS) declared that it is illegal to

mail any items, including newspapers, which contain advertisements offering to buy or sell marijuana, even if in compliance with a state law.

Small businesses and community newspapers rely on USPS to reach their customers and the USPS policy could have the effect of stopping all written marijuana advertisements in states that have already made the decision to legalize marijuana. This contradicts the will of the voters in these states as well as recent directives from the Obama Administration and Congress.

There are certainly important questions that need to be answered about how to best regulate marijuana and advertisements, to ensure it does not get in the hands of children and that it is delivered in a safe, regulated system. It is not the job of USPS to answer these questions. Until we can change the way that marijuana is treated at the federal level to allow the federal government to be a constructive partner in answering these questions, this legislation will help to ensure that they stay out of the way.

IN RECOGNITION OF MARION CAIN,
ERNEST FANN, LEMUEL HAW-
KINS, AND ROBERT SCOTT

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 4, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize four Macon, Georgia na-

tives who played Negro League baseball: Marion Cain, Ernest Fann, Lemuel Hawkins, and Robert Scott. A ceremony to honor these men has been coordinated by Gordon Smith, an Eagle Scout candidate with Boy Scouts of America, Central Georgia Council, Troop 170, and will be held on Saturday, February 6, 2016 at Luther Williams Baseball Field in Macon, Georgia.

Negro League baseball officially organized in 1920 and existed until the early 1960s. While segregation between professional teams hindered some competition for the leagues, the teams maintained a high level of professionalism and became centerpieces for economic growth in many black communities. The individuals who pursued careers in Negro League baseball contributed to a sense of pride and community during a time of oppression and segregation. As such, I would like to honor four Macon natives who continue to inspire those in their communities: Marion "Sugar" Cain, Ernest Fann, Lemuel Hawkins, and Robert Scott.

Marion "Sugar" Cain was born on February 4, 1914 in Macon, Georgia. Cain was an esteemed pitcher but doubled in the outfield. He started his career with the Pittsburgh Crawfords, and went on to the Brooklyn Royal Giants, and then the Oakland Larks.

Ernest Fann was born on July 24, 1943 and attended Ballard-Hudson High School in Macon. He led his baseball team to state championships in 1961 and 1962. He was a pitcher and catcher playing for the Atlanta Black Crackers, as well as teams in Brunswick, Georgia and Daytona, Florida.

Lemuel Hawkins was born on October 2, 1895, and was a pitcher and first baseman for the Kansas City Monarchs, Chicago Giants, and Chicago American Giants. Hawkins was the first baseman for the Monarchs during the 1924 Negro League World Series.

Robert Scott was born on June 22, 1931 and was a pitcher for the Macon Braves and Macon Cardinals. He also played with the New York Black Yankees, Boston Blues, and the Jackie Robinson Barnstorming Team.

To commemorate these exceptional athletes, a ceremony will be held at Luther Williams Baseball Field where bronze plaques for each player will be placed. I would like to thank Gordon Smith for organizing this outstanding tribute as part of his leadership and service project as he works toward the rank of Eagle Scout. As a proud Eagle Scout myself, I am reminded of the great responsibility this signal honor carries: the responsibility to always exemplify the high principles embodied in the Scout Oath and Scout Law. Gordon's commitment to pay homage to and learn from the hard work and courage of those who came before him reflects the sincerity of his purpose, the strength of his determination, and the timbre of his character.

Mr. Speaker, I ask that my colleagues join me today in recognizing the courage, determination, and legacy of these four Negro League baseball players from Macon, Georgia. Let us be grateful for the pride these men helped bring to disenfranchised communities and thankful for the changes that have since come, not only in the realm of baseball, but throughout our nation.

HOUSE OF REPRESENTATIVES—Monday, February 8, 2016

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ROONEY of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 8, 2016.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend George P. Schommer, O.P., St. Dominic's Church, Washington, D.C., offered the following prayer:

Blessed are You, Lord God of all creation, for through Your love and goodness, You created man and woman and gave them the unalienable rights of life, liberty, and the pursuit of happiness. In Your wisdom and providence, You gave authority of governance to men and women so that all peoples could live in harmony and pursue the common good and the flourishing of individual gifts and talents.

We ask today that You bless the men and women who work in this Chamber and give them the wisdom and understanding of all law—natural, human, and divine. With Your gracious assistance, may they pursue justice for all so that the citizens of this country may live in freedom and peace. Give them the help of Your grace to overcome challenges and difficulties so that this Nation may be united under Your watchful care.

O God, we trust in You.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 8, 2016 at 1:17 p.m.:

That the Senate passed H. Con. Res. 109.
Appointments:
Joint Congressional Committee on Inaugural Ceremonies.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on February 4, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 515. To protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.

H.R. 4188. To authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 2 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 9, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4254. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Orchids in Growing Media From Taiwan [Docket No.: APHIS-2014-0041] (RIN: 0579-AE01) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

4255. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Technical Amendment [Docket No.: FDA-2011-N-0920] (RIN: 0910-AG36) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4256. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Correction [Docket No.: FDA-2011-N-0920] (RIN: 0910-AG36) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4257. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final order — Schedules of Controlled Substances: Extension of Temporary Placement of PB-22, 5F-PB-22, AB-FUBINACA and ADB-PINACA in Schedule I of the Controlled Substances Act [Docket No.: DEA-385E] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4258. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final order — Schedules of Controlled Substances: Temporary Placement of the Synthetic Cannabinoid MAB-CHMINACA into Schedule I [Docket No.: DEA-421F] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4259. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhaler/Vapor Inhaler [Docket No.: DEA-409] (RIN: 1117-ZA30) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4260. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Schedules of Controlled

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Substances: Table of Excluded Nonnarcotic Products; Vicks VapoInhaler [Docket No.: DEA-367] (RIN: 1117-AB39) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4261. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Additions to List of Section 241.4 Categorical Non-Waste Fuels [EPA-HQ-RCRA-2013-0110; FRL-9929-56-OLEM] (RIN: 2050-AG74) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4262. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Minnesota; Inver Hills SO₂ [EPA-R05-OAR-2015-0366; FRL-9941-53-Region 5] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4263. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; San Joaquin Valley Unified Air Pollution Control District; Employer Based Trip Reduction Programs [EPA-R09-OAR-2014-0715; FRL-9941-16-Region 9] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4264. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plan Revisions; Rules, General Requirements and Test Methods; Utah [EPA-R08-OAR-2015-0085; FRL-9933-49-Region 8] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4265. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; KY; Emissions Statements for the 2008 8-Hour Ozone NAAQS [EPA-R04-OAR-2015-0444; FRL-9941-64-Region 4] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4266. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Air Plan Revisions; Arizona; Rescissions and Corrections [EPA-R09-OAR-2016-0028; FRL-9942-03-Region 9] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4267. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Disapproval of California Air Plan Revisions, South Coast Air Quality Management District [EPA-R09-OAR-2015-0545; FRL-9941-72-Region 9] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4268. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Approval and Promulgation of Implementation Plans; Louisiana [EPA-R06-OAR-2012-0434; FRL-9941-51-Region 6] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4269. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Arkansas: Final Authorization of State-initiated Changes and Incorporation by Reference of Approved State Hazardous Waste Management Program [EPA-R06-2015-2015-0661; FRL-9940-27-Region 6] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2015-0756; FRL-9941-11-Region 9] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Missouri's Air Quality Implementation Plans; Americold Logistics, LLC 24-Hour Particulate Matter (PM₁₀) National Ambient Air Quality Standard (NAAQS) Consent Judgment [EPA-R07-OAR-2015-0644; FRL-9941-68-Region 7] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Poly(oxy-1,2-ethanediyl), a-(3-carboxy-1-oxosulfofopropyl)-w-hydroxy-, alkyl (C10-C16) ethers, disodium salts; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0232; FRL-9941-15] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, Santa Barbara County Air Pollution Control District; Permit Program [EPA-R09-OAR-2015-0784; FRL-9940-19-Region 9] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4274. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's Major final rule — Revised Critical Infrastructure Protection Reliability Standards [Docket No.: RM15-14-000; Order No.: 822] received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4275. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Major final rule — Energy Conservation Program: Energy Conservation Standards for Pumps

[Docket Number: EERE-2011-BT-STD-0031] (RIN: 1904-AC54) received February 4, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4276. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-120, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4277. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-130, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4278. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-122, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4279. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's notice — Revised Jurisdictional Thresholds for Section 7A of the Clayton Act received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4280. A letter from the Chief, Border Security Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's interim final rule — Elimination of Non-immigrant Visa Exemption for Certain Caribbean Residents Coming to the United States as H-2A Agricultural Workers [USCBP-2016-0003; CBP Dec. 16-03] (RIN: 1651-AB09) received February 5, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on the Judiciary and Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BARLETTA (for himself, Mr. CARSON of Indiana, Mr. SHUSTER, Mr. DEFAZIO, Ms. NORTON, and Mr. NADLER):

H.R. 4487. A bill to reduce costs of Federal real estate, improve building security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Mississippi (for himself and Mrs. LOWEY):

H.R. 4488. A bill to enhance the security operations of the Transportation Security Administration and stability of the transportation security workforce by applying the personnel system of Title 5 of the U.S. Code to employees of the Transportation Security Administration who provide screening of all passengers and property, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on

Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT (for himself, Mr. BABIN, and Mr. SMITH of Texas):

H.R. 4489. A bill to provide for Federal Aviation Administration research and development, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. COHEN:

H.R. 4490. A bill to direct the Secretary of Transportation to issue regulations that establish minimum dimensions for passenger seats on aircraft operated by any air carrier in the provision of interstate air transportation or intrastate air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CROWLEY (for himself and Mr. ELLISON):

H.R. 4491. A bill to provide for MyRA accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. DUFFY (for himself and Mr. WALZ):

H.R. 4492. A bill to provide for the approval authority for National Guard flyovers, and for other purposes; to the Committee on Armed Services.

By Mr. GRAYSON:

H.R. 4493. A bill to amend title 10, United States Code, to provide a one-year extension of the special survivor indemnity allowance provided to widows and widowers of deceased members of the Armed Forces affected by required Survivor Benefit Plan annuity offset for dependency and indemnity compensation received under section 1311(a) of title 38, United States Code; to the Committee on Armed Services.

By Mr. GRAYSON:

H.R. 4494. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for rent paid or accrued on the personal residence of the taxpayer; to the Committee on Ways and Means.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Mr. VARGAS, and Mr. KILMER):

H.R. 4495. A bill to amend the Higher Education Act of 1965 to provide student loan eligibility for mid-career, part-time students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SCHWEIKERT:

H.R. 4496. A bill to provide that amounts collected by the Federal Government through legal settlements, fines, or financial penalties shall be deposited in the general fund of the Treasury for purposes of deficit reduction, and for other purposes; to the Committee on the Judiciary.

By Mr. WITTMAN (for himself and Mrs. NAPOLITANO):

H.R. 4497. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act; to the Committee on Natural Resources.

By Ms. MENG (for herself, Mr. TED LIEU of California, Mr. AL GREEN of Texas, Ms. LEE, Ms. JUDY CHU of California, Ms. DUCKWORTH, Ms. VELÁZQUEZ, Mr. SCHIFF, Mr. GRIJALVA, Mr. TAKANO, Ms. BORDALLO, Mr. HONDA, and Mr. PETERS):

H. Res. 608. A resolution recognizing the cultural and historical significance of Lunar New Year in 2016; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BARLETTA:

H.R. 4487.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and clause 17 (relating to authority over the district as the seat of government), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. THOMPSON of Mississippi:

H.R. 4488.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KNIGHT:

H.R. 4489.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. COHEN:

H.R. 4490.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. CROWLEY:

H.R. 4491.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 of Article I:

The Congress shall have the power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DUFFY:

H.R. 4492.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

By Mr. GRAYSON:

H.R. 4493.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Mr. GRAYSON:

H.R. 4494.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 4495.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution.

By Mr. SCHWEIKERT:

H.R. 4496.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Mr. WITTMAN:

H.R. 4497.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 224: Mr. NORCROSS.

H.R. 225: Ms. PLASKETT, Mrs. WATSON COLEMAN, Mr. DESAULNIER, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. JEFFRIES, Mr. HIMES, Mr. MOULTON, Mr. BEYER, Mrs. LOWEY, and Ms. MOORE.

H.R. 226: Mr. DESAULNIER.

H.R. 252: Mr. DESAULNIER.

H.R. 267: Ms. NORTON, Ms. MOORE, and Ms. ESHOO.

H.R. 449: Mr. KATKO.

H.R. 539: Mr. LOWENTHAL, Ms. MAXINE WATERS of California, Mr. RICHMOND, and Ms. CLARK of Massachusetts.

H.R. 665: Ms. STEFANIK.

H.R. 902: Ms. LEE.

H.R. 1093: Mrs. BEATTY.

H.R. 1147: Mr. BUCHANAN.

H.R. 1188: Mr. CICILLINE.

H.R. 1197: Mrs. HARTZLER and Mr. ROKITA.

H.R. 1288: Mr. BOST.

H.R. 1363: Mrs. HARTZLER.

H.R. 1439: Mr. KEATING.

H.R. 1475: Mr. YOHIO, Mr. BISHOP of Georgia, Mr. SMITH of Washington, Mr. REICHERT, Mrs. ROBY, and Mr. SERRANO.

H.R. 1550: Mr. PETERS.

H.R. 1559: Mrs. WALORSKI.

H.R. 1572: Mr. HUDSON.

H.R. 2293: Mr. DAVID SCOTT of Georgia, Mrs. ROBY, Mr. ASHFORD, and Mr. JEFFRIES.

H.R. 2434: Mr. SMITH of New Jersey.

H.R. 2633: Mr. GRIJALVA.

H.R. 2641: Mr. PRICE of North Carolina.

H.R. 2646: Mr. MARINO.

H.R. 2658: Mr. GRIFFITH.

H.R. 2713: Mr. ROONEY of Florida.

H.R. 2730: Mr. FRELINGHUYSEN.

H.R. 2745: Mr. MESSER.

H.R. 2849: Mr. GRIJALVA.

H.R. 2902: Ms. KAPTUR and Mr. HIMES.

H.R. 3003: Mr. AGUILAR.

H.R. 3071: Mr. HUFFMAN.

H.R. 3180: Mr. PETERS.

H.R. 3381: Ms. FUDGE, Mr. COFFMAN, Mr. WILSON of South Carolina, Mr. FRELINGHUYSEN, Mrs. MILLER of Michigan, Mr. REED, Mr. KEATING, Mr. RIBBLE, and Mr. ROKITA.

H.R. 3514: Mr. BEN RAY LUJÁN of New Mexico, Mr. HIGGINS, Ms. BROWNLEY of California, and Mrs. BUSTOS.

H.R. 3516: Mr. JORDAN and Mr. CRENSHAW.

H.R. 3520: Mr. PALAZZO.

H.R. 3687: Mr. FARENTHOLD.

H.R. 3706: Mr. WILLIAMS, Mr. BEN RAY LUJÁN of New Mexico, Mr. COSTELLO of Pennsylvania, and Ms. WASSERMAN SCHULTZ.

H.R. 3790: Mr. LOWENTHAL.

H.R. 3799: Mr. FLEISCHMANN.

H.R. 3808: Mr. COLLINS of Georgia.

H.R. 3833: Ms. VELÁZQUEZ.

H.R. 3917: Ms. TITUS, Mr. FORTENBERRY, Ms. CLARK of Massachusetts, and Ms. BROWNLEY of California.

H.R. 3948: Ms. JUDY CHU of California and Mr. SERRANO.

H.R. 4027: Mr. NORCROSS.

H.R. 4055: Ms. SCHAKOWSKY.

H.R. 4146: Mr. PETERS.

H.R. 4147: Mr. PETERS.

H.R. 4172: Mr. CAPUANO.

H.R. 4247: Ms. WILSON of Florida.

H.R. 4277: Ms. JUDY CHU of California, Mr. NUNES, and Mr. HANNA.

H.R. 4335: Mr. LOUDERMILK.

H.R. 4342: Mr. CICILLINE.

H.R. 4389: Mr. BEYER, Mr. HUFFMAN, Mrs. NAPOLITANO, and Ms. TSONGAS.

H.R. 4420: Mr. COOK, Mr. ALLEN, Mr. HARRIS, Mr. RATCLIFFE, Mr. POSEY, and Mr. ABRAHAM.

H.R. 4471: Mr. GRIJALVA and Ms. LEE.

H.R. 4474: Mr. VALADAO.

H. Con. Res. 110: Mr. RICHMOND.

H. Res. 509: Mr. CRENSHAW.

H. Res. 561: Ms. BROWNLEY of California.

H. Res. 569: Mr. KIND and Mr. HOYER.

H. Res. 571: Mr. FORBES and Mr. BISHOP of Utah.

H. Res. 593: Mr. POLIS, Mr. ASHFORD, Mr. CÁRDENAS, Mr. RYAN of Ohio, Mr. POCAN, Mr. HUFFMAN, Mr. LANGEVIN, Ms. LEE, and Mr. McDERMOTT.

H. Res. 597: Mr. RICHMOND.

PETITIONS, ETC.

Under clause 3 of rule XII,

45. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would establish a procedure by which members of the United States House of Representatives and of the United States Senate may be involuntarily removed from office by means of a recall election; which was referred to the Committee on the Judiciary.

SENATE—Monday, February 8, 2016

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Precious Lord, always faithful and always true, use our lawmakers today as ambassadors of reconciliation and renewal. Open their minds to the counsels of Your eternal wisdom as You fill them with Your peace. Lord, increase their hunger and thirst for right living and lead them nearer to You. As they seek to be agents of Your peace, help them to honor You both in spirit and deeds. Inspire them to reach decisions based on truth, wisdom, compassion, and fairness for all.

Watch over, O God, and care for the men and women in our military, surrounding them with the shield of Your protection and favor.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The Democratic leader is recognized.

ZIKA VIRUS

Mr. REID. Madam President, I was encouraged this morning to hear that President Obama is aggressively responding to the Zika virus. Anyone who has heard the news about this terrible mosquito bite over the last several weeks has heard about the spread of Zika. This virus is primarily spread by mosquitoes in Central America, South America, the Caribbean, and the Pacific islands.

Zika has been linked to birth defects in children, as well as other health problems. To date, there have been no confirmed cases of Americans getting Zika from mosquitoes in the continental United States, but we must not lower our guard. Instead, we must take action.

The President has taken action, and I appreciate that very much. That is

why last week the entire Senate Democratic caucus sent a letter to President Obama urging quick action responding to the Zika virus. To his credit, that is exactly what President Obama has done. Today the President announced that he is asking Congress for \$1.8 billion to combat the outbreak. This funding will, among other things, further research of the virus and a potential vaccine; improve mosquito control methods here at home; create rapid-response teams in the United States; enhance treatment for those who are infected; help deploy prevention and education strategies to key populations, including pregnant women and their partners; support international aid activities in affected areas; and train health care workers in affected countries.

It is critical that we approve the funds now, immediately, and give our government the resources it needs to fight the virus. We also need to make sure our Nation's response to the virus includes increasing access to contraceptives for women in Zika-affected regions—for those who choose to use them.

We in the Congress must follow President Obama's direction and aggressively combat Zika. So I call on my colleagues to support this important funding.

I have been called to the White House tomorrow afternoon at the same time the Republican leader has called a briefing on the Zika virus. I am going to send staff to that meeting. I can't be at the White House and that briefing at the same time, but I will get a thorough, detailed account of what takes place at that briefing. I appreciate Senator MCCONNELL arranging that meeting, and I apologize for not being able to be there.

AFFORDABLE CARE ACT

Mr. REID. Madam President, last week marked the end of an open enrollment for the health exchanges created by the Affordable Care Act. The numbers are in, and once again millions of Americans signed up for quality health care. Normally—it is normal now, and each year it keeps going up—nationally almost 13 million Americans selected their plans through health insurance marketplaces. In Nevada, almost 90,000 people enrolled in Nevada's health exchange. That represents a 20-percent increase over 2015 enrollment numbers.

These numbers are further evidence that the Affordable Care Act—ObamaCare—is working. The law is helping Americans get access to qual-

ity health care, many for the first time in their entire lives. That is why it is particularly frustrating to watch Republicans continue banging their heads when it comes to ObamaCare. Last Tuesday—Groundhog Day, fittingly—House Republicans voted for the 63rd time to repeal or undermine the Affordable Care Act. That is 63 times House Republicans have ignored all the evidence that proves the Affordable Care Act is helping their constituents.

It is not just House Republicans; it seems as if every day my friend the Republican leader comes to the floor and rails against ObamaCare. He has led Senate Republicans in voting to repeal or defund the Affordable Care Act 17 different times. Yet more than 10 percent of the Republican leader's own constituents are benefiting from the Affordable Care Act. Madam President, 500,000 Kentucky residents use ObamaCare—half a million people.

Last week an Associated Press article highlighted the fact that Kentucky has seen the largest drop in the percentage of its uninsured. I will read from an AP story:

Kentucky and Arkansas had the largest drops in the percentage of people without health insurance in the country, according to the Gallup-Healthways survey. In 2013, more than 20 percent of Kentuckians did not have health insurance. By the end of 2015, after the State expanded its Medicaid program and created a health-insurance exchange, that figure was down to 7.5 percent.

There it is in black and white. In 2013, 20 percent of Kentuckians didn't have health insurance, and now it is down to 7.5 percent. That is a remarkably strong decrease of the uninsured. If my friend the Republican leader had his way and repealed ObamaCare, all progress in Kentucky would be gone.

Sadly, Kentucky's tea party Governor is following in Senator MCCONNELL's footsteps. Gov. Matt Bevin wants to tear apart his State's health exchange, regardless of the impact on his constituents. I will read again from the AP article:

Bevin, a Republican, has already given the order to dismantle Kynect, Kentucky's state-based exchange. And he plans to repeal Kentucky's Medicaid expansion and replace it with something else that [would] mean fewer people would be eligible and the ones who stay eligible would have to pay a small premium. Bevin needs approval from the federal government to do that. If he does not get it, Bevin has said he would repeal the expansion entirely.

It is time for Republicans to accept the fact that ObamaCare is here to stay. It is not going anyplace. Once and for all, it has moved past repeal. Start making the Affordable Care Act work even better for the American people.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

ZIKA VIRUS

Mr. MCCONNELL. Madam President, I recently asked Secretary Burwell to come to the Senate to brief committee chairs, ranking members, and leaders in both parties on the administration's response to the Zika virus. I appreciate her team working with us to schedule that briefing for tomorrow. Here are the two areas in which we want to get a better understanding at the briefing:

No. 1, what preparations are being made to protect Americans?

No. 2, what are the administration's funding priorities given limited Federal resources?

Concern about the Zika virus is growing in our country, and protecting constituents, especially children, from a communicable disease is a high priority for all of us. I am looking forward to hearing more tomorrow about both the administration's proposed response and its priorities for combatting this disease.

ENERGY POLICY MODERNIZATION BILL

Mr. MCCONNELL. Madam President, the legislation currently before us—the Energy Policy Modernization Act—is the product of a year's worth of constructive and collaborative work. In the Energy Committee, it passed overwhelmingly with the support of both parties. Here on the floor, it has been subject to an open amendment process, with input from both sides. More than 30 amendments from both Democrats and Republicans have already been adopted. The Senator from Alaska recently sought consent to continue that progress by getting several more amendments pending. It is unclear why any colleague would object to her effort or why they would effectively block consideration of their own amendments, but that is what happened. It is disappointing for our country.

We are hoping our friends will reconsider. Remember, the Energy Policy Modernization Act is broad bipartisan legislation designed to help Americans produce more energy, pay less for energy, and save energy, all while helping strengthen our long-term national security. We should pass it.

I am asking colleagues to take yes for an answer and allow the open amendment process to continue so that we can pass it, which is so important to helping our country prepare for the energy demands of today and the energy opportunities of tomorrow.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEEDING HURRICANE WARNINGS

Mr. NELSON. Madam President, hurricanes can be deadly. We are accustomed to them in Florida. They are part of our lifestyle. We know enough about hurricanes and the ferociousness and strength of Mother Nature to know that when a hurricane starts bearing down, you better be prepared, and that is especially so with regard to boats. Hurricanes cause giant-sized waves and strong winds that make it impossible to navigate a boat. So when the forecast calls for a hurricane, boats ought to get out of the way.

Sadly, last year the *El Faro*, a cargo vessel that sailed from Jacksonville to Puerto Rico and back, along with its sister ship, sailed right into a hurricane off the Bahamas. As a result, the last call to shore, although the captain's voice was calm, was to report that they had lost power and were therefore listing, which meant that something had been breached and water was coming into the ship. That was the last we heard from the captain. We now know that that ship is 5 miles below the surface of the Atlantic, on the eastern side of the Bahama Islands. Thirty-three people lost their lives, most of whom were from the Jacksonville, FL, area. The National Transportation Safety Board is conducting an investigation, and the question is whether or not they are going to put down another U.S. Navy submersible so they can continue their search for the recorder that would give them the complete data from the ship.

I am bringing this up again because the very same thing almost happened yesterday, only this time a 4,000-passenger cruise ship, sailing from the New York area to Port Canaveral, FL, and then on to other destinations in the Caribbean, sailed right into a hurricane that had winds topping 100 miles per hour.

I wish I had a blowup of the image of these hurricanes to show the Senate. Yesterday's storm was right off the coast of North and South Carolina. When these two images are compared side by side, we can see how yesterday's storm is similar to Hurricane Isabel. They look menacingly similar. The thing about yesterday's storm is that it was forecasted for days. So why in the world would a cruise ship with thousands of passengers on it go sailing right into it?

Some of the passengers have made comments, including Robert Huschka, executive editor of the Detroit Free Press, who was a passenger on the cruise. He said: "I am not going to lie. It was truly terrifying."

Passengers talked about how the water was coming into the upper decks. The pictures that were taken by the passengers on the ship speak for themselves. I am sure there was a courageous crew on board, but the question is: Why, after what happened to the *El Faro* last year, did it sail into the storm? Even if they were surprised by the change of the direction of the storm, which is what happened with the hurricane last year, why in the world would a ship go anywhere close to where the hurricane could be, particularly as the storm starts to cross the warm waters of the Gulf Stream, and, therefore, gets all the more fuel for the counterclockwise rotation of the winds from the warm water?

I want the National Transportation Safety Board, over which the Senate Commerce Committee has some jurisdiction—of which I have the privilege of being the ranking member—to come up with a quick report.

Now, thank goodness, that so far only four passengers were reported injured and no one was killed. That ship is now returning to port back in the New York area. Thank goodness there was not much damage, and that it is seaworthy. But the question is, When there is a storm brewing, why are mistakes made just like what happened to the *El Faro*? Before it left the Port of Jacksonville, they knew that a hurricane was coming.

We need to know what happened in this case as well so we can prevent these kinds of accidents that could be so tragic in the future.

The Senate Commerce Committee has oversight of the National Transportation Safety Board, and I want them to come up with answers very quickly and make an admonition to Americans that when a storm is brewing, you don't go out of port.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Rebecca Goodgame Ebinger, of Iowa, to be United States District Judge for the Southern District of Iowa.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided in the usual form.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO RICHARD ANDERSON

Mr. ISAKSON. Mr. President, on Friday of last week as I was getting ready to leave to go home to the State of Georgia, the United States of America, and the aviation industry received notice that Richard Anderson, CEO of Delta Airlines, will retire after a career of over 25 years in the aviation industry, but in particular a great career at Delta Airlines over the last decade. I rise to memorialize on the floor of the Senate how much my State and the aviation industry owes to Richard Anderson.

Richard took over Delta at a very critical time. In fact, Delta was in desperate straits. Because of his work at Delta, he revitalized the culture of the company, he revitalized the aviation industry in Georgia, and he made it a market for all of us to be proud of. In fact, in 1 year, 2 years ago, Delta was one of the 50 most admired companies in the United States of America and led the world in terms of aviation as stated by Aviation Magazine, but most importantly Richard Anderson came to Washington, DC, when all the aviation industry was in trouble. He was then with Northwest. Delta was having difficulties. He worked with the U.S. Senate, worked with the Finance Committee, worked with me, MIKE ENZI, and others to reform the pension performance act of 2005, and change the way pensions were calculated in order to save the pensions of Delta Airlines and many other airlines in the United States of America. His hands-on effort

to revitalize that company led to the most prosperous year in its history in 2016, and the most prosperous decade it had in the last 10 years.

So as he announces he is leaving Delta Airlines and the aviation industry for other things to do, I want to, on the floor of the Senate, commend him for all he has done to make Delta Airlines in the State of Georgia great, all he has done for the aviation industry, and all he has done for the economy of the greatest country on the face of this Earth—the United States of America.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today the Senate will vote on the nomination of Judge Ebinger from Iowa. I am very pleased to be here to support her and to urge all my colleagues to also support her nomination.

I am very proud of the work my colleague Senator ERNST and I have done to fill the vacancies in Iowa's district courts by putting forward two exceptionally talented and qualified nominees, Judges Ebinger and Strand. I said this in committee but, for the benefit of all Members of the Senate, the Iowa nominees are two of the best judicial candidates the President has nominated during his Presidency.

To fill the vacancies in Iowa, I set up a Judicial Selection Commission and invited all interested Iowa lawyers to apply. The applicants were vetted by highly qualified members of the Iowa legal community. After spending hundreds of hours reviewing the applications, the Commission interviewed all 39 applicants. Eleven candidates of the thirty-nine were then selected for a lengthy second round of interviews. At the end of the process, the Commission sent their recommendations to me. In consultation with my fellow Iowa Senator, I was proud to recommend Judges Strand and Ebinger to the White House. Judges Strand and Ebinger have the highest credentials and character and will serve the State of Iowa with honor and with distinction.

I would like to say a little bit more about Judge Ebinger because she is the one of the two we are voting on today. Judge Ebinger received her undergraduate degree in 1997 from Georgetown University School of Foreign Service and her law degree from Yale Law School in 2004. She then served as a special assistant U.S. attorney in the U.S. Attorney's Office for the Northern District of Iowa in Cedar Rapids. There, she prosecuted criminal cases involving narcotics, immigration, firearms offenses, and violent crimes. She then clerked for Judge Michael Melloy on the Eighth Circuit for 2 years, also in Cedar Rapids, IA.

Following her clerkship, she moved to the U.S. Attorney's Office for the Southern District of Iowa as an assist-

ant U.S. attorney. During this time, her practice shifted primarily to white-collar crime. She also handled intake for all child support enforcement cases and sex offender registry violations.

Judge Ebinger received a number of awards for her work with the U.S. Attorney's Office. In 2012, she was appointed to serve as a district judge in Iowa State court and was retained as a district judge in the 2014 election. As a State court judge, she presided over a court of general jurisdiction, handling civil law and equity, criminal, and family court proceedings. She has presided over 40 cases that have gone to verdict or trial.

Judge Ebinger is a highly qualified, well-respected judge already, and I urge my colleagues to support her nomination today.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, today we will vote on the nomination of Rebecca Ebinger to fill a judicial vacancy in the Federal district court in the southern district of Iowa.

Ms. Ebinger is a highly qualified nominee who has devoted her legal career to public service. Since 2012, she has served as a district judge in Iowa State court. Prior to joining the bench, Judge Ebinger served as a prosecutor at the Federal and State levels in Iowa, including in the U.S. attorney's offices for the southern and northern districts of Iowa. During her tenure as a Federal prosecutor, she was the lead attorney on cases involving violence against women. Judge Ebinger has the strong support of her home State Senators, Chairman GRASSLEY of the Judiciary Committee and Senator ERNST.

With her qualifications, I can understand why Chairman GRASSLEY recommended her to the President for this nomination. What I cannot understand is why moneyed Washington interest groups are calling on Republican Senators to oppose the confirmation of any judicial nominee, regardless of a nominee's merit or qualifications. Judicial nominees like Judge Ebinger have worked hard to build admirable legal careers that have put them at the top of their profession. When judicial nominees submit themselves to the nominations process, they do so expecting and deserving to be considered by Senators exercising their own independent judgement.

Judicial nominees not only deserve our independent and considered judgement, it is our constitutional obligation as Senators to provide it. The duty to provide advice and consent on the President's nominees is our own and cannot be abdicated to Washington political action committees. This is especially true when such political action committees are advocating that we turn our backs on the American people by completely shutting down the judicial confirmation process.

Too many Americans who have sought justice in our Federal courts

since last year have instead found delays and empty courtrooms because of Senate Republicans' obstruction on judicial nominees. Over the course of last year, Senate Republicans allowed confirmation votes on just 11 judicial nominees—and judicial vacancies soared across the country. When Senate Republicans took over the majority in January of last year, there were 43 judicial vacancies. Since then, vacancies have dramatically increased to 77—an increase of more than 75 percent. Furthermore, the number of judicial vacancies deemed to be “emergencies” by the Administrative Office of the U.S. Courts because caseloads in those courts are unmanageably high has nearly tripled under Republican Senate leadership—from 12 when Republicans took over last year to 32 today. Refusing to confirm any judicial nominees for the rest of this year would make the high number of vacancies in our Federal judiciary even worse.

In addition to the vote on Judge Ebinger's confirmation today, we have agreed to vote this week on another Iowa district court judge. When we return from the Presidents' Day recess, I hope Republicans will continue confirming judicial nominees with bipartisan support, as Democrats did when we held the majority. In 2008, when I was chairman of the committee with a Republican President, we worked to confirm judicial nominees as late as September of the Presidential election year. In fact, Senate Democrats helped confirm all 10 of President Bush's district court nominees pending on the Senate floor in a single day by unanimous consent on September 26, 2008. This was similarly true in 2004, when I was ranking member of the committee with a Republican President, and we worked to confirm nominees as late as September of the Presidential election year.

There are 19 judicial nominees awaiting confirmation on the Senate floor. The next judicial nominee pending after we return from the President's Day recess will be Waverly Crenshaw, an exceptional African-American district court nominee from Tennessee who has the support of his Republican home State Senators, Senators ALEXANDER and CORKER. I hope the Senators from Tennessee will be able to convince their majority leader to schedule the Tennessee nominee's vote to occur this month. This is an emergency judicial vacancy in their State, so it is clear that this position is sorely needed for Tennesseans to receive swift justice in the middle district of Tennessee.

I urge my fellow Senators to vote to confirm Judge Ebinger and look forward to working with my fellow Senators to ensure timely confirmation of the other judicial nominees pending before the Senate.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I yield back time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the Ebinger nomination?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Arizona (Mr. MCCAIN), the Senator from Florida (Mr. RUBIO), the Senator from Nebraska (Mr. SASSE), the Senator from North Carolina (Mr. TILLIS), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. SANDERS), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The result was announced—yeas 83, nays 0, as follows:

[Rollcall Vote No. 18 Ex.]

YEAS—83

Alexander	Enzi	McConnell
Ayotte	Ernst	Menendez
Baldwin	Feinstein	Merkley
Barrasso	Fischer	Mikulski
Bennet	Flake	Moran
Blumenthal	Franken	Murkowski
Booker	Gardner	Murphy
Boozman	Gillibrand	Murray
Brown	Grassley	Nelson
Burr	Hatch	Paul
Cantwell	Heinrich	Perdue
Capito	Heitkamp	Peters
Cardin	Hirono	Portman
Carper	Hoeven	Reed
Casey	Inhofe	Reid
Cassidy	Isakson	Risch
Coats	Kaine	Roberts
Cochran	King	Rounds
Collins	Kirk	Schatz
Coons	Klobuchar	Schumer
Corker	Lankford	Scott
Cornyn	Leahy	Sessions
Crapo	Lee	Shelby
Daines	Manchin	Stabenow
Donnelly	Markey	Sullivan
Durbin	McCaskill	

Tester	Udall	Warren
Thune	Warner	Wyden

NOT VOTING—17

Blunt	Johnson	Tillis
Boxer	McCain	Toomey
Cotton	Rubio	Vitter
Cruz	Sanders	Whitehouse
Graham	Sasse	Wicker
Heller	Shaheen	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The majority leader is recognized.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Ms. KLOBUCHAR. Mr. President, I rise today for the fifth time to ask unanimous consent for a vote for the Ambassadors to Norway and Sweden. Senator CRUZ has been objecting to this. I appreciate the bipartisan support for these nominees. They made it through the committees without any objections.

These are the 11th and 12th biggest investors in the United States of America. They are our allies. They are our allies in our fight against Russian aggression. Norway shares a border with Russia. Yet every major European country has an ambassador except Norway and Sweden.

I ask unanimous consent that the Senate proceed to executive session to consider the nomination of Samuel D. Heins, Calendar No. 263; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. LANKFORD). Is there objection?

The majority leader.

Mr. MCCONNELL. Mr. President, on behalf of the junior Senator from Texas, Mr. CRUZ, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination that is

to the country of Sweden: Azita Raji, Calendar No. 148; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. MCCONNELL. Mr. President, on behalf of the junior Senator from Texas, Mr. CRUZ, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, as I said, this has been a bipartisan effort to get these two nominees confirmed. There is no one holding up the vote on these nominations except for Senator CRUZ. We asked him to remove these holds. He has not voiced any concerns about these individual nominees. He has voiced concerns about unrelated foreign policy issues. There have been other holds in the past, but everyone has lifted their hold. I note that even Senator COTTON from Arkansas has said that there are no issues with the qualifications of these nominees and that these nominees should proceed to a vote.

As I said, this is the fifth time I have come to the floor. I have also been joined by Senator CARDIN, Senator SHAHEEN, and Senator FRANKEN. This is something that has to get done.

Listen to these numbers: Sam Heins has been waiting for 293 days to be confirmed as the U.S. ambassador to Norway. Azita Raji has been waiting 474 days to be confirmed as the first female U.S. Ambassador to Sweden. Both of these nominees were voted out of the Senate Foreign Relations Committee without controversy and with significant bipartisan support. Not a single Senator has questioned the qualifications of Sam Heins or Azita Raji. That is because they are both qualified to take these jobs.

We have an ambassador in France. We have an ambassador in England. We have an ambassador in Italy. We have an ambassador in Germany. We have an ambassador to nearly every European nation but not these two Scandinavian countries.

More than 1,200 refugees seek asylum in Sweden every single day. I cannot tell my colleagues how many times I have heard people on both sides of the aisle talk about how during this refugee crisis we need a strong and unified Europe, and we need to be their allies, and they need to be our allies. While we may have disagreements on how to solve all of the refugee crises, we have to at least give support to our allies who are taking in these refugees.

Sweden accepts more refugees per capita than any other country in the European Union. Norway expects to take in as many as 25,000 refugees this

year. It has already provided more than \$6 million to Greece to help respond to the influx of refugees seeking a way to enter Europe. All of us on both sides of the aisle have talked about this. Yet, right now, no Ambassadors are in those two critical countries.

I would note they have Ambassadors from China in those countries. They have Ambassadors from Russia. They have Ambassadors. So the people of their countries who love the United States, who respect the United States, who travel to the United States, they want to know: How come every major nation has an ambassador to our country but not the United States of America?

We also understand the important economic contributions Sweden and Norway make to our country. These diplomatic relations are 200 years old. That is why we have widespread support for these nominees. Yet one Senator—how can one Senator stand in the way of a vote affecting relations that are 200 years old?

Our economic partnership with these countries is enormous. Sweden supports over 330,700 American jobs across 50 States. In the case of Norway, our trade partnership is \$16 billion—\$7 billion in exports, \$9 billion in imports. Leaving these countries without a U.S. Ambassador is a slap in the face to their governments, their people, and all of the American workers who are supported by Swedish and Norwegian investment in the United States. That is happening today.

In addition to Sam Heins and Azita Raji, there are other nominees who are vital in our fight against terrorism; however, I am going to focus today on these two nominees.

We have two countries, Norway and Sweden, that are members of NATO, that have joined us in the fight against Islamic extremists, that have joined us in the fight against ISIS. This is no way to treat them.

I would also add, in kind of a combination of our national security interests and economic interests, that Norway has now signed to purchase 252 fighter planes—22 just recently—from Lockheed Martin. Those fighter planes are made in America. The country of Norway could have decided to buy those fighter planes from any nation in the world. They could have bought those fighter planes from Europe. Where did they buy those fighter planes from? They brought them from the United States, from Lockheed Martin, and that company is located in Texas. Those fighter planes are made in Fort Worth, TX, Senator CRUZ's home State.

So what do we say to Norway when they invest? We can do the math—nearly \$200 million a plane, 22 planes. So they have strong national security, as we see Russian aggression and Is-

lamic extremism and as they join with us in fights across the world. What do we say? You are not worthy of an ambassador. Because one Senator—the Senator from the State where those fighter planes are made, from Fort Worth, TX—has decided to hold this up.

What are we doing when we say to a major company in the United States that got a major deal with a foreign government that that government is not worthy of having an ambassador? What kind of encouragement do we give when we don't even let them have an ambassador?

This is one of many examples of what is going on and why the people are so angry. We have heard from the Foreign Minister. We have seen comments from people of Norwegian descent and Swedish descent who do not understand how this could be going on right now, given everything Europe is confronting.

It is my hope that we will be able to work these things out. We have been given various reasons from letters that have been written, to streets in front of embassies, for this hold. But we are hopeful that somehow we are going to be able to work this out. This is because of one Senator who is not even here in this Chamber day after day after day when I return to put these names in for Ambassador.

We are not stopping. Senator SHAHEEN and I are going to come to this floor every single day and make the case for these countries. I am hopeful we will be able to resolve this.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I ask unanimous consent to enter into a colloquy with the junior Senator from Montana for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EQUAL JUSTICE UNDER THE LAW

Mr. SULLIVAN. Mr. President, I rise today to speak about a very important issue for our Nation's judicial system and two bills that I and my colleague from Montana have introduced. The bills' primary focus is what all of us in the Senate want, and that is equal justice under the law.

One of the bills would split the dysfunctional and unwieldy U.S. Court of Appeals for the Ninth Circuit. The other bill would form a commission to evaluate the court and make recommendations based on its findings.

Like a lot of us here, when I am in Washington I like to get out and try to get a run in in the morning and look at the beautiful monuments, memorials. Oftentimes I run past the U.S. Supreme Court, and I often look at the inscription etched on the beautiful Court there that says simply "Equal justice under law." I think of Supreme Court

Justice Lewis Powell's famous quote restated:

Equal justice under the law is not merely a caption on the facade of the Supreme Court building, it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system exists. . . .

I also think of the thousands of lawyers and judges and clerks, past and present, who have lived their lives attempting to fulfill its important ideal and how our democratic system of government is dependent on striving for this ideal.

We should do everything in this body to make sure that simple concept—equal justice under the law—is a reality for all Americans. All Americans should feel assured that when we seek justice, the burdens we encounter, the time we encounter to achieve justice won't be smaller or greater depending on the part of the country in which we live.

Unfortunately, that is not the case. Unfortunately, if you are a citizen of the United States and you live in one of the States over which the U.S. Court of Appeals for the Ninth Circuit has jurisdiction over your legal issues in the administration of justice, one in five Americans do not get equal justice under the law. What our bills are focused on doing is righting that wrong because the U.S. Court of Appeals for the Ninth Circuit is simply too large, its scope is too wide, and it has long passed its ability to provide equal justice and to contribute as a functional court system in the U.S. court of appeals Federal court system in our country.

This is no surprise. We have known this for decades. Dividing the Ninth Circuit is not a new idea. In fact, not doing it is radical. If you look at the history of the United States, when Federal courts of appeals have grown in terms of population, what has happened every time for decades, for well over 100 years, is that when the court grows too big and the administration of justice grinds to a halt, the court is split so that you have that justice. That is the usual course of American history. What is not usual is the refusal to do this.

To give a few examples, in 1973 a congressionally chartered Commission recommended to this body that for the administration of justice for American citizens, the Ninth Circuit should be split. It actually recommended that the Fifth and Ninth Circuit should be split. The Fifth Circuit was eventually split, but according to the Commission, the Ninth Circuit, which it said had serious difficulties with backlog, delay, and justice for Americans, was not split, and it has only gotten worse.

To give a few facts, there are 65 million people living within the boundaries of the Ninth Circuit. That represents 20 percent of the total population of the United States—one in five

Americans. That is almost two times as many people as there are in the next biggest circuit in the U.S. court of appeals system, and it is almost three times the average population of all the other circuits combined. It is not only just the size of the court.

The caseload is what is inhibiting justice for Americans in the Ninth Circuit. At the end of a 12-month period last year, the Ninth Circuit Court of Appeals had almost 14,000 pending appeals; the next largest court of appeals had about 4,700. Justice delayed is justice denied.

In previous hearings in the Senate, we found that it takes, on average, for the Ninth Circuit, almost 40 percent longer to dispose of an appeal than in any other circuit in the country. This is simply a function of a court that is too big and too unwieldy. Because of the size and inefficiency of the court, the court has started to come up with creative shortcuts—questionable procedural shortcuts which I believe are shortchanging justice for tens of thousands of Americans every year in this court of appeals.

Let me give you a few examples. Every court in the U.S. Federal system, in order to have uniformity of law, when they have difficult issues, they meet as a court in what they call an en banc meeting. This provides uniformity in all the courts. There is only one court that doesn't do that. Because it has 29 judges—much more than any other court—the Ninth Circuit does not meet as a whole court; therefore, limiting its ability to address intracircuit conflicts, with no uniformity in the law in the Ninth Circuit, and it is seen again and again and again. Further, and perhaps most alarming—again because of its size—the Ninth Circuit is the only court of Federal appeals where a nonelected, nonappointed, nonarticle II judge called an appellate commissioner rules on matters by the thousands that should be handled by article III life-tenured judges—not an appellate commissioner who is none of those things.

In a 2005 congressional hearing, one of the Ninth Circuit judges testified “that the appellate commissioner resolved 4,600 motions that would otherwise have been heard by judges.” This is fast-food justice for one in five Americans who are part of the Ninth Circuit.

This Senator plans to come down to the floor over the next several weeks and speak to my experience on the Ninth Circuit Court of Appeals. I had the opportunity—the honor—to be a judicial law clerk for one of the most esteemed judges, Judge Kleinfeld of Fairbanks, AK, many years ago, but I did see firsthand how the unwieldy size of this court of appeals limits justice, not just for Alaskans but for any citizen who is under the jurisdiction of this court.

Chief Justice Warren Burger warned in 1970 that “a sense of confidence in the courts is essential to maintain the fabric of ordered liberty for a free people.” He cautioned that inefficiency and delay in our courts of appeals could destroy that confidence. Unfortunately, as it is currently constituted, the Ninth Circuit is inefficient, it delays, and therefore denies justice for millions of Americans, and we cannot allow the confidence in our system of justice to be undermined by continuing a court of appeals that is so large and so unwieldy. That is why the Senator from Montana and I intend with our bills to bring equal justice for all Americans.

I turn to my colleague from Montana for his views on this very important issue.

Mr. DAINES. I thank the junior Senator from Alaska, and I appreciate him joining me in this most important effort and also for the leadership he has demonstrated on this issue. As the junior Senator from Alaska knows, the Ninth Circuit Court is broken. It is overburdened and is unable to provide quality service and expeditious justice for the Americans it is supposed to serve.

When we offer the Pledge of Allegiance, we close with “and justice for all.” As I frequently tell my staff, we in public service are ultimately in the customer service business. As U.S. Senators, our No. 1 job is to represent and to serve the people in our States. Our courts should reflect the same serving mentality as they uphold their responsibility to justice, but when our courts are overburdened and overworked, it is the American people who are left underserved and waiting far too long for justice. Unfortunately, under the current structure, the Ninth Circuit Court of Appeals is unable to provide Americans in the West the service they deserve.

Take a look at this chart behind me. At 64.4 million people served, the current Ninth Circuit is the largest circuit by population as well as the largest land area. As the junior Senator from Alaska will sometimes remind us, if they divide Alaska in two, Texas is the third largest State in the Nation. It is not just about the geographical size of the West. Look at the number of people who are served in the Ninth Circuit. It includes Montana, Alaska, Washington, Oregon, Idaho, Nevada, Arizona, California, and Hawaii, not to mention several U.S. territories, Guam, and the Northern Mariana Islands. That alone amounts to 20 percent of the Nation's population.

Let's put this in context. That is 85 percent larger than the next largest circuit which serves just 34.8 million people, and this chart illustrates that well. Needless to say, the Ninth Circuit's caseload is significantly greater than any other circuit, and that means

backlogs and that means delays. Not only is it larger, it is disproportionately larger. On average, the Ninth Circuit has had more than 32 percent of all cases pending nationally. As the junior Senator from Alaska mentioned, it currently has over 14,000 cases pending. As you can see in this next chart behind me, that is three times more than the next closest circuit, the Fifth Circuit, which has around 4,700 cases pending. Processing all these cases takes time; in fact, on the average, over the last 5 years, nearly 15 months from appeal to determination.

It is time to take a serious look at how our court system can better serve the American people, and that is why Senator SULLIVAN and I have introduced two separate bills to address these challenges. Our bills would bring much needed reform, not just to the Ninth Circuit but also to the entire Federal circuit courts of appeals system. The Circuit Court of Appeals Restructuring and Modernization Act would split the Ninth Circuit Court of Appeals into two circuits, providing a more manageable balance of population and geography for both circuits so western Americans can be better served by our courts.

The Federal Courts of Appeals Modernization Act would establish a commission to study the Federal circuit courts of appeals system and identify changes needed to promote an expeditious and effective disposition of the Ninth Circuit caseload. Keep this in mind. When we split the circuits into a new Ninth and the Twelfth Circuits, the Ninth Circuit would still have a larger caseload than any other circuit. In the new Ninth Circuit's jurisdiction, there would be 40.8 million people. It would continue to maintain its status as first in population. In the Twelfth Circuit's jurisdiction, this new circuit we would establish, there would be 24.3 million people, which makes it the seventh largest in population among the circuits. It is just a little bit below the average. Those numbers alone should make it clear reforms are needed.

It is worth remembering that the challenges facing the Ninth Circuit have been longstanding, and the efforts to find solutions are bipartisan. In fact, two prior Commissions—one in 1973 and the other in 1988, which, by the way, was championed by California Senator DIANNE FEINSTEIN—both determined that the Ninth Circuit had an overly burdensome size and scope and suggested that changes be made with the structure of the Federal courts of appeals.

It is time to move forward with concrete solutions to address this problem. The bills introduced by the junior Senator from Alaska and I will do so.

I was trained as an engineer. As an engineer, one identifies a problem and most importantly finds a solution. We have a capacity constraint which can

be alleviated. In thinking about our communities, as our communities grow, we need to add more schools, add more teachers, and add more police officers.

We need to ensure that all Americans have access to the justice they deserve. It is time to split the Ninth Circuit.

I want to thank the junior Senator from Alaska for championing this important issue, and I look forward to working with him to find a resolution.

Mr. SULLIVAN. I thank my colleague from Montana and for his point in particular. The charts make a very compelling case, but I think his point in particular about constraints—when things get too large, they become an organization that cannot function.

I think when you look at the debate that has occurred previously about the Ninth Circuit, somehow we have gotten to the point where it is some kind of radical idea to split the Ninth Circuit. But if you look at the history of our country, the radical idea is actually not splitting the Ninth Circuit. The outlier position is not to take a court either that has this many cases pending or that controls this much of the population and not do something about it.

The history of this body, starting with the Judiciary Act of 1789 that created three circuit courts: Eastern, Middle, and Southern—only a few years later, Congress acted again—in 1802, a mere 13 years later—and Congress doubled the number of circuit courts to six. What we have seen throughout our history is when this kind of situation exists where one court has an enormously oversized population, Congress—as my colleague from Montana mentioned—acts in a bipartisan manner, and they act for the sole reason to make sure all Americans are getting effective administration of justice.

When your citizens wait longer than any other Americans and have delays more than any other Americans and when your court that you are subject to the jurisdiction of starts to create procedural shortcuts, not a lot of which are known—and we are going to talk about some of those over the next several weeks—and no other court does that, you start to see that one in five Americans is burdened by this and burdened by the lack of what the Supreme Court says: "Equal Justice Under Law."

I again thank my colleague from Montana. I know he has some views on what would happen again if this doesn't happen in his State or in my State. But this isn't just about the West; this is about all Americans. We all deserve the same justice.

Just by looking at these two posters, cases pending, as I talked about earlier, and the time it takes to get appeals completed and the enormous population of just one circuit, what is clear to me is that the Congress needs to act.

I am honored to be working with my good friend from Montana where we are offering Congress a variety of different ways to approach this—a commission, a bill to split the circuit.

But I want to emphasize that this is not a radical idea; the radical idea that is out of step with American history is to not do something about this.

Every time in America's history since the Judiciary Act of 1789 when this type of situation has occurred, Congress has acted, and they acted because they knew equal justice under the law was at stake.

Mr. DAINES. I remember as we were raising our four children, sometimes it would be late at night with a sick child, and I would turn on "Sesame Street" with the child. I remember there was that "One of These Things (Is Not Like the Others)" song. As I look at that chart, this could be a "Sesame Street" illustration. One of these circuits is not like the others. It is such a stark contrast to what we see with the Ninth Circuit.

With the disproportionate number of cases that are pending in the Ninth Circuit, this is not that complicated of a problem in terms of trying to identify where the problem lies. It is simply a factor of constraints, and it starts with the population chart my colleague from Alaska has, but then it results in a disproportionate share of cases coming out of that population. That is why something must be done.

These two prior Commissions that have studied this before, the one in 1973—which, by the way, in 1973, I was 11 years old. I was about "Sesame Street" age then. At that point they said the Ninth Circuit had an overly burdensome size in 1973. Yet again in 1998, I am grateful that California Senator DIANNE FEINSTEIN was championing that Commission. She looked at this same issue 18 years ago and determined that the Ninth Circuit was overly burdened and suggested changes be made to the structure of the Federal courts of appeal.

So I look forward to working with my colleague from Alaska as we have identified this problem and now move forward to a solution. If there is something we hear over and over again from the American people, it is this: You are not solving the problems facing this country.

We have a problem. We have a solution. I look forward to vigorous discussions and continuing to get more information, and I look forward to the alternatives. We think this is the best solution—to split the Ninth, add the Twelfth Circuit. Even after that is done—you take the Ninth and create the new Twelfth Circuit—the Ninth Circuit will still be the largest circuit by population in the United States.

I again thank the junior Senator from Alaska for taking the lead in this effort and look forward to continuing this discussion.

Mr. SULLIVAN. I appreciate my colleague's efforts as well. We will continue to be focused on this.

I will end by mentioning—my colleague mentioned the Sesame Street adage “One of these things is not like the other.” But one other area where this is the case, as I mentioned before, is in the en banc procedures. That is when the courts of appeal—every one of them in the country with the exception of one—when they have difficult issues, they sit together. All the active judges sit together. This provides uniformity and predictability in these courts. But one of these courts is not like the others. The Ninth Circuit cannot do this. It is too big. So they have developed what is called a limited en banc review, which by definition is incorrect and an oxymoron because “en banc” means the whole court. So that is why you have so many opinions in this court that are not uniform, that are problematic, and that undermine the administration of justice for the one in five Americans who is subject to this court's jurisdiction.

I look forward to working on this with my good friend the Senator from Montana and Members on both sides of the aisle. This should be a bipartisan issue for every Member of this body who wants to make sure their citizens have equal justice under the law.

I yield the floor.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, I previously revised allocations, aggregates, and levels in the budget resolution pursuant to section 4305 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, for H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. On January 6, 2016, the House of Representatives passed H.R. 3762, which had been amended by a complete Senate substitute. On January 8, 2016, the President vetoed the measure. On February 2, 2016, the House was unable to override the President's veto. As such, I am reversing my previous adjustments for this legislation.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$s in millions	2016
Current Aggregates:	
Spending:	
Budget Authority	3,045,629
Outlays	3,066,946
Adjustments:	
Spending:	
Budget Authority	24,200
Outlays	24,300
Revised Aggregates:	
Spending:	
Budget Authority	3,069,829
Outlays	3,091,246

BUDGET AGGREGATE—REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$s in millions	2016	2016–2020	2016–2025
Current Aggregates:			
Revenue	2,618,967	14,034,414	31,240,399
Adjustments:			
Revenue	57,000	381,500	992,700
Revised Aggregates:			
Revenue	2,675,967	14,415,914	32,233,099

REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$s in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	2,177,749	12,337,951	29,444,376
Outlays	2,167,759	12,318,105	29,419,399
Adjustments:			
Budget Authority	2,000	4,600	— 16,200
Outlays	2,000	4,600	— 16,200
Revised Allocation:			
Budget Authority	2,179,749	12,342,551	29,428,176
Outlays	2,169,759	12,322,705	29,403,199

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$s in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	12,406	83,087	160,659
Outlays	14,540	85,369	171,718
Adjustments:			
Budget Authority	0	4,200	13,700
Outlays	0	2,400	10,900
Revised Allocation:			
Budget Authority	12,406	87,287	174,359
Outlays	14,540	87,769	182,618

REVISION TO ALLOCATION TO UNASSIGNED TO COMMITTEE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$s in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	— 952,199	— 6,477,783	— 16,637,575
Outlays	— 906,718	— 6,350,658	— 16,317,826
Adjustments:			
Budget Authority	22,100	463,500	1,368,800
Outlays	22,100	463,500	1,368,800
Revised Allocation:			
Budget Authority	— 930,099	— 6,014,283	— 15,268,775
Outlays	— 884,618	— 5,887,158	— 14,949,026

ADDITIONAL STATEMENTS

REMEMBERING FORREST R. JARVIS

• Mr. MANCHIN. Mr. President, today I wish to honor Forrest R. “Dick” Jarvis, a beloved native of north central West Virginia who passed away on January 27, 2016.

Dick was a remarkable community leader, veteran, family man, and friend; and he left a tremendous legacy throughout my home State. Put simply, Dick stood out among others. He was the epitome of what West Virginians are all about, with his hospitable nature and unwavering commitment to helping those in need.

Upon graduating from Rivesville High School in 1948, Dick enlisted in the U.S. Navy, where he reported aboard the Destroyer USS *Brownson* DD 868 during the Korean war. His selfless service to our State and Nation is truly admirable and will never be forgotten.

Once discharged, he returned to West Virginia and entered the insurance business, where he retired as a sales manager after more than 25 years of service.

Dick was an outstanding community leader and was also a member of numerous organizations. He was president of the Morgantown Life Underwriters Association and the West Virginia Association of Life Underwriters and was a Life Underwriter Training Council Fellow. He was active in the Democratic Party of Monongalia County and served two terms as county Democratic chairman. He served five terms on Star City Council and was president of the Monongalia County Volunteer Fire Companies Association for 10 years.

Among his many accomplishments, Dick was instrumental in starting the MECCA 911 emergency dispatch center in Monongalia County and served as chairman of the policy board for more than 8 years. He was a lifetime member of the Star City Volunteer Fire Department, the VFW Post 548, the USS *Brownson* DD 868 Association, and the Tin Can Sailors Association.

It is a very special individual who can sacrifice so much for our Nation, only to return home and continue the tradition of giving back to our communities. Dick led by example and treated his neighbors as friends and his friends as family. He instilled this same loyal community service mindset throughout his family. He leaves behind his loving wife, Willa; his daughter Rebecca and her husband Reverend Mark Combs; his grandsons, Matthew and Alexander; and his dear brother Robert.

Dick was a beloved family man, friend, and inspiration to the Star City community. His glowing smile and positive attitude were contagious and will live on in the memories and hearts

of all those who had the privilege of knowing him. Dick’s service was greatly appreciated and will certainly never be forgotten.●

TRIBUTE TO STEVE PRINGLE

• Mr. MORAN. Mr. President, agriculture is the backbone of our country. It is a significant economic driver, and perhaps more importantly, it offers our citizens a way of life that is unique in today’s world. Within agriculture, I often encounter thoughtful, committed men and women who work every day to raise their families, run their businesses, serve their neighbors, and provide a better future for the next generation.

Those qualities are found in Steve Pringle, who has served on behalf of Texas Farm Bureau for over 25 years. Under Steve’s leadership, the organization has influenced agricultural policy, promoted rural values, and worked to show an increasingly urban populace how food is produced.

I met Steve many years ago, and over those years, we grew to be friends. As agricultural issues repeatedly came to the forefront of debate in Washington—from trade and energy, to the economy, overregulation, and the farm bill—he was always someone whom I could count on to give me trustworthy advice and counsel.

Steve is a veteran, a husband, and a father. His long and distinguished career includes stints at the House Agriculture Committee, Texas A&M University, and the U.S. Department of Agriculture. For over a quarter century however, Steve has been the face of Texas Farm Bureau. Steve’s passion for improving the lives of farmers and ranchers and advocating for the future of rural America has always impressed me.

Steve Pringle embodies many traits we can all admire, including a deep gratitude for the hard-working families who provide the food, fuel, and fiber Americans rely on. Texas farmers and ranchers found in Steve Pringle a true public servant who worked hard to make certain their voices were heard on Capitol Hill. These traits have earned Steve the respect of his peers in Texas, in my home State of Kansas, and from across the country.

Steve, we are grateful for your service and wish you and your wife, Linda, well in the next chapter of your life.●

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 766. An act to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository in-

stitution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 3033) to require the President’s annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 766. An act to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4295. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Cyazofamid; Pesticide Tolerances” (FRL No. 9940-46-OCSPP) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4296. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “SNAP Requirement for National Directory of New Hires Employment Verification and Annual Program Activity Reporting” (RIN0584-AE36) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4297. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of the Army, Department of Defense, received in the Office of the President of the Senate on February 3, 2016; to the Committee on Armed Services.

EC-4298. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Bernard S. Champoux, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4299. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on

the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-4300. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the North Slope Science Initiative; to the Committee on Energy and Natural Resources.

EC-4301. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Revisions to Reporting and Recordkeeping for Imports and Exports" (FRL No. 9941-82-OAR) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Environment and Public Works.

EC-4302. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 506 Notification Requirement for New and Certain Existing Section 501(c) (4) Organizations" (Notice 2016-9) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Finance.

EC-4303. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2016-7) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Finance.

EC-4304. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—February 2016" (Rev. Rul. 2016-4) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Finance.

EC-4305. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling: 2016 Prevailing State Assumed Interest Rates" (Rev. Rul. 2016-2) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Finance.

EC-4306. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revocation of Rev. Rul. 2008-15" (Rev. Rul. 2016-3) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Finance.

EC-4307. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Relating to Refunds of Foreign Tax for Which an Election was Made Under Section 853" (Notice 2016-10) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Finance.

EC-4308. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-129); to the Committee on Foreign Relations.

EC-4309. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-130); to the Committee on Foreign Relations.

EC-4310. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-120); to the Committee on Foreign Relations.

EC-4311. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Nonimmigrants under the Immigration and Nationality Act, as Amended" (RIN1400-AD17) received in the Office of the President of the Senate on February 3, 2016; to the Committee on Foreign Relations.

EC-4312. A communication from the General Counsel, Peace Corps, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director of the Peace Corps, received in the Office of the President of the Senate on February 3, 2016; to the Committee on Foreign Relations.

EC-4313. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-275, "Office of the Attorney General Personnel and Procurement Clarification Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-4314. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-276, "Washington Metropolitan Area Transit Authority Safety Regulation Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-4315. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-277, "Microstamping Implementation Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-4316. A communication from the Chief of the Satellite Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Comprehensive Review of Licensing and Operating Rules for Satellite Services" ((IB Docket No. 12-267) (FCC 15-167)) received in the Office of the President of the Senate on February 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-4317. A communication from the Senior Assistant Chief Counsel for Hazmat Safety Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Adoption of Special Permits (MAP-21) (RRR)" (RIN2137-AF00) received in the Office of the President of the Senate on February 2, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry:

Report to accompany H.R. 2051, a bill to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes (Rept. No. 114-206).

By Mr. BARRASSO, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 383. A bill to provide for Indian trust asset management reform, and for other purposes (Rept. No. 114-207).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself and Mr. LEAHY):

S. 2510. A bill to encourage and facilitate international participation in the performing arts and for other purposes; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mrs. MURRAY, Mr. CASSIDY, Mr. WHITEHOUSE, Mr. HATCH, and Mr. BENNET):

S. 2511. A bill to improve Federal requirements relating to the development and use of electronic health records technology; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself, Mr. NELSON, Mr. ISAKSON, and Mr. BROWN):

S. 2512. A bill to expand the tropical disease product priority review voucher program to encourage treatments for Zika virus; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PERDUE:

S. 2513. A bill to amend the Congressional Budget Act of 1974 to include the outlays and revenue totals relating to social security benefits in a concurrent resolution on the budget, and for other purposes; to the Committee on the Budget.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. HIRONO (for herself, Ms. BALDWIN, Mrs. FEINSTEIN, Ms. HEITKAMP, Ms. WARREN, Ms. KLOBUCHAR, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. CAPITO, Ms. AYOTTE, Ms. CANTWELL, Mrs. BOXER, Mrs. FISCHER, Mrs. SHAHEEN, Ms. STABENOW, Ms. COLLINS, Mr. DURBIN, and Ms. MIKULSKI):

S. Res. 365. A resolution designating February 2016 as "American Heart Month" and February 5, 2016, as "National Wear Red Day"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Ms. HIRONO, Mr. REID, Mr. KIRK, and Mr. RUBIO):

S. Res. 366. A resolution recognizing the cultural and historical significance of Lunar New Year; considered and agreed to.

ADDITIONAL COSPONSORS

S. 524

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 628

At the request of Mr. KIRK, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 1239

At the request of Mr. DONNELLY, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1421

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1421, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a 6-month extension of certain exclusivity periods in the case of approved drugs that are subsequently approved for a new indication to prevent, diagnose, or treat a rare disease or condition, and for other purposes.

S. 1547

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1547, a bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes.

S. 1622

At the request of Mr. BURR, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1622, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to devices.

S. 1883

At the request of Mr. REED, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 2144

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2144, a bill to improve the enforcement of sanctions against the Government of North Korea, and for other purposes.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of

S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2401

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2401, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 2426

At the request of Mr. GARDNER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2426, *supra*.

S. 2437

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

S. 2450

At the request of Mr. TESTER, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2450, a bill to amend title 5, United States Code, to address administrative leave for Federal employees, and for other purposes.

S. 2475

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 2475, a bill to establish a Commission on Structural Alternatives for the Federal Courts of Appeals.

S. 2477

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 2477, a bill to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, and for other purposes.

S. 2485

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2485, a bill to provide for the immediate reinstatement of sanctions against Iran if Iran attempts to acquire nuclear weapons technology from North Korea.

S. 2490

At the request of Mr. FLAKE, the name of the Senator from Arizona (Mr.

MCCAIN) was added as a cosponsor of S. 2490, a bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into 2 circuits, and for other purposes.

S. 2502

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2502, a bill to amend the Employee Retirement Income Security Act of 1974 to ensure that retirement investors receive advice in their best interests, and for other purposes.

S. 2506

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2506, a bill to restore statutory rights to the people of the United States from forced arbitration.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

AMENDMENT NO. 3035

At the request of Mr. MURPHY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 3035 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

AMENDMENT NO. 3248

At the request of Ms. STABENOW, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 3248 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself and Mr. LEAHY):

S. 2510. A bill to encourage and facilitate international participation in the performing arts and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, Senator HATCH and I are reintroducing the Arts Require Timely Service Act or ARTS Act. This bipartisan measure would assist nonprofit arts organizations in obtaining visas for visiting foreign artists. For many renowned artists abroad hoping to share their talent with American audiences, our visa system is often inconsistent and unreliable. Although current law establishes a specific processing period for artist visas, petitioners regularly confront

prolonged and uncertain wait times. This delay and uncertainty carries great costs for the nonprofit organizations that seek to bring foreign artists to American audiences.

While expedited visa processing is available, many of these organizations are unable to afford those fees, and the resulting delays in regular processing lead to interruptions and cancellations in performance schedules. Ultimately, the inefficiencies in obtaining foreign artist visas stifle the promotion of international cultural exchange and impede the mission of great American cultural institutions.

The ARTS Act addresses these challenges by requiring the Secretary of Homeland Security to provide expedited processing services, without a fee, if an O or P artist visa is not adjudicated within a 14-day time frame, and the petition is filed by or on behalf of a nonprofit organization. The legislation ensures that nonprofit arts organizations do not have to choose between making adjustments to their programming and incurring additional unexpected costs. We should be encouraging international participation in the performing arts, not thwarting it. That is why more than 80 national organizations consisting of musicians, orchestras, museums, performing artists, and local arts organizations such as the Vermont Symphony Orchestra, support the ARTS Act.

I have long been a supporter of the arts and am proud of the great contributions the arts community has made in my home state of Vermont. Organizations such as the Vermont Symphony Orchestra, Vermont Performance Lab, and Burlington City Arts enrich our State's dynamic culture, are integral to our economy, and ensure that all communities benefit from the remarkable power of the arts. The ARTS Act acknowledges the unique challenges that nonprofit arts organizations confront with our visa system and would assist them in their effort to bring international arts and culture to our communities.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 365—DESIGNATING FEBRUARY 2016 AS “AMERICAN HEART MONTH” AND FEBRUARY 5, 2016, AS “NATIONAL WEAR RED DAY”

Ms. HIRONO (for herself, Ms. BALDWIN, Mrs. FEINSTEIN, Ms. HEITKAMP, Ms. WARREN, Ms. KLOBUCHAR, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. CAPITO, Ms. AYOTTE, Ms. CANTWELL, Mrs. BOXER, Mrs. FISCHER, Mrs. SHAHEEN, Ms. STABENOW, Ms. COLLINS, Mr. DURBIN, and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 365

Whereas heart disease affects men, women, and children of every age and race in the United States;

Whereas, between 2003 and 2013, the death rate from heart disease fell nearly 40 percent, but heart disease continues to be the leading cause of death in the United States, taking the lives of approximately 370,000 individuals in the United States and accounting for 1 in 7 deaths nationwide;

Whereas congenital heart defects are the most common birth defect in the United States, as well as the leading killer of infants with birth defects;

Whereas, every year, an estimated 750,000 individuals in the United States have a heart attack, of which an estimated 116,000 individuals die;

Whereas cardiovascular disease and stroke account for \$316,000,000,000 in health care expenditures and lost productivity annually;

Whereas cardiovascular disease and stroke will account for \$1,393,000,000,000 in health care expenditures and lost productivity annually by 2030;

Whereas individuals in the United States have made great progress in reducing the death rate for coronary heart disease, but this progress has been more modest with respect to the death rate for coronary heart disease for women and minorities;

Whereas many people do not recognize that heart disease is the number 1 killer of women in the United States, taking the lives of 287,220 women in 2012;

Whereas nearly ⅓ of women who unexpectedly die of heart disease have no previous symptoms of disease;

Whereas nearly ½ of all African-American adults have some form of cardiovascular disease, including 48 percent of African-American women and 46 percent of African-American men;

Whereas many minority women, including African-American, Hispanic, Asian-American, and Native-American women and women from indigenous populations, have a greater prevalence of risk factors or are at a higher risk of death from heart disease, stroke, and other cardiovascular diseases, but such women are less likely to know of the risk;

Whereas, between 1965 and 2016, treatment of cardiovascular disease for women has largely been based on medical research on men;

Whereas, due to the differences in heart disease between males and females, more research and data on the effects of heart disease treatments for women is vital;

Whereas extensive clinical and statistical studies have identified major and contributing factors that increase the risk of heart disease, including high blood pressure, high blood cholesterol, smoking tobacco products, exposure to tobacco smoke, physical inactivity, obesity, and diabetes mellitus;

Whereas an individual can greatly reduce the risk of cardiovascular disease through lifestyle modification coupled with medical treatment when necessary;

Whereas greater awareness and early detection of risk factors of heart disease can improve and save the lives of thousands of individuals in the United States each year;

Whereas under the Joint Resolution entitled “Joint Resolution to provide for the designation of the month of February in each year as ‘American Heart Month’”, approved December 30, 1963 (36 U.S.C. 101), Congress requested that the President issue an annual proclamation designating February as “American Heart Month”;

Whereas the National Heart, Lung, and Blood Institute of the National Institutes of Health, the American Heart Association, and many other organizations celebrate “National Wear Red Day” during February by “going red” to increase awareness about heart disease as the leading killer of women; and

Whereas, every year since 1964, the President has issued a proclamation designating the month of February as “American Heart Month”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of “American Heart Month” and “National Wear Red Day”;

(2) recognizes and reaffirms the commitment in the United States to fighting heart disease and stroke by—

(A) promoting awareness about the causes, risks, and prevention of heart disease and stroke;

(B) supporting research on heart disease and stroke; and

(C) expanding access to medical treatment;

(3) commends the efforts of States, territories and possessions of the United States, localities, nonprofit organizations, businesses and other entities, and the people of the United States who support “American Heart Month” and “National Wear Red Day”; and

(4) encourages every individual in the United States to learn about the risk of the individual for heart disease.

SENATE RESOLUTION 366—RECOGNIZING THE CULTURAL AND HISTORICAL SIGNIFICANCE OF LUNAR NEW YEAR

Mr. COONS (for himself, Ms. HIRONO, Mr. REID, Mr. KIRK, and Mr. RUBIO) submitted the following resolution; which was considered and agreed to:

S. RES. 366

Whereas Lunar New Year begins on the second new moon following the winter solstice, or the first day of the new year according to the lunisolar calendar, and extends until the full moon 15 days later;

Whereas February 8, 2016, marks the first day of Lunar New Year for calendar year 2016;

Whereas the 15th day of the new year, according to the lunisolar calendar, is called the Lantern Festival;

Whereas Lunar New Year is often referred to as “Spring Festival” in various Asian countries;

Whereas many religious and ethnic communities use lunar-based calendars;

Whereas Lunar New Year began in China more than 4,000 years ago and is widely celebrated in East and Southeast Asia;

Whereas the Asian diaspora has expanded the Lunar New Year celebration into an annual worldwide event;

Whereas Lunar New Year is celebrated by millions of Asian Americans, and by many non-Asian Americans, in the United States;

Whereas Lunar New Year is celebrated with community activities and cultural performances;

Whereas participants celebrating Lunar New Year travel to spend the holiday reuniting with family and friends; and

Whereas Lunar New Year is traditionally a time to wish others good fortune, health, prosperity, and happiness: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the cultural and historical significance of Lunar New Year;

(2) in observance of Lunar New Year, expresses its deepest respect for Asian Americans and all individuals throughout the world who celebrate this significant occasion; and

(3) wishes Asian Americans and all individuals who observe this holiday a happy and prosperous new year.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3291. Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. WARNER, Mr. SCOTT, Mr. KAINE, Mr. TILLIS, Mr. SULLIVAN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3292. Mr. REID (for Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

SA 3293. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 757, to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; which was ordered to lie on the table.

SA 3294. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 757, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3291. Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. WARNER, Mr. SCOTT, Mr. KAINE, Mr. TILLIS, Mr. SULLIVAN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 3105. OIL AND GAS.

(a) DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES TO GULF PRODUCING STATES.—Section 105(f) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), the total amount of qualified outer Continental Shelf revenues described in section 102(9)(A)(ii) that are made available under subsection (a)(2) shall not exceed—

“(A) for each of fiscal years 2017 through 2026, \$500,000,000;

“(B) for each of fiscal years 2027 through 2031, \$999,000,000; and

“(C) for each of fiscal years 2032 through 2055, \$500,000,000.”

(b) DISTRIBUTION OF REVENUE TO ALASKA.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) by striking “All rentals,” and inserting the following:

“(a) IN GENERAL.—Except as provided in subsections (b) and (c), all rentals,”; and

(2) by adding at the end the following:

“(b) DISTRIBUTION OF REVENUE TO ALASKA.—

“(1) DEFINITIONS.—In this subsection:

“(A) COASTAL POLITICAL SUBDIVISION.—The term ‘coastal political subdivision’ means a county-equivalent or municipal subdivision of the State—

“(i) all or part of which lies within the coastal zone of the State (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)); and

“(ii)(I) the closest coastal point of which is not more than 200 nautical miles from the geographical center of any leased tract in the Alaska outer Continental Shelf region; or

“(II)(aa) the closest point of which is more than 200 nautical miles from the geographical center of a leased tract in the Alaska outer Continental Shelf region; and

“(bb) that is determined by the State to be a significant staging area for oil and gas servicing, supply vessels, operations, suppliers, or workers.

“(B) QUALIFIED REVENUES.—

“(i) IN GENERAL.—The term ‘qualified revenues’ means all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in the Alaska outer Continental Shelf region.

“(ii) EXCLUSIONS.—The term ‘qualified revenues’ does not include revenues generated from leases subject to section 8(g).

“(C) STATE.—The term ‘State’ means the State of Alaska.

“(2) FISCAL YEARS 2027–2031.—For each of fiscal years 2027 through 2031, the Secretary shall deposit—

“(A) 62.5 percent of qualified revenues in the general fund of the Treasury, of which 12.5 percent shall be allocated to the Tribal Resilience Fund established by section 3105(e) of the Energy Policy Modernization Act of 2016;

“(B) 28 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to the State;

“(C) 7.5 percent of qualified revenues in a special account in the Treasury, to be distributed by the Secretary to coastal political subdivisions; and

“(D) 2 percent of qualified revenues in the general account of the Denali Commission.

“(3) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS.—Of the amount paid by the Secretary to coastal political subdivisions under paragraph (2)(C)—

“(A) 90 percent shall be allocated in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point in each coastal political subdivision that is closest to the geographic center of the applicable leased tract and not more than 200 miles from the geographic center of the leased tract; and

“(B) 10 percent shall be divided equally among each coastal political subdivision that—

“(i) is more than 200 nautical miles from the geographic center of a leased tract; and

“(ii) the State of Alaska determines to be a significant staging area for oil and gas servicing, supply vessels, operations, suppliers, or workers.

“(4) TIMING.—The amounts required to be deposited under paragraph (2) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

“(5) ADMINISTRATION.—Amounts made available under paragraph (2) shall—

“(A) be made available, without further appropriation, in accordance with this subsection;

“(B) remain available until expended; and

“(C) be in addition to any amounts appropriated under any other provision of law.”

(c) DISPOSITION OF REVENUES TO ATLANTIC STATES.—Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) (as amended by subsection (b)) is amended by adding at the end the following:

“(c) DISTRIBUTION OF REVENUE TO ATLANTIC STATES.—

“(1) DEFINITIONS.—In this subsection:

“(A) ATLANTIC STATE.—The term ‘Atlantic State’ means any of the following States, which are adjacent to the South Atlantic planning area:

“(i) Georgia.

“(ii) North Carolina.

“(iii) South Carolina.

“(iv) Virginia.

“(B) QUALIFIED REVENUES.—

“(i) IN GENERAL.—The term ‘qualified revenues’ means all revenues derived from all rentals, royalties, bonus bids, and other sums due and payable to the United States from energy development in the Atlantic planning region.

“(ii) EXCLUSIONS.—The term ‘qualified revenues’ does not include revenues generated from leases subject to section 8(g).

“(C) SOUTH ATLANTIC PLANNING AREA.—The term ‘South Atlantic planning area’ means the area of the outer Continental Shelf (as defined in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331)) that is located between the northern lateral seaward administrative boundary of the Commonwealth of Virginia and the southernmost lateral seaward administrative boundary of the State of Georgia.

“(2) DEPOSIT.—For each of fiscal years 2027 through 2031, the Secretary shall deposit—

“(A) 62.5 percent of any qualified revenues in the general fund of the Treasury, of which 12.5 percent shall be split equally among, and allocated to, or deposited in, as applicable—

“(i) programs for energy efficiency, renewable energy, and nuclear energy at the Department of Energy;

“(ii) the National Park Service Critical Maintenance and Revitalization Conservation Fund established by section 104908 of title 54, United States Code, for use in accordance with subsection (d) of that section; and

“(iii) the Secretary of Transportation to administer and award TIGER discretionary grants; and

“(B) 37.5 percent of any qualified revenues in a special account in the Treasury from which the Secretary shall disburse amounts to the Atlantic States in accordance with paragraph (3).

“(3) ALLOCATION TO STATES.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), effective for fiscal year 2027 and each fiscal year thereafter, the Secretary of the Treasury shall allocate the qualified revenues described in paragraph (2)(B) to each Atlantic State in amounts (based on a formula established by the Secretary, by regulation) that are inversely proportional to the respective distances between—

“(i) the point on the coastline of each Atlantic State that is closest to the geographical center of the applicable leased tract; and

“(ii) the geographical center of that leased tract.

“(B) MINIMUM ALLOCATION.—The amount allocated to an Atlantic State for each fiscal

year under subparagraph (A) shall be not less than 10 percent of the amounts available under paragraph (2)(B).

“(C) STATE ALLOCATION.—Of the amounts received by a State under subparagraph (A), the Atlantic State may use, at the discretion of the Governor of the State—

“(i) 10 percent—

“(I) to enhance State land and water conservation efforts;

“(II) to improve State public transportation projects;

“(III) to establish alternative, renewable, and clean energy production and generation within each State; and

“(IV) to enhance beach nourishment and coastal dredging; and

“(ii) 2.5 percent to enhance geological and geophysical education for the energy future of the United States.

“(4) TIMING.—The amounts required to be deposited under paragraph (2) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.”

(d) TRIBAL RESILIENCE PROGRAM.—

(1) DEFINITION OF INDIAN TRIBE.—In this subsection, the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) ESTABLISHMENT.—The Secretary shall establish a program—

(A) to improve the resilience of Indian tribes to the effects of a changing climate;

(B) to support Native American leaders in building strong, resilient communities; and

(C) to ensure the development of modern, cost-effective infrastructure.

(3) GRANTS.—Subject to the availability of appropriations and amounts in the Tribal Resilience Fund established by subsection (e)(1), in carrying out the program described in paragraph (2), the Secretary shall make adaptation grants, in amounts not to exceed \$200,000,000 total per fiscal year, to Indian tribes for eligible activities described in paragraph (4).

(4) ELIGIBLE ACTIVITIES.—An Indian tribe receiving a grant under paragraph (3) may only use grant funds for 1 or more of the following eligible activities:

(A) Development and delivery of adaptation training.

(B) Adaptation planning, vulnerability assessments, emergency preparedness planning, and monitoring.

(C) Capacity building through travel support for training, technical sessions, and cooperative management forums.

(D) Travel support for participation in ocean and coastal planning.

(E) Development of science-based information and tools to enable adaptive resource management and the ability to plan for resilience.

(F) Relocation of villages or other communities experiencing or susceptible to coastal or river erosion.

(G) Construction of infrastructure to support emergency evacuations.

(H) Restoration or repair of infrastructure damaged by melting permafrost or coastal or river erosion.

(I) Installation and management of energy systems that reduce energy costs and greenhouse gas emissions compared to the energy systems in use before that installation and management.

(J) Construction and maintenance of social or cultural infrastructure that the Secretary determines supports resilience.

(5) APPLICATIONS.—An Indian tribe desiring an adaptation grant under paragraph (3)

shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of the eligible activities to be undertaken using the grant.

(6) CAPITAL PROJECTS.—Of amounts made available to carry out this program, not less than 90 percent shall be used for the engineering, design, and construction or implementation of capital projects.

(7) INTERAGENCY COOPERATION.—The Secretary and the Administrator of the Environmental Protection Agency shall establish under the White House Council on Native American Affairs an interagency subgroup on tribal resilience—

(A) to work with Indian tribes to collect and share data and information, including traditional ecological knowledge, about how the effects of a changing climate are relevant to Indian tribes and Alaska Natives; and

(B) to identify opportunities for the Federal Government to improve collaboration and assist with adaptation and mitigation efforts that promote resilience.

(8) TRIBAL RESILIENCE LIAISON.—The Secretary shall establish a tribal resilience liaison—

(A) to coordinate with Indian tribes and relevant Federal agencies; and

(B) to help ensure tribal engagement in climate conversations at the Federal level.

(e) TRIBAL RESILIENCE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the “Tribal Resilience Fund” (referred to in this subsection as the “Fund”).

(2) DEPOSITS.—The Fund shall consist of the following:

(A) Amounts made available through an appropriation Act for deposit in the Fund.

(B) Amounts deposited into the Fund under subsection (b)(2)(A) of section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) (as added by subsection (b)(2)).

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—In addition to the amounts estimated by the Secretary to be deposited in the Fund under paragraph (2), there are authorized to be appropriated annually to the Fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the Fund not more than \$200,000,000 for fiscal year 2027 and each fiscal year thereafter.

(B) AVAILABILITY OF DEPOSITS.—

(i) IN GENERAL.—Amounts deposited in the Fund under this paragraph shall remain available until expended, without fiscal year limitation.

(ii) USE.—Amounts deposited in the Fund under this paragraph and made available for obligation or expenditure from the Fund may be obligated or expended only to carry out the Tribal Resilience Program under subsection (d).

(f) EFFECT.—Nothing in this section or an amendment made by this section opens for leasing any area on the outer Continental Shelf that is subject to a moratorium under section 104 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432).

SA 3292. Mr. REID (for Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which

was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle F—Heat Efficiency Through Applied Technology

SEC. 2501. SHORT TITLE.

This subtitle may be cited as the “Heat Efficiency through Applied Technology Act” or the “HEAT Act”.

SEC. 2502. FINDINGS.

Congress finds that—

(1) combined heat and power technology, also known as cogeneration, is a technology that efficiently produces electricity and thermal energy at the point of use of the technology;

(2) by combining the provision of both electricity and thermal energy in a single step, combined heat and power technology makes significantly more-efficient use of fuel, as compared to separate generation of heat and power, which has significant economic and environmental advantages;

(3) waste heat to power is a technology that captures heat discarded by an existing industrial process and uses that heat to generate power with no additional fuel and no incremental emissions, reducing the need for electricity from other sources and the grid, and any associated emissions;

(4) waste heat or waste heat to power is considered renewable energy in 17 States;

(5)(A) a 2012 joint report by the Department of Energy and the Environmental Protection Agency estimated that by achieving the national goal outlined in Executive Order 13624 (77 Fed. Reg. 54779) (September 5, 2012) of deploying 40 gigawatts of new combined heat and power technology by 2020, the United States would increase the total combined heat and power capacity of the United States by 50 percent in less than a decade; and

(B) additional efficiency would—

(i) save 1,000,000,000,000 BTUs of energy; and

(ii) reduce emissions by 150,000,000 metric tons of carbon dioxide annually, a quantity equivalent to the emissions from more than 25,000,000 cars;

(6) a 2012 report by the Environmental Protection Agency estimated the amount of waste heat available at a temperature high enough for power generation from industrial and nonindustrial applications represents an additional 10 gigawatts of electric generating capacity on a national basis;

(7) distributed energy generation, including through combined heat and power technology and waste heat to power technology, has ancillary benefits, such as—

(A) removing load from the electricity distribution grid; and

(B) improving the overall reliability of the electricity distribution system; and

(8)(A) a number of regulatory barriers impede broad deployment of combined heat and power technology and waste heat to power technology; and

(B) a 2008 study by Oak Ridge National Laboratory identified interconnection issues, regulated fees and tariffs, and environmental permitting as areas that could be streamlined with respect to the provision of combined heat and power technology and waste heat to power technology.

SEC. 2503. UPDATING OUTPUT-BASED EMISSIONS STANDARDS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) COMBINED HEAT AND POWER TECHNOLOGY.—The term “combined heat and

power technology” means the generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(3) **OUTPUT-BASED EMISSION STANDARD.**—The term “output-based emission standard” means a standard that relates emissions to the electrical, thermal, or mechanical productive output of a device or process rather than the heat input of fuel burned or pollutant concentration in the exhaust.

(4) **QUALIFIED WASTE HEAT RESOURCE.**—

(A) **IN GENERAL.**—The term “qualified waste heat resource” means—

(i) exhaust heat or flared gas from any industrial process;

(ii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iii) a pressure drop in any gas for an industrial or commercial process; or

(iv) any other form of waste heat resource as the Secretary may determine.

(B) **EXCLUSION.**—The term “qualified waste heat resource” does not include a heat resource from a process the primary purpose of which is the generation of electricity using a fossil fuel.

(5) **STATE.**—The term “State” has the meaning given that term in section 302 of the Clean Air Act (42 U.S.C. 7602).

(6) **WASTE HEAT TO POWER TECHNOLOGY.**—The term “waste heat to power technology” means a system that generates electricity through the recovery of a qualified waste heat resource.

(b) **ESTABLISHMENT OF PROGRAM.**—The Administrator shall establish a program under which the Administrator shall provide to each State that elects to participate and that submits an application under subsection (c) a grant for use by the State in accordance with subsection (d).

(c) **APPLICATION.**—To be eligible to receive a grant under this section, a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(d) **USE OF FUNDS.**—

(1) **IN GENERAL.**—A State shall use a grant provided under this section—

(A) to update any applicable State or local air permitting regulations under this subtitle to incorporate environmental regulations relating to output-based emissions in accordance with relevant guidelines developed by the Administrator under paragraph (2); or

(B) if the State has already updated all applicable State and local permitting regulations to incorporate those output-based emissions environmental regulations, to expedite the processing of relevant power generation permit applications under this subtitle.

(2) **GUIDELINES.**—As soon as practicable after the date of enactment of this Act, the Administrator shall publish guidelines for updating State and local permitting regulations under this subtitle that—

(A) provide credit, in the calculation of the emission rate of the facility, for any thermal energy produced by combined heat and power technology or waste heat to power technology; and

(B) apply only to generation units that produce 5 megawatts of electrical energy or less.

(e) **MAXIMUM AMOUNT.**—The amount of a grant provided under this section shall not exceed \$100,000.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000.

SEC. 2504. UPDATED INTERCONNECTION PROCEDURES AND TARIFF SCHEDULE; SUPPLEMENTAL, BACKUP, AND STANDBY POWER FEES OR RATES.

Section 205(a) of the Federal Power Act (16 U.S.C. 824d(a)) is amended—

(1) by striking “(a) All rates” and inserting the following:

“(a) **RATES AND CHARGES.**—

“(1) **IN GENERAL.**—All rates”; and

(2) by adding at the end the following:

“(2) **ESTABLISHMENT OF CERTAIN GUIDANCE AND STANDARDS.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **NONREGULATED ELECTRIC UTILITY.**—The term ‘nonregulated electric utility’ means any electric utility other than a State-regulated electric utility.

“(ii) **STATE REGULATORY AUTHORITY.**—The term ‘State regulatory authority’ means—

“(I) any State agency that has ratemaking authority with respect to the sale of electric energy by any electric utility (other than the State agency); and

“(II) in the case of an electric utility with respect to which the Tennessee Valley Authority has ratemaking authority, the Tennessee Valley Authority.

“(iii) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Energy.

“(iv) **OTHER TERMS.**—The terms ‘combined heat and power technology’ and ‘waste heat to power technology’ have the meanings given those terms in section 2503(a) of the Heat Efficiency through Applied Technology Act.

“(B) **GUIDANCE AND STANDARDS.**—

“(i) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the Commission and other appropriate agencies, shall establish—

“(I) for generation with nameplate capacity up to 20 megawatts using all fuels—

“(aa) guidance for technical interconnection standards that ensure interoperability with existing Federal interconnection rules;

“(bb) model interconnection procedures, including appropriate fast-track procedures; and

“(cc) model rules for determining and assigning interconnection costs; and

“(II) model rules and procedures for determining fees or rates for supplementary power, backup or standby power, maintenance power, and interruptible power supplied to facilities that operate combined heat and power technology and waste heat to power technology that appropriately allow for adequate cost recovery by an electric utility but are not excessive.

“(ii) **REQUIREMENT.**—The standards established under clause (i)(I) shall reflect, to the maximum extent practicable, current best practices (as demonstrated in model codes and rules adopted by States) to encourage the use of distributed generation (such as combined heat and power technology and waste heat to power technology) while ensuring the safety and reliability of the interconnected units and the distribution and transmission networks to which the units connect.

“(iii) **FACTORS FOR CONSIDERATION.**—In establishing model standards, rules, and procedures under clause (i), the Secretary shall take into consideration—

“(I) for the model standards established under clause (i)(I), the appropriateness of using standards or procedures that vary based on unit size, fuel type, or other relevant characteristics; and

“(II) for the model rules and procedures established under clause (i)(II)—

“(aa) the best practices that are used to model outage assumptions and contingencies to determine the fees or rates;

“(bb) the appropriate duration, magnitude, or usage of demand charge ratchets;

“(cc) the benefits to the utility and ratepayers, such as increased reliability, fuel diversification, enhanced power quality, and reduced electric losses from the use of combined heat and power technology and waste heat to power technology by a qualifying facility; and

“(dd) alternative arrangements to the purchase of supplementary, backup, or standby power by the owner of combined heat and power technology and waste heat to power technology generating units if the alternative arrangements do not compromise system reliability and are nondiscretionary and nonpreferential.

“(C) **DETERMINATION BY STATES AND UTILITIES.**—

“(i) **IN GENERAL.**—Not later than 90 days after the date on which the Secretary completes the standards required under subparagraph (B), each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall—

“(I)(aa) take into consideration each standard established by subparagraph (B); and

“(bb) make a determination concerning whether it is appropriate to implement that standard; or

“(II) set a hearing date for consideration under subclause (I).

“(ii) **PROCEDURAL REQUIREMENTS.**—

“(I) **CONSIDERATION.**—The consideration under clause (i) shall be made after public notice and hearing.

“(II) **DETERMINATION.**—A determination under clause (i)(I)(bb) shall be made—

“(aa) in writing;

“(bb) based on findings included in the determination and evidence presented at an applicable hearing; and

“(cc) available to the public.

“(iii) **DEADLINE FOR COMPLIANCE.**—Not later than 2 years after the date on which the Secretary completes the standards required under subparagraph (B), each State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) and each nonregulated electric utility shall—

“(I) complete the consideration under clause (i);

“(II) make the determination referred to in clause (i)(I)(bb) with respect to each standard established under subparagraph (B); and

“(III) submit to the Secretary and the Commission a report describing the updated plans of the State regulatory authority regarding, as applicable—

“(aa) interconnection procedures and tariff schedules that reflect best practices to encourage the use of distributed generation; or

“(bb) supplemental, backup, and standby power fees that reflect best practices to encourage the use of distributed generation.

“(iv) **EFFECT OF PARAGRAPH.**—Nothing in this paragraph prohibits any State regulatory authority or nonregulated electric utility from making a determination pursuant to this subparagraph that it is not appropriate to implement a standard or any other applicable State law.

“(D) IMPLEMENTATION.—

“(i) IN GENERAL.—The State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) or nonregulated electric utility, to the extent consistent with otherwise applicable State law, may—

“(I) implement any standard determined under subparagraph (C) to be appropriate; or

“(II) decline to implement any such standard.

“(ii) DECISION NOT TO IMPLEMENT.—If a State regulatory authority (with respect to each electric utility for which the authority has ratemaking authority) or nonregulated electric utility declines to implement a standard pursuant to clause (i)(II), the authority or nonregulated electric utility shall publish a notice describing the reasons for that decision.

“(iii) PRIOR STATE ACTIONS.—Clause (ii) and subparagraph (C)(ii) shall not apply to a standard established under subparagraph (B) in the case of any electric utility in a State if, before the date of enactment of this paragraph—

“(I) the State has implemented for the electric utility the standard (or a comparable standard);

“(II) the State regulatory authority for the State, or the relevant nonregulated electric utility, has conducted a proceeding after December 31, 2013, to consider implementation of the standard (or a comparable standard) for the electric utility; or

“(III) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.”.

SA 3293. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 757, to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 106. SEMIANNUAL REPORT ON IRAN AND NORTH KOREA NUCLEAR COOPERATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report on nuclear cooperation between the Government of Iran and the Government of the Democratic People's Republic of North Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information between the Government of Iran and the Government of the Democratic People's Republic of North Korea on their respective nuclear programs.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 3294. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 757, to improve the enforcement of sanctions against the Government of North Korea, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 106. SEMIANNUAL REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report on nuclear and ballistic missile cooperation between the Government of Iran and the Government of the Democratic People's Republic of North Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information between the Government of Iran and the Government of the Democratic People's Republic of North Korea on their respective nuclear programs.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appoints the Senator from Delaware, Mr. COONS, to read Washington's Farewell Address on Monday, February 22, 2016.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Tuesday, February 9, at 2:15 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 464; that the Senate vote without intervening action or debate on the nomination; that if confirmed, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE CULTURAL AND HISTORICAL SIGNIFICANCE OF LUNAR NEW YEAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of S. Res. 366, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 366) recognizing the cultural and historical significance of Lunar New Year.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 366) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR TUESDAY, FEBRUARY 9, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. tomorrow, Tuesday, February 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:40 p.m., adjourned until Tuesday, February 9, 2016, at 11 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 08, 2016:

THE JUDICIARY

REBECCA GOODGAME EBINGER, OF IOWA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA.

EXTENSIONS OF REMARKS

HONORING MARINE SERGEANT
ADAM C. SCHOELLER

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. BARLETTA. Mr. Speaker, it is with a heavy heart that I honor my constituent, Marine Sergeant Adam C. Schoeller of Boiling Springs, and to express my deepest condolences to his family and friends.

On January 14, 2016, Sgt. Schoeller and 11 of his fellow patriots went missing off of the coast of Oahu during a late night training session when the two CH-53E Super Stallion helicopters they were travelling in crashed. These honorable Marines tragically lost their lives while in the line of duty, and the American people are forever grateful for the service they provided to their country.

Sgt. Schoeller graduated from Boiling Springs High School in 2008 and enlisted to serve his country with the United States Marine Corps immediately afterward. Deployed during Operation Enduring Freedom, Sgt. Schoeller's leadership and bravery distinguish his outstanding service to our nation, as evidenced by the over 200 people who attended a vigil in his honor held at the Boiling Springs Clock tower and Veterans Memorial. Sgt. Schoeller received various honors such as the Air Medal, National Defense Service Medal, and the Global War on Terrorism Service Medal—decorations which are indicative of his dedication to our country.

Sgt. Schoeller is survived by his wife, Samantha Wickel-Schoeller, whom he recently married on July 4, 2015. Samantha, his father Ralph, his mother Laurie, sister Shannon, and brother Collin were all able to travel to Hawaii through the Semper Fi Fund following this terrible tragedy.

Mr. Speaker, please join me in honoring the life and service of Sgt. Adam C. Schoeller, for his selfless heroism and dedication to his family, community, and country.

PERSONAL EXPLANATION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to state that I was unable to vote on Thursday, February 4, 2016 due to district events our office is hosting in Houston and Harris County, Texas.

If I had been able to vote, I would have voted as follows:

On the Democratic Motion to Recommend H.R. 766, I would have voted "Yea."

On final passage of H.R. 766, the Financial Institution Customer Protection Act, I would have voted "No."

RECOGNIZING THE LUNAR NEW
YEAR

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise today to recognize the Lunar New Year and to applaud the significant contributions made by Chinese Americans to American life and culture.

Today, February 8, marks the first day of the "Year of the Monkey."

The Lunar New Year, or "Nian," is a tradition that has been celebrated for more than a thousand years by the Chinese and other persons of Asian ancestry.

The Lunar New Year is cause for celebration in communities all across our country but might I say that no city does it better than my home city of Houston, which will be hosting the Annual Lunar New Year Houston Celebration this coming weekend.

Celebrants will be treated to a variety of festivities, including parades, festivals, art exhibits, and musical performances.

Mr. Speaker, Americans of Asian Pacific ancestry have positively influenced our country through their strong commitment to family, faith, hard work, and service.

They have enhanced and shaped our national character with centuries-old traditions that reflect the multiethnic and multicultural customs of their communities.

Asian Americans have enriched our culture and economy and made significant contributions in every area of American life from the arts and humanities, to the natural and social sciences, to business and the economy, in government, sports, the military, and technology and innovation.

Notable Chinese Americans who have distinguished themselves in the field of the arts and humanities include the two-time Academy Award winning cinematographer, James Wong Howe; Ang Lee, the Academy Award winning director; Maya Lin, the architect who designed the iconic Vietnam Veterans Memorial; I.M. Pei, the famous architect and designer of the Louvre Pyramid; Amy Tan, the best-selling author of *The Joy Luck Club*; Yo-Yo Ma, the world-renowned cellist; and the legendary Bruce Lee, who revolutionized the martial arts film genre.

In the field of business, American life has been enriched by the contributions of Steve Chen, the co-founder of YouTube; Jen-Hsun Huang, the co-founder and CEO of NVIDIA, the computer graphics card company; Min H. Kao, co-founder of Garmin, the GPS software giant; William Wang, the founder and CEO of Vizio; and Jerry Yang, cofounder of Yahoo.

Mr. Speaker, Connie Chung made history as the first Chinese American woman to co-anchor a major network's national news

broadcast, as did Norman Bay, the first Chinese American United States Attorney; and Thomas Tang, the first Chinese American federal judge.

Many contemporary Chinese Americans have risen to occupy some of the most important positions in the nation, including my colleagues, JUDY CHU and GRACE MENG, the first and second Chinese-American woman elected to the U.S. House of Representatives; Dr. Steven Chum, Nobel laureate in Physics and United States Secretary of Energy from 2009–2013; Hiram L. Fong, the first U.S. Senator of Chinese ancestry; Ed Lee, the Mayor of San Francisco; and Gary Locke, former Secretary of Commerce, Ambassador to China, and only Chinese American ever to serve as a Governor.

Mr. Speaker, Kurt Lee was the first Asian American Marine Corps officer and he was followed by John Liu Fugh, the first Chinese American officer to be promoted to the rank of Major General in the United States Army and Coral Wong Pietsch, the first female Chinese American Army General; and it is a source of great pride that the Congressional Medal of Honor was awarded to Francis Wai, so far the only Chinese American to have been so honored.

In the fields of science, engineering, and medicine, Chinese Americans have made significant contributions that have fundamentally changed the way we live and work, including those of Min Chueh Chang, the co-inventor of the first birth control pill; Charles Kao, the 2009 Nobel laureate in Physics who pioneered the development and use of fiber optics in telecommunications; Yuan-Cheng Fung, the founder of modern biomechanics; and NASA astronauts Leroy Chiao and Edward Lu.

Mr. Speaker, according to most recent data reported by the Census Bureau, there are more than 423,609 businesses owned by Chinese Americans generating \$142.8 billion in economic output towards the U.S. economy, along with creating over 780,000 jobs.

As the Member of Congress from the 18th Congressional District of Texas, I am honored to represent a district rich in cultural and ethnic diversity and with a vibrant Chinese-American community.

Mr. Speaker, there are more than four million Chinese-Americans in the United States and Texas is home to more than 167,000 of them; of this latter number, approximately 25 percent, or 43,940, Chinese-Americans live in Harris County, making it the tenth largest community of persons of Chinese heritage in the nation.

Mr. Speaker, Chinese-Americans have made much progress in the United States since May 10, 1860, the date the first transcontinental railroad was completed.

That massive construction project transformed our country for the better and could not have been completed had it not been for the labor of Chinese immigrants.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Despite the enormous progress made challenges still remain for persons of Chinese ancestry, particularly the nation's antiquated immigration system which needs to be reformed to make it fairer and more humane.

Celebrating the Lunar New Year helps us to remember how much our country has benefited from the energy, creativity, and service of Chinese Americans.

I encourage all Americans to take part in activities marking this important occasion.

**HONORING CARLETON ZEISZ UPON
THE OCCASION OF HIS RETIREMENT
FROM PUBLIC SERVICE**

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. HIGGINS. Mr. Speaker, today I rise to recognize Carleton Zeisz as he is honored by the City of Tonawanda Democratic Committee upon his retirement from public service. Carl's career spans an impressive twenty-four years of service.

Carl began his tenure with the City of Tonawanda as an Alderman in 1992 and 1993. He became the Common Council President in 1994, and held the post for twenty-two years, until 2015. In 2009, Carl earned the Outstanding Public Service Award from the Conservative Party.

Many major projects in the City of Tonawanda have benefited from Carl's efforts as he worked throughout the years together with the Mayor and Common Council. His efforts include the development of Gateway Park, the Niawanda Park Pavilion, the implementation of Central Dispatch, the development of Kibler High, closing the Tonawanda Landfill, the Niagara Street and Young Street development, and a multitude of other infrastructure projects. Carl's greatest asset was his ability to get many to work together for the good of Tonawanda.

In addition to his career in public service, Carl has worked in General Cinema theaters for twenty-four years at eight different locations, with twenty-one years in the position of General Manager. In 1989, he was recognized as General Manager of the Northeast for General Cinema. For the past eleven years, Carl has worked at Maple Ridge 8. In 2015, Carl was recognized as Runner-up General Manager of the year, chosen from managers out of 341 AMC Theatres.

I ask my colleagues to join me in honoring Carl for his years of service to the City of Tonawanda and wishing him the best in his retirement from service.

**RECOGNIZING THE HOLY ROSARY
PARISH OF HAZLETON, PA ON
ITS 100TH ANNIVERSARY**

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. BARLETTA. Mr. Speaker, it is my honor to draw attention to a great, iconic Catholic

church located in my district, one that was vital in my upbringing as a young man. My own Holy Rosary Parish in Hazleton, Pennsylvania is celebrating its 100th anniversary, and it remains a historic landmark within my congressional district, providing generations of people with a place to come together and worship.

Like many Catholics in the Hazleton area, I have many fond memories of events centered in and around Holy Rosary. My grandfather was one of the parish founders, and I, myself, took my First Holy Communion there and was confirmed in the church. I am a third-generation member of Holy Rosary, my children are fourth-generation, and my grandchildren are fifth-generation. My personal experiences mirror those of countless others from our area, as we share the overall culture the church provides for the citizens of Pennsylvania's 11th Congressional District and beyond.

Founded in April of 1916 as a mission church of Our Lady of Mount Carmel, the church was originally established to serve the Italian immigrants of Hazleton's south side. Since then, the church has continually engaged with the community at large and is regarded as one of the most welcoming organizations in the region. To celebrate the church's 100th Anniversary, the congregation has embraced a theme of remembering the past, celebrating the present, and preserving the future.

Actively involved in the community, the Holy Rosary Parish of Hazleton hosts an annual Mass in honor of the Hazleton Fire Department, which includes a September 11th memorial service. The church property includes a 9/11 Memorial and actual steel from the World Trade Center in commemoration of the brave men and women who responded to that day's tragic events. The congregation also routinely engages with their homebound parishioners—whether it is a priest providing Holy Communion, or a youth group member bringing a poinsettia at Christmas time. With an eye to the future, the church is also implementing a collaborative outreach effort with the purpose of providing evening meals and nightly shelter to the community's homeless population during the winter months.

Mr. Speaker, it is my pleasure to honor the Holy Rosary Parish of Hazleton, Pennsylvania as it celebrates its 100th anniversary, and I commend its congregation, both past and present, for their tireless efforts to preserve its longstanding legacy.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding missed votes on Thursday, February 4, 2016 due to an important family matter. Had I been present for roll call vote number 62, the Democrat Motion to Re-commit H.R. 766, I would have voted "nay." Had I been present for roll call vote number 63, H.R. 766, the Financial Institution Customer Protection Act of 2015, I would have voted "yea."

PATRICIA SPENCER

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Ms. CASTOR of Florida. Mr. Speaker, I rise today to recognize and to honor the life of an extraordinary leader and passionate advocate for freedom and justice, Ms. Patricia Spencer.

Growing up in Montgomery, Alabama in the 1930s, Patricia Spencer followed in her mother and grandmother's footsteps, becoming a member of the NAACP at the age of seven, a group of which she was still a member 72 years later. At the age of nineteen, while serving as secretary of the local NAACP branch, Ms. Spencer received the news that her mentor on the NAACP Youth Council, Rosa Parks, was arrested while riding the Montgomery bus. Ms. Spencer immediately started churning out fliers urging others to boycott the bus. During this time Ms. Spencer also babysat Yolanda King, the eldest child of Martin Luther King, Jr.

Ms. Spencer attended Alabama State University and then moved to Orlando, FL to take a position as an operator with Southern Bell, the first African American to hold this position. From there she moved to Detroit and served 13 years on the local school board. In recognition of her service to the Detroit area, the Martin Luther King, Jr. High School Auditorium and the swimming facility at Charles Kettering High School bear her name. In the mid 1990s she moved to Tampa, FL. Once settled in she immediately started to volunteer with the Hillsborough NAACP branch, where she used her vast knowledge of the organization's rules to mentor members and secure funding for the branch. She served as Membership Chair and Area Director for the NAACP's state conference as well as Secretary of the Hillsborough County branch. She will forever be remembered for her constant efforts to boost NAACP membership.

As a notable NAACP member, Ms. Spencer also co-chaired the Afro-Academic, Cultural, Technologic and Scientific Olympics. This program recruits high school students to compete in science and visual arts competitions. Though she gave countless hours to the organization as a volunteer, she still had time to serve others. She was affiliated with other local organizations as well. At WUSF Radio Reading Service, she was a reader for the visually impaired listeners tuned in to the station. She was a Board Member of Osher Lifelong Learning Institute (OLLI-USF), a non-degree-seeking program at the University of South Florida and she also served on the Board of the Early Learning Coalition. The American Red Cross was one of her favorite charities and she was the Vice President of Sisters Network, Inc., Tampa Chapter. She also was Chair of the Hillsborough County Public Schools—School Choice Committee.

In 2007, Governor Charlie Crist appointed her as a member of the Hillsborough County Civil Service Board.

Ms. Spencer will be forever remembered as a leader in the Tampa Bay community for her unequivocal support of justice and fairness. On December 14th, 2015, she passed away two days following her 79th birthday. Mr.

Speaker, I join the Tampa Bay community in honoring Ms. Patricia Spencer for her lifelong commitment to service.

COMMEMORATING THE LIFE OF
SEN. HARRIET SPANEL

HON. SUZAN K. DeIBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Ms. DELBENE. Mr. Speaker, I rise today to pay tribute to Ms. Harriet Spanel, who recently passed away at the age of 77.

Harriet served in the Washington State Legislature for more than two decades, representing Northwest Washington with immense dedication and conviction.

Harriet had an intense passion for making her community a better place. She served on many local boards and committees, and took a hands on approach to what she saw as her civic responsibility.

So it was no surprise that when Harriet decided to run for office and was elected to the state House, and then the Senate, she jumped in head first without hesitation.

Throughout her political career, Harriet was a strong proponent for her constituents, sticking up for the local fishing economy and for the preservation of some of our state's most beautiful lands.

She was a constant advocate for her community, always fighting for what she believed would make a positive difference, however large or small.

My heart goes out to all her family and friends. Harriet will be greatly missed by the countless lives she touched, but her presence through the work she accomplished will continue to resonate in Whatcom, San Juan and Skagit counties as well as throughout our state for years to come.

RECOGNIZING LEHIGH CARBON
COMMUNITY COLLEGE FOR ITS
50TH ANNIVERSARY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. BARLETTA. Mr. Speaker, it is my honor to help commemorate the 50th anniversary of the establishment of Lehigh Carbon Community College. With humble roots in Schnecksville, Pennsylvania, the school was founded in 1966 and has expanded to include three modern satellite campuses serving more than 7,500 students in the Lehigh, Carbon, Schuylkill, and surrounding counties.

As a student-centered learning institution, Lehigh Carbon Community College exemplifies values that permeate all aspects of the higher education experience. Through practical access to real-world skills, classroom diversity that embodies the human experience, and quality teacher-student contact, Lehigh Carbon Community College offers students the tools they will need to meet the world's most daunting challenges.

In January 2005, Lehigh Carbon Community College received a 21st Century Learning Center Grant from the Pennsylvania Department of Education for the implementation of the Schools and Homes in Education (SHINE) after school program. This program was designed to address the before and after-school programs available to students in the community. The first full year proved to be a success—86 percent of classroom teachers involved noted significant improvement in homework assignments, and kindergarten children improved an average of 32 percent in letter recognition, number recognition, and sound association.

In the spring of 2006, Lehigh Carbon Community College received notice that the program would receive additional funding for expansion into Mahanoy Area and Shenandoah Valley School Districts. This new program was to focus on kindergarten through 5th grade, and has continued to show the value that after-school programs provide when coupled with exceptional leadership and resources.

Mr. Speaker, it is my pleasure to recognize Lehigh Carbon Community College as it celebrates its 50th anniversary. On behalf of a grateful community, I wish to thank the college and its members for their tireless service to the community and unwavering commitment to accessible education.

HONORING THE LIFE AND LEGACY
OF MRS. JULIA AARON HUMBLER

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life of Julia Aaron Humbles, a New Orleans native and a lifelong civil rights activist. Mrs. Humbles passed away on January 26, 2016, at the age of 72.

In the 1960's, Mrs. Humbles was among a group of young activists from New Orleans that organized sit-ins, and challenged unjust laws on buses traveling across the Deep South. Mrs. Humbles and her companions were arrested more than 30 times for their civil rights work.

In 1961, Mrs. Humbles received national attention because of a photo of her and fellow activist David Dennis sitting on the front seat of a bus next to a soldier armed with a rifle and bayonet. Soldiers had been ordered to protect the Freedom Riders as they rode across the Deep South, determined to desegregate bus stations.

By the age of 18, Mrs. Humbles was already very active in the New Orleans chapter of the Congress of Racial Equality (CORE) and was selected to be on the first Freedom Ride bus.

Two New Orleanians, Mrs. Humbles and Jerome Smith, were selected for the first Freedom Ride bus, which ultimately was firebombed outside Anniston, Alabama. Fortunately, the two were not on that bus; they were in Orleans Parish Prison for picketing outside the segregated Woolworth stores on Canal Street.

Mrs. Humbles graduated from the Charity Hospital School of Surgical Technology in

New Orleans and worked as a surgical technician for 30 years. In 1988, after the death of her husband, Joseph Lee Humbles Sr., she moved to Atlanta for a job at Northside Hospital.

Mrs. Humbles' legacy will forever be a part of the city and her dedication to justice embodies the spirit of New Orleans. Stories like hers will inspire generations of Americans to fight for their dreams. She will be sorely missed by her family, her friends, and all those who are able to pursue their dreams because of her courage.

Mr. Speaker, as a beneficiary of Mrs. Humbles courage, commitment and sacrifice, I celebrate her life and legacy, because she has made America a more perfect union. With that, I yield back the balance of my time.

PERSONAL EXPLANATION

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I was unavoidably detained and missed the following votes. Had I been present, I would have voted:

"Yea" on roll call number 46, regarding H.R. 2187—"Fair Investment Opportunities for Professional Experts."

"Yea" on roll call number 47 regarding H.R. 4168—"Small Business Capital Formation Enhancement Act."

"Yea" on roll call number 48, the previous question for H. Res. 594.

"Yea" on roll call number 49 regarding H. Res. 594—"Providing for consideration of the bill (H.R. 3700) to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes."

TRIBUTE TO RUTH BERMAN AND
CONSTANCE KURTZ

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. MURPHY of Florida. Mr. Speaker, I along with Representatives TED DEUTCH and LOIS FRANKEL rise to recognize Ruth Berman and Constance Kurtz on the occasion of receiving the SAGE Pioneer award this Saturday, February 6, 2016.

Ruth Berman and Constance Kurtz, affectionately known to all as Ruthie and Connie, are fierce, unyielding advocates and activists who have changed hearts and minds on LGBT rights, marriage equality, and women's rights. Since falling in love and coming out in the 1970s, Ruthie and Connie have risen to national prominence, successfully winning domestic partner benefits for City of New York employees in 1988. Additionally, through television appearances on The Phil Donohue Show, interviews with Geraldo Rivera and Bill Boggs, and their 2002 documentary "Connie

and Ruthie: Every Room in the House," they have connected with individuals worldwide and shown the personal impact of changing social climates.

That commitment to the personal impact of love and acceptance continues through their work as certified counselors. In that capacity, they founded The Answer is Loving Counseling Center, where they have served for over twenty years. Additionally, they founded branches of Parents, Friends and Family of Lesbians and Gays (PFLAG) in Florida and New York. In 2000, they began serving as co-chairs of the New York State National Organization for Women (NOW) Lesbian Rights Task Force.

I was privileged to introduce a bill this session with my colleagues SUZANNE BONAMICI and TED DEUTCH to expand the Older Americans Act (OAA) to improve services available for older LGBT adults. This legislation recognizes LGBT seniors as a vulnerable population, which will open the door for improved health and longterm care services for elders in the LGBT community.

I, along with Representatives DEUTCH and FRANKEL, have known Ruthie and Connie for many years. They are my constituents and my inspiration for the bill. For decades, their advocacy and leadership in the LGBT community has not wavered as they have aged, but the services available to them and other aging LGBT adults are profoundly unequal to those of other American populations. Their living message inspired the Ruthie and Connie LGBT Elder Americans Act of 2015 (H.R. 3793).

For these reasons and more, it is with great pleasure that we join SAGE (Services & Advocacy for Gay, Lesbian, Bisexual, & Transgender Elders) to recognize Ruthie and Connie for their lifetime of love and service.

LOUISIANA MUNICIPAL
ASSOCIATION

HON. GARRET GRAVES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. GRAVES of Louisiana. Mr. Speaker, it is with great pleasure that I rise to commemorate the 90th anniversary of the Louisiana Municipal Association.

Since January 28, 1926, the LMA has represented over 305 villages, towns, cities, and parishes across the state of Louisiana.

The three-fold mission of the LMA has been one of education, advocacy and service and includes advocacy at the national level.

At the state level, they work to fight blight, promote the work of law enforcement and public safety efforts, and encourage economic growth.

The LMA exemplifies the cooperation necessary to move our state forward. I'd like to recognize the accomplishments of the LMA over the last 90 years and thank them for their ongoing efforts.

HONORING NEW ORLEANS' FIRST
AFRICAN AMERICAN FIREFIGHTER

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. RICHMOND. Mr. Speaker, I rise today to recognize the 50th year since the City of New Orleans hired its first African American Firefighter.

George Mondy was the first African American to join the paid department as a professional firefighter with the New Orleans Fire Department. Firefighter Mondy opened the doors to professional firefighting in February 1965. As he worked diligently to overcome racial barriers of the times, his persistence and perseverance paid off. Firefighter Mondy was promoted to Fire Apparatus Operator to drive and operate the fire trucks. He retired in 1991, after 26 years with the department. Shortly after his retirement, Operator Mondy applied and was rehired as a fire supply technician. Firefighter Mondy was a trailblazer on whose shoulders many firefighters stand today. I believe it was his can do attitude and manifestation of competence that let the department know it was depriving itself and the City of New Orleans by not hiring African Americans. The late George Mondy's name has been written in the history of the New Orleans Fire Department. Today, I submit Firefighter Mondy's name to be written in the U.S. CONGRESSIONAL RECORD.

Mr. Speaker, as a beneficiary of the courage, commitment and sacrifice of Firefighter Mondy, I celebrate his life and legacy, because he helped make America a more perfect union. With that, I yield back the balance of my time.

REMEMBERING PHIL NEIGHBORS,
COMMUNITY SERVANT

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday February 8, 2016

Mr. CONAWAY. Mr. Speaker, I rise today to honor the life and service of Phil Neighbors. Phil was a pillar in the San Angelo community, and I had the pleasure of working with him frequently over the last decade. Phil dedicated his life to three things: to God, his family, and his community.

He and his wife, Susan, had two children together, and four grandchildren. It wasn't uncommon for Phil to run straight to a city event from his grandsons' ball games—he seemed to make time for everyone while placing the truly important things in life first.

Phil was deeply ingrained in Angelo. A graduate of Angelo State University, he led the San Angelo Chamber of Commerce for the last 10 years. In this role, he strengthened the community and helped Angelo become a better place to live and raise a family. He dedicated his life to this calling, taking on many duties, none of which were too small or large, for the betterment of the community.

One example was the bridge he helped build between the Goodfellow Air Force Base

and the Angelo community. He established a strong and lasting bond for the betterment of both. He embraced our service-members, and was always willing to support them and our military in any way that he could.

As a deacon in the Baptist church, Phil led the church's college program and many mission trips to Mexico. He was a selfless servant, a trait that extended beyond the city, state, and country's borders. Everyone felt and knew Phil's warmth and thoughtfulness of others. His guidance and quiet diligence was reassuring to those around him and helped shape a community that is exemplary in Texas and the nation. Phil had no small part in creating such a community.

We lost Phil far too soon, just days after his 64th birthday. His loss will be felt across the community and state, and his service will not be forgotten. Please join me in remembering and celebrating the extraordinary life of our friend Phil Neighbors.

RECOGNIZING THE OUTSTANDING
SERVICE TO THE COMMUNITY OF
TACOMA OF DR. DUNG XUAN
NGUYEN

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. KILMER. Mr. Speaker, I rise today to recognize Dr. Dung Xuan Nguyen of Tacoma, WA. Dr. Nguyen has served his community with dedication and compassion through his medical practice and his outreach and support to local immigrant families.

Dr. Nguyen has practiced in the Lincoln District of Tacoma for forty years, offering medical service and strong advocacy for the uninsured and homeless in Tacoma's Vietnamese-American community.

Mr. Speaker, for the past seven years, Dr. Nguyen has served as the President of the Vietnamese-American Community of Tacoma-Pierce County, which provides information and advocacy to the Vietnamese-American community in the Tacoma region.

Dr. Nguyen's office is often a clearinghouse for ride-share services, community outreach and gatherings, and other essential services for new residents of the neighborhood.

Mr. Speaker, Dr. Nguyen has even dedicated his time to help create public art to memorialize the fallen soldiers of the Vietnam War—both U.S. and South Vietnamese servicemen. He designed and donated a black monolith memorial to the Vietnamese Cultural Center in Seattle in 2012 with the inscription "The Nation Will Always Remember Those Who Sacrificed."

Dr. Nguyen has shown dedication to community and advocacy for those who need it. He has lived up to the values of our nation, welcoming immigrants to his community and honoring his adopted home through his work in the Tacoma community.

Mr. Speaker, I'm proud to express my gratitude for Dr. Dung Xuan Nguyen's inspirational medical care and volunteerism to the lives of Tacoma's citizens and their families today in the United States Congress.

HONORING THE REVEREND DR.
NOAH SPENCER SMITH

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. ELLISON. Mr. Speaker, I rise today in honor of Reverend Dr. Noah Spencer Smith and to recognize his decades of service to the citizens of Minneapolis.

Born in Marion, Indiana in 1908, Reverend Dr. Smith's parents enriched his childhood through music, art, and a lasting devotion to the African Methodist Episcopal church. After graduating high school in 1927, Reverend Dr. Smith's love of music led him to drum in a jazz band, touring and composing songs for many years. He later took a job as a railroad dining car waiter to support his family.

Eventually settling in Minneapolis and joining St. Peter's AME Church, Reverend Dr. Smith was active in choir, Sunday school, and the Order of Service before answering his deeper calling to enter the ministry. In 1960, Reverend Dr. Smith was ordained as an Itinerant Elder in the African Methodist Episcopal Church, receiving a pastorate at St. Mark's Church in Duluth, MN. He returned to Minneapolis in 1988 to serve the congregation of St. James' Church, the oldest black congregation in Minnesota, until reaching the mandatory retirement age of 90.

Reverend Dr. Smith was among the oldest graduates from three separate Minnesota colleges. He earned an Associate of Arts degree from Minneapolis Community College at age 74, a Bachelor of Arts in Religious Studies from Macalester College at age 78, and a Master of Divinity degree from United Theological Seminary at the age of 81. An exceptional student, Reverend Dr. Smith received the Sidney Barrow Award in Religion during his time at Macalester, and in 2013 was bestowed an honorary Doctorate of Ministry from United Theological Seminary at 105 years old.

Reverend Dr. Smith was widely admired and respected both in the Minneapolis community and in the African Methodist Episcopal Church worldwide. After his retirement from St. James' at 90, he tirelessly worked for 16 more years as a member of the Wayman Church ministerial staff where he continued to preach, helped found the Wayman Church Bible Institute, taught Bible studies, and mentored many members of the clergy. Reverend Dr. Smith's final ministerial act was September 6, 2015, giving a scripture lesson during service at Lily of The Valley Church in Apple Valley, Minnesota. Lily of the Valley African Methodist Episcopal Church is a church that he not only helped found, but was also the first AME church to open in Minnesota in nearly 80 years.

Reverend Dr. Noah Spencer Smith passed away on September 24, 2015 at the age of 107. At the time of his death, Reverend Dr. Smith was the oldest active minister in the United States. His memory stands as an example for all in Minneapolis never to cease your calling. Through a deep dedication to his faith, he fostered a community that will blossom for years to come.

2015 PERSON OF THE YEAR:
LISA KRUSE

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. NOLAN. Mr. Speaker, I rise today to recognize Lisa Kruse of McGregor, Minnesota for being named 2015 Person of the Year by the Aitkin Age for her outstanding service to her community.

As Director of Community Education Lisa works tirelessly to promote wellness to all people in her community. She has brought activities to McGregor for all ages, from indoor recess equipment, to an ice rink at the High School, and to fitness classes for seniors.

The programs Lisa helps bring to her community go beyond physical health. Recently she attended training to educate others in her community on the impacts of Adverse Childhood Experiences. She obtained grants to make McGregor schools a Reading Corps site where additional reading help is available for struggling students to promote literacy to early readers in kindergarten through third grade. Her assistance to McGregor's Early Childhood program helped it earn Parent Aware's highest rating of four stars.

In addition to all she does to promote education and wellness Lisa was instrumental in bringing the Governor's fishing opener to Aitkin County for the first time ever. After four years of hard work by Lisa the 2016 Governor's Fishing Opener will be held at Big Sandy Lake nearby her hometown. She is a great example of what it means to be an active citizen.

Once again I would like to thank Lisa Kruse for all she does for her hometown of McGregor, Minnesota.

DELANO STEWART

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the life of an extraordinary leader and pillar of the Tampa Bay legal community, Mr. Delano Stewart.

Delano Stewart retired in July 2015 after an illustrious 50-year legal career in the state of Florida. A graduate of Hillsborough County public schools, Mr. Stewart went on to matriculate from Morehouse College and Howard University Law School. His memorable career began as the first African-American Assistant Public Defender in Hillsborough County's history. In 1970, he went on to open the first integrated law firm in the state of Florida. In addition to his legal work, Mr. Stewart was the first African-American elected to the Board of Directors of the Hillsborough County Bar Association, and the first African-American member of the Rough Riders civic club.

Mr. Stewart's memorable career was shaped by many stalwart figures in the civil rights movement. At the age of 12, inspired by a visit from Thurgood Marshall, who was in

Tampa as an NAACP attorney assisting in the African-American teachers' campaign for equal pay, Mr. Stewart desired to become a lawyer. His passion for the civil rights movement was further stoked upon traveling to Washington, DC for Dr. Martin Luther King Jr.'s "I Have a Dream" speech. Additionally, Mr. Stewart is proud to champion Garland Stewart, the first African-American administrator in Hillsborough County school district history who played a key role in integrating the district, as the greatest influence on his life.

Beyond his legal career, he founded The Delano S. Stewart Diversity Award which is given each year to an individual for lifetime achievements in improving the lives of African-Americans and promoting diversity in the legal profession.

During this new chapter of his life, Mr. Stewart plans on spending more time with his wife and their six children and eight grandchildren as well as working on his novel. In Delano Stewart's own words he is not retiring, rather he is finding new ways to help people with his specialized legal training. Mr. Speaker, I join the Tampa Bay community in honoring Mr. Delano Stewart for his lifelong commitment to fairness and justice for all.

**NATIONAL SCHOOL COUNSELING
WEEK**

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, earlier this week I introduced a resolution recognizing February 1–5th as National School Counseling Week. This resolution is an important one; school counselors are critical to the success of our students, particularly the ones who are at a high risk of dropping out.

We ask much of our counselors. The recommended counselor to student ratio is one to 250, while the national average is almost double that; one to 482. Each year, only 80% of students are graduating from high school. Schools desperately need more counselors who can put students on the path to success by ensuring they have the tools they need to graduate.

In the spirit of properly recognizing hard-working school counselors across the country, today I wish to honor the work of an incredible school counselor and administrator from Montebello Unified School District, Andy Costello. Recently retired, he spent much of his career working for Montebello Unified, and has become a pillar of our community.

Mr. Costello has a passion for supporting and uplifting students and their families. Always going above and beyond to make sure families received the best guidance and support possible. Now retired, Andy continues to be engaged with the community. Mr. Costello is involved in counseling associations, and the college access program, College Bound Today, at Montebello Unified.

It is important to recognize leaders like Mr. Costello. The true heroes of our community. The ones that help make our future brighter, by uplifting the next generation. He has had an immense impact on our community.

IN HONOR OF PAT HOSFORD'S
80TH BIRTHDAY

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. BRADY of Texas. Mr. Speaker, born into an American energy family, Patrick Eugene Hosford arrived on February 6, 1936 in Seminole, Oklahoma where his father was working for what was then known as Gulf Oil. Eugene and June Hosford's oldest son, like his father, would go on to graduate from the University of Oklahoma and immediately put his engineering degree to work in the energy industry.

For many years, Pat worked for Pan American, which became Amoco. Then Pat ventured out on his own forming his own energy companies and making his mark as an independent oilman. Pat even formed a manufacturing company to make pup joints for the energy industry.

A quarter century ago Pat, and his lovely wife of 59 years, Colleen, whom he met on the campus at the University of Oklahoma, made The Woodlands their home. Their three sons all earned engineering degrees from the University of Texas, which makes the annual Sooners-Longhorn match-up quite the event in the Hosford house.

All three of Pat's sons have made their mark on domestic energy production. Jim, John, and Mike, their wives, 9 children and two great-grandchildren are Pat's pride and joy. Now retired, Pat finds being a grandfather to be as great a rush as striking oil.

I had the privilege of being in the same Woodlands office building with Pat for years. Seeing Pat frequently meant I benefitted from his experience and insight into our area's top business sector. His service on the Woodlands-South Montgomery County Chamber of Commerce board was a great help in the early days of The Woodlands when we were working to attract new energy companies to our community. Pat served wherever and whenever he was needed with a smile on his face, a faithful heart, and an open door for anyone who needed solid advice or help. A man of strong faith, Pat has always been active in his local church.

One of my funniest, if not strangest, memories of Pat was seeing him, and other Woodlands leaders, dressed up bizarrely and jokingly offering folks a chance to make a donation or kiss a pig. Their over the top stunts made us laugh while raising a lot of money for the local United Way.

Thank you will never be enough, Pat. Cathy and I are blessed to have you and Colleen as friends, as sounding boards and supporters since I first ran for office as a Texas State Representative. Today it is my privilege to honor Patrick Eugene Hosford on his 80th birthday and to wish him 80 more.

A LIFE-SAVING ACT OF KINDNESS

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. NOLAN. Mr. Speaker, I rise to recognize Minnesota State Trooper Glen Bihler and Mary Dinger of Aitkin, MN for their selfless acts of kindness toward a fellow Minnesotan in need of shelter on a cold winter night.

Winters in Minnesota tend to be cold but the temperature on January 19th was particularly cold at 15 degrees below zero. Mary Dinger was driving along Highway 169 in Aitkin County, Minnesota. At mile marker 249 Mary saw a man lying down on the side of the road. Although we are all taught not to stop and pick up strangers—particularly on dark rural roads late at night—Mary stopped to help and let the man warm up in her car while she called 911 and waited for a state Trooper to arrive. After Trooper Bihler picked up the man and confirmed he did not have frostbite, Bihler brought him to a fast-food restaurant for a hot meal. Trooper Bihler said he was just doing what he could to help the man out. Afterwards he brought the man to the lobby of the Aitkin County Sheriff's office, the only place open so late, where he could rest in a warm place until a ride could be arranged to a shelter in the Twin Cities.

Once again I want to thank both Minnesotans for the compassion and care they showed for a fellow citizen desperately in need.

PERSONAL EXPLANATION

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. DEUTCH. Mr. Speaker, I was absent from votes on Wednesday, February 3, 2016, due to illness. Had I been present I would have voted as follows:

On Roll Call 55, I would have voted no (On Ordering the Previous Question, H. Res. 595).

On Roll Call 56, I would have voted no (H. Res. 595).

On Roll Call 57, I would have voted yea (Amendment No. 1, H.R. 1675).

On Roll Call 58, I would have voted yea (Amendment No. 6, H.R. 1675).

On Roll Call 59, I would have voted yea (Amendment No. 7, H.R. 1675).

On Roll Call 60, I would have voted yea (On Motion to Recommit with Instructions, H.R. 1675).

On Roll Call 61, I would have voted no (H.R. 1675).

PERSONAL EXPLANATION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. LEWIS. Mr. Speaker, I was unable to cast roll call votes on Monday, February 1,

2016. Had I been present, I would have cast the following votes:

I would have voted Aye on roll call vote 46; and

I would have voted Aye on roll call vote 47.

In addition, on Tuesday, February 2, 2016, I would like to clarify for the record that I strongly opposed the amendment under consideration and intended to vote Nay on roll call vote 50 during consideration of H.R. 3700.

HONORING THE LIFE OF HAWAII
STATE SENATOR GILBERT
KAHELE

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Ms. GABBARD. Mr. Speaker, on January 26, 2016, the Aloha State lost the Honorable Gil Kahele, a U.S. Marine, a Hawaii State Senator, and a loving husband and father. His life was extraordinary from beginning to end, and he will be sorely missed.

Hawaii's Island State Senator Gilbert Kahele was born to Peter and Rebecca Kahele, both of Hawaiian descent, in a grass shack by the sea on May 15, 1942 at Kalihi, just south of the Hawaiian fishing village of Miloli'i in South Kona. His parents valued education, so in 1947, they moved the family to Hilo, 90 miles away when Gil was five years old. It was a big change for the Kahele family because Hilo was a bustling town after recovering from World War II and the 1946 tsunami. It was full of commerce, cars, buildings, sporting events, and multiple nationalities, a far cry from the isolated fishing village of Miloli'i on the other side of the island.

Gil attended Hilo High School and played on the Vikings football team—graduating with the class of 1960. After graduation, Gil began his long career of service to his country by joining the United States Marine Corps. Stationed at Camp Lejeune, North Carolina, Twenty-Nine Palms and Camp Pendleton, California, Gil was part of the engineering troop responsible for refrigeration. As a young Hawaiian traveling through the South in the 1960's, Gil remembers riding a bus across the country and seeing the discrimination of African Americans on buses, in bus stations, and restrooms in the South. He saw segregation for the very first time. The black man was treated differently than the white man in this part of the country, something that was uncommon to him growing up in Hawaii where everyone was treated with aloha.

After four years serving as a Marine, Gil was honorably discharged and settled in California for a few years. His first son Gibson was born in October of 1963, and he attended Chapman and Laney Colleges in Northern California. After graduating with an Associate Degree in Science in 1967 from Laney College, Gil moved back to Hawaii where he began a civil service career that would last 33 years. He got a job with the Federal Government at Naval Station Wahiawa as a refrigeration mechanic. He married United Airlines stewardess Linda Haggberg in October of 1971, and the couple lived in Wahiawa. In

1976, the couple moved to Hilo. They had two children, Kai and Noelani. For the next 25 years Gil drove from Hilo up the Saddle Road to his job at the Pohakuloa Training Area, where he would eventually retire in 2000 as the Director of Public Works.

During the 1980s, Gil spent a lot of time in Miloli'i and made a name for himself as a successful community organizer in South Kona as a result of his ability to bring people together in the village to rally around a common cause or project. In 1986, Gil teamed up with Boone Morrison to produce a documentary, "Song of South Kona". Featuring Diana Aki, the film took a look at the history of the village and the songs that had been passed down through generations of musicians. Additionally, Gil, the president of Pa'a Pono Miloli'i at the time, successfully prevented the development of Kapua Bay and Kahuku by the Farms of Kapua and the Hawaiian Riviera Resort.

Tragically, Gil's younger sister Mona died in a car accident along with her husband Eric, leaving their three young children without parents. To Gil and Linda, family was their priority, so they adopted the three children, Ihilani, Ilima and Imaika, and Gil began to spend more time in Hilo and less time in Miloli'i.

In 2011, Hawaii Governor Neil Abercrombie selected Gil Kahele to fill a vacancy in the State Senate, where he would end up serving for the remainder of his life. Gil boasted an impressive record rather quickly because of his sincere desire to make a difference for the people of the Big Island and all of Hawai'i.

I recently saw Gil in Washington, DC, where as always, he was ready with a smile, a hug, a heart full of aloha. My heart is with the Kahele family (ohana), and all of Hawai'i Island. Gil, you are missed. Thank you (Mahalo nui loa) for dedicating your life to serving others and for demonstrating how much we can achieve when we work together in the spirit of aloha. God bless you (Ke Akua me ke Aloha).

INTRODUCTION OF THE "RIGHTS FOR TRANSPORTATION SECURITY OFFICERS ACT OF 2016"

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, today, I join with Representative NITA LOWEY (D-NY) to introduce the "Rights for Transportation Security Officers Act of 2016," legislation to ensure that the dedicated men and women that serve on the frontlines at our Nation's airports have receive the rights and protections afforded to their counterparts within the Department and the Federal government.

When the Transportation Security Administration (TSA) was established in 2002, in response to the September 11th attacks, Congress acted swiftly to transfer responsibility for security screening at airports from the private sector to the Federal government. We did so with the expectation that a system-wide approach would be taken to protecting our Nation's vital aviation sector and the passengers

that are its lifeblood. Over the years, Congress has come to realize that some of the flexibilities that were provided to TSA when it was established were too broad and warranted refinement. For instance, when Congress recognized that TSA's exercise of acquisition flexibilities was not yielding the outcomes that TSA and the flying public need, TSA was required to comply with the Federal Acquisition Regulation, just like most other Federal agencies. We are introducing the "Rights for Transportation Security Officers Act of 2016," because we believe that the time has come for TSA's personnel and labor management systems to be brought into compliance with the longstanding Federal systems and protections afforded to Federal workers under Title 5.

TSA has had its fair share of challenges, particularly with respect to its personnel services. Repeatedly, there have been instances where TSA's personnel system at attracting, retaining, and developing talent has fallen short. And with respect to labor management, the promise of the 2011 determination by then-TSA Administrator John Pistole has not lived up to its promise, insofar as the labor union that was elected as the exclusive representative for the Transportation Security Officer workforce can only bargain and represent workers in limited cases and issues in dispute that may be raised to a neutral third party are limited.

The fight for basic worker protections for Transportation Security Officers has been a long one. These dedicated individuals serve honorably on the front lines, protecting us from those who want to do us harm through our aviation sector. Back in 2007, we came close to ensuring that Transportation Security Officers would be put under Title 5 but a veto threat from then-President Bush all but closed the door to getting the fix. When President Obama took office, the TSA workforce and many of us in Congress were hopeful that under new leadership, workers would get the rights and protections that had been denied to them for years. However, now that we have seen successive TSA Administrators fail to address longstanding unsettled workforce issues, it is imperative that Congress come together and enact legislation that will grant the workforce rights and benefits that they deserve.

I hope that other Members will join myself and Representative LOWEY and support this important legislation.

INTRODUCTION OF SEAT EGRESS IN AIR TRAVEL (SEAT) ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. COHEN. Mr. Speaker, today, I introduce the Seat Egress in Air Travel (SEAT) Act. This bill would direct the Federal Aviation Administration (FAA) to establish minimum seat size standards for passenger seats on aircrafts operated by carriers in the U.S. for the health and safety of passengers.

Consumers are tired of being squeezed—both physically and fiscally. The average distance between rows of seats has dropped

from 35 inches before airline deregulation in the 1970s to about 31 inches today. The average width of an airline seat has also shrunk from 18 inches to about 16½.

This isn't just a matter of comfort. It is about safety and health. The FAA requires that planes be capable of evacuation in 90 seconds or less, but the FAA hasn't conducted emergency evacuation tests on airlines with a distance between rows of less than 29 inches. Some airlines fly with rows as close as 28 inches apart. Furthermore, doctors warn of deep vein thrombosis which can afflict passengers who don't move their legs enough on longer flights.

Moreover, average seat sizes have been shrinking while the average size of Americans has been growing. According to the Centers for Disease Control and Prevention, the average man in 1960 weighed 166, and the average woman weighed 140 pounds. Now the average man is 196 pounds and the average woman is 166 pounds—and both are about an inch taller.

This just doesn't make any sense. I hope that Congress will quickly act on this bill to direct the FAA to establish minimum seat size standards to provide appropriately for the safety and health of airline passengers.

INTRODUCTION OF THE "MAKING YOUR RETIREMENT ACCESSIBLE ACT" OR THE "MYRA ACT"

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 8, 2016

Mr. CROWLEY. Mr. Speaker, I am proud to introduce, along with Congressman KEITH ELLISON, the "Making Your Retirement Accessible Act," also known as the "myRA Act," to help address the savings and retirement security crisis in America.

Here are a few startling facts:

According to a 2015 Federal Reserve Report, 31 percent of non-retired individuals said they have no retirement savings or pension whatsoever.

Among workers who do not participate in a 401(k) or other defined contribution plan, 42 percent say that is because their employer does not offer one.

For part-time workers, it can be even more difficult, as a 2015 BLS Economic Release found that 62 percent of part-time workers don't have access to a retirement plan at work.

To address this looming crisis, the Obama Administration recently launched the myRA program to help workers who face obstacles to saving, such as by not having access to an employer-sponsored retirement plan or not having enough in personal funds to purchase and contribute to their own IRA.

The myRA program allows workers to open their own retirement savings account with as little as \$1, and gives them the ability to make automatic payments every pay period.

Employers would only be responsible for setting up a payroll deduction for employees to create and deposit funds into their individualized myRA accounts.

myRA accounts not only encourage workers to build a nest egg for their future, but also give workers peace of mind that they can access these funds in emergencies.

Under the myRA program, participants can withdraw funds from their account tax-free and penalty-free—so these funds can be used as an emergency rainy-day fund as well as a future retirement account, further breaking down a barrier against savings.

The funds invested go solely into U.S. Government savings bonds, ensuring these accounts remain stable, not at risk in the market.

Further, the accounts do not have any associated maintenance charges or fees, which means every dollar that is invested will be returned—plus interest—to the account holder.

Recognizing most Americans will have a number of jobs in their lifetime; myRA accounts are also portable, allowing employees to change jobs while still being able to easily maintain their accounts.

The Administration has taken an important step forward by using their existing legal authority to create this program. I salute them for their actions in creating this program.

The myRA program represents an important saving tool, and as such it should be welcomed as more than just an administrative program—it should be codified into law.

Today, Congressman ELLISON and I are taking that next step to ensure this worthwhile program can continue, allowing everyone in our country to plan ahead for a secure retirement for themselves and their families.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 9, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 10

10 a.m.

Committee on Environment and Public Works

To hold an oversight hearing to examine the importance of enacting a new Water Resources Development Act.

SD-406

Committee on Foreign Relations

Business meeting to consider S. Res. 99, calling on the Government of Iran to

fulfill its promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history, S. Res. 361, urging robust funding for humanitarian relief for Syria, and S. Res. 330, congratulating the Tunisian National Dialogue Quartet for winning the 2015 Nobel Peace Prize; to be immediately followed by a hearing to examine United States policy in Central Africa, focusing on the imperative of good governance.

SD-419

Committee on Homeland Security and Governmental Affairs

Business meeting to consider H.R. 3572, to amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, S. 1526, to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, S. 236, to amend the Pay-As-You-Go Act of 2010 to create an expedited procedure to enact recommendations of the Government Accountability Office for consolidation and elimination to reduce duplication, S. 1411, to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, S. 795, to enhance whistleblower protection for contractor and grantee employees, S. 2450, to amend title 5, United States Code, to address administrative leave for Federal employees, S. 2418, to authorize the Secretary of Homeland Security to establish university labs for student-developed technology-based solutions for countering online recruitment of violent extremists, S. 2340, to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, H.R. 3361, to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, S. Res. 104, to express the sense of the Senate regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers, H.R. 1656 and an original bill entitled, "Secret Service Improvements Act of 2015", to provide for additional resources for the Secret Service, and to improve protections for restricted areas, an original bill entitled, "DHS Acquisition and Accountability Reform Act", an original bill entitled, "Combat Terrorist Use of Social Media Act of 2016", an original bill entitled, "Federal Property Management Reform Act of 2016", an original bill to amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists, an original resolution directing the Senate Legal Counsel to bring civil action to enforce a subpoena of the Permanent Subcommittee on Investigations, and the nomination of

Beth F. Cobert, of California, to be Director of the Office of Personnel Management for a term of four years.

SD-342

Committee on the Judiciary

To hold hearings to examine mental health and the justice system.

SD-226

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine proposed budget estimates for fiscal year 2017 for the Air Force.

SD-192

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2017.

SD-215

2 p.m.

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2017.

SD-215

2:30 p.m.

Special Committee on Aging

To hold hearings to examine a new scam by global drug traffickers perpetrated against our nation's seniors.

SD-562

FEBRUARY 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the National Commission on the Future of the United States Army in review of the Defense Authorization Request for Fiscal Year 2017 and the Future Years Defense Program.

SD-G50

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine agency discretion in setting and enforcing regulatory fines and penalties.

SD-342

10 a.m.

Committee on Appropriations

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies

To hold hearings to examine emerging health threats and the Zika supplemental request.

SD-138

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual Monetary Policy Report to the Congress.

SD-538

Committee on Finance

To hold hearings to examine the President's proposed budget request for fiscal year 2017.

SD-215

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 483, to improve enforcement efforts related to prescription drug diversion and abuse, S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, and the nominations of Elizabeth

J. Drake, of Maryland, Jennifer Choe Groves, of Virginia, and Gary Stephen Katzmann, of Massachusetts, each to be a Judge of the United States Court of International Trade.

SD-226

10:15 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Karen Brevard Stewart, of Florida, to be Ambassador to the Republic of the Marshall Islands, Robert Annan Riley III, of Florida, to be Ambassador to the Federated States of Micronesia, and Matthew John Matthews, of Oregon, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum, all of the Department of State, and Swati A. Dandekar, of Iowa, to be United States Director of the Asian Development Bank.

SD-419

1 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine an update on the Organization for Security and Co-operation in Europe, focusing on religious freedom, anti-Semitism, and rule of law.

HVC-210

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

FEBRUARY 23

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of the Interior.

SD-366

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To hold hearings to examine the Department of Energy atomic energy defense activities and programs in review of the defense authorization request for fiscal year 2017 and the Future Years Defense Program.

SR-232A

FEBRUARY 25

1:30 p.m.

Committee on Indian Affairs

To hold hearings to examine the Tribal Law and Order Act 5 years later, focusing on the next steps to improve justice systems in Indian communities.

SH-216

MARCH 2

10 a.m.

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SR-253

MARCH 3

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Securities, Insurance, and Investment

To hold hearings to examine regulatory reforms to improve equity market structure.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Department of Energy.

SD-366

MARCH 8

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2017 for the Forest Service.

SD-366

MARCH 9

2 p.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold an oversight hearing to examine the enforcement of the antitrust laws.

SD-226